CERTIFICATION

The undersigned, as the duly appointed committee on the revision of the House Journal of the 2004 Fourth Special Session of the Fifty−fifth Legislature of the State of Utah, do hereby certify that the contents published herein are a full, true and correct record of the proceedings of the session commencing on Wednesday, September 15, 2004 and ending Wednesday, September 15, 2004.

COMMITTEE ON REVISION
OF THE HOUSE JOURNAL

CAROLE E. PETERSON
Chief Clerk

JANICE A. GADD
Journal Clerk
The House was called to order by Speaker Stephens at 2:10 p.m.

Roll call showed all members present except Representative Philpot, excused.

Pledge of Allegiance and prayer by Representative Fred R. Hunsaker.

On motion of Representative Curtis, the House voted to continue with the same organization for the 2004 Fourth Special Session of the 55th Legislature as set up and constituted during the 2004 Annual General Session of the Legislature insofar as it pertains to the Speakership, Majority Leadership and Minority Leadership.

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

The Chief Clerk read the following:

CERTIFICATION

I, GAYLE F. McKEACHNIE, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT the attached copy of a Proclamation issued under date of September 10th, 2004, and signed by Governor Olene S. Walker, is a true and correct copy of the original Proclamation calling the Fifty–Fifth Legislature of the State of Utah into a Special Session at the Capitol Complex at Salt Lake City, Utah, on the 15th day of September, 2004, at 2:00 o’clock in the afternoon, for the purposes named in the Proclamation.
IN TESTIMONY WHEREOF,  
I have hereunto set my hand and  
caused to be affixed the Great  
Seal of the State of Utah. Done  
at the State Capitol in Salt Lake  
City, Utah, this 10th day of  

GAYLE F. McKEACHNIE  
Lieutenant Governor  

Communication filed.  

PROCLAMATION  

WHEREAS, since the adjournment of the 2004 General Session of the  
Fifty−Fifth Legislature of the State of Utah, matters have arisen which require  
immediate legislative attention; and  

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

NOW, THEREFORE, I, Olene S. Walker, Governor of the State of Utah, by  
virtue of the authority vested in me by the Constitution and the Laws of the State of  
Utah, do by this Proclamation call the Fifty−Fifth Legislature of the State of Utah  
into a Fourth Special Session at the Capitol Complex at Salt Lake City, Utah, on  
the 15th day of September, 2004, at 2:00 p.m., for the following purposes:  

1. To consider allocating funds to improve the state correctional facilities in  
Draper;  

2. To consider allocating funds to care for, preserve, and provide for the  
security of state lands at Range Creek;  

3. To consider amendments to Title 75 regarding out−of−state trustees;  

4. To consider certain deductions from income tax for persons called to  
active service in the military;  

5. For the Senate to consent to appointments made by the governor to  
positions within state government of the State of Utah since the close of the 2004  
General Session; and  

6. 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 Capitol Complex in Salt Lake City, Utah, this 10th day of September, 2004.

OLENE S. WALKER
Governor

GAYLE F. McKEACHNIE
Lieutenant Governor

Communication filed.

MISCELLANEOUS BUSINESS

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

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

The Speaker appointed Representatives Seitz, Webb, and Litvack.

On motion of Representative Alexander, the House voted to authorize the Speaker to appoint a committee to meet with a like committee from the Senate to wait upon the Governor to inform Her Excellency that the House is organized and ready to do business.

The Speaker appointed Representatives Donnelson, Peterson, and Jones.

On motion of Representative Dillree, under suspension of the rules, the House voted, as provided by the Utah Constitution, to suspend the requirement that every bill be read by title three separate times in the House of Representatives. It was further moved that this suspension apply to all bills and resolutions introduced during the legislative session, except that a majority of the House may direct the reading of the long title, short title, or both of any House or Senate bill or resolution.

Representative Seitz informed the House of Representatives that his committee had waited upon the Senate and informed them that the House was organized and ready to do business.
Representative Donnelson informed the House of Representatives that the joint committee had waited upon the Governor and informed her that the Legislature was organized and ready to do business.

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

**INTRODUCTION OF BILL**

**H.B. 4001, Supplemental Appropriations Act III − Range Creek** (R. Bigelow), read the first time by short title and referred to the Rules Committee.

**MISCELLANEOUS BUSINESS**

On motion of Representative Curtis, under suspension of the rules, the House voted to consider **H.B. 4001** read the second time by short title and placed on the calendar for third reading.

**THIRD READING CALENDAR**

**H.B. 4001, SUPPLEMENTAL APPROPRIATIONS ACT III − RANGE CREEK,** read the third time by short title and placed on its final passage.

On motion of Representative Bigelow, the House voted to delete **H.B. 4001** in title and body and insert **Sub. H.B. 4001** in lieu thereof.

Representative Bigelow proposed the following amendment:

1. Page 2, Lines 44 through 46
   44 It is the intent of the Legislature that the Museum of Natural History use $150,000 of the
   45 appropriated funds to survey and catalogue the Range Creek site, and to identify, record, and
   46 preserve sites and artifacts at the Range Creek site.

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

**Sub. H.B. 4001,** as amended, then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard Adams Alexander S. Allen
Anderson Barrus Bennion Bigelow
**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Becker</th>
<th>Bryson</th>
<th>Philpot</th>
</tr>
</thead>
</table>

**Sub. H.B. 4001**, as amended, transmitted to the Senate for its consideration.

**MISCELLANEOUS BUSINESS**

On motion of Representative Curtis, the House voted to recess for 10 minutes.

Speaker Stephens called the House to order at 3:15 p.m.

**COMMUNICATION FROM THE SENATE**

Mr. Speaker: September 15, 2004

The Senate passed, as substituted, **1st Sub. S.B. 4001**, TRUST BUSINESS AMENDMENTS, by Senator Hillyard, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. **Sub. S.B. 4001**, read the first time by short title and referred to the Rules Committee. On motion of Representative Bigelow, under suspension of the rules, the House voted to consider **Sub. S.B. 4001**, read the second time by short title and placed on the Third Reading Calendar.

**MISCELLANEOUS BUSINESS**

On motion of Representative Bigelow, the House voted to move to the Senate Third Reading Calendar.
THIRD READING CALENDAR

Sub. S.B. 4001, TRUST BUSINESS AMENDMENTS, read the third time by short title and placed on its final passage.

Sub. S.B. 4001 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Anderson Barrus Bennion Bigelow
Biskupski Bourdeaux Bowman Buffmire
Bush Buttars Buxton Christensen
D. Clark S. Clark D. Cox Curtis
Daniels Dayton Dee Dillree
Donnelson Dougall Duckworth Dunnigan
Ferrin Ferry Frank Goodfellow
Gowans Hansen Hardy Harper
Hendrickson Hogue Holdaway Hughes
Hunsaker E. Hutchings B. Johnson Jones
King Kiser Last Lawrence
Litvack Lockhart Love Mascaro
McCartney McGee Morgan Morley
Moss Murray Newbold Noel
Peterson Shurtliff G. Snow Styler
Thompson Tilton Ure Urquhart
Wallace Webb M. Stephens

Absent or not voting were: Representatives
Becker Bryson Philpot Seitz

Sub. S.B. 4001 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Curtis, the House voted to recess for 10 minutes.

Speaker Stephens called the House to order at 3:50 p.m.
COMMUNICATION FROM THE SENATE

Mr. Speaker:

September 15, 2004

The Senate passed, as amended (amendment attached), S.B. 4002, INDIVIDUAL INCOME TAX – TREATMENT OF CERTAIN MILITARY INCOME, by Senator C. Bramble, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. S.B. 4002, read the first time by short title and referred to the Rules Committee. On motion of Representative Curtis, under suspension of the rules, the House voted to consider S.B. 4002 read the second time by short title and placed on the Third Reading Calendar.

THIRD READING CALENDAR

S.B. 4002, INDIVIDUAL INCOME TAX – TREATMENT OF CERTAIN MILITARY INCOME, read the third time by short title and placed on its final passage.

S.B. 4002 then passed on the following roll call:

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

Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anderson</td>
<td>Barrus</td>
<td>Becker</td>
<td>Bennion</td>
</tr>
<tr>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
<td>Bowman</td>
</tr>
<tr>
<td>Buffmire</td>
<td>Bush</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Curtis</td>
<td>Daniels</td>
<td>Dayton</td>
<td>Dee</td>
</tr>
<tr>
<td>Dillree</td>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
</tr>
<tr>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Ferry</td>
<td>Frank</td>
</tr>
<tr>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
</tr>
<tr>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
</tr>
<tr>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
</tr>
<tr>
<td>Jones</td>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
</tr>
<tr>
<td>Litvack</td>
<td>Lockhart</td>
<td>Love</td>
<td>Mascaro</td>
</tr>
<tr>
<td>McCartney</td>
<td>McGee</td>
<td>Morgan</td>
<td>Morley</td>
</tr>
<tr>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
</tr>
<tr>
<td>Peterson</td>
<td>Seitz</td>
<td>Shurtliff</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Styler</td>
<td>Thompson</td>
<td>Tilton</td>
<td>Ure</td>
</tr>
<tr>
<td>Urquhart</td>
<td>Wallace</td>
<td>Webb</td>
<td>M. Stephens</td>
</tr>
</tbody>
</table>
Absent or not voting were: Representatives
Bryson King Philpot

S.B. 4002 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

**INTENT LANGUAGE FOR S.B. 4002**

On motion of Representative Peterson, the House voted to print the following intent language in the House Journal.

In passing S.B. 4002, INDIVIDUAL INCOME TAX − TREATMENT OF CERTAIN MILITARY INCOME, the Legislature intends the following:

The Legislature finds that the National Guard and other reserve components of the armed forces are separate and distinct from the active components of the armed forces. The Legislature also finds that members of the active components of the armed forces have a greater expectation of being ordered to leave their homes and serve their country than do members of the National Guard or other reserve components of the armed forces. The deployment of members of the National Guard or other reserve components of the armed forces is particularly disruptive to regular civilian employment and activities. Therefore, it is the intent of the Legislature to apply the benefits allowed by this bill only to members of the National Guard or other reserve components of the armed forces.

**COMMUNICATION FROM THE SENATE**

Mr. Speaker: September 15, 2004

The Senate passed, as substituted, 2nd Sub. S.B. 4003, SUPPLEMENTAL APPROPRIATIONS ACT II AMENDMENTS − REDIRECTION OF CERTAIN FEDERAL FUNDS TO INMATE HOUSING, by Senator Blackham, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. 2nd Sub. S.B. 4003, read the first time by short title and referred to the Rules Committee. On motion of Representative Curtis, under suspension of the rules, the House voted to consider 2nd Sub. S.B. 4003 read the second time by short title and placed on the Third Reading Calendar.

**THIRD READING CALENDAR**

2nd Sub. S.B. 4003, SUPPLEMENTAL APPROPRIATIONS ACT II AMENDMENTS − REDIRECTION OF CERTAIN FEDERAL FUNDS TO
INMATE HOUSING, read the third time by short title and placed on its final passage.

2nd Sub. S.B. 4003 then passed on the following roll call:

Yeas, 71; Nays, 1; Absent or not voting, 3.

Voting in the affirmative were: Representatives
Aagard        Adams        Alexander       S. Allen
Anderson      Barrus       Becker         Bennion
Bigelow       Biskupski    Bourdeaux     Bowman
Bryson        Buffmire     Bush           Buttars
Buxton        D. Clark     S. Clark       D. Cox
Curtis        Daniels      Dayton        Dee
Dillree       Donnelson    Dougall       Duckworth
Dunnigan      Ferry        Frank         Goodfellow
Gowans        Hansen       Hardy         Harper
Hendrickson   Hogue        Holdaway      Hughes
Hunsaker      E. Hutchings B. Johnson    Jones
Kiser         Last         Lawrence      Litvack
Lockhart      Love         Mascaro       McCartney
McGee         Morgan       Morley        Moss
Murray        Newbold      Noel          Peterson
Seitz         Shurtleff    G. Snow       Styler
Thompson      Tilton       Ure           Urquhart
Wallace       Webb         M. Stephens

Voting in the negative was: Representative Ferrin

Absent or not voting were: Representatives
Christensen   King         Philpot

2nd Sub. S.B. 4003 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

On motion of Representative Curtis, the Speaker was authorized to appoint a committee to wait upon the Senate and inform that Honorable Body that the House of Representatives has completed its business and is ready to adjourn sine die. The Speaker appointed Representatives Last, Tilton, and Shurtleff.
Representative Last reported that his committee had waited upon the Senate and informed them that the House of Representatives was prepared to adjourn sine die.

On motion of Representative Curtis, the Speaker was authorized to appoint a committee to meet with a like committee from the Senate to wait upon the Governor and inform Her Excellency that the Legislature has completed its business and is ready to adjourn sine die. The Speaker appointed Representatives Hardy, Lawrence, and Morgan.

Representative Hardy reported that her committee had waited upon the Governor and informed her that the Legislature was prepared to adjourn sine die.

COMMUNICATION FROM THE SENATE

Mr. Speaker: September 15, 2004

The Senate passed, **1st Sub. H.B. 4001, SUPPLEMENTAL APPROPRIATIONS ACT III − RANGE CREEK**, by Representative R. Bigelow, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. **Sub. H.B. 4001** was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

MISCELLANEOUS BUSINESS

Senators Walker, Hale, and Allen formally notified the House of Representatives that the Senate had completed its business and were prepared to adjourn sine die.

On motion of Representative Curtis, the House of Representatives of the Fifty−fifth Legislature, adjourned sine die at 4:45 p.m.
H.B. 4001 — SUPPLEMENTAL APPROPRIATIONS ACT III – RANGE CREEK (R. Bigelow)
  Read the first time by short title and referred to the Rules Committee. 
  Read the second time 
  Read the third time 
  Substituted

1st Sub. H.B. 4001 — SUPPLEMENTAL APPROPRIATIONS ACT III – RANGE CREEK
  (R. Bigelow)
  Amendments
  Transmitted to the Senate
  Signed by the Speaker and transmitted to the Governor
1st Sub. S.B. 4001 — TRUST BUSINESS AMENDMENTS (L. Hillyard)
Read the first time by short title and referred to Rules Committee .................. 9
Read the second time .................................................................................. 9
Read the third time .................................................................................. 10
Signed by the Speaker and returned to the Senate ................................. 10

S.B. 4002 — INDIVIDUAL INCOME TAX – TREATMENT OF CERTAIN MILITARY INCOME
(C. Bramble)
Read the first time by short title and referred to Rules Committee ............. 11
Read the second time .................................................................................. 11
Read the third time .................................................................................. 11
Signed by the Speaker and returned to the Senate ................................. 12
Intent Language .......................................................................................... 12

2nd Sub. S.B. 4003 — SUPPLEMENTAL APPROPRIATIONS ACT II AMENDMENTS –
REDIRECTION OF CERTAIN FEDERAL FUNDS TO INMATE HOUSING
(L. Blackham)
Read the first time by short title and referred to Rules Committee ............. 12
Read the second time .................................................................................. 12
Read the third time .................................................................................. 12
Signed by the Speaker and returned to the Senate ................................. 13
CERTIFICATION

The undersigned, as the duly appointed committee on the revision of the House Journal of the 2005 General Session of the Fifty−sixth Legislature of the State of Utah, do hereby certify that the contents published herein are a full, true and correct record of the proceedings of the session commencing on Monday, January 17, 2005 and ending Wednesday, March 2, 2005.

COMMITTEE ON REVISION
OF THE HOUSE JOURNAL

CAROLE E. PETERSON
Chief Clerk

JANICE A. GADD
Journal Clerk
MORNING SESSION

The House was called to order at 10:00 a.m. by Martin R. Stephens, former Speaker of the House of Representatives.

Prayer by Elder Dieter F. Uchtdorf, Quorum of the Twelve Apostles, Church of Jesus Christ of Latter-day Saints.

PRAYER

Our dear Heavenly Father – Oh God, Eternal Father, we bow our heads before thee this morning in gratitude for the love we can feel every day. And we bow our heads before thee as the House of Representatives is embarking into a new session of the year of 2005. We give thanks to thee for our lives, for our families, this beautiful State of Utah and its marvelous and inspiring history. And we give thanks for the freedom we are privileged to enjoy. We pray at this time that thy spirit may rest upon these elected representatives, the staff, and all who provide and participate in this important endeavor, that their work will be a blessing to the people of this state but always be acceptable unto thee. We pray for unity, tolerance, and the willingness to search for thy will in all decisions influencing the future of this great and marvelous state and its people. Especially on this day, today, and always, let us remember in our minds and in our hearts that we are all brothers and sisters. We pray for each individual representative. We pray for their family, that they are blessed with a strong conscience in their decisions, that these individual representatives have the health, the physical health and the spiritual strength, to fulfill their responsibilities. We pray for their families and their protection at all times. Thy graceful hand may provide all the things that the people of the State of Utah are in need of and which are pleasing unto thee. We give thanks to thee for thy love and ask for thy divine blessings in the name of the God of Abraham, Isaac, and Jacob, even the name of Jesus Christ, Amen.
Posting of the Colors by the Utah National Guard.

Pledge of Allegiance by Mr. Gary Curtis, Greg J. Curtis’ father.

Special violin duet performed by Laura and Deborah Ferry. Daughters of Representative Ben C. and Megan Ferry. Accompanied by Bethany Richards, a cousin.

* * *

Former Speaker Stephens appointed Carole E. Peterson as Chief Clerk.

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

CERTIFICATE OF MEMBERSHIP OF THE
2005 GENERAL SESSION
OF THE UTAH STATE HOUSE OF REPRESENTATIVES

I, GARY R. HERBERT, 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 2, 2004, the following named persons were chosen by the electors as members of the Legislature of the State of Utah to serve in the House of Representatives each for the term of two years, beginning January 1, 2005, to wit:

FIRST DISTRICT: Counties of Box Elder, Tooele,  Ronda Rudd Menlove
SECOND DISTRICT: County of Box Elder  Ben C. Ferry
              Cache
THIRD DISTRICT: County of Cache  Craig W. Butttars
FOURTH DISTRICT: Counties of Cache, Rich  Fred R. Hunsaker
FIFTH DISTRICT: County of Cache  Scott L. Wyatt
SIXTH DISTRICT: County of Weber  Kerry W. Gibson
SEVENTH DISTRICT: County of Weber  Glenn A. Donnelson
EIGHTH DISTRICT: County of Weber  Joseph G. Murray
NINTH DISTRICT: County of Weber  Neil A. Hansen
TENTH DISTRICT: County of Weber  LaWanna “Lou” Shurtliff
ELEVENTH DISTRICT: Counties of Davis, Weber  Brad Dee
TWELFTH DISTRICT: County of Weber  D. Gregg Buxton
THIRTEENTH DISTRICT: County of Davis  Paul Ray
FOURTEENTH DISTRICT: County of Davis  Curtis Oda
FIFTEENTH DISTRICT: County of Davis  Douglas C. Aagard
SIXTEENTH DISTRICT: County of Davis  J. Stuart Adams
SEVENTEENTH DISTRICT: County of Davis  Julie Fisher
EIGHTEENTH DISTRICT: County of Davis  Roger E. Barrus
NINETEENTH DISTRICT: County of Davis  Sheryl L. Allen
TWENTIETH DISTRICT: Counties of Davis, Salt Lake  Ann W. Hardy
TWENTY-FIRST DISTRICT: County of Tooele  James R. Gowans
TWENTY-SECOND DISTRICT: County of Salt Lake  Carl W. Duckworth
TWENTY-THIRD DISTRICT: County of Salt Lake  Duane E. Bourdeaux
TWENTY-FOURTH DISTRICT: County of Salt Lake  Ralph Becker
TWENTY-FIFTH DISTRICT: Counties of Salt Lake, Summit  Ross I. Romero
TWENTY-SIXTH DISTRICT: County of Salt Lake  David Litvack
TWENTY-SEVENTH DISTRICT: County of Utah  John Dougall
TWENTY-EIGHTH DISTRICT: County of Salt Lake  Rosalind J. McGee
TWENTY-NINTH DISTRICT: County of Salt Lake  Brent H. Goodfellow
THIRTIETH DISTRICT: County of Salt Lake  Jackie Biskupski
THIRTY-FIRST DISTRICT: County of Salt Lake  Ty McCartney
THIRTY−SECOND DISTRICT: County of Salt Lake Ron Bigelow
THIRTY−THIRD DISTRICT: County of Salt Lake Neal B. Hendrickson
THIRTY−FOURTH DISTRICT: County of Salt Lake Kory M. Holdaway
THIRTY−FIFTH DISTRICT: County of Salt Lake Mark A. Wheatley
THIRTY−SIXTH DISTRICT: County of Salt Lake Susan Lawrence
THIRTY−SEVENTH DISTRICT: County of Salt Lake Carol Spackman Moss
THIRTY−EIGHTH: County of Salt Lake Eric K. Hutchings
THIRTY−NINTH DISTRICT: County of Salt Lake James A. Dunnigan
FORTIETH DISTRICT: County of Salt Lake Patricia W. Jones
FORTY−FIRST DISTRICT: County of Salt Lake Todd E. Kiser
FORTY−SECOND DISTRICT: County of Salt Lake Peggy Wallace
FORTY−THIRD DISTRICT: County of Salt Lake Wayne A. Harper
FORTY−FOURTH DISTRICT: County of Salt Lake Tim M. Cosgrove
FORTY−FIFTH DISTRICT: County of Salt Lake Mark W. Walker
FORTY−SIXTH DISTRICT: County of Salt Lake Karen W. Morgan
FORTY−SEVENTH DISTRICT: County of Salt Lake Steven R. Mascaro
FORTY−EIGHTH DISTRICT: County of Salt Lake LaVar Christensen
FORTY−NINTH DISTRICT: County of Salt Lake Greg J. Curtis
FIFTIETH DISTRICT: County of Salt Lake Merlynn T. Newbold
FIFTY−FIRST DISTRICT: County of Salt Lake Gregory H. Hughes
FIFTY−SECOND DISTRICT: County of Salt Lake David L. Hogue
FIFTY−THIRD DISTRICT: Counties of Daggett, Morgan, Rich, Summit, Wasatch David Ure
FIFTY-FOURTH DISTRICT: Counties of Duchesne, Uintah, Wasatch
   Gordon E. Snow

FIFTY-FIFTH DISTRICT: Counties of Grand, Uintah
   John G. Mathis

FIFTY-SIXTH DISTRICT: County of Utah
   David N. Cox

FIFTY-SEVENTH DISTRICT: County of Utah
   Craig A. Frank

FIFTY-EIGHTH DISTRICT: County of Utah
   James A. Ferrin

FIFTY-NINTH DISTRICT: County of Utah
   Lorie D. Fowlke

SIXTIETH DISTRICT: County of Utah
   Bradley M. Daw

SIXTY-FIRST DISTRICT: County of Utah
   Margaret Dayton

SIXTY-SECOND DISTRICT: County of Utah
   Jeff Alexander

SIXTY-THIRD DISTRICT: County of Utah
   Stephen D. Clark

SIXTY-FOURTH DISTRICT: County of Utah
   Rebecca D. Lockhart

SIXTY-FIFTH DISTRICT: County of Utah
   Aaron Tilton

SIXTY-SIXTH DISTRICT: County of Utah
   Michael T. Morley

SIXTY-SEVENTH DISTRICT: Counties of Carbon, Juab, Sanpete, Utah
   Patrick Painter

SIXTY-EIGHTH DISTRICT: Counties of Juab, Millard, Sanpete
   Michael R. Styler

SIXTY-NINTH DISTRICT: Counties of Carbon, Emery, Garfield, Grand, San Juan, Wayne
   Brad King

SEVENTIETH DISTRICT: Counties of Emery, Sanpete, Sevier
   Bradley T. Johnson

SEVENTY-FIRST DISTRICT: County of Washington
   Bradley G. Last

SEVENTY-SECOND DISTRICT: County of Iron
   DeMar “Bud” Bowman
Communication filed.

Roll call showed all members present.

Former Speaker Stephens administered the oath of office to members of the Fifty–Sixth Legislature.

Representative Ralph Becker nominated Greg J. Curtis as the Speaker of the House for the 56th Legislature.

Representative Jeff Alexander moved that Greg J. Curtis be elected Speaker of the House of Representatives by acclamation.

Representatives Last, Hughes, Goodfellow, and Morgan escorted the Speaker–elect to the chair.

Former Speaker Stephens administered the oath of office to Greg J. Curtis.

On motion of Representative Alexander, the House voted to have the prayer by Elder Dieter F. Uchtdorf and the remarks by Speaker Curtis printed in the House Journal.

**REMARKS BY SPEAKER CURTIS**

Fellow citizens, members of the media and my distinguished colleagues of the Utah House of Representatives, welcome to the 2005 General Session of the Utah State Legislature.
I stand here today because I am more comfortable standing before you than I am presiding over you. Today we gather and convene this, the 56th General Session under unique circumstances. We have the backdrop of the renovation of our magnificent capitol building. For roughly 90 years, this building has served as the meeting place and symbol of our democracy. The dome, the balanced wings for the divisions of government, and the decorative elements with roots in ancient Greece and Rome, have always added credibility and distinction to the work that has gone on within its walls.

So today begins another fresh opportunity to look at new ideas: we have a new building, new leadership and a new governor. We also have the opportunity to fix old problems with new solutions. And yet we shouldn’t be afraid to use old, proven remedies to fix some of our new, difficult problems either. Let’s not waste this opportunity. Let’s look to innovation − creativity − and progress.

Our change in leadership and our new surroundings will require that we do things differently. Sometimes this will be better, sometimes it will just be different, but hopefully it won’t ever be worse. One difference will be my speeches. As you know, Speaker Stephens quoted Alex De Tocqueville; Governor Leavitt quoted Tocqueville and even Governor Huntsman quoted him in his inaugural address. But me? I’ve merely been to Toquerville.

Many fine men and women have come and gone before us. They have represented this State well and have made tough decisions. While remembering the leadership of the past; our work is for the leaders of tomorrow. So it matters less what the old guard thinks than it does how future generations live. We must build a revitalized House of Representatives. This is a responsibility that I feel, but it is also one that I have asked for. I hope to bear it willingly; and I hope to bear it capably and humbly as well. I hope that you do too. For our job is to be close to the people; to be representatives of the people. We walk our districts; we can’t just drive through them or fly over them. Their will is our will. We cannot go around it, over it, or under it. Unlike any city, county, or state elected office − we go before the electorate every two years. We represent smaller areas − we know our communities − we know many of our constituents by name, and we know their concerns. We are the house of the people. The laws we make should reflect the people’s best interests. We cannot make people more free, because freedom rests with them. The government can only get in freedom’s way. So our laws should protect the people from government encroachment.

As the House of Representatives, we have a constitutional role in this government. A role balanced with the Senate, but not one to duplicate the Senate. As a legislature, we also have a balanced role to the Executive Branch. And with our new chief executive, I was very pleased to hear the words of his inaugural
address: it was an expression to lead, follow or get out of the way. And I am encouraged about his stated desire to use political capitol for the public’s gain. These words hold promise. Promise requires trust. And trust should not be broken. And while we should cooperate with prudent leadership, we cannot and will not disregard our responsibility to be a check and a balance on executive power. We can wait for opinion to force our hand, or we can lead. We can wait for our citizens to change their views and then respond, or we can see the direction and point the way. But good intentions, big promises and lofty goals are not enough. The public wants results. So let me just tell you that this body will not be afraid to lead, whenever leadership is needed. And we will not fear the critic, when his criticism stops progress.

During the next 45 days we will hear and debate issues of taxation, transportation and education, just to name a few. These debates are extremely important, each view is valued, and every opinion is worthwhile. But what is also important is that we debate these views with respect, not animosity. If you can make your point with a scalpel, then you should never use a meat cleaver. The aim of every debate should be progress, not just victory. But at the same time, we should never assume that civility requires that we abandon our standards. Tolerance means respecting others. It means that we work for our constituents, not our egos. These words are as much for me as they are for anyone.

My goal as your speaker is to be fair, open and transparent. But seriously, I have learned a lot of lessons over the past 10 years from my colleagues and my constituents. I have learned some lessons the easy way and some the hard. I have spent a lot of time over the past ten years developing relationships, and sometimes I have stepped on toes and occasionally I’ve been kicked in the shin. And I’ve usually deserved the latter. While I have spent a lot of time with my colleagues, trying to understand their issues and concerns. I have neglected to build a positive working relationship with the media. For the benefit of my colleagues and for this great institution, I pledge to do better.

I want to communicate more, not less. This includes better communication with my constituents and the general public. Toward that end, I will be communicating with my constituents and any other Utahn so interested through a website called “utahcitizen.com”. I hope to keep the public better informed and to be better informed by them, as well.

I am very humbled by the honor to serve you as Speaker of the House. At the beginning of my comments I spoke about our historic Capitol Building: the symbol of our state’s democracy. Yet today we sit outside that symbol. This space, just like the Capitol Building, is simply a place to administer government. It is the place we go to protect the people and their property. It is the symbol of our state’s
democracy, but it is not the substance. The substance of our democracy is in the people we represent. It comes from majority rule, tempered by constitutional protections of the minority. The substance is the beet farmer from Tooele who needs to pay for his daughter’s college education. The substance is the small business owner who is overwhelmed by the heavy yoke of governmental regulations. The substance is the child who simply wants to feel safe while playing at the park. So while we may be tempted to lament the discomfort of these tight quarters, or to proclaim the importance of our great, symbolic State Capitol Building, we should not. Instead, let us remain uncomfortable that we are not doing enough to represent our citizens, and let us proclaim through our works the protection of their liberty. The symbolism of the Capitol will be restored in a couple of years. Let us recommit today to begin anew.

On a very personal note – I want to express my deepest appreciation to my friends, and supporters – what a long strange trip it’s been. I appreciate all of the friends I have today, but I will never forget those who stood with me yesterday. Dr. Martin Luther King said “at the end, it is not the words of our enemies we remember . . . but the silence of our friends.” My dearest friends never kept silent.

Finally, I want to express my love and affection for my family especially my children, my parents and my wife Teresa. Without their care and support, I would not be here today. May God bless us that we exercise wisdom in our work, and that it will be tempered by humility and justice. And may God bless the Great State of Utah.

* * *

On motion of Representative Lockhart, the House voted to adopt the same House Rules and Joint Rules for the Annual General Session of 2005 as adopted in the Annual General Session of 2004.

On motion of Representative King, the House voted to print upon the pages of the House Journal that the Republican Caucus has elected the following members to positions of caucus leadership: Representative Jeff Alexander, Majority Leader; Representative Stephen H. Urquhart, Majority Whip; and Representative Ben C. Ferry, Assistant Majority Whip.

On motion of Representative Urquhart, the House voted to print upon the pages of the House Journal that the Democratic Caucus has elected the following members to positions of Caucus Leadership: Representative Ralph Becker, Minority Leader; Representative Brad King, Minority Whip; Representative Patricia W. Jones, Assistant Minority Whip; and Representative Rosalind J. McGee, Caucus Manager.
On motion of Representative Ferry, the House voted to print upon the pages of the House Journal that Representative Merlynn T. Newbold has been appointed as “Speaker of the Third House.”

On motion of Representative Newbold, the House voted to print upon the pages of the House Journal that Representative Gordon E. Snow has been appointed as Speaker Pro Tempore.

On motion of Representative Snow, the House voted to print upon the pages of the House Journal that Representative David Ure has been appointed as House Parliamentarian.

On motion of Representative Lockhart, the House voted to authorize the Speaker to appoint a committee to draft House Rules and a committee to act with a like committee from the Senate to draft Joint Rules.

Speaker Curtis appointed the following committee to serve as members of the House Rules Committee: Rebecca Lockhart, Chair; Ann W. Hardy, Vice Chair; J. Stuart Adams; Stephen D. Clark; John Dougall; Jim Dunnigan; Gregory H. Hughes; Todd E. Kiser; David Ure; Jackie Biskupski; Neal B. Hendrickson; and David Litvack.

Speaker Curtis appointed the following committee to serve as the Joint House and Senate Rules Committee: Rebecca Lockhart, Co-Chair; J. Stuart Adams; Stephen D. Clark; John Dougall; Jim Dunnigan; Ann W. Hardy; Gregory H. Hughes; Todd E. Kiser; David Ure; Jackie Biskupski; Neal B. Hendrickson; and David Litvack.

On motion of Representative Jones, the House voted to authorize the Speaker to appoint a committee to wait upon the Senate to inform that Honorable Body that the House is organized and ready to do business.

Speaker Curtis appointed the following committee: Representatives Dunnigan, Lawrence, and Litvack.

On motion of Representative McGee, the House voted to authorize the Speaker to appoint a committee to wait upon the Governor to inform His Excellency that the Legislature is organized and ready to receive any communication or message he may have to offer.

Speaker Curtis appointed the following committee: Representatives Kiser, Hardy, and Biskupski.

Senators Hickman, Bramble, and Fife formally notified the House that the Senate was organized and prepared to do business.
Representative Dunnigan reported that his committee had waited upon the Senate and informed that Honorable Body that the House was organized and ready to do business.

Representative Kiser reported that his committee had waited upon the Governor and that the Governor will address the citizens of the State of Utah and legislators at the Territorial Capitol in Fillmore.

On motion of Representative Lockhart, the House voted that legislators be given the opportunity to sign any prefilled bills, if permission is granted to do so by the Chief Sponsor.

On motion of Representative Urquhart, the House voted to print the membership of the House Standing Committees, membership of the Executive Appropriations Committee, membership of the Joint Appropriations Subcommittees and membership of the House Ethics Committee in the House Journal.

**STANDING COMMITTEES**

**Business and Labor**
Stephen D. Clark, *Chair*
Jim Dunnigan, *Vice Chair*
J. Stuart Adams
David Clark
Craig A. Frank
Todd E. Kiser
Michael T. Morley
Curtis Oda
Gordan E. Snow
Scott L. Wyatt
Jackie Biskupski
Carl W. Duckworth
Neil A. Hansen

**Education**
Margaret Dayton, *Chair*
LaVar Christensen, *Vice Chair*
Ron Bigelow
John Dougall
James A. Ferrin
David L. Hogue

Kory M. Holdaway
Gregory H. Hughes
Bradley T. Johnson
Merlynn T. Newbold
Stephen H. Urquhart
Duane E. Bourdeaux
James R. Gowans
Carol Spackman Moss
LaWanna “Lou” Shurtleff

**Health and Human Services**
Bradley G. Last, *Chair*
Paul Ray, *Vice Chair*
D. Gregg Buxton
Rebecca Lockhart
Steven R. Mascaro
Ronda R. Menlove
Patricia W. Jones
David Litvack
Public Utilities and Technology
Sheryl L. Allen, Chair
Fred R. Hunsaker, Vice Chair
Bradley M. Daw
Ben Ferry
Lorie D. Fowlke
Michael E. Noel
Aaron Tilton
David Ure
Richard W. Wheeler
Ralph Becker
Brent H. Goodfellow
Larry B. Wiley

Judiciary
James A. Ferrin, Chair
Eric K. Hutchings, Vice Chair
Douglas C. Aagard
Glenn A. Donnelson
Ben Ferry
Lorie D. Fowlke
Ann W. Hardy
David L. Hogue
Susan Lawrence
Scott L. Wyatt
Neal B. Hendrickson
Roz McGee
Ross Romero

Law Enforcement and Criminal Justice
DeMar “Bud” Bowman, Chair
Michael T. Morley, Vice Chair
LaVar Christensen
Wayne A. Harper
Todd E. Kiser
Curtis Oda
Paul Ray
Stephen H. Urquhart
Duane Bourdeaux
Patricia W. Jones
David Litvack

Natural Resources, Agriculture, and Environment
Roger E. Barrus, Chair
Michael E. Noel, Vice Chair
Craig W. Buttars
David N. Cox
Margaret Dayton
Bradley T. Johnson
John G. Mathis
Patrick L. Painter
Mark W. Walker
Richard W. Wheeler
David Ure
Jackie Biskupski
Carl W. Duckworth
James R. Gowans
Mark A. Wheatley

Transportation
Joseph G. Murray, Chair
J. Stuart Adams, Vice Chair
Jeff Alexander
David Clark
Bradley M. Daw
Brad Dee
John Dougall
Jim Dunnigan
Julie Fisher
Kerry W. Gibson
Peggy Wallace
Tim M. Cosgrove
Brad King
Larry B. Wiley
Karen W. Morgan
Government Operations
Douglas C. Aagard, Chair
Gregory H. Hughes Vice Chair
DeMar “Bud” Bowman
Craig W. Buttars
Stephen D. Clark
Eric K. Hutchings
John G. Mathis
Aaron Tilton
Neil A. Hansen
Neal B. Hendrickson
Mark A. Wheatley

Revenue and Taxation
Wayne A. Harper, Chair
Glenn Donnelson, Vice Chair
Sheryl L. Allen
Craig Frank
Fred R. Hunsaker
Brad Last
Rebecca Lockhart
Joseph G. Murray
Merlynn T. Newbold
Patrick L. Painter
Gordon E. Snow
Tim M. Cosgrove
Roz McGee
Carol Spackman Moss
Ross I. Romero

Political Subdivisions
Brad Dee, Chair
Susan Lawrence, Vice Chair
D. Gregg Buxton
Julie Fisher
Kerry W. Gibson
Ann W. Hardy
Kory M. Holdaway
Ronda R. Menlove
Ralph Becker
Brad King
LaWanna “Lou” Shurtliff

Workforce Services and Community and Economic Development
David N. Cox, Chair
Steven R. Mascaro, Vice Chair
Roger E. Barrus
Mark W. Walker
Peggy Wallace
Brent H. Goodfellow
Karen W. Morgan

JOINT APPROPRIATIONS SUBCOMMITTEES

Executive Appropriations
Rep. Ron Bigelow, Chair
Rep. David Clark, Vice Chair
Rep. Greg J. Curtis
Rep. Jeff Alexander
Rep. Stephen H. Urquhart
Rep. Ben C. Ferry
Rep. Ralph C. Becker
Rep. Brad King
Rep. Patricia W. Jones
Rep. Roz McGee

Capital Facilities and Administrative Services
Rep. D. Gregg Buxton, Co-Chair
Rep. Roger E. Barrus
Rep. DeMar “Bud” Bowman
Rep. Stephen D. Clark
Rep. Fred R. Hunsaker
Rep. Michael T. Morley
Rep. Ralph Becker
Rep. Brent H. Goodfellow
Commerce and Revenue
Rep. Peggy Wallace, *Co-Chair*
Rep. Jim Dunnigan
Rep. Craig Frank
Rep. Lorie D. Fowlke
Rep. Ross I. Romero
Rep. Mark A. Wheatley

Economic Development and Human Resources
Rep. Craig W. Buttars, *Co-Chair*
Rep. Jeff Alexander
Rep. Brad Dee
Rep. Patrick L. Painter
Rep. Jackie Biskupski

Executive Offices and Criminal Justice
Rep. David L. Hogue, *Co-Chair*
Rep. Douglas C. Aagard
Rep. Eric Hutchings
Rep. Curtis Oda
Rep. Mark W. Walker
Rep. Brad King
Rep. Larry B. Wiley

Health and Human Services
Rep. Merlynn Newbold, *Co-Chair*
Rep. Bradley G. Last
Rep. Steven R. Mascaro
Rep. Paul Ray
Rep. Aaron Tilton
Rep. David Litvack
Rep. Roz McGee

Higher Education
Rep. Kory M. Holdaway, *Co-Chair*
Rep. Sheryl L. Allen
Rep. David Clark
Rep. Bradley M. Daw
Rep. Margaret Dayton

Natural Resources
Rep. Bradley T. Johnson, *Co-Chair*
Rep. Ben C. Ferry
Rep. Kerry W. Gibson
Rep. Rebecca Lockhart
Rep. John G. Mathis
Rep. Ronda R. Menlove
Rep. Michael E. Noel
Rep. Carl W. Duckworth
Rep. James R. Gowans

Public Education
Rep. Gordon E. Snow, *Co-Chair*
Rep. J. Stuart Adams
Rep. Ron Bigelow
Rep. LaVar Christensen
Rep. John Dougall
Rep. James A. Ferrin
Rep. Julie Fisher
Rep. Stephen H. Urquhart
Rep. Duane Bourdeaux
Rep. Tim M. Cosgrove
Rep. Karen W. Morgan

Transportation, Environmental Quality and National Guard
Rep. David Ure, *Co-Chair*
Rep. David N. Cox
Rep. Glenn A. Donnelson
Rep. Ann W. Hardy
Rep. Todd E. Kiser
Rep. Neal B. Hendrickson
On motion of Representative Jeff Alexander, under suspension of the rules, the House voted that the reading of the formal titles of all House Bills, and Senate Bills and House and Senate Resolutions be suspended.

**INTRODUCTION OF BILLS**

**H.B. 4, Divorce Mediation Program** (B. Ferry), read the first time by short title and referred to the Rules Committee.

**H.B. 5, Person with a Disability Motorcycle Parking** (T. Kiser), read the first time by short title and referred to the Rules Committee.

**H.B. 6, Master Highway Designation Amendments** (J. Murray), read the first time by short title and referred to the Rules Committee.

**H.B. 7, Individual Income Tax – Contributions for Education** (S. Allen), read the first time by short title and referred to the Rules Committee.

**H.B. 8, Child Protection Team Meetings** (A. Tilton), read the first time by short title and referred to the Rules Committee.

**H.B. 9, Sales and Use Tax – Agricultural Exemption Vehicle Limitation** (R. Menlove), read the first time by short title and referred to the Rules Committee.

**H.B. 10, Employment Security Act Amendments** (D. Cox), read the first time by short title and referred to the Rules Committee.

**H.B. 11, Economic Development Incentives** (B. Dee), read the first time by short title and referred to the Rules Committee.

**H.B. 12, Health Care Assistants** (R. Lockhart), read the first time by short title and referred to the Rules Committee.

**H.B. 13, Occupational and Professional Licensing Sunset Amendment** (R. Lockhart), read the first time by short title and referred to the Rules Committee.

**H.B. 14, Bond Election Process Amendments** (F. Hunsaker), read the first time by short title and referred to the Rules Committee.

**H.B. 15, Repeal of State Debt Collection Advisory Board** (D. Aagard), read the first time by short title and referred to the Rules Committee.
H.B. 16, Repeal of Vehicle Equipment Safety Commission (N. Hendrickson), read the first time by short title and referred to the Rules Committee.

H.B. 17, Motion Picture Incentive Fund (S. Allen), read the first time by short title and referred to the Rules Committee.

H.B. 18, Transportation Investment Act (R. Lockhart), read the first time by short title and referred to the Rules Committee.

H.B. 19, Procurement Code Renumbering (R. Bigelow), read the first time by short title and referred to the Rules Committee.

H.B. 20, Calling Local Special Elections for Sales and Use Tax Purposes (S. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 21, Automobile Crime Prevention (P. Ray), read the first time by short title and referred to the Rules Committee.

H.B. 22, Intercountry Adoption Accreditation (R. McGee), read the first time by short title and referred to the Rules Committee.

H.B. 23, Department of Workforce Services – Work Experience and Training Programs (D. Cox), read the first time by short title and referred to the Rules Committee.

H.B. 24, Traffic Code Amendments (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

H.B. 25, Direct-entry Midwife Act (J. Biskupski), read the first time by short title and referred to the Rules Committee.

H.B. 26, Conveyances of Property (J. Adams), read the first time by short title and referred to the Rules Committee.

H.B. 27, Health Insurance Fair Marketing Standards (S. Mascaro), read the first time by short title and referred to the Rules Committee.

H.B. 28, Juvenile Justice Recodification (D. Aagard), read the first time by short title and referred to the Rules Committee.

H.B. 29, State Engineer’s Powers and Duties Amendments (M. Styler), read the first time by short title and referred to the Rules Committee.
H.B. 30, Consumer Sales Practices Act Amendments (T. Kiser), read the first time by short title and referred to the Rules Committee.

H.B. 31, Vision Care for Medicaid Recipient (S. Mascaro), read the first time by short title and referred to the Rules Committee.

H.B. 32, Dental Services for Adults on Medicaid (S. Mascaro), read the first time by short title and referred to the Rules Committee.

H.B. 33, Assistance for People with Bleeding Disorders (D. Litvack), read the first time by short title and referred to the Rules Committee.

H.B. 34, Emergency Related Amendments (S. Allen), read the first time by short title and referred to the Rules Committee.

H.B. 35, Telecommunications Amendments (S. Urquhart), read the first time by short title and referred to the Rules Committee.

H.B. 36, Charter School Construction Amendments (J. Ferrin), read the first time by short title and referred to the Rules Committee.

H.B. 37, Administrative Rules Reauthorization (D. Ure), read the first time by short title and referred to the Rules Committee.

H.B. 38, Water Law – Criminal Penalties Amendments (M. Styler), read the first time by short title and referred to the Rules Committee.

H.B. 39, Tuition Tax Credits (J. Ferrin), read the first time by short title and referred to the Rules Committee.

H.B. 40, Repeal of Sunset of Township Provision (M. Lawrence), read the first time by short title and referred to the Rules Committee.

H.B. 41, Special District for Police Services (T. McCartney), read the first time by short title and referred to the Rules Committee.

H.B. 42, Medical Recommendations for Children (M. Morley), read the first time by short title and referred to the Rules Committee.

H.B. 43, School Land Trust Program Funding Amendments (S. Urquhart), read the first time by short title and referred to the Rules Committee.

H.B. 44, Additional State Retirement Benefit (L. Shurtleff), read the first time by short title and referred to the Rules Committee.
H.B. 45, *Assessment of Property Affected by Business Interruption* (G. Hughes), read the first time by short title and referred to the Rules Committee.


H.B. 50, *Criminal Penalty Amendment* (D. Litvack), read the first time by short title and referred to the Rules Committee.

H.B. 51, *Electronic Payments to Local Government Entities* (J. Murray), read the first time by short title and referred to the Rules Committee.

H.B. 52, *Fire Prevention Amendments* (J. Murray), read the first time by short title and referred to the Rules Committee.

H.B. 53, *Tax Treatment of Personal Property* (L. Shurtliff), read the first time by short title and referred to the Rules Committee.

H.B. 54, *Criminal Appeal Amendments* (S. Wyatt), read the first time by short title and referred to the Rules Committee.

H.B. 55, *Drug Offense Penalty Enhancements* (B. Dee), read the first time by short title and referred to the Rules Committee.

H.B. 56, *Divorce Amendments* (P. Wallace), read the first time by short title and referred to the Rules Committee.


H.B. 58, *Government Efficiency and Effectiveness Review Committee* (P. Wallace), read the first time by short title and referred to the Rules Committee.

H.B. 59, *Domestic Violence Enhancement* (C. Moss), read the first time by short title and referred to the Rules Committee.
H.B. 60, Producer Licensing Amendments (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

H.B. 61, State School Board Elections and Filling of Vacancies (J. Ferrin), read the first time by short title and referred to the Rules Committee.

H.B. 62, Amendments to Intermediate Care Facilities for Mentally Retarded (R. Lockhart), read the first time by short title and referred to the Rules Committee.

H.B. 63, School District Amendments (D. Cox), read the first time by short title and referred to the Rules Committee.

H.B. 64, Criminal Background Checks for Personal Care Attendants (F. Hunsaker), read the first time by short title and referred to the Rules Committee.

H.B. 65, Driver License and Commercial Driver License Amendments (D. Bowman), read the first time by short title and referred to the Rules Committee.

H.B. 66, Naturopathic Physician Amendments (J. Ferrin), read the first time by short title and referred to the Rules Committee.

H.B. 67, Abandoned Vehicles Amendments (J. Gowans), read the first time by short title and referred to the Rules Committee.

H.B. 68, Motor Vehicle Enforcement Division Amendments (P. Ray), read the first time by short title and referred to the Rules Committee.

H.B. 69, Federal Health Care Tax Credit Program Act (C. Oda), read the first time by short title and referred to the Rules Committee.

H.B. 70, Health Discount Program Consumer Protection Act (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

H.B. 71, Licensing of Estheticians and Nail Technicians (J. Fisher), read the first time by short title and referred to the Rules Committee.

H.B. 160, Wildlife License Agents Amendments (J. Fisher), read the first time by short title and referred to the Rules Committee.

H.B. 161, Injury Reporting Requirement Amendments (J. Murray), read the first time by short title and referred to the Rules Committee.
H.B. 162, Municipal Weed Abatement (M. Morley), read the first time by short title and referred to the Rules Committee.

H.B. 163, Garnishment Fees (S. Mascaro), read the first time by short title and referred to the Rules Committee.

H.B. 164, Repeal of Utah Personal Introduction Services Protection Act (S. Allen), read the first time by short title and referred to the Rules Committee.

H.B. 165, Utah Commission on Aging (P. Jones), read the first time by short title and referred to the Rules Committee.

H.B. 166, Utah Indoor Clean Air Act Amendments (P. Ray), read the first time by short title and referred to the Rules Committee.

H.B. 167, Elder Protection Provisions (P. Jones), read the first time by short title and referred to the Rules Committee.

H.B. 168, Cooperative Wildlife Management Unit Amendments (J. Gowans), read the first time by short title and referred to the Rules Committee.

H.B. 169, Appropriation for School Districts Impacted by Fee Waivers (L. Shurtliff), read the first time by short title and referred to the Rules Committee.

H.B. 170, Extension of Utah Low-income Housing Tax Credits (S. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 171, Calculation of Mining Severance Tax on Beryllium (M. Styler), read the first time by short title and referred to the Rules Committee.

H.B. 172, Notary Public Amendments (L. Shurtliff), read the first time by short title and referred to the Rules Committee.

H.B. 173, State Employee Amendments (A. Hardy), read the first time by short title and referred to the Rules Committee.

H.B. 174, Child Protection Registry Amendments (M. Styler), read the first time by short title and referred to the Rules Committee.

H.B. 175, Education Achievement Gap Task Force (D. Litvack), read the first time by short title and referred to the Rules Committee.

H.B. 176, Revisor’s Statute (R. Lockhart), read the first time by short title and referred to the Rules Committee.
H.B. 177, **Wildlife License Refund Amendments** (M. Dayton), read the first time by short title and referred to the Rules Committee.

H.B. 178, **Mental Health Services Coordinator** (D. Hogue), read the first time by short title and referred to the Rules Committee.

H.B. 179, **Utah Venture Capital Enhancement Act Amendments** (P. Wallace), read the first time by short title and referred to the Rules Committee.

H.B. 180, **Retirement Office Amendments** (A. Hardy), read the first time by short title and referred to the Rules Committee.

H.B. 181, **Duplicate Wildlife Licensing Amendments** (M. Dayton), read the first time by short title and referred to the Rules Committee.

H.B. 182, **Historical Livestock Trails** (B. Johnson), read the first time by short title and referred to the Rules Committee.

H.B. 183, **Verification of Eligibility for Fee Waivers** (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 184, **Domestic Violence – Change of Locks on Rental Property** (L. Shurtliff), read the first time by short title and referred to the Rules Committee.

H.B. 185, **Utah Computer Crimes Act Amendments** (B. Daw), read the first time by short title and referred to the Rules Committee.

H.B. 186, **Consumer Protection Amendments** (S. Allen), read the first time by short title and referred to the Rules Committee.

H.B. 187, **Capital Outlay Foundation Program – Participation Requirements** (J. Ferrin), read the first time by short title and referred to the Rules Committee.

H.B. 188, **Beginning Teacher Enhancements** (B. Johnson), read the first time by short title and referred to the Rules Committee.

H.B. 189, **Applied Technology Program Amendments** (J. Ferrin), read the first time by short title and referred to the Rules Committee.

H.B. 190, **Individual Income Tax – Electronic Filing Requirements** (S. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 191, **Captive Insurance Law Amendments** (J. Dunnigan), read the first time by short title and referred to the Rules Committee.
H.B. 192, Utah High Cost Home Loan Act Amendments (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 193, Deregulation of General Building Contractors (G. Hughes), read the first time by short title and referred to the Rules Committee.

H.B. 194, Fair Housing for Domestic Violence Victims and Landlord Protection Act (L. Shurtliff), read the first time by short title and referred to the Rules Committee.

H.B. 195, Insurance Law Amendments (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

H.B. 196, Legislators Involvement in Public Schools (D. Bourdeaux), read the first time by short title and referred to the Rules Committee.

H.B. 197, Individual Income Tax Amendments for Education Funding (P. Jones), read the first time by short title and referred to the Rules Committee.

H.C.R. 1, Resolution Promoting Moderately Sized Schools (D. Cox), read the first time by short title and referred to the Rules Committee.

H.C.R. 2, Cowboy Hall of Fame Resolution (L. Shurtliff), read the first time by short title and referred to the Rules Committee.

H.C.R. 4, Utah Athletic Foundation Resolution (D. Ure), read the first time by short title and referred to the Rules Committee.

H.C.R. 5, Resolution Honoring Utah Military Service Personnel (F. Hunsaker), read the first time by short title and referred to the Rules Committee.

H.C.R. 6, Resolution Recognizing Utah’s Legislators Back to School Program (M. Dayton), read the first time by short title and referred to the Rules Committee.

H.C.R. 7, Concurrent Resolution Opposing Nuclear Testing (M. Noel), read the first time by short title and referred to the Rules Committee.

H.J.R. 1, Joint Resolution Related to Financial Institutions (J. Alexander), read the first time by short title and referred to the Rules Committee.

H.J.R. 3, Resolution Regarding Federal No Child Left Behind (K. Holdaway), read the first time by short title and referred to the Rules Committee.

H.J.R. 4, Joint Rules Resolution – Conflict of Interest Amendments (D. Ure), read the first time by short title and referred to the Rules Committee.


H.J.R. 6, Resolution Approving Compensation of In–session Employees (M. Newbold), read the first time by short title and referred to the Rules Committee.

H.J.R. 7, Resolution Amending State Auditor Qualifications (R. Romero), read the first time by short title and referred to the Rules Committee.

H.J.R. 8, Joint Rules Resolution – Use of Legislative Seals (R. Lockhart), read the first time by short title and referred to the Rules Committee.

H.J.R. 9, Resolution Amending Joint Rules Regarding Conflicts of Interest (J. Dougall), read the first time by short title and referred to the Rules Committee.

H.J.R. 10, Joint Rules Resolution – Amendments in Context (R. Lockhart), read the first time by short title and referred to the Rules Committee.

H.R. 1, House Rules Resolution – Lobbyist Code of Ethics Amendments (D. Ure), read the first time by short title and referred to the Rules Committee.

H.R. 2, Resolution Supporting Permanent Repeal of Federal Inheritance Tax (M. Morley), read the first time by short title and referred to the Rules Committee.

H.R. 3, Resolution Supporting Congressional Privatization of Social Security (M. Morley), read the first time by short title and referred to the Rules Committee.

MISCELLANEOUS BUSINESS

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

On motion of Representative Alexander, the House voted to cease to saunter.
COMMITTEE OF THE WHOLE

On motion of Representative Alexander, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from the Martin Luther King Commission. Phyllis Carroon introduced commission members. Mr. Darius A. Gray spoke.

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

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to recess until 2:00 p.m.

AFTERNOON SESSION

The House was called to order by Speaker Curtis at 2:00 p.m.

RULES COMMITTEE REPORT

Mr. Speaker: January 17, 2005

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

H.C.R. 5 Resolution Honoring Utah Military Service Personnel (Rep. F. Hunsaker)
H.J.R. 6 Resolution Approving Compensation of In–session Employees (M. Newbold)
H.B. 176 Revisor’s Statute (Rep. R. Lockhart)
H.J.R. 8 Joint Rules Resolution – Use of Legislative Seals (Rep. R. Lockhart)
H.J.R. 9 Resolution Amending Joint Rules Regarding Conflicts of Interest (Rep. J. Dougall)
H.B. 5 Person with a Disability Motorcycle Parking (Rep. T. Kiser)
H.B. 6 Master Highway Designation Amendments (Rep. J. Murray)
H.B. 8 Child Protection Team Meetings (Rep. A. Tilton)
H.B. 12 Health Care Assistants (Rep. R. Lockhart)
H.B. 13 Occupational and Professional Licensing Sunset Amendment (Rep. R. Lockhart)
H.B. 15 Repeal of State Debt Collection Advisory Board (Rep. D. Aagard)
H.B. 19 Procurement Code Renumbering (Rep. R. Bigelow)
H.B. 20 Calling Local Special Elections for Sales and Use Tax Purposes (Rep. S. Clark)
H.B. 26 Conveyances of Property (Rep. J. S. Adams)
H.B. 34 Emergency Related Amendments (Rep. S. Allen)

Becky Lockhart, Chair

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

RULES COMMITTEE REPORT

Mr. Speaker: January 17, 2005

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

BUSINESS AND LABOR
H.B. 45 Assessment of Property Affected by Business Interruption (Rep. G. Hughes)
H.B. 52 Fire Prevention Amendments (Rep. J. Murray)
H.B. 172 Notary Public Amendments (Rep. L. Shurtliff)

EDUCATION
H.B. 43 School Land Trust Program Funding Amendments (Rep. S. Urquhart)
H.B. 46 Public Education Capital Outlay Act Amendments (Rep. D. Cox)
H.B. 183  Verification of Eligibility for Fee Waivers  
(Rep. W. Harper)
H.B. 187  Capital Outlay Foundation Program – Participation Requirements (Rep. J. Ferrin)

GOVERNMENT OPERATIONS
H.B. 14  Bond Election Process Amendments (Rep. F. Hunsaker)
H.B. 58  Government Efficiency and Effectiveness Review Committee (Rep. P. Wallace)

HEALTH AND HUMAN SERVICES
H.B. 161 Injury Reporting Requirement Amendments  
(Rep. J. Murray)
H.B. 178 Mental Health Services Coordinator (Rep. D. Hogue)

JUDICIARY
H.B. 4   Divorce Mediation Program (Rep. B. Ferry)
H.B. 54  Criminal Appeal Amendments (Rep. S. Wyatt)
H.B. 55  Drug Offense Penalty Enhancements (Rep. B. Dee)

NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT
H.B. 177 Wildlife License Refund Amendments (Rep. M. Dayton)
H.B. 181 Duplicate Wildlife Licensing Amendments  
(Rep. M. Dayton)
H.B. 182 Historical Livestock Trails (Rep. B. Johnson)
H.C.R. 7  Concurrent Resolution Opposing Nuclear Testing  
(Rep. M. Noel)

POLITICAL SUBDIVISIONS
H.B. 40  Repeal of Sunset of Township Provision  
(Rep. M. S. Lawrence)
H.B. 51  Electronic Payments to Local Government Entities  
(Rep. J. Murray)
H.B. 162 Municipal Weed Abatement (Rep. M. Morley)

PUBLIC UTILITIES AND TECHNOLOGY
H.B. 186  Consumer Protection Amendments (Rep. S. Allen)

RETIEMENT AND INDEPENDENT ENTITIES

H.B. 44  Additional State Retirement Benefit (Rep. L. Shurtliff)
H.B. 173  State Employee Amendments (Rep. A. Hardy)
H.B. 180  Retirement Office Amendments (Rep. A. Hardy)

REVENUE AND TAXATION

H.B. 53  Tax Treatment of Personal Property (Rep. L. Shurtliff)
H.B. 170  Extension of Utah Low-income Housing Tax Credits (Rep. S. Clark)

WORKFORCE SERVICES AND COMMUNITY & ECONOMIC DEVELOPMENT

H.B. 11  Economic Development Incentives (Rep. B. Dee)
H.C.R. 4  Utah Athletic Foundation Resolution (Rep. D. Ure)

Becky Lockhart, Chair

Report filed. Representative Lockhart moved to adopt the Rules Committee Report. Representative Harper made a substitute motion to adopt the Rules Committee Report without H.J.R. 1 included. Representative Harper’s motion failed on the following roll call:

Yeas, 36; Nays, 37; Absent or not voting, 2.

Voting in the affirmative were: Representatives

Aagard  S. Allen  Barrus  Biskupski
Bourdeaux  Bowman  Buxton  S. Clark
Cosgrove  Dee  Donnelson  Duckworth
Dunnigan  Ferrin  Fisher  Gibson
Goodfellow  Gowans  Hansen  Harper
Hendrickson  Holdaway  E. Hutchings  King
Lawrence  Litvack  Mascaro  Mathis
McGee  Morgan  Moss  Murray
Ray  Shurtliff  Ure  Wallace

Voting in the negative were: Representatives

Adams  Alexander  Becker  Bigelow
Buttars  Christensen  D. Clark  D. Cox
Daw  Dougall  Ferry  Fowlke
Frank  Hardy  Hogue  Hughes
Absent or not voting were: Representatives
Dayton Styler

On motion of Representative Lockhart, the report of the Rules Committee was adopted.

COMMITTEE OF THE WHOLE

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

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

THIRD READING CALENDAR

H.C.R. 5, RESOLUTION HONORING UTAH MILITARY SERVICE PERSONNEL, read the third time by short title and placed on its final passage.

COMMITTEE OF THE WHOLE

On motion of Representative Hunsaker, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of honoring the National Guard.

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

H.C.R. 5 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Bowman Buttars Buxton
Absent or not voting were: Representatives
Dayton Gowans Styler

H.C.R. 5 transmitted to the Senate for its consideration.

* * *

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

On motion of Representative Alexander, the House voted to cease to saunter.

COMMUNICATIONS FROM THE GOVERNOR

Mr. Wheeler: January 17, 2005, 2005

It is my pleasure to appoint you to the Utah State Legislature to fill the seat in Legislative District 68, which was recently vacated by Representative Michael R. Styler. I am confident that as a legislator you will serve the citizens in your district with discernment and decorum.

I very much look forward to working with you in the future.

JON M. HUNTSMAN, JR.
GOVERNOR

Communication filed. Speaker Curtis administered the oath of office to Richard W. Wheeler, District 68.
COMMUNICATION FROM THE SENATE

Mr. Speaker: January 17, 2005

The Senate passed S.C.R. 3, RESOLUTION HONORING SEARCHERS, by Senator L. Hillyard, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. S.C.R. 3, read the first time by short title. On motion of Representative Alexander, under suspension of the rules, the House voted to consider S.C.R. 3 read the second time by short title and placed on the calendar for third reading.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to move to the Senate Third Reading Calendar.

THIRD READING CALENDAR

S.C.R. 3, RESOLUTION HONORING SEARCHERS, read the third time by short title and placed on its final passage.

COMMITTEE OF THE WHOLE

On motion of Representative Alexander, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of honoring searchers from the landfill search for Lori Hacking.

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

S.C.R. 3 then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard  Adams  Alexander  Barrus
Becker  Bigelow  Biskupski  Bourdeaux
Bowman  Buttars  Buxton  Christensen
D. Clark  S. Clark  Cosgrove  D. Cox
Daw  Dayton  Dee  Donnelson
Dougall  Duckworth  Dunnigan  Ferrin
Ferry  Fisher  Fowlke  Frank
Absent or not voting were: Representatives
S. Allen  B. Johnson  McCartney  McGee
Morley   Styler

S.C.R. 3 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to adjourn until January 18, 2005, at 10:00 a.m.
SECOND DAY
* * *

MORNING SESSION

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

Roll call showed all members present except Representative Painter, excused.

Pledge of Allegiance and prayer by Representative DeMar “Bud” Bowman.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: January 17, 2005

The Senate passed, **H.C.R. 5**, RESOLUTION HONORING UTAH MILITARY SERVICE PERSONNEL, by Representative F. Hunsaker, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed **S.C.R. 1**, RESOLUTION ENcourAGING MANAGED LANES STUDY, by Senator C. Walker, and it is transmitted for consideration; and

The Senate passed **S.J.R. 1**, JOINT RESOLUTION APPROVING APPOINTMENT OF LEGISLATIVE AUDITOR GENERAL, by Senator J. Valentine, and it is transmitted for consideration; and

The Senate passed **S.J.R. 5**, RESOLUTION APPROVING CONTRACT FOR STATE CAPITOL RENOVATION, by Senator L. A. Mansell, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 100**, ACCESS TO HIGH SPEED INTERNET AT STATE CAPITOL COMPLEX, by Senator S. Killpack, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **H.C.R. 5** was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

INTRODUCTION OF BILLS

H.B. 72, School Curriculum Amendments (C. Moss), read the first time by short title and referred to the Rules Committee.

H.B. 73, Local Referendum Requirements (D. Hogue), read the first time by short title and referred to the Rules Committee.

H.B. 74, Tuition Reimbursement Program for Students Seeking Teacher Licensure in Disability or Special Education (R. Menlove), read the first time by short title and referred to the Rules Committee.

H.B. 75, Government Records Access and Management Task Force (D. Aagard), read the first time by short title and referred to the Rules Committee.

H.B. 159, Motor Assisted Scooter and Mini–motorcycle Amendments (B. Dee), read the first time by short title and referred to the Rules Committee.

H.B. 198, Naturopathic Formulary Peer Committee Amendments (J. Ferrin), read the first time by short title and referred to the Rules Committee.

H.B. 199, Special Election Dates (D. Hogue), read the first time by short title and referred to the Rules Committee.

H.B. 200, Property and Casualty Insurance Law Amendments (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

H.B. 201, Life Insurance and Annuities Law Amendments (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

* * *

Speaker Curtis introduced the interns and House staff.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, under suspension of the rules, the house voted to lift S.J.R. 1 and S.B. 100 from the Rules Committee, consider them read for the second time and placed on the calendar for third reading.

* * *

On motion of Representative Alexander, under suspension of the rules, the House voted to move to the Senate Third Reading Calendar.
THIRD READING CALENDAR

S.J.R. 1, JOINT RESOLUTION APPROVING APPOINTMENT OF LEGISLATIVE AUDITOR GENERAL, read the third time by short title and placed on its final passage.

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

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
</tr>
<tr>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
</tr>
<tr>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferry</td>
</tr>
<tr>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
</tr>
<tr>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
</tr>
<tr>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
</tr>
<tr>
<td>Hughes</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>Jones</td>
</tr>
<tr>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
<td>Litvack</td>
</tr>
<tr>
<td>Lockhart</td>
<td>Mascaro</td>
<td>Mathis</td>
<td>McCartney</td>
</tr>
<tr>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
<td>Morley</td>
</tr>
<tr>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
</tr>
<tr>
<td>Oda</td>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
</tr>
<tr>
<td>G. Snow</td>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
</tr>
<tr>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
</tr>
<tr>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Becker</th>
<th>Ferrin</th>
<th>Hunsaker</th>
<th>Lawrence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Painter</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

* * *

S.B. 100, ACCESS TO HIGH SPEED INTERNET AT STATE CAPITOL COMPLEX, read the third time by short title and placed on its final passage.

S.B. 100 then passed on the following roll call:
Yeas, 67; Nays, 2; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard  Adams  Alexander  Barrus  
Becker  Biskupski  Bourdeaux  Bowman  
Buxton  Christensen  D. Clark  S. Clark  
Cosgrove  D. Cox  Daw  Dayton  
Dee  Dougall  Duckworth  Dunnigan  
Ferry  Fisher  Fowlke  Frank  
Gibson  Goodfellow  Gowans  Hansen  
Harper  Hendrickson  Hogue  Holdaway  
Hughes  Hunsaker  E. Hutchings  B. Johnson  
Jones  King  Kiser  Last  
Lawrence  Litvack  Lockhart  Mathis  
McCartney  McGee  Menlove  Morgan  
Morley  Moss  Murray  Newbold  
Noel  Oda  Ray  Romero  
Shurtliff  G. Snow  Tilton  Ure  
Urquhart  Walker  Wallace  Wheatley  
Wheeler  Wyatt  Curtis  

Voting in the negative were: Representatives

Bigelow  Donnelson  

Absent or not voting were: Representatives

S. Allen  Buttars  Ferrin  Hardy  
Mascaro  Painter  

S.B. 100 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to move to the House Third Reading Calendar.

THIRD READING CALENDAR

H.J.R. 6, RESOLUTION APPROVING COMPENSATION OF IN–SESSION EMPLOYEES, read the third time by short title and placed on its final passage.

On motion of Representative Newbold, the House voted to circle H.J.R. 6.
MISCELLANEOUS BUSINESS

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

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

THIRD READING CALENDAR

**H.B. 176**, REVISOR’S STATUTE, read the third time by short title and placed on its final passage.

On motion of Representative Urquhart, the House voted to circle **H.B. 176**.

**H.J.R. 8**, JOINT RULES RESOLUTION − USE OF LEGISLATIVE SEALS, read the third time by short title and placed on its final passage.

On motion of Representative Urquhart, the House voted to circle **H.J.R. 8**.

**H.J.R. 9**, RESOLUTION AMENDING JOINT RULES REGARDING CONFLICTS OF INTEREST, read the third time by short title and placed on its final passage.

On motion of Representative Urquhart, the House voted to circle **H.J.R. 9**.

**H.J.R. 10**, JOINT RULES RESOLUTION − AMENDMENTS IN CONTEXT, read the third time by short title and placed on its final passage.

On motion of Representative Urquhart, the House voted to circle **H.J.R. 10**.

**H.B. 5**, PERSON WITH A DISABILITY MOTORCYCLE PARKING, read the third time by short title and placed on its final passage.

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

Yeas, 64; Nays, 2; Absent or not voting, 9.
Voting in the affirmative were: Representatives
Aagard       Barrus       Becker       Bigelow
Biskupski    Bourdeaux    Bowman      Buttars
Buxton       D. Clark     S. Clark    Cosgrove
D. Cox       Daw          Dayton      Dee
Dougall      Dunnigan     Ferrin      Ferry
Fisher       Fowlke       Frank       Gibson
Goodfellow   Gowans       Hansen      Hardy
Harper       Hendrickson  Hogue       Holdaway
Hughes       Hunsaker     E. Hutchings B. Johnson
Jones        King         Kiser       Last
Litvack      Lockhart     Mathis      McCartney
McGee        Menlove      Morgan      Moss
Murray       Newbold      Noel        Oda
Romero       Shurtliff    G. Snow     Tilton
Ure          Urquhart     Walker      Wallace
Wheatley     Wheeler      Wyatt       Curtis

Voting in the negative were: Representatives
Donnelson    Ray

Absent or not voting were: Representatives
Adams        Alexander    S. Allen    Christensen
Duckworth    Lawrence     Mascaro    Morley
Painter

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

***

H.B. 6, MASTER HIGHWAY DESIGNATION AMENDMENTS, read the third time by short title and placed on its final passage.

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

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

Voting in the affirmative were: Representatives
Aagard       Adams        Alexander    S. Allen
Barrus       Becker       Biskupski    Bourdeaux
Bowman       Buttars      Buxton      D. Clark
S. Clark     Cosgrove     D. Cox      Daw
Dayton       Dee          Donnelson   Dougall
Dunnigan  Ferrin  Ferry  Fisher  
Fowlke  Frank  Gibson  Goodfellow  
Gowans  Hansen  Hardy  Harper  
Hendrickson  Hogue  Holdaway  Hughes  
Hunsaker  E. Hutchings  Jones  King  
Kiser  Last  Litvack  Lockhart  
Mathis  McCartney  McGee  Menlove  
Morgan  Moss  Murray  Newbold  
Noel  Oda  Ray  Romero  
Shurtliff  G. Snow  Tilton  Ure  
Urquhart  Walker  Wallace  Wheatley  
Wheeler  Wyatt  Curtis  

**Absent or not voting were:** Representatives  
Bigelow  Christensen  Duckworth  B. Johnson  
Lawrence  Mascaro  Morley  Painter  

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

**RULES COMMITTEE REPORT**

Mr. Speaker:  

January 18, 2005  

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

**BUSINESS AND LABOR**

**H.B. 27**  Health Insurance Fair Marketing Standards  
(Rep. S. Mascaro)  

**H.B. 60**  Producer Licensing Amendments (Rep. J. Dunnigan)  

**H.B. 191**  Captive Insurance Law Amendments (Rep. J. Dunnigan)  

**EDUCATION**

**H.C.R. 1**  Resolution Promoting Moderately Sized Schools  
(Rep. D. Cox)  

**LAW ENFORCEMENT AND CRIMINAL JUSTICE**


**H.B. 164**  Repeal of Utah Personal Introduction Services Protection Act (Rep. S. Allen)  


NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT

H.B. 168 Cooperative Wildlife Management Unit Amendments  
(Rep. J. Gowans)

REVENUE AND TAXATION

H.B. 9 Sales and Use Tax – Agricultural Exemption Vehicle Limitation (Rep. R. Menlove)

TRANSPORTATION

H.C.R. 2 Cowboy Hall of Fame Resolution (Rep. L. Shurtliff)

Becky Lockhart, Chair

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

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to adjourn until January 19, 2005, at 10:00 a.m.
THIRD DAY

MORNING SESSION

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

Roll call showed all members present.

Prayer by Father James Thompson, St. Catherine of Siena, Newman Center Parish.

Pledge of Allegiance by Anita Bruce, Representative Ross Romero’s mother.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: January 18, 2005

The Senate passed, as amended, **S.B. 5**, TRAFFIC CODE RECODIFICATION AND REVISIONS, by Senator S. Killpack, and it is transmitted for consideration; and

The Senate passed **S.B. 6**, SALES AND USE TAX AGRICULTURE EXEMPTIONS, by Senator R. Allen, and it is transmitted for consideration; and

The Senate passed **S.B. 12**, DEPARTMENT OF WORKFORCE SERVICES AMENDMENTS, by Senator S. Jenkins, and it is transmitted for consideration; and

The Senate passed **S.B. 17**, FOSTER CARE CITIZEN REVIEW BOARD, by Senator D. Eastman, and it is transmitted for consideration; and

The Senate passed **S.B. 18**, REGULATING PROPRIETARY POSTSECONDARY SCHOOLS, by Senator D. Eastman, and it is transmitted for consideration.

**Annette B. Moore**
Secretary of the Senate


REPORTS OF STANDING COMMITTEES

Mr. Speaker: January 18, 2005

The Business and Labor Committee reports a favorable recommendation on **H.B. 52**, FIRE PREVENTION AMENDMENTS, by Representative J. Murray, with the following amendments:
1. Page 3, Lines 81 through 83:

81 58–55–308(3); and

82 (C) installation, repair, or replacement of water–based fire
protection systems must be

83 performed by a licensed fire suppression systems contractor or a
licensed journeyman plumber .

The Business and Labor Committee reports a favorable recommendation on
H.B. 172, NOTARY PUBLIC AMENDMENTS, by Representative L. Shurtliff; and

The Business and Labor Committee reports a favorable recommendation on
H.J.R. 1, JOINT RESOLUTION RELATED TO FINANCIAL INSTITUTIONS,
by Representative J. Alexander.

Stephen D. Clark, Chair

Reports filed. Representative Clark moved to adopt the reports of the
Business and Labor Committee. The motion was divided and each bill was voted
separately.

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

H.B. 172, read the second time by short title and placed on the calendar for
third reading.

H.J.R. 1, read the second time by short title and placed on the calendar for
third reading.

Attached to the Business and Labor standing committee report was a
Minority Report. Speaker Curtis ruled that the Minority Report needed a vote of
the body to be attached to the Majority Report (standing committee report) and
printed in the House Journal. Representative Christensen challenged the
Speaker’s ruling but it failed on a voice vote. The vote on whether to allow the
Minority Report to be attached to the Majority Report and printed in the House
Journal passed on the following roll call:

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

Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>-------------</td>
<td>--------</td>
<td>---------</td>
<td>--------</td>
</tr>
<tr>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td>Dee</td>
<td>Donnelson</td>
<td>Duckworth</td>
<td>Dunnigan</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
<td>Gibson</td>
</tr>
<tr>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
</tr>
<tr>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
</tr>
<tr>
<td>Hunsaker</td>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Litvack</td>
<td>Mascaro</td>
<td>Mathis</td>
</tr>
<tr>
<td>McCartney</td>
<td>McGee</td>
<td>Morgan</td>
<td>Murray</td>
</tr>
<tr>
<td>Newbold</td>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
</tr>
<tr>
<td>Romero</td>
<td>Shurtliff</td>
<td>G. Snow</td>
<td>Ure</td>
</tr>
<tr>
<td>Urquhart</td>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
</tr>
<tr>
<td>Wheeler</td>
<td>Wyatt</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Christensen</th>
<th>D. Clark</th>
<th>Dayton</th>
<th>Dougall</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ferrin</td>
<td>Frank</td>
<td>Hughes</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>Last</td>
<td>Morley</td>
<td>Noel</td>
</tr>
<tr>
<td>Tilton</td>
<td>Curtis</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Lockhart</th>
<th>Menlove</th>
<th>Moss</th>
</tr>
</thead>
</table>

**MINORITY REPORT H.J.R. 1**

Mr. Speaker: January 18, 2005

In accordance with House Rule 24.16, we respectfully dissent from the majority committee report for **H.J.R. 1, JOINT RESOLUTION RELATED TO FINANCIAL INSTITUTIONS**, by Representative Jeff Alexander for the following reasons:

The Financial Institutions Task Force met twice in 2003 and not again until near the deadline for the Task Force report. Banks and credit unions were never asked to make a presentation to the Task Force explaining their position on the Task Force issues. The Task Force did not meet its deadline for making a report to the Business and Labor Interim Committee.

The Task Force had a statutory charge to address the “competitive equity assessment” (Section 20 of H.B. 162) and to study fourteen questions related not only to credit unions but also banks, other financial institutions, and the Department of Financial Institutions. No analysis or discussion took place on the Task Force’s charge.
Input from the National Credit Union Administration, even testimony from the agency, could have been sought by the Task Force but wasn’t. Input from our Congressional delegation could have (and still can be) requested by letter. A Resolution is not going to provide any information to congress that could not be achieved in a letter written by the chairs of the Task Force. If HJR 1 passes, it puts the Utah Legislature on record of favoring credit union taxation and criticizing federal credit union regulators.

Jackie Biskupski
Committee Member

Carl W. Duckworth
Committee Member

Neil A. Hansen
Committee Member

REPORTS OF STANDING COMMITTEES

Mr. Speaker: January 18, 2005

The Health and Human Services Committee reports a favorable recommendation on H.B. 178, MENTAL HEALTH SERVICES COORDINATOR, by Representative D. Hogue, with the following amendments:

1. Page 1, Line 17:

   17 $57,800 as an ongoing appropriation subject to future budget constraints, $57,800 from the General Fund to the Department of Human Services for fiscal year

2. Page 2, Line 39:

   39 This bill appropriates $57,800 as an ongoing appropriation subject to future budget constraints, $57,800 from the General Fund to the Department of Human

Bradley G. Last, Chair

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

H.B. 178, as amended, read the second time by short title and placed on the calendar for third reading.
Mr. Speaker: January 18, 2005

The Education Committee reports a favorable recommendation on H.B. 43, SCHOOL LAND TRUST PROGRAM FUNDING AMENDMENTS, by Representative S. Urquhart, et al.

Margaret Dayton, Chair

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

H.B. 43, read the second time by short title and placed on the calendar for third reading.

Mr. Speaker: January 18, 2005

The Public Utilities and Technology Committee reports a favorable recommendation on H.B. 186, CONSUMER PROTECTION AMENDMENTS, by Representative S. Allen; and

The Public Utilities and Technology Committee reports a favorable recommendation on H.B. 185, UTAH COMPUTER CRIMES ACT AMENDMENTS, by Representative B. Daw, et al.

Sheryl L. Allen, Chair

Reports filed. On motion of Representative Allen, the reports of the Public Utilities and Technology committee were adopted.

H.B. 186 and H.B. 185, read the second time by short title and placed on the calendar for third reading.

MISCELLANEOUS BUSINESS

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

INTRODUCTION OF BILLS

H.B. 76, Habitual Violent Offenders Amendments (P. Ray), read the first time by short title and referred to the Rules Committee.

H.B. 77, Provisions for Emancipation of a Minor (R. McGee), read the first time by short title and referred to the Rules Committee.
H.B. 78, Corporate Franchise and Income Tax Amendments (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 79, Provision of Services for People with Disabilities (R. Lockhart), read the first time by short title and referred to the Rules Committee.

H.B. 80, Services for People with Disabilities (R. Lockhart), read the first time by short title and referred to the Rules Committee.

H.B. 202, Revisions to Child Welfare (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 203, Agricultural Advisory Board (M. Noel), read the first time by short title and referred to the Rules Committee.

H.B. 204, Statute of Limitations Amendments (D. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 205, Deer Hunt Opening Season Date Amendments (S. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 206, Charter School Reporting (C. Moss), read the first time by short title and referred to the Rules Committee.

H.B. 207, Prescriptive Easements Act (G. Hughes), read the first time by short title and referred to the Rules Committee.

H.B. 208, Unclaimed Property Amendments (P. Ray), read the first time by short title and referred to the Rules Committee.


H.R. 4, Resolution Urging United States Senate Support of President’s Supreme Court Nominees (M. Morley), read the first time by short title and referred to the Rules Committee.

H.R. 5, House Rules Resolution – Oral Declaration of Conflict of Interest (D. Ure), read the first time by short title and referred to the Rules Committee.


MISCELLANEOUS BUSINESS

On motion of Representative Alexander, under suspension of the rules, the House voted to move to the House Third Reading Calendar.
THIRD READING CALENDAR

H.B. 8, CHILD PROTECTION TEAM MEETINGS, read the third time by short title and placed on its final passage.

H.B. 8 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard     Adams     Alexander    Barrus
Becker     Bigelow   Biskupski   Bourdeaux
Bowman     Buttars   Buxton      Christensen
D. Clark   S. Clark  Cosgrove    D. Cox
Daw        Dayton    Dee         Donnelson
Dougall    Duckworth Dunnigan   Ferrin
Ferry       Fisher    Fowlke      Frank
Gibson      Goodfellow Gowans     Hansen
Harper      Hendrickson Hogue      Holdaway
Hughes      Hunsaker  E. Hutchings B. Johnson
Jones       King      Kiser       Last
Litvack     Lockhart  Mascaro     Mathis
McCartney   McGee     Menlove     Morgan
Morley      Moss      Murray      Newbold
Noel        Oda       Painter     Ray
Romero      Shurtliff G. Snow     Tilton
Ure         Urquhart  Walker      Wallace
Wheatley    Wheeler   Wyatt       Curtis

Absent or not voting were: Representatives
S. Allen    Hardy      Lawrence

H.B. 8 transmitted to the Senate for its consideration.

* * *

H.B. 10, EMPLOYMENT SECURITY ACT AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 10 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard     Adams     S. Allen     Barrus
Becker     Bigelow   Biskupski   Bourdeaux
Day 3 Wednesday, January 19, 2005

Bowman Buttars Buxton Christensen
D. Clark S. Clark Cosgrove D. Cox
Daw Dayton Dee Donnelson
Dougall Duckworth Dunnigan Frank
Ferry Fisher Fowlke
Gibson Goodfellow Gowans Hardy
Harper Hendrickson Hogue Holdaway
Hughes Hunsaker E. Hutchings B. Johnson
Jones Kiser Last Lawrence
Litvack Lockhart Mascaro Mathis
McCartney McGee Menlove Morgan
Morley Moss Murray Newbold
Noel Oda Painter Ray
Romero Shurtliff G. Snow Tilton
Ure Urquhart Walker Wallace
Wheatley Wheeler Wyatt Curtis

Absent or not voting were: Representatives
Alexander Hansen King

H.B. 10 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Lockhart, the House voted to uncircle H.B. 176.

H.B. 176, REVISOR’S STATUTE, was before the House on its final passage.

H.B. 176 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagar Aagard Adams S. Allen Barrus
Becker Bigelow Biskupski Bourdeaux
Bowman Buttars Buxton Christensen
D. Clark S. Clark Cosgrove D. Cox
Daw Dayton Dee Donnelson
Dougall Duckworth Dunnigan Ferrin
Ferry Fisher Fowlke Frank
Gibson Goodfellow Gowans Hardy
Harper Hendrickson Hogue Holdaway
Hughes Hunsaker E. Hutchings B. Johnson
Absent or not voting were: Representatives
Alexander Hansen King

H.B. 176 transmitted to the Senate for its consideration.

***

On motion of Representative Lockhart, the House voted to uncircle H.J.R. 8.

H.J.R. 8, JOINT RULES RESOLUTION – USE OF LEGISLATIVE SEALS, was before the House on its final passage.

H.J.R. 8 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams S. Allen Barrus
Becker Bigelow Biskupski Bourdeaux
Bowman Buttars Buxton Christensen
D. Clark S. Clark Cosgrove D. Cox
Daw Dayton Dee Donnellson
Dougall Duckworth Dunnigan Ferrin
Ferry Fisher Fowlke Frank
Gibson Gowans Hardy Harper
Hendrickson Hogue Holdaway Hughes
Hunsaker B. Johnson Jones Kiser
Last Lawrence Litvack Mascaro
Mathis McCartney McGee Menlove
Morgan Morley Moss Murray
Newbold Noel Oda Painter
Ray Romero Shurtliff G. Snow
Tilton Ure Walker Wallace
Wheatley Wheeler Wyatt Curtis
Absent or not voting were: Representatives
Alexander Goodfellow Hansen E. Hutchings
King Lockhart Urquhart

H.J.R. 8 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Urquhart, under suspension of the rules, the House voted to lift S.J.R. 5 from the Rules Committee, consider it read the second time by short title and placed on the calendar for third reading.

UNFINISHED BUSINESS

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

H.J.R. 6, RESOLUTION APPROVING COMPENSATION OF IN-SESSION EMPLOYEES, was before the House on its final passage.

Representative Newbold proposed the following amendment:

1. Page 2, Line 50:

<table>
<thead>
<tr>
<th></th>
<th>Voting Machine Operator (H)</th>
<th></th>
<th>Video Specialist (H−S)</th>
</tr>
</thead>
<tbody>
<tr>
<td>50</td>
<td>9.27 9.52 9.79 10.06 10.33</td>
<td>8.32 8.54 8.79 9.03 9.27</td>
<td></td>
</tr>
</tbody>
</table>

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

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

Y eas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives
Aagard Adams S. Allen Barrus
Becker Bigelow Biskupski Bowman
Buttars Buxton Christensen D. Clark
S. Clark Cosgrove D. Cox Daw
Dayton Dee Donnelson Dougall
Duckworth Dunnigan Ferry Fisher
Fowlke Frank Gibson Goodfellow
Hardy Harper Hendrickson Hogue
Holdaway Hughes Hunsaker E. Hutchings
H.J.R. 6, as amended, transmitted to the Senate for its consideration.

**INTRODUCTION OF BILL**

H.C.R. 8, Resolution Recognizing Utah Manufacturers Association (J. Alexander), read the first time by short title and referred to the Rules Committee.

**MISCELLANEOUS BUSINESS**

On motion of Representative Harper, the House voted to move to the Senate Third Reading Calendar.

**THIRD READING CALENDAR**

S.J.R. 5, RESOLUTION APPROVING CONTRACT FOR STATE CAPITOL RENOVATION, read the third time by short title and placed on its final passage.

S.J.R. 5 then passed on the following roll call:

**Yeas, 55; Nays, 0; Absent or not voting, 20.**

**Voting in the affirmative were:**

- Aagard
- Adams
- Alexander
- S. Allen
- Barrus
- Becker
- Bigelow
- Bowman
- Buxton
- Christensen
- D. Clark
- Cosgrove
- D. Cox
- Daw
- Dayton
- Dee
- Donnelson
- Duckworth
- Ferry
- Fisher
- Fowlke
- Frank
- Gibson
- Goodfellow
- Gowans
- Hansen
- Harper
- Hogue

**Absent or not voting were:**

- Alexander
- Bourdeaux
- Ferrin
- Gowans
- Hansen
- B. Johnson
- King

- Representatives
- Alexander
- Bourdeaux
- Ferrin
- Gowans
- Hansen
- B. Johnson
- King
Absent or not voting were: Representatives

<table>
<thead>
<tr>
<th>Absent or not voting were: Representatives</th>
</tr>
</thead>
<tbody>
<tr>
<td>Holdaway B. Johnson</td>
</tr>
<tr>
<td>Lawrence Mathis</td>
</tr>
<tr>
<td>Morgan Morley</td>
</tr>
<tr>
<td>Newbold Noel</td>
</tr>
<tr>
<td>Ray Romero</td>
</tr>
<tr>
<td>Tilton Walker</td>
</tr>
<tr>
<td>Wheeler Wyatt</td>
</tr>
<tr>
<td>Lawrence</td>
</tr>
<tr>
<td>Morgan</td>
</tr>
<tr>
<td>Newbold</td>
</tr>
<tr>
<td>Ray</td>
</tr>
<tr>
<td>Tilton</td>
</tr>
<tr>
<td>Wheeler</td>
</tr>
<tr>
<td>B. Johnson</td>
</tr>
<tr>
<td>Mathis</td>
</tr>
<tr>
<td>Morley</td>
</tr>
<tr>
<td>Noel</td>
</tr>
<tr>
<td>Romero</td>
</tr>
<tr>
<td>Walker</td>
</tr>
<tr>
<td>Wyatt</td>
</tr>
<tr>
<td>Jones</td>
</tr>
<tr>
<td>McGee</td>
</tr>
<tr>
<td>Moss</td>
</tr>
<tr>
<td>Oda</td>
</tr>
<tr>
<td>Shurtliff</td>
</tr>
<tr>
<td>Wallace</td>
</tr>
<tr>
<td>Curtis</td>
</tr>
<tr>
<td>Last</td>
</tr>
<tr>
<td>Menlove</td>
</tr>
<tr>
<td>Murray</td>
</tr>
<tr>
<td>Painter</td>
</tr>
<tr>
<td>G. Snow</td>
</tr>
<tr>
<td>Wheatley</td>
</tr>
<tr>
<td>S. Clark</td>
</tr>
<tr>
<td>Hardy</td>
</tr>
<tr>
<td>E. Hutchings</td>
</tr>
<tr>
<td>Lockhart</td>
</tr>
<tr>
<td>Urquhart</td>
</tr>
</tbody>
</table>

S.J.R. 5 was signed by the Speaker in open session and transmitted to the Senate for the signature of the President.

COMMITTEE OF THE WHOLE

On motion of Representative Alexander, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from Governor Jon M. Huntsman, Jr.

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

MISCELLANEOUS BUSINESS

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

UNFINISHED BUSINESS

On motion of Representative Dougall, the House voted to uncircle H.J.R. 9.

H.J.R. 9, RESOLUTION AMENDING JOINT RULES REGARDING CONFLICTS OF INTEREST, was before the House on its final passage.

On motion of Representative Dougall, the House voted to circle H.J.R. 9.

RULES COMMITTEE REPORT

Mr. Speaker: January 19, 2005

The Rules Committee has ordered the following House bills printed and recommends the following bills and resolutions be assigned to standing committees:
BUSINESS AND LABOR
H.B. 47  New Automobile Franchise Act Amendments
         (Rep. S. Urquhart)

EDUCATION
H.B. 175  Education Achievement Gap Task Force
          (Rep. D. Litvack)

HEALTH AND HUMAN SERVICES
H.B. 33  Assistance for People with Bleeding Disorders
         (Rep. D. Litvack)
H.B. 165  Utah Commission on Aging (Rep. P. Jones)

JUDICIARY
         (Rep. D. Hogue)

NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT

PUBLIC UTILITIES AND TECHNOLOGY
H.B. 174  Child Protection Registry Amendments (Rep. J. Dougall)

REVENUE AND TAXATION
H.B. 171  Calculation of Mining Severance Tax on Beryllium
          (Rep. R. Wheeler)
H.B. 190  Individual Income Tax – Electronic Filing Requirements
          (Rep. S. Clark)

TRANSPORTATION
S.C.R. 1  Resolution Encouraging Managed Lanes Study
          (Sen. C. Walker)

WORKFORCE SERVICES AND COMMUNITY & ECONOMIC DEVELOPMENT
H.B. 17  Motion Picture Incentive Fund (Rep. S. Allen)
H.C.R. 8  Resolution Recognizing Utah Manufacturers Association  
(Rep. J. Alexander)  
    Becky Lockhart, Chair  
Report filed. On motion of Representative Lockhart, the report of the Rules Committee was adopted.

* * *

Mr. Speaker:  January 19, 2005  
The Rules Committee recommends that, under suspension of the rules, the following bill and resolution be considered read for the second time and placed on the Third Reading Calendar for Senate bills.

S.B. 5  Traffic Code Recodification and Revisions  
(Sen. S. Killpack)  
    Becky Lockhart, Chair  
Report filed. On motion of Representative Lockhart, the report of the Rules Committee was adopted.

MISCELLANEOUS BUSINESS  

On motion of Representative Alexander, the House voted to adjourn until January 20, 2005, at 10:00 a.m.
FOURTH DAY

MORNING SESSION

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

Roll call showed all members present.

Pledge of Allegiance and prayer by Representative Craig W. Butts.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: January 19, 2005

The Senate passed S.B. 9, AEROSPACE AND AVIATION DEVELOPMENT ZONE MODIFICATIONS, by Senator M. Dmitrich, and it is transmitted for consideration; and

The Senate passed S.B. 20, OFFICE OF LEGISLATIVE AUDITOR − ACCESS TO INFORMATION, by Senator M. Waddoups, and it is transmitted for consideration; and

The Senate passed S.B. 101, UTAH ADMINISTRATIVE RULEMAKING ACT REVISION, by Senator H. Stephenson, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. S.B. 9, S.B. 20, and S.B. 101, read the first time by short title and referred to the Rules Committee.

RULES COMMITTEE REPORTS

Mr. Speaker: January 19, 2005

The Rules Committee reports a favorable recommendation on H.R. 5, HOUSE RULES RESOLUTION – ORAL DECLARATION OF CONFLICT OF INTEREST, by Representative D. Ure, with the following amendments:
1. Page 2, Lines 33 through 36:

33 (1) (a) Before speaking in support of or in opposition to any legislation in a committee or
34 on the floor of the House, a House member who reasonably believes that the member he may have
35 a conflict of interest shall orally declare to the committee or the House that the legislator may
36 have a conflict of interest.

The Rules Committee reports a favorable recommendation on H.R. 6, HOUSE RULES RESOLUTION – ELECTRONIC VOTING BOARD, by Representative D. Ure.

Becky Lockhart, Chair

Reports filed. On motion of Representative Lockhart, the reports of the Rules Committee were adopted.

H.R. 5, as amended, and H.R. 6, read the second time by short title and placed on the calendar for third reading.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: January 19, 2005

The Political Subdivisions Committee reports a favorable recommendation on H.B. 51, ELECTRONIC PAYMENTS TO LOCAL GOVERNMENT ENTITIES, by Representative J. Murray, and recommends it be placed on the Consent Calendar; and

The Political Subdivisions Committee reports a favorable recommendation on H.B. 162, MUNICIPAL WEED ABATEMENT, by Representative M. Morley, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 1, Line 1:

1 MUNICIPAL {—WEED—} ABATEMENT OF WEEDS AND OTHER NEGLECTED ITEMS ON PROPERTY

2. Page 1, Line 15:

15 is mailed to the property owner; {—and—}
> provides for the recovery of administrative costs related to the
abatement of neglected weeds, garbage, refuge, objects, or structure; and

3. Page 2, Line 36:

36  (iii) prepare an itemized statement of all expenses including administrative expenses, incurred in the removal and

4. Page 2, Line 51:

51  (i) sue for and receive judgment upon all of [said] the costs of removal and destruction including administrative costs,

5. Page 2, Line 56:

56  (i) make, in triplicate, an itemized statement of all expenses including administrative expenses, incurred in the removal

Brad L. Dee, Chair
Reports filed. On motion of Representative Dee, the reports of the Political Subdivisions committee were adopted.

H.B. 51 and H.B. 162, as amended, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: January 19, 2005

The Revenue and Taxation Committee reports a favorable recommendation on H.B. 53, TAX TREATMENT OF PERSONAL PROPERTY, by Representative L. Shurtliff; and

The Revenue and Taxation Committee reports a favorable recommendation on H.B. 170, EXTENSION OF UTAH LOW–INCOME HOUSING TAX CREDITS, by Representative S. Clark.

Wayne A. Harper, Chair
Reports filed. On motion of Representative Harper, the reports of the Revenue and Taxation committee were adopted.

H.B. 53 and H.B. 170, read the second time by short title and placed on the calendar for third reading.
* * *

Mr. Speaker: January 19, 2005


Douglas c. Aagard, Chair

Report filed. On motion of Representative Aagard, the report of the Government Operations committee was adopted.

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

* * *

Mr. Speaker: January 19, 2005

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.B. 179**, UTAH VENTURE CAPITAL ENHANCEMENT ACT AMENDMENTS, by Representative P. Wallace; and

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.C.R. 4**, UTAH ATHLETIC FOUNDATION RESOLUTION, by Representative D. Ure, and recommends it be placed on the Consent Calendar.

David N. Cox, Chair

Reports filed. On motion of Representative Cox, the reports of the Workforce Services and Community and Economic Development committee were adopted.

**H.B. 179**, read the second time by short title and placed on the calendar for third reading.

**H.C.R. 4**, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: January 19, 2005

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 177**, WILDLIFE LICENSE REFUND AMENDMENTS, by Representative M. Dayton; and
The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 181**, DUPLICATE WILDLIFE LICENSING AMENDMENTS, by Representative M. Dayton, with the following amendments:

1. Page 1, Line 26 through Page 2, Line 31:

26  [Whenever any] If an unexpired license, permit, tag, or certificate of registration issued under the provisions of this code is destroyed, lost, or stolen, the Division of Wildlife Resources and its authorized license agents may set fees and issue a duplicate license [at a fee to be determined by the Wildlife Board. To obtain the duplicate license], permit, tag, or certificate of registration[the applicant must complete an affidavit testifying to such loss, destruction or theft, and provide such other information as required] in accordance with the rules set and fees determined by the Wildlife Board.

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.C.R. 7**, CONCURRENT RESOLUTION OPPOSING NUCLEAR TESTING, by Representative M. Noel.

Roger E. Barrus, Chair

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


* * * 

Mr. Speaker: January 19, 2005

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 164**, REPEAL OF UTAH PERSONAL INTRODUCTION SERVICES PROTECTION ACT, by Representative S. Allen.

DeMar “Bud” Bowman, Chair

Report filed. On motion of Representative Bowman, the report of the Law Enforcement and Criminal Justice committee was adopted.
H.B. 164, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: January 19, 2005

The Judiciary Committee reports a favorable recommendation on H.B. 54, CRIMINAL APPEAL AMENDMENTS, by Representative S. Wyatt, with the following amendments:

1. Page 3, Lines 78 through 81:

78 (j) an illegal sentence.

79 (4) In addition to any appeal permitted by Subsection (3), the prosecution may seek discretionary appellate review of any interlocutory order entered before jeopardy attaches.

81 Section 2. Section 78–3a–604 is enacted to read:

The Judiciary Committee reports a favorable recommendation on H.B. 55, DRUG OFFENSE PENALTY ENHANCEMENTS, by Representative B. Dee.

James A. Ferrin, Chair

Reports filed. On motion of Representative Ferrin, the reports of the Judiciary committee were adopted.

H.B. 54, as amended, and H.B. 55, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: January 19, 2005

The Transportation Committee reports a favorable recommendation on H.B. 48, MOTOR VEHICLE REGISTRATION AND SAFETY INSPECTION AMENDMENTS, by Representative B. Daw, with the following amendments:

1. Page 1, Lines 13 through 15:

13 provides that a motor vehicle safety and emissions inspection certificate is valid for

14 three months instead of two months for purposes of registration or renewal of
registration of a motor vehicle; and

2. Page 2, Lines 34 through 48:

registration

Subsections (2)(b), (c), and (d), for purposes of registration or renewal of registration of a motor

vehicle, a safety inspection certificate is valid for

six months.

(b) (i) If the title of a used motor vehicle is being transferred, a safety inspection certificate issued for the motor vehicle during the previous two months may be used to satisfy the requirement under Subsection (1).

(ii) If the transferor is a licensed and bonded used motor vehicle dealer, a safety inspection certificate issued for the motor vehicle in a licensed and bonded motor vehicle dealer’s name during the previous six months may be used to satisfy the requirement under Subsection (1).

(c) If the title of a leased vehicle is being transferred to the lessee of the vehicle, a safety inspection certificate issued during the previous six months may be used to satisfy the requirement under Subsection (1).

(d) (b) If the motor vehicle is part of a fleet of 101 or more vehicles, a safety inspection required under this section may be made no more than 11 months prior to the renewal of registration.

Joseph G. Murray, Chair

Report filed. On motion of Representative Murray, the report of the Transportation committee was adopted.
H.B. 48, as amended, read the second time by short title and placed on the calendar for third reading.

INTRODUCTION OF BILLS

H.B. 81, Workers’ Compensation Coverage of Fire Department Employees (J. Murray), read the first time by short title and referred to the Rules Committee.

H.B. 82, Contractors Bonds and Letters of Credit (S. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 83, Weights and Measures Amendments (D. Ure), read the first time by short title and referred to the Rules Committee.

H.B. 84, Reading Requirements for Student Advancement (K. Morgan), read the first time by short title and referred to the Rules Committee.

H.B. 85, Health Insurance High Risk Pool – Eligibility Amendments (D. Litvack), read the first time by short title and referred to the Rules Committee.

H.B. 157, Water Enforcement Procedures and Penalties (D. Ure), read the first time by short title and referred to the Rules Committee.

H.B. 158, Election Requirements for County Candidates (R. Romero), read the first time by short title and referred to the Rules Committee.


H.B. 211, Integrity of Election Results Amendments (J. Dougall), read the first time by short title and referred to the Rules Committee.

H.B. 212, Traffic Violations by Diplomats (D. Hogue), read the first time by short title and referred to the Rules Committee.

H.B. 213, Unused Sick Leave At Retirement Amendments (D. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 214, Emerging Technologies and Open Government (D. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 215, Property Tracking Amendments (P. Ray), read the first time by short title and referred to the Rules Committee.
H.B. 216, Global Positioning Reference Network (K. Holdaway), read the first time by short title and referred to the Rules Committee.

H.B. 217, Public Safety Retirement – Exemption of Certain Employees (D. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 218, Second District Juvenile Judge (J. S. Adams), read the first time by short title and referred to the Rules Committee.

H.B. 219, Traffic Enforcement Amendments (R. McGee), read the first time by short title and referred to the Rules Committee.

MISCELLANEOUS BUSINESS

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

THIRD READING CALENDAR

H.B. 12, HEALTH CARE ASSISTANTS, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle H.B. 12.

***

H.B. 13, OCCUPATIONAL AND PROFESSIONAL LICENSING SUNSET AMENDMENT, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House voted to circle H.B. 13.

***

H.B. 15, REPEAL OF STATE DEBT COLLECTION ADVISORY BOARD, read the third time by short title and placed on its final passage.

On motion of Representative Hogue, the House voted to circle H.B. 15.

***

H.B. 16, REPEAL OF VEHICLE EQUIPMENT SAFETY COMMISSION, read the third time by short title and placed on its final passage.

H.B. 16 then passed on the following roll call:
Yeas, 72; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Representatives

Aagard  Adams  Alexander  S. Allen
Barrus  Bigelow  Biskupski  Bourdeaux
Bowman  Buttars  Buxton  Christensen
D. Clark  S. Clark  Cosgrove  D. Cox
Daw  Dayton  Dee  Donnelson
Doughall  Duckworth  Dunnigan  Ferrin
Ferry  Fisher  Fowlke  Frank
Gibson  Goodfellow  Gowans  Hardy
Harper  Hendrickson  Hogue  Holdaway
Hughes  Hunsaker  E. Hutchings  B. Johnson
Jones  King  Kiser  Last
Lawrence  Litvack  Lockhart  Mascaro
Mathis  McCartney  McGee  Menlove
Morgan  Morley  Moss  Murray
Newbold  Noel  Oda  Painter
Ray  Romero  G. Snow  Tilton
Ure  Urquhart  Walker  Wallace
Wheatley  Wheeler  Wyatt  Curtis

Absent or not voting were: Representatives
Becker  Hansen  Shurtliff

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

* * *

H.B. 19, PROCUREMENT CODE RENUMBERING, read the third time by short title and placed on its final passage.

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

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

Voting in the affirmative were: Representatives

Aagard  Adams  Alexander  S. Allen
Barrus  Bigelow  Biskupski  Bowman
Buttars  Christensen  D. Clark  S. Clark
Cosgrove  D. Cox  Daw  Dayton
Dee  Donnelson  Dougall  Duckworth
Dunnigan  Ferrin  Ferry  Fisher
Absent or not voting were: Representatives
Becker  Bourdeaux  Buxton  Gibson
Mathis

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

***

H.B. 20, CALLING LOCAL SPECIAL ELECTIONS FOR SALES AND USE TAX PURPOSES, read the third time by short title and placed on its final passage.

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

Yeas, 70; Nays, 1; Absent or not voting, 4.

Voting in the affirmative were: Representatives
Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Bigelow  Biskupski
Bourdeaux  Bowman  Buxton  Christensen
D. Clark  S. Clark  Cosgrove  D. Cox
Daw  Dayton  Dee  Donnelson
Dougall  Duckworth  Dunnigan  Ferrin
Ferry  Fisher  Fowlke  Frank
Gibson  Goodfellow  Gowans  Hansen
Harper  Hendrickson  Hogue  Holdaway
Hughes  Hunsaker  E. Hutchings  Jones
King  Kiser  Last  Lawrence
Litvack  Lockhart  Mascaro  Mathis
McCartney  McGee  Menlove  Morgan
Voting in the negative was: Representative
Ure

Absent or not voting were: Representatives
Buttars Hardy B. Johnson Curtis

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

* * *

H.B. 26, CONVEYANCES OF PROPERTY, read the third time by short title and placed on its final passage.

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

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander Barrus
Becker Bigelow Biskupski Bourdeaux
Bowman Buttars Buxton Christensen
D. Clark S. Clark Cosgrove D. Cox
Daw Dayton Dee Donnelson
Dougall Duckworth Dunnigan Ferrin
Ferry Fisher Fowlke Frank
Gibson Goodfellow Gowans Hansen
Hardy Harper Hendrickson Hogue
Hughes Hunsaker E. Hutchings Jones
King Kiser Last Lawrence
Litvack Mascaro Mathis McGee
Menlove Morgan Morley Moss
Murray Newbold Noel Oda
Painter Ray Romero Shurtliff
G. Snow Tilton Ure Urquhart
Walker Wallace Wheatley Wheeler
Wyatt
Absent or not voting were: Representatives
S. Allen Holdaway B. Johnson Lockhart McCartney Curtis

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

UNFINISHED BUSINESS

On motion of Representative Aagard, the House voted to uncircle H.B. 15.

H.B. 15, REPEAL OF STATE DEBT COLLECTION ADVISORY BOARD, was before the House on its final passage.

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

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander Barrus
Becker Bigelow Biskupski Bourdeaux
Bowman Butters Buxton Christensen
D. Clark S. Clark Cosgrove D. Cox
Daw Dayton Dee Donnelson
Duckworth Dunnigan Ferrin Ferry
Fisher Fowlke Frank Gibson
Goodfellow Gowans Hansen Hardy
Harper Hendrickson Hogue Hughes
Hunsaker E. Hutchings Jones King
Kiser Last Lawrence Litvack
Mascaro Mathis McGee Menlove
Morgan Morley Moss Murray
Newbold Noel Oda Painter
Ray Romero Shurtliff G. Snow
Tilton Ure Urquhart Walker
Wallace Wheatley Wheeler Wyatt

Absent or not voting were: Representatives
S. Allen Dougall Holdaway B. Johnson
Lockhart McCartney Curtis

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

THIRD READING CALENDAR

H.B. 28, JUVENILE JUSTICE RECODIFICATION, read the third time by short title and placed on its final passage.
On motion of Representative Aagard, the House voted to circle **H.B. 28**.

** * * *

**H.B. 30**, CONSUMER SALES PRACTICES ACT AMENDMENTS, read the third time by short title and placed on its final passage.

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

** * * *

**H.B. 34**, EMERGENCY RELATED AMENDMENTS, read the third time by short title and placed on its final passage.

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

** * * *

**H.B. 36**, CHARTER SCHOOL CONSTRUCTION AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Ferrin, the House voted to circle **H.B. 36**.

** * * *

**H.B. 37**, ADMINISTRATIVE RULES REAUTHORIZATION, read the third time by short title and placed on its final passage.

**H.B. 37** then passed on the following roll call:

**Yeas, 69; Nays, 1; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard   Adams   Alexander   Barrus  
Becker   Bigelow  Biskupski  Bourdeaux  
Bowman   Buttars  Buxton      Christensen  
D. Clark S. Clark Cosgrove  D. Cox  
Daw      Dayton   Dee        Donnelson  
Dougall  Duckworth Dunnigan  Ferrin  
Ferry     Fisher   Fowlke     Frank   
Gibson    Goodfellow Hardy    Hendrickson  
Hogue     Holdaway Hughes     Hunsaker  
E. Hutchings B. Johnson Jones   King  
Kiser     Last     Lawrence   Litvack
Voting in the negative was: Representative Harper

Absent or not voting were: Representatives
S. Allen Gowans Hansen McCartney
G. Snow

H.B. 37 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Dougall, the House voted to uncircle H.J.R. 9.

H.J.R. 9, RESOLUTION AMENDING JOINT RULES REGARDING CONFLICTS OF INTEREST, was before the House on its final passage.

H.J.R. 9 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Bowman Buttars Buxton
Christensen D. Clark S. Clark Cosgrove
D. Cox Daw Dayton Dee
Donnelson Dougall Duckworth Dunnigan
Ferrin Ferry Fisher Fowlke
Frank Gibson Gowans Hansen
Hardy Harper Hendrickson Hogue
Holdaway Hughes Hunsaker E. Hutchings
B. Johnson Jones King Kiser
Last Lawrence Litvack Lockhart
Mascaro McGee Menlove Morgan
Morley Moss Murray Newbold
Noel Oda Painter Ray

Curtis

Wallace Wheatley Wheeler Wyatt

Curtis
Absent or not voting were: Representatives
Goodfellow Mathis McCartney G. Snow

H.J.R. 9 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 24, TRAFFIC CODE AMENDMENTS, read the third time by short title and placed on its final passage.

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

INTRODUCTION OF RESOLUTION

H.C.R. 9, Resolution Honoring Outgoing USU President Kermit L. Hall (F. Hunsaker), read the first time by short title and referred to the Rules Committee.

RULES COMMITTEE REPORTS

Mr. Speaker: January 20, 2005

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

BUSINESS AND LABOR

H.B. 69 Federal Health Care Tax Credit Program Act (Rep. C. Oda)
H.B. 193 Deregulation of General Building Contractors (Rep. G. Hughes)
H.B. 195 Insurance Law Amendments (Rep. J. Dunnigan)
H.B. 200 Property and Casualty Insurance Law Amendments (Rep. J. Dunnigan)
H.B. 201 Life Insurance and Annuities Law Amendments (Rep. J. Dunnigan)

EDUCATION

S.B. 18 Regulating Proprietary Postsecondary Schools (Sen. D. Eastman)
GOVERNMENT OPERATIONS
H.R. 4 Resolution Urging United States Senate Support of President’s Supreme Court Nominees (Rep. M. Morley)
S.B. 101 Utah Administrative Rulemaking Act Revision (Sen. H. Stephenson)

HEALTH AND HUMAN SERVICES
H.B. 198 Naturopathic Formulary Peer Committee Amendments (Rep. J. Ferrin)
S.B. 17 Foster Care Citizen Review Board (Sen. D. Eastman)

JUDICIARY
H.B. 59 Domestic Violence Enhancement (Rep. C. Moss)

LAW ENFORCEMENT AND CRIMINAL JUSTICE
H.B. 67 Abandoned Vehicles Amendments (Rep. J. Gowans)

POLITICAL SUBDIVISIONS
S.B. 9 Aerospace and Aviation Development Zone Modifications (Sen. M. Dmitrich)

REVENUE AND TAXATION
S.B. 6 Sales and Use Tax Agriculture Exemptions (Sen. R. Allen)

WORKFORCE SERVICES AND COMMUNITY & ECONOMIC DEVELOPMENT
S.B. 12 Department of Workforce Services Amendments (Sen. S. Jenkins)
Becky Lockhart, Chair
Report filed. On motion of Representative Lockhart, the report of the Rules Committee was adopted.
Mr. Speaker: January 20, 2005

The Rules Committee recommends that, under suspension of the rules, the following resolution be considered read for the second time and placed on the Third Reading Calendar with a time certain for Friday, January 21 at 11:45 a.m.

H.C.R. 9
Resolution Honoring Outgoing USU President Kermit L. Hall (Rep. F. Hunsaker)
Becky Lockhart, Chair
Report filed. On motion of Representative Lockhart, the report of the Rules Committee was adopted.

H.C.R. 9, read the second time by short title and placed on the Time Certain calendar for Friday, January 21, at 11:45 a.m.

* * *

Mr. Speaker: January 20, 2005

The Rules Committee recommends that the following bills and resolutions be considered read for the second time and placed on the Third Reading Calendar:

H.B. 7
Individual Income Tax – Contributions for Education (Rep. S. Allen)

H.B. 23
Department of Workforce Services – Work Experience and Training Programs (Rep. D. Cox)
Becky Lockhart, Chair
Report filed. On motion of Representative Lockhart, the report of the Rules Committee was adopted.

H.B. 7 and H.B. 23, read the second time by short title and placed on the calendar for third reading.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to adjourn until January 21, 2005, at 10:00 a.m.
FIFTH DAY
* * *

MORNING SESSION

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

Roll call showed all members present.

Pledge of Allegiance and prayer by Representative Ben C. Ferry.

COMMUNICATION FROM THE SENATE

Mr. Speaker: January 20, 2005

The Senate passed, as amended, **S.B. 22**, DRUG OFFENDER REFORM ACT, by Senator D. C. Buttars, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **S.B. 22**, read the first time by short title and referred to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: January 20, 2005

The Business and Labor Committee reports a favorable recommendation on **H.B. 60**, PRODUCER LICENSING AMENDMENTS, by Representative J. Dunnigan; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 191**, CAPTIVE INSURANCE LAW AMENDMENTS, by Representative J. Dunnigan, with the following amendments:

1. Page 1, Lines 24 through 25:

   24 Other Special Clauses:

   25 {None} This bill has retrospective operation to January 1, 2005.
2. Page 3, Lines 86 through 87:

86 (b) At the end of each fiscal year, funds received by the department in excess of
87 $250,000 shall be treated as free revenue in the General Fund.

Section 2. Retrospective operation.
This bill has retrospective operation to January 1, 2005.

Stephen D. Clark, Chair
Reports filed. On motion of Representative Clark, the reports of the Business and Labor committee were adopted.

H.B. 60 and H.B. 191, as amended, read the second time by short title and placed on the calendar for third reading.

***

Mr. Speaker: January 20, 2005
The Education Committee reports a favorable recommendation on H.B. 183, VERIFICATION OF ELIGIBILITY FOR FEE WAIVERS, by Representative W. Harper, with the following amendments:

1. Page 3, Lines 67 through 72:

67 (a) requiring a parent or guardian of a student applying for a fee waiver to provide
68 documentation and certification to the school verifying:
   (i) the student's eligibility to receive the
69 waiver; and
   (ii) that the alternatives for satisfying the fee requirements under Subsection (2) have been complied with to the fullest extent reasonably possible according to the individual circumstances of both the fee waiver applicant and the school; and
70 (b) specifying the acceptable forms of documentation for the requirement under
71 Subsection (5)(a), which shall include verification based on income tax returns if the parent or
72 guardian was required to file a return.

Margaret Dayton, Chair
Report filed. On motion of Representative Dayton, the report of the Education committee was adopted.
H.B. 183, as amended, read the second time by short title and placed on the calendar for third reading.

INTRODUCTION OF BILLS

H.B. 86, Utah College of Applied Technology Amendments (R. Bigelow), read the first time by short title and referred to the Rules Committee.

H.B. 87, Liability Insurance for County Recorders (S. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 88, Air Conditioned Buses for Students with Disabilities (D. Hogue), read the first time by short title and referred to the Rules Committee.

H.B. 89, Presumption of Responsibility for Abuse or Neglect (L. Christensen), read the first time by short title and referred to the Rules Committee.

H.B. 90, Search and Rescue Advisory Board – Amendments (J. S. Adams), read the first time by short title and referred to the Rules Committee.

H.B. 156, Dairy Promotion Act Amendments (D. Ure), read the first time by short title and referred to the Rules Committee.

H.B. 197, Individual Income Tax Amendments for Education Funding (P. Jones), read the first time by short title and referred to the Rules Committee.

H.B. 220, Sales and Use Tax Exemption for Textbooks for Higher Education (D. Bourdeaux), read the first time by short title and referred to the Rules Committee.

H.B. 221, Electronic Communication Harassment (J. Dougall), read the first time by short title and referred to the Rules Committee.

H.B. 222, Pilot Program Repeal Clean-up (R. Romero), read the first time by short title and referred to the Rules Committee.

H.B. 223, Amendments to Driver License and Identification Cards (C. Oda), read the first time by short title and referred to the Rules Committee.

H.B. 224, Permanent Community Impact Fund – Board Membership (J. Mathis), read the first time by short title and referred to the Rules Committee.

H.B. 225, Boat Registration Fee (B. Goodfellow), read the first time by short title and referred to the Rules Committee.
H.B. 226, Government Records Access and Management Act Requirements Regarding Animal Identification Program (C. Buttars), read the first time by short title and referred to the Rules Committee.

H.B. 227, Corporate Franchise and Income Taxes – Exemption for Banks (W. Harper), read the first time by short title and referred to the Rules Committee.

H.J.R. 11, Resolution Encouraging Schools to Adopt Nutrition and Physical Activity Policies (P. Jones), read the first time by short title and referred to the Rules Committee.

UNFINISHED BUSINESS

On motion of Representative Kiser, the House voted to uncircle H.B. 30.

H.B. 30, CONSUMER SALES PRACTICES ACT AMENDMENTS, was before the House on its final passage.

Representative Hogue proposed the following amendment:

1. Page 4, Lines 110 through 114
   110 (t) solicits for the sale of a product or service by providing a consumer with an
   111 unsolicited check or negotiable instrument the presentment or negotiation of which obligates
   112 the consumer to purchase a product or service, unless the supplier is:
   113 (i) a depository institution under Section 7−1−103; {−or−}
   114 (ii) an affiliate of a depository institution {−}; or
   (iii) an entity regulated under Title 7, Financial Institutions Act.

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

H.B. 30, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Bigelow  Biskupski
Bourdeaux  Bowman  Buttars  Buxton
Christensen  D. Clark  S. Clark  Cosgrove
Day 5102 HOUSE JOURNAL

Absent or not voting was: Representative Hughes

H.B. 30, as amended, transmitted to the Senate for its consideration.

* * *

On motion of Representative Dunnigan, the House voted to uncircle H.B. 24.

H.B. 24, TRAFFIC CODE AMENDMENTS, was before the House on its final passage.

Representative Dunnigan proposed the following amendment:

1. Page 1, Lines 14 through 15

   14 requires the operator of a vehicle to provide insurance provider information to
   persons involved in an accident;
   allows the operator of a vehicle to provide accident information to an investigating peace officer in lieu of providing the information to persons involved in the accident;

2. Page 2, Lines 40 through 48:

   40 (1) The operator of a vehicle involved in an accident resulting in injury to or death of
any person or damage to any vehicle or other property, if the vehicle or other property is operated, occupied, or attended by any person or if the owner of the vehicle or property is present, shall:

(a) except as provided under Subsection (1)(d), give to the persons involved [his]:

(i) the operator’s name, address, and the registration number of the vehicle [he is] being operated; and

(ii) the name of the insurance provider covering the vehicle being operated including the phone number of the agent or provider;

3. Page 3, Lines 59 through 60:

(d) The operator of a vehicle that provides the information required under Subsection (1)(a) to an investigating peace officer at the scene of the accident is exempt from providing the information to persons involved in the accident.

(2) The operator of a vehicle involved in an accident resulting in injury to or death of any person or property damage to an apparent extent of $1,000 or more shall immediately and

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

H.B. 24, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
</tr>
<tr>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
</tr>
<tr>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
</tr>
</tbody>
</table>
Absent or not voting was: Representative
Hardy

H.B. 24, as amended, transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 52, FIRE PREVENTION AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 52 then passed on the following roll call:

Yeas, 63; Nays, 8; Absent or not voting, 4.

Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Hansen</th>
<th>Harper</th>
<th>Hendrickson</th>
<th>Hogue</th>
</tr>
</thead>
<tbody>
<tr>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
</tr>
<tr>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
<td>Lockhart</td>
</tr>
<tr>
<td>Mascaro</td>
<td>Mathis</td>
<td>McCartney</td>
<td>McGee</td>
</tr>
<tr>
<td>Menlove</td>
<td>Morgan</td>
<td>Morley</td>
<td>Moss</td>
</tr>
<tr>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
</tr>
<tr>
<td>Painter</td>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
</tr>
<tr>
<td>G. Snow</td>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
</tr>
<tr>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
</tr>
<tr>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Voting in the negative were: Representatives
D. Clark  Dayton  Donnelson  Ferrin
Frank  Hughes  Morley  Ure

Absent or not voting were: Representatives
Dee  Hardy  Lockhart  McCartney

H.B. 52 transmitted to the Senate for its consideration.

***

H.B. 172, NOTARY PUBLIC AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Shurtliff, the House voted to circle H.B. 172.

***

H.J.R. 1, JOINT RESOLUTION RELATED TO FINANCIAL INSTITUTIONS, read the third time by short title and placed on its final passage.

Representative Harper proposed the following amendment:

1. Page 1, Lines 12 through 15:
   12 This resolution:
   13 { affirms the Legislature’s decision to establish a classification of “nonexempt credit
   14 unions” and encourages Congress to adopt a similar approach; }
   15 { urges Congress to examine the rulings of the National Credit Union Administration

2. Page 3, Lines 79 through 84:
   79 WHEREAS, the broad field of membership established by the National Credit Union
   80 Administration allows state chartered credit unions to easily convert to a federal charter, allowing for:
   81 { putting state chartered credit unions at a disadvantage because of factors such as: }
   82 (1) differences in tax treatment of federally chartered credit
   unions; and


83 (2) differences in the regulations of member business lending;

3. Page 4, Lines 95 through 99:

95 WHEREAS, federally chartered credit unions do not pay sales and use taxes;

{96 WHEREAS, if a state or Congress were to find that taxation of some credit unions is justified, the General Accounting Office has reported that as a cooperative, credit unions can avoid all such taxation by returning excess funds to its members either directly or indirectly by reducing loan rates, increasing deposit rates, or both;– }

97 WHEREAS, if a state or Congress were to find that taxation of some credit unions is justified, the General Accounting Office has reported that as a cooperative, credit unions can avoid all such taxation by returning excess funds to its members either directly or indirectly by reducing loan rates, increasing deposit rates, or both;– }

98 WHEREAS, if a state or Congress were to find that taxation of some credit unions is justified, the General Accounting Office has reported that as a cooperative, credit unions can avoid all such taxation by returning excess funds to its members either directly or indirectly by reducing loan rates, increasing deposit rates, or both;– }

99 WHEREAS, if a state or Congress were to find that taxation of some credit unions is justified, the General Accounting Office has reported that as a cooperative, credit unions can avoid all such taxation by returning excess funds to its members either directly or indirectly by reducing loan rates, increasing deposit rates, or both;– }

4. Page 4, Line 120 through Page 5, Line 125:

{120 WHEREAS, by creating the classification of “nonexempt” credit unions in H.B. 162, Financial Institutions Amendments (2003 Gen. Sess.), the Utah Legislature has recognized that some credit unions have grown so large that there may no longer be a meaningful affinity or common bond; }

121 Financial Institutions Amendments (2003 Gen. Sess.), the Utah Legislature has recognized that some credit unions have grown so large that there may no longer be a meaningful affinity or common bond; }

122 Financial Institutions Amendments (2003 Gen. Sess.), the Utah Legislature has recognized that some credit unions have grown so large that there may no longer be a meaningful affinity or common bond; }

123 Financial Institutions Amendments (2003 Gen. Sess.), the Utah Legislature has recognized that some credit unions have grown so large that there may no longer be a meaningful affinity or common bond; }

124 WHEREAS, any credit union in the state that would have been a “nonexempt” credit union as of May 2003, has since converted to a federal charter;– }

125 WHEREAS, any credit union in the state that would have been a “nonexempt” credit union as of May 2003, has since converted to a federal charter;– }

and

5. Page 5, Lines 130 through 140:

{130 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah affirms its decision to establish a classification of “nonexempt credit unions” because of the foreseeable need to potentially differentiate between small credit unions and those that may grow so large as to have lost a meaningful affinity or bond and encourages Congress to adopt a similar approach.– }

131 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah affirms its decision to establish a classification of “nonexempt credit unions” because of the foreseeable need to potentially differentiate between small credit unions and those that may grow so large as to have lost a meaningful affinity or bond and encourages Congress to adopt a similar approach.– }

132 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah affirms its decision to establish a classification of “nonexempt credit unions” because of the foreseeable need to potentially differentiate between small credit unions and those that may grow so large as to have lost a meaningful affinity or bond and encourages Congress to adopt a similar approach.– }

133 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah affirms its decision to establish a classification of “nonexempt credit unions” because of the foreseeable need to potentially differentiate between small credit unions and those that may grow so large as to have lost a meaningful affinity or bond and encourages Congress to adopt a similar approach.– }

134 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah affirms its decision to establish a classification of “nonexempt credit unions” because of the foreseeable need to potentially differentiate between small credit unions and those that may grow so large as to have lost a meaningful affinity or bond and encourages Congress to adopt a similar approach.– }
NOW THEREFORE, BE IT FURTHER RESOLVED that the Legislature urges Congress to examine the rulings of the National Credit Union Administration regarding “common bond” and field of membership to determine whether those rulings are overbroad and inconsistent with the original intent of the Federal Credit Union Act and take appropriate action, including examining whether there should be a restructuring of the National Credit Union Administration and whether the economic circumstances have changed since the enactment of the Federal Credit Union Act such that credit unions should have a broader role in the current financial marketplace.

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

Yeas, 40; Nays, 35; Absent or not voting, 0.

Voting in the affirmative were: Representatives
Aagard  S. Allen  Barrus  Becker
Biskupski  Bourdeaux  Cosgrove  Daw
Dayton  Dee  Donnelson  Duckworth
Dunnigan  Ferrin  Fisher  Gibson
Gowans  Hansen  Hardy  Harper
Hendrickson  E. Hutchings  Jones  King
Lawrence  Litvack  Mascaro  Mathis
McGee  Menlove  Morgan  Moss
Murray  Newbold  Romero  Shurtleff
Ure  Wallace  Wheatley  Wyatt

Voting in the negative were: Representatives
Adams  Alexander  Bigelow  Bowman
Buttars  Buxtton  Christensen  D. Clark
S. Clark  D. Cox  Dougall  Ferry
Fowlke  Frank  Goodfellow  Hogue
Holdaway  Hughes  Hunsaker  B. Johnson
Kiser  Last  Lockhart  McCartney
Morley  Noel  Oda  Painter
Ray  G. Snow  Tilton  Urquhart
Walker  Wheeler  Curtis
On motion of Representative Urquhart, the House voted to circle **H.J.R. 1.**

**UNFINISHED BUSINESS**

On motion of Representative Aagard, the House voted to uncircle **H.B. 28.**

On motion of Representative Aagard, the House voted to delete **H.B. 28** in title and body and insert **Sub. H.B. 28** in lieu thereof.

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

* * *

On motion of Representative Allen, the House voted to uncircle **H.B. 34.**

**H.B. 34, EMERGENCY RELATED AMENDMENTS,** was before the House on its final passage.

Representative Allen proposed the following amendment:

1. Page 11, Lines 323 through 331

   323 (48) except to the extent that the record is exempt from this chapter pursuant to Section 63–2–106, records related to an emergency plan or program prepared or maintained by the Division of Emergency Services and Homeland Security the disclosure of which would jeopardize:

   324 (a) the safety of the general public; or

   325 (b) the security of:

   326 (i) governmental property;

   327 (ii) governmental programs; or

   328 (iii) the property of a private person who provides the Division of Emergency Services and Homeland Security information.

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

**H.B. 34,** as amended, then passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**
Voting in the affirmative were: Representatives
Aagard    Adams    Alexander    S. Allen
Barrus    Becker    Bigelow    Biskupski
Bourdeaux    Bowman    Buttars    Buxton
Christensen    D. Clark    S. Clark    Cosgrove
D. Cox    Daw    Dayton    Dee
Donnelson    Dougall    Duckworth    Dunnigan
Ferry    Fisher    Fowlke    Gibson
Goodfellow    Hansen    Hardy    Harper
Hendrickson    Hogue    Holdaway    Hughes
Hunsaker    E. Hutchings    B. Johnson    King
Kiser    Last    Lawrence    Litvack
Lockhart    Mascaro    Mathis    McCartney
McGee    Menlove    Morgan    Morley
Moss    Murray    Newbold    Noel
Oda    Painter    Ray    Romero
Shurtliff    G. Snow    Tilton    Urquhart
Walker    Wallace    Wheatley    Wheeler
Wyatt    Curtis

Absent or not voting were: Representatives
Ferrin    Frank    Gowans    Jones
Ure

H.B. 34, as amended, transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 178, MENTAL HEALTH SERVICES COORDINATOR, read the third time by short title and placed on its final passage.

On motion of Representative Urquhart, the House voted to circle H.B. 178.

SPECIAL ORDER OF BUSINESS

H.C.R. 9, RESOLUTION HONORING OUTGOING USU PRESIDENT KERMIT L. HALL, read the third time by short title and placed on its final passage.

COMMITTEE OF THE WHOLE

On motion of Representative Hunsaker, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from Kermit L. Hall, Utah State University President.
On motion of Representative Hunsaker, the Committee of the Whole was dissolved.

**H.C.R. 9** then passed on the following roll call:

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

**Voting in the affirmative were: Representatives**

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskups</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
</tr>
<tr>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
</tr>
<tr>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
</tr>
<tr>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
<td>Lockhart</td>
</tr>
<tr>
<td>Mascaro</td>
<td>Mathis</td>
<td>McCartney</td>
<td>McGee</td>
</tr>
<tr>
<td>Menlove</td>
<td>Morgan</td>
<td>Morley</td>
<td>Moss</td>
</tr>
<tr>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
</tr>
<tr>
<td>Painter</td>
<td>Ray</td>
<td>Romero</td>
<td>Shurtleff</td>
</tr>
<tr>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
</tr>
<tr>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wyatt</td>
</tr>
<tr>
<td>Curtis</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were: Representatives**

| Ferrin | G. Snow |

**H.C.R. 9** transmitted to the Senate for its consideration.

**REPORTS OF STANDING COMMITTEES**

Mr. Speaker: January 21, 2005

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.C.R. 8, RESOLUTION RECOGNIZING UTAH MANUFACTURERS ASSOCIATION**, by Representative J. Alexander; and
The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.B. 17**, MOTION PICTURE INCENTIVE FUND, by Representative S. Allen, et al.

David N. Cox, Chair

Reports filed. On motion of Representative Cox, the reports of the Workforce Services and Community and Economic Development committee were adopted.

**H.C.R. 8** and **H.B. 17**, read the second time by short title and placed on the calendar for third reading.

**MISCELLANEOUS BUSINESS**

On motion of Representative Alexander, the House voted to set **H.C.R. 8** for Time Certain on January 24, 2005 at 11:00 a.m.

**RULES COMMITTEE REPORT**

Mr. Speaker: January 21, 2005

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

**BUSINESS AND LABOR**

**H.B. 66**   Naturopathic Physician Amendments (Rep. J. Ferrin)
**H.B. 71**   Licensing of Estheticians and Nail Technicians
            (Rep. J. Fisher)

**EDUCATION**

**H.B. 189**   Applied Technology Program Amendments
            (Rep. J. Ferrin)

**GOVERNMENT OPERATIONS**


**HEALTH AND HUMAN SERVICES**

**H.B. 22**   Intercountry Adoption Accreditation (Rep. R. McGee)
**H.B. 64**   Criminal Background Checks for Personal Care Attendants (Rep. F. Hunsaker)

**JUDICIARY**

**H.B. 73**   Local Referendum Requirements (Rep. D. Hogue)
LAW ENFORCEMENT AND CRIMINAL JUSTICE

S.B. 22  
Drug Offender Reform Act (Sen. D. C. Buttars)

RETIREMENT AND INDEPENDENT ENTITIES

H.B. 217  
Public Safety Retirement – Exemption of Certain Employees (Rep. D. Clark)

Becky Lockhart, Chair

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

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to adjourn until January 24, 2005, at 10:00 a.m.
MORNING SESSION

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

Roll call showed all members present.

Pledge of Allegiance and prayer by Representative James R. Gowans.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: January 21, 2005

The Senate passed, as amended, S.B. 7, FUNDING FOR TOURISM, by Senator S. Jenkins, and it is transmitted for consideration; and

The Senate passed S.B. 11, INITIATIVE PETITIONS AMENDMENTS, by Senator B. Evans, and it is transmitted for consideration; and

The Senate passed S.B. 16, DEPARTMENT OF WORKFORCE SERVICES – ACCESS TO FINANCIAL RECORDS, by Senator S. Jenkins, and it is transmitted for consideration; and

The Senate passed, as substituted, 1st Sub. S.B. 23, PROPERTY TAX TREATMENT OF TANGIBLE PERSONAL PROPERTY, by Senator C. Bramble, and it is transmitted for consideration; and

The Senate passed, as amended, S.B. 36, SALES AND USE TAXATION OF PAWN TRANSACTIONS, by Senator R. Allen, and it is transmitted for consideration; and

The Senate passed S.B. 76, AMENDMENTS TO NAVAJO TRUST FUND, by Senator B. Evans, and it is transmitted for consideration; and

The Senate passed S.B. 78, OPTIONAL FORMS OF COUNTY GOVERNMENT AMENDMENT, by Senator D. Thomas, and it is transmitted for consideration; and

The Senate passed S.B. 95, OFFICE OF MUSEUM SERVICES AMENDMENTS, by Senator R. Allen, and it is transmitted for consideration; and

The Senate passed S.J.R. 4, JOINT RULES RESOLUTION – INTERIM RULES RECODIFICATION, by Senator M. Waddoups, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

REPORTS OF STANDING COMMITTEES

Mr. Speaker: January 21, 2005

The Revenue and Taxation Committee reports a favorable recommendation on H.B. 9, SALES AND USE TAX − AGRICULTURAL EXEMPTION VEHICLE LIMITATION, by Representative R. Menlove, with the following amendments:

1. Page 1, Lines 12 through 14:

   12 amends a sales and use tax exemption relating to certain tangible personal property used in agriculture to provide that a vehicle is not included under the exemption if

   14 the vehicle is required to be registered; and

2. Page 7, Lines 197 through 199:

   “197 (C) [any] a vehicle required to be registered {−} by the laws of this state {−} without regard to

   198 the use to which the vehicle is put] {−} in accordance with Title 41, Chapter 1a, Part 2,

   199 Registration } during the period ending two years after the date of the vehicle’s purchase ; or

   

The Revenue and Taxation Committee reports a favorable recommendation on H.B. 171, CALCULATION OF MINING SEVERANCE TAX ON BERYLLIUM, by Representative R. Wheeler; and

The Revenue and Taxation Committee reports a favorable recommendation on H.B. 190, INDIVIDUAL INCOME TAX − ELECTRONIC FILING REQUIREMENTS, by Representative S. Clark; and

The Revenue and Taxation Committee reports a favorable recommendation on H.R. 2, RESOLUTION SUPPORTING PERMANENT REPEAL OF FEDERAL INHERITANCE TAX, by Representative M. Morley.

Wayne A. Harper, Chair

Reports filed. On motion of Representative Donnelson, the reports of the Revenue and Taxation committee were adopted.
H.B. 9, as amended, H.B. 171, H.B. 190, and H.R. 2, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:  January 21, 2005

The Retirement and Independent Entities Committee reports a favorable recommendation on H.B. 173, STATE EMPLOYEE AMENDMENTS, by Representative A. Hardy, and recommends it be placed on the Consent Calendar; and

The Retirement and Independent Entities Committee reports a favorable recommendation on H.B. 180, RETIREMENT OFFICE AMENDMENTS, by Representative A. Hardy, and recommends it be placed on the Consent Calendar.

Michael T. Morley, Chair

Reports filed. On motion of Representative Morley, the reports of the Retirement and Independent Entities committee were adopted.

H.B. 173 and H.B. 180, read the second time by short title and placed on the Consent Calendar.

MISCELLANEOUS BUSINESS

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

On motion of Representative Alexander, the House voted to cease to saunter.

INTRODUCTION OF BILLS

H.B. 91, License Plate for Disabled American Veterans (R. Bigelow), read the first time by short title and referred to the Rules Committee.

H.B. 228, Removal or Defacement of Political Signs (G. Hughes), read the first time by short title and referred to the Rules Committee.

MISCELLANEOUS BUSINESS

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

THIRD READING CALENDAR

S.B. 5, TRAFFIC CODE RECODIFICATION AND REVISION, read the third time by short title and placed on its final passage.
Representative Dee proposed the following amendment:

1. Page 81, Lines 2496 through 2498

2496 (4) (a) The department shall, upon request, supply to law enforcement agencies,

2497 justices of the peace, justice court judges, sheriffs, garages, and other appropriate agencies or individuals forms for accident reports required under this part.

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

On motion of Representative Urquhart, the House voted to circle S.B. 5.

MISCELLANEOUS BUSINESS

On motion of Representative Ferry, the House voted to move to the House Third Reading Calendar.

THIRD READING CALENDAR

H.B. 43, SCHOOL LAND TRUST PROGRAM FUNDING AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 43 then passed on the following roll call:

Yeas, 71; Nays, 3; Absent or not voting, 1.

Voting in the affirmative were: Representatives

Aagard         Adams         Alexander         S. Allen
Barrus         Becker        Bigelow          Biskupski
Bourdeaux      Bowman        Buttars          Christensen
D. Clark       S. Clark      Cosgrove         D. Cox
Daw            Dayton        Dee              Donelson
Dougall        Duckworth     Dunnigan         Ferrin
Fisher         Fowlke        Frank            Gibson
Goodfellow     Gowans        Hansen          Hardy
Harper         Hendrickson   Hogue            Holdaway
Hughes         Hunsaker      E. Hutchings     B. Johnson
Jones          King          Kiser            Last
Lawrence       Litvack       Lockhart         Mascaro
Mathis         McGee         Menlove         Morgan
Morley         Moss          Murray           Newbold
Noel  Oda  Painter  Ray
Romero  Shurtliff  Tilton  Ure
Urquhart  Walker  Wallace  Wheatley
Wheeler  Wyatt  Curtis

**Voting in the negative were:** Representatives
Buxton  Ferry  G. Snow

**Absent or not voting was:** Representative
McCartney

**H.B. 43** transmitted to the Senate for its consideration.

**SPECIAL ORDER OF BUSINESS**

**H.C.R. 8**, RESOLUTION RECOGNIZING UTAH MANUFACTURERS ASSOCIATION, read the third time by short title and placed on its final passage.

**H.C.R. 8** then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives
Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Bigelow  Biskupski
Bourdeaux  Bowman  Buttars  Buxton
Christensen  D. Clark  S. Clark  Cosgrove
D. Cox  Daw  Dayton  Dee
Donnelson  Dougall  Duckworth  Dunnigan
Ferrin  Ferry  Fisher  Fowlke
Frank  Gibson  Goodfellow  Gowans
Hansen  Hardy  Harper  Hendrickson
Hogue  Holdaway  Hughes  Hunsaker
E. Hutchings  B. Johnson  Jones  King
Kiser  Last  Lawrence  Litvack
Lockhart  Mascaro  Mathis  McGee
Menlove  Morgan  Morley  Moss
Murray  Newbold  Noel  Oda
Painter  Ray  Romero  Shurtliff
G. Snow  Tilton  Ure  Urquhart
Walker  Wallace  Wheatley  Wheeler
Wyatt  Curtis

**Absent or not voting was:** Representative
McCartney
H.C.R. 8 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Lockhart, the House voted to uncircle H.J.R. 10.

H.J.R. 10, JOINT RULES RESOLUTION – AMENDMENTS IN CONTEXT, was before the House on its final passage.

H.J.R. 10 then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Bowman Buttars Buxton
Christensen D. Clark S. Clark Cosgrove
D. Cox Daw Dayton Dee
Donnelson Dougall Duckworth Dunnigan
Ferrin Ferry Fisher Fowlke
Frank Gibson Goodfellow Gowans
Hansen Hardy Harper Hendrickson
Hogue Holdaway Hughes Hunsaker
E. Hutchings B. Johnson Jones King
Kiser Last Lawrence Litvack
Lockhart Mascaro Mathis McGee
Menlove Morgan Morley Moss
Murray Newbold Noel Oda
Painter Ray Romero Shurtliff
G. Snow Tilton Urquhart Walker
Wallace Wheatley Wheeler Wyatt
Curtis

Absent or not voting were: Representatives

McCartney Ure

H.J.R. 10 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 186, CONSUMER PROTECTION AMENDMENTS, read the third time by short title and placed on its final passage.
Representative Allen proposed the following amendment:

1. Page 10, Lines 301 through 305

   301 (b) The bond, letter of credit, or certificate of deposit shall be payable to the division

   302 for the benefit of any consumer who incurs damages as the result of:

   303 (i) the health spa’s violation of this chapter; or

   304 (ii) [as the result of] the health spa’s going out of business or relocating and failing to

   305 offer an alternate location within { ten } five miles.

2. Page 13, Lines 384 through 388:

   384 (3) (a) In addition to any other penalty available under this chapter, a person who

   385 violates this chapter is subject to:

   386 (i) a cease and desist order; and

   387 (ii) an administrative fine of up to $2,500 for each separate violation that is not a

   388 violation described in Subsection 13–23–5(2)(e) up to $10,000 for any series of violations arising out of the same operative facts.

3. Page 14, Lines 421 through 424:

   421 13–25a–107.2. Requests to a specific telephone solicitor.

   422 (1) A telephone solicitor may not make or cause to be made a telephone solicitation to a

   423 person who has informed the telephone solicitor, either in writing or orally, that the person

   424 does not wish to receive a telephone call from the telephone solicitor.

   (2) A telephone solicitor is not liable for a violation of this section if the telephone solicitor complies with 16 C.F.R. Part 310.4(b)(3) and (4).

4. Page 16, Line 491 through Page 17, Line 498:

   491 13–26–3. Registration and bond required.
Unless exempt under Section 13–26–4, each telephone soliciting business engaging in telephone solicitations in this state shall register annually with the Division of Consumer Protection prior to doing or continuing to do business in this state division before engaging in telephone solicitations if:

(i) the telephone soliciting business engages in telephone solicitations that:

(A) originate in Utah; or

(B) are received in Utah; or

(ii) the telephone soliciting business conducts any business operations in Utah.

5. Page 19, Lines 577 through 578:

(f) to fail to orally advise a purchaser of the purchaser’s right to cancel under Section 13–26–5 unless the solicitor is exempt under Section 13–26–4.

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

H.B. 186, as amended, then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

| Aagard | Adams | Alexander | S. Allen |
| Barrus | Becker | Bigelow | Biskupski |
| Bowman | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | Cosgrove | D. Cox |
| Daw | Dayton | Dee | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Fisher | Fowlke | Gibson |
| Goodfellow | Gowans | Hansen | Hardy |
| Harper | Hendrickson | Hogue | Holdaway |
| Hughes | Hunsaker | E. Hutchings | B. Johnson |
| Jones | King | Kiser | Last |
| Lawrence | Lockhart | Mascaro | Mathis |
| McGee | Menlove | Morgan | Morley |
Absent or not voting were: Representatives

Bourdeaux Frank Litvack McCartney Ure Urquhart

H.B. 186, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 185, UTAH COMPUTER CRIMES ACT AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle H.B. 185.

UNFINISHED BUSINESS

On motion of Representative Ferrin, the House voted to uncircle H.B. 36.

H.B. 36, CHARTER SCHOOL CONSTRUCTION AMENDMENTS, was before the House on its final passage.

On motion of Representative Ferrin, the House voted to delete H.B. 36 in title and body and insert Sub. H.B. 36 in lieu thereof.

Representative Harper proposed the following amendment:

1. Page 6, Lines 169 through 171

169 (3) Subject to Section 53A–20–108, a school district or charter school shall coordinate the siting of a new school with the municipality in which the school is to be located, to:

(a) avoid or mitigate existing and potential traffic hazards, including consideration of the impacts between the new school and future highways; and

(b) to maximize school and student safety.

(4) Notwithstanding Subsection (2)(d), a municipality may, at its
discretion:
(a) provide a walk-through of school construction at no cost and at a time convenient to the district or charter school; and
(b) provide recommendations based upon the walk-through.

2. Page 13, Lines 387 through 389:

387 (3) Subject to Section 53A–20–108, a school district or charter school shall coordinate
388 the siting of a new school with the county in which the school is to be located, to:
(a) avoid or
389 mitigate existing and potential traffic hazards, including consideration of the impacts between the new school and future highways; and
(b) to maximize school and student safety.
(4) Notwithstanding Subsection (2)(d), a county may, at its discretion:
(a) provide a walk-through of school construction at no cost and at a time convenient to the district or charter school; and
(b) provide recommendations based upon the walk-through.

3. Page 18, Lines 522 through 528:

522 (1) (a) A school district or charter school shall notify the affected local governmental
523 entity without delay prior to the purchase of a school site or construction of a school building
524 of its intent to purchase or construct.
(b) Representatives of the local governmental entity and the school district or charter school shall meet as soon as possible after delivery of the notice under Subsection (1)(a) to:
(i) discuss concerns that each may have, including potential community impacts;
(ii) assess the availability of infrastructure for the site; and
(iii) discuss any fees that might be charged by the local governmental entity in connection with a building project.

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

Sub. H.B. 36, as amended, then passed on the following roll call:

Yeas, 65; Nays, 5; Absent or not voting, 5.
Voting in the affirmative were: Representatives

Aagard Alexander S. Allen Barrus
Becker Bigelow Biskupi B. Clark
Bowman Buttars Buxton Daw
S. Clark Cosgrove D. Cox Daw
Dayton Dee Donnelson Duckworth
Dunnigan Ferrin Ferry Fisher
Fowlke Frank Gibson Goodfellow
Gowans Hardy Harper Hogue
Holdaway Hughes Hunsaker E. Hutchings
Jones King Kiser Last
Lawrence Litvack Mathis McCartney
McGee Menlove Morgan Morley
Moss Murray Newbold Noel
Oda Painter Ray Romero
G. Snow Tilton Ure Urquhart
Walker Wallace Wheatley Wheeler
Curtis

Voting in the negative were: Representatives

Christensen Dougall Hansen Shurtliff
Wyatt

Absent or not voting were: Representatives

Adams Hendrickson B. Johnson Lockhart
Mascaro

Sub. H.B. 36, as amended, transmitted to the Senate for its consideration.

RULES COMMITTEE REPORT

Mr. Speaker: January 24, 2005

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

EDUCATION

H.B. 63 School District Amendments (Rep. D. Cox)
H.B. 188 Beginning Teacher Enhancements (Rep. B. Johnson)
H.J.R. 3 Resolution Regarding Federal No Child Left Behind
(REP. K. Holdaway)
H.J.R. 11 Resolution Encouraging Schools to Adopt Nutrition and
Physical Activity Policies (Rep. P. Jones)
GOVERNMENT OPERATIONS
H.B. 199 Special Election Dates (Rep. D. Hogue)
S.B. 11 Initiative Petitions Amendments (Sen. B. Evans)
S.B. 76 Amendments to Navajo Trust Fund (Sen. B. Evans)

HEALTH AND HUMAN SERVICES

JUDICIARY
H.B. 76 Habitual Violent Offenders Amendments (Rep. P. Ray)
H.B. 204 Statute of Limitations Amendments (Rep. D. Clark)
H.B. 222 Pilot Program Repeal Clean-up (Rep. R. Romero)

POLITICAL SUBDIVISIONS
H.B. 159 Motor Assisted Scooter and Mini–motorcycle Amendments (Rep. B. Dee)

REVENUE AND TAXATION
1st Sub. S.B. 23 Property Tax Treatment of Tangible Personal Property (Sen. C. Bramble)
S.B. 36 Sales and Use Taxation of Pawn Transactions (Sen. R. Allen)

WORKFORCE SERVICES AND COMMUNITY & ECONOMIC DEVELOPMENT
S.B. 16 Department of Workforce Services – Access to Financial Records (Sen. S. Jenkins)
S.B. 95 Office of Museum Services Amendments (Sen. R. Allen)

Becky Lockhart, Chair

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

RULES COMMITTEE REPORT

Mr. Speaker: January 24, 2005

The Rules Committee recommends that, under suspension of the rules, the following resolution be considered read for the second time and placed at the top of the Third Reading Calendar for Senate bills.
S.J.R. 4  
Joint Rules Resolution – Interim Rules Recodification  
(Sen. M. Waddoups)  
Becky Lockhart, Chair

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

S.J.R. 4, read the second time by short title and placed on the calendar for third reading.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to adjourn until January 25, 2005, at 10:00 a.m.
NINTH DAY

MORNING SESSION

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

Roll call showed all members present.

Pledge of Allegiance and prayer by Representative D. Gregg Buxton.

COMMUNICATION FROM THE SENATE

Mr. Speaker: January 24, 2005

The Senate passed, H.C.R. 8, RESOLUTION RECOGNIZING UTAH MANUFACTURERS ASSOCIATION, by Representative J. Alexander, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. H.C.R. 8 was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: January 24, 2005

The Business and Labor Committee reports a favorable recommendation on H.B. 69, FEDERAL HEALTH CARE TAX CREDIT PROGRAM ACT, by Representative C. Oda, and recommends it be placed on the Consent Calendar; and

The Business and Labor Committee reports a favorable recommendation on H.B. 195, INSURANCE LAW AMENDMENTS, by Representative J. Dunnigan, and recommends it be placed on the Consent Calendar; and

The Business and Labor Committee reports a favorable recommendation on H.B. 201, LIFE INSURANCE AND ANNUITIES LAW AMENDMENTS, by Representative J. Dunnigan, with the following amendments:
1. Page 1, Lines 11 through 13:

   This bill: {—
   defines a two-tier annuity;
   exempts two-tier annuities from certain cash surrender value requirements; —}

2. Page 9, Lines 250 through 260:

   (b) For a contract {other than a two-tier annuity as defined in Subsection (10)(d), } that

   provides cash surrender benefits [on or past the maturity date], the cash surrender value on or

   past the maturity date shall be equal to the amount used to determine the annuity benefit

   payments.

   (c) A surrender charge may not be imposed on or past maturity.

   (d) As used in this Subsection (10), “two-tier annuity” means an annuity contract under

   which:

   (i) cash surrender value is an accumulation, at interest, of percentages of premiums

   specified in the contract; and

   (ii) cash surrender value cannot be derived from the amount used to determine the

   annuity benefit payments. }

Stephen D. Clark, Chair

Reports filed. On motion of Representative S. Clark, the reports of the Business and Labor committee were adopted.

H.B. 69 and H.B. 195, read the second time by short title and placed on the Consent Calendar.

H.B. 201, as amended, read the second time by short title and placed on the calendar for third reading.
The Education Committee reports a favorable recommendation on H.B. 189, APPLIED TECHNOLOGY PROGRAM AMENDMENTS, by Representative J. Ferrin; and

The Education Committee reports a favorable recommendation on H.C.R. 1, RESOLUTION PROMOTING MODERATELY SIZED SCHOOLS, by Representative D. Cox; and

The Education Committee reports a favorable recommendation on S.B. 18, REGULATING PROPRIETARY POSTSECONDARY SCHOOLS, by Senator D. Eastman; and

The Education Committee reports a favorable recommendation on H.C.R. 6, RESOLUTION RECOGNIZING UTAH’S LEGISLATORS BACK TO SCHOOL PROGRAM, by Representative M. Dayton, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 2, Lines 34 through 35:

Whereas, Utah legislators met personally with 17,200 students in 200 schools and 575 classrooms in 2004 to answer questions and listen to concerns on issues.

Margaret Dayton, Chair

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

H.B. 189, H.C.R. 1, and S.B. 18, read the second time by short title and placed on the calendar for third reading.

H.C.R. 6, as amended, read the second time by short title and placed on the Consent Calendar.

The Health and Human Services Committee reports a favorable recommendation on H.B. 165, UTAH COMMISSION ON AGING, by Representative P. Jones, with the following amendments:
1. Page 1, Line 26 through Page 2, Line 30:

provides that, for the fiscal years 2005–06 and 2006–07, the Department of Human Resources shall:

   • pay the salary of the executive director of the Utah Commission on Aging out of the department’s existing budget; and

   • provide staff support to the executive director and the commission; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 198**, NATUROPATHIC FORMULARY PEER COMMITTEE AMENDMENTS, by Representative J. Ferrin.

Bradley G. Last, Chair

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


* * *

Mr. Speaker: January 24, 2005

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 168**, COOPERATIVE WILDLIFE MANAGEMENT UNIT AMENDMENTS, by Representative J. Gowans; and

The Natural Resources, Agriculture, and Environment Committee recommends **H.B. 182**, HISTORICAL LIVESTOCK TRAILS, by Representative B. Johnson, be replaced and reports a favorable recommendation on **1st Sub. H.B. 182**, HISTORICAL LIVESTOCK TRAILS with the following amendments:

1. Page 2, Lines 40 through 46:

   (3) Notwithstanding Subsections (1) and (2), the owner of any neat cattle, horse, ass, mule, sheep, goat, or swine that trespasses upon the premises of another person is not liable in a civil action to the owner or occupant of the premises for damage inflicted by the trespass if:
(a) the animal enters the premises from an historic livestock trail, as defined in Section 57–13b–102; and

(b) the premises that was trespassed is not enclosed by an adequate fence at the time the trespass occurs.

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on H.B. 160, WILDLIFE LICENSE AGENTS AMENDMENTS, by Representative J. Fisher, and recommends it be placed on the Consent Calendar.

Roger E. Barrus, Chair

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

H.B. 168 and Sub. H.B. 182, as amended, read the second time by short title and placed on the calendar for third reading.

H.B. 160, read the second time by short title and placed on the Consent Calendar.

INTRODUCTION OF BILLS

H.B. 92, Safety Belt Law Requirement Amendments (M. Noel), read the first time by short title and referred to the Rules Committee.

H.B. 93, Emission Inspection Amendments (K. Gibson), read the first time by short title and referred to the Rules Committee.

H.B. 94, Youth Corrections Amendments (C. Moss), read the first time by short title and referred to the Rules Committee.

H.B. 95, Sex Offender Registration Amendments (M. S. Lawrence), read the first time by short title and referred to the Rules Committee.

H.B. 152, County Option Sales and Use Tax for Agricultural Land, Open Land, and Recreational Facilities Act (C. Buttars), read the first time by short title and referred to the Rules Committee.

H.B. 153, Security for Public Schools (K. Holdaway), read the first time by short title and referred to the Rules Committee.
H.B. 154, School and Institutional Trust Lands Amendments
(E. Hutchings), read the first time by short title and referred to the Rules Committee.

H.B. 155, Agricultural Coop Amendments (C. Buttars), read the first time by short title and referred to the Rules Committee.

H.B. 229, Water Rights in Irrigation Companies (P. Painter), read the first time by short title and referred to the Rules Committee.

H.B. 230, Recycling of Waste Tires (D. Ure), read the first time by short title and referred to the Rules Committee.

H.B. 231, School District Boundaries (M. Noel), read the first time by short title and referred to the Rules Committee.

H.B. 232, Utah Basic Skills Competency Test Alternatives (P. Ray), read the first time by short title and referred to the Rules Committee.

H.B. 233, Adoption Law Revisions (R. McGee), read the first time by short title and referred to the Rules Committee.

H.B. 234, Telephone Surcharge for Education and Training Programs At Prison (B. Goodfellow), read the first time by short title and referred to the Rules Committee.

H.B. 235, Insurance Amendments (S. Urquhart), read the first time by short title and referred to the Rules Committee.

H.B. 236, Health Insurance Law Amendments (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

H.J.R. 12, Resolution Eliminating Property Tax on Personal Property (J. Dougall), read the first time by short title and referred to the Rules Committee.

CONSENT CALENDAR

H.B. 51, ELECTRONIC PAYMENTS TO LOCAL GOVERNMENT ENTITIES, read the third time by short title and placed on its final passage.

H.B. 51 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Biskupski Bourdeaux
Absent or not voting were: Representatives
Bigelow  Bowman  D. Clark  Gowans

H.B. 51 transmitted to the Senate for its consideration.

* * *

H.B. 162, MUNICIPAL ABATEMENT OF WEEDS AND OTHER NEGLECTED ITEMS ON PROPERTY, read the third time by short title and placed on its final passage.

H.B. 162, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Bigelow  Biskupski
Bourdeaux  Bowman  Butters  Buxton
Christensen  S. Clark  Cosgrove  D. Cox
Daw  Dayton  Dee  Donnelson
Dougall  Duckworth  Dunnigan  Ferrin
Ferry  Fisher  Fowlke  Frank
Gibson  Goodfellow  Gowans  Hansen
Hardy  Harper  Hendrickson  Hogue
Holdaway  Hughes  Hunsaker  E. Hutchings

Wheeler  Wyatt  Curtis
Absent or not voting were: Representatives

D. Clark  Jones

H.B. 162, as amended, transmitted to the Senate for its consideration.

* * *

H.C.R. 4, UTAH ATHLETIC FOUNDATION RESOLUTION, read the third time by short title and placed on its final passage.

On motion of Representative Ure, the House voted to lift H.C.R. 4 from the Consent Calendar and place it at the bottom of the Third Reading Calendar.

MISCELLANEOUS BUSINESS

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

UNFINISHED BUSINESS

On motion of Representative Dee, the House voted to uncircle S.B. 5.

S.B. 5, TRAFFIC CODE RECODIFICATION AND REVISIONS, was before the House on its final passage.

S.B. 5, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Bigelow  Biskupski
Bourdeaux  Bowman  Buttars  Buxton
Christensen  D. Clark  S. Clark  Cosgrove
Absent or not voting was: Representative Litvack

S.B. 5, as amended, returned to the Senate for further consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to move to the House Third Reading Calendar.

UNFINISHED BUSINESS

On motion of Representative Daw, the House voted to uncircle H.B. 185.

H.B. 185, UTAH COMPUTER CRIMES ACT AMENDMENTS, was before the House on its final passage.

Representative Daw proposed the following amendment:

1. Page 1, Lines 12 through 15

12 This bill:

13 amends the definition of “computer network” in the Utah Computer Crimes Act to include wireless networks; {and–}

14 clarifies prohibited conduct under the Utah Computer Crimes Act; and
Day 9  Tuesday, January 25, 2005  135

15 makes technical changes.

2. Page 1, Lines 22 through 23:

22 76−6−702, as last amended by Chapter 300, Laws of Utah 1997
76−6−703, as last amended by Chapter 300, Laws of Utah 1997

3. Page 2, Lines 35 through 36:

35 (3) “Computer” means any electronic device or communication facility [with data processing ability] that stores, retrieves, {or} processes, or transmits data.

4. Page 2, Line 52:

52 others without the owner’s or custodian’s permission.

(8) “Information” does not include information obtained:

(a) through use of:
    (i) an electronic product identification or tracking system; or
    (ii) other technology used by a retailer to identify, track, or price goods held for sale; and

(b) by a retailer through the use of equipment located entirely within the retailer’s retail location.

5. Page 2, Line 53:

53 “License or entitlement” includes:

6. Page 3, Line 62:

62 “Security system” means a computer, computer system, network, or computer

7. Page 3, Line 66:

66 “Services” include[but are not limited to], computer time, data manipulation, and

8. Page 3, Line 68:

68 “Financial instrument” includes[but is not limited to], any check, draft, money
9. Page 3, Line 71:

71 \{-42\} \{13\} “Software” or “program” means a series of instructions or statements in a form

10. Page 3, Line 74:

74 limited to,] system control programs, application programs, or copies of any of them.

Section 2. Section 76−6−703 is amended to read:

76−6−703. Computer crimes and penalties.

(1) A person who without authorization gains or attempts to gain access to and alters, damages, destroys, discloses, or modifies any computer, computer network, computer property, computer system, computer program, computer data or software, and thereby causes damage to another, or obtains money, property, information, or a benefit for any person without legal right, is guilty of:

(a) a class B misdemeanor when:
   (i) the damage caused or the value of the money, property, or benefit obtained or sought to be obtained is less than $300; or
   (ii) the information obtained is not confidential;

(b) a class A misdemeanor when the damage caused or the value of the money, property, or benefit obtained or sought to be obtained is or exceeds $300 but is less than $1,000;

(c) a third degree felony when the damage caused or the value of the money, property, or benefit obtained or sought to be obtained is or exceeds $1,000 but is less than $5,000;

(d) a second degree felony when the damage caused or the value of the money, property, or benefit obtained or sought to be obtained is or exceeds $5,000; and

(e) a third degree felony when:
   (i) the property or benefit obtained or sought to be obtained is a license or entitlement;
   (ii) the damage is to the license or entitlement of another person;

or

(iii) the information obtained is confidential; or

(iv) in gaining access the person breaches or breaks through a security system.

(2) \{-A\} \{Except as provided in Subsection (2)(b),\}

a person who intentionally or knowingly and without authorization gains or attempts to gain access to a computer, computer network, computer property, or computer system under circumstances not
otherwise constituting an offense under this section is guilty of a class B misdemeanor.

(b) Notwithstanding Subsection (2)(a), a retailer that uses an electronic product identification or tracking system, or other technology to identify, track, or price goods held for sale is not guilty of a violation of Subsection (2)(a) if the computer used by the retailer to identify, track, or price goods held for sale is located entirely within the retailer’s retail location.

(3) A person who uses or knowingly allows another person to use any computer, computer network, computer property, or computer system, program, or software to devise or execute any artifice or scheme to defraud or to obtain money, property, services, or other things of value by false pretenses, promises, or representations, is guilty of an offense based on the value of the money, property, services, or things of value, in the degree set forth in Subsection 76−10−1801(1).

(4) A person who intentionally or knowingly and without authorization, interferes with or interrupts computer services to another authorized to receive the services is guilty of a class A misdemeanor.

(5) It is an affirmative defense to Subsections (1) and (2) that a person obtained access or attempted to obtain access in response to, and for the purpose of protecting against or investigating, a prior attempted or successful breach of security of a computer, computer network, computer property, computer system whose security the person is authorized or entitled to protect, and the access attempted or obtained was no greater than reasonably necessary for that purpose.

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

**H.B. 185**, as amended, then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
</tr>
<tr>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
</tr>
<tr>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
</tbody>
</table>
Holdaway Hughes Hunsaker E. Hutchings
B. Johnson Jones King Kiser
Last Lawrence Litvack Lockhart
Mascaro Mathis McCartney McGee
Menlove Morgan Morley Moss
Murray Newbold Noel Oda
Painter Ray Romero Shurtleff
G. Snow Tilton Ure Urquhart
Walker Wallace Wheatley Wheeler
Wyatt Curtis

Absent or not voting was: Representative
Dunnigan

H.B. 185, as amended, transmitted to the Senate for its consideration.

* * *

On motion of Representative Aagard, the House voted to uncircle Sub. H.B. 28.

Sub. H.B. 28, JUVENILE JUSTICE RECODIFICATION, was before the House on its final passage.

Sub. H.B. 28 then passed on the following roll call:

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

Voting in the affirmative were: Representatives

| Aagard | Adams | S. Allen | Barrus |
| Becker | Bigelow | Biskupski | Bourdeaux |
| Bowman | Buttars | Buxton | Christensen |
| D. Clark | S. Clark | Cosgrove | D. Cox |
| Daw | Dayton | Dee | Donnelson |
| Dougall | Duckworth | Dunnigan | Ferrin |
| Ferry | Fisher | Fowlke | Frank |
| Gibson | Goodfellow | Gowans | Hansen |
| Hardy | Harper | Hendrickson | Hogue |
| Holdaway | Hughes | Hunsaker | E. Hutchings |
| B. Johnson | Jones | King | Kiser |
| Last | Lawrence | Litvack | Lockhart |
| Mascaro | Mathis | McCartney | McGee |
| Menlove | Morgan | Morley | Moss |
Absent or not voting was: Representative Alexander

Sub. H.B. 28 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.R. 5, HOUSE RULES RESOLUTION – ORAL DECLARATION OF CONFLICT OF INTEREST, read the third time by short title and placed on its final passage.

On motion of Representative Ure, the House voted to circle H.R. 5.

***

H.R. 6, HOUSE RULES RESOLUTION – ELECTRONIC VOTING BOARD, read the third time by short title and placed on its final passage.

On motion of Representative Ure, the House voted to circle H.R. 6.

***

H.B. 53, TAX TREATMENT OF PERSONAL PROPERTY, read the third time by short title and placed on its final passage.

Representative Shurtliff proposed the following amendment:

1. Page 1, Lines 20 through 21:

   20 provides that the uniform statewide fees on motor homes shall be {imposed—} assessed at the {—
   21 time of registration and renewal of registration—} same time and in the same manner as ad valorem personal property taxes ;

2. Page 10, Line 302 through Page 11, Line 308:

   302 (1) (a) Except as provided in Subsection 59−2−405(4) or 59−2−405.2(4), the uniform fee authorized in
Sections 59−2−404 and 59−2−405.2 shall be assessed at the same time and in the same manner as ad valorem personal property taxes under Chapter 2, Part 13, Collection of Taxes, except that in listing personal property subject to the uniform fee with real property as permitted by Section 59−2−1302, the assessor or, if this duty has been reassigned in an ordinance under Section 17−16−5.5, the treasurer shall list only the amount of the uniform fee due, and not the taxable value of the property subject to the uniform fee.

3. Page 11, Lines 313 through 316:

(c) Except as provided in Subsection 59−2−405.2(4), the uniform statewide fee imposed by Section 59−2−405.2 shall be assessed at the time of:

(i) registration as defined in Section 41−1a−102; and

(ii) renewal of a registration.

4. Page 14, Lines 402 through 404:

(B) increased by the amount necessary to offset the county’s reduction in revenue from uniform fees on tangible personal property under Section 59−2−404, 59−2−405, or 59−2−405.1 as a result of the decrease in the certified tax rate under Subsection (2)(d)(i)(A).

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

H.B. 53, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard        Adams        Alexander        S. Allen
Barrus        Becker       Bigelow        Biskupski
Bowman        Buttars      Buxton        Christensen
Absent or not voting were: Representatives
Bourdeaux Ferrin

H.B. 53, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Alexander, the House voted to uncircle H.J.R. 1.

H.J.R. 1, JOINT RESOLUTION RELATED TO FINANCIAL INSTITUTIONS, was before the House on its final passage.

Representative Alexander proposed the following amendment:

1. Page 5, Line 134: 
   After line 134 insert: 
   “NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah affirms its decision to differentiate between traditional credit unions and those that have lost a meaningful affinity or bond and encourages Congress to consider a similar approach.”

2. Page 5, Line 140: 
   House Floor Amendments, 1–20–2005: 
   After line 140 delete “ and whether the economic circumstances have
changed since the enactment of the Federal Credit Union Act such that credit unions should have a broader role in the current financial marketplace."

3. Page 5, Line 148:
   After line 148 insert:
   “BE IT FURTHER RESOLVED that once a principled, fair, and equitable tax structure for financial institutions is adopted, Congress should examine whether the economic circumstances have changed since the enactment of the Federal Credit Union Act such that credit unions should have a broader role in the current financial marketplace.”

4. Page 5–6, Lines 149–152:
   Amend line 151 as follows:
   “BE IT FURTHER RESOLVED that the Legislature requests that if Congress elects to retain the current tax structure for financial institutions unchanged, it provide Utah and other states with a { thorough, detailed, and { } } reasoned explanation for maintaining that tax structure without alteration.”

Representative Donnelson proposed H.J.R. 1 be referred to the Rules Committee and request the chair and co–chair of the Financial Institutions Task Force to draft a letter and send it to the congressional delegation regarding this matter. The motion failed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard  Bigelow  Dayton  Donnelson  
Ferrin  Hansen  Hardy  Harper  
Lawrence  McGee  Morgan  Moss  
Murray  Shurtleff  Wallace  

**Voting in the negative were:** Representatives

Adams  Alexander  S. Allen  Barrus  
Becker  Biskupski  Bourdeaux  Bowman  
Buttars  Buxton  Christensen  D. Clark  
S. Clark  Cosgrove  D. Cox  Daw  
Dee  Dougall  Duckworth  Dunnigan  
Ferry  Fisher  Fowlke  Frank  
Gibson  Goodfellow  Hendrickson  Hogue  
Holdaway  Hughes  Hunsaker  E. Hutchings
Representative Alexander’s proposed amendment was before the House.

Representative Harper moved to divide the motion. Item 1 passed on a voice vote and Items 2 through 4 passed on a voice vote.

**H.J.R. 1**, as amended, then passed on the following roll call:

**Yeas, 41; Nays, 34; Absent or not voting, 0.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
<th>Bowman</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buttars</td>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Daw</td>
<td>Dougall</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fowlke</td>
<td>Frank</td>
<td>Goodfellow</td>
</tr>
<tr>
<td>Hogue</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>Jones</td>
<td>Kiser</td>
<td>Last</td>
</tr>
<tr>
<td>Lockhart</td>
<td>Mathis</td>
<td>McCartney</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morley</td>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
</tr>
<tr>
<td>Romero</td>
<td>G. Snow</td>
<td>Tilton</td>
<td>Urquhart</td>
</tr>
<tr>
<td>Walker</td>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wyatt</td>
</tr>
<tr>
<td>Curtis</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Barrus</th>
<th>Becker</th>
<th>Bigelow</th>
</tr>
</thead>
<tbody>
<tr>
<td>Biskupski</td>
<td>Bourdeaux</td>
<td>Buxton</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
<td>Duckworth</td>
</tr>
<tr>
<td>Dunnigan</td>
<td>Fisher</td>
<td>Gibson</td>
<td>Gowans</td>
</tr>
<tr>
<td>Hansen</td>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
</tr>
<tr>
<td>Holdaway</td>
<td>King</td>
<td>Lawrence</td>
<td>Litvack</td>
</tr>
<tr>
<td>Mascaro</td>
<td>McGee</td>
<td>Morgan</td>
<td>Moss</td>
</tr>
<tr>
<td>Murray</td>
<td>Newbold</td>
<td>Ray</td>
<td>Shurtleff</td>
</tr>
<tr>
<td>Ure</td>
<td>Wallace</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
H.J.R. 1, as amended, transmitted to the Senate for its consideration.

* * *

On motion of Representative Lockhart, the House voted to uncircle H.B. 12.

H.B. 12, HEALTH CARE ASSISTANTS, was before the House on its final passage.

H.B. 12 then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bowman</td>
<td>Butters</td>
<td>Buxton</td>
<td>Christensen</td>
</tr>
<tr>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
</tr>
<tr>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
</tr>
<tr>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
</tr>
<tr>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
</tr>
<tr>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Litvack</td>
<td>Lockhart</td>
<td>Mascaro</td>
</tr>
<tr>
<td>Mathis</td>
<td>McCartney</td>
<td>McGee</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morgan</td>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
</tr>
<tr>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
</tr>
<tr>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wyatt</td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

| Bourdeaux | Hardy |

H.B. 12 transmitted to the Senate for its consideration.

**RULES COMMITTEE REPORT**

Mr. Speaker: January 25, 2005

The Rules Committee has ordered the following House bills printed and recommends the following bills and resolutions be assigned to standing committees:
BUSINESS AND LABOR
H.B. 209  Administrative Rules – Impact on Small Businesses  
(Rep. G. Hughes)

EDUCATION
H.B. 206  Charter School Reporting  (Rep. C. Moss)

HEALTH AND HUMAN SERVICES
H.B. 79  Provision of Services for People with Disabilities  
(Rep. R. Lockhart)

JUDICIARY

LAW ENFORCEMENT AND CRIMINAL JUSTICE
H.B. 68  Motor Vehicle Enforcement Division Amendments  
(Rep. P. Ray)

NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT
H.B. 29  State Engineer’s Powers and Duties Amendments  
(Rep. D. Clark)
H.B. 38  Water Law – Criminal Penalties Amendments  
(Rep. B. Ferry)
H.B. 157  Water Enforcement Procedures and Penalties  
(Rep. D. Ure)
H.B. 224  Permanent Community Impact Fund – Board Membership  
(Rep. J. Mathis)

POLITICAL SUBDIVISIONS
H.B. 207  Prescriptive Easements Act  (Rep. G. Hughes)

PUBLIC UTILITIES AND TECHNOLOGY
H.B. 214  Emerging Technologies and Open Government  
(Rep. D. Clark)
H.B. 221  Electronic Communication Harassment  (Rep. J. Dougall)

REVENUE AND TAXATION
H.B. 227  Corporate Franchise and Income Taxes – Exemption for  
Banks  (Rep. W. Harper)
TRANSPORTATION

H.B. 65  Driver License and Commercial Driver License Amendments (Rep. D. Bowman)
Rebecca Lockhart, Chair

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

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to adjourn until January 26, 2005, at 10:00 a.m.
TENTH DAY

MORNING SESSION

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

Roll call showed all members present except Representative Richard W. Wheeler, excused.

Pledge of Allegiance and prayer by Representative Jackie Biskupski.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: January 24, 2005

The Senate passed, as amended, S.B. 21, LIMITATION ON LIABILITY REGARDING LIQUEFIED PETROLEUM GAS, by Senator D. Eastman, and it is transmitted for consideration; and

The Senate passed S.B. 27, SUNSET REAUTHORIZATIONS, by Senator L. A. Mansell, and it is transmitted for consideration; and

The Senate passed, as amended, S.B. 32, LIMITATION OF LANDOWNER LIABILITY FOR PUBLIC RECREATION, by Senator G. Bell, and it is transmitted for consideration; and

The Senate passed, as amended, S.B. 83, MEDICAL DECISIONS OF A PARENT OR GUARDIAN, by Senator D. Thomas, and it is transmitted for consideration; and

The Senate passed, as amended, S.B. 103, LIENS ON AIRCRAFT, by Senator T. Hatch, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate


REPORTS OF STANDING COMMITTEES

Mr. Speaker: January 25, 2005

The Political Subdivisions Committee reports a favorable recommendation on S.B. 9, AEROSPACE AND AVIATION DEVELOPMENT ZONE
MODIFICATIONS, by Senator M. Dmitrich, et al, and recommends it be placed on the Consent Calendar; and

The Political Subdivisions Committee recommends **H.B. 40**, REPEAL OF SUNSET OF TOWNSHIP PROVISION, by Representative M. S. Lawrence, be replaced and reports a favorable recommendation on **1st Sub. H.B. 40**, SUNSET OF TOWNSHIP PROVISION with the following amendments:

1. Page 2, Lines 39 through 43:
   
   39 (2) each county of the first class and each municipality that is in a county of the first class and is adjacent to a township area shall jointly, by July 1, 2008, provide appropriate public information and funding to conduct a survey of residents and property owners within each township in the county to determine their desires about whether all or portions of unincorporated areas within the township should:

   Brad L. Dee, Chair

   Reports filed. On motion of Representative Dee, the reports of the Political Subdivisions committee were adopted.

**S.B. 9**, read the second time by short title and placed on the Consent Calendar.

**Sub. H.B. 40**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: January 25, 2005

The Government Operations Committee reports a favorable recommendation on **H.B. 75**, GOVERNMENT RECORDS ACCESS AND MANAGEMENT TASK FORCE, by Representative D. Aagard, with the following amendments:

1. Page 3, Lines 61 through 65:
   
   61 (i) information that would disclose both an individual’s name and that individual’s:

   62 (A) home address;
The Government Operations Committee reports a favorable recommendation on **H.R. 3**, RESOLUTION SUPPORTING CONGRESSIONAL PRIVATIZATION OF SOCIAL SECURITY, by Representative M. Morley, with the following amendments:

1. Page 1, Line 23 through Page 2, Line 28:

   23 WHEREAS, without significant changes to the system, costs will exceed revenues
   24 starting in 2018 and the system {will—} may not be able to pay any benefits by 2042;
   25 WHEREAS, anyone born after the year 1970 will not receive {any—} full Social Security
   26 benefits if changes are not made to the system;
   27 WHEREAS, not reforming the system will require a {50%—} tax increase on every working
   28 American or a {30%—} benefit cut; and

The Government Operations Committee reports a favorable recommendation on **H.R. 4**, RESOLUTION URGING UNITED STATES SENATE SUPPORT OF PRESIDENT’S SUPREME COURT NOMINEES, by Representative M. Morley; and

The Government Operations Committee reports a favorable recommendation on **S.B. 20**, OFFICE OF LEGISLATIVE AUDITOR − ACCESS TO INFORMATION, by Senator M. Waddoups; and

The Government Operations Committee reports a favorable recommendation on **H.B. 199**, SPECIAL ELECTION DATES, by Representative D. Hogue; and

The Government Operations Committee reports a favorable recommendation on **S.B. 11**, INITIATIVE PETITIONS AMENDMENTS, by Senator B. Evans; and
The Government Operations Committee reports a favorable recommendation on **S.B. 76**, AMENDMENTS TO NAVAJO TRUST FUND, by Senator B. Evans; and

Mr. Speaker: January 25, 2005

The Government Operations Committee reports a favorable recommendation on **S.B. 101**, UTAH ADMINISTRATIVE RULEMAKING ACT REVISION, by Senator H. Stephenson, and recommends it be placed on the Consent Calendar.

Douglas C. Aagard, Chair

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


**S.B. 101**, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: January 25, 2005

The Public Utilities and Technology Committee recommends **H.B. 174**, CHILD PROTECTION REGISTRY AMENDMENTS, by Representative J. Dougall, be replaced and favorably recommends **1st Sub. H.B. 174**, CHILD PROTECTION REGISTRY AMENDMENTS.

Sheryl L. Allen, Chair

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

**Sub. H.B. 174**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: January 25, 2005

The Transportation Committee reports a favorable recommendation on **H.C.R. 2**, COWBOY HALL OF FAME RESOLUTION, by Representative L. Shurtleff; and
The Transportation Committee reports a favorable recommendation on **S.C.R. 1**, **RESOLUTION ENCOURAGING MANAGED LANES STUDY**, by Senator C. Walker.

Joseph G. Murray, Chair

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

**H.C.R. 2** and **S.C.R. 1**, read the second time by short title and placed on the calendar for third reading.

***

Mr. Speaker: January 25, 2005

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 49**, **BICYCLE SAFETY PROVISIONS**, by Representative R. McGee, with the following amendments:

1. **Page 1, Line 16:**
   
   maintain the clearance until safely past the bicycle;

   • provides that the three foot passing distance requirement does not apply if the road is too narrow to safely pass the bicycle;

   • provides that an operator of a vehicle may not be cited for a violation if:
     
     the operator and of the vehicle is involved in an accident with the bicyclist; and

     the bicyclist was operating the bicycle in a negligent manner; and

2. **Page 2, Lines 35 through 39:**

   **(3)(a)** An operator of a vehicle proceeding in the opposite direction shall when passing a bicycle:

   • pass a bicycle

   • (i) travel at a safe distance of no less than three feet between any part of the passing vehicle and the bicycle; and

   (b) The provisions of Subsection (3)(a) do not apply if a lane is
too narrow for an operator of a vehicle to safely pass the bicycle at the
distance required under Subsection (3)(a)(i).

(4) An operator of a vehicle may not be issued a citation for a
violation of Subsection (3) if:
(a) the operator of the vehicle is involved in an accident with a
bicyclist; and
(b) the bicyclist was operating the bicycle in a negligent manner.

3. Page 2, Line 53 through Page 3, Line 58:
(c) the operator of a vehicle overtaking a bicycle proceeding in
the same direction
shall:
(i) leave a safe distance of no less than three feet between any
part of the overtaking
vehicle and the bicycle; and
(ii) maintain the clearance required under Subsection (1)(c)(i)
until safely past the
overtaken bicycle.
(2) The provisions of Subsection (1)(c) do not apply if a lane is too
narrow for an operator of a vehicle to safely pass the bicycle at the
distance required under Subsection (1)(c)(i).

4. Page 3, Line 59:
(–(2)–) (3) On a highway having more than one lane
in the same direction, the operator of a

5. Page 3, Line 71:
(v) when following direction signs that direct use of a
designated lane.
(4) An operator of a vehicle may not be issued a citation for a
violation of Subsection (1)(c) if:
(a) the operator of the vehicle is involved in an accident with a
bicyclist; and
(b) the bicyclist was operating the bicycle in a negligent manner.

The Law Enforcement and Criminal Justice Committee reports a favorable
recommendation on H.B. 67, ABANDONED VEHICLES AMENDMENTS, by
Representative J. Gowans; and
The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on S.B. 22, DRUG OFFENDER REFORM ACT, by Senator D. C. Buttars.

DeMar “Bud” Bowman, Chair

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

H.B. 49, as amended, and H.B. 67, read the second time by short title and placed on the calendar for third reading.

S.B. 22, read the second time by short title and referred to the Rules Committee due to fiscal impact

***

Mr. Speaker: January 25, 2005

The Judiciary Committee reports a favorable recommendation on H.B. 59, DOMESTIC VIOLENCE ENHANCEMENT, by Representative C. Moss.

James A. Ferrin, Chair

Reports filed. On motion of Representative Ferry, the reports of the Judiciary committee were adopted.

H.B. 59, read the second time by short title and placed on the calendar for third reading.

***

Mr. Speaker: January 25, 2005

The Health and Human Services Committee reports a favorable recommendation on H.B. 33, ASSISTANCE FOR PEOPLE WITH BLEEDING DISORDERS, by Representative D. Litvack, with the following amendments:

1. Page 5, Line 131:

    131 program { in the same manner as an in−network provider } subject to all applicable plan benefits and limitations ; and

The Health and Human Services Committee reports a favorable recommendation on H.B. 64, CRIMINAL BACKGROUND CHECKS FOR PERSONAL CARE ATTENDANTS, by Representative F. Hunsaker; and
The Health and Human Services Committee reports a favorable recommendation on **S.B. 17**, FOSTER CARE CITIZEN REVIEW BOARD, by Senator D. Eastman.

Bradley G. Last, Chair

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

**H.B. 33**, as amended, **H.B. 64**, and **S.B. 17**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: January 25, 2005

The Business and Labor Committee reports a favorable recommendation on **H.B. 66**, NATUROPATHIC PHYSICIAN AMENDMENTS, by Representative J. Ferrin; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 47**, NEW AUTOMOBILE FRANCHISE ACT AMENDMENTS, by Representative S. Urquhart, with the following amendments:

1. Page 1, Lines 11 through 23:

   11 This bill:
   12 ▶ defines terms;
   13 ▶ { expands the prohibition on a franchisor that requires a franchisee to release the franchisor from liability; }
   14 ▶ { prohibits a franchisor from controlling of a franchisee’s funds without a description of the franchisor’s claim to the funds and written approval from the franchisee; }
   15 ▶ prohibits a franchisor from requiring written approval for the franchisor to control a franchisee’s funds as a condition of a franchise agreement or delivery of products
   16 and services; }
   17 addresses requirements for a franchisor’s taking or controlling of a franchisee’s funds:
prohibits a franchisor from conditioning preferential status on the sale of certain products if the franchisor receives a financial benefit from the franchisee’s sale of that product; and makes technical changes.

2. Page 5, Lines 126 through 131:

(d) require a franchisee to refrain from participating in the management of, investment in, or acquisition of any other line of new motor vehicles or related products, if the franchisee:

(i) maintains a reasonable line of credit for each make or line of vehicles; and

(ii) complies with reasonable capital and facilities requirements of the franchisor;

3. Page 5, Lines 134 through 135:

(i) relieve a franchisor from any liability, duty, or responsibility imposed on the franchisor by this chapter; or

4. Page 9, Line 274 through Page 10, Line 289:

(gg) take or assert control over funds belonging to a franchisee without:

(i) fully identifying in writing the basis for the franchisor’s claim; and

(ii) obtaining the franchisee’s written approval for the franchisor taking or asserting control over the funds;

(hh) require execution of the written approval required by Subsection (1)(gg) by a franchisee or prospective franchisee as a condition precedent to:
(i) a franchise agreement; or
(ii) delivery of a product or service by the franchisor under a franchise agreement;
(ii) condition a franchisor’s preferential status for the acquisition of a new motor vehicle, product, or service upon the franchisee’s sale of an aftermarket product if:
(i) the aftermarket product is:
(A) manufactured by the franchisor; or
(B) obtained by the franchisor for resale from a third-party supplier; and
(ii) the franchisor or its affiliate derives a financial benefit from the franchisee’s sale of
the aftermarket product; or }
(gg) (i) take control over funds owned or under the control of a franchisee based on the findings of a warranty audit or sales incentive audit unless the following conditions are satisfied:
(A) the franchisor fully identifies in writing the basis for the franchisor’s claim or charge back arising from the audit, including notifying the franchisee that the franchisee has 20 days from the day on which the franchisee receives the franchisor’s claim or charge back to assert a protest in writing to the franchisor identifying the basis for the protest;
(B) the franchisee’s protest shall inform the franchisor that the protest shall be submitted to a mediator in the state who is identified by name and address in the franchisee’s notice to the franchisor;
(C) if mediation is requested under Subsection (gg)(i)(B), mediation shall occur no later than 30 days after the day on which the franchisor receives the franchisee’s protest of a claim or charge back;
(D) if mediation does not lead to a resolution of the protest, the protest shall be set for binding arbitration in the same venue in which the mediation occurred;
(E) binding arbitration under Subsection (gg)(i)(D) shall be conducted:
(I) by an arbitrator mutually agreed upon by the franchisor and the franchisee; and
(II) on a date mutually agreed upon by the franchisor and the franchisee, but shall be held no later than 90 days after the franchisor’s
receipt of the franchisee’s notice of protest;
(F) this Subsection (1)(gg)(i) applies exclusively to warranty audits and sales incentive audits;
(G) Subsections (1)(gg)(i)(A) through (E) do not apply if the franchisor reasonably believes that the amount of the claim or charge back is related to a fraudulent act by the franchisee; and
(H) The costs of the mediator or arbitrator instituted under this Subsection (1)(gg) shall be shared equally by the franchisor and the franchisee.
(ii) A franchisor may not require a franchisee to execute a written waiver of the requirements of Subsection (gg)(i);
(hh) coerce, or attempt to coerce a franchisee to purchase or sell an aftermarket product manufactured by the franchisor, or obtained by the franchisor for resale from a third−party supplier and the franchisor or its affiliate derives a financial benefit from the franchisee’s sale or purchase of the aftermarket product as a condition to obtaining preferential status from the franchisor; or

The Business and Labor Committee reports a favorable recommendation on H.B. 71, LICENSING OF ESTHETICIANS AND NAIL TECHNICIANS, by Representative J. Fisher, with the following amendments:

1. Page 2, Line 31:
   31 AMENDS:
      58−11a−102, as last amended by Chapter 204, Laws of Utah 2001

2. Page 2, Line 37:
   37 Be it enacted by the Legislature of the state of Utah:
      Section 1. Section 58−11A−102 is amended to read:
      58−11a−102. Definitions.
      (1) “Approved cosmetologist/barber apprenticeship” means an apprenticeship that meets the requirements of Subsection 58−11a−306(1) and the requirements established by rule by the division in collaboration with the board in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act.
      (2) “Approved esthetician apprenticeship” means an apprenticeship that meets the requirements of Subsection 58−11a−306(2) and the requirements established by rule by the division
in collaboration with the board in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act.

(3) “Approved master esthetician apprenticeship” means an apprenticeship that meets the requirements of Subsection 58–11a–306(3) and the requirements established by rule by the division in collaboration with the board in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act.

(4) “Approved nail technician apprenticeship” means an apprenticeship that meets the requirements of Subsection 58–11a–306(4) and the requirements established by rule by the division in collaboration with the board in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act.

(5) “Board” means the Cosmetology/Barbering, Esthetics, Electrology, and Nail Technology Licensing Board created in Section 58–11a–201.

(6) “Cosmetologist/barber” means a person who is licensed under this chapter to engage in the practice of cosmetology/barbering.

(7) “Cosmetologist/barber instructor” means a cosmetologist/barber who is licensed under this chapter to teach cosmetology/barbering at a licensed cosmetology/barber school.

(8) “Direct supervision” means that the supervisor of an apprentice or the instructor of a student is immediately available for consultation, advice, instruction, and evaluation.

(9) “Electrologist” means a person who is licensed under this chapter to engage in the practice of electrology.

(10) “Electrologist instructor” means an electrologist who is licensed under this chapter to teach electrology at a licensed electrology school.

(11) “Esthetician” means a person who is licensed under this chapter to engage in the practice of esthetics.

(12) “Esthetician instructor” means a master esthetician who is licensed under this chapter to teach the practice of esthetics and the practice of master-level esthetics at a licensed esthetics school.

(13) “Fund” means the Cosmetologist/Barber, Esthetician, Electrologist, and Nail Technician Education and Enforcement Fund created in Section 58–11a–103.

(14) “Licensed cosmetology/barber school” means a cosmetology/barber school licensed under this chapter.

(15) “Licensed electrology school” means an electrology school licensed under this chapter.
(16) “Licensed esthetics school” means an esthetics school licensed under this chapter.

(17) “Licensed nail technology school” means a nail technology school licensed under this chapter.

(18) “Master esthetician” means an individual who is licensed under this chapter to engage in the practice of master-level esthetics.

(19) “Nail technician” means an individual who is licensed under this chapter to engage in the practice of nail technology.

(20) “Nail technician instructor” means a nail technician licensed under this chapter to teach the practice of nail technology in a licensed nail technology school.

(21) (a) “Practice of cosmetology/barbering” means:

(i) styling, arranging, dressing, curling, waving, permanent waving, cleansing, singeing, bleaching, dyeing, tinting, coloring, or similarly treating the hair of the head of a person;

(ii) cutting, clipping, or trimming the hair by the use of scissors, shears, clippers, or other appliances;

(iii) arching eyebrows, or tinting eyebrows or eyelashes, or both;

(iv) removing hair from the face, neck, shoulders, arms, back, bikini line, or legs of a person by the use of depilatories, waxing, or shaving equipment;

(v) cutting, curling, styling, fitting, measuring, or forming caps for wigs or hairpieces or both on the human head; or

(vi) practicing hair weaving or hair fusing or servicing previously medically implanted hair.

(b) The term “practice of cosmetology/barbering” includes:

(i) the practice of esthetics; and

(ii) the practice of nail technology.

(22) “Practice of cosmetology/barbering instruction” means instructing cosmetology/barbering in a licensed cosmetology/barber school.

(23) “Practice of electrology” means the removal of superfluous hair from the body of a person by the use of electricity.

(24) “Practice of electrology instruction” means instructing electrology in a licensed electrology school.

(25) “Practice of esthetics” means any one of the following skin care procedures done on the head, face, neck, torso, abdomen, back, arms, hands, legs, feet, eyebrows, or eyelashes for cosmetic purposes and not for the treatment of medical, physical, or mental ailments:
(a) cleansing, stimulating, manipulating, exercising, applying oils, antiseptics, clays, or masks, extraction, depilatories, waxes, tweezing, natural nail manicures or pedicures, or callous removal by buffing or filing;

(b) manual lymphatic massage of the face and neck;

(c) limited chemical exfoliation as defined by rule;

(d) removing superfluous hair by means other than electrolysis or laser procedures; or

(e) other esthetic preparations or procedures with the use of the hands, a high-frequency or galvanic electrical apparatus, or a heat lamp for beautifying or similar work performed on the body for cosmetic purposes and not for the treatment of medical, physical, or mental ailments.

(26) “Practice of esthetics instruction” means instructing esthetics or master-level esthetics in a licensed esthetics school.

(27) (a) “Practice of master-level esthetics” means:

(i) any of the following when done for cosmetic purposes and not for the treatment of medical, physical, or mental ailments:

(A) body wraps as defined by rule;

(B) hydrotherapy as defined by rule;

(C) chemical exfoliation as defined by rule;

(D) advanced pedicures as defined by rule;

(E) sanding, including microdermabrasion; or

(F) other esthetic preparations or procedures with the use of:

(I) the hands; or

(II) a mechanical or electrical apparatus which is approved for use by division rule for beautifying or similar work performed on the body for cosmetic purposes and not for the treatment of a medical, physical, or mental ailment; and

(ii) lymphatic massage by manual or other means.

(b) Notwithstanding the provisions of Subsection (27)(a), a master-level esthetician may perform procedures listed in Subsection (27)(a)(i) for noncosmetic purposes if done under the supervision of a licensed health care practitioner acting within the scope of his or her license.

(c) The term “practice of master-level esthetics” includes the practice of esthetics.

(28) “Practice of nail technology” means to trim, cut, clean, manicure, shape, massage, or enhance the appearance of the nails of the hands or feet and nails of an
individual by the use of hands, mechanical, or electrical preparation, antiseptic, lotions, or creams, including the application and removal of sculptured or artificial nails.

(29) “Practice of nail technology instruction” means instructing nail technology in a licensed nail technician school.

(30) “Recognized cosmetology/barber school” means a cosmetology/barber school located in another state, whose students, upon graduation, are recognized as having completed the educational requirements for licensure in that state.

(31) “Recognized electrology school” means an electrology school located in another state, whose students, upon graduation, are recognized as having completed the educational requirements for licensure in that state.

(32) “Recognized esthetics school” means an esthetics school located in another state, whose students, upon graduation, are recognized as having completed the educational requirements for licensure in that state.

(33) “Recognized nail technology school” means a nail technology school in another state, whose students, upon graduation, are recognized as having completed the educational requirements for licensure in that state.

(34) “Salon” means a place, shop, or establishment in which cosmetology/barbering, esthetics, electrology, or nail technology is practiced.

(35) “Unlawful conduct” is as defined in Sections 58−1−501 and 58−11a−502.

(36) “Unprofessional conduct” is as defined in Sections 58−1−501 and 58−11a−501 and as may be further defined by rule by the division in collaboration with the board in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act.

Renumber remaining sections accordingly.

3. Page 8, Lines 227 through 230:

227 (b) be conducted by a supervisor who:

228 (i) is licensed under this chapter as a nail technician instructor; and

229 (ii) provides direct one−on−two supervision of the nail technician apprentice during the
Reports filed. On motion of Representative S. Clark, the reports of the Business and Labor committee were adopted.


* * *

Mr. Speaker: January 26, 2005

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **S.B. 95**, OFFICE OF MUSEUM SERVICES AMENDMENTS, by Senator R. Allen; and

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **S.B. 16**, DEPARTMENT OF WORKFORCE SERVICES – ACCESS TO FINANCIAL RECORDS, by Senator S. Jenkins, et al; and

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **S.B. 12**, DEPARTMENT OF WORKFORCE SERVICES AMENDMENTS, by Senator S. Jenkins, et al; and

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.B. 11**, ECONOMIC DEVELOPMENT INCENTIVES, by Representative B. Dee, et al.

David N. Cox, Chair

Reports filed. On motion of Representative Mascaro, the reports of the Workforce Services and Community and Economic Development committee were adopted.

**S.B. 95, S.B. 16, S.B. 12, and H.B. 11**, read the second time by short title and placed on the calendar for third reading.

INTRODUCTION OF BILLS

**H.B. 96, Amendments Relating to Clean Fuels and Vehicles Using Clean Fuels** (F. Hunsaker), read the first time by short title and referred to the Rules Committee.

**H.B. 97, State Budget Provisions** (G. Curtis), read the first time by short title and referred to the Rules Committee.
H.B. 98, Offenses Committed Against Correctional and Peace Officers (C. Oda), read the first time by short title and referred to the Rules Committee.

H.B. 99, State Fleet Vehicle Classification (E. Hutchings), read the first time by short title and referred to the Rules Committee.

H.B. 150, Water Rights Fees (J. Gowans), read the first time by short title and referred to the Rules Committee.

H.B. 151, School Community Councils (J. Dougall), read the first time by short title and referred to the Rules Committee.

H.B. 237, State Benefit Provider Revisions (P. Ray), read the first time by short title and referred to the Rules Committee.

H.C.R. 10, Concurrent Resolution Honoring Waldo Wilcox for Preservation of Range Creek Area (B. King), read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

S.J.R. 4, Joint Rules Resolution – Interim Rules Recodification, read the third time by short title and placed on its final passage.

On motion of Representative Ferry, the House voted to circle S.J.R. 4.

* * *

S.B. 18, Regulating Proprietary Postsecondary Schools, read the third time by short title and placed on its final passage.

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

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

Voting in the affirmative were: Representatives

Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Bowman Buttars Buxton
Christensen D. Clark S. Clark Cosgrove
D. Cox Daw Dayton Dee
Donnelson Dougall Duckworth Dunnigan
Ferrin Ferry Fisher Fowlke
Absent or not voting were: Representatives

Hansen Holdaway E. Hutchings Jones
Lockhart Ure Wheeler

S.B. 18 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

MISCELLANEOUS BUSINESS

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

THIRD READING CALENDAR

H.B. 170, EXTENSION OF UTAH LOW-INCOME HOUSING TAX CREDITS, read the third time by short title and placed on its final passage.

H.B. 170 then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Bowman Buttars Buxton
Christensen D. Clark S. Clark Cosgrove
D. Cox Daw Dayton Dee
Donnelson Dougall Duckworth Dunnigan
Ferrin Ferry Fisher Fowlke
Frank Gibson Goodfellow Gowans
Hansen Hardy Harper Hendrickson
Hogue Holdaway Hughes Hunsaker
Absent or not voting were: Representatives
B. Johnson      Jones      Lockhart      McCartney
Ure             Wheeler

H.B. 170 transmitted to the Senate for its consideration.

***

H.B. 14, BOND ELECTION PROCESS AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Tilton proposed the following amendment:

1. Pages 21–22, Lines 647–656:
   Reinstate the bracketed language on lines 647–656

2. Page 22, Line 657:
   After “Subsection” reinstate “(3)” and delete “(2)”

   Renumber remaining subsections accordingly

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

H.B. 14, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard       Adams       Alexander      S. Allen
Barrus       Becker      Bigelow       Biskupsiki
Bourdeaux    Bowman      Buttars       Buxton
Christensen  D. Clark    S. Clark      Cosgrove
D. Cox       Daw         Dee           Donnelson
Dougall      Duckworth   Dunnigan      Ferrin
Ferry        Fisher      Fowlke        Frank
H.B. 14, as amended, held for possible reconsideration.

H.B. 179, UTAH VENTURE CAPITAL ENHANCEMENT ACT AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 179 then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Bowman Buttars Buxton
Christensen D. Clark S. Clark Cosgrove
D. Cox Daw Dayton Dee
Donnelson Dougall Duckworth Dunnigan
Ferrin Ferry Fisher Fowlke
Frank Gibson Goodfellow Gowans
Hansen Hardy Harper Hendrickson
Hogue Holdaway Hughes Hunsaker
E. Hutchings B. Johnson Jones King
Kiser Last Lawrence Litvack McGe
Menlove Morgan Morley Moss
Murray Newbold Noel Oda
Painter Ray Romero Shurtliff G. Snow
Wallace Wheatley Wyatt Walker

Absent or not voting were: Representatives

Dayton Morgan Wheeler
Absent or not voting were: Representatives
McCartney Wheeler

H.B. 179 transmitted to the Senate for its consideration.

* * *

H.B. 177, WILDLIFE LICENSE REFUND AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 177 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Bowman Buttars Buxton
Christensen D. Clark S. Clark Cosgrove
D. Cox Daw Dayton Dee
Donnelson Dougall Duckworth Dunnigan
Ferrin Ferry Fisher Fowlke
Frank Gibson Goodfellow Gowans
Hansen Hardy Harper Hendrickson
Hogue Holdaway Hughes Hunsaker
E. Hutchings B. Johnson Jones King
Kiser Last Lawrence Litvack
Mascaro Mathis McGee Menlove
Morgan Moss Murray Newbold
Noel Oda Painter Ray
Romero Shurtleff G. Snow Tilton
Ure Urquhart Walker Wallace
Wheatley Wyatt Curtis

Absent or not voting were: Representatives
Lockhart McCartney Morley Wheeler

H.B. 177 transmitted to the Senate for its consideration.

* * *

H.B. 181, DUPLICATE WILDLIFE LICENSING AMENDMENTS, read the third time by short title and placed on its final passage.
H.B. 181 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Becker Bigelow Bourdeaux Bowman
Buttars Buxton Christensen D. Clark
S. Clark Cosgrove D. Cox Daw
Dayton Dee Donnelson Dougall
Duckworth Dunnigan Ferrin Ferry
Fisher Fowlke Frank Gibson
Hansen Hardy Harper Hendrickson
Hogue Holdaway Hughes Hunsaker
E. Hutchings B. Johnson Jones King
Kiser Last Lawrence Litvack
Lockhart Mascaro Mathis McGee
Menlove Morgan Moss Murray
Newbold Noel Oda Painter
Ray Romero G. Snow Tilton
Ure Urquhart Walker Wallace
Wheatley Wyatt

Absent or not voting were: Representatives
Barrus Biskupski Goodfellow Gowans
McCarty Morley Shurtliff Wheeler
Curtis

H.B. 181 transmitted to the Senate for its consideration.

* * *

H.C.R. 7, CONCURRENT RESOLUTION OPPOSING NUCLEAR TESTING, read the third time by short title and placed on its final passage.

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

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Bigelow Biskupski Bourdeaux
Buttars Buxton Christensen D. Clark
S. Clark Cosgrove D. Cox Daw
Absent or not voting were: Representatives
Becker Bowman Hughes B. Johnson
McCartney McGee Shurtleff Wheeler

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

* * *

H.B. 164, REPEAL OF UTAH PERSONAL INTRODUCTION SERVICES PROTECTION ACT, read the third time by short title and placed on its final passage.

H.B. 164 then passed on the following roll call:

Yeas, 56; Nays, 0; Absent or not voting, 19.

Voting in the affirmative were: Representatives
Aagard Alexander S. Allen Barrus
Bigelow Bourdeaux Bowman Buxton
Christensen D. Clark Cosgrove D. Cox
Daw Dee Donnelson Ferrin
Ferrin Ferry Fisher Fowlke
Frank Gibson Goodfellow Gowans
Hansen Harper Hogue Holdaway
Hughes Hunsaker E. Hutchings Jones
King Last Lawrence Mascaro
Mathis Menlove Morgan Morley
Moss Murray Newbold Noel
Absent or not voting were: Representatives
Adams Becker Biskupski Buttars
S. Clark Dayton Dougall Dunnigan
Hardy Hendrickson B. Johnson Kiser
Litvack Lockhart McCartney McGee
Shurtliff Ure Wheeler

H.B. 164 transmitted to the Senate for its consideration.

* * *

H.B. 54, CRIMINAL APPEAL AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 54 then passed on the following roll call:

Yeas, 58; Nays, 0; Absent or not voting, 17.

Voting in the affirmative were: Representatives
Aagard Alexander S. Allen Barrus
Becker Bigelow Bourdeaux Bowman
Buttars Buxton Christensen D. Clark
Cosgrove D. Cox Daw Dayton
Dee Donnelson Duckworth Ferrin
Ferry Fisher Fowlke Frank
Gibson Goodfellow Gowans Hansen
Harper Hogue Holdaway Hunsaker
E. Hutchings B. Johnson Jones King
Last Lawrence Mascaro Mathis
Menlove Morgan Morley Moss
Murray Newbold Noel Oda
Painter Ray G. Snow Tilton
Urquhart Walker Wallace Wheatley
Wyatt Curtis

Absent or not voting were: Representatives
Adams Biskupski S. Clark Dougall
Dunnigan Hardy Hendrickson Hughes
Kiser Litvack Lockhart McCartney
McGee Romero Shurtliff Ure
Wheeler
H.B. 54 transmitted to the Senate for its consideration.

RULES COMMITTEE REPORT

Mr. Speaker: January 26, 2005

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

BUSINESS AND LABOR
H.B. 70 Health Discount Program Consumer Protection Act (Rep. J. Dunnigan)

EDUCATION
H.B. 74 Tuition Reimbursement Program for Students Seeking Teacher Licensure in Disability or Special Education (Rep. R. Menlove)
H.B. 88 Air Conditioned Buses for Students with Disabilities (Rep. D. Hogue)
H.B. 196 Legislators Involvement in Public Schools (Rep. D. Bourdeaux)

GOVERNMENT OPERATIONS
H.B. 90 Search and Rescue Advisory Board – Amendments (Rep. J. S. Adams)
H.B. 211 Integrity of Election Results Amendments (Rep. J. Dougall)

HEALTH AND HUMAN SERVICES
H.B. 80 Services for People with Disabilities (Rep. R. Lockhart)

JUDICIARY
S.B. 21 Limitation on Liability Regarding Liquefied Petroleum Gas (Sen. D. Eastman)
S.B. 32 Limitation of Landowner Liability for Public Recreation (Sen. G. Bell)
S.B. 103 Liens on Aircraft (Sen. T. Hatch)

LAW ENFORCEMENT AND CRIMINAL JUSTICE
H.B. 184 Domestic Violence – Change of Locks on Rental Property (Rep. L. Shurtliff)
NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT

H.B. 156 Dairy Promotion Act Amendments (Rep. D. Ure)
H.B. 203 Agricultural Advisory Board (Rep. M. Noel)

POLITICAL SUBDIVISIONS

H.J.R. 7 Resolution Amending State Auditor Qualifications (Rep. R. Romero)
S.B. 78 Optional Forms of County Government Amendment (Sen. D. Thomas)
S.B. 27 Sunset Reauthorizations (Sen. L. A. Mansell)

REVENUE AND TAXATION

H.B. 225 Boat Registration Fee (Rep. B. Goodfellow)
H.J.R. 12 Resolution Eliminating Property Tax on Personal Property (Rep. J. Dougall)

Rebecca Lockhart, Chair

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

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to adjourn until January 27, 2005, at 10:00 a.m.
The House was called to order by Speaker Curtis at 10:00 a.m.

Roll call showed all members present except Representative Ty McCartney, absent.

Prayer by Representative LaVar Christensen. Pledge of Allegiance by Parker Jensen.

**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker: January 26, 2005

The Senate passed **S.B. 81**, LOCAL GOVERNMENT APPROVAL FOR SOLID NONHAZARDOUS AND HAZARDOUS WASTE DISPOSAL, by Senator B. Evans, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 15**, CHILDREN’S JUSTICE CENTER AMENDMENTS, by Senator D. C. Buttars, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 14**, UNIFORM PARENTAGE ACT, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **1st Sub. S.B. 35**, RELATIONSHIPS WITH VENTURE CAPITAL ENTITIES, by Senator D. Thomas, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 37**, MOTOR VEHICLE BUSINESS REGULATION ACT AMENDMENTS, by Senator D. Eastman, and it is transmitted for consideration; and
The Senate passed, as amended, **S.B. 79**, EXTENSION OF SUNSET DATE ON RESOURCE DEVELOPMENT COORDINATING COMMITTEE, by Senator B. Evans, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate


**REPORTS OF STANDING COMMITTEES**

Mr. Speaker: January 26, 2005

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 159**, MOTOR ASSISTED SCOOTER AND MINI–MOTORCYCLE AMENDMENTS, by Representative B. Dee, with the following amendments:

1. Page 3, Lines 69 through 70:

   69 (9) “Direct supervision” means oversight at a distance within which visual contact is maintained for the purpose of advising and assisting; and advice and assistance can be given and received.

2. Page 4, Lines 112 through 118:

   112 (21) (a) “Mini–motorcycle” means a motorcycle or motor–driven cycle that has a seat or saddle that is less than 24 inches from the ground as measured on a level surface with properly inflated tires.

   115 (b) “Mini–motorcycle” does not include a moped or a motor assisted scooter.

   116 (c) “Mini–motorcycle” does not include a motorcycle that is: (i) legally licensed and registered for highway use; or (ii) (A) designed for off–highway use; and (B) registered as an off–highway vehicle under Section 41–22–3.
3. Page 9, Lines 270 through 271:

270 (e) carrying more persons at one time than the number for which
it is designed { — except
271 an adult operator may carry a child securely attached to the operator
in a pack or sling } ; or

Brad L. Dee, Chair

Reports filed. On motion of Representative Lawrence, the reports of the
Political Subdivisions committee were adopted.

H.B. 159, as amended, read the second time by short title and placed on the
calendar for third reading.

* * *

Mr. Speaker: January 26, 2005

The Revenue and Taxation Committee reports a favorable recommendation
on H.B. 78, CORPORATE FRANCHISE AND INCOME TAX AMENDMENTS,
by Representative W. Harper, with the following amendments:

1. Page 1, Lines 18−20:
   Delete lines 18 − 20

2. Page 3, Line 68:
   Delete “$250” and insert “$100”

3. Page 4, Line 93:
   Delete “$250” and insert “$100”; and

The Revenue and Taxation Committee reports a favorable recommendation
on 1st Sub. S.B. 23, PROPERTY TAX TREATMENT OF TANGIBLE
PERSONAL PROPERTY, by Senator C. Bramble, with the following amendments:

1. Page 8, Line 214:
   214 (e) “other motorcycle” means a motor vehicle
that { — except
215 is not equal to the length of the vessel determined by reference to
the model number; and

2. Page 14, Line 421 through Page 15, Line 429:
   421 is not equal to the length of the vessel determined by reference to
   the model number; and
(ii) (A) is determined at the time of the:
   (I) first registration as defined in Section 41−1a−102 that occurs on or after January 1, 2006; or
   (II) first renewal of registration that occurs on or after January 1, 2006; and
   (B) may be determined after the time described in Subsection (6)(c)(ii)(A) only if the
   commission requests that a dealer or an owner submit a form to the commission in accordance
   with Subsection (6)(d) and
   (iii) is subject to appeal in accordance with Subsection (7).}

The Revenue and Taxation Committee reports a favorable recommendation on S.B. 6, SALES AND USE TAX AGRICULTURE EXEMPTIONS, by Senator R. Allen; and

The Revenue and Taxation Committee reports a favorable recommendation on S.B. 36, SALES AND USE TAXATION OF PAWN TRANSACTIONS, by Senator R. Allen.

Wayne A. Harper, Chair

Reports filed. On motion of Representative Harper, the reports of the Revenue and Taxation committee were adopted.


INTRODUCTION OF BILLS

H.B. 100, Consumer Credit Bureau Notice Requirements (K. Morgan), read the first time by short title and referred to the Rules Committee.

H.B. 142, Issues Submitted to Voters (G. Hughes), read the first time by short title and referred to the Rules Committee.

H.B. 143, National Guard Amendments (E. Hutchings), read the first time by short title and referred to the Rules Committee.
H.B. 144, Ban on Gifts to Elected Officials (R. Becker), read the first time by short title and referred to the Rules Committee.

H.B. 145, Amendments to Hearing and Speech Impaired Telecommunications Program (B. Goodfellow), read the first time by short title and referred to the Rules Committee.

H.B. 146, Vaccine Restrictions (E. Hutchings), read the first time by short title and referred to the Rules Committee.

H.B. 147, Property Tax Exemption for Veterans (G. Hughes), read the first time by short title and referred to the Rules Committee.

H.B. 148, School Truancy Amendments (E. Hutchings), read the first time by short title and referred to the Rules Committee.

H.B. 149, Vehicle Identification Number Inspectors (C. Frank), read the first time by short title and referred to the Rules Committee.

H.B. 238, Utah Technology Commission Membership (J. Dougall), read the first time by short title and referred to the Rules Committee.

COMMITTEE OF THE WHOLE

On motion of Representative Oda, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from the Counsel General of Japan.

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

CONSENT CALENDAR

H.B. 173, STATE EMPLOYEE AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 173 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Bowman Buxton Christensen
H.B. 173 transmitted to the Senate for its consideration.

* * *

H.B. 180, RETIREMENT OFFICE AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 180 then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupsiki</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
</tr>
<tr>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
</tr>
<tr>
<td>Frank</td>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
</tr>
<tr>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Litvack</td>
<td>Mascaro</td>
<td>Mathis</td>
</tr>
</tbody>
</table>

Absent or not voting were: Representatives

<table>
<thead>
<tr>
<th>Buttars</th>
<th>Goodfellow</th>
<th>B. Johnson</th>
<th>Lawrence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lockhart</td>
<td>McCartney</td>
<td>Oda</td>
<td></td>
</tr>
</tbody>
</table>
Absent or not voting were: Representatives
Gibson  B. Johnson  Lockhart  McCartney
Oda

H.B. 180 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

S.B. 20, OFFICE OF LEGISLATIVE AUDITOR − ACCESS TO INFORMATION, read the third time by short title and placed on its final passage.

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

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

Voting in the affirmative were: Representatives
Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Bigelow  Biskupski
Bourdeaux  Bowman  Buttars  Buxton
Christensen  D. Clark  S. Clark  Cosgrove
D. Cox  Daw  Dayton  Dee
Donnelson  Dougall  Duckworth  Dunnigan
Ferrin  Ferry  Fisher  Fowlke
Frank  Gibson  Goodfellow  Gowans
Hansen  Hardy  Harper  Hendrickson
Hogue  Holdaway  Hughes  Hunsaker
E. Hutchings  B. Johnson  Jones  King
Kiser  Last  Lawrence  Litvack
Lockhart  Mascaro  Mathis  McGee
Menlove  Morgan  Morley  Moss
Murray  Newbold  Noel  Painter
Ray  Romero  Shurtliff  G. Snow
Tilton  Ure  Urquhart  Walker
Wallace  Wheatley  Wheeler  Wyatt
Curtis
Absent or not voting were: Representatives
McCartney       Oda

S.B. 20 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

UNFINISHED BUSINESS

On motion of Representative Lockhart, the House voted to uncircle S.J.R. 4.

S.J.R. 4, JOINT RULES RESOLUTION – INTERIM RULES RECODIFICATION, was before the House on its final passage.

S.J.R. 4 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard       Adams       Alexander       S. Allen
Barrus       Becker      Bigelow        Biskupski
Bourdeaux    Bowman      Buxton        Christensen
D. Clark     S. Clark    Cosgrove      D. Cox
Daw          Dayton      Dee           Donnelson
Dougall      Duckworth   Dunnigan      Ferrin
Ferry         Fisher      Fowlke       Frank
Gibson       Goodfellow  Hardy         Harper
Hendrickson  Hogue       Holdaway      Hughes
Hunsaker     E. Hutchings B. Johnson    Jones
King         Kiser       Last          Lawrence
Litvack      Lockhart    Mathis        McGee
Menlove      Morgan      Morley        Moss
Murray       Newbold     Noel          Painter
Ray          Romero      Shurtliff     G. Snow
Tilton       Ure         Urquhart      Walker
Wallace      Wheatley    Wheeler       Wyatt
Curtis

Absent or not voting were: Representatives
Buttars       Gowans      Hansen       Mascaro
McCartney     Oda

S.J.R. 4 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.
THIRD READING CALENDAR

S.C.R. 1, RESOLUTION ENCOURAGING MANAGED LANES STUDY, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle S.C.R. 1.

* * *

S.B. 17, FOSTER CARE CITIZEN REVIEW BOARD, read the third time by short title and placed on its final passage.

On motion of Representative Christensen, the House voted to circle S.B. 17.

* * *

S.B. 11, INITIATIVE PETITIONS AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle S.B. 11.

* * *

S.B. 76, AMENDMENTS TO NAVAJO TRUST FUND, read the third time by short title and placed on its final passage.

S.B. 76 then passed on the following roll call:

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

Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Alexander</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
</tr>
<tr>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
</tr>
<tr>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
</tr>
<tr>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
</tr>
<tr>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>B. Johnson</td>
</tr>
<tr>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Litvack</td>
<td>Lockhart</td>
<td>Mascaro</td>
</tr>
<tr>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
</tr>
</tbody>
</table>
Absence or not voting were: Representatives
Adams  E. Hutchings  McCartney  Oda

S.B. 76 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

S.B. 95, OFFICE OF MUSEUM SERVICES AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 95 then passed on the following roll call:

Yeas, 65; Nays, 7; Absent or not voting, 3.

Voting in the affirmative were: Representatives
Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Bigelow  Biskupski
Bourdeaux  Bowman  Buxton  Christensen
D. Clark  S. Clark  Cosgrove  D. Cox
Daw  Dee  Donnelson  Dougall
Duckworth  Dunnigan  Ferry  Fisher
Fowlke  Gibson  Goodfellow  Gowans
Hansen  Hardy  Hendrickson  Hogue
Holdaway  Hughes  Hunsaker  B. Johnson
Jones  King  Kiser  Last
Lawrence  Litvack  Lockhart  Mascaro
Mathis  McGee  Menlove  Morgan
Moss  Murray  Newbold  Painter
Ray  Romero  Shurtliff  G. Snow
Tilton  Ure  Urquhart  Walker
Wallace  Wheatley  Wheeler  Wyatt
Curtis

Voting in the negative were: Representatives
Buttars  Dayton  Ferrin  Frank
Harper  Morley  Oda
Absent or not voting were: Representatives
E. Hutchings McCartney Noel

S.B. 95 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 16, DEPARTMENT OF WORKFORCE SERVICES – ACCESS TO FINANCIAL RECORDS, read the third time by short title and placed on its final passage.

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

Yeas, 68; Nays, 1; Absent or not voting, 6.

Voting in the affirmative were: Representatives
Aagard Adams Alexander Barrus
Becker Bigelow Biskupski Bourdeaux
Bowman Buttars Buxton Christensen
D. Clark S. Clark Cosgrove D. Cox
Daw Dayton Dee Donnelson
Dougall Duckworth Dunnigan Ferrin
Ferry Fisher Fowlke Frank
Gibson Goodfellow Gowans Hansen
Hardy Harper Hendrickson Hogue
Holdaway Hughes Hunsaker B. Johnson
Jones King Kiser Last
Lawrence Litvack Mascaro Mathis
McGee Menlove Morgan Moss
Murray Newbold Noel Oda
Painter Romero Shurtliff G. Snow
Tilton Ure Urquhart Walker
Wallace Wheatley Wheeler Wyatt

Voting in the negative was: Representative
Morley

Absent or not voting were: Representatives
S. Allen E. Hutchings Lockhart McCartney
Ray Curtis
S.B. 16 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

S.B. 12, DEPARTMENT OF WORKFORCE SERVICES AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 12 then passed on the following roll call:

**Yeas, 57; Nays, 11; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bowman</td>
</tr>
<tr>
<td>Buxton</td>
<td>Christensen</td>
<td>S. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Daw</td>
<td>Dee</td>
<td>Duckworth</td>
</tr>
<tr>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fowlke</td>
</tr>
<tr>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Hardy</td>
<td>Hogue</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
</tr>
<tr>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
<td>Lockhart</td>
</tr>
<tr>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morgan</td>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
</tr>
<tr>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
</tr>
<tr>
<td>Romero</td>
<td>Shurtleff</td>
<td>G. Snow</td>
<td>Urquhart</td>
</tr>
<tr>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
</tr>
<tr>
<td>Wyatt</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Dayton</th>
<th>Donnelson</th>
<th>Dougall</th>
<th>Fisher</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frank</td>
<td>Gowans</td>
<td>Hansen</td>
<td>Harper</td>
</tr>
<tr>
<td>Hendrickson</td>
<td>Morley</td>
<td>Tilton</td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Alexander</th>
<th>Bourdeaux</th>
<th>Buttars</th>
<th>D. Clark</th>
</tr>
</thead>
<tbody>
<tr>
<td>McCartney</td>
<td>Ure</td>
<td>Curtis</td>
<td></td>
</tr>
</tbody>
</table>

S.B. 12 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.
MISCELLANEOUS BUSINESS

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

THIRD READING CALENDAR

H.B. 55, DRUG OFFENSE PENALTY ENHANCEMENTS, read the third time by short title and placed on its final passage.

H.B. 55 then passed on the following roll call:

Yeas, 46; Nays, 26; Absent or not voting, 3.

Voting in the affirmative were: Representatives
Aagard Adams S. Allen Barrus
Becker Biskupski Bourdeaux Bowman
Buxton S. Clark Cosgrove D. Cox
Daw Dee Duckworth Ferrin
Fisher Fowlke Gibson Goodfellow
Hansen Hardy Hendrickson Hogue
Holdaway Hunsaker E. Hutchings B. Johnson
Jones King Lawrence Litvack
Mascaro McGee Menlove Morgan
Moss Murray Noel Ray
Romero Shurtliff Wallace Wheeler
Wyatt Curtis

Voting in the negative were: Representatives
Bigelow Buttars Christensen D. Clark
Dayton Donnelson Dunnigan Ferry
Frank Gowans Harper Hughes
Kiser Last Lockhart Mathis
Morley Newbold Oda Painter
G. Snow Tilton Ure Urquhart
Walker Wheatley

Absent or not voting were: Representatives
Alexander Dougall McCartney

H.B. 55 transmitted to the Senate for its consideration.

***

H.B. 48, MOTOR VEHICLE REGISTRATION AND SAFETY INSPECTION AMENDMENTS, read the third time by short title and placed on its final passage.
H.B. 48, as amended, then passed on the following roll call:

Yeas, 65; Nays, 3; Absent or not voting, 7.

Voting in the affirmative were: Representatives
Aagard                        S. Allen                      Barrus                      Becker
Biskupski                     Bourdeaux                    Bowman                     Buxton
Christensen                  D. Clark                      S. Clark                   Cosgrove
D. Cox                        Daw                           Dayton                     Dee
Donnelson                    Dougall                       Duckworth                  Dunnigan
Ferrin                        Ferry                         Fisher                     Fowlke
Frank                        Gibson                        Goodfellow                 Gowans
Hansen                       Hardy                         Harper                     Hendrickson
Hogue                        Holdaway                      Hughes                    Hunsaker
E. Hutchings                 B. Johnson                    Jones                      King
Kiser                        Last                          Lawrence                   Litvack
Lockhart                     Mascaro                        Mathis                    McGee
Menlove                      Morley                        Moss                      Newbold
Noel                         Oda                           Painter                    Ray
Romero                       Shurtliff                      Ure                       Urquhart
Walker                        Wallace                      Wheatley                   Wheeler
Wyatt

Voting in the negative were: Representatives
Morgan                        Murray                       G. Snow

Absent or not voting were: Representatives
Adams                         Alexander                     Bigelow                    Buttars
McCartney                     Tilton                        Curtis

H.B. 48, as amended, transmitted to the Senate for its consideration.

***

H.B. 7, INDIVIDUAL INCOME TAX − CONTRIBUTIONS FOR EDUCATION, read the third time by short title and placed on its final passage.

H.B. 7 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard                        Adams                        Alexander                  S. Allen
Barrus                        Becker                       Biskupski                  Bourdeaux
Absent or not voting were: Representatives
Bigelow Buttars Hardy McCartney
Ray Walker Curtis

H.B. 7 transmitted to the Senate for its consideration.

* * *

H.B. 23, DEPARTMENT OF WORKFORCE SERVICES – WORK EXPERIENCE AND TRAINING PROGRAMS, read the third time by short title and placed on its final passage.

Representative Cox proposed the following amendment:

1. Page 2, Lines 35 through 36

35 funded by the department is considered to be a volunteer government worker of the department, as provided in Title 67, Chapter 20, Volunteer Government Workers Act,

36 solely for the purpose of receiving workers’ compensation medical benefits.

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

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

Y eas, 67; Nays, 0; Absent or not voting, 8.
Voting in the affirmative were: Representatives
Aagard     Adams     Alexander     S. Allen
Barrus     Becker    Biskupski    Bourdeaux
Bowman     Buttars   Buxton      Christensen
D. Clark   S. Clark  Cosgrove    D. Cox
Daw        Dayton    Dee         Donnelson
Dougall    Duckworth Dunnigan    Ferrin
Ferry       Fisher    Fowlke     Frank
Goodfellow  Gowans    Hardy      Harper
Hendrickson Hughes    Hunsaker    E. Hutchings
B. Johnson  Jones     King       Kiser
Last       Lawrence  Litvack     Lockhart
Mascaro     Mathis    McGee      Menlove
Morgan      Morley    Moss       Murray
Newbold     Noel      Oda        Painter
Ray         Romero    Shurtliff   G. Snow
Tilton      Urquhart  Walker     Wallace
Wheatley    Wheeler   Wyatt

Absent or not voting were: Representatives
Bigelow     Gibson    Hansen     Hogue
Holdaway    McCartney Ure        Curtis

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

* * *

H.B. 14, transmitted to the Senate for its consideration.

RULES COMMITTEE REPORT

Mr. Speaker: January 27, 2005

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

BUSINESS AND LABOR
S.B. 37    Motor Vehicle Business Regulation Act Amendments
           (Sen. D. Eastman)

EDUCATION
H.B. 86    Utah College of Applied Technology Amendments
           (Rep. R. Bigelow)
GOVERNMENT OPERATIONS
S.B. 79  Extension of Sunset Date on Resource Development Coordinating Committee (Sen. B. Evans)

JUDICIARY
H.B. 163  Garnishment Fees (Rep. S. Mascaro)
H.B. 235  Insurance Amendments (Rep. S. Urquhart)
S.B. 15  Children’s Justice Center Amendments (Sen. D. C. Buttars)

LAW ENFORCEMENT AND CRIMINAL JUSTICE
H.B. 89  Presumption of Responsibility for Abuse or Neglect (Rep. L. Christensen)
H.B. 208  Unclaimed Property Amendments (Rep. P. Ray)

NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT
H.B. 83  Weights and Measures Amendments (Rep. D. Ure)
H.B. 150  Water Rights Fees (Rep. J. Gowans)
H.B. 155  Agricultural Coop Amendments (Rep. C. Buttars)
H.C.R. 10  Concurrent Resolution Honoring Waldo Wilcox for Preservation of Range Creek Area (Rep. B. King)

POLITICAL SUBDIVISIONS
S.B. 81  Local Government Approval for Solid Nonhazardous and Hazardous Waste Disposal (Sen. B. Evans)

REVENUE AND TAXATION

TRANSPORTATION
H.B. 91  License Plate for Disabled American Veterans (Rep. R. Bigelow)
H.B. 93  Emission Inspection Amendments (Rep. K. Gibson)

Rebecca Lockhart, Chair
Report filed. On motion of Representative Lockhart, the report of the Rules Committee was adopted.
COMMUNICATION FROM THE SENATE

Mr. Speaker: January 27, 2005

The Senate concurred in the House amendments and passed S.B. 5, TRAFFIC CODE RECODIFICATION AND REVISIONS, by Senator S. Killpack, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. S.B. 5 was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to adjourn until January 28, 2005, at 10:00 a.m.
TWELFTH DAY
    * * *

MORNING SESSION

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

Roll call showed all members present except Representative David Clark, excused.

Prayer by Representative Tim Cosgrove. Pledge of Allegiance by James Cosgrove, Representative Cosgrove’s son.

COMMUNICATION FROM THE GOVERNOR

Mr. Larry Wiley: January 27, 2005

It is my pleasure to appoint you to the Utah State Legislature, to fill the seat in Legislative District 31 that was vacated by Ty McCartney. I am confident that as a legislator you will serve our state and the citizens in your district with discernment and decorum.

Jon M. Huntsman, Jr.
Governor

Communication filed. Speaker Curtis administered the oath of office to Larry Wiley, District 31.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: January 27, 2005

The Senate passed S.B. 30, AMENDMENTS TO SEARCH WARRANTS, by Senator D. Thomas, and it is transmitted for consideration; and

The Senate passed, as amended, S.B. 40, REGULATION OF TITLE INSURANCE INDUSTRY, by Senator T. Hatch, and it is transmitted for consideration; and

The Senate passed, as amended, S.B. 86, 2004 GENERAL OBLIGATION BOND AMENDMENTS, by Senator P. Knudson, and it is transmitted for consideration; and

The Senate passed S.B. 87, RESIDENCE LIEN RESTRICTION AND LIEN RECOVERY FUND AMENDMENTS, by Senator D. Thomas, and it is transmitted for consideration; and
The Senate passed **S.B. 88**, CREATION OF LOCAL DISTRICTS, by Senator C. Walker, and it is transmitted for consideration; and

The Senate passed **S.B. 90**, COUNTY OFFICERS SERVING ON BOARDS OF COUNTY MENTAL HEALTH AND SUBSTANCE ABUSE PROVIDERS, by Senator D. Thomas, and it is transmitted for consideration; and

The Senate passed **S.B. 91**, INTERSTATE JUVENILE COMPACT, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed **S.B. 93**, CHILDREN’S JUSTICE CENTER ADDITION, by Senator T. Hatch, and it is transmitted for consideration; and

The Senate passed **S.B. 94**, RESTITUTION AMENDMENTS, by Senator G. Bell, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 97**, CONSOLIDATION OF CITY AND COUNTY LIBRARY, by Senator G. Bell, and it is transmitted for consideration; and

The Senate passed **S.J.R. 3**, RESOLUTION ENCOURAGING MEDIATION, by Senator C. Walker, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate


***

Mr. Speaker: January 27, 2005

The Senate passed, **H.J.R. 6**, RESOLUTION APPROVING COMPENSATION OF IN−SESSION EMPLOYEES, by Representative M. Newbold, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.J.R. 8**, JOINT RULES RESOLUTION – USE OF LEGISLATIVE SEALS, by Representative R. Lockhart, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.J.R. 9**, RESOLUTION AMENDING JOINT RULES REGARDING CONFLICTS OF INTEREST, by Representative J. Dougall, which has been signed by the President and it is transmitted for the signature of the Speaker; and
The Senate passed, **H.J.R. 10**, JOINT RULES RESOLUTION – AMENDMENTS IN CONTEXT, by Representative R. Lockhart, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **H.J.R. 6**, **H.J.R. 8**, **H.J.R. 9**, and **H.J.R. 10** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

**REPORTS OF STANDING COMMITTEES**

Mr. Speaker: January 27, 2005

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 68**, MOTOR VEHICLE ENFORCEMENT DIVISION AMENDMENTS, by Representative P. Ray.

DeMar “Bud” Bowman, Chair

Report filed. On motion of Representative Bowman, the report of the Law Enforcement and Criminal Justice committee was adopted.

**H.B. 68**, read the second time by short title and placed on the calendar for third reading.

***

Mr. Speaker: January 27, 2005

The Judiciary Committee reports a favorable recommendation on **H.B. 76**, HABITUAL VIOLENT OFFENDERS AMENDMENTS, by Representative P. Ray; and

The Judiciary Committee reports a favorable recommendation on **H.B. 218**, SECOND DISTRICT JUVENILE JUDGE, by Representative J. S. Adams; and

The Judiciary Committee reports a favorable recommendation on **H.B. 222**, PILOT PROGRAM REPEAL CLEAN–UP, by Representative R. Romero, and recommends it be placed on the Consent Calendar.

James A. Ferrin, Chair

Reports filed. On motion of Representative Ferrin, the reports of the Judiciary committee were adopted.

**H.B. 76** and **H.B. 218**, read the second time by short title and placed on the calendar for third reading.
H.B. 222, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: January 27, 2005

The Transportation Committee reports a favorable recommendation on H.B. 65, DRIVER LICENSE AND COMMERCIAL DRIVER LICENSE AMENDMENTS, by Representative D. Bowman, with the following amendments:

1. Page 2, Lines 53 through 54:
   
   53 Other Special Clauses:
   
   54 {None} This bill takes effect on July 1, 2005.

2. Page 4, Lines 112 through 113:
   
   112 (xv) operating or being in actual physical control of a motor vehicle in violation of
   
   113 Subsection 53−3−227(4) (a)(i)(B).

3. Page 12, Lines 352 through 353:
   
   352 (2) (a) A licensee shall display a CDL or CDIP license certificate upon demand of a
   
   353 justice {of the peace} court judge, a peace officer, a special function officer, a port−of−entry officer, or a {field deputy or inspector} designee of the division.

4. Page 13, Lines 389 through 391:
   
   389 (1) The application for a CDL or CDIP shall include the following information
   
   390 regarding the applicant:
   
   391 (a) full legal name and current mailing and Utah residential address;

5. Page 20, Lines 611 through 612:
   
   611 (b) who is performing official duties as provided in Sections 23−20−1.5 and 76−10−523
   
   612 and as otherwise provided by law.

   Section 13. Effective date.
   
   This bill takes effect on July 1, 2005.

   Joseph G. Murray, Chair
Reports filed. On motion of Representative Murray, the reports of the Transportation committee were adopted.

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

---

**Mr. Speaker:** January 27, 2005

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 157.** WATER ENFORCEMENT PROCEDURES AND PENALTIES, by Representative D. Ure; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 29.** STATE ENGINEER’S POWERS AND DUTIES AMENDMENTS, by Representative D. Clark, with the following amendments:

1. Page 2, Lines 33 through 37:
   33 (3) (a) The state engineer shall
   34 (a) be responsible for the general administrative supervision of the waters of the state
   35 and the measurement, appropriation, apportionment, and distribution of those waters[;] and
   36 (b) the state engineer may secure the equitable apportionment and distribution of the water according to the
   37 respective rights of appropriators.

The Natural Resources, Agriculture, and Environment Committee recommends **H.B. 38.** WATER LAW – CRIMINAL PENALTIES AMENDMENTS, by Representative B. Ferry, be replaced and reports a favorable recommendation on **1st Sub. H.B. 38.** WATER LAW – CRIMINAL PENALTIES AMENDMENTS with the following amendments:

1. Page 4, Lines 100 through 112:
   100 (2) Under circumstances not amounting to an offense with a greater penalty under
   101 Subsection 76–6–106(2)(b)(ii) or Section 76–6–404, violation of a provision listed in Subsection
   102 (1) is punishable:
(a) as a felony of the third degree if:

(i) the value of the water diverted or property damaged or taken is $2,500 or greater;

and

(ii) the person violating the provision has previously been convicted of {the provision listed in Subsection (1)} violating the same provision;

(b) as a class A misdemeanor if:

(i) the value of the water diverted or property damaged or taken is $2,500 or greater; or

(ii) the person violating the provision has previously been convicted of {the provision listed in Subsection (1)} violating the same provision; or

(c) as a class B misdemeanor if Subsection (2)(a) or (b) do not apply.

2. Page 9, Lines 243 through 250:


(1) Any person[, firm, copartnership, association, or corporation] drilling a well or wells in the state or who advertises or holds himself { or itself } out as a well driller, or who follows such business, without first having obtained a {well permit, license, or well driller bond } license as provided by this act or who drills a well or wells after revocation or expiration of his {well permit, license, or well driller bond } license theretofore issued, [or who drills a well or wells in violation of the rules and regulations] is guilty of a [class B misdemeanor] crime punishable under Section 73–2–27.

3. Page 11, Lines 312 through 315:

(6) Except as provided in Subsection {73–2–29 } (2), a person who knowingly or
intentionally relocates any natural stream channel, or alters the bed or bank of any natural stream channel without first obtaining the written approval of the state engineer is guilty of a crime punishable under Section 73–3–27.

Roger E. Barrus, Chair

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


COMMITTEE OF THE WHOLE

On motion of Representative Becker, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from Congressman Jim Matheson.

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

INTRODUCTION OF BILLS

H.B. 101, Amendments to the Individual Income Tax (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 102, Higher Education Savings Incentive Program Amendments (S. Wyatt), read the first time by short title and referred to the Rules Committee.

H.B. 103, Student Housing Built by Higher Education Institutions (S. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 135, Implementing Federal Educational Programs (M. Dayton), read the first time by short title and referred to the Rules Committee.

H.B. 136, Charter School Enrollment (J. Ferrin), read the first time by short title and referred to the Rules Committee.

H.B. 137, Repeal of Prior Amendments to the Voluntary Contributions Act (N. Hansen), read the first time by short title and referred to the Rules Committee.
H.B. 138, Nonresident Tuition for Higher Education Amendments (M. S. Lawrence), read the first time by short title and referred to the Rules Committee.

H.B. 139, Local School Board Amendments (M. Dayton), read the first time by short title and referred to the Rules Committee.

H.B. 140, Individual Income Tax Contribution for Community Spay and Neuter Programs (M. Noel), read the first time by short title and referred to the Rules Committee.

H.B. 141, School Breakfast Program (D. Litvack), read the first time by short title and referred to the Rules Committee.

H.B. 239, Repeal of Exemption from Nonresident Tuition (G. Donnelson), read the first time by short title and referred to the Rules Committee.

H.B. 240, Disaster Loan Program (R. Bigelow), read the first time by short title and referred to the Rules Committee.

H.J.R. 13, Resolution Supporting National Bear River Heritage Area Act (C. Buttars), read the first time by short title and referred to the Rules Committee.


CONSENT CALENDAR

H.B. 69, FEDERAL HEALTH CARE TAX CREDIT PROGRAM ACT, read the third time by short title and placed on its final passage.

H.B. 69 then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard  Adams  S. Allen  Barrus
Becker  Bigelow  Biskupski  Bourdeaux
Bowman  Buttars  Buxton  Christensen
S. Clark  Cosgrove  D. Cox  Daw
Dayton  Donnelson  Dougall  Duckworth
Dunnigan  Ferrin  Ferry  Fisher
Fowlke  Frank  Gibson  Goodfellow
Gowans  Hansen  Hardy  Harper
H.B. 69 transmitted to the Senate for its consideration.

***

H.B. 195, INSURANCE LAW AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 195 then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Bigelow  Biskupsiki
Bourdeaux  Bowman  Buttars  Buxton
Christensen  S. Clark  Cosgrove  D. Cox
Daw  Dayton  Dee  Donnelson
Dougall  Duckworth  Dunnigan  Ferrin
Ferry  Fisher  Frank  Gibson
Goodfellow  Gowans  Hansen  Hardy
Harper  Hendrickson  Hogue  Holdaway
Hughes  Hunsaker  E. Hutchings  B. Johnson
Jones  King  Kiser  Last
Lawrence  Lockhart  Mascaro  Mathis
Wiley  McGee  Menlove  Morgan
Morley  Moss  Murray  Newbold
Noel  Oda  Painter  Ray
House Journal

Day 12

Romero       Shurtliff       G. Snow       Tilton
Ure          Urquhart       Walker        Wallace
Wheatley     Wheeler        Wyatt         Curtis

Absent or not voting were: Representatives
D. Clark       Fowlke        Litvack

H.B. 195 transmitted to the Senate for its consideration.

***

H.C.R. 6, RESOLUTION RECOGNIZING UTAH’S LEGISLATORS BACK TO SCHOOL PROGRAM, read the third time by short title and placed on its final passage.

H.C.R. 6, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard          Adams          S. Allen        Barrus
Becker          Bigelow        Biskupski       Bowman
Buttars         Buxton         Christensen     S. Clark
Cosgrove        D. Cox         Daw            Dayton
Dee             Donnelson      Dougall        Duckworth
Dunnigan        Ferrin         Ferry           Fisher
Fowlke          Frank          Gibson          Goodfellow
Gowans          Hansen         Hardy           Harper
Hendrickson     Hogue          Holdaway       Hughes
Hunsaker        E. Hutchings   B. Johnson     Jones
King            Kiser          Last            Lawrence
Lockhart        Mascaro        Mathis         Wiley
McGee           Menlove        Morgan         Morley
Moss            Murray         Newbold        Noel
Oda             Painter        Ray             Romero
Shurtliff       G. Snow        Tilton         Ure
Urquhart        Walker         Wallace        Wheatley
Wheeler         Wyatt          Curtis

Absent or not voting were: Representatives
Alexander       Bourdeaux      D. Clark       Litvack

H.C.R. 6, as amended, transmitted to the Senate for its consideration.
**H.B. 160. WILDLIFE AGENTS AMENDMENTS, read the third time by short title and placed on its final passage.**

**H.B. 160 then passed on the following roll call:**

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>Christensen</td>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
</tr>
<tr>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
</tr>
<tr>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
</tr>
<tr>
<td>Last</td>
<td>Lawrence</td>
<td>Lockhart</td>
<td>Mascaro</td>
</tr>
<tr>
<td>Mathis</td>
<td>Wiley</td>
<td>McGee</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morgan</td>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
</tr>
<tr>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
</tr>
<tr>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wyatt</td>
</tr>
<tr>
<td>Curtis</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

| D. Clark | Litvack |

**H.B. 160 transmitted to the Senate for its consideration.**

**UNFINISHED BUSINESS**

On motion of Representative Shurtliff, the House voted to uncircle **H.B. 172.**

**H.B. 172, NOTARY PUBLIC AMENDMENTS, was before the House on its final passage.**

Representative Shurtliff proposed the following amendment:
1. Page 3, Lines 70 through 79

70 (a) Beginning July 1, 2005, each applicant for a notarial commission or applicant to renew a notarial commission must complete at least four hours of approved notary education within the six−month period immediately preceding the application for a commission or a renewal.

(b) (i) Beginning July 1, 2005 and until July 1, 2009, each applicant for a renewal of a notarial commission shall complete at least four hours of approved notary education.

(ii) After July 1, 2009, an applicant for renewal of a notarial commission is not required to complete notarial education unless the provisions of Subsection (6)(e) apply.

(c) Notary education may either be interactive or classroom instruction. All education programs shall be preapproved by the lieutenant governor with a core curriculum that includes the duties and responsibilities of the notary office and electronic notarization.

(d) An applicant must submit a certificate of attendance from the preapproved education program with the application for a commission or a renewal.

(e) (i) The office of the lieutenant governor may, for good cause, order a commissioned

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

###

Representative Kiser proposed the following amendment:

1. Page 1, Line 8:
   Delete “four” and insert “two”

2. Page 1, Line 12:
   Delete “four” and insert “two”
Representative Kiser’s motion to amend failed on the following roll call:

**Yeas, 36; Nays, 37; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives


**Voting in the negative were:** Representatives


**Absent or not voting were:** Representatives

D. Clark  G. Snow

**H.B. 172,** as amended, then passed on the following roll call:

**Yeas, 52; Nays, 17; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard  Adams  Alexander  Barrus  Becker  Bigelow  Biskupski  Bowman
Voting in the negative were: Representatives

S. Allen  Dayton  Donnelson  Dougall
Ferrin  Fisher  Fowlke  Frank
Hardy  E. Hutchings  Kiser  Lawrence
Morley  Oda  Tilton  Walker
Curtis

Absent or not voting were: Representatives

Bourdeaux  D. Clark  Hughes  B. Johnson
Lockhart  G. Snow

H.B. 172, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Bigelow, under suspension of the rules, the House voted to lift H.B. 240 from the Rules Committee, consider it read the second time by short title and placed on the Time Certain calendar for Monday, January 31, 2005, at 10:30 a.m.

THIRD READING CALENDAR

H.B. 60, PRODUCER LICENSING AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Dunnigan proposed the following amendment:

1. Page 1, Lines 1 through 2

1  { PRODUCER } INSURANCE LICENSING AMENDMENTS

2  2005 GENERAL SESSION
2. Page 1, Lines 7 through 8:

7 General Description:

8 This bill modifies the Insurance Code to address producer licensing.

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

**H.B. 60**, as amended, then passed on the following roll call:

**Yeas, 65; Nays, 0; Absent or not voting, 10.**

**Voting in the affirmative were:** Representatives

- Aagard
- Adams
- Alexander
- S. Allen
- Barrus
- Becker
- Biskupski
- Bowman
- Buttras
- Buxton
- Christensen
- S. Clark
- Cosgrove
- D. Cox
- Daw
- Dee
- Donnelson
- Dougall
- Duckworth
- Dunnigan
- Ferrin
- Ferry
- Fisher
- Fowlke
- Frank
- Gibson
- Goodfellow
- Gowans
- Hansen
- Hardy
- Harper
- Hendrickson
- Hogue
- Holdaway
- Hughes
- Hunsaker
- E. Hutchings
- B. Johnson
- Jones
- King
- Kiser
- Last
- Lawrence
- Litvack
- Mascaro
- Wiley
- McGee
- Menlove
- Morgan
- Morley
- Moss
- Murray
- Newbold
- Oda
- Painter
- Ray
- Romero
- Shurtliff
- Tilton
- Urquhart
- Walker
- Wheatley
- Wheeler
- Wyatt
- Curtis

**Absent or not voting were:** Representatives

- Bigelow
- Bourdeaux
- D. Clark
- Dayton
- Lockhart
- Mathis
- Noel
- G. Snow
- Ure
- Wallace

**H.B. 60**, as amended, transmitted to the Senate for its consideration.

**H.B. 191**, CAPTIVE INSURANCE LAW AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Christensen, the House voted to circle **H.B. 191**.
H.B. 183, VERIFICATION OF ELIGIBILITY FOR FEE WAIVERS, read the third time by short title and placed on its final passage.

Representative Harper proposed the following amendment:

1. Page 1, Lines 18 through 20
   18 specifying the acceptable forms of documentation to verify eligibility for a fee
   19 waiver, which shall include income tax returns \{ if the parent or guardian was required to file a return \}
   20 or current pay stubs.

2. Page 3, Lines 70 through 72
   House Committee Amendments 1−20−2005:
   70 (b) specifying the acceptable forms of documentation for the requirement under
   71 Subsection (5)(a), which shall include verification based on income tax returns
   72 \{ if the parent or guardian was required to file a return \} or current pay stubs.

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

H.B. 183, as amended, then passed on the following roll call:

Yeas, 63; Nays, 6; Absent or not voting, 6.

Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Biskupski</td>
<td>Bowman</td>
</tr>
<tr>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
<td>S. Clark</td>
</tr>
<tr>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
</tr>
<tr>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
</tr>
<tr>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Fisher</td>
<td>Fowlke</td>
</tr>
<tr>
<td>Frank</td>
<td>Gibson</td>
<td>Gowans</td>
<td>Hansen</td>
</tr>
<tr>
<td>Harper</td>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hughes</td>
</tr>
<tr>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>Jones</td>
</tr>
<tr>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
</tr>
<tr>
<td>Lockhart</td>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morgan</td>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
</tr>
</tbody>
</table>
Voting in the negative were: Representatives
Bourdeaux  Goodfellow  Hendrickson  Litvack
Wiley      Romero      

Absent or not voting were: Representatives
Bigelow    D. Clark    Ferry        Hardy
Mascaro    G. Snow     

H.B. 183, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to adjourn until January 31, 2005, at 10:00 a.m.
FIFTEENTH DAY

MORNING SESSION

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

Roll call showed all members present except Representative M. Susan Lawrence, excused.

Pledge of Allegiance and prayer by Clifford and Claralee Clark, Representative David Clark’s parents.

COMMUNICATION FROM THE SENATE

Mr. Speaker: January 28, 2005

The Senate passed S.B. 115, PERMANENT TOTAL DISABILITY AMENDMENTS, by Senator E. Mayne, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. S.B. 115, read the first time by short title and referred to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: January 28, 2005

The Education Committee reports a favorable recommendation on H.B. 46, PUBLIC EDUCATION CAPITAL OUTLAY ACT AMENDMENTS, by Representative D. Cox.

Margaret Dayton, Chair

Report filed. On motion of Representative Urquhart, the report of the Education committee were adopted.

H.B. 46, read the second time by short title and placed on the calendar for third reading.
Mr. Speaker: January 28, 2005

The Public Utilities and Technology Committee reports a favorable recommendation on H.B. 221, ELECTRONIC COMMUNICATION HARASSMENT, by Representative J. Dougall.

Sheryl L. Allen, Chair

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

H.B. 221, read the second time by short title and placed on the calendar for third reading.

Mr. Speaker: January 28, 2005

The Health and Human Services Committee reports a favorable recommendation on H.B. 25, DIRECT-ENTRY MIDWIFE ACT, by Representative J. Biskupski, with the following amendments:

1. Page 8, Line 244 through Page 9, Line 249:
   
   (i) assist the division in reviewing complaints concerning the unlawful or
   
   (ii) advise the division in its investigation of these complaints.
   
   (c)(i) For the years 2006 through 2011, the board shall present an
   
   (ii) The board shall base its report on data provided in large part
   
   (4) A board member who has, under Subsection (3), reviewed a
   
   (ii) in its investigation may be disqualified from participating with the
   
   as a presiding officer in an adjudicative proceeding concerning the

   unprofessional conduct of a licensed Direct-entry midwife; and
   
   annual report to the Legislature’s Health and Human Services Interim
   
   from the Midwives’ Alliance of North America.
   
   complaint or advised
   
   board when the board serves
   
   complaint.
The Health and Human Services Committee reports a favorable recommendation on **H.B. 80**, **SERVICES FOR PEOPLE WITH DISABILITIES**, by Representative R. Lockhart, with the following amendments:

1. Page 7, Lines 195 through 196:

   195 (d) If the division provides direct financial assistance, [it] the division:
   196 (i) {may} shall require the family to account for the use of that financial assistance; and

Bradley G. Last, Chair

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


**NOTICE OF BILL RETURNED TO RULES COMMITTEE**

Mr. Speaker: January 28, 2005

The Business and Labor Committee has returned **H.B. 27**, **HEALTH INSURANCE FAIR MARKETING STANDARDS**, by Representative S. Mascaro, to the Rules Committee with the following amendments:

1. Page 3, Lines 68 through 72:

   68 (c) The commissioner [may] shall adopt rules to implement the disclosure requirements
   69 of this Subsection (3), taking into account:
   70 (i) recommendations of health insurance representatives;
   71 { (i) } (ii) business confidentiality of the insurer;
   72 { (ii) } (iii) definitions of terms; and
   { (iii) } (iv) the method of disclosure to enrollees.

Stephen D. Clark, Chair


**REPORTS OF STANDING COMMITTEES**

Mr. Speaker: January 28, 2005

The Business and Labor Committee recommends **H.B. 200**, **PROPERTY AND CASUALTY INSURANCE LAW AMENDMENTS**, by Representative
J. Dunnigan, be replaced and favorably recommends 1st Sub. H.B. 200, INSURANCE LAW REVISIONS; and

The Business and Labor Committee reports a favorable recommendation on H.B. 45, ASSESSMENT OF PROPERTY AFFECTED BY BUSINESS INTERRUPTION, by Representative G. Hughes, with the following amendments:

1. Page 1, Lines 12 through 15:
   12 This bill:
   13 requires a county {assessor} board of equalization to take into account the affect of road construction,
   14 natural disasters, and other interruptions to business when determining the fair
   15 market value of property.

2. Page 1, Line 27 through Page 2, Line 29:
   27 (1) In assessing the fair market value of property, a county
   28 {assessor} board of equalization shall include as
   29 part of the assessment the affects on the fair market value of the
   30 property caused by the
   31 following:

3. Page 2, Lines 36 through 37:
   36 (2) This section does not prohibit a county
   37 {assessor} board of equalization from including as part of an
   38 assessment any other factor affecting the fair market value of
   39 property.

Stephen D. Clark, Chair

Reports filed. On motion of Representative S. Clark, the reports of the Business and Labor committee were adopted.

Sub. H.B. 200 and H.B. 45, as amended, read the second time by short title and placed on the calendar for third reading.

***

Mr. Speaker: January 28, 2005

The Government Operations Committee reports a favorable recommendation on H.B. 90, SEARCH AND RESCUE ADVISORY BOARD –
AMENDMENTS, by Representative J. S. Adams, and recommends it be placed on the Consent Calendar; and

The Government Operations Committee reports a favorable recommendation on **S.B. 79**, EXTENSION OF SUNSET DATE ON RESOURCE DEVELOPMENT COORDINATING COMMITTEE, by Senator B. Evans, and recommends it be placed on the Consent Calendar.

Douglas C. Aagard, Chair

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

**H.B. 90** and **S.B. 79**, read the second time by short title and placed on the Consent Calendar.

***

Mr. Speaker: January 28, 2005

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 225**, BOAT REGISTRATION FEE, by Representative B. Goodfellow.

Wayne A. Harper, Chair

Reports filed. On motion of Representative Harper, the reports of the Revenue and Taxation committee were adopted.

**H.B. 225**, read the second time by short title and placed on the calendar for third reading.

***

Mr. Speaker: January 28, 2005

The Political Subdivisions Committee reports a favorable recommendation on **S.B. 78**, OPTIONAL FORMS OF COUNTY GOVERNMENT AMENDMENT, by Senator D. Thomas, and recommends it be placed on the Consent Calendar; and

The Political Subdivisions Committee reports a favorable recommendation on **S.B. 27**, SUNSET REAUTHORIZATIONS, by Senator L. A. Mansell, with the following amendments:

1. Page 1, Line 26:

   26 $63−55−263$, as last amended by Chapters 37, 90 and 238, Laws of Utah 2004

   $63−55b−164$, as enacted by Chapter 270, Laws of Utah 2002
2. Page 5, Line 128:

128 [(9) Title 63A, Chapter 10, State Olympic Coordination Act, is repealed July 1, 2004.]

Section 7. Section 63–55b–164 is amended to read:

63–55b–164. Repeal dates — Title 64.

Subsection 64–13c–303(1) is repealed July 1, {–2005–} 2010 .

Brad L. Dee, Chair

Reports filed. On motion of Representative Dee, the reports of the Political Subdivisions committee were adopted.

S.B. 78, read the second time by short title and placed on the Consent Calendar.

S.B. 27, as amended, read the second time by short title and placed on the calendar for third reading.

INTRODUCTION OF BILLS

H.B. 1, Annual Appropriations Act (R. Bigelow), read the first time by short title and referred to the Rules Committee.

H.B. 3, Minimum School Program Act Amendments (G. Snow), read the first time by short title and referred to the Rules Committee.

H.B. 104, Spyware Control Act Revisions (S. Urquhart), read the first time by short title and referred to the Rules Committee.

H.B. 105, Construction Filing Amendments (M. Morley), read the first time by short title and referred to the Rules Committee.

H.B. 106, Regulation of Noncompete Agreements in Medical Practices (R. McGee), read the first time by short title and referred to the Rules Committee.

H.B. 107, Tax Law Amendments (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 108, Telecommunications Taxation (J. Dougall), read the first time by short title and referred to the Rules Committee.

H.B. 109, Information Technology Governance Amendments (D. Clark), read the first time by short title and referred to the Rules Committee.
H.B. 110, Emergency Administration of Epinephrine (T. Kiser), read the first time by short title and referred to the Rules Committee.

H.B. 111, Licensing of Child Care Centers – Oversight and Regulation (D. G. Buxton), read the first time by short title and referred to the Rules Committee.

H.B. 112, Background Checks in County Government (B. Dee), read the first time by short title and referred to the Rules Committee.

H.B. 113, Government Boundary Changes (K. Holdaway), read the first time by short title and referred to the Rules Committee.

H.B. 114, Children’s Health Care Coverage Amendments (D. Hogue), read the first time by short title and referred to the Rules Committee.

H.B. 115, Utah Child Abuse Prevention Board (P. Ray), read the first time by short title and referred to the Rules Committee.

H.B. 116, Private Activity Bond Volume Cap Allocation Amendments (D. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 117, Revisions to State Government (B. Ferry), read the first time by short title and referred to the Rules Committee.

H.B. 118, Revise Utility Special Service Districts (D. Ure), read the first time by short title and referred to the Rules Committee.

H.B. 119, Navajo Trust Fund Amendments (B. King), read the first time by short title and referred to the Rules Committee.

H.B. 120, Crime of Soliciting Sex from a Child (L. Fowlke), read the first time by short title and referred to the Rules Committee.

H.B. 121, Property Exempt from Execution (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

H.B. 122, Bail Bond Amendments (K. Gibson), read the first time by short title and referred to the Rules Committee.

H.B. 123, Restrictions of Advertising Illegal Activities (S. Wyatt), read the first time by short title and referred to the Rules Committee.

H.B. 124, Enrollment Growth Program Amendments (B. Last), read the first time by short title and referred to the Rules Committee.
H.B. 125, Small Business Economic Stimulus (C. Frank), read the first time by short title and referred to the Rules Committee.

H.B. 126, Amendments to Facilities with Regional Impact (G. Hughes), read the first time by short title and referred to the Rules Committee.

H.B. 127, Offer of Settlement Provisions (L. Christensen), read the first time by short title and referred to the Rules Committee.

H.B. 128, Compensation of Executive Officers (L. Christensen), read the first time by short title and referred to the Rules Committee.

H.B. 129, School Uniforms (C. Frank), read the first time by short title and referred to the Rules Committee.

H.B. 130, Income Tax Subtraction for Specialized Immigrant Services (A. Tilton), read the first time by short title and referred to the Rules Committee.


H.B. 132, Internet Crimes Against Children (T. Cosgrove), read the first time by short title and referred to the Rules Committee.

H.B. 133, Mobile Home Park – Notice of Sale of Underlying Property (M. Wheatley), read the first time by short title and referred to the Rules Committee.

H.B. 134, Public Safety Officers – Critical Incident Shooting Provisions (P. Ray), read the first time by short title and referred to the Rules Committee.

H.B. 241, Veterans Nursing Home (D. G. Buxton), read the first time by short title and referred to the Rules Committee.

H.B. 242, Criminal Penalty for Animal Cruelty (S. Wyatt), read the first time by short title and referred to the Rules Committee.

H.B. 243, Repeal of Geriatric Care Manager (R. Lockhart), read the first time by short title and referred to the Rules Committee.

H.B. 244, Transfer of Prescriptions (N. Hansen), read the first time by short title and referred to the Rules Committee.

H.B. 245, Compensation of Constitutional Officers – Benefits and Insurance (M. Noel), read the first time by short title and referred to the Rules Committee.
H.B. 246, Waste Fees Amendments (S. Urquhart), read the first time by short title and referred to the Rules Committee.

H.B. 247, Credit or Refund for Tax Paid on Cigarette or Tobacco Product Destroyed or Returned to the Manufacturer (E. Hutchings), read the first time by short title and referred to the Rules Committee.

H.B. 248, Child Support Obligations (E. Hutchings), read the first time by short title and referred to the Rules Committee.

H.B. 249, Carson Smith Special Needs Scholarships (M. Newbold), read the first time by short title and referred to the Rules Committee.

H.B. 250, Capitol Complex Space (J. Alexander), read the first time by short title and referred to the Rules Committee.

H.B. 251, Amendments Related to Public Utilities (A. Tilton), read the first time by short title and referred to the Rules Committee.

H.B. 252, Marriage Preparation Education (R. McGee), read the first time by short title and referred to the Rules Committee.

H.B. 253, Tax Amendments (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 254, Tax Credit for Tuition (S. Mascaro), read the first time by short title and referred to the Rules Committee.

H.B. 255, Investment of Higher Education Institution Endowment Funds (D. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 256, Local Government Acquisition of Real Property (A. Hardy), read the first time by short title and referred to the Rules Committee.

H.B. 257, Transportation General Obligation Bonds Authorization (S. Urquhart), read the first time by short title and referred to the Rules Committee.

H.B. 258, Individual Income Tax Credit for Employment–related Expenses (D. Litvack), read the first time by short title and referred to the Rules Committee.

H.B. 259, Adoption Amendments (A. Hardy), read the first time by short title and referred to the Rules Committee.
H.B. 260, Amendments Related to Pornographic and Harmful Materials (J. Dougall), read the first time by short title and referred to the Rules Committee.

H.B. 261, Motorboat Liability Insurance and Uninsured Motorist and Motorboat Identification Database Program Amendments (K. Gibson), read the first time by short title and referred to the Rules Committee.

H.B. 262, Licensure of Athletic Trainers (P. Ray), read the first time by short title and referred to the Rules Committee.

H.B. 263, Insurers Rehabilitation and Liquidation (J. Dougall), read the first time by short title and referred to the Rules Committee.

H.B. 264, State Land Use Management Plans Amendments (M. Noel), read the first time by short title and referred to the Rules Committee.

H.B. 265, Restrictions on Riders in the Back of Open Vehicle (C. Buttars), read the first time by short title and referred to the Rules Committee.

H.B. 266, Changes to Quality Growth Commission (C. Buttars), read the first time by short title and referred to the Rules Committee.

H.B. 267, Election Day Voter Registration (N. Hansen), read the first time by short title and referred to the Rules Committee.

H.B. 268, Drug Utilization Review Committee Amendments (R. Lockhart), read the first time by short title and referred to the Rules Committee.

H.B. 269, Sales Marketing Requirements (M. Noel), read the first time by short title and referred to the Rules Committee.

H.B. 270, Temporary Road Closures (M. Noel), read the first time by short title and referred to the Rules Committee.

H.B. 271, Commitment to Mental Health Authority (M. Noel), read the first time by short title and referred to the Rules Committee.

H.B. 272, Patient Access to Providers and Contracting Amendments (R. Lockhart), read the first time by short title and referred to the Rules Committee.

H.B. 273, Real Estate and Mechanics Liens – Security Alternatives (M. Morley), read the first time by short title and referred to the Rules Committee.
H.B. 274, Referendum Procedure (D. Hogue), read the first time by short title and referred to the Rules Committee.

H.B. 275, Business Entity Amendments (R. Romero), read the first time by short title and referred to the Rules Committee.

H.B. 276, Division of Criminal Investigation and Technical Services Amendments (C. Oda), read the first time by short title and referred to the Rules Committee.

H.B. 277, Revisions to the Utah Credit Union Act (L. Christensen), read the first time by short title and referred to the Rules Committee.

H.B. 278, Termination of Parental Rights for Murder or Attempted Murder (J. Biskupski), read the first time by short title and referred to the Rules Committee.

H.B. 279, Clinical Counselor – Title Change (L. Fowlke), read the first time by short title and referred to the Rules Committee.

H.B. 280, Joint Custody Amendments (L. Christensen), read the first time by short title and referred to the Rules Committee.

H.B. 281, Task Force on Legislative Reforms (N. Hansen), read the first time by short title and referred to the Rules Committee.

H.B. 282, State Employee Ethics Amendments (J. Dougall), read the first time by short title and referred to the Rules Committee.

H.B. 283, Real Estate Amendments (G. Snow), read the first time by short title and referred to the Rules Committee.

H.B. 284, Restructure of State Utility Regulatory Entities (A. Tilton), read the first time by short title and referred to the Rules Committee.

H.B. 285, Certified Medication Aide (R. Lockhart), read the first time by short title and referred to the Rules Committee.

H.B. 286, Use of Public Education Monies (P. Jones), read the first time by short title and referred to the Rules Committee.

H.B. 287, Revenue Bonds and Capital Facilities Authorizations (D. G. Buxton), read the first time by short title and referred to the Rules Committee.
H.B. 288, Executive Compensation Amendments (J. Alexander), read the first time by short title and referred to the Rules Committee.

H.B. 289, Authority for Design Build Construction for Political Subdivisions (M. Morley), read the first time by short title and referred to the Rules Committee.

H.B. 290, Restrictions on Gifts (J. Ferrin), read the first time by short title and referred to the Rules Committee.

H.B. 291, Capitol Preservation Board Modifications (J. Alexander), read the first time by short title and referred to the Rules Committee.

H.B. 292, Ethnic Fairness Amendments (D. Bourdeaux), read the first time by short title and referred to the Rules Committee.

H.B. 293, Materials Harmful to Minors (D. Hogue), read the first time by short title and referred to the Rules Committee.

H.B. 294, Regulation of Assisted Living Facility Amendments (R. Lockhart), read the first time by short title and referred to the Rules Committee.

H.B. 295, Deferred Deposit Lending Revisions (L. Fowlke), read the first time by short title and referred to the Rules Committee.

H.B. 296, Condominium Ownership Act Amendments (C. Moss), read the first time by short title and referred to the Rules Committee.

H.B. 297, Aggravated Murder Amendments (S. Wyatt), read the first time by short title and referred to the Rules Committee.

H.B. 298, Foster Placements (N. Hansen), read the first time by short title and referred to the Rules Committee.

H.B. 299, Motor Vehicle Business Licensing Amendments (P. Ray), read the first time by short title and referred to the Rules Committee.

H.B. 300, Health Care Savings Account Act (M. Dayton), read the first time by short title and referred to the Rules Committee.

H.B. 301, Supplemental Appropriations III (R. Bigelow), read the first time by short title and referred to the Rules Committee.
H.B. 302, Regulation of Construction Industry (J. S. Adams), read the first time by short title and referred to the Rules Committee.

H.B. 303, Crime of Child Endangerment (E. Hutchings), read the first time by short title and referred to the Rules Committee.

H.B. 304, Premium Assistance Program for Covered–at–Work (K. Holdaway), read the first time by short title and referred to the Rules Committee.

H.B. 305, Collection Practices Amendments (D. Bourdeaux), read the first time by short title and referred to the Rules Committee.

H.B. 306, Amendment Regarding Controlled Substances (C. Oda), read the first time by short title and referred to the Rules Committee.

H.B. 307, Redevelopment Agency Changes (J. Dougall), read the first time by short title and referred to the Rules Committee.

H.B. 308, Archeological Resources Amendments (B. Johnson), read the first time by short title and referred to the Rules Committee.

H.B. 309, Municipal Budget Amendments (M. Walker), read the first time by short title and referred to the Rules Committee.

H.B. 310, Aging and Adult Services Program Amendments (E. Hutchings), read the first time by short title and referred to the Rules Committee.

H.B. 311, General Government Amendments (B. Dee), read the first time by short title and referred to the Rules Committee.

H.B. 312, Municipal Electrical Entities Amendments (A. Tilton), read the first time by short title and referred to the Rules Committee.

H.B. 313, Economic Development Initiative for Higher Education (K. Holdaway), read the first time by short title and referred to the Rules Committee.

H.B. 314, Driving Under the Influence Revisions (M. Noel), read the first time by short title and referred to the Rules Committee.

H.B. 315, Department of Community Development and Arts Restructure (D. G. Buxton), read the first time by short title and referred to the Rules Committee.
H.B. 316, **Driver License Requirements for Illegal Aliens** (A. Tilton), read the first time by short title and referred to the Rules Committee.

H.B. 317, **Vehicle Impound Amendments** (J. Gowans), read the first time by short title and referred to the Rules Committee.

H.B. 318, **Expansion of Governor’s Oversight** (C. Buttars), read the first time by short title and referred to the Rules Committee.

H.B. 319, **Expansion of Department of Administrative Services Oversight to Include Human Resource Management** (D. G. Buxton), read the first time by short title and referred to the Rules Committee.

H.B. 320, **Utility Regulatory Reform** (J. Gowans), read the first time by short title and referred to the Rules Committee.

H.B. 321, **Criminal Background Check Amendments** (B. Last), read the first time by short title and referred to the Rules Committee.

H.B. 322, **Motor Vehicle Collision Repairs – Consumer Rights** (T. Kiser), read the first time by short title and referred to the Rules Committee.

H.B. 323, **Access to Employment Data** (J. Mathis), read the first time by short title and referred to the Rules Committee.

H.B. 324, **Real Property – Reassessment after a Natural Disaster** (B. Last), read the first time by short title and referred to the Rules Committee.

H.B. 325, **Open Enrollment Amendments** (D. Bourdeaux), read the first time by short title and referred to the Rules Committee.

H.B. 326, **Early High School Graduation** (B. Daw), read the first time by short title and referred to the Rules Committee.

H.B. 327, **Department of Commerce – Demographic Data Tracking** (M. Wheatley), read the first time by short title and referred to the Rules Committee.

H.B. 328, **Rural Health Care Infrastructure Amendments** (M. Noel), read the first time by short title and referred to the Rules Committee.

H.B. 329, **County Contracted Services** (K. Holdaway), read the first time by short title and referred to the Rules Committee.
H.B. 330, Driver License Qualifications Amendments (G. Donnelson), read the first time by short title and referred to the Rules Committee.

H.B. 331, Disaster Relief Provisions (D. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 332, Possession of a Dangerous Weapon in a Vehicle (M. Morley), read the first time by short title and referred to the Rules Committee.

H.B. 333, Open Space Density Credit (D. Cox), read the first time by short title and referred to the Rules Committee.

H.B. 334, Divorce Education for Children (R. McGee), read the first time by short title and referred to the Rules Committee.

H.B. 335, Disconnecting Territory from a Municipality (C. Frank), read the first time by short title and referred to the Rules Committee.

H.B. 336, Voting Requirements (L. Shurtleff), read the first time by short title and referred to the Rules Committee.

H.B. 337, Golf Carts Allowed on Certain Highways (C. Moss), read the first time by short title and referred to the Rules Committee.

H.B. 338, Child and Family Welfare Revisions (L. Christensen), read the first time by short title and referred to the Rules Committee.

H.B. 339, School Trust Lands Revisions (D. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 340, Office of Recovery Services Fee (A. Tilton), read the first time by short title and referred to the Rules Committee.

H.B. 341, Child and Family Services Records (S. Mascaro), read the first time by short title and referred to the Rules Committee.

H.B. 342, Civil Legal Aid for Victims of Domestic Violence (S. Mascaro), read the first time by short title and referred to the Rules Committee.

H.B. 343, Improving Access to Prenatal Care and Strengthening Self Sufficiency (M. Wheatley), read the first time by short title and referred to the Rules Committee.

H.B. 344, Regulation of Phlebotomists (M. Wheatley), read the first time by short title and referred to the Rules Committee.
H.B. 345, State School Board Amendments (K. Morgan), read the first time by short title and referred to the Rules Committee.

H.B. 346, Schools for the Deaf and the Blind Salary Adjustments (K. Morgan), read the first time by short title and referred to the Rules Committee.

H.B. 347, Family Impact Statement (C. Frank), read the first time by short title and referred to the Rules Committee.

H.B. 348, Revising General Government (J. S. Adams), read the first time by short title and referred to the Rules Committee.

H.B. 349, Money Management Act Amendments (D. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 350, State Building Energy Efficiency Program (F. Hunsaker), read the first time by short title and referred to the Rules Committee.

H.B. 351, Health Insurance Disclosure Requirements (B. Last), read the first time by short title and referred to the Rules Committee.

H.B. 352, Mandatory Minimum Sentencing for Child Molesters (C. Frank), read the first time by short title and referred to the Rules Committee.

H.B. 353, Government Operations (J. Gowans), read the first time by short title and referred to the Rules Committee.

H.B. 354, Licensure of Wholesale Distributors of Prescription Drugs (B. Last), read the first time by short title and referred to the Rules Committee.

H.B. 355, Amendments to Workers Compensation Fund (D. Ure), read the first time by short title and referred to the Rules Committee.


H.B. 357, Amendments to Independent Entities (D. Ure), read the first time by short title and referred to the Rules Committee.

H.B. 358, Tax Credit for Tuition and Books (E. Hutchings), read the first time by short title and referred to the Rules Committee.

H.B. 359, Professional Licensing Amendments (M. Wheatley), read the first time by short title and referred to the Rules Committee.
H.B. 360, Protective Order Amendments (E. Hutchings), read the first time by short title and referred to the Rules Committee.

H.B. 361, Municipal Authority to Use Collection Agencies (M. Walker), read the first time by short title and referred to the Rules Committee.

H.B. 362, Appropriation for Highly Qualified Teachers (K. Holdaway), read the first time by short title and referred to the Rules Committee.

H.B. 363, Transportation Amendments (K. Gibson), read the first time by short title and referred to the Rules Committee.

H.B. 364, Abusive Attorneys Fees (B. Last), read the first time by short title and referred to the Rules Committee.

H.B. 365, Revolving Door Limitation for Public Officials to Become Lobbyists (C. Moss), read the first time by short title and referred to the Rules Committee.

H.B. 366, Ethics Commission (D. Litvack), read the first time by short title and referred to the Rules Committee.

H.B. 367, Restrictions on High Occupancy Vehicle Lane (D. Litvack), read the first time by short title and referred to the Rules Committee.

H.B. 368, Special Function Officers for Division of Occupational and Professional Licensing (N. Hendrickson), read the first time by short title and referred to the Rules Committee.

H.B. 369, Lobbyist Regulation (J. Ferrin), read the first time by short title and referred to the Rules Committee.

H.B. 370, Contribution Limits on Governor’s Campaign (J. Ferrin), read the first time by short title and referred to the Rules Committee.

H.B. 371, Designation of Next of Kin with Department of Health (J. Biskupski), read the first time by short title and referred to the Rules Committee.

H.B. 372, Power of Attorney Amendments (M. Newbold), read the first time by short title and referred to the Rules Committee.

H.B. 373, Education Technology Task Force (E. Hutchings), read the first time by short title and referred to the Rules Committee.
H.B. 374, Implements of Husbandry Permit Stickers (J. Mathis), read the first time by short title and referred to the Rules Committee.

H.B. 375, Revisions to General State Government (B. King), read the first time by short title and referred to the Rules Committee.

H.B. 376, Hill Air Force Museum (D. G. Buxton), read the first time by short title and referred to the Rules Committee.

H.B. 377, County Option Funding for Botanical, Cultural, Recreation, and Zoological Organizations or Facilities (E. Hutchings), read the first time by short title and referred to the Rules Committee.

H.B. 378, 911 Emergency Response Amendments (E. Hutchings), read the first time by short title and referred to the Rules Committee.

H.B. 379, Young Artist Provisions (G. Hughes), read the first time by short title and referred to the Rules Committee.

H.B. 380, Amendments to Local Districts (K. Morgan), read the first time by short title and referred to the Rules Committee.

H.C.R. 3, Resolution Regarding Washington County Waste Facility (B. Last), read the first time by short title and referred to the Rules Committee.

H.C.R. 11, Resolution Honoring the University of Utah Football Team (J. Alexander), read the first time by short title and referred to the Rules Committee.

H.C.R. 12, Resolution Urging Congress to Provide Sufficient Funding of Medicaid (R. Bigelow), read the first time by short title and referred to the Rules Committee.

H.C.R. 13, Concurrent Resolution Promoting Utah Saves Strategic Initiative (D. Hogue), read the first time by short title and referred to the Rules Committee.

H.J.R. 14, Resolution Establishing Redistricting Commission (R. McGee), read the first time by short title and referred to the Rules Committee.

H.J.R. 15, Resolution Regarding United States Trade Negotiations (S. Allen), read the first time by short title and referred to the Rules Committee.

H.J.R. 16, Joint Resolution Related to the Utah Athletic Foundation (D. Ure), read the first time by short title and referred to the Rules Committee.
H.J.R. 17, Resolution Honoring Celebration of Marriage Week (L. Fowlke), read the first time by short title and referred to the Rules Committee.

H.J.R. 18, Joint Resolution Supporting Counties Expansion of Correctional Facilities (D. Hogue), read the first time by short title and referred to the Rules Committee.

H.J.R. 19, Joint Resolution Urging Health Care for Utah’s Indigent and Needy Uninsured (L. Fowlke), read the first time by short title and referred to the Rules Committee.

H.J.R. 20, Master Study Resolution (J. Alexander), read the first time by short title and referred to the Rules Committee.

H.R. 8, Resolution Encouraging State Research Universities to Focus on Enhancing State Trust Lands (E. Hutchings), read the first time by short title and referred to the Rules Committee.

H.R. 9, House Resolution Discouraging Participation in Free Trade Areas of the Americas (G. Donnelson), read the first time by short title and referred to the Rules Committee.

H.R. 10, Resolution Supporting Participation of Taiwan in World Health Organization (B. Last), read the first time by short title and referred to the Rules Committee.

H.R. 11, Resolution Urging Congress to Pass Balanced Budget Amendment (N. Hansen), read the first time by short title and referred to the Rules Committee.

SPECIAL ORDER OF BUSINESS

H.B. 240, DISASTER LOAN PROGRAM, read the third time by short title and placed on its final passage.

Representative Bigelow proposed the following amendment:

1. Page 2, Line 54 through Page 3, Line 61
   54 (b) The director shall ensure that the promissory note contains:
   55 (i) an annual percentage rate of 2%;
   56 (ii) a requirement that the principal and interest on the note are due on the May 1 in the
calendar year after the year in which the note is signed;  
(iii) terms allowing the county to prepay some or all of the note’s principal, interest, or both before the date that the note is due;  
(iv) terms that require repayment of the principal and interest on the note be made to the General Fund Budget Reserve Account established in Section 63−38−2.5; and  
(v) terms that limit the use of note proceeds to the repair and reconstruction of infrastructures owned by local governments located within the county.

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

H.B. 240, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard  Adams  Alexander  S. Allen  
Barrus  Becker  Bigelow  Biskupski  
Bourdex  Bowman  Buttars  Buxton  
Christensen  D. Clark  S. Clark  Cosgrove  
D. Cox  Daw  Dayton  Dee  
Donnelson  Dougall  Duckworth  Dunnigan  
Ferrin  Ferry  Fisher  Fowlke  
Frank  Gibson  Goodfellow  Gowans  
Hardy  Harper  Hendrickson  Hogue  
Holdaway  Hughes  Hunsaker  E. Hutchings  
B. Johnson  Jones  King  Kiser  
Last  Litvack  Lockhart  Mascaro  
Mathis  McGee  Menlove  Morgan  
Morley  Moss  Murray  Newbold  
Noel  Oda  Painter  Ray  
Romero  Shurtliff  G. Snow  Tilton  
Ure  Urquhart  Walker  Wallace  
Wheatley  Wheeler  Wiley  Wyatt  
Curtis

Absent or not voting were: Representatives

Hansen  Lawrence
**H.B. 240**, as amended, transmitted to the Senate for its consideration.

**COMMITTEE OF THE WHOLE**

On motion of Representative Alexander, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from the St. George Mayor and City Manager of Santa Clara.

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

**CONSENT CALENDAR**

**S.B. 9, AEROSPACE AND AVIATION DEVELOPMENT ZONE MODIFICATIONS**, read the third time by short title and placed on its final passage.

**S.B. 9** then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
</tr>
<tr>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
</tr>
<tr>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
</tr>
<tr>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
</tr>
<tr>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
</tr>
<tr>
<td>Last</td>
<td>Litvack</td>
<td>Lockhart</td>
<td>Mascaro</td>
</tr>
<tr>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
</tr>
<tr>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
</tr>
<tr>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
</tr>
<tr>
<td>Romero</td>
<td>Shurtliff</td>
<td>G. Snow</td>
<td>Tilton</td>
</tr>
<tr>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
<td>Wallace</td>
</tr>
<tr>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
</tr>
<tr>
<td>Curtis</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>S. Allen</th>
<th>Lawrence</th>
</tr>
</thead>
</table>
S.B. 9 was signed by the Speaker in open session and transmitted to the Senate for the signature of the President.

* * *

S.B. 101, UTAH ADMINISTRATIVE RULEMAKING ACT REVISION, read the third time by short title and placed on its final passage.

On motion of Representative Ure, the House voted to move S.B. 101 to the bottom of the Senate Third Reading Calendar.

THIRD READING CALENDAR

H.B. 17, MOTION PICTURE INCENTIVE FUND, read the third time by short title and placed on its final passage.

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

* * *

H.B. 9, SALES AND USE TAX − AGRICULTURAL EXEMPTION VEHICLE LIMITATION, read the third time by short title and placed on its final passage.

H.B. 9, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard  Alexander  Barrus  Becker
Bigelow  Bourdeaux  Bowman  Buttars
Buxton  Christensen  D. Clark  Cosgrove
D. Cox  Daw  Dayton  Dee
Donnelson  Dougall  Duckworth  Ferrin
Ferry  Fisher  Fowlke  Frank
Gibson  Goodfellow  Gowans  Hansen
Harper  Hogue  Hunsaker  E. Hutchings
B. Johnson  Jones  King  Kiser
Last  Litvack  Mascaro  Mathis
McGee  Menlove  Morgan  Morley
Moss  Murray  Newbold  Noel
Oda  Painter  Ray  Romero
Shurtliff  G. Snow  Tilton  Urquhart
Walker  Wallace  Wheatley  Wheeler
Wiley  Wyatt  Curtis
Absent or not voting were: Representatives

Adams          S. Allen          Biskupski          S. Clark
Dunnigan       Hardy            Hendrickson       Holdaway
Hughes         Lawrence         Lockhart           Ure

H.B. 9, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 171, CALCULATION OF MINING SEVERANCE TAX ON BERYLLIUM, read the third time by short title and placed on its final passage.

H.B. 171 then passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives

Aagard   Alexander   S. Allen   Barrus
Becker   Bigelow     Bourdeaux  Bowman
Buttars  Buxton      Christensen D. Clark
Cosgrove D. Cox     Daw        Dayton
Dee      Donnelson   Dougall    Duckworth
Ferrin   Ferry       Fisher     Fowlke
Frank    Gibson      Goodfellow Gowans
Hansen   Harper      Hogue      Holdaway
Hunsaker E. Hutchings B. Johnson Jones
King     Kiser       Last       Litvack
Mascaro  Mathis     McGee      Menlove
Morgan   Morley      Moss       Murray
Newbold  Noel       Oda        Painter
Ray      Romero      Shurtliff  G. Snow
Tilton   Urquhart    Walker     Wallace
Wheatley Wheeler    Wiley      Wyatt
Curtis

Absent or not voting were: Representatives

Adams         Biskupski       S. Clark       Dunnigan
Hardy         Hendrickson    Hughes         Lawrence
Lockhart       Ure

H.B. 171 transmitted to the Senate for its consideration.
H.B. 190. INDIVIDUAL INCOME TAX – ELECTRONIC FILING REQUIREMENTS, read the third time by short title and placed on its final passage.

On motion of Representative S. Clark, the House voted to delete H.B. 190 in title and body and insert Sub. H.B. 190 in lieu thereof.

On motion of Representative S. Clark, the House voted to circle Sub. H.B. 190.

H.R. 2. RESOLUTION SUPPORTING PERMANENT REPEAL OF FEDERAL INHERITANCE TAX, read the third time by short title and placed on its final passage.

H.R. 2 then passed on the following roll call:

**Yeas, 59; Nays, 10;Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Bigelow</td>
<td>Bowman</td>
<td>Buttars</td>
</tr>
<tr>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
</tr>
<tr>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
</tr>
<tr>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
</tr>
<tr>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>Kiser</td>
<td>Last</td>
<td>Lockhart</td>
</tr>
<tr>
<td>Mathis</td>
<td>Menlove</td>
<td>Morley</td>
<td>Murray</td>
</tr>
<tr>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
</tr>
<tr>
<td>Ray</td>
<td>Shurtliff</td>
<td>G. Snow</td>
<td>Tilton</td>
</tr>
<tr>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
<td>Wallace</td>
</tr>
<tr>
<td>Wheeler</td>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Becker</th>
<th>Biskupski</th>
<th>Bourdeaux</th>
<th>Cosgrove</th>
</tr>
</thead>
<tbody>
<tr>
<td>King</td>
<td>Litvack</td>
<td>McGee</td>
<td>Romero</td>
</tr>
<tr>
<td>Wheatley</td>
<td>Wiley</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Absent or not voting were: Representatives
D. Cox  Jones  Lawrence  Mascaro
Morgan  Moss

H.R. 2 was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

UNFINISHED BUSINESS

On motion of Representative Dunnigan, the House voted to uncircle H.B. 191.

H.B. 191, CAPTIVE INSURANCE LAW AMENDMENTS, was before the House on its final passage.

H.B. 191, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Bigelow  Biskupski
Bourdeaux  Bowman  Buttars  Buxton
Christensen  D. Clark  S. Clark  Cosgrove
D. Cox  Daw  Dayton  Dee
Donnelson  Dougall  Duckworth  Dunnigan
Ferrin  Ferry  Fisher  Fowlke
Frank  Gibson  Goodfellow  Gowans
Hansen  Hardy  Harper  Hendrickson
Hogue  Hughes  Hunsaker  E. Hutchings
B. Johnson  King  Kiser  Last
Litvack  Lockhart  Mathis  McGee
Menlove  Morgan  Morley  Moss
Murray  Newbold  Noel  Oda
Painter  Ray  Romero  Shurtliff
G. Snow  Tilton  Ure  Urquhart
Walker  Wallace  Wheatley  Wheeler
Wiley  Wyatt  Curtis

Absent or not voting were: Representatives
Holdaway  Jones  Lawrence  Mascaro

H.B. 191, as amended, transmitted to the Senate for its consideration.
On motion of Representative S. Clark, the House voted to uncircle Sub. H.B. 190.

Sub. H.B. 190, INDIVIDUAL INCOME TAX – ELECTRONIC FILING REQUIREMENTS, was before the House on its final passage.

Sub. H.B. 190 then passed on the following roll call:

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

Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
</tr>
<tr>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
</tr>
<tr>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
</tr>
<tr>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
<tr>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
</tr>
<tr>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
</tr>
<tr>
<td>Litvack</td>
<td>Lockhart</td>
<td>Mascaro</td>
<td>Mathis</td>
</tr>
<tr>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
<td>Morley</td>
</tr>
<tr>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
</tr>
<tr>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
<td>Romero</td>
</tr>
<tr>
<td>Shurtliff</td>
<td>G. Snow</td>
<td>Tilton</td>
<td>Ure</td>
</tr>
<tr>
<td>Urquhart</td>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
</tr>
<tr>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
<td>Curtis</td>
</tr>
</tbody>
</table>

Absent or not voting were: Representatives

| Hansen | Holdaway | Lawrence |

Sub. H.B. 190 transmitted to the Senate for its consideration.

On motion of Representative Lockhart, the House voted to uncircle H.B. 13.

H.B. 13, OCCUPATIONAL AND PROFESSIONAL LICENSING SUNSET AMENDMENT, was before the House on its final passage.
Representative Lockhart proposed the following amendment:

1. Page 2, Line 58 through Page 3, Line 59

   58 \{(23)\} (11) Title 58, Chapter 53, Landscape Architects Licensing Act, is repealed July

   59 \{4–2008\–\}

   renumber accordingly

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

H.B. 13, as amended, then passed on the following roll call:

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
</tr>
<tr>
<td>D. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
</tr>
<tr>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Ferry</td>
</tr>
<tr>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
</tr>
<tr>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
</tr>
<tr>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
</tr>
<tr>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
</tr>
<tr>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
</tr>
<tr>
<td>Litvack</td>
<td>Lockhart</td>
<td>Mascaro</td>
<td>Mathis</td>
</tr>
<tr>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
<td>Morley</td>
</tr>
<tr>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
</tr>
<tr>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
<td>Romero</td>
</tr>
<tr>
<td>Shurtliff</td>
<td>G. Snow</td>
<td>Tilton</td>
<td>Ure</td>
</tr>
<tr>
<td>Urquhart</td>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
</tr>
<tr>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
<td>Curtis</td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

| Bowman | S. Clark | Lawrence |

H.B. 13, as amended, transmitted to the Senate for its consideration.

**RULES COMMITTEE REPORT**

Mr. Speaker: January 31, 2005

The Rules Committee has ordered the following House bills printed and recommends the following bills and resolutions be assigned to standing committees:
BUSINESS AND LABOR
H.B. 236  Health Insurance Law Amendments (Rep. J. Dunnigan)
S.B. 40  Regulation of Title Insurance Industry (Sen. T. Hatch)
S.B. 87  Residence Lien Restriction and Lien Recovery Fund Amendments (Sen. D. Thomas)
S.B. 115  Permanent Total Disability Amendments (Sen. E. Mayne)

EDUCATION
H.B. 102  Higher Education Savings Incentive Program Amendments (Rep. S. Wyatt)
H.B. 169  Appropriation for School Districts Impacted by Fee Waivers (Rep. L. Shurtliff)

HEALTH AND HUMAN SERVICES
S.B. 90  County Officers Serving on Boards of County Mental Health and Substance Abuse Providers (Sen. D. Thomas)
S.B. 93  Children’s Justice Center Addition (Sen. T. Hatch)

JUDICIARY
H.B. 95  Sex Offender Registration Amendments (Rep. M. S. Lawrence)
S.B. 91  Interstate Juvenile Compact (Sen. L. Hillyard)
S.B. 94  Restitution Amendments (Sen. G. Bell)

LAW ENFORCEMENT AND CRIMINAL JUSTICE
H.B. 98  Offenses Committed Against Correctional and Peace Officers (Rep. C. Oda)
S.B. 30  Amendments to Search Warrants (Sen. D. Thomas)

NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT
H.B. 152  County Option Sales and Use Tax for Agricultural Land, Open Land, and Recreational Facilities Act (Rep. C. Buttars)

POLITICAL SUBDIVISIONS
S.B. 88  Creation of Local Districts (Sen. C. Walker)
S.B. 97  Consolidation of City and County Library (Sen. G. Bell)
S.J.R. 3  Resolution Encouraging Mediation (Sen. C. Walker)

PUBLIC UTILITIES AND TECHNOLOGY
H.B. 238  Utah Technology Commission Membership
           (Rep. J. Dougall)

TRANSPORTATION
H.B. 149  Vehicle Identification Number Inspectors (Rep. C. Frank)

WORKFORCE SERVICES AND COMMUNITY & ECONOMIC DEVELOPMENT
1st Sub. S.B. 35  Relationships with Venture Capital Entities
                  (Sen. D. Thomas)  Rebecca Lockhart, Chair

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

MISCELLANEOUS BUSINESS

On motion of Representative Ure, the House voted to lift the following bills from the Third Reading Calendar and set them for Time Certain on Thursday, February 3, 2005 at 10:30 a.m.: H.B. 29, Sub. H.B. 38, and H.B. 157.

***

On motion of Representative Alexander, the House voted to adjourn until January Alexander, 2005, at 10:00 a.m.
MORNING SESSION

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

Roll call showed all members present except Representative Holdaway, excused.

Prayer by a guest of Representative Roz McGee, Reverend Catherine Putnam, Wasatch Presbyterian Church, Salt Lake City.

Pledge of Allegiance by Representative Roz McGee.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: January 31, 2005

The Senate passed S.B. 4, UNINSURED MOTORIST PROPERTY DAMAGE COVERAGE AMENDMENTS, by Senator D. Eastman, and it is transmitted for consideration; and

...
Mr. Speaker: January 31, 2005

The Senate passed, **H.B. 240**, DISASTER LOAN PROGRAM, by Representative R. Bigelow, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. **H.B. 240** was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

**REPORTS OF STANDING COMMITTEES**

Mr. Speaker: January 31, 2005

The Transportation Committee reports a favorable recommendation on **H.B. 91**, LICENSE PLATE FOR DISABLED AMERICAN VETERANS, by Representative R. Bigelow; and

The Transportation Committee reports a favorable recommendation on **H.B. 93**, EMISSION INSPECTION AMENDMENTS, by Representative K. Gibson.

Joseph G. Murray, Chair

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

**H.B. 91** and **H.B. 93**, read the second time by short title and placed on the calendar for third reading.

** ***

Mr. Speaker: January 31, 2005

The Judiciary Committee reports a favorable recommendation on **S.B. 21**, LIMITATION ON LIABILITY REGARDING LIQUEFIED PETROLEUM GAS, by Senator D. Eastman; and

The Judiciary Committee reports a favorable recommendation on **H.B. 4**, DIVORCE MEDIATION PROGRAM, by Representative B. Ferry, with the following amendments:
1. Page 1, Line 27 through Page 2, Line 34:

27 (2) If, after the filing of an answer to a complaint of divorce, there are any remaining
28 contested issues, the parties shall participate in good faith in at least one session of mediation. This requirement does not preclude the entry of pre−trial orders before mediation takes place.

* * * Some lines not shown * * *

33 (5) The director of dispute resolution programs for the courts, the court, or the mediator may
34 excuse either party from the requirement to mediate for good cause.

James A. Ferrin, Chair

Reports filed. On motion of Representative Ferrin, the reports of the Judiciary committee were adopted.

S.B. 21 and H.B. 4, as amended, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: January 31, 2005

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on H.B. 89, PRESUMPTION OF RESPONSIBILITY FOR ABUSE OR NEGLECT, by Representative L. Christensen; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on H.B. 208, UNCLAIMED PROPERTY AMENDMENTS, by Representative P. Ray, with the following amendments:

1. Page 5, Lines 129 through 142:

129 (2) If the [custodial] property is not claimed by the owner [before the expiration of]
130 three months from the receipt of notice] following the notice or attempted notice required in
131 Section 77−24−2, or if the owner is unknown and no claim of ownership has been made, the
132 agency having possession of the [custodial] property may [either]:
133 (a) {−−} appropriate {−−} {−−}rein {−−} to public interest use as provided in Subsection
Day 16240 HOUSE JOURNAL

134 (3); [or]
135  (b) sell the property at public auction, as provided by law and
{[retain —]} appropriate {—} {{—retain —}} the
136 proceeds of the sale [to its own] {—for —} to public interest
use[—]; or
137 (c) destroy the property if unfit for sale.
138 (3) Before [appropriating the custodial]
{—retaining } appropriating the property {—for —} to
public interest use,
139 the agency having possession of the property shall obtain from the
legislative body of its
140 jurisdiction:
141 (a) permission to {—} appropriate {—} {{—retain —}}
the property to public interest use ; and
142 (b) the designation and approval of the public interest use of the
property.

The Law Enforcement and Criminal Justice Committee reports a favorable
recommendation on H.B. 215, PROPERTY TRACKING AMENDMENTS, by
Representative P. Ray.

DeMar “Bud” Bowman, Chair

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

H.B. 89, H.B. 208, as amended, and H.B. 215, read the second time by short
title and placed on the calendar for third reading.

* * *

Mr. Speaker: January 31, 2005

The Natural Resources, Agriculture, and Environment Committee reports a
favorable recommendation on H.B. 150, WATER RIGHTS FEES, by
Representative J. Gowans; and

The Natural Resources, Agriculture, and Environment Committee
recommends H.B. 155, AGRICULTURAL COOP AMENDMENTS, by
Representative C. Buttars, be replaced and favorably recommends 1st Sub.
H.B. 155, AGRICULTURAL COOP AMENDMENTS; and
The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 156**, DAIRY PROMOTION ACT AMENDMENTS, by Representative D. Ure; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 224**, PERMANENT COMMUNITY IMPACT FUND – BOARD MEMBERSHIP, by Representative J. Mathis, with the following amendments:

1. Page 2, Lines 50 through 55:

   50 (2) (a) The members specified under Subsections (1)(f) through (1)(j) may not reside in the same county and shall be:

   51 (i) nominated by the Board of Directors of the Southeastern Association of Governments, Central Utah Association of Governments, Uintah Basin Association of Governments, and Southwestern Association of Governments, respectively, except that a member under Subsection (1)(j) shall be nominated by the Board of Directors of the Association of Governments from the region of the state in which the county is located; and

   55 (ii) appointed by the governor with the consent of the Senate.

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.C.R. 10**, CONCURRENT RESOLUTION HONORING WALDO WILCOX FOR PRESERVATION OF RANGE CREEK AREA, by Representative B. King, with the following amendments:

1. Page 1, Line 27 through Page 2, Line 29:

   27 WHEREAS, with key funding appropriated by the United States Congress and the Utah Quality Growth Commission, and extensive lobbying for the purchase by the Sportsmen for Fish and Wildlife, the ranch was subsequently acquired by the state of Utah;
2. Page 2, Lines 36 through 37:

36 WHEREAS, much of Range Creek is believed to have been inhabited a thousand years ago by pre–Columbian cultures, including the Fremont and the {Anasazi–} Archaic;

Roger E. Barrus, Chair

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


THIRD READING CALENDAR

H.B. 201, LIFE INSURANCE AND ANNUITIES LAW AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Dunnigan proposed the following amendment:

1. Page 1, Lines 11 through 15

House Committee Amendments 1–24–2005

11 This bill:

addresses provisions of the standard nonforfeiture law for individual deferred annuities.

12 [defines a two–tier annuity;]

13 exempts two–tier annuities from certain cash surrender value requirements;

14 makes permissive a requirement that the commissioner make rules to establish standards for materials used in the solicitation or sale of life insurance;

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

H.B. 201, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard Adams Alexander Barrus
Becker Bigelow Biskupski Bourdeaux
Absent or not voting were: Representatives
S. Allen Holdaway Lockhart Tilton Ure

H.B. 201, as amended, transmitted to the Senate for its consideration.

***

H.B. 189, APPLIED TECHNOLOGY PROGRAM AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 189 then failed to pass on the following roll call:

Yeas, 26; Nays, 45; Absent or not voting, 4.

Voting in the affirmative were: Representatives
Aagard Adams Alexander Bigelow
Christensen S. Clark D. Cox Daw
Dayton Donnelson Dougall Fowlke
Frank Hardy Harper Hughes
E. Hutchings Lockhart Mathis Newbold
Oda Painter Tilton Walker
Wallace Wheatley Wheeler Wiley

Voting in the negative were: Representatives
S. Allen Barrus Becker Biskupsiki
Bourdeaux Bowman Buttars Buxton
Absent or not voting were: Representatives
Dunnigan Holdaway Morley Urquhart

H.B. 189 was filed.

* * *

H.C.R. 1, RESOLUTION PROMOTING MODERATELY SIZED SCHOOLS, read the third time by short title and placed on its final passage.

H.C.R. 1 then passed on the following roll call:

Yeas, 66; Nays, 4; Absent or not voting, 5.

Voting in the affirmative were: Representatives
Aagard Adams S. Allen Barrus
Becker Bigelow Biskupski Bowman
Buttars Buxton D. Clark S. Clark
Cosgrove D. Cox Daw Dayton
Dee Donnelson Dougall Duckworth
Dunnigan Ferrin Ferry Fisher
Fowlke Frank Gibson Goodfellow
Hansen Hardy Harper Hogue
Hughes Hunsaker B. Johnson Jones
King Kiser Last Lawrence
Litvack Mascaro Mathis McGee
Menlove Morgan Morley Moss
Murray Newbold Noel Oda
Painter Ray Romero Shurtliff
G. Snow Tilton Urquhart Walker
Wallace Wheatley Wheeler Wyatt
Wyatt Curtis
Voting in the negative were: Representatives
Christensen  Gowans  Hendrickson  E. Hutchings

Absent or not voting were: Representatives
Alexander  Bourdeaux  Holdaway  Lockhart
Ure

H.C.R. 1 transmitted to the Senate for its consideration.

* * *

H.B. 165, UTAH COMMISSION ON AGING, read the third time by short title and placed on its final passage.

H.B. 165, as amended, then passed on the following roll call:

Yeas, 40; Nays, 32; Absent or not voting, 3.

Voting in the affirmative were: Representatives
S. Allen  Becker  Biskupski  Bourdeaux
Bowman  Buxton  D. Clark  S. Clark
Cosgrove  Dee  Duckworth  Dunnigan
Fowlke  Goodfellow  Gowans  Hansen
Hardy  Hendrickson  Hogue  Hunsaker
E. Hutchings  Jones  King  Last
Lawrence  Litvack  Mascaro  McGee
Menlove  Morgan  Moss  Murray
Noel  Painter  Ray  Romero
Shurtleff  Wheatley  Wheeler  Wiley

Voting in the negative were: Representatives
Aagard  Adams  Alexander  Barrus
Bigelow  Buttars  Christensen  D. Cox
Daw  Dayton  Donnelson  Dougall
Ferrin  Ferry  Fisher  Frank
Gibson  Harper  Hughes  B. Johnson
Kiser  Lockhart  Mathis  Morley
Newbold  Oda  G. Snow  Tilton
Walker  Wallace  Wyatt  Curtis

Absent or not voting were: Representatives
Holdaway  Ure  Urquhart

H.B. 165, as amended, transmitted to the Senate for its consideration.
H.B. 198, NATUROPATHIC FORMULARY PEER COMMITTEE AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle H.B. 198.

H.B. 168, COOPERATIVE WILDLIFE MANAGEMENT UNIT AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 168 then passed on the following roll call:

**Y** eas, 69; **N** ays, 1; **A** bsent or not voting, 5.

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
</tr>
<tr>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
</tr>
<tr>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
<tr>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
</tr>
<tr>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Litvack</td>
<td>Mascaro</td>
<td>Mathis</td>
</tr>
<tr>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
<td>Morley</td>
</tr>
<tr>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
</tr>
<tr>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
<td>Romero</td>
</tr>
<tr>
<td>Shurtliff</td>
<td>Tilton</td>
<td>Urquhart</td>
<td>Walker</td>
</tr>
<tr>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
</tr>
<tr>
<td>Wyatt</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative was:** Representative

Dougal

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Holdaway</th>
<th>Lockhart</th>
<th>G. Snow</th>
<th>Ure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Curtis</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

H.B. 168 transmitted to the Senate for its consideration.
* * *

**Sub. H.B. 182.** HISTORICAL LIVESTOCK TRAILS, read the third time by short title and placed on its final passage.

**Sub. H.B. 182** then passed on the following roll call:

**Yeas, 69; Nays, 1; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

- Aagard
- Adams
- Alexander
- S. Allen
- Barrus
- Becker
- Bigelow
- Biskupski
- Bowman
- Buttars
- Buxton
- Christensen
- D. Clark
- S. Clark
- Cosgrove
- D. Cox
- Daw
- Dayton
- Dee
- Donnelson
- Duckworth
- Dunnigan
- Ferrin
- Ferry
- Fisher
- Fowlke
- Frank
- Gibson
- Goodfellow
- Gowans
- Hansen
- Hardy
- Harper
- Hendrickson
- Hogue
- Hughes
- Hunsaker
- E. Hutchings
- B. Johnson
- Jones
- King
- Kiser
- Last
- Lawrence
- Lockhart
- Mascaro
- Mathis
- McGee
- Menlove
- Morgan
- Morley
- Murray
- Newbold
- Noel
- Painter
- Ray
- Romero
- Shurtleff
- G. Snow
- Tilton
- Ure
- Urquhart
- Walker
- Wallace
- Wheatley
- Wheeler
- Wiley
- Wyatt
- Curtis

**Voting in the negative was:** Representative

Dougall

**Absent or not voting were:** Representatives

- Bourdeaux
- Holdaway
- Litvack
- Moss
- Oda

**Sub. H.B. 182** transmitted to the Senate for its consideration.

**UNFINISHED BUSINESS**

On motion of Representative Ferrin, the House voted to uncircle **H.B. 198.**

**H.B. 198,** NATUROPATHIC FORMULARY PEER COMMITTEE AMENDMENTS, was before the House on its final passage.
Representative Ferrin proposed the following amendment:

1. Page 2, Line 45

   45 (c) serve without compensation, travel costs, or per diem for their services.

   (4) The committee and the division may seek input from other licensing boards.

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

H.B. 198, as amended, then passed on the following roll call:

**Yeas, 59; Nays, 1; Absent or not voting, 15.**

**Voting in the affirmative were:** Representatives

Aagard  Alexander  S. Allen  Barrus
Becker  Bigelow  Bourdeaux  Bowman
Buttars  Buxton  Christensen  D. Clark
Cosgrove  D. Cox  Daw  Dee
Donnelson  Duckworth  Ferrin  Ferry
Fisher  Fowlke  Frank  Gibson
Goodfellow  Gowans  Hansen  Harper
Hogue  Hunsaker  E. Hutchings  B. Johnson
Jones  King  Last  Lawrence
Mascaro  Mathis  Menlove  Morgan
Morley  Moss  Murray  Newbold
Noel  Painter  Ray  Romero
Shurtliff  G. Snow  Tilton  Urquhart
Walker  Wallace  Wheatley  Wheeler
Wiley  Wyatt  Curtis

**Voting in the negative was:** Representative

Dayton

**Absent or not voting were:** Representatives

Adams  Biskupski  S. Clark  Dougall
Dunnigan  Hardy  Hendrickson  Holdaway
Hughes  Kiser  Litvack  Lockhart
McGee  Oda  Ure

H.B. 198, as amended, transmitted to the Senate for its consideration.

**THIRD READING CALENDAR**

**H.C.R. 4, UTAH ATHLETIC FOUNDATION RESOLUTION,** read the third time by short title and placed on its final passage.
On motion of Representative Alexander, the House voted to circle **H.C.R. 4.**

***

**Sub. H.B. 40.** REPEAL OF SUNSET OF TOWNSHIP PROVISION, read the third time by short title and placed on its final passage.

**Sub. H.B. 40,** as amended, then passed on the following roll call:

**Yeas, 70; Nays, 2; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Alexander</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
</tr>
<tr>
<td>Bowman</td>
<td>Butters</td>
<td>Buxton</td>
<td>Christensen</td>
</tr>
<tr>
<td>D. Clark</td>
<td>S. Clark</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
</tr>
<tr>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Ferry</td>
</tr>
<tr>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
</tr>
<tr>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
</tr>
<tr>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Hughes</td>
<td>Hunsaker</td>
</tr>
<tr>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
</tr>
<tr>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
</tr>
<tr>
<td>Lockhart</td>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
</tr>
<tr>
<td>Menlove</td>
<td>Morgan</td>
<td>Morley</td>
<td>Moss</td>
</tr>
<tr>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
<td>Painter</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Shurtleff</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
</tr>
<tr>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
</tr>
<tr>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Cosgrove</th>
<th>Harper</th>
</tr>
</thead>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>Holdaway</th>
<th>Oda</th>
</tr>
</thead>
</table>

**Sub. H.B. 40,** as amended, transmitted to the Senate for its consideration.

**RULES COMMITTEE REPORTS**

Mr. Speaker: February 1, 2005

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 97,** State Budget Provisions (Rep. G. Curtis), be replaced with
Substitute H.B. 97, State Budget Provisions (Rep. G. Curtis), and further recommends it be assigned to the Business and Labor Standing Committee; and

The House Rules Committee recommends, with written request of the sponsor, that H.B. 151, School Community Councils (Rep. J. Dougall), be replaced with Substitute H.B. 151, School Community Councils (Rep. J. Dougall), and further recommends it be assigned to the Education Standing Committee; and

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

**BUSINESS AND LABOR**

S.B. 4  Uninsured Motorist Property Damage Coverage Amendments (Sen. D. Eastman)


**EDUCATION**

H.B. 84  Reading Requirements for Student Advancement (Rep. K. Morgan)

H.B. 135  Implementing Federal Educational Programs (Rep. M. Dayton)

1st Sub. S.B. 122  Resident Tuition Status for Job Corps Students (Sen. G. Bell)

**GOVERNMENT OPERATIONS**

H.B. 99  State Fleet Vehicle Classification (Rep. E. Hutchings)

H.B. 154  School and Institutional Trust Lands Amendments (Rep. E. Hutchings)

**LAW ENFORCEMENT AND CRIMINAL JUSTICE**

H.B. 42  Medical Recommendations for Children (Rep. M. Morley)

H.B. 228  Removal or Defacement of Political Signs (Rep. G. Hughes)

**NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT**

S.C.R. 4  Resolution Approving Utah Recreational Land Exchange (Sen. B. Evans)
PUBLICATIONS AND TECHNOLOGY
H.B. 145  Amendments to Hearing and Speech Impaired Telecommunications Program (Rep. B. Goodfellow)
H.B. 234  Telephone Surcharge for Education and Training Programs At Prison (Rep. B. Goodfellow)

WORKFORCE SERVICES AND COMMUNITY & ECONOMIC DEVELOPMENT
S.B. 7  Funding for Tourism (Sen. S. Jenkins)

Rebecca Lockhart, Chair

Reports filed. On motion of Representative Lockhart, the reports of the Rules Committee were adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to recess until 2:00 p.m.

AFTERNOON SESSION

The House was called to order by Speaker Curtis at 2:00 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

February 1, 2005

The Senate passed, as substituted, and amended 1st Sub. S.B. 26, PUBLIC UTILITIES AMENDMENTS, by Senator G. Bell, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended 1st Sub. S.B. 44, GOVERNMENT RECORDS AMENDMENTS, by Senator C. Walker, and it is transmitted for consideration; and

The Senate passed S.B. 98, MOTOR VEHICLE REGISTRATION AND TITLE AMENDMENTS, by Senator S. Killpack, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended 1st Sub. S.B. 104, JUDICIARY AMENDMENTS, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended 1st Sub. S.B. 108, TELECOMMUNICATIONS REVISIONS, by Senator C. Bramble, and it is transmitted for consideration; and
The Senate passed **S.B. 116**, ARBITRATION – USE OF SUBPOENA AUTHORIZED, by Senator D. Eastman, and it is transmitted for consideration; and

The Senate passed **S.B. 117**, REPEAL OF UTAH TOMORROW STRATEGIC PLANNING COMMITTEE, by Senator M. Waddoups, and it is transmitted for consideration; and

The Senate passed **S.B. 118**, IDENTITY FRAUD AMENDMENTS, by Senator C. Walker, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 120**, ALLOCATION OF PROFITS FROM SCHOOL AND INSTITUTIONAL TRUST LANDS, by Senator T. Hatch, and it is transmitted for consideration; and

The Senate passed **S.B. 123**, GOVERNMENTAL IMMUNITY ACT – TECHNICAL AMENDMENTS, by Senator G. Bell, and it is transmitted for consideration; and

The Senate passed **S.J.R. 6**, SPACE EXPLORATION RESOLUTION, by Senator P. Knudson, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate


**REPORTS OF STANDING COMMITTEES**

Mr. Speaker: February 1, 2005

The Business and Labor Committee reports a favorable recommendation on **H.B. 70**, HEALTH DISCOUNT PROGRAM CONSUMER PROTECTION ACT, by Representative J. Dunnigan, with the following amendments:
For purposes of this chapter:

(1) “Fee” means any periodic charge for use of a discount program.

(2) “Health care provider” means a health care provider as defined in Section 78−14−3 who:
    (a) is practicing within the scope of the provider’s license; and
    (b) any person that has agreed either directly or indirectly, by contract or any other arrangement with a health discount program operator, to provide a discount to enrollees of a health discount program.

RENUMBER REMAINING SUBSECTIONS

access to health care providers who agree to provide a discount for medical health care services.

(d) place your name on and market or promote a health discount program in this state.

(4)”Value−added benefit” means a discount offering with no additional charge made by a health insurer or health maintenance organization that is licensed under this title, in connection with existing contracts with the health insurer or health maintenance organization.

(m) Chapters 28 and 29; and

{(n) Chapter 33, Workers’ Compensation Fund; and

(o) } (n) Chapters 35 through 38.

“premium,” “enrollment,” and “preferred provider”; in writing in at least 12−point type and no smaller than the largest type on the page if type appears on the page that is larger than 12−point type; and
7. Page 10, Line 294:

294 (A) the program is not a {comprehensive} health insurance policy;

8. Page 10, Line 306 through Page 11, Line 307:

306 (1) (a) Health discount program operators must provide to each purchaser or potential {enrollee} purchaser a copy of the terms of the discount program {prior to} at the time of purchase.

(b) For purposes of this section “purchaser” means the employer in an employer sponsored plan, or an individual purchasing outside of an employer relationship.

9. Page 11, Line 310:

310 {methods for calculating discounts} cancellation procedures and corresponding refund requests.

10. Page 11, Lines 312 through 313:

312 (3) A contract must be signed by the {enrollee} purchaser acknowledging the terms before any fees are collected.

11. Page 11, Lines 334 through 335:

334 (b) The commissioner must approve any changes in forms that required approval under Section 31A–8a–203.

(3) A health insurer or health maintenance organization licensed under this title shall annually file with the Accident and Health Data Survey, a list of all value added benefits offered at no cost to its enrollees.

The Business and Labor Committee reports a favorable recommendation on H.B. 209, ADMINISTRATIVE RULES – IMPACT ON SMALL BUSINESSES, by Representative G. Hughes, with the following amendments:

1. Page 3, Lines 83 through 84:

83 (18) “Small business” means a business employing fewer than {100} 50 persons {or a
Reports filed. On motion of Representative S. Clark, the reports of the Business and Labor committee were adopted.


* * *

Mr. Speaker: February 1, 2005

The Education Committee reports a favorable recommendation on **H.B. 188**, BEGINNING TEACHER ENHANCEMENTS, by Representative B. Johnson, et al; and

The Education Committee recommends **H.B. 74**, TUITION REIMBURSEMENT PROGRAM FOR STUDENTS SEEKING TEACHER LICENSURE IN DISABILITY OR SPECIAL EDUCATION, by Representative R. Menlove, be replaced and reports a favorable recommendation on **2nd Sub. H.B. 74**, TUITION PROGRAM FOR STUDENTS SEEKING TEACHER LICENSURE IN DISABILITY OR SPECIAL EDUCATION with the following amendments:

1. Page 3, Lines 73 through 80:

   (c) Incentive loans shall be awarded in accordance with prioritized critical areas of need for teaching expertise within the state’s public education system as determined by the State Board of Education[...], {with first priority given to preparing teachers within this state as } including :

   (a) a special education teacher;

   (b) a school psychologist;

   (c) a speech or language pathologist; or

   (d) another licensed professional providing services in the public schools to pupils with disabilities.

The Education Committee reports a favorable recommendation on **H.J.R. 11**, RESOLUTION ENCOURAGING SCHOOLS TO ADOPT NUTRITION AND
PHYSICAL ACTIVITY POLICIES, by Representative P. Jones, with the following amendments:

1. Page 2, Line 54:
   Delete “schools” and insert “school community councils”

2. Page 2, Line 55:
   After “work” delete “with the Legislature”

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


***

Mr. Speaker: February 1, 2005

The Public Utilities and Technology Committee reports a favorable recommendation on H.B. 214, EMERGING TECHNOLOGIES AND OPEN GOVERNMENT, by Representative D. Clark.

   Sheryl L. Allen, Chair
Report filed. On motion of Representative Allen, the report of the Public Utilities and Technology committee was adopted.

H.B. 214, read the second time by short title and placed on the calendar for third reading.

***

Mr. Speaker: February 1, 2005

The Health and Human Services Committee reports a favorable recommendation on H.B. 79, PROVISION OF SERVICES FOR PEOPLE WITH DISABILITIES, by Representative R. Lockhart, with the following amendments:

1. Page 2, Lines 29 through 31:
   29 ► prohibits the Division of Services for People with Disabilities from disbursing
   30 public funds to pay for the services of a direct service worker, unless the direct
   31 service worker successfully completes a background check or, after submitting the required information for a background check, and
before a determination on the background check is made, the direct service worker is directly supervised by a direct service worker who successfully completes a background check.

2. Page 11, Line 322:

(i) monitor and sanction approved providers, as specified in the providers’ contract.

3. Page 12, Lines 359 through 367:

(a) “office” is as defined in Section 62A−2−101; and

(b) “directly supervised” means that the person being supervised is under the uninterrupted visual and auditory surveillance of the person doing the supervising.

(2) Subject to Subsection (4), public funds may not be disbursed to pay a direct service worker for personal services rendered to a person, unless:

(a) the direct service worker is approved;

(b) (i) during the time that the direct service worker renders the services described in this Subsection (2), the direct service worker who renders the services is directly supervised by a direct service worker who is approved by the office to have direct access and provide services to children or vulnerable adults pursuant to Section 62A−2−120;

(ii) the direct service worker who renders the services described in this Subsection (2) has submitted the information required for a background check pursuant to Section 62A−2−120; and

(iii) the office has not determined whether to approve the direct service worker described in Subsection (2)(b)(ii) to have direct access and provide services to children or vulnerable adults.

(3) For purposes of Subsection (2), the office shall conduct a background check of a direct service worker:

(a) except as provided in Subsection (2)(b), before public funds are disbursed to pay the direct service worker for the personal services rendered to a person.
services described in Subsection (2); and

The Health and Human Services Committee reports a favorable recommendation on H.B. 22, INTERCOUNTRY ADOPTION ACCREDITATION, by Representative R. McGee, et al.

Bradley G. Last, Chair

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

H.B. 79, as amended, and H.B. 22, read the second time by short title and placed on the calendar for third reading.

MISCELLANEOUS BUSINESS

On motion of Representative Allen, the House voted to reconsider its action on H.B. 189.

RECONSIDERATION OF H.B. 189

H.B. 189, APPLIED TECHNOLOGY PROGRAM AMENDMENTS, was before the House upon its reconsideration.

On motion of Representative Ferrin, the House voted to circle H.B. 189.

UNFINISHED BUSINESS

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

H.B. 17, MOTION PICTURE INCENTIVE FUND, was before the House on its final passage.

Representative Fowlke declared a conflict of interest because her husband and sister are in the motion picture industry.

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

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

Voting in the affirmative were: Representatives

Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Biskupski  Bourdeaux
Bowman  Buxton  D. Clark  S. Clark
Cosgrove  D. Cox  Dayton  Dee
Duckworth  Ferrin  Ferry  Fowlke
Voting in the negative were: Representatives

Bigelow  Buttars  Daw  Dougall
Dunnigan  Frank  Hughes  Lockhart
Morley  Oda  Painter  Tilton
Urquhart  Wyatt

Absent or not voting were: Representatives

Christensen  Donnelson  Fisher

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

THIRD READING CALENDAR

H.B. 75, GOVERNMENT RECORDS ACCESS AND MANAGEMENT TASK FORCE, read the third time by short title and placed on its final passage.

H.B. 75, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard  Adams  S. Allen  Barrus
Becker  Bigelow  Biskupski  Bourdeaux
Bowman  Buttars  Buxton  Christensen
D. Clark  S. Clark  Cosgrove  D. Cox
Daw  Dayton  Dee  Donnelson
Dougall  Duckworth  Dunnigan  Ferrin
Ferry  Fisher  Fowlke  Frank
Gibson  Goodfellow  Gowans  Hansen
Hardy  Harper  Hendrickson  Hogue
Holdaway  Hughes  Hunsaker  E. Hutchings
B. Johnson  Jones  Kiser  Last
Absent or not voting were: Representatives
Alexander       King       Tilton

H.B. 75, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to adjourn until February 2, 2005, at 10:00 a.m.
The House was called to order by Speaker Curtis at 10:00 a.m.

Roll call showed all members present.

Pledge of Allegiance and prayer by Representative David N. Cox.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 1, 2005

The Senate passed, as substituted, and amended *1st Sub. S.B. 8*, LOCAL CORRIDOR PRESERVATION FUNDING, by Senator S. Killpack, and it is transmitted for consideration; and

The Senate passed, as substituted, *2nd Sub. S.B. 43*, PENALTY FOR PROVIDING FALSE INFORMATION TO STATE AGENCY, by Senator P. Hellewell, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended *1st Sub. S.B. 106*, UTAH RELIGIOUS LAND USE ACT, by Senator D. Thomas, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate


REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 1, 2005

The Revenue and Taxation Committee reports a favorable recommendation on *H.B. 220*, SALES AND USE TAX EXEMPTION FOR TEXTBOOKS FOR HIGHER EDUCATION, by Representative D. Bourdeaux.

Wayne A. Harper, Chair

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

*H.B. 220*, read the second time by short title and placed on the calendar for third reading.
Mr. Speaker: February 1, 2005

The Political Subdivisions Committee reports a favorable recommendation on S.B. 81, LOCAL GOVERNMENT APPROVAL FOR SOLID NONHAZARDOUS AND HAZARDOUS WASTE DISPOSAL, by Senator B. Evans; and

The Political Subdivisions Committee reports a favorable recommendation on S.B. 97, CONSOLIDATION OF CITY AND COUNTY LIBRARY, by Senator G. Bell; and

The Political Subdivisions Committee reports a favorable recommendation on S.B. 88, CREATION OF LOCAL DISTRICTS, by Senator C. Walker, and recommends it be placed on the Consent Calendar; and

The Political Subdivisions Committee reports a favorable recommendation on S.J.R. 3, RESOLUTION ENCOURAGING MEDIATION, by Senator C. Walker, and recommends it be placed on the Consent Calendar.

Brad L. Dee, Chair

Reports filed. On motion of Representative Dee, the reports of the Political Subdivisions committee were adopted.

S.B. 81 and S.B. 97, read the second time by short title and placed on the calendar for third reading.

S.B. 88 and S.J.R. 3, read the second time by short title and placed on the Consent Calendar.

Mr. Speaker: February 1, 2005

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on 1st Sub. S.B. 35, RELATIONSHIPS WITH VENTURE CAPITAL ENTITIES, by Senator D. Thomas, and recommends it be placed on the Consent Calendar.

David N. Cox, Chair

Report filed. On motion of Representative Cox, the report of the Workforce Services and Community and Economic Development committee was adopted.

Sub. S.B. 35, read the second time by short title and placed on the Consent Calendar.
CONSENT CALENDAR

H.B. 222, PILOT PROGRAM REPEAL CLEAN–UP, read the third time by short title and placed on its final passage.

H.B. 222 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard        Adams        Alexander      S. Allen
Barrus        Becker       Bigelow       Biskupski
Bourdeaux     Bowman       Buttars       Buxton
Christensen   D. Clark     S. Clark      Cosgrove
D. Cox        Daw          Dayton        Dee
Donnelson     Dougall      Duckworth     Dunnigan
Ferrin        Ferry        Fisher        Fowlke
Frank         Gibson       Goodfellow    Gowans
Hansen        Hardy        Harper        Hendrickson
Hogue         Holdaway     Hughes        Hunsaker
E. Hutchings  B. Johnson   Jones         King
Kiser         Last         Lawrence      Litvack
Lockhart      Mascaro      Mathis        McGee
Menlove       Morgan       Morley        Moss
Murray        Newbold      Noel          Oda
Painter       Ray          Romero        G. Snow
Tilton        Urquhart     Walker        Wheatley
Wheeler       Wiley        Wyatt         Curtis

Absent or not voting were: Representatives
Shurtliff     Ure          Wallace

H.B. 222 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Mascaro, the House voted to uncircle S.B. 17.

S.B. 17, FOSTER CARE CITIZEN REVIEW BOARD, was before the House on its final passage.

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

Yeas, 64; Nays, 10; Absent or not voting, 1.
Voting in the affirmative were: Representatives
Aagard   Adams      S. Allen      Barrus
Becker   Bigelow    Biskupski    Bourdeaux
Bowman   Buttars    Buxton       Christensen
D. Clark S. Clark  Cosgrove    D. Cox
Daw      Dee        Duckworth   Dunnigan
Ferry     Fisher     Fowlke      Gibson
Goodfellow Gowans    Hansen      Hardy
Harper    Hendrickson Hogue       Holdaway
Hughes   Hunsaker   E. Hutchings B. Johnson
Jones     King       Kiser       Last
Lawrence Litvack    Mascaro     McGee
Menlove  Morgan     Moss        Murray
Newbold  Noel       Oda         Painter
Ray      Romero     Shurtleff   G. Snow
Urquhart Walker    Wallace     Wheatley
Wheeler  Wiley      Wyatt       Curtis

Voting in the negative were: Representatives
Alexander Dayton    Donnelson  Dougall
Ferrin   Frank       Mathis     Morley
Tilton   Ure

Absent or not voting was: Representative
Lockhart

S.B. 17 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

On motion of Representative Hogue, the House voted to uncircle S.B. 11.

S.B. 11, INITIATIVE PETITIONS AMENDMENTS, was before the House on its final passage.

S.B. 11 then passed on the following roll call:

Yeas, 61; Nays, 14;Absent or not voting, 0.

Voting in the affirmative were: Representatives
Aagard   S. Allen      Becker      Bigelow
Biskupski Bourdeaux  Bowman     Buttars
Voting in the negative were: Representatives
Adams Alexander Barrus Donnelson
Frank Lawrence Mathis Morgan
Morley Newbold Oda Walker
Wallace Wheeler

S.B. 11 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

THIRD READING CALENDAR

Sub. S.B. 23, PROPERTY TAX TREATMENT OF TANGIBLE PERSONAL PROPERTY, read the third time by short title and placed on its final passage.

On motion of Representative Buttars, the House voted to circle Sub. S.B. 23.

* * *

S.B. 6, SALES AND USE TAX AGRICULTURE EXEMPTIONS, read the third time by short title and placed on its final passage.

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

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Absent or not voting were: Representatives
Hogue Lockhart

S.B. 6 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 36, SALES AND USE TAXATION OF PAWN TRANSACTIONS, read the third time by short title and placed on its final passage.

S.B. 36 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Becker Bigelow Biskupski Bowman
Buttars Buxton Christensen D. Clark
S. Clark Cosgrove D. Cox Dee
Dee Donnelson Dougall Duckworth
Dunnigan Ferrin Ferry Fisher
Fowlke Frank Gibson Goodfellow
Gowans Hansen Hardy Harper


S.B. 36 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

UNFINISHED BUSINESS

On motion of Representative Harper, the House voted to uncircle Sub. S.B. 23.

Sub. S.B. 23, PROPERTY TAX TREATMENT OF TANGIBLE PERSONAL PROPERTY, was before the House on its final passage.

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

Yeas, 57; Nays, 15; Absent or not voting, 3.

Voting in the affirmative were: Representatives

Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Biskupski  Bowman
Buttars  Buxton  Christensen  D. Clark
S. Clark  Cosgrove  D. Cox  Daw
Dayton  Dee  Donnelson  Dougall
Dunnigan  Ferrin  Fisher  Fowlke
Frank  Gibson  Goodfellow  Gowans
Hardy  Harper  Hughes  Hunsaker
E. Hutchings  B. Johnson  Jones  Kiser
Last  Lawrence  Mascaro  Mathis
Morgan  Morley  Moss  Newbold
Voting in the negative were: Representatives
Bigelow Bourdeaux Duckworth Ferry
Hansen Hendrickson Hogue Holdaway
King Litvack McGee Menlove
Murray Wheatley Curtis

Absent or not voting were: Representatives
Lockhart Wallace Wiley

Sub. S.B. 23, as amended, was returned to the Senate for further consideration.

THIRD READING CALENDAR

S.B. 27, SUNSET REAUTHORIZATIONS, read the third time by short title and placed on its final passage.

Representative Menlove proposed the following amendment:

1. Page 5, Line 122:
   Delete “2005” and insert “2006”

Representative Morgan proposed the following substitute motion to amend:

1. Page 1, Line 121 through Page 5, Line 122
   121 [(5) (4) Title 63, Chapter 47, Utah Commission for Women and Families, is repealed
   122 July 1, {–2005–} 2010 .

Representative Morgan’s substitute motion to amend failed on the following roll call:

Yeas, 17; Nays, 52; Absent or not voting, 6.

Voting in the affirmative were: Representatives
Becker Biskupski Bourdeaux Cosgrove
Duckworth Goodfellow Gowans Hansen
Hendrickson Jones King Litvack
Mascaro Morgan Moss Shurtliff
Wheatley
Voting in the negative were: Representatives

Aagard  Adams  Alexander  S. Allen  
Barrus  Bigelow  Bowman  Buttars  
Buxton  Christensen  D. Clark  S. Clark  
D. Cox  Daw  Dayton  Dee  
Donnelson  Dougall  Dunnigan  Ferrin  
Fisher  Fowlke  Frank  Gibson  
Hardy  Hogue  Holdaway  Hughes  
Hunsaker  E. Hutchings  B. Johnson  Kiser  
Last  Lawrence  Mathis  Menlove  
Morley  Murray  Newbold  Noel  
Oda  Painter  Ray  Romero  
G. Snow  Tilton  Ure  Urquhart  
Walker  Wheeler  Wyatt  Curtis  

Absent or not voting were: Representatives

Ferry  Harper  Lockhart  McGee  
Wallace  Wiley  

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

S.B. 27, as amended, then passed on the following roll call:

Yeas, 53; Nays, 16; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard  Alexander  S. Allen  Barrus  
Becker  Bigelow  Biskupski  Bourdeaux  
Bowman  Buttars  Buxton  D. Clark  
S. Clark  Cosgrove  D. Cox  Dee  
Duckworth  Dunnigan  Ferrin  Fisher  
Fowlke  Gibson  Goodfellow  Gowans  
Hansen  Hardy  Hendrickson  Holdaway  
Hunsaker  E. Hutchings  B. Johnson  Jones  
King  Last  Lawrence  Litvack  
Mascaro  Mathis  Menlove  Morgan  
Moss  Murray  Newbold  Noel  
Painter  Ray  Romero  Shurtliff  
G. Snow  Urquhart  Wheatley  Wyatt  
Curtis
Voting in the negative were: Representatives
Adams  Christensen  Daw  Dayton
Donnelson  Dougall  Frank  Harper
Hogue  Hughes  Lockhart  Morley
Oda  Tilton  Ure  Walker

Absent or not voting were: Representatives
Ferry  Kiser  McGee  Wallace
Wheeler  Wiley

S.B. 27, as amended, returned to the Senate for further consideration.

***

S.B. 101, UTAH ADMINISTRATIVE RULEMAKING ACT REVISION, read the third time by short title and placed on its final passage.

S.B. 101 then passed on the following roll call:

Yeas, 61; Nays, 0; Absent or not voting, 14.

Voting in the affirmative were: Representatives
Aagard  S. Allen  Barrus  Becker
Bigelow  Bourdeaux  Bowman  Buttars
Buxton  Christensen  D. Clark  S. Clark
Cosgrove  D. Cox  Daw  Dayton
Dee  Donnelson  Dougall  Duckworth
Ferrin  Fisher  Fowlke  Frank
Gibson  Goodfellow  Gowans  Hansen
Harper  Hogue  Holdaway  Hunsaker
E. Hutchings  B. Johnson  Jones  King
Last  Lawrence  Lockhart  Mascaro
Mathis  Menlove  Morgan  Morley
Moss  Murray  Newbold  Noel
Oda  Painter  Ray  Romero
Shurtliff  G. Snow  Tilton  Ure
Urquhart  Walker  Wheatley  Wyatt

Absent or not voting were: Representatives
Adams  Alexander  Biskupski  Dunnigan
Ferry  Hardy  Hendrickson  Hughes
Kiser  Litvack  McGee  Wallace
Wheeler  Wiley
**S.B. 101** was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

**MISCELLANEOUS BUSINESS**

On motion of Representative Bigelow, the House voted to lift **H.B. 91** from the Third Reading Calendar and set it for Time Certain tomorrow at 11:30 a.m.

**THIRD READING CALENDAR**

**S.B. 21.** LIMITATION ON LIABILITY REGARDING LIQUEFIED PETROLEUM GAS, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle **S.B. 21.**

**MISCELLANEOUS BUSINESS**

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

**THIRD READING CALENDAR**

**H.R. 3.** RESOLUTION SUPPORTING CONGRESSIONAL PRIVATIZATION OF SOCIAL SECURITY, read the third time by short title and placed on its final passage.

**H.R. 3.** as amended, then passed on the following roll call:

**Yeas, 54; Nays, 17; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard  Adams  Alexander  Barrus
Bigelow  Bowman  Buttars  Buxton
Christensen  D. Clark  S. Clark  D. Cox
Daw  Dayton  Dee  Donnelson
Dougall  Dunnigan  Ferrin  Ferry
Fisher  Fowlke  Frank  Gibson
Hardy  Harper  Hogue  Holdaway
Hughes  Hunsaker  E. Hutchings  B. Johnson
Kiser  Last  Lawrence  Lockhart
Mathis  Menlove  Morley  Murray
Newbold  Noel  Oda  Painter
Ray                  G. Snow                  Tilton                  Ure
Urquhart              Walker                  Wallace                 Wheeler
Wyatt                  Curtis

**Voting in the negative were:** Representatives
Becker                  Bourdeaux              Cosgrove                 Duckworth
Goodfellow              Gowans                  Hansen                  Hendrickson
King                    Litvack                 McGee                   Morgan
Moss                    Romero                  Shurtliff                Wheatley
Wiley

**Absent or not voting were:** Representatives
S. Allen                Biskupski               Jones                   Mascaro

**H.R. 3**, as amended, was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Lt. Governor.

***

**H.R. 4**, RESOLUTION URGING UNITED STATES SUPPORT OF PRESIDENT’S SUPREME COURT NOMINEES, read the third time by short title and placed on its final passage.

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

**Yeas, 52; Nays, 16; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives
Aagard                  Adams                   Alexander                Barrus
Bigelow                 Bowman                  Buttars                  Buxton
Christensen             D. Clark                S. Clark                 D. Cox
Daw                     Dayton                  Dee                      Donnelson
Dougall                 Dunnigan                Ferrin                   Ferry
Fisher                  Fowlke                  Frank                    Gibson
Gowans                  Hardy                   Harper                   Hogue
Holdaway                B. Johnson              Kiser                    Last
Lockhart                Mascaro                 Mathis                   Menlove
Morley                  Newbold                 Noel                     Oda
Painter                 Ray                      Shurtliff                G. Snow
Tilton                  Ure                     Urquhart                 Walker
Wallace                 Wheeler                 Wyatt                    Curtis
Voting in the negative were: Representatives
S. Allen    Becker    Biskupski    Bourdeaux
Cosgrove    Duckworth  Goodfellow  Hansen
Hendrickson King    Litvack    McGee
Moss        Romero    Wheatley  Wiley

Absent or not voting were: Representatives
Hughes      Hunsaker  E. Hutchings  Jones
Lawrence    Morgan    Murray

H.R. 4 was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Lt. Governor.

* * *

Sub. H.B. 174, CHILD PROTECTION REGISTRY AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Dougall, the House voted to circle Sub. H.B. 174.

RULES COMMITTEE REPORT

Mr. Speaker: February 2, 2005

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

BUSINESS AND LABOR
H.B. 100    Consumer Credit Bureau Notice Requirements
            (Rep. K. Morgan)
H.B. 103    Student Housing Built by Higher Education Institutions
            (Rep. S. Clark)

EDUCATION
H.B. 138    Nonresident Tuition for Higher Education Amendments
            (Rep. M. S. Lawrence)
H.B. 139    Local School Board Amendments (Rep. M. Dayton)
H.B. 148    School Truancy Amendments (Rep. E. Hutchings)
S.B. 120    Allocation of Profits from School and Institutional Trust
            Lands (Sen. T. Hatch)
GOVERNMENT OPERATIONS
2nd Sub. S.B. 43  Penalty for Providing False Information to State Agency
                 (Sen. P. Hellewell)
1st Sub. S.B. 44  Government Records Amendments (Sen. C. Walker)
S.B. 117         Repeal of Utah Tomorrow Strategic Planning Committee
                 (Sen. M. Waddoups)
S.B. 123         Governmental Immunity Act – Technical Amendments
                 (Sen. G. Bell)
S.B. 86          2004 General Obligation Bond Amendments
                 (Sen. P. Knudson)

JUDICIARY
1st Sub. S.B. 104 Judiciary Amendments (Sen. L. Hillyard)
S.B. 116         Arbitration – Use of Subpoena Authorized
                 (Sen. D. Eastman)

LAW ENFORCEMENT AND CRIMINAL JUSTICE
S.B. 118         Identity Fraud Amendments (Sen. C. Walker)

POLITICAL SUBDIVISIONS
1st Sub. S.B. 106 Utah Religious Land Use Act (Sen. D. Thomas)

PUBLIC UTILITIES AND TECHNOLOGY
1st Sub. S.B. 26  Public Utilities Amendments (Sen. G. Bell)
1st Sub. S.B. 108 Telecommunications Revisions (Sen. C. Bramble)

RETIREMENT AND INDEPENDENT ENTITIES
H.B. 213         Unused Sick Leave At Retirement Amendments
                 (Rep. D. Clark)

REVENUE AND TAXATION
H.B. 101         Amendments to the Individual Income Tax
                 (Rep. W. Harper)

TRANSPORTATION
1st Sub. S.B. 8  Local Corridor Preservation Funding (Sen. S. Killpack)
S.B. 98          Motor Vehicle Registration and Title Amendments
                 (Sen. S. Killpack)
WORKFORCE SERVICES AND COMMUNITY & ECONOMIC DEVELOPMENT

S.J.R. 6  Space Exploration Resolution (Sen. P. Knudson)
          Rebecca Lockhart, Chair

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

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to adjourn until February 3, 2005, at 10:00 a.m.
EIGHTEENTH DAY
* * *

MORNING SESSION

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

Roll call showed all members present except Representative Sheryl Allen, excused.

Pledge of Allegiance and prayer by Representative Brad L. Dee.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 2, 2005

The Senate passed, as substituted, 1st Sub. S.B. 24, WASTE AMENDMENTS, by Senator C. Bramble, and it is transmitted for consideration; and

The Senate passed, as amended, S.B. 42, ALCOHOL RESTRICTED DRIVERS, by Senator C. Walker, and it is transmitted for consideration; and

The Senate passed S.B. 47, WRONGFUL LIEN OFFENSES, by Senator B. Evans, and it is transmitted for consideration; and

The Senate passed S.B. 73, TAMPERING WITH EVIDENCE, by Senator D. C. Buttars, and it is transmitted for consideration; and

The Senate passed, as amended, S.B. 107, LICENSURE AND REGULATION OF PROGRAMS AND FACILITIES, by Senator T. Hatch, and it is transmitted for consideration; and

The Senate passed, as amended, S.B. 125, AMENDMENTS TO INDIVIDUAL INCOME TAX CREDIT FOR SPECIAL NEEDS ADOPTIONS, by Senator P. Hellewell, and it is transmitted for consideration; and

The Senate passed S.B. 128, CALCULATION OF INTEREST ON TAX OVERPAYMENTS, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed S.B. 129, BRINE SHRIMP ROYALTY ACT AMENDMENTS, by Senator T. Hatch, and it is transmitted for consideration; and
The Senate passed **S.B. 131**, AUTHORIZATION FOR ADDITIONAL JUDICIAL POSITION, by Senator M. Madsen, and it is transmitted for consideration; and

The Senate passed **S.B. 133**, INDIVIDUAL INCOME TAX – RETURN FILING REQUIREMENTS, by Senator H. Stephenson, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate


**REPORTS OF STANDING COMMITTEES**

Mr. Speaker: February 3, 2005


Stephen D. Clark, Chair  
Reports filed. On motion of Representative S. Clark, the reports of the Business and Labor committee were adopted.

**Sub. H.B. 97**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: February 2, 2005

The Law Enforcement and Criminal Justice Committee recommends **H.B. 42**, MEDICAL RECOMMENDATIONS FOR CHILDREN, by Representative M. Morley, be replaced and reports a favorable recommendation on **1st Sub. H.B. 42**, MEDICAL RECOMMENDATIONS FOR CHILDREN with the following amendments:

1. Page 3, Lines 57 through 58:

57 (f) make a child abuse or neglect report to authorities, including the Division of Child

58 and Family Services, solely or primarily on the basis that a parent or guardian refuses to consent to:
2. Page 6, Lines 150 through 151:

150 Family Services may not remove a minor from the custody of the
minor’s parent or guardian on
151 the sole or primary basis that the parent or guardian refuses to
consent to:

3. Page 7, Lines 190 through 191:

190 Family Services may not remove a minor from the custody of the
minor’s parent or guardian on
191 the sole or primary basis that the parent or guardian refuses to
consent to:

The Law Enforcement and Criminal Justice Committee reports a favorable
recommendation on H.B. 98, OFFENSES COMMITTED AGAINST
CORRECTIONAL AND PEACE OFFICERS, by Representative C. Oda; and

The Law Enforcement and Criminal Justice Committee reports a favorable
recommendation on H.B. 212, TRAFFIC VIOLATIONS BY DIPLOMATS, by
Representative D. Hogue, and recommends it be placed on the Consent Calendar.

DeMar “Bud” Bowman, Chair
Reports filed. On motion of Representative Alexander, the reports of the Law
Enforcement and Criminal Justice committee were adopted.

Sub. H.B. 42, as amended, and H.B. 98, read the second time by short title
and placed on the calendar for third reading.

H.B. 212, read the second time by short title and placed on the Consent
Calendar.

* * *

Mr. Speaker: February 2, 2005

The Judiciary Committee reports a favorable recommendation on S.B. 32,
LIMITATION OF LANDOWNER LIABILITY FOR PUBLIC RECREATION,
by Senator G. Bell; and

The Judiciary Committee reports a favorable recommendation on S.B. 91,
INTERSTATE JUVENILE COMPACT, by Senator L. Hillyard; and

The Judiciary Committee reports a favorable recommendation on S.B. 94,
RESTITUTION AMENDMENTS, by Senator G. Bell; and
The Judiciary Committee reports a favorable recommendation on **S.B. 103**, LIENS ON AIRCRAFT, by Senator T. Hatch; and

The Judiciary Committee reports a favorable recommendation on **H.B. 95**, SEX OFFENDER REGISTRATION AMENDMENTS, by Representative M. S. Lawrence, with the following amendments:

1. Page 9, Lines 264 through 267:

   264 (ii) Offenses referred to in Subsection [(9)] (10)(b)(i) are:

   265 (A) any offense listed in Subsection (1)(e)(f) if at the time of the conviction the

   266 offender has previously been convicted of an offense listed in Subsection (1)(e)(f) or has

   267 previously been required to register as a sex offender for an offense committed as a juvenile ;

2. Page 10, Lines 296 through 299:

   296 [(12)] (13) The department shall:

   297 (a) provide the following additional information when available:

   298 (i) the crimes the sex offender was convicted of or adjudicated delinquent for ; and

   299 (ii) a description of the sex offender’s primary and secondary targets

James A. Ferrin, Chair

Reports filed. On motion of Representative Ferrin, the reports of the Judiciary committee were adopted.


**S.B. 91**, read the second time by short title and referred to the Rules Committee due to fiscal impact.

* * *

Mr. Speaker: February 2, 2005

The Transportation Committee reports a favorable recommendation on **H.B. 149**, VEHICLE IDENTIFICATION NUMBER INSPECTORS, by Representative C. Frank.

Joseph G. Murray, Chair
Report filed. On motion of Representative Murray, the report of the Transportation committee was adopted.

**H.B. 149**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: February 2, 2005

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 226**, GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT REQUIREMENTS REGARDING ANIMAL IDENTIFICATION PROGRAM, by Representative C. Buttars; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.J.R. 13**, RESOLUTION SUPPORTING NATIONAL BEAR RIVER HERITAGE AREA ACT, by Representative C. Buttars; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 203**, AGRICULTURAL ADVISORY BOARD, by Representative M. Noel, and recommends it be placed on the Consent Calendar.

Roger E. Barrus, Chair

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


**H.B. 203**, read the second time by short title and placed on the Consent Calendar.

**CONSENT CALENDAR**

**H.B. 90**, SEARCH AND RESCUE ADVISORY BOARD – AMENDMENTS, read the third time by short title and placed on its final passage.

**H.B. 90** then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard Adams Alexander Barrus
Becker Bigelow Biskupski Bourdeaux
S.B. 79, EXTENSION OF SUNSET DATE ON RESOURCE DEVELOPMENT COORDINATING COMMITTEE, read the third time by short title and placed on its final passage.

S.B. 79 then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard  Adams  Alexander  Barrus
Becker  Biskupski  Bourdeaux  Bowman
Buttars  Buxton  Christensen  D. Clark
S. Clark  Cosgrove  D. Cox  Daw
Dayton  Dee  Donnelson  Dougall
Duckworth  Dunnigan  Ferrin  Ferry
Fisher  Fowlke  Frank  Gibson
Goodfellow  Gowans  Harper  Hendrickson
Hogue  Holdaway  Hughes  Hunsaker
B. Johnson  Jones  King  Kiser

**Absent or not voting were:** Representatives

S. Allen  Bowman  Goodfellow

H.B. 90 transmitted to the Senate for its consideration.

* * *
Absent or not voting were: Representatives
S. Allen Bigelow Hansen Hardy
E. Hutchings Mathis Ray Shurtliff

S.B. 79 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

S.B. 78, OPTIONAL FORMS OF COUNTY GOVERNMENT AMENDMENT, read the third time by short title and placed on its final passage.

S.B. 78 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander Barrus
Becker Bigelow Biskupski Bourdeaux
Bowman Christensen D. Clark S. Clark
Cosgrove D. Cox Daw Dayton
Dee Donnelson Dougall Duckworth
Dunnigan Ferrin Ferry Fisher
Fowlke Frank Gibson Goodfellow
Hansen Hendrickson Hogue Holdaway
Hughes Hunsaker B. Johnson Jones
King Kiser Last Lawrence
Litvack Lockhart Mascaro McGee
Menlove Morgan Morley Moss
Murray Newbold Noel Oda
Painter Ray Romero Shurtliff
G. Snow Tilton Ure Urquhart
Walker Wallace Wheatley Wheeler
Wiley Wyatt Curtis
Absent or not voting were: Representatives
S. Allen        Buttars        Buxton        Gowans
Hardy          Harper          E. Hutchings    Mathis

S.B. 78 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Mascaro, the House voted to allow a concurrent resolution bill file be opened regarding the work, courage, heroism, and sacrifice of war dogs.

SPECIAL ORDER OF BUSINESS

H.B. 29, STATE ENGINEER’S POWERS AND DUTIES AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 29, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard          Adams          Alexander       Barrus
Becker          Bigelow        Biskupski      Bourdeaux
Bowman          Buttars        Buxton         Christensen
D. Clark        S. Clark       Cosgrove       D. Cox
Daw             Dayton         Dee             Donnelson
Dougall         Duckworth      Dunnigan       Ferrin
Ferry           Fisher         Fowlke         Frank
Gibson          Goodfellow     Gowans         Hansen
Hardy           Harper         Hendrickson    Hogue
Holdaway        Hughes         Hunsaker       E. Hutchings
B. Johnson      Jones          King            Kiser
Last            Lawrence       Litvack        Lockhart
Mascaro         McGee          Menlove        Morgan
Morley          Moss           Murray         Newbold
Oda             Painter        Ray             Romero
Shurtliff       G. Snow        Tilton          Ure
Urquhart        Walker         Wallace        Wheatley
Wheeler         Wiley          Wyatt           Curtis

Absent or not voting were: Representatives
S. Allen        Mathis        Noel
H.B. 29, as amended, transmitted to the Senate for its consideration.

***

Sub. H.B. 38, WATER LAW – CRIMINAL PENALTIES AMENDMENTS, read the third time by short title and placed on its final passage.

Sub. H.B. 38 then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard Adams Alexander Barrus
Becker Bigelow Biskupski Bourdeaux
Bowman Buttars Buxton Christensen
D. Clark S. Clark Cosgrove D. Cox
Daw Dayton Dee Donnelson
Dougall Duckworth Dunnigan Ferrin
Ferry Fisher Fowlke Frank
Gibson Goodfellow Gowans Hansen
Hardy Hendrickson Hogue Holdaway
Hughes Hunsaker E. Hutchings B. Johnson
Jones King Kiser Last
Litvack Lockhart Mathis McGee
Menlove Morgan Morley Moss
Murray Newbold Noel Oda
Painter Ray Romero Shurtliff
G. Snow Tilton Ure Urquhart
Walker Wallace Wheatley Wheeler
Wiley Wyatt Curtis

Absent or not voting were: Representatives

S. Allen Harper Lawrence Mascaro

Sub. H.B. 38 transmitted to the Senate for its consideration.

***

H.B. 157, WATER ENFORCEMENT PROCEDURES AND PENALTIES, read the third time by short title and placed on its final passage.

Representative Ure proposed the following amendment:
1. Page 7, Lines 190 through 193
   
   190 (3) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the
   
   191 state engineer shall make rules necessary to enforce an initial order, which shall include:
   
   192 (a) provisions consistent with this Section 73−3−25 and Section 73−2−26 for enforcement of the initial order if a person to whom an initial order is
   
   193 issued fails to respond to the order or abate the violation:

2. Page 7, Lines 207 through 209:

   207 (6) (a) The state engineer’s final order may be reviewed by trial de novo by the district court in:

   208 (i) Salt Lake County; or

   209 (ii) the county where the violation occurred.

3. Page 8, Lines 215 through 217:

   215 (8) If a final order is upheld, in an action brought under Subsection (6)(b) or (7), the person
   
   216 against whom enforcement is sought shall be liable for prevailing party may recover all court costs and a reasonable attorney
   
   217 fee.

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

H.B. 157, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bowman</td>
</tr>
<tr>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
</tr>
<tr>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
</tr>
<tr>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Ferry</td>
</tr>
<tr>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
</tr>
</tbody>
</table>
Absent or not voting were: Representatives
S. Allen Bourdeaux Harper

H.B. 157, as amended, transmitted to the Senate for its consideration.

THIRD READING CALENDAR

S.B. 81, LOCAL GOVERNMENT APPROVAL FOR SOLID NONHAZARDOUS AND HAZARDOUS WASTE DISPOSAL, read the third time by short title and placed on its final passage.

S.B. 81 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander Barrus
Becker Bigelow Bourdeaux Bowman
Buttars Christensen D. Clark S. Clark
Cosgrove D. Cox Daw Dayton
Dee Donnelson Dougall Duckworth
Dunnigan Ferrin Ferry Fisher
Fowlke Frank Gibson Goodfellow
Gowans Hardy Hendrickson Hogue
Holdaway Hughes Hunsaker E. Hutchings
B. Johnson Jones King Kiser
Last Lawrence Litvack Lockhart
Mascaro Mathis McGee Menlove
Morgan Morley Moss Murray
Newbold Oda Ray Romero
Wheeler Wiley Wyatt Curtis
S.B. 81 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 97, CONSOLIDATION OF CITY AND COUNTY LIBRARY, read the third time by short title and placed on its final passage.

S.B. 97 then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
</tr>
<tr>
<td>Bowman</td>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
</tr>
<tr>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
<td>Duckworth</td>
</tr>
<tr>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
</tr>
<tr>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
</tr>
<tr>
<td>Hansen</td>
<td>Hardy</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
</tr>
<tr>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
<td>Lockhart</td>
</tr>
<tr>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morgan</td>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
</tr>
<tr>
<td>Oda</td>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
</tr>
<tr>
<td>G. Snow</td>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
</tr>
<tr>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
</tr>
<tr>
<td>Wiley</td>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>S. Allen</th>
<th>Buttars</th>
<th>Dougall</th>
<th>Gowans</th>
</tr>
</thead>
<tbody>
<tr>
<td>Harper</td>
<td>Morley</td>
<td>Noel</td>
<td>Painter</td>
</tr>
</tbody>
</table>
S.B. 97 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

**MISCELLANEOUS BUSINESS**

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

**THIRD READING CALENDAR**

**H.C.R. 2**, COWBOY HALL OF FAME RESOLUTION, read the third time by short title and placed on its final passage.

**H.C.R. 2** then passed on the following roll call:

**Y eas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
</tr>
<tr>
<td>Bowman</td>
<td>Buttars</td>
<td>Christensen</td>
<td>D. Clark</td>
</tr>
<tr>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td>Dayton</td>
<td>Dee</td>
<td>Donelson</td>
<td>Dougall</td>
</tr>
<tr>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferry</td>
<td>Fisher</td>
</tr>
<tr>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
</tr>
<tr>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
<td>Hendrickson</td>
</tr>
<tr>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
</tr>
<tr>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
<td>Lockhart</td>
</tr>
<tr>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morgan</td>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
</tr>
<tr>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
</tr>
<tr>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>S. Allen</th>
<th>Buxton</th>
<th>Ferrin</th>
<th>Harper</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hughes</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**H.C.R. 2** transmitted to the Senate for its consideration.
H.B. 49, BICYCLE SAFETY PROVISIONS, read the third time by short title and placed on its final passage.

On motion of Representative McGee, the House voted to delete H.B. 49 in title and body and insert Sub. H.B. 49 in lieu thereof.

Sub. H.B. 49, then passed on the following roll call:

Y eas, 45; Nays, 19; Absent or not voting, 11.

Voting in the affirmative were: Representatives
Alexander Becker Bigelow Biskupski
Bourdeaux Bowman Buttars Christensen
D. Clark S. Clark Cosgrove Duckworth
Dunnigan Ferrin Ferry Fisher
Fowlke Goodfellow Gowans Hansen
Hendrickson Holdaway Hunsaker E. Hutchings
Jones King Kiser Last
Lawrence Mascaro McGee Menlove
Morgan Moss Murray Painter
Ray Romero Shurtleff Urquhart
Wallace Wheatley Wheeler Wiley
Wyatt

Voting in the negative were: Representatives
Aagard Barrus Buxton D. Cox
Daw Dayton Dee Donnelson
Frank Gibson Hogue B. Johnson
Mathis Newbold Noel G. Snow
Tilton Walker Curtis

Absent or not voting were: Representatives
Adams S. Allen Dougall Hardy
Harper Hughes Litvack Lockhart
Morley Oda Ure

Sub. H.B. 49, transmitted to the Senate for its consideration.

SPECIAL ORDER OF BUSINESS

H.B. 91, LICENSE PLATE FOR DISABLED AMERICAN VETERANS, read the third time by short title and placed on its final passage.
Representative Bigelow proposed the following amendment, under suspension of the rules:

1. Page 1, Line 1: 
   Delete “AMERICAN”

2. Page 1, Line 9: 
   Delete “American”

3. Page 1, Line 13: 
   Delete “American”

4. Page 1, Line 15: 
   Delete “American”

5. Page 1, Line 16: 
   Delete “American”

6. Page 1, Line 18: 
   Delete “American”

7. Page 2, Line 41: 
   Delete “American”

8. Page 4, Line 93: 
   Delete “American”

9. Page 4, Line 108: 
   Delete “American”

10. Page 4, After line 110: 
   Insert a new subsection as follows:

   “A disabled veteran seeking a disabled veteran license plate shall request the Division of Veteran Affairs to provide the verification required under Subsection (4).”

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

H.B. 91, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard     Adams     Alexander     Barrus
Becker     Bigelow   Biskupski   Bowman
Buxton Christensen D. Clark S. Clark
Cosgrove D. Cox Daw Dee
Donnelson Dougall Duckworth Dunnigan
Ferrin Ferry Fisher Fowlke
Frank Gibson Goodfellow Gowans
Hansen Hardy Hendrickson Hogue
Holdaway Hughes Hunsaker E. Hutchings
B. Johnson King Kiser Last
Lawrence Litvack Lockhart Mascaro
Mathis McGee Menlove Morgan
Moss Murray Noel Painter
Ray Romero Shurtliff G. Snow
Tilton Ure Urquhart Walker
Wallace Wheatley Wheeler Wiley
Wyatt Curtis

Absent or not voting were: Representatives
S. Allen Bourdeaux Buttars Dayton
Harper Jones Morley Newbold
Oda

H.B. 91, as amended, transmitted to the Senate for its consideration.

RULES COMMITTEE REPORT

Mr. Speaker: February 3, 2005

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

BUSINESS AND LABOR
H.B. 105 Construction Filing Amendments (Rep. M. Morley)
S.B. 47 Wrongful Lien Offenses (Sen. B. Evans)

GOVERNMENT OPERATIONS
H.B. 142 Issues Submitted to Voters (Rep. G. Hughes)

HEALTH AND HUMAN SERVICES
H.B. 243 Repeal of Geriatric Care Manager (Rep. R. Lockhart)
H.B. 279 Clinical Counselor − Title Change (Rep. L. Fowlke)
S.B. 107 Licensure and Regulation of Programs and Facilities (Sen. T. Hatch)
JUDICIARY
S.B. 42  Alcohol Restricted Drivers (Sen. C. Walker)
S.B. 131  Authorization for Additional Judicial Position (Sen. M. Madsen)

LAW ENFORCEMENT AND CRIMINAL JUSTICE
H.B. 223  Amendments to Driver License and Identification Cards (Rep. C. Oda)

NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT
H.B. 270  Temporary Road Closures (Rep. M. Noel)
1st Sub. S.B. 24  Waste Amendments (Sen. C. Bramble)

POLITICAL SUBDIVISIONS
H.B. 143  National Guard Amendments (Rep. E. Hutchings)
H.B. 250  Capitol Complex Space (Rep. J. Alexander)
H.B. 216  Global Positioning Reference Network (Rep. K. Holdaway)

PUBLIC UTILITIES AND TECHNOLOGY
H.B. 104  Spyware Control Act Revisions (Rep. S. Urquhart)

REVENUE AND TAXATION
H.B. 147  Property Tax Exemption for Veterans (Rep. G. Hughes)
S.B. 125  Amendments to Individual Income Tax Credit for Special Needs Adoptions (Sen. P. Hellewell)
S.B. 128  Calculation of Interest on Tax Overpayments (Sen. H. Stephenson)
S.B. 129  Brine Shrimp Royalty Act Amendments (Sen. T. Hatch)

Rebecca Lockhart, Chair
Report filed. On motion of Representative Lockhart, the report of the Rules Committee was adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Ure, the House voted to allow a bill file to be opened for a resolution honoring Jade Pusey.
On motion of Representative Alexander, the House voted to adjourn until February 4, 2005, at 10:00 a.m.
DAY 19

MORNING SESSION

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

Roll call showed all members present except Representative Sheryl Allen, excused.

Prayer by Mr. Forest Cuch. Pledge of Allegiance by Representative Mark Wheatley’s mother, Mrs. Sally Wheatley.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 3, 2005

The Senate passed, **H.B. 6**, MASTER HIGHWAY DESIGNATION AMENDMENTS, by Representative J. Murray, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 8**, CHILD PROTECTION TEAM MEETINGS, by Representative A. Tilton, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 10**, EMPLOYMENT SECURITY ACT AMENDMENTS, by Representative D. Cox, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 15**, REPEAL OF STATE DEBT COLLECTION ADVISORY BOARD, by Representative D. Aagard, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 16**, REPEAL OF VEHICLE EQUIPMENT SAFETY COMMISSION, by Representative N. Hendrickson, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 19**, PROCUREMENT CODE RENUMBERING, by Representative R. Bigelow, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 20**, CALLING LOCAL SPECIAL ELECTIONS FOR SALES AND USE TAX PURPOSES, by Representative S. Clark, which has
been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, H.B. 37, ADMINISTRATIVE RULES REAUTHORIZATION, by Representative D. Ure, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, H.B. 52, FIRE PREVENTION AMENDMENTS, by Representative J. Murray, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, H.B. 176, REVISOR’S STATUTE, by Representative R. Lockhart, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. H.B. 6, H.B. 8, H.B. 10, H.B. 15, H.B. 16, H.B. 19, H.B. 20, H.B. 37, H.B. 52, and H.B. 176 were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

* * *

Mr. Speaker: February 3, 2005

The Senate passed, as amended, H.B. 26, CONVEYANCES OF PROPERTY, by Representative J. S. Adams, and it is transmitted for further consideration; and

The Senate passed, as amended, Sub. H.B. 28, JUVENILE JUSTICE RECODIFICATION, by Representative D. Aagard, and it is transmitted for further consideration; and

The Senate passed, as amended, H.B. 185, UTAH COMPUTER CRIMES ACT AMENDMENTS, by Representative B. Daw, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate


REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 3, 2005

The Public Utilities and Technology Committee reports a favorable recommendation on H.B. 145, AMENDMENTS TO HEARING AND SPEECH
The Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 238**, UTAH TECHNOLOGY COMMISSION MEMBERSHIP, by Representative J. Dougall, with the following amendments:

1. Page 1, Lines 26 through 27:
   
   Other Special Clauses:
   
   27 \{−None−\} This bill provides an immediate effective date.

2. Page 11, Lines 312 through 313:

   312 (6) Any meeting of the committee is subject to Title 52, Chapter 4, Open and Public

   313 Meetings.

   Section 6. Effective date.

   If approved by two-thirds of all the members elected to each house, this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution Article VII, Section 8, without the governor’s signature, or in the case of a veto, the date of veto override.

Sheryl L. Allen, Chair

Reports filed. On motion of Representative Hunsaker, the reports of the Public Utilities and Technology committee were adopted.


***

Mr. Speaker: February 3, 2005

The Business and Labor Committee reports a favorable recommendation on **H.B. 236**, HEALTH INSURANCE LAW AMENDMENTS, by Representative J. Dunnigan, with the following amendments:

1. Page 52, Lines 1578 through 1581:

   1578 (a) has been continuously covered \{−under group policy−\} for a period of six months by the group policy or the group’s preceding policies

   1579 immediately prior to termination; [and]
(b) has exhausted either Utah mini−COBRA coverage as required in Section 31A–22–722 or federal COBRA coverage \( \text{if offered} \); and

2. Page 52, Lines 1597 through 1599:

\[\text{or} \]

(iii) made intentional misrepresentation of material fact under the terms of coverage;

\[\text{or} \]

(iv) individual no longer resides in the service area; or

The Business and Labor Committee reports a favorable recommendation on S.B. 37, MOTOR VEHICLE BUSINESS REGULATION ACT AMENDMENTS, by Senator D. Eastman, with the following amendments:

1. Page 1, Lines 13 through 14

Senate Committee Amendments 1–20–2005:

 increases the bond amount for a motor vehicle dealer’s license from $50,000 to

$75,000 \( \text{until June 30, 2010} \) \begin{align*} & \text{beginning on July 1, 2006}; \end{align*} \]

2. Page 1, Lines 15 through 16

Senate Committee Amendments 1–20–2005:

 increases the bond amount for a special equipment dealer’s license from $20,000 to

$75,000 \( \text{until June 30, 2010} \) \begin{align*} & \text{beginning on July 1, 2006}; \end{align*} \]

3. Page 1, Lines 20 through 21

Senate Committee Amendments 1–20–2005:

 \( \text{provides that beginning on July 1, 2010, the bond amount for a motor vehicle} \)

 \( \text{dealer’s license or a special equipment dealer’s license is} \)

$100,000; \)

4. Page 2, Line 31:

 \( \text{This bill takes effect July 1, 2005.} \)
5. Page 2, Lines 40 through 45:

40 (1) (a) Before a dealer’s, special equipment dealer’s, crusher’s, or body shop’s license is

41 issued, the applicant shall file with the administrator a corporate

surety bond in the amount of:

42 (i) $50,000 until June

30, 2006, and $75,000 on or

after July 1, 2006, for a

43 motor vehicle dealer’s license;

44 (ii) $20,000 until June

30, 2006, and $75,000 on or

after July 1, 2006, for a

45 special equipment dealer’s license;

6. Page 3, Line 80

Senate Committee Amendments 1–20–2005:

80 chapter.

Section 2. Effective date.

This bill takes effect July 1, 2005.

The Business and Labor Committee reports a favorable recommendation on

S.B. 40, REGULATION OF TITLE INSURANCE INDUSTRY, by Senator

T. Hatch.

Stephen D. Clark, Chair

Reports filed. On motion of Representative S. Clark, the reports of the

Business and Labor committee were adopted.

H.B. 236, as amended, S.B. 37, as amended, and S.B. 40, read the second time
by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: February 3, 2005

The Education Committee reports a favorable recommendation on H.B. 135,
IMPLEMENTING FEDERAL EDUCATIONAL PROGRAMS, by
Representative M. Dayton; and

The Education Committee reports a favorable recommendation on H.J.R. 3,
RESOLUTION REGARDING FEDERAL NO CHILD LEFT BEHIND, by
Representative K. Holdaway, et al.

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


***

Mr. Speaker: February 3, 2005

The Health and Human Services Committee reports a favorable recommendation on **H.B. 62**, AMENDMENTS TO INTERMEDIATE CARE FACILITIES FOR MENTALLY RETARDED, by Representative R. Lockhart, with the following amendments:

1. Page 2, Lines 31 through 35:

   31 (1) (a) “Nursing care facility” means:
   32 (i) a nursing care facility described in Subsection 26−21−2(17);
   33 (ii) beginning January 1, 2006, a designated swing bed in
   (A) a general acute hospital as defined in Subsection
   34 26−21−2(11); and
   (B) a critical access hospital which meets the criteria of 42 U.S.C.
   1395i−4(c)(2)(1998); and
   35 (iii) an intermediate care facility for the mentally retarded that
   is licensed under Section

The Health and Human Services Committee reports a favorable recommendation on **S.B. 93**, CHILDREN’S JUSTICE CENTER ADDITION, by Senator T. Hatch; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 90**, COUNTY OFFICERS SERVING ON BOARDS OF COUNTY MENTAL HEALTH AND SUBSTANCE ABUSE PROVIDERS, by Senator D. Thomas, and recommends it be placed on the Consent Calendar.

Bradley G. Last, Chair

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

**H.B. 62**, as amended, read the second time by short title and placed on the calendar for third reading.
S.B. 93, read the second time by short title and referred to the Rules Committee due to fiscal impact.

S.B. 90, read the second time by short title and placed on the Consent Calendar.

INTRODUCTION OF BILLS

H.J.R. 21, Resolution Honoring Jade Pusey (D. Ure), read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

H.B. 67, ABANDONED VEHICLES AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Gowans, the House voted to delete H.B. 67 in title and body and insert Sub. H.B. 67 in lieu thereof.

Sub. H.B. 67 then passed on the following roll call:

Yeas, 67; Nays, 3; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard  Adams  Alexander  Barrus
Becker  Bigelow  Biskupski  Bourdeaux
Bowman  Buttars  Buxton  D. Clark
S. Clark  Cosgrove  D. Cox  Daw
Dayton  Dee  Donnelson  Dougall
Duckworth  Dunnigan  Ferrin  Fisher
Frank  Gibson  Goodfellow  Gowans
Hansen  Hardy  Hendrickson  Hogue
Holdaway  Hughes  Hunsaker  E. Hutchings
B. Johnson  Jones  King  Kiser
Last  Lawrence  Litvack  Lockhart
Mascaro  Mathis  McGee  Menlove
Morgan  Moss  Murray  Newbold
Noel  Oda  Painter  Romero
Shurtliff  G. Snow  Tilton  Urquhart
Walker  Wallace  Wheatley  Wheeler
Wiley  Wyatt  Curtis

Voting in the negative were: Representatives

Christensen  Ferry  Harper
Absent or not voting were: Representatives
S. Allen Fowlke Morley Ray
Ure

Sub. H.B. 67 transmitted to the Senate for its consideration.

***

H.B. 59, DOMESTIC VIOLENCE ENHANCEMENT, read the third time by short title and placed on its final passage.

H.B. 59 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander Barrus
Becker Bigelow Biskupski Bourdeaux
Bowman Buttars Buxton Christensen
D. Clark S. Clark Cosgrove D. Cox
Daw Dayton Dee Donnelson
Dougall Duckworth Dunnigan Ferrin
Ferry Fisher Fowlke Frank
Gibson Goodfellow Gowans Hansen
Hardy Harper Hendrickson Hogue
Holdaway Hughes Hunsaker E. Hutchings
B. Johnson Jones King Kiser
Last Lawrence Litvack Lockhart
Mascaro Mathis McGee Menlove
Morgan Morley Moss Murray
Newbold Noel Oda Painter
Ray Romero Shurtliff G. Snow
Ure Urquhart Walker Wallace
Wheatley Wheeler Wiley Wyatt
Curtis

Absent or not voting were: Representatives
S. Allen Tilton

H.B. 59 transmitted to the Senate for its consideration.

***

H.B. 33, ASSISTANCE FOR PEOPLE WITH BLEEDING DISORDERS, read the third time by short title and placed on its final passage.
Representative Litvack proposed the following amendment:

1. Page 4, Line 90

   90 (D) insurance coverage available under either private health insurance. Title 31A, Chapter 29, Comprehensive

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

**H.B. 33**, as amended, then passed on the following roll call:

**Yeas, 55; Nays, 15; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Barrus</th>
<th>Becker</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
<td>Bowman</td>
</tr>
<tr>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Daw</td>
<td>Dee</td>
<td>Duckworth</td>
</tr>
<tr>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
</tr>
<tr>
<td>Fowlke</td>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
</tr>
<tr>
<td>Hardy</td>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
</tr>
<tr>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>Jones</td>
</tr>
<tr>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
</tr>
<tr>
<td>Litvack</td>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
</tr>
<tr>
<td>Menlove</td>
<td>Morgan</td>
<td>Moss</td>
<td>Murray</td>
</tr>
<tr>
<td>Newbold</td>
<td>Painter</td>
<td>Ray</td>
<td>Romero</td>
</tr>
<tr>
<td>Shurtliff</td>
<td>G. Snow</td>
<td>Ure</td>
<td>Wallace</td>
</tr>
<tr>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Alexander</th>
<th>Buttars</th>
<th>S. Clark</th>
<th>Dayton</th>
</tr>
</thead>
<tbody>
<tr>
<td>Donnelson</td>
<td>Frank</td>
<td>Gibson</td>
<td>Harper</td>
</tr>
<tr>
<td>Hughes</td>
<td>Morley</td>
<td>Oda</td>
<td>Tilton</td>
</tr>
<tr>
<td>Urquhart</td>
<td>Walker</td>
<td>Wyatt</td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>S. Allen</th>
<th>Dougall</th>
<th>Lockhart</th>
<th>Noel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Curtis</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**H.B. 33**, as amended, transmitted to the Senate for its consideration.

***

**H.B. 64, CRIMINAL BACKGROUND CHECKS FOR PERSONAL CARE ATTENDANTS**, read the third time by short title and placed on its final passage.
Representative Hunsaker proposed the following amendment:

1. Page 1, Line 33:
   Bracket “None” and insert “This bill provides a coordination clause.”

2. Page 16, Line 474:
   After line 474 insert:
   Section 9. Coordinating H.B. 64 with H.B. 79.
   If this H.B. 64 and H.B. 79, Provisions of Services for People with Disabilities, both pass, it is the intent of the Legislature that the Office of Legislative Research and General Counsel shall prepare the Utah Code database for publication as follows:
   (1) combine the amendments made by this bill and H.B. 79 to Section 62A−2−121 so that Section 62A−2−121 reads as follows:
   “62A−2−121. Access to abuse and neglect information.
   (1) For purposes of this section:
   (a) “direct service worker” is as defined in Section 62A−5−101; and
   (b) “personal care attendant” is as defined in Section 62A−3−101.
   [4(4)] (2) With respect to a human services licensee, a direct service worker, or a personal care attendant, the department may access only the Licensing Information System of the Division of Child and Family Services created by Section 62A−4a−116.2 and juvenile court records under Subsection 78−3a−320[(4)](6), for the purpose of:
   (a) (i) determining whether a person associated with a licensee, with direct access to children[,];
   (A) is listed in the Licensing Information System; or
   (B) has a substantiated finding by a juvenile court of a severe type of child abuse or neglect under Subsections 78−3a−320(1) and (2); and
   [(4b)] (ii) informing a licensee that a person associated with the licensee:
   (A) is listed in the Licensing Information System; or
   (B) has a substantiated finding by a juvenile court of a severe type of child abuse or neglect under Subsections 78−3a−320(1) and (2)[,];
   (b) (i) determining whether a direct service worker:
   (A) is listed in the Licensing Information System; or
   (B) has a substantiated finding by a juvenile court of a severe type of child abuse or neglect under Subsections 78−3a−320(1) and (2); and
   (ii) informing a direct service worker or the direct service worker’s employer that the direct service worker:
   (A) is listed in the Licensing Information System; or
   (B) has a substantiated finding by a juvenile court of a severe type of child abuse or neglect under Subsections 78−3a−320(1) and (2); or
   (c) (i) determining whether a personal care attendant:
(A) is listed in the Licensing Information System; or
(B) has a substantiated finding by a juvenile court of a severe type of
child abuse or neglect under Subsections 78–3a–320(1) and (2); and
(ii) informing a person described in Subsections 62A–3–101(9)(a)(i)
through (iv) that a personal care attendant:
(A) is listed in the Licensing Information System; or
(B) has a substantiated finding by a juvenile court of a severe type of
child abuse or neglect under Subsections 78–3a–320(1) and (2).
[(2)] (3) Notwithstanding Subsection [(4)] (2), the department may
access the Division of Child and Family Service’s Management
Information System under Section 62A–4a–116 for the purpose of
licensing and monitoring foster parents.
[(4)] (4) After receiving identifying information for a person under
Subsection 62A–2–120(1), the department shall process the
information for the purposes described in Subsection [(4)] (2).
[(4)] (5) The department shall adopt rules under Title 63, Chapter 46a,
Utah Administrative Rulemaking Act, consistent with this chapter,
defining the circumstances under which a person [who has] may have
direct access or provide services to children [and who] when:
(a) the person is listed in the Licensing Information System of the
Division of Child and Family Services created by Section
62A–4a–116.2; or [has]
(b) juvenile court records show that a court made a substantiated
finding [by a court of] under Section 78–3a–320, that the person
committed a severe type of child abuse or neglect [under Subsections
78–3a–320(1) and (2) may provide services to children].” ; and
(2) combine the amendments made by this bill and H.B. 79 to Section
62A–2–122 so that Section 62A–2–122 reads as follows:
“62A–2–122. Access to vulnerable adult abuse and neglect
information.
(1) For purposes of this section:
(a) “direct service worker” is as defined in Section 62A–5–101; and
(b) “personal care attendant” is as defined in Section 62A–3–101.
[(4)] (2) With respect to a human services [licensees] licensee, a direct
service worker, or a personal care attendant, the department may access
the data base created by Section 62A–3–311.1 for the purpose of:
(a) (i) determining whether a person associated with a licensee, with
direct access to vulnerable adults, has a substantiated finding of:
(A) abuse[-i];
(B) neglect[-i]; or
(C) exploitation; and
[(b)] (ii) informing a licensee that a person associated with the licensee has a substantiated finding of:
(A) abuse;
(B) neglect; or
(C) exploitation;
(b) (i) determining whether a direct service worker has a substantiated finding of:
(A) abuse;
(B) neglect; or
(C) exploitation; and
(ii) informing a direct service worker or the direct service worker’s employer that the direct service worker has a substantiated finding of:
(A) abuse;
(B) neglect; or
(C) exploitation;
(c) (i) determining whether a personal care attendant has a substantiated finding of:
(A) abuse;
(B) neglect; or
(C) exploitation; and
(ii) informing a person described in Subsections 62A–3–101(9)(a)(i) through (iv) that a personal care attendant has a substantiated finding of:
(A) abuse;
(B) neglect; or
(C) exploitation;
[(2)] (3) After receiving identifying information for a person under Subsection 62A–2–120(1), the department shall process the information for the purposes described in Subsection (1).
[(3)] (4) The department shall adopt rules under Title 63, Chapter 46a, Utah Administrative Rulemaking Act, consistent with this chapter and consistent with Section 62A–3–311.1, defining the circumstances under which a person [who has] may have direct access or provide services to vulnerable adults [and who has a substantiated finding of abuse, neglect, or exploitation may provide services to vulnerable adults] when the person is listed in the statewide database of the Division of Aging and Adult Services created by Section 62A–3–311.1 as having a substantiated finding of abuse, neglect, or exploitation.”
Section 10. Coordinating H.B. 64 with S.B. 107.
If this H.B. 64 and S.B. 107, Licensure and Regulation of Programs and Facilities, both pass, it is the intent of the Legislature that the Office of
Legislative Research and General Counsel shall prepare the Utah Code database for publication as follows:
(1) combine the amendments made by this bill and S.B. 107 to Section 62A−2−121 so that Section 62A−2−121 reads as follows:
“62A−2−121. Access to abuse and neglect information.
(1) For purposes of this section “personal care attendant” is as defined in Section 62A−5−101.
[(4)] (2) With respect to [human services licensees] a licensee, a certified local inspector applicant, or a personal care attendant, the department may access only the Licensing Information System of the Division of Child and Family Services created by Section 62A−4a−116.2 and juvenile court records under Subsection 78−3a−320[(4)](6), for the purpose of:
(a) (i) determining whether a person associated with a licensee, with direct access to children[];
(A) is listed in the Licensing Information System; or
(B) has a substantiated finding by a juvenile court of a severe type of child abuse or neglect under Subsections 78−3a−320(1) and (2); and
[(b)] (ii) informing a licensee that a person associated with the licensee:
(A) is listed in the Licensing Information System; or
(B) has a substantiated finding by a juvenile court of a severe type of child abuse or neglect under Subsections 78−3a−320(1) and (2);
(b) (i) determining whether a certified local inspector applicant:
(A) is listed in the Licensing Information System; or
(B) has a substantiated finding by a juvenile court of a severe type of child abuse or neglect under Subsections 78−3a−320(1) and (2); and
(ii) informing a local government that a certified local inspector applicant:
(A) is listed in the Licensing Information System; or
(B) has a substantiated finding by a juvenile court of a severe type of child abuse or neglect under Subsections 78−3a−320(1) and (2); or
(c) (i) determining whether a personal care attendant:
(A) is listed in the Licensing Information System; or
(B) has a substantiated finding by a juvenile court of a severe type of child abuse or neglect under Subsections 78−3a−320(1) and (2); and
(ii) informing a person described in Subsections 62A−3−101(9)(a)(i) through (iv) that a personal care attendant:
(A) is listed in the Licensing Information System; or
(B) has a substantiated finding by a juvenile court of a severe type of child abuse or neglect under Subsections 78−3a−320(1) and (2).
[(2)] (3) Notwithstanding Subsection [(4)] (2), the department may
access the Division of Child and Family Service’s Management Information System under Section 62A−4a−116 for the purpose of licensing and monitoring foster parents.

[(3)] (4) After receiving identifying information for a person under Subsection 62A−2−120(1), the department shall process the information for the purposes described in Subsection [(4)] (2).

[(4)] (5) The department shall adopt rules under Title 63, Chapter 46a, Utah Administrative Rulemaking Act, consistent with this chapter, defining the circumstances under which a person [who has] may have direct access or provide services to children [and when]

(a) the person is listed in the Licensing Information System of the Division of Child and Family Services created by Section 62A−4a−116.2; or [has]

(b) juvenile court records show that a court made a substantiated finding [by a court of] under Section 78−3a−320, that the person committed a severe type of child abuse or neglect [under Subsections 78−3a−320(1) and (2) may provide services to children].”

(2) combine the amendments made by this bill and S.B. 107 to Section 62A−2−122 so that Section 62A−2−122 reads as follows:


(1) For purposes of this section “personal care attendant” is as defined in Section 62A−3−101.

[(4)] (2) With respect to [human services licensees] a licensee, a certified local inspector applicant, or a personal care attendant, the department may access the data base created by Section 62A−3−311.1 for the purpose of:

(a) (i) determining whether a person associated with a licensee, with direct access to vulnerable adults, has a substantiated finding of:

(A) abuse;

(B) neglect;

or

(C) exploitation; and

[(b)] (ii) informing a licensee that a person associated with the licensee has a substantiated finding of:

(A) abuse;

(B) neglect;

or

(C) exploitation;

(b) (i) determining whether a certified local inspector applicant has a substantiated finding of:

(A) abuse;

(B) neglect; or
(C) exploitation; and
(ii) informing a local government that a certified local inspector applicant has a substantiated finding of:
(A) abuse;
(B) neglect; or
(C) exploitation; or
(c) (i) determining whether a personal care attendant has a substantiated finding of:
(A) abuse;
(B) neglect; or
(C) exploitation; and
(ii) informing a person described in Subsections 62A−3−101(9)(a)(i) through (iv) that a personal care attendant has a substantiated finding of:
(A) abuse;
(B) neglect; or
(C) exploitation.

(3) After receiving identifying information for a person under Subsection 62A−2−120(1), the department shall process the information for the purposes described in Subsection (1).

(4) The department shall adopt rules under Title 63, Chapter 46a, Utah Administrative Rulemaking Act, consistent with this chapter and consistent with Section 62A−3−311.1, defining the circumstances under which a person may have direct access or provide services to vulnerable adults and who has a substantiated finding of abuse, neglect, or exploitation may provide services to vulnerable adults when the person is listed in the statewide database of the Division of Aging and Adult Services created by Section 62A−3−311.1 as having a substantiated finding of abuse, neglect, or exploitation.

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

H.B. 64, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard  Adams  Alexander  Barrus
Becker  Bigelow  Biskupski  Bourdeaux
Bowman  Buxton  Christensen  D. Clark
S. Clark  Cosgrove  D. Cox  Daw
Dayton  Dee  Donnelson  Duckworth
Dunnigan  Ferrin  Ferry  Fisher
Absent or not voting were: Representatives
S. Allen Buttars Dougall Hendrickson
Mascaro Mathis G. Snow Curtis

H.B. 64, as amended, transmitted to the Senate for its consideration.

***

H.B. 199, SPECIAL ELECTION DATES, read the third time by short title and placed on its final passage.

On motion of Representative Hogue, the House voted to circle H.B. 199.

***

H.B. 66, NATUROPATHIC PHYSICIAN AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle H.B. 66.

***

H.B. 47, NEW AUTOMOBILE FRANCHISE ACT AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle H.B. 47.

***

H.B. 71, LICENSING OF ESTHETICIANS AND NAIL TECHNICIANS, read the third time by short title and placed on its final passage.
Representative Last proposed the following amendment:

1. Page 1, Line 18:
   Delete “350” and insert “300”

2. Page 1, Line 20:
   Delete “450” and insert “375”

3. Page 6, Line 167:
   Delete “350” and insert “300”

4. Page 8, Line 226:
   Delete “450” and insert “375”

5. Page 11, Line 332:
   Delete “July 1, 2005” and insert “December 31, 2005”

Representative Ure proposed the following substitute motion to amend:

1. Page 1, Line 18:
   Delete “350” and insert “300”

2. Page 1, Line 20:
   Delete “450” and insert “375”

3. Page 6, Line 167:
   Delete “350” and insert “300”

4. Page 8, Line 226:
   Delete “450” and insert “375” and delete “six” and insert “three”

5. Page 11, Line 332:
   Delete “July 1, 2005” and insert “December 31, 2005”

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

H.B. 71, as amended, then passed on the following roll call:

Yeas, 55; Nays, 13; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Aagard   Adams   Alexander   Barrus
Becker   Bigelow Biskupski Bourdeaux
Bowman   Buxton   D. Clark  Cosgrove
D. Cox   Daw      Dee       Duckworth
Day 19  Friday, February 4, 2005

Dunnigan Ferrin Ferry Fisher
Fowlke Goodfellow Gowans Hansen
Hardy Hendrickson Hogue Holdaway
Hunsaker E. Hutchings King Kiser
Last Lawrence Litvack Mascaro
McGee Menlove Morgan Moss
Murray Newbold Noel Oda
Painter Ray Romero Shurtliff
Ure Walker Wallace Wheatley
Wheeler Wiley Wyatt

Voting in the negative were: Representatives
Buttars Christensen S. Clark Dayton
Donnelson Dougall Frank Gibson
Harper Hughes Lockhart Urquhart
Curtis

Absent or not voting were: Representatives
S. Allen B. Johnson Jones Mathis
Morley G. Snow Tilton

H.B. 71, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Ferrin, the House voted to uncircle H.B. 66.

H.B. 66, NATUROPATHIC PHYSICIAN AMENDMENTS, was before the House on its final passage.

Representative Ferrin proposed the following amendment:

1. Page 1, Lines 21 through 23
   21 Other Special Clauses:
   22 {None} This bill provides an immediate effective date.
   23 Utah Code Sections Affected:

2. Page 4, Lines 101 through 103:
   101 (5) Licensees under this chapter may [not] sell from their offices homeopathic
remedies or dietary supplements as defined in the Federal Food
Drug and Cosmetic Act, except for those products that are not readily available from other
local sources consistent with division rule.

Section 3. Effective date.

If approved by two-thirds of all the members elected to each house,
this bill takes effect upon approval by the governor, or the day following
the constitutional time limit of Utah Constitution Article VII, Section 8,
without the governor’s signature, or in the case of a veto, the date of veto
override.

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

H.B. 66, as amended, then passed on the following roll call:

**Yeas, 57; Nays, 11; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard  Adams  Alexander  Barrus
Becker  Bigelow  Biskupski  Bourdeaux
Buxton  D. Clark  S. Clark  Cosgrove
D. Cox  Daw  Dee  Donnelson
Dougall  Duckworth  Dunnigan  Ferrin
Ferry  Fisher  Fowlke  Frank
Gibson  Hardy  Hendrickson  Hogue
Holdaway  Hughes  E. Hutchings  Jones
King  Kiser  Last  Lawrence
Lockhart  Mascaro  Menlove  Morley
Moss  Murray  Newbold  Noel
Oda  Painter  Ray  Shurtliff
Ure  Urquhart  Walker  Wallace
Wheatley  Wheeler  Wiley  Wyatt
Curtis

**Voting in the negative were:** Representatives

Buttars  Christensen  Dayton  Goodfellow
Gowans  Harper  Hunsaker  B. Johnson
Mathis  G. Snow  Tilton

**Absent or not voting were:** Representatives

S. Allen  Bowman  Hansen  Litvack
McGee  Morgan  Romero
H.B. 66, as amended, transmitted to the Senate for its consideration.

RULES COMMITTEE REPORT

Mr. Speaker:

February 4, 2005

The House Rules Committee recommends, with written request of the sponsor, that H.B. 197, Individual Income Tax Amendments for Education Funding (Rep. P. Jones) be replaced with Substitute H.B. 197, Individual Income Tax Amendments (Rep. P. Jones) and further recommends it be assigned to the Revenue and Taxation Standing Committee; and

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

BUSINESS AND LABOR
H.B. 121  Property Exempt from Execution (Rep. J. Dunnigan)
H.B. 263  Insurers Rehabilitation and Liquidation (Rep. J. Dougall)
H.B. 269  Sales Marketing Requirements (Rep. M. Noel)
H.B. 283  Real Estate Amendments (Rep. G. Snow)

GOVERNMENT OPERATIONS
H.B. 128  Compensation of Executive Officers
          (Rep. L. Christensen)
H.B. 281  Task Force on Legislative Reforms (Rep. N. Hansen)
H.B. 291  Capitol Preservation Board Modifications
          (Rep. J. Alexander)

HEALTH AND HUMAN SERVICES
S.B. 83   Medical Decisions of a Parent or Guardian
          (Sen. D. Thomas)

LAW ENFORCEMENT AND CRIMINAL JUSTICE
S.B. 73   Tampering with Evidence (Sen. D. C. Buttars)

PUBLIC UTILITIES AND TECHNOLOGY
H.J.R. 15 Resolution Regarding United States Trade Negotiations
            (Rep. S. Allen)
RETIREMENT AND INDEPENDENT ENTITIES

REVENUE AND TAXATION
S.B. 133 Individual Income Tax – Return Filing Requirements (Sen. H. Stephenson)

Rebecca Lockhart, Chair

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

MISCELLANEOUS BUSINESS

On motion of Representative Ure, under suspension of the rules, the House voted to lift H.J.R. 21, from the Rules Committee, consider it read the second time by short title and set for Time Certain for Monday, February 7, 2005 at 11:00 a.m.

***

On motion of Representative Alexander, the House voted to adjourn until February 7, 2005, at 10:00 a.m.
TWENTY–SECOND DAY

* * *

MORNING SESSION

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

Roll call showed all members present.

Prayer and Pledge of Allegiance by Representative Gordon E. Snow.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 4, 2005

The Senate passed S.J.R. 7, RESOLUTION RECOGNIZING RONALD REAGAN DAY, by Senator P. Knudson, and it is transmitted for consideration; and

The Senate passed S.J.R. 13, JOINT RESOLUTION AMENDING INTERIM LEGISLATIVE RULES, by Senator M. Waddoups, and it is transmitted for consideration; and

The Senate passed, as substituted, 2nd Sub. S.B. 110, MEDICAL DEVICE NOTIFICATION AND LIABILITY, by Senator D. C. Buttars, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate


* * *

Mr. Speaker: February 4, 2005

The Senate concurred in the House amendments and passed 1st Sub. S.B. 23, PROPERTY TAX TREATMENT OF TANGIBLE PERSONAL PROPERTY, by Senator C. Bramble, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. Sub. S.B. 23 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.
Mr. Speaker: February 4, 2005

The Senate passed, H.B. 5, PERSON WITH A DISABILITY MOTORCYCLE PARKING, by Representative T. Kiser, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, H.B. 7, INDIVIDUAL INCOME TAX – CONTRIBUTIONS FOR EDUCATION, by Representative S. Allen, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, H.B. 14, BOND ELECTION PROCESS AMENDMENTS, by Representative F. Hunsaker, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, H.B. 54, CRIMINAL APPEAL AMENDMENTS, by Representative S. Wyatt, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, H.B. 170, EXTENSION OF UTAH LOW-INCOME HOUSING TAX CREDITS, by Representative S. Clark, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. H.B. 5, H.B. 7, H.B. 14, H.B. 54, and H.B. 170 were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

***

Mr. Speaker: February 4, 2005

The Senate passed, as amended, H.B. 51, ELECTRONIC PAYMENTS TO LOCAL GOVERNMENT ENTITIES, by Representative J. Murray, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. H.B. 51, placed on the calendar for concurrence.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 4, 2005

The Political Subdivisions Committee reports a favorable recommendation on 1st Sub. S.B. 106, UTAH RELIGIOUS LAND USE ACT, by Senator D. Thomas, with the following amendments:
1. Page 6, Lines 176 through 177
Senate 2nd Reading Amendments 2–1–2005:

176 (4) This act shall not impair the ability of local government to
\{ \text{regulate} \} \text{impose costs and fees reasonably necessary to}
\text{mitigate} \text{the off-site}
177 impacts of development.

Brad L. Dee, Chair

Reports filed. On motion of Representative Dee, the reports of the Political Subdivisions committee were adopted.

** Sub. S.B. 106, as amended, read the second time by short title and placed on the calendar for third reading. **

Mr. Speaker: February 4, 2005

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **S.J.R. 6, SPACE EXPLORATION RESOLUTION**, by Senator P. Knudson; and


David N. Cox, Chair

Reports filed. On motion of Representative Cox, the reports of the Workforce Service and Community and Economic Development committee were adopted.

** S.J.R. 6, read the second time by short title and placed on the calendar for third reading. **

S.B. 7, read the second time by short title and referred to the Rules Committee due to fiscal impact.

**

Mr. Speaker: February 4, 2005

The Government Operations Committee reports a favorable recommendation on **H.B. 154, SCHOOL AND INSTITUTIONAL TRUST LANDS AMENDMENTS**, by Representative E. Hutchings, and recommends it be placed on the Consent Calendar; and
The Government Operations Committee reports a favorable recommendation on 2nd Sub. S.B. 43, PENALTY FOR PROVIDING FALSE INFORMATION TO STATE AGENCY, by Senator P. Hellewell, and recommends it be placed on the Consent Calendar; and

The Government Operations Committee reports a favorable recommendation on S.B. 123, GOVERNMENTAL IMMUNITY ACT – TECHNICAL AMENDMENTS, by Senator G. Bell, and recommends it be placed on the Consent Calendar; and

The Government Operations Committee reports a favorable recommendation on 1st Sub. S.B. 44, GOVERNMENT RECORDS AMENDMENTS, by Senator C. Walker; and

The Government Operations Committee reports a favorable recommendation on S.B. 86, 2004 GENERAL OBLIGATION BOND AMENDMENTS, by Senator P. Knudson; and


Douglas C. Aagard, Chair

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


* * *

Mr. Speaker: February 4, 2005

The Retirement and Independent Entities Committee reports a favorable recommendation on H.B. 44, ADDITIONAL STATE RETIREMENT BENEFIT, by Representative L. Shurtliff; and

The Retirement and Independent Entities Committee reports a favorable recommendation on H.B. 217, PUBLIC SAFETY RETIREMENT – EXEMPTION OF CERTAIN EMPLOYEES, by Representative D. Clark.

Michael T. Morley, Chair

Reports filed. On motion of Representative Morley, the reports of the Retirement and Independent Entities committee were adopted.
H.B. 44 and H.B. 217, read the second time by short title and placed on the
calendar for third reading.

CONSENT CALENDAR

S.B. 88, CREATION OF LOCAL DISTRICTS, read the third time by short
title and placed on its final passage.

On motion of Representative Holdaway, the House voted to place S.B. 88 at
the bottom of the Third Reading Calendar.

***

S.J.R. 3, RESOLUTION ENCOURAGING MEDIATION, read the third
time by short title and placed on its final passage.

S.J.R. 3 then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Alexander</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
</tr>
<tr>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
</tr>
<tr>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Daw</td>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
</tr>
<tr>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Ferry</td>
</tr>
<tr>
<td>Fisher</td>
<td>Frank</td>
<td>Goodfellow</td>
<td>Gowans</td>
</tr>
<tr>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
</tr>
<tr>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
<td>Lockhart</td>
</tr>
<tr>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morgan</td>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
</tr>
<tr>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Shurtleff</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
</tr>
<tr>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
</tr>
<tr>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>Dayton</th>
<th>Fowlke</th>
<th>Gibson</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hansen</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
S.J.R. 3 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

Sub. S.B. 35, RELATIONSHIPS WITH VENTURE CAPITAL ENTITIES, read the third time by short title and placed on its final passage.

Sub. S.B. 35 then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard  
Barrus  
Buttars  
S. Clark  
Dayton  
Dunnigan  
Fowlke  
Hansen  
Hogue  
E. Hutchings  
Last  
Mathis  
Morley  
Noel  
Romero  
Ure  
Wheatley  
Curtis

Alexander  
Becker  
Buxton  
Cosgrove  
Dee  
Ferrin  
Frank  
Hardy  
Holdaway  
B. Johnson  
Lawrence  
McGee  
Moss  
Oda  
Shurtliff  
Urquhart  
Wheeler  

S. Allen  
Bourdeaux  
Christensen  
D. Cox  
Dougall  
Ferry  
Goodfellow  
Harper  
Hughes  
King  
Litvack  
Menlove  
Murray  
Painter  
G. Snow  
Walker  
Wiley  

Bowman  
Daw  
Duckworth  
Fisher  
Gowans  
Hendrickson  
Hunsaker  
Kiser  
Lockhart  
Morgan  
Newbold  
Ray  
Tilton  
Wallace  
Wyatt

**Absent or not voting were:** Representatives

Bigelow  
Biskupski  
Donnelly  
Gibson  
Jones  
Mascaro

Sub. S.B. 35 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

**CONCURRENCE CALENDAR**

On motion of Representative Adams, the House voted to concur in the Senate amendments to **H.B. 26, CONVEYANCES OF PROPERTY.**
H.B. 26, as amended by the Senate, then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Bigelow  Biskupski
Bourdeaux  Bowman  Buttars  Christensen
D. Clark  S. Clark  Cosgrove  D. Cox
Daw  Dayton  Dee  Donnelson
Dougall  Duckworth  Dunnigan  Ferrin
Ferry  Fisher  Fowlke  Frank
Goodfellow  Hansen  Harper  Hendrickson
Holdaway  Hughes  Hunsaker  E. Hutchings
B. Johnson  Jones  King  Kiser
Last  Lawrence  Litvack  Lockhart
Mascaro  Mathis  Menlove  Morgan
Morley  Moss  Murray  Newbold
Noel  Oda  Painter  Ray
Romero  Shurtliff  G. Snow  Tilton
Ure  Urquhart  Walker  Wheatley
Wheeler  Wiley  Wyatt  Curtis

Absent or not voting were: Representatives
Buxton  Gibson  Gowans  Hardy
Hogue  McGee  Wallace

H.B. 26, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Aagard, the House voted to concur in the Senate amendments to Sub. H.B. 28, JUVENILE JUSTICE RECODIFICATION AND REVISIONS.

Sub. H.B. 28, as amended by the Senate, then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Bigelow  Biskupski
Absent or not voting were: Representatives
Gibson McGee Wallace

Sub. H.B. 28, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Daw, the House voted to concur in the Senate amendments to H.B. 185, UTAH COMPUTER CRIMES ACT AMENDMENTS.

H.B. 185, as amended by the Senate, then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Bowman Buttars Buxton
Christensen D. Clark S. Clark Cosgrove
D. Cox Daw Dayton Dee
Donnelson Dougall Duckworth Dunnigan
Ferrin Ferry Fisher Fowlke
Frank Gibson Goodfellow Gowans
Hansen Hardy Harper Hendrickson
Hogue Holdaway Hughes Hunsaker
Wheeler Wiley Wyatt Curtis
Absent or not voting were: Representatives
McGee       Painter

H.B. 185, as amended by the Senate, transmitted to the Senate for signature of the president.

THIRD READING CALENDAR

H.B. 11, ECONOMIC DEVELOPMENT INCENTIVES, read the third time by short title and placed on its final passage.

Representative Dee proposed the following amendment:

1. Page 6, Line 175:
   Delete “revoke” and insert “repeal”

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

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

SPECIAL ORDER OF BUSINESS

H.J.R. 21, RESOLUTION HONORING JADE PUSEY, read the third time by short title and placed on its final passage.

H.J.R. 21 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard       Adams       Alexander       S. Allen
Barrus       Becker      Bigelow        Bourdeaux
Bowman       Buttars     Christensen   D. Clark
S. Clark     Cosgrove    D. Cox         Daw
Absent or not voting were: Representatives
Biskupski  Buxton  Gibson  Hansen
Lockhart

H.J.R. 21 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Dee, the House voted to uncircle H.B. 11.

H.B. 11, ECONOMIC DEVELOPMENT INCENTIVES, was before the House on its final passage.

H.B. 11, as amended, then passed on the following roll call:

Yeas, 63; Nays, 4;Absent or not voting, 8.

Voting in the affirmative were: Representatives
Aagard  Alexander  S. Allen  Barrus
Becker  Bigelow  Biskupski  Bourdeaux
Bowman  Buttars  Buxton  D. Clark
S. Clark  Cosgrove  D. Cox  Daw
Dee  Donnelson  Duckworth  Dunnigan
Ferry  Fisher  Fowlke  Frank
Goodfellow  Gowans  Hansen  Hardy
Harper  Hendrickson  Holdaway  Hunsaker
E. Hutchings  B. Johnson  Jones  King
Kiser  Last  Lawrence  Litvack

Wyatt  Wheatley  Wheeler  Wiley
Lockhart  Mascaro  Mathis  McGee
Menlove  Morgan  Moss  Murray
Newbold  Noel  Oda  Painter
Ray  Romero  Shurtliff  G. Snow
Urquhart  Walker  Wallace  Wheatley
Wheeler  Wiley  Wyatt

**Voting in the negative were:** Representatives
Christensen  Dayton  Hughes  Tilton

**Absent or not voting were:** Representatives
Adams  Dougall  Ferrin  Gibson
Hogue  Morley  Ure  Curtis

**H.B. 11,** as amended, held for possible reconsideration.

**H.B. 47,** NEW AUTOMOBILE FRANCHISE ACT AMENDMENTS, was before the House on its final passage.

**H.B. 47,** as amended, then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives
Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Bigelow  Biskupski
Bourdeaux  Bowman  Buttars  Buxton
Christensen  D. Clark  S. Clark  Cosgrove
D. Cox  Daw  Dayton  Dee
Donnelson  Dougall  Duckworth  Dunnigan
Ferry  Fisher  Fowlke  Frank
Gibson  Goodfellow  Gowans  Hansen
Hardy  Harper  Hendrickson  Holdaway
Hughes  Hunsaker  E. Hutchings  B. Johnson
Jones  King  Kiser  Last
Lawrence  Litvack  Mascaro  Mathis
McGee  Menlove  Morgan  Morley
Moss  Murray  Newbold  Noel
Oda  Painter  Ray  Romero
Absent or not voting were: Representatives
Ferrin Hogue Lockhart Ure Curtis

H.B. 47, as amended, transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 159, MOTOR ASSISTED SCOOTER AND MINI–MOTORCYCLE AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Dee, the House voted to delete H.B. 159 in title and body and insert Sub. H.B. 159 in lieu thereof.

Sub. H.B. 159 then passed on the following roll call:

Yeas, 52; Nays, 18; Absent or not voting, 5.

Voting in the affirmative were: Representatives
Aagard Adams S. Allen Barrus
Becker Bigelow Biskupski Bourdeaux
Bowman Buttars Buxton D. Clark
S. Clark Cosgrove D. Cox Dee
Dougall Duckworth Dunnigan Ferry
Fisher Fowlke Gibson Goodfellow
Gowans Hansen Hardy Hendrickson
Holdaway Hunsaker E. Hutchings B. Johnson
Jones King Last Lawrence
Litvack Mascaro McGee Menlove
Morgan Moss Murray Ray
Romero Shurtliff G. Snow Ure
Wallace Wheatley Wiley Wyatt

Voting in the negative were: Representatives
Alexander Christensen Daw Dayton
Donnelson Frank Harper Hughes
Kiser Mathis Morley Newbold
Noel Painter Tilton Urquhart
Walker Wheeler
Absent or not voting were: Representatives
Ferrin       Hogue       Lockhart       Oda
Curtis

Sub. H.B. 159 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 78. CORPORATE FRANCHISE AND INCOME TAX AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Dunnigan moved to delete H.B. 78 in title and body and insert Sub. H.B. 78 in lieu thereof. The motion passed on the following roll call:

Yea, 39; Nays, 29; Absent or not voting, 7.

Voting in the affirmative were: Representatives
Alexander       S. Allen       Becker       Bigelow
Bourdeaux       Buxton       Christensen       D. Clark
Cosgrove       D. Cox       Dee       Duckworth
Dunnigan       Fisher       Fowlke       Gibson
Goodfellow       Gowans       Hansen       Hardy
Holdaway       Hunsaker       E. Hutchings       Jones
King       Last       Lawrence       Litvack
Mascaro       McGee       Menlove       Morgan
Moss       Murray       Noel       Romero
Shurtliff       Wheatley

Voting in the negative were: Representatives
Aagard       Barrus       Bowman       Buttars
S. Clark       Daw       Dayton       Donnelson
Dougall       Ferrin       Ferry       Frank
Harper       B. Johnson       Kiser       Mathis
Morley       Newbold       Oda       Painter
Ray       G. Snow       Tilton       Ure
Urquhart       Walker       Wallace       Wheeler
Wyatt

Absent or not voting were: Representatives
Adams       Biskupski       Hendrickson       Hogue
Hughes       Lockhart       Curtis

On motion of Representative Holdaway, the House voted to circle Sub. H.B. 78.
MISCELLANEOUS BUSINESS

On motion of Representative Hunsaker, under suspension of the rules, the House voted to lift S.J.R. 7 from the Rules Committee, consider it read the second time by short title, and place it at the top of the Senate Third Reading Calendar.

***

On motion of Representative Urquhart, the House voted to move to the Senate Third Reading Calendar.

THIRD READING CALENDAR

S.J.R. 7, RESOLUTION RECOGNIZING RONALD REAGAN DAY, read the third time by short title and placed on its final passage.

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

**Yeas, 58; Nays, 0; Absent or not voting, 17.**

**Voting in the affirmative were:** Representatives
Aagard  Adams  Alexander  S. Allen
Barrus  Bigelow  Biskupski  Bowman
Buxton  Christensen  D. Clark  S. Clark
Cosgrove  D. Cox  Daw  Dayton
Dee  Donnelson  Dougall  Dunnigan
Ferrin  Ferry  Fisher  Frank
Gibson  Hardy  Harper  Hendrickson
Hogue  Holdaway  Hughes  Hunsaker
E. Hutchings  King  Kiser  Last
Lawrence  Lockhart  Mathis  Menlove
Morgan  Morley  Murray  Newbold
Noel  Oda  Painter  Ray
Romero  G. Snow  Tilton  Urquhart
Walker  Wallace  Wheeler  Wiley
Wyatt  Curtis

**Absent or not voting were:** Representatives
Becker  Bourdeaux  Buttars  Duckworth
Fowlke  Goodfellow  Gowans  Hansen
B. Johnson  Jones  Litvack  Mascaro
McGee  Moss  Shurtliff  Ure
Wheatley
S.J.R. 7 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

RULES COMMITTEE REPORTS

Mr. Speaker: February 7, 2005

The House Rules Committee recommends, with written request of the sponsor, that H.B. 56, Divorce Amendments (Rep. P. Wallace) be replaced with Substitute H.B. 56, Divorce Task Force (Rep. P. Wallace) and further recommends it be read for the first time and assigned to the Judiciary Standing Committee; and

The Rules Committee recommends that the following resolution be considered read for the second time and placed at the top of the Third Reading Calendar for Senate bills:

S.J.R. 13 Joint Resolution Amending Interim Legislative Rules (Sen. M. Waddoups); and

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

EDUCATION
H.B. 239 Repeal of Exemption from Nonresident Tuition (Rep. G. Donnelson)

GOVERNMENT OPERATIONS

JUDICIARY
H.B. 259 Adoption Amendments (Rep. A. Hardy)

LAW ENFORCEMENT AND CRIMINAL JUSTICE
H.B. 276 Division of Criminal Investigation and Technical Services Amendments (Rep. C. Oda)

NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT
H.B. 242 Criminal Penalty for Animal Cruelty (Rep. S. Wyatt)
POLITICAL SUBDIVISIONS
H.B. 368  Special Function Officers for Division of Occupational and Professional Licensing (Rep. N. Hendrickson)

WORKFORCE SERVICES AND COMMUNITY & ECONOMIC DEVELOPMENT

Reports filed. On motion of Representative Lockhart, the reports of the Rules Committee were adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Urquhart, the House voted to adjourn until February 8, 2005, at 10:00 a.m.
TWENTY-THIRD DAY
* * *

MORNING SESSION

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

Roll call showed all members present except Representatives Michael Morley and Gregg Buxton, excused.

Pledge of Allegiance and prayer by Representative Brad King.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 7, 2005

The Senate passed S.B. 74, MEDICAL RESERVE CORPS, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed S.B. 119, RURAL MEDICAL RESIDENCY TRAINING PROGRAMS, by Senator P. Knudson, and it is transmitted for consideration; and

The Senate passed S.B. 130, RETIREMENT FOR AIRPORT POLICE, by Senator M. Dmitrich, and it is transmitted for consideration; and

The Senate passed, as substituted, 1st Sub. S.J.R. 8, JOINT RULES RESOLUTION – APPEARANCE OF BILLS, by Senator C. Bramble, and it is transmitted for consideration; and

The Senate passed S.J.R. 10, RESOLUTION TO CONGRESS REGARDING OIL AND GAS DRILLING AND EXPLORATION, by Senator H. Stephenson, et al, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate


* * *

Mr. Speaker: February 7, 2005

The Senate passed, H.B. 34, EMERGENCY RELATED AMENDMENTS, by Representative S. Allen, which has been signed by the President and it is transmitted for the signature of the Speaker; and
The Senate passed, **H.B. 160**, WILDLIFE LICENSE AGENTS AMENDMENTS, by Representative J. Fisher, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 177**, WILDLIFE LICENSE REFUND AMENDMENTS, by Representative M. Dayton, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 181**, DUPLICATE WILDLIFE LICENSING AMENDMENTS, by Representative M. Dayton, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.J.R. 21**, RESOLUTION HONORING JADE PUSEY, by Representative D. Ure, which has been signed by the President and it is transmitted for the signature of the Speaker.

---

Mr. Speaker: February 7, 2005

The Senate passed, as amended, **H.B. 162**, MUNICIPAL ABATEMENT OF WEEDS AND OTHER NEGLECTED ITEMS ON PROPERTY, by Representative M. Morley, and it is transmitted for further consideration.

---

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 7, 2005

The Retirement and Independent Entities Committee reports a favorable recommendation on **H.B. 213**, UNUSED SICK LEAVE AT RETIREMENT AMENDMENTS, by Representative D. Clark, with the following amendments:

1. Page 2, Lines 42 through 43:
   
   42 Other Special Clauses:
   
   43 {–None–}  **This bill takes effect on January 1, 2006.**
2. Page 7, Line 198:

198 (2)(a)(ii).
Section 6. Effective date.
This bill takes effect on January 1, 2006.

Michael T. Morley, Chair

Report filed. On motion of Representative D. Clark, the report of the Retirement and Independent Entities committee was adopted.

H.B. 213, as amended, read the second time by short title and placed on the calendar for third reading.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, under suspension of the rules, the House voted to move H.B. 213 to the top of the Third Reading Calendar.

***

Mr. Speaker: February 7, 2005

The Business and Labor Committee reports a favorable recommendation on S.B. 4, UNINSURED MOTORIST PROPERTY DAMAGE COVERAGE AMENDMENTS, by Senator D. Eastman, and recommends it be placed on the Consent Calendar; and

The Business and Labor Committee reports a favorable recommendation on H.B. 121, PROPERTY EXEMPT FROM EXECUTION, by Representative J. Dunnigan; and

The Business and Labor Committee reports a favorable recommendation on S.B. 47, WRONGFUL LIEN OFFENSES, by Senator B. Evans; and

The Business and Labor Committee reports a favorable recommendation on S.B. 115, PERMANENT TOTAL DISABILITY AMENDMENTS, by Senator E. Mayne; and

The Business and Labor Committee recommends H.B. 105, CONSTRUCTION FILING AMENDMENTS, by Representative M. Morley, be replaced and favorably recommends 1st Sub. H.B. 105, CONSTRUCTION FILING AMENDMENTS.

Stephen D. Clark, Chair

Reports filed. On motion of Representative S. Clark, the reports of the Business and Labor committee were adopted.
S.B. 4, read the second time by short title and placed on the Consent Calendar.


* * *

Mr. Speaker: February 7, 2005

The Education Committee reports a favorable recommendation on H.B. 86, UTAH COLLEGE OF APPLIED TECHNOLOGY AMENDMENTS, by Representative R. Bigelow, with the following amendments:

1. Page 9, Lines 269 through 273:

   269 (1) In accordance with Subsection 53B−2a−112(2), a college campus may enter into a lease with other higher education institutions, public school districts, state agencies, or business and industry for a term of:

   270 (a) one year or less with the approval of the campus board of directors; and

   271 (b) more than one year with:

(i) the approval of the board of trustees; and

(ii) the approval of funding for the lease by the Legislature prior to a college campus entering into the lease.

The Education Committee reports a favorable recommendation on H.B. 102, HIGHER EDUCATION SAVINGS INCENTIVE PROGRAM AMENDMENTS, by Representative S. Wyatt, with the following amendments:

1. Page 3, Line 70:

   70 {59−10−901, as enacted by Chapter 390, Laws of Utah 1997--} 

2. Page 3, Line 83:

   83 53B−8b−112, as enacted by Chapter 390, Laws of Utah 1997 59−10−901, as enacted by Chapter 390, Laws of Utah 1997

3. Page 24, Lines 736 through 740:

   736 {Section 13. Section 59−10−901 is amended to read:

   737 59−10−901. Tax considerations for Utah Supplemental Educational Savings Plan}
Trust.

[(1)(a)] A contribution to the Utah Supplemental Educational Savings Plan Trust created under Section 53B−8b−103 on behalf of a designated beneficiary is not a taxable gift.

4. Page 25, Line 764:

Section 53B−8b−112, Liberal construction.

Section 59−10−901, Tax considerations for Utah Supplemental Educational Savings Plan Trust.

5. Page 11, Lines 316 through 321:

(2)(a) [Each] Through March 31, 2005, each beneficiary account owner under [a participation agreement] may receive an interest in a portion, as determined by policy, of the investment income derived by the endowment fund in any year during which funds are invested in the program fund on behalf of the beneficiary, to be payable paid under the participation agreement to institutions of higher education for higher education costs, not to exceed the cost of attendance at the institution as provided in Subsection (2)(c).

The Education Committee reports a favorable recommendation on H.B. 136, CHARTER SCHOOL ENROLLMENT, by Representative J. Ferrin; and

The Education Committee reports a favorable recommendation on H.B. 139, LOCAL SCHOOL BOARD AMENDMENTS, by Representative M. Dayton, and recommends it be placed on the Consent Calendar.

Margaret Dayton, Chair

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

H.B. 86, as amended, H.B. 102, as amended, and H.B. 136, read the second time by short title and placed on the calendar for third reading.
H.B. 139, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: February 7, 2005

The Health and Human Services Committee reports a favorable recommendation on S.B. 83, MEDICAL DECISIONS OF A PARENT OR GUARDIAN, by Senator D. Thomas, with the following amendments:

1. Page 1, Lines 15 through 17
   Senate 2nd Reading Amendments 1–24–2005:
   15 • a health care decision made by a child’s parent or guardian does not constitute
   16 neglect unless the state or other party to the proceeding shows, by clear and
   17 convincing evidence, that the decision is not reasonable and {prudent} informed; and

2. Page 1, Lines 21 through 24
   Senate 2nd Reading Amendments 1–24–2005:
   21 • a health care decision made by a child’s parent or guardian does not constitute
   22 severe child abuse or neglect unless the state or other party to the proceeding
   23 shows, by clear and convincing evidence, that the decision is not reasonable and
   24 {prudent} informed

3. Page 2, Lines 34 through 37
   Senate 2nd Reading Amendments 1–24–2005:
   34 ► modifies the definition of a neglected child under the Juvenile Court Act of 1996 to
   35 provide that a health care decision made by a child’s parent or guardian does not
   36 constitute neglect unless the state or other party to the proceeding can show, by
   37 clear and convincing evidence, that the decision was not reasonable and {prudent} informed;
4. Page 2, Lines 41 through 43
Senate 2nd Reading Amendments 1–24–2005:

41 a health care decision made by a child’s parent does not constitute neglect
42 unless the state or other party to the proceeding shows, by clear and convincing
43 evidence, that the decision is not reasonable and } informed ; and

5. Page 2, Lines 50 through 51
Senate 2nd Reading Amendments 1–24–2005:

50 is required by law } unless the health care provider fails to comply with the child
51 abuse or neglect reporting requirements } ;

6. Page 5, Line 149 through Page 6, Line 152:

149 (d) (i) Notwithstanding Subsection (18)(a), a health care decision made for a child by
150 the child’s parent or guardian does not constitute neglect unless the state or other party to the
151 proceeding shows, by clear and convincing evidence, that the health care decision is not
152 reasonable and } informed .

7. Page 9, Lines 265 through 267:

265 (c) a health care decision made for a child by the child’s parent or guardian, unless the
266 state or other party to the proceeding shows, by clear and convincing evidence, that the health
267 care decision is not reasonable and } informed .

8. Page 17, Lines 515 through 518
Senate 2nd Reading Amendments 1–24–2005:

515 (iv) Notwithstanding Subsection (1)(s)(i), a health care decision made for a child by the
child’s parent or guardian does not constitute neglect unless the
state or other party to the
proceeding shows, by clear and convincing evidence, that the
health care decision is not
reasonable and informed.

9. Page 20, Lines 609 through 612
Senate 2nd Reading Amendments 1–24–2005:

(4) (a) Notwithstanding Subsection (2), a parent may not be
considered neglectful or
unfit because of a health care decision made for a child by the
child’s parent unless the state or
other party to the proceeding shows, by clear and convincing
evidence, that the health care
decision is not reasonable and informed.

10. Page 21, Lines 640 through 643:

(2) The prohibition on bringing a malpractice action
against a health care provider in
Subsection (1) does not apply if the health care provider fails to
comply with the requirements
of Title 62A, Chapter 4a, Part 4, Child Abuse or Neglect Reporting
Requirements.

(2) The sole purpose of this section is to prohibit a
malpractice action against a health

The Health and Human Services Committee reports a favorable
recommendation on H.B. 243, REPEAL OF GERIATRIC CARE MANAGER, by
Representative R. Lockhart, with the following amendments:

1. Page 16, Line 490:

Subsection 58–31b–302 as an advanced practice registered nurse.
The Health and Human Services Committee reports a favorable recommendation on **S.B. 107**, LICENSURE AND REGULATION OF PROGRAMS AND FACILITIES, by Senator T. Hatch; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 279**, CLINICAL COUNSELOR − TITLE CHANGE, by Representative L. Fowlke, and recommends it be placed on the Consent Calendar.

Bradley G. Last, Chair

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


**S.B. 107**, read the second time by short title and referred to the Rules Committee due to fiscal impact.

**H.B. 279**, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: February 7, 2005

The Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 104**, SPYWARE CONTROL ACT REVISIONS, by Representative S. Urquhart; and

The Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 234**, TELEPHONE SURCHARGE FOR EDUCATION AND TRAINING PROGRAMS AT PRISON, by Representative B. Goodfellow, with the following amendments:

1. Page 2, line 43:
   After “to the” delete “Department of Corrections”
   Insert “Board of Regents”

The Public Utilities and Technology Committee reports a favorable recommendation on **1st Sub. S.B. 108**, TELECOMMUNICATIONS REVISIONS, by Senator C. Bramble; and

The Public Utilities and Technology Committee reports a favorable recommendation on **H.J.R. 15**, RESOLUTION REGARDING UNITED
STATES TRADE NEGOTIATIONS, by Representative S. Allen, and recommends it be placed on the Consent Calendar.

Sheryl L. Allen, Chair
Reports filed. On motion of Representative Allen, the reports of the Public Utilities and Technology committee were adopted.


H.J.R. 15, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: February 4, 2005

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on 1st Sub. S.B. 24, WASTE AMENDMENTS, by Senator C. Bramble; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on S.C.R. 4, RESOLUTION APPROVING UTAH RECREATIONAL LAND EXCHANGE, by Senator B. Evans; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on H.B. 270, TEMPORARY ROAD CLOSURES, by Representative M. Noel, with the following amendments:

1. Page 3, Lines 69 through 71:

   69 (d) A highway authority shall reopen an R.S. 2477 right-of-way, or a portion of an R.S. 2477 right-of-way, temporarily closed under this section if the alternate route is closed for any reason.

   70 2477 right-of-way temporarily closed under this section if the alternate route is closed for any reason.

   71 reason.

Roger E. Barrus, Chair
Reports filed. On motion of Representative Barrus, the reports of the Natural Resources, Agriculture, and Environment committee were adopted.

Mr. Speaker:

The Judiciary Committee reports a favorable recommendation on **H.B. 163**, GARNISHMENT FEES, by Representative S. Mascaro, with the following amendments:

1. Page 2, Lines 33 through 34:

   33 (3) An employer may deduct a processing fee of up to $10 from an employee each time a payment is made to a creditor pursuant to a continuing garnishment not to exceed $20.00 per month. This processing fee shall be included in the non-exempt amount subject to garnishment.

The Judiciary Committee recommends **H.B. 235**, INSURANCE AMENDMENTS, by Representative S. Urquhart, be replaced and reports a favorable recommendation on **1st Sub. H.B. 235**, INSURANCE ARBITRATION AMENDMENTS with the following amendments:

1. Page 1, Lines 22 through 24:

   22 provides that if a plaintiff, as the moving party in a trial de novo, does not receive a

   23 verdict that is at least $5,000 or 20% or greater than the arbitration award, the plaintiff is responsible for the nonmoving party’s costs;

2. Page 4, Lines 108 through 111:

   108 (11) (a) If the plaintiff, as the moving party in a trial de novo requested under

   109 Subsection (9), does not obtain a verdict that is at least $5,000 or 20% or greater than the arbitration award, the plaintiff is responsible for all of the nonmoving party’s costs.

The Judiciary Committee reports a favorable recommendation on **S.B. 15**, CHILDREN’S JUSTICE CENTER AMENDMENTS, by Senator D. C. Buttars, with the following amendments:
1. Page 1, Lines 14 through 15
Senate Committee Amendments 1−20−2005:

14 children or in the presence of children] CRIMES INVOLVING CHILDREN WHEN THE CHILD IS A PRIMARY VICTIM OR A CRITICAL WITNESS { SUCH AS DOMESTIC VIOLENCE CASES } AND DRUG−RELATED CHILD ENDANGERMENT CASES §.

15 Monies Appropriated in this Bill:

2. Page 2, Lines 32 through 34
Senate Committee Amendments 1−20−2005:

32 (b) [other criminal offense committed against the child or committed in the presence of the child] OTHER CRIMES INVOLVING CHILDREN WHERE THE CHILD IS A PRIMARY VICTIM OR A CRITICAL WITNESS { SUCH AS IN DOMESTIC VIOLENCE CASES } AND DRUG−RELATED CHILD ENDANGERMENT CASES §.

34 (2) “Agreement” means a written contract between two or more public agencies and

3. Page 2, Lines 55 through 56
Senate Committee Amendments 1−20−2005:

55 committed in the presence of children,] AND OTHER CRIMES INVOLVING CHILDREN WHERE THE CHILD IS A PRIMARY VICTIM OR A CRITICAL WITNESS { SUCH AS IN DOMESTIC VIOLENCE CASES }

55b AND DRUG−RELATED CHILD ENDANGERMENT CASES §.

55c in a facility known as a Children’s Justice Center.

56 (b) The attorney general shall administer the program.

4. Page 3, Line 89 through Page 4, Line 90
Senate Committee Amendments 1−20−2005:

89 physical abuse of children § [in the state] AND OTHER CRIMES IN THE STATE INVOLVING
CHILDREN WHERE THE CHILD IS A PRIMARY VICTIM OR A CRITICAL WITNESS {SUCH AS IN DOMESTIC VIOLENCE CASES \} AND DRUG-RELATED CHILD ENDANGERMENT CASES § ; [and]

(providing as many services as possible that are required for the thorough and)

Page 4, Lines 100 through 101
Senate Committee Amendments 1–20–2005:

against children or committed in the presence of children] CRIMES INVOLVING CHILDREN WHERE THE CHILD IS A PRIMARY VICTIM OR A CRITICAL WITNESS {SUCH AS IN DOMESTIC VIOLENCE]

CASES AND DRUG-RELATED CHILD ENDANGERMENT CASES § , in a facility known as a Children’s Justice Center.

Page 5, Lines 144 through 145
Senate Committee Amendments 1–20–2005:

committed in the presence of children] CRIMES INVOLVING CHILDREN WHERE THE CHILD IS A PRIMARY VICTIM OR A CRITICAL WITNESS {SUCH AS IN DOMESTIC VIOLENCE CASES ] AND

DRUG-RELATED CHILD ENDANGERMENT CASES ;

(f) recommend programs to improve the prompt and fair resolution of civil and

Page 5, Lines 149 through 150
Senate Committee Amendments 1–20–2005:

offenses committed against children or committed in the presence of children] CRIMES INVOLVING CHILDREN WHERE THE CHILD IS A PRIMARY VICTIM OR A CRITICAL WITNESS {SUCH AS IN DOMESTIC VIOLENCE CASES ] AND

DRUG-RELATED CHILD ENDANGERMENT CASES .

(5) The Advisory Board on Children’s Justice may not supersede the authority of the
The Judiciary Committee reports a favorable recommendation on 1st Sub.
S.B. 104, JUDICIARY AMENDMENTS, by Senator L. Hillyard, and
reecommends it be placed on the Consent Calendar; and

The Judiciary Committee reports a favorable recommendation on S.B. 116,
ARBITRATION − USE OF SUBPOENA AUTHORIZED, by Senator
D. Eastman, and recommends it be placed on the Consent Calendar.

James A. Ferrin, Chair
Reports filed. On motion of Representative Ferrin, the reports of the Judiciary
committee were adopted.

H.B. 163, as amended, and Sub. H.B. 235, as amended, read the second time
by short title and placed on the calendar for third reading.

S.B. 15, as amended, read the second time by short title and referred to the
Rules Committee due to fiscal impact.

Sub. S.B. 104 and S.B. 116 read the second time by short title and placed on
the Consent Calendar.

* * *

Mr. Speaker: February 4, 2005
The Transportation Committee reports a favorable recommendation on
S.B. 98, MOTOR VEHICLE REGISTRATION AND TITLE AMENDMENTS,
by Senator S. Killpack; and

The Transportation Committee reports a favorable recommendation on
1st Sub. S.B. 8, LOCAL CORRIDOR PRESERVATION FUNDING, by Senator
S. Killpack.

Joseph G. Murray, Chair
Reports filed. On motion of Representative Murray, the reports of the
Transportation committee were adopted.

S.B. 98 and Sub. S.B. 8, read the second time by short title and placed on the
calendar for third reading.

CONSENT CALENDAR

H.B. 212, TRAFFIC VIOLATIONS BY DIPLOMATS, read the third time by
short title and placed on its final passage.
**H.B. 212** then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Biskupski</td>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
</tr>
<tr>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
</tr>
<tr>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
</tr>
<tr>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Hardy</td>
</tr>
<tr>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
</tr>
<tr>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
</tr>
<tr>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Litvack</td>
<td>Lockhart</td>
<td>Mascaro</td>
</tr>
<tr>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
</tr>
<tr>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
</tr>
<tr>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
<td>Romero</td>
</tr>
<tr>
<td>Shurtliff</td>
<td>G. Snow</td>
<td>Tilton</td>
<td>Ure</td>
</tr>
<tr>
<td>Urquhart</td>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
</tr>
<tr>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
<td>Curtis</td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

| Alexander | Becker | Bigelow | Buxton |
| Gowans | Hansen | Morley |

**H.B. 212** transmitted to the Senate for its consideration.

***

**H.B. 203,** AGRICULTURAL ADVISORY BOARD, read the third time by short title and placed on its final passage.

**H.B. 203** then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
</tr>
<tr>
<td>Bowman</td>
<td>Buttars</td>
<td>Christensen</td>
<td>D. Clark</td>
</tr>
<tr>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
</tr>
</tbody>
</table>
H.B. 203 transmitted to the Senate for its consideration.

CONCURRENCE CALENDAR

On motion of Representative Murray, the House voted to concur in the Senate amendments to H.B. 51, ELECTRONIC PAYMENTS TO LOCAL GOVERNMENT ENTITIES.

H.B. 51, as amended by the Senate, then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard    Adams    Alexander    S. Allen
Barrus    Becker    Biskupski    Bourdeaux
Bowman    Butters    Christensen    D. Clark
S. Clark  Cosgrove    D. Cox    Daw
Dayton    Dee    Donnelson    Dougall
Duckworth Dunnigan    Ferrin    Ferry
Fisher    Fowlke    Frank    Gibson
Goodfellow Gowans    Hansen    Hardy
Harper    Hendrickson    Hogue    Holdaway
Hughes    Hunsaker    E. Hutchings    B. Johnson
Jones    King    Kiser    Last
Lawrence    Litvack    Lockhart    Mascaro
Mathis    McGee    Menlove    Morgan
Absent or not voting were: Representatives
Bigelow    Buxton    Morley    Newbold

H.B. 51, as amended by the Senate, transmitted to the Senate for signature of the president.

THIRD READING CALENDAR

H.B. 213, UNUSED SICK LEAVE AT RETIREMENT AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative D. Clark, the House voted to circle H.B. 213.

* * *

H.B. 68, MOTOR VEHICLE ENFORCEMENT DIVISION, read the third time by short title and placed on its final passage.

Representative Ray proposed the following amendment:

1. Page 1, Lines 18 through 19

18 authorizes the administrator of the Motor Vehicle Enforcement Division to contract

19 with { the Office of the Attorney General } a public prosecutor for increased { enforcement } prosecution ; and

2. Page 4, Lines 99 through 100:

99 (9) The administrator may contract with { the Office of the Attorney General } a public prosecutor to provide

100 additional { enforcement } prosecution of this chapter.

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

H.B. 68, as amended, then passed on the following roll call:

Y eas, 39; Nays, 28; Absent or not voting, 8.
Voting in the affirmative were: Representatives
Aagard  S. Allen  Barrus  Becker
Biskupski  Bourdeaux  Bowman  Christensen
D. Clark  Cosgrove  D. Cox  Dee
Fowlke  Gibson  Goodfellow  Gowans
Hogue  Holdaway  Hunsaker  E. Hutchings
Jones  Last  Lawrence  Litvack
Mascaro  McGee  Menlove  Morgan
Moss  Noel  Painter  Ray
Romero  Shurtliff  Wallace  Wheatley
Wheeler  Wiley  Curtis

Voting in the negative were: Representatives
Buttars  S. Clark  Daw  Dayton
Dougall  Duckworth  Dunnigan  Ferrin
Ferry  Fisher  Frank  Hansen
Hardy  Harper  Hendrickson  Hughes
Kiser  Lockhart  Mathis  Murray
Newbold  Oda  G. Snow  Tilton
Ure  Urquhart  Walker  Wyatt

Absent or not voting were: Representatives
Adams  Alexander  Bigelow  Buxton
Donnelson  B. Johnson  King  Morley

H.B. 68, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 76, HABITUAL VIOLENT OFFENDERS AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 76 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Biskupski  Bourdeaux
Bowman  Buttars  Christensen  D. Clark
S. Clark  Cosgrove  D. Cox  Dee
Dayton  Dee  Donnelson  Dougall
Duckworth  Dunnigan  Ferrin  Ferry

Absent or not voting were: Representatives
Bigelow  Buxton  Hansen  B. Johnson  Morley  Moss

H.B. 76 transmitted to the Senate for its consideration.

***

H.B. 218, SECOND DISTRICT JUVENILE JUDGE, read the third time by short title and placed on its final passage.

H.B. 218 then passed on the following roll call:

Yeas, 67; Nays, 2; Absent or not voting, 6.

Voting in the affirmative were: Representatives
Shurtliff    G. Snow    Tilton    Ure
Urquhart    Walker    Wallace    Wheatley
Wheeler     Wiley     Wyatt

Voting in the negative were: Representatives
Kiser        Curtis

Absent or not voting were: Representatives
Alexander    Bigelow    Buxton    Ferrin
B. Johnson   Morley

H.B. 218 transmitted to the Senate for its consideration.

* * *

H.B. 65, DRIVER LICENSE AND COMMERCIAL DRIVER LICENSE
AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 65, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard        Adams        Alexander    S. Allen
Barrus        Becker       Bigelow     Biskupskei
Bowman        Buttars      Christensen D. Clark
S. Clark      Cosgrove     D. Cox      Daw
Dayton        Dee          Donnelson  Dougall
Duckworth     Dunnigan     Ferry       Fisher
Fowlke        Frank        Gibson      Goodfellow
Gowans        Hansen       Hardy       Hendrickson
Holdaway      Hughes       Hunsaker   E. Hutchings
Jones         King         Kiser       Last
Lawrence      Litvack      Lockhart   Mascaro
Mathis        McGee        Menlove    Morgan
Moss          Murray       Newbold    Noel
Oda           Painter      Ray        Romero
Shurtliff     G. Snow      Tilton     Ure
Urquhart      Walker       Wallace    Wheatley
Wheeler       Wiley        Wyatt      Curtis

Absent or not voting were: Representatives
Bourdeaux     Buxton       Ferrin     Harper
Hogue         B. Johnson   Morley
H.B. 65, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 46, PUBLIC EDUCATION CAPITAL OUTLAY ACT AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Donnelson proposed the following amendment:

1. Page 1, Line 24:
   Delete “$2,930,9000” and insert “$2,930,900”

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

H.B. 46, as amended, then passed on the following roll call:

**Yeas, 41; Nays, 32; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives
Aagard  Adams  S. Allen  Barrus
Bigelow  Bowman  Buttars  S. Clark
Cosgrove  D. Cox  Dee  Donnelson
Duckworth  Ferry  Fisher  Fowlke
Gibson  Gowans  Hansen  Hardy
Hogue  Holdaway  Hughes  Hunsaker
E. Hutchings  Jones  Lawrence  Lockhart
Mascaro  McGee  Menlove  Morgan
Moss  Murray  Noel  Oda
Ray  Romero  Shurtliff  Walker
Wyatt

**Voting in the negative were:** Representatives
Alexander  Becker  Biskupski  Bourdeaux
Christensen  D. Clark  Daw  Dayton
Dougall  Dunnigan  Ferrin  Frank
Goodfellow  Harper  Hendrickson  B. Johnson
King  Kiser  Last  Litvack
Mathis  Newbold  Painter  G. Snow
Tilton  Ure  Urquhart  Wallace
Wheatley  Wheeler  Wiley  Curtis

**Absent or not voting were:** Representatives
Buxton  Morley
**H.B. 46**, as amended, transmitted to the Senate for its consideration.

* * *

**H.B. 221**, ELECTRONIC COMMUNICATION HARASSMENT, read the third time by short title and placed on its final passage.

**H.B. 221** then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
</tr>
<tr>
<td>Bowman</td>
<td>Buttars</td>
<td>Christensen</td>
<td>D. Clark</td>
</tr>
<tr>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
</tr>
<tr>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
</tr>
<tr>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
</tr>
<tr>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
</tr>
<tr>
<td>Jones</td>
<td>King</td>
<td>Last</td>
<td>Litvack</td>
</tr>
<tr>
<td>Lockhart</td>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morgan</td>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
</tr>
<tr>
<td>Noel</td>
<td>Oda</td>
<td>Ray</td>
<td>Romero</td>
</tr>
<tr>
<td>Shurtliff</td>
<td>G. Snow</td>
<td>Ure</td>
<td>Urquhart</td>
</tr>
<tr>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
</tr>
<tr>
<td>Wiley</td>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Barrus</th>
<th>Buxton</th>
<th>S. Clark</th>
<th>Dayton</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dee</td>
<td>Hardy</td>
<td>Kiser</td>
<td>Lawrence</td>
</tr>
<tr>
<td>Mascaro</td>
<td>Morley</td>
<td>Painter</td>
<td>Tilton</td>
</tr>
</tbody>
</table>

**H.B. 221** transmitted to the Senate for its consideration.

**UNFINISHED BUSINESS**

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

**H.R. 6**, HOUSE RULES RESOLUTION – ELECTRONIC VOTING BOARD, was before the House on its final passage.

Representative Ure proposed the following amendment:
1. Page 1, Lines 19 through 20

19 Special Clauses:

20 This resolution \{provides an immediate effective date\} takes effect January 1, 2006.

2. Page 2, Lines 32 through 33:

32 BE IT FURTHER RESOLVED that this resolution takes effect \{upon approval\} on January 1, 2006 if approved by a constitutional majority vote of all members of the House of Representatives.

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

**H.R. 6**, as amended, then failed to pass on the following roll call:

**Yeas, 28; Nays, 44; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Becker   Bigelow   Biskupski   Bourdeaux
Christensen  Cosgrove  Dougall   Duckworth
Frank    Gibson    Goodfellow  Gowans
Hansen   Hogue     Holdaway   Hughes
Hunsaker E. Hutchings Jones    King
Litvack  Mathis   Menlove   Painter
Ray     Romero   Ure        Curtis

**Voting in the negative were:** Representatives

Aagard   Adams     Alexander  S. Allen
Barrus  Bowman   Buttars    D. Clark
S. Clark D. Cox    Daw       Dayton
Dee     Donnelson Dunnigan  Ferrin
Ferry   Fisher    Fowlke     Hardy
Harper  Hendrickson  B. Johnson  Kiser
Last    Lawrence  Lockhart  McGee
Morgan  Moss      Murray     Newbold
Noel    Oda       Shurtleff G. Snow
Tilton  Urquhart  Walker    Wallace
Wheatley Wheeler   Wiley     Wyatt

**Absent or not voting were:** Representatives

Buxton   Mascaro  Morley
H.R. 6 was filed.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to recess until 2:00 p.m.

AFTERNOON SESSION

The House was called to order by Speaker Curtis at 2:30 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 8, 2005

The Senate concurred in the House amendments and passed S.B. 27, SUNSET REAUTHORIZATIONS, by Senator L. A. Mansell, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. S.B. 27 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Mr. Speaker: February 8, 2005

The Senate passed, H.B. 26, CONVEYANCES OF PROPERTY, by Representative J. S. Adams, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, 1st Sub. H.B. 28, JUVENILE JUSTICE RECODIFICATION AND REVISIONS, by Representative D. Aagard, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, H.B. 185, UTAH COMPUTER CRIMES ACT AMENDMENTS, by Representative B. Daw, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. H.B. 26, Sub. H.B. 28, and H.B. 185 were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.
The Senate passed, as amended, **H.B. 12**, HEALTH CARE ASSISTANTS, by Representative R. Lockhart, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate  
Communication filed. **H.B. 12**, placed on the calendar for concurrence.

**REPORTS OF STANDING COMMITTEES**

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 143**, NATIONAL GUARD AMENDMENTS, by Representative E. Hutchings, and recommends it be placed on the Consent Calendar; and

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 250**, CAPITOL COMPLEX SPACE, by Representative J. Alexander.

Brad L. Dee, Chair  
Reports filed. On motion of Representative Dee, the reports of the Political Subdivisions committee were adopted.

**H.B. 143**, read the second time by short title and placed on the Consent Calendar.

**H.B. 250**, read the second time by short title and placed on the calendar for third reading.

**Wayne A. Harper**, Chair  
Reports filed. On motion of Representative Harper, the reports of the Revenue and Taxation committee were adopted.
S.B. 128 and S.B. 133, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: February 8, 2005

The Government Operations Committee reports a favorable recommendation on H.B. 142, ISSUES SUBMITTED TO VOTERS, by Representative G. Hughes; and

The Government Operations Committee reports a favorable recommendation on H.B. 281, TASK FORCE ON LEGISLATIVE REFORMS, by Representative N. Hansen; and

The Government Operations Committee reports a favorable recommendation on H.B. 291, CAPITOL PRESERVATION BOARD MODIFICATIONS, by Representative J. Alexander; and

The Government Operations Committee recommends H.B. 211, INTEGRITY OF ELECTION RESULTS AMENDMENTS, by Representative J. Dougall, be replaced and reports a favorable recommendation on 1st Sub. H.B. 211, INTEGRITY OF ELECTION RESULTS AMENDMENTS with the following amendments:

1. Page 6, Lines 173 through 175:

173 (viii) ensure that all voting equipment purchased by the state complies with the

174 requirements of Subsection 20A−5−302(2) and {–Title 20A, Chapter 5, Part 4, Election Officer’s

175 Duties } Sections 20A−5−402.5 and 20A−5−402.7 } and

Douglas C. Aagard, Chair

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


THIRD READING CALENDAR

H.B. 25, DIRECT−ENTRY MIDWIFE ACT, read the third time by short title and placed on its final passage.
Representative Biskupski proposed the following amendment:

1. Page 6, Lines 176 through 178

   (7) “Practice of Direct−entry midwifery” means practice of providing the necessary supervision, care, and advice to a client during essentially normal pregnancy, labor, delivery, postpartum, and newborn periods that is consistent with national professional midwifery standards and that is based upon the acquisition of clinical skills necessary for the care of pregnant women and newborns, including antepartum.

2. Page 7, Lines 186 through 201:

   (f) obtaining medications, as specified in this Subsection (7)(f) to administer to clients, including:

   (i) prescription vitamins;

   (ii) Rho D immunoglobulin;

   (iii) CDC− or ACOG−recommended agents for Group B strep prophylaxis;

   (iv) sterile water;

   (v) IV fluids, excluding blood products;

   (vi) one dose of intramuscular oxytocin after the delivery of the placenta to minimize blood loss;

   (vii) anti−hemorrhagic medications;

   (viii) one dose of intramuscular oxytocin if a hemorrhage occurs, in which case the licensed Direct−entry midwife must either consult immediately with a physician licensed under Title 58, Chapter 67, Utah Medical Practice Act, or Title 58, Chapter 68, Utah Osteopathic Medical Practice Act, and initiate transfer, if requested, or if the client’s condition does not immediately improve, initiate transfer and notify the local hospital;

   (ix) oxygen;

   (x) local anesthetics without epinephrine used in accordance with Subsection (7)(l);

   (xi) vitamin K to prevent hemorrhagic disease of the newborn;
197 \{(x)\} (ix) eye prophylaxis to prevent ophthalmia neonatorum as required by law; and

198 \{(xi)\} other medications that are not controlled substances as defined in Section 58-37-2 \(x\) any other medication approved by a licensed health care provider with authority to prescribe that medication;

199 \{and which are approved by the division in collaboration with the Licensed Direct-entry \} \{−\}

200 Midwife Formulary Committee; \}

201 (g) obtaining food, food extracts, dietary supplements, as defined by the Federal Food,

3. Page 8, Lines 214 through 219:

214 \{(l)\} managing the postpartum period including \{−\} 

215 \{−(i)\} suturing of episiotomy or first and second degree natural perineal and labial 

216 lacerations, including the administration of a local anesthetic; \{−and\} 

217 \{−(ii)\} managing hemorrhage, including the administration of anti-hemorrhagic 

218 \{−medications or IV fluids;\} 

219 \{(m)\} managing the newborn period including:

4. Page 14, Lines 400 through 403:

400 \{(D)\} a promise to provide the client, upon request, separate documents describing the 

401 rules governing licensed Direct-entry midwifery practice, including a list of conditions 

402 indicating the need for consultation, collaboration, referral, transfer or \{−emergency −\} mandatory transfer, and 

403 the licensed Direct-entry midwife’s personal written practice guidelines;

5. Page 14, Lines 412 through 414:

412 \{(2)\} A licensed Direct-entry midwife shall appropriately recommend and facilitate
consultation with, collaboration with, referral to, or transfer or mandatory transfer of care to a licensed health care professional when the circumstances require that action in accordance with

6. Page 14, Lines 422 through 424:

(4) If after a client has been informed that she has or may have a condition indicating mandatory transfer, the licensed Direct-entry midwife shall in accordance with procedures established by division rule, terminate the care or initiate transfer by:

(a) calling 911 and reporting the need for immediate transfer;

7. Page 14, Lines 427 through 428:

physician’s orders.

(5) For the period from 2006 through 2011, a licensed Direct-entry midwife must submit outcome data to the Midwives’s Alliance of North America’s Division of Research on the form and in the manner prescribed by rule.

This chapter does not mandate health insurance coverage for midwifery services.

8. Page 15, Lines 444 through 446:

(d) The issuing of an order for a Direct-entry midwife’s client does not constitute a delegation of duties from the other provider to the Direct-entry midwife.

(4) A licensed health care provider may not be held civilly liable for rendering emergency medical services that arise from prohibited conduct in Section 57–77–603, or from care rendered under a waiver as specified in Subsection 58–77–601(3)(b), unless the emergency medical services constitute gross negligence or reckless disregard for the client.

(5) A licensed Direct-entry midwife shall be solely responsible for the use of medications under this chapter.

Section 18. Section 58–77–603 is enacted to read:

9. Page 15, Lines 449 through 455:

(1) administer a prescription drug to a client {other than those specified in Subsections } in a manner that violates this chapter:
(2) effect any type of surgical delivery except for the cutting of an emergency episiotomy;

(3) administer any type of epidural, spinal, or caudal anesthetic, or any type of narcotic analgesia; or

(4) use forceps or a vacuum extractor;

(5) manually remove the placenta, except in an emergency that presents an immediate threat to the life of the client; or

(6) induce abortion.

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

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

Yeas, 41; Nays, 30; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Aagard  Barrus  Biskupski  Bourdeaux
Buttars  Daw  Dee  Donnelson
Dougall  Duckworth  Dunnigan  Ferrin
Fowlke  Frank  Gibson  Goodfellow
Hansen  Hendrickson  Hogue  Holdaway
Hughes  E. Hutchings  B. Johnson  King
Kiser  Litvack  Lockhart  Mascaro
McGee  Murray  Oda  Painter
Ray  Romero  Tilton  Ure
Walker  Wallace  Wheatley  Wiley
Wyatt

Voting in the negative were: Representatives

Adams  Alexander  S. Allen  Becker
Bigelow  Bowman  Christensen  D. Clark
S. Clark  Cosgrove  Dayton  Ferry
Fisher  Gowan  Hardy  Harper
Hunsaker  Jones  Last  Lawrence
Mathis  Menlove  Morgan  Moss
Newbold  Noel  Shurtleff  G. Snow
Urquhart  Wheeler
Absent or not voting were: Representatives
Buxton D. Cox Morley Curtis

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

MISCELLANEOUS BUSINESS

Representative Alexander moved to reconsider House action on H.B. 11. The motion failed on the following roll call:

Yeas, 37; Nays, 35; Absent or not voting, 3.

Voting in the affirmative were: Representatives
Alexander Becker Christensen S. Clark
Cosgrove Daw Dayton Donnelson
Dougall Duckworth Dunnigan Ferrin
Ferry Frank Goodfellow Gowans
Hansen Hendrickson Hogue Hughes
E. Hutchings Jones King Kiser
Mathis McGee Newbold Noel
Oda Painter Shurtliff G. Snow
Tilton Ure Urquhart Walker
Curtis

Voting in the negative were: Representatives
Aagard Adams S. Allen Barrus
Bigelow Biskupski Bourdeaux Bowman
Buttars D. Clark Dee Fisher
Fowlke Gibson Hardy Harper
Holdaway Hunsaker B. Johnson Last
Lawrence Litvack Lockhart Mascaro
Menlove Morgan Moss Murray
Ray Romero Wallace Wheatley
Wheeler Wiley Wyatt

Absent or not voting were: Representatives
Buxton D. Cox Morley

H.B. 11 was filed.

THIRD READING CALENDAR

H.B. 80, SERVICES FOR PEOPLE WITH DISABILITIES, read the third time by short title and placed on its final passage.
On motion of Representative Alexander, the House voted to circle H.B. 80.

* * *

Sub. H.B. 200, PROPERTY AND CASUALTY INSURANCE LAW AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Dunnigan, the House voted to consider Sub. H.B. 200 read the first, second, and third times by short title.

Sub. H.B. 200 then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard Adams S. Allen Barrus
Becker Bigelow Biskupski Bourdeaux
Bowman Buttars Christensen S. Clark
Cosgrove Daw Dayton Dee
Donnelson Dougall Duckworth Dunnigan
Ferrin Ferry Fisher Fowlke
Frank Gibson Goodfellow Hansen
Hardy Harper Hogue Holdaway
Hunsaker E. Hutchings B. Johnson Jones
King Kiser Last Lawrence
Litvack Lockhart Mascaro Mathis
McGee Menlove Morgan Moss
Murray Newbold Noel Oda
Painter Ray Romero Shurtliff
G. Snow Tilton Ure Urquhart
Walker Wallace Wheatley Wheeler
Wiley Wyatt Curtis

**Absent or not voting were:** Representatives

Alexander Buxton D. Clark D. Cox
Gowans Hendrickson Hughes Morley

Sub. H.B. 200 transmitted to the Senate for its consideration.

**RULES COMMITTEE REPORT**

Mr. Speaker: February 8, 2005

The Rules Committee has ordered the following House bills printed and recommends the following bills and resolutions be assigned to standing committees:
BUSINESS AND LABOR
H.B. 247       Credit or Refund for Tax Paid on Cigarette or Tobacco Product Destroyed or Returned to the Manufacturer (Rep. E. Hutchings)
H.B. 255       Investment of Higher Education Institution Endowment Funds (Rep. D. Clark)
H.B. 349       Money Management Act Amendments (Rep. D. Clark)

EDUCATION
H.B. 124       Enrollment Growth Program Amendments (Rep. B. Last)
H.B. 362       Appropriation for Highly Qualified Teachers (Rep. K. Holdaway)

GOVERNMENT OPERATIONS
S.J.R. 10      Resolution to Congress Regarding Oil and Gas Drilling and Exploration (Sen. H. Stephenson)

HEALTH AND HUMAN SERVICES
H.B. 233       Adoption Law Revisions (Rep. R. McGee)
S.B. 74        Medical Reserve Corps (Sen. L. Hillyard)
S.B. 119       Rural Medical Residency Training Programs (Sen. P. Knudson)

JUDICIARY
H.B. 280       Joint Custody Amendments (Rep. L. Christensen)

POLITICAL SUBDIVISIONS
H.B. 113       Government Boundary Changes (Rep. K. Holdaway)
H.B. 256       Local Government Acquisition of Real Property (Rep. A. Hardy)

PUBLIC UTILITIES AND TECHNOLOGY
H.B. 109       Information Technology Governance Amendments (Rep. D. Clark)

RETIREMENT AND INDEPENDENT ENTITIES
S.B. 130       Retirement for Airport Police (Sen. M. Dmitrich)

REVENUE AND TAXATION
H.B. 140       Individual Income Tax Contribution for Community Spay and Neuter Programs (Rep. M. Noel)
TRANSPORTATION

H.B. 261 Motorboat Liability Insurance and Uninsured Motorist and Motorboat Identification Database Program Amendments (Rep. K. Gibson); and

The House Rules Committee recommends, with written request of the sponsor, that H.B. 57, Alcoholic Beverage Control Task Force (Rep. D. Ure) be replaced with Substitute H.B. 57, Tourism Task Force (Rep. D. Ure), and further recommends it be considered read for the first time and assigned to the Workforce Services Community and Economic Development Standing Committee.

Rebecca Lockhart, Chair

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

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to adjourn until February 9, 2005, at 10:00 a.m.
TWENTY-FOURTH DAY

* * *

MORNING SESSION

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

Roll call showed all members present except Representatives D. Gregg Buxton, Mike Morley, and Stephen Mascaro, excused.

Prayer by Ruth Urquhart, daughter of Representative Stephen H. Urquhart.

Pledge of Allegiance by Ike Urquhart, son of Representative Stephen H. Urquhart.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 8, 2005

The Senate passed, as amended, S.B. 126, MEDICAL BENEFITS RECOVERY ACT AMENDMENTS, by Senator S. Killpack, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. S.B. 126, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: February 8, 2005

The President of the Senate has signed H.B. 51, ELECTRONIC PAYMENTS TO LOCAL GOVERNMENT ENTITIES, by Representative J. Murray, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. H.B. 51 was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 8, 2005

The Law Enforcement and Criminal Justice Committee recommends H.B. 184, DOMESTIC VIOLENCE – CHANGE OF LOCKS ON RENTAL
PROPERTY, by Representative L. Shurtliff, be replaced and reports a favorable recommendation on 1st Sub. H.B. 184, CRIME VICTIMS − CHANGE OF LOCKS ON RENTAL PROPERTY with the following amendments:

1. Page 2, Lines 45–47:
   45 (c) Notwithstanding any rental agreement, an owner who installs a new lock under Subsection (3)(a) shall refuse to provide a copy of the key that opens the new lock to the perpetrator of the act listed in Subsection (1).

And further recommends that it be considered read for the first and second time and placed on the Third Reading Calendar for House Bills; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on H.B. 228, REMOVAL OR DEFACEMENT OF POLITICAL SIGNS, by Representative G. Hughes; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on S.B. 30, AMENDMENTS TO SEARCH WARRANTS, by Senator D. Thomas, and recommends it be placed on the Consent Calendar; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on S.B. 118, IDENTITY FRAUD AMENDMENTS, by Senator C. Walker, and recommends it be placed on the Consent Calendar.

DeMar “Bud” Bowman, Chair
Reports filed. On motion of Representative Bowman, the reports of the Law Enforcement and Criminal Justice committee were adopted.

Sub. H.B. 184, as amended, and H.B. 228, read the second time by short title and placed on the calendar for third reading.

S.B. 30 and S.B. 118, read the second time by short title and placed on the Consent Calendar.

CONSENT CALENDAR

S.B. 90, COUNTY OFFICERS SERVING ON BOARDS OF COUNTY MENTAL HEALTH AND SUBSTANCE ABUSE PROVIDERS, read the third time by short title and placed on its final passage.
On motion of Representative Alexander, the House voted to lift S.B. 90 from the Consent Calendar and place it at the bottom of the Third Reading Calendar.

THIRD READING CALENDAR

S.J.R. 13, JOINT RESOLUTION AMENDING INTERIM LEGISLATIVE RULES, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House voted to circle S.J.R. 13.

***

S.B. 32, LIMITATION OF LANDOWNER LIABILITY FOR PUBLIC RECREATION, read the third time by short title and placed on its final passage.

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

**Yeas, 65; Nays, 0; Absent or not voting, 10.**

**Voting in the affirmative were:** Representatives

Aagard
Becker
Buttars
D. Cox
Donnelson
Ferrin
Frank
Hansen
Hogue
E. Hutchings
Kiser
Mathis
Moss
Painter
G. Snow
Wheatley
Curtis

Alexander
Bigelow
Christensen
Daw
Dougall
Ferry
Gibson
Hardy
Holdaway
B. Johnson
Last
McGee
Murray
Ray
Tilton
Wheeler

S. Allen
Biskupski
D. Clark
Dayton
Duckworth
Fisher
Goodfellow
Harper
Hughes
Jones
Lawrence
Menlove
Noel
Romero
Ure
Wiley

Barrus
Bowman
Cosgrove
Dee
Dunnigan
Fowlke
Gowans
Hendrickson
Hunsaker
King
Lockhart
Morgan
Oda
Shurtliff
Walker
Wyatt

**Absent or not voting were:** Representatives

Adams
Litvack
Urquhart

Bourdeaux
Mascaro
Wallace

Buxton
Morley
Newbold
S. Clark

S.B. 32 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.
S.B. 94, RESTITUTION AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 94 then passed on the following roll call:

Y eas, 64; Nays, 0; Absent or not voting, 11.

Voting in the affirmative were: Representatives
Aagard  Alexander  S. Allen  Barrus
Becker  Bigelow  Biskupski  Bowman
Buttars  Christensen  D. Clark  Cosgrove
D. Cox  Daw  Dayton  Dee
Donnelson  Dougall  Duckworth  Dunnigan
Ferrin  Ferry  Fisher  Fowlke
Frank  Gibson  Goodfellow  Gowans
Hansen  Hardy  Harper  Hendrickson
Hogue  Holdaway  Hunsaker  E. Hutchings
B. Johnson  Jones  King  Kiser
Last  Lawrence  Lockhart  Mathis
Menlove  Morgan  Moss  Murray
Noel  Oda  Painter  Ray
Romero  G. Snow  Tilton  Ure
Urquhart  Walker  Wallace  Wheatley
Wheeler  Wiley  Wyatt  Curtis

Absent or not voting were: Representatives
Adams  Bourdeaux  Buxton  S. Clark
Hughes  Litvack  Mascaro  McGee
Morley  Newbold  Shurtliff

S.B. 94 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

S.B. 103, LIENS ON AIRCRAFT, read the third time by short title and placed on its final passage.

S.B. 103 then passed on the following roll call:

Y eas, 62; Nays, 0; Absent or not voting, 13.
Voting in the affirmative were: Representatives

Aagard     Alexander     S. Allen     Barrus
Becker     Bigelow       Biskupski     Bowman
Buttars    Christensen   D. Clark     Cosgrove
D. Cox     Daw           Dayton       Dee
Donnelson  Dougall      Duckworth     Dunnigan
Ferrin     Ferry         Fisher       Fowlke
Frank      Gibson        Goodfellow   Hansen
Hardy      Harper        Hendrickson  Hogue
Holdaway   Hughes        Hunsaker     E. Hutchings
B. Johnson Jones        King         Last
Lawrence   Lockhart     Mathis       Menlove
Morgan     Moss          Murray       Oda
Painter    Ray           Romero       Shurtleff
G. Snow    Tilton        Urquhart    Walker
Wallace    Wheatley     Wheeler       Wiley
Wyatt      Curtis

Absent or not voting were: Representatives

Adams       Bourdeaux    Buxton       S. Clark
Gowans      Kiser         Litvack      Mascaro
McGee       Morley        Newbold      Noel
Ure

S.B. 103 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

S.B. 37, MOTOR VEHICLE BUSINESS REGULATION ACT AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 37, as amended, then passed on the following roll call:

Yeas, 62; Nays, 3; Absent or not voting, 10.

Voting in the affirmative were: Representatives

Aagard     Alexander     S. Allen     Becker
Bigelow    Biskupski     Bourdeaux    Bowman
Christensen D. Clark     Cosgrove     D. Cox
Daw        Dayton        Dee          Donnelson
Dougall    Duckworth     Dunnigan     Ferrin
Ferry        Fowlke           Frank          Gibson
Goodfellow   Gowans          Hansen         Hardy
Hendrickson  Hogue           Holdaway       Hughes
Hunsaker     E. Hutchings    Jones          King
Kiser        Last            Lawrence       Litvack
Mathis       McGee           Menlove        Morgan
Moss         Murray          Noel           Oda
Painter      Ray             Romero         Shurtliff
G. Snow      Tilton          Ure            Urquhart
Walker       Wallace         Wheatley       Wheeler
Wiley        Wyatt

Voting in the negative were: Representatives
Barrus        Fisher         Lockhart

Absent or not voting were: Representatives
Adams          Buttars        Buxton    S. Clark
Harper         B. Johnson     Mascaro    Morley
Newbold        Curtis

S.B. 37, as amended, returned to the Senate for further consideration.

***

S.B. 40, REGULATION OF TITLE INSURANCE INDUSTRY, read the third time by short title and placed on its final passage.

S.B. 40 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard        Adams          S. Allen        Barrus
Becker        Bigelow        Biskupski       Bourdeau
Bowman        Buttars        Christensen    D. Clark
S. Clark      Cosgrove       D. Cox          Dawson
Dayton        Dee            Donnelson      Dougall
Duckworth     Dunnigan       Ferrin         Ferry
Fisher        Frank          Gibson         Goodfellow
Gowans        Hansen         Hardy          Harper
Hendrickson   Hogue          Holdaway       Hughes
Hunsaker      E. Hutchings   B. Johnson     Jones
King          Kiser          Last           Lawrence
S.B. 40 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Sub. S.B. 106, UTAH RELIGIOUS LAND USE ACT, read the third time by short title and placed on its final passage.

Sub. S.B. 106, as amended, then passed on the following roll call:

Yeas, 68; Nays, 1; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard  Adams  S. Allen  Barrus
Becker  Bigelow  Biskupski  Bourdeaux
Bowman  Buttars  Christensen  D. Clark
S. Clark  Cosgrove  D. Cox  Daw
Dayton  Dee  Donnelson  Dougall
Duckworth  Dunnigan  Ferrin  Ferry
Fisher  Fowlke  Frank  Gibson
Goodfellow  Gowans  Hansen  Hardy
Harper  Hendrickson  Hogue  Holdaway
Hughes  Hunsaker  E. Hutchings  B. Johnson
Jones  King  Kiser  Last
Lawrence  Litvack  Lockhart  Mathis
McGee  Menlove  Moss  Murray
Newbold  Noel  Oda  Painter
Ray  Romero  Shurtliff  G. Snow
Tilton  Urquhart  Walker  Wallace
Wheatley  Wheeler  Wiley  Wyatt
Voting in the negative was: Representative Ure

Absent or not voting were: Representatives
Alexander Buxton Mascaro Morgan
Morley Curtis

Sub. S.B. 106, as amended, returned to the Senate for further consideration.

UNFINISHED BUSINESS

On motion of Representative Ferry, the House voted to uncircle S.B. 21.

S.B. 21, LIMITATION ON LIABILITY REGARDING LIQUEFIED PETROLEUM GAS, was before the House on its final passage.

Representative Ferry proposed the following amendment:

1. Page 2, Lines 36 through 40
   Senate Committee Amendments 1–20–2005
   36 (2) There is a rebuttable presumption that a seller, supplier, installer, handler, or transporter of liquified petroleum gas and the necessary equipment and appliances have, licensed in accordance with Title 53, Chapter 7, Part 3, Liquified Petroleum Gas Act, has
   38 followed all applicable standards and procedures established by the § [fire code] LIQUIFIED
   38a PETROLEUM GAS BOARD {...adopted in
   39 accordance with §[Section 53–7–106 by the Utah Fire Prevention Board pursuant to Section
   40 53–7–204] THE PROVISIONS OF TITLE 53, CHAPTER 7, PART
   3, LIQUIFIED PETROLEUM GAS AC$ } .

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

S.B. 21, as amended, then passed on the following roll call:

Yeas, 68; Nays, 2; Absent or not voting, 5.

Voting in the affirmative were: Representatives
Aagard Adams S. Allen Barrus
Becker Bigelow Biskupski Bourdeaux
Voting in the negative were: Representatives
Duckworth Hansen

Absent or not voting were: Representatives
Alexander Buxton Mascaro Morley Curtis

S.B. 21, as amended, returned to the Senate for further consideration.

THIRD READING CALENDAR

S.J.R. 6, SPACE EXPLORATION RESOLUTION, read the third time by short title and placed on its final passage.

On motion of Representative Ferry, the House voted to circle S.J.R. 6.

***

Sub. S.B. 44, GOVERNMENT RECORDS AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Ferry, the House voted to circle Sub. S.B. 44.

***

S.B. 86, 2004 GENERAL OBLIGATION BOND AMENDMENTS, read the third time by short title and placed on its final passage.
On motion of Representative Bigelow, the House voted to circle S.B. 86.

***

S.B. 117, REPEAL OF UTAH TOMORROW STRATEGIC PLANNING COMMITTEE, read the third time by short title and placed on its final passage.

S.B. 117 then passed on the following roll call:

**Y eas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
</tr>
<tr>
<td>Bowman</td>
<td>Buttars</td>
<td>Christensen</td>
<td>D. Clark</td>
</tr>
<tr>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
</tr>
<tr>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Ferry</td>
</tr>
<tr>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
</tr>
<tr>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
</tr>
<tr>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
</tr>
<tr>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>Jones</td>
</tr>
<tr>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
</tr>
<tr>
<td>Litvack</td>
<td>Lockhart</td>
<td>Mathis</td>
<td>McGee</td>
</tr>
<tr>
<td>Menlove</td>
<td>Morgan</td>
<td>Moss</td>
<td>Murray</td>
</tr>
<tr>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
</tr>
<tr>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
</tr>
<tr>
<td>Wyatt</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

| Alexander | Buxton | B. Johnson | Mascaro |
| Morley | Curtis | | |

S.B. 117 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

S.B. 88, CREATION OF LOCAL DISTRICTS, read the third time by short title and placed on its final passage.
S.B. 88 then passed on the following roll call:

**Yea.s, 70; Nay.s, 0; Absent or not voting, 5.**

### Voting in the affirmative were:

<table>
<thead>
<tr>
<th>Representative</th>
<th>Yes</th>
<th>No</th>
<th>Absent or Not Voting</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aagard</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adams</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>S. Allen</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Barrus</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Becker</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bigelow</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bourdeaux</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bowman</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Buttars</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Christensen</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D. Clark</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dayton</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cosgrove</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>D. Cox</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Daw</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dayton</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dee</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Donnelson</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dougall</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Duckworth</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dunnigan</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ferrin</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ferry</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fisher</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fowlke</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Frank</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gibson</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Goodfellow</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gowans</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hansen</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hardy</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Harper</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hendrickson</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hogue</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Holdaway</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hughes</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hunsaker</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>E. Hutchings</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>B. Johnson</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jones</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>King</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kiser</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Last</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lawrence</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Litvack</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lockhart</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mathis</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>McGee</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Menlove</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Morgan</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Moss</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Murray</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Newbold</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Noel</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oda</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Painter</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ray</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Romero</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shurtleff</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>G. Snow</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tilton</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ure</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Urquhart</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Walker</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wallace</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wheatley</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wheeler</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wiley</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wyatt</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Absent or not voting were:

<table>
<thead>
<tr>
<th>Representative</th>
<th>Yes</th>
<th>No</th>
<th>Absent or Not Voting</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alexander</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Biskupski</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Buxton</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mascaro</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Morley</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

S.B. 88 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

S.B. 47, WRONGFUL LIEN OFFENSES, read the third time by short title and placed on its final passage.

On motion of Representative Mathis, the House voted to circle S.B. 47.

***

S.B. 115, PERMANENT TOTAL DISABILITY AMENDMENTS, read the third time by short title and placed on its final passage.
On motion of Representative Ferry, the House voted to circle S.B. 115.

** * **

S.B. 83, MEDICAL DECISIONS OF A PARENT OR GUARDIAN, read the third time by short title and placed on its final passage.

S.B. 83, as amended, then passed on the following roll call:

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

** Voting in the affirmative were: ** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bowman</td>
</tr>
<tr>
<td>Buttars</td>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
</tr>
<tr>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
</tr>
<tr>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
</tr>
<tr>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
</tr>
<tr>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
<td>Gowans</td>
</tr>
<tr>
<td>Hansen</td>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
</tr>
<tr>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
</tr>
<tr>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
</tr>
<tr>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
</tr>
<tr>
<td>Lockhart</td>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morgan</td>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
</tr>
<tr>
<td>Noel</td>
<td>Oda</td>
<td>Ray</td>
<td>Romero</td>
</tr>
<tr>
<td>Shurtliff</td>
<td>G. Snow</td>
<td>Tilton</td>
<td>Ure</td>
</tr>
<tr>
<td>Urquhart</td>
<td>Walker</td>
<td>Wheatley</td>
<td>Wheeler</td>
</tr>
<tr>
<td>Wiley</td>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
</tr>
</tbody>
</table>

** Absent or not voting were: ** Representatives

<table>
<thead>
<tr>
<th>Alexander</th>
<th>Bourdeaux</th>
<th>Buxton</th>
<th>Goodfellow</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mascaro</td>
<td>Morley</td>
<td>Painter</td>
<td>Wallace</td>
</tr>
</tbody>
</table>

S.B. 83, as amended, returned to the Senate for further consideration.

** * **

Sub. S.B. 108, TELECOMMUNICATIONS REVISIONS, read the third time by short title and placed on its final passage.

Sub. S.B. 108 then passed on the following roll call:

** Yeas, 67; Nays, 0; Absent or not voting, 8. **
Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>D. Clark</td>
<td>S. Clark</td>
</tr>
<tr>
<td>Daw</td>
<td>Dayton</td>
</tr>
<tr>
<td>Dougall</td>
<td>Duckworth</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
</tr>
<tr>
<td>Gibson</td>
<td>Goodfellow</td>
</tr>
<tr>
<td>Hardy</td>
<td>Harper</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hughes</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>Jones</td>
</tr>
<tr>
<td>Last</td>
<td>Lawrence</td>
</tr>
<tr>
<td>Mathis</td>
<td>McGee</td>
</tr>
<tr>
<td>Moss</td>
<td>Murray</td>
</tr>
<tr>
<td>Oda</td>
<td>Painter</td>
</tr>
<tr>
<td>Shurtleff</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Urquhart</td>
<td>Walker</td>
</tr>
<tr>
<td>Wiley</td>
<td>Wyatt</td>
</tr>
<tr>
<td>Barrus</td>
<td>Becker</td>
</tr>
<tr>
<td>Bowman</td>
<td>Buttars</td>
</tr>
<tr>
<td>S. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Dougall</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
</tr>
</tbody>
</table>

Absent or not voting were: Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Alexander</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buxton</td>
<td>Mascaro</td>
</tr>
<tr>
<td>Buxton</td>
<td>Morley</td>
</tr>
</tbody>
</table>

Sub. S.B. 108 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Sub. S.B. 24, WASTE AMENDMENTS, read the third time by short title and placed on its final passage.

Sub. S.B. 24 then passed on the following roll call:

Yeas, 57; Nays, 13; Absent or not voting, 5.

Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
</tr>
<tr>
<td>Bowman</td>
<td>Buttars</td>
</tr>
<tr>
<td>S. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Dougall</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Alexander</th>
<th>Biskupski</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bigelow</td>
<td>Christensen</td>
</tr>
<tr>
<td>D. Clark</td>
<td>Dee</td>
</tr>
<tr>
<td>Dunnigan</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Frank</td>
<td>Hansen</td>
</tr>
<tr>
<td>Hogue</td>
<td>Kiser</td>
</tr>
<tr>
<td>Lockhart</td>
<td>Morgan</td>
</tr>
<tr>
<td>Noel</td>
<td>Ure</td>
</tr>
<tr>
<td>Romero</td>
<td>Wheeler</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Buttars</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Biskupski</td>
<td>D. Clark</td>
</tr>
<tr>
<td>Christensen</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Dunnigan</td>
<td>Hansen</td>
</tr>
</tbody>
</table>
Voting in the negative were: Representatives
Daw Ferrin Fowlke Frank
Gibson Gowans Hendrickson Hughes
B. Johnson King Oda Tilton
Wallace

Absent or not voting were: Representatives
Bourdeaux Buxton Dayton Mascaro
Morley

Sub. S.B. 24 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Frank, the House voted to print the following intent language in the House Journal.

INTENT LANGUAGE FOR SUBSTITUTE S.B. 24

During the course of the last several years, the Legislature has reviewed the contracts between Envirocare and the banks involving disposition and management of funds securing certain letters of credit issued by Envirocare with the state as beneficiary. Because of the Legislature’s concerns about the state’s position under those contracts, the state agencies responsible for regulating Envirocare reviewed those contracts and have assured the Legislature that those contracts have been revised to provide further protection to the state. During the same period, the Legislature sought a legal opinion from its counsel on whether or not the state could collect on certain letters of credit provided by Envirocare as long–term security for Envirocare’s closure and post closure expenses if Envirocare declared bankruptcy. That legal opinion concluded that, although the bankruptcy court might delay payment on the letters of credit, it is likely that the
state would be able to collect the full amount provided by the letters of credit, but might need to incur litigation expenses.

It is the intent of the Legislature that the agencies responsible for regulating and overseeing Envirocare’s solid, hazardous, and radioactive waste disposal programs continue to review, and encourage the revision of, the contracts as necessary to ensure that the state is adequately protected and that the office of the attorney general continue to monitor bankruptcy law developments to ensure that letters of credit continue to provide legally enforceable security for the closure and post–closure costs that will someday be associated with the Envirocare facilities.

* * *

On motion of Representative Alexander, the House voted to recess until 2:00 p.m.

AFTERNOON SESSION

The House was called to order by Speaker Curtis at 2:00 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 9, 2005

The Senate passed S.B. 54, PROPERTY TAX CONFIDENTIALITY AMENDMENTS, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed S.B. 136, JUSTICE COURT OPERATIONS AMENDMENTS, by Senator E. Mayne, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended 1st Sub. S.B. 31, LOCAL GOVERNMENT AMENDMENTS, by Senator D. Thomas, and it is transmitted for consideration; and

The Senate passed, as amended, S.B. 53, LAND VALUE PROPERTY TAX STUDY, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed, as amended, S.B. 121, PROPERTY TAX EXEMPTION AMENDMENTS, by Senator C. Bramble, and it is transmitted for consideration; and
The Senate passed, as substituted, and amended 1st Sub. S.B. 135, DRUG COURTS PILOT PROJECT, by Senator L. Hillyard, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate


REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 8, 2005

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on H.B. 230, RECYCLING OF WASTE TIRES, by Representative D. Ure, with the following amendments:

1. Page 1, Lines 14 through 15:

14 • {−$85} $90 as partial reimbursement for each ton of waste tires converted to crumb rubber;

2. Page 3, Lines 59 through 62:

59 (2) [(a)] Subject to the limitations in Section 19–6–816, a recycler is entitled to [{75}];

60 (a) {−$85} $90 as partial reimbursement for each ton of waste tires or material derived from waste tires converted to crumb rubber, if a contract exists for the sale of the crumb rubber for use as a component in an ultimate product[.]

The Natural Resources, Agriculture, and Environment Committee recommends H.B. 83, WEIGHTS AND MEASURES AMENDMENTS, by Representative D. Ure, be replaced and favorably recommends 1st Sub. H.B. 83, WEIGHTS AND MEASURES AMENDMENTS.

Roger E. Barrus, Chair

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

* * *

Mr. Speaker: February 8, 2005

The Judiciary Committee recommends H.B. 204, STATUTE OF LIMITATIONS AMENDMENTS, by Representative D. Clark, be replaced and favorably recommends 1st Sub. H.B. 204, STATUTE OF LIMITATIONS AMENDMENTS; and

The Judiciary Committee reports a favorable recommendation on H.B. 131, ACCESS TO HEALTH CARE FACILITIES AND PLACES OF WORSHIP, by Representative D. Aagard, with the following amendments:

1. Page 2, Lines 47 through 54:

47 (2) (a) A person is guilty of preventing or impeding passage to a health care facility or
48 place of worship if the person intentionally or knowingly obstructs, detains, hinders, impedes, or blocks
49 another person’s entry to or exit from the health care facility or place of worship.
50 (b) A person who violates Subsection (2)(a) is guilty of a class B misdemeanor.
51 (3) (a) A person is guilty of unlawfully interfering with passage to a health care facility
52 or place of worship if, within a radius of 100 feet from any entrance door to a health care
53 facility or place of worship, the person intentionally or knowingly approaches within eight feet of another
54 person for the purpose of:

The Judiciary Committee reports a favorable recommendation on 1st Sub. H.B. 56, DIVORCE TASK FORCE, by Representative P. Wallace; and

The Judiciary Committee recommends S.B. 42, ALCOHOL RESTRICTED DRIVERS, by Senator C. Walker, be replaced and favorably recommends 1st Sub. S.B. 42, ALCOHOL RESTRICTED DRIVERS.

James A. Ferrin, Chair

Reports filed. On motion of Representative Ferrin, the reports of the Judiciary committee were adopted.

***

Mr. Speaker: February 9, 2005

The Public Utilities and Technology Committee reports a favorable recommendation on 1st Sub. S.B. 26, PUBLIC UTILITIES AMENDMENTS, by Senator G. Bell.

Sheryl L. Allen, Chair

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

Sub. S.B. 26, read the second time by short title and placed on the calendar for third reading.

***

Mr. Speaker: February 9, 2005

The Business and Labor Committee reports a favorable recommendation on H.B. 85, HEALTH INSURANCE HIGH RISK POOL − ELIGIBILITY AMENDMENTS, by Representative D. Litvack; and

The Business and Labor Committee reports a favorable recommendation on H.B. 263, INSURERS REHABILITATION AND LIQUIDATION, by Representative J. Dougall, with the following amendments:

1. Page 1, Lines 15 through 16:
   15 addresses payments by reinsurers;
   16 makes technical changes.

2. Page 1, Lines 19 through 20:
   19 Other Special Clauses:
   20 This bill takes effect on July 1, 2007

3. Page 2, Lines 42 through 45:
   42 (c) An estimation made pursuant to this section:
   43 (i) (A) shall be made in a commercially reasonable and actuarially sound manner; or
44 (B) upon another accepted and verifiable method of determining, proving, and
45 allowing contingent, unliquidated, or immature claims with reasonable certainty; and

4. Page 2, Lines 52 through 54:
52 (2) Contingent, unliquidated, and immature claims shall not share in any distribution to
53 creditors of an insurer under Section 31A–27–336 until the liability, value, and due date of the
54 claims have been proved, allowed, and adjudicated.
55 (3) A liquidation proceeding instituted before July 1, 2007 shall be administered in accordance with the law in effect before July 1, 2007.

5. Page 5, Lines 131 through 132:
131 (4) The obligation of a reinsurer to make payments to the insurer shall be determined
132 on the basis of reported claims that have been allowed pursuant to Section 31A–27–336.
133 (5) A liquidation proceeding instituted before July 1, 2007 shall be administered in accordance with the law in effect before July 1, 2007.

Section 3. Effective Date
This bill takes effect on July 1, 2007.

The Business and Labor Committee reports a favorable recommendation on
H.B. 269, SALES MARKETING REQUIREMENTS, by Representative M. Noel; and

The Business and Labor Committee reports a favorable recommendation on
H.B. 283, REAL ESTATE AMENDMENTS, by Representative G. Snow, and recommends it be placed on the Consent Calendar.

Stephen D. Clark, Chair
Reports filed. On motion of Representative S. Clark, the reports of the Business and Labor committee were adopted.

H.B. 85, H.B. 263, as amended, and H.B. 269, read the second time by short title and placed on the calendar for third reading.

H.B. 283, read the second time by short title and placed on the Consent Calendar.
Mr. Speaker: February 9, 2005

The Education Committee recommends **H.B. 63**, SCHOOL DISTRICT AMENDMENTS, by Representative D. Cox, be replaced and favorably recommends **1st Sub. H.B. 63**, SCHOOL DISTRICT AMENDMENTS; and

The Education Committee recommends **H.B. 84**, READING REQUIREMENTS FOR STUDENT ADVANCEMENT, by Representative K. Morgan, be replaced and reports a favorable recommendation on **1st Sub. H.B. 84**, READING REQUIREMENTS FOR STUDENT ADVANCEMENT with the following amendments:

1. Page 2, Line 40:
   After “programs,” delete “and” and insert “or”

The Education Committee recommends **1st Sub. H.B. 151**, SCHOOL COMMUNITY COUNCILS, by Representative J. Dougall, be replaced and favorably recommends **3rd Sub. H.B. 151**, SCHOOL COMMUNITY COUNCILS; and

The Education Committee reports a favorable recommendation on **H.B. 206**, CHARTER SCHOOL REPORTING, by Representative C. Moss; and

The Education Committee reports a favorable recommendation on **H.B. 231**, SCHOOL DISTRICT BOUNDARIES, by Representative M. Noel; and

The Education Committee reports a favorable recommendation on **S.B. 120**, ALLOCATION OF PROFITS FROM SCHOOL AND INSTITUTIONAL TRUST LANDS, by Senator T. Hatch, with the following amendments:

1. Page 1, Lines 13 through 16:
   13 requires that trust lands revenues distributed for the benefit of the state’s normal schools shall be allocated to { colleges of education } institutions within the state system of higher education in proportion to the number of bachelor’s degrees awarded by those institutions in the previous fiscal year.
2. Page 2, Lines 28 through 33
Senate Committee Amendments 1–26–2005:

28 Money distributed for the benefit of the state’s normal schools, as provided under the
29 Utah Enabling Act, § SECTION 12, § Utah Constitution Article X, Section 7, Utah Constitution
29a Article XX,
30 Section 2, and Sections 53C–3–101 and 53C–3–103, shall be allocated to the colleges of
31 education institutions within the state system of higher education, as defined in Section 53B–1–102, that offer bachelor’s
degrees in education in
32 proportion to the number of bachelor’s degrees awarded by the colleges of education those institutions in the
33 previous fiscal year.

Margaret Dayton, Chair

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


THIRD READING CALENDAR

S.C.R. 4, RESOLUTION APPROVING UTAH RECREATIONAL LAND EXCHANGE, read the third time by short title and placed on its final passage.

S.C.R. 4 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Bowman Buttars Christensen
D. Clark S. Clark Cosgrove D. Cox
Daw Dayton Dee Donnelson
Dougall Duckworth Dunnigan Ferrin
Absent or not voting were: Representatives
Buxton Harper Morley

S.C.R. 4 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

S.B. 98, MOTOR VEHICLE REGISTRATION AND TITLE AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle S.B. 98.

UNFINISHED BUSINESS

On motion of Representative Lockhart, the House voted to uncircle S.J.R. 13.

S.J.R. 13, JOINT RESOLUTION AMENDING INTERIM LEGISLATIVE RULES, was before the House on its final passage.

S.J.R. 13 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Bowman Buttars Christensen
D. Clark S. Clark Cosgrove D. Cox
Daw Dayton Dee Donnelson
Absent or not voting were: Representatives

Buxton Morley

S.J.R. 13 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

On motion of Representative Oda, the House voted to uncircle S.B. 98.

S.B. 98, MOTOR VEHICLE REGISTRATION AND TITLE AMENDMENTS, was before the House on its final passage.

S.B. 98 then passed on the following roll call:

Voting in the affirmative were: Representatives

Yeas, 65; Nays, 7; Absent or not voting, 3.
Day 24388 HOUSE JOURNAL

Lawrence Lockhart Mascaro Mathis
McGee Menlove Murray Newbold
Noel Oda Painter Ray
Romero Shurtliff G. Snow Tilton
Ure Urquhart Walker Wallace
Wheatley Wheeler Wyatt

Voting in the negative were: Representatives
Biskupski Gowans Hansen Hendrickson
Litvack Morgan Moss

Absent or not voting were: Representatives
Becker Buxton Morley

S.B. 98 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

THIRD READING CALENDAR

Sub. S.B. 8, LOCAL CORRIDOR PRESERVATION FUNDING, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House voted to circle Sub. S.B. 8.

* * *

S.B. 90, COUNTY OFFICERS SERVING ON BOARDS OF COUNTY MENTAL HEALTH AND SUBSTANCE ABUSE PROVIDERS, was before the House.

S.B. 90 then passed on the following roll call:

Y eas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Bowman Buttars Christensen
D. Clark S. Clark Cosgrove D. Cox
Daw Dayton Dee Donnelson
Dougall Duckworth Dunnigan Ferrin
Absent or not voting were: Representatives
Buxton  Fowlke  Morley  Ure

S.B. 90 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

CONCURRENCE CALENDAR

On motion of Representative Lockhart, the House voted to concur in the Senate amendments to H.B. 12, HEALTH CARE ASSISTANTS.

H.B. 12, as amended by the Senate, then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Bigelow  Biskupski
Bourdeaux  Bowman  Buttars  Christensen
D. Clark  S. Clark  Cosgrove  D. Cox
Daw  Dayton  Dee  Donelson
Dougall  Duckworth  Dunnigan  Ferrin
Ferry  Fisher  Fowlke  Frank
Gibson  Goodfellow  Gowans  Hansen
Hardy  Harper  Hendrickson  Hogue
Hughes  Hunsaker  E. Hutchings  B. Johnson
Jones  King  Kiser  Last
Lawrence  Litvack  Lockhart  Mascaro
Mathis  McGee  Menlove  Morgan

Absent or not voting were:
Ferry  Fisher  Frank  Gibson
Goodfellow  Gowans  Hansen  Hardy
Harper  Hendrickson  Hogue  Holdaway
Hughes  Hunsaker  E. Hutchings  B. Johnson
Jones  King  Kiser  Last
Lawrence  Litvack  Lockhart  Mascaro
Mathis  McGee  Menlove  Morgan
Moss  Murray  Newbold  Noel
Oda  Painter  Ray  Romero
Shurtliff  G. Snow  Tilton  Urquhart
Walker  Wallace  Wheatley  Wheeler
Wiley  Wyatt  Curtis
Absent or not voting were: Representatives
Buxton Holdaway Morley Wallace

H.B. 12, as amended by the Senate, transmitted to the Senate for signature of the president.

MISCELLANEOUS BUSINESS

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

THIRD READING CALENDAR

H.B. 45, ASSESSMENT OF PROPERTY AFFECTED BY BUSINESS INTERRUPTION, read the third time by short title and placed on its final passage.

On motion of Representative Hughes, the House voted to delete H.B. 45 in title and body and insert Sub. H.B. 45 in lieu thereof.

On motion of Representative Hughes, the House voted to circle Sub. H.B. 45.

* * *

H.B. 225, BOAT REGISTRATION FEE, read the third time by short title and placed on its final passage.

H.B. 225 then failed to pass on the following roll call:

Yeas, 30; Nays, 37; Absent or not voting, 8.

Voting in the affirmative were: Representatives
S. Allen Becker Biskupski Bourdeau
Bowman Buttars S. Clark Cosgrove
D. Cox Fowlke Goodfellow Gowans
Hansen Hendrickson Hunsaker E. Hutchings
B. Johnson King Last Litvack
Mathis McGee Menlove Moss
Painter Romero Shurtliff G. Snow
Wheatley Wiley
Voting in the negative were: Representatives
Aagard   Adams   Alexander   Barrus
Christensen D. Clark Daw Dayton
Dee Donnelson Dougall Duckworth
Dunnigan Ferrin Ferry Fisher
Frank Gibson Hardy Hogue
Hughes Jones Kiser Lawrence
Mascaro Morgan Murray Newbold
Noel Oda Ray Tilton
Ure Urquhart Walker Wheeler
Wyatt

Absent or not voting were: Representatives
Bigelow Buxton Harper Holdaway
Lockhart Morley Wallace Curtis

H.B. 225 was filed

* * *

H.B. 93, EMISSION INSPECTION AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Gibson, the House voted to delete H.B. 93 in title and body and insert Sub. H.B. 93 in lieu thereof.

Representative Alexander proposed the following amendment:

1. Page 1, Lines 12 through 15

   12 { repeals the requirement that } allows a county legislative body to require college students and employees who park on a college or university campus a motor vehicle that is not registered in a county subject to emissions inspections to provide proof of compliance with an emissions inspection; and

2. Page 4, Line 90 through Page 5, Line 123:

   90 { (5) (a) Each } The legislative body of each county required under federal law to utilize a motor vehicle emissions
inspection and maintenance program or in which an emissions inspection and maintenance program is necessary to attain or maintain any national ambient air quality standard may require each college or university located in a county subject to this section to require its students and employees who park a motor vehicle not registered in a county subject to this section to provide proof of compliance with an emissions inspection accepted by the county legislative body if the motor vehicle is parked on the college or university campus or property. 

(b) College or university parking areas that are metered or for which payment is required per use are not subject to the requirements of this Subsection (5).

(6) (a) An emissions inspection station shall issue a certificate of emissions inspection for each motor vehicle that meets the inspection and maintenance program requirements established in rules made under Subsection (2).

(b) The frequency of the emissions inspection shall be determined based on the age of the vehicle as determined by model year and shall be required annually subject to the provisions of Subsection (c).

(c) (i) To the extent allowed under the current federally approved state implementation plan, in accordance with the federal Clean Air Act, 42 U.S.C. Sec. 7401 et seq., the legislative body of a county identified in Subsection (1) shall only require the emissions inspection every two years for each vehicle.

(ii) The provisions of Subsection (c)(i) apply only to a vehicle that is less than
six years old on January 1.

(d) If an emissions inspection is only required every two years for a vehicle under Subsection (6) (c), the inspection shall be required for the vehicle in:

(i) odd-numbered years for vehicles with odd-numbered model years; or

(ii) in even-numbered years for vehicles with even-numbered model years.

The emissions inspection shall be required within the same time limit applicable to a safety inspection under Section 41-1a-205.

(a) A county identified in Subsection (1) shall collect information about and monitor the program.

(b) A county identified in Subsection (1) shall supply this information to an appropriate legislative committee, as designated by the Legislative Management Committee, at times determined by the designated committee to identify program needs, including funding needs.

If approved by the county legislative body, a county that had an established emissions inspection fee as of January 1, 2002, may increase the established fee that an emissions inspection station may charge by $2.50 for each year that is exempted from emissions inspections under Subsection (6) (c) up to a $7.50 increase.

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

# # #

Representative Tilton proposed the following amendment:
1. Page 2, Line 38:
   Delete “(6)” and insert “(5)”

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

**Sub. H.B. 93**, as amended, then passed on the following roll call:

**Yeas, 59; Nays, 7; Absent or not voting, 9.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Alexander</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bigelow</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Christensen</td>
</tr>
<tr>
<td>D. Clark</td>
<td>S. Clark</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
</tr>
<tr>
<td>Duckworth</td>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
</tr>
<tr>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
<td>Gowans</td>
</tr>
<tr>
<td>Hansen</td>
<td>Harper</td>
<td>Hogue</td>
<td>Holdaway</td>
</tr>
<tr>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
</tr>
<tr>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Mascaro</td>
<td>Mathis</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morgan</td>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
</tr>
<tr>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
</tr>
<tr>
<td>Romero</td>
<td>Shurtliff</td>
<td>G. Snow</td>
<td>Tilton</td>
</tr>
<tr>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
<td>Wallace</td>
</tr>
<tr>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Becker</th>
<th>Bourdeaux</th>
<th>Cosgrove</th>
<th>Dunnigan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Goodfellow</td>
<td>McGee</td>
<td>Wheatley</td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>Biskupski</th>
<th>Buxton</th>
<th>Hardy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hendrickson</td>
<td>Litvack</td>
<td>Lockhart</td>
<td>Morley</td>
</tr>
<tr>
<td>Curtis</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Sub. H.B. 93**, as amended, transmitted to the Senate for its consideration.

***

**H.B. 4**, DIVORCE MEDIATION PROGRAM, read the third time by short title and placed on its final passage.

**H.B. 4**, as amended, then passed on the following roll call:
Yeas, 65; Nays, 5; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard, Adams, Alexander, S. Allen
Barrus, Becker, Bigelow, Biskupski
Bowman, Buttars, Christensen, D. Clark
S. Clark, Cosgrove, D. Cox, Daw
Dayton, Dee, Donnelson, Dougall
Duckworth, Dunnigan, Ferry, Fisher
Fowlke, Gibson, Goodfellow, Gowans
Hansen, Hardy, Harper, Hendrickson
Hogue, Holdaway, Hunsaker, E. Hutchings
B. Johnson, Jones, King, Kiser
Last, Lawrence, Lockhart, Mascaro
Mathis, McGee, Menlove, Morgan
Moss, Murray, Noel, Oda
Painter, Ray, Romero, Shurtliff
G. Snow, Tilton, Ure, Urquhart
Wallace, Wheatley, Wheeler, Wiley

Voting in the negative were: Representatives

Bourdeaux, Frank, Litvack, Newbold
Walker

Absent or not voting were: Representatives

Buxton, Ferrin, Hughes, Morley
Curtis

H.B. 4, as amended, transmitted to the Senate for its consideration.

RULES COMMITTEE REPORT

Mr. Speaker: February 9, 2005

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

BUSINESS AND LABOR


H.R. 9 House Resolution Discouraging Participation in Free Trade Areas of the Americas (Rep. G. Donnelson)
GOVERNMENT OPERATIONS
H.B. 166 Utah Indoor Clean Air Act Amendments (Rep. P. Ray)

HEALTH AND HUMAN SERVICES
H.J.R. 19 Joint Resolution Urging Health Care for Utah’s Indigent and Needy Uninsured (Rep. L. Fowlke)
H.R. 10 Resolution Supporting Participation of Taiwan in World Health Organization (Rep. B. Last)
S.B. 126 Medical Benefits Recovery Act Amendments (Sen. S. Killpack)

JUDICIARY
H.B. 123 Restrictions of Advertising Illegal Activities (Rep. S. Wyatt)
H.J.R. 17 Resolution Honoring Celebration of Marriage Week (Rep. L. Fowlke)
S.B. 14 Uniform Parentage Act (Sen. L. Hillyard)

LAW ENFORCEMENT AND CRIMINAL JUSTICE
H.C.R. 14 Concurrent Resolution Honoring America’s Military War Dogs (Rep. S. Mascaro)
1st Sub. S.B. 135 Drug Courts Pilot Project (Sen. L. Hillyard)

NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT
H.B. 246 Waste Fees Amendments (Rep. S. Urquhart)

POLITICAL SUBDIVISIONS
H.C.R. 3 Resolution Regarding Washington County Waste Facility (Rep. B. Last)
S.B. 136 Justice Court Operations Amendments (Sen. E. Mayne)

REVENUE AND TAXATION
S.B. 53 Land Value Property Tax Study (Sen. H. Stephenson)
S.B. 54 Property Tax Confidentiality Amendments (Sen. H. Stephenson)
S.B. 121 Property Tax Exemption Amendments (Sen. C. Bramble)

TRANSPORTATION

Rebecca Lockhart, Chair
Report filed. On motion of Representative Lockhart, the report of the Rules Committee was adopted.
MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to adjourn until February 10, 2005, at 10:00 a.m.
MORNING SESSION

The House was called to order by Speaker Curtis at 10:20 a.m.

Roll call showed all members present except Representative Ann Hardy, excused.

Prayer by Roger Hutchings, father of Representative Eric Hutchings.

Pledge of Allegiance by Matt Graham, brother–in–law of Representative Eric Hutchings

COMMUNICATION FROM THE SENATE

Mr. Speaker: February 9, 2005

The Senate passed, as substituted, 1st Sub. S.B. 10, LIABILITY REFORM ACT AMENDMENTS, by Senator G. Bell, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. Sub. S.B. 10, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: February 10, 2005

The Senate passed, as amended, H.C.R. 9, RESOLUTION HONORING OUTGOING USU PRESIDENT KERMIT L. HALL, by Representative F. Hunsaker, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. H.C.R. 9, placed on the calendar for concurrence.

RULES COMMITTEE REPORT

Mr. Speaker: February 9, 2005

The Rules Committee recommends H.R. 7, HOUSE RULES RESOLUTION – MINORITY REPORT, by Representative D. Ure, be replaced and reports a favorable recommendation on 2nd Sub. H.R. 7, HOUSE RULES RESOLUTION – COMMITTEE REPORT with the following amendments:
1. Page 2, Lines 52 through 53:

52  (5) [- (a) ] Any listing of dissenting members on a committee report shall be read by the Reading Clerk and entered as part of the report in the journal.

The Rules Committee further recommends that, because of a title change, the resolution be considered read for the first time; and


Rebecca Lockhart, Chair

Reports filed. On motion of Representative Ferry, the reports of the Rules Committee were adopted.

2nd Sub. H.R. 7, read the first and second times by short title and placed on the calendar for third reading.

Sub. S.J.R. 8, read the second time by short title and placed on the calendar for third reading.

INTRODUCTION OF BILL

H.C.R. 14, Concurrent Resolution Honoring America’s Military War Dogs (S. Mascaro), read the first time by short title and referred to the Law Enforcement and Criminal Justice standing committee.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to lift H.C.R. 14 from its standing committee.

CONCURRENCE CALENDAR

On motion of Representative Morley, the House voted to concur in the Senate amendments to H.B. 162, MUNICIPAL ABATEMENT OF WEEDS AND OTHER NEGLIGENT ITEMS ON PROPERTY.

H.B. 162, as amended by the Senate, then passed on the following roll call:

Y eas, 68; Nays, 0; Absent or not voting, 7.
Voting in the affirmative were: Representatives

Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Bowman Buxton Christensen
D. Clark S. Clark Cosgrove D. Cox
Daw Dayton Dee Donnelson
Dougall Duckworth Ferrin Ferry
Fisher Fowlke Frank Gibson
Goodfellow Hansen Harper Hendrickson
Hogue Holdaway Hughes Hunsaker
E. Hutchings Jones King Kiser
Last Lawrence Lockhart Mascaro
Mathis McGee Menlove Morgan
Morley Moss Murray Newbold
Noel Oda Painter Ray
Romero Shurtliff G. Snow Tilton
Ure Urquhart Walker Wheatley
Wheeler Wiley Wyatt Curtis

Absent or not voting were: Representatives

Buttars Dunnigan Gowans Hardy
B. Johnson Litvack Wallace

H.B. 162, as amended by the Senate, transmitted to the Senate for signature of the president.

THIRD READING CALENDAR

Sub. S.B. 42, ALCOHOL RESTRICTED DRIVERS, read the third time by short title and placed on its final passage.

On motion of Representative Ray, the House voted to circle Sub. S.B. 42.

MISCELLANEOUS BUSINESS

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

THIRD READING CALENDAR

H.B. 89, PRESUMPTION OF RESPONSIBILITY FOR ABUSE OR NEGLECT, read the third time by short title and placed on its final passage.

H.B. 89 then passed on the following roll call:
Y eas, 47; Nays, 25; Absent or not voting, 3.

### Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bigelow</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Dougall</td>
<td>Ferry</td>
<td>Fowlke</td>
<td>Frank</td>
</tr>
<tr>
<td>Gibson</td>
<td>Gowans</td>
<td>Hansen</td>
<td>Harper</td>
</tr>
<tr>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hughes</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>Kiser</td>
<td>Last</td>
<td>Lockhart</td>
</tr>
<tr>
<td>Mathis</td>
<td>Morley</td>
<td>Newbold</td>
<td>Noel</td>
</tr>
<tr>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
<td>Romero</td>
</tr>
<tr>
<td>G. Snow</td>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
</tr>
<tr>
<td>Walker</td>
<td>Wallace</td>
<td>Curtis</td>
<td></td>
</tr>
</tbody>
</table>

### Voting in the negative were: Representatives

<table>
<thead>
<tr>
<th>S. Allen</th>
<th>Becker</th>
<th>Biskupski</th>
<th>Cosgrove</th>
</tr>
</thead>
<tbody>
<tr>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Fisher</td>
<td>Goodfellow</td>
</tr>
<tr>
<td>Hendrickson</td>
<td>Hunsaker</td>
<td>Jones</td>
<td>King</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Litvack</td>
<td>Mascaro</td>
<td>McGee</td>
</tr>
<tr>
<td>Menlove</td>
<td>Morgan</td>
<td>Moss</td>
<td>Murray</td>
</tr>
<tr>
<td>Shurtliff</td>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
</tr>
<tr>
<td>Wyatt</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Absent or not voting were: Representatives

<table>
<thead>
<tr>
<th>Bourdeaux</th>
<th>Ferrin</th>
<th>Hardy</th>
</tr>
</thead>
</table>

**H.B. 89** transmitted to the Senate for its consideration.

* * *

**H.B. 208, UNCLAIMED PROPERTY AMENDMENTS**, read the third time by short title and placed on its final passage.

Representative Harper proposed the following amendment:

1. Page 5, Lines 143 through 149:
   
   House Committee Amendments 1–31–2005:
   
   143 (4) A person claiming ownership of property seized as evidence in a criminal matter
   
   144 may petition the court for its return. After sufficient notice is given to the prosecutor, the court
may order that the property be:

(a) returned to the rightful owner as determined by the court;

(b) applied toward restitution, fines, or fees in an amount set by the court;

(c) converted to public interest use; or

(d) returned to any rightful owner as determined by the court.

(5) Property ordered returned to the rightful owner shall be returned as expeditiously as possible.

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

H.B. 208, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard  Adams  S. Allen  Barrus
Becker  Bigelow  Biskupski  Bourdeaux
Bowman  Buttars  Buxton  Christensen
D. Clark  S. Clark  Cosgrove  D. Cox
Daw  Dayton  Dee  Donnelson
Duckworth  Dunnigan  Ferry  Fisher
Fowlke  Frank  Gibson  Goodfellow
Gowans  Hansen  Harper  Hogue
Holdaway  Hughes  Hunsaker  B. Johnson
Jones  King  Kiser  Last
Lawrence  Litvack  Lockhart  Mascaro
Mathis  McGee  Menlove  Morgan
Morley  Moss  Murray  Newbold
Noel  Oda  Painter  Ray
Romero  Shurtliff  G. Snow  Tilton
Urquhart  Walker  Wallace  Wheatley
Wheeler  Wiley  Wyatt

Absent or not voting were: Representatives

Alexander  Dougall  Ferrin  Hardy
Hendrickson  E. Hutchings  Ure  Curtis

H.B. 208, as amended, transmitted to the Senate for its consideration.
H.B. 215, PROPERTY TRACKING AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 215 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Bigelow  Biskupski
Bourdeaux  Bowman  Buxton  Christensen
D. Clark  S. Clark  Cosgrove  D. Cox
Daw  Dayton  Dee  Donnelson
Dougall  Duckworth  Dunnigan  Ferrin
Ferry  Fisher  Fowlke  Frank
Gibson  Goodfellow  Gowans  Hansen
Harper  Hendrickson  Hogue  Holdaway
Hunsaker  E. Hutchings  B. Johnson  Jones
King  Kiser  Last  Lawrence
Litvack  Lockhart  Mascaro  Mathis
McGee  Menlove  Morgan  Morley
Moss  Murray  Newbold  Noel
Oda  Painter  Ray  Romero
Shurtliff  G. Snow  Tilton  Urquhart
Walker  Wallace  Wheatley  Wheeler
Wiley  Wyatt  Curtis

Absent or not voting were: Representatives
Buttars  Hardy  Hughes  Ure

H.B. 215 transmitted to the Senate for its consideration.

* * *

H.B. 150, WATER RIGHTS FEES, read the third time by short title and placed on its final passage.

H.B. 150 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Bigelow  Biskupski
Absent or not voting were: Representatives
Hardy Hughes Kiser

H.B. 150 transmitted to the Senate for its consideration.

Sub. H.B. 155, AGRICULTURAL COOP AMENDMENTS, read the third time by short title and placed on its final passage.

Sub. H.B. 155 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Bowman Buttars Buxton
Christensen D. Clark S. Clark Cosgrove
D. Cox Daw Dayton Dee
Donnelson Dougall Duckworth Dunnigan
Ferrin Ferry Fisher Fowlke
Frank Gibson Goodfellow Gowans
Hansen Harper Hendrickson Hogue
Holdaway Hunsaker E. Hutchings B. Johnson
Jones King Last Lawrence
Litvack Lockhart Mascaro Mathis
McGee Menlove Morgan Morley
Moss Murray Newbold Noel
Oda Painter Ray Romero
Shurtleff G. Snow Tilton Ure
Urquhart Walker Wallace Wheatley
Wheeler Wiley Wyatt Curtis
Absent or not voting were: Representatives
Gowans Hardy King Curtis

Sub. H.B. 155 transmitted to the Senate for its consideration.

* * *

H.B. 156, DAIRY PROMOTION ACT AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Buttars declared a conflict of interest because he is a dairy farmer.

H.B. 156 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Bowman Christensen D. Clark
S. Clark Cosgrove D. Cox Daw
Dayton Dee Donnelson Dougall
Duckworth Dunnigan Ferrin Ferry
Fisher Fowlke Frank Gibson
Goodfellow Hansen Harper Hendrickson
Hogue Holdaway Hughes Hunsaker
E. Hutchings B. Johnson Jones King
Kiser Last Litvack Mascaro
Mathis McGee Menlove Morgan
Morley Moss Murray Newbold
Noel Oda Painter Ray
Romero Shurtliff G. Snow Tilton
Ure Urquhart Walker Wallace
Wheatley Wheeler Wiley Wyatt
Curtis
Absent or not voting were: Representatives
Buttars  Buxton  Gowans  Hardy
Lawrence  Lockhart

H.B. 156 transmitted to the Senate for its consideration.

* * *

H.B. 224, PERMANENT COMMUNITY IMPACT FUND – BOARD MEMBERSHIP, read the third time by short title and placed on its final passage.

H.B. 224, as amended, then passed on the following roll call:

Yeas, 71; Nays, 1; Absent or not voting, 3.

Voting in the affirmative were: Representatives
Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Bigelow  Biskupski
Bourdeaux  Buttars  Buxton  Christensen
D. Clark  S. Clark  Cosgrove  D. Cox
Daw  Dayton  Dee  Donnelson
Dougall  Duckworth  Dunnigan  Ferrin
Ferry  Fisher  Fowlke  Frank
Gibson  Goodfellow  Gowans  Hansen
Harper  Hendrickson  Hogue  Holdaway
Hughes  Hunsaker  E. Hutchings  B. Johnson
Jones  King  Kiser  Last
Lawrence  Litvack  Lockhart  Mascaro
Mathis  McGee  Menlove  Morgan
Morley  Moss  Murray  Newbold
Noel  Oda  Painter  Ray
Romero  Shurtleff  G. Snow  Tilton
Ure  Urquhart  Walker  Wallace
Wiley  Wyatt  Curtis

Voting in the negative was: Representative
Wheeler

Absent or not voting were: Representatives
Bowman  Hardy  Wheatley

H.B. 224, as amended, transmitted to the Senate for its consideration.
H.C.R. 10, CONCURRENT RESOLUTION HONORING WALDO WILCOX FOR PRESERVATION OF RANGE CREEK AREA, read the third time by short title and placed on its final passage.

H.C.R. 10, as amended, then passed on the following roll call:

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Representations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aagard</td>
</tr>
<tr>
<td>Barrus</td>
</tr>
<tr>
<td>Bourdeaux</td>
</tr>
<tr>
<td>Christensn</td>
</tr>
<tr>
<td>D. Cox</td>
</tr>
<tr>
<td>Donnelson</td>
</tr>
<tr>
<td>Ferrin</td>
</tr>
<tr>
<td>Frank</td>
</tr>
<tr>
<td>Hansen</td>
</tr>
<tr>
<td>Hogue</td>
</tr>
<tr>
<td>B. Johnson</td>
</tr>
<tr>
<td>Last</td>
</tr>
<tr>
<td>Mascaro</td>
</tr>
<tr>
<td>Morgan</td>
</tr>
<tr>
<td>Newbold</td>
</tr>
<tr>
<td>Ray</td>
</tr>
<tr>
<td>Tilton</td>
</tr>
<tr>
<td>Wallace</td>
</tr>
</tbody>
</table>

**Absent or not voting was:** Representative

E. Hutchings

H.C.R. 10, as amended, transmitted to the Senate for its consideration.

**MISCELLANEOUS BUSINESS**

On motion of Representative Alexander, the House voted to recess until 2:00 p.m.

**AFTERNOON SESSION**

The House was called to order by Speaker Curtis at 2:05 p.m.
COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 10, 2005

The Senate passed S.B. 50, CONTROLLED SUBSTANCE AMENDMENTS, by Senator P. Arent, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. S.B. 50, read the first time by short title and referred to the Rules Committee.

***

Mr. Speaker: February 10, 2005

The Senate concurred in the House amendments and passed S.B. 21, LIMITATION ON LIABILITY REGARDING LIQUEFIED PETROLEUM GAS, by Senator D. Eastman, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed S.B. 37, MOTOR VEHICLE BUSINESS REGULATION ACT AMENDMENTS, by Senator D. Eastman, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed S.B. 83, MEDICAL DECISIONS OF A PARENT OR GUARDIAN, by Senator D. Thomas, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed 1st Sub. S.B. 106, UTAH RELIGIOUS LAND USE ACT, by Senator D. Thomas, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. S.B. 21, S.B. 37, S.B. 83, and Sub. S.B. 106 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

Mr. Speaker: February 10, 2005

The Senate passed, H.B. 9, SALES AND USE TAX − AGRICULTURAL EXEMPTION VEHICLE LIMITATION, by Representative R. Menlove, which has been signed by the President and it is transmitted for the signature of the Speaker; and
The Senate passed, **H.B. 12**, HEALTH CARE ASSISTANTS, by Representative R. Lockhart, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 40**, SUNSET OF TOWNSHIP PROVISION, by Representative M. S. Lawrence, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 53**, TAX TREATMENT OF PERSONAL PROPERTY, by Representative L. Shurtliff, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 69**, FEDERAL HEALTH CARE TAX CREDIT PROGRAM ACT, by Representative C. Oda, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 164**, REPEAL OF UTAH PERSONAL INTRODUCTION SERVICES PROTECTION ACT, by Representative S. Allen, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 168**, COOPERATIVE WILDLIFE MANAGEMENT UNIT AMENDMENTS, by Representative J. Gowans, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 179**, UTAH VENTURE CAPITAL ENHANCEMENT ACT AMENDMENTS, by Representative P. Wallace, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 182**, HISTORICAL LIVESTOCK TRAILS, by Representative B. Johnson, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.C.R. 7**, CONCURRENT RESOLUTION OPPOSING NUCLEAR TESTING, by Representative M. Noel, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Mr. Speaker: February 10, 2005

The Senate substituted and passed, **Senate 2nd Sub. H.B. 36**, CHARTER SCHOOL CONSTRUCTION AMENDMENTS, by Representative J. Ferrin, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 186**, CONSUMER PROTECTION AMENDMENTS, by Representative S. Allen, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 60**, INSURANCE LICENSING AMENDMENTS, by Representative J. Dunnigan, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate


**REPORTS OF STANDING COMMITTEES**

Mr. Speaker: February 10, 2005

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.B. 116**, PRIVATE ACTIVITY BOND AMENDMENTS, by Representative D. Clark; and

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **1st Sub. H.B. 57**, TOURISM TASK FORCE, by Representative D. Ure.

David N. Cox, Chair

Reports filed. On motion of Representative D. Cox, the reports of the Workforce Services and Community and Economic Development committee were adopted.

**H.B. 116** and **Sub. H.B. 57**, read the second time by short title and placed on the calendar for third reading.

*****

Mr. Speaker: February 10, 2005

The Government Operations Committee reports a favorable recommendation on **H.B. 128**, COMPENSATION OF EXECUTIVE OFFICERS, by Representative L. Christensen; and
The Government Operations Committee reports a favorable recommendation on H.B. 248, CHILD SUPPORT OBLIGATIONS, by Representative E. Hutchings, with the following amendments:

1. Page 4, Lines 95 through 100:
   95 (15) “Incarcerated obligor” means a person who:
   96   (a) is or may become subject to an order establishing or modifying child support; and
   97   (b) is or is expected to be confined in a correctional facility, secure correctional facility, or secure facility for at least 12 consecutive months from the date of initiation of an action to establish a support order or from the date of a request to modify an existing order pursuant to this section.

2. Page 11, Lines 322 through 325
   322 (4) In cases where the monthly adjusted gross income of [the obligor] either parent is between $650 and $1,050, the base child support award for that parent shall be the lesser of the amount calculated in accordance with Subsection (2) and the amount calculated using the low income table. If the income and number of children is found in an area of the low income table in

3. Page 13, Lines 386 through 388
   386 (5) A child support award entered pursuant to Subsections (3) and (4) is effective only during the period of incarceration, institutionalization, residential treatment, or physical or mental disability, and for three months after the parent's release or termination of the disability.

4. Page 13, Lines 389 through 393
   389 (6) An order entered in accordance with this section that establishes or modifies a child
support order may automatically adjust prospective support to a specified amount, based on minimum wage or other projected income using the best available information, to take effect without further notice to the parent on the first day of the month following three months after the parent’s release or termination of disability.

5. Page 13, Lines 396 through 399

This section does not apply to a parent who is incarcerated because of:

(a) nonpayment of child support;
(b) child abuse or neglect; or domestic violence;
(d) a conviction of any crime from a plea agreement where a charge for an offense listed in subsection (a), (b), or (c) is dismissed; or (e) any other crime in which the victim is a child.


Douglas C. Aagard, Chair

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


NOTICE OF BILL RETURNED TO RULES COMMITTEE

Mr. Speaker: February 10, 2005

The Government Operations Committee has returned H.B. 99, STATE FLEET VEHICLE CLASSIFICATION, by Representative E. Hutchings, to the Rules Committee.

Douglas C. Aagard, Chair
REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 10, 2005

The Political Subdivisions Committee recommends H.B. 113, GOVERNMENT BOUNDARY CHANGES, by Representative K. Holdaway, be replaced and favorably recommends 1st Sub. H.B. 113, GOVERNMENT BOUNDARY CHANGES; and

The Political Subdivisions Committee reports a favorable recommendation on H.B. 216, GLOBAL POSITIONING REFERENCE NETWORK, by Representative K. Holdaway; and

The Political Subdivisions Committee reports a favorable recommendation on H.B. 368, SPECIAL FUNCTION OFFICERS FOR DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING, by Representative N. Hendrickson.

Brad L. Dee, Chair

Reports filed. On motion of Representative Dee, the reports of the Political Subdivisions committee were adopted.


MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to move to the Senate Third Reading Calendar.

THIRD READING CALENDAR

Sub. S.B. 26, PUBLIC UTILITIES AMENDMENTS, read the third time by short title and placed on its final passage.

Sub. S.B. 26 then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard
Becker
Bowman
S. Clark
Dayton
Adams
Bigelow
Buxton
Cosgrove
Dee
S. Allen
Biskupski
Christensen
D. Cox
Donnelson
Barrus
Bourdeaux
D. Clark
Daw
Dougal
Absent or not voting were: Representatives
Alexander Buttars Lawrence Wyatt

Sub. S.B. 26 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

UNFINISHED BUSINESS

On motion of Representative Ray, the House voted to uncircle Sub. S.B. 42.

Sub. S.B. 42, ALCOHOL RESTRICTED DRIVERS, was before the House on its final passage.

Sub. S.B. 42, as amended, then passed on the following roll call:

Yeas, 59; Nays, 0; Absent or not voting, 16.

Voting in the affirmative were: Representatives
Aagard  S. Allen  Barrus  Becker
Bigelow  Bourdeaux  Bowman  Buttars
Buxton  Christensen  D. Clark  S. Clark
Cosgrove  D. Cox  Daw  Dayton
Dee  Donnelson  Duckworth  Ferrin
Ferry  Fisher  Fowlke  Frank
Gibson  Goodfellow  Hansen  Harper
Hogue  Hughes  Hunsaker  B. Johnson
Jones  King  Last  Mascaro
Mathis  McGee  Menlove  Morgan
Day 25  Thursday, February 10, 2005  415

Absent or not voting were: Representatives
Adams Alexander Biskupski Dougall
Dunnigan Gowans Hardy Hendrickson
Holdaway E. Hutchings Kiser Lawrence
Litvack Lockhart Noel Ure

Sub. S.B. 42, as amended, returned to the Senate for further consideration.

THIRD READING CALENDAR

S.B. 120, ALLOCATION OF PROFITS FROM SCHOOL AND INSTITUTIONAL TRUST LANDS, read the third time by short title and placed on its final passage.

On motion of Representative Dayton, the House voted to circle S.B. 120.

MISCELLANEOUS BUSINESS

On motion of Representative Noel, the House voted to reconsider its action on H.B. 225.

* * *

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

RECONSIDERATION OF H.B. 225

H.B. 225, BOAT REGISTRATION FEE, was before the House upon its reconsideration.

On motion of Representative Goodfellow, the House voted to circle H.B. 225.

THIRD READING CALENDAR

H.B. 70, HEALTH DISCOUNT PROGRAM CONSUMER PROTECTION ACT, read the third time by short title and placed on its final passage.

Representative Frank proposed the following amendment:
1. Page 2, Line 33

33 This bill takes effect on July 1, 2005.

2. Page 8, Lines 233 through 234:

233 (iii) biographical information and a criminal background check when requested by the commissioner, under the provisions of Subsection 31A-23a-105(3);

3. Page 9, Line 266:

266 (2) The company must file prior to use;

4. Page 10, Lines 286 through 289

House Committee Amendments 2-1-2005:

286 (b) must approve in writing file with the commissioner all advertisement, marketing materials, brochures, and discount programs prior to their use or distribution; and

288 (c) is liable for any act or omission of its marketer or distributor; and

289 (d) must make the following disclosures:

5. Page 10, Lines 290 through 291

House Committee Amendments 2-1-2005:

290 (I) in writing in at least largest type on the page if type appears on the page that is larger than 12-point type bolded; and

6. Page 10, Line 303

House Committee Amendments 2-1-2005:

303 the health discount program separate from any fees or charges for the other product, which can be purchased separately.
7. Page 11, Lines 312 through 313
House Committee Amendments 2−1−2005:
312 (3) (a) A contract must be signed by the enrollee purchaser acknowledging the terms before any fees are collected and must include notice of the purchaser’s 10−day recision rights.

(b) For purposes of this Subsection (3) and Section 46−4−201, when a contract is entered into via telephone, facsimile transmission or the internet, the following is considered a signing of the contract:

(i) if via the internet, the online application form is completed and sent by the purchaser to the health discount program operator;

(ii) if via facsimile transmission, the application is completed, signed and faxed to the health discount program operator; or

(iii) if via telephone, the script used by the health discount program operator to solicit the purchaser must include any limitations or exclusions to the program, and the contract must be provided to the purchaser via facsimile, mail, or e−mail within 10 working days of the purchaser consenting to enrolling over the telephone.

8. Page 11, Lines 318 through 319
House Committee Amendments 2−1−2005:
318 (2) A health discount program operator may not reimburse health care providers for services rendered to an enrollee, unless the health discount program operator is a licensed Third Party Administrator.

9. Page 14, Line 405:
405 This bill takes effect on September 1, 2005.

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

H.B. 70, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams S. Allen Becker
Bigelow Biskupski Bourdeaux Bowman
Buttars Buxton Christensen D. Clark
Representatives

Absent or not voting were: Representatives
Alexander Barrus Hansen

H.B. 70, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 209, ADMINISTRATIVE RULES – IMPACT ON SMALL BUSINESSES, read the third time by short title and placed on its final passage.

On motion of Representative Ferry, the House voted to circle H.B. 209.

* * *

H.B. 188, BEGINNING TEACHER ENHANCEMENTS, read the third time by short title and placed on its final passage.

H.B. 188 then passed on the following roll call:

Yeas, 38; Nays, 37; Absent or not voting, 0.

Voting in the affirmative were: Representatives
Aagard Alexander Barrus Becker
Biskupski Bourdeaux Buttars Buxton
Christensen S. Clark Donnelson Duckworth
Dunnigan Ferrin Ferry Fowlke
Gibson Goodfellow Gowans Harper
Hendrickson Hogue Holdaway Hughes

Wheeler Wiley Wyatt Curtis
Voting in the negative were: Representatives

<table>
<thead>
<tr>
<th>Representatives</th>
<th>S. Allen</th>
<th>Bigelow</th>
<th>Bowman</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adams</td>
<td>D. Allen</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td>D. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td>Dayton</td>
<td>Dee</td>
<td>Dougall</td>
<td>Fisher</td>
</tr>
<tr>
<td>Frank</td>
<td>Hansen</td>
<td>Hardy</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>Jones</td>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
</tr>
<tr>
<td>Lockhart</td>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
</tr>
<tr>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Shurtleff</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Tilton</td>
<td>Ure</td>
<td>Walker</td>
<td>Wallace</td>
</tr>
<tr>
<td>Wiley</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

H.B. 188 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Hughes, the House voted to uncircle H.B. 209.

H.B. 209, ADMINISTRATIVE RULES – IMPACT ON SMALL BUSINESSES, was before the House on its final passage.

H.B. 209, as amended, then passed on the following roll call:

Yeas, 71; Nays, 1; Absent or not voting, 3.

Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Representatives</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aagard</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
</tr>
<tr>
<td>Barrus</td>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
</tr>
<tr>
<td>Bowman</td>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
</tr>
<tr>
<td>D. Clark</td>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Daw</td>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Dougall</td>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
</tr>
<tr>
<td>Ferry</td>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
</tr>
<tr>
<td>Gibson</td>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
<tr>
<td>Hardy</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>Holdaway</td>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
</tr>
<tr>
<td>Jones</td>
<td>Litvack</td>
<td>Lockhart</td>
<td>Mathis</td>
</tr>
<tr>
<td>Lawrence</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Voting in the negative was: Representative Becker

Absent or not voting were: Representatives B. Johnson Mascaro Oda

H.B. 209, as amended, transmitted to the Senate for its consideration.

THIRD READING CALENDAR

2nd Sub. H.B. 74, TUITION REIMBURSEMENT PROGRAM FOR STUDENTS SEEKING TEACHER LICENSURE IN DISABILITY OR SPECIAL EDUCATION, read the third time by short title and placed on its final passage.

Representative Menlove proposed the following amendment:

1. Page 3, Lines 73 through 80
   House Committee Amendments 2–1–2005
   (c) Incentive loans shall be awarded in accordance with prioritized critical areas of need for teaching expertise within the state’s public education system as determined by the State Board of Education, with first priority given to preparing teachers within this state as:
   (a) a special education teacher;
   (b) a school psychologist;
   (c) a speech or language pathologist; or
   (d) another licensed professional providing services in the public
Representative Menlove’s motion to amend passed on a voice vote.

2nd Sub. H.B. 74, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard      Adams      Alexander     S. Allen
Barrus      Becker     Bigelow      Biskupski
Bourdeaux   Bowman     Buttars      Buxton
Christensen D. Clark S. Clark    Cosgrove
D. Cox      Daw        Dayton       Dee
Donnelson   Dougall    Duckworth    Dunnigan
Ferry       Fisher     Fowlke       Frank
Gibson      Goodfellow Gowans      Hansen
Hardy       Harper     Hendrickson Hogue
Holdaway    Hughes     Hunsaker    E. Hutchings
B. Johnson  Jones      King         Kiser
Last        Lawrence   Litvack      Lockhart
Mascaro     Mathis     McGee        Menlove
Morgan      Morley     Moss         Murray
Newbold     Noel       Oda          Painter
Ray         Romero     Shurtliff    G. Snow
Tilton      Ure        Urquhart    Walker
Wallace     Wheatley   Wheeler      Wiley
Wyatt       Curtis

Absent or not voting was: Representative Ferrin

2nd Sub. H.B. 74, as amended, transmitted to the Senate for its consideration.

* * *

H.J.R. 11, RESOLUTION ENCOURAGING SCHOOLS TO ADOPT NUTRITION AND PHYSICAL ACTIVITY POLICIES, read the third time by short title and placed on its final passage.

Representative Jones proposed the following amendment:
1. Page 1, Lines 14 through 17

14 urges that schools, school districts, health care providers, community–based organizations, businesses, and families work with the Legislature to establish comprehensive wellness policies to help prevent and reduce the prevalence of overweight children and adolescents.

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

H.J.R. 11, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander Barrus
Becker Bigelow Biskupski Bourdeaux
Bowman Buttars Buxton Christensen
D. Clark S. Clark Cosgrove D. Cox
Daw Dayton Dee Donnelson
Dougall Duckworth Ferrin Ferry
Fisher Frank Gibson Goodfellow
Gowans Hansen Hardy Harper
Hendrickson Hogue Holdaway Hunsaker
B. Johnson Jones King Kiser
Last Lawrence Litvack Lockhart
Mascaro Mathis McGee Menlove
Morgan Morley Moss Murray
Newbold Noel Oda Painter
Ray Romero Shurtleff G. Snow
Tilton Ure Urquhart Walker
Wallace Wheatley Wheeler Wiley
Wyatt Curtis

Absent or not voting were: Representatives
S. Allen Dunnigan Fowlke Hughes
E. Hutchings

H.J.R. 11, as amended, transmitted to the Senate for its consideration.
RULES COMMITTEE REPORT

Mr. Speaker: January 31, 2005

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

EDUCATION

GOVERNMENT OPERATIONS
H.B. 266 Changes to Quality Growth Commission (Rep. C. Buttars)
H.B. 282 State Employee Ethics Amendments (Rep. J. Dougall)

HEALTH AND HUMAN SERVICES
S.B. 50 Controlled Substance Amendments (Sen. P. Arent)

JUDICIARY
H.B. 306 Amendment Regarding Controlled Substances (Rep. C. Oda)
1st Sub. S.B. 10 Liability Reform Act Amendments (Sen. G. Bell)

NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT

POLITICAL SUBDIVISIONS
H.B. 129 School Uniforms (Rep. C. Frank)
H.B. 333 Density Credit for Land Donated to School District (Rep. D. Cox)
H.B. 158 Election Requirements for County Candidates (Rep. R. Romero)

PUBLIC UTILITIES AND TECHNOLOGY
H.B. 118 Revise Utility Improvement Districts (Rep. D. Ure)
H.B. 126 Amendments to Facilities with Regional Impact (Rep. G. Hughes)
RETIREMENT AND INDEPENDENT ENTITIES
H.B. 81    Workers’ Compensation Coverage of Fire Department Employees (Rep. J. Murray); and

The House Rules Committee recommends, with written request of the sponsor, that H.B. 96, Amendments Relating to Clean Fuels and Vehicles Using Clean Fuels (Rep. F. Hunsaker) be replaced with Substitute H.B. 96, Amendments Relating to Clean Fuels and Vehicles Using Clean Fuels (Rep. F. Hunsaker) and further recommends it be assigned to the Revenue and Taxation Standing Committee; and

The House Rules Committee recommends, with written request of the sponsor, that H.B. 219, Traffic Enforcement Amendments (Rep. R. McGee) be replaced with Substitute H.B. 219, Traffic Enforcement Amendments (Rep. R. McGee) and further recommends it be assigned to the Law Enforcement and Criminal Justice Standing Committee.

Rebecca Lockhart, Chair
Report filed. On motion of Representative Lockhart, the report of the Rules Committee was adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to adjourn until February 11, 2005, at 10:00 a.m.
TWENTY–SIXTH DAY

MORNING SESSION

The House was called to order by Speaker Curtis at 10:05 a.m.

Roll call showed all members present except Representative Douglas C. Aagard, excused.

Pledge of Allegiance and prayer by Representative David Litvack.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 10, 2005

The Senate passed, as amended, S.B. 114, COUNTY AND MUNICIPAL ZONING REGARDING BILLBOARDS, by Senator M. Waddoups, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. S.B. 114, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: February 10, 2005

The President of the Senate has signed H.B. 162, MUNICIPAL ABATEMENT OF WEEDS AND OTHER NEGLECTED ITEMS ON PROPERTY, by Representative M. Morley, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. H.B. 162 was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

* * *

Mr. Speaker: February 10, 2005

The Senate substituted and passed, Senate 1st Sub. H.B. 24, TRAFFIC CODE AMENDMENTS, by Representative J. Dunnigan, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

**REPORTS OF STANDING COMMITTEES**

Mr. Speaker: February 10, 2005

The Judiciary Committee reports a favorable recommendation on **H.B. 73**, LOCAL REFERENDUM REQUIREMENTS, by Representative D. Hogue, with the following amendments:

1. Page 3, Lines 60 through 65:

   60 (4) (a) {The local law has no force or effect unless and until the voters approve the
   61 challenged local law;
   62 (i) at a regular municipal election or a municipal special election, if the challenged law
   63 was enacted by a municipality; or
   64 (ii) at a regular general election or a county special election, if the challenged law was
   65 enacted by a county. } When a referendum petition has been declared sufficient, the law that is the subject of the petition does not take effect unless and until it is approved by a vote of the people at a regular
general election, municipal general election, or a special election.

The Judiciary Committee reports a favorable recommendation on **H.B. 77**, PROVISIONS FOR EMANCIPATION OF A MINOR, by Representative R. McGee; and

The Judiciary Committee reports a favorable recommendation on **H.B. 280**, JOINT CUSTODY AMENDMENTS, by Representative L. Christensen; and

The Judiciary Committee recommends **H.J.R. 5**, RESOLUTION CLARIFYING REMOVAL PROVISIONS, by Representative D. Hogue, be replaced and favorably recommends **1st Sub. H.J.R. 5**, RESOLUTION CLARIFYING REMOVAL PROVISIONS; and

The Judiciary Committee reports a favorable recommendation on **H.J.R. 17**, RESOLUTION HONORING CELEBRATION OF MARRIAGE WEEK, by Representative L. Fowlke; and
The Judiciary Committee reports a favorable recommendation on **S.B. 131**, AUTHORIZATION FOR ADDITIONAL JUDICIAL POSITION, by Senator M. Madsen.

James A. Ferrin, Chair

Reports filed. On motion of Representative Alexander, the reports of the Judiciary committee were adopted.


**S.B. 131**, read the second time by short title and referred to the Rules Committee due to fiscal impact.

**CONSENT CALENDAR**

**H.B. 154.** SCHOOL AND INSTITUTIONAL TRUST LANDS AMENDMENTS, read the third time by short title and placed on its final passage.

**H.B. 154** then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
</tr>
<tr>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
</tr>
<tr>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferry</td>
</tr>
<tr>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
</tr>
<tr>
<td>Goodfellow</td>
<td>Hansen</td>
<td>Hardy</td>
<td>Harper</td>
</tr>
<tr>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hughes</td>
</tr>
<tr>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>King</td>
</tr>
<tr>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
</tr>
<tr>
<td>Lockhart</td>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
</tr>
<tr>
<td>Menlove</td>
<td>Morgan</td>
<td>Morley</td>
<td>Moss</td>
</tr>
<tr>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Tilton</td>
<td>Ure</td>
<td>Walker</td>
<td>Wallace</td>
</tr>
<tr>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
</tr>
<tr>
<td>Curtis</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Absent or not voting were: Representatives
Aagard Ferrin Gowans Jones
Painter Urquhart

H.B. 154 transmitted to the Senate for its consideration.

* * *

2nd Sub. S.B. 43, PENALTY FOR PROVIDING FALSE INFORMATION TO STATE AGENCY, read the third time by short title and placed on its final passage.

2nd Sub. S.B. 43 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Adams Alexander S. Allen Barrus
Becker Bigelow Biskupski Bourdeaux
Bowman Buttars Buxton Christensen
D. Clark Cosgrove D. Cox Daw
Dayton Dee Donnelson Dougall
Duckworth Dunnigan Ferry Fisher
Fowlke Frank Gibson Goodfellow
Gowans Hansen Hardy Harper
Hendrickson Hogue Holdaway Hughes
Hunsaker B. Johnson King Kiser
Last Lawrence Litvack Lockhart
Mascaro Mathis McGee Menlove
Morgan Morley Moss Murray
Newbold Noel Oda Ray
Romero Shurtleff G. Snow Tilton
Ure Urquhart Walker Wallace
Wheatley Wheeler Wiley Wyatt
Curtis

Absent or not voting were: Representatives
Aagard S. Clark Ferrin E. Hutchings
Jones Painter

2nd Sub. S.B. 43 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.
* * *

**S.B. 123, GOVERNMENTAL IMMUNITY ACT – TECHNICAL AMENDMENTS**, read the third time by short title and placed on its final passage.

*S.B. 123* then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
</tr>
<tr>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
</tr>
<tr>
<td>D. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
</tr>
<tr>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Ferry</td>
</tr>
<tr>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
</tr>
<tr>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
</tr>
<tr>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
</tr>
<tr>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
</tr>
<tr>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
</tr>
<tr>
<td>Litvack</td>
<td>Lockhart</td>
<td>Mascaro</td>
<td>Mathis</td>
</tr>
<tr>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
<td>Morley</td>
</tr>
<tr>
<td>Moss</td>
<td>Murray</td>
<td>Noel</td>
<td>Oda</td>
</tr>
<tr>
<td>Painter</td>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
</tr>
<tr>
<td>G. Snow</td>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
</tr>
<tr>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
</tr>
<tr>
<td>Wiley</td>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

| Aagard | S. Clark | Jones | Newbold |

*S.B. 123* was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

**S.B. 4, UNINSURED MOTORIST PROPERTY DAMAGE COVERAGE AMENDMENTS**, read the third time by short title and placed on its final passage.

*S.B. 4* then passed on the following roll call:

**Yeas, 66; Nays, 0; Absent or not voting, 9.**
**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
</tr>
<tr>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
</tr>
<tr>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Daw</td>
<td>Dayton</td>
<td>Dougall</td>
<td>Duckworth</td>
</tr>
<tr>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
</tr>
<tr>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
</tr>
<tr>
<td>Gowans</td>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Litvack</td>
<td>Mascaro</td>
<td>Mathis</td>
</tr>
<tr>
<td>Menlove</td>
<td>Morgan</td>
<td>Morley</td>
<td>Moss</td>
</tr>
<tr>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
</tr>
<tr>
<td>Painter</td>
<td>Ray</td>
<td>Romero</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
</tr>
<tr>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
</tr>
<tr>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Dee</th>
<th>Donnelson</th>
<th>Hansen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hogue</td>
<td>Jones</td>
<td>Lockhart</td>
<td>McGee</td>
</tr>
<tr>
<td>Shurtliff</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**S.B. 4** was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

**H.B. 139, LOCAL SCHOOL BOARD AMENDMENTS**, read the third time by short title and placed on its final passage.

**H.B. 139** then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bowman</td>
</tr>
<tr>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
</tr>
<tr>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
</tr>
</tbody>
</table>
Absent or not voting were: Representatives
Aagard Bourdeaux B. Johnson Jones
Urquhart

H.B. 139 transmitted to the Senate for its consideration.

* * *

H.B. 279, CLINICAL COUNSELOR – TITLE CHANGE, read the third time by short title and placed on its final passage.

H.B. 279 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Adams Alexander S. Allen Barrus
Becker Bigelow Biskupski Bowman
Buttars Buxton Christensen D. Clark
S. Clark Cosgrove D. Cox Daw
Dee Donnelson Dougall Duckworth
Dunnigan Ferry Fisher
Fowlke Frank Gibson Goodfellow
Gowans Hansen Hardy Harper
Hendrickson Hogue Holdaway Hughes
Hunsaker E. Hutchings B. Johnson King
Kiser Last Lawrence Litvack
Lockhart Mascaro Mathis McGee
Menlove Morgan Morley Moss
Murray Newbold Noel Oda
Painter Ray Romero Shurtleff
G. Snow Tilton Ure Walker
Wallace Wheatley Wheeler Wiley
Wyatt Curtis
Absent or not voting were: Representatives
Aagard Bourdeaux Dayton Jones
Noel Wyatt

H.B. 279 transmitted to the Senate for its consideration.

***

H.J.R. 15, RESOLUTION REGARDING UNITED STATES TRADE NEGOTIATIONS, read the third time by short title and placed on its final passage.

H.J.R. 15 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Adams Alexander S. Allen Barrus
Becker Bigelow Biskupski Bowman
Buttars Buxton Christensen D. Clark
S. Clark Cosgrove D. Cox Dayton
Dee Donnelson Dougall Duckworth
Dunnigan Ferrin Ferry Fisher
Fowlke Frank Gibson Goodfellow
Gowans Hansen Hardy Harper
Hendrickson Hogue Holdaway Hughes
Hunsaker E. Hutchings B. Johnson King
Kiser Last Lawrence Litvack
Lockhart Mascaro Mathis McGee
Menlove Morgan Morley Moss
Murray Newbold Noel Oda
Painter Ray Romero Shurtliff
G. Snow Tilton Ure Urquhart
Walker Wallace Wheatley Wheeler
Wiley Wyatt

Absent or not voting were: Representatives
Aagard Bourdeaux Daw Jones
Curtis
**H.J.R. 15** transmitted to the Senate for its consideration.

***

**Sub. S.B. 104,** JUDICIARY AMENDMENTS, read the third time by short title and placed on its final passage.

**Sub. S.B. 104** then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bowman</td>
</tr>
<tr>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
</tr>
<tr>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td>Dayton</td>
<td>Dee</td>
<td>Dougall</td>
<td>Duckworth</td>
</tr>
<tr>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
</tr>
<tr>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
</tr>
<tr>
<td>Hansen</td>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
</tr>
<tr>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
</tr>
<tr>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
<td>Lockhart</td>
</tr>
<tr>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morgan</td>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
</tr>
<tr>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Shurtleff</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
</tr>
<tr>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
</tr>
<tr>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Bourdeaux</th>
<th>Donnelson</th>
<th>Gowans</th>
</tr>
</thead>
<tbody>
<tr>
<td>E. Hutchings</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Sub. S.B. 104** was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

**S.B. 116,** ARBITRATION − USE OF SUBPOENA AUTHORIZED, read the third time by short title and placed on its final passage.
S.B. 116 then passed on the following roll call:

**Yeas, 70; Nays, 2; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
</tr>
<tr>
<td>Bowman</td>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
</tr>
<tr>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
</tr>
<tr>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Ferry</td>
</tr>
<tr>
<td>Fisher</td>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
</tr>
<tr>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
<td>Harper</td>
</tr>
<tr>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hughes</td>
</tr>
<tr>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>Jones</td>
</tr>
<tr>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
</tr>
<tr>
<td>Litvack</td>
<td>Lockhart</td>
<td>Mascaro</td>
<td>Mathis</td>
</tr>
<tr>
<td>Menlove</td>
<td>Morgan</td>
<td>Morley</td>
<td>Moss</td>
</tr>
<tr>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
</tr>
<tr>
<td>Painter</td>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
</tr>
<tr>
<td>G. Snow</td>
<td>Tilton</td>
<td>Urquhart</td>
<td>Walker</td>
</tr>
<tr>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
</tr>
<tr>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

| Buttrars | Ure |

**Absent or not voting were:** Representatives

| Aagard | Fowlke | McGee |

**S.B. 116** was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

H.B. 143, NATIONAL GUARD AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 143 then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
</tr>
</tbody>
</table>


Absent or not voting were: Representatives
Aagard Buttars Gowans Jones
Mascaro

H.B. 143 transmitted to the Senate for its consideration.

***

S.B. 128, CALCULATION OF INTEREST ON TAX OVERPAYMENTS, read the third time by short title and placed on its final passage.

S.B. 128 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Adams Alexander Barrus Becker
Bigelow Biskupski Bowman Buxton
Christensen D. Clark S. Clark Cosgrove
D. Cox Dayton Dee
Donnelson Dougall Duckworth Ferrin
Ferry Fowlke Frank
Gibson Goodfellow Hansen Hardy
Harper Hendrickson Hogue Holdaway
Hughes Hunsaker E. Hutchings B. Johnson
Jones King Kiser Last
Absent or not voting were: Representatives
Aagard    S. Allen    Bourdeaux    Buttars
Dunnigan   Gowans    McGee

S.B. 128 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 133, INDIVIDUAL TAX − RETURN FILING REQUIREMENTS, read the third time by short title and placed on its final passage.

S.B. 133 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
S. Allen    Barrus    Becker    Bigelow
Biskupski    Bourdeaux    Bowman    Buttars
Buxton       Christensen    D. Clark    S. Clark
Cosgrove     D. Cox    Daw    Dayton
Dee          Donnelson    Duckworth    Dunnigan
Ferrin       Ferry    Fisher    Fowlke
Frank        Gibson    Goodfellow    Gowans
Hansen       Hardy    Harper    Hendrickson
Hogue        Holdaway    Hughes    Hunsaker
E. Hutchings B. Johnson    King    Kiser
Last         Lawrence    Litvack    Lockhart
Mascaro      Mathis    McGee    Menlove
Morgan       Morley    Moss    Murray
Newbold      Noel    Oda    Painter
Ray          Romero    Shurtliff    G. Snow
Tilton       Ure    Urquhart    Walker
Wheatley     Wheeler    Wiley    Wyatt
Curtis
Absent or not voting were: Representatives  
Aagard  Adams  Alexander  Dougall  
Jones  Wallace

S.B. 133 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

CONCURRENCE CALENDAR

On motion of Representative Hunsaker, the House voted to concur in the Senate amendments to H.C.R. 9, RESOLUTION HONORING OUTGOING USU PRESIDENT KERMIT L. HALL.

H.C.R. 9, as amended by the Senate, then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Adams  Alexander  S. Allen  Barrus  
Becker  Bigelow  Biskupski  Bourdeaux  
Bowman  Buttars  Christensen  D. Clark  
S. Clark  Cosgrove  D. Cox  Dau  
Dayton  Dee  Donelson  Dougall  
Duckworth  Dunnigan  Ferrin  Ferry  
Fisher  Fowlke  Frank  Gibson  
Goodfellow  Gowans  Hansen  Hardy  
Harper  Hendrickson  Hogue  Holdaway  
Hughes  Hunsaker  E. Hutchings  B. Johnson  
Jones  King  Kiser  Last  
Lawrence  Litvack  Lockhart  Mascaro  
Mathis  McGee  Menlove  Morgan  
Morley  Moss  Murray  Noel  
Oda  Painter  Ray  Romero  
Shurtleff  G. Snow  Tilton  Ure  
Urquhart  Walker  Wallace  Wheatley  
Wheeler  Wiley  Wyatt  Curtis

Absent or not voting were: Representatives  
Aagard  Buxton  Newbold

H.C.R. 9, as amended by the Senate, transmitted to the Senate for signature of the president.
MISCELLANEOUS BUSINESS

On motion of Representative Bigelow, under suspension of the rules, the House voted to consider H.B. 1, ANNUAL APPROPRIATIONS ACT, consider it read the second time by short title and placed at the top of the Third Reading Calendar.

On motion of Representative Bigelow, the House voted to circle H.B. 1.

* * *

On motion of Representative Alexander, the House voted to recess 11:07 a.m.

Speaker Curtis called the House to order at 11:23 a.m.

UNFINISHED BUSINESS

On motion of Representative Bigelow, the House voted to uncircle H.B. 1.

H.B. 1, ANNUAL APPROPRIATIONS ACT, read the third time by short title and placed on its final passage.

Representative Becker proposed the following amendment:

1. Page 63, Line 2375:
   Delete “129,594,700” and insert “59,594,700”

2. Page 63, Insert a new line 2375a:
   “From General Fund, One−time 40,000,000”

3. Page 63, Line 2386:
   Delete “239,023,500” and insert “209,023,500”

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

H.B. 1 then passed on the following roll call:

Yeas, 55; Nays, 18; Absent or not voting, 2.

Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bigelow</td>
<td>Bowman</td>
<td>Buxton</td>
<td>Christensen</td>
</tr>
<tr>
<td>D. Clark</td>
<td>S. Clark</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
</tr>
<tr>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
</tr>
</tbody>
</table>
Fowlke  Frank  Gibson  Hardy
Harper   Hogue   Holdaway  Hughes
Hunsaker E. Hutchings  B. Johnson  Kiser
Last     Lawrence  Lockhart  Mascaro
Mathis   Menlove  Morgan   Morley
Murray   Newbold  Noel    Oda
Painter  Ray     G. Snow   Tilton
Ure      Urquhart Walker  Wallace
Wheeler  Wyatt   Curtis

**Voting in the negative were:** Representatives
Becker    Biskupski  Bourdeaux  Cosgrove
Duckworth Goodfellow Gowans  Hansen
Hendrickson Jones  King   Litvack
McGee     Moss      Romero  Shurtliff
Wheatley  Wiley

**Absent or not voting were:** Representatives
Aagard    Buttars

**H.B. 1** transmitted to the Senate for its consideration.

**MISCELLANEOUS BUSINESS**

On motion of Representative Snow, under suspension of the rules, the House voted to lift **H.B. 3** from the Rules committee, consider it read the second and third times by short title and placed at the top of the Third Reading Calendar.

On motion of Representative Snow, the House voted to circle **H.B. 3**.

* * *

On motion of Representative Alexander, the House voted to recess until 2:00 p.m.

**AFTERNOON SESSION**

The House was called to order by Speaker Curtis at 2:10 p.m.

**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker:  February 11, 2005

The Senate passed, as substituted, and amended **1st Sub. S.B. 48**, INSURANCE CANCELLATION AND NONRENEWAL RESTRICTIONS, by Senator P. Arent, and it is transmitted for consideration; and
The Senate passed **S.B. 55**, ACCESS TO PATIENT MEDICAL RECORDS, by Senator P. Arent, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 127**, TAX, FEE, OR CHARGE AMENDMENTS, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 142**, PHARMACY PRACTICE ACT AMENDMENTS, by Senator P. Knudson, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **2nd Sub. S.B. 34**, PATIENT ACCESS REFORM, by Senator D. C. Buttars, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate


* * * 

Mr. Speaker: February 11, 2005

The Senate concurred in the House amendments and passed **1st Sub. S.B. 42**, ALCOHOL RESTRICTED DRIVERS, by Senator C. Walker, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communication filed. **Sub. S.B. 42** was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * * 

Mr. Speaker: February 11, 2005

The Senate passed, **H.B. 195**, INSURANCE LAW AMENDMENTS, by Representative J. Dunnigan, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communication filed. **H.B. 195** was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.
REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 11, 2005

The Public Utilities and Technology Committee reports a favorable recommendation on H.B. 109, INFORMATION TECHNOLOGY GOVERNANCE AMENDMENTS, by Representative D. Clark, with the following amendments:

1. Page 2, Line 57:
   
   57 This bill provides revisor instructions. 
   This bill provides a coordination clause.

2. Page 50, Lines 1521 through 1522:
   
   1521 (iv) the Board of Regents; {and }
   1522 (v) institutions of higher education 
   (vi) independent entities as defined in Section 63E−1−102; and 
   (vii) the state auditor’s office .

3. Page 50, Line 1528:
   
   1528 (b) acquisition, storage, and conversion of data;

4. Page 58, Lines 1782 through 1783:
   
   1782 (iii) software; {and }
   1783 (iv) services related to the items listed in Subsections (1)(a)(i) through (iii) ; and 
   (v) data acquisition .

5. Page 64, Line 1975:
   
   1975 (ii) the Division of Agency Services conducts an audit under Section 63F−1−604 and 

6. Page 67, Lines 2072 through 2073:
   
   2072 (e) an agency of the federal government; {or }
   2073 (f) an independent entity as defined in Section 63E−1−102 ; and 
   (g) the state auditor’s office .
7. Page 85, Lines 2617 through 2620:

2617 (b) submit a supplemental budget request and, if needed, a 2006–07 budget recommendation to

2618 the commission by October 31, 2005 and to the Legislature prior to the 2006 General Session detailing steps necessary to transition

2619 employees, activities, assets, liabilities, budgets, and other authorities of appropriated and

2620 internal services fund technology functions into the department;

8. Page 87, Lines 2667 through 2668:

2667 “this bill” in Section 69, Transition to new department, with the bill’s designated chapter

2668 number in the Laws of Utah.


If this H.B. 109 and H.B. 216 Global Positioning Reference Network, both pass it is the intent of the Legislature that the Office Of Legislative Research and General Counsel in preparing the Utah Code database for publication merge the amendments of these bills as follows:

(1) Section 63A–6–205 in H.B. 216, Global Positioning Reference Network, shall be re-numbered to Section 63F–1–509; and

(2) Section 63F–1–502 in H.B. 109 shall be amended to insert a new Subsection (7) as follows:

“(7) Statewide Global Positioning Reference Network” or “network” means the network created in Section 63F–1–509.”

Sheryl L. Allen, Chair

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

H.B. 109, as amended, read the second time by short title and placed on the calendar for third reading.

***

Mr. Speaker: February 11, 2005

The Health and Human Services Committee reports a favorable recommendation on H.B. 241, VETERANS NURSING HOME, by Representative D. G. Buxton; and
The Health and Human Services Committee reports a favorable recommendation on **H.R. 10**, RESOLUTION SUPPORTING PARTICIPATION OF TAIWAN IN WORLD HEALTH ORGANIZATION, by Representative B. Last; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 74**, MEDICAL RESERVE CORPS, by Senator L. Hillyard, with the following amendments:

1. Page 2, Lines 46 through 48:

   (c) within the ten years preceding the declared emergency, held a valid license, in good standing in Utah, for one of the occupations described in Subsection 58−13−2(1), but the license is not currently active.

The Health and Human Services Committee reports a favorable recommendation on **S.B. 126**, MEDICAL BENEFITS RECOVERY ACT AMENDMENTS, by Senator S. Killpack; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 119**, RURAL MEDICAL RESIDENCY TRAINING PROGRAMS, by Senator P. Knudson.

Bradley G. Last, Chair

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


**S.B. 119**, read the second time by short title and referred to the Rules Committee due to fiscal impact.

***

**Mr. Speaker:** February 11, 2005

The Education Committee reports a favorable recommendation on **H.B. 138**, NONRESIDENT TUITION FOR HIGHER EDUCATION AMENDMENTS, by Representative M. S. Lawrence.

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

**H.B. 138**, read the second time by short title and placed on the calendar for third reading.

**NOTICE OF BILL RETURNED TO RULES COMMITTEE**

Mr. Speaker: February 11, 2005

The Education Committee has returned **H.B. 239**, REPEAL OF EXEMPTION FROM NONRESIDENT TUITION, by Representative G. Donnelson, to the Rules Committee and refers the bill to interim study.

Margaret Dayton, Chair

* * *

Mr. Speaker: February 11, 2005

The Business and Labor Committee recommends **H.B. 247**, CREDIT OR REFUND FOR TAX PAID ON CIGARETTE OR TOBACCO PRODUCT DESTROYED OR RETURNED TO THE MANUFACTURER, by Representative E. Hutchings, be replaced and reports a favorable recommendation on **1st Sub. H.B. 247**, CREDIT OR REFUND FOR TAX PAID ON CIGARETTE OR TOBACCO PRODUCT DESTROYED OR RETURNED TO THE MANUFACTURER with the following amendments:

1. Page 1, Lines 23 through 24:
   
   23 Other Special Clauses:

   24 This bill { has retrospective operation to January } takes effect on July 1, 2005.

2. Page 3, Lines 83 through 86:

   83 (2) A licensed person may apply to the commission for a credit or refund as provided

   84 in Subsection (3) if:

   85 (a) on or after { --January } July 1, 2005, the following are removed from retail sale or from

   86 storage:
3. Page 5, Lines 132 through 133:

132 Section 3. {–Retrospective—operation—} Effective date .

133 This bill {–has—retrospective—operation—to January } takes effect on July 1, 2005.

The Business and Labor Committee recommends H.B. 103, STUDENT HOUSING BUILT BY HIGHER EDUCATION INSTITUTIONS, by Representative S. Clark, be replaced and favorably recommends 1st Sub. H.B. 103, STUDENT HOUSING BUILT BY HIGHER EDUCATION INSTITUTIONS.

Stephen D. Clark, Chair

Reports filed. On motion of Representative S. Clark, the reports of the Business and Labor committee were adopted.


* * *

Mr. Speaker: February 10, 2005

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on S.B. 73, TAMPERING WITH EVIDENCE, by Senator D. C. Buttars; and

The Law Enforcement and Criminal Justice Committee recommends H.B. 202, REVISIONS TO CHILD WELFARE, by Representative W. Harper, be replaced and reports a favorable recommendation on 2nd Sub. H.B. 202, REVISIONS TO CHILD WELFARE with the following amendments:

1. Page 1, Lines 19 through 21:

19 lists the training that a child welfare caseworker is required to receive; provides for the removal of a person’s name and information from the Licensing Information System, created in Section 62A–4a–116.2, when a court finds that an allegation against that person of severe child abuse or neglect is unsubstantiated or without merit or when a court finds that the allegation is substantiated, but the finding is overturned on appeal.
deletes and repeals the provisions relating to the pilot program for differentiated responses to child abuse and neglect reports;

Page 18, Lines 535 through 551:

> (b) The alleged perpetrator’s name and the information described in Subsection (1)(b) shall remain in the Licensing Information System:

> (b) If the alleged perpetrator fails to take action as described in Subsection (3)(a) within one year after service of the notice described in Subsection (5), the alleged perpetrator’s name and the notation described in Subsection (1)(a) shall remain in the Licensing Information System. This information shall also remain in the Licensing Information System while Subsections (1)(a) and (2);

> (ii) during the time that the division awaits a response from the alleged perpetrator pursuant to Subsection [(6) (3)(a)]; and

> (iii) during the pendency of any proceeding including an appeal of a finding of unsubstantiated or without merit, under Section 78−3a−320.)

> (c) The alleged perpetrator has no right to petition the juvenile court under Subsection [(6)(b) (3)(a)(ii)] if the court has previously held a hearing on the same alleged incident of abuse or neglect pursuant to the filing of a petition under Section 78−3a−305 by some other party.

> (d) Consent under Subsection [(6) (3)(a)(iii)] by a minor may only be given by the minor’s parent or guardian.

> (e)(i) Notwithstanding Subsection (3)(b), the alleged perpetrator’s
name and the information described in Subsection (1)(b) shall be removed from the Licensing Information System if the severe child abuse or neglect upon which the Licensing Information System entry was made:

(A) is found to be unsubstantiated or without merit by the juvenile court under Section 79–3a–320; or

(B) is found to be substantiated, but is subsequently reversed on appeal.

(ii) An alleged perpetrator’s name and information that is removed from the Licensing Information System under Subsection (3)(e)(i), may be placed back on the Licensing Information System if the court action that was the basis for removing the alleged perpetrator’s name and information is subsequently reversed on appeal.

3. Page 19, Lines 574 through 576:

574 (3) [The division shall promptly amend the Licensing Information System,] Except as

575 provided in Subsections 62A−4a–116.1(3)(b)(iii) and (e), upon receipt of a finding from the juvenile

576 court under Section 78–3a–320, the division shall:

4. Page 54, Lines 1652 through 1654

1652 (c) “Mental cruelty” means conduct that is reasonably likely to cause (−causes) a child to suffer:

1653 (i) mental anguish; or

1654 (ii) serious emotional injury.

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on H.B. 223, AMENDMENTS TO DRIVER LICENSE AND IDENTIFICATION CARDS, by Representative C. Oda, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 1, Lines 13 through 15:

13 requires the Driver License Division to make rules for acceptable documentation of

14 an applicant’s identity, Utah residence address, proof of legal presence, and proof of
15 (United States Citizenship) citizenship of a country other than the United States;

2. Page 2, Lines 56 through 58:

56 (b) for acceptable documentation of an applicant’s identity, Utah residence address,
57 proof of legal presence, proof of United States citizenship of a country other than the United States, and other proof or documentation
58 required under this chapter;

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 276**, DIVISION OF CRIMINAL INVESTIGATION AND TECHNICAL SERVICES AMENDMENTS, by Representative C. Oda, and recommends it be placed on the Consent Calendar.

DeMar “Bud” Bowman, Chair

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


* * *

Mr. Speaker: February 10, 2005

The Transportation Committee reports a favorable recommendation on **H.B. 299**, MOTOR VEHICLE BUSINESS LICENSING AMENDMENTS, by Representative P. Ray, with the following amendments:

1. Page 1, Lines 17 through 19:

17 charges filed by a county attorney, district attorney, or U.S. attorney alleging a
18 violation of any state or federal law involving controlled substances, fraud, or a
19 registerable sex offense; and
2. Page 2, Line 52 through Page 3, Line 62:

   52 { (ix) charges filed with any county attorney, district attorney, or U.S. attorney in any
court of competent jurisdiction for a violation of any state or federal
law involving the use of a
motor vehicle { (ix) charges filed with any county attorney, district attorney, or U.S. attorney in any
court of competent jurisdiction for a violation of any state or federal
law involving the use of a }

55 { (ix) } (x) a violation of any state or federal law involving fraud; or

56 { (x) } (xi) a violation of any state or federal law involving a registerable sex offense under

57 Section 77−27−21.5 { (or) }

58 { (xi) charges filed by any county attorney, district attorney, or U.S. attorney in a court of

59 competent jurisdiction alleging any violation under Subsections (2)(b)(vii) through (x). }

60 (c) Any action taken by the administrator under Subsection (2)(b) { (ix) } { (xi) } shall

61 remain in effect until a final resolution is reached by the court involved or the charges are

62 dropped.

Joseph G. Murray, Chair

Report filed. On motion of Representative Murray, the report of the Transportation committee was adopted.

**H.B. 299**, as amended, read the second time by short title and placed on the calendar for third reading.

***

Mr. Speaker: February 10, 2005

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 242**, CRIMINAL PENALTY FOR ANIMAL CRUELTY, by Representative S. Wyatt, with the following amendments:

1. Page 1, Line 17:

   17 { changes the intent provisions regarding abandonment
and animal fighting; }
clarifies the general applicability of the exemption for acting under a legal privilege;

2. Page 1, Line 18:
   ▶ clarifies the general applicability of the exemption for acting under a legal privilege;
   ▶ provides an exemption for animals kept and used for training hunting dogs and falcons;
   ▶ includes the offense of seriously injuring an animal;

3. Page 2, Lines 54 through 55:
   54 husbandry practices: {and }
   55 (C) protected and unprotected wildlife as defined in Section 23-13-2 and
   (D) animals kept or owned for the purpose of hunting dog or falcon training and cared for in accordance with accepted husbandry practices

4. Page 3, Line 63:
   63 (i) appropriate and essential food and {potable } water;

5. Page 3, Lines 65 through 66:
   65 (iii) adequate protection, including appropriate shelter, against extreme weather
   66 conditions {including extremes of cold, heat, and precipitation }

6. Page 3, Line 67:
   67 [(++) (2) A person is guilty of cruelty to animals if the person, without having legal privilege to do so, intentionally, knowingly,

7. Page 3, Lines 80 through 88:
   80 [(++) (4) A person is guilty of aggravated cruelty to an animal if the person, without having legal privilege to do so:
   81 [(a) tortures an animal;]
   82 {(-a) without having a legal privilege to do so; }
   83 [(b)] (a) (i) administers or causes to be administered poison or poisonous substances to an
87 (b) causes to an animal serious bodily injury as defined in Section 76–1–601; or
88 (c) kills or causes to be killed an animal {–without having a legal privilege to do so–}.

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on H.B. 246, WASTE FEES AMENDMENTS, by Representative S. Urquhart, with the following amendments:

1. Page 1, Line 12:
   12 for small municipal waste facilities. This bill allows collection of  
   specified fees at a facility’s

2. Page 1, Lines 16 through 19:
   16 {–changes the commercial} applies  
   a nonhazardous solid waste disposal fee {–from–} {$2.50 to–} {$1.50} of $2.50 to all municipal and commercial  
   waste facilities ;
   17 {–changes the construction and demolition waste disposal fee from 50 cents to} 40  
   cents {–and applies the fee to both commercial and noncommercial facilities–} on all commercial facilities that receive  
   only construction and demolition waste ;
   19 {–changes the municipal waste disposal fee from 50 cents to} 20 cents and applies the

3. Page 1, Lines 21 through 22:
   21 {–allows the state to collect fees {–from the operator of a collection or transfer facility–} at a facility’s collection or transfer  
   point
   22 within the state {––} from which the waste is sent to an unregulated facility, and states

4. Page 2, Line 29:
   29 tons or more per year are subject to the fee of 20 cents per ton.

5. Page 2, Line 43:
43 facility or incinerator, or the owner or operator of any commercial facility, except for facilities that receive the following

6. Page 2, Line 51:

51 ton { or fraction of a ton } on all nonhazardous solid waste that is received at the facility or site for

7. Page 2, Lines 53 through 56:

53 (i) on and after July 1, 1992, through June 30, 1993, a fee of $1.50 per ton { or fraction of a ton } on all nonhazardous solid waste received at the facility or site for disposal or treatment;

55 (ii) on and after July 1, 1993, through June 30, 1994, a fee of $2.00 per ton { or fraction of a ton } on all nonhazardous solid waste received at the facility or site for disposal or treatment;

58 (iii) on and after July 1, 1994, a fee of $2.50 per ton { or fraction of a ton } on all

9. Page 3, Lines 60 through 61:

60 (iv) on and after July 1, 2005, a fee of $1.50 { or fraction of a ton } and $2.50 per ton { or fraction of a ton } on all nonhazardous solid waste received at the facility or site, whether the facility is commercial or noncommercial, for disposal or treatment.

10. Page 3, Line 68:

68 (c) (i) On and after January 1, 2004 through June 30, 2005, an owner or operator of any [commercial]

11. Page 3, Line 70:

70 shall pay a fee of { } cents per ton { or fraction of a ton } on any construction and demolition
12. Page 3, Line 72:

(ii) On and after July 1, 2005, an owner or operator of any nonhazardous solid waste disposal facility that receives only construction and demolition waste shall pay a fee of 40 cents per ton on any construction and demolition waste received at the facility or site for disposal.

(iii) An owner or operator of any nonhazardous solid waste disposal

13. Page 3, Line 74:

74{50} (20) cents per ton { or fraction of a ton, } on all municipal waste, including municipal

14. Page 3, Lines 76 through 79:

76 (iii) (iv) On and after January 1, 2004, through June 30, 2005, the owner or operator of any facility under Subsection 19–6–102(3)(a) (b)(iii) shall pay a fee of 50 cents per ton { or fraction of a ton, } on all municipal waste received at the facility or site for disposal.

(v) On and after July 1, 2005, the owner or operator of any facility under Subsection 19–6–102(3)(b)(iii) shall pay a fee of 20 cents per ton on all municipal waste received at the facility or site for disposal.

15. Page 5, Line 131:

131 (i) $1.50 $2.50 per ton { or fraction of a ton } on all nonhazardous solid waste sent to an

16. Page 5, Lines 133 through 136:

133 (ii) $40 cents per ton { or fraction of a ton } on all construction and demolition waste sent to an unregulated facility for disposal; { and } 

135 (iii) $20 cents per ton { or fraction of a ton } on all municipal waste, including municipal
136 incinerator ash, sent to an unregulated facility for disposal; and (iv) wastes subject to fees under Subsection (6)(b)(ii) or (iii) are not subject to fees under Subsection (6)(b)(i).

Roger E. Barrus, Chair

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

H.B. 242, as amended, and H.B. 246, as amended, read the second time by short title and placed on the calendar for third reading.

CONCURRENCE CALENDAR

On motion of Representative Ferrin, the House voted to concur in the Senate amendments to 2nd Sub. H.B. 36, CHARTER SCHOOL CONSTRUCTION AMENDMENTS.

2nd Sub. H.B. 36, as amended by the Senate, then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Adams Alexander S. Allen Barrus
Becker Bigelow Biskupski Bowman
Buttars Christensen D. Clark S. Clark
Cosgrove D. Cox Daw Dayton
Dee Donnelson Dougall Duckworth
Dunnigan Ferrin Ferry Fisher
Fowlke Frank Gibson Goodfellow
Gowans Hansen Harper Hendrickson
Hogue Holdaway Hughes Hunsaker
E. Hutchings Jones King Kiser
Last Lawrence Litvack Lockhart
Mascaro Mathis McGee Menlove
Morgan Morley Moss Murray
Newbold Noel Oda Painter
Ray Romero Shurtliff G. Snow
Tilton Ure Urquhart Walker
Wallace Wheatley Wheeler Wiley
Wyatt Curtis

Absent or not voting were: Representatives

Aagard Bourdeaux Buxton Hardy
B. Johnson
2nd Sub. H.B. 36, as amended by the Senate, transmitted to the Senate for signature of the president.

***

On motion of Representative Allen, the House voted to concur in the Senate amendments to H.B. 186, CONSUMER PROTECTION AMENDMENTS.

H.B. 186, as amended by the Senate, then passed on the following roll call:

**Y eas, 68; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>Alexander</th>
<th>Barrus</th>
<th>Becker</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Butters</td>
<td>Buxton</td>
</tr>
<tr>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
</tr>
<tr>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
</tr>
<tr>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
</tr>
<tr>
<td>Hansen</td>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Litvack</td>
<td>Lockhart</td>
<td>Mascaro</td>
</tr>
<tr>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
</tr>
<tr>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
</tr>
<tr>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
<td>Romero</td>
</tr>
<tr>
<td>Shurtliff</td>
<td>G. Snow</td>
<td>Tilton</td>
<td>Ure</td>
</tr>
<tr>
<td>Urquhart</td>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
</tr>
<tr>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
<td>Curtis</td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>S. Allen</th>
<th>Bourdeaux</th>
<th>Bowman</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hardy</td>
<td>B. Johnson</td>
<td>Ray</td>
<td></td>
</tr>
</tbody>
</table>

H.B. 186, as amended by the Senate, transmitted to the Senate for signature of the president.

***

On motion of Representative Dunnigan, the House voted to concur in the Senate amendments to H.B. 60, INSURANCE LICENSING AMENDMENTS.

H.B. 60, as amended by the Senate, then passed on the following roll call:
Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives
Adams Alexander S. Allen Barrus
Becker Bigelow Biskupski Bourdeaux
Bowman Buttars Buxton Christensen
D. Clark S. Clark Cosgrove D. Cox
Daw Dayton Dee Donnelson
Dougall Duckworth Dunnigan Ferrin
Ferry Fisher Fowlke Frank
Gibson Goodfellow Gowans Hansen
Harper Hendrickson Hogue Holdaway
Hughes Hunsaker E. Hutchings Jones
King Kiser Last Lawrence
Litvack Lockhart Mascaro Mathis
Menlove Morgan Morley Moss
Murray Newbold Noel Oda
Painter Ray Romero Shurtleff
G. Snow Ure Urquhart Walker
Wallace Wheatley Wheeler Wiley
Wyatt Curtis

Absent or not voting were: Representatives
Aagard Hardy B. Johnson McGee
Tilton

H.B. 60, as amended by the Senate, transmitted to the Senate for signature of the president.

MISCELLANEOUS BUSINESS

On motion of Representative Snow, under suspension of the rules, the House voted to allow opening of a bill file for a Supplemental Minimum School Finance Act.

UNFINISHED BUSINESS

On motion of Representative Snow, the House voted to uncircle H.B. 3.

H.B. 3, MINIMUM SCHOOL PROGRAM ACT AMENDMENTS, was before the House on its final passage.

Representative King proposed the following amendment:
Representative King’s motion to amend passed on the following roll call:

**Yeas, 49; Nays, 20; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>S. Allen</th>
<th>Becker</th>
<th>Bigelow</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bourdeaux</td>
<td>Buttars</td>
<td>Buxton</td>
<td>S. Clark</td>
</tr>
<tr>
<td>Cosgrove</td>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
</tr>
<tr>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Ferry</td>
</tr>
<tr>
<td>Fisher</td>
<td>Fowlke</td>
<td>Gibson</td>
<td>Goodfellow</td>
</tr>
<tr>
<td>Gowans</td>
<td>Hansen</td>
<td>Harper</td>
<td>Hendrickson</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>Jones</td>
</tr>
<tr>
<td>King</td>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
</tr>
<tr>
<td>Mascaro</td>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
</tr>
<tr>
<td>Moss</td>
<td>Murray</td>
<td>Ray</td>
<td>Romero</td>
</tr>
<tr>
<td>Shurtleff</td>
<td>G. Snow</td>
<td>Ure</td>
<td>Urquhart</td>
</tr>
<tr>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
</tr>
<tr>
<td>Wyatt</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Alexander</th>
<th>Barrus</th>
<th>Christensen</th>
<th>D. Clark</th>
</tr>
</thead>
<tbody>
<tr>
<td>Daw</td>
<td>Dayton</td>
<td>Frank</td>
<td>Hogue</td>
</tr>
<tr>
<td>Hughes</td>
<td>Kiser</td>
<td>Lockhart</td>
<td>Mathis</td>
</tr>
<tr>
<td>Morley</td>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
</tr>
<tr>
<td>Painter</td>
<td>Tilton</td>
<td>Walker</td>
<td>Curtis</td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Biskupski</th>
<th>Bowman</th>
<th>D. Cox</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hardy</td>
<td>B. Johnson</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

###

Representative Ferrin proposed the following amendment:

1. Page 6, Line 179:
   Delete “November 30” and insert “September 30”

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

**H.B. 3, as amended, then passed on the following roll call:**
Yeas, 71; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Representatives
Adams  Alexander  S. Allen  Barrus
Becker  Bigelow  Biskupski  Bourdreaux
Buttars  Buxton  Christensen  D. Clark
S. Clark  Cosgrove  D. Cox  Daw
Dayton  Dee  Donnelson  Dougall
Duckworth  Dunnigan  Ferrin  Ferry
Fisher  Fowlke  Frank  Gibson
Goodfellow  Gowans  Hansen  Harper
Hendrickson  Hogue  Holdaway  Hughes
Hunsaker  E. Hutchings  Jones  King
Kiser  Last  Lawrence  Litvack
Lockhart  Mascaro  Mathis  McGee
Menlove  Morgan  Morley  Moss
Murray  Newbold  Noel  Oda
Painter  Ray  Romero  Shurtleff
G. Snow  Tilton  Ure  Urquhart
Walker  Wallace  Wheatley  Wheeler
Wiley  Wyatt  Curtis

Absent or not voting were: Representatives
Aagard  Bowman  Hardy  B. Johnson

H.B. 3, as amended, transmitted to the Senate for its consideration.

COMMUNICATION FROM THE SENATE

Mr. Speaker:  
February 11, 2005

The Senate passed, H.B. 1, ANNUAL APPROPRIATIONS ACT, by Representative R. Bigelow, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communication filed. H.B. 1 was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.
RULES COMMITTEE REPORTS

Mr. Speaker: February 11, 2005

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

<table>
<thead>
<tr>
<th>Committee</th>
<th>Bill Numbers</th>
<th>Titles and Authors</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1st Sub. S.B. 48</td>
<td>Insurance Cancellation and Nonrenewal Restrictions (Sen. P. Arent)</td>
</tr>
<tr>
<td>GOVERNMENT OPERATIONS</td>
<td>H.B. 119</td>
<td>Navajo Trust Fund Amendments (Rep. B. King)</td>
</tr>
<tr>
<td>HEALTH AND HUMAN SERVICES</td>
<td>H.B. 310</td>
<td>Aging and Adult Services Program Amendments (Rep. E. Hutchings)</td>
</tr>
<tr>
<td></td>
<td>S.B. 55</td>
<td>Access to Patient Medical Records (Sen. P. Arent)</td>
</tr>
<tr>
<td>JUDICIARY</td>
<td>H.B. 342</td>
<td>Civil Legal Aid for Victims of Domestic Violence (Rep. S. Mascaro)</td>
</tr>
<tr>
<td></td>
<td>S.B. 114</td>
<td>County and Municipal Zoning Regarding Billboards (Sen. M. Waddoups)</td>
</tr>
<tr>
<td>PUBLIC UTILITIES AND TECHNOLOGY</td>
<td>S.B. 127</td>
<td>Tax, Fee, or Charge Amendments (Sen. L. Hillyard)</td>
</tr>
<tr>
<td>WORKFORCE SERVICES AND COMMUNITY &amp; ECONOMIC DEVELOPMENT</td>
<td>H.B. 348</td>
<td>Employment Agency Revisions (Rep. J. S. Adams); and</td>
</tr>
</tbody>
</table>
The House Rules Committee recommends, with written request of the sponsor, that **H.B. 87**, Liability Insurance for County Recorders (Rep. S. Clark) be replaced with **Substitute H.B. 87**, Claims Against A County (Rep. S. Clark) and further recommends it be read for the first time and assigned to the Political Subdivision Standing Committee; and


Rebecca Lockhart, Chair

Reports filed. On motion of Representative Lockhart, the reports of the Rules Committee were adopted.

**MISCELLANEOUS BUSINESS**

On motion of Representative Alexander, the House voted to adjourn until February 14, 2005, at 10:00 a.m.
TWENTY−NINTH DAY

MORNING SESSION

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

Roll call showed all members present.

Prayer by Lynne Poulter, Father−in−law of Representative Michael T. Morley.

Pledge of Allegiance by Lynnette Poulter, Mother−in−law of Representative Michael T. Morley.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 11, 2005

The Senate passed, as substituted, and amended 1st Sub. S.B. 39, CONSUMER CREDIT PROTECTION, by Senator C. Walker, and it is transmitted for consideration; and

The Senate passed, as amended, S.B. 52, PRICE CONTROLS DURING EMERGENCIES ACT, by Senator P. Arent, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. Sub. S.B. 39 and S.B. 52, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: February 11, 2005

The Senate passed, H.B. 195, INSURANCE LAW AMENDMENTS, by Representative J. Dunnigan, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. H.B. 195 was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.
REPORT OF STANDING COMMITTEES

Mr. Speaker: February 11, 2005

The Political Subdivisions Committee reports a favorable recommendation on H.C.R. 3, RESOLUTION REGARDING WASHINGTON COUNTY WASTE FACILITY, by Representative B. Last.

Brad L. Dee, Chair

Report filed. On motion of Representative Dee, the report of the Political Subdivisions committee was adopted.

H.C.R. 3, read the second time by short title and placed on the calendar for third reading.

INTRODUCTION OF BILLS

H.B. 303, Shelter Hearing Amendments (E. Hutchings), read the first time by short title and referred to the Rules Committee.

H.B. 311, Controlled Substance Law Amendments (B. Dee), read the first time by short title and referred to the Rules Committee.

H.B. 324, Taxable Value Adjustment for Property Damaged by a Natural Disaster (B. Last), read the first time by short title and referred to the Rules Committee.

H.B. 333, Density Credit for Land Donated to School District (D. Cox), read the first time by short title and referred to the Rules Committee.

H.B. 343, Medicaid − Pregnant Women Resource Test (M. Wheatley), read the first time by short title and referred to the Rules Committee.

H.B. 348, Employment Agency Revisions (J. S. Adams), read the first time by short title and referred to the Rules Committee.


CONSENT CALENDAR

S.B. 30, AMENDMENTS TO SEARCH WARRANTS, read the third time by short title and placed on its final passage.
S.B. 30 then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Christensen</td>
</tr>
<tr>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Frank</td>
<td>Gibson</td>
</tr>
<tr>
<td>Goodfellow</td>
<td>Hansen</td>
<td>Hardy</td>
<td>Harper</td>
</tr>
<tr>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hunsaker</td>
</tr>
<tr>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
</tr>
<tr>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
</tr>
<tr>
<td>Lockhart</td>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
</tr>
<tr>
<td>Menlove</td>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
</tr>
<tr>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
</tr>
<tr>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
</tr>
<tr>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Buxton</th>
<th>Fowlke</th>
<th>Gowans</th>
<th>Hughes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Morgan</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

S.B. 30 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

S.B. 118, IDENTITY FRAUD AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 118 then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Bowman       Buttars       Buxton       Christensen
D. Clark     S. Clark     Cosgrove     D. Cox
Daw          Dayton       Dee          Donnelson
Dougall      Duckworth    Dunnigan     Ferrin
Ferry         Fisher       Fowlke       Frank
Gibson       Goodfellow   Gowans       Hansen
Hardy        Harper       Hendrickson  Hogue
Holdaway     Hughes       Hunsaker     E. Hutchings
B. Johnson   Jones        King         Kiser
Last         Lawrence     Lockhart     Mascaro
Mathis       McGee        Menlove      Morley
Moss         Murray       Newbold      Noel
Oda          Painter      Ray          Romero
Shurtliff    G. Snow      Tilton       Ure
Urquhart     Walker       Wallace      Wheatley
Wheeler       Wiley       Wyatt        Curtis

Absent or not voting were: Representatives
Bigelow       Litvack       Morgan

S.B. 118 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

H.B. 283, REAL ESTATE AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 283 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard         Adams        Alexander       S. Allen
Barrus         Becker       Bigelow        Biskupski
Bourdeaux      Bowman       Buttars        Buxton
Christensen    D. Clark     S. Clark      Cosgrove
D. Cox         Daw          Dayton        Dee
Donnelson      Dougall      Duckworth     Dunnigan
Ferrin          Ferry       Fisher         Frank
Gibson         Goodfellow   Hansen        Hardy
Harper          Hogue        Holdaway     Hughes
Hunsaker  B. Johnson  Jones  King
Last  Lawrence  Litvack  Lockhart
Mascaro  Mathis  McGee  Menlove
Morley  Moss  Murray  Newbold
Noel  Oda  Painter  Ray
Romero  Shurtliff  G. Snow  Tilton
Ure  Urquhart  Walker  Wallace
Wheatley  Wheeler  Wiley  Wyatt
Curtis

Absent or not voting were: Representatives
Fowlke  Gowans  Hendrickson  E. Hutchings
Kiser  Morgan

H.B. 283 transmitted to the Senate for its consideration.

CONCURRENCE CALENDAR

On motion of Representative Dunnigan, the House voted to concur in the Senate amendments to Sub. H.B. 24, TRAFFIC CODE AMENDMENTS.

Sub. H.B. 24, as amended by the Senate, then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard  Adams  S. Allen  Barrus
Becker  Bigelow  Biskupski  Bourdeaux
Bowman  Butters  Buxton  Christensen
D. Clark  S. Clark  Cosgrove  D. Cox
Daw  Dayton  Dee  Donelson
Dougall  Duckworth  Dunnigan  Ferrin
Ferry  Fisher  Fowlke  Gibson
Goodfellow  Gowans  Hansen  Harper
Hendrickson  Hogue  Hughes  Hunsaker
E. Hutchings  B. Johnson  Jones  King
Kiser  Last  Lawrence  Litvack
Lockhart  Mascaro  Mathis  McGee
Menlove  Morley  Moss  Murray
Newbold  Noel  Oda  Painter
Ray  Romero  Shurtliff  G. Snow
Absent or not voting were: Representatives
Alexander Frank Hardy Holdaway Morgan

Sub. H.B. 24, as amended by the Senate, transmitted to the Senate for signature of the president.

MISCELLANEOUS BUSINESS

On motion of Representative Fowlke, under suspension of the rules, the House voted to lift H.J.R. 17 from the bottom of the Third Reading Calendar and placed at the top of the Third Reading Calendar.

On motion of Representative Alexander, the House voted to circle H.J.R. 17.

THIRD READING CALENDAR

H.B. 214, EMERGING TECHNOLOGIES AND OPEN GOVERNMENT, read the third time by short title and placed on its final passage.

H.B. 214 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Bowman Buttars Buxton
Christensen D. Clark S. Clark Cosgrove
D. Cox Daw Dayton Dee
Donnelson Dougall Duckworth Dunnigan
Ferrin Ferry Fisher Fowlke
Frank Gibson Goodfellow Hansen
Hardy Harper Hendrickson Holdaway
Hughes Hunsaker E. Hutchings B. Johnson
Jones King Kiser Lawrence
Litvack Lockhart Mathis McGee
Menlove Morley Moss Murray
Newbold Noel Oda Painter
Ray Romero Shurtliff G. Snow
Absent or not voting were: Representatives
Gowans     Hogue       Last     Mascaro
Morgan

H.B. 214 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Fowlke, the House voted to uncircle H.J.R. 17.

H.J.R. 17, RESOLUTION HONORING CELEBRATION OF MARRIAGE WEEK, read the third time by short title and placed on its final passage.

H.J.R. 17 then passed on the following roll call:

Yeas, 71; Nays, 1; Absent or not voting, 3.

Voting in the affirmative were: Representatives
Aagard     Adams      Alexander     S. Allen
Barrus     Bigelow    Bourdeaux     Bowman
Buttars    Buxton     Christensen   D. Clark
S. Clark   Cosgrove   D. Cox        Dau
Dayton     Dee        Donnelson     Dougall
Duckworth  Dunnigan   Ferrin        Ferry
Fisher     Fowlke     Frank         Gibson
Goodfellow Gowans     Hansen       Hardy
Harper     Hendrickson Hogue        Holdaway
Hughes     Hunsaker   E. Hutchings  B. Johnson
Jones      King       Kiser         Last
Lawrence   Lockhart   Mascaro      Mathis
McGee      Menlove    Morley       Moss
Murray     Newbold    Noel          Oda
Painter    Ray        Romero       Shurtliff
G. Snow    Tilton     Ure           Ure
Walker     Wallace    Wheatley     Wheeler
Wiley      Wyatt      Curtis

Voting in the negative was: Representative
Litvack
Absent or not voting were: Representatives
Becker Biskupski Morgan

H.J.R. 17 transmitted to the Senate for its consideration.

* * *

On motion of Representative Hughes, the House voted to uncircle Sub. H.B. 45.

Sub. H.B. 45, ASSESSMENT OF PROPERTY AFFECTED BY BUSINESS INTERRUPTION, was before the House on its final passage.

On motion of Representative Hughes, the House voted to delete Sub. H.B. 45 in title and body and insert 2nd Sub. H.B. 45 in lieu thereof.

On motion of Representative Hughes, the House voted to circle 2nd Sub. H.B. 45.

THIRD READING CALENDAR

H.B. 79, PROVISION OF SERVICES FOR PEOPLE WITH DISABILITIES, read the third time by short title and placed on its final passage.

Representative Lockhart proposed the following amendment:

1. Page 1, Line 40:
   Delete “None” and insert “This bill provides a coordination clause.”

2. Page, 14, Line 421:
   After line 421 insert:
   Section 9. Coordinating H.B. 79 with H.B. 64.
   If this H.B. 79 and H.B. 64, Provisions of Services for People with Disabilities, both pass, it is the intent of the Legislature that the Office of Legislative Research and General Counsel shall prepare the Utah Code database for publication as follows:
   (1) combine the amendments made by this bill and H.B. 64 to Section 62A–2–121 so that Section 62A–2–121 reads as follows:
   (1) For purposes of this section:
   (a) “direct service worker” is as defined in Section 62A–5–101; and
   (b) “personal care attendant” is as defined in Section 62A–3–101.
   [4] (2) With respect to a human services [licensees] licensee, a direct service worker, or a personal care attendant, the department may access
only the Licensing Information System of the Division of Child and Family Services created by Section 62A–4a–116.2 and juvenile court records under Subsection 78–3a–320(4)(6), for the purpose of:

(a) (i) determining whether a person associated with a licensee, with direct access to children:

(A) is listed in the Licensing Information System; or
(B) has a substantiated finding by a juvenile court of a severe type of child abuse or neglect under Subsections 78–3a–320(1) and (2); and

(b) (ii) informing a licensee that a person associated with the licensee:

(A) is listed in the Licensing Information System; or
(B) has a substantiated finding by a juvenile court of a severe type of child abuse or neglect under Subsections 78–3a–320(1) and (2); or

(b) (i) determining whether a direct service worker:

(A) is listed in the Licensing Information System; or
(B) has a substantiated finding by a juvenile court of a severe type of child abuse or neglect under Subsections 78–3a–320(1) and (2); and

(ii) informing a direct service worker or the direct service worker’s employer that the direct service worker:

(A) is listed in the Licensing Information System; or
(B) has a substantiated finding by a juvenile court of a severe type of child abuse or neglect under Subsections 78–3a–320(1) and (2); or

(c) (i) determining whether a personal care attendant:

(A) is listed in the Licensing Information System; or
(B) has a substantiated finding by a juvenile court of a severe type of child abuse or neglect under Subsections 78–3a–320(1) and (2); and

(ii) informing a person described in Subsections 62A–3–101(9)(a)(i) through (iv) that a personal care attendant:

(A) is listed in the Licensing Information System; or
(B) has a substantiated finding by a juvenile court of a severe type of child abuse or neglect under Subsections 78–3a–320(1) and (2).

(2) Notwithstanding Subsection (1), the department may access the Division of Child and Family Service’s Management Information System under Section 62A–4a–116 for the purpose of licensing and monitoring foster parents.

(3) After receiving identifying information for a person under Subsection 62A–2–120(1), the department shall process the information for the purposes described in Subsection (1).

(4) The department shall adopt rules under Title 63, Chapter 46a, Utah Administrative Rulemaking Act, consistent with this chapter, defining the circumstances under which a person [who has] may have direct access or provide services to children [and who] when:
(a) the person is listed in the Licensing Information System of the Division of Child and Family Services created by Section 62A–4a–116.2; or [has]
(b) juvenile court records show that a court made a substantiated finding [by a court of] under Section 78–3a–320, that the person committed a severe type of child abuse or neglect [under Subsections 78–3a–320(1) and (2) may provide services to children].” ; and
(2) combine the amendments made by this bill and H.B. 64 to Section 62A–2–122 so that Section 62A–2–122 reads as follows:
(1) For purposes of this section:
(a) “direct service worker” is as defined in Section 62A–5–101; and
(b) “personal care attendant” is as defined in Section 62A–3–101.
[(4)] (2) With respect to a human services [licensees] licensee, a direct service worker, or a personal care attendant, the department may access the data base created by Section 62A–3–311.1 for the purpose of:
(a) (i) determining whether a person associated with a licensee, with direct access to vulnerable adults, has a substantiated finding of:
(A) abuse;
(B) neglect; or
(C) exploitation; and
(ii) informing a licensee that a person associated with the licensee has a substantiated finding of:
(A) abuse;
(B) neglect; or
(C) exploitation;
(b) (i) determining whether a direct service worker has a substantiated finding of:
(A) abuse;
(B) neglect; or
(C) exploitation; and
(ii) informing a direct service worker or the direct service worker’s employer that the direct service worker has a substantiated finding of:
(A) abuse;
(B) neglect; or
(C) exploitation;
(c) (i) determining whether a personal care attendant has a substantiated finding of:
(A) abuse;
(B) neglect; or
(C) exploitation; and
(ii) informing a person described in Subsections 62A−3−101(9)(a)(i) through (iv) that a personal care attendant has a substantiated finding of:
(A) abuse;
(B) neglect; or
(C) exploitation;
(2) After receiving identifying information for a person under Subsection 62A–2–120(1), the department shall process the information for the purposes described in Subsection (1).
(3) The department shall adopt rules under Title 63, Chapter 46a, Utah Administrative Rulemaking Act, consistent with this chapter and consistent with Section 62A−3−311.1, defining the circumstances under which a person [who has] may have direct access or provide services to vulnerable adults [and who has a substantiated finding of abuse, neglect, or exploitation may provide services to vulnerable adults] when the person is listed in the statewide database of the Division of Aging and Adult Services created by Section 62A−3−311.1 as having a substantiated finding of abuse, neglect, or exploitation.”
If this H.B. 79 and S.B. 107, Licensure and Regulation of Programs and Facilities, both pass, it is the intent of the Legislature that the Office of Legislative Research and General Counsel shall prepare the Utah Code database for publication as follows:
(1) combine the amendments made by this bill and S.B. 107 to Section 62A–2–121 so that Section 62A–2–121 reads as follows:
(1) For purposes of this section “direct service worker” is as defined in Section 62A–5–101.
(2) With respect to [human services licensees] a licensee, a certified local inspector applicant, or a direct service worker, the department may access only the Licensing Information System of the Division of Child and Family Services created by Section 62A–4a−116.2 and juvenile court records under Subsection 78–3a–320[(4)] (6), for the purpose of:
(a) (i) determining whether a person associated with a licensee, with direct access to children[.]
(A) is listed in the Licensing Information System; or
(B) has a substantiated finding by a juvenile court of a severe type of child abuse or neglect under Subsections 78–3a–320(1) and (2); and
[(b)] (ii) informing a licensee that a person associated with the licensee;
(A) is listed in the Licensing Information System; or
(B) has a substantiated finding by a juvenile court of a severe type of
child abuse or neglect under Subsections 78–3a–320(1) and (2); and
(b) (i) determining whether a certified local inspector applicant:
(A) is listed in the Licensing Information System; or
(B) has a substantiated finding by a juvenile court of a severe type of
child abuse or neglect under Subsections 78–3a–320(1) and (2); and
(ii) informing a local government that a certified local inspector
applicant:
(A) is listed in the Licensing Information System; or
(B) has a substantiated finding by a juvenile court of a severe type of
child abuse or neglect under Subsections 78–3a–320(1) and (2);
(c) (i) determining whether a direct service worker:
(A) is listed in the Licensing Information System; or
(B) has a substantiated finding by a juvenile court of a severe type of
child abuse or neglect under Subsections 78–3a–320(1) and (2); and
(ii) informing a direct service worker or the direct service worker’s
employer that the direct service worker:
(A) is listed in the Licensing Information System; or
(B) has a substantiated finding by a juvenile court of a severe type of
child abuse or neglect under Subsections 78–3a–320(1) and (2).
[(2) (3) Notwithstanding Subsection [(4)] (2), the department may
access the Division of Child and Family Service’s Management
Information System under Section 62A–4a–116 for the purpose of
licensing and monitoring foster parents.
[(4)] (4) After receiving identifying information for a person under
Subsection 62A–2–120(1), the department shall process the
information for the purposes described in Subsection [(4)] (2).
[(4)] (5) The department shall adopt rules under Title 63, Chapter 46a,
Utah Administrative Rulemaking Act, consistent with this chapter,
defining the circumstances under which a person [who has] may have
direct access or provide services to children [and who] when:
(a) the person is listed in the Licensing Information System of the
Division of Child and Family Services created by Section
62A–4a–116.2; or [has]
(b) juvenile court records show that a court made a substantiated
finding [by a court of] under Section 78–3a–320, that the person
committed a severe type of child abuse or neglect [under Subsections
78–3a–320(1) and (2) may provide services to children].’ ; and
(2) combine the amendments made by this bill and S.B. 107 to Section
62A–2–122 so that Section 62A–2–122 reads as follows:

(1) For purposes of this section “direct service worker” is as defined in Section 62A–5–101.

(2) With respect to [human services licensees] a licensee, a direct service worker, or a certified local inspector applicant, the department may access the data base created by Section 62A–3–311.1 for the purpose of:

(a) (i) determining whether a person associated with a licensee, with direct access to vulnerable adults, has a substantiated finding of:
  (A) abuse;
  (B) neglect;
  (C) exploitation; and

(ii) informing a licensee that a person associated with the licensee has a substantiated finding of:
  (A) abuse;
  (B) neglect;
  (C) exploitation.

(b) (i) determining whether a direct service worker has a substantiated finding of:
  (A) abuse;
  (B) neglect; or
  (C) exploitation; and

(ii) informing a direct service worker or the direct service worker’s employer that the direct service worker has a substantiated finding of:
  (A) abuse;
  (B) neglect; or
  (C) exploitation.

(c) (i) determining whether a certified local inspector applicant has a substantiated finding of:
  (A) abuse;
  (B) neglect; or
  (C) exploitation; and

(ii) informing a local government that a certified local inspector applicant has a substantiated finding of:
  (A) abuse;
  (B) neglect; or
  (C) exploitation.

(3) After receiving identifying information for a person under Subsection 62A–2–120(1), the department shall process the information for the purposes described in Subsection (1).
The department shall adopt rules under Title 63, Chapter 46a, Utah Administrative Rulemaking Act, consistent with this chapter and consistent with Section 62A−3−311.1, defining the circumstances under which a person [who has] may have direct access or provide services to vulnerable adults [and who has a substantiated finding of abuse, neglect, or exploitation may provide services to vulnerable adults] when the person is listed in the statewide database of the Division of Aging and Adult Services created by Section 62A−3−311.1 as having a substantiated finding of abuse, neglect, or exploitation.”

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

**H.B. 79**, as amended, then passed on the following roll call:

**Yeas, 75; Nays, 0; Absent or not voting, 0.**

**Voting in the affirmative were:**

Representatives

Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Bigelow  Biskupski
Bourdeaux  Bowman  Buttars  Buxton
Christensen  D. Clark  S. Clark  Cosgrove
D. Cox  Daw  Dayton  Dee
Donnelson  Dougall  Duckworth  Dunnigan
Ferrin  Ferry  Fisher  Fowlke
Frank  Gibson  Goodfellow  Gowans
Hansen  Hardy  Harper  Hendrickson
Hogue  Holdaway  Hughes  Hunsaker
E. Hutchings  B. Johnson  Jones  King
Kiser  Last  Lawrence  Litvack
Lockhart  Mascaro  Mathis  McGee
Menlove  Morgan  Morley  Moss
Murray  Newbold  Noel  Oda
Painter  Ray  Romero  Shurtliff
G. Snow  Tilton  Ure  Urquhart
Walker  Wallace  Wheatley  Wheeler
Wiley  Wyatt  Curtis

**H.B. 79**, as amended, transmitted to the Senate for its consideration.

***

**H.B. 22, INTERCOUNTRY ADOPTION ACCREDITATION**, read the third time by short title and placed on its final passage.
H.B. 22 then passed on the following roll call:

**Yeas, 75; Nays, 0; Absent or not voting, 0.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
</tr>
<tr>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
</tr>
<tr>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
</tr>
<tr>
<td>Hansen</td>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
</tr>
<tr>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
</tr>
<tr>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
</tr>
<tr>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
</tr>
<tr>
<td>Lockhart</td>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
</tr>
<tr>
<td>Menlove</td>
<td>Morgan</td>
<td>Morley</td>
<td>Moss</td>
</tr>
<tr>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
</tr>
<tr>
<td>Painter</td>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
</tr>
<tr>
<td>G. Snow</td>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
</tr>
<tr>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
</tr>
<tr>
<td>Wiley</td>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
</tr>
</tbody>
</table>

H.B. 22 transmitted to the Senate for its consideration.

**UNFINISHED BUSINESS**

On motion of Representative Harper, the House voted to uncircle Sub. H.B. 78.

**Sub. H.B. 78, CORPORATE FRANCHISE AND INCOME TAX AMENDMENTS,** was before the House on its final passage.

Sub. H.B. 78 then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
</tr>
</tbody>
</table>


Absent or not voting was: Representative Dayton

Sub. H.B. 78 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 220, SALES AND USE TAX EXEMPTION FOR TEXTBOOKS FOR HIGHER EDUCATION, read the third time by short title and placed on its final passage.

Representative Becker declared a conflict of interest because he is paying for college textbooks.

H.B. 220 then passed on the following roll call:

Yeas, 39; Nays, 36; Absent or not voting, 0.

Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Alexander</th>
<th>Bigelow</th>
<th>Biskupski</th>
<th>Bourdeaux</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bowman</td>
<td>Cosgrove</td>
<td>Dougall</td>
<td>Duckworth</td>
</tr>
<tr>
<td>Dunnigan</td>
<td>Ferry</td>
<td>Frank</td>
<td>Goodfellow</td>
</tr>
<tr>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
<td>Harper</td>
</tr>
<tr>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
<td>Lawrence</td>
</tr>
<tr>
<td>Litvack</td>
<td>Mascaro</td>
<td>McGee</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morgan</td>
<td>Moss</td>
<td>Painter</td>
<td>Romerlo</td>
</tr>
<tr>
<td>Shurtliff</td>
<td>Tilton</td>
<td>Ure</td>
<td>Wheatley</td>
</tr>
<tr>
<td>Wheeler</td>
<td>Wiley</td>
<td>Curtis</td>
<td></td>
</tr>
</tbody>
</table>
Voting in the negative were: Representatives
Aagard        Adams        S. Allen     Barrus
Becker        Butts        Buxton       Christensen
D. Clark      S. Clark     D. Cox       Daw
Dayton        Dee          Donnelson   Ferrin
Fisher        Fowlke       Gibson       Holdaway
Hughes        B. Johnson   Last         Lockhart
Mathis        Morley       Murray       Newbold
Noel          Oda          Ray          G. Snow
Urquhart      Walker       Wallace      Wyatt

H.B. 220 transmitted to the Senate for its consideration.

***

Sub. H.B. 97, STATE BUDGET PROVISIONS, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle Sub. H.B. 97.

***

Sub. H.B. 42, MEDICAL RECOMMENDATIONS FOR CHILDREN, read the third time by short title and placed on its final passage.

Representative Mascaro proposed the following amendment:

1. Page 2, Line 53:
   Delete “or behavioral health evaluation or”

2. Page 2, Line 54:
   Delete “test, evaluation, or assessment”

Representative Holdaway proposed the following substitute motion to amend:

1. Page 2, Line 53:
   After “psychiatric” delete the rest of the line

2. Page 2, Line 54:
   Delete “test, evaluation, or ”

Representative Holdaway’s motion to amend failed on the following roll call:
Yeas, 34; Nays, 38; Absent or not voting, 3.

**Voting in the affirmative were:** Representatives

S. Allen  Becker  Biskupski  Bourdeaux  
Buaxton  Cosgrove  Dee  Duckworth  
Fisher  Fowlke  Goodfellow  Gowans  
Hansen  Hardy  Hendrickson  Hogue  
Holdaway  Hunsaker  Jones  King  
Lawrence  Litvack  Mascaro  McGee  
Menlove  Morgan  Moss  Murray  
Romero  Shurtliff  Ure  Wheatley  
Wiley  Wyatt

**Voting in the negative were:** Representatives

Aagard  Adams  Barrus  Bowman  
Buttars  Christensen  D. Clark  S. Clark  
D. Cox  Daw  Dayton  Donnelson  
Dougall  Dunnigan  Ferrin  Ferry  
Frank  Gibson  Harper  Hughes  
E. Hutchings  B. Johnson  Kiser  Last  
Lockhart  Mathis  Morley  Newbold  
Noel  Oda  Painter  Ray  
G. Snow  Tilton  Urquhart  Walker  
Wallace  Wheeler

**Absent or not voting were:** Representatives

Alexander  Bigelow  Curtis

###

Representative Mascaro’s motion to amend failed on the following roll call:

Yeas, 35; Nays, 39; Absent or not voting, 1.

**Voting in the affirmative were:** Representatives

S. Allen  Becker  Biskupski  Bourdeaux  
Buaxton  Cosgrove  Dee  Duckworth  
Fisher  Fowlke  Goodfellow  Gowans  
Hansen  Hardy  Hendrickson  Hogue  
Holdaway  Hunsaker  E. Hutchings  Jones  
King  Lawrence  Litvack  Mascaro  
McGee  Menlove  Morgan  Moss  
Murray  Romero  Shurtliff  Ure  
Wheatley  Wiley  Wyatt
Voting in the negative were: Representatives
Aagard
Bowman
S. Clark
Donnelson
Ferry
Hughes
Lockhart
Noel
G. Snow
Wallace

Adams
Buttars
D. Cox
Dougall
Frank
B. Johnson
Mathis
Oda
Tilton
Wheeler

Alexander
Christensen
Daw
Dunnigan
Gibson
Kiser
Morley
Painter
Urquhart
Curtis

Barrus
D. Clark
Dayton
Ferrin
Harper
Last
Newbold
Ray
Walker

Absent or not voting was: Representative
Bigelow

# # #

Representative Menlove moved to delete Sub. H.B. 42 in title and body and insert 2nd Sub. H.B. 42 in lieu thereof. The motion to substitute failed on the following roll call:

Yeas, 35; Nays, 38; Absent or not voting, 2.

Voting in the affirmative were: Representatives
S. Allen
Bowman
Duckworth
Gowans
Hogue
King
Mascaro
Moss
G. Snow
Becker
Buxton
Fisher
Hansen
Holdaway
Last
McGee
Murray
Wheatley

Biskupski
Cosgrove
Fowlke
Hardy
Hunsaker
Lawrence
Menlove
Romero
Wiley

Bourdeaux
Dee
Goodfellow
Hendrickson
Jones
Litvack
Morgan
Shurtleff

Voting in the negative were: Representatives
Aagard
Buttars
D. Cox
Dougall
Frank
E. Hutchings
Morley

Adams
Christensen
Daw
Dunnigan
Gibson
B. Johnson
Newbold
Alexander
D. Clark
Dayton
Ferrin
Harper
Lockhart
Noel

Barrus
S. Clark
Donnelson
Ferry
Hughes
Mathis
Oda

Oda
Painter Ray Tilton Ure
Urquhart Walker Wallace Wheeler
Wyatt Curtis

**Absent or not voting were:** Representatives
Bigelow Kiser

###

Representative Litvack proposed the following amendment:

1. Page 7, Lines 189–198:
   Delete lines 189 through 198.

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

**Sub. H.B. 42** then passed on the following roll call:

**Yeas, 41; Nays, 32; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Aagard Adams Alexander S. Allen
Barrus Bowman Buttars Christensen
D. Clark S. Clark D. Cox Daw
Dayton Donnelson Dougall Dunnigan
Ferrin Ferry Fowlke Frank
Gibson Harper Hogue Hughes
B. Johnson Lockhart Mathis Morley
Newbold Noel Oda Painter
Ray G. Snow Tilton Ure
Urquhart Walker Wallace Wheeler
Wyatt

**Voting in the negative were:** Representatives

Becker Biskupski Bourdeaux Buxton
Cosgrove Dee Duckworth Fisher
Goodfellow Gowans Hansen Hardy
Hendrickson Holdaway Hunsaker E. Hutchings
Jones King Last Lawrence
Litvack Mascaro McGee Menlove
Morgan Moss Murray Romero
Shurtliff Wheatley Wiley Curtis

**Absent or not voting were:** Representatives
Bigelow Kiser
Sub. H.B. 42, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Holdaway, the House voted to allow a resolution file be opened to honor a special person.

***

On motion of Representative Alexander, the House voted to recess until 2:00 p.m.

AFTERNOON SESSION

The House was called to order by Speaker Curtis at 2:00 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 14, 2005

The Senate passed, as amended, S.B. 72, CHILD WELFARE AMENDMENTS, by Senator D. Eastman, and it is transmitted for consideration; and

The Senate passed, as amended, S.B. 146, AVOIDING APPREHENSION AMENDMENT, by Senator M. Waddoups, and it is transmitted for consideration; and

The Senate passed, as amended, S.B. 49, MOTOR VEHICLE LIABILITY COVERAGE AMENDMENTS, by Senator D. Eastman, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. S.B. 72, S.B. 146, and S.B. 49, read the first time by short title and referred to the Rules Committee.

***

Mr. Speaker: February 14, 2005

The President of the Senate has signed 2nd Sub. H.B. 36, CHARTER SCHOOL CONSTRUCTION AMENDMENTS, by Representative J. Ferrin, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed H.B. 60, INSURANCE LICENSING AMENDMENTS, by Representative J. Dunnigan, and it is transmitted for the signature of the Speaker; and
The President of the Senate has signed **H.B. 186, CONSUMER PROTECTION AMENDMENTS**, by Representative S. Allen, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate  

Communications filed. **2nd Sub. H.B. 36, H.B. 60, and H.B. 186** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

**REPORTS OF STANDING COMMITTEES**

Mr. Speaker:  
February 11, 2005

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 54, PROPERTY TAX CONFIDENTIALITY AMENDMENTS**, by Senator H. Stephenson; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 140, INDIVIDUAL INCOME TAX CONTRIBUTION FOR COMMUNITY SPAY AND NEUTER PROGRAMS**, by Representative M. Noel, with the following amendments:

1. Page 3, Lines 62 through 68:

   62 (4) The department shall distribute contributions and interest deposited into the Cat and
   63 Dog Community Spay and Neuter Program Restricted Account to one or more organizations:
   64 (a) that are exempt from federal income taxation under Section 501(c)(3), Internal Revenue Code;
   65 (b) that operate a mobile spay and neuter clinic for cats and dogs; and
   66 (c) that provide annual spay and neuter services at the mobile spay and neuter clinic described in Subsection (4)(b) ;
   67 (i) to one or more communities in at least 20 counties in the state (→ } ; and
   68 (ii) by veterinarians who are licensed by Title 58, Chapter 28, Veterinary Practice Act.
2. Page 3, Lines 71 through 73:

71   (b) An organization that receives a distribution from the department in accordance with

72   Subsection (4) :

73     (i) shall expend the distribution only to spay or neuter dogs and cats :

73 (A) owned by

73   persons having low incomes;

73   (B) by veterinarians who are licensed by Title 58, Chapter 28, Veterinary Practice Act;

73   (C) through a statewide voucher program; and

73   (D) at a location that:

73     (I) is not a mobile spay and neuter clinic; and

73     (II) does not receive any funding from a governmental entity; and

73   (ii) may not expend the distribution for any administrative cost relating to an expenditure authorized by Subsection (5)(b)(i).

The Revenue and Taxation Committee reports a favorable recommendation on H.B. 147, PROPERTY TAX EXEMPTION FOR VETERANS, by Representative G. Hughes, with the following amendments:

1. Page 1, Lines 13 through 20:

13   This bill:

14     {removes} increases the {$82,500} limitation on the property tax exemption relating to disabled veterans and veterans who are killed in action or die in the line of duty from $82,500 to:

15     {for 2005, $200,000; and

15     for each year after 2005, $200,000 plus an amount calculated by multiplying the amount of the limitation for the previous year by the actual percent change in the Consumer Price Index during the previous calendar year ;
provides that the property tax exemption relating to a disabled veteran with a service related disability of 10% or more is equal to the greater of:

- the percentage of the service related disability multiplied by the value of the property entitled to the exemption;

 limitation described previously; or

2. Page 2, Line 33:

{None} This bill provides retrospective operation.

3. Page 2, Lines 41 through 42:

(1) As used in this section and Section 59–2–1105:

(a) “adjusted taxable value limit” means:

(i) for the year 2005, $200,000; and

(ii) for each year after 2005, the amount of the adjusted taxable value limit for the previous year, plus an amount calculated by multiplying the amount of the adjusted taxable value limit for the previous year by the actual percent change in the Consumer Price Index during the previous calendar year.

(b) “claimant” means:

4. Page 2, Line 54 through Page 3, Line 57:

(B) who files an application under Section 59–2–1105 for a veteran’s exemption;

(c) “consumer price index” is as described in Section 1(f)(4), Internal Revenue Code, and defined in Section 1(f)(5), Internal Revenue Code;

(d) “deceased disabled veteran” means a deceased person who was a disabled veteran at the time the person died;

(e) “disabled veteran” means a disabled person who, during military training or a
5. Page 3, Line 60:
   
   “military entity” means:

6. Page 3, Lines 65 through 67:
   
   “residence” is as defined in Section 59–2–1202, except that a rented dwelling is not
   considered to be a residence;

7. Page 3, Lines 71 through 72:
   
   “veteran’s exemption” means a property tax exemption provided for in Subsection
   2.

8. Page 3, Lines 80 through 83:
   
   (b) Subsection (2)(a) applies to the following property:

   (i) real property, including a
   the claimant’s primary residence;

   (ii) tangible personal property that;
   (A) is held exclusively for personal use; and
   (B) is not used in a trade or business;

   (iii) a combination of Subsections (2)(b)(i) and (ii).

9. Page 4, Line 115 through Page 5, Line 125:
   
   Except as provided in Subsection (2)(g), the amount of the taxable value of the
   property described in Subsection (2)(b) that is exempt under Subsection (2)(c)(i) is
   equal to the percentage of disability listed on the certificate described in Subsection
   59–2–1105(3)(a) multiplied by the taxable value of the property described in Subsection (2)(b):
(ii) the percentage of disability listed on the certificate described in Subsection
59-2-1105(3)(a) multiplied by $82,500 \} \text{ adjusted taxable value limit } .
(g) Notwithstanding Subsection (f), the amount of the taxable value of the property
described in Subsection (2)(b) that is exempt under Subsection (2)(c)(i) may not be greater than
the taxable value of the property described in Subsection (2)(b).
Section 2. Retrospective operation.
This bill provides retrospective operation to January 1, 2005.

The Revenue and Taxation Committee reports a favorable recommendation on S.B. 129, BRINE SHRIMP ROYALTY ACT AMENDMENTS, by Senator T. Hatch.

Wayne A. Harper, Chair
Reports filed. On motion of Representative Harper, the reports of the Revenue and Taxation committee were adopted.

S.B. 54, H.B. 140, as amended, and H.B. 147, as amended, read the second time by short title and placed on the calendar for third reading.

S.B. 129, read the second time by short title and referred to the Rules Committee due to fiscal impact.

* * *
2. Page 2, Lines 34 through 35:

34 [(b)] (iii) six elected officials at the local government level, 
   \{two\} three of whom may not be residents of a county of the first or second class; and

3. Page 2, Lines 36 through 37:

36 [(c)] (iv) five persons from the profit and nonprofit private sector, \{three\} two of whom may not be residents of a county of the first or second class and no more than three of whom may be

4. Page 4, Line 120 through Page 5, Line 121:

120 (f) (i) The commission may not \{without the Legislature’s prior approval\} make a grant or loan from the fund that exceeds $1,000,000 until after making a report to the Legislative Management Committee about the grant or loan.

   (ii) The Legislative Management Committee may make a recommendation to the commission concerning the intended grant or loan, but the recommendation is not binding on the commission.; and

The Government Operations Committee reports a favorable recommendation on **H.B. 274, REFERENDUM PROCEDURE**, by Representative D. Hogue, with the following amendments:

1. Page 2, Line 50:

50 (d) a copy of the law that is subject to \{the\} a referendum.

2. Page 2, Lines 56 through 57:

56 (i) notify the sponsors and identify the corrections that must be made in order to meet the requirements of Subsection (2); and

3. Page 4, Lines 112 through 120:

112 (3) (a) If the lieutenant governor refuses to \{accept and file any referendum petition\]
certify the referendum for the ballot after it has been declared sufficient, any voter may apply to the Supreme Court for an extraordinary writ to compel him to do so within ten days after the refusal.

(b) If the Supreme Court determines that the referendum [petition is legally sufficient, the lieutenant governor shall file it, with a verified copy of the judgment attached to it, as of the date on which it was originally offered for filing in his office] has been declared sufficient and meets the legal requirements to be placed on the ballot, the Supreme Court shall order the lieutenant governor and all other officers to certify and print the ballot title and numbers of that measure on the official ballot for the next election.

4. Page 5, Line 139:
   (d) one copy of the law that is subject to a referendum.

5. Page 5, Lines 145 through 146:
   (i) notify the sponsors and identify the corrections that must be made in order to meet the requirements of Subsection (2); and

6. Page 7, Lines 202 through 209:
   (4) (a) If the local clerk refuses to certify the referendum for the ballot after it has been declared sufficient, any voter may apply to the Supreme Court for an extraordinary writ to compel him to do so within ten days after the refusal.
   (b) If the Supreme Court determines that the referendum [petition is legally sufficient, the local clerk shall file it, with a verified copy of the judgment attached to it, as of the date on
which it was originally offered for filing in his office] has been declared sufficient and meets the legal requirements to be placed on the ballot, the Supreme Court shall order the local clerk and all other officers to certify and print the ballot title and numbers of that measure on the official ballot for the next election.

Douglas C. Aagard, Chair

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


**NOTICE OF BILL RETURNED TO RULES COMMITTEE**

Mr. Speaker: February 11, 2005


Douglas C. Aagard, Chair


**REPORTS OF STANDING COMMITTEES**

Mr. Speaker: February 14, 2005

The Judiciary Committee reports a favorable recommendation on **1st Sub. S.B. 10**, LIABILITY REFORM ACT AMENDMENTS, by Senator G. Bell; and

The Judiciary Committee reports a favorable recommendation on **S.B. 14**, UNIFORM PARENTAGE ACT, by Senator L. Hillyard, with the following amendments:

1. Page 1, Lines 21 through 22
   Senate Committee Amendments 1–20–2005:
   21 Other Special Clauses:

   22 Š [This bill has an immediate effective date.] { **THIS BILL TAKES EFFECT ON JANUARY 1, 2006. Š } None
2. Page 6, Lines 159 through 162:

159 (3) “Declarant father” means a male who, along with the biological mother, declares that he is the father of a child conceived as a result of sexual intercourse with the mother.

160 claims to be the genetic father of a child, and, along with the biological mother, signs a voluntary declaration of paternity to establish the child’s paternity.

3. Page 17, Lines 518 through 520:

518 78-45g-109. Limitation on recovery from the father.

519 The obligor’s liabilities for past support are limited to the period of four years preceding the commencement of an action.

4. Page 34, Lines 1038 through 1050:

1038 78-45g-607. Limitation — Child having presumed father.

1039 (1) Paternity of a child conceived or born during a marriage with a presumed father as described in Subsection 78-45g-204(1)(a), (b), or (c), may only be raised by the presumed father or the mother at any time prior to filing an action for divorce or in the pleadings at the time of the divorce of the parents.

1040 (a) If the issue is raised prior to the adjudication, genetic testing may be ordered by the mother. If the question of paternity has been raised in the pleadings in a divorce and the tribunal addresses the issue and enters an order, the parties are stopped from raising the issue again, and the order of the tribunal may not be challenged on the basis of material mistake of fact.
5. Page 41, Lines 1258 through 1259:

1258 (3) In a proceeding to dissolve a marriage, the tribunal is considered to have made an adjudication of the parentage of a child if the question of paternity is raised and the tribunal adjudicates according to Part 6, Adjudication of Parentage, and the final order:

6. Page 41, Line 1267 through Page 42, Line 1273:

1267 (5) Once the paternity of a child has been adjudicated, an individual who was not a party to the paternity proceeding may not challenge the paternity, unless:

* * * Some lines not shown * * *

1273 (c) there would be {irreparable} harm to the child to leave the order in place.

7. Page 44, Lines 1331 through 1345:

1331 78–45g–801. Gestational agreement authorized.

* * * Some lines not shown * * *

(2) The intended gestational mother may not currently be receiving Medicaid or any other state assistance.

1340 Renumber remaining subsections accordingly.

8. Page 44, Line 1360 through Page 45, Line 1369:

1360 (2) The tribunal may issue an order under Subsection (1) only on finding that:

* * * Some lines not shown * * *

(d) all parties have participated in counseling with a licensed mental health professional as evidenced by a certificate signed by the licensed mental health professional which affirms that all parties have discussed options and consequences of the agreement and presented to the tribunal:

Renumber remaining subsections accordingly.

9. Page 48, Lines 1471 through 1475

Senate Committee Amendments 1–20–2005:

1471 {Section 101. Effective date.
If approved by two-thirds of all members elected to each house, this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution Article VII, Section 8, without the governor’s signature, or in the case of a veto, the date of veto override.

The Judiciary Committee reports a favorable recommendation on H.B. 306, AMENDMENT REGARDING CONTROLLED SUBSTANCES, by Representative C. Oda, with the following amendments:

1. Page 1, Lines 15 through 17:
   members of Indian tribes regarding the peyote use exemption; and
   provides a reference to the exemption created by the definitions under the listing of Schedule I controlled substances; and provides related qualifying language regarding driving with any measurable controlled substance in the body.

2. Page 1, Lines 23 through 24:
   AMENDS:
   41–6a–517, as renumbered and amended by Chapter 2, Laws of Utah 2005

3. Page 2, Line 28 through Page 2, Line 28:
   Be it enacted by the Legislature of the state of Utah:
   Section 1. Section 41–6A–517 is amended to read:
   41–6a–517. Definitions — Driving with any measurable controlled substance in the body — Penalties — Arrest without warrant.
   (1) As used in this section:
   (a) “Controlled substance” means any substance scheduled under Section 58–37–4.
   (b) “Practitioner” has the same meaning as provided in Section 58–37–2.
   (c) “Prescribe” has the same meaning as provided in Section 58–37–2.
(d) “Prescription” has the same meaning as provided in Section 58–37–2.

(2) In cases not amounting to a violation of Section 41–6a–502, a person may not operate or be in actual physical control of a motor vehicle within this state if the person has any measurable controlled substance or metabolite of a controlled substance in the person’s body.

(3) It is an affirmative defense to prosecution under this section that the controlled substance was:

(a) involuntarily ingested by the accused;
(b) prescribed by a practitioner for use by the accused;
(c) otherwise legally ingested.

(4) A person convicted of a violation of Subsection (2) is guilty of a class B misdemeanor.

(5) A peace officer may, without a warrant, arrest a person for a violation of this section when the officer has probable cause to believe the violation has occurred, although not in the officer’s presence, and if the officer has probable cause to believe that the violation was committed by the person.

(6) The Driver License Division shall:

(a) suspend, for 90 days, the driver license of a person convicted under Subsection (2);
(b) revoke, for one year, the driver license of a person convicted of a second or subsequent offense under Subsection (2) or if the person has a prior conviction as defined under Subsection 41–6a–501(2), if the violation is committed within a period of ten years after the date of the prior violation; and
(c) subtract from any suspension or revocation period the number of days for which a license was previously suspended under Section 53–3–223 or 53–3–231, if the previous suspension was based on the same occurrence upon which the record of conviction is based.

(7) (a) The court shall notify the Driver License Division if a person fails to:

(i) complete all court ordered screening and assessment, educational series, and substance abuse treatment; or
(ii) pay all fines and fees, including fees for restitution and treatment costs.

(b) Upon receiving the notification, the division shall suspend the person’s driving privilege in accordance with Subsections 53–3–221(2) and (3).
(8) The court shall order supervised probation in accordance with Section 41–6a–507 for a person convicted under Subsection (2).

Renumber remaining sections accordingly.

The Judiciary Committee reports a favorable recommendation on **H.B. 342**, **CIVIL LEGAL AID FOR VICTIMS OF DOMESTIC VIOLENCE**, by Representative S. Mascaro.

James A. Ferrin, Chair

Reports filed. On motion of Representative Ferrin, the reports of the Judiciary committee were adopted.


* * *

**Mr. Speaker:** February 14, 2005

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.C.R. 14**, **CONCURRENT RESOLUTION HONORING AMERICA’S MILITARY WAR DOGS**, by Representative S. Mascaro, and recommends it be placed on the Consent Calendar; and


DeMar “Bud” Bowman, Chair

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

**H.C.R. 14**, read the second time by short title and placed on the Consent Calendar.

**Sub. S.B. 135**, read the second time by short title and placed on the calendar for third reading.

**UNFINISHED BUSINESS**

On motion of Representative D. Clark, the House voted to uncircle **H.B. 213**.

**H.B. 213**, **UNUSED SICK LEAVE AT RETIREMENT AMENDMENTS**, was before the House on its final passage.
Representative D. Clark proposed the following amendment:

1. Page 7, Lines 183 through 198

183 (2) (a) The Unused Sick Leave Retirement Program II provides that upon retirement an
184 employee who is employed by the state on or after January 1, 2006, shall receive remuneration
185 for the employee’s unused accumulated sick leave and converted sick leave accrued beginning January 1, 2006 in
186 accordance with this section as follows:
187 (i) subject to federal requirements and limitations, a contribution at the employee’s rate
188 of pay at the time of retirement for 25% of the employee’s unused accumulated sick leave and
189 converted sick leave shall be transferred directly to the employee’s defined contribution plan
190 qualified under Section 401(k) of the Internal Revenue Code which is sponsored by the Utah
191 State Retirement Board; and
192 (ii) participation in a benefit plan that provides for reimbursement for medical
193 expenses using monies deposited at the employee’s rate of pay at the time of retirement from remaining unused accumulated sick leave and converted sick leave balances
194 (b) If the amount calculated under Subsection (2)(a)(i) exceeds the federal contribution
195 limitations, the amount representing the excess shall be deposited under Subsection (2)(a)(ii).
196 (3) The Utah State Retirement Office shall develop and maintain a program to provide
197 a benefit plan that provides for reimbursement for medical expenses under Subsection
198 (2)(a)(ii) with:
(a) monies deposited under Subsection (2)(a)(ii); and
(b) accrued earnings.
Representative D. Clark’s motion to amend passed on a voice vote.

###

Representative Hansen proposed the following amendment:

1. Page 1, Lines 14 through 16
   14�provides that after December 31, {2005–} [2006], new sick leave hours may not be
   15 accumulated for future use under the current Unused Sick Leave Retirement Option
   16 Program;

2. Page 1, Lines 26 through 27:
   26�creates the Unused Sick Leave Retirement Program II for sick leave hours
   27 accumulated on or after January 1, {2006–} [2007], which provides:

3. Page 2, Lines 33 through 34
   House Committee Amendments 2–7–2005:
   33�allows employees to make a one-time election to transfer unused sick leave hours to
   34 the new program beginning January 1, {2011–} [2012];

4. Page 2, Line 43
   House Committee Amendments 2–7–2005:
   43.None This bill takes effect on January 1, {2006–} [2007].

5. Page 4, Lines 95 through 96:
   95 (i) Unused Sick Leave Retirement Option Program I under Section 67–19–14.2 if
   96 earned prior to January 1, {2006–} [2007], unless the transfer is made under Subsection 67–19–14.4(1)(c);

6. Page 4, Lines 98 through 99:
   98 (ii) Unused Sick Leave Retirement Option Program II under Section 67–19–14.4 if
7. Page 4, Line 109 through Page 5, Line 123:

(2) The Unused Sick Leave Retirement Option Program I provides that upon retirement

an employee who was employed by the state prior to January 1, 2006, 2007:

(a) [is paid] receives a contribution under Subsection (3) for [up to] 25% of the

employee’s unused accumulated sick leave accrued prior to January 1, 2006, 2007, at the employee’s

rate of pay at the time of retirement;

(b) receives continuing medical and life insurance benefits until the earlier of:

(i) the date the employee reaches the age eligible for Medicare;
or [for up to five years,

which ever occurs sooner; and]

(ii) up to the following number of years:

(A) five years if the employee retires during calendar year 2006, 2007;

(B) four years if the employee retires during calendar year 2007, 2008;

(C) three years if the employee retires during calendar year 2008, 2009;

(D) two years if the employee retires during calendar year 2009, 2010;

(E) one year if the employee retires during calendar year 2010, 2011; or

(F) zero years if the employee retires after calendar year 2010, 2011; and

8. Page 5, Lines 135 through 146:

(4) (a) An employee may purchase continuing medical and life insurance benefits, at

the rate of one month’s coverage per policy for eight hours of unused sick leave remaining
after:

(i) the [pay-out] contribution of unused sick leave under Subsection (2)(a); and

(ii) an additional reduction [of 480 hours] at the time of retirement, of unused sick leave hours as follows:

(A) 480 hours if the employee retires during calendar year {2006} 2007;

(B) 384 hours if the employee retires during calendar year {2007} 2008;

(C) 288 hours if the employee retires during calendar year {2008} 2009;

(D) 192 hours if the employee retires during calendar year {2009} 2010;

(E) 96 hours if the employee retires during calendar year {2010} 2011; or

(F) 0 hours if the employee retires after calendar year {2010} 2011.

9. Page 6, Lines 178 through 180:

(c) Beginning January 1, {2011} 2012, an employee who is participating in the Unused Sick Leave Retirement Program I under Section 67–19–14.2 may make a one-time and irrevocable election to transfer all unused sick leave hours which shall include all converted sick leave.

10. Page 7, Lines 183 through 185:

(a) The Unused Sick Leave Retirement Program II provides that upon retirement an employee who is employed by the state on or after January 1, {2006} 2007, shall receive remuneration for the employee’s unused accumulated sick leave and converted sick leave accrued in
Representative Dee proposed the following substitute motion to amend:

1. Page 2, Lines 30 through 32
   House Committee Amendments 2–7–2005:
   30 participation in a benefit plan that provides for reimbursement for medical expenses using the remainder of unused sick leave hours at the employee’s rate of pay at the time of retirement but not less than the average rate of pay as for employees who retired in the same state retirement system during the previous calendar year.

2. Page 7, Lines 192 through 195
   House Committee Amendments 2–7–2005:
   192 (ii) participation in a benefit plan that provides for reimbursement for medical expenses using monies deposited at the employee’s rate of pay at the time of retirement.
   194 (b) If the amount calculated under Subsection (2)(a)(i) exceeds the federal contribution limitations, the amount representing the excess shall be deposited under Subsection (2)(a)(ii).
   195 (c) An employee’s rate of pay at the time of retirement for purposes of Subsection (2)(a)(ii) may not be less than the average rate of pay of state employees who retired in the same retirement system under Title 49, Utah State Retirement and Insurance Benefit Act, during the previous calendar year.

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

###

Representative Hansen proposed the following amendment:
1. Page 1, Lines 14 through 16

provides that after December 31, 2005, new sick leave hours may not be accumulated for future use under the current Unused Sick Leave Retirement Option Program;

2. Page 1, Lines 26 through 27:

creates the Unused Sick Leave Retirement Program II for sick leave hours accumulated on or after January 1, 2006, which provides:

3. Page 2, Lines 33 through 34

House Committee Amendments 2–7–2005:

allows employees to make a one-time election to transfer unused sick leave hours to the new program beginning January 1, 2011;

4. Page 2, Line 43

House Committee Amendments 2–7–2005:

This bill takes effect on January 1, 2006.

5. Page 4, Lines 95 through 96:

(i) Unused Sick Leave Retirement Option Program I under Section 67–19–14.2 if earned prior to January 1, 2006, unless the transfer is made under Subsection 67–19–14.4(1)(c);

6. Page 4, Lines 98 through 99:

(ii) Unused Sick Leave Retirement Option Program II under Section 67–19–14.4 if earned on or after January 1, 2006.
(2) The Unused Sick Leave Retirement Option Program I provides that upon retirement an employee who was employed by the state prior to January 1, 2006 to 2007:

(a) [is paid] receives a contribution under Subsection (3) for [up to] 25% of the employee’s unused accumulated sick leave accrued prior to January 1, 2006 to 2007, at the employee’s rate of pay at the time of retirement;

(b) receives continuing medical and life insurance benefits until the earlier of:

(i) the date the employee reaches the age eligible for Medicare; or [for up to five years,]

which ever occurs sooner; and

(ii) up to the following number of years:

(A) five years if the employee retires during calendar year 2006 to 2007;

(B) four years if the employee retires during calendar year 2007 to 2008;

(C) three years if the employee retires during calendar year 2008 to 2009;

(D) two years if the employee retires during calendar year 2009 to 2010;

(E) one year if the employee retires during calendar year 2010 to 2011; or

(F) zero years if the employee retires after calendar year 2010 to 2011; and

(4) (a) An employee may purchase continuing medical and life insurance benefits, at

the rate of one month’s coverage per policy for eight hours of unused sick leave remaining
after:

(i) the contribution of unused sick leave under Subsection (2)(a); and

(ii) an additional reduction of 480 hours, at the time of retirement, of unused sick
leave as follows:

(A) 480 hours if the employee retires during calendar year {2006} 2007;

(B) 384 hours if the employee retires during calendar year {2007} 2008;

(C) 288 hours if the employee retires during calendar year {2008} 2009;

(D) 192 hours if the employee retires during calendar year {2009} 2010;

(E) 96 hours if the employee retires during calendar year {2010} 2011; or

(F) 0 hours if the employee retires after calendar year {2010} 2011.

9. Page 6, Lines 178 through 180:

(c) Beginning January 1, {2011} 2012, an employee who is participating in the Unused Sick Leave Retirement Program I under Section 67−19−14.2 may make a one−time and irrevocable election to transfer all unused sick leave hours which shall include all converted sick leave.

10. Page 7, Lines 183 through 185:

(2) (a) The Unused Sick Leave Retirement Program II provides that upon retirement an employee who is employed by the state on or after January 1, {2006} 2007, shall receive remuneration for the employee’s unused accumulated sick leave and converted sick leave accrued in
11. Page 7, Line 198b
House Committee Amendments 2−7−2005:

198b This bill takes effect on January 1, {−2006 } 2007.

Representative Ray proposed the following substitute motion to amend:

1. Page 1, Lines 14 through 16

   14 provides that after December 31, {−2005 –} 2010, new sick leave hours may not be

   15 accumulated for future use under the current Unused Sick Leave

   16 Retirement Option

2. Page 1, Lines 26 through 27:

   26 creates the Unused Sick Leave Retirement Program II for sick leave hours

   27 accumulated on or after January 1, {−2006 –} 2011, which

   provides:

3. Page 2, Lines 30 through 32
House Committee Amendments 2−7−2005:

30 participation in a benefit plan that provides for

31 reimbursement for medical

32 expenses using the remainder of unused sick leave hours at the

33 employee’s rate

34 of pay at the time of retirement but not less than the median rate

35 of pay as for employees who retired in the same state retirement system

36 during the previous calendar year

4. Page 4, Lines 95 through 99:

95 (i) Unused Sick Leave Retirement Option Program I under

96 Section 67−19−14.2 if

97 earned prior to January 1, {−2006 } 2011, unless the

98 transfer is made under Subsection 67−19−14.4(1)(c);

99 or
98  (ii) Unused Sick Leave Retirement Option Program II under Section 67–19–14.4 if earned on or after January 1, \(\{2006\} 2011\).

5. Page 4, Lines 109 through 112:

109  (2) The Unused Sick Leave Retirement Option Program I provides that upon retirement an employee who was employed by the state prior to January 1, \(\{2006\} 2011\):

110  (a) [is paid] receives a contribution under Subsection (3) for [up to] 25% of the employee’s unused accumulated sick leave accrued prior to January 1, \(\{2006\} 2011\), at the employee’s

6. Page 7, Lines 183 through 186:

183  (2) (a) The Unused Sick Leave Retirement Program II provides that upon retirement an employee who is employed by the state on or after January 1, \(\{2006\} 2011\), shall receive remuneration for the employee’s unused accumulated sick leave and converted sick leave accrued beginning January 1, 2011 in accordance with this section as follows:

7. Page 7, Lines 194 through 195
House Committee Amendments 2–7–2005:

194  (b) If the amount calculated under Subsection (2)(a)(i) exceeds the federal contribution limitations, the amount representing the excess shall be deposited under Subsection (2)(a)(ii).

195  (c) An employee’s rate of pay at the time of retirement for purposes of Subsection (2)(a)(ii) may not be less than the median rate of pay of state employees who retired in the same retirement system under Title 49, Utah State Retirement and Insurance Benefit Act, during the previous calendar year.

Representative Ray’s motion to amend failed on the following roll call:

Yeas, 35; Nays, 39; Absent or not voting, 1.
**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>S. Allen</th>
<th>Becker</th>
<th>Bigelow</th>
</tr>
</thead>
<tbody>
<tr>
<td>Biskupski</td>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Fowlke</td>
</tr>
<tr>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
<td>Hendrickson</td>
</tr>
<tr>
<td>Hogue</td>
<td>Holdaway</td>
<td>E. Hutchings</td>
<td>Jones</td>
</tr>
<tr>
<td>King</td>
<td>Kiser</td>
<td>Litvack</td>
<td>Mascaro</td>
</tr>
<tr>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
<td>Moss</td>
</tr>
<tr>
<td>Oda</td>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
</tr>
<tr>
<td>Wheatley</td>
<td>Wheeler</td>
<td></td>
<td>Wiley</td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>Alexander</th>
<th>Barrus</th>
<th>Buxton</th>
</tr>
</thead>
<tbody>
<tr>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
<td>Dougall</td>
</tr>
<tr>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
<td>Frank</td>
</tr>
<tr>
<td>Gibson</td>
<td>Hardy</td>
<td>Harper</td>
<td>Hughes</td>
</tr>
<tr>
<td>Hunsaker</td>
<td>B. Johnson</td>
<td>Last</td>
<td>Lawrence</td>
</tr>
<tr>
<td>Lockhart</td>
<td>Mathis</td>
<td>Morley</td>
<td>Murray</td>
</tr>
<tr>
<td>Newbold</td>
<td>Noel</td>
<td>Painter</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
</tr>
<tr>
<td>Wallace</td>
<td>Wyatt</td>
<td></td>
<td>Curtis</td>
</tr>
</tbody>
</table>

**Absent or not voting was:** Representative

Buttars

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

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Becker</th>
<th>Bigelow</th>
<th>Biskupski</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Cosgrove</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Duckworth</td>
<td>Fowlke</td>
<td>Goodfellow</td>
<td>Gowans</td>
</tr>
<tr>
<td>Hansen</td>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
</tr>
<tr>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>Jones</td>
<td>King</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Litvack</td>
<td>Mascaro</td>
<td>McGee</td>
</tr>
<tr>
<td>Menlove</td>
<td>Morgan</td>
<td>Moss</td>
<td>Murray</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
<td>Wheatley</td>
</tr>
<tr>
<td>Wheeler</td>
<td></td>
<td></td>
<td>Wiley</td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
</tr>
</tbody>
</table>
Representative Hutchings moved to delete H.B. 213 in title and body and insert Sub. H.B. 213 in lieu thereof. The motion failed on the following roll call:

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

**Voting in the affirmative were:** Representatives

- Aagard
- Becker
- Biskupski
- Bourdeaux
- Bowman
- Cosgrove
- Donnelson
- Duckworth
- Dunnigan
- Fowlke
- Goodfellow
- Gowans
- Hansen
- Hendrickson
- Hogue
- Holdaway
- Hunsaker
- E. Hutchings
- Jones
- King
- Litvack
- Mascaro
- Mathis
- McGee
- Menlove
- Morgan
- Moss
- Oda
- Ray
- Romero
- Shurtliff
- Wheatley
- Wheeler
- Wyatt
- Wiley

**Voting in the negative were:** Representatives

- Adams
- Alexander
- S. Allen
- Barrus
- Buxton
- Christensen
- D. Clark
- S. Clark
- D. Cox
- Daw
- Dayton
- Dee
- Dougall
- Ferrin
- Ferry
- Fisher
- Frank
- Gibson
- Hardy
- Harper
- Hughes
- B. Johnson
- Kiser
- Last
- Lawrence
- Lockhart
- Morley
- Murray
- Newbold
- Noel
- Painter
- G. Snow
- Tilton
- Ure
- Urquhart
- Walker
- Wallace
- Wyatt
- Curtis

**Absent or not voting were:** Representatives

- Bigelow
- Buttars
H.B. 213, as amended, then passed on the following roll call:

Yeas, 38; Nays, 36; Absent or not voting, 1.

Voting in the affirmative were: Representatives
Adams Alexander S. Allen Barrus
Buxton Christensen D. Clark S. Clark
D. Cox Daw Dayton Dee
Dougall Ferrin Ferry Fisher
Frank Gibson Hardy Hughes
B. Johnson Kiser Last Lawrence
Lockhart Mathis Morley Newbold
Noel Painter G. Snow Tilton
Ure Urquhart Walker Wallace
Wyatt Curtis

Voting in the negative were: Representatives
Aagard Becker Bigelow Biskupski
Bourdeaux Bowman Cosgrove Donnelson
Duckworth Dunnigan Fowlke Goodfellow
Gowans Hansen Harper Hendrickson
Hogue Holdaway Hunsaker E. Hutchings
Jones King Litvack Mascaro
McGee Menlove Morgan Moss
Murray Oda Ray Romero
Shurtliff Wheatley Wheeler Wiley

Absent or not voting was: Representative
Buttars

H.B. 213, as amended, transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 98, OFFENSES COMMITTED AGAINST CORRECTIONAL AND PEACE OFFICERS, read the third time by short title and placed on its final passage.

H.B. 98 then passed on the following roll call:

Yeas, 56; Nays, 2; Absent or not voting, 17.

Voting in the affirmative were: Representatives
Aagard Alexander S. Allen Barrus
Becker Bigelow Bourdeaux Bowman
Buxton Christensen D. Clark Cosgrove
D. Cox Daw Dayton Dee
Donnelson Ferrin Ferry Fisher
Frank Gibson Goodfellow Gowans
Harper Hogue Holdaway Hunsaker
E. Hutchings B. Johnson Jones Last
Lawrence Mascaro Mathis McGee
Menlove Morgan Morley Moss
Murray Newbold Noel Oda
Painter Romero Shurtliff G. Snow
Urquhart Walker Wallace Wheatley
Wheeler Wiley Wyatt Curtis

Voting in the negative were: Representatives
Duckworth Hansen

Absent or not voting were: Representatives
Adams Biskupski Buttars S. Clark
Dougall Dunnigan Fowlke Hardy
Hendrickson Hughes King Kiser
Litvack Lockhart Ray Tilton
Ure

H.B. 98 transmitted to the Senate for its consideration.

* * *

H.B. 95, SEX OFFENDER REGISTRATION AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 95, as amended, then passed on the following roll call:

Yeas, 59; Nays, 0; Absent or not voting, 16.

Voting in the affirmative were: Representatives
Aagard S. Allen Barrus Becker
Bigelow Bourdeaux Bowman Buxton
Christensen D. Clark Cosgrove D. Cox
Daw Dayton Dee Donnelson
Duckworth Ferry Fisher Fowlke
Frank Gibson Goodfellow Gowans
Hansen Harper Hogue Holdaway
Hunsaker E. Hutchings B. Johnson Jones
Absent or not voting were: Representatives
Adams Alexander Biskupski Buttars
S. Clark Dougall Dunnigan Ferrin
Hardy Hendrickson Hughes Kiser
Litvack Lockhart Noel Ure

H.B. 95, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 149, VEHICLE IDENTIFICATION NUMBER INSPECTORS, read the third time by short title and placed on its final passage.

H.B. 149 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams S. Allen Barrus
Becker Bigelow Biskupski Bourdeaux
Bowman Buxton Christensen D. Clark
S. Clark Cosgrove D. Cox Daw
Dayton Dee Donnelson Duckworth
Dunnigan Fisher Fowlke Frank
Gibson Goodfellow Gowans Hansen
Hardy Harper Hendrickson Hogue
Holdaway Hunsaker E. Hutchings B. Johnson
Jones King Kiser Last
Lawrence Litvack Lockhart Mascaro
Mathis McGee Menlove Morgan
Morley Moss Murray Newbold
Noel Oda Painter Ray
Romero Shurtleff G. Snow Tilton
Ure Urquhart Walker Wallace
Wheatley Wheeler Wiley Wyatt
Curtis
Absent or not voting were: Representatives
Alexander Buttars Dougall Ferrin
Ferry Hughes

H.B. 149 transmitted to the Senate for its consideration.

RULES COMMITTEE REPORTS

Mr. Speaker: February 14, 2005
The Rules Committee has ordered the following House bills printed and recommends the following bills and resolutions be assigned to standing committees:

BUSINESS AND LABOR

EDUCATION
H.B. 141 School Breakfast Program (Rep. D. Litvack)

GOVERNMENT OPERATIONS
H.B. 267 Election Day Voter Registration (Rep. N. Hansen)

HEALTH AND HUMAN SERVICES
H.B. 146 Vaccine Restrictions (Rep. E. Hutchings)
H.B. 303 Shelter Hearing Amendments (Rep. E. Hutchings)
S.B. 72 Child Welfare Amendments (Sen. D. Eastman)

JUDICIARY
H.B. 252 Marriage Preparation Education (Rep. R. McGee)
H.B. 297 Aggravated Murder Amendments (Rep. S. Wyatt)

LAW ENFORCEMENT AND CRIMINAL JUSTICE
H.B. 338 Child and Family Welfare Revisions (Rep. L. Christensen)
S.B. 146 Avoiding Apprehension Amendment (Sen. M. Waddoups)

NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT
H.B. 308 Archeological Resources Amendments (Rep. B. Johnson)
POLITICAL SUBDIVISIONS
H.B. 94 Youth Corrections Amendments (Rep. C. Moss)
H.B. 122 Bail Bond Amendments (Rep. K. Gibson)

TRANSPORTATION
S.B. 49 Motor Vehicle Liability Coverage Amendments (Sen. D. Eastman)

REVENUE AND TAXATION
H.B. 324 Taxable Value Adjustment for Property Damaged by a Natural Disaster (Rep. B. Last); and

The Rules Committee recommends that S.B. 114, County and Municipal Zoning Regarding Billboards (Sen. M. Waddoups), be lifted from the Political Subdivisions Standing Committee and assigned to the Transportation Standing Committee; and

The Rules Committee recommends that H.B. 129, School Uniforms (Rep. C. Frank) be lifted from the Political Subdivisions Standing Committee and assigned to the Education Standing Committee; and

The Rules Committee recommends that H.B. 311, Controlled Substance Law Amendments (Rep. B. Dee), due to a short title change, be read for the first time and assigned to the Political Subdivisions Standing Committee.

Rebecca Lockhart, Chair
Reports filed. On motion of Representative Lockhart, the reports of the Rules Committee were adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Ferry, the House voted to adjourn until February 15, 2005, at 10:00 a.m.
THIRTIETH DAY

MORNING SESSION

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

Roll call showed all members present except Representatives Paul Ray and Pat Jones, excused.

Pledge of Allegiance and prayer by Representative Karen Morgan.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 14, 2005

The Senate passed S.B. 145, PROHIBITION AGAINST CERTAIN MEDICAL NONCOMPETITION AGREEMENTS, by Senator A. Christensen, and it is transmitted for consideration; and

The Senate passed S.B. 147, PSYCHOLOGIST LICENSING ACT AMENDMENTS, by Senator E. Mayne, and it is transmitted for consideration; and

The Senate passed, as amended, S.B. 153, TAX REFORM TASK FORCE, by Senator C. Bramble, and it is transmitted for consideration; and

The Senate passed S.J.R. 11, RESOLUTION LIMITING NUMBER OF GOVERNOR’S TERMS, by Senator C. Walker, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate


Mr. Speaker: February 14, 2005

The Senate passed, H.B. 3, MINIMUM SCHOOL PROGRAM ACT AMENDMENTS, by Representative G. Snow, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed 1st Sub. H.B. 24, TRAFFIC CODE AMENDMENTS, by Representative J. Dunnigan, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate
Communications filed. **H.B. 3** and **Sub. H.B. 24** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

**REPORTS OF STANDING COMMITTEES**

Mr. Speaker: February 14, 2005

The Retirement and Independent Entities Committee reports a favorable recommendation on **H.B. 245**, COMPENSATION OF CONSTITUTIONAL OFFICERS – BENEFITS AND INSURANCE, by Representative M. Noel; and

The Retirement and Independent Entities Committee reports a favorable recommendation on **S.B. 130**, RETIREMENT FOR AIRPORT POLICE, by Senator M. Dmitrich.

Michael T. Morley, Chair

Reports filed. On motion of Representative Morley, the reports of the Retirement and Independent Entities committee were adopted.

**H.B. 245** and **S.B. 130**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: February 14, 2005

The Health and Human Services Committee reports a favorable recommendation on **H.B. 233**, ADOPTION LAW REVISIONS, by Representative R. McGee, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 1, Line 26 through Page 2, Line 29:

   26 (1) **Except as provided in Subsection (4), prior to the date that a final decree of**
   27 adoption is entered, **an affidavit regarding fees and expenses, signed by the adoptive parent or parents and the person or agency placing the child, shall be**
   28 **filed with the court.**

The Health and Human Services Committee reports a favorable recommendation on **S.B. 55**, ACCESS TO PATIENT MEDICAL RECORDS, by Senator P. Arent, and recommends it be placed on the Consent Calendar; and
The Health and Human Services Committee reports a favorable recommendation on **H.J.R. 19**, JOINT RESOLUTION URGING HEALTH CARE FOR UTAH’S INDIGENT AND NEEDY UNINSURED, by Representative L. Fowlke; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 50**, CONTROLLED SUBSTANCE AMENDMENTS, by Senator P. Arent.

Bradley G. Last, Chair

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

**H.B. 233**, as amended, and **S.B. 55**, read the second time by short title and placed on the Consent Calendar.

**H.J.R. 19**, and **S.B. 50**, read the second time by short title and placed on the calendar for third reading.

**UNFINISHED BUSINESS**

On motion of Representative Goodfellow, the House voted to uncircle **H.B. 225**.

**H.B. 225**, BOAT REGISTRATION FEE, was before the House on its final passage.

**H.B. 225** then passed on the following roll call:

**Yeas, 39; Nays, 31; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Alexander</th>
<th>S. Allen</th>
<th>Barrus</th>
<th>Becker</th>
</tr>
</thead>
<tbody>
<tr>
<td>Biskupski</td>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
</tr>
<tr>
<td>Buxton</td>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Duckworth</td>
</tr>
<tr>
<td>Fowlke</td>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
</tr>
<tr>
<td>Hansen</td>
<td>Hardy</td>
<td>Hogue</td>
<td>Holdaway</td>
</tr>
<tr>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>King</td>
<td>Last</td>
</tr>
<tr>
<td>Litvack</td>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
</tr>
<tr>
<td>Menlove</td>
<td>Morgan</td>
<td>Moss</td>
<td>Noel</td>
</tr>
<tr>
<td>Romero</td>
<td>Shurtliff</td>
<td>G. Snow</td>
<td>Wheatley</td>
</tr>
<tr>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Bigelow</th>
<th>Christensen</th>
</tr>
</thead>
<tbody>
<tr>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Daw</td>
<td>Dayton</td>
</tr>
</tbody>
</table>
Absent or not voting were: Representatives
Ferry B. Johnson Jones Lockhart Ray

H.B. 225 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 226, GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT REQUIREMENTS REGARDING ANIMAL IDENTIFICATION PROGRAM, read the third time by short title and placed on its final passage.

Representative Buttars proposed the following amendment:

1. Page 1, Line 14:
   Delete “private” and insert “protected”

2. Page 1, Line 17:
   Delete “private” and insert “protected”

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

H.B. 226, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Bowman Buttars Buxton
Christensen D. Clark S. Clark Cosgrove
D. Cox Daw Dayton Dee
Donnelson Duckworth Dunnigan Ferry
Fisher Fowlke Frank Gibson
Goodfellow Gowans Hansen Hardy
Harper Hendrickson Hogue Holdaway
Hunsaker E. Hutchings B. Johnson King
Absent or not voting were: Representatives
Dougall    Ferrin    Hughes    Jones
Lawrence   Oda       Ray

H.B. 226, as amended, transmitted to the Senate for its consideration.

* * *

H.J.R. 13, RESOLUTION SUPPORTING NATIONAL BEAR RIVER HERITAGE AREA ACT, read the third time by short title and placed on its final passage.

H.J.R. 13 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard    Adams    Alexander    S. Allen
Barrus    Becker    Bigelow    Biskupski
Bourdeaux Bowman    Buttars    Christensen
D. Clark  S. Clark  Cosgrove    D. Cox
Daw       Dayton    Dee        Donnelson
Duckworth Dunnigan  Ferrin    Ferry
Fisher    Frank     Goodfellow Gowans
Hansen    Hardy     Harper     Hendrickson
Hogue     Holdaway  Hughes     Hunsaker
E. Hutchings B. Johnson King    Kiser
Last      Lawrence  Litvack    Lockhart
Mascaro   Mathis    McGee     Menlove
Morgan    Morley    Moss      Newbold
Noel      Oda       Painter    Romero
Shurtliff G. Snow  Tilton     Ure
Urquhart  Walker    Wallace    Wheatley
Wheeler   Wiley     Wyatt     Curtis
Absent or not voting were: Representatives  
Buxton    Dougall    Fowlke    Gibson  
Jones     Murray     Ray

H.J.R. 13 transmitted to the Senate for its consideration.

* * *

H.B. 145, AMENDMENTS TO HEARING AND SPEECH IMPAIRED TELECOMMUNICATIONS PROGRAM, read the third time by short title and placed on its final passage.

Representative Ure proposed the following amendment:

1. Page 4, Lines 91 through 92

91 (c) (i) The commission { may } shall make rules under Title 63, Chapter 46a, Utah Administrative Rulemaking Act, for the administration of monies under Subsection (5)(b)(vi).

92 (ii) In the initial rulemaking to determine the administration of monies under Subsection (5)(b)(vi), the commission shall give notice and hold a public hearing.

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

H.B. 145, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives  
Aagard  Adams  Alexander  S. Allen  
Becker  Bigelow  Biskupski  Bourdeaux  
Bowman  Buttars  Buxton  Christensen  
D. Clark  S. Clark  Cosgrove  D. Cox  
Daw  Dayton  Dee  Donnelson  
Dougal  Duckworth  Dunnigan  Ferrin  
Ferry  Fisher  Fowlke  Frank  
Gibson  Goodfellow  Gowans  Hansen  
Hardy  Hendrickson  Hogue  Holdaway  
 Hughes  Hunsaker  E. Hutchings  B. Johnson  
King  Kiser  Last  Lawrence  
Litvack  Mascaro  Mathis  McGee  
Menlove  Morgan  Moss  Murray
Newbold  Oda  Painter  Romero
Shurtliff  G. Snow  Tilton  Ure
Urquhart  Walker  Wallace  Wheatley
Wheeler  Wiley  Wyatt  Curtis

Absent or not voting were: Representatives
Barrus  Harper  Jones  Lockhart
Morley  Noel  Ray

H.B. 145, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 238, UTAH TECHNOLOGY COMMISSION MEMBERSHIP, read the third time by short title and placed on its final passage.

H.B. 238, as amended, then passed on the following roll call:

Yeas, 64; Nays, 0; Absent or not voting, 11.

Voting in the affirmative were: Representatives
Aagard  Adams  Alexander  Barrus
Bigelow  Biskupski  Bowman  Buxton
Christensen  D. Clark  S. Clark  Cosgrove
D. Cox  Daw  Dayton  Dee
Donnelson  Dougall  Duckworth  Dunnigan
Ferrin  Ferry  Fisher  Frank
Gibson  Goodfellow  Gowans  Hansen
Hardy  Harper  Hendrickson  Hogue
Holdaway  Hughes  Hunsaker  E. Hutchings
King  Kiser  Last  Lawrence
Lockhart  Mascaro  Mathis  McGee
Menlove  Morgan  Morley  Moss
Murray  Newbold  Noel  Oda
Romero  Shurtliff  G. Snow  Tilton
Urquhart  Walker  Wallace  Wheatley
Wheeler  Wiley  Wyatt  Curtis

Absent or not voting were: Representatives
S. Allen  Becker  Bourdeaux  Buttars
Fowlke  B. Johnson  Jones  Litvack
Painter  Ray  Ure

H.B. 238, as amended, transmitted to the Senate for its consideration.
H.B. 236, HEALTH INSURANCE LAW AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Dunnigan proposed the following amendment:

1. Page 41, Lines 1253 through 1260

   1253 (C) In the case of an individual whose coverage ceases, if a certificate of creditable coverage with respect to that cessation is not provided on or before the date coverage ceases, then the period that begins on the first date that an individual has no creditable coverage and that continues through the earlier of the following two dates is not taken into account in determining whether a significant break in coverage has occurred:

   1258 (I) the date that a certificate of creditable coverage with respect to that cessation is provided; or

   1259 (II) the date 44 days after coverage ceases.

2. Page 52, Lines 1581 through 1583:

   1581 31A–22–722 or federal COBRA coverage \[\text{if offered}\] \[
   \begin{align*}
   \text{(c) has not acquired or is not covered under any other group} \\
   \text{coverage that covers all} \\
   \text{preexisting conditions, including maternity, if the coverage exists} \\
   \text{and} \\
   \text{(d) resides in the insurer’s service area} \\
   \end{align*}
   \]

3. Page 52, Lines 1597 through 1599:

   1597 \[\text{or} \]

   1598 (iii) made intentional misrepresentation of material fact under the terms of coverage.
Representative Dunnigan’s motion to amend passed on a voice vote.

**H.B. 236**, as amended, then passed on the following roll call:

**Yeas, 65; Nays, 0; Absent or not voting, 10.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buxton</td>
<td>Christensen</td>
</tr>
<tr>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Frank</td>
<td>Gibson</td>
</tr>
<tr>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
</tr>
<tr>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hughes</td>
</tr>
<tr>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>King</td>
<td>Last</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Litvack</td>
<td>Lockhart</td>
<td>Mascaro</td>
</tr>
<tr>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
<td>Morley</td>
</tr>
<tr>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
</tr>
<tr>
<td>Oda</td>
<td>Painter</td>
<td>Romero</td>
<td>Shurtliff</td>
</tr>
<tr>
<td>G. Snow</td>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
</tr>
<tr>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wiley</td>
</tr>
<tr>
<td>Curtis</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Buttars</th>
<th>Fowlke</th>
<th>Harper</th>
<th>Hunsaker</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jones</td>
<td>Kiser</td>
<td>Morgan</td>
<td>Ray</td>
</tr>
<tr>
<td>Wheeler</td>
<td>Wyatt</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**H.B. 236**, as amended, transmitted to the Senate for its consideration.

***

**H.B. 135**, IMPLEMENTING FEDERAL EDUCATIONAL PROGRAMS, read the third time by short title and placed on its final passage.

On motion of Representative Dayton, the House voted to circle **H.B. 135**.

***

**H.J.R. 3**, RESOLUTION REGARDING NO CHILD LEFT BEHIND, read the third time by short title and placed on its final passage.
H.J.R. 3 then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Representative</th>
<th>Aagard</th>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
<td></td>
</tr>
<tr>
<td>Bowman</td>
<td>Buttars</td>
<td>Christensen</td>
<td>D. Clark</td>
<td></td>
</tr>
<tr>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
<td></td>
</tr>
<tr>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
<td></td>
</tr>
<tr>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Ferry</td>
<td></td>
</tr>
<tr>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
<td></td>
</tr>
<tr>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
<td></td>
</tr>
<tr>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
<td></td>
</tr>
<tr>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td></td>
</tr>
<tr>
<td>King</td>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
<td></td>
</tr>
<tr>
<td>Lockhart</td>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
<td></td>
</tr>
<tr>
<td>Menlove</td>
<td>Morgan</td>
<td>Morley</td>
<td>Moss</td>
<td></td>
</tr>
<tr>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
<td></td>
</tr>
<tr>
<td>Painter</td>
<td>Romero</td>
<td>Shurtliff</td>
<td>G. Snow</td>
<td></td>
</tr>
<tr>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
<td></td>
</tr>
<tr>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
<td></td>
</tr>
<tr>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Representative</th>
<th>Alexander</th>
<th>Buxton</th>
<th>Jones</th>
<th>Kiser</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ray</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

H.J.R. 3 transmitted to the Senate for its consideration.

**UNFINISHED BUSINESS**

On motion of Representative Dayton, the House voted to uncircle H.B. 135.

H.B. 135, IMPLEMENTING FEDERAL EDUCATIONAL PROGRAMS, was before the House on its final passage.

H.B. 135 then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Representative</th>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td></td>
</tr>
</tbody>
</table>
Absent or not voting were:

Representatives

Jones Ray

H.B. 135 transmitted to the Senate for its consideration.

***

On motion of Representative Ferrin, the House voted to uncircle H.B. 189.

H.B. 189, APPLIED TECHNOLOGY PROGRAM AMENDMENTS, was before the House on its final passage.

Representative Ferrin proposed the following amendment:

1. Page 1, Lines 9 through 11

9 This bill authorizes a {local school board or} charter school to allow a student in grade
10 seven or eight to earn additional credit in certain subjects in lieu of
11 Technology, Life, and Careers course.

2. Page 1, Lines 14 through 19:

14 {local school board or} charter school to allow a student in grade seven or
eight to earn one additional unit of credit in certain subjects in lieu of taking the
Technology, Life, and Careers course; and
provides that a charter school is not required to offer the
Technology, Life, and Careers course if at least six hours of alternative career and agri-business instruction is provided and other courses are offered that may be
substituted for the Technology, Life, and Careers course.

3. Page 2, Lines 55 through 58:

In lieu of taking the Technology, Life, and Careers course, a charter school may allow a student in grade seven or eight to earn one additional unit of
credit in language arts, mathematics, science, social studies, or computer technology beyond the minimum credit requirements for those subjects in grades seven and eight.

4. Page 3, Lines 59 through 61:

A charter school is not required to offer the Technology, Life, and Careers course if other courses are offered that may be substituted for the Technology, Life, and Careers course, as provided in Subsection (6)(a); and
at least six hours of alternative instruction in careers and agri-business is provided by the charter school.

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

H.B. 189, as amended, then failed to pass on the following roll call:

Yeas, 25; Nays, 41; Absent or not voting, 9.

Voting in the affirmative were: Representatives
Aagard Alexander S. Clark D. Cox
Daw Dayton Donnelson Ferrin
Voting in the negative were: Representatives
 Adams S. Allen Barrus Becker
 Bigelow Biskupski Bourdeaux Bowman
 Butts Buxton Christensen D. Clark
 Cosgrove Dee Duckworth Dunnigan
 Fisher Gibson Goodfellow Gowans
 Hansen Hendrickson Hogue Hunsaker
 King Last Litvack Mathis
 McGee Menlove Morgan Moss
 Murray Noel Romero Shurtliff
 G. Snow Wheatley Wheeler Wiley
 Wyatt

Absent or not voting were: Representatives
 Dougall Ferry Holdaway B. Johnson
 Jones Ray Ure Urquhart
 Curtis

H.B. 189, as amended, was filed.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to recess until 2:00 p.m.

AFTERNOON SESSION

The House was called to order by Speaker Curtis at 2:00 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 15, 2005

The Senate passed, as amended, S.B. 19, DISEASE TESTING OF INDIVIDUALS EXPOSED TO BLOOD BORNE PATHOGENS, by Senator P. Arent, and it is transmitted for consideration; and

The Senate passed, as amended, S.B. 41, SCHOOL AND INSTITUTIONAL TRUST LANDS MANAGEMENT ACT REVISIONS, by Senator M. Dmitrich, and it is transmitted for consideration; and
The Senate passed, as substituted, **1st Sub. S.B. 80**, SPECIAL SERVICE DISTRICTS – SERVICE EXPANSION, by Senator M. Dmitrich, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 134**, POWERSPORT VEHICLE FRANCHISE ACT, by Senator D. Eastman, and it is transmitted for consideration; and

The Senate passed **S.B. 138**, JUDGMENT INTEREST AMENDMENTS, by Senator E. Mayne, and it is transmitted for consideration; and

The Senate passed **S.B. 141**, MILITARY INSTALLATION PARTNERSHIPS, by Senator S. Killpack, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 144**, MOTOR VEHICLE STOPS AT PORT−OF−ENTRY, by Senator P. Knudson, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 148**, CONSERVATION EASEMENT ENDOWMENT RESTRICTED ACCOUNT, by Senator B. Evans, and it is transmitted for consideration; and

The Senate passed **S.B. 163**, CAPITOL PRESERVATION BOARD AMENDMENTS, by Senator B. Evans, and it is transmitted for consideration; and

The Senate passed **S.C.R. 5**, RESOLUTION APPROVING SETTLEMENT OF LAWSUIT, by Senator P. Knudson, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate


* * *

Mr. Speaker: February 15, 2005

The Senate passed, **H.B. 173**, STATE EMPLOYEE AMENDMENTS, by Representative A. Hardy, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate
Communication filed. **H.B. 173** was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

**REPORTS OF STANDING COMMITTEES**

Mr. Speaker: February 14, 2005

The Business and Labor Committee reports a favorable recommendation on **H.B. 273, REAL ESTATE AND MECHANICS LIENS – SECURITY ALTERNATIVES**, by Representative M. Morley, and recommends it be placed on the Consent Calendar; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 349, MONEY MANAGEMENT ACT AMENDMENTS**, by Representative D. Clark, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 1, Lines 10 through 13:

   10 This bill:

   11 ▶ amends the State Money Management Act to provide that a certified investment

   12 adviser’s violation of rules and orders under the act must be  

   13 [−willful−] intentional in order for a

2. Page 1, Lines 25 through 27:

   25 (1) Each certified investment adviser who  

   26 [−willfully−] intentionally violates Section 51−7−7, 51−7−11, or

   27 51−7−11.5, or who [−willfully−] intentionally violates any rule or order under this chapter is guilty of a third

   28 degree felony.

The Business and Labor Committee reports a favorable recommendation on **H.R. 9, HOUSE RESOLUTION DISCOURAGING PARTICIPATION IN FREE TRADE AREAS OF THE AMERICAS**, by Representative G. Donnelson, and recommends it be placed on the Consent Calendar; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 255, INVESTMENT OF HIGHER EDUCATION INSTITUTION**
ENDOWMENT FUNDS, by Representative D. Clark, with the following amendments:

1. Page 6, Lines 152 through 156:
   152 (1) The State Board of Regents shall:
   153 (a) establish asset allocations for the endowment funds;
   154 (b) in consultation with the commissioner of higher education, establish guidelines for
   155 investing the funds; and
   156 (c) establish a written policy governing conflicts of interest.

2. Page 6, Lines 168 through 175:
   168 (b) The investment policy shall:
   169 (i) define the groups, and the responsibilities of those groups, that must be involved
   170 with investing the endowment funds;
   171 (ii) ensure that the groups defined under Subsection (3)(b)(i) at least include the board
   172 of trustees, an investment committee, institutional staff, and a custodian bank;
   173 (iii) create an investment committee that includes not more than two members of the
   174 board of trustees and no less than two independent investment management professionals;
   175 (iv) determine an appropriate risk level for the endowment funds;

3. Page 8, Lines 224 through 229:
   224 (b) “Endowment funds” does not mean monies used for the general operation of a
   225 higher education institution that are received by the higher education institution from:
   226 (i) state appropriations;
   227 (ii) federal contracts;
228 (iii) federal grants; {–or– }
229 (iv) private research grants; and
(v) tuition and fees collected from students.

4. Page 10, Lines 282 through 287:
282 [(21) (23) {–(a)–} “Public funds” means monies, funds, and accounts, regardless of the
283 source from which the monies, funds, and accounts are derived, that are owned, held, or
284 administered by the state or any of its boards, commissions, institutions, departments,
285 divisions, agencies, bureaus, laboratories, or other similar instrumentalities, or any county, city,
286 school district, political subdivision, or other public body.
287 {–(b) “Public funds” does not mean endowment funds. }

5. Page 11, Lines 312 through 319:
312 [(27) (29) {–(a)–} “State funds” means:
313 {–(i)–} (a) {–(i)–} public monies raised by operation of law for the support and operation of the
314 state government; and
315 {–(b)–} all other monies, funds, and accounts, regardless of the source from which the
316 monies, funds, or accounts are derived, that are owned, held, or administered by the state or any
317 of its boards, commissions, institutions, departments, divisions, agencies, bureaus, laboratories,
318 or other similar instrumentalities.
319 {–(b) “State funds” does not mean endowment funds. }

The Business and Labor Committee reports a favorable recommendation on 1st Sub. S.B. 48, INSURANCE CANCELLATION AND NONRENEWAL RESTRICTIONS, by Senator P. Arent, with the following amendments:
(5) Notwithstanding Subsections (2) and (4), an insurer may not cancel or fail to renew an insurance policy solely on the basis of:

(a) in the case of a motor vehicle insurance policy:

(i) a claim from the insured that:

(A) results from an accident in which the insured is not at fault; and

(B) is the only claim meeting the condition of Subsection (5)(a)(i)(A) within a 36-month period;

(ii) a single traffic violation by an insured that:

(A) is a violation of a speed limit under Title 41, Chapter 6, Traffic Rules and Regulations; or

(B) is not in excess of ten miles per hour over the speed limit; and

(C) is not in excess of ten miles per hour over the speed limit; and

(D) is not a violation by an insured driver who is younger than 21 years of age; and

(E) is the only violation meeting the conditions of Subsections (5)(a)(ii)(A) through (C) within a 36-month period;
2. Page 5, Lines 143 through 146a
   Senate 2nd Reading Amendments 2–10–2005:
   143 (i) results solely from:
   144 (A) wind;
   145 (B) hail; or
   146 (C) lightning; or
   146a (D) fire

Stephen D. Clark, Chair

Reports filed. On motion of Representative S. Clark, the reports of the Business and Labor committee were adopted.

**H.B. 273, H.B. 349, and H.R. 9**, read the second time by short title and placed on the Consent Calendar.


* * *

Mr. Speaker: February 14, 2005

The Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 118, REVISE UTILITY IMPROVEMENT DISTRICTS**, by Representative D. Ure, with the following amendments:

1. Page 4, line 105:
   After “within” delete “120” and insert “90”

2. Page 6, line 161:
   Delete “35%” and insert “50%”

3. Page 6, line 163:
   Delete “35%” and insert “50%”

4. Page 6, line 165:
   Delete “35%” and insert “50%”

5. Page 6, line 167:
   Delete “35%” and insert “50%”

6. Page 6, line 169:
   Delete “35%” and insert “50%”
7. Page 6, line 172:
Delete “35%” and insert “50%”

Sheryl L. Allen, Chair

Reports filed. On motion of Representative Hunsaker, the reports of the Public Utilities and Technology committee were adopted.

H.B. 118, as amended, read the second time by short title and placed on the calendar for third reading.

***

Mr. Speaker: February 14, 2005

The Education Committee reports a favorable recommendation on H.B. 124, ENROLLMENT GROWTH PROGRAM AMENDMENTS, by Representative B. Last; and

The Education Committee reports a favorable recommendation on H.B. 148, SCHOOL TRUANCY AMENDMENTS, by Representative E. Hutchings, with the following amendments:

1. Page 3, Lines 60 through 63:

60 {-(4) For the purposes of this section, failure to resolve a child’s excessive absenteeism is
61 evidenced by ten unexcused absences, as defined by a school district’s or charter school’s
62 policy, following a parent’s receipt of the written notice required under Subsection
63 53A–11–103(1)(b). }

(4)(a) For the purposes of this section, a parent is considered to have knowingly failed to resolve a child’s excessive absenteeism if the child, during any one school year, has ten absences without a valid excuse, as defined in Subsection (4)(b), following the parent’s receipt of the written notice required under Subsection 53A–11–103(1)(b).

(b) As used in this section, “valid excuse” means:

(i) illness;
(ii) family death or crisis;
(iii) approved school activity;
(iv) family activity with prior school notice and approval; or
(v) additional reasons established by a local school board or school community council.
(1) For each school−age minor who is or should be enrolled within that school district,

the local school board or school district shall make efforts to resolve a minor’s school

attendance problems. Those efforts shall include, as reasonably feasible:

(a) counseling of the minor by school authorities;

(b) a written request for parental support in securing regular attendance by the minor

delivered by certified mail or by hand to the parent, containing notice of the requirements of

this section [and stating that refusal to respond to the notice is a class B misdemeanor];

(c) at least one meeting with the minor and the parents;

(d) any necessary adjustment to the curriculum and schedule to meet special needs of

the minor; [and]

(e) monitoring school attendance of the minor for a period not to exceed 30 days[;]

(f) consideration of alternatives proposed by the parent[; and]

(g) participation in a truancy mediation.

The Education Committee reports a favorable recommendation on 1st Sub. S.B. 122, RESIDENT TUITION STATUS FOR JOB CORPS STUDENTS, by Senator G. Bell.

Margaret Dayton, Chair

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

Mr. Speaker: February 15, 2005

The Government Operations Committee reports a favorable recommendation on H.B. 119, NAVAJO TRUST FUND AMENDMENTS, by Representative B. King; and

The Government Operations Committee recommends H.B. 282, STATE EMPLOYEE ETHICS AMENDMENTS, by Representative J. Dougall, be replaced and reports a favorable recommendation on 1st Sub. H.B. 282, STATE EMPLOYEE ETHICS AMENDMENTS with the following amendments:

1. Page 4, Line 94:
   94 (v) an unsolicited item or memento having a value not exceeding \$25;

2. Page 4, Lines 98 through 99:
   98 (vii) a bona fide loan made in the ordinary course of business;
   99 (viii) a gift from a charitable organization to the public employee or his immediate family.

Douglas C. Aagard, Chair

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

H.B. 119 and Sub. H.B. 282, as amended, read the second time by short title and placed on the calendar for third reading.

Mr. Speaker: February 15, 2005

The Revenue and Taxation Committee reports a favorable recommendation on 1st Sub. H.B. 96, AMENDMENTS RELATING TO CLEAN FUELS AND VEHICLES USING CLEAN FUELS, by Representative F. Hunsaker, with the following amendments:

1. Page 14, Lines 400 through 405:
   400 (2) The HOV lane exception [for clean fuel special group license plate vehicles] in
   401 Subsection {41−6−53.5(5)} 41−6a−702(5) is repealed December 31, 2010.
Section 8. Effective date — Retrospective operation.

(1) Except as provided in Subsections (2) and (3), this bill takes effect on May 2, 2005.

(2) Notwithstanding Subsection (1), the amendments to Section 41–6–53.5 and 41–6a–702(5) take effect on July 1, 2005.

The Revenue and Taxation Committee reports a favorable recommendation on S.B. 53, LAND VALUE PROPERTY TAX STUDY, by Senator H. Stephenson; and

The Revenue and Taxation Committee reports a favorable recommendation on S.B. 121, PROPERTY TAX EXEMPTION AMENDMENTS, by Senator C. Bramble; and

The Revenue and Taxation Committee reports a favorable recommendation on S.B. 125, AMENDMENTS TO INDIVIDUAL INCOME TAX CREDIT FOR SPECIAL NEEDS ADOPTIONS, by Senator P. Hellewell.

Wayne A. Harper, Chair

Reports filed. On motion of Representative Donnelson, the reports of the Revenue and Taxation committee were adopted.


* * *

Mr. Speaker: February 15, 2005

The Political Subdivisions Committee reports a favorable recommendation on 1st Sub. H.B. 87, CLAIMS AGAINST A COUNTY, by Representative S. Clark; and

The Political Subdivisions Committee reports a favorable recommendation on H.B. 361, MUNICIPAL AUTHORITY TO USE COLLECTION AGENCIES, by Representative M. Walker, et al.

Brad L. Dee, Chair

Reports filed. On motion of Representative Dee, the reports of the Political Subdivisions committee were adopted.

Sub. H.B. 87 and H.B. 361, read the second time by short title and placed on the calendar for third reading.
Mr. Speaker: February 15, 2005

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.B. 348**, EMPLOYMENT AGENCY REVISIONS, by Representative J. S. Adams, and recommends it be placed on the Consent Calendar.

David N. Cox, Chair

Report filed. On motion of Representative Cox, the report of the Workforce Services and Community and Economic Development committee was adopted.

**H.B. 348**, read the second time by short title and placed on the Consent Calendar.

**INTRODUCTION OF BILLS**

**H.B. 314**, Driving with Any Measurable Controlled Substance in the Body Revisions (M. Noel), read the first time by short title and referred to the Rules Committee.

**H.B. 321**, Background Checks for Boarding Schools (B. Last), read the first time by short title and referred to the Rules Committee.

**H.B. 326**, High School Curriculum and Early Graduation (B. Daw), read the first time by short title and referred to the Rules Committee.

**MISCELLANEOUS BUSINESS**

On motion of Representative Dougall, the House voted to lift **Sub. H.B. 97**, STATE BUDGET PROVISIONS, from the Third Reading Calendar and refer it to the Rules Committee for interim study.

**THIRD READING CALENDAR**

**H.B. 62**, AMENDMENTS TO INTERMEDIATE CARE FACILITIES FOR MENTALLY RETARDED, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House voted to circle **H.B. 62**.

**H.B. 44**, ADDITIONAL STATE RETIREMENT BENEFIT, read the third time by short title and placed on its final passage.
H.B. 44 then passed on the following roll call:

Yeas, 38; Nays, 37; Absent or not voting, 0.

Voting in the affirmative were: Representatives
S. Allen Becker Bigelow Biskupski
Bourdeaux Bowman Cosgrove Daw
Dee Duckworth Fowlke Gibson
Goodfellow Gowans Hansen Hardy
Hendrickson Hogue Holdaway E. Hutchings
Jones King Lawrence Litvack
Mascaro Mathis McGee Menlove
Morgan Moss Murray Noel
Painter Ray Romero Shurtliff
Wheatley

Voting in the negative were: Representatives
Aagard Adams Alexander Barrus
Buttars Buxton Christensen D. Clark
S. Clark D. Cox Dayton Donnelson
Dougall Dunnigan Ferrin Hughes
Fisher Frank Harper Hunsaker
Hunsaker B. Johnson Kiser Last
Lockhart Morley Newbold Oda
G. Snow Tilton Ure Urquhart
Walker Wallace Wheeler Wyatt
Curtis

H.B. 44 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Hughes, the House voted to uncircle 2nd Sub. H.B. 45.

2nd Sub. H.B. 45, ASSESSMENT OF PROPERTY AFFECTED BY BUSINESS INTERRUPTION, was before the House on its final passage.

On motion of Representative Hughes, under suspension of the rules, the House voted to consider 2nd Sub. H.B. 45 read the first, second, and third times by short title.

2nd Sub. H.B. 45 then passed on the following roll call:
Yeas, 74; Nays, 0; Absent or not voting, 1.

Voting in the affirmative were: Representatives

Aagard    Adams    Alexander    S. Allen
Barrus    Becker    Bigelow    Biskupski
Bourdeaux Bowman    Buttars    Buxton
Christensen D. Clark    S. Clark    Cosgrove
D. Cox    Daw    Dayton    Dee
Donnelson Dougall    Duckworth    Dunnigan
Ferrin    Ferry    Fisher    Fowlke
Frank    Gibson    Goodfellow    Gowans
Hansen    Hardy    Harper    Hendrickson
Hogue    Holdaway    Hughes    Hunsaker
E. Hutchings B. Johnson    Jones    King
Kiser    Last    Lawrence    Litvack
Lockhart Mascaro    Mathis    McGee
Menlove Morgan    Morley    Moss
Murray    Newbold    Noel    Oda
Painter Ray    Romero    Shurtliff
G. Snow Tilton    Ure    Urquhart
Walker Wallace    Wheatley    Wheeler
Wiley    Wyatt

Absent or not voting was: Representative

Curtis

2nd Sub. H.B. 45 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 217, PUBLIC SAFETY RETIREMENT – EXEMPTION OF CERTAIN EMPLOYEES, read the third time by short title and placed on its final passage.

H.B. 217 then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard    Adams    Alexander    S. Allen
Barrus    Becker    Biskupski    Bourdeaux
Bowman    Buttars    Buxton    Christensen
D. Clark S. Clark    Cosgrove    D. Cox
Daw    Dayton    Dee    Donnelson
<table>
<thead>
<tr>
<th>Dougall</th>
<th>Duckworth</th>
<th>Dunnigan</th>
<th>Ferrin</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
</tr>
<tr>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
</tr>
<tr>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
</tr>
<tr>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
<td>Lockhart</td>
</tr>
<tr>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morgan</td>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
</tr>
<tr>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
</tr>
<tr>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
</tr>
<tr>
<td>Wyatt</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Absent or not voting were: Representatives
Bigelow      Curtis

**H.B. 217** transmitted to the Senate for its consideration.

***

**H.B. 121**, PROPERTY EXEMPT FROM EXECUTION, read the third time by short title and placed on its final passage.

Representative Christensen proposed the following amendment:

1. Page 1, Line 14:
   Delete “$250,000 of”

2. Page 3, Line 76:
   Delete “$250,000 of”

3. Page 3, Lines 77–79:
   After “children of the debtor” delete the rest of the line and lines 78 and 79.

4. Page 3, Line 80:
   Delete “$250,000 of”

5. Page 3, Lines 81–82:
   After “death of the debtor” delete the rest of the line and lines 81 and 82.

Representative D. Clark proposed the following substitute motion to amend:
1. Page 3, Line 77:
   After “spouse or” insert “dependent”

2. Page 3, Line 81:
   After “spouse or” insert “dependent”

Representative D. Clark’s motion to amend passed on the following roll call:

**Yeas, 38; Nays, 29; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
</tr>
<tr>
<td>Buxton</td>
<td>D. Clark</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td>Dayton</td>
<td>Dee</td>
<td>Fisher</td>
<td>Fowlke</td>
</tr>
<tr>
<td>Goodfellow</td>
<td>Gowsans</td>
<td>Harper</td>
<td>Hogue</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hunsaker</td>
<td>B. Johnson</td>
<td>Jones</td>
</tr>
<tr>
<td>Last</td>
<td>Lawrence</td>
<td>Mascaro</td>
<td>Menlove</td>
</tr>
<tr>
<td>Murray</td>
<td>Newbold</td>
<td>Ray</td>
<td>Romero</td>
</tr>
<tr>
<td>G. Snow</td>
<td>Urquhart</td>
<td>Wheatley</td>
<td>Wheeler</td>
</tr>
<tr>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Becker</th>
<th>Christensen</th>
<th>S. Clark</th>
<th>Cosgrove</th>
</tr>
</thead>
<tbody>
<tr>
<td>Donnelson</td>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Ferry</td>
<td>Frank</td>
<td>Gibson</td>
<td>Hansen</td>
</tr>
<tr>
<td>Hughes</td>
<td>E. Hutchings</td>
<td>King</td>
<td>Kiser</td>
</tr>
<tr>
<td>Mathis</td>
<td>McGee</td>
<td>Morgan</td>
<td>Morley</td>
</tr>
<tr>
<td>Moss</td>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
</tr>
<tr>
<td>Shurtliff</td>
<td>Tilton</td>
<td>Walker</td>
<td>Wallace</td>
</tr>
<tr>
<td>Wiley</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Bigelow</th>
<th>Biskupski</th>
<th>Dougall</th>
<th>Hardy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hendrickson</td>
<td>Litvack</td>
<td>Lockhart</td>
<td>Ure</td>
</tr>
</tbody>
</table>

###

Representative Christensen proposed the following amendment:

1. Page 1, Line 14:
   Delete “$250,000 of”

2. Page 3, Line 76:
   Delete “$250,000 of”
3. Page 3, Lines 77−79:
   After “children of the debtor” delete the rest of the line and lines 78 and 79.

4. Page 3, Line 80:
   Delete “$250,000 of”

5. Page 3, Lines 81−82:
   After “death of the debtor” delete the rest of line 81 and line 82.

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

**Yeas, 41; Nays, 21; Absent or not voting, 13.**

**Voting in the affirmative were:** Representatives

Aagard  
Adams  
Alexander  
S. Allen  
Becker  
Bowman  
Buttars  
Buxton  
Christensen  
Dayton  
Dee  
Donnelson  
Duckworth  
Dunnigan  
Ferrin  
Ferry  
Frank  
Gibson  
Gowans  
Hansen  
Harper  
Hogue  
Holdaway  
Hunsaker  
Kiser  
Last  
Lawrence  
Lockhart  
Mathis  
Menlove  
Morgan  
Morley  
Moss  
Murray  
Noel  
Oda  
Painter  
Shurtliff  
Walker  
Wallace  
Wiley

**Voting in the negative were:** Representatives

Barrus  
Bourdeaux  
Cosgrove  
D. Cox  
Daw  
Fisher  
Fowlke  
Goodfellow  
B. Johnson  
Jones  
King  
Mascaro  
McGee  
Newbold  
Ray  
Romero  
G. Snow  
Wheatley  
Wheeler  
Wyatt  
Curtis

**Absent or not voting were:** Representatives

Bigelow  
Biskupski  
D. Clark  
S. Clark  
Dougall  
Hardy  
Hendrickson  
Hughes  
E. Hutchings  
Litvack  
Tilton  
Ure  
Urquhart

**H.B. 121**, as amended, then passed on the following roll call:
Yeas, 61; Nays, 7; Absent or not voting, 7.

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
</tr>
<tr>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
</tr>
<tr>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Ferry</td>
</tr>
<tr>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
</tr>
<tr>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
</tr>
<tr>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
</tr>
<tr>
<td>Hughes</td>
<td>Hunsaker</td>
<td>Jones</td>
<td>King</td>
</tr>
<tr>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
<td>Mascaro</td>
</tr>
<tr>
<td>Mathis</td>
<td>Morgan</td>
<td>Morley</td>
<td>Moss</td>
</tr>
<tr>
<td>Murray</td>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
</tr>
<tr>
<td>Ray</td>
<td>G. Snow</td>
<td>Tilton</td>
<td>Ure</td>
</tr>
<tr>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Dougall</th>
<th>McGee</th>
<th>Newbold</th>
<th>Romero</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urquhart</td>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Bigelow</th>
<th>E. Hutchings</th>
<th>B. Johnson</th>
<th>Kiser</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lockhart</td>
<td>Menlove</td>
<td>Shurtleff</td>
<td></td>
</tr>
</tbody>
</table>

H.B. 121, as amended, transmitted to the Senate for its consideration.

**MISCELLANEOUS BUSINESS**

On motion of Representative Alexander, the House voted to adjourn until February 16, 2005, at 10:00 a.m.
MORNING SESSION

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

Roll call showed all members present.

Pledge of Allegiance and prayer by Representative Joseph Murray.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 15, 2005

The Senate passed, as amended, S.B. 51, NEW MOTOR VEHICLE FRANCHISE ACT AMENDMENTS, by Senator D. Eastman, and it is transmitted for consideration; and

The Senate passed, as amended, S.B. 132, HEALTH CARE CONSUMER’S REPORT, by Senator A. Christensen, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. S.B. 51 and S.B. 132, read the first time by short title and referred to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 15, 2005

The Judiciary Committee reports a favorable recommendation on H.B. 252, MARRIAGE PREPARATION EDUCATION, by Representative R. McGee, with the following amendments:

1. Page 4, Lines 93 through 94:
   93 (B) the minister’s designee, who shall be a person trained or designated by the minister or
   94 denomination to conduct premarital education;

The Judiciary Committee reports a favorable recommendation on H.B. 297, AGGRAVATED MURDER AMENDMENTS, by Representative S. Wyatt; and
The Judiciary Committee reports a favorable recommendation on H.B. 259, ADOPTION AMENDMENTS, by Representative A. Hardy.

James A. Ferrin, Chair

Reports filed. On motion of Representative Ferrin, the reports of the Judiciary committee were adopted.

H.B. 252, as amended, H.B. 297, and H.B. 259, read the second time by short title and placed on the calendar for third reading.

CONSENT CALENDAR

H.B. 223. AMENDMENTS TO DRIVER LICENSE AND IDENTIFICATION CARDS, read the third time by short title and placed on its final passage.

H.B. 223 then passed on the following roll call:

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

Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
</tr>
<tr>
<td>Bowman</td>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
</tr>
<tr>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td>Dayton</td>
<td>Dee</td>
<td>Donelson</td>
<td>Dougall</td>
</tr>
<tr>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Fisher</td>
</tr>
<tr>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
</tr>
<tr>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
<td>Harper</td>
</tr>
<tr>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hughes</td>
</tr>
<tr>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>Jones</td>
<td>King</td>
</tr>
<tr>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
</tr>
<tr>
<td>Lockhart</td>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
</tr>
<tr>
<td>Menlove</td>
<td>Morgan</td>
<td>Morley</td>
<td>Moss</td>
</tr>
<tr>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
</tr>
<tr>
<td>Painter</td>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
</tr>
<tr>
<td>G. Snow</td>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
</tr>
<tr>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
</tr>
<tr>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Absent or not voting were: Representatives

<table>
<thead>
<tr>
<th>Alexander</th>
<th>Buttars</th>
<th>Ferry</th>
<th>B. Johnson</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wiley</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
H.B. 223 transmitted to the Senate for its consideration.

***

H.B. 276, DIVISION OF CRIMINAL INVESTIGATION AND TECHNICAL SERVICES AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 276 then passed on the following roll call:

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

Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>Christensen</td>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
</tr>
<tr>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
</tr>
<tr>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>B. Johnson</td>
</tr>
<tr>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Litvack</td>
<td>Lockhart</td>
<td>Mascaro</td>
</tr>
<tr>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
</tr>
<tr>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
</tr>
<tr>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
</tr>
<tr>
<td>Romero</td>
<td>Shurtleff</td>
<td>G. Snow</td>
<td>Tilton</td>
</tr>
<tr>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
<td>Wallace</td>
</tr>
<tr>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
</tr>
<tr>
<td>Curtis</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Absent or not voting were: Representatives

D. Clark    E. Hutchings

H.B. 276 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Mathis, the House voted to uncircle S.B. 47.

S.B. 47, WRONGFUL LIEN OFFENSES, was before the House on its final passage.
Representative Mathis proposed the following amendment:

1. Page 3, Lines 71 through 72
   71 As used in this chapter, “wrongful lien” refers to a lien made in violation of Section 76−6−503.5, and includes an instrument or document as defined in Section 38−9−1.

2. Page 8, Line 242 through Page 9, Line 245:
   242 (1) “Lien” means:
   243 (a) an instrument or document filed pursuant to Section 70A−9a−516;
   244 (b) an instrument or document filed pursuant to or authorized by Title 38, Chapter 9 described in Subsection 38−9−1(6).
   245 Wrongful Liens and Wrongful Judgment Liens; and

3. Page 9, Line 246:
   246 (c) any instrument or document that creates or purports to create a lien or encumbrance on an owner’s

4. Page 9, Lines 247 through 248:
   247 interest in real or personal property or a claim on another’s assets.
   248 (2) A person is guilty of the crime of making a wrongful lien if that person knowingly

5. Page 9, Line 261:
   261 (b) Fraudulent handling of recordable writings is a third degree felony unless the

6. Page 9, Lines 269 through 270:
   269 removes, or conceals any writing, other than the writings enumerated in Section 76−6−503, or 76−6−503.5 for which the law provides public recording or any record, public or private, with intent to

Representative Mathis’ motion to amend passed on a voice vote.
S.B. 47, as amended, then passed on the following roll call:

Y eas, 74; Nays, 0; Absent or not voting, 1.

**Voting in the affirmative were:** Representatives

Aagard  
Adams  
Alexander  
S. Allen  
Barrus  
Becker  
Bigelow  
Biskupski  
Bourdeaux  
Bowman  
Buttars  
Buxton  
Christensen  
D. Clark  
S. Clark  
Cosgrove  
D. Cox  
Daw  
Dayton  
Dee  
Donnelson  
Dougall  
Duckworth  
Dunnigan  
Ferrin  
Ferry  
Fisher  
Fowlke  
Frank  
Gibson  
Goodfellow  
Gowans  
Hansen  
Hardy  
Harper  
Hendrickson  
Hogue  
Holdaway  
Hughes  
Hunsaker  
E. Hutchings  
B. Johnson  
Jones  
King  
Kiser  
Last  
Lawrence  
Litvack  
Lockhart  
Mascaro  
Mathis  
McGee  
Morgan  
Morley  
Moss  
Murray  
Newbold  
Noel  
Oda  
Painter  
Ray  
Romero  
Shurtliff  
G. Snow  
Tilton  
Ure  
Urquhart  
Walker  
Wallace  
Wheatley  
Wheeler  
Wiley  
Wyatt  
Curtis

**Absent or not voting was:** Representative

Menlove

S.B. 47, as amended, returned to the Senate for further consideration.

***

On motion of Representative Dayton, the House voted to uncircle S.B. 120.

**S.B. 120, ALLOCATION OF PROFITS FROM SCHOOL AND INSTITUTIONAL TRUST LANDS,** was before the House on its final passage.

S.B. 120, as amended, then passed on the following roll call:

Y eas, 70; Nays, 1; Absent or not voting, 4.

**Voting in the affirmative were:** Representatives

Aagard  
Adams  
Alexander  
S. Allen  
Barrus  
Becker  
Bigelow  
Biskupski
Voting in the negative was: Representative
Romero

Absent or not voting were: Representatives
Bowman        Moss        Oda        Curtis

S.B. 120, as amended, returned to the Senate for further consideration.

THIRD READING CALENDAR

Sub. S.J.R. 8, JOINT RULES RESOLUTION – APPEARANCE OF BILLS, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle Sub. S.J.R. 8.

* * *

S.J.R. 10, RESOLUTION TO CONGRESS REGARDING OIL AND GAS DRILLING AND EXPLORATION, read the third time by short title and placed on its final passage.

S.J.R. 10 then passed on the following roll call:

Yeas, 64; Nays, 6; Absent or not voting, 5.

Voting in the affirmative were: Representatives
Aagard        Adams        Alexander        S. Allen
Barrus        Bigelow      Bourdeaux      Bowman
Voting in the negative were: Representatives
Becker Biskupski Litvack McGee
Romero Wiley

Absent or not voting were: Representatives
Lockhart Moss Newbold Oda Curtis

S.J.R. 10 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

S.B. 74, MEDICAL RESERVE CORPS, read the third time by short title and placed on its final passage.

S.B. 74, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams S. Allen Barrus
Becker Bigelow Biskupski Bourdeaux
Bowman Buttars Christensen D. Clark
S. Clark Cosgrove D. Cox Daw
Dayton Dee Donnelson Dougall
Duckworth Dunnigan Ferrin Ferry

Wallace Wheatley Wheeler Wyatt
Absent or not voting were: Representatives
Alexander  Buxton  B. Johnson  Oda
Curtis

S.B. 74, as amended, returned to the Senate for further consideration.

***

S.B. 126, MEDICAL BENEFITS RECOVERY ACT AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House voted to circle S.B. 126.

***

S.B. 73, TAMPERING WITH EVIDENCE, read the third time by short title and placed on its final passage.

S.B. 73 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Bigelow  Biskupski
Bourdeaux  Bowman  Buttars  Buxton
Christensen  D. Clark  S. Clark  Cosgrove
D. Cox  Daw  Dayton  Dee
Donnelson  Dougall  Duckworth  Dunnigan
Ferrin  Ferry  Fisher  Fowlke
Frank  Gibson  Goodfellow  Gowans
Absent or not voting were: Representatives
B. Johnson  Curtis

S.B. 73 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 54, PROPERTY TAX CONFIDENTIALITY AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 54 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Bigelow  Biskupski
Bourdeaux  Bowman  Buttars  Buxton
Christensen  D. Clark  S. Clark  Cosgrove
D. Cox  Daw  Dayton  Dee
Donnelson  Dougall  Duckworth  Dunnigan
Ferrin  Ferry  Fisher  Fowlke
Frank  Gibson  Goodfellow  Gowans
Hansen  Hardy  Harper  Hendrickson
Hogue  Holdaway  Hughes  Hunsaker
Jones  King  Kiser  Last
Lawrence  Litvack  Mascaro  Mathis
McGee  Menlove  Morgan  Morley
Moss  Murray  Newbold  Noel
Oda Painter Ray Romero
Shurtliff G. Snow Tilton Ure
Urquhart Walker Wallace Wheatley
Wheeler Wiley Wyatt

Absent or not voting were: Representatives
E. Hutchings B. Johnson Lockhart Curtis

S.B. 54 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Sub. S.B. 10, LIABILITY REFORM ACT AMENDMENTS, read the third time by short title and placed on its final passage.

Sub. S.B. 10 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Bowman Buttars Buxton
Christensen D. Clark S. Clark Cosgrove
D. Cox Daw Dee Donnelson
Dougall Duckworth Dunnigan Ferrin
Ferry Fisher Fowlke Frank
Gibson Goodfellow Gowans Hansen
Harper Hendrickson Hogue Holdaway
Hughes Hunsaker Jones King
Kiser Last Litvack Mascaro
Mathis McGee Menlove Morley
Moss Murray Newbold Noel
Oda Painter Ray Romero
Shurtliff G. Snow Tilton Ure
Urquhart Walker Wallace Wheatley
Wheeler Wiley Wyatt

Absent or not voting were: Representatives
Dayton Hardy E. Hutchings B. Johnson
Lawrence Lockhart Morgan Curtis
Sub. S.B. 10 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

UNFINISHED BUSINESS

On motion of Representative Ure, the House voted to uncircle Sub. S.B. 44.

Sub. S.B. 44, GOVERNMENT RECORDS AMENDMENTS, was before the House on its final passage.

Sub. S.B. 44 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Bigelow  Biskupski
Bourdeaux  Bowman  Buttars  Buxton
Christensen  D. Clark  S. Clark  Cosgrove
D. Cox  Daw  Dayton  Dee
Donnelson  Dougall  Duckworth  Dunnigan
Ferrin  Ferry  Fisher  Fowlke
Frank  Gibson  Goodfellow  Gowans
Hansen  Hardy  Harper  Hendrickson
Hogue  Hughes  Hunsaker  B. Johnson
Jones  King  Kiser  Last
Lawrence  Litvack  Mascaro  Mathis
McGee  Menlove  Morgan  Morley
Moss  Murray  Newbold  Noel
Oda  Painter  Ray  Romero
Shurtliff  G. Snow  Tilton  Ure
Urquhart  Walker  Wallace  Wheatley
Wheeler  Wiley  Wyatt

Absent or not voting were: Representatives
Holdaway  E. Hutchings  Lockhart  Curtis

Sub. S.B. 44 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

THIRD READING CALENDAR

S.B. 14, UNIFORM PARENTAGE ACT, read the third time by short title and placed on its final passage.
On motion of Representative Fowlke, the House voted to circle S.B. 14.

***

Sub. S.B. 135, DRUG COURTS PILOT PROJECT, read the third time by short title and placed on its final passage.

Sub. S.B. 135 then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
</tr>
<tr>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
</tr>
<tr>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
</tr>
<tr>
<td>Hansen</td>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
</tr>
<tr>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hughes</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Litvack</td>
<td>Mascaro</td>
<td>Mathis</td>
</tr>
<tr>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
<td>Morley</td>
</tr>
<tr>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
</tr>
<tr>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
<td>Romero</td>
</tr>
<tr>
<td>Shurtleff</td>
<td>G. Snow</td>
<td>Tilton</td>
<td>Ure</td>
</tr>
<tr>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
</tr>
<tr>
<td>Wiley</td>
<td>Wyatt</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Hunsaker</th>
<th>B. Johnson</th>
<th>Lockhart</th>
<th>Urquhart</th>
</tr>
</thead>
<tbody>
<tr>
<td>Curtis</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Sub. S.B. 135 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

**COMMITTEE OF THE WHOLE**

On motion of Representative Alexander, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing Representative Bud Bowman present a citation to Martin Tyne who presented his Golden Eagle named Bud.
On motion of Representative Alexander, the Committee of the Whole was dissolved.

UNFINISHED BUSINESS

On motion of Representative Alexander, the House voted to uncircle S.B. 115.

S.B. 115, PERMANENT TOTAL DISABILITY AMENDMENTS, was before the House on its final passage.

S.B. 115 then passed on the following roll call:

Y eas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard        Adams        Alexander        S. Allen
Barrus        Becker       Bigelow         Biskupski
Bourdeaux     Bowman       Buttars         Buxton
Christensen   D. Clark     S. Clark       Cosgrove
D. Cox        Daw          Dee             Donnelson
Douglas       Duckworth    Dunnigan       Ferrin
Ferry         Fisher       Fowlke          Frank
Goodfellow    Gowans       Hansen         Hardy
Harper        Hendrickson  Hogue          Holdaway
Hughes        Hunsaker     E. Hutchings   B. Johnson
Jones         King          Kiser           Last
Lawrence      Litvack      Mascaro        Mathis
McGee         Menlove      Morgan         Morley
Moss          Murray       Newbold        Noel
Oda           Painter      Ray             Romero
Shurtleff     G. Snow      Tilton         Urquhart
Walker        Wallace      Wheeler        Wiley
Wyatt

Absent or not voting were: Representatives

Dayton       Gibson       Lockhart       Ure
Wheatley     Curtis

S.B. 115 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.
THIRD READING CALENDAR

S.B. 130, RETIREMENT FOR AIRPORT POLICE, read the third time by short title and placed on its final passage.

S.B. 130 then passed on the following roll call:

Yeas, 48; Nays, 21; Absent or not voting, 6.

Voting in the affirmative were: Representatives
Aagard S. Allen Barrus Becker
Bigelow Biskupski Bowman Buxton
D. Clark Cosgrove D. Cox Dee
Duckworth Ferry Fowlke Goodfellow
Hansen Hardy Harper Hendrickson
Hogue Hunsaker E. Hutchings B. Johnson
Jones King Last Lawrence
Litvack Mascaro McGee Menlove
Morgan Moss Murray Newbold
Noel Oda Painter Ray
Romero Shurtliff Ure Wallace
Wheatley Wheeler Wyatt

Voting in the negative were: Representatives
Adams Alexander Buttars Christensen
S. Clark Daw Dayton Donnelson
Dougall Dunnigan Ferrin Fisher
Frank Hughes Kiser Mathis
Morley G. Snow Tilton Urquhart
Walker

Absent or not voting were: Representatives
Bourdeaux Gibson Gowans Holdaway
Lockhart Curtis

S.B. 130 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

S.B. 50, CONTROLLED SUBSTANCE AMENDMENTS, read the third time by short title and placed on its final passage.
On motion of Representative Alexander, the House voted to circle S.B. 50.

***

Sub. S.B. 48, INSURANCE CANCELLATION AND NONRENEWAL RESTRICTIONS, read the third time by short title and placed on its final passage.

On motion of Representative Oda, the House voted to circle Sub. S.B. 48.

***

Sub. S.B. 122, RESIDENT TUITION STATUS FOR JOB CORPS STUDENTS, read the third time by short title and placed on its final passage.

On motion of Representative Ferry, the House voted to circle Sub. S.B. 122.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to recess until 2:00 p.m.

AFTERNOON SESSION

The House was called to order by Speaker Curtis at 2:00 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 16, 2005

The Senate passed, as substituted, S.B. 75, PUBLIC SAFETY DATABASE AMENDMENTS, by Senator E. Mayne, and it is transmitted for consideration; and

The Senate passed, as substituted, 1st Sub. S.B. 149, PETE SUAZO ATHLETIC COMMISSION AMENDMENTS, by Senator E. Mayne, and it is transmitted for consideration; and

The Senate passed, as substituted, 1st Sub. S.B. 150, FOOD SAFETY MANAGER CERTIFICATION, by Senator D. Peterson, and it is transmitted for consideration; and

The Senate passed, as substituted, 1st Sub. S.B. 152, BUSINESS LICENSE FEES, by Senator M. Waddoups, and it is transmitted for consideration; and

The Senate passed S.B. 157, UTAH CONSUMER CREDIT CODE AMENDMENTS, by Senator P. Knudson, and it is transmitted for consideration; and
The Senate passed **S.B. 158**, DISHONORED INSTRUMENT AMENDMENTS, by Senator P. Knudson, and it is transmitted for consideration; and

The Senate passed **S.B. 161**, AMENDMENTS TO THE PROPERTY TAX VALUATION AGENCY FUND ASSESSING AND COLLECTING LEVY, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed **S.B. 174**, SECURITY SERVICE AMENDMENTS, by Senator R. Allen, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 182**, VETERINARY PRACTICE ACT – EXEMPTIONS, by Senator M. Dmitrich, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate


* * *

Mr. Speaker: February 16, 2005

The Senate passed, **H.B. 23**, DEPARTMENT OF WORKFORCE SERVICES – WORK EXPERIENCE AND TRAINING PROGRAMS, by Representative D. Cox, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 90**, SEARCH AND RESCUE ADVISORY BOARD – AMENDMENTS, by Representative J. S. Adams, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 222**, PILOT PROGRAM REPEAL CLEAN–UP, by Representative R. Romero, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **H.B. 23, H.B. 90, and H.B. 222** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.
Mr. Speaker:    February 16, 2005

The Senate passed, as amended, H.B. 30, CONSUMER SALES PRACTICES ACT AMENDMENTS, by Representative T. Kiser, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. H.B. 30, placed on the calendar for concurrence.

**REPORTS OF STANDING COMMITTEES**

Mr. Speaker:    February 16, 2005

The Public Utilities and Technology Committee reports a favorable recommendation on H.B. 126, AMENDMENTS TO FACILITIES WITH REGIONAL IMPACT, by Representative G. Hughes, with the following amendments:

1. Page 2, Line 29:
   After “means a” insert “specified local entity’s”

2. Page 2, Lines 57–58:
   Delete lines 57 through 58
   Renumber Accordingly

3. Page 3, Line 65:
   After “plan;” insert “and”

4. Page 3, Line 68:
   After “land” delete “; and”
   Insert “;”

5. Page 3, Lines 69–70:
   Delete lines 69 through 70
   Renumber Accordingly

6. Page 3, Line 75:
   After “means a” insert “specified local entity’s”

7. Page 4, Lines 103–104:
   Delete lines 103 through 104
   Renumber Accordingly
8. Page 4, Line 111:
   After “plan;” insert “and”

9. Page 4, Line 114:
   After “land” delete “; and”
   Insert “;”

10. Page 4, Lines 115–116:
    Delete lines 115 through 116

The Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 127**, TAX, FEE, OR CHARGE AMENDMENTS, by Senator L. Hillyard, with the following amendments:

1. Page 41, Line 1266:

   1266 (b) sales of an item described in Subsection (12)(c) provided for a patient by:

   Sheryl L. Allen, Chair

   Reports filed. On motion of Representative Allen, the reports of the Public Utilities and Technology committee were adopted.

   **H.B. 126**, as amended, read the second time by short title and placed on the calendar for third reading.

   **S.B. 127**, as amended, read the second time by short title and referred to the Rules Committee due to fiscal impact.

   * * *

   Mr. Speaker: February 16, 2005

   The Education Committee reports a favorable recommendation on **H.B. 129**, SCHOOL UNIFORMS, by Representative C. Frank, with the following amendments:

1. Page 3, Lines 74 through 76:

   74 (5) A school uniform policy shall include a provision allowing a principal at any time
   75 during the school year to grant an exemption from wearing a school uniform to a student
   76 because of extenuating circumstances.

   (6)(a) If a school adopts a school uniform policy under this part, that
school’s governing body or local school board shall adopt local appellate procedures for school actions under this part, including a denial of an exemption requested under Subsection (5).

(b) A person may seek judicial review of an action under this part only after exhausting the remedies provided under this Subsection (6).

2. Page 2, Lines 46 through 47:

   (b) the wearing of certain types of clothing may identify students as members of youth gangs and contribute to disruptive behavior and violence in the schools;

3. Page 2, Lines 52 through 58:

   (d) school uniforms may:

   (i) decrease violence and theft among students over designer clothing or expensive shoes;

   (ii) instill students with discipline; foster and promote desirable school operating conditions and a positive educational environment in accordance with this part.

   (iii) help parents and students resist peer pressure;

   (iv) help students concentrate on their school work; and

   (v) help school officials recognize intruders who come to a school.

4. Page 3, Lines 59 through 60:

   (2) A school may adopt a school uniform policy that requires students enrolled at that school to wear a designated school uniform during the school day.

The Education Committee reports a favorable recommendation on H.B. 249, CARSON SMITH SPECIAL NEEDS SCHOLARSHIPS, by Representative M. Newbold, et al, with the following amendments:
1. Page 2, Lines 57 through 60:

57 The Legislature finds that:
58 (1) the state system of public education as established and maintained under the state constitution shall be open to all children of the state;

2. Page 3, Line 87 through Page 4, Line 92:

87 (1) “Assessment team” means a team consisting of:
88 (a) the student’s parent or guardian;
89 (b) the student’s private school classroom teacher;
90 (c) special education personnel from the student’s resident school district; and
91 (d) if available, special education personnel from the private school at which the student is enrolled.

3. Page 5, Line 147 through Page 6, Line 155:

147 (5) (a) The scholarship application form shall contain the following statement:
148 “I acknowledge that:
149 (1) A private school may not provide the same level of special education services that are provided in a public school; and
150 (2) I will assume full financial responsibility for the education of my scholarship student if I accept this scholarship; and
152 (3) Acceptance of this scholarship has the same effect as a parental refusal to consent to services pursuant to Section 614(a)(1) of the Individuals with Disabilities Education Act 20 U.S.C. Sec. 1400 et seq.
153 (b) Upon acceptance of the scholarship, the parent assumes full financial responsibility
for the education of the scholarship student.

(c) Acceptance of a scholarship has the same effect as a parental refusal to consent to services pursuant to Section 614(a)(1) of the Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1400 et seq.

(d) The creation of the scholarship program or granting of a scholarship does not:

The Education Committee reports a favorable recommendation on H.B. 362, APPROPRIATION FOR HIGHLY QUALIFIED TEACHERS, by Representative K. Holdaway; and

The Education Committee reports a favorable recommendation on H.B. 346, SCHOOLS FOR THE DEAF AND THE BLIND SALARY ADJUSTMENTS, by Representative K. Morgan, and recommends it be placed on the Consent Calendar.

Margaret Dayton, Chair

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

H.B. 129, as amended, H.B. 249, as amended, and H.B. 362, read the second time by short title and placed on the calendar for third reading.

H.B. 346, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: February 16, 2005

The Health and Human Services Committee reports a favorable recommendation on H.B. 303, SHELTER HEARING AMENDMENTS, by Representative E. Hutchings; and

The Health and Human Services Committee reports a favorable recommendation on H.B. 310, AGING AND ADULT SERVICES PROGRAM AMENDMENTS, by Representative E. Hutchings, with the following amendments:

1. Page 2, Lines 33 through 34:

   33 (c) administer, coordinate and monitor home and community based in-home care and other
alternatives for the aging and adult population of the state; and

2. Page 2, Lines 52 through 55:
   (iii) designate an area agency on high risk adults within each planning and service area
   in accordance with Subsection (3)(b) to design and implement a comprehensive and
   coordinated system of case management and programs for high risk adults
   including home and community based in-home care programs
   within appropriations from the Legislature.

3. Page 5, Lines 121 through 123:
   (b) design and implement a comprehensive and coordinated system of services
   including home and community based in-home care within a designated planning and service
   area, pursuant to rules promulgated by the division.

   The Health and Human Services Committee reports a favorable recommendation on S.B. 72, CHILD WELFARE AMENDMENTS, by Senator D. Eastman.

   Bradley G. Last, Chair

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

   H.B. 303 and H.B. 310, as amended, read the second time by short title and placed on the calendar for third reading.

   S.B. 72, read the second time by short title and referred to the Rules Committee due to fiscal impact.

   * * *

   Mr. Speaker: February 16, 2005

   The Business and Labor Committee recommends H.B. 302, REGULATION OF CONSTRUCTION INDUSTRY, by Representative J. S. Adams, be replaced and favorably recommends 1st Sub. H.B. 302, REGULATION OF CONSTRUCTION INDUSTRY.

   Stephen D. Clark, Chair
Reports filed. On motion of Representative Ferry, the reports of the Business and Labor committee were adopted.

**Sub. H.B. 302**, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker: February 15, 2005

The Law Enforcement and Criminal Justice Committee recommends **1st Sub. H.B. 153**, SECURITY FOR PUBLIC SCHOOLS, by Representative S. Allen, be replaced and reports a favorable recommendation on **2nd Sub. H.B. 153**, SECURITY FOR PUBLIC SCHOOLS with the following amendments:

1. Page 3, Lines 57 through 67:

   57 {---} (viii) school district police officers as designated by the board of education for the {---}
   58 {---} school district; {---}
   59 {---} (ix) {---} {---(viii)} the executive director of the Department of Corrections and any correctional enforcement or investigative officer designated by the executive director and approved by the commissioner of public safety and certified by the division;
   60 {---} (x) {---} {---(ix)} correctional enforcement, investigative, or adult probation and parole officers employed by the Department of Corrections serving on or before July 1, 1993;
   61 {---} (xi) {---} {---(ix)} members of a law enforcement agency established by a private college or university provided that the college or university has been certified by the commissioner of public safety according to rules of the Department of Public Safety; and
   62 {---} (xii) {---} {---(xi)} airport police officers of any airport owned or operated by the state or any of
2. Page 8, Lines 212 through 236:

212 (ii) contract with individuals, organizations, or private security firms for security services as provided by the board of education for the district; or

(-213) (iii) employ personnel to serve as special function officers, as defined in Section 53–13–105.

215 (b) (i) A special function officer employed by a local school board may exercise law enforcement authority as described in, and subject to the training requirements of, Section 53–13–103, except as provided in Subsections (19)(b)(ii) and (iii).

218 (ii) The jurisdiction in which a special function officer employed by a local school board may exercise law enforcement authority shall be geographically limited to the area within 1000 feet of real property or facilities owned or operated by the school district.

221 (iii) A special function officer employed by a local school board:

222 (A) may transport a person detained to a local law enforcement agency; and

223 (B) may not exercise law enforcement authority outside of the limited geographic area described in Subsection (19) (b)(ii) pursuant to Title 77, Chapter 9, Uniform Act on Fresh Pursuit.

225 (c) (i) If a local school board employs special function officers, the local school board shall submit a report by August 31, 2006 to the Law Enforcement and Criminal Justice Interim Committee and the Education Interim Committee evaluating the cost effectiveness of

229 employing special function officers.
(ii) The report shall address the costs and outcomes of employing special function officers.

(iii) A local school board shall consult with the local law enforcement agencies having jurisdiction within the school district in preparing the report.

(d) (i) A local school board may not employ personnel to serve as law enforcement officers, as defined in Section 53−13−103, except as provided in Subsection (19(d)(ii).—)

(ii) A local school board may employ law enforcement officers on a temporary basis.

The Law Enforcement and Criminal Justice Committee recommends H.B. 338, CHILD AND FAMILY WELFARE REVISIONS, by Representative L. Christensen, be replaced and favorably recommends 1st Sub. H.B. 338, CHILD AND FAMILY WELFARE REVISIONS; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on S.B. 146, AVOIDING APPREHENSION AMENDMENT, by Senator M. Waddoups.

DeMar “Bud” Bowman, Chair

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


S.B. 146, read the second time by short title and referred to the Rules Committee due to fiscal impact.

**THIRD READING CALENDAR**

S.B. 53, LAND VALUE PROPERTY TAX STUDY, read the third time by short title and placed on its final passage.

On motion of Representative Ferry, the House voted to circle S.B. 53.

***

S.B. 121, PROPERTY TAX EXEMPTION AMENDMENTS, read the third time by short title and placed on its final passage.
S.B. 121 then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th></th>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td></td>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td></td>
<td>Christensen</td>
<td>D. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
</tr>
<tr>
<td></td>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
</tr>
<tr>
<td></td>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
</tr>
<tr>
<td></td>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
</tr>
<tr>
<td></td>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Hansen</td>
<td>Hardy</td>
</tr>
<tr>
<td></td>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
</tr>
<tr>
<td></td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
</tr>
<tr>
<td></td>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
</tr>
<tr>
<td></td>
<td>Lawrence</td>
<td>Lockhart</td>
<td>Mathis</td>
<td>McGee</td>
</tr>
<tr>
<td></td>
<td>Menlove</td>
<td>Morgan</td>
<td>Morley</td>
<td>Moss</td>
</tr>
<tr>
<td></td>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
</tr>
<tr>
<td></td>
<td>Painter</td>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
</tr>
<tr>
<td></td>
<td>G. Snow</td>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
</tr>
<tr>
<td></td>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
</tr>
<tr>
<td></td>
<td>Wiley</td>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

|                | S. Clark | Gowans | Litvack | Mascaro |

S.B. 121 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

**UNFINISHED BUSINESS**

On motion of Representative Harper, the House voted to uncircle S.B. 53.

S.B. 53, LAND VALUE PROPERTY TAX STUDY, was before the House on its final passage.

S.B. 53 then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th></th>
<th>Aagard</th>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Becker</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
<td>Bowman</td>
</tr>
</tbody>
</table>
**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Alexander</th>
<th>Bigelow</th>
<th>Buxton</th>
<th>Christensen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fowlke</td>
<td>Litvack</td>
<td>McGee</td>
<td>Morgan</td>
</tr>
<tr>
<td>Walker</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**S.B. 53** was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

On motion of Representative Lockhart, the House voted to uncircle **S.C.R. 1**.

**S.C.R. 1**, RESOLUTION ENCOURAGING MANAGED LANES STUDY, was before the House on its final passage.

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

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
<td>Bowman</td>
</tr>
<tr>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
</tr>
<tr>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
</tr>
<tr>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
</tr>
<tr>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
</tr>
</tbody>
</table>
**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Alexander</th>
<th>Bigelow</th>
<th>Buttars</th>
<th>Wyatt</th>
</tr>
</thead>
</table>

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

* * *

On motion of Representative Lockhart, the House voted to uncircle *Sub. S.J.R. 8*.

*Sub. S.J.R. 8*, JOINT RULES RESOLUTION – APPEARANCE OF BILLS, was before the House on its final passage.

*Sub. S.J.R. 8* then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
</tr>
<tr>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
</tr>
<tr>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
</tr>
<tr>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Hansen</td>
<td>Hardy</td>
</tr>
<tr>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
</tr>
<tr>
<td>Hughes</td>
<td>Hunsaker</td>
<td>B. Johnson</td>
<td>Jones</td>
</tr>
</tbody>
</table>
Absent or not voting were: Representatives
Bigelow    Gowans    E. Hutchings   Menlove

Sub. S.J.R. 8 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

COMMITTEE OF THE WHOLE

On motion of Representative Alexander, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from Lieutenant Governor Scott Herbert along with employees from Delta Airlines.

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

UNFINISHED BUSINESS

On motion of Representative Fowlke, the House voted to uncircle S.B. 14.

S.B. 14, UNIFORM PARENTAGE ACT, was before the House on its final passage.

On motion of Representative Lawrence, the House voted to circle S.B. 14.

COMMUNICATION FROM THE SENATE

Mr. Speaker: February 16, 2005

The Senate passed, as substituted, Sub. S.C.R. 9, CONCURRENT RESOLUTION REGARDING DELTA AIRLINES, by Senator D. Eastman, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. Sub. S.C.R. 9, read the first time by short title. On motion of Representative Alexander, under suspension of the rules, the House
voted to consider **Sub. S.C.R. 9** read the second time by short title and place at the top of the Third Reading Calendar.

**THIRD READING CALENDAR**

**Sub. S.C.R. 9**, CONCURRENT RESOLUTION REGARDING DELTA AIR LINES, read the third time by short title and placed on its final passage.

**Sub. S.C.R. 9** then passed on the following roll call:

**Yeas, 60; Nays, 0; Absent or not voting, 15.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Alexander</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
</tr>
<tr>
<td>Bowman</td>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
</tr>
<tr>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
<td>Duckworth</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
</tr>
<tr>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Harper</td>
</tr>
<tr>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
</tr>
<tr>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
<td>Mascaro</td>
</tr>
<tr>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
</tr>
<tr>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
</tr>
<tr>
<td>Noel</td>
<td>Oda</td>
<td>Ray</td>
<td>Romero</td>
</tr>
<tr>
<td>Shurtleff</td>
<td>G. Snow</td>
<td>Urquhart</td>
<td>Wallace</td>
</tr>
<tr>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>Butatars</th>
<th>Dougall</th>
<th>Dunnigan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ferrin</td>
<td>Hansen</td>
<td>Hardy</td>
<td>Hendrickson</td>
</tr>
<tr>
<td>Hughes</td>
<td>Lockhart</td>
<td>Painter</td>
<td>Tilton</td>
</tr>
<tr>
<td>Ure</td>
<td>Walker</td>
<td>Curtis</td>
<td></td>
</tr>
</tbody>
</table>

**Sub. S.C.R. 9** was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

**UNFINISHED BUSINESS**

On motion of Representative Oda, the House voted to uncircle **Sub. S.B. 48**.

**Sub. S.B. 48**, INSURANCE CANCELLATION AND NONRENEWAL RESTRICTIONS, was before the House on its final passage.
On motion of Representative Oda, the House voted to delete Sub. S.B. 48 in title and body and insert 2nd Sub. S.B. 48 in lieu thereof.

2nd Sub. S.B. 48, as amended, then passed on the following roll call:

**Yea, 66; Nays, 4; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
</tr>
<tr>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
</tr>
<tr>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Daw</td>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
</tr>
<tr>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Ferry</td>
</tr>
<tr>
<td>Fisher</td>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
</tr>
<tr>
<td>Hansen</td>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>King</td>
<td>Last</td>
<td>Lawrence</td>
</tr>
<tr>
<td>Litvack</td>
<td>Lockhart</td>
<td>Mascaro</td>
<td>Mathis</td>
</tr>
<tr>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
<td>Moss</td>
</tr>
<tr>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
</tr>
<tr>
<td>Painter</td>
<td>Ray</td>
<td>Romero</td>
<td>Shurtleff</td>
</tr>
<tr>
<td>G. Snow</td>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
</tr>
<tr>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
</tr>
<tr>
<td>Wiley</td>
<td>Wyatt</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

- Fowlke
- Hogue
- Kiser
- Morley

**Absent or not voting were:** Representatives

- Alexander
- Dayton
- Gowans
- Jones
- Curtis

2nd Sub. S.B. 48, as amended, returned to the Senate for further consideration.

***

On motion of Representative Fowlke, the House voted to uncircle S.B. 14.

S.B. 14, UNIFORM PARENTAGE ACT, was before the House on its final passage.

Representative Lawrence proposed the following amendment:
1. Page 5, Line 122

122 78−45g−809, Utah Code Annotated 1953

78−45g−810, Utah Code Annotated 1953

2. Page 44, Lines 1344 through 1345

House Committee Amendments 2−14−2005:

1344 A gestational agreement does not apply to the birth of a child conceived by

1344a means

1345 of sexual intercourse.

(6) The parties to a gestational agreement shall be 21 years of age or older.

(7) The gestational mother’s eggs may not be used in the assisted reproduction procedure.

(8) If the gestational mother is married, her husband’s sperm may not be used in the assisted reproduction procedure.

3. Page 44, Line 1360 through Page 45, Line 1377a

House Committee Amendments 2−14−2005:

1360 The tribunal may issue an order under Subsection (1) only on finding that:

* * * Some lines not shown * * *

1375 with the gestational agreement until the birth of the child, including responsibility for those

1376 expenses if the agreement is terminated; {and }

1377 the consideration, if any, paid to the prospective gestational mother is

1377a reasonable ;

(i) all the parties to the agreement are 21 years of age or older;

(j) the gestational mother’s eggs are not being used in the assisted reproduction procedure; and

(k) if the gestational mother is married, her husband’s sperm is not being used in the assisted reproduction procedure
4. Page 47, Lines 1432 through 1435:

1432 (3) The individuals who are parties to a nonvalidated gestational agreement as intended

1433 parents may be held liable for support of the resulting child, even if the agreement is otherwise

1434 unenforceable. The liability under this Subsection (3) includes assessing all expenses and fees

1435 as provided in Section 78−45g−622.

Section 97. Section 78−45g−810 is enacted to read:

(1) Before the tribunal issues an order confirming that the intended parents are the parents of the child, an affidavit regarding fees and expenses, signed by the intended parents, the surrogate parent, and her husband, if any, shall be filed with the tribunal.

(2) The affidavit shall itemize the following items in connection with the assisted reproduction and surrogacy agreement:

(a) all fees and expenses which have been or will be paid to or on behalf of the surrogate mother and her husband, if any, including the source of payment;

(b) all gifts, property, or other items which have been or will be provided to the surrogate mother and her husband, if any, including the source of the gifts, property, or other items;

(c) all public funds used for any medical or hospital costs in connection with the pregnancy and delivery of the child or care of the child;

(d) a description of services, including counseling services, provided to the surrogate mother and her husband, if any, in connection with the assisted pregnancy and surrogacy agreement.

(3) A copy of this affidavit shall be provided to the Department of Human Services.

The motion was divided and Items 1 and 4 failed on the following roll call:

Yeas, 30; Nays, 39; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Alexander S. Allen Bowman Christensen
S. Clark Daw Dayton Dunnigan
Fisher Frank Goodfellow Hardy
Harper Hughes King Kiser
Lawrence Mathis Morgan Morley
Voting in the negative were: Representatives
Aagard  Barrus  Becker  Bigelow
Biskupski  Bourdeaux  Buttars  Buxton
D. Clark  Cosgrove  D. Cox  Dee
Donnelson  Dougall  Duckworth  Ferrin
Ferry  Fowlke  Gibson  Gowans
Hansen  Hendrickson  Hogue  Holdaway
Hunsaker  E. Hutchings  B. Johnson  Jones
Last  Litvack  Lockhart  McGee
Menlove  Newbold  Shurtliff  G. Snow
Wallace  Wheatley  Wiley

Absent or not voting were: Representatives
Adams  Mascaro  Ray  Tilton
Urquhart  Curtis

Items 2 and 3 passed on a voice vote.

Representative Hutchings proposed the following amendment:

1. Page 44, Line 1345:
   After “intercourse” insert “or if neither intended parent is a donor”

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

S.B. 14, as amended, then passed on the following roll call:

Yeas, 38; Nays, 31; Absent or not voting, 6.

Voting in the affirmative were: Representatives
Aagard  Adams  S. Allen  Barrus
Bigelow  Bourdeaux  Bowman  Buttars
Buxton  S. Clark  Cosgrove  D. Cox
Dee  Duckworth  Ferrin  Fowlke
Gibson  Goodfellow  Gowans  Hansen
Hendrickson  Hogue  Hunsaker  E. Hutchings
B. Johnson  Jones  King  Last
Litvack  Menlove  Moss  Romero
Shurtliff  Ure  Wallace  Wheatley
Wiley  Curtis
Voting in the negative were: Representatives
Alexander    Biskupski    Christensen    Daw
Dayton       Donnelson    Dougall     Dunnigan
Fisher       Frank        Hardy       Harper
Holdaway     Hughes       Kiser       Lawrence
Lockhart     Mathis       McGee       Morgan
Morley       Murray       Newbold     Noel
Oda          Painter      G. Snow     Tilton
Walker       Wheeler      Wyatt

Absent or not voting were: Representatives
Becker       D. Clark     Ferry       Mascaro
Ray          Urquhart

S.B. 14, as amended, returned to the Senate for further consideration.

RULES COMMITTEE REPORT

Mr. Speaker: February 16, 2005

The House Rules Committee recommends, with written request of the sponsor, that H.B. 39, Tuition Tax Credits (Rep. J. Ferrin), be replaced with 2nd Sub. H.B. 39, Tuition Tax Credits (Rep. J. Ferrin), and further recommends it be assigned to the Education Standing Committee; and

The House Rules Committee recommends, with written request of the sponsor that, H.B. 232, Utah Basic Skills Competency Test Alternatives (Rep. P. Ray), be replaced with 1st Sub. H.B. 232, Utah Basic Skills Competency Test Alternatives (Rep. P. Ray) and further recommends it be assigned to the Education Standing Committee; and

The Rules Committee recommends the following bill be placed at the top of the Third Reading Calendar for Senate bills:

S.B. 129       Brine Shrimp Royalty Act Amendments (Sen. T. Hatch);

and

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

BUSINESS AND LABOR

2nd Sub. S.B. 34 Patient Access Reform (Sen. D. C. Buttars)
S.B. 147 Psychologist Licensing Act Amendments (Sen. E. Mayne)
EDUCATION
S.B. 41 School and Institutional Trust Lands Management Act
Revisions (Sen. M. Dmitrich)

GOVERNMENT OPERATIONS
H.B. 262 Licensure of Athletic Trainers (Rep. P. Ray)
H.B. 373 Education Technology Task Force (Rep. E. Hutchings)
H.R. 11 Resolution Urging Congress to Pass Balanced Budget
Amendment (Rep. N. Hansen)
S.B. 141 Military Installation Partnerships (Sen. S. Killpack)
S.B. 148 Conservation Easement Endowment Restricted Account
(Sen. B. Evans)
S.B. 163 Capitol Preservation Board Amendments (Sen. B. Evans)
S.J.R. 11 Resolution Limiting Number of Governor’s Terms
(Sen. C. Walker)

HEALTH AND HUMAN SERVICES
H.B. 114 Children’s Health Care Coverage Amendments
(Rep. D. Hogue)
H.B. 268 Drug Utilization Review Committee Amendments
(Rep. R. Lockhart)
H.B. 304 Premium Assistance Program for Covered−at−work
(Rep. K. Holdaway)
S.B. 19 Disease Testing of Individuals Exposed to Blood Borne
Pathogens (Sen. P. Arent)

JUDICIARY
H.B. 275 Business Entity Amendments (Rep. R. Romero)
S.B. 138 Judgment Interest Amendments (Sen. E. Mayne)

LAW ENFORCEMENT AND CRIMINAL JUSTICE
H.B. 50 Criminal Penalty Amendment (Rep. D. Litvack)

POLITICAL SUBDIVISIONS
H.B. 335 Disconnecting Territory from a Municipality
(Rep. C. Frank)
H.B. 380 Amendments to Local Districts (Rep. K. Morgan)
1st Sub. S.B. 80  Special Service Districts – Service Expansion  
(Sen. M. Dmitrich)

PUBLIC UTILITIES AND TECHNOLOGY
H.B. 312  Municipal Electrical Entities Amendments  
(Rep. A. Tilton)

REVENUE AND TAXATION
H.B. 107  Amendments to Taxes, Fees, or Charges (Rep. W. Harper)  
S.B. 153  Tax Reform Task Force (Sen. C. Bramble)

TRANSPORTATION
H.B. 367  Restrictions on High Occupancy Vehicle Lane (Rep. D. Litvack)  
S.B. 51  New Motor Vehicle Franchise Act Amendments (Sen. D. Eastman)  
S.B. 134  Powersport Vehicle Franchise Act (Sen. D. Eastman)  
S.B. 144  Motor Vehicle Stops At Port−of−entry (Sen. P. Knudson)

Rebecca Lockhart, Chair  
Reports filed. On motion of Representative Lockhart, the reports of the Rules Committee were adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to recess for 10 minutes.

Speaker Pro Tem Snow called the House to order at 4:15 p.m.

THIRD READING CALENDAR

S.B. 129, BRINE SHRIMP ROYALTY ACT AMENDMENTS, read the third time by short title, under suspension of the rules, and placed on its final passage.

S.B. 129 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Bigelow  Biskupski
S.B. 129 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

S.B. 125, AMENDMENTS TO INDIVIDUAL INCOME TAX CREDIT FOR SPECIAL NEEDS ADOPTIONS, read the third time by short title and placed on its final passage.

S.B. 125 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Bowman Buxton Christensen
D. Clark S. Clark Cosgrove D. Cox
Daw Dayton Dee Donnelson
Dougall Duckworth Dunnigan Ferrin
Ferry Fisher Fowlke Frank
Gibson Goodfellow Gowans Hansen
Hardy Harper Hendrickson Hogue
Holdaway Hughes Hunsaker E. Hutchings
B. Johnson King Kiser Last
Lawrence Litvack Mascaro Mathis
McGee Menlove Morgan Morley
Moss Murray Newbold Noel
Oda Painter Ray Romero
Shurtliff G. Snow Tilton Urquhart
Walker Wallace Wheatley Wheeler
Wiley Wyatt Curtis

Absent or not voting were: Representatives
Buttars Jones Lockhart Ure
Absent or not voting were: Representatives
Buttars Gowans Hendrickson

S.B. 125 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

UNFINISHED BUSINESS

On motion of Representative Lockhart, the House voted to uncircle S.B. 50.

S.B. 50, CONTROLLED SUBSTANCE AMENDMENTS, was before the House on its final passage.

S.B. 50 then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Bowman Buttars Buxton
Christensen D. Clark S. Clark Cosgrove
D. Cox Daw Dayton Dee
Donnelson Dougall Duckworth Dunnigan
Ferrin Ferry Fisher Fowlke
Frank Gibson Goodfellow Hansen
Hardy Harper Hendrickson Hogue
Hughes Hunsaker E. Hutchings B. Johnson
Jones King Kiser Last
Lawrence Litvack Lockhart Mascaro
Mathis McGee Menlove Morgan
Absent or not voting were: Representatives
Gowans Holdaway Tilton Urquhart Curtis

S.B. 50 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

MISCELLANEOUS BUSINESS

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

THIRD READING CALENDAR

Sub. H.B. 105, CONSTRUCTION FILING AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Morley proposed the following amendment:

1. Page 2, Lines 46 through 48
   46 { provides that a qualified beneficiary may recover from the Residence Lien Recovery Fund only if the qualified beneficiary files an action within 180 days after a notice of claim is filed under Section 38−1−7 } addresses requirements for a qualified beneficiary’s recovery from the Residence Lien Recovery Fund; and

2. Page 10, Line 298
   298 cost of the division’s oversight under Subsection (2)(b).

(5)(a) The database is classified as a public record under Title 63, Chapter 2, Government Records Access and Management Act, unless otherwise classified by the division.

(b) A request for information submitted to the designated agent is not subject to Title 63, Chapter 2, Government Records Access and Management Act.
(c) Information contained in a public record contained in the database shall be requested from the designated agent.

(d) The designated agent may charge a commercially reasonable fee allowed by the designated agent’s contract with the division for providing information under Subsection (5)(c).

(e) Notwithstanding Title 63, Chapter 2, Government Records Access and Management Act, if information is available in a public record contained in the database, a person may not request the information from the division.

(f)(i) A person may request information that is not a public record contained in the database from the division in accordance with Title 63, Chapter 2, Government Records Access and Management Act.

(ii) The division shall inform the designated agent of how to direct inquiries made to the designated agent for information that is not a public record contained in the database.

3. Page 10, Line 299

299 { (5) } (6) The following are not an adjudicative proceeding under Title 63, Chapter 46b.

4. Page 11, Line 305

305 { (6) } (7) The division and the designated agent need not determine the timeliness of any

5. Page 11, Line 307

307 { (7) } (8) (a) A person who is delinquent on the payment of a fee established under

6. Page 21, Line 638 through Page 22, Line 646

638 (d) (i) unless precluded from doing so by the nonpaying party’s bankruptcy filing within the applicable time, the qualified beneficiary filed { }  

639 (A) an action against the nonpaying party to recover monies owed to the qualified beneficiary within 180 days from the date the qualified beneficiary [last provided qualified services] filed a notice of claim under Section 38−1−7, unless precluded from doing so by the
642 nonpaying party’s bankruptcy filing within the 180 days [after completion of services] from the
643 date the qualified beneficiary filed the notice of claim; and
644 (B) a notice of commencement of action with the division within 30 days from the date
645 the qualified beneficiary filed the civil action if a civil action was filed as required by
646 Subsection (4)(d)(i)(A); } an action against the nonpaying
647 party to recover monies owed to the qualified beneficiary within the
648 earlier of:
649 (A) 180 days from the date the qualified beneficiary filed a notice of
650 claim under Section 38−1−7; or
651 (B) 270 days from the completion of the original contract pursuant to
652 Subsection 38−1−7(1);

7. Page 22, Line 671 through Page 23, Line 679

671 { (6) If a qualified beneficiary fails to file the notice with the
672 division required under
673 Subsection (4)(d)(i)(B), the claim of the qualified beneficiary shall
674 be paid:
675 (a) if otherwise qualified under this chapter;
676 (b) to the extent that the limit of Subsection 38−11−203(4)(a)
677 has not been reached by
678 payments from the fund to qualified beneficiaries who have
679 complied with the notice
680 requirements of Subsection (4)(d)(i)(B); and
681 (c) in the order that the claims are filed by persons who fail to
682 comply with Subsection
683 (4)(d)(i)(B), not to exceed the limit of Subsection
684 38−11−203(4)(a). }

685 { (7) } (6) To recover from the fund a laborer shall:

8. Page 23, Line 683

686 { (8) } (7) A fee determined by the division under
687 Section 63−38−3.2 shall be deducted from
9. Page 23, Line 685

685 \{ (9) \} \{ (8) \} The requirements of Subsections (4)(a) and (4)(b) may be satisfied if an owner or

10. Page 23, Line 696

696 \{ (10) \} \{ (9) \} The director shall have equitable power to determine if the requirements of

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

###

Representative S. Clark proposed the following amendment:

1. Page 3, Line 69

69 63–56–38.1 (Superseded 05/01/05), as last amended by Chapter 30, Laws of Utah 2004

REPEALS:

38−1−38 as enacted by Chapter 188, Laws of Utah 2004

2. Page 8, Line 212:

212 \{ (4) \} \{ (e) \} \{ (d) \} of the issuance or denial of a certificate of compliance.

3. Page 24, Lines 713 through 714:

713 commencement of any action on the payment bond.

Section 13. Repealer.

This bill repeals Section 38−1−38. Lien Notification.

714 Section \{ (13) \} 14 . Retrospective operation.

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

**Sub. H.B. 105**, as amended, then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Bowman Buttars Christensen
D. Clark S. Clark Cosgrove D. Cox
Absent or not voting were: Representatives
Buxton       Gowans       Lockhart       Urquhart
Wallace

Sub. H.B. 105, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 86, UTAH COLLEGE OF APPLIED TECHNOLOGY AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Bigelow proposed the following amendment:

1. Page 9, Lines 269 through 273c
   House Committee Amendments 2–7–2005

   269  (1) In accordance with Subsection 53B–2a–112(2), a college campus may enter into a
   270 lease with other higher education institutions, public school districts, state agencies, or business
   271 and industry for a term of:

   272  (a) one year or less with the approval of the campus board of directors; and

   273  (b) more than one year with the approval of the board of trustees
the approval of funding for the lease by the Legislature prior to a college;

(ii) the lease agreement includes language that allows termination of the lease.

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

###

Representative Alexander proposed the following amendment:

1. Refer to Representative Bigelow’s amendment:
   After “lease” insert “without penalty”

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

**H.B. 86**, as amended, then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
</tr>
<tr>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
</tr>
<tr>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Hansen</td>
</tr>
<tr>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
</tr>
<tr>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
<td>Lockhart</td>
</tr>
<tr>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morgan</td>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
</tr>
<tr>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Shurtleff</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Tilton</td>
<td>Ure</td>
<td>Walker</td>
<td>Wallace</td>
</tr>
<tr>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
</tr>
<tr>
<td>Curtis</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

| Gowans | Urquhart |
H.B. 86, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 102, HIGHER EDUCATION SAVINGS INCENTIVE PROGRAM AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 102, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th></th>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td></td>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td></td>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td></td>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
</tr>
<tr>
<td></td>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
</tr>
<tr>
<td></td>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
</tr>
<tr>
<td></td>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Hansen</td>
</tr>
<tr>
<td></td>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
<tr>
<td></td>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td></td>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
</tr>
<tr>
<td></td>
<td>Last</td>
<td>Litvack</td>
<td>Lockhart</td>
<td>Mascaro</td>
</tr>
<tr>
<td></td>
<td>Mathis</td>
<td>McGee</td>
<td>Morgan</td>
<td>Morley</td>
</tr>
<tr>
<td></td>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
</tr>
<tr>
<td></td>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
<td>Romero</td>
</tr>
<tr>
<td></td>
<td>Shurtleff</td>
<td>G. Snow</td>
<td>Tilton</td>
<td>Ure</td>
</tr>
<tr>
<td></td>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
</tr>
<tr>
<td></td>
<td>Wiley</td>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
</tr>
</tbody>
</table>

Absent or not voting were: Representatives

|                  | Gowans | Lawrence | Menlove | Urquhart |

H.B. 102, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to adjourn until February 17, 2005, at 10:00 a.m.
The House was called to order by Speaker Curtis at 10:00 a.m.

Roll call showed all members present except Representatives Peggy Wallace, and David Cox, excused.

Prayer by Tracy Van Wagoner, intern to Representative Ralph Becker. Pledge of allegiance by Representative Ralph Becker.

**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker: February 16, 2005

The Senate passed, as substituted, **1st Sub. S.B. 58**, LIABILITY PROTECTION OF EDUCATORS, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 59**, HOME SCHOOL AMENDMENTS, by Senator M. Madsen, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 151**, DRIVER EDUCATION AMENDMENTS, by Senator T. Hatch, and it is transmitted for consideration; and

The Senate passed **S.B. 159**, ASSESSMENT OFFSET FOR DONATIONS PROMOTING OCCUPATIONAL HEALTH AND SAFETY, by Senator E. Mayne, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate


**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker: February 16, 2005

The Senate passed, **H.C.R. 2**, COWBOY HALL OF FAME RESOLUTION, by Representative L. Shurtliff, which has been signed by the President and it is transmitted for the signature of the Speaker; and
The Senate passed, **H.C.R. 6, RESOLUTION RECOGNIZING UTAH’S LEGISLATORS BACK TO SCHOOL PROGRAM**, by Representative M. Dayton, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate  

Communications filed. **H.C.R. 2 and H.C.R. 6** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

**REPORTS OF STANDING COMMITTEES**

Mr. Speaker: February 15, 2005

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 264, STATE LAND USE MANAGEMENT PLANS AMENDMENTS**, by Representative M. Noel, with the following amendments:

1. Page 4, Lines 102 through 108:

   102 (c) assist city, county, metropolitan, and regional planning agencies in performing
   103 local, metropolitan, and regional planning, provided that the state planning coordinator and his
   104 agents and designees:
   105 (i) whenever possible, comply with and uphold the plans, policies, programs, processes, and desired
   106 outcomes of each planning agency; and
   107 (ii) do not interfere with, undermine or disrupt, in any way, the plans, policies,
   108 programs, processes, or desired outcomes of each planning agency.

2. Page 4, Lines 112 through 114:

   112 (a) recognize, uphold, and promote, to the maximum extent permitted under, consistent with state and
   113 federal law, the plans, policies, programs, processes, and desired outcomes of the counties
   114 where the federal lands or natural resources are located;
3. Page 4, Lines 115 through 118:

115 (b) develop, research, and use of factual information, legal analysis, and statements of

116 desired future condition for the state, or subregion of the state, as

117 plans, policies, programs, processes, or desired outcomes of the state and counties where the

118 federal lands or natural resources are located;

4. Page 5, Lines 146 through 149:

146 (b) The state planning coordinator and any state planning agent shall ensure that any

147 policies, plans, programs, processes, or desired outcomes developed under Subsection (5)(a)

148 are consistent with the policies, plans, programs, processes, and desired outcomes of the

149 political subdivisions.

5. Page 6, Lines 154 through 157:

154 (a) (i) the citizens of the state are best served by applying multiple-use and sustained-yield principles when making decisions concerning the management and use of the lands administered by the Bureau of Land Management and

157 the U.S. Forest Service in public land use planning and management;

6. Page 6, Lines 163 through 168:

163 (B) support valid existing transportation, mineral, and grazing rights at historic levels or higher;

164 (C) support the specific plans, programs, processes, and policies of state agencies and

165 local governments
(D) are designed to produce and provide the watersheds, food, fiber, livestock forage, **wildlife forage**, and minerals that are necessary to meet present needs and future economic growth and community expansion; and

7. Page 6, Lines 172 through 176:

(b) **managed** public lands for “wilderness characteristics” circumvents the statutory wilderness process and is inconsistent with the multiple-use and sustained-yield management standard that applies to all public lands that are not wilderness areas or wilderness study areas;

(ii) the state does not support use of the term “wilderness characteristics management” as a euphemism for an attempt to circumvent the statutory wilderness process;

8. Page 6, Line 182 through Page 7, Line 183:

(d) the state has the right to develop and use its entitlement to interstate rivers **without interference from the federal government**;

9. Page 7, Line 213 through Page 8, Line 227:

favor of conservation **use**, wildlife, and other uses:

(iii) (A) the state favors practices that are jointly sponsored by cattlemen’s, sportsmen’s, and wildlife management groups such as chaining, seeding, burning, and other direct soil and vegetation prescriptions that are scientifically demonstrated to restore rangeland health, increase forage, and improve watersheds in grazing districts and allotments for the mutual benefit of domestic livestock and wildlife;

(B) when practices described in Subsection (6)(m)(iii)(A) increase a grazing allotment’s forage beyond the total permitted forage use that was allocated to that allotment in the last federal land use plan or allotment management plan still in existence as of January 1, 2005, a reasonable and fair portion of the increase in forage beyond the previously allocated total permitted use should be allocated to wildlife as
recommended by a joint, evenly-balanced committee of livestock and wildlife representatives that is appointed and constituted by the governor for that purpose;

214 (iii) (iv) the state opposes as irrational, the transfer of grazing animal unit months to

215 wildlife for supposed reasons of rangeland health;

216 (iv) (v) reductions in domestic livestock animal unit months must be temporary and

217 scientifically based upon rangeland conditions;

218 (v) policies, plans, programs, initiatives, resource management plans, and forest plans

219 may not allow the placement of grazing animal unit months in a suspended use category unless

220 there is a rational and scientific determination that the condition of the rangeland allotment or

221 district in question will not sustain the animal unit months sought to be placed in suspended

222 use:

223 (v) any grazing animal unit months that are placed in a suspended use category should

224 be returned to active use when range conditions improve;

225 (viii) policies, plans, programs, and initiatives related to vegetation management should

226 recognize and uphold the preference for domestic grazing over alternate forage uses in

227 established grazing districts and should uphold the improvement of while upholding management practices that optimize and expand forage for grazing and wildlife in conjunction with state wildlife management plans and programs in order to provide maximum available forage for all uses; and

10. Page 8, Line 228:

228 (viii) (ix) in established grazing districts, animal unit months that have been reduced due to
11. Page 12, Lines 354 through 355:

354 (h) the state opposes any additional evaluation of national forest service lands as "roadless" or "unroaded" areas on forest lands beyond the forest service’s second roadless area review evaluation and

355 opposes efforts by agencies to specially manage those areas in a way that:

The Natural Resources, Agriculture, and Environment Committee recommends **H.B. 152**, COUNTY OPTION SALES AND USE TAX FOR AGRICULTURAL LAND, OPEN LAND, AND RECREATIONAL FACILITIES ACT, by Representative C. Butters, be replaced and favorably recommends **2nd Sub. H.B. 152**, COUNTY OPTION SALES AND USE TAX FOR AGRICULTURAL LAND, OPEN LAND, AND RECREATIONAL FACILITIES ACT.

Roger E. Barrus, Chair

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


**CORRECTED REPORT**

Mr. Speaker: February 16, 2005

The Education Committee reports a favorable recommendation on **H.B. 249**, CARSON SMITH SPECIAL NEEDS SCHOLARSHIPS, by Representative M. Newbold, et al, with the following amendments:

1. Page 2, Lines 57 through 60:

57 The Legislature finds that:

58 (1) the state system of public education as established and maintained under the state constitution shall be open to all children of the state:
2. Page 3, Line 87 through Page 4, Line 92:

   (1) “Assessment team” means a team consisting of:
   (a) the student’s parent or guardian;
   (b) the student’s private school classroom teacher;
   (c) special education personnel from the student’s resident school district; and
   (d) if available, special education personnel from the private school at which the student is enrolled.

3. Page 5, Line 147 through Page 6, Line 155:

   (5) (a) The scholarship application form shall contain the following statement:
   "I acknowledge that: (1) A private school may not provide the same level of special education services that are provided in a public school; and (2) I will assume full financial responsibility for the education of my scholarship student if I accept this scholarship; and (3) Acceptance of this scholarship has the same effect as a parental refusal to consent to services pursuant to Section 614(a)(1) of the Individuals with Disabilities Education Act 20 U.S.C. Sec. 1400 et seq.; (b) Upon acceptance of the scholarship, the parent assumes full financial responsibility for the education of the scholarship student. (c) Acceptance of a scholarship has the same effect as a parental refusal to consent to services pursuant to Section 614(a)(1) of the Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1400 et seq. (d) The creation of the scholarship program or granting of a scholarship does not:
4. Page 7, Line 208:

208 (2) A home school is not eligible to enroll scholarship students.

(3) Residential treatment facilities licensed by the state are not eligible to enroll scholarship students.

Margaret Dayton, Chair

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

H.B. 249, as amended, read the second time by short title and placed on the calendar for third reading.

CONSENT CALENDAR

H.C.R. 14, CONCURRENT RESOLUTION HONORING AMERICA’S MILITARY WAR DOGS, read the third time by short title and placed on its final passage.

H.C.R. 14 then passed on the following roll call:

Y eas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Bourdeaux
Bowman Christensen D. Clark S. Clark
Cosgrove Daw Dayton Dee
Donnelson Dougall Duckworth Ferrin
Ferry Fisher Frank Gibson
Goodfellow Gowans Hansen Hardy
Harper Hendrickson Hogue Holdaway
Hughes Hunsaker E. Hutchings B. Johnson
Jones Kiser Last Lawrence
Litvack Lockhart Mascaro Mathis
McGee Menlove Morgan Morley
Moss Murray Newbold Noel
Oda Painter Ray Romero
Shurtliff G. Snow Tilton Ure
Walker Wheatley Wheeler Wiley
Wyatt Curtis
Absent or not voting were: Representatives
Biskupski  Buttars  Buxton  D. Cox
Dunnigan  Fowlke  King  Urquhart
Wallace

H.C.R. 14 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

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

THIRD READING CALENDAR

H.B. 136, CHARTER SCHOOL ENROLLMENT, read the third time by short title and placed on its final passage.

H.B. 136 then passed on the following roll call:

Yeas, 52; Nays, 20; Absent or not voting, 3.

Voting in the affirmative were: Representatives
Aagard  Adams  Alexander  S. Allen
Becker  Bigelow  Bourdeaux  Bowman
Buttars  Christensen  S. Clark  Cosgrove
Daw  Dayton  Dee  Donnelson
Dougall  Dunnigan  Ferrin  Fisher
Fowlke  Frank  Gibson  Hardy
Harper  Hogue  Hughes  E. Hutchings
B. Johnson  Jones  King  Kiser
Last  Lawrence  Litvack  Lockhart
Mascaro  Mathis  Morgan  Morley
Murray  Newbold  Noel  Oda
Painter  Ray  Romero  Tilton
Ure  Urquhart  Walker  Curtis

Voting in the negative were: Representatives
Barrus  Biskupski  D. Clark  Duckworth
Ferry  Goodfellow  Gowans  Hansen
Hendrickson  Holdaway  Hunsaker  McGee
Menlove  Moss  Shurtliff  G. Snow
Wheatley  Wheeler  Wiley  Wyatt

Absent or not voting were: Representatives
Buxton  D. Cox  Wallace
H.B. 136 transmitted to the Senate for its consideration.

* * *

H.B. 243, REPEAL OF GERIATRIC CARE MANAGER, read the third time by short title and placed on its final passage.

Representative Lockhart proposed the following amendment:

1. Page 16, Line 490:
   Delete “302” and insert “301”

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

H.B. 243, as amended, then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
</tr>
<tr>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Hansen</td>
<td>Hardy</td>
</tr>
<tr>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
</tr>
<tr>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>Jones</td>
</tr>
<tr>
<td>King</td>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
</tr>
<tr>
<td>Lockhart</td>
<td>Mascaro</td>
<td>Mathis</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morgan</td>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
</tr>
<tr>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Shurtleff</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
<td>Wheatley</td>
</tr>
<tr>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
<td>Curtis</td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>D. Cox</th>
<th>Gowans</th>
<th>B. Johnson</th>
<th>Kiser</th>
</tr>
</thead>
<tbody>
<tr>
<td>McGee</td>
<td>Tilton</td>
<td>Wallace</td>
<td></td>
</tr>
</tbody>
</table>

H.B. 243, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 104, SPYWARE CONTROL ACT REVISIONS, read the third time by short title and placed on its final passage.
H.B. 104 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
- Aagard
- Adams
- Alexander
- S. Allen
- Barrus
- Becker
- Bigelow
- Biskupski
- Bourdeaux
- Bowman
- Buttars
- Christensen
- D. Clark
- S. Clark
- Cosgrove
- Daw
- Dayton
- Dee
- Donnelson
- Dougall
- Duckworth
- Dunnigan
- Ferrin
- Ferry
- Fisher
- Fowlke
- Frank
- Gibson
- Goodfellow
- Gowans
- Hansen
- Hardy
- Harper
- Hendrickson
- Hogue
- Holdaway
- Hughes
- Hunsaker
- E. Hutchings
- B. Johnson
- Jones
- King
- Kiser
- Last
- Lawrence
- Litvack
- Lockhart
- Mascaro
- Mathis
- Menlove
- Morgan
- Morley
- Moss
- Murray
- Newbold
- Noel
- Oda
- Painter
- Ray
- Romero
- Shurtliff
- G. Snow
- Tilton
- Ure
- Urquhart
- Walker
- Wheatley
- Wheeler
- Wiley
- Wyatt
- Curtis

Absent or not voting were: Representatives
- Buxton
- D. Cox
- McGee
- Wallace

H.B. 104 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Lockhart, the House voted to uncircle H.B. 80.

H.B. 80, SERVICES FOR PEOPLE WITH DISABILITIES, was before the House on its final passage.

On motion of Representative D. Clark, the House voted to circle H.B. 80.

THIRD READING CALENDAR

H.B. 234, TELEPHONE SURCHARGE FOR EDUCATION AND TRAINING PROGRAMS AT PRISON, read the third time by short title and placed on its final passage.
H.B. 234, as amended, then passed on the following roll call:

Yea\as, 67; Nays, 4; Absent or not voting, 4.

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buxton</td>
<td>D. Clark</td>
</tr>
<tr>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>Daw</td>
<td>Dayton</td>
</tr>
<tr>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
</tr>
<tr>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
</tr>
<tr>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
</tr>
<tr>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
<td>Harper</td>
</tr>
<tr>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hunsaker</td>
</tr>
<tr>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
</tr>
<tr>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
</tr>
<tr>
<td>Lockhart</td>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
</tr>
<tr>
<td>Menlove</td>
<td>Morgan</td>
<td>Moss</td>
<td>Murray</td>
</tr>
<tr>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
<td>Tilton</td>
</tr>
<tr>
<td>Urquhart</td>
<td>Walker</td>
<td>Wheatley</td>
<td>Wheeler</td>
</tr>
<tr>
<td>Wiley</td>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Buttars</th>
<th>Christensen</th>
<th>Hughes</th>
<th>G. Snow</th>
</tr>
</thead>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>D. Cox</th>
<th>Morley</th>
<th>Ure</th>
<th>Wallace</th>
</tr>
</thead>
</table>

H.B. 234, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 270, TEMPORARY ROAD CLOSURES, read the third time by short title and placed on its final passage.

H.B. 270, as amended, then passed on the following roll call:

Yea\as, 67; Nays, 2; Absent or not voting, 6.

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bigelow</td>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
</tr>
<tr>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
</tr>
</tbody>
</table>
Day 32600 HOUSE JOURNAL

[Names of representatives]

Voting in the negative were: Representatives
Biskupski Litvack

Absent or not voting were: Representatives
Alexander Becker D. Cox Daw
Goodfellow Wallace

H.B. 270, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Lockhart, the House voted to uncircle H.B. 80.

H.B. 80, SERVICES FOR PEOPLE WITH DISABILITIES, was before the House on its final passage.

Representative Lockhart proposed the following amendment:

1. Page 3, Line 81 through Page 4, Line 91
   81 {←—} (iii) results in a substantial functional limitation in three or more of the following
   82 areas of major life activity: {←—}
   83 {←—} (A) self-care; {←—}
   84 {←—} (B) receptive and expressive language; {←—}
   85 {←—} (C) learning; {←—}
   86 {←—} (D) mobility; {←—}
(E) self-direction; (F) capacity for independent living; or (G) economic self-sufficiency; and (iv) requires a combination or sequence of special interdisciplinary or generic care, treatment, or other services that:

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

**H.B. 80**, as amended, then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard  Adams  Alexander  S. Allen  
Barrus  Becker  Bigelow  Biskupski  
Bourdeaux  Bowman  Buttars  Buxton  
Christensen  D. Clark  S. Clark  Cosgrove  
Daw  Dayton  Dee  Donnelson  
Dougall  Duckworth  Dunnigan  Ferrin  
Ferry  Fisher  Fowlke  Frank  
Gibson  Gowans  Hansen  Hardy  
Harper  Hendrickson  Hogue  Holdaway  
Hughes  Hunsaker  E. Hutchings  B. Johnson  
Jones  King  Kiser  Last  
Lawrence  Litvack  Lockhart  Mascaro  
Mathis  McGee  Menlove  Morgan  
Morley  Moss  Murray  Newbold  
Noel  Oda  Painter  Ray  
Romero  Shurtliff  G. Snow  Tilton  
Ure  Urquhart  Walker  Wheatley  
Wheeler  Wiley  Wyatt  Curtis

**Absent or not voting were:** Representatives

D. Cox  Goodfellow  Wallace

**H.B. 80**, as amended, transmitted to the Senate for its consideration.

**THIRD READING CALENDAR**

**H.B. 163**, GARNISHMENT FEES, read the third time by short title and placed on its final passage.
H.B. 163, as amended, then failed to pass on the following roll call:

**Y eas, 33; Nays, 36; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

- Alexander
- Barrus
- Becker
- Biskupski
- Bourdeaux
- Bowman
- S. Clark
- Cosgrove
- Dougall
- Dunnigan
- Fowlke
- Hogue
- Holdaway
- Hunsaker
- E. Hutchings
- Jones
- King
- Last
- Lawrence
- Litvack
- Mascaro
- Menlove
- Moss
- Noel
- Romero
- Shurtliff
- Ure
- Urquhart
- Wheatley
- Wheeler
- Wiley
- Wyatt
- Curtis

**Voting in the negative were:** Representatives

- Aagard
- Adams
- S. Allen
- Bigelow
- Buttrars
- Buxton
- Christensen
- D. Clark
- Daw
- Dayton
- Dee
- Donnelson
- Duckworth
- Ferrin
- Ferry
- Fisher
- Frank
- Gibson
- Hansen
- Hardy
- Harper
- Hendrickson
- Hughes
- B. Johnson
- Kiser
- Lockhart
- Mathis
- Morgan
- Morley
- Murray
- Newbold
- Painter
- Ray
- G. Snow
- Tilton
- Walker

**Absent or not voting were:** Representatives

- D. Cox
- Goodfellow
- Gowans
- McGee
- Oda
- Wallace

**H.B. 163** was filed.

***

**Sub. H.B. 235,** INSURANCE ARBITRATION AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle **Sub. H.B. 235.**

***

**H.B. 250,** CAPITOL COMPLEX SPACE, read the third time by short title and placed on its final passage.
**H.B. 250** then passed on the following roll call:

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

<table>
<thead>
<tr>
<th>Voting in the affirmative were:</th>
<th>Representatives</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aagard</td>
<td>Adams</td>
</tr>
<tr>
<td>Barrus</td>
<td>Becker</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
</tr>
<tr>
<td>Christensen</td>
<td>D. Clark</td>
</tr>
<tr>
<td>Daw</td>
<td>Dayton</td>
</tr>
<tr>
<td>Dougall</td>
<td>Duckworth</td>
</tr>
<tr>
<td>Fisher</td>
<td>Fowlke</td>
</tr>
<tr>
<td>Hansen</td>
<td>Hardy</td>
</tr>
<tr>
<td>Hogue</td>
<td>Holdaway</td>
</tr>
<tr>
<td>E. Hutchings</td>
<td>Jones</td>
</tr>
<tr>
<td>Last</td>
<td>Lawrence</td>
</tr>
<tr>
<td>Mascaro</td>
<td>Mathis</td>
</tr>
<tr>
<td>Morgan</td>
<td>Morley</td>
</tr>
<tr>
<td>Newbold</td>
<td>Noel</td>
</tr>
<tr>
<td>Romero</td>
<td>Shurtliff</td>
</tr>
<tr>
<td>Ure</td>
<td>Urquhart</td>
</tr>
<tr>
<td>Wheeler</td>
<td>Wiley</td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

| D. Cox                          | Ferrin           | Frank             | Goodfellow        |
| B. Johnson                      | Oda              | Wallace           | Wyatt             |

**H.B. 250** transmitted to the Senate for its consideration.

* * *

**H.B. 142, ISSUES SUBMITTED TO VOTERS,** read the third time by short title and placed on its final passage.

Representative Hughes proposed the following amendment:

1. Page 1, Line 14

14 This bill:
   - establishes uniform standards for determining whether a signer’s signature on a local initiative petition is valid or not;
   - provides for placement of birth date information on initiative petitions;
2. Page 3, Line 59:

20A−7−503, as last amended by Chapter 3, Laws of Utah 2000
20A−7−506, as last amended by Chapter 3, laws of Utah 2000

3. Page 3, Line 64:

20A−7−502.5, Utah Code Annotated 1953
20A−7−506.3, Utah Code Annotated 1953

4. Page 20, Lines 599 through 604:

(ii) the next column shall be three 2−1/2 inches wide, headed “Registered Voter’s Printed Name (must be legible to be counted)”; 600
(iii) the next column shall be three 2−1/2 inches wide, headed “Signature of Registered Voter”; and
(iv) the next column shall be one inch wide, headed “Birth Date”; and
(v) the final column shall be 4−3/8 inches wide, headed “Street Address, City, Zip Code”; and

5. Page 21, Lines 617 through 618:

followed, the initiative petitions are sufficient, notwithstanding clerical and merely technical errors.

Section 13. Section 20A−7−506 is amended to read:
20A−7−506. Submitting the initiative petition −− Certification of signatures by the county clerks −− Transfer to local clerk.
(1) No later than 120 days before any regular general election, for county initiatives, or municipal general election, for municipal initiatives, the sponsors shall deliver each signed and verified initiative packet to the county clerk of the county in which the packet was circulated.
(2) No later than 90 days before any general election, the county clerk shall:
(a) check the names of all persons completing the verification on the back of each signature sheet to determine whether or not those persons are residents of Utah and are at least 18 years old; and
(b) submit the name of each of those persons who is not a Utah resident or who is not at least 18 years old to the attorney general and county attorney.

(3) No later than 60 days before any general election, the county clerk shall:

(a) check all the names of the signers against the official registers to determine whether or not each signer is a voter according to the requirements of Section 20A−7−506.3;

(b) certify on the petition whether or not each name is that of a voter; and

(c) deliver all of the packets to the local clerk.

Section 14. Section 20A−7−506.3 is enacted to read:

20A−7−506.3. Verification of petition signatures.

(1) (a) For the purposes of this section, “substantially similar name” means:

(i) the given name and surname shown on the petition, or both, contain only minor spelling differences when compared to the given name and surname shown on the official register;

(ii) the surname shown on the petition exactly matches the surname shown on the official register, and the given names differ only because one of the given names shown is a commonly used abbreviation or variation of the other;

(iii) the surname shown on the petition exactly matches the surname shown on the official register, and the given names differ only because one of the given names shown is accompanied by a first or middle initial or a middle name which is not shown on the other record; or

(iv) the surname shown on the petition exactly matches the surname shown on the official register, and the given names differ only because one of the given names shown is an alphabetically corresponding initial that has been provided in the place of a given name shown on the other record.

(b) For the purposes of this section, “substantially similar name” does not mean a name having an initial or a middle name shown on the petition that does not match a different initial or middle name shown on the official register.

(2) The county clerk shall use the following procedures in determining whether or not a signer is a registered voter:

(a) When a signer’s name and address shown on the petition exactly
match a name and address shown on the official register, the county clerk shall declare the signature valid.

(b) When there is no exact match of an address and a name, the county clerk shall declare the signature valid if the address on the petition matches the address of a person on the official register with a substantially similar name.

(c) When there is no match of an address and a substantially similar name, the county clerk shall declare the signature valid if the birth date on the petition matches the birth date of a person on the official register with a substantially similar name.

(d) If a signature is not declared valid under Subsection (2)(a), (2)(b), or (2)(c), the county clerk shall declare the signature to be invalid.

Renumber remaining sections accordingly.

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

###

Representative Allen proposed the following amendment:

1. Page 1, Lines 17 through 18
   17 requires that local initiative petitions { and fluoride petitions } approved for signature
   18 circulation receive an initial fiscal impact review by the local budget officer;

2. Page 1, Lines 25 through 26:
   25 { requires that petitions for adding fluorine to public water supplies comply with the
   26 procedures and requirements for local initiatives; }

3. Page 2, Lines 31 through 44:
   31 requires that a final fiscal impact statement be issued by the Governor’s Office of
   32 Planning and Budget, or by the local budget officer for local initiatives { or for
   33 petitions to add or remove fluorine }, for each initiative that is approved by the voters; and
when the final fiscal impact statement for a statewide or local initiative exceeds the initial fiscal impact estimate by 15% or more, authorizes the Legislature, or the local legislative body in the case of a local initiative, to repeal the law, amend the law, or inform the voters that they may bring a new initiative to repeal the law enacted by passage of the initiative and when there is a petition to obtain voter approval to add fluorine to a water system, and the final cost estimate for adding fluorine exceeds the initial fiscal impact estimate by 15% or more, authorizes the governing body having jurisdiction over the water system to cease efforts to add fluorine to the water, to submit the matter for a new vote, or to inform the voters that they may bring a new petition to repeal the decision to add fluorine to the water.

4. Page 2, Lines 50 through 53:

AMENDS:

19–4–111, as last amended by Chapter 185, Laws of Utah 2003
19–4–111.1, as enacted by Chapter 16, Laws of Utah 2002
19–4–111.2, as enacted by Chapter 15, Laws of Utah 2002

5. Page 3, Line 68 through Page 6, Line 175:

Delete lines 68 through 175

Renumber accordingly

Representative Allen’s motion to amend failed on the following roll call:

Yeas, 24; Nays, 45; Absent or not voting, 6.
Voting in the affirmative were: Representatives
S. Allen Becker Biskupski Bourdeaux
Cosgrove Duckworth Ferry Gowans
Hansen Hardy Hendrickson Jones
King Lawrence Litvack Mascaro
McGee Menlove Morgan Moss
Murray Romero Shurtleff Wheatley

Voting in the negative were: Representatives
Aagard Adams Alexander Barrus
Bigelow Bowman Buttars Buxton
Christensen D. Clark S. Clark Daw
Dayton Dee Donnelson Dougall
Dunnigan Ferrin Fisher Frank
Gibson Harper Hogue Hughes
Hunsaker E. Hutchings B. Johnson Kiser
Last Lockhart Mathis Morley
Newbold Noel Oda Painter
Ray G. Snow Ure Urquhart
Walker Wheeler Wiley Wyatt
Curtis

Absent or not voting were: Representatives
D. Cox Fowlke Goodfellow Holdaway
Tilton Wallace

###

Representative Hogue proposed the following amendment:

1. Page 7, Line 205:
   Delete “comprehensive”

2. Page 7, Line 206:
   Delete “individual property” and insert “administrative”

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

H.B. 142, as amended, then passed on the following roll call:

Yeas, 54; Nays, 16; Absent or not voting, 5.

Voting in the affirmative were: Representatives
Aagard Adams Alexander Barrus
Bigelow Buttars Buxton Christensen
Voting in the negative were: Representatives

- S. Allen
- Becker
- Biskupski
- Bourdeaux
- Cosgrove
- Hardy
- Jones
- King
- Lawrence
- Litvack
- McGee
- Moss
- Romero
- Shurtliff
- Wheatley
- Wiley

Absent or not voting were: Representatives

- Bowman
- D. Cox
- Goodfellow
- G. Snow
- Wallace

H.B. 142, as amended, transmitted to the Senate for its consideration.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 17, 2005

The Senate requests the return of H.B. 30, CONSUMER SALES PRACTICES ACT AMENDMENTS, by Representative T. Kiser, for reconsideration.

Annette B. Moore
Secretary of the Senate

Communication filed. On motion of Representative Kiser, the House voted to lift H.B. 30 from the Concurrence Calendar and returned to the Senate.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to recess until 2:00 p.m.

AFTERNOON SESSION

The House was called to order by Speaker Curtis at 2:00 p.m.
COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 17, 2005

The Senate passed, as substituted, 2nd Sub. S.B. 56, REAL ESTATE – EXCLUSIVE BROKERAGE AGREEMENTS, by Senator L. A. Mansell, and it is transmitted for consideration; and

The Senate passed, as amended, S.B. 57, USE OF STATE SALES AND USE TAX REVENUES FOR BUSINESS DEVELOPMENT IN DISADVANTAGED RURAL COMMUNITIES, by Senator P. Knudson, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. 2nd Sub. S.B. 56 and S.B. 57, read the first time by short title and referred to the Rules Committee.

***

Mr. Speaker: February 17, 2005

The Senate concurred in the House amendments and passed S.B. 47, WRONGFUL LIEN OFFENSES, by Senator B. Evans, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed S.B. 74, MEDICAL RESERVE CORPS, by Senator L. Hillyard, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed S.B. 120, ALLOCATION OF PROFITS FROM SCHOOL AND INSTITUTIONAL TRUST LANDS, by Senator T. Hatch, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. S.B. 47, S.B. 74, and S.B. 120 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

Mr. Speaker: February 17, 2005

The Senate passed, H.B. 13, OCCUPATIONAL AND PROFESSIONAL LICENSING SUNSET AMENDMENT, by Representative R. Lockhart, which
has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 29**, STATE ENGINEER’S POWERS AND DUTIES AMENDMENTS, by Representative D. Clark, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 47**, NEW AUTOMOBILE FRANCHISE ACT AMENDMENTS, by Representative S. Urquhart, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 59**, DOMESTIC VIOLENCE ENHANCEMENT, by Representative C. Moss, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 64**, CRIMINAL BACKGROUND CHECKS FOR PERSONAL CARE ATTENDANTS, by Representative F. Hunsaker, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 66**, NATUROPATHIC PHYSICIAN AMENDMENTS, by Representative J. Ferrin, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 68**, MOTOR VEHICLE ENFORCEMENT DIVISION AMENDMENTS, by Representative P. Ray, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 71**, LICENSING OF ESTHETICIANS AND NAIL TECHNICIANS, by Representative J. Fisher, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 159**, MOTOR ASSISTED SCOOTER AND MINI–MOTORCYCLE AMENDMENTS, by Representative B. Dee, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 171**, CALCULATION OF MINING SEVERANCE TAX ON BERYLLIUM, by Representative R. Wheeler, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 190**, INDIVIDUAL INCOME TAX – ELECTRONIC FILING REQUIREMENTS, by Representative S. Clark, which has been signed by the President and it is transmitted for the signature of the Speaker; and
The Senate passed, **H.B. 198**, NATUROPATHIC FORMULARY PEER COMMITTEE AMENDMENTS, by Representative J. Ferrin, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 203**, AGRICULTURAL ADVISORY BOARD, by Representative M. Noel, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 212**, TRAFFIC VIOLATIONS BY DIPLOMATS, by Representative D. Hogue, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.C.R. 1**, RESOLUTION PROMOTING MODERATELY SIZED SCHOOLS, by Representative D. Cox, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate


* * *

Mr. Speaker:  
February 17, 2005

The Senate passed, as amended, **H.B. 11**, ECONOMIC DEVELOPMENT INCENTIVES, by Representative B. Dee, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 55**, DRUG OFFENSE PENALTY ENHANCEMENTS, by Representative B. Dee, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 183**, VERIFICATION OF ELIGIBILITY FOR FEE WAIVERS, by Representative W. Harper, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 221**, ELECTRONIC COMMUNICATION HARASSMENT, by Representative J. Dougall, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

**REPORTS OF STANDING COMMITTEES**

Mr. Speaker: February 17, 2005

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 107, AMENDMENTS TO TAXES, FEES, OR CHARGES**, by Representative W. Harper, with the following amendments:

1. Page 1, Line 18:

   
   18 requires the Revenue and Taxation Interim Committee and the State Tax Commission to conduct a study; and

2. Page 9, Line 249:

   249 Section 4. Revenue and Taxation Interim Committee and State Tax Commission study.

3. Page 9, Lines 250 through 255:

   250 (1) During the 2005 interim, the Revenue and Taxation Interim Committee and the State Tax Commission shall conduct a study to make findings and recommendations as to whether the Legislature should enact an earlier effective date for the provisions of this bill that take effect on July 1, 2006, as a result of:

   (a) the existence of appropriate software that facilitates the sourcing requirements of the Streamlined Sales and Use Tax Agreement; or

   (b) amendments to the Streamlined Sales and Use Tax Agreement that allow businesses to easily comply with the sourcing requirements of the Streamlined Sales and Use Tax Agreement.

   (2) For purposes of studying the existence of appropriate software as required by Subsection (1)(a), the Revenue and Taxation Interim Committee and the State Tax Commission shall study whether software exists that:

   (a) is widely available;

   (b) is compatible with current computer programs and hardware;

   (c) is inexpensive;

   (d) is user friendly; and

   (e) allows small businesses to collect, source, and remit sales and use taxes in an efficient manner.

   (3) If, as a result of the study required by Subsection (1), the
Revenue and Taxation Interim Committee and the State Tax Commission recommend that the Legislature should enact an earlier effective date for the provisions of this bill that take effect on July 1, 2006, the Revenue and Taxation Interim Committee and the State Tax Commission shall:

(a) report their findings to the Legislative Management Committee; and
(b) recommend that the Legislative Management Committee request the governor to call a special session of the Legislature if the State Tax Commission recommends that the Legislature enact an earlier effective date for the provisions of this bill that take effect on July 1, 2006, as a result of:

(1) the existence of appropriate software; or
(2) amendments to the Streamlined Sales and Use Tax Agreement.

The Revenue and Taxation Committee reports a favorable recommendation on H.B. 324, TAXABLE VALUE ADJUSTMENT FOR PROPERTY DAMAGED BY A NATURAL DISASTER, by Representative B. Last, with the following amendments:

1. Page 1, Lines 13 through 14:
   13 This bill:
   ▶ provides that, before completing and delivering the assessment book to the county auditor, the assessor shall adjust the assessment of property in the assessment book to reflect an adjustment in the taxable value of any property damaged by natural disaster if the adjustment is made by the county board of equalization on or before May 15;

2. Page 1, Lines 25 through 26:
   25 Other Special Clauses:
   { None } This bill provides retrospective operation.

3. Page 1, Line 27:
   27 Utah Code Sections Affected:
   AMENDED:
Be it enacted by the Legislature of the state of Utah:

Section 1. Section 59–2–311 is amended to read:


(1) Prior to May 22 each year, the assessor shall complete and deliver the assessment book to the county auditor.

(2) The assessor shall subscribe and sign a statement in the assessment book substantially as follows:

I, ____, the assessor of ____ County, do swear that before May 22, _______(year), I made diligent inquiry and examination, and either personally or by deputy, established the value of all of the property within the county subject to assessment by me; that the property has been assessed on the assessment book equally and uniformly according to the best of my judgment, information, and belief at its fair market value; that I have faithfully complied with all the duties imposed on the assessor under the revenue laws including the requirements of Section 59–2–303.1; and that I have not imposed any unjust or double assessments through malice or ill will or otherwise, or allowed anyone to escape a just and equal assessment through favor or reward, or otherwise.

(3) Before completing and delivering the assessment book under Subsection (1), the assessor shall adjust the assessment of property in the assessment book to reflect an adjustment in the taxable value of any property if the adjustment in taxable value is made:

(a) by the county board of equalization under Section 59–2–1004.5; and

(b) on or before May 15.

Section 2. Section 59–2–1004.5 is enacted to read:

This section may appeal that decision under Section 59–2–1006.

Section 3. Retrospection operation.

This bill provides retrospective operation to January 1, 2005.
6. Page 1, Line 10:
   After “provide a” delete “tax” and insert “valuation“

7. Page 1, Line 16:
   Delete “tax” and insert “valuation“

8. Page 1, Line 22:
   Delete “tax” and insert “valuation“

9. Page 2, Line 55:
   Delete “tax” and insert “valuation“

10. Page 3, Line 60:
    Delete “tax” and insert “valuation“

11. Page 3, Line 61:
    Delete “tax” and insert “valuation“

Wayne A. Harper, Chair
Reports filed. On motion of Representative Harper, the reports of the Revenue and Taxation committee were adopted.

H.B. 107, as amended, and H.B. 324, as amended, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:

February 17, 2005

The Political Subdivisions Committee recommends H.B. 94, YOUTH CORRECTIONS AMENDMENTS, by Representative C. Moss, et al, be replaced and reports a favorable recommendation on 1st Sub. H.B. 94, YOUTH CORRECTIONS AMENDMENTS with the following amendments:

1. Page 3, Line 84:
   84   (j) “Violent offense” means:
   (i) any of the following offenses, or any attempt, solicitation,

2. Page 4, Line 117:
   117  (X) bus hijacking under Section 76–10–1504;
   {–and } or
3. Page 5, Lines 119 through 121:

(ii) any felony offense against a criminal statute of any other state, the United States, or

any district, possession, or territory of the United States which would constitute a violent

offense as defined in Subsection (1)(j) if committed in this state.

The Political Subdivisions Committee reports a favorable recommendation on H.B. 122, BAIL BOND AMENDMENTS, by Representative K. Gibson, with the following amendments:

1. Page 1, Lines 14 through 19:

   department establishes a fee to be collected at the jail on each bail bond written by a bail bond

   surety and directs the disposition of that fee; and

   directs a portion of that fee to the Departments of Insurance and Public Safety for

   paying the costs of the commission and for investigating and resolving bail bond

   complaints and conducting administrative investigations.

2. Page 2, Lines 30 through 32:

   {31A−2−405, Utah Code Annotated 1953

   Uncodified Material Affected:

   ENACTS UNCODIFIED MATERIAL.}
Agents;

4. Page 4, Line 97 through Page 5, Line 131:

{(4) recommend to the Legislature appropriate allocation of the fees collected in Section 31A–2–405; }

{(5) coordinate the efforts of the organizations represented in resolving issues affecting bail bond services; and }

{(6) perform other duties as provided in this title. }

{Section 5. Section 31A–2–405 is enacted to read:


(1) (a) Each bail bond written in this state by a bail bond surety is subject to a fee of $10.

(b) The fee shall be collected at the jail at the time the bail bond is given to the jail.

(c) The jail shall monthly:

(i) send $3.25 of each fee to the department as dedicated credits;

(ii) send $1.75 of each fee to the Department of Public Safety as dedicated credits; and

(iii) retain $5 of each fee to assist in paying for costs of collecting and processing the fee and providing bail services in the jail.

(2) (a) The department shall use the dedicated credits it receives under Subsection (1) to:

(i) investigate and resolve bail bond complaints;

(ii) investigate violations of state law relating to bail bond licensees;

(iii) pay the administrative costs of the commission; and

(iv) employ investigators to conduct investigations required under this Subsection}
Subsection (1) to:
(i) investigate and resolve bail bond enforcement agent complaints;
(ii) investigate violations of the state law pertaining to bail enforcement agent licensees; and
(iii) employ investigators to conduct investigations required under this Subsection

Section 6. Legislative intent.
It is the intent of the Legislature that:
(1) the Utah Insurance Department use the dedicated credit revenues it receives under

Section 31A–2–405 to pay the expenses of the board and to hire investigators; and

(2) the Department of Public Safety use the dedicated credit revenues it receives under

Section 31A–2–405 to hire investigators.

The Political Subdivisions Committee reports a favorable recommendation on H.B. 256, LOCAL GOVERNMENT ACQUISITION OF REAL PROPERTY, by Representative A. Hardy, with the following amendments:

1. Page 5, Lines 127 through 131:

   (6) (a) Each municipality that intends to acquire real property by eminent domain under

   *** Some lines not shown ***

   with the property owner’s rights in an eminent domain proceeding.

   (b) For purposes of Subsection (1)(c), water rights that are located outside the municipality and are not appurtenant to an interest in real property do not constitute real property that may be acquired by a municipality by eminent domain.
2. Page 5, Lines 147 through 149:

147 (F) subject to Subsection (1)(c), acquire, by eminent domain, real property, or an undivided, fractional, or other interest in real property, that is necessary or convenient for the purposes contemplated in the agreement creating for the benefit of the interlocal entity, regardless of whether the

3. Page 6, Lines 174 through 178:

174 (c) (i) Each interlocal entity that intends to acquire real property by eminent domain under

*** Some lines not shown ***

178 with the property owner’s rights in an eminent domain proceeding. (ii) For purposes of Subsection (1)(a)(i)(F), water rights that are located outside the boundaries of the interlocal entity and are not appurtenant to an interest in real property do not constitute real property that may be acquired by an interlocal entity by eminent domain.

The Political Subdivisions Committee reports a favorable recommendation on H.B. 311, CONTROLLED SUBSTANCE LAW AMENDMENTS, by Representative B. Dee, and recommends it be placed on the Consent Calendar.

Brad L. Dee, Chair
Reports filed. On motion of Representative Lawrence, the reports of the Political Subdivisions committee were adopted.


H.B. 311, read the second time by short title and placed on the Consent Calendar.

NOTICE OF BILL RETURNED TO RULES COMMITTEE

Mr. Speaker: February 17, 2005

The Political Subdivisions Committee has returned H.B. 333, DENSITY CREDIT FOR LAND DONATED TO SCHOOL DISTRICT, by Representative D. Cox, to the Rules Committee and recommends the bill be sent to Interim Study.

Brad L. Dee, Chair
THIRD READING CALENDAR

H.B. 281, TASK FORCE ON LEGISLATIVE REFORMS, read the third time by short title and placed on its final passage.

Representative Kiser proposed the following amendment:

1. Page 2, Line 32: Delete “four” and insert “six”

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

H.B. 281, as amended, then failed to pass on the following roll call:

Y eas, 36; Nays, 37; Absent or not voting, 2.

Voting in the affirmative were: Representatives
S. Allen Becker Biskupski Bourdeaux
Bowman Cosgrove Dougall Duckworth
Fisher Frank Goodfellow Gowans
Hansen Hardy Hendrickson Hughes
E. Hutchings Jones King Lawrence
Litvack McGee Menlove Morgan
Moss Murray Newbold Oda
Painter Ray Romero Shurtleff
Ure Wheatley Wiley Wyatt

Voting in the negative were: Representatives
Aagard Adams Alexander Barrus
Bigelow Buttars Buxton Christensen
D. Clark S. Clark D. Cox Daw
Dayton Dee Donnelson Dunnigan
Ferrin Ferry Fowlke Gibson
Harper Hogue Holdaway Hunsaker
B. Johnson Kiser Last Lockhart
Mathis Morley Noel G. Snow
Tilton Urquhart Walker Wheeler
Curtis

Absent or not voting were: Representatives
Mascaro Wallace

H.B. 281, as amended, was filed.
H.B. 291, CAPITOL PRESERVATION BOARD MODIFICATIONS, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle H.B. 291.

Sub. H.B. 211, INTEGRITY OF ELECTION RESULTS AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Dougall proposed the following amendment:

1. Page 3, Lines 76 through 77
   76 (xiii) produce a permanent paper record that is available for the voter’s inspection prior
   77 to the voter leaving the polling place that:

2. Page 3, Lines 80 through 85:
   80 (B) shall include a human readable format which shall be the ultimate record of the voter’s intent;
   82 (C) may also include a machine readable format, which may be the same as the human readable format; and
   84 (D) allows voting poll watchers and counting poll counters watchers to observe the election process to ensure its integrity.

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

Sub. H.B. 211, as amended, then passed on the following roll call:

Yeas, 66; Nays, 5; Absent or not voting, 4.

Voting in the affirmative were: Representatives
Aagard       Alexander       S. Allen       Barrus
Becker       Bigelow         Biskupski      Bourdeaux
**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Representatives</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ferry</td>
</tr>
<tr>
<td>B. Johnson</td>
</tr>
<tr>
<td>Kiser</td>
</tr>
<tr>
<td>G. Snow</td>
</tr>
<tr>
<td>Ure</td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Representatives</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adams</td>
</tr>
<tr>
<td>Buxton</td>
</tr>
<tr>
<td>Mascaro</td>
</tr>
<tr>
<td>Wallace</td>
</tr>
</tbody>
</table>

**Sub. H.B. 211**, as amended, transmitted to the Senate for its consideration.

**INTENT LANGUAGE FOR SUB. H.B. 211**

This bill shall be interpreted to:

- require the continued use of a paper record in the voting process;

- permit the continued use of automatic voting systems that are currently in use by the state as allowed by the lieutenant governor according to statute; and

- permit the existing request for proposal to purchase new voting equipment to continue without disruption

**THIRD READING CALENDAR**

**Sub. H.B. 184. CRIME VICTIMS − CHANGE OF LOCKS ON RENTAL PROPERTY**, read the third time by short title and placed on its final passage.

Representative Oda proposed the following amendment:
1. Page 2, Line 43
House Committee Amendments 2−9−2005

   (b) An owner may comply with Subsection (3)(a) by:
   (i) rekeying the lock if the lock is in good working condition; or
   (ii) changing the entire locking mechanism with a locking mechanism of
        equal or greater quality than the lock being replaced.

   An owner who installs a new lock under Subsection (3)(a) may retain a copy of the

2. Page 2, Line 45
House Committee Amendments 2−9−2005:

   Notwithstanding any rental agreement, an
   owner who installs a new lock under

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

Sub. H.B. 184, as amended, then passed on the following roll call:

Yeas, 63; Nays, 6; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| Aagard       | Adams       | S. Allen | Barrus |
| Becker       | Bigelow     | Biskupski| Bourdeaux |
| Bowman       | Butters     | Christensen | D. Clark |
| S. Clark     | Cosgrove    | D. Cox   | Daw |
| Dee          | Donnelson   | Dougall  | Duckworth |
| Dunnigan     | Ferrin      | Ferry    | Fisher |
| Frank        | Gibson      | Goodfellow | Gowans |
| Hansen       | Hardy       | Harper   | Hendrickson |
| Holdaway     | Hughes      | Hunsaker | E. Hutchings |
| B. Johnson   | Jones       | King     | Kiser |
| Last         | Lawrence    | Litvack  | McGee |
| Menlove      | Morgan      | Moss     | Murray |
| Newbold      | Noel        | Oda      | Painter |
| Ray          | Romero      | Shurtliff | G. Snow |
| Ure          | Urquhart    | Walker   | Wheatley |
| Wheeler      | Wiley       | Wyatt    | |

Voting in the negative were: Representatives

| Dayton       | Fowlke      | Mathis   | Morley |
| Tilton       | Curtis      |          | |
Absent or not voting were: Representatives
Alexander      Buxton      Hogue      Lockhart
Mascaro        Wallace

Sub. H.B. 184, as amended, transmitted to the Senate for its consideration.

***

H.B. 228, REMOVAL OR DEFACEMENT OF POLITICAL SIGNS, read the third time by short title and placed on its final passage.

H.B. 228 then failed to pass on the following roll call:

Yeas, 24; Nays, 44; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Becker        Christensen    D. Clark    S. Clark
Cosgrove      Daw            Dayton      Dougall
Fowlke        Frank          Gibson      Hughes
E. Hutchings  King           Kiser       Lockhart
McGee         Menlove        Noel        Oda
Painter       Shurtliff      Tilton      Walker

Voting in the negative were: Representatives

Aagard        Adams          Alexander    S. Allen
Barrus        Bigelow        Biskupski   Bourdeaux
Bowman        Buttars        Buxton      D. Cox
Dee           Donnelson      Duckworth   Dunnigan
Ferry          Fisher        Goodfellow  Gowans
Hardy         Harper         Hendrickson Hogue
Holdaway      Hunsaker       Jones       Last
Lawrence      Litvack        Mathis      Morgan
Moss          Murray         Newbold     Ray
Romero        G. Snow        Ure         Wheatley
Wheeler       Wiley          Wyatt       Curtis

Absent or not voting were: Representatives
Ferrin         Hansen        B. Johnson   Mascaro
Morley         Urquhart      Wallace

H.B. 228 was filed.

***

On motion of Representative Alexander, the House voted to saunter.
On motion of Representative Alexander, the House voted to cease to saunter.

**THIRD READING CALENDAR**

**H.B. 230**, RECYCLING OF WASTE TIRES, read the third time by short title and placed on its final passage.

**H.B. 230**, as amended, then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

- Aagard
- Adams
- Alexander
- S. Allen
- Barrus
- Becker
- Bigelow
- Biskupski
- Bourdeaux
- Bowman
- Buttars
- Buxton
- Christensen
- D. Clark
- S. Clark
- Cosgrove
- D. Cox
- Daw
- Dayton
- Dee
- Donnelson
- Dougall
- Duckworth
- Dunnigan
- Ferrin
- Ferry
- Frank
- Gibson
- Goodfellow
- Gowans
- Hardy
- Hendrickson
- Hogue
- Holdaway
- Hughes
- Hunsaker
- E. Hutchings
- B. Johnson
- Jones
- King
- Last
- Lawrence
- Litvack
- Lockhart
- Mascaro
- McGee
- Menlove
- Morgan
- Moss
- Murray
- Newbold
- Noel
- Oda
- Painter
- Ray
- Romero
- Shurtliff
- G. Snow
- Tilton
- Ure
- Urquhart
- Walker
- Wheatley
- Wheeler
- Wiley
- Wyatt
- Curtis

**Voting in the negative was:** Representative

- Fisher

**Absent or not voting were:** Representatives

- Fowlke
- Hansen
- Harper
- Kiser
- Mathis
- Morley
- Wallace

**H.B. 230**, as amended, transmitted to the Senate for its consideration.

***

**Sub. H.B. 83**, WEIGHTS AND MEASURES AMENDMENTS, read the third time by short title and placed on its final passage.
Sub. H.B. 83 then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaus</td>
</tr>
<tr>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
</tr>
<tr>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
</tr>
<tr>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Ferry</td>
</tr>
<tr>
<td>Fisher</td>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
</tr>
<tr>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
<td>Hendrickson</td>
</tr>
<tr>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
</tr>
<tr>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
</tr>
<tr>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
</tr>
<tr>
<td>Lockhart</td>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
</tr>
<tr>
<td>Menlove</td>
<td>Morgan</td>
<td>Morley</td>
<td>Moss</td>
</tr>
<tr>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
</tr>
<tr>
<td>Painter</td>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
</tr>
<tr>
<td>G. Snow</td>
<td>Tilton</td>
<td>Ure</td>
<td>Walker</td>
</tr>
<tr>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Alexander</th>
<th>D. Clark</th>
<th>Fowlke</th>
<th>Harper</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urquhart</td>
<td>Wallace</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Sub. H.B. 83 transmitted to the Senate for its consideration.

**UNFINISHED BUSINESS**

On motion of Representative Lockhart, the House voted to uncircle H.B. 62.

H.B. 62, AMENDMENTS TO INTERMEDIATE CARE FACILITIES FOR MENTALLY RETARDED, was before the House on its final passage.

On motion of Representative Lockhart, the House voted to delete H.B. 62 in title and body and insert Sub. H.B. 62 in lieu thereof.

On motion of Representative Lockhart, the House voted to circle Sub. H.B. 62.

**THIRD READING CALENDAR**

Sub. H.B. 204, STATUTE OF LIMITATIONS AMENDMENTS, read the third time by short title and placed on its final passage.
On motion of Representative Ferry, the House voted to circle Sub. H.B. 204.

***

H.B. 131, ACCESS TO HEALTH CARE FACILITIES AND PLACES OF WORSHIP, read the third time by short title and placed on its final passage.

On motion of Representative Ferry, the House voted to circle H.B. 131.

UNFINISHED BUSINESS

On motion of Representative D. Clark, the House voted to uncircle Sub. H.B. 204.

Sub. H.B. 204, STATUTE OF LIMITATIONS AMENDMENTS, was before the House on its final passage.

Sub. H.B. 204 then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
</tr>
<tr>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
</tr>
<tr>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
</tr>
<tr>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
</tr>
<tr>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
</tr>
<tr>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
<td>Lockhart</td>
</tr>
<tr>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morgan</td>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
</tr>
<tr>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
</tr>
<tr>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
</tr>
<tr>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting was:** Representative Alexander
Sub. H.B. 204 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

Sub. H.B. 56, DIVORCE TASK FORCE, read the third time by short title and placed on its final passage.

On motion of Representative Wallace, under suspension of the rules, the House voted to consider Sub. H.B. 56 read the first, second, and third times by short title.

Sub. H.B. 56 then passed on the following roll call:

Yeas, 62; Nays, 12; Absent or not voting, 1.

Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
</tr>
<tr>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Dougall</td>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Ferry</td>
</tr>
<tr>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
</tr>
<tr>
<td>Goodfellow</td>
<td>Hardy</td>
<td>Harper</td>
<td>Hogue</td>
</tr>
<tr>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
</tr>
<tr>
<td>Jones</td>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
</tr>
<tr>
<td>Lockhart</td>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
</tr>
<tr>
<td>Menlove</td>
<td>Morgan</td>
<td>Morley</td>
<td>Murray</td>
</tr>
<tr>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Tilton</td>
<td>Ure</td>
</tr>
<tr>
<td>Urquhart</td>
<td>Walker</td>
<td>Wallace</td>
<td>Wheeler</td>
</tr>
<tr>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Voting in the negative were: Representatives

<table>
<thead>
<tr>
<th>Bourdeaux</th>
<th>Duckworth</th>
<th>Gowans</th>
<th>Hansen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hendrickson</td>
<td>Holdaway</td>
<td>Litvack</td>
<td>Moss</td>
</tr>
<tr>
<td>Shurtliff</td>
<td>G. Snow</td>
<td>Wheatley</td>
<td>Wiley</td>
</tr>
</tbody>
</table>

Absent or not voting was: Representative

| King |

Sub. H.B. 56 transmitted to the Senate for its consideration.
RULES COMMITTEE REPORT

Mr. Speaker: February 17, 2005

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 272**, Patient Access to Providers and Contracting Amendments (Rep. R. Lockhart), be amended as follows and further recommends it be assigned to the Business and Labor Standing Committee:

1. Page 3, Line 87 through Page 4, Line 91

87 (4) If an organization permits another private entity with which it does not share common ownership or control to use or otherwise lease one or more of the organization’s networks that include participating providers, the organization shall ensure, at a minimum, that the entity pays participating providers in accordance with the same fee schedule and general payment policies as the organization would for that network unless payment for services is governed by a public program’s fee schedule.

2. Page 10, Lines 297 through 300

297 (3) Notwithstanding any other section of this title, an insurer may not take adverse action against or reduce reimbursement to a contracted provider who is not under a capitated reimbursement arrangement because of the decision of an insured to access health care services from a noncontracted provider in a manner permitted by the insured’s health insurance plan, regardless of how the plan is designated.

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

**BUSINESS AND LABOR**

**H.B. 296** Condominium Ownership Act Amendments
(Rep. C. Moss)
1st Sub. S.B. 39  Consumer Credit Protection (Sen. C. Walker)
1st Sub. S.B. 152 Business License Fees (Sen. M. Waddoups)
S.B. 157  Utah Consumer Credit Code Amendments (Sen. P. Knudson)
S.B. 158  Dishonored Instrument Amendments (Sen. P. Knudson)
S.B. 174  Security Service Amendments (Sen. R. Allen)

EDUCATION
H.B. 326  High School Curriculum and Early Graduation (Rep. B. Daw)

GOVERNMENT OPERATIONS
H.B. 379  Young Artist Provisions (Rep. G. Hughes)
1st Sub. S.B. 149 Pete Suazo Athletic Commission Amendments (Sen. E. Mayne)

HEALTH AND HUMAN SERVICES
H.B. 115  Utah Child Abuse Prevention Board (Rep. P. Ray)
1st Sub. S.B. 150  Food Safety Manager Certification (Sen. D. Peterson)

JUDICIARY
H.B. 132  Internet Crimes Against Children (Rep. T. Cosgrove)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

POLITICAL SUBDIVISIONS
H.B. 329  County Contracted Services (Rep. K. Holdaway)
1st Sub. S.B. 31  Local Government Amendments (Sen. D. Thomas)
REVENUE AND TAXATION

TRANSPORTATION
S.C.R. 5 Resolution Approving Settlement of Lawsuit (Sen. P. Knudson)

WORKFORCE SERVICES AND COMMUNITY & ECONOMIC DEVELOPMENT
H.B. 313 Economic Development Initiative for Higher Education (Rep. K. Holdaway)

Rebecca Lockhart, Chair
Report filed. On motion of Representative Lockhart, the report of the Rules Committee was adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Buttars, the House voted to allow a bill file be opened for tuition waivers for out-of-state residents.

***

On motion of Representative Alexander, the House voted to move to the Senate Third Reading Calendar.

UNFINISHED BUSINESS

On motion of Representative Dee, the House voted to uncircle Sub. S.B. 122.

Sub. S.B. 122, RESIDENT TUITION STATUS FOR JOB CORPS STUDENTS, was before the House on its final passage.

Sub. S.B. 122 then passed on the following roll call:

Yeas, 59; Nays, 12; Absent or not voting, 4.

Voting in the affirmative were: Representatives
Aagard    Adams    S. Allen    Barrus
Becker    Bigelow  Biskupski  Bourdeaux
Bowman    Buttars  Buxton     Christensen
S. Clark  Cosgrove D. Cox     Daw
Dee       Duckworth Fisher    Fowlke
Frank     Gibson   Goodfellow Gowans
Hansen       Hardy       Hendrickson    Holdaway
Hughes      Hunsaker    E. Hutchings  B. Johnson
Jones        Kiser       Last         Lawrence
Litvack      Mascaro     Mathis       McGee
Menlove      Morgan      Moss         Murray
Newbold      Noel        Oda          Painter
Ray          Romero      Shurtliff    Tilton
Ure          Walker      Wallace      Wheatley
Wheeler      Wiley       Wyatt

**Voting in the negative were:** Representatives
D. Clark    Dayton     Donnelson    Dougall
Dunnigan    Ferry       Harper       Hogue
Lockhart     Morley     Urquhart    Curtis

**Absent or not voting were:** Representatives
Alexander    Ferrin     King         G. Snow

**Sub. S.B. 122** was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

**MISCELLANEOUS BUSINESS**

On motion of Representative Urquhart, the House voted to adjourn until February 18, 2005, at 10:00 a.m.
THIRTY-THIRD DAY

MORNING SESSION

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

Roll call showed all members present except Representatives Ron Bigelow and Jim Ferrin, excused.

Pledge of Allegiance and prayer by Representative Michael E. Noel.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 17, 2005

The Senate passed, as substituted, and amended 1st Sub. S.B. 64, REAL ESTATE TRANSACTIONS AND SECURITIES, by Senator L. A. Mansell, and it is transmitted for consideration; and

The Senate passed, as amended, S.B. 77, AMENDMENTS TO INDOOR CLEAN AIR ACT, by Senator M. Waddoups, and it is transmitted for consideration; and

The Senate passed, as amended, S.B. 139, MINIMUM WAGE PROVISIONS, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed S.C.R. 10, CONCURRENT RESOLUTION HONORING UTAH FOUNDATION, by Senator L. A. Mansell, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate


Mr. Speaker: February 17, 2005

The President of the Senate has signed H.B. 30, CONSUMER SALES PRACTICES ACT AMENDMENTS, by Representative T. Kiser, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate
Communication filed. **H.B. 30** was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

**CONSENT CALENDAR**

**H.B. 233**, ADOPTION LAW REVISIONS, read the third time by short title and placed on its final passage.

**H.B. 233**, as amended, then passed on the following roll call:

**Yeas, 64; Nays, 0; Absent or not voting, 11.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bowman</td>
<td>Buttars</td>
</tr>
<tr>
<td>Buxton</td>
<td>Christensen</td>
<td>S. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
</tr>
<tr>
<td>Ferry</td>
<td>Hansen</td>
<td>Hardy</td>
<td>Harper</td>
</tr>
<tr>
<td>Goodfellow</td>
<td>Hansen</td>
<td>Hardy</td>
<td>Harper</td>
</tr>
<tr>
<td>Hendrickson</td>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
</tr>
<tr>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>King</td>
<td>Kiser</td>
</tr>
<tr>
<td>Last</td>
<td>Lawrence</td>
<td>Lockhart</td>
<td>Mascaro</td>
</tr>
<tr>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
</tr>
<tr>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
</tr>
<tr>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
</tr>
<tr>
<td>Romero</td>
<td>Shurtliff</td>
<td>G. Snow</td>
<td>Tilton</td>
</tr>
<tr>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
<td>Wallace</td>
</tr>
<tr>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wyatt</td>
<td>Curtis</td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Bigelow</th>
<th>Biskupski</th>
<th>Bourdeaux</th>
<th>D. Clark</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ferrin</td>
<td>Fowlke</td>
<td>Gowans</td>
<td>Hogue</td>
</tr>
<tr>
<td>Jones</td>
<td>Litvack</td>
<td>Wiley</td>
<td></td>
</tr>
</tbody>
</table>

**H.B. 233**, as amended, transmitted to the Senate for its consideration.

**S.B. 55**, ACCESS TO PATIENT MEDICAL RECORDS, read the third time by short title and placed on its final passage.

**S.B. 55** then passed on the following roll call:
Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Biskupski Bourdeaux
Bowman Buttars Buxton Christensen
S. Clark Cosgrove D. Cox Daw
Dayton Dee Donnelson Dougall
Duckworth Dunnigan Ferry Fisher
Fowlke Frank Gibson Goodfellow
Gowans Hansen Harper Hendrickson
Hogue Holdaway Hughes Hunsaker
E. Hutchings B. Johnson Jones King
Kiser Last Lawrence Lockhart
Mascaro Mathis McGee Menlove
Morgan Morley Moss Murray
Newbold Noel Oda Painter
Ray Romero Shurtliff G. Snow
Tilton Ure Urquhart Walker
Wallace Wheatley Wheeler Wiley
Wyatt Curtis

Absent or not voting were: Representatives
Bigelow D. Clark Ferrin Hardy
Litvack

S.B. 55 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

H.B. 273, REAL ESTATE AND MECHANICS LIENS − SECURITY ALTERNATIVES, read the third time by short title and placed on its final passage.

H.B. 273 then passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives
Aagard Adams S. Allen Barrus
Becker Biskupski Bourdeaux Bowman
Buttars Buxton Christensen S. Clark
Cosgrove  D. Cox  Daw  Dayton  
Dee  Donnelson  Dougall  Duckworth  
Dunnigan  Ferry  Fisher  Fowlke  
Frank  Gibson  Goodfellow  Gowans  
Hansen  Hardy  Harper  Hendrickson  
Holdaway  Hughes  Hunsaker  E. Hutchings  
B. Johnson  Jones  King  Kiser  
Last  Lockhart  Mascaro  Mathis  
McGee  Menlove  Morgan  Morley  
Moss  Murray  Newbold  Noel  
Oda  Painter  Ray  Romero  
G. Snow  Tilton  Ure  Urquhart  
Walker  Wallace  Wheeler  Wiley  

Absent or not voting were: Representatives
Alexander  Bigelow  D. Clark  Ferrin  
Hogue  Lawrence  Litvack  Shurtliff  
Wheatley  Wyatt  

H.B. 273 transmitted to the Senate for its consideration.

***

H.B. 349, MONEY MANAGEMENT ACT AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 349, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard  Adams  S. Allen  Barrus  
Becker  Biskupski  Bourdeaux  Bowman  
Buttars  Buxton  Christensen  D. Clark  
S. Clark  Cosgrove  D. Cox  Daw  
Dayton  Dee  Donnelson  Dougall  
Duckworth  Dunnigan  Ferry  Fisher  
Fowlke  Frank  Gibson  Goodfellow  
Gowans  Hansen  Harper  Hendrickson  
Hogue  Holdaway  Hughes  Hunsaker  
E. Hutchings  B. Johnson  Jones  King  
Kiser  Last  Lawrence  Lockhart
Absent or not voting were: Representatives
Alexander  Bigelow  Ferrin  Hardy
Litvack

H.B. 349, as amended, transmitted to the Senate for its consideration.

***

H.R. 9, HOUSE RESOLUTION DISCOURAGING PARTICIPATION IN FREE TRADE AREAS OF THE AMERICAS, read the third time by short title and placed on its final passage.

H.R. 9 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard  Adams  S. Allen  Barrus
Becker  Bourdeaux  Bowman  Buttars
Christensen  S. Clark  Cosgrove  D. Cox
Daw  Dayton  Dee  Donnelson
Duckworth  Dunnigan  Frank  Goodfellow
Gowans  Hansen  Harper  Hendrickson
Hogue  Holdaway  Hughes  Hunsaker
E. Hutchings  B. Johnson  Jones  King
Kiser  Last  Lawrence  Litvack
Lockhart  Mascaro  Mathis  Menlove
Morgan  Morley  Moss  Murray
Newbold  Noel  Oda  Painter
Ray  Romero  Shurtleff  G. Snow
Tilton  Ure  Urquhart  Walker
Wallace  Wheeler  Wiley  Wyatt
Curtis

Voting in the negative were: Representatives
Biskupski  Buxton  Dougall  Fisher
Fowlke  Gibson  Hardy  McGee
Absent or not voting were: Representatives
Alexander   Bigelow   D. Clark   Ferrin
Ferry       Wheatley

H.R. 9 was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Lt. Governor.

***

H.B. 348, EMPLOYMENT AGENCY REVISIONS, read the third time by short title and placed on its final passage.

H.B. 348 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard   Adams   S. Allen   Barrus
Becker   Biskupski   Bourdeaux   Bowman
Buttars  Buxton   Christensen   S. Clark
Cosgrove D. Cox  Daw       Dayton
Dee      Donnelly  Dougall   Duckworth
Dunnigan Ferry   Fisher    Fowlke
Frank    Gibson   Goodfellow  Gowans
Hansen   Hardy    Harper    Hendrickson
Hogue    Holdaway Hughes   Hunsaker
E. Hutchings B. Johnson Jones   King
Kiser     Last     Lawrence  Litvack
Lockhart Mascaro Mathis    McGee
Menlove Morgan  Morley  Moss
Murray   Newbold  Noel    Painter
Ray      Romero  Shurtliff  G. Snow
Tilton   Ure      Urquhart  Walker
Wheeler  Wiley   Wyatt   Curtis

Absent or not voting were: Representatives
Alexander   Bigelow   D. Clark   Ferrin
Oda         Wallace   Wheatley

H.B. 348 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 85, HEALTH INSURANCE HIGH RISK POOL – ELIGIBILITY AMENDMENTS, read the third time by short title and placed on its final passage.
On motion of Representative Ferry, the House voted to circle **H.B. 85**.

***

**H.B. 263**, **INSURERS REHABILITATION AND LIQUIDATION**, read the third time by short title and placed on its final passage.

On motion of Representative Dougall, the House voted to circle **H.B. 263**.

***

**H.B. 269**, **SALES MARKETING REQUIREMENTS**, read the third time by short title and placed on its final passage.

Representative Allen proposed the following amendment:

1. Page 1, Line 17

   17 • {commercially reasonable} terms for repurchase of inventory from participants;

2. Page 3, Line 66:

   66 [(4)] (3) “Consideration” {means} includes a payment of any money, or the purchase of goods,

3. Page 3, Line 76:

   76 within:
   (i) its commercially reasonable use {of} or shelf-life period, if that period is clearly and conspicuously disclosed to the participant prior to the participant’s purchase of the inventory; or
   (ii) if the requirement of Subsection (5)(a) is not met, 12 months from the date of the participant’s original purchase of the inventory;

4. Page 3, Lines 80 through 82:

   80 (c) does not include inventory that has been clearly described to the participant {prior to}
   81 purchase, as seasonal, discontinued, or special promotion products not subject to the
   82 operation’s inventory repurchase program, if this description is:
   (i) in at least 12 point type on the front page of a disclosure form; and
   (ii) prior to the participant’s purchase of inventory under this Subsection
(5)(c):
(A) signed by the participant; or
(B) acknowledged in another manner by the participant, if the operation
maintains evidence of the acknowledgment.

5. Page 3, Lines 86 through 88:
86 (7) “Inventory loading” means that the operation requires or
encourages its
87 salespersons } participants to purchase inventory in an
88 amount that unreasonably exceeds that which the

6. Page 4, Lines 99 through 100:
99 from the sale of goods, services, { or } other intangible
property { to participants or } , or other property by
participants
100 to others who are not participants .

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

H.B. 269, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams Barrus Becker
Biskupski Bourdeaux Bowman Buttars
Buxton S. Clark Cosgrove D. Cox
Daw Dayton Dee Donnelson
Dougall Duckworth Dunnigan Ferry
Fisher Fowlke Frank Gibson
Goodfellow Gowans Hansen Hardy
Harper Hogue Hughes Hunsaker
E. Hutchings B. Johnson Jones King
Kiser Last Lawrence Litvack
Lockhart Mascaro Mathis McGee
Menlove Morgan Morley Moss
Murray Newbold Noel Oda
Painter Romero Shurtliff G. Snow
Voting in the negative were: Representatives
S. Allen Hendrickson Holdaway

Absent or not voting were: Representatives
Alexander Bigelow Christensen D. Clark Ferrin Ray

H.B. 269, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Urquhart, the House voted to uncircle Sub. H.B. 235.

Sub. H.B. 235, INSURANCE ARBITRATION AMENDMENTS, was before the House on its final passage.

Representative Wyatt proposed the following amendment:

1. Page 1, Lines 22 through 24
   House Committee Amendments 2−7−2005
   22 provides that if a plaintiff, as the moving party in a trial de novo, does not receive a
   23 verdict that is at least $5,000 or is at least 20% greater than the arbitration award
   23a $5,000 or $5,000, the
   24 plaintiff is responsible for the nonmoving party’s costs;

2. Page 3, Lines 76 through 77:
   76 (a) each party shall pay an equal share of the fees and costs of the arbitrator selected under Subsection (4)(a); and

3. Page 3, Lines 81 through 82:
   81 (ii) each party shall pay an equal share of the fees and costs of the arbitrator selected
82 under Subsection (4)(d)(ii).

4. Page 4, Lines 108 through 111

House Committee Amendments 2–7–2005:

108 (11) (a) If the plaintiff, as the moving party in a trial de novo requested under

109 Subsection (9), does not obtain a verdict that is at least \( \frac{5,000}{20\%} \)

109a \( \frac{5,000}{20\%} \) greater than the

110 arbitration award, \( \frac{5,000}{20\%} \) the plaintiff is responsible for all of the nonmoving

110a party’s

111 costs.

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

Sub. H.B. 235, as amended, then passed on the following roll call:

Yeas, 63; Nays, 1; Absent or not voting, 11.

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>S. Allen</th>
<th>Barrus</th>
<th>Biskupski</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>Christensen</td>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferry</td>
</tr>
<tr>
<td>Fisher</td>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
</tr>
<tr>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
<td>Harper</td>
</tr>
<tr>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hughes</td>
</tr>
<tr>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>Jones</td>
<td>King</td>
</tr>
<tr>
<td>Kiser</td>
<td>Lawrence</td>
<td>Litvack</td>
<td>Lockhart</td>
</tr>
<tr>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morgan</td>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
</tr>
<tr>
<td>Noel</td>
<td>Painter</td>
<td>Ray</td>
<td>Romero</td>
</tr>
<tr>
<td>Shurtliff</td>
<td>G. Snow</td>
<td>Tilton</td>
<td>Ure</td>
</tr>
<tr>
<td>Urquhart</td>
<td>Walker</td>
<td>Wheatley</td>
<td>Wheeler</td>
</tr>
<tr>
<td>Wiley</td>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative was:** Representative Oda
Absent or not voting were: Representatives
Adams Alexander Becker Bigelow
D. Clark Ferrin Fowlke B. Johnson
Last Morley Wallace

Sub. H.B. 235, as amended, transmitted to the Senate for its consideration.

***

On motion of Representative Dougall, the House voted to uncircle Sub. H.B. 174.

Sub. H.B. 174. CHILD PROTECTION REGISTRY AMENDMENTS, was before the House on its final passage.

On motion of Representative Ferry, the House voted to circle Sub. H.B. 174.

THIRD READING CALENDAR

Sub. H.B. 63. SCHOOL DISTRICT AMENDMENTS, read the third time by short title and placed on its final passage.

Sub. H.B. 63 then passed on the following roll call:

Yeas, 60; Nays, 7; Absent or not voting, 8.

Voting in the affirmative were: Representatives
Aagard Adams S. Allen Barrus
Becker Bowman Butters S. Clark
Cosgrove D. Cox Daw Dayton
Dee Donnelson Dougall Duckworth
Dunnigan Ferry Fisher Fowlke
Frank Gibson Goodfellow Hansen
Hardy Harper Hogue Holdaway
Hughes Hunsaker E. Hutchings B. Johnson
Jones King Kiser Last
Lawrence Litvack Lockhart Mascaro
Mathis McGee Menlove Morley
Murray Newbold Noel Oda
Painter Ray Shurtleff G. Snow
Tilton Ure Urquhart Walker
Wheatley Wheeler Wyatt Curtis

Voting in the negative were: Representatives
Biskupski Gowans Hendrickson Morgan
Moss Romero Wiley
**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Alexander</th>
<th>Bigelow</th>
<th>Bourdeaux</th>
<th>Buxton</th>
</tr>
</thead>
<tbody>
<tr>
<td>Christensen</td>
<td>D. Clark</td>
<td>Ferrin</td>
<td>Wallace</td>
</tr>
</tbody>
</table>

Sub. H.B. 63 transmitted to the Senate for its consideration.

**UNFINISHED BUSINESS**

On motion of Representative Litvack, the House voted to uncircle H.B. 85.

H.B. 85, HEALTH INSURANCE HIGH RISK POOL – ELIGIBILITY AMENDMENTS, was before the House on its final passage.

H.B. 85 then passed on the following roll call:

**Yeas, 63; Nays, 2; Absent or not voting, 10.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
<td>Bowman</td>
</tr>
<tr>
<td>Buttars</td>
<td>Christensen</td>
<td>S. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferry</td>
</tr>
<tr>
<td>Fisher</td>
<td>Fowlke</td>
<td>Gibson</td>
<td>Goodfellow</td>
</tr>
<tr>
<td>Hansen</td>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
</tr>
<tr>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
</tr>
<tr>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
</tr>
<tr>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
</tr>
<tr>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morgan</td>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
</tr>
<tr>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
</tr>
<tr>
<td>Romero</td>
<td>Shurtleff</td>
<td>Tilton</td>
<td>Ure</td>
</tr>
<tr>
<td>Urquhart</td>
<td>Walker</td>
<td>Wheatley</td>
<td>Wheeler</td>
</tr>
<tr>
<td>Wiley</td>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

Frank Wallace

**Absent or not voting were:** Representatives

| Alexander | Bigelow | Buxton | D. Clark |
| Dee | Ferrin | Gowans | Lockhart |
| Morley | G. Snow |

H.B. 85 transmitted to the Senate for its consideration.
THIRD READING CALENDAR

Sub. H.B. 84, READING REQUIREMENTS FOR STUDENT ADVANCEMENT, read the third time by short title and placed on its final passage.

Sub. H.B. 84, as amended, then failed to pass on the following roll call:

Y eas, 28; Nays, 37; Absent or not voting, 10.

Voting in the affirmative were: Representatives
Aagard          Alexander          Barrus          Becker
Biskupski       Bourdeaux         Bowman         Cosgrove
Donnelson       Dougall          Goodfellow      Hansen
Hendrickson     Hughes           E. Hutchings    B. Johnson
Jones           Litvack          Mascaro        Mathis
McGee           Morgan           Moss            Newbold
Urquhart        Wheatley        Wheeler        Wyatt

Voting in the negative were: Representatives
Adams           S. Allen          Buttars        Buxton
Christensen     S. Clark         D. Cox         Daw
Dayton          Dee              Dunnigan       Ferry
Fowlke          Frank            Gibson         Gowans
Hardy           Harper           Hogue          Holdaway
Hunsaker        Kiser            Last           Lawrence
Lockhart        Menlove          Murray         Noel
Oda             Painter          Romero         G. Snow
Tilton          Ure              Walker         Wallace
Curtis

Absent or not voting were: Representatives
Bigelow         D. Clark         Duckworth      Ferrin
Fisher          King             Morley         Ray
Shurtliff       Wiley

Sub. H.B. 84 was filed.

MISCELLANEOUS BUSINESS

On motion of Representative Morley, the House voted to reconsider its action on H.B. 163.

RECONSIDERATION OF H.B. 163

H.B. 163, GARNISHMENT FEES, was before the House on its final passage.
On motion of Representative Mascaro, the House voted to circle **H.B. 163**.

**MISCELLANEOUS BUSINESS**

On motion of Representative Alexander, the House voted to recess until 2:00 p.m.

**AFTERNOON SESSION**

The House was called to order by Speaker Curtis at 2:00 p.m.

**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker: February 18, 2005

The Senate passed, as amended, **S.B. 232**, EXECUTIVE DIRECTOR OF DEPARTMENT OF HEALTH ISSUES, by Senator S. Killpack, and it is transmitted for consideration; and

The Senate passed **S.B. 223**, OVERSIGHT AND ENFORCEMENT OF WORK DONE ON MOBILE HOMES, by Senator E. Mayne, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **1st Sub. S.B. 215**, FINANCIAL INSTITUTIONS AS LIMITED LIABILITY COMPANIES, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed **S.B. 29**, LICENSING OF CRANE OPERATORS, by Senator G. Davis, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 65**, ALCOHOLIC BEVERAGE CONTROL AMENDMENTS, by Senator P. Knudson, and it is transmitted for consideration; and

The Senate passed **S.B. 162**, CHANGES TO 2004 GENERAL OBLIGATION BOND, by Senator R. Allen, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **1st Sub. S.B. 164**, INDIVIDUAL INCOME TAX – TAX CREDIT FOR LIVE ORGAN DONATION EXPENSES, by Senator K. Hale, et al, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 167**, PENALTIES FOR FALSE DRIVER LICENSES AND IDENTIFICATION CARDS, by Senator C. Walker, and it is transmitted for consideration; and
The Senate passed **S.B. 188**, CLASSIFYING OFF−HIGHWAY VEHICLES AS ALLOWED ON DESIGNATED ROADS, by Senator T. Hatch, and it is transmitted for consideration; and

The Senate passed **S.B. 190**, COUNTY OFFICER AMENDMENTS, by Senator C. Bramble, and it is transmitted for consideration; and

The Senate passed **S.B. 207**, MOTOR VEHICLE INSURANCE COVERAGE AMENDMENTS, by Senator D. Eastman, and it is transmitted for consideration; and

The Senate passed **S.C.R. 6**, RESOLUTION SUPPORTING THE GOLDEN RULE PROJECT, by Senator F. Fife, et al, and it is transmitted for consideration; and

The Senate passed **S.J.R. 14**, JOINT RESOLUTION ON STROKE AWARENESS, by Senator P. Knudson, and it is transmitted for consideration; and

The Senate passed **S.J.R. 15**, JOINT RESOLUTION URGING MEDICAID REFORM, by Senator P. Knudson, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate


***

Mr. Speaker: February 18, 2005

The Senate concurred in the House amendments and passed **S.B. 14**, UNIFORM PARENTAGE ACT, by Senator L. Hillyard, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **2nd Sub. S.B. 48**, INSURANCE CANCELLATION AND NONRENEWAL RESTRICTIONS, by Senator P. Arent, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **S.B. 14** and **2nd Sub. S.B. 48** were signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.
REPORTS OF STANDING COMMITTEES

Mr. Speaker:  February 18, 2005

The Judiciary Committee reports a favorable recommendation on H.B. 275, BUSINESS ENTITY AMENDMENTS, by Representative R. Romero; and

The Judiciary Committee reports a favorable recommendation on S.B. 138, JUDGMENT INTEREST AMENDMENTS, by Senator E. Mayne.

James A. Ferrin, Chair
Reports filed. On motion of Representative Ferry, the reports of the Judiciary committee were adopted.

H.B. 275 and S.B. 138, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:  February 18, 2005

The Natural Resources, Agriculture, and Environment Committee recommends H.B. 308, ARCHEOLOGICAL RESOURCES AMENDMENTS, by Representative B. Johnson, be replaced and favorably recommends 1st Sub. H.B. 308, ARCHEOLOGICAL RESOURCES AMENDMENTS.

Roger E. Barrus, Chair
Report filed. On motion of Representative Barrus, the report of the Natural Resources, Agriculture, and Environment committee was adopted.

Sub. H.B. 308, read the second time by short title and placed on the calendar for third reading.

* * *

Mr. Speaker:  February 18, 2005

The Transportation Committee recommends H.B. 261, MOTORBOAT LIABILITY INSURANCE AND UNINSURED MOTORIST AND MOTORBOAT IDENTIFICATION DATABASE PROGRAM AMENDMENTS, by Representative K. Gibson, be replaced and reports a favorable recommendation on 1st Sub. H.B. 261, MOTORBOAT LIABILITY INSURANCE AMENDMENTS with the following amendments and recommends that it be considered read for the first and second times:
1. Page 8, Line 240:

240 (b) “Motorboat” includes personal watercraft regardless of the manufacturer listed horsepower.

The Transportation Committee reports a favorable recommendation on S.B. 49, MOTOR VEHICLE LIABILITY COVERAGE AMENDMENTS, by Senator D. Eastman; and

The Transportation Committee reports a favorable recommendation on S.B. 114, COUNTY AND MUNICIPAL ZONING REGARDING BILLBOARDS, by Senator M. Waddoups.

Joseph G. Murray, Chair
Reports filed. On motion of Representative Murray, the reports of the Transportation committee were adopted.

Sub. H.B. 261, as amended, read the first and second times by short title and placed on the calendar for third reading.

S.B. 49 and S.B. 114, read the second time by short title and placed on the calendar for third reading.

CONCURRENCE CALENDAR

On motion of Representative Dee, the House voted to concur in the Senate amendments to H.B. 11, ECONOMIC DEVELOPMENT INCENTIVES.

H.B. 11, as amended by the Senate, then passed on the following roll call:

Yeas, 54; Nays, 14; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Aagard  Adams  S. Allen  Barrus
Becker  Bigelow  Biskupski  Bourdeaux
Buttars  Buxton  D. Clark  S. Clark
Cosgrove  D. Cox  Dee  Duckworth
Ferry  Fisher  Fowlke  Frank
Gibson  Goodfellow  Gowans  Hansen
Hardy  Harper  Hendrickson  Hogue
Holdaway  Hunsaker  B. Johnson  Jones
King  Last  Lawrence  Litvack
Lockhart  Mascaro  Mathis  Menlove
Morgan  Moss  Murray  Noel
Ray  Romero  Shurtliff  G. Snow
Walker  Wallace  Wheatley  Wheeler
Wiley  Wyatt

Voting in the negative were: Representatives
Alexander  Christensen  Daw  Dayton
Donnelson  Dougall  Hughes  Kiser
Morley  Newbold  Oda  Painter
Tilton  Curtis

Absent or not voting were: Representatives
Bowman  Dunnigan  Ferrin  E. Hutchings
McGee  Ure  Urquhart

H.B. 11, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Dee, the House voted to concur in the Senate amendments to H.B. 55, DRUG OFFENSE PENALTY ENHANCEMENTS.

H.B. 55, as amended by the Senate, then passed on the following roll call:

Yeas, 53; Nays, 18; Absent or not voting, 4.

Voting in the affirmative were: Representatives
Aagard  Adams  S. Allen  Barrus
Becker  Bigelow  Biskupski  Bourdeaux
Bowman  Buttars  Buxton  D. Clark
S. Clark  Cosgrove  D. Cox  Daw
Dee  Dougall  Duckworth  Dunnigan
Ferry  Fisher  Fowlke  Gibson
Goodfellow  Gowans  Hansen  Hardy
Harper  Hendrickson  Holdaway  Hunsaker
E. Hutchings  B. Johnson  Jones  King
Last  Lawrence  Mascaro  McGee
Menlove  Morgan  Moss  Murray
Noel  Oda  Painter  Romero
Shurtliff  G. Snow  Wallace  Wheeler
Wyatt

Voting in the negative were: Representatives
Alexander  Christensen  Dayton  Donnelson
Frank  Hogue  Hughes  Kiser
Absent or not voting were: Representatives

Ferrin  Tilton  Urquhart  Wiley

H.B. 55, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Harper, the House voted to concur in the Senate amendments to **H.B. 183, VERIFICATION OF ELIGIBILITY FOR FEE WAIVERS.**

H.B. 183, as amended by the Senate, then passed on the following roll call:

**Yeas, 57; Nays, 6; Absent or not voting, 12.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Biskupski</td>
<td>Bowman</td>
</tr>
<tr>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferry</td>
</tr>
<tr>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
</tr>
<tr>
<td>Hansen</td>
<td>Hardy</td>
<td>Harper</td>
<td>Hogue</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>B. Johnson</td>
</tr>
<tr>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Lockhart</td>
<td>Mascaro</td>
<td>Mathis</td>
</tr>
<tr>
<td>Menlove</td>
<td>Morgan</td>
<td>Morley</td>
<td>Moss</td>
</tr>
<tr>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
</tr>
<tr>
<td>Ray</td>
<td>G. Snow</td>
<td>Tilton</td>
<td>Ure</td>
</tr>
<tr>
<td>Walker</td>
<td>Wallace</td>
<td>Wheeler</td>
<td>Wiley</td>
</tr>
<tr>
<td>Curtis</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Bourdeaux</th>
<th>Goodfellow</th>
<th>Hendrickson</th>
<th>Litvack</th>
</tr>
</thead>
<tbody>
<tr>
<td>Romero</td>
<td>Wheatley</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Bigelow</th>
<th>Buttars</th>
<th>Buxton</th>
<th>Christensen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ferrin</td>
<td>Gowans</td>
<td>E. Hutchings</td>
<td>McGee</td>
</tr>
<tr>
<td>Painter</td>
<td>Shurtliff</td>
<td>Urquhart</td>
<td>Wyatt</td>
</tr>
</tbody>
</table>
H.B. 183, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Dougall, the House voted to concur in the Senate amendments to H.B. 221, ELECTRONIC COMMUNICATION HARASSMENT.

H.B. 221, as amended by the Senate, then passed on the following roll call:

Y eas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Bigelow  Biskupski
Bourdeaux  Bowman  Buttars  Christensen
D. Clark  S. Clark  Cosgrove  D. Cox
Daw  Dayton  Dee  Donnelson
Dougall  Duckworth  Dunnigan  Ferry
Fisher  Fowlke  Gibson  Goodfellow
Hansen  Hardy  Harper  Hendrickson
Hogue  Holdaway  Hughes  Hunsaker
E. Hutchings  B. Johnson  Jones  King
Kiser  Last  Lawrence  Litvack
Lockhart  Mascaro  Mathis  McGee
Menlove  Morgan  Morley  Moss
Murray  Newbold  Noel  Oda
Painter  Romero  Shurtleff  G. Snow
Tilton  Ure  Walker  Wallace
Wheatley  Wheeler  Wiley  Wyatt
Curtis

Absent or not voting were: Representatives

Buxton  Ferrin  Frank  Gowans
Ray  Urquhart

H.B. 221, as amended by the Senate, transmitted to the Senate for signature of the president.

UNFINISHED BUSINESS

On motion of Representative Mascaro, the House voted to uncircle H.B. 163.
H.B. 163, GARNISHMENT FEES, was before the House on its final passage.

H.B. 163 then passed on the following roll call:

**Y eas, 40; Nays, 31; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives
- Alexander
- Barrus
- Becker
- Biskupski
- Bourdeaux
- Buttars
- D. Clark
- S. Clark
- Cosgrove
- Dee
- Donnelson
- Dougall
- Dunnigan
- Fowlke
- Hardy
- Hogue
- Holdaway
- E. Hutchings
- Jones
- King
- Kiser
- Last
- Lawrence
- Litvack
- Lockhart
- Mascaro
- McGee
- Menlove
- Morgan
- Morley
- Moss
- Noel
- Romero
- Shurtliff
- Ure
- Wallace
- Wheatley
- Wheeler
- Wiley
- Wyatt

**Voting in the negative were:** Representatives
- Aagard
- S. Allen
- Bigelow
- Bowman
- Christensen
- D. Cox
- Daw
- Dayton
- Duckworth
- Ferry
- Fisher
- Frank
- Gibson
- Goodfellow
- Gowans
- Harper
- Hendrickson
- Hughes
- Hunsaker
- B. Johnson
- Mathis
- Murray
- Newbold
- Oda
- Painter
- Ray
- G. Snow
- Tilton
- Urquhart
- Walker
- Curtis

**Absent or not voting were:** Representatives
- Adams
- Buxton
- Ferrin
- Hansen

H.B. 163 transmitted to the Senate for its consideration.

***

On motion of Representative Lockhart, the House voted to uncircle Sub. H.B. 62.

Sub. H.B. 62, AMENDMENTS TO INTERMEDIATE CARE FACILITIES FOR MENTALLY RETARDED, was before the House on its final passage.

Sub. H.B. 62 then passed on the following roll call:

**Y eas, 69; Nays, 0; Absent or not voting, 6.**
**Voting in the affirmative were:** Representatives

Aagard  Adams  Alexander  S. Allen  
Barrus  Becker  Bigelow  Biskupski  
Bourdeaux  Bowman  Buttars  Buxton  
Christensen  D. Clark  S. Clark  Cosgrove  
D. Cox  Daw  Dayton  Dee  
Donnelson  Dougall  Duckworth  Dunnigan  
Ferry  Fisher  Fowlke  Frank  
Goodfellow  Hardy  Harper  Hendrickson  
Holdaway  Hughes  Hunsaker  E. Hutchings  
B. Johnson  Jones  King  Kiser  
Last  Lawrence  Litvack  Lockhart  
Mascaro  Mathis  McGee  Menlove  
Morgan  Morley  Moss  Murray  
Newbold  Noel  Oda  Painter  
Romero  Shurtliff  G. Snow  Tilton  
Ure  Urquhart  Walker  Wallace  
Wheatley  Wheeler  Wiley  Wyatt  
Curtis

**Absent or not voting were:** Representatives

Ferrin  Gibson  Gowans  Hansen  
Hogue  Ray

Sub. H.B. 62 transmitted to the Senate for its consideration.

***

On motion of Representative Dougall, the House voted to uncircle Sub. H.B. 174.

Sub. H.B. 174, CHILD PROTECTION REGISTRY AMENDMENTS, was before the House on its final passage.

On motion of Representative Dougall, the House voted to delete


3rd Sub. H.B. 174 then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard  Adams  Alexander  S. Allen  
Barrus  Becker  Bigelow  Biskupski
Absent or not voting were: Representatives

D. Clark  D. Cox  Ferrin  Gowans
Mascaro  Curtis

3rd Sub. H.B. 174 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

3rd Sub. H.B. 151, SCHOOL COMMUNITY COUNCILS, read the third
time by short title and placed on its final passage.

3rd Sub. H.B. 151 then passed on the following roll call:

Yeas, 57; Nays, 8; Absent or not voting, 10.

Voting in the affirmative were: Representatives

Aagard  S. Allen  Barrus  Becker
Bigelow  Biskupski  Bowman  Buttars
Christensen  D. Clark  S. Clark  Cosgrove
D. Cox  Daw  Dayton  Donnelson
Dougall  Duckworth  Ferry  Fisher
Fowlke  Frank  Gibson  Goodfellow
Gowans  Hansen  Hardy  Harper
Hogue  Hughes  Hunsaker  E. Hutchings
Jones  King  Kiser  Last
Lawrence  Litvack  Mascaro  Mathis
Voting in the negative were: Representatives
Buxton         Hendrickson        Holdaway        B. Johnson
Moss           Ray               Romero          Wiley

Absent or not voting were: Representatives
Adams          Alexander         Bourdeaux       Dee
Dunnigan       Ferrin           Lockhart        Morley
Wallace        Curtis

3rd Sub. H.B. 151 transmitted to the Senate for its consideration.

* * *

H.B. 206, CHARTER SCHOOL REPORTING, read the third time by short title and placed on its final passage.

Representative Dayton proposed the following amendment:

1. Page 2, Lines 33–34:
   Delete lines 33 and 34.

2. Page 3, Line 63:
   Delete “shall” and insert “may”

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

H.B. 206, as amended, then passed on the following roll call:

Yeas, 52; Nays, 18; Absent or not voting, 5.

Voting in the affirmative were: Representatives
Aagard          Adams            Alexander        S. Allen
Barrus          Becker          Bigelow         Biskupski
Buxton          Christensen     D. Clark         Cosgrove
D. Cox          Daw             Dayton          Dee
Donnelson       Dougall         Duckworth       Fisher
Fowlke          Gibson          Goodfellow      Gowans
Hansen          Hardy           Harper          Hendrickson
Hogue Holdaway Hughes E. Hutchings
Jones King Last Lawrence
Litvack Lockhart Mascaro McGee
Menlove Morgan Moss Murray
Newbold Noel Ray Romero
Shurtliff Walker Wheatley Wiley

Voting in the negative were: Representatives
Bowman Buttars S. Clark Dunnigan
Ferry Frank Hunsaker B. Johnson
Kiser Mathis Morley Oda
Painter G. Snow Ure Urquhart
Wallace Wheeler

Absent or not voting were: Representatives
Bourdeaux Ferrin Tilton Wyatt
Curtis

H.B. 206, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 231, SCHOOL DISTRICT BOUNDARIES, read the third time by short title and placed on its final passage.

H.B. 231 then passed on the following roll call:

Yeas, 50; Nays, 18; Absent or not voting, 7.

Voting in the affirmative were: Representatives
Aagard Adams S. Allen Barrus
Becker Bigelow Bowman Buttars
Buxton S. Clark Cosgrove D. Cox
Daw Dayton Dee Donnelson
Dougall Dunnigan Ferrin Ferry
Fisher Fowlke Frank Gibson
Goodfellow Hardy Harper Hogue
Holdaway Hughes Hunsaker E. Hutchings
B. Johnson Lawrence Lockhart Mascaro
Mathis McGee Morgan Noel
Painter Ray G. Snow Ure
Urquhart Walker Wallace Wheatley
Wheeler Wyatt
Voting in the negative were: Representatives
Alexander        Biskupski        Bourdeaux        Christensen
D. Clark         Duckworth       Hendrickson      Jones
Kiser            Last            Litvack          Morley
Moss             Murray          Newbold          Romero
Shurtliff        Wiley

Absent or not voting were: Representatives
Gowans           Hansen          King             Menlove
Oda              Tilton          Curtis

H.B. 231 transmitted to the Senate for its consideration.

* * *

2nd Sub. H.R. 7, HOUSE RULES RESOLUTION – COMMITTEE REPORT, read the third time by short title and placed on its final passage.

On motion of Representative Ure, the House voted to circle 2nd Sub. H.R. 7.

* * *

H.B. 116, PRIVATE ACTIVITY BOND AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 116 then passed on the following roll call:

Yeas, 64; Nays, 0; Absent or not voting, 11.

Voting in the affirmative were: Representatives
Aagard           Adams           Alexander        S. Allen
Barrus           Becker          Bigelow          Biskupski
Bourdeaux        Bowman         Buttars          Christensen
S. Clark         Cosgrove        D. Cox           Daw
Dayton           Dee             Donnelson        Dougall
Duckworth        Dunnigan        Ferrin           Ferry
Fisher           Frank           Gibson           Goodfellow
Gowans           Hansen          Hardy            Harper
Hogue            Holdaway        Hughes           Hunsaker
B. Johnson       Jones           King             Kiser
Last             Lawrence        Litvack          Lockhart
Mascaro          Mathis          McGee            Menlove
Moss             Murray          Newbold          Noel
Oda              Painter         Ray              Romero
Shurtliff        G. Snow         Ure              Urquhart
Wallace          Wheeler         Wiley            Wyatt
Absent or not voting were: Representatives
Buxton D. Clark Fowlke Hendrickson
E. Hutchings Morgan Morley Tilton
Walker Wheatley Curtis

H.B. 116 transmitted to the Senate for its consideration.

* * *

Sub. H.B. 57, TOURISM TASK FORCE, read the third time by short title and placed on its final passage.

Sub. H.B. 57 then passed on the following roll call:

Yeas, 67; Nays, 2; Absent or not voting, 6.

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Bowman Buttars Christensen
D. Clark S. Clark Cosgrove D. Cox
Dayton Dee Donnelson Dougall
Duckworth Dunnigan Ferrin Fisher
Fowlke Frank Gibson Goodfellow
Hansen Hardy Harper Hendrickson
Hogue Holdaway Hughes Hunsaker
E. Hutchings B. Johnson Jones King
Kiser Last Lawrence Litvack
Lockhart Mascaro Mathis McGee
Morgan Moss Murray Newbold
Noel Oda Painter Ray
Romero Shurtliff G. Snow Tilton
Ure Urquhart Walker Wheatley
Wheeler Wiley Wyatt

Voting in the negative were: Representatives
Daw Ferry

Absent or not voting were: Representatives
Buxton Gowans Menlove Morley
Wallace Curtis

Sub. H.B. 57 transmitted to the Senate for its consideration.
H.B. 128, COMPENSATION OF EXECUTIVE OFFICERS, read the third time by short title and placed on its final passage.

Representative Christensen proposed the following amendment:

1. Page 1, Lines 10 through 12

   This bill:

   provides that the attorney general’s salary on July 1, 2009 is 95% of the governor’s salary or equal to the salary of a state district court judge, whichever is greater.

2. Page 2, Lines 30 through 31:

   (b) Beginning July 1, 2009, the annual salary of the attorney general shall be the greater of 95% of the governor’s salary or the salary of a state district court judge.

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

H.B. 128, as amended, then passed on the following roll call:

Yeas, 41; Nays, 30; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Aagard
Bigelow
S. Clark
Dayton
Ferry
Hogue
E. Hutchings
Mascaro
Painter
Walker
Curtis
Adams
Bowman
Cosgrove
Dee
Fisher
Holdaway
Kiser
Morgan
Tilton
Wallace
Alexander
Christensen
D. Cox
Dougall
Fowlke
Hughes
Lawrence
Newbold
Ure
Wheeler
S. Allen
D. Clark
Daw
Dunnigan
Hardy
Hunsaker
Noel
Urquhart
Wyatt

Voting in the negative were: Representatives

Barrus
Buxton
Becker
Donnelson
Biskupski
Duckworth
Buttars
Frank
Absent or not voting were: Representatives

Gibson Goodfellow Gowans Hansen
Harper Hendrickson B. Johnson Jones
King Last Litvack Mathis
McGee Menlove Morley Moss
Murray Oda Ray Shurtliff
G. Snow Wiley

H.B. 128, as amended, transmitted to the Senate for its consideration.

H.B. 248, CHILD SUPPORT OBLIGATIONS, read the third time by short title and placed on its final passage.

On motion of Representative Hutchings, the House voted to circle H.B. 248.

Sub. H.B. 113, GOVERNMENT BOUNDARY CHANGES, read the third time by short title and placed on its final passage.

Sub. H.B. 113 then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard Alexander S. Allen Barrus
Becker Bigelow Biskupski Bowman
Buttars Buxton Christensen D. Clark
S. Clark Cosgrove D. Cox Daw
Dayton Dee Donnelson Dougall
Duckworth Dunnigan Ferry Fisher
Fowlke Frank Gibson Goodfellow
Hansen Hardy Harper Hendrickson
Hogue Hughes Hunsaker B. Johnson
Jones King Kiser Last
Lawrence Mascaro Mathis McGee
Menlove Morgan Moss Murray
Newbold Noel Oda Painter
Ray Shurtliff G. Snow Tilton
Ure Urquhart Walker Wallace
Wheeler Wiley Wyatt
Absent or not voting were: Representatives
Adams                Bourdeaux       Ferrin          Gowans
Holdaway            E. Hutchings   Litvack        Lockhart
Morley              Romero         Wheatley       Curtis

Sub. H.B. 113 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Hutchings, the House voted to uncircle H.B. 248.

H.B. 248, CHILD SUPPORT OBLIGATIONS, was before the House on its final passage.

Representative Hutchings proposed the following amendment:

1. Page 8, Lines 225 through 231
   225 (c) Upon receiving a petition under Subsection (9)(a), the court shall, taking into
   226 account the best interests of the child, determine whether a substantial change has occurred. {−If
   227 it has,−} (i) For non-deviated orders, the court shall then determine whether the change results in a difference of 15% or more
   228 between the amount of child support ordered and the amount that would be required under the
   229 guidelines. If there is such a difference
   230 the order does not deviate from the guidelines. } the court shall adjust the amount of child
   231 support ordered to that which is provided for in the guidelines.
   232 (ii) For deviated orders, the court may adjust the amount of the child support order consistent with Section 78–45–7.

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

H.B. 248, as amended, then failed to pass on the following roll call:

Yeas, 29; Nays, 33; Absent or not voting, 13.
Voting in the affirmative were: Representatives
Aagard        Alexander  Becker  Bourdeaux
Bowman        Buttrars   Christensen  D. Cox
Donnelson     Duckworth  Gibson  Goodfellow
Hansen        Harper     Hogue    E. Hutchings
Jones         King       Lawrence  Mascaro
McGee         Morgan     Murray   Painter
Ray           Shurtliff  Tilton  Urquhart
Wheatley

Voting in the negative were: Representatives
S. Allen      Barrus     Bigelow  Buxton
D. Clark      Daw        Dayton  Dee
Dougall       Ferrin     Ferry    Fisher
Fowlke        Frank      Gowans  Holdaway
Hunsaker      B. Johnson  Last    Mathis
Menlove       Morley     Moss     Newbold
Noel          Oda        Romero  G. Snow
Walker        Wallace    Wheeler  Wiley
Wyatt

Absent or not voting were: Representatives
Adams         Biskupski  S. Clark  Cosgrove
Dunnigan      Hardy      Hendrickson Hughes
Kiser         Litvack    Lockhart  Ure
Curtis

H.B. 248 was filed.

THIRD READING CALENDAR

H.B. 216, GLOBAL POSITIONING REFERENCE NETWORK, read the third time by short title and placed on its final passage.

H.B. 216 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard        Alexander  S. Allen  Barrus
Becker        Bigelow    Bourdeaux  Bowman
Buttrars      Buxton     Christensen  D. Clark
Cosgrove      D. Cox     Daw       Dayton
Voting in the negative were: Representatives
Fisher  Tilton

Absent or not voting were: Representatives
Adams  Biskupski  S. Clark  Dunnigan
Ferrin  Fowlke  Hardy  Hendrickson
Hughes  Kiser  Litvack  Lockhart
Morley  Ure  Curtis

H.B. 216 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Murray, the House voted to reconsider its action on Sub. H.B. 84.

RECONSIDERATION OF SUB. H.B. 84

Sub. H.B. 84, READING REQUIREMENTS FOR STUDENT ADVANCEMENT, was before the House upon its final passage.

Sub. H.B. 84 then passed on the following roll call:

Yeas, 38; Nays, 36; Absent or not voting, 1.

Voting in the affirmative were: Representatives
Aagard  Barrus  Becker  Biskupski
Bourdeaux  S. Clark  Cosgrove  Donnelson
Dougall  Duckworth  Ferrin  Goodfellow
Hansen  Hendrickson  Hogue  Hughes
E. Hutchings  B. Johnson  Jones  King
Kiser  Litvack  Mascaro  McGee
Day 33

Morgan  Morley  Moss  Murray
Newbold  Noel  Oda  Ray
Shurtliff  Tilton  Wheatley  Wheeler
Wiley  Wyatt

**Voting in the negative were:** Representatives
Adams  Alexander  S. Allen  Bigelow
Bowman  Buttars  Buxton  Christensen
D. Clark  D. Cox  Daw  Dayton
Dee  Dunnigan  Ferry  Fisher
Fowlke  Frank  Gibson  Gowans
Hardy  Harper  Holdaway  Hunsaker
Last  Lawrence  Lockhart  Mathis
Menlove  Painter  Romero  G. Snow
Ure  Urquhart  Walker  Wallace

**Absent or not voting was:** Representative
Curtis

**Sub. H.B. 84,** transmitted to the Senate for its consideration.

**RULES COMMITTEE REPORTS**

Mr. Speaker: February 18, 2005

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 18,** Transportation Investment, (Rep. R. Lockhart), be replaced with **Substitute H.B. 18,** Transportation Investment Act (Rep. R. Lockhart), and further recommends it be assigned to the Transportation Standing Committee; and

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

**BUSINESS AND LABOR**

**S.B. 29**  Licensing of Crane Operators (Sen. G. Davis)
**2nd Sub. S.B. 56**  Real Estate – Exclusive Brokerage Agreements (Sen. L. A. Mansell)
**1st Sub. S.B. 64**  Real Estate Transactions and Securities (Sen. L. A. Mansell)
**1st Sub. S.B. 65**  Alcoholic Beverage Control Amendments (Sen. P. Knudson)
**S.B. 77**  Amendments to Indoor Clean Air Act (Sen. M. Waddoups)
1st Sub. S.B. 215  Financial Institutions as Limited Liability Companies (Sen. L. Hillyard)
S.B. 223  Oversight and Enforcement of Work Done on Mobile Homes (Sen. E. Mayne)

EDUCATION
S.B. 59  Home School Amendments (Sen. M. Madsen)

GOVERNMENT OPERATIONS
H.B. 319  Expansion of Department of Administrative Services Oversight to Include Human Resource Management (Rep. D. G. Buxton)
1st Sub. S.B. 58  Liability Protection of Educators (Sen. H. Stephenson)
S.C.R. 10  Concurrent Resolution Honoring Utah Foundation (Sen. L. A. Mansell)

HEALTH AND HUMAN SERVICES
H.B. 106  Regulation of Noncompete Agreements in Medical Practices (Rep. R. McGee)
H.B. 321  Background Checks for Boarding Schools (Rep. B. Last)
S.B. 232  Executive Director of Department of Health Issues (Sen. S. Killpack)
S.J.R. 14  Joint Resolution on Stroke Awareness (Sen. P. Knudson)
S.J.R. 15  Joint Resolution Urging Medicaid Reform (Sen. P. Knudson)

JUDICIARY
H.B. 271  Commitment to Mental Health Authority (Rep. M. Noel)

POLITICAL SUBDIVISIONS
S.B. 139  Minimum Wage Provisions (Sen. H. Stephenson)
S.B. 190  County Officer Amendments (Sen. C. Bramble)

REVENUE AND TAXATION
S.B. 57  Use of State Sales and Use Tax Revenues for Business Development in Disadvantaged Rural Communities (Sen. P. Knudson)
1st Sub. S.B. 164  Individual Income Tax – Tax Credit for Live Organ Donation Expenses (Sen. K. Hale)
TRANSPORTATION
H.B. 337  Golf Carts Allowed on Certain Highways (Rep. C. Moss)
S.B. 151  Driver Education Amendments (Sen. T. Hatch)
1st Sub. S.B. 167  Penalties for False Driver Licenses and Identification Cards (Sen. C. Walker)
S.B. 188  Classifying Off–highway Vehicles as Allowed on Designated Roads (Sen. T. Hatch)
S.B. 207  Motor Vehicle Insurance Coverage Amendments (Sen. D. Eastman)

WORKFORCE SERVICES AND COMMUNITY & ECONOMIC DEVELOPMENT
S.C.R. 6  Resolution Supporting the Golden Rule Project (Sen. F. Fife)

Rebecca Lockhart, Chair
Reports filed. On motion of Representative Lockhart, the report of the Rules Committee was adopted.

MISCELLANEOUS BUSINESS

RULES COMMITTEE REPORT

Mr. Speaker: February 18, 2005

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

H.B. 287 Revenue Bonds and Capital Facilities Authorizations
(Rep. D. G. Buxton)
H.B. 263 Insurers Rehabilitation and Liquidation (Rep. J. Dougall)
H.B. 107 Amendments to Taxes, Fees, or Charges (Rep. W. Harper)
H.B. 368 Special Function Officers for Division of Occupational and Professional Licensing (Rep. N. Hendrickson)
H.B. 249 Carson Smith Special Needs Scholarships
(Rep. M. Newbold)
H.J.R. 19 Joint Resolution Urging Health Care for Utah’s Indigent and Needy Uninsured (Rep. L. Fowlke)
H.B. 109 Information Technology Governance Amendments
(Rep. D. Clark)
H.B. 246 Waste Fees Amendments (Rep. S. Urquhart)
H.B. 266 Changes to Quality Growth Commission
(Rep. C. Buttars)
H.B. 306 Amendment Regarding Controlled Substances
(Rep. C. Oda)
H.B. 342 Civil Legal Aid for Victims of Domestic Violence
(Rep. S. Mascaro)
H.B. 148 School Truancy Amendments (Rep. E. Hutchings)
1st Sub. H.B. 87 Claims Against a County (Rep. S. Clark)
H.B. 297 Aggravated Murder Amendments (Rep. S. Wyatt)
H.B. 259 Adoption Amendments (Rep. A. Hardy)
H.B. 324 Taxable Value Adjustment for Property Damaged by a Natural Disaster (Rep. B. Last)
H.B. 275 Business Entity Amendments (Rep. R. Romero)
H.B. 124 Enrollment Growth Program Amendments (Rep. B. Last)

Rebecca Lockhart, Chair

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

MISCELLANEOUS BUSINESS

On motion of Representative Urquhart, the House voted to adjourn until February 21, 2005, at 9:30 a.m.
The House was called to order by Speaker Curtis at 9:40 a.m.

Roll call showed all members present.


COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 18, 2005

The Senate passed, as amended, S.B. 71, SECURITY PERSONNEL LICENSING AMENDMENTS, by Senator G. Davis, and it is transmitted for consideration; and

The Senate passed, as amended, S.B. 173, BROWNFIELDS REVISION, by Senator L. A. Mansell, and it is transmitted for consideration; and

The Senate passed, as amended, S.B. 180, WORKERS COMPENSATION – COMPETITIVE BID REQUIREMENTS, by Senator M. Waddoups, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. S.B. 71, S.B. 173, and S.B. 180, read the first time by short title and referred to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 18, 2005

The Health and Human Services Committee recommends H.B. 115, UTAH CHILD ABUSE PREVENTION BOARD, by Representative P. Ray, et al, be replaced and reports a favorable recommendation on 1st Sub. H.B. 115, UTAH CHILD ABUSE PREVENTION BOARD with the following amendments and asks that it be placed on the Consent Calendar.
1. Page 3, Line 66:


The Health and Human Services Committee reports a favorable recommendation on **H.B. 114**, CHILDREN’S HEALTH CARE COVERAGE AMENDMENTS, by Representative D. Hogue; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 268**, DRUG UTILIZATION REVIEW COMMITTEE AMENDMENTS, by Representative R. Lockhart.

Bradley G. Last, Chair
Reports filed. On motion of Representative Last, the reports of the Health and Human Services committee were adopted.

**Sub. H.B. 115**, as amended, read the second time by short title and placed on the Consent Calendar.


* * *

Mr. Speaker: February 18, 2005

The Business and Labor Committee reports a favorable recommendation on **1st Sub. S.B. 152**, BUSINESS LICENSE FEES, by Senator M. Waddoups; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 157**, UTAH CONSUMER CREDIT CODE AMENDMENTS, by Senator P. Knudson; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 158**, DISHONORED INSTRUMENT AMENDMENTS, by Senator P. Knudson.

Stephen D. Clark, Chair
Reports filed. On motion of Representative Alexander, the reports of the Business and Labor committee were adopted.

Mr. Speaker: February 18, 2005

The Education Committee reports a favorable recommendation on 2nd Sub. H.B. 39, TUITION TAX CREDITS, by Representative J. Ferrin, with the following amendments:

1. Page 1, Lines 18 through 21:
   18 provides that a qualifying student is an individual who — was not enrolled in a private school on January 1, 2005, unless the adjusted gross income of the taxpayer who paid or incurred the private school tuition expenses is less than or equal to 100% of the income eligibility guideline for reduced price school meals;
   19 was born after September 1, 1999;
   20 was enrolled as a full-time student in a Utah public school on January 1, 2005;
   21 was not a Utah resident on January 1, 2005; or
   22 was a private school student for whom a taxpayer paid or incurred the tuition expenses, and the adjusted gross income of the taxpayer was less than or equal to 100% of the income guideline for reduced price school meals.

2. Page 1, Lines 22 through 23:
   22 defines a private school as an elementary or secondary school that:
   23 has a physical location in Utah where, for at least 90% of the days within the school year, the students attend classes and have direct contact with the school’s teachers;
   24 does not operate in a residence;

3. Page 3, Line 78:
   78 (E) has a physical location in Utah where, for at least 90% of the days within the school year, the students attend classes and have direct contact with the school’s teachers;
4. Page 4, Lines 92 through 93:

(ii) “Private school” does not include a school that:
(A) has an enrollment of fewer than 25 students;
(B) operates in a residence.

5. Page 4, Lines 102 through 106:

(C) who was not enrolled at a private school on January 1, 2005, except as provided in Subsection (1)(e)(ii).
(ii) Subsection (1)(e)(i)(C) does not apply if the adjusted gross income of the taxpayer who paid or incurred the private school tuition expenses is less than or equal to 100% of the income eligibility guideline as defined in Subsection (1)(c).

6. Page 6, Lines 172 through 180:

(5) The tax credit provided for in this section may not be carried forward or carried back.

(6) (a) Only one taxpayer may claim a refundable tax credit for each qualifying student each taxable year.
(b) The taxpayer who claims a personal exemption for the qualifying student shall have the right to claim the refundable tax credit, unless that taxpayer authorizes another person to claim the refundable tax credit.

(c) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the commission shall make rules to administer Subsections (6)(a) and (6)(b):

(a) may be claimed only by the taxpayer who:
(i) is the parent or legal guardian of the qualifying student; and
(ii) claims a personal exemption for the qualifying student; and
(b) may not be carried forward or carried back.

Margaret Dayton, Chair

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

2nd Sub. H.B. 39, read the second time by short title and referred to the Rules Committee for prioritization.

CONSENT CALENDAR

H.B. 346, SCHOOLS FOR THE DEAF AND BLIND SALARY ADJUSTMENTS, read the third time by short title and placed on its final passage.

H.B. 346 then passed on the following roll call:

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

Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Name</th>
<th>Name</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aagard</td>
<td>Adams</td>
<td>Alexander</td>
</tr>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
</tr>
<tr>
<td>Christensen</td>
<td>D. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
</tr>
<tr>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
</tr>
<tr>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
</tr>
<tr>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
</tr>
</tbody>
</table>
Absent or not voting were: Representatives
S. Clark Tilton Ure

H.B. 346 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Fisher, the House voted to recall H.B. 71 from the Office of Legislative Research and General Counsel for technical corrections.

THIRD READING CALENDAR

H.B. 287, REVENUE BONDS AND CAPITAL FACILITIES AUTHORIZATIONS, read the third time by short title and placed on its final passage.

On motion of Representative Buxton, the House voted to circle H.B. 287.

***

H.B. 263, INSURERS REHABILITATION AND LIQUIDATION, read the third time by short title and placed on its final passage.

On motion of Representative Dougal, the House voted to circle H.B. 263.

***

H.B. 107, AMENDMENTS TO TAXES, FEES, OR CHARGES, read the third time by short title and placed on its final passage.

H.B. 107 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupsiki
Absent or not voting were: Representatives
Fisher Ray Tilton

H.B. 107 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Buxton, the House voted to uncircle H.B. 287.

H.B. 287, REVENUE BONDS AND CAPITAL FACILITIES AUTHORIZATIONS, was before the House on its final passage.

Representative Buxton proposed the following amendment:

1. Page 3, Lines 59 through 60

   59 (b) hospital {and parking} revenues be used as the primary revenue source for repayment

   60 of any obligation created under authority of this Subsection (1);

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

H.B. 287, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams S. Allen Barrus
Becker Bigelow Biskupski Bourdeaux
Absent or not voting were: Representatives

Alexander Dayton Menlove

H.B. 287, as amended, transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 368, SPECIAL FUNCTION OFFICERS FOR DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING, read the third time by short title and placed on its final passage.

H.B. 368 then failed to pass on the following roll call:

Yeas, 25; Nays, 48; Absent or not voting, 2.

Voting in the affirmative were: Representatives

S. Allen Becker Biskupski Bourdeaux
Cosgrove Duckworth Fowlke Goodfellow
Gowans Hansen Hendrickson Holdaway
Jones King Litvack McGee
Morgan Moss Newbold Romero
Shurtliff Ure Wallace Wheatley
Wiley

Voting in the negative were: Representatives

Aagard Adams Alexander Barrus
Bigelow Bowman Buttars Buxton
Absent or not voting were: Representatives
D. Cox Mascaro

H.B. 368 was filed.

***

H.B. 249, CARSON SMITH SPECIAL NEEDS SCHOLARSHIPS, read the third time by short title and placed on its final passage.

Representative Newbold proposed the following amendment:

1. Page 3, Line 90
   House Committee Amendments 2−16−2005
   90 (c) special education personnel from the student’s
   \{−resident\} school district; and

2. Page 6, Lines 173 through 175
   House Committee Amendments 2−16−2005:
   173 (8) A scholarship student may not participate in \{−an academic\} a dual enrollment program
   174 pursuant to Section 53A−11−102.5 \{−but may participate in public school extracurricular
   175 activities pursuant to Section 53A−11−102.5−\} .

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

###

Representative Moss proposed the following amendments. The motion was divided.
1. Page 5, Line 135
   House Committee Amendments 2–16–2005

   135  (b) the private school specializes in serving students with
disabilities  and shall be able to provide special education instruction
and related services designed to meet the identified needs of each
prospective scholarship student ; and

2. Page 7, Lines 208 through 208b
   House Committee Amendments 2–17–2005:

   208b  } scholarship students.  }  \hat{H} ; or  (c) a school that does not
employ staff licensed to deliver special education services.

Representative Moss’ amendment 1 failed to passed on the following
roll call:

Yeas, 23; Nays, 45; Absent or not voting, 7.

Voting in the affirmative were: Representatives

S. Allen  Becker  Biskupski  Bourdeaux
Cosgrove  Duckworth  Fowlke  Goodfellow
Gowans  Hansen  Hendrickson  Jones
King  Litvack  Mascaro  McGee
Menlove  Morgan  Moss  Romero
Shurtleff  Wheatley  Wiley

Voting in the negative were: Representatives

Aagard  Adams  Alexander  Barrus
Bowman  Buttars  Buxton  Christensen
D. Clark  S. Clark  D. Cox  Daw
Dayton  Dee  Donnelson  Dougall
Ferrin  Ferry  Fisher  Frank
Hardy  Hogue  Holdaway  Hunsaker
B. Johnson  Kiser  Last  Lawrence
Lockhart  Morley  Murray  Newbold
Noel  Oda  Painter  Ray
G. Snow  Tilton  Ure  Urquhart
Walker  Wallace  Wheeler  Wyatt
Curtis

Absent or not voting were: Representatives

Bigelow  Dunnigan  Gibson  Harper
Hughes  E. Hutchings  Mathis
Representative Moss’ amendment 2 failed to passed on the following roll call:

**Yeas, 33; Nays, 38; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>S. Allen</th>
<th>Becker</th>
<th>Biskupski</th>
<th>Bourdeaux</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Duckworth</td>
<td>Dunnigan</td>
</tr>
<tr>
<td>Fowlke</td>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
</tr>
<tr>
<td>Hardy</td>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
</tr>
<tr>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>Jones</td>
<td>King</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Litvack</td>
<td>Mascaro</td>
<td>Mathis</td>
</tr>
<tr>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
<td>Moss</td>
</tr>
<tr>
<td>Murray</td>
<td>Romero</td>
<td>Shurtliff</td>
<td>Wheatley</td>
</tr>
<tr>
<td>Wiley</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bowman</td>
<td>Buttars</td>
<td>Christensen</td>
<td>D. Clark</td>
</tr>
<tr>
<td>S. Clark</td>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Dougall</td>
<td>Ferrin</td>
<td>Fisher</td>
</tr>
<tr>
<td>Frank</td>
<td>Gibson</td>
<td>Hughes</td>
<td>B. Johnson</td>
</tr>
<tr>
<td>Kiser</td>
<td>Last</td>
<td>Lockhart</td>
<td>Morley</td>
</tr>
<tr>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
</tr>
<tr>
<td>Ray</td>
<td>G. Snow</td>
<td>Tilton</td>
<td>Ure</td>
</tr>
<tr>
<td>Urquhart</td>
<td>Walker</td>
<td>Wallace</td>
<td>Wheeler</td>
</tr>
<tr>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

| Bigelow    | Buxton    | Ferry     | Harper |

**H.B. 249**, as amended, then passed on the following roll call:

**Yeas, 58; Nays, 17; Absent or not voting, 0.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Bigelow</td>
<td>Bourdeaux</td>
<td>Bowman</td>
</tr>
<tr>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
</tr>
<tr>
<td>S. Clark</td>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Dougall</td>
<td>Dunnigan</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
</tr>
<tr>
<td>Gibson</td>
<td>Hardy</td>
<td>Harper</td>
<td>Hogue</td>
</tr>
</tbody>
</table>
Voting in the negative were: Representatives
Becker Biskupski Cosgrove D. Cox
Duckworth Goodfellow Gowans Hansen
Hendrickson King Litvack Menlove
Moss Romero Shurtleff Wheatley
Wiley

H.B. 249, as amended, transmitted to the Senate for its consideration.

***

H.J.R. 19, JOINT RESOLUTION URGING HEALTH CARE FOR UTAH’S INDIGENT AND NEEDY UNINSURED, read the third time by short title and placed on its final passage.

H.J.R. 19 then passed on the following roll call:

Yea, 73; Nay, 0; Absent or not voting, 2.

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Bowman Buttars Buxton
Christensen D. Clark S. Clark Cosgrove
D. Cox Daw Dayton Dee
Donnelson Dougall Duckworth Dunnigan
Ferrin Ferry Fisher Fowlke
Frank Gibson Goodfellow Gowans
Hansen Harper Hendrickson Hogue
Holdaway Hughes Hunsaker E. Hutchings
B. Johnson Jones King Kiser
Last Lawrence Litvack Lockhart
Mascaro Mathis McGee Menlove
Morgan Morley Moss Murray
Absent or not voting were: Representatives
Hardy Wyatt

H.J.R. 19 transmitted to the Senate for its consideration.

* * *

H.B. 109. INFORMATION TECHNOLOGY GOVERNANCE AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle H.B. 109.

* * *

H.B. 246. WASTE FEES AMENDMENTS, read the third time by short title and placed on its final passage.

Representative King proposed the following amendment:

1. Page 2, Line 58
   58 (iii) on and after July 1, 1994, through June 30, 2005, a fee of $2.50 per ton or fraction of a ton on all

2. Page 5, Line 139:
   139 when the fees accrue.
   (7) Notwithstanding any other provision of this section, a nonhazardous solid waste facility that receives waste generated primarily by on-site sources, or that receives waste generated primarily by off-site sources that are owned, controlled, or operated by the facility owner or operator, is not subject to the fees imposed in Subsections (1)(a) or (c).

3. Page 3, Line 72:
   Refer to Committee amendments dated 2–10–2005:
   After “per” insert “ton”

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

On motion of Representative Alexander, the House voted to circle H.B. 246.
MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to recess until 2:00 p.m.

AFTERNOON SESSION

The House was called to order by Speaker Curtis at 2:00 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 21, 2005

The Senate passed **S.B. 194**, SALES AND USE TAX EXEMPTION FOR ITEMS RELATING TO DIRECT MAIL, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed, as substituted, **2nd Sub. S.B. 199**, OFFICE OF ENERGY – OVERSIGHT, by Senator T. Hatch, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 203**, PROPERTY TAX – COUNTY SERVICE AREAS, by Senator M. Waddoups, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 206**, NONPARTICIPATING TOBACCO MANUFACTURER AMENDMENTS, by Senator S. Killpack, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 239**, PUBLIC LANDS POLICY COORDINATION, by Senator T. Hatch, and it is transmitted for consideration; and

The Senate passed **S.J.R. 17**, RESOLUTION RECOGNIZING HUNTSMAN CANCER INSTITUTE, by Senator P. Knudson, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate


* * *

Mr. Speaker: February 21, 2005

The President of the Senate has signed **H.B. 11**, ECONOMIC DEVELOPMENT INCENTIVES, by Representative B. Dee, et al, and it is transmitted for the signature of the Speaker; and
The President of the Senate has signed **H.B. 55**, DRUG OFFENSE PENALTY ENHANCEMENTS, by Representative B. Dee, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 70**, HEALTH DISCOUNT PROGRAM CONSUMER PROTECTION ACT, by Representative J. Dunnigan, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 76**, HABITUAL VIOLENT OFFENDERS AMENDMENTS, by Representative P. Ray, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 183**, VERIFICATION OF ELIGIBILITY FOR FEE WAIVERS, by Representative W. Harper, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 208**, UNCLAIMED PROPERTY AMENDMENTS, by Representative P. Ray, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 215**, PROPERTY TRACKING AMENDMENTS, by Representative P. Ray, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 221**, ELECTRONIC COMMUNICATION HARASSMENT, by Representative J. Dougall, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 279**, CLINICAL COUNSELOR − TITLE CHANGE, by Representative L. Fowlke, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.J.R. 1**, JOINT RESOLUTION RELATED TO FINANCIAL INSTITUTIONS, by Representative J. Alexander, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.J.R. 11**, RESOLUTION ENCOURAGING SCHOOLS TO ADOPT NUTRITION AND PHYSICAL ACTIVITY POLICIES, by Representative P. Jones, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate  
Communications filed.

the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

* * *

Mr. Speaker: February 21, 2005

The Senate passed, as amended, **H.J.R. 15**, RESOLUTION REGARDING UNITED STATES TRADE NEGOTIATIONS, by Representative S. Allen, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate


REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 21, 2005

The Political Subdivisions Committee reports a favorable recommendation on **1st Sub. S.B. 31**, LOCAL GOVERNMENT AMENDMENTS, by Senator D. Thomas; and

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 307**, REDEVELOPMENT AGENCY CHANGES, by Representative J. Dougall; and

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 309**, MUNICIPAL BUDGET AMENDMENTS, by Representative M. Walker; and

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 380**, AMENDMENTS TO LOCAL DISTRICTS, by Representative K. Morgan; and

The Political Subdivisions Committee reports a favorable recommendation on **H.J.R. 7**, RESOLUTION AMENDING STATE AUDITOR QUALIFICATIONS, by Representative R. Romero.

Brad L. Dee, Chair

Reports filed. On motion of Representative Dee, the reports of the Political Subdivisions committee were adopted.

NOTICE OF BILL RETURNED TO RULES COMMITTEE

Mr. Speaker:  February 21, 2005

The Political Subdivisions Committee recommends H.B. 207, PRESCRIPTIVE EASEMENTS ACT, by Representative G. Hughes, be replaced with 1st Sub. H.B. 207, PRESCRIPTIVE EASEMENTS ACT, with the following amendments, and has returned it to the Rules Committee and recommends the bill be sent to Interim Study.

1. Page 2, Lines 38 through 39:
   38 This chapter does not apply to:
   (1) an easement established under Chapter 13a, Easement for Water Conveyance;
   (2) any easement established in a county of the first or second class.

2. Page 2, Line 53:
   53 (2) A private or public utility company, as defined in Section 72−6−116,
   (3) A government entity,
   (4) An easement created by public use,
   (5) An easement established for agricultural use.

3. Page 3, Lines 59 through 61:
   59 This chapter does not apply to an easement:
   (1) established under Chapter 13a, Easement for Water Conveyance;
   (2) established under Chapter 13b, Easement for Historical Livestock Trail Act;
   (3) established in a county of the first or second class.

Brad L. Dee, Chair


REPORTS OF STANDING COMMITTEES

Mr. Speaker:  February 21, 2005

The Government Operations Committee reports a favorable recommendation on H.B. 262, LICENSURE OF ATHLETIC TRAINERS, by Representative P. Ray, with the following amendments:
1. Page 2, Lines 36 through 37:

36 58−40a−111, Utah Code Annotated 1953
   58−40a−112, Utah Code Annotated 1953

2. Page 5, Line 151 through Page 6, Line 152:

151 (b) a condition that is within the scope of practice of an athletic
   trainer identified by a licensed physician as benefitting from athletic training
   services.

3. Page 6, Lines 152 through 153:

152 licensed physician, osteopath, dentist, chiropractor, or
   naturopath as benefitting from athletic training services.

4. Page 6, Lines 167 through 168:

167 58−67−301, osteopathic physician and surgeon licensed under
   Section 58−68−301, a chiropractic physician licensed under Chapter
   73, Chiropractic Physician Practice Act, a naturopathic physician
   licensed under Chapter 71, Naturopathic Physician Practice Act, or
   dentist

168 licensed under Section 58−69−301 who is responsible for the
   athletic training services provided

5. Page 6, Line 182 through Page 7, Line 183:

182 athletic trainers, one member representative of the directing
   physicians referred to in Subsection 58−40a−102(5), and one member
   of the general public who has never been authorized to

183 practice a healing art and never had a substantial personal, business,
   professional, or pecuniary

6. Page 7, Lines 203 through 204:

203 in the practice of medicine osteopathy, chiropractic, naturopathy,
   and dentistry.

204 Section 7. Section 58−40a−106 is enacted to read:
7. Page 11, Line 308:

308 designing and implementing appropriate programs to minimize the risk of injury.

Section 13. Section 58–40a–112 is enacted to read:

58–40a–112. Insurance payments.
Nothing in this chapter may be construed to require the payment from third party insurers to athletic trainers.

The Government Operations Committee reports a favorable recommendation on H.B. 319, EXPANSION OF DEPARTMENT OF ADMINISTRATIVE SERVICES OVERSIGHT TO INCLUDE HUMAN RESOURCE MANAGEMENT, by Representative D. G. Buxton, with the following amendments:

1. Page 32, Line 968:

968 (2) The director shall assign an employee of the {agency } division to act as field office director.

The Government Operations Committee reports a favorable recommendation on H.B. 373, EDUCATION TECHNOLOGY TASK FORCE, by Representative E. Hutchings; and

The Government Operations Committee reports a favorable recommendation on H.B. 379, YOUNG ARTIST PROVISIONS, by Representative G. Hughes, with the following amendments:

1. Page 16, Line 472:

472 (iii) the minor is at least {16 } 19 years of age;

2. Page 21, Line 639:

639 (iii) the minor is at least {16 } 19 years of age;

The Government Operations Committee reports a favorable recommendation on H.R. 11, RESOLUTION URGING CONGRESS TO PASS BALANCED BUDGET AMENDMENT, by Representative N. Hansen.

Douglas C. Aagard, Chair
Reports filed. On motion of Representative Aagard, the reports of the Government Operations committee were adopted.

Mr. Speaker: February 21, 2005

The Workforce Services and Community and Economic Development Committee recommends **H.B. 313**, ECONOMIC DEVELOPMENT INITIATIVE FOR HIGHER EDUCATION, by Representative K. Holdaway, be replaced and favorably recommends **1st Sub. H.B. 313**, ECONOMIC DEVELOPMENT INITIATIVE FOR HIGHER EDUCATION; and


David N. Cox, Chair

Reports filed. On motion of Representative Cox, the reports of the Workforce Services and Community and Economic Development committee were adopted.

**Sub. H.B. 313** and **S.C.R. 6**, read the second time by short title and referred to the Rules Committee for prioritization.

***

Mr. Speaker: February 21, 2005

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 57**, USE OF STATE SALES AND USE TAX REVENUES FOR BUSINESS DEVELOPMENT IN DISADVANTAGED RURAL COMMUNITIES, by Senator P. Knudson; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 153**, TAX REFORM TASK FORCE, by Senator C. Bramble; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 161**, AMENDMENTS TO THE PROPERTY TAX VALUATION AGENCY FUND ASSESSING AND COLLECTING LEVY, by Senator H. Stephenson.

Wayne A. Harper, Chair

Reports filed. On motion of Representative Harper, the reports of the Revenue and Taxation committee were adopted.


**THIRD READING CALENDAR**

**H.B. 266**, CHANGES TO QUALITY GROWTH COMMISSION, read the third time by short title and placed on its final passage.
H.B. 266, as amended, then passed on the following roll call:

**Yeas, 62; Nays, 7; Absent or not voting, 6.**

*Voting in the affirmative were:* Representatives

Aagard  Alexander  S. Allen  Barrus
Becker  Bigelow  Biskupski  Bowman
Buttars  Buxton  D. Clark  S. Clark
Cosgrove  D. Cox  Daw  Dee
Donnelson  Dougall  Duckworth  Dunnigan
Ferrin  Ferry  Fisher  Fowlke
Gibson  Goodfellow  Gowans  Hansen
Hardy  Hendrickson  Holdaway  Hughes
Hunsaker  E. Hutchings  Kiser  Last
Lawrence  Litvack  Lockhart  Mascaro
Mathis  Menlove  Morgan  Moss
Murray  Newbold  Noel  Oda
Painter  Ray  Romero  Shurtleff
G. Snow  Ure  Urquhart  Walker
Wallace  Wheatley  Wheeler  Wiley
Wyatt  Curtis

*Voting in the negative were:* Representatives

Adams  Christensen  Dayton  Frank
Harper  Hogue  Morley

*Absent or not voting were:* Representatives

Bourdeaux  B. Johnson  Jones  King
McGee  Tilton

H.B. 266, as amended, transmitted to the Senate for its consideration.

**UNFINISHED BUSINESS**

On motion of Representative D. Clark, the House voted to uncircle H.B. 109.

H.B. 109, INFORMATION TECHNOLOGY GOVERNANCE AMENDMENTS, was before the House on its final passage.

Representative Allen proposed the following amendment:

1. Page 52, Line 1607 through Page 53, Line 1618

   1607  (4) (a) An employee of an executive branch agency who was a career service employee
The Department of Technology Services continues in the employee’s career service status during the employee’s service to the Department of Technology Services if the duties of the position in the new department are substantially similar to those in the employee’s previous position.

(b) A career service employee transferred to the new department under the provisions of Subsection (4)(a), whose duties or responsibilities subsequently change, may not be converted to exempt status without the review process required by Subsection 67−19−15(3).

(c) The executive director shall work with executive branch agency directors, during the period of transition to the new department, in good faith, to:

(i) preserve relevant career service positions;

(ii) retain qualified employees in non−relevant positions through transfers to other positions in state government, with retraining as necessary; and

(iii) promote greater economy and efficiencies for the department.

(d) The Department of Technology Services together with the Department of Human Resource Management may develop financial and other incentives to encourage a career service employee who transfers to the department under the provisions of Subsection (4)(a) to voluntarily convert to an exempt position under Section 67−19−15.

(e) If a career service employee transfers to the department under the provisions of Subsection (4)(a) and terminates his employment with the department for any reason, the employment position shall be exempt from career service status under the provisions of Subsection (3).

Representative Becker proposed the following substitute motion to amend:

1. Page 3, Line 89:
   Delete line 89.
2. Page 52, Lines 1604–1618:
   After “resources.” delete the rest of line 1604 through line 1618.

3. Pages 77–79, Lines 2363 – 2438:
   Delete lines 2363 through 2438.

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

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

**H.B. 109**, as amended, then passed on the following roll call:

**Yeas, 52; Nays, 18; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Bigelow</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Daw</td>
</tr>
<tr>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
</tr>
<tr>
<td>Dunnigan</td>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
</tr>
<tr>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Hardy</td>
</tr>
<tr>
<td>Harper</td>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hunsaker</td>
</tr>
<tr>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>Last</td>
<td>Lawrence</td>
</tr>
<tr>
<td>Lockhart</td>
<td>Mascaro</td>
<td>Mathis</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morgan</td>
<td>Morley</td>
<td>Murray</td>
<td>Newbold</td>
</tr>
<tr>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
<td>Shurtliff</td>
</tr>
<tr>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
</tr>
<tr>
<td>Wallace</td>
<td>Wheeler</td>
<td>Wyatt</td>
<td>Curtis</td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Becker</th>
<th>Biskupski</th>
<th>Bourdeaux</th>
<th>Cosgrove</th>
</tr>
</thead>
<tbody>
<tr>
<td>D. Cox</td>
<td>Duckworth</td>
<td>Gowans</td>
<td>Hansen</td>
</tr>
<tr>
<td>Hendrickson</td>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
</tr>
<tr>
<td>Litvack</td>
<td>McGee</td>
<td>Moss</td>
<td>Romero</td>
</tr>
<tr>
<td>Wheatley</td>
<td>Wiley</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Bowman</th>
<th>Ferrin</th>
<th>Hughes</th>
<th>Noel</th>
</tr>
</thead>
<tbody>
<tr>
<td>G. Snow</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**H.B. 109**, as amended, transmitted to the Senate for its consideration.

**THIRD READING CALENDAR**

**H.B. 306, AMENDMENT REGARDING CONTROLLED SUBSTANCES,**
read the third time by short title and placed on its final passage.
H.B. 306 then passed on the following roll call:

**Yeas, 50; Nays, 7; Absent or not voting, 18.**

**Voting in the affirmative were:** Representatives

- Aagard
- Alexander
- S. Allen
- Barrus
- Bowman
- Buttars
- Buxton
- Christensen
- D. Clark
- Cosgrove
- D. Cox
- Daw
- Dayton
- Dee
- Donnelson
- Ferry
- Fisher
- Fowlke
- Frank
- Gibson
- Goodfellow
- Harper
- Hogue
- Holdaway
- Hughes
- Hunsaker
- E. Hutchings
- B. Johnson
- Jones
- Last
- Lawrence
- Mascaro
- Mathis
- McGee
- Menlove
- Moss
- Murray
- Newbold
- Noel
- Oda
- Painter
- Ray
- Shurtliff
- G. Snow
- Tilton
- Walker
- Wallace
- Wheeler
- Wyatt
- Curtis

**Voting in the negative were:** Representatives

- Becker
- Bourdeaux
- Hansen
- King
- Romero
- Bourdeaux
- Hansen
- King

**Absent or not voting were:** Representatives

- Adams
- Bigelow
- Biskupski
- S. Clark
- Dougall
- Duckworth
- Dunnigan
- Ferrin
- Gowans
- Hardy
- Hendrickson
- Kiser
- Litvack
- Lockhart
- Morgan
- Morley
- Ure
- Urquhart

H.B. 306 transmitted to the Senate for its consideration.

***

H.B. 342, CIVIL LEGAL AID FOR VICTIMS OF DOMESTIC VIOLENCE, read the third time by short title and placed on its final passage.

H.B. 342 then passed on the following roll call:

**Yeas, 58; Nays, 0; Absent or not voting, 17.**

**Voting in the affirmative were:** Representatives

- Aagard
- Alexander
- S. Allen
- Barrus
- Becker
- Bourdeaux
- Bowman
- Buttars
H.B. 342 transmitted to the Senate for its consideration.

***

H.B. 148, SCHOOL TRUANCY AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Mathis proposed the following amendment:

1. Page 3, Line 63:
   Refer to the standing committee amendments dated 2−14−05:
   On line (iv) after "notice" delete "and approval"

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

H.B. 148, as amended, then passed on the following roll call:

Yeas, 73; Nays, 1; Absent or not voting, 1.

Voting in the affirmative were: Representatives

Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Bowman Buttars Buxton
Voting in the negative was: Representative Ure

Absent or not voting was: Representative Ferrin

**H.B. 148**, as amended, transmitted to the Senate for its consideration.

* * *

**Sub. H.B. 87**, CLAIMS AGAINST A COUNTY, read the third time by short title and placed on its final passage.

**Sub. H.B. 87** then passed on the following roll call:

Yeas, 67; Nays, 3; Absent or not voting, 5.

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Butters</td>
<td>Buxton</td>
</tr>
<tr>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferry</td>
<td>Fisher</td>
</tr>
<tr>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
</tr>
<tr>
<td>Gowans</td>
<td>Hansen</td>
<td>Harper</td>
<td>Hogue</td>
</tr>
</tbody>
</table>

Curtis
Voting in the negative were: Representatives
Dee Hendrickson Holdaway

Absent or not voting were: Representatives
Dougall Ferrin Hardy G. Snow Wheatley

Sub. H.B. 87 transmitted to the Senate for its consideration.

RULES COMMITTEE REPORTS

Mr. Speaker: February 21, 2005

The House Rules Committee recommends, with written request of the sponsor, that H.B. 239, Repeal of Exemption from Nonresident Tuition (Rep. G. Donnelson), be replaced with Substitute H.B. 239, Higher Education Tuition and Residency Legislative Task Force (Rep. G. Donnelson) and further recommends it be read for the first time and assigned to the Education Standing Committee; and

The Rules Committee recommends that, under suspension of the rules, the following resolution be considered read for the second time and placed on the Time Certain Calendar for Wednesday, February 23, 2005 at 11:15 a.m.

H.C.R. 11 Resolution Honoring the University of Utah Football Team (Rep. J. Alexander); and

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

BUSINESS AND LABOR

H.B. 277 Revisions to the Utah Credit Union Act (Rep. L. Christensen)

S.B. 71 Security Personnel Licensing Amendments (Sen. G. Davis)
GOVERNMENT OPERATIONS
H.B. 330 Driver License Qualifications Amendments (Rep. G. Donnelson)
H.B. 340 Office of Recovery Services Fee (Rep. A. Tilton)

HEALTH AND HUMAN SERVICES
H.B. 354 Licensure of Wholesale Distributors of Prescription Drugs (Rep. B. Last)

LAW ENFORCEMENT AND CRIMINAL JUSTICE
H.B. 327 Department of Commerce – Demographic Data Tracking (Rep. M. Wheatley)
H.B. 332 Possession of a Dangerous Weapon in a Vehicle (Rep. M. Morley)

PUBLIC UTILITIES AND TECHNOLOGY
H.B. 260 Amendments Related to Pornographic and Harmful Materials (Rep. J. Dougall)

WORKFORCE SERVICES AND COMMUNITY & ECONOMIC DEVELOPMENT
S.B. 159 Assessment Offset for Donations Promoting Occupational Health and Safety (Sen. E. Mayne)
S.B. 173 Brownfields Revision (Sen. L. A. Mansell)
S.B. 180 Workers Compensation – Competitive Bid Requirements (Sen. M. Waddoups); and

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

H.B. 380 Amendments to Local Districts (Rep. K. Morgan)
H.R. 10 Resolution Supporting Participation of Taiwan in World Health Organization (Rep. B. Last)
H.B. 280 Joint Custody Amendments (Rep. L. Christensen)
Reports filed. On motion of Representative Lockhart, the reports of the Rules Committee were adopted.

**MISCELLANEOUS BUSINESS**

On motion of Representative Alexander, the House voted to adjourn until February 22, 2005, at 9:00 a.m.
MORNING SESSION

The House was called to order by Speaker Curtis at 9:10 a.m.

Roll call showed all members present except Representative Jim Dunnigan, excused.

Pledge of Allegiance and prayer by Representative David L. Hogue.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 21, 2005

The Senate passed, as substituted, **1st Sub. S.B. 109**, SAFETY BELT ENFORCEMENT, by Senator K. Hale, and it is transmitted for consideration; and

The Senate passed, as substituted, **Sub. S.B. 177**, INCREASE STATUTE OF LIMITATIONS ON RAPE, by Senator E. Mayne, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 191**, POLITICAL SUBDIVISIONS – TRUTH IN GOVERNMENT COMPETITION, by Senator R. Allen, and it is transmitted for consideration; and

The Senate passed **S.J.R. 16**, RESOLUTION URGING COMPREHENSIVE CANCER CONTROL PLAN FOR THE STATE, by Senator K. Hale, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate


* * *

Mr. Speaker: February 21, 2005

The Senate passed, **H.B. 71**, LICENSING OF ESTHETICIANS AND NAIL TECHNICIANS, by Representative J. Fisher, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate
Communication filed. **H.B. 71** was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

* * *

Mr. Speaker: February 21, 2005

The Senate substituted and passed, **Senate 1st Sub. H.B. 180**, RETIREMENT OFFICE AMENDMENTS, by Representative A. Hardy, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate


**REPORTS OF STANDING COMMITTEES**

Mr. Speaker: February 21, 2005

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 292**, COMMISSION ON RACIAL AND ETHNIC FAIRNESS, by Representative D. Bourdeaux, with the following amendments:

1. Page 2, Line 48 through Page 3, Line 65:

48  (1) The commission shall be composed of 30 voting members as follows:

* * * Some lines not shown * * *

61  (k) { the chair of } a member of the Asian community appointed by the Asian Advisory Council { or the chair’s designee } ;

62  (l) { the chair of } a member of the Black community appointed by the Black Advisory Council { or the chair’s designee } ;

63  (m) { the chair of } a member of the Hispanic community appointed by the Hispanic Advisory Council { or the chair’s designee } ;

64  (n) { the chair of } a member of the Pacific Islander community appointed by the Pacific Islander Advisory Council { or the chair’s designee } ;

65  (o) a member of the Native American community appointed by the director of the Division of Indian Affairs { or the director’s designee } ;
Some lines not shown

DeMar “Bud” Bowman, Chair

Report filed. On motion of Representative Bowman, the report of the Law Enforcement and Criminal Justice committee was adopted.

H.B. 292, as amended, read the second time by short title and referred to the Rules Committee for prioritization.

Mr. Speaker: February 21, 2005

The Judiciary Committee reports a favorable recommendation on H.B. 132, INTERNET CRIMES AGAINST CHILDREN, by Representative T. Cosgrove, with the following amendments:

1. Page 2, Lines 41 through 42:
   41 (2) (a) As part of the attorney general’s participation in this task force, the attorney
   42 general shall make available, to the extent legislative funding is available, statewide training and

James A. Ferrin, Chair

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

H.B. 132, as amended, read the second time by short title and referred to the Rules Committee for prioritization.

Mr. Speaker: February 21, 2005

The Transportation Committee reports a favorable recommendation on S.B. 51, NEW MOTOR VEHICLE FRANCHISE ACT AMENDMENTS, by Senator D. Eastman, with the following amendments:

1. Page 2, Line 35:
   35 {None} This bill contains a coordination clause.

2. Page 28, Line 846:
   846 (d) qualified service personnel.

Section 16. Coordinating S.B. 51 with H.B. 47.

If this S.B. 51 and H.B. 47, New Automobile Franchise Act
Amendments, both pass, it is the intent of the Legislature that the Office of Legislative Research and General Counsel shall prepare Subsection 13–14–201(1)(e)(i) in the Utah Code database to read, “(i) relieve a franchisor from any liability, including notice and hearing rights imposed on the franchisor by this chapter; or”.

The Transportation Committee reports a favorable recommendation on S.B. 134, POWERSPORT VEHICLE FRANCHISE ACT, by Senator D. Eastman; and

The Transportation Committee reports a favorable recommendation on 1st Sub. S.B. 167, PENALTIES FOR FALSE DRIVER LICENSES AND IDENTIFICATION CARDS, by Senator C. Walker; and

The Transportation Committee reports a favorable recommendation on S.C.R. 5, RESOLUTION APPROVING SETTLEMENT OF LAWSUIT, by Senator P. Knudson; and

The Transportation Committee reports a favorable recommendation on 1st Sub. H.B. 18, TRANSPORTATION INVESTMENT ACT, by Representative R. Lockhart; and

The Transportation Committee reports a favorable recommendation on H.B. 314, DRIVING WITH ANY MEASURABLE CONTROLLED SUBSTANCE IN THE BODY REVISIONS, by Representative M. Noel; and

The Transportation Committee reports a favorable recommendation on H.B. 337, GOLF CARTS ALLOWED ON CERTAIN HIGHWAYS, by Representative C. Moss.

Joseph G. Murray, Chair

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


INTRODUCTION OF BILLS

H.B. 318, Community and Economic Development Restructuring (C. Buttars), read the first time by short title and referred to the Rules Committee.

H.B. 375, Revisions to General State Government – Notary Law Amendments (B. King), read the first time by short title and referred to the Rules Committee.
MISCELLANEOUS BUSINESS

On motion of Representative Lockhart, the House voted to lift H.B. 318 from the Rules Committee and assigned it to the Workforce Services and Community and Economic Development standing committee.

CONSENT CALENDAR

H.B. 311, CONTROLLED SUBSTANCE LAW AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 311 then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard  Adams  S. Allen  Barrus
Bigelow  Biskupski  Bowman  Buttars
Buxton  Christensen  D. Clark  S. Clark
Cosgrove  Daw  Dayton  Dee
Donnelson  Duckworth  Ferrin  Ferry
Fisher  Fowlke  Frank  Gibson
Goodfellow  Gowans  Hansen  Hardy
Harper  Hendrickson  Hogue  Holdaway
Hughes  Hunsaker  E. Hutchings  B. Johnson
Jones  King  Kiser  Last
Lawrence  Lockhart  Mascaro  Mathis
McGee  Menlove  Morley  Moss
Murray  Newbold  Noel  Oda
Painter  Ray  Romero  Shurtleff
G. Snow  Tilton  Ure  Urquhart
Walker  Wallace  Wheatley  Wheeler
Wiley  Wyatt  Curtis

Absent or not voting were: Representatives

Alexander  Becker  Bourdeaux  D. Cox
Dougall  Dunnigan  Litvack  Morgan

H.B. 311 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Ferry, the House voted to circle H.B. 309 and H.B. 380.
THIRD READING CALENDAR

H.B. 297, AGGRAVATED MURDER AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 297 then passed on the following roll call:

Yeas, 70; Nays, 1; Absent or not voting, 4.

Voting in the affirmative were: Representatives
Aagard Adams S. Allen Barrus
Becker Bigelow Biskupski Bourdeaux
Bowman Buttars Buxton Christensen
D. Clark S. Clark Cosgrove D. Cox
Daw Dayton Dee Donnelson
Dougall Duckworth Ferrin Ferry
Fisher Fowlke Frank Gibson
Goodfellow Gowans Hansen Hardy
Harper Hendrickson Hogue Holdaway
Hunsaker E. Hutchings B. Johnson Jones
King Kiser Last Lawrence
Lockhart Mascaro Mathis McGee
Menlove Morley Moss Murray
Newbold Noel Oda Painter
Ray Romero Shurtleff G. Snow
Tilton Ure Urquhart Walker
Wallace Wheatley Wheeler Wiley
Wyatt Curtis

Voting in the negative was: Representative
Litvack

Absent or not voting were: Representatives
Alexander Dunnigan Hughes Morgan

H.B. 297 transmitted to the Senate for its consideration.

***

H.B. 259, ADOPTION AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Hardy proposed the following amendment:
151 (II) temporary living expenses during the pregnancy or confinement of the mother; and
152 (b) “directly affected person” means a person who is:
153 (i) a parent or guardian of a minor when the minor is the mother or father of the child
154 being adopted; {or }
155 (ii) a dependant of:
156 (A) the mother or father of the child being adopted; or
157 (B) the parent or guardian described in Subsection (1)(b)(i) { or
158 (iii) the spouse of the mother or father of the child being adopted.

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

H.B. 259, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard  Adams  S. Allen  Barrus
Becker  Bigelow  Biskupski  Bourdeaux
Bowman  Buttars  Buxton  Christensen
D. Clark  S. Clark  Cosgrove  D. Cox
Daw  Dayton  Dee  Donnelson
Dougall  Duckworth  Ferrin  Ferry
Fisher  Fowlke  Frank  Gibson
Goodfellow  Gowans  Hansen  Hardy
Harper  Hendrickson  Hogue  Hughes
Hunsaker  E. Hutchings  B. Johnson  Jones
King  Kiser  Last  Lawrence
Litvack  Lockhart  Mascaro  Mathis
McGee  Morgan  Morley  Moss
Murray  Newbold  Noel  Oda
Painter  Ray  Romero  Shurtliff
G. Snow  Tilton  Ure  Urquhart
Walker  Wallace  Wheatley  Wheeler
Wiley  Wyatt  Curtis

Absent or not voting were: Representatives

Alexander  Dunnigan  Holdaway  Menlove
**H.B. 259**, as amended, transmitted to the Senate for its consideration.

* * *

**Sub. H.B. 302**, REGULATION OF CONSTRUCTION INDUSTRY, read the third time by short title and placed on its final passage.

On motion of Representative Adams, the House voted to circle **Sub. H.B. 302**.

* * *

**H.B. 324**, TAXABLE VALUE ADJUSTMENT FOR PROPERTY DAMAGED BY A NATURAL DISASTER, read the third time by short title and placed on its final passage.

Representative Newbold proposed the following amendment:

1. Page 1, Line 17:
   Delete “30%” and insert “50%”
2. Page 2, Line 58:
   Delete “30%” and insert “50%”
3. Page 3, Line 74:
   Delete “30%” and insert “50%”

Representative Harper proposed the following substitute motion to amend:

1. Page 1, Line 17:
   Delete “30%” and insert “40%”
2. Page 2, Line 58:
   Delete “30%” and insert “40%”
3. Page 3, Line 74:
   Delete “30%” and insert “40%”

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

**H.B. 324**, as amended, then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
</tbody>
</table>
Absent or not voting were: Representatives
Bowman Dunnigan Mascaro Ure
Curtis

H.B. 324, as amended, transmitted to the Senate for its consideration.

COMMITTEE OF THE WHOLE

On motion of Representative Alexander, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from U.S. Senator Orrin Hatch.

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

THIRD READING CALENDAR

2nd Sub. H.B. 202, REVISIONS TO CHILD WELFARE, read the third time by short title and placed on its final passage.

Representative Harper proposed the following amendment:

1. Page 7, Lines 183 through 184

183 { (iv) engaging in conduct described in Subsection 76-5-109.1(2); } or

184 { (v) } (iv) subjecting a child to mistreatment or abuse.
2. Page 9, Line 260:

260  (G) medical or mental health care;

3. Page 10, Lines 276 through 280:

276  (iii) that there is a substantial risk that a child will suffer abuse or neglect by a caretaker

277  who neglected or abused another child in the child’s home;

278  (iv) failure by a parent or guardian to make a good faith effort to ensure that the child

279  receives an appropriate education after the parent or guardian receives notice that the child is

280  frequently absent from school without good cause; or

(y) an act or failure to act that presents an imminent risk of serious harm.

4. Page 12, Lines 353 through 355:

353  “Supported” means a finding by the division [based on the evidence]

354  at the completion of an investigation [that there is a reasonable basis to conclude]

355  [that abuse, neglect, or dependency occurred. Each allegation made]

5. Page 12, Line 366 through Page 13, Line 369:

366  “Unsupported” means a finding at the completion of an investigation [by the]

367  division that there is insufficient evidence to conclude [show that it is more likely than not]

368  that abuse, neglect, or dependency occurred. However, a finding of unsupported means also that

369  the division worker did not conclude that the allegation was without merit.
6. Page 26, Lines 781 through 790:

781 (c) the reasonable exercise of a parent’s right to discipline a child is not grounds to
782 subject a parent to punishment, restriction, disqualification or surveillance of any kind,
783 including:
784 (i) arrest;
785 (ii) criminal liability;
786 (iii) removing a child from the physical custody of a parent;
787 (iv) adversely altering a parent’s physical custody of a child;
788 (v) issuance of a protective order;
789 (vi) requiring reporting; or
790 (vii) withholding or revoking a license

7. Page 30, Line 904:

904 (b) Family preservation caseworkers may:

8. Page 33, Lines 997 through 998:

997 requirements of Subsection (1), failure to notify shall:
998 (a) shall be considered to be due to circumstances beyond the control of the peace officer or

9. Page 37, Lines 1112 through 1119:

1112 (b) If a parent does not agree with a treatment plan:
1113 (i) the division shall strive to resolve the disagreement between the division and the parent; and
1114 (ii) if the disagreement described in Subsection (4)(b)(i) is not resolved, the division shall inform the court of the disagreement and
1115 (c) Prior to ordering a treatment plan, the court shall consider the treatment plan
proposed by:

(i) the division; and

(ii) a parent, if one is submitted.

10. Page 39, Lines 1190 through 1192:

(e) For purposes of Subsection (10)(d), a treatment plan shall:

(i) only include requirements that:

(A) address findings or orders made by the court; or

11. Page 52, Lines 1597 through 1599:

(VI) a family advocate; or

(VII) an attorney; or

[V] clergy; or

[VIII] a minister, as defined in Section 62A–4a–403; and

12. Page 67, Lines 2049 through 2050:

(9) If the petition is filed under Section 78–3a–305 or 78–3a–405 or if the matter is referred to the court under Subsection 78–3a–105{(3)}{(4)(b)}{(5)}:

13. Page 9, Lines 251 through 253:

[(48)] (20) (a) “Neglect” means:

(i) repeated or substantial failure by a parent, guardian, or person with care or custody of a child to provide the child with proper or necessary:

14. Page 10, Line 276:

(iii) that there is a substantial risk that a child will may suffer abuse or neglect by a caretaker

15. Page 36, Lines 1096 through 1097:

(2) In developing the treatment plan, the division shall use the approach that it determines best serves the needs of the child and family.
16. Page 47, Line 1445 through Page 48, Line 1454:

1445 (D) custodial interference, as described in Section 76−5−303;

1446 (E) unlawful detention, as described in Section 76−5−304, if the victim is a person under the age of 18 at the time of the conduct; and

1448 (E) any of the offenses described in Title 76, Chapter 5, Part 4, Sexual Offenses, if the victim is a person under the age of 18 at the time of the conduct.

1450 (b) “Minister” means a person recognized by a bona fide religious organization as a:

1451 (i) minister;

1452 (ii) member of the clergy;

1453 (iii) priest; or

1454 (iv) similar religious official.

17. Page 59, Line 1820:

1820 major surgical, or psychiatric treatment;

18. Page 83, Line 2562 through Page 84, Line 2584:

2562 (ii) subject to Subsection (9)(b)(i), there is a substantial danger to the physical health or safety of the child and the child’s physical health or safety may not be protected without removing the child from his parent’s custody. If a minor has previously been adjudicated as abused, neglected, or dependent and a subsequent incident of abuse, neglect, or dependency occurs, that fact constitutes prima facie evidence that the child cannot safely remain in the custody of his parent or caretaker;

2567 (ii) the child is suffering emotional damage, as may be indicated by, but
is not limited to, extreme anxiety, depression, withdrawal, or negative aggressive behavior toward self or others,] and there are no reasonable means available by which the [minor’s] child’s emotional health may be protected without removing the [minor] child from the custody of [his parent] the child’s parents or caretaker; 

(iii) there is a substantial risk that the child will suffer abuse or neglect if the child is not removed from the custody of the child’s parents or caretaker; 

(iv) subject to Subsection (9)(b)(ii), the [minor] child or another [minor] child residing in the same household has been is physically or sexually abused, or is considered to be at substantial risk of being physically or sexually abused, by a:

(A) parent or caretaker; 

(B) member of the parent’s or caretaker’s household; or 

(C) person known to the parent or caretaker. If a parent has received actual notice that physical or sexual abuse by a person known to the parent has occurred, and there is evidence that the parent has allowed the child to be in the physical presence of the alleged abuser, that fact constitutes prima facie evidence that the child is at substantial risk of being physically or sexually abused.

19. Page 85, Lines 2603 through 2613:

(b) (i) For purposes of Subsection (9)(a)(i), evidence that a child cannot safely remain in the custody of a parent or caretaker of the child is established if:
(A) a court previously adjudicated that the child suffered abuse, neglect, or dependency involving the parent or caretaker; and

(B) a subsequent incident of abuse, neglect, or dependency involving the parent or caretaker occurs.

(ii) For purposes of Subsection (9)(a)(iv), there is a substantial risk that a child will be physically or sexually abused if the court finds, by a preponderance of the evidence, that the parent or caretaker:

(A) received actual notice that abuse by a person known to the parent or caretaker occurred; and

(B) after receiving the notice described in Subsection (9)(b)(ii)(A), allowed the child to be in the physical presence of the abuser.

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

###

Representative Dayton proposed the following amendment:

1. Page 5, Line 137:
   Delete line 137.

Representative Ferry proposed the following substitute motion to amend:

1. Page 100, Line 3078:
   Insert: “Section 44. Effective Date.
   “This bill takes effect July 1, 2006.”

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

Representative Dayton withdrew her motion to amend.

###

Representative Wallace proposed the following amendment:

1. Page 100, Line 3078:
   Insert: “Section 44. Effective Date.
   “This bill takes effect January 1, 2006.”
Representative Wallace’s motion to amend passed on the following roll call:

**Yeas, 34; Nays, 33; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>S. Allen</th>
<th>D. Clark</th>
<th>Cosgrove</th>
</tr>
</thead>
<tbody>
<tr>
<td>D. Cox</td>
<td>Dee</td>
<td>Duckworth</td>
<td>Ferry</td>
</tr>
<tr>
<td>Fisher</td>
<td>Fowlke</td>
<td>Goodfellow</td>
<td>Holdaway</td>
</tr>
<tr>
<td>Hansen</td>
<td>Hardy</td>
<td>Hendrickson</td>
<td>Lawrence</td>
</tr>
<tr>
<td>Hunsaker</td>
<td>Jones</td>
<td>Last</td>
<td>Lawrence</td>
</tr>
<tr>
<td>Litvack</td>
<td>Mathis</td>
<td>Menlove</td>
<td>Moss</td>
</tr>
<tr>
<td>Murray</td>
<td>Newbold</td>
<td>Romero</td>
<td>Shurtleff</td>
</tr>
<tr>
<td>Ure</td>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
</tr>
<tr>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>Alexander</th>
<th>Barrus</th>
<th>Becker</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>Christensen</td>
<td>Daw</td>
<td>Donnelson</td>
<td>Dougall</td>
</tr>
<tr>
<td>Ferrin</td>
<td>Frank</td>
<td>Gibson</td>
<td>Harper</td>
</tr>
<tr>
<td>Hogue</td>
<td>Hughes</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
</tr>
<tr>
<td>King</td>
<td>Kiser</td>
<td>Lockhart</td>
<td>McGee</td>
</tr>
<tr>
<td>Morley</td>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
</tr>
<tr>
<td>Ray</td>
<td>G. Snow</td>
<td>Urquhart</td>
<td>Wheeler</td>
</tr>
<tr>
<td>Wiley</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Bigelow</th>
<th>Biskupski</th>
<th>S. Clark</th>
<th>Dayton</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dunnigan</td>
<td>Mascaro</td>
<td>Morgan</td>
<td>Tilton</td>
</tr>
</tbody>
</table>

2nd Sub. H.B. 202, as amended, then passed on the following roll call:

**Yeas, 44; Nays, 26; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>Bowman</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buttars</td>
<td>Christensen</td>
<td>D. Clark</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Dougall</td>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
</tr>
<tr>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
<td>Harper</td>
</tr>
<tr>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>Kiser</td>
<td>Last</td>
<td>Lockhart</td>
</tr>
<tr>
<td>Mathis</td>
<td>Menlove</td>
<td>Morley</td>
<td>Newbold</td>
</tr>
</tbody>
</table>
Day 37716 HOUSE JOURNAL

Noel Oda Painter Ray
G. Snow Tilton Ure Urquhart
Walker Wallace Wheeler Wyatt

Voting in the negative were: Representatives
S. Allen Barrus Becker Biskupski
Bourdeaux Buxton Cosgrove Duckworth
Goodfellow Gowans Hansen Hardy
Hendrickson E. Hutchings Jones King
Lawrence Litvack McGee Moss
Murray Romero Shurtleff Wheatley
Wiley Curtis

Absent or not voting were: Representatives
Bigelow S. Clark Dunnigan Mascaro
Morgan

2nd Sub. H.B. 202, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Last, the House voted to set H.R. 10 for Time Certain on February 22, 2005 at 2:30 p.m.

***

On motion of Representative Alexander, the House voted to recess until 2:00 p.m.

AFTERNOON SESSION

The House was called to order by Speaker Curtis at 2:45 p.m.

SPECIAL ORDER OF BUSINESS

H.R. 10, RESOLUTION SUPPORTING PARTICIPATION OF TAIWAN IN WORLD HEALTH ORGANIZATION, read the third time by short title and placed on its final passage.

COMMITTEE OF THE WHOLE

On motion of Representative Alexander, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from Mr. Lin, from Taiwan.
On motion of Representative Alexander, the Committee of the Whole was dissolved.

**H.R. 10** then passed on the following roll call:

**Yeas, 62; Nays, 0; Absent or not voting, 13.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Biskupski</td>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
</tr>
<tr>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Frank</td>
<td>Gibson</td>
</tr>
<tr>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
</tr>
<tr>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Hughes</td>
</tr>
<tr>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>Jones</td>
</tr>
<tr>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
</tr>
<tr>
<td>Litvack</td>
<td>Mascaro</td>
<td>McGee</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morgan</td>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
</tr>
<tr>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
<td>Ure</td>
</tr>
<tr>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wiley</td>
</tr>
<tr>
<td>Wyatt</td>
<td>Curtis</td>
<td>......</td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

| S. Allen | Becker | Bigelow | S. Clark |
| Dunnigan | Fowlke | Holdaway | Lockhart |
| Mathis | G. Snow | Tilton | Urquhart |
| Wheeler |......|

**H.R. 10** was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Lt. Governor.

**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker: February 21, 2005

The Senate passed **S.B. 172**, DIVISION OF REAL ESTATE AMENDMENTS, by Senator M. Waddoups, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 178**, CHARTER SCHOOL AMENDMENTS, by Senator H. Stephenson, and it is transmitted for consideration; and
The Senate passed, as amended, **S.B. 179**, PROTECTION OF GOVERNMENT RECORDS, by Senator G. Bell, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 227**, PUBLIC SAFETY DRIVING PRIVILEGE AND IDENTIFICATION CARD AMENDMENTS, by Senator C. Bramble, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate


* * *

Mr. Speaker: February 22, 2005

The Senate passed, **H.B. 149**, VEHICLE IDENTIFICATION NUMBER INSPECTORS, by Representative C. Frank, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. **H.B. 149** was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

* * *

Mr. Speaker: February 22, 2005

The Senate passed, as amended, **H.B. 43**, SCHOOL LAND TRUST PROGRAM FUNDING AMENDMENTS, by Representative S. Urquhart, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **H.B. 43**, placed on the calendar for concurrence.

**REPORTS OF STANDING COMMITTEES**

Mr. Speaker: February 22, 2005

The Business and Labor Committee reports a favorable recommendation on **S.B. 174**, SECURITY SERVICE AMENDMENTS, by Senator R. Allen; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 272**, PATIENT ACCESS TO PROVIDERS AND CONTRACTING AMENDMENTS, by Representative R. Lockhart; and
The Business and Labor Committee reports a favorable recommendation on **H.C.R. 13**, CONCURRENT RESOLUTION PROMOTING UTAH SAVES STRATEGIC INITIATIVE, by Representative D. Hogue.

Stephen D. Clark, Chair

Reports filed. On motion of Representative Alexander, the reports of the Business and Labor committee were adopted.


* * *

Mr. Speaker: February 22, 2005

The Education Committee reports a favorable recommendation on **H.B. 356**, STATE GOVERNMENT LAW REVISIONS – WITHDRAWAL FROM EDUCATION COMPACT, by Representative M. Dayton, and recommends it be placed on the Consent Calendar; and

The Education Committee reports a favorable recommendation on **H.B. 169**, APPROPRIATION FOR SCHOOL DISTRICTS IMPACTED BY FEE WAIVERS, by Representative L. Shurtliff; and

The Education Committee reports a favorable recommendation on **H.B. 326**, HIGH SCHOOL CURRICULUM AND EARLY GRADUATION, by Representative B. Daw, with the following amendments:

1. Page 1, Lines 1 through 2:
   1  HIGH SCHOOL CURRICULUM  {AND EARLY
   2  GRADUATION}

2. Page 1, Line 9:
   9 This bill provides for additional high school curriculum \{and GED test\} provisions.

3. Page 1, Lines 15 through 18:
   15 and other curricula; and
   16 encourages a meeting to select which curriculum the student will follow \{and\}
   17 \{requires the State Board of Education to apply to GED to allow enrolled high school
students to take the GED test."

4. Page 1, Line 26:

{ 53A−1−612, Utah Code Annotated 1953 } 18

5. Page 2, Lines 45 through 52:

{ Section 2. Section 53A−1−612 is enacted to read: 45

53A−1−612. General Educational Development Test. 46

(1) As used in this section, “GED test” means the General Educational Development test developed by the American Council on Education and administered by the General Educational Development Testing Service. 47

(2) The State Board of Education shall submit an application to the General Educational Development Testing Service to request that students who are currently enrolled in high school, including students who excel academically, be allowed to take the GED test. 48

Margaret Dayton, Chair

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

**H.B. 356**, read the second time by short title and placed on the Consent Calendar.


***

Mr. Speaker: February 22, 2005

The Health and Human Services Committee recommends **H.B. 304**, PREMIUM ASSISTANCE PROGRAM FOR COVERED−AT−WORK, by Representative K. Holdaway, be replaced and reports a favorable recommendation on **1st Sub. H.B. 304**, PREMIUM ASSISTANCE PROGRAM FOR COVERED−AT−WORK with the following amendments:
1. Page 1, Lines 21 through 24:

21 • increase the \{five-year\} individual monthly premium subsidy amount, currently consisting of varying amounts per year, to $100 per year for the life of the waiver;

22 • increase the \{five-year\} individual and spouse monthly premium subsidy amount,

23 currently consisting of varying amounts per year, to $200 for the life of the waiver; and

2. Page 3, Lines 62 through 65:

62 (a) increase the \{five-year\} individual monthly premium subsidy amount to $100 per month for the life of the waiver;

63 (b) increase the \{five-year\} individual and spouse monthly premium subsidy amount to $200 per month for the life of the waiver; and

The Health and Human Services Committee reports a favorable recommendation on H.B. 343, MEDICAID – PREGNANT WOMEN RESOURCE TEST, by Representative M. Wheatley; and

The Health and Human Services Committee reports a favorable recommendation on S.B. 19, DISEASE TESTING OF INDIVIDUALS EXPOSED TO BLOOD BORNE PATHOGENS, by Senator P. Arent.

Bradley G. Last, Chair

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


* * *

Mr. Speaker: February 22, 2005

The Public Utilities and Technology Committee recommends H.B. 260, AMENDMENTS RELATED TO PORNOGRAPHIC AND HARMFUL MATERIALS, by Representative J. Dougall, be replaced and favorably
recommends 1st Sub. H.B. 260, AMENDMENTS RELATED TO PORNOGRAPHIC AND HARMFUL MATERIALS.

Sheryl L. Allen, Chair

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

Sub. H.B. 260, read the second time by short title and referred to the Rules Committee for prioritization.

NOTICE OF BILL TABLED

February 22, 2005

Mr. Speaker:

The Public Utilities and Technology Committee has tabled H.B. 312, MUNICIPAL ELECTRICAL ENTITIES AMENDMENTS, by Representative A. Tilton, and has returned it to the Rules Committee.

Sheryl L. Allen, Chair


THIRD READING CALENDAR

H.B. 275, BUSINESS ENTITY AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Romero proposed the following amendment:

1. Page 30, Line 909

   909 (ii) if [none] a designated office is not to be maintained, a statement that the company will

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

H.B. 275, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard                  Alexander                   S. Allen                 Barrus
Becker                  Biskupski                   Bourdeaux                Bowman
Buttars                 Buxton                      Christensen              D. Clark
S. Clark                Cosgrove                    D. Cox                   Daw
Dayton                  Dee                         Donnelson                Dougall
H.B. 275, as amended, transmitted to the Senate for its consideration.

* * *

Sub. H.B. 308, ARCHEOLOGICAL RESOURCES AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative B. Johnson, the House voted to delete Sub. H.B. 308 in title and body and insert 3rd Sub. H.B. 308 in lieu thereof.

Representative Goodfellow proposed the following amendment:

1. Page 4, Line 97:
   Delete “other than the Division of State History.”

Representative Goodfellow’s motion to amend failed on the following roll call:

Yeas, 28; Nays, 35; Absent or not voting, 12.

Voting in the affirmative were: Representatives

S. Allen    Becker    Biskupski    Bourdeaux
Bowman     Buxton     Cosgrove    Dee
Duckworth  Goodfellow Hansen    Harper
Hendrickson Jones    King       Kiser
Last       Litvack    McGee      Morgan
Moss       Oda        Romero     Shurtliff
Ure        Walker     Wheatley   Wiley
**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Alexander</th>
<th>Barrus</th>
<th>Buttars</th>
</tr>
</thead>
<tbody>
<tr>
<td>Christensen</td>
<td>D. Clark</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td>Dayton</td>
<td>Donnelson</td>
<td>Dougall</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Frank</td>
<td>Gibson</td>
</tr>
<tr>
<td>Gowans</td>
<td>Hardy</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>Lawrence</td>
<td>Mascaro</td>
<td>Mathis</td>
</tr>
<tr>
<td>Menlove</td>
<td>Morley</td>
<td>Murray</td>
<td>Newbold</td>
</tr>
<tr>
<td>Noel</td>
<td>Painter</td>
<td>Ray</td>
<td>Tilton</td>
</tr>
<tr>
<td>Wheeler</td>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>Bigelow</th>
<th>S. Clark</th>
<th>Dunnigan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fowlke</td>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hughes</td>
</tr>
<tr>
<td>Lockhart</td>
<td>G. Snow</td>
<td>Urquhart</td>
<td>Wallace</td>
</tr>
</tbody>
</table>

**3rd Sub. H.B. 308** then passed on the following roll call:

**Yeas, 52; Nays, 15; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Bigelow</td>
<td>Bowman</td>
<td>Buttars</td>
</tr>
<tr>
<td>Buxton</td>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Daw</td>
<td>Dee</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Dougall</td>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
</tr>
<tr>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
<td>Gowans</td>
</tr>
<tr>
<td>Hansen</td>
<td>Hardy</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
<tr>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
</tr>
<tr>
<td>Jones</td>
<td>Last</td>
<td>Lawrence</td>
<td>Mascaro</td>
</tr>
<tr>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
</tr>
<tr>
<td>Morley</td>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
</tr>
<tr>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
<td>Shurtliff</td>
</tr>
<tr>
<td>Ure</td>
<td>Walker</td>
<td>Wheeler</td>
<td>Wyatt</td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Becker</th>
<th>Biskupski</th>
<th>Bourdeaux</th>
<th>Christensen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dayton</td>
<td>Duckworth</td>
<td>Goodfellow</td>
<td>Harper</td>
</tr>
<tr>
<td>Kiser</td>
<td>Litvack</td>
<td>Moss</td>
<td>Romero</td>
</tr>
<tr>
<td>Tilton</td>
<td>Wheatley</td>
<td>Wiley</td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Dunnigan</th>
<th>Holdaway</th>
<th>King</th>
<th>Lockhart</th>
</tr>
</thead>
<tbody>
<tr>
<td>G. Snow</td>
<td>Urquhart</td>
<td>Wallace</td>
<td>Curtis</td>
</tr>
</tbody>
</table>
CONCURRENCE CALENDAR

On motion of Representative Allen, the House voted to concur in the Senate amendments to H.J.R. 15, RESOLUTION REGARDING UNITED STATES TRADE NEGOTIATIONS.

H.J.R. 15, as amended by the Senate, then passed on the following roll call:

Yeas, 64; Nays, 3; Absent or not voting, 8.

Voting in the affirmative were: Representatives
Aagard        Adams        Alexander        S. Allen
Barrus        Becker       Bigelow         Biskupski
Bourdeaux     Bowman       Buttars         Buxton
Christensen   D. Clark     S. Clark       Cosgrove
D. Cox        Daw          Dayton          Dee
Donnelson     Dougall      Duckworth      Fisher
Fowlke        Frank        Gibson         Goodfellow
Gowans        Hansen       Hardy          Harper
Hendrickson   Hogue        Hughes         Hunsaker
E. Hutchings  Jones        King           Kiser
Last          Lawrence      Litvack        Lockhart
Mascaro       Mathis       McGee          Menlove
Morgan        Morley       Moss           Murray
Newbold       Noel         Painter        Ray
Romero        Shurtliff    Tilton         Ure
Walker        Wheatley     Wheeler        Wiley

Voting in the negative were: Representatives
Ferrin        Ferry         Wyatt

Absent or not voting were: Representatives
Dunnigan      Holdaway     B. Johnson     Oda
G. Snow       Urquhart     Wallace        Curtis

H.J.R. 15, as amended by the Senate, transmitted to the Senate for signature of the president.

MISCELLANEOUS BUSINESS

On motion of Representative Lockhart, the House voted to limit debate to 5 minutes per bill.
THIRD READING CALENDAR

H.B. 124, ENROLLMENT GROWTH PROGRAM AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 124 then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bowman</td>
<td>Buttas</td>
<td>Buxton</td>
<td>Christensen</td>
</tr>
<tr>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Daw</td>
<td>Dayton</td>
<td>Donelson</td>
<td>Dougall</td>
</tr>
<tr>
<td>Duckworth</td>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
</tr>
<tr>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
</tr>
<tr>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
<td>Harper</td>
</tr>
<tr>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Hughes</td>
<td>Hunsaker</td>
</tr>
<tr>
<td>E. Hutchings</td>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
</tr>
<tr>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
<td>Lockhart</td>
</tr>
<tr>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morgan</td>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
</tr>
<tr>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
<td>Tilton</td>
</tr>
<tr>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
<td>Wheatley</td>
</tr>
<tr>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Bourdeaux</th>
<th>Dee</th>
<th>Dunnigan</th>
<th>Holdaway</th>
</tr>
</thead>
<tbody>
<tr>
<td>B. Johnson</td>
<td>G. Snow</td>
<td>Wallace</td>
<td>Curtis</td>
</tr>
</tbody>
</table>

H.B. 124 transmitted to the Senate for its consideration.

***

2nd Sub. H.R. 7, HOUSE RULES RESOLUTION − COMMITTEE REPORT, read the third time by short title and placed on its final passage.

On motion of Representative Mascaro, the House voted to circle 2nd Sub. H.R. 7.

INTRODUCTION OF BILL

H.B. 381, Community and Economic Development Restructuring (C. Buttars), read the first time by short title and referred to the Rules Committee.
UNFINISHED BUSINESS

On motion of Representative Morgan, the House voted to uncircle H.B. 380.

H.B. 380, AMENDMENTS TO LOCAL DISTRICTS, was before the House on its final passage.

H.B. 380 then passed on the following roll call:

Yeas, 59; Nays, 0; Absent or not voting, 16.

Voting in the affirmative were: Representatives

Aagard    Alexander    S. Allen    Barrus
Becker    Bowman       Buttars     Buxton
Christensen    D. Clark   Cosgrove   D. Cox
Daw       Dayton       Dee         Donnelson
Duckworth Ferrin     Ferry       Fisher
Fowlke    Frank        Gibson      Goodfellow
Gowans    Hansen       Harper      Hogue
Hunsaker E. Hutchings B. Johnson Jones
King      Last         Lawrence    Mascaro
Mathis    McGee        Menlove    Morgan
Morley    Moss         Murray      Newbold
Noel      Oda          Painter     Ray
Romero    Shurtliff    G. Snow     Tilton
Urquhart Walker      Wallace     Wheatley
Wheeler   Wiley        Wyatt

Absent or not voting were: Representatives

Adams    Bigelow       Biskupski   Bourdeaux
S. Clark Dougall      Dunnigan    Hardy
Hendrickson Holdaway   Hughes     Kiser
Litvack   Lockhart     Ure        Curtis

H.B. 380 transmitted to the Senate for its consideration.

* * *

On motion of Representative Walker, the House voted to uncircle H.B. 309.

H.B. 309, MUNICIPAL BUDGET AMENDMENTS, was before the House on its final passage.

H.B. 309 then passed on the following roll call:
Yeas, 59; Nays, 0; Absent or not voting, 16.

Voting in the affirmative were: Representatives

Aagard  Alexander  S. Allen  Barrus
Becker  Bigelow  Bowman  Buttars
Buxton  Christensen  D. Clark  Cosgrove
D. Cox  Daw  Dayton  Dee
Donnelson  Duckworth  Ferrin  Ferry
Fisher  Fowlke  Frank  Gibson
Goodfellow  Gowans  Hansen  Harper
Hunsaker  E. Hutchings  B. Johnson  Jones
King  Last  Lawrence  Mascaro
Mathis  McGee  Menlove  Morgan
Morley  Moss  Murray  Newbold
Noel  Oda  Painter  Ray
Romero  Shurtliff  G. Snow  Tilton
Urquhart  Walker  Wallace  Wheatley
Wheeler  Wiley  Wyatt

Absent or not voting were: Representatives

Adams  Biskupski  Bourdeaux  S. Clark
Dougall  Dunnigan  Hardy  Hendrickson
Hogue  Holdaway  Hughes  Kiser
Litvack  Lockhart  Ure  Curtis

H.B. 309 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 280, JOINT CUSTODY AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Christensen proposed the following amendment:

1. Page 3, Lines 81 and 82:
   Delete lines 81 and 82 and renumber accordingly.

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

H.B. 280, as amended, then passed on the following roll call:

Yeas, 60; Nays, 0; Absent or not voting, 15.

Voting in the affirmative were: Representatives

Aagard  Alexander  S. Allen  Barrus
Becker  Bigelow  Bourdeaux  Bowman
Buttars     Buxton     Christensen     D. Clark  
Cosgrove D. Cox     Daw     Dayton  
Dee Donnelson     Duckworth     Ferrin  
Ferry Fisher     Fowlke     Frank  
Gibson Goodfellow     Gowan     Hansen  
Harper Hogue     Hunsaker     B. Johnson  
Jones King     Last     Lawrence  
Mascaro Mathis     McGee     Menlove  
Morgan Morley     Moss     Murray  
Newbold Noel     Oda     Painter  
Ray Romero     Shurtliff     G. Snow  
Tilton Urquhart     Walker     Wallace  
Wheatley Wheeler     Wiley     Wyatt  

**Absent or not voting were:** Representatives  
Adams     Biskupski     S. Clark     Dougall  
Dunnigan     Hardy     Hendrickson     Holdaway  
Hughes     E. Hutchings     Kiser     Litvack  
Lockhart     Ure     Curtis  

**H.B. 280**, as amended, transmitted to the Senate for its consideration.

***

**Sub. H.B. 261, MOTORBOAT LIABILITY INSURANCE AMENDMENTS**, read the third time by short title and placed on its final passage.

Representative Gibson proposed the following amendment:

1. Page 12, Lines 354 through 360

354 (1) The division may, upon the application of any person, issue a certificate of

355 self-funded coverage when it is satisfied that the person has:

356 (a) more than 24 [personal watercraft] motorboats; and

357 (b) { deposits } on deposit , in a form approved by the division, cash or securities in an amount of $200,000

358 plus $100 for each [personal watercraft] motorboat up to and including 1,000 [personal

359 watercraft] motorboats and $50 for each [personal watercraft] motorboat over 1,000 [personal
Representative Gibson’s motion to amend passed on a voice vote.

**Sub. H.B. 261**, as amended, then passed on the following roll call:

**Yeas, 56; Nays, 6; Absent or not voting, 13.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Alexander</th>
<th>S. Allen</th>
<th>Becker</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Dougall</td>
<td>Ferrin</td>
<td>Ferry</td>
</tr>
<tr>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
</tr>
<tr>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hardy</td>
<td>Harper</td>
</tr>
<tr>
<td>Hogue</td>
<td>Hunsaker</td>
<td>B. Johnson</td>
<td>Jones</td>
</tr>
<tr>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
</tr>
<tr>
<td>Lockhart</td>
<td>Mathis</td>
<td>Menlove</td>
<td>Moss</td>
</tr>
<tr>
<td>Murray</td>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
</tr>
<tr>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Duckworth</th>
<th>Hansen</th>
<th>King</th>
<th>Mascaro</th>
</tr>
</thead>
<tbody>
<tr>
<td>Newbold</td>
<td>Wallace</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>Barrus</th>
<th>Bigelow</th>
<th>Biskupski</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dunnigan</td>
<td>Hendrickson</td>
<td>Holdaway</td>
<td>Hughes</td>
</tr>
<tr>
<td>E. Hutchings</td>
<td>McGee</td>
<td>Morgan</td>
<td>Morley</td>
</tr>
<tr>
<td>Curtis</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Sub. H.B. 261**, as amended, transmitted to the Senate for its consideration.

**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker: February 22, 2005

The Senate requests the return of **H.B. 55, DRUG OFFENSE PENALTY ENHANCEMENTS**, by Representative B. Dee, for correction.

Annette B. Moore
Secretary of the Senate

Communication filed. **H.B. 55**, returned to the Senate.
THIRD READING CALENDAR

H.B. 256, LOCAL GOVERNMENT ACQUISITION OF REAL PROPERTY, read the third time by short title and placed on its final passage.

On motion of Representative Hardy, the House voted to circle H.B. 256.

***

H.B. 138, NONRESIDENT TUITION FOR HIGHER EDUCATION AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Lawrence, the House voted to circle H.B. 138.

RULES COMMITTEE REPORTS

Mr. Speaker: February 22, 2005

The House Rules Committee recommends, with written request of the sponsor, that H.B. 322, Motor Vehicle Repairs − Consumer Rights (Rep. T. Kiser) be replaced with Substitute H.B. 322, Motor Vehicle Repairs − Consumer Rights (Rep. T. Kiser), and further recommends it be assigned to the Business Labor Standing Committee; and

The Rules Committee recommends that the following bill be lifted from the Business and Labor Standing Committee and returned to the Rules Committee:

H.B. 277 Revisions to the Utah Credit Union Act (Rep. L. Christensen); and

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

BUSINESS AND LABOR
H.B. 375 Revisions to General State Government − Notary Law Amendments (Rep. B. King)
S.B. 172 Division of Real Estate Amendments (Sen. M. Waddoups)

EDUCATION
H.B. 381 Nonresident Tuition Waivers (Rep. C. Buttars)
1st Sub. S.B. 178 Charter School Amendments (Sen. H. Stephenson)
S.B. 239 Public Lands Policy Coordination (Sen. T. Hatch)
HEALTH AND HUMAN SERVICES

H.B. 328 Rural Health Care Infrastructure (Rep. M. Noel)
1st Sub. S.B. 177 Increase Statute of Limitations on Rape (Sen. E. Mayne)
S.B. 206 Nonparticipating Tobacco Manufacturer Amendments
   (Sen. S. Killpack)
S.J.R. 16 Resolution Urging Comprehensive Cancer Control Plan
   for the State (Sen. K. Hale)
S.J.R. 17 Resolution Recognizing Huntsman Cancer Institute
   (Sen. P. Knudson)

PUBLIC UTILITIES AND TECHNOLOGY

2nd Sub. S.B. 199 Office of Energy – Oversight (Sen. T. Hatch); and
   The Rules Committee recommends that, under suspension of the rules, the
   following bills and resolutions be considered read for the second time and placed
   on the Third Reading Calendar

H.B. 114 Children’s Health Care Coverage Amendments
   (Rep. D. Hogue)
1st Sub. H.B. 260 Amendments Related to Pornographic and Harmful
   Materials (Rep. J. Dougall)
1st Sub. H.B. 96 Amendments Relating to Clean Fuels and Vehicles Using
   Clean Fuels (Rep. F. Hunsaker)
H.B. 131 Access to Health Care Facilities and Places of Worship
   (Rep. D. Aagard)
H.B. 140 Individual Income Tax Contribution for Community Spay
   and Neuter Programs (Rep. M. Noel)
H.C.R. 3 Resolution Regarding Washington County Waste Facility
   (Rep. B. Last)
H.B. 132 Internet Crimes Against Children (Rep. T. Cosgrove)
H.B. 291 Capitol Preservation Board Modifications
   (Rep. J. Alexander)
H.B. 299 Motor Vehicle Business Licensing Amendments
   (Rep. P. Ray)
H.B. 362 Appropriation for Highly Qualified Teachers
   (Rep. K. Holdaway)
H.R. 11 Resolution Urging Congress to Pass Balanced Budget
   Amendment (Rep. N. Hansen)
H.B. 326 High School Curriculum (Rep. B. Daw)
H.B. 314 Driving with Any Measurable Controlled Substance in the
   Body Revisions (Rep. M. Noel)
H.B. 178 Mental Health Services Coordinator (Rep. D. Hogue)
H.B. 292  Commission on Racial and Ethnic Fairness  
(Rep. D. Bourdeaux)
H.B. 126  Amendments to Facilities with Regional Impact  
(Rep. G. Hughes)
H.B. 129  School Uniforms (Rep. C. Frank)
1st Sub. H.B. 247  Credit or Refund for Tax Paid on Cigarette or Tobacco  
Product Destroyed or Returned to the Manufacturer  
(Rep. E. Hutchings)
H.B. 245  Compensation of Constitutional Officers – Benefits and  
Insurance (Rep. M. Noel)
1st Sub. H.B. 313  Economic Development Initiative for Higher Education  
(Rep. K. Holdaway)
(Rep. D. Hogue)
H.B. 268  Drug Utilization Review Committee Amendments  
(Rep. R. Lockhart)  

Rebecca Lockhart, Chair

Reports filed. On motion of Representative Lockhart, the reports of the Rules Committee were adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Christensen, the House voted to lift H.B. 277 from the Rules Committee and return it to the Business and Labor standing committee.

* * *

On motion of Representative Urquhart, the House voted to adjourn until February 23, 2005, at 9:00 a.m.
MORNING SESSION

The House was called to order by Speaker Curtis at 9:50 a.m.

Roll call showed all members present except Representatives Gregg Buxton, Kory Holdaway, and Jim Dunnigan, excused.

Prayer by Representative Craig A. Frank. Pledge of Allegiance by Michael Frank, Representative Frank’s son.

COMMUNICATION FROM THE SENATE

Mr. Speaker: February 22, 2005

The Senate passed, as amended with corrections, H.B. 55, DRUG OFFENSE PENALTY ENHANCEMENTS, by Representative B. Dee, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. H.B. 55, placed on the calendar for concurrence.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 22, 2005

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on H.B. 318, COMMUNITY AND ECONOMIC DEVELOPMENT RESTRUCTURING, by Representative C. Buttars, with the following amendments:

1. Page 3, Lines 75 through 77:

75 Governor’s Office of Economic Development whose positions are designated as

76 schedule AM are not considered “state employees” for the purpose of overtime policies by the Department of Human Resource Management and are exempt from classified service and career service

77 Resource Management and are exempt from classified service and career service
2. Page 14, Lines 403 through 405:

403 9−2−1706, as enacted by Chapter 159, Laws of Utah 2001
9−3−205, as last amended by Chapter 109, Laws of Utah 1994
9−3−208, as renumbered and amended by Chapter 241, Laws of Utah 1992

404 Uncodified Material Affected:

405 ENACTS UNCODIFIED MATERIAL

3. Page 173, Lines 5357 through 5359:

5357 Executive Director, Department of

5358 Community and [Economic]

5359 [Development] Culture { [−] $70,600 − [\} $95,200 { [−] $65,200 − $88,400 }

4. Page 181, Lines 5585 through 5586:

5585 Section 9−2−1706, Duties of Tourism Marketing Performance Fund Committee.

Section 9−3−205, Director of division.

Section 9−3−208, Offices in Salt Lake City.

5586 Section 168. Study on the implementation of the restructuring of the Department

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on S.B. 173, BROWNFIELDS REVISION, by Senator L. A. Mansell; and

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on S.B. 159, ASSESSMENT OFFSET FOR DONATIONS PROMOTING OCCUPATIONAL HEALTH AND SAFETY, by Senator E. Mayne.

David N. Cox, Chair

Reports filed. On motion of Representative Mascaro, the reports of the Workforce Services and Community and Economic Development committee were adopted.

Mr. Speaker: February 22, 2005

The Political Subdivisions Committee reports a favorable recommendation on 1st Sub. S.B. 80, SPECIAL SERVICE DISTRICTS – SERVICE EXPANSION, by Senator M. Dmitrich; and

The Political Subdivisions Committee recommends H.B. 335, DISCONNECTING TERRITORY FROM A MUNICIPALITY, by Representative C. Frank, be replaced and reports a favorable recommendation on 1st Sub. H.B. 335, DISCONNECTING TERRITORY FROM A MUNICIPALITY with the following amendments:

1. Page 7, Lines 190 through 191

   190 (e) The commission {–shall } may grant a petition and adjust the common boundary as
   191 requested if:

The Political Subdivisions Committee reports a favorable recommendation on H.J.R. 18, JOINT RESOLUTION SUPPORTING COUNTIES EXPANSION OF CORRECTIONAL FACILITIES, by Representative D. Hogue.

Brad L. Dee, Chair

Reports filed. On motion of Representative Dee, the reports of the Political Subdivisions committee were adopted.


COMMITTEE OF THE WHOLE

On motion of Representative Ray, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from Ron McBride.

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

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 23, 2005

The Transportation Committee reports a favorable recommendation on S.B. 144, MOTOR VEHICLE STOPS AT PORT–OF–ENTRY, by Senator P. Knudson; and
The Transportation Committee reports a favorable recommendation on **S.B. 188**, CLASSIFYING OFF–HIGHWAY VEHICLES AS ALLOWED ON DESIGNATED ROADS, by Senator T. Hatch; and

The Transportation Committee reports a favorable recommendation on **S.B. 207**, MOTOR VEHICLE INSURANCE COVERAGE AMENDMENTS, by Senator D. Eastman.

Joseph G. Murray, Chair

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

**S.B. 144, S.B. 188, and S.B. 207**, read the second time by short title and referred to the Rules Committee for prioritization.

**NOTICE OF BILL RETURNED TO RULES COMMITTEE**

Mr. Speaker: February 23, 2005

The Transportation Committee has returned **H.B. 367**, RESTRICTIONS ON HIGH OCCUPANCY VEHICLE LANE, by Representative D. Litvack, to the Rules Committee with the following amendments:

1. **Page 1, Lines 13 through 15:**

   13 provides that if a designated high occupancy vehicle (HOV) lane includes a freeway

   14 on–ramp or an off–ramp, the on–ramp or off–ramp is open for general vehicle use

   15 except during the peak traffic hours

   - of 6 a.m. to 9 a.m. and from 4 p.m. to 7 p.m.; or
   - at different peak traffic hours designated by a highway authority if peak traffic volumes occur at different times based on a traffic engineering study.

2. **Page 2, Line 54 through Page 3, Line 59:**

   54 **(b) (i)** Notwithstanding the provisions of Subsection (4)(a)(iii), if a highway authority

   55 designates a high occupancy vehicle (HOV) lane that includes a freeway on–ramp or off–ramp,

   56 the on–ramp or off–ramp shall be open for general vehicle use regardless of the number of
occupants except during the peak traffic hours of:

(i) 6 a.m. to 9 a.m.; and

(ii) 4 p.m. to 7 p.m.

(ii) A highway authority may designate peak hours that are different than the hours specified under Subsection (4)(b)(i) if, based on a traffic engineering study, the highway authority determines that peak traffic volumes regularly occur at different times in that location.

Joseph G. Murray, Chair
Reports filed. H.B. 367, as amended, returned to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 22, 2005

The Revenue and Taxation Committee reports a favorable recommendation on 1st Sub. S.B. 164, INDIVIDUAL INCOME TAX − TAX CREDIT FOR LIVE ORGAN DONATION EXPENSES, by Senator K. Hale.

Wayne A. Harper, Chair
Report filed. On motion of Representative Donnelson, the reports of the Revenue and Taxation committee were adopted.

Sub. S.B. 164, read the second time by short title and referred to the Rules Committee for prioritization.

* * *

Mr. Speaker: February 22, 2005

The Government Operations Committee reports a favorable recommendation on H.B. 340, OFFICE OF RECOVERY SERVICES FEE, by Representative A. Tilton; and

The Government Operations Committee reports a favorable recommendation on H.B. 369, LOBBYIST REGULATION, by Representative J. Ferrin, with the following amendments:

1. Page 1, Lines 13 through 14:

   *enacts the Lobbying Restrictions Act, which prohibits certain elected and appointed government officials from acting as a lobbyist for {two years} one year after leaving office; and*
2. Page 4, Lines 102 through 104:

(1) Except as provided in Subsection (2), a former state official may not become a lobbyist or engage in lobbying activities for \{two calendar years\} one calendar year, beginning on the date the state official leaves office and ending on the \{two-year\} one-year anniversary of that date.

The Government Operations Committee reports a favorable recommendation on 1st Sub. S.B. 58, LIABILITY PROTECTION OF EDUCATORS, by Senator H. Stephenson; and

The Government Operations Committee reports a favorable recommendation on S.B. 141, MILITARY INSTALLATION PARTNERSHIPS, by Senator S. Killpack; and

The Government Operations Committee reports a favorable recommendation on S.B. 148, CONSERVATION EASEMENT ENDOWMENT RESTRICTED ACCOUNT, by Senator B. Evans; and

The Government Operations Committee reports a favorable recommendation on 1st Sub. S.B. 149, PETE SUAZO ATHLETIC COMMISSION AMENDMENTS, by Senator E. Mayne; and

The Government Operations Committee reports a favorable recommendation on S.B. 163, CAPITOL PRESERVATION BOARD AMENDMENTS, by Senator B. Evans; and


Douglas C. Aagard, Chair

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

NOTICE OF BILL RETURNED TO RULES COMMITTEE

Mr. Speaker: February 22, 2005

The Government Operations Committee has returned **H.B. 330**, DRIVER LICENSE QUALIFICATIONS AMENDMENTS, by Representative G. Donnelson, to the Rules Committee.

Douglas C. Aagard, Chair


COMMITTEE OF THE WHOLE

On motion of Representative D. Clark, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from former Senator Dave Watson.

On motion of Representative D. Clark, the Committee of the Whole was dissolved.

CONCURRENCE CALENDAR

On motion of Representative Hardy, the House voted to concur in the Senate amendments to **Sub. H.B. 180**, RETIREMENT OFFICE AMENDMENTS.

**Sub. H.B. 180**, as amended by the Senate, then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
<td>Bowman</td>
</tr>
<tr>
<td>Buttars</td>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
</tr>
<tr>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
</tr>
<tr>
<td>Dee</td>
<td>Donnelson</td>
<td>Duckworth</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
</tr>
<tr>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
</tr>
<tr>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
<tr>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
</tr>
<tr>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Litvack</td>
<td>Lockhart</td>
<td>Mascaro</td>
</tr>
<tr>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
</tr>
<tr>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
</tr>
<tr>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
</tr>
</tbody>
</table>
Sub. H.B. 180, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Urquhart, the House voted to refuse to concur in the Senate amendments to H.B. 43 SCHOOL LAND TRUST PROGRAM FUNDING AMENDMENTS, and request the Senate to recede from its amendments.

MISCELLANEOUS BUSINESS

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

* * *

On motion of Representative Walker, the House voted to reconsider its action on H.B. 309.

RECONSIDERATION OF H.B. 309

H.B. 309, MUNICIPAL BUDGET AMENDMENTS, was before the House upon its reconsideration.

H.B. 309, then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bowman Buttars Christensen D. Clark
S. Clark Cosgrove D. Cox Daw
Dayton Dee Donnelson Dougall
Duckworth Ferrin Ferry Fisher
Voting in the negative were: Representatives
Bourdeaux Hendrickson

Absent or not voting were: Representatives
Buxton Dunnigan Holdaway Wiley

H.B. 309, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Morgan, the House voted to reconsider its action on H.B. 380.

RECONSIDERATION OF H.B. 380

H.B. 380, AMENDMENTS TO LOCAL DISTRICTS, was before the House upon its reconsideration.

H.B. 380 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupsiki
Bourdeaux Buttars Christensen D. Clark
S. Clark Cosgrove Daw Dayton
Dee Duckworth Ferrin Ferry
Fisher Frank Gibson Goodfellow
Gowans Hansen Hardy Harper
Hendrickson Hogue Hughes Hunsaker
Absent or not voting were: Representatives
Bowman Buxton D. Cox Donnelson
Dougall Dunnigan Fowlke Holdaway
B. Johnson Mascaro Morley Tilton

H.B. 380 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 307, REDEVELOPMENT AGENCY CHANGES, under suspension of the rules, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle H.B. 307.

* * *

H.B. 147, PROPERTY TAX EXEMPTION FOR VETERANS, under suspension of the rules, read the third time by short title and placed on its final passage.

H.B. 147, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams S. Allen Barrus
Becker Bigelow Biskupski Bourdeaux
Bowman Buttars Christensen S. Clark
Cosgrove D. Cox Daw Dayton
Dee Donnelson Dougall Duckworth
Ferrin Ferry Fisher Fowlke
Frank Gibson Goodfellow Gowans
Hansen Hardy Harper Hendrickson
Hogue Hughes Hunsaker E. Hutchings
B. Johnson Jones King Kiser
Absent or not voting were: Representatives
Alexander Buxton D. Clark Dunnigan
Holdaway Urquhart

H.B. 147, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 255, INVESTMENT OF HIGHER EDUCATION INSTITUTION ENDOWMENT FUNDS, under suspension of the rules, read the third time by short title and placed on its final passage.

H.B. 255, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams S. Allen Barrus
Becker Bigelow Biskupski Bourdeaux
Bowman Butters Christensen D. Clark
S. Clark Cosgrove D. Cox Daw
Dayton Dee Donnelson Duckworth
Ferrin Ferry Fisher Fowlke
Frank Gibson Goodfellow Gowans
Hansen Hardy Harper Hendrickson
Hogue Hughes Hunsaker E. Hutchings
B. Johnson Jones King Kiser
Last Lawrence Litvack Lockhart
Mascaro Mathis McGee Menlove
Morgan Morley Moss Murray
Newbold Noel Oda Painter
Ray Romero Shurtliff G. Snow
Tilton Urquhart Walker Wallace
Wheatley Wheeler Wiley Wyatt
Absent or not voting were: Representatives
Alexander Buxton Dougall Dunnigan
Holdaway Ure Curtis

H.B. 255, as amended, transmitted to the Senate for its consideration.

***

H.B. 118, REVISE UTILITY IMPROVEMENT DISTRICTS, under suspension of the rules, read the third time by short title and placed on its final passage.

H.B. 118, as amended, then passed on the following roll call:

Yeas, 66; Nays, 2; Absent or not voting, 7.

Voting in the affirmative were: Representatives
Aagard Adams S. Allen Barrus
Becker Bigelow Biskupski Bourdeaux
Bowman Buttars Christensen D. Clark
S. Clark Cosgrove D. Cox Daw
Dayton Dee Donnelson Dougall
Duckworth Ferry Fisher Fowlke
Frank Gibson Goodfellow Gowans
Hansen Hardy Hendrickson Hogue
Hughes Hunsaker B. Johnson Jones
King Kiser Last Lawrence
Litvack Lockhart Mascaro Mathis
McGee Menlove Morgan Morley
Moss Murray Noel Oda
Painter Ray Romero Shurtliff
G. Snow Tilton Ure Urquhart
Walker Wallace Wheatley Wheeler
Wiley Wyatt

Voting in the negative were: Representatives
Harper Newbold

Absent or not voting were: Representatives
Alexander Buxton Dunnigan Ferrin
Holdaway E. Hutchings Curtis

H.B. 118, as amended, transmitted to the Senate for its consideration.
UNFINISHED BUSINESS

On motion of Representative Lawrence, the House voted to uncircle H.B. 138.

H.B. 138, NONRESIDENT TUITION FOR HIGHER EDUCATION AMENDMENTS, under suspension of the rules, was before the House on its final passage.

Representative Lawrence proposed the following amendment:

1. Page 2, Line 35:
   After “years” insert “regardless of the number of credit hours earned”

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

###

Representative Morgan proposed the following amendment:

1. Page 2, Line 35:
   Delete “three” and insert “two”

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

H.B. 138, as amended, then passed on the following roll call:

**Yeas, 59; Nays, 7; Absent or not voting, 9.**

**Voting in the affirmative were:** Representatives

Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Buttars Christensen D. Clark
Cosgrove D. Cox Daw Dayton
Dee Donnelson Dougall Duckworth
Ferry Fisher Frank Gibson
Goodfellow Gowans Hardy Hendrickson
Hughes Hunsaker E. Hutchings B. Johnson
Jones King Kiser Last
Lawrence Lockhart Mascaro McGee
Morley Moss Murray Newbold
Noel Oda Ray Romero
Shurtliff G. Snow Ure Urquhart
Walker Wallace Wheatley Wheeler
Wiley Wyatt Curtis


Voting in the negative were: Representatives
Bowman Fowlke Harper Hogue
Menlove Morgan Tilton

Absent or not voting were: Representatives
Buxton S. Clark Dunnigan Ferrin
Hansen Holdaway Litvack Mathis
Painter

H.B. 138, as amended, transmitted to the Senate for its consideration.

SPECIAL ORDER OF BUSINESS

H.C.R. 11, RESOLUTION HONORING THE UNIVERSITY OF UTAH FOOTBALL TEAM, under suspension of the rules, read the third time by short title and placed on its final passage.

COMMITTEE OF THE WHOLE

On motion of Representative Alexander, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from Coach Wittingham and President Young, University of Utah.

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

H.C.R. 11 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Bowman Buttars Christensen
D. Clark S. Clark Cosgrove D. Cox
Daw Dayton Dee Donnelson
Duckworth Ferrin Ferry Fisher
Fowlke Frank Gibson Goodfellow
Gowans Hansen Hardy Harper
Hendrickson Hogue Hughes Hunsaker
E. Hutchings B. Johnson Jones King
Kiser Last Lawrence Litvack
Lockhart Mascaro Mathis McGee
Menlove Morgan Morley Moss
Murray    Newbold    Noel    Oda
Ray      Romero    Shurtleff    G. Snow
Tilton    Ure    Urquhart    Walker
Wallace    Wheatley    Wheeler    Wiley
Wyatt    Curtis

Absent or not voting were: Representatives
Buxton    Dougall    Dunnigan    Holdaway
Painter

H.C.R. 11 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to recess until 2:00 p.m.

AFTERNOON SESSION

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

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:  February 23, 2005

The Senate passed, as substituted, 1st Sub. S.B. 13, INDIVIDUAL INCOME TAX SUBTRACTION FOR CERTAIN MILITARY INCOME AND TUITION WAIVER FOR QUALIFYING MILITARY SERVICE MEMBERS, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed S.B. 96, COMMERCE SERVICE FUND AMENDMENTS, by Senator G. Bell, and it is transmitted for consideration; and

The Senate passed S.B. 154, PUBLIC SAFETY RETIREMENT AMENDMENTS, by Senator D. C. Buttars, and it is transmitted for consideration; and

The Senate passed, as substituted, 1st Sub. S.B. 187, SPECIAL HUNTING PERMITS FOR ANTELOPE ISLAND, by Senator J. Hickman, and it is transmitted for consideration; and

The Senate passed, as substituted, 1st Sub. S.B. 204, SALES AND USE TAX DIVERSIONS, by Senator D. Peterson, and it is transmitted for consideration; and

The Senate passed S.B. 205, INDIVIDUAL INCOME TAX – OFFICE OF STATE DEBT COLLECTION RULEMAKING AUTHORITY, by Senator M. Dmitrich, and it is transmitted for consideration; and
The Senate passed, as substituted, and amended 1st Sub. S.B. 212, CHILD CARE INVESTIGATIONS, by Senator P. Hellewell, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate


* * *

Mr. Speaker: February 23, 2005

The Senate passed, 1st Sub. H.B. 67, ABANDONED VEHICLES AMENDMENTS, by Representative J. Gowans, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, H.B. 91, LICENSE PLATE FOR DISABLED VETERANS, by Representative R. Bigelow, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, H.B. 139, LOCAL SCHOOL BOARD AMENDMENTS, by Representative M. Dayton, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, H.B. 145, AMENDMENTS TO HEARING AND SPEECH IMPAIRED TELECOMMUNICATIONS PROGRAM, by Representative B. Goodfellow, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, H.B. 283, REAL ESTATE AMENDMENTS, by Representative G. Snow, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, H.C.R. 11, RESOLUTION HONORING THE UNIVERSITY OF UTAH FOOTBALL TEAM, by Representative J. Alexander, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed H.J.R. 15, RESOLUTION REGARDING UNITED STATES TRADE NEGOTIATIONS, by Representative S. Allen, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. Sub. H.B. 67, H.B. 91, H.B. 139, H.B. 145, H.B. 283, H.C.R. 11, and H.J.R. 15 were signed by the Speaker in open session, in
the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

REPORT OF STANDING COMMITTEES

Mr. Speaker: February 23, 2005

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on H.B. 327, DEPARTMENT OF COMMERCE – DEMOGRAPHIC DATA TRACKING, by Representative M. Wheatley.

DeMar “Bud” Bowman, Chair

Report filed. On motion of Representative Bowman, the report of the Law Enforcement and Criminal Justice committee was adopted.

H.B. 327, read the second time by short title and referred to the Rules Committee for prioritization.

MISCELLANEOUS BUSINESS

On motion of Representative Ferry, the House voted to allow all bills acted upon this morning be under suspension of the rules.

* * *

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

THIRD READING CALENDAR

H.B. 119, NAVAJO TRUST FUND AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 119 then passed on the following roll call:

Yeas, 68; Nays, 2; Absent or not voting, 5.

Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
</tr>
<tr>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
</tr>
<tr>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
</tr>
<tr>
<td>Duckworth</td>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
</tr>
<tr>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
</tr>
</tbody>
</table>
H.B. 119 transmitted to the Senate for its consideration.

***

H.B. 361, MUNICIPAL AUTHORITY TO USE COLLECTION AGENCIES, read the third time by short title and placed on its final passage.

Representative Hogue proposed the following amendment:

1. Page 2, Line 28:
   After “debt” insert “exceeding 180 days delinquent and”

Representative Ferry proposed the following substitute motion to amend:

1. Page 2, Line 28:
   After “debt” insert “exceeding 90 days delinquent and”

Representative Ferry’s substitute motion to amend failed on the following roll call:

Yeas, 23; Nays, 44; Absent or not voting, 8.

Voting in the affirmative were: Representatives
Biskupski    Bourdeaux    Buttars    Christensen
D. Clark     S. Clark     Cosgrove   Duckworth
Ferry        Goodfellow   Hansen    Hogue
Voting in the negative were: Representatives

Aagard Adams S. Allen Barrus
Becker Bigelow Buxton D. Cox
Daw Dayton Dee Donnelson
Dougall Dunnigan Ferrin Fisher
Fowlke Frank Gibson Gowans
Hardy Harper Hendrickson Hunsaker
E. Hutchings King Kiser Last
Lockhart Morgan Morley Moss
Murray Newbold Noel Oda
Painter Ray Tilton Walker
Wheeler Wiley Wyatt Curtis

Absent or not voting were: Representatives

Alexander Bowman Holdaway Hughes
Mathis G. Snow Urquhart Wheatley

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

H.B. 361 then failed to pass on the following roll call:

Yeas, 37; Nays, 36; Absent or not voting, 2.

Voting in the affirmative were: Representatives

Aagard Adams Bigelow Bourdeaux
Bowman Buxton D. Clark D. Cox
Daw Dayton Dee Dougall
Dougall Dunnigan Fowlke Gibson
Hunsaker E. Hutchings Kiser Last
Lawrence Lockhart Mathis Menlove
Murray Newbold Noel Oda
Painter Ray Shurtliff Tilton
Urquhart Walker Wheeler Wyatt
Curtis

Voting in the negative were: Representatives

S. Allen Barrus Becker Biskupski
Buttars Christensen S. Clark Cosgrove
Donnelson Duckworth Ferrin Ferry
Absent or not voting were: Representatives
Alexander Holdaway

H.B. 361 was filed.

* * *

H.B. 303, SHELTER HEARING AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 303 then passed on the following roll call:

Yeas, 62; Nays, 8; Absent or not voting, 5.

Voting in the affirmative were: Representatives
Aagard Adams Barrus Becker
Bigelow Bowman Buttars Christensen
D. Clark S. Clark Cosgrove D. Cox
Daw Dayton Dee Donnelson
Dougall Duckworth Dunnigan Ferrin
Ferry Fisher Fowlke Frank
Gibson Goodfellow Hansen Hardy
Harper Hendrickson Hogue Hughes
Hunsaker E. Hutchings B. Johnson Jones
King Kiser Last Lawrence
Lockhart Mascaro Mathis Menlove
Morgan Morley Moss Murray
Newbold Noel Oda Painter
Ray Romero Shurtliff G. Snow
Tilton Urquhart Walker Wallace
Wheeler Wyatt

Voting in the negative were: Representatives
Biskupski Bourdeaux Gowans Litvack
McGee Ure Wheatley Wiley
Absent or not voting were: Representatives
Alexander S. Allen Buxton Holdaway Curtis

H.B. 303 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Urquhart, the House voted to uncircle H.B. 246.

H.B. 246, WASTE FEES AMENDMENTS, was before the House on its final passage.

Representative Urquhart proposed the following amendment:

1. Page 1, Lines 18a through 19
   House Committee Amendments 2−11−2005
   18a facilities that receive only construction and demolition waste \( \widehat{\text{H}} \); changes the municipal waste disposal fee from 50 cents to \( \widehat{\text{H}} \{30\} \{−20\} \{19\} \widehat{\text{H}} \) cents

2. Page 3, Lines 73 through 74a:
   73 facility that receives municipal waste, including municipal incinerator ash shall pay a fee of
   74 \( \{50\} \rightarrow \{30\} \{−20\} \{19\} \rightarrow \{\text{H} \text{ cents per ton} \rightarrow \{, \text{or fraction of a ton}\} \rightarrow \text{H} \text{ on all municipal waste,} \)
   74a including municipal

3. Page 3a, Line 78b:
   78b Subsection 19−6−102(3)(b)(iii) shall pay a fee of \( \{−20\} \{19\} \text{ cents per ton on all municipal} \)

4. Page 5, Line 43:
   After Line 43 insert:
   If this H.B. 246 and S.B. 24, Waste Amendments, both pass, it is the intent of the Legislature that, in preparing the Utah Code database for publication, the Office of Legislative Research and General Counsel make the following changes in Section 19−6−119:
   (1) In H.B. 246, the language in Subsection (1)(a)(iv) supercedes the language in Subsection (1)(a)(ii) in S.B. 24, except that “(iv)” shall be
(2) In H.B. 246, Subsection (1)(c)(i) the word “commercial” is reinstated.
(3) In S.B. 24, in Subsection (1)(c)(ii), the word “commercial” is removed and “40 cents” in H.B. 246 supercedes “50 cents” in S.B. 24.
(4) In H.B. 246, in Subsection (1)(c)(iii), “commercial” is reinstated and “19” is superceded by “50” in S.B. 24.
(5) In H.B. 246, in Subsection (1)(c)(iv), “(iv)” is replaced with “(v)”.
(6) In S.B. 24, in Subsection (1)(c)(iv), “50 cents” is replaced with “19 cents”, and “commercial” is removed.
(7) In S.B. 24, in Subsection (1)(c)(vi), “50 cents” is replaced with “19 cents”.
(8) In H.B. 246, in Subsection (1)(c)(v), “(v)” is replaced with “(vi)”.
(9) In S.B. 24, in Subsection (1)(d), “Facilities” is superceded by “Wastes” in H.B. 246, and “Subsections (1)(c)(i) through (iv)” in S.B. 24 and “Subsections “(1)(c)(i), (ii), (iii), (iv), and (v)” in H.B. 246 are both removed and replaced with “Subsections (1)(c)(i) through (vi)” .

Representative Ure proposed the following substitute motion to amend:

Include Representative Urquhart’s motion to amend plus the following.

5. Page 1, Line 10
   House Committee Amendments 2–11–2005
   10 noncommercial , and clarifies that waste to be recycled is not subject to this fee . This bill reduces the disposal fee on construction and demolition

6. Page 1, Line 16a
   House Committee Amendments 2–11–2005:
   16a [from $2.50 to $1.50] of $2.50 to all municipal and commercial waste facilities and exempts waste to be recycled ;

7. Page 1a, Line 23
   House Committee Amendments 2–11–2005:
   23 the fees that apply , and also states that waste to be recycled is not subject to the fee ;

8. Page 3, Line 61b:
   61b or treatment , except that the fee does not apply to waste that is to be recycled ;
Representative Ure’s substitute motion to amend passed on a voice vote.

**H.B. 246**, as amended, then passed on the following roll call:

**Yeas, 53; Nays, 16; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
<th>Becker</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
<td>Bowman</td>
</tr>
<tr>
<td>Butts</td>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
</tr>
<tr>
<td>Cosgrove</td>
<td>Daw</td>
<td>Donnelson</td>
<td>Duckworth</td>
</tr>
<tr>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Fowlke</td>
<td>Frank</td>
</tr>
<tr>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
<td>Harper</td>
</tr>
<tr>
<td>Hendrickson</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>Jones</td>
</tr>
<tr>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
</tr>
<tr>
<td>Litvack</td>
<td>Lockhart</td>
<td>Mascaro</td>
<td>McGee</td>
</tr>
<tr>
<td>Morgan</td>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
</tr>
<tr>
<td>Newbold</td>
<td>Noel</td>
<td>Painter</td>
<td>Romero</td>
</tr>
<tr>
<td>G. Snow</td>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
</tr>
<tr>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wiley</td>
</tr>
<tr>
<td>Wyatt</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>S. Clark</th>
<th>D. Cox</th>
<th>Dayton</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dee</td>
<td>Dougall</td>
<td>Ferry</td>
<td>Fisher</td>
</tr>
<tr>
<td>Gibson</td>
<td>Hogue</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
</tr>
<tr>
<td>Menlove</td>
<td>Oda</td>
<td>Ray</td>
<td>Shurtliff</td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Alexander</th>
<th>Hardy</th>
<th>Holdaway</th>
<th>Mathis</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wheeler</td>
<td>Curtis</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**H.B. 246**, as amended, transmitted to the Senate for its consideration.

**THIRD READING CALENDAR**

**H.B. 264**, STATE LANDS USE MANAGEMENT PLANS AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Noel, the House voted to delete **H.B. 264** in title and body and insert **Sub. H.B. 264** in lieu thereof.

On motion of Representative Noel, the House voted to circle **Sub. H.B. 264**.
Sub. H.B. 338, CHILD AND FAMILY WELFARE REVISIONS, read the third time by short title and placed on its final passage.

Representative Christensen proposed the following amendment:

1. Page 3, Line 61

   61 interest and welfare of a child to be raised under the care and supervision of {--his--} the child’s natural parents.

2. Page 3, Line 63:

   63 relationships will usually best be met by {--his--} the child’s natural parents. Additionally, the integrity of the

3. Page 3, Line 66:

   66 right of a fit, competent parent to raise {--his--} the parent’s child without undue government interference is a

4. Page 3, Line 73:

   73 protection shall be interpreted and applied consistent with this Subsection (1).

5. Page 3, Line 77:

   77 Chapter 3a, Juvenile Court Act of 1996. Therefore, [as a counterweight to parental rights,] the state, as

6. Page 4, Line 91:

   91 division may obtain custody of the child for a planned period and place {--him--} the child in a safe

7. Page 4, Line 101:

   101 any other way, attempt to maintain a child in {--his--} the child’s home, provide reunification services, or to

8. Page 6, Lines 153 through 156:

   153 (2) {--} An {--} If appointed, an attorney guardian ad litem shall represent the best interest of

   154 each minor who may become the subject of a petition alleging abuse, neglect, or dependency,
155 from the date the minor is removed from the minor’s home by the division, or the date the
156 petition is filed, whichever occurs earlier.

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

###

Representative Litvack proposed the following amendment:

1. Page 3, Line 79:
   Reinstate [are] and delete “may be”

2. Page 3, Line 82:
   Delete “may” and insert “shall”

Representative Litvack’s motion to amend failed on the following roll call:

**Yeas, 25; Nays, 40; Absent or not voting, 10.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Becker</th>
<th>Biskupski</th>
<th>Bourdeaux</th>
<th>Cosgrove</th>
</tr>
</thead>
<tbody>
<tr>
<td>Duckworth</td>
<td>Goodfellow</td>
<td>Hansen</td>
<td>Hardy</td>
</tr>
<tr>
<td>Hendrickson</td>
<td>E. Hutchings</td>
<td>Jones</td>
<td>King</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Litvack</td>
<td>Mascaro</td>
<td>McGee</td>
</tr>
<tr>
<td>Menlove</td>
<td>Morgan</td>
<td>Moss</td>
<td>Murray</td>
</tr>
<tr>
<td>Romero</td>
<td>Shurtleff</td>
<td>Wheatley</td>
<td>Wiley</td>
</tr>
<tr>
<td>Wyatt</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
</tr>
<tr>
<td>D. Clark</td>
<td>S. Clark</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
</tr>
<tr>
<td>Dunnigan</td>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
</tr>
<tr>
<td>Frank</td>
<td>Gibson</td>
<td>Harper</td>
<td>Hughes</td>
</tr>
<tr>
<td>Hunsaker</td>
<td>B. Johnson</td>
<td>Kiser</td>
<td>Last</td>
</tr>
<tr>
<td>Lockhart</td>
<td>Mathis</td>
<td>Morley</td>
<td>Newbold</td>
</tr>
<tr>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Tilton</td>
<td>Walker</td>
<td>Wallace</td>
<td>Curtis</td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Alexander</th>
<th>Bigelow</th>
<th>Ferrin</th>
<th>Gowans</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hogue</td>
<td>Holdaway</td>
<td>Noel</td>
<td>Ure</td>
</tr>
<tr>
<td>Urquhart</td>
<td>Wheeler</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Representative Fowlke proposed the following amendment:

1. Page 7, Line 206:
   Delete “(a)”

2. Page 7, Lines 208–211:
   Delete lines 208, 209, 210, and 211.

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

**Yeas, 37; Nays, 27; Absent or not voting, 11.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>S. Allen</th>
<th>Becker</th>
<th>Biskupski</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Dee</td>
<td>Duckworth</td>
</tr>
<tr>
<td>Dunnigan</td>
<td>Fisher</td>
<td>Fowlke</td>
<td>Hansen</td>
</tr>
<tr>
<td>Hardy</td>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Hunsaker</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
<td>Lawrence</td>
</tr>
<tr>
<td>Litvack</td>
<td>Mascaro</td>
<td>McGee</td>
<td>Menlove</td>
</tr>
<tr>
<td>Moss</td>
<td>Murray</td>
<td>Romero</td>
<td>Shurtleff</td>
</tr>
<tr>
<td>Tilton</td>
<td>Ure</td>
<td>Wallace</td>
<td>Wiley</td>
</tr>
<tr>
<td>Curtis</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>Barrus</th>
<th>Christensen</th>
<th>D. Clark</th>
</tr>
</thead>
<tbody>
<tr>
<td>S. Clark</td>
<td>Daw</td>
<td>Dayton</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Ferrin</td>
<td>Frank</td>
<td>Harper</td>
<td>Hughes</td>
</tr>
<tr>
<td>E. Hutchings</td>
<td>Kiser</td>
<td>Last</td>
<td>Lockhart</td>
</tr>
<tr>
<td>Mathis</td>
<td>Morgan</td>
<td>Morley</td>
<td>Newbold</td>
</tr>
<tr>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Urquhart</td>
<td>Walker</td>
<td>Wyatt</td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Alexander</th>
<th>Bigelow</th>
<th>Dougall</th>
<th>Ferry</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Holdaway</td>
</tr>
<tr>
<td>Noel</td>
<td>Wheatley</td>
<td>Wheeler</td>
<td></td>
</tr>
</tbody>
</table>

**Sub. H.B. 338, as amended, then passed on the following roll call:**

**Yeas, 48; Nays, 20; Absent or not voting, 7.**
Voting in the affirmative were: Representatives

Aagard       Adams       S. Allen       Barrus
Bigelow      Bowman      Christensen    D. Clark
S. Clark     D. Cox       Daw           Dayton
Dee          Donnelson   Dougall       Dunnigan
Ferrin       Ferry        Fisher        Fowlke
Frank        Gibson       Harper        Hogue
Hughes       Hunsaker    E. Hutchings  B. Johnson
Kiser        Last         Lockhart      Mascaro
Mathis       Menlove      Morley        Murray
Newbold      Noel         Oda           Painter
Romero       G. Snow      Tilton        Urquhart
Walker       Wallace      Wyatt         Curtis

Voting in the negative were: Representatives

Becker       Biskupski    Bourdeaux    Cosgrove
Duckworth    Goodfellow   Gowans       Hansen
Hardy        Hendrickson  Jones        King
Lawrence     Litvack      McGee        Morgan
Moss         Shurtliff    Wheatley     Wiley

Absent or not voting were: Representatives

Alexander    Buttars      Buxton       Holdaway
Ray          Ure          Wheeler

Sub. H.B. 338, as amended, transmitted to the Senate for its consideration.

COMMUNICATION FROM THE SENATE

Mr. Speaker: February 23, 2005

The Senate refuses to recede from its amendments to H.B. 43, SCHOOL LAND TRUST PROGRAM FUNDING AMENDMENTS, by Representative S. Urquhart, et al, and has appointed a Conference Committee consisting of Senators T. Hatch, J. Hickman, and K. Hale to meet with a like committee from the House on this bill.

Annette B. Moore
Secretary of the Senate

Communication filed. On motion of Representative Urquhart, the House voted to authorized the Speaker to appoint a Conference Committee. Speaker Curtis appointed Representatives Urquhart, Bigelow, and Goodfellow.
MISCELLANEOUS BUSINESS

On motion of Representative Urquhart, the House voted to adjourn until February 24, 2005, at 8:00 a.m.
THIRTY–NINTH DAY

*MORNING SESSION*

The House was called to order by Speaker Curtis at 8:15 a.m.

Roll call showed all members present except Representatives Jeff Alexander and Jim Dunnigan, excused.

Prayer by Duane Huffman, Representative Holdaway’s intern. Pledge of Allegiance by Representative Kory Holdaway.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

February 23, 2005

The Senate passed, as substituted, and amended 1st Sub. S.B. 25, TRANSPORTATION AMENDMENTS AND HIGHWAY JURISDICTIONAL TRANSFER TASK FORCE, by Senator C. Walker, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended 1st Sub. S.B. 60, LOCAL LAND USE DEVELOPMENT AND MANAGEMENT AMENDMENTS, by Senator G. Bell, and it is transmitted for consideration; and

The Senate passed, as substituted, 1st Sub. S.B. 195, TAX REVISIONS, by Senator C. Bramble, and it is transmitted for consideration; and

The Senate passed S.B. 201, CENTER FOR MULTICULTURAL HEALTH, by Senator D. C. Buttars, and it is transmitted for consideration; and

The Senate passed S.J.R. 20, JOINT RESOLUTION RECOGNIZING RETIRING PRESIDENT OF DIXIE STATE COLLEGE, by Senator J. Hickman, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Mr. Speaker: February 23, 2005

The President of the Senate has signed 1st Sub. H.B. 180, RETIREMENT OFFICE AMENDMENTS, by Representative A. Hardy, and it is transmitted for the signature of the Speaker; and

The Senate passed, H.C.R. 10, CONCURRENT RESOLUTION HONORING WALDO WILCOX FOR PRESERVATION OF RANGE CREEK AREA, by Representative B. King, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. Sub. H.B. 180 and H.C.R. 10 were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

REPORT OF STANDING COMMITTEE

Mr. Speaker: February 23, 2005

The Public Utilities and Technology Committee reports a favorable recommendation on 2nd Sub. S.B. 199, OFFICE OF ENERGY – OVERSIGHT, by Senator T. Hatch.

Sheryl L. Allen, Chair
Report filed. On motion of Representative Ferry, the report of the Public Utilities and Technology committee was adopted.

2nd Sub. S.B. 199, read the second time by short title and referred to the Rules Committee for prioritization.

CONSENT CALENDAR

Sub. H.B. 115, UTAH CHILD ABUSE PREVENTION BOARD, read the third time by short title and placed on its final passage.

Sub. H.B. 115, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams S. Allen Barrus
Becker Bigelow Biskupski Bowman
Absent or not voting were: Representatives
Alexander Bourdeaux Dunnigan Gowans
E. Hutchings Mascaro Morgan Noel
Tilton

Sub. H.B. 115, as amended, transmitted to the Senate for its consideration.

CONCURRENCE CALENDAR

On motion of Representative Dee, the House voted to concur in the Senate amendments to H.B. 55, DRUG OFFENSE PENALTY ENHANCEMENTS.

H.B. 55, as amended by the Senate, then passed on the following roll call:

Yeas, 50; Nays, 17; Absent or not voting, 8.

Voting in the affirmative were: Representatives
Aagard Adams S. Allen Barrus
Bigelow Bowman Buxton D. Clark
S. Clark Cosgrove D. Cox Daw
Dee Dougall Duckworth Ferrin
Ferry Fisher Fowlke Gibson
Goodfellow Gowans Hansen Hardy
Harper Hendrickson Hogue Holdaway
Hunsaker B. Johnson Jones King
Kiser Last Lawrence Lockhart
McGee Menlove Murray Oda
Painter Ray Romero Shurtliff
G. Snow Ure Urquhart Walker
Wallace Wheatley Wheeler Wiley
Wyatt Curtis
Voting in the negative were: Representatives

Biskupski  Buttars  Christensen  Dayton
Donnelson  Frank  Hughes  Litvack
Mathis  Morley  Moss  Newbold
G. Snow  Tilton  Ure  Wheatley
Wiley

Absent or not voting were: Representatives

Alexander  Becker  Bourdeaux  Dunnigan
E. Hutchings  Mascaro  Morgan  Noel

H.B. 55, as amended by the Senate, transmitted to the Senate for signature of the president.

MISCELLANEOUS BUSINESS

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

THIRD READING CALENDAR

Sub. H.B. 103, STUDENT HOUSING BUILT BY HIGHER EDUCATION INSTITUTIONS, read the third time by short title and placed on its final passage.

Representative S. Clark proposed the following amendment:

1. Page 2, Line 45

45 section, the institution and the legislative body of the affected county or municipality shall jointly hold

2. Page 3, Line 62:

62 section, the institution and the legislative body of the affected county or municipality shall jointly hold

3. Page 3, Lines 77 through 81:

77 (3) (a) At the request of a county or municipality that is entitled to notice under this

78 section, the institution and the legislative body of the affected county or municipality shall hold
a public hearing to provide information to the public and receive input from the public about

(i) Within 21 days after receiving the notice required by Subsection (1)(a), a county or municipality entitled to the notice may submit a written request to the institution for a public hearing on the proposed student housing construction.

(ii) Each county or municipality that submits a written request for a hearing under Subsection (3)(a) shall deliver a copy of the request to the Division of Facilities Construction and Management.

(b) If a county or municipality requests a hearing under Subsection (3)(a), the legislative body of the affected county or municipality and the institution shall jointly hold a public hearing to provide information to the public and to allow the institution and the county or municipality to receive input from the public about the proposed student housing construction.

(c) A public hearing held under Subsection (3)(a) satisfies the public hearing

4. Page 8, Lines 235 through 238:

(i) Within 21 days after receiving the notice required by Subsection (13)(a)(i), a county or municipality entitled to the notice may submit a written request to the director for a public hearing on the proposed student housing construction.

(ii) If a county or municipality requests a hearing under Subsection (13)(b)(i), the director and the county or municipality shall jointly hold a public hearing to provide information to the public and to allow the director and the county or municipality to receive input from the public about the proposed student housing construction.

Representative S. Clark’s motion to amend passed on a voice vote.
Representative Harper proposed the following amendment:

1. Page 2, Lines 36 and 53:
   Delete “100” and insert “300”

2. Page 3, Line 70:
   Delete “100” and insert “300”

3. Page 8, Line 228:
   Delete “100” and insert “300”

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

Sub. H.B. 103, as amended, then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bowman</td>
</tr>
<tr>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
</tr>
<tr>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
</tr>
<tr>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
</tr>
<tr>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
</tr>
<tr>
<td>Hansen</td>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
</tr>
<tr>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
</tr>
<tr>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
</tr>
<tr>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
</tr>
<tr>
<td>Lockhart</td>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
</tr>
<tr>
<td>Oda</td>
<td>Ray</td>
<td>Romero</td>
<td>Shurtleff</td>
</tr>
<tr>
<td>G. Snow</td>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
</tr>
<tr>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
</tr>
<tr>
<td>Wiley</td>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Alexander</th>
<th>Bourdeaux</th>
<th>Dayton</th>
<th>Dunnigan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mascaro</td>
<td>Morgan</td>
<td>Noel</td>
<td>Painter</td>
</tr>
</tbody>
</table>

Sub. H.B. 103, as amended, transmitted to the Senate for its consideration.
**H.B. 241**, VETERANS NURSING HOME, read the third time by short title and placed on its final passage.

H.B. 241 then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

- Aagard
- Becker
- Buttars
- S. Clark
- Dayton
- Duckworth
- Frank
- Hansen
- Hogue
- E. Hutchings
- Kiser
- Lockhart
- Morgan
- Oda
- Shurtliff
- Urquhart
- Wheeler

- Adams
- Bigelow
- Buxton
- Cosgrove
- Dee
- Ferry
- Gibson
- Hardy
- Holdaway
- B. Johnson
- Mathis
- Moss
- Painter
- G. Snow
- Walker
- Wiley

- S. Allen
- Biskupski
- Christensen
- D. Cox
- Donnelson
- Fisher
- Goodfellow
- Harper
- Hughes
- Jones
- McGee
- Murray
- Ray
- Tilton
- Wallace
- Wyatt

- Barrus
- Bowman
- D. Clark
- Daw
- Dougall
- Fowlke
- Gowans
- Hendrickson
- Hunsaker
- King
- Litvack
- Menlove
- Newbold
- Romero
- Ure
- Wheatley

**Absent or not voting were:** Representatives

- Alexander
- Bourdeaux
- Mascaro
- Morley
- Painter
- Dunnigan
- Ferrin
- Noel
- Curtis

H.B. 241 transmitted to the Senate for its consideration.

**H.B. 319**, EXPANSION OF DEPARTMENT OF ADMINISTRATIVE SERVICES OVERSIGHT TO INCLUDE HUMAN RESOURCE MANAGEMENT, read the third time by short title and placed on its final passage.

H.B. 319, as amended, then passed on the following roll call:

**Yeas, 63; Nays, 5; Absent or not voting, 7.**
Voting in the affirmative were: Representatives
Aagard  Adams          S. Allen          Barrus
Becker  Bigelow        Bourdeaux        Bowman
Buttars Buxton         Christensen      D. Clark
S. Clark Cosgrove      D. Cox           Daw
Dayton  Dee            Donnelson       Dougall
Ferrin  Ferry          Fisher           Fowlke
Frank   Gibson         Goodfellow       Harper
Hogue   Holdaway       Hughes          Hunsaker
E. Hutchings B. Johnson Jones           King
Kiser   Last           Lawrence        Litvack
Lockhart Mascaro       Mathis          Menlove
Morgan  Morley         Moss            Murray
Newbold Oda            Painter         Ray
Romero Shurtliff      G. Snow          Tilton
Ure     Uruquhart      Walker          Wheatley
Wheeler Wiley         Wyatt

Voting in the negative were: Representatives
Biskupski Duckworth    Gowans          Hansen
Hendrickson

Absent or not voting were: Representatives
Alexander Dunnigan     Hardy           McGee
Noel Wallace          Curtis

H.B. 319, as amended, transmitted to the Senate for its consideration.

***

2nd Sub. H.B. 39, TUITION TAX CREDITS, read the third time by short title and placed on its final passage.

On motion of Representative Ferrin, the House voted to circle 2nd Sub. H.B. 39.

MISCELLANEOUS BUSINESS

On motion of Representative Urquhart, the House voted to reconsider its action on H.B. 246.

RECONSIDERATION OF H.B. 246

H.B. 246, WASTE FEE AMENDMENTS, was before the House upon its reconsideration.
Representative Urquhart proposed the following amendment:

1. Page 1, Lines 18a through 19
   House Committee Amendments 2–11–2005
   
   18a facilities that receive only construction and demolition waste ħ;
   19 changes the municipal waste disposal fee from 50 cents to ħ [30] {−20} ħ cents

2. Page 3, Lines 73 through 74a
   
   73 facility that receives municipal waste, including municipal incinerator ash shall pay a fee of
   74 [50] ħ [30] {−20} ħ cents per ton ħ [−or fraction of a ton.] ħ on all municipal waste,
   74a including municipal

3. Page 3a, Line 78b:
   
   78b Subsection 19–6–102(3)(b)(iii) shall pay a fee of {−20 cents} ħ cents per ton on all municipal

4. Page 5, Line 143:
   After Line 143 insert:
   
   If this H.B. 246 and S.B. 24, Waste Amendments, both pass, it is the intent of the Legislature that, in preparing the Utah Code database for publication, the Office of Legislative Research and General Counsel make the following changes in Section 19–6–119:
   
   (1) In H.B. 246, the language in Subsection (1)(a)(iv) supercedes the language in Subsection (1)(a)(ii) in S.B. 24, except that “(iv)” shall be replaced with “(ii)”.
   
   (2) In H.B. 246, Subsection (1)(c)(i) the word “commercial” is reinstated.
   
   (3) In S.B. 24, in Subsection (1)(c)(ii), the word “commercial” is removed and “40 cents” in H.B. 246 supercedes “50 cents” in S.B. 24.
   
   (4) In H.B. 246, in Subsection (1)(c)(iii), “commercial” is reinstated and “19” is superceded by “50” in S.B. 24.
   
   (5) In H.B. 246, in Subsection (1)(c)(iv), “(iv)” is replaced with “(v)”. 
   
   (6) In S.B. 24, in Subsection (1)(c)(iv), “50 cents” is replaced with “19 cents”, and “commercial” is removed.
   
   (7) In S.B. 24, in Subsection (1)(c)(vi), “50 cents” is replaced with “19 cents”.
(8) In H.B. 246, in Subsection (1)(c)(v), “(v)” is replaced with “(vi)”.
(9) In S.B. 24, in Subsection (1)(d), “Facilities” is superseded by “Wastes” in H.B. 246, and “Subsections (1)(c)(i) through (iv)” in S.B. 24 and “Subsections “(1)(c)(i), (ii), (iii), (iv), and (v)” in H.B. 246 are both removed and replaced with “Subsections (1)(c)(i) through (vi)”.

Renumber the following section.

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

On motion of Representative Curtis, the House voted to circle H.B. 246.

THIRD READING CALENDAR

H.B. 242, CRIMINAL PENALTY FOR ANIMAL CRUELTY, read the third time by short title and placed on its final passage.

Representative Wyatt proposed the following amendment:

1. Page 1, Lines 11 through 12
   House Committee Amendments 2–11–2005
   11 certain definitions. {—This bill also increases the penalty by one degree if cruelty to an
   12 animal is committed in the presence of a juvenile—}

2. Page 1, Lines 17c through 17d
   House Committee Amendments 2–11–2005:
   17c /C0034 provides an exemption for animals kept and used for training hunting dogs and
   17d /C0231 falcons and also for animals kept or owned by a zoological park ; ←/H

3. Page 1, Line 24 through Page 2, Line 28
   House Committee Amendments 2–11–2005:
   24 option of offering the animal for sale at auction precedes the option of euthanasia; and
   25 /C0034 amends the definition of conviction to include pleas in abeyance or of nolo contendere {—and
   26 contendere ←and}
provides that an animal cruelty penalty is increased by one degree if the offense is committed in the presence of a person younger than 18 years of age.

4. Page 2, Lines 54 through 55a

House Committee Amendments 2−11−2005:

(C) animals kept or owned by a zoological park that is accredited by the American Zoo and Aquarium Association and cared for in accordance with accepted husbandry practices;

(D) protected and unprotected wildlife as defined in Section 23−13−2 and

(E) animals kept or owned for the purpose of hunting dog or falcon training and cared for in accordance with accepted husbandry practices

5. Page 8, Lines 220 through 223:

A person who commits any violation of Section 76−9−301, or Subsection 76−9−301.1 (1) or (4) in the immediate presence of a person younger than 18 years of age, regardless of where the act occurs, is subject to an enhanced penalty under Subsection (4).

6. Page 8, Lines 228 through 231:

(d) if the offense is a third degree felony, it is a second degree felony.

(a) The prosecuting attorney, or grand jury if an indictment is returned, shall provide written notice upon the information or indictment that the defendant is subject to an enhanced degree of offense or penalty under Subsection (4).
Representative Harper proposed the following substitute motion to amend:

Include Representative Wyatt’s proposed amendment plus the following:

7. Page 8, Lines 227 and 228:
Delete lines 227 and 228.

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

H.B. 242, as amended, then passed on the following roll call:

**Yeas, 56; Nays, 15; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
<th>Becker</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
<td>Bowman</td>
</tr>
<tr>
<td>Buttars</td>
<td>Buxton</td>
<td>D. Clark</td>
<td>S. Clark</td>
</tr>
<tr>
<td>Cosgrove</td>
<td>Daw</td>
<td>Dee</td>
<td>Duckworth</td>
</tr>
<tr>
<td>Ferrin</td>
<td>Fisher</td>
<td>Goodfellow</td>
<td>Gowans</td>
</tr>
<tr>
<td>Hansen</td>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>B. Johnson</td>
</tr>
<tr>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Litvack</td>
<td>Mascaro</td>
<td>Mathis</td>
</tr>
<tr>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
<td>Moss</td>
</tr>
<tr>
<td>Murray</td>
<td>Noel</td>
<td>Painter</td>
<td>Ray</td>
</tr>
<tr>
<td>Romero</td>
<td>Shurtleff</td>
<td>G. Snow</td>
<td>Ure</td>
</tr>
<tr>
<td>Urquhart</td>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
</tr>
<tr>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
<td>Curtis</td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Christensen</th>
<th>D. Cox</th>
<th>Dayton</th>
</tr>
</thead>
<tbody>
<tr>
<td>Donnelson</td>
<td>Ferry</td>
<td>Fowlke</td>
<td>Frank</td>
</tr>
<tr>
<td>Gibson</td>
<td>Hogue</td>
<td>Lockhart</td>
<td>Morley</td>
</tr>
<tr>
<td>Newbold</td>
<td>Oda</td>
<td>Tilton</td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

| Alexander | Dougall       | Dunnigan | E. Hutchings |

H.B. 242, as amended, transmitted to the Senate for its consideration.

* * *

On motion of Representative Urquhart, the House voted to saunter.
On motion of Representative Uruhart, the House voted to cease to saunter.

NOTICE OF BILL RETURNED TO RULES COMMITTEE

Mr. Speaker: February 23, 2005

The Health and Human Services Committee has returned H.B. 328, RURAL HEALTH CARE INFRASTRUCTURE, by Representative M. Noel, to the Rules Committee and recommends that it be referred to interim study; and

The Health and Human Services Committee has returned H.B. 354, LICENSURE OF WHOLESALE DISTRIBUTORS OF PRESCRIPTION DRUGS, by Representative B. Last, to the Rules Committee and recommends that it be referred to interim study.

Bradley G. Last, Chair


REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 23, 2005

The Health and Human Services Committee reports a favorable recommendation on 1st Sub. S.B. 150, FOOD SAFETY MANAGER CERTIFICATION, by Senator D. Peterson; and

The Health and Human Services Committee reports a favorable recommendation on 1st Sub. S.B. 177, INCREASE STATUTE OF LIMITATIONS ON RAPE, by Senator E. Mayne; and

The Health and Human Services Committee reports a favorable recommendation on S.B. 206, NONPARTICIPATING TOBACCO MANUFACTURER AMENDMENTS, by Senator S. Killpack, with the following amendments:

1. Page 16, Lines 468 through 476:

   468  (1) A stamping agent shall submit the following information to the commission not
   469  later than {−20 } 30 calendar days after the end of each calendar quarter, or more frequently if required
   470  by the commission by administrative rule in accordance with Section 59–14–607:
   471  (a) a list by brand family of the total number of cigarettes for which the stamping agent
472 affixed stamps during the previous reporting period;
473 (b) the equivalent stick count for roll your own tobacco, for which the stamping agent
474 affixed stamps during the previous reporting period;
475 (c) the equivalent total number of cigarettes or stick count for which the stamping
476 agent paid taxes for the previous reporting period; and

The Health and Human Services Committee reports a favorable recommendation on S.B. 232, EXECUTIVE DIRECTOR OF DEPARTMENT OF HEALTH ISSUES, by Senator S. Killpack, with the following amendments:

1. Page 1, Lines 17 through 18
   Senate 3rd Reading Amendments 2–18–2005:
   17 Other Special Clauses:
   18 § [None] This bill provides an immediate effective date. ⇐§

This bill provides retrospective operation.

2. Page 5, Lines 129a through 129e
   Senate 3rd Reading Amendments 2–18–2005:
   129a § Section 2. Effective date Retrospective operation
   129b (1) If approved by two-thirds of all the members elected to each house, this bill takes effect
   129c upon approval by the governor, or the day following the constitutional time limit of Utah
   129d Constitution Article VII, Section 8, without the governor’s signature, or in the case of a veto,
   129e the date of veto override. ⇐§

(2) This bill has retrospective operation to January 3, 2005.

The Health and Human Services Committee reports a favorable recommendation on S.J.R. 14, JOINT RESOLUTION ON STROKE AWARENESS, by Senator P. Knudson; and

The Health and Human Services Committee reports a favorable recommendation on S.J.R. 15, JOINT RESOLUTION URGING MEDICAID REFORM, by Senator P. Knudson; and
The Health and Human Services Committee reports a favorable recommendation on **S.J.R. 16, RESOLUTION URGING COMPREHENSIVE CANCER CONTROL PLAN FOR THE STATE**, by Senator K. Hale; and

The Health and Human Services Committee reports a favorable recommendation on **S.J.R. 17, RESOLUTION RECOGNIZING HUNTSMAN CANCER INSTITUTE**, by Senator P. Knudson.

Bradley G. Last, Chair

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

***

Mr. Speaker: February 23, 2005

The Business and Labor Committee reports a favorable recommendation on **H.B. 296, CONDOMINIUM OWNERSHIP ACT AMENDMENTS**, by Representative C. Moss; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 375, REVISIONS TO GENERAL STATE GOVERNMENT − NOTARY LAW AMENDMENTS**, by Representative B. King, with the following amendments:

1. Page 2, Lines 34 through 39:

   34 (1) “Acknowledgment” means a notarial act in which a notary certifies that a signer,

   35 whose identity is personally known to the notary or proven on the basis of satisfactory

   36 evidence, has admitted[-and which admission is made either] [−{−−} in the presence of the notary {−−}] [or by

   37 an electronic communication that is as reliable as an admission made in the presence of the

   38 notary, provided that the electronic communication is authorized by law or rule,] signing a

   39 document voluntarily for its stated purpose.
The Business and Labor Committee reports a favorable recommendation on 1st Sub. S.B. 39, CONSUMER CREDIT PROTECTION, by Senator C. Walker.

Stephen D. Clark, Chair

Reports filed. On motion of Representative S. Clark, the reports of the Business and Labor committee were adopted.


* * *

Mr. Speaker: February 23, 2005

The Education Committee reports a favorable recommendation on H.B. 141, SCHOOL BREAKFAST PROGRAM, by Representative D. Litvack, with the following amendments:

1. Page 1, Lines 25 through 27:

25 (1) {[—] (a) {[—]} } Each local school board shall [at least once every three years, review] require each [elementary] school in its district [that does not] that is eligible for severe need assistance to participate in the School Breakfast Program [as to the school’s reasons for nonparticipation] except as provided in Subsection (1)(b) .

(b) A local school board may exempt the following from participating in the School Breakfast Program:

(i) alternative schools; or
(ii) schools at which the School Breakfast Program would not operate effectively or efficiently.

The Education Committee reports a favorable recommendation on 1st Sub. H.B. 232, UTAH BASIC SKILLS COMPETENCY TEST ALTERNATIVES, by Representative P. Ray, with the following amendments:
1. Page 1, Lines 13 through 15:

   allows {special education and} certain adult education students to pass an alternative assessment of competency approved by the State Board of Education in lieu of the Utah Basic Skills Competency Test in order to receive a basic high school diploma;

2. Page 3, Lines 63 through 68:

   (b) An alternative assessment of competency provided for in this section may be taken in lieu of the basic skills competency test by {→

   (i) a student with a disability, as determined pursuant to Title 53A, Chapter 15, Part 3,

   (ii) } an adult education student, as determined pursuant to Title 53A, Chapter 15, Part 4,

   Adult Education, whose class graduated after 2006.

The Education Committee reports a favorable recommendation on 1st Sub. H.B. 239, HIGHER EDUCATION TUITION AND RESIDENCY LEGISLATIVE TASK FORCE, by Representative G. Donnelson; and

The Education Committee recommends H.B. 381, NONRESIDENT TUITION WAIVERS, by Representative C. Buttars, be replaced and favorably recommends 1st Sub. H.B. 381, NONRESIDENT TUITION WAIVERS.

Margaret Dayton, Chair

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


NOTICE OF BILL RETURNED TO RULES COMMITTEE

Mr. Speaker: February 23, 2005

The Education Committee has returned H.B. 175, EDUCATION ACHIEVEMENT GAP TASK FORCE, by Representative D. Litvack, to the Rules Committee for interim study.

Margaret Dayton, Chair

**MISCELLANEOUS BUSINESS**

On motion of Representative Jones, the House voted to recall **H.B. 165** from the Senate.

**UNFINISHED BUSINESS**

On motion of Representative Ure, the House voted to uncircle **2nd Sub. H.R. 7**.

**2nd Sub. H.R. 7.** HOUSE RULES RESOLUTION – COMMITTEE REPORT, was before the House on its final passage.

Representative Hansen proposed to delete **2nd Sub. H.R. 7** in title and body and insert **4th Sub. H.R. 7** in lieu thereof.

Representative Lockhart proposed the following substitute motion to amend:

1. Page 2, Lines 52 through 53

   52 (5) (a) Any listing of dissenting members on a committee report
   {−shall } is not to be read by the

   53 Reading Clerk {−and } or entered as part of the report in the journal.

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

Representative Hansen proposed to delete **2nd Sub. H.R. 7** in title and body and insert **4th Sub. H.R. 7** in lieu thereof.

Representative Hendrickson proposed the following substitute motion to amend:

Substitute the bill with the **4th Sub. H.R. 7** and include the following amendments:

1. Page 3, Line 57:
   Delete “made part of the House Journal” and insert “attached to the back of the bill”

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

Representative Hansen’s motion to substitute failed on the following roll call:
Yeas, 19; Nays, 47; Absent or not voting, 9.

Voting in the affirmative were: Representatives
Becker Biskupski Bourdeaux S. Clark
Cosgrove Duckworth Goodfellow Gowans
Hansen Hendrickson Jones King
Litvack McGee Morgan Romero
Shurtliff Wheatley Wiley

Voting in the negative were: Representatives
Aagard Adams S. Allen Barrus
Bowman Buxton Christensen D. Clark
D. Cox Daw Dayton Dee
Donnelson Ferrin Ferry Fisher
Fowlke Frank Gibson Hardy
Harper Hogue Holdaway Hughes
Hunsaker E. Hutchings Kiser Last
Lawrence Lockhart Mathis Menlove
Morley Murray Newbold Noel
Oda Painter Ray G. Snow
Tilton Ure Urquhart Walker
Wallace Wheeler Curtis

Absent or not voting were: Representatives
Alexander Bigelow Buttars Dougall
Dunnigan B. Johnson Mascaro Moss
Wyatt

2nd Sub. H.R. 7, as amended, then passed on the following roll call:

Yeas, 49; Nays, 19; Absent or not voting, 7.

Voting in the affirmative were: Representatives
Aagard S. Allen Barrus Bigelow
Bowman Buttars Buxton Christensen
D. Clark Daw Dayton Dee
Donnelson Ferrin Frank Gibson
Fowlke Harper Hogue Holdaway
Hughes Hunsaker E. Hutchings B. Johnson
Kiser Last Lawrence Lockhart
Mathis Menlove Newbold Murray
Newbold Noel Oda Painter
Voting in the negative were: Representatives
Becker Biskupski Bourdeaux S. Clark
Cosgrove Duckworth Goodfellow Gowans
Hansen Hendrickson Jones King
Litvack McGee Morgan Romero
Shurtliff Wheatley Wiley

Absent or not voting were: Representatives
Adams Alexander Dougall Dunnigan
Mascaro Moss Curtis

2nd Sub. H.R. 7, as amended, was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Lt. Governor.

THIRD READING CALENDAR

H.B. 77, PROVISIONS FOR EMANCIPATION OF A MINOR, read the third time by short title and placed on its final passage.

Representative Lawrence proposed the following amendment:

1. Page 7, Lines 192 through 193
   192 (4) If the court determines by {a preponderance of the } clear and convincing evidence that emancipation is in
   193 the best interests of the minor, it shall issue a declaration of emancipation.

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

H.B. 77, as amended, then passed on the following roll call:

Yeas, 44; Nays, 25; Absent or not voting, 6.

Voting in the affirmative were: Representatives
Aagard S. Allen Barrus Becker
Bigelow Biskupski Bourdeaux Bowman
Buttars Cosgrove D. Cox Daw
Donnelson Duckworth Ferry Fisher
Voting in the negative were: Representatives

Adams Buxton Christensen D. Clark
S. Clark Dayton Dee Dougall
Ferrin Gibson Harper Hughes
B. Johnson Kiser Last Mathis
Morley Noel Oda Painter
Tilton Walker Wallace Wheeler

Absent or not voting were: Representatives

Alexander Dunnigan Frank Lockhart
Mascaro Urquhart

H.B. 77, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 122, BAIL BOND AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Gibson, the House voted to circle H.B. 122.

* * *

H.B. 114, CHILDREN’S HEALTH CARE COVERAGE AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Bowman declared a conflict of interest because he has great-grandchildren using the program.

H.B. 114 then passed on the following roll call:

Yeas, 50; Nays, 19; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard S. Allen Barrus Becker
Bigelow Biskupski Bourdeaux Bowman
Voting in the negative were: Representatives
Adams     Buttars     Christensen     Daw
Dayton    Dougall     Ferrin        Ferry
Frank     Harper      Hughes      Lockhart
Morley    Oda         Painter      G. Snow
Tilton     Wallace     Wheeler

Absent or not voting were: Representatives
Alexander    D. Cox     Dunnigan     Mascaro
Ure          Wiley

H.B. 114 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Lockhart, the House voted that any bills still in possession of the House Standing Committees be referred to the Rules Committee.

***

On motion of Representative Urquhart, the House voted to recess until 2:00 p.m.

AFTERNOON SESSION

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

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 24, 2005

The Senate passed S.J.R. 19, RESOLUTION RECOGNIZING GRANITE SCHOOL DISTRICT’S 100 YEARS, by Senator G. Davis, and it is transmitted for consideration; and
The Senate passed **S.J.R. 18**, JOINT RESOLUTION APPROVING CONSOLIDATION OF WEST VALLEY AND SANDY DISTRICT COURTS, by Senator P. Knudson, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.J.R. 19** and **S.J.R. 18**, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: February 24, 2005

The Senate passed, **1st Sub. H.B. 83**, WEIGHTS AND MEASURES AMENDMENTS, by Representative D. Ure, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 156**, DAIRY PROMOTION ACT AMENDMENTS, by Representative D. Ure, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 155**, AGRICULTURAL COOP AMENDMENTS, by Representative C. Buttars, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 191**, CAPTIVE INSURANCE LAW AMENDMENTS, by Representative J. Dunnigan, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 201**, LIFE INSURANCE AND ANNUITIES LAW AMENDMENTS, by Representative J. Dunnigan, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 224**, PERMANENT COMMUNITY IMPACT FUND − BOARD MEMBERSHIP, by Representative J. Mathis, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **Sub. H.B. 83, H.B. 156, Sub. H.B. 155, H.B. 191, H.B. 201, and H.B. 224**, were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.
Mr. Speaker: February 24, 2005

The Senate passed, as amended, 2nd Sub. H.B. 74, TUITION PROGRAM FOR STUDENTS SEEKING TEACHER LICENSURE IN DISABILITY OR SPECIAL EDUCATION, by Representative R. Menlove, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. 2nd Sub. H.B. 74, placed on the calendar for concurrence.

UNFINISHED BUSINESS

On motion of Representative Gibson, the House voted to uncircle H.B. 122.

H.B. 122, BAIL BOND AMENDMENTS, was before the House on its final passage.

On motion of Representative Gibson, the House voted to delete H.B. 122 in title and body and insert Sub. H.B. 122 in lieu thereof.

Sub. H.B. 122, as amended, then failed to pass on the following roll call:

Yeas, 31; Nays, 38; Absent or not voting, 6.

Voting in the affirmative were: Representatives
Becker Biskupski Bowman Buxton
Cosgrove D. Cox Dee Duckworth
Gibson Gowans Hansen Hendrickson
Holdaway Hunsaker E. Hutchings B. Johnson
Jones King Litvack Mathis
Menlove Moss Murray Painter
Shurtliff Ure Urquhart Walker
Wiley Wyatt Curtis

Voting in the negative were: Representatives
Aagard S. Allen Barrus Bigelow
Bourdeaux Buttars Christensen D. Clark
S. Clark Daw Dayton Donnelson
Ferrin Ferry Fisher Fowlke
Frank Goodfellow Hardy Harper
Hogue Hughes Kiser Last
Absent or not voting were: Representatives
Adams Alexander Dougall Dunnigan
Mascaro Morgan

Sub. H.B. 122, as amended, was filed.

COMMUNICATION FROM THE SENATE

Mr. Speaker: February 24, 2005

The Senate transmits H.B. 165, UTAH COMMISSION ON AGING, by Representative P. Jones, for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. H.B. 165 returned to the House for technical corrections (amendments not attached).

THIRD READING CALENDAR

Sub. H.B. 260, AMENDMENTS RELATED TO PORNOGRAPHIC AND HARMFUL MATERIALS, read the third time by short title and placed on its final passage.

On motion of Representative Dougall, the House voted to circle Sub. H.B. 260.

***

Sub. H.B. 96, AMENDMENTS RELATING TO CLEAN FUELS AND VEHICLES USING CLEAN FUELS, read the third time by short title and placed on its final passage.

On motion of Representative Bigelow, the House voted to circle Sub. H.B. 96.

***

H.B. 131, ACCESS TO HEALTH CARE FACILITIES AND PLACES OF WORSHIP, read the third time by short title and placed on its final passage.
On motion of Representative Aagard, the House voted to circle **H.B. 131**.

***

**H.B. 140**, INDIVIDUAL INCOME TAX CONTRIBUTION FOR COMMUNITY SPAY AND NEUTER PROGRAMS, read the third time by short title and placed on its final passage.

**H.B. 140** then passed on the following roll call:

**Yeas, 52; Nays, 13; Absent or not voting, 10.**

**Voting in the affirmative were:** Representatives

- Aagard
- Adams
- S. Allen
- Barrus
- Becker
- Biskupski
- Bourdeaux
- Bowman
- Buxton
- Christensen
- D. Clark
- S. Clark
- Cosgrove
- Daw
- Duckworth
- Ferrin
- Ferry
- Fowlke
- Frank
- Gowans
- Hansen
- Hardy
- Hendrickson
- Hogue
- Holdaway
- Hunsaker
- B. Johnson
- Jones
- King
- Last
- Lawrence
- Litvack
- Mathis
- McGee
- Menlove
- Morgan
- Moss
- Murray
- Noel
- Oda
- Painter
- Ray
- Romero
- Shurtliff
- G. Snow
- Ure
- Walker
- Wallace
- Wheeler
- Wiley
- Wyatt
- Curtis

**Voting in the negative were:** Representatives

- D. Cox
- Dayton
- Dee
- Donnelson
- Dougall
- Fisher
- Harper
- Hughes
- Kiser
- Lockhart
- Morley
- Newbold
- Tilton

**Absent or not voting were:** Representatives

- Alexander
- Bigelow
- Buttars
- Dunnigan
- Gibson
- Goodfellow
- E. Hutchings
- Mascaro
- Urquhart
- Wheatley

**H.B. 140** transmitted to the Senate for its consideration.

**COMMUNICATION FROM THE SENATE**

Mr. Speaker: February 24, 2005

The Senate passed **S.C.R. 11**, CONCURRENT RESOLUTION ON MCGUFF HOUSE, by Senator D. Eastman, and it is transmitted for consideration with the following amendment:
1. Page 2, Line 57
   After “started in,” delete “1998” and insert “1988”

   Annette B. Moore
   Secretary of the Senate

   Communication filed. **S.C.R. 11**, read the first and second times by short title and placed at the top of the calendar for third reading.

**MISCELLANEOUS BUSINESS**

On motion of Representative Ferry, the House voted to move to the Senate Third Reading Calendar.

**THIRD READING CALENDAR**

**S.C.R. 11**, CONCURRENT RESOLUTION ON MCGRUFF HOUSE, read the third time by short title and placed on its final passage.

**S.C.R. 11** then passed on the following roll call:

**Yeas, 55; Nays, 0; Absent or not voting, 20.**

**Voting in the affirmative were:** Representatives

Aagard  Adams  S. Allen  Barrus  
Becker  Biskupski  Bourdeaux  Bowman  
Buxton  Christensen  S. Clark  Cosgrove  
D. Cox  Dayton  Dee  Donnelson  
Dougall  Duckworth  Ferrin  Ferry  
Fisher  Fowlke  Frank  Gowans  
Harper  Hendrickson  Hogue  Holdaway  
E. Hutchings  B. Johnson  Jones  Kiser  
Last  Lawrence  Litvack  Mathis  
McGee  Morgan  Morley  Moss  
Murray  Newbold  Oda  Painter  
Ray  Romero  Shurtleff  G. Snow  
Tilton  Walker  Wallace  Wheeler  
Wiley  Wyatt  Curtis  

**Absent or not voting were:** Representatives

Alexander  Bigelow  Buttars  D. Clark  
Daw  Dunnigan  Gibson  Goodfellow  
Hansen  Hardy  Hughes  Hunsaker  
King  Lockhart  Mascaro  Menlove  
Noel  Ure  Urquhart  Wheatley
S.C.R. 11 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

**MISCELLANEOUS BUSINESS**

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

**THIRD READING CALENDAR**

H.C.R. 3, RESOLUTION REGARDING WASHINGTON COUNTY WASTE FACILITY, read the third time by short title and placed on its final passage.

H.C.R. 3 then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
</tr>
<tr>
<td>Bowman</td>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
</tr>
<tr>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Dayton</td>
</tr>
<tr>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
</tr>
<tr>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
</tr>
<tr>
<td>Frank</td>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
</tr>
<tr>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Litvack</td>
<td>Lockhart</td>
<td>Mathis</td>
</tr>
<tr>
<td>Morgan</td>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
</tr>
<tr>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
</tr>
<tr>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
</tr>
<tr>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Alexander</th>
<th>Buttars</th>
<th>Daw</th>
<th>Dunnigan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gibson</td>
<td>B. Johnson</td>
<td>Mascaro</td>
<td>McGee</td>
</tr>
<tr>
<td>Menlove</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

H.C.R. 3 transmitted to the Senate for its consideration.
* * *

**H.B. 132**, INTERNET CRIMES AGAINST CHILDREN, read the third time by short title and placed on its final passage.

**H.B. 132**, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Representative</th>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
<th>Becker</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
<td>Bowman</td>
</tr>
<tr>
<td></td>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
</tr>
<tr>
<td></td>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td></td>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
</tr>
<tr>
<td></td>
<td>Duckworth</td>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
</tr>
<tr>
<td></td>
<td>Fowlke</td>
<td>Frank</td>
<td>Goodfellow</td>
<td>Hansen</td>
</tr>
<tr>
<td></td>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
<tr>
<td></td>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>Jones</td>
</tr>
<tr>
<td></td>
<td>King</td>
<td>Kiser</td>
<td>Lawrence</td>
<td>Litvack</td>
</tr>
<tr>
<td></td>
<td>Lockhart</td>
<td>Mathis</td>
<td>McGee</td>
<td>Morgan</td>
</tr>
<tr>
<td></td>
<td>Morley</td>
<td>Moss</td>
<td>Newbold</td>
<td>Noel</td>
</tr>
<tr>
<td></td>
<td>Painter</td>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
</tr>
<tr>
<td></td>
<td>G. Snow</td>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
</tr>
<tr>
<td></td>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
</tr>
<tr>
<td></td>
<td>Wiley</td>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
</tr>
</tbody>
</table>

Absent or not voting were: Representatives

<table>
<thead>
<tr>
<th>Representative</th>
<th>Aagard</th>
<th>Alexander</th>
<th>Dunnigan</th>
<th>Gibson</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gowans</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>Last</td>
<td></td>
</tr>
<tr>
<td>Mascaro</td>
<td>Menlove</td>
<td>Murray</td>
<td>Oda</td>
<td></td>
</tr>
</tbody>
</table>

**H.B. 132**, as amended, transmitted to the Senate for its consideration.

* * *

**H.B. 291**, CAPITOL PRESERVATION BOARD MODIFICATIONS, read the third time by short title and placed on its final passage.

On motion of Representative Ferry, the House voted to circle **H.B. 291**.

* * *

**H.B. 299**, MOTOR VEHICLE BUSINESS LICENSING AMENDMENTS, read the third time by short title and placed on its final passage.
Representative Ray proposed the following amendment:

1. Page 2, Line 49:
   Delete “the use of a” and delete “vehicle” and insert “vehicles”

2. Page 2, Line 54:
   Refer to the standing committee amendments dated 2−10−2005:
   Lines 53 and 54:
   Delete “the use of a” and delete “vehicle” and insert “vehicles”

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

H.B. 299, as amended, then passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives

Aagard  Adams  S. Allen  Barrus
Becker  Bigelow  Biskupski  Bourdeaux
Bowman  Buttars  Buxton  Christensen
D. Clark  S. Clark  Cosgrove  D. Cox
Daw  Dayton  Dee  Donnelson
Dougall  Duckworth  Ferry  Fisher
Fowlke  Frank  Goodfellow  Gowans
Hansen  Hardy  Harper  Hendrickson
Hogue  Holdaway  Hughes  Hunsaker
E. Hutchings  Jones  King  Kiser
Last  Lawrence  Litvack  Mathis
McGee  Morgan  Morley  Moss
Murray  Newbold  Noel  Oda
Painter  Ray  Romero  Shurtliff
Ure  Urquhart  Walker  Wallace
Wheatley  Wheeler  Wiley  Wyatt

Absent or not voting were: Representatives

Alexander  Dunnigan  Ferrin  Gibson
B. Johnson  Lockhart  Mascaro  Menlove
G. Snow  Tilton

H.B. 299, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 362, APPROPRIATION FOR HIGHLY QUALIFIED TEACHERS, read the third time by short title and placed on its final passage.
H.B. 362 then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Adams</td>
<td>S. Allen</td>
<td>Barrus</td>
<td>Becker</td>
</tr>
<tr>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
<td>Bowman</td>
</tr>
<tr>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
</tr>
<tr>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>Daw</td>
<td>Dayton</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
</tr>
<tr>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
</tr>
<tr>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
</tr>
<tr>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
</tr>
<tr>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Litvack</td>
<td>Lockhart</td>
<td>Mathis</td>
</tr>
<tr>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
<td>Morley</td>
</tr>
<tr>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
</tr>
<tr>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
<td>Romero</td>
</tr>
<tr>
<td>Shurtleff</td>
<td>G. Snow</td>
<td>Ure</td>
<td>Walker</td>
</tr>
<tr>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
</tr>
<tr>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Aagard</td>
<td>Alexander</td>
<td>D. Cox</td>
<td>Dee</td>
</tr>
<tr>
<td>Dunnigan</td>
<td>Gibson</td>
<td>Mascaro</td>
<td>Tilton</td>
</tr>
<tr>
<td>Urquhart</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

H.B. 362 transmitted to the Senate for its consideration.

***

**2nd Sub. H.B. 153**, SECURITY FOR PUBLIC SCHOOLS, read the third time by short title and placed on its final passage.

Representative Allen moved to delete **2nd Sub. H.B. 153** in title and body and insert **3rd Sub. H.B. 153** in lieu thereof. Her motion to substitute failed on the following roll call:

Yeas, 30; Nays, 39; Absent or not voting, 6.

**Voting in the affirmative were:** Representatives

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Aagard</td>
<td>Adams</td>
<td>S. Allen</td>
<td>Barrus</td>
</tr>
<tr>
<td>Bigelow</td>
<td>D. Cox</td>
<td>Duckworth</td>
<td>Fisher</td>
</tr>
</tbody>
</table>
Representative Hendrickson declared a conflict of interest because he drives a school bus.

On motion of Representative Hendrickson, the House voted to circle 2nd Sub. H.B. 153.

REPORTS OF BILLS RETURNED TO RULES COMMITTEE

Mr. Speaker: February 24, 2005

With committee review, the Business and Labor Committee has returned S.B. 29, LICENSING OF CRANE OPERATORS, by Senator G. Davis, to the Rules Committee without recommendation; and

Without committee review, the Business and Labor Committee has returned 2nd Sub. S.B. 34, PATIENT ACCESS REFORM, by Senator D. C. Buttars, to the Rules Committee; and

Without committee review, the Business and Labor Committee has returned 2nd Sub. S.B. 56, REAL ESTATE − EXCLUSIVE BROKERAGE AGREEMENTS, by Senator L. A. Mansell, to the Rules Committee; and
Without committee review, the Business and Labor Committee has returned 1st Sub. S.B. 64, REAL ESTATE TRANSACTIONS AND SECURITIES, by Senator L. A. Mansell, to the Rules Committee; and

Without committee review, the Business and Labor Committee has returned 1st Sub. S.B. 65, ALCOHOLIC BEVERAGE CONTROL AMENDMENTS, by Senator P. Knudson, to the Rules Committee; and

Without committee review, the Business and Labor Committee has returned S.B. 71, SECURITY PERSONNEL LICENSING AMENDMENTS, by Senator G. Davis, to the Rules Committee; and

Without committee review, the Business and Labor Committee has returned S.B. 77, AMENDMENTS TO INDOOR CLEAN AIR ACT, by Senator M. Waddoups, to the Rules Committee without recommendation; and

With committee review, the Business and Labor Committee has returned S.B. 87, RESIDENCE LIEN RESTRICTION AND LIEN RECOVERY FUND AMENDMENTS, by Senator D. Thomas, to the Rules Committee without recommendation with the following amendments:

1. Page 3, Lines 68 through 69:

68 (4) The division shall report the amount of any special assessment imposed under this

69 section to the { governor and the Legislature as part of its budget request } Revenue and Taxation Interim Committee within 30 calendar days of the date that the assessment is imposed .

Without committee review, the Business and Labor Committee has returned S.B. 147, PSYCHOLOGIST LICENSING ACT AMENDMENTS, by Senator E. Mayne, to the Rules Committee; and

Without committee review, the Business and Labor Committee has returned S.B. 172, DIVISION OF REAL ESTATE AMENDMENTS, by Senator M. Waddoups, to the Rules Committee; and

Without committee review, the Business and Labor Committee has returned 1st Sub. S.B. 215, FINANCIAL INSTITUTIONS AS LIMITED LIABILITY COMPANIES, by Senator L. Hillyard, to the Rules Committee; and

Without committee review, the Business and Labor Committee has returned S.B. 223, OVERSIGHT AND ENFORCEMENT OF WORK DONE ON MOBILE HOMES, by Senator E. Mayne, to the Rules Committee; and
With committee review, the Business and Labor Committee has returned **H.B. 100**, CONSUMER CREDIT BUREAU NOTICE REQUIREMENTS, by Representative K. Morgan, to the Rules Committee without recommendation; and

Without committee review, the Business and Labor Committee has returned **H.B. 133**, MOBILE HOME PARK – NOTICE OF SALE OF UNDERLYING PROPERTY, by Representative M. Wheatley, to the Rules Committee; and

With committee review, the Business and Labor Committee has returned **H.B. 193**, DEREGULATION OF GENERAL BUILDING CONTRACTORS, by Representative G. Hughes, to the Rules Committee without recommendation; and

With committee review, the Business and Labor Committee has returned **H.B. 277**, REVISIONS TO THE UTAH CREDIT UNION ACT, by Representative L. Christensen, to the Rules Committee without recommendation; and

Without committee review, the Business and Labor Committee has returned **H.B. 289**, AUTHORITY FOR DESIGN−BUILD CONSTRUCTION, by Representative M. Morley, to the Rules Committee; and

Without committee review, the Business and Labor Committee has returned **Sub. H.B. 322**, MOTOR VEHICLE REPAIRS – CONSUMER RIGHTS, by Representative T. Kiser, to the Rules Committee.

Stephen D. Clark, Chair
Reports filed. On motion of Representative S. Clark, the reports of the Business and Labor committee were adopted.


* * *

Mr. Speaker: February 24, 2005

With committee review, the Business and Labor Committee has returned **H.B. 50**, CRIMINAL PENALTY AMENDMENT, by Representative D. Litvack, to the Rules Committee without recommendation; and

With committee review, the Law Enforcement and Criminal Justice Committee recommends **H.B. 92**, SAFETY BELT LAW REQUIREMENT AMENDMENTS, by Representative M. Noel, be replaced with **1st Sub. H.B. 92**,
SAFETY BELT LAW REQUIREMENT AMENDMENTS, with the following amendments, and has returned it to the Rules Committee without recommendation.

1. Page 2, Lines 45 through 46:
   45 (1) (a) A person who violates Section 41–6a–1803 is guilty of
   \[ \text{an infraction} \] \( \text{a class C} \) \[ \text{misdemeanor} \] and shall be fined a maximum of $45.

2. Page 4, Lines 89 through 92:
   89 \((2)\) (3) After reinstatement of the license under Subsection
   (1)(a) or (2)(a), a report authorized
   90 under Section 53–3–104 may not contain evidence of the
   91 suspension of a minor’s license under
   92 this section if the minor has not been convicted of any other offense
   for which the suspension
   may be extended.

With committee review, the Law Enforcement and Criminal Justice Committee has returned 1st Sub. H.B. 219, TRAFFIC ENFORCEMENT AMENDMENTS, by Representative R. McGee, to the Rules Committee without recommendation; and

Without committee review, the Law Enforcement and Criminal Justice Committee has returned H.B. 332, POSSESSION OF A DANGEROUS WEAPON IN A VEHICLE, by Representative M. Morley, to the Rules Committee.

DeMar “Bud” Bowman, Chair

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


* * *

Mr. Speaker: February 24, 2005

Without committee review, the Natural Resources, Agriculture, and Environment Committee has returned H.B. 229, WATER RIGHTS IN IRRIGATION COMPANIES, by Representative P. Painter, to the Rules Committee.

Roger E. Barrus, Chair
Report filed. On motion of Representative Barrus, the reports of the Natural Resources, Agriculture, and Environment committee was adopted.

**H.B. 229**, referred to the Rules Committee.

---

Mr. Speaker: February 23, 2005

Without committee review, the Transportation Committee has returned **S.B. 151**, DRIVER EDUCATION AMENDMENTS, by Senator T. Hatch, to the Rules Committee.

Joseph G. Murray, Chair

Report filed. On motion of Representative Murray, the report of the Transportation committee was adopted.

**S.B. 151**, referred to the Rules Committee.

---

Mr. Speaker: February 24, 2005

Without committee review, the Workforce Services and Community and Economic Development Committee has returned **S.B. 180**, WORKERS COMPENSATION – COMPETITIVE BID REQUIREMENTS, by Senator M. Waddoups, to the Rules Committee.

David N. Cox, Chair

Report filed. On motion of Representative Cox, the report of the Workforce Services and Community and Economic Development committee was adopted.

**S.B. 180**, referred to the Rules Committee.

---

Mr. Speaker: February 23, 2005

With committee review, the Political Subdivisions Committee has returned **H.B. 158**, ELECTION REQUIREMENTS FOR COUNTY CANDIDATES, by Representative R. Romero, to the Rules Committee, without recommendation, with the following amendments:

1. Page 3, Lines 81 through 82:

81 (2) if filing for candidacy in a first class county after January 1, 
{–2006 } 2010 , be a licensed
82 certified public accountant as of the date of filing.

Without committee review, the Political Subdivisions Committee has returned **H.B. 329**, COUNTY CONTRACTED SERVICES, by Representative K. Holdaway, to the Rules Committee; and

With committee review, the Political Subdivisions Committee has returned **S.B. 136**, JUSTICE COURT OPERATIONS AMENDMENTS, by Senator E. Mayne, to the Rules Committee without recommendation; and

Without committee review, the Political Subdivisions Committee has returned **S.B. 139**, MINIMUM WAGE PROVISIONS, by Senator H. Stephenson, to the Rules Committee; and

Without committee review, the Political Subdivisions Committee has returned **S.B. 190**, COUNTY OFFICER AMENDMENTS, by Senator C. Bramble, to the Rules Committee.

Brad L. Dee, Chair

Reports filed. On motion of Representative Dee, the reports of the Political Subdivisions committee were adopted.


* * *

Mr. Speaker: February 23, 2005

Without committee review, the Retirement and Independent Entities Committee has returned **H.B. 81**, WORKERS’ COMPENSATION COVERAGE OF FIRE DEPARTMENT EMPLOYEES, by Representative J. Murray, to the Rules Committee.

Michael T. Morley, Chair

Report filed. On motion of Representative Morley, the report of the Retirement and Independent Entities committee was adopted.

**H.B. 81**, referred to the Rules Committee.

* * *

Mr. Speaker: February 24, 2005

With committee review the Judiciary Committee has returned **H.B. 123**, RESTRICTIONS OF ADVERTISING ILLEGAL ACTIVITIES, by Representative S. Wyatt, to the Rules Committee without recommendation; and
Without committee review the Judiciary Committee recommends **H.B. 127**, OFFER OF SETTLEMENT PROVISIONS, by Representative L. Christensen, be replaced with **1st Sub. H.B. 127**, OFFER OF SETTLEMENT PROVISIONS, with the following amendments, and has returned it to the Rules Committee without recommendation.

1. Page 2, Lines 31 through 34:

   31 (3) If an offer to settle or dismiss a lawsuit made by a plaintiff is not accepted and the
   32 rejecting party does not obtain a more favorable judgment, the judgment shall bear interest at
   33 the legal rate of 10% per annum calculated from the date of the plaintiff’s first offer which is exceeded by the
   34 judgment, and interest shall accrue until the satisfaction of judgment.

With committee review the Judiciary Committee recommends **H.B. 271**, COMMITMENT TO MENTAL HEALTH AUTHORITY, by Representative M. Noel, be replaced with **1st Sub. H.B. 271**, COMMITMENT TO MENTAL HEALTH AUTHORITY, and has returned it to the Rules Committee without recommendation.

   James A. Ferrin, Chair

   Reports filed. On motion of Representative Ferry, the reports of the Judiciary committee were adopted.


   * * *

Mr. Speaker: February 24, 2005

   With committee review the Revenue and Taxation Committee has returned **H.B. 101**, AMENDMENTS TO THE INDIVIDUAL INCOME TAX, by Representative W. Harper, to the Rules Committee without recommendation; and

   With committee review the Revenue and Taxation Committee has returned **H.B. 130**, INCOME TAX SUBTRACTION FOR SPECIALIZED IMMIGRANT SERVICES, by Representative A. Tilton, to the Rules Committee without recommendation and with the following amendments:
1. Page 5, Line 144:
Add the word “State” before the word “Government”

2. Page 10, Line 293:
Add the word “State” before the word “Government”

Without committee review the Revenue and Taxation Committee has returned 1st Sub. H.B. 197, INDIVIDUAL INCOME TAX AMENDMENTS, by Representative P. Jones, to the Rules Committee without recommendation; and

With committee review the Revenue and Taxation Committee has returned H.B. 227, CORPORATE FRANCHISE AND INCOME TAXES − EXEMPTION FOR BANKS, by Representative W. Harper, to the Rules Committee without recommendation; and

With committee review the Revenue and Taxation Committee has returned H.B. 258, INDIVIDUAL INCOME TAX CREDIT FOR EMPLOYMENT−RELATED EXPENSES, by Representative D. Litvack, to the Rules Committee without recommendation; and

With committee review the Revenue and Taxation Committee has returned H.J.R. 12, RESOLUTION ELIMINATING PROPERTY TAX ON PERSONAL PROPERTY, by Representative J. Dougall, to the Rules Committee without recommendation.

Wayne A. Harper, Chair
Reports filed. On motion of Representative Harper, the reports of the Revenue and Taxation committee were adopted.


***

Mr. Speaker: February 23, 2005

With committee review, the Education Committee has returned H.B. 88, AIR CONDITIONED BUSES FOR STUDENTS WITH DISABILITIES, by Representative D. Hogue, to the Rules Committee without recommendation; and

With committee review the Education Committee has returned H.B. 187, CAPITAL OUTLAY FOUNDATION PROGRAM − PARTICIPATION REQUIREMENTS, by Representative J. Ferrin, to the Rules Committee without recommendation with the following amendments:
1. Page 2, Line 47:

   (B) the school campus may not exceed .015 acres per student capacity.

   (c) The requirements under Subsection (2)(b) do not apply to a school designed for a capacity of 400 or fewer students.

2. Page 2, Lines 37 through 47:

   (b) Beginning July 1, 2005, a school district receiving monies under the capital outlay foundation program shall construct each school as follows:

   (i) for students in grades kindergarten through 6:

   (A) school building construction costs may not exceed $5,000 per student capacity; and

   (B) the school campus may not exceed .01 acres per student capacity in counties of the first, second, and third class.

   (ii) for students in grades 7 through 9:

   (A) school building construction costs may not exceed $7,000 per student capacity; and

   (B) the school campus may not exceed .015 acres per student capacity in counties of the first, second, and third class.

   (iii) for students in grades 10 through 12:

   (A) school building construction costs may not exceed $9,000 per student capacity; and

   (B) the school campus may not exceed .015 acres per student capacity in counties of the first, second, and third class.

With committee review the Education Committee has returned H.B. 196, LEGISLATORS INVOLVEMENT IN PUBLIC SCHOOLS, by Representative D. Bourdeaux, to the Rules Committee without recommendation with the following amendments:

1. Page 2, Lines 43 through 45:

   (c) Each legislator is encouraged as part of the legislator’s participation under Subsection (1)(b) to interview teachers and staff and visit a special education class or a class teaching proficiency in English as
Without committee review, the Education Committee has returned S.B. 41, SCHOOL AND INSTITUTIONAL TRUST LANDS MANAGEMENT ACT REVISIONS, by Senator M. Dmitrich, to the Rules Committee; and

Without committee review, the Education Committee has returned S.B. 59, HOME SCHOOL AMENDMENTS, by Senator M. Madsen, to the Rules Committee; and

Without committee review, the Education Committee has returned S.B. 178, CHARTER SCHOOL AMENDMENTS, by Senator H. Stephenson, to the Rules Committee; and

Without committee review, the Education Committee has returned S.B. 239, PUBLIC LANDS POLICY COORDINATION, by Senator T. Hatch, to the Rules Committee.

Margaret Dayton, Chair

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


***

Mr. Speaker: February 24, 2005

With committee review, the Government Operations Committee has returned H.B. 166, UTAH INDOOR CLEAN AIR ACT AMENDMENTS, by Representative P. Ray, to the Rules Committee without recommendation; and

With committee review, the Government Operations Committee has returned H.B. 267, ELECTION DAY VOTER REGISTRATION, by Representative N. Hansen, to the Rules Committee without recommendation; and

Without committee review, the Government Operations Committee has returned S.C.R. 10, CONCURRENT RESOLUTION HONORING UTAH FOUNDATION, by Senator L. A. Mansell, to the Rules Committee.

Douglas C. Aagard, Chair

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

* * *

Mr. Speaker: February 24, 2005

With committee review, the Health and Human Services Committee has returned H.B. 106, REGULATION OF NONCOMPETE AGREEMENTS IN MEDICAL PRACTICES, by Representative R. McGee, to the Rules Committee without recommendation; and

With committee review, the Health and Human Services Committee recommends H.B. 134, PUBLIC SAFETY OFFICERS − CRITICAL INCIDENT SHOOTING PROVISIONS, by Representative P. Ray, be replaced with 1st Sub. H.B. 134, PUBLIC SAFETY OFFICERS − CRITICAL INCIDENT SHOOTING PROVISIONS, and has returned it to the Rules Committee without recommendation; and

With committee review, the Health and Human Services Committee has returned H.B. 146, VACCINE RESTRICTIONS, by Representative E. Hutchings, to the Rules Committee without recommendation with the following amendments:

1. Page 1, Line 26:
   26 pediatric vaccine necessary for school entry immunization requirements , or a vaccine or immunization for a woman who is pregnant or breast feeding if the vaccine contains

2. Page 2, Line 29:
   29 (2) The department may purchase and distribute a pediatric vaccine , or a vaccine or immunization for a woman who is pregnant or breast feeding that contains

With committee review, the Health and Human Services Committee has returned H.B. 161, INJURY REPORTING REQUIREMENT AMENDMENTS, by Representative J. Murray, to the Rules Committee without recommendation; and

Without committee review, the Health and Human Services Committee has returned H.B. 167, ELDER PROTECTION PROVISIONS, by Representative P. Jones, to the Rules Committee; and

Without committee review, the Health and Human Services Committee has returned H.B. 321, BACKGROUND CHECKS FOR BOARDING SCHOOLS, by Representative B. Last, to the Rules Committee.

Bradley G. Last, Chair
Reports filed. On motion of Representative Ray, the reports of the Health and Human Services committee were adopted.


THIRD READING CALENDAR

H.R. 11. RESOLUTION URGING CONGRESS TO PASS BALANCED BUDGET AMENDMENT, read the third time by short title and placed on its final passage.

H.R. 11 then passed on the following roll call:

Yeas, 55; Nays, 4; Absent or not voting, 16.

Voting in the affirmative were: Representatives

Aagard       S. Allen       Barrus       Becker
Bigelow      Buttar         Christensen  D. Clark
S. Clark     D. Cox         Daw          Dee
Donnelson    Dougall        Duckworth   Ferry
Frank        Gibson         Goodfellow  Gowans
Hansen       Hardy          Hendrickson Hogue
Holdaway     Hughes         Hunsaker    E. Hutchings
Jones        King           Kiser        Last
Lawrence     Litvack        Lockhart    Mathis
Menlove      Morgan         Morley       Moss
Murray       Newbold        Noel         Oda
Ray          Romero         Shurtleff   G. Snow
Ure          Urquhart       Walker       Wallace
Wheatley     Wheeler        Wiley

Voting in the negative were: Representatives

Cosgrove     Fisher         Tilton       Wyatt

Absent or not voting were: Representatives

Adams        Alexander      Biskupski    Bourdeaux
Bowman       Buxton         Dayton       Dunnigan
Ferrin       Fowlke         Harper       B. Johnson
Mascaro      McGee          Painter      Curtis

H.R. 11 was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Lt. Governor.
H.B. 326, HIGH SCHOOL CURRICULUM, read the third time by short title and placed on its final passage.

On motion of Representative Daw, under suspension of the rules, H.B. 326 was considered read the first, second, and third times by short title.

H.B. 326, as amended, then failed to pass on the following roll call:

**Yeas, 35; Nays, 36; Absent or not voting, 4.**

**Voting in the affirmative were:**
Representatives

- Aagard
- Bigelow
- Bourdeaux
- Christensen
- D. Clark
- S. Clark
- D. Cox
- Daw
- Dee
- Donnelson
- Dougall
- Fisher
- Frank
- Hogue
- Hughes
- Hunsaker
- B. Johnson
- Kiser
- Litvack
- Lockhart
- Morgan
- Morley
- Newbold
- Noel
- Oda
- Painter
- Romero
- Tilton
- Ure
- Urquhart
- Walker
- Wallace
- Wheeler
- Wyatt
- Curtis

**Voting in the negative were:**
Representatives

- Adams
- S. Allen
- Barrus
- Becker
- Biskupski
- Bowman
- Buttars
- Buxton
- Cosgrove
- Dayton
- Duckworth
- Ferry
- Fowlke
- Gibson
- Goodfellow
- Gowans
- Hansen
- Hardy
- Harper
- Hendrickson
- Holdaway
- E. Hutchings
- Jones
- King
- Last
- Lawrence
- Mathis
- McGee
- Menlove
- Moss
- Murray
- Ray
- Shurtliff
- G. Snow
- Wheatley
- Wiley

**Absent or not voting were:**
Representatives

- Alexander
- Dunnigan
- Ferrin
- Mascaro

H.B. 326, as amended, was filed.

H.B. 314, DRIVING WITH ANY MEASURABLE CONTROLLED SUBSTANCE IN THE BODY REVISIONS, read the third time by short title and placed on its final passage.
H.B. 314 then passed on the following roll call:

**Yeas, 61; Nays, 0; Absent or not voting, 14.**

**Voting in the affirmative were:** Representatives

- Aagard
- Adams
- S. Allen
- Becker
- Biskupski
- Bourdeaux
- Butters
- Buxton
- Christensen
- D. Clark
- S. Clark
- Cosgrove
- D. Cox
- Daw
- Dayton
- Donnelson
- Dougall
- Duckworth
- Ferry
- Fisher
- Fowlke
- Frank
- Gibson
- Goodfellow
- Gowans
- Hardy
- Harper
- Hendrickson
- Hogue
- Hughes
- Hunsaker
- B. Johnson
- Jones
- King
- Kiser
- Last
- Lawrence
- Litvack
- Lockhart
- Mathis
- McGee
- Menlove
- Morgan
- Moss
- Murray
- Newbold
- Noel
- Oda
- Painter
- Ray
- Shurtliff
- G. Snow
- Tilton
- Ure
- Urquhart
- Walker
- Wallace
- Wheatley
- Wheeler
- Wiley
- Wyatt

**Absent or not voting were:** Representatives

- Alexander
- Barrus
- Bigelow
- Bowman
- Dee
- Dunnigan
- Ferrin
- Hansen
- Holdaway
- E. Hutchings
- Mascaro
- Morley
- Romero
- Curtis

H.B. 314 transmitted to the Senate for its consideration.

* * *

H.B. 178, MENTAL HEALTH SERVICES COORDINATOR, read the third time by short title and placed on its final passage.

On motion of Representative Hogue, the House voted to refer H.B. 178 to the Rules Committee.

* * *

H.B. 292, COMMISSION ON RACIAL AND ETHNIC FAIRNESS, read the third time by short title and placed on its final passage.

Representative Bourdeaux proposed the following amendment:
1. Page 3, Lines 85 through 86

House Committee Amendments 2–22–2005

85 (w) the following members appointed by the president of the Utah State Bar {Association } to

86 serve staggered four–year terms:

Representative Bourdeaux motion to amend passed on a voice vote.

H.B. 292, as amended, then passed on the following roll call:

**Yeas, 60; Nays, 5; Absent or not voting, 10.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
<th>Becker</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
<td>Bowman</td>
</tr>
<tr>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
</tr>
<tr>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td>Dougall</td>
<td>Duckworth</td>
<td>Ferry</td>
<td>Fisher</td>
</tr>
<tr>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
</tr>
<tr>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
<td>Harper</td>
</tr>
<tr>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hunsaker</td>
</tr>
<tr>
<td>E. Hutchings</td>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
</tr>
<tr>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
<td>Lockhart</td>
</tr>
<tr>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
</tr>
<tr>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
</tr>
<tr>
<td>Oda</td>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
</tr>
<tr>
<td>G. Snow</td>
<td>Tilton</td>
<td>Urquhart</td>
<td>Walker</td>
</tr>
<tr>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Donnelson</th>
<th>Ferrin</th>
<th>Ure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wallace</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Alexander</th>
<th>Dayton</th>
<th>Dee</th>
<th>Dunnigan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hughes</td>
<td>B. Johnson</td>
<td>Mascaro</td>
<td>Morley</td>
</tr>
<tr>
<td>Painter</td>
<td>Curtis</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

H.B. 292, as amended, transmitted to the Senate for its consideration.

***

H.B. 126, AMENDMENTS TO FACILITIES WITH REGIONAL IMPACT, read the third time by short title and placed on its final passage.
On motion of Representative Becker, the House voted to circle **H.B. 126**.

***

**H.B. 129**, SCHOOL UNIFORMS, read the third time by short title and placed on its final passage.

On motion of Representative Romero, the House voted to circle **H.B. 129**.

***

**Sub. H.B. 247**, CREDIT OR REFUND FOR TAX PAID ON CIGARETTE OR TOBACCO PRODUCT DESTROYED OR RETURNED TO THE MANUFACTURER, read the third time by short title and placed on its final passage.

**Sub. H.B. 247**, as amended, then passed on the following roll call:

**Yeas, 54; Nays, 0; Absent or not voting, 21.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>S. Allen</th>
<th>Barrus</th>
<th>Becker</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bigelow</td>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
</tr>
<tr>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Duckworth</td>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
</tr>
<tr>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
</tr>
<tr>
<td>Gowans</td>
<td>Hansen</td>
<td>Harper</td>
<td>Hogue</td>
</tr>
<tr>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>Jones</td>
</tr>
<tr>
<td>King</td>
<td>Last</td>
<td>Lawrence</td>
<td>Mathis</td>
</tr>
<tr>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
<td>Moss</td>
</tr>
<tr>
<td>Murray</td>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Shurtleff</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Urquhart</td>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
</tr>
<tr>
<td>Wheeler</td>
<td>Wiley</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>Alexander</th>
<th>Biskups</th>
<th>S. Clark</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dee</td>
<td>Dougall</td>
<td>Dunnigan</td>
<td>Hardy</td>
</tr>
<tr>
<td>Hendrickson</td>
<td>Holdaway</td>
<td>Hughes</td>
<td>Kiser</td>
</tr>
<tr>
<td>Litvack</td>
<td>Lockhart</td>
<td>Mascaro</td>
<td>Morley</td>
</tr>
<tr>
<td>Newbold</td>
<td>Tilton</td>
<td>Ure</td>
<td>Wyatt</td>
</tr>
<tr>
<td>Curtis</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Sub. H.B. 247, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Frank, the House voted to uncircle H.B. 129.

H.B. 129, SCHOOL UNIFORMS, was before the House on its final passage.

H.B. 129, as amended, then failed to pass on the following roll call:

Y eas, 32; Nays, 35; Absent or not voting, 8.

Voting in the affirmative were: Representatives
Christensen   S. Clark   Cosgrove   Daw
Dayton        Donnelson  Dougall   Ferrin
Ferry         Fowlke     Frank     Gibson
Harper        Hogue      Hughes    Hunsaker
E. Hutchings  B. Johnson Kiser      Last
Lockhart      Morley     Newbold   Noel
Oda           Painter    Ray       Tilton
Ure           Walker     Wallace   Curtis

Voting in the negative were: Representatives
Aagard        Adams      S. Allen   Barrus
Becker        Bigelow    Biskupski Bourdeaux
Bowman        Buttars    D. Clark   D. Cox
Duckworth     Fisher     Goodfellow Gowans
Hansen        Hendrickson Holdaway Jones
King          Lawrence   Litvack    Mathis
McGee         Menlove    Morgan    Moss
Murray        Romero     Shurtleff G. Snow
Urquhart      Wheatley  Wiley

Absent or not voting were: Representatives
Alexander    Buxton      Dee       Dunnigan
Hardy        Mascaro     Wheeler   Wyatt

H.B. 129, was filed.

THIRD READING CALENDAR

H.B. 245, COMPENSATION OF CONSTITUTIONAL OFFICERS – BENEFITS AND INSURANCE, read the third time by short title and placed on its final passage.
**H.B. 245** then failed to pass on the following roll call:

**Yeas, 21; Nays, 42; Absent or not voting, 12.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Bourdeaux</th>
<th>Bowman</th>
</tr>
</thead>
<tbody>
<tr>
<td>Christensen</td>
<td>Daw</td>
<td>Donnelson</td>
<td>Dougall</td>
</tr>
<tr>
<td>Ferrin</td>
<td>Gibson</td>
<td>Harper</td>
<td>Hughes</td>
</tr>
<tr>
<td>E. Hutchings</td>
<td>Kiser</td>
<td>Lawrence</td>
<td>Newbold</td>
</tr>
<tr>
<td>Noel</td>
<td>Painter</td>
<td>Tilton</td>
<td>Urquhart</td>
</tr>
<tr>
<td>Wallace</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>S. Allen</th>
<th>Barrus</th>
<th>Becker</th>
<th>Bigelow</th>
</tr>
</thead>
<tbody>
<tr>
<td>Biskupski</td>
<td>Butters</td>
<td>D. Clark</td>
<td>S. Clark</td>
</tr>
<tr>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Duckworth</td>
<td>Ferry</td>
</tr>
<tr>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
<td>Goodfellow</td>
</tr>
<tr>
<td>Gowans</td>
<td>Hansen</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hunsaker</td>
<td>B. Johnson</td>
<td>Jones</td>
</tr>
<tr>
<td>Litvack</td>
<td>Lockhart</td>
<td>Mathis</td>
<td>McGee</td>
</tr>
<tr>
<td>Menlove</td>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
</tr>
<tr>
<td>Oda</td>
<td>Ray</td>
<td>Romero</td>
<td>Shurtleff</td>
</tr>
<tr>
<td>G. Snow</td>
<td>Ure</td>
<td>Walker</td>
<td>Wheatley</td>
</tr>
<tr>
<td>Wiley</td>
<td>Curtis</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Alexander</th>
<th>Buxton</th>
<th>Dayton</th>
<th>Dee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dunnigan</td>
<td>Hardy</td>
<td>King</td>
<td>Last</td>
</tr>
<tr>
<td>Mascaro</td>
<td>Morgan</td>
<td>Wheeler</td>
<td>Wyatt</td>
</tr>
</tbody>
</table>

**H.B. 245**, was filed.

**MISCELLANEOUS BUSINESS**

On motion of Representative Urquhart, the House voted to recess until 7:00 p.m.

**EVENING SESSION**

The House was called to order by Speaker Curtis at 7:00 p.m.
COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 24, 2005

The Senate passed, as substituted, 5th Sub. S.B. 61, PRIVately owned Health Care Organization Task Force, by Senator M. Waddoups, et al, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended 1st Sub. S.B. 168, Construction Trade Related Amendments, by Senator S. Jenkins, and it is transmitted for consideration; and

The Senate passed, as substituted, 1st Sub. S.B. 170, State Tax Commission Collection and Licensing Practices, by Senator C. Bramble, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. 5th Sub. S.B. 61, Sub. S.B. 168, and Sub. S.B. 170, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: February 24, 2005

The President of the Senate has signed H.B. 55, Drug Offense Penalty Enhancements, by Representative B. Dee, and it is transmitted for the signature of the Speaker; and

The Senate passed, H.B. 150, Water Rights Fees, by Representative J. Gowans, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. H.B. 55 and H.B. 150 were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

* * *

Mr. Speaker: February 24, 2005

The Senate passed, as amended, H.J.R. 17, Resolution Honoring Celebration of Marriage Week, by Representative L. Fowlke, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

* * *

Mr. Speaker: February 24, 2005

The Senate adopted the Joint Conference Committee Report dated February 24, 2005, and passed **4th Sub. H.B. 43**, **SCHOOL LAND TRUST PROGRAM FUNDING AMENDMENTS**, by Representative S. Urquhart, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed.

**CONFERENCE COMMITTEE REPORT**

Mr. Speaker: February 24, 2005

The Joint Conference Committee comprised of Senators Hatch, Hickman, and Hale, and Representatives Urquhart, Bigelow, and Goodfellow, recommends **H.B. 43**, **SCHOOL LAND TRUST PROGRAM FUNDING AMENDMENTS**, by Representative S. Urquhart, be replaced and favorably recommends **4th Sub. H.B. 43**, **SCHOOL LAND TRUST PROGRAM FUNDING AMENDMENTS**.

Tom Hatch, Senate Chair
Stephen Urquhart, House Chair

Report filed. On motion of Representative Urquhart, the House voted to adopt the Conference Committee Report.

**4th Sub. H.B. 43** then passed on the following roll call:

**Yeas, 61; Nays, 2; Absent or not voting, 12.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
<td>Bowman</td>
</tr>
<tr>
<td>Buttars</td>
<td>Buxton</td>
<td>D. Clark</td>
<td>S. Clark</td>
</tr>
<tr>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
</tr>
<tr>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
</tr>
<tr>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
</tr>
<tr>
<td>Hunsaker</td>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
</tr>
<tr>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
</tr>
<tr>
<td>Lockhart</td>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
</tr>
</tbody>
</table>
Morgan  Morley  Murray  Newbold  
Noel  Oda  Painter  Romero  
Shurtliff  Ure  Urquhart  Walker  
Wallace  Wheatley  Wheeler  Wyatt  
Curtis  

Voting in the negative were: Representatives  
Ferry  G. Snow  

Absent or not voting were: Representatives  
Alexander  Becker  Christensen  Dee  
Dunnigan  Hughes  E. Hutchings  Mascaro  
Moss  Ray  Tilton  Wiley  

4th Sub. H.B. 43 transmitted to the Senate for signature of the President.  

UNFINISHED BUSINESS  

On motion of Representative Hunsaker, the House voted to uncircle Sub. H.B. 96.  

Sub. H.B. 96, AMENDMENTS RELATING TO CLEAN FUELS AND VEHICLES USING CLEAN FUELS, was before the House on its final passage.  

Representative Hunsaker proposed the following amendment:  

1. Page 2, Lines 31 through 32  
31 Other Special Clauses:  
32 This bill provides an effective date and provides for retrospective operation.  

2. Page 6, Lines 173 through 174:  
173 (b) Notwithstanding Subsection (2)(a) and subject to Subsection (5)(b), for taxable years beginning on or after January 1, 2006, a taxpayer may not claim a tax credit under this section with respect to an electric–hybrid vehicle.  

3. Page 9, Lines 263 through 264:  
263 (b) Notwithstanding Subsection (2)(a) and subject to Subsection (5)(b), for taxable years beginning on or after January 1, 2006, a taxpayer may not claim a tax credit under this
264 section with respect to an electric−hybrid vehicle.

4. Page 14, Lines 402 through 407
House Committee Amendments 2−15−2005:

402 Section 8. Effective date { Retrospective operation } .
403 (1) Except as provided in Subsections (2) and (3), this bill takes effect on May 2, 2005.
404 (2) Notwithstanding Subsection (1), the amendments to Section 41−6−53.5 [41−6−53.5]
404a 41−6a−702 { (5) } ← take effect
405 on July 1, 2005.
406 (3) Notwithstanding Subsection (1), the amendments to Sections 59−7−605 and
407 59−10−127 { have retrospective operation } take effect for taxable years beginning on or after January 1, 2006.

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

Sub. H.B. 96, as amended, then passed on the following roll call:

Yeas, 51; Nays, 16; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Aagard  Adams  S. Allen  Barrus
Becker  Biskupski  Bourdeaux  Bowman
Buxton  D. Clark  S. Clark  Cosgrove
D. Cox  Daw  Donnelson  Dougall
Duckworth  Ferry  Fisher  Fowlke
Gibson  Hardy  Harper  Hogue
Holdaway  Hunsaker  E. Hutchings  B. Johnson
Jones  King  Last  Litvack
Mathis  McGee  Menlove  Morgan
Moss  Newbold  Noel  Oda
Painter  Ray  Romero  Shurtliff
G. Snow  Ure  Urquhart  Wallace
Wheatley  Wyatt  Curtis
Voting in the negative were: Representatives
Buttars      Christensen      Dayton      Ferrin
Frank        Goodfellow      Gowans      Hansen
Hendrickson  Kiser          Lawrence    Lockhart
Morley       Murray          Walker      Wheeler

Absent or not voting were: Representatives
Alexander    Bigelow         Dee         Dunnigan
Hughes       Mascaro         Tilton      Wiley

Sub. H.B. 96, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS
On motion of Representative Dougall, the House voted to uncircle Sub. H.B. 260.

Sub. H.B. 260, AMENDMENTS RELATED TO PORNOGRAPHIC AND HARMFUL MATERIALS, was before the House on its final passage.


2nd Sub. H.B. 260 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard       Adams           S. Allen    Barrus
Becker       Bigelow        Biskupski    Bourdeaux
Bowman       Buttars        Buxton      Christensen
D. Clark     S. Clark       Cosgrove    D. Cox
Daw          Dayton         Dee         Donnelson
Dougall      Duckworth      Ferrin      Ferry
Fisher       Fowlke         Frank       Gibson
Goodfellow   Gowans         Hansen      Hardy
Harper       Hendrickson    Hogue       Holdaway
Hughes       Hunsaker       E. Hutchings B. Johnson
Jones        King           Kiser       Last
Lawrence     Litvack        Lockhart    Mathis
McGee        Menlove        Morgan      Morley
Moss         Murray         Newbold     Noel
Oda          Painter        Ray         Romero
Absent or not voting were: Representatives
Alexander Dunnigan Mascaro Tilton

2nd Sub. H.B. 260 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Dougall, the House voted to print the following intent language in the House Journal.

INTENT LANGUAGE FOR 2ND SUB. H.B. 260

Under section 76–10–1233, enacted by 2nd Sub. H.B. 260, it is anticipated that the Division of Consumer Protection will report back to the Utah Technology Commission throughout the 2005 interim regarding its proposed rules for establishing acceptable rating methods.

The addition of a negligence or recklessness standard to Section 76–10–1206 is intended to apply to a person’s determination of the age of a minor, while the intentional standard is intended to apply to distribution, production, presentation, direction, or performance identified in Subsection (1)(a), (b), and (c).

MISCELLANEOUS BUSINESS

On motion of Representative Ray, the House voted to reconsider its action on H.B. 326.

RECONSIDERATION OF H.B. 326

H.B. 326, HIGH SCHOOL CURRICULUM, was before the House upon its reconsideration.

On motion of Representative Holdaway, the House voted to circle H.B. 326.

UNFINISHED BUSINESS

On motion of Representative Noel, the House voted to uncircle Sub. H.B. 264.

Sub. H.B. 264, STATE LAND USE MANAGEMENT PLANS AMENDMENTS, was before the House on its final passage.
On motion of Representative Noel, the House voted to delete Sub. H.B. 264 in title and body and insert 2nd Sub. H.B. 264 in lieu thereof.

Representative Noel proposed the following amendment:

1. Page 8, Lines 220 through 225
   220 (C) the state favors quickly and effectively adjusting wildlife population goals and population census
   221 numbers in response to variations in the amount of available forage caused by drought or other
   222 climatic adjustments, and {—that } state agencies responsible for managing wildlife population
   223 goals and population census numbers will give due regard to both the needs of the livestock
   224 industry and the need to prevent the decline of species to a point where listing under the terms
   225 of the Endangered Species Act when making such adjustments;

2. Page 11, Lines 314 through 316:
   314 (ix) it is clearly demonstrated that the agency with management authority over the river
   315 segment commits not to use an actual or proposed designation as a basis to impose Visual Resource Management Class I or II management
   316 prescriptions that do not comply with the provisions of Subsection (8)(t); and

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

2nd Sub. H.B. 264, as amended, then passed on the following roll call:

Yeas, 66; Nays, 5; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Aagard  Adams  S. Allen  Barrus
Becker  Bigelow  Bourdeaux  Bowman
Buttars  Buxton  Christensen  D. Clark
S. Clark  D. Cox  Daw  Dayton
Dee  Donnelson  Dougall  Duckworth
Voting in the negative were: Representatives
Biskupski    Cosgrove    Litvack    McGee
Romero

Absent or not voting were: Representatives
Alexander   Dunnigan   Mascaro   Tilton

2nd Sub. H.B. 264, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Urquhart, the House voted to uncircle H.B. 246.

H.B. 246, WASTE FEES AMENDMENTS, was before the House on its final passage.

Representative Ray proposed the following amendment:

1. Page 1a, Lines 22 through 23

   22 within the state, from which the waste is sent to an unregulated facility, and states

   23 the fees that apply;

   allows the state to collect fees from the transfer stations and recycling centers that send waste to unregulated facilities as defined in the bill, but provides that these fees are minus any solid waste disposal fee or royalty payments paid to a private regulatory entity having jurisdiction over the unregulated facility:
2. Page 5, Line 130

House Committee Amendments 2–11–2005:

130 municipal incinerator ash, to an unregulated facility shall pay to the department the following fees, minus any solid waste disposal fee or royalty payment paid to a regulatory entity that has regulatory jurisdiction over the unregulated entity and that is not the state or any of the state’s political subdivisions:

Representative Ray’s motion to amend failed on the following roll call:

**Yeas, 30; Nays, 38; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Becker</th>
<th>Bigelow</th>
<th>Biskupski</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buxton</td>
<td>Christensen</td>
</tr>
<tr>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Dayton</td>
</tr>
<tr>
<td>Dee</td>
<td>Donnelson</td>
<td>Duckworth</td>
<td>Ferry</td>
</tr>
<tr>
<td>Gibson</td>
<td>Gowans</td>
<td>Hardy</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>Litvack</td>
<td>Menlove</td>
<td>Moss</td>
<td>Ray</td>
</tr>
<tr>
<td>Romero</td>
<td>Shurtleff</td>
<td>G. Snow</td>
<td>Ure</td>
</tr>
<tr>
<td>Wallace</td>
<td>Wheatley</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

| Adams | S. Allen | Barrus | Buttars |
| D. Clark | Daw | Dougall | Ferrin |
| Fisher | Fowlke | Frank | Goodfellow |
| Harper | Hendrickson | Hogue | Hughes |
| Hunsaker | B. Johnson | Jones | King |
| Kiser | Last | Lawrence | Lockhart |
| Mathis | McGee | Morgan | Murray |
| Newbold | Noel | Oda | Painter |
| Urquhart | Walker | Wheeler | Wiley |
| Wyatt | Curtis | |

**Absent or not voting were:** Representatives

| Alexander | Dunnigan | Hansen | Holdaway |
| Mascaro | Morley | Tilton | |

**H.B. 246, as amended, then passed on the following roll call:**

**Yeas, 56; Nays, 12; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

| Adams | Barrus | Becker | Bigelow |
| Biskupski | Bourdeaux | Bowman | Buttars |
Voting in the negative were: Representatives

Aagard S. Allen D. Cox Dayton
Dougall Ferry B. Johnson Menlove
Ray Shurtliff G. Snow Wallace

Absent or not voting were: Representatives

Alexander Dunnigan Hansen Mascaro
Morley Tilton Ure

H.B. 246, as amended, transmitted to the Senate for its consideration.

RULES COMMITTEE REPORT

Mr. Speaker: February 24, 2005

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

H.B. 296 Condominium Ownership Act Amendments (Rep. C. Moss)
H.B. 73 Local Referendum Requirements (Rep. D. Hogue)
H.B. 199 Special Election Dates (Rep. D. Hogue)
1st Sub. H.B. 381 Nonresident Tuition Waivers (Rep. C. Buttars)
H.B. 373 Education Technology Task Force (Rep. E. Hutchings)
1st Sub. H.B. 335  Disconnecting Territory from a Municipality (Rep. C. Frank)
H.B. 340  Office of Recovery Services Fee (Rep. A. Tilton)
H.B. 252  Marriage Preparation Education (Rep. R. McGee)
1st Sub. H.B. 239  Higher Education Tuition and Residency Legislative Task Force (Rep. G. Donnelson)
2nd Sub. H.B. 152  County Option Sales and Use Tax for Agricultural Land, Open Land, and Recreational Facilities Act (Rep. C. Buttars)
H.B. 141  School Breakfast Program (Rep. D. Litvack)
H.B. 262  Licensure of Athletic Trainers (Rep. P. Ray)
H.B. 169  Appropriation for School Districts Impacted by Fee Waivers (Rep. L. Shurtliff)

Rebecca Lockhart, Chair
Report filed. On motion of Representative Lockhart, the report of the Rules Committee was adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Urquhart, the House voted to adjourn until February 25, 2005, at 9:00 a.m.
FORTIETH DAY

MORNING SESSION

The House was called to order by Speaker Curtis at 9:15 a.m.

Roll call showed all members present except Representative Jim Dunnigan, excused.

Pledge of Allegiance and prayer by Bessie Torres, Representative Litvack’s intern and guest of Representative Bourdeaux.

INTRODUCTION OF BILL

H.B. 358, Tuition and Books Assistance (E. Hutchings), read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

H.B. 356, STATE GOVERNMENT LAW REVISIONS – WITHDRAWAL FROM EDUCATION COMPACT, read the third time by short title and placed on its final passage.

H.B. 356 then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Biskupski  Bourdeaux
Bowman  Buttars  Buxton  Christensen
D. Clark  S. Clark  Cosgrove  D. Cox
Daw  Dayton  Dee  Donelson
Dougall  Duckworth  Ferrin  Ferry
Fisher  Fowlke  Frank  Gibson
Goodfellow  Gowans  Hansen  Hardy
Harper  Hendrickson  Hogue  Holdaway
Hughes  Hunsaker  E. Hutchings  B. Johnson
Jones  King  Kiser  Last
Lawrence  Litvack  Lockhart  Mascaro
Mathis  McGee  Menlove  Morley
Absent or not voting were: Representatives
Bigelow Dunnigan Morgan

H.B. 356 transmitted to the Senate for its consideration.

* * *

Sub. H.B. 313, ECONOMIC DEVELOPMENT INITIATIVE FOR HIGHER EDUCATION, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle Sub. H.B. 313.

* * *

Sub. H.J.R. 5, RESOLUTION CLARIFYING REMOVAL PROVISIONS, read the third time by short title and placed on its final passage.

Sub. H.J.R. 5 then failed to pass on the following roll call:

Yeas, 45; Nays, 27; Absent or not voting, 3.

Voting in the affirmative were: Representatives
Aagard Alexander S. Allen Barrus
Becker Biskupski Bourdeaux Bowman
Buttars S. Clark Cosgrove Dayton
Donnelson Duckworth Ferry Goodfellow
Gowans Hansen Hendrickson Hogue
Holdaway Hunsaker E. Hutchings B. Johnson
Jones King Lawrence Litvack
Lockhart Mascaro McGee Moss
Murray Noel Painter Romero
Shurtliff Tilton Ure Walker
Wallace Wheatley Wheeler Wiley
Curtis

Voting in the negative were: Representatives
Adams Buxton Christensen D. Clark
D. Cox Daw Dee Dougall
Absent or not voting were: Representatives
Bigelow Dunnigan Morgan

Sub. H.J.R. 5 was filed.

MISCELLANEOUS BUSINESS

On motion of Representative Adams, the House voted to reconsider its action on H.B. 129.

RECONSIDERATION OF H.B. 129

H.B. 129, SCHOOL UNIFORMS, was before the House upon its reconsideration.

H.B. 129 then passed on the following roll call:

Yeas, 45; Nays, 25; Absent or not voting, 5.

Voting in the affirmative were: Representatives
Aagard Adams Alexander Bowman
Buxton Christensen S. Clark Cosgrove
Daw Dayton Dee Donnelson
Dougall Ferrin Ferry Fisher
Fowlke Frank Gibson Hardy
Harper Hughes Hunsaker E. Hutchings
B. Johnson King Kiser Last
Lawrence Lockhart Mascaro Morley
Newbold Noel Oda Painter
Ray Tilton Ure Walker
Wallace Wheatley Wheeler Wyatt
Curtis

Voting in the negative were: Representatives
S. Allen Barrus Becker Biskupski
Bourdeaux Buttars D. Clark Duckworth
Goodfellow Gowans Hansen Hendrickson
Hogue Holdaway Jones Litvack
Absent or not voting were: Representatives
Bigelow D. Cox Dunnigan Mathis Morgan

H.B. 129, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Ferrin, the House voted to uncircle 2nd Sub. H.B. 39.

2nd Sub. H.B. 39, TUITION TAX CREDITS, was before the House on its final passage.

Representative Christensen proposed the following amendment:

1. Page 2, Lines 31 through 33
   31 This bill appropriates:
   32 {−$1,500,000} $10,000,000 from the General Fund for fiscal year 2005−06 only, to the State Board of Education.

2. Page 2, Lines 54 through 56:
   54 (1) There is appropriated {−$1,500,000} $10,000,000 from the General Fund, for fiscal year 2005−06 only, to the State Board of Education to be distributed to school districts that demonstrate measurable financial harm that can be attributed to the enactment of the tuition tax credit under

3. Page 3, Lines 59 through 61:
   59 (3) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the board shall make rules establishing criteria and procedures for the distribution of funds
appropriated under Subsection (1) \{→ \}, including:

(a) consideration of the following criteria in determining eligibility for the funds:
   (i) the extent to which any enrollment decline attributed to students transferring to private schools is offset by enrollment increases due to the growing school age population or other factors;
   (ii) the extent to which any decrease in funding attributed to students transferring to private schools is offset by revenue increases from state, local, or federal sources;
   (iii) the ability of a school district to reduce spending necessitated by decreased funding attributed to students transferring to private schools; and
   (iv) the impact of tuition tax credits on per pupil expenditures for students within a school district; and
(b) procedures governing:
   (i) the application for funds by school districts; and
   (ii) the awarding of funds to school districts in accordance with the criteria established by the board.

(4)(a) As prioritized by the Audit Subcommittee, the legislative auditor general shall, at the conclusion of the 2008−09 school year, conduct a comprehensive audit, examination, and review of:
   (i) the tuition tax credit under Section 59−10−136; and
   (ii) the appropriation for school districts affected by tuition tax credits under Subsection (1).

(b) The audit findings shall include:
   (i) public school enrollment trends;
   (ii) private school enrollment trends;
   (iii) the number of public school students that transfer to private schools annually;
   (iv) the net fiscal impact to the state due to tuition tax credits;
   (v) an analysis of the impacts of tuition tax credits to school districts, including impacts on school district finances and school programs;
   (vi) a comparison of actual per pupil expenditures and an estimate what per pupil expenditures would have been without tuition tax credits;
   (viii) a listing of to whom and for what purpose the funds available under Subsection (1) were distributed; and
   (ix) an assessment of alternatives available to school districts if they had not received funds under Subsection (1).

(5)(a) The Legislative Management Committee may:
(i) contract with one or more qualified researchers who have previous experience evaluating school choice programs to conduct a study of the tuition tax credit enacted under Section 59−10−136 using funds other than state funds; and

(ii) accept grants to fund the study.

(b) The study shall cover the number of years the tuition tax credit is in effect, not to exceed 13 years.

(c) The Legislative Management Committee may require periodic reports from the researchers.

4. Page 4, Line 107 through Page 5, Line 119:

(2) The Legislature finds:

(a) that parents are best equipped to make decisions for their children, including the educational setting that will best serve the interests and educational needs of their children;

the state system of public education as established and maintained pursuant to the state Constitution is charged with making available a free public education for all children of the state;

(b) there are limits to the total tax burden that the state’s taxpayers may reasonably assume to fund growth in student enrollment and other demands on the state’s public education system;

(c) a limited tax credit for private school tuition is projected to have a positive net fiscal impact, thereby maximizing the available state resources for the benefit of the state’s public education system while fostering the education of all children in the state;

(d) enacting a tax credit for private school tuition would allow the state to assess its fiscal impact;

(e) if a positive net fiscal impact does not occur, a mitigation fund would help school districts deal with any potential negative impact;

(f) children, parents, and families are the primary beneficiaries of the tuition tax credit authorized in this section and any benefit to private schools, sectarian or otherwise, is purely incidental; and

(g) the tuition tax credit authorized in this section:

(i) is enacted for the valid secular purpose of tailoring a student’s education to that
student’s specific needs;
(ii) is neutral with respect to religion; and
(iii) provides tax relief to a broad class of persons who are then able to direct their
resources solely as a result of their genuine and independent
individual choices.

Representative Dougall proposed the following substitute motion to amend:

Include Representative Christensen’s amendments plus the following:

1. Page 2, Lines 36 through 40

   Utah Code Sections Affected:

   AMENDS:
   13−2−1, as last amended by Chapter 222, Laws of Utah 2002
   59−1−401, as last amended by Chapters 67 and 255, Laws of Utah 2004

   ENACTS:
   53A−11−102.3, Utah Code Annotated 1953
   53A−17a−152, Utah Code Annotated 1953
   59−10−136, Utah Code Annotated 1953
   59−10−137, Utah Code Annotated 1953

2. Page 2, Line 42:

   Be it enacted by the Legislature of the state of Utah:
   Section 1. Section 13−2−1 is amended to read:
   13−2−1. Consumer protection division established —— Functions.
   (1) There is established within the Department of Commerce
   the Division of Consumer Protection.
   (2) The division shall administer and enforce the following:
   (a) Chapter 5, Unfair Practices Act;
   (b) Chapter 10a, Music Licensing Practices Act;
   (c) Chapter 11, Utah Consumer Sales Practices Act;
   (d) Chapter 15, Business Opportunity Disclosure Act;
   (e) Chapter 20, New Motor Vehicles Warranties Act;
   (f) Chapter 21, Credit Services Organizations Act;
3. Page 3, Lines 59 through 61
House Committee Amendments 2–21–2005:

59 (3) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the

60 board shall make rules establishing criteria and procedures for the
distribution of funds

61 appropriated under Subsection (1).

Section 3. Section 59–1–401 is amended to read:

59–1–401. Offenses and penalties — Rulemaking authority ——
Statute of limitations —— Commission authority to waive, reduce, or
compromise penalty or interest.

(1) (a) The penalty for failure to file a tax return within the time
prescribed by law including extensions is the greater of $20 or 10% of the
unpaid tax due on the return.

(b) This Subsection (1) does not apply to amended returns.

(2) The penalty for failure to pay tax due shall be the greater of
$20 or 10% of the unpaid tax for:

(a) failure to pay any tax, as reported on a timely filed return;

(b) failure to pay any tax within 90 days of the due date of the
return, if there was a late filed return subject to the penalty provided
under Subsection (1)(a);

(c) failure to pay any tax within 30 days of the date of mailing
any notice of deficiency of tax unless a petition for redetermination or a
request for agency action is filed within 30 days of the date of mailing the
notice of deficiency;

(d) failure to pay any tax within 30 days after the date the
commission’s order constituting final agency action resulting from a
timely filed petition for redetermination or request for agency action is
issued or is considered to have been denied under Subsection 63–46b–13(3)(b); and

(e) failure to pay any tax within 30 days after the date of a final judicial decision resulting from a timely filed petition for judicial review.

(3) (a) Beginning January 1, 1995, in the case of any underpayment of estimated tax or quarterly installments required by Sections 59–5–107, 59–5–207, 59–7–504, and 59–9–104, there shall be added a penalty in an amount determined by applying the interest rate provided under Section 59–1–402 plus four percentage points to the amount of the underpayment for the period of the underpayment.

(b) (i) For purposes of Subsection (3)(a), the amount of the underpayment shall be the excess of the required installment over the amount, if any, of the installment paid on or before the due date for the installment.

(ii) The period of the underpayment shall run from the due date for the installment to whichever of the following dates is the earlier:

(A) the original due date of the tax return, without extensions, for the taxable year; or

(B) with respect to any portion of the underpayment, the date on which that portion is paid.

(iii) For purposes of this Subsection (3), a payment of estimated tax shall be credited against unpaid required installments in the order in which the installments are required to be paid.

(4) (a) In case of an extension of time to file an individual income tax or corporate franchise tax return, if the lesser of 90% of the total tax reported on the tax return or 100% of the prior year’s tax is not paid by the due date of the return, not including extensions, a 2% per month penalty shall apply on the unpaid tax during the period of extension.

(b) If a return is not filed within the extension time period as provided in Section 59–7–505 or 59–10–516, penalties as provided in Subsection (1) and Subsection (2)(b) shall be added in lieu of the penalty assessed under this Subsection (4) as if no extension of time for filing a return had been granted.

(5) (a) Additional penalties for underpayments of tax are as provided in Subsections (5)(a)(i) through (iv).

(i) Except as provided in Subsection (5)(c), if any underpayment of tax is due to negligence, the penalty is 10% of the underpayment.

(ii) Except as provided in Subsection (5)(d), if any
underpayment of tax is due to intentional disregard of law or rule, the penalty is 15% of the underpayment.

(iii) For intent to evade the tax, the penalty is the greater of $500 per period or 50% of the tax due.

(iv) If the underpayment is due to fraud with intent to evade the tax, the penalty is the greater of $500 per period or 100% of the underpayment.

(b) If the commission determines that a person is liable for a penalty imposed under Subsection (5)(a)(ii), (iii), or (iv), the commission shall notify the taxpayer of the proposed penalty.

(i) The notice of proposed penalty shall:
(A) set forth the basis of the assessment; and
(B) be mailed by registered mail, postage prepaid, to the person’s last-known address.

(ii) Upon receipt of the notice of proposed penalty, the person against whom the penalty is proposed may:
(A) pay the amount of the proposed penalty at the place and time stated in the notice; or
(B) proceed in accordance with the review procedures of Subsection (5)(b)(iii).

(iii) Any person against whom a penalty has been proposed in accordance with this Subsection (5) may contest the proposed penalty by filing a petition for an adjudicative proceeding with the commission.

(iv) If the commission determines that a person is liable for a penalty under this Subsection (5), the commission shall assess the penalty and give notice and demand for payment. The notice and demand for payment shall be mailed by registered mail, postage prepaid, to the person’s last-known address.

(c) Notwithstanding Subsection (5)(a)(i), a seller that voluntarily collects a tax under Subsection 59–12–107(1)(b) is not subject to the penalty under Subsection (5)(a)(i) if on or after July 1, 2001:

(i) a court of competent jurisdiction issues a final unappealable judgment or order determining that:
(A) the seller meets one or more of the criteria described in Subsection 59–12–107(1)(a); and
(B) the commission or a county, city, or town may require the seller to collect a tax under Subsection 59–12–103(2)(a) or (b); or
(ii) the commission issues a final unappealable administrative order determining that:
(A) the seller meets one or more of the criteria described in Subsection 59–12–107(1)(a); and

(B) the commission or a county, city, or town may require the seller to collect a tax under Subsection 59–12–103(2)(a) or (b).

(d) Notwithstanding Subsection (5)(a)(ii), a seller that voluntarily collects a tax under Subsection 59–12–107(1)(b) is not subject to the penalty under Subsection (5)(a)(ii) if:

(i) (A) a court of competent jurisdiction issues a final unappealable judgment or order determining that:

(I) the seller meets one or more of the criteria described in Subsection 59–12–107(1)(a); and

(II) the commission or a county, city, or town may require the seller to collect a tax under Subsection 59–12–103(2)(a) or (b); or

(B) the commission issues a final unappealable administrative order determining that:

(I) the seller meets one or more of the criteria described in Subsection 59–12–107(1)(a); and

(II) the commission or a county, city, or town may require the seller to collect a tax under Subsection 59–12–103(2)(a) or (b); or

(ii) the seller’s intentional disregard of law or rule is warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law.

(e)(i) In cases not amounting to another violation under this section, penalties for unlawfully claiming a tax credit are as provided in this Subsection (5)(e).

(ii) If the unlawful claim of a tax credit is due to negligence, the penalty is 10% of the amount of the tax credit unlawfully claimed.

(iii) If the unlawful claim of a tax credit is due to intentional disregard of law or rule, the penalty is 15% of the amount of the tax credit unlawfully claimed.

(iv) If the unlawful claim of a tax credit is due to intent to unlawfully claim a tax credit, the penalty is the greater of $500 per taxable year or 50% of the amount of the tax credit unlawfully claimed.

(v) If the unlawful claim of a tax credit is due to fraud with intent to unlawfully claim a tax credit, the penalty is the greater of $500 per taxable year or 100% of the amount of the tax credit unlawfully claimed.

(vi) If the commission determines that a person is liable for a penalty imposed under Subsection (5)(e)(ii), (iii), (iv), or (v), the commission shall notify the taxpayer of the proposed penalty using the procedures described under Subsection (5)(b).
(6) Except as provided in Section 59−12−105, the penalty for failure to file an information return, information report, or a complete supporting schedule is $50 for each information return, information report, or supporting schedule up to a maximum of $1,000.

(7) If any taxpayer, in furtherance of a frivolous position, has a prima facie intent to delay or impede administration of the tax law and files a purported return that fails to contain information from which the correctness of reported tax liability can be determined or that clearly indicates that the tax liability shown must be substantially incorrect, the penalty is $500.

(8) (a) A seller that fails to remit a tax, fee, or charge monthly as required by Subsection 59−12−108(1)(a)(i):
(i) is subject to the penalties described in Subsection (1); and
(ii) may not retain the percentage of sales and use taxes that would otherwise be allowable under Subsection 59−12−108(2).

(b) A seller that fails to remit a tax, fee, or charge by electronic funds transfer as required by Subsection 59−12−108(1)(a)(ii)(A)(II):
(i) is subject to the penalties described in Subsection (1); and
(ii) may not retain the percentage of sales and use taxes that would otherwise be allowable under Subsection 59−12−108(2).

(9) (a) A person is subject to the penalty provided in Subsection (9)(c) if that person:
(i) commits an act described in Subsection (9)(b) with respect to one or more of the following documents:
(A) a return;
(B) an affidavit;
(C) a claim; or
(D) a document similar to Subsections (9)(a)(i)(A) through (C);
(ii) knows or has reason to believe that the document described in Subsection (9)(a)(i) will be used in connection with any material matter administered by the commission; and
(iii) knows that the document described in Subsection (9)(a)(i), if used in connection with any material matter administered by the commission, would result in an understatement of another person’s liability for a tax, fee, or charge administered by the commission.

(b) The following acts apply to Subsection (9)(a)(i):
(i) preparing any portion of a document described in Subsection (9)(a)(i);
(ii) presenting any portion of a document described in Subsection (9)(a)(i);
(iii) procuring any portion of a document described in Subsection (9)(a)(i);

(iv) advising in the preparation or presentation of any portion of a document described in Subsection (9)(a)(i);

(v) aiding in the preparation or presentation of any portion of a document described in Subsection (9)(a)(i);

(vi) assisting in the preparation or presentation of any portion of a document described in Subsection (9)(a)(i); or

(vii) counseling in the preparation or presentation of any portion of a document described in Subsection (9)(a)(i).

(c) For purposes of Subsection (9)(a), the penalty:

(i) shall be imposed by the commission;

(ii) is $500 for each document described in Subsection (9)(a)(i) with respect to which the person described in Subsection (9)(a) meets the requirements of Subsection (9)(a); and

(iii) is in addition to any other penalty provided by law.

(d) The commission may seek a court order to enjoin a person from engaging in conduct that is subject to a penalty under this Subsection (9).

(e) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the commission may make rules prescribing the documents that are similar to Subsections (9)(a)(i)(A) through (C).

(10) (a) As provided in Section 76−8−1101, criminal offenses and penalties are as provided in Subsections (10)(b) through (f).

(b) (i) Any person who is required by this title or any laws the commission administers or regulates to register with or obtain a license or permit from the commission, who operates without having registered or secured a license or permit, or who operates when the registration, license, or permit is expired or not current, is guilty of a class B misdemeanor.

(ii) Notwithstanding Section 76−3−301, for purposes of Subsection (10)(b)(i), the penalty may not:

(A) be less than $500; or

(B) exceed $1,000.

(c) (i) Any person who, with intent to evade any tax or requirement of this title or any lawful requirement of the commission, fails to make, render, sign, or verify any return or to supply any information within the time required by law, or who makes, renders,
signs, or verifies any false or fraudulent return or statement, or who supplies any false or fraudulent information, is guilty of a third degree felony.

(ii) Notwithstanding Section 76–3–301, for purposes of Subsection (10)(c)(i), the penalty may not:
(A) be less than $1,000; or
(B) exceed $5,000.

(d) (i) Any person who intentionally or willfully attempts to evade or defeat any tax or the payment of a tax is, in addition to other penalties provided by law, guilty of a second degree felony.
(ii) Notwithstanding Section 76–3–301, for purposes of Subsection (10)(d)(i), the penalty may not:
(A) be less than $1,500; or
(B) exceed $25,000.

(e) (i) A person is guilty of a second degree felony if that person commits an act:
(A) described in Subsection (10)(e)(ii) with respect to one or more of the following documents:
(I) a return;
(II) an affidavit;
(III) a claim; or
(IV) a document similar to Subsections (10)(e)(i)(A)(I) through (III); and
(B) subject to Subsection (10)(e)(iii), with knowledge that the document described in Subsection (10)(e)(i)(A):
(I) is false or fraudulent as to any material matter; and
(II) could be used in connection with any material matter administered by the commission.
(ii) The following acts apply to Subsection (10)(e)(i):
(A) preparing any portion of a document described in Subsection (10)(e)(i)(A);
(B) presenting any portion of a document described in Subsection (10)(e)(i)(A);
(C) procuring any portion of a document described in Subsection (10)(e)(i)(A);
(D) advising in the preparation or presentation of any portion of a document described in Subsection (10)(e)(i)(A);
(E) aiding in the preparation or presentation of any portion of a document described in Subsection (10)(e)(i)(A);
(F) assisting in the preparation or presentation of any portion of a document described in Subsection (10)(e)(i)(A); or
(G) counseling in the preparation or presentation of any portion of a document described in Subsection (10)(e)(i)(A).

(iii) This Subsection (10)(e) applies:
(A) regardless of whether the person for which the document described in Subsection (10)(e)(i)(A) is prepared or presented:
(I) knew of the falsity of the document described in Subsection (10)(e)(i)(A); or
(II) consented to the falsity of the document described in Subsection (10)(e)(i)(A); and
(B) in addition to any other penalty provided by law.

(iv) Notwithstanding Section 76–3–301, for purposes of this Subsection (10)(e), the penalty may not:
(A) be less than $1,500; or
(B) exceed $25,000.

(v) The commission may seek a court order to enjoin a person from engaging in conduct that is subject to a penalty under this Subsection (10)(e).

(vi) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the commission may make rules prescribing the documents that are similar to Subsections (10)(e)(i)(A)(I) through (III).

(f)(i) In cases not amounting to another criminal violation under this section, a person who intentionally or willfully makes an unlawful claim of a tax credit is guilty of a third degree felony.

(ii) Notwithstanding Section 76–3–301, for purposes of Subsection (10)(f)(i), the penalty may not:
(A) be less than $1,000; or
(B) exceed $5,000.

(g) The statute of limitations for prosecution for a violation of this Subsection (10) is the later of six years:
(i) from the date the tax should have been remitted; or
(ii) after the day on which the person commits the criminal offense.

(11) Upon making a record of its actions, and upon reasonable cause shown, the commission may waive, reduce, or compromise any of the penalties or interest imposed under this part.
4. Page 3, Lines 82 through 84:

82 (H) (I) annually assesses the achievement of each student in grade three or higher by administering a norm-referenced test scored by an independent party that provides a comparison of the student’s performance to other students on a national basis;

5. Page 4, Lines 88 through 91:

88 (I) provides to parents the relevant credentials of teachers who will be teaching their children; {and}

90 (J) provides, upon request to any person, a statement indicating which, if any, organizations have accredited the private school; and

(K) holds a current registration certificate issued by the Division of Consumer Protection under Section 59−10−137.

6. Page 4, Lines 106i through 106j

House Committee Amendments 2−21−2005:

106i (f)(i) “Tuition expenses” means amounts charged for attending a private school minus any amounts paid for with scholarship or grant monies received from the state.

7. Page 5, Lines 128 through 129:

128 (b) For the purposes of this section, tuition expenses shall be considered to be incurred when the qualifying student receives the private school education.

129 “Tuition expenses incurred” means tuition expenses for private school education received by a qualifying student during the taxable year, but not paid for by the taxpayer as of the end of the taxable year.

8. Page 6, Line 180d through Page 7, Line 181

House Committee Amendments 2−21−2005:

180d (b) may not be carried forward or carried back.

(6) In accordance with Title 63, Chapter 46a, Utah Administrative
Rulemaking Act, the commission shall make rules specifying the manner in which a private school and a taxpayer shall submit information to the commission regarding:
(a) school identification;
(b) taxpayer identification;
(c) qualifying student identification;
(d) the qualifying student’s grade;
(e) the number of days the qualifying student was enrolled in the private school;
(f) the amount of tuition paid or incurred; and
(g) the date the tuition was paid or incurred.

Section 5. Section 59–10–137 is enacted to read:
(1) As used in this section, “division” means the Division of Consumer Protection in the Department of Commerce.
(2) The division shall issue a private school registration certificate to an applicant that meets the requirements of this section.
(3) An applicant for a registration certificate or renewal of a registration certificate as a private school shall:
   (a) pay an:
      (i) initial application fee of $100; or
      (ii) annual renewal fee of $100;
   (b) submit an application on a form approved by the division that shall include:
      (i) the applicant’s name, address, and telephone number;
      (ii) the legal nature of the applicant's organization;
      (iii) the names and residence addresses of the officers and directors of the applicant; and
      (iv) (A) the name and address of a registered agent in Utah for service of process; and
      (B) consent to service of process; and
   (c) certify to the division that the applicant meets the definition of a private school under Section 59–10–136.
(4) A registration certificate issued under this section expires annually on the earlier of February 1, May 1, August 1, or November 1 following the completion of 12 months after the date of initial issuance.
(5) (a) The division may investigate or audit an applicant or registrant under this section to verify that the applicant or registrant meets the definition of a private school under Section 59–10–136.
(b) An applicant or registrant under this section shall make available to the division for inspection during normal business hours all records relevant to the efforts of the applicant or registrant to meet the definition of a private school under Section 59−10−136.

(6) In accordance with Title 13, Chapter 2, Division of Consumer Protection, and Title 63, Chapter 46b, Administrative Procedures Act, the division may deny, revoke, or suspend a registration certificate issued under this section if the applicant or registrant fails to meet:

(a) any of the requirements of this section; or
(b) the definition of a private school under Section 59−10−136.

Renumber remaining sections accordingly.

Representative Allen divided the motion so that on Representative Christensen’s motion to amend, Item 3, from paragraph (4) (a) to (5)(a) be voted on separately. The divided motion passed.

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

**Yeas, 39; Nays, 35; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>Alexander</th>
<th>Barrus</th>
<th>Buttars</th>
</tr>
</thead>
<tbody>
<tr>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Daw</td>
</tr>
<tr>
<td>Dayton</td>
<td>Donnelson</td>
<td>Dougall</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
</tr>
<tr>
<td>Hardy</td>
<td>Harper</td>
<td>Hughes</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>Kiser</td>
<td>Last</td>
<td>Lockhart</td>
</tr>
<tr>
<td>Mascaro</td>
<td>Mathis</td>
<td>Morley</td>
<td>Newbold</td>
</tr>
<tr>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
<td>Tilton</td>
</tr>
<tr>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
<td>Wallace</td>
</tr>
<tr>
<td>Wheeler</td>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>S. Allen</th>
<th>Becker</th>
<th>Bigelow</th>
</tr>
</thead>
<tbody>
<tr>
<td>Biskupski</td>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buxton</td>
</tr>
<tr>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Dee</td>
<td>Duckworth</td>
</tr>
<tr>
<td>Fisher</td>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
</tr>
<tr>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hunsaker</td>
</tr>
<tr>
<td>Jones</td>
<td>King</td>
<td>Lawrence</td>
<td>Litvack</td>
</tr>
</tbody>
</table>
On motion of Representative Alexander, the House voted to circle 2nd Sub. H.B. 39.

COMMITTEE OF THE WHOLE

On motion of Representative Alexander, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from U.S. Senator Bob Bennett.

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

UNFINISHED BUSINESS

On motion of Representative Alexander, the House voted to uncircle 2nd Sub. H.B. 39.

2nd Sub. H.B. 39, TUITION TAX CREDITS, was before the House on its final passage.

Representative Hardy proposed the following amendment:

1. Page 5, Line 142 through Page 6, Line 159:

   Less than or equal to \( \{ -100\% \} \) \( 175\% \) of the income eligibility guideline \( \{ -$3750 \} \) $3,000

   Greater than 100% but less than or equal to 125% of the income eligibility guideline $3500

   Greater than 125% but less than or equal to 150% of the income eligibility guideline $3250

   Greater than 150% but less than or equal to 175% of the income eligibility guideline $3000

   Greater than 175% but less than or equal to
200% of the income eligibility guideline $2750
Greater than 200% but less than or equal to
225% of the income eligibility guideline $2500
Greater than 225% but less than or equal to
250% of the income eligibility guideline $1750
Greater than 250% but less than or equal to
275% of the income eligibility guideline $1000
Greater than 275% but less than or equal to
300% of the income eligibility guideline $500

Representative Romero proposed the following substitute motion to amend:

1. Page 2, Line 40
   40 59−10−136, Utah Code Annotated 1953
   59−10−137, Utah Code Annotated 1953

2. Page 6, Line 180d through Page 7, Line 181
   House Committee Amendments 2−21−2005:

   180d (b) may not be carried forward or carried back.

   Section 4, Section 59−10−137 is enacted to read:
   59−10−137. Refundable tax credit for public school expenditures.
   (1) As used in this section:
   (a) “Public school” means any elementary or secondary school
       subject to the general control and supervision of the State Board of
       Education.
   (b) “School expenses” means:
       (i) fees required of a student or the student's parent or guardian, as a
           condition for student participation in an activity, class, or program
           provided, sponsored, or supported by or through a public school; or
       (ii) costs incurred for school uniforms required by a public school,
           (iii) donations for civic and character education programs; or
   (2) For taxable years beginning on or after January 1, 2005, a
       taxpayer may claim, as provided in this section, a refundable tax credit
       against the taxes imposed by this chapter for school expenses paid by the
       taxpayer during the taxable year for school expenses.
   (3) A taxpayer may claim a refundable tax credit under Subsection
       (2) for school expenses paid by the taxpayer during the taxable year for
       one or more public school students.
(4) The refundable tax credit for each student’s school expenses may not exceed the total school expenses paid for the public school student, up to a maximum of $500.

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

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

2nd Sub. H.B. 39, as amended, then failed to pass on the following roll call:

**Yeas, 34; Nays, 40; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Adams  Alexander  Barrus  Buttars  
Christensen  D. Clark  S. Clark  Daw  
Dayton  Donnelson  Dougall  Ferrin  
Frank  Hardy  Harper  Hughes  
E. Hutchings  B. Johnson  Kiser  Lockhart  
Mascaro  Morley  Newbold  Noel  
Oda  Painter  Tilton  Ure  
Urquhart  Walker  Wallace  Wheeler  
Wyatt  

**Voting in the negative were:** Representatives

Aagard  S. Allen  Becker  Bigelow  
Biskupski  Bourdeaux  Bowman  Buxton  
Cosgrove  D. Cox  Dee  Duckworth  
Ferry  Fisher  Fowlke  Gibson  
Goodfellow  Gowans  Hansen  Hendrickson  
Hogue  Holdaway  Hunsaker  Jones  
King  Last  Lawrence  Litvack  
Mathis  McGee  Menlove  Morgan  
Moss  Murray  Ray  Romero  
Shurtliff  G. Snow  Wheatley  Wiley  

Absent or not voting was: Representative

Dunnigan

2nd Sub. H.B. 39, was filed.

**THIRD READING CALENDAR**

H.B. 268, DRUG UTILIZATION REVIEW COMMITTEE AMENDMENTS, read the third time by short title and placed on its final passage.
H.B. 268 then passed on the following roll call:

**Yea, 61; Nay, 0; Absent or not voting, 14.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Butters</td>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
</tr>
<tr>
<td>S. Clark</td>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
</tr>
<tr>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
</tr>
<tr>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
</tr>
<tr>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
</tr>
<tr>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
</tr>
<tr>
<td>Hunsaker</td>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
</tr>
<tr>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
<td>Lockhart</td>
</tr>
<tr>
<td>Mascaro</td>
<td>Mathis</td>
<td>Menlove</td>
<td>Morgan</td>
</tr>
<tr>
<td>Morley</td>
<td>Moss</td>
<td>Newbold</td>
<td>Oda</td>
</tr>
<tr>
<td>Painter</td>
<td>Ray</td>
<td>Romero</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
</tr>
<tr>
<td>Wallace</td>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
</tr>
<tr>
<td>Curtis</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Bourdeaux</th>
<th>Bowman</th>
<th>Cosgrove</th>
<th>Dunnigan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hansen</td>
<td>Hardy</td>
<td>Hughes</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>Litvack</td>
<td>McGee</td>
<td>Murray</td>
<td>Noel</td>
</tr>
<tr>
<td>Shurtliff</td>
<td>Wheatley</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

H.B. 268 transmitted to the Senate for its consideration.

* * *

H.B. 318, COMMUNITY AND ECONOMIC DEVELOPMENT RESTRUCTURING, read the third time by short title and placed on its final passage.

On motion of Representative Buttars, the House voted to circle H.B. 318.

* * *

H.B. 296, CONDOMINIUM OWNERSHIP ACT AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Moss proposed the following amendment:
1. Page 6, Lines 171 through 173

171 (ii) Notwithstanding Subsection (27)(c)(i), a unit owner who owns a unit that is not
constructed in a condominium project established by an instrument filed before July 1, 1994 is

173 not liable for  {−a}  any uncollected statutory assessment or  a  statutory lien on that unit until May 2, 2005.

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

**H.B. 296,** as amended, then failed to pass on the following roll call:

**Yeas, 24; Nays, 46; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives
Becker  Biskupski  Bourdeaux  Cosgrove
Duckworth  Goodfellow  Gowans  Hansen
Hendrickson  Holdaway  Jones  King
Lawrence  Litvack  Lockhart  McGee
Morgan  Moss  Romero  Shurtliff
Wheatley  Wiley  Wyatt  Curtis

**Voting in the negative were:** Representatives
Aagard  Adams  Alexander  S. Allen
Bigelow  Bowman  Buttars  Buxton
Christensen  D. Clark  S. Clark  D. Cox
Daw  Dayton  Dee  Donnelson
Dougall  Ferrin  Ferry  Fisher
Frank  Gibson  Harper  Hughes
Hunsaker  E. Hutchings  B. Johnson  Kiser
Last  Mascaro  Mathis  Menlove
Morley  Murray  Newbold  Noel
Oda  Painter  Ray  G. Snow
Tilton  Ure  Urquhart  Walker
Wallace  Wheeler

**Absent or not voting were:** Representatives
Barrus  Dunnigan  Fowlke  Hardy
Hogue

**H.B. 296,** as amended, was filed.
UNFINISHED BUSINESS

On motion of Representative Daw, the House voted to uncircle H.B. 326.

H.B. 326, HIGH SCHOOL CURRICULUM, was before the House on its final passage.

On motion of Representative Menlove, the House voted to delete H.B. 326 in title and body and insert Sub. H.B. 326 in lieu thereof.

Sub. H.B. 326 then passed on the following roll call:

Yeas, 52; Nays, 19; Absent or not voting, 4.

Voting in the affirmative were: Representatives
Aagard  Adams  Alexander  S. Allen
Bigelow  Bourdeaux  Bowman  Buttars
Buxton  Christensen  S. Clark  D. Cox
Daw  Dayton  Dee  Donnelson
Dougall  Ferrin  Ferry  Fisher
Fowlke  Frank  Gibson  Gowan
Hughes  B. Johnson  King  Kiser
Last  Litvack  Lockhart  Mascaro
Mathis  Menlove  Morgan  Morley
Murray  Newbold  Noel  Oda
Painter  Ray  Romero  G. Snow
Tilton  Ure  Urquhart  Walker
Wallace  Wheeler  Wyatt  Curtis

Voting in the negative were: Representatives
Becker  Biskupski  D. Clark  Cosgrove
Duckworth  Goodfellow  Hansen  Hardy
Harper  Hendrickson  Holdaway  E. Hutchings
Jones  Lawrence  McGee  Moss
Shurtliff  Wheatley  Wiley

Absent or not voting were: Representatives
Barrus  Dunnigan  Hogue  Hunsaker

Sub. H.B. 326 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to recess until 2:00 p.m.
AFTERNOON SESSION

The House was called to order by Speaker Curtis at 2:00 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 25, 2005

The Senate passed S.B. 62, PERSONAL PROPERTY TRANSACTIONS AMENDMENTS, by Senator M. Waddoups, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended 1st Sub. S.B. 63, SEVERANCE TAX AMENDMENTS, by Senator B. Evans, and it is transmitted for consideration; and

The Senate passed, as amended, S.B. 67, ELECTION LAW – VOTER REQUIREMENTS, by Senator M. Madsen, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended 1st Sub. S.B. 137, TOURISM, RECREATION, CULTURAL, AND CONVENTION FACILITIES TAX AMENDMENTS, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed, as amended, S.B. 216, AMENDMENTS TO UTAH EMERGENCY MEDICAL SERVICES ACT, by Senator C. Bramble, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended 1st Sub. S.B. 225, CHANGES TO GENERAL GOVERNMENT – SALES AND USE TAX AMENDMENTS, by Senator G. Davis, and it is transmitted for consideration; and

The Senate passed S.C.R. 8, CONCURRENT RESOLUTION APPROVING CLASS V LANDFILL, by Senator M. Dmitrich, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Mr. Speaker: February 25, 2005
The Senate passed, as amended, **H.B. 65**, DRIVER LICENSE AND COMMERCIAL DRIVER LICENSE AMENDMENTS, by Representative D. Bowman, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **H.B. 65**, placed on the calendar for concurrence.

Mr. Speaker: February 25, 2005
The President of the Senate has signed **4th Sub. H.B. 43**, SCHOOL LAND TRUST PROGRAM FUNDING AMENDMENTS, by Representative S. Urquhart, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 143**, NATIONAL GUARD AMENDMENTS, by Representative E. Hutchings, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **4th Sub. H.B. 43** and **H.B. 143** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

Mr. Speaker: February 25, 2005
The Senate has rejected **H.B. 172**, NOTARY PUBLIC AMENDMENTS, by Representative L. Shurtliff, and it is transmitted for filing.

Annette B. Moore
Secretary of the Senate

Communications filed. **H.B. 172** was filed.

**CONCURRENCE CALENDAR**

On motion of Representative Menlove, the House voted to concur in the Senate amendments to **2nd Sub. H.B. 74**, TUITION PROGRAM FOR STUDENTS SEEKING TEACHER LICENSURE IN DISABILITY OF SPECIAL EDUCATION.
2nd Sub. H.B. 74, as amended by the Senate, then passed on the following roll call:

**Y eas, 68; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard  
Becker  
Buttars  
S. Clark  
Dayton  
Duckworth  
Fowlke  
Gowans  
Hendrickson  
B. Johnson  
Last  
Mathis  
Morley  
Noel  
Romero  
Ure  
Wheeler

Adams  
Biskupski  
Buxton  
Cosgrove  
Dee  
Ferrin  
Frank  
Hansen  
Hogue  
Jones  
Lawrence  
McGee  
Moss  
Oda  
Shurtliff  
Walker  
Wiley

Alexander  
Bourdeaux  
Christensen  
D. Cox  
Donnelson  
Ferry  
Gibson  
Hardy  
Holdaway  
King  
Litvack  
Menlove  
Murray  
Painter  
G. Snow  
Wallace  
Wyatt

Barrus  
Bowman  
D. Clark  
Daw  
Dougall  
Fisher  
Goodfellow  
Harper  
Hunsaker  
Kiser  
Mascaro  
Morgan  
Newbold  
Ray  
Tilton  
Wheatley  
Curtis

**Absent or not voting were:** Representatives

S. Allen  
E. Hutchings  
Bigelow  
Lockhart  
Dunnigan  
Urquhart  
Hughes

2nd Sub. H.B. 74, as amended by the Senate, transmitted to the Senate for signature of the president.

**UNFINISHED BUSINESS**

On motion of Representative Hardy, the House voted to uncircle **H.B. 256.**

**H.B. 256, LOCAL GOVERNMENT ACQUISITION OF REAL PROPERTY,** was before the House on its final passage.

On motion of Representative Ferry, the House voted to circle **H.B. 256.**

***

On motion of Representative Holdaway, the House voted to uncircle **Sub. H.B. 313.**
Sub. H.B. 313, ECONOMIC DEVELOPMENT FOR HIGHER EDUCATION, was before the House on its final passage.

On motion of Representative Alexander, the House voted to delete Sub. H.B. 313 in title and body and insert 2nd Sub. H.B. 313 in lieu thereof.

Representative Holdaway proposed the following amendment:

1. Page 2, Lines 35 through 40

35 (2) The initiative shall provide support for technical training expansion that trains skilled potential employees within a period not to exceed 12 months for technical jobs in critical needs occupations;

36 (a) support for degree programs that specifically support workforce preparation in areas of identified need for business and industry;

37 (b) The Legislature shall provide an annual appropriation to fund the initiative in a

2. Page 2, Lines 46 through 50:

46 training expansion referred to in Subsection (2) support for short term training programs that prepare skilled potential employees within a period not to exceed 12 months for technical jobs in critical needs occupations

47 (c) The board may allocate and distribute up to one third of the appropriation to institutions within the state system of higher education for the initiative component identified in Subsection (2)(b);

48 (d) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the

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

2nd Sub. H.B. 313, as amended, then passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.
**Voting in the affirmative were:** Representatives

Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Biskupski  Bourdeaux
Bowman  Buttars  Buxton  Christensen
D. Clark  S. Clark  Cosgrove  D. Cox
Daw  Dee  Donnelson  Duckworth
Ferrin  Ferry  Fisher  Fowlke
Frank  Gibson  Goodfellow  Gowans
Hansen  Hardy  Harper  Hendrickson
Hogue  Holdaway  Hughes  Hunsaker
E. Hutchings  B. Johnson  Jones  King
Kiser  Last  Litvack  Lockhart
Mascaro  Mathis  McGee  Menlove
Morgan  Morley  Moss  Murray
Newbold  Noel  Oda  Painter
Ray  Romero  Shurtliff  G. Snow
Tilton  Ure  Walker  Wallace
Wheatley  Wheeler  Wiley  Wyatt
Curtis

**Absent or not voting were:** Representatives

Bigelow  Dayton  Dougall  Dunnigan
Lawrence  Urquhart

2nd Sub. H.B. 313, as amended, transmitted to the Senate for its consideration.

**UNFINISHED BUSINESS**

On motion of Representative Buttars, the House voted touncircle H.B. 318.

H.B. 318, COMMUNITY AND ECONOMIC DEVELOPMENT RESTRUCTURING, was before the House on its final passage.

Representative Allen proposed the following amendment:

1. Page 96, Lines 2946 through 2954

   2946 (5) “Economically disadvantaged rural area” means a geographic area designated by the
   2947 [−−] board [−−] { administrator } under Section [9−2−1207] 63−38f−909.

   2948 (6) “Fund” means the restricted account known as the Industrial Assistance Fund
(7) “Replacement company” means a company locating its business or part of its business in a location vacated by a company creating an economic impediment.

(8) “Targeted industry” means an industry or group of industries targeted by the administrator with the advice of the board under Section [9–2–1207] 63–38f–909, for economic development in the state.

2. Page 96, Lines 2963 through 2964:

(2) The fund shall be administered by the administrator under the policy direction of the board with advice from the board.

3. Page 103, Lines 3162 through 3172:

(1) The administrator, with the advice of the board, shall determine annually which industries or groups of industries shall be targeted industries as defined in Section [9–2–1202] 63–38f–902.

(2) In designating an economically disadvantaged rural area, the administrator, with the advice of the board, shall consider the average agricultural and nonagricultural wage, personal income, unemployment, and employment in the area.

(3) In evaluating the economic impact of applications for assistance, the administrator, with the advice of the board, shall use an econometric cost–benefit model or models adopted by the Governor’s Office of Planning and Budget.

(4) The administrator, with the advice of the board may establish:
3172  (a) minimum interest rates to be applied to loans granted that
reflect a fair social rate of

4.  Page 181, Lines 5598 through 5600
House Committee Amendments 2–23–2005

5598  November 30, 2005.
Section 169. Legislative audits required.
(1) Beginning July 1, 2005, the Legislative Auditor General shall:
(a) conduct a limited scope audit of the management and financial
controls of the Governor’s Office of Economic Development; and
(b) report its findings and recommendations to the Legislature’s
   Interim Executive Appropriations Committee by December 22, 2005.
(2) Beginning March 15, 2006, the Legislative Auditor General
   shall:
(a) conduct a performance audit of the Governor’s Office of
   Economic Development to evaluate the programs and expenditures of
   the office; and
(b) report its findings and recommendations to the Legislature’s
   Interim Executive Appropriations Committee by December 22, 2006.

5600  This bill takes effect on July 1, 2005.

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

# # #

Representative Ferry proposed the following amendment:

1.  Page 181, Line 5600:
    Delete “2005” and insert “2006”

Representative Allen proposed the following substitute motion to amend:

Include Representative Ferry’s motion to amend plus the following:

Refer to amendment #4 Line 5598 and make the following date changes:
After “November 30,” delete “2005” and insert “2006”
After “July 1” delete “2005” and insert “2006”
After “December 22,” delete “2005” and insert “2006”
After “December 22,” delete “2006” and insert “2007”

Representative Allen’s substitute motion to amend failed on a voice vote.
Representative Ferry’s motion to amend failed on a voice vote.

**H.B. 318**, as amended, then passed on the following roll call:

**Yeas, 55; Nays, 19; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>S. Allen</th>
<th>Barrus</th>
<th>Becker</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
<td>Bowman</td>
</tr>
<tr>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
<td>S. Clark</td>
</tr>
<tr>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Dee</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Dougall</td>
<td>Duckworth</td>
<td>Ferrin</td>
<td>Fisher</td>
</tr>
<tr>
<td>Fowlke</td>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Hansen</td>
</tr>
<tr>
<td>Hardy</td>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hunsaker</td>
</tr>
<tr>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
</tr>
<tr>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
<td>Mascaro</td>
</tr>
<tr>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
<td>Moss</td>
</tr>
<tr>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
<td>Painter</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
<td>Ure</td>
</tr>
<tr>
<td>Urquhart</td>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
</tr>
<tr>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>Alexander</th>
<th>D. Clark</th>
<th>Daw</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dayton</td>
<td>Ferry</td>
<td>Frank</td>
<td>Gowans</td>
</tr>
<tr>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hughes</td>
<td>Kiser</td>
</tr>
<tr>
<td>Lockhart</td>
<td>Mathis</td>
<td>Morley</td>
<td>Oda</td>
</tr>
<tr>
<td>G. Snow</td>
<td>Tilton</td>
<td>Curtis</td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting was:** Representative Dunnigan

**H.B. 318**, as amended, transmitted to the Senate for its consideration.

**COMMUNICATION FROM THE SENATE**

Mr. Speaker: February 25, 2005

The Senate passed **S.J.R. 9**, RESOLUTION RECOGNIZING 100 YEARS OF ROTARY INTERNATIONAL, by Senator P. Knudson, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.J.R. 9**, read the first time by short title. On motion of Representative Alexander, under suspension of the rules, the House voted to
consider S.J.R. 9 read the second time by short title and placed at the top of the Third Reading Calendar.

MISCELLANEOUS BUSINESS

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

THIRD READING CALENDAR

S.J.R. 9, RESOLUTION RECOGNIZING 100 YEARS OF ROTARY INTERNATIONAL, read the third time by short title and placed on its final passage.

S.J.R. 9 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Bigelow  Biskupski
Bourdeaux  Bowman  Buttars  Buxton
Christensen  D. Clark  S. Clark  Cosgrove
D. Cox  Daw  Donnelson  Dougall
Duckworth  Ferrin  Ferry  Fisher
Fowlke  Frank  Gibson  Goodfellow
Hansen  Hardy  Harper  Hendrickson
Hogue  Holdaway  Hughes  Hunsaker
E. Hutchings  B. Johnson  Jones  King
Kiser  Last  Lawrence  Litvack
Lockhart  Mascaro  Mathis  McGee
Menlove  Morgan  Moss  Murray
Newbold  Noel  Oda  Painter
Ray  Romero  Shurtliff  G. Snow
Tilton  Ure  Urquhart  Walker
Wallace  Wheatley  Wheeler  Wiley
Wyatt  Curtis

Absent or not voting were: Representatives
Dayton  Dee  Dunnigan  Gowans
Morley

S.J.R. 9 was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.
MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to move to the House Third Reading Calendar.

UNFINISHED BUSINESS

On motion of Representative Hardy, the House voted to uncircle H.B. 256.

H.B. 256, LOCAL GOVERNMENT ACQUISITION OF REAL PROPERTY, was before the House on its final passage.

On motion of Representative Hardy, the House voted to delete H.B. 256 in title and body and insert 2nd Sub. H.B. 256 in lieu thereof.

2nd H.B. 256, as amended, then passed on the following roll call:

Yeas, 68; Nays, 1; Absent or not voting, 6.

Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Daw</td>
<td>Dee</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Dougall</td>
<td>Duckworth</td>
<td>Ferrin</td>
<td>Fisher</td>
</tr>
<tr>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
</tr>
<tr>
<td>Hansen</td>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
</tr>
<tr>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
<td>Mascaro</td>
</tr>
<tr>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
</tr>
<tr>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
</tr>
<tr>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
</tr>
<tr>
<td>Shurtleff</td>
<td>G. Snow</td>
<td>Tilton</td>
<td>Ure</td>
</tr>
<tr>
<td>Urquhart</td>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
</tr>
<tr>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
<td>Curtis</td>
</tr>
</tbody>
</table>

Voting in the negative was: Representative Romero

Absent or not voting were: Representatives

<table>
<thead>
<tr>
<th>Dayton</th>
<th>Dunnigan</th>
<th>Ferry</th>
<th>Gowans</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hogue</td>
<td>Lockhart</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
2nd H.B. 256, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Bigelow, under suspension of the rules, the House voted to lift H.B. 301 from the Rules Committee, consider it read the second time by short title and placed at the top of the Third Reading Calendar.

THIRD READING CALENDAR

H.B. 301, SUPPLEMENTAL APPROPRIATIONS III, read the third time by short title and placed on its final passage.

Representative Holdaway proposed the following amendment:

1. Page 5, Line 169:
   Delete “25,000,000” and insert “23,000,000”

2. Page 5, Line 171:
   Delete “25,000,000” and insert “23,000,000”

3. Page 13, Line 489:
   After line 489 insert:
   “ITEM 62a To State Board of Regents — Jobs Now Initiative
   From Income Tax 2,000,000
   Schedule of Programs
   Jobs Now Initiative 2,000,000”

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

###

Representative Ferrin proposed the following amendment:

1. Page 16, Line 586:
   After line 586 insert:
   “It is the intent of the Legislature that the $2,800,000 in one−time Uniform School Fund revenue appropriated to the State Board of Education – State Charter School Board be used to equalize revenue received through the federal charter school start−up grant for charter schools that begin operations in fall 2005. When combined with per school allocations provided by the federal start−up grant, the Uniform School Fund appropriation shall be used to provide up to $860 per student enrolled in a qualifying school to support start−up costs.”
Representative Ferrin’s motion to amend passed on a voice vote.

###

Representative Hogue proposed the following amendment:

1. Page 8, Line 285:
   After line 285 insert:
   “It is the intent of the Legislature that the Division of Substance Abuse and Mental Health, in consultation with local mental health and substance abuse authorities and their providers, the Robert G. Sanderson Community Center of the Deaf and Hard of Hearing Programs within the Utah State Office of Rehabilitation, and others, identify critical issues related to the delivery of substance abuse and mental health services to persons with a hearing disability and report on those issues to the Health and Human Services Joint Appropriations Subcommittee and the Health and Human Services Interim Committee before October 1, 2005.”

2. Page 8, Line 271:
   After line 271 insert:
   “It is the intent of the Legislature that the Department study removal of the state-option Medicaid resource tests applied to various Medicaid populations and submit a written report on the costs and effects of removing the tests, either entirely or in part, to the Health and Human Services Joint Appropriations Subcommittee and the Health and Human Services Interim Committee before October 1, 2005.”

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

###

Representative Morgan proposed the following amendment:

1. Page 5, Line 171:
   Refer to Representative Hogue’s amendment and on line 171 delete “23,000,000” and insert “22,622,000”

2. Page 16, Line 588:
   Delete “250,000” and insert “628,000”

3. Page 16, Line 591:
   Delete “550,000” and insert “928,000”
Representative Morgan’s motion to amend failed on a voice vote.

###

Representative Hutchings proposed the following amendment:

1. Page 18, Line 647: Delete “30,000,000” and insert “25,000,000”

2. Page 18, Line 649:
   Delete “50,000,000” and insert “45,000,000”

Representative Hansen proposed the following substitute motion to amend:

Include Representative Hutchings motion to amend plus the following:

1. Page 18, Line 647: Delete “25,000,000” and insert “20,500,000”

2. Page 18, Line 649: Delete “45,000,000” and insert “40,500,000”

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

Representative Hutchings’ motion to amend failed on the following roll call:

**Yeas, 24; Nays, 48; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

S. Allen  Barrus  Biskupski  Bourdeaux  
Bowman  Cosgrove  Duckworth  Goodfellow  
Hansen  Hogue  E. Hutchings  Jones  
King  Lawrence  Litvack  Mascaro  
McGee  Moss  Ray  Romero  
Shurtleff  Walker  Wheatley  Wiley

**Voting in the negative were:** Representatives

Aagard  Adams  Alexander  Becker  
Bigelow  Buttars  Buxton  Christensen  
D. Clark  S. Clark  D. Cox  Daw  
Dayton  Dee  Donnelson  Dougall  
Ferrin  Ferry  Fisher  Fowlke  
Frank  Gibson  Gowans  Hardy  
Harper  Hendrickson  Hughes  Hunsaker  
B. Johnson  Kiser  Last  Lockhart
Absent or not voting were: Representatives
Dunnigan Holdaway Morgan

H.B. 301, as amended, then passed on the following roll call:

Y eas, 59; Nays, 12; Absent or not voting, 4.

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Bigelow Bourdeaux Bowman
Buttars Buxton Christensen D. Clark
S. Clark D. Cox Daw Dayton
Dee Donnelson Dougall Ferrin
Ferry Fisher Fowlke Frank
Gibson Goodfellow Hardy Harper
Hogue Holdaway Hughes Hunsaker
B. Johnson King Kiser Last
Lawrence Litvack Lockhart Mascaro
Mathis Menlove Morley Murray
Newbold Noel Oda Painter
Ray Romero G. Snow Tilton
Ure Urquhart Walker Wallace
Wheeler Wyatt Curtis

Voting in the negative were: Representatives
Becker Biskupski Duckworth Gowans
Hansen Hendrickson Jones McGee
Moss Shurtleff Wheatley Wiley

Absent or not voting were: Representatives
Cosgrove Dunnigan E. Hutchings Morgan

H.B. 301, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Lockhart, under suspension of the rules, the House voted to lift the following bills from the Rules Committee, consider them read the second time by short title and placed on the Third Reading Calendar:
S.B. 15  Children’s Justice Center Amendments  
(Sen. D. C. Buttars)
S.B. 57  Use of State Sales and Use Tax Revenues for Business Development in Disadvantaged Rural Communities  
(Sen. P. Knudson)
S.B. 72  Child Welfare Amendments  
(Sen. D. Eastman)
S.B. 91  Interstate Juvenile Compact  
(Sen. L. Hillyard)
S.B. 93  Children’s Justice Center Addition  
(Sen. T. Hatch)
S.B. 107  Licensure and Regulation of Programs and Facilities  
(Sen. T. Hatch)
S.B. 119  Rural Medical Residency Training Programs  
(Sen. P. Knudson)
1st Sub. S.B. 164  Individual Income Tax − Tax Credit for Live Organ Donation Expenses  
(Sen. K. Hale)
1st Sub. S.B. 167  Penalties for False Driver Licenses and Identification Cards  
(Sen. C. Walker)
S.B. 239  Public Lands Policy Coordination  
(Sen. T. Hatch)

THIRD READING CALENDAR

H.B. 73, LOCAL REFERENDUM REQUIREMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Hogue, the House voted to circle H.B. 73.

***

H.B. 274, REFERENDUM PROCEDURE, read the third time by short title and placed on its final passage.

On motion of Representative Hogue, the House voted to circle H.B. 274.

***

H.B. 199, SPECIAL ELECTION DATES, read the third time by short title and placed on its final passage.

Representative Hogue proposed the following amendment:

1. Page 1, Line 11:  
   After “election” delete the rest of the line

2. Page 1, Line 12:  
   Delete “use law”
3. Page 2, Line 38:
   After “referendum” delete the rest of the line

4. Page 2, Line 39:
   Delete “20A−7−601(2)(a),”

On motion of Representative Cox, the House voted to circle Sub. H.B. 18.

***

Sub. H.B. 18, TRANSPORTATION INVESTMENT ACT, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House voted to circle Sub. H.B. 18.

***

Sub. H.B. 381, NONRESIDENT TUITION WAIVERS, read the third time by short title and placed on its final passage.

On motion of Representative Urquhart, the House voted to circle Sub. H.B. 381.

MISCELLANEOUS BUSINESS

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

THIRD READING CALENDAR

S.B. 15, CHILDREN’S JUSTICE CENTER AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Wallace proposed the following amendment:

1. Page 1, Lines 12 through 14b
   House Committee Amendments 2−7−2005

   12 increases the number of children to be served by Children’s Justice Centers

   13 throughout the state by expanding the scope to include [all crimes committed against

   14 children or in the presence of children] crimes involving children when the child is a
14a primary victim or a critical witness \[\text{such as in domestic violence cases}\] \(\Rightarrow\) \(\text{such as in}\)
14b drug–related child endangerment cases.

2. Page 2, Lines 33a through 33b
House Committee Amendments 2–7–2005:
33a critical witness \[\text{such as in domestic violence cases}\] \(\Rightarrow\) \(\text{such as in}\)
\(\text{such as in}\) drug–related child endangerment cases §.

3. Page 2, Lines 55a through 55c
House Committee Amendments 2–7–2005:
55a child is a primary victim or a critical witness \[\text{such as in domestic violence cases}\] \(\Rightarrow\) \(\text{such as in}\)
55b drug–related child endangerment cases, § in a facility known as a Children’s Justice Center.

4. Page 3, Line 89b through Page 4, Line 90
House Committee Amendments 2–7–2005:
89a children where the child is a primary victim or a critical witness \[\text{such as in}\]
89b domestic violence cases \(\Rightarrow\) \(\text{such as in}\) drug–related child endangerment cases.

5. Page 4, Line 100b
House Committee Amendments 2–7–2005:
100a the child is a primary victim or a critical witness \[\text{such as in domestic violence}\]
100b cases \(\Rightarrow\) \(\text{such as in}\) drug–related child endangerment cases §.

6. Page 5, Lines 144a through 144b
House Committee Amendments 2–7–2005:
144a primary victim or a critical witness \[\text{such as in domestic violence cases}\] \(\Rightarrow\) \(\text{such as in}\)
Representative Wallace’s motion to amend passed on a voice vote.

On motion of Representative Bigelow, the House voted to circle S.B. 15.

***

S.B. 57, USE OF STATE SALES AND USE TAX REVENUES FOR BUSINESS DEVELOPMENT IN DISADVANTAGED RURAL COMMUNITIES, read the third time by short title and placed on its final passage.

On motion of Representative Ferry, the House voted to circle S.B. 57.

***

S.B. 72, CHILD WELFARE AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Bigelow, the House voted to circle S.B. 72.

***

S.B. 91, INTERSTATE JUVENILE COMPACT, read the third time by short title and placed on its final passage.

S.B. 91 then passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Alexander</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
</tr>
<tr>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
</tr>
<tr>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Dougall</td>
<td>Duckworth</td>
<td>Ferry</td>
<td>Fisher</td>
</tr>
</tbody>
</table>
Absent or not voting were: Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>Dunnigan</th>
<th>Ferrin</th>
<th>Gowans</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hogue</td>
<td>Hughes</td>
<td>Morgan</td>
<td>Painter</td>
</tr>
<tr>
<td>Shurtliff</td>
<td>Curtis</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

S.B. 91 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

S.B. 93, CHILDREN’S JUSTICE CENTER ADDITION, read the third time by short title and placed on its final passage.

S.B. 93 then passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
<td>Ferry</td>
</tr>
<tr>
<td>Fisher</td>
<td>Fowlke</td>
<td>Gibson</td>
<td>Goodfellow</td>
</tr>
<tr>
<td>Gowan</td>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
</tr>
<tr>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
</tr>
<tr>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
<td>Lockhart</td>
</tr>
<tr>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
<td>Morley</td>
</tr>
</tbody>
</table>
Absent or not voting were: Representatives

Dunnigan           Ferrin           Frank          Hansen
E. Hutchings       Mascaro          Morgan         Moss
Painter            Ure

S.B. 93 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

UNFINISHED BUSINESS

On motion of Representative Wallace, the House voted to uncircle S.B. 15.

S.B. 15, CHILDREN’S JUSTICE CENTER AMENDMENTS, was before the House on its final passage.

S.B. 15, as amended, then passed on the following roll call:

Yeas, 62; Nays, 0; Absent or not voting, 13.

Voting in the affirmative were: Representatives

Aagard             S. Allen         Barrus         Becker
Bigelow            Biskupski        Bourdeaux      Bowman
Buxton             Christensen      D. Clark       S. Clark
Cosgrove           D. Cox           Daw            Dayton
Dee                Donnelson        Duckworth      Ferrin
Ferry              Fisher           Fowlke         Frank
Gibson             Goodfellow       Gowans         Hansen
Hardy              Harper           Hendrickson    Hogue
Holdaway           Hunsaker         E. Hutchings   B. Johnson
Jones              King             Kiser          Lawrence
Lockhart           Mathis           McGee          Menlove
Morley             Moss             Murray         Noel
Oda                Ray              Romero         Shurtliff
G. Snow            Tilton           Ure            Walker
Wallace            Wheatley         Wheeler        Wiley
Wyatt              Curtis
Absent or not voting were: Representatives
Adams Alexander Buttars Dougall
Dunnigan Hughes Last Litvack
Mascaro Morgan Newbold Painter
Urquhart

S.B. 15, as amended, returned to the Senate for further consideration.

***

On motion of Representative Mascaro, the House voted to uncircle S.B. 72.

S.B. 72, CHILD WELFARE AMENDMENTS, was before the House on its final passage.

S.B. 72 then passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives
Aagard Alexander S. Allen Barrus
Becker Bigelow Biskupski Bourdeaux
Bowman Buttars Christensen D. Clark
S. Clark Cosgrove D. Cox Daw
Dee Donnelson Dougall Duckworth
Ferrin Ferry Fisher Fowlke
Frank Gibson Goodfellow Gowans
Hansen Hardy Harper Hendrickson
Holdaway Hughes Hunsaker E. Hutchings
B. Johnson Jones King Last
Lawrence Litvack Mascaro Mathis
McGee Menlove Morley Moss
Murray Newbold Noel Oda
Ray Romero Shurtliff G. Snow
Ure Urquhart Walker Wallace
Wheatley Wheeler Wiley Wyatt
Curtis

Absent or not voting were: Representatives
Adams Buxton Dayton Dunnigan
Hogue Kiser Lockhart Morgan
Painter Tilton
S.B. 72 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

THIRD READING CALENDAR

S.B. 107, LICENSURE AND REGULATION OF PROGRAMS AND FACILITIES, read the third time by short title and placed on its final passage.

Representative Last proposed the following amendment:

1. Page 4, Line 111
   Senate 2nd Reading Amendments 2–1–2005
   111 (II) have a primary purpose of providing the services described in Subsection (27)(a).
   (c) “Boarding school” does not include a therapeutic school.

2. Page 5, Line 147 through Page 6, Line 152:
   147 [(12)] (17) (a) “Human services [licensee” or “licensee”] program” means a:
   148 (i) foster home;
   (ii) therapeutic school;
   149 (iii) youth program;
   150 (iv) resource family home;
   151 (v) facility or program, licensed by the department, that provides:
   152 (A) secure treatment;

3. Page 9, Lines 247 through 250:
   247 (ii) chemical dependency disorder.
   (32) “Therapeutic school” means a residential group living facility:
   (a) for four or more individuals that are not related to:
   (i) the owner of the facility; or
   (ii) the primary service provider of the facility;
   (b) that serves students who have a history of failing to function:
   (i) at home;
   (ii) in a public school; or
   (iii) in a nonresidential private school; and
(c) that offers:
   (i) room and board; and
   (ii) an academic education integrated with:
       (A) specialized structure and supervision; or
       (B) services or treatment related to:
           (I) a disability;
           (II) emotional development;
           (III) behavioral development;
           (IV) familial development; or
           (V) social development.

248 “Unrelated persons” means persons other than parents, legal guardians, grandparents, brothers, sisters, uncles, or aunts.

250 “Vulnerable adult” means an elder adult or an adult who has a temporary or

4. Page 9, Line 259:
259 “Youth program” means a nonresidential program designed to provide

5. Page 10, Lines 298 through 299:
298 except as provided in Subsection (1)(a)(ii), basic health and safety standards for licensees, which shall be limited to:
299 following:

6. Page 11, Lines 313 through 316:
313 staff qualifications and training, including standards for permitting experience to be substituted for education, unless prohibited by law:
314 staff to client ratios; and
315 access to firearms;
   (ii) basic health and safety standards for therapeutic schools, that shall be limited to:
       (A) fire safety, except that the standards are limited to those required by law or rule under Title 53, Chapter 7, Part 2, Fire Prevention and Fireworks Act;
       (B) food safety;
(C) sanitation;
(D) infectious disease control, except that the standards are limited to:
(I) those required by law or rule under Title 26, Utah Health Code or Title 26a, Local Health Authorities; and
(II) requiring a separate room for clients who are sick;
(E) safety of the physical facility and grounds, except that the standards are limited to those required by law or rule under Title 53, Chapter 7, Part 2, Fire Prevention and Fireworks Act;
(F) transportation safety;
(G) emergency preparedness and response;
(H) access to appropriate medical care, including:
(I) subject to the requirements of law, designation of a person who is authorized to dispense medication; and
(II) storing, tracking, and securing medication;
(I) staff and client safety and protection that permits the school to provide for the direct supervision of clients at all times;
(J) the administration and maintenance of client and service records;
(K) staff qualifications and training, including standards for permitting experience to be substituted for education, unless prohibited by law;
(L) staff to client ratios; and
(M) access to firearms;

316 {−(ii) } (iii) procedures and standards for permitting a licensee to:

5. Page 11, Line 321 through Page 12, Line 322:
321 (II) has resided at the licensee’s residential treatment facility continuously since the
time described in Subsection (1)(a) {−(ii) } (iii) (A)(I);

6. Page 12, Lines 325 through 326:
325 (IV) voluntarily consents to complete the course of treatment described in Subsection
326 (I)(a) {−(ii) } (iii) (A)(III); or

7. Page 12, Lines 330 through 336:
330 (II) provide, in the same facility as a child described in Subsection (1)(a) {−(ii) } (iii) (B)(I),
residential treatment services to a person who is:

(Aa) at least 18 years old, but younger than 21 years old; and

(Bb) under the custody of the Division of Juvenile Justice Services;

[(b)]  

(iv) minimum administration and financial requirements for licensees; and

[(c)]  

(v) guidelines for variances from rules established under this Subsection (1);

[(2)]  

(b) enforce rules[(a)] approved by the licensing board;

8. Page 12, Lines 366 through 368:

(2) In establishing rules under Subsection (1)(a)(i)(G) or (1)(a)(ii)(G), the office shall require a licensee to establish and comply with an emergency response plan that requires clients and staff

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

S.B. 107, as amended, then passed on the following roll call:

Yeas, 58; Nays, 11; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard  Adams  S. Allen  Barrrus
Becker  Bigelow  Biskupski  Bourdeaux
Bowman  Buxton  Christensen  D. Clark
S. Clark  Cosgrove  D. Cox  Dee
Donnelson  Duckworth  Ferry  Fisher
Fowlke  Gibson  Goodfellow  Gowans
Hansen  Hardy  Hendrickson  Hogue
Holdaway  Hunsaker  E. Hutchings  B. Johnson
Jones  King  Kiser  Last
Lawrence  Litvack  Lockhart  Mascaro
Mathis  McGee  Menlove  Moss
Murray  Newbold  Noel  Ray
Romero  Shurtliff  G. Snow  Ure
Urquhart  Wallace  Wheatley  Wheeler
Wiley  Wyatt
Voting in the negative were: Representatives
Alexander  Dayton  Dougall  Ferrin
Frank  Harper  Hughes  Morley
Tilton  Walker  Curtis

Absent or not voting were: Representatives
Buttars  Daw  Dunnigan  Morgan
Oda  Painter

S.B. 107, as amended, returned to the Senate for further consideration.

COMMUNICATION FROM THE SENATE

Mr. Speaker: February 25, 2005

The Senate passed, as amended, S.B. 1, SUPPLEMENTAL APPROPRIATIONS ACT, by Senator L. Hillyard, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. S.B. 1, read the first time by short title and referred to the Rules Committee.

RULES COMMITTEE REPORT

Mr. Speaker: February 25, 2005

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

S.B. 1  Supplemental Appropriations Act (Sen. L. Hillyard)
S.B. 86  2004 General Obligation Bond Amendments
(Sen. P. Knudson)
1st Sub. S.B. 58  Liability Protection of Educators (Sen. H. Stephenson)
S.B. 62  Personal Property Transactions Amendments
(Sen. M. Waddoups)
S.B. 41  School and Institutional Trust Lands Management Act Revisions (Sen. M. Dmitrich)
2nd Sub. S.B. 56  Real Estate – Exclusive Brokerage Agreements
(Sen. L. A. Mansell)
S.B. 114  County and Municipal Zoning Regarding Billboards
(Sen. M. Waddoups)
S.B. 126  Medical Benefits Recovery Act Amendments
(Sen. S. Killpack)
1st Sub. S.B. 150  Food Safety Manager Certification (Sen. D. Peterson)
S.B. 59        Home School Amendments (Sen. M. Madsen)
1st Sub. S.B. 152 Business License Fees (Sen. M. Waddoups)
S.B. 159       Assessment Offset for Donations Promoting Occupational Health and Safety (Sen. E. Mayne)
S.B. 134       Powersport Vehicle Franchise Act (Sen. D. Eastman)
S.B. 172       Division of Real Estate Amendments (Sen. M. Waddoups)
1st Sub. S.B. 149 Pete Suazo Athletic Commission Amendments (Sen. E. Mayne)
S.B. 163       Capitol Preservation Board Amendments (Sen. B. Evans)
S.B. 227       Public Safety Driving Privilege and Identification Card Amendments (Sen. C. Bramble)

Rebecca Lockhart, Chair
Report filed. On motion of Representative Lockhart, the report of the Rules Committee was adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to adjourn until February 28, 2005, at 9:00 a.m.
The House was called to order by Speaker Curtis at 9:30 a.m.

Roll call showed all members present.

Prayer by Robert Wallace, brother of Representative Peggy Wallace.

Pledge of Allegiance by Jeffrey Mackay, brother-in-law of Representative Peggy Wallace.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 25, 2005

The Senate passed, as substituted, and amended 1st Sub. S.B. 113, EMPLOYEE NONCOMPETITION CONTRACTS, by Senator E. Mayne, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended 2nd Sub. S.B. 184, REDEVELOPMENT AGENCY AMENDMENTS, by Senator C. Bramble, and it is transmitted for consideration; and

The Senate passed, as substituted, 2nd Sub. S.B. 192, HIGH TECHNOLOGY ECONOMIC DEVELOPMENT APPROPRIATION, by Senator L. A. Mansell, and it is transmitted for consideration; and

The Senate passed, as substituted, 2nd Sub. S.B. 209, INTERLOCAL COOPERATION AMENDMENTS, by Senator C. Bramble, and it is transmitted for consideration; and

The Senate passed, as substituted, 1st Sub. S.B. 231, COMPENSATION OF LIEUTENANT GOVERNOR AND OTHER STATE OFFICERS, by Senator M. Madsen, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Mr. Speaker: February 25, 2005

The Senate passed, **H.B. 4**, DIVORCE MEDIATION PROGRAM, by Representative B. Ferry, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 33**, ASSISTANCE FOR PEOPLE WITH BLEEDING DISORDERS, by Representative D. Litvack, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 38**, WATER LAW – CRIMINAL PENALTIES AMENDMENTS, by Representative B. Ferry, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **2nd Sub. H.B. 74**, TUITION PROGRAM FOR STUDENTS SEEKING TEACHER LICENSURE IN DISABILITY OR SPECIAL EDUCATION, by Representative R. Menlove, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 116**, PRIVATE ACTIVITY BOND AMENDMENTS, by Representative D. Clark, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 132**, INTERNET CRIMES AGAINST CHILDREN, by Representative T. Cosgrove, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 213**, UNUSED SICK LEAVE AT RETIREMENT AMENDMENTS, by Representative D. Clark, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 249**, CARSON SMITH SPECIAL NEEDS SCHOLARSHIPS, by Representative M. Newbold, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 287**, REVENUE BONDS AND CAPITAL FACILITIES AUTHORIZATIONS, by Representative D. G. Buxton, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.J.R. 3**, RESOLUTION REGARDING FEDERAL NO CHILD LEFT BEHIND, by Representative K. Holdaway, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

***

Mr. Speaker: February 25, 2005

The Senate passed, as amended, 2nd Sub. H.B. 93, EMISSION INSPECTION AMENDMENTS, by Representative K. Gibson, and it is transmitted for further consideration; and

The Senate passed, as amended, H.B. 109, INFORMATION TECHNOLOGY GOVERNANCE AMENDMENTS, by Representative D. Clark, and it is transmitted for further consideration; and

The Senate passed, as amended, H.B. 157, WATER ENFORCEMENT PROCEDURES AND PENALTIES, by Representative D. Ure, and it is transmitted for further consideration; and

The Senate passed, as amended, H.B. 165, UTAH COMMISSION ON AGING, by Representative P. Jones, and it is transmitted for further consideration; and

The Senate passed, as amended, H.B. 216, GLOBAL POSITIONING REFERENCE NETWORK, by Representative K. Holdaway, and it is transmitted for further consideration; and

The Senate substituted and passed, Senate 1st Sub. H.B. 234, TELEPHONE CHARGE FOR EDUCATION AND TRAINING PROGRAMS AT PRISON, by Representative Goodfellow, et al, and it is transmitted for further consideration; and

The Senate substituted and passed, Senate 2nd Sub. H.B. 188, PUBLIC EDUCATION JOB ENHANCEMENT PROGRAM, by Representative B. Johnson, et al, it is transmitted for further consideration, and it is recommended that it be read for the first and second time because of a short title change.

Annette B. Moore
Secretary of the Senate

CONCURRENCE CALENDAR

On motion of Representative Fowlke, the House voted to concur in the Senate amendments to **H.J.R. 17, RESOLUTION HONORING CELEBRATION OF MARRIAGE WEEK.**

**H.J.R. 17**, as amended by the Senate, then passed on the following roll call:

**Yeas, 72; Nays, 2; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Bourdeaux
Bowman Butters Buxton Christensen
D. Clark S. Clark Cosgrove D. Cox
Daw Dayton Dee Donnelson
Dougall Duckworth Dunnigan Ferrin
Ferry Fisher Fowlke Frank
Gibson Goodfellow Gowans Hansen
Hardy Harper Hendrickson Hogue
Holdaway Hunsaker E. Hutchings B. Johnson
Jones King Kiser Last
Lawrence Lockhart Mascaro Mathis
McGee Menlove Morgan Morley
Moss Murray Newbold Noel
Oda Painter Ray Romero
Shurtliff G. Snow Tilton Ure
Urquhart Walker Wallace Wheatley
Wheeler Wiley Wyatt Curtis

**Voting in the negative were:** Representatives
Biskupski Litvack

**Absent or not voting was:** Representative
Hughes

**H.J.R. 17**, as amended by the Senate, transmitted to the Senate for signature of the president.

***

On motion of Representative Bowman, the House voted to concur in the Senate amendments to **H.B. 65, DRIVER LICENSE AND COMMERCIAL DRIVER LICENSE AMENDMENTS.**
H.B. 65, as amended by the Senate, then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard  Adams  Alexander  S. Allen  
Barrus  Becker  Bigelow  Biskupski  
Bourdeaux  Bowman  Buttars  Christensen  
D. Clark  S. Clark  Cosgrove  D. Cox  
Daw  Dayton  Dee  Donnelson  
Douglall  Duckworth  Dunnigan  Ferrin  
Ferry  Fisher  Fowlke  Frank  
Gibson  Goodfellow  Gowans  Hansen  
Hardy  Harper  Hendrickson  Hogue  
Holdaway  Hughes  Hunsaker  B. Johnson  
Jones  King  Kiser  Last  
Lawrence  Litvack  Lockhart  Mascaro  
Mathis  McGee  Menlove  Morgan  
Morley  Moss  Murray  Newbold  
Noel  Oda  Painter  Ray  
Romero  Shurtliff  G. Snow  Tilton  
Ure  Urquhart  Walker  Wallace  
Wheatley  Wheeler  Wiley  Wyatt  
Curtis

**Absent or not voting were:** Representatives

Buxton  E. Hutchings

H.B. 65, as amended by the Senate, transmitted to the Senate for signature of the president.

**COMMUNICATION FROM THE SENATE**

Mr. Speaker:  
February 28, 2005

The Senate requests the return of 1st Sub. S.B. 231, COMPENSATION OF LIEUTENANT GOVERNOR AND OTHER STATE OFFICERS, by Senator M. Madsen, for reconsideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. Sub. S.B. 231 was returned to the Senate.
THIRD READING CALENDAR

S.B. 119, RURAL MEDICAL RESIDENCY TRAINING PROGRAMS, under suspension of the rules, read the third time by short title and placed on its final passage.

S.B. 119 then passed on the following roll call:

Yea, 69; Nay, 0; Absent or not voting, 6.

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>S. Allen</th>
<th>Becker</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
<td>Bowman</td>
</tr>
<tr>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
</tr>
<tr>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
</tr>
<tr>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
</tr>
<tr>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
</tr>
<tr>
<td>Fowlke</td>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
</tr>
<tr>
<td>Hansen</td>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
</tr>
<tr>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
</tr>
<tr>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
<td>Lockhart</td>
</tr>
<tr>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
</tr>
<tr>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
</tr>
<tr>
<td>Romero</td>
<td>Shurtleff</td>
<td>G. Snow</td>
<td>Tilton</td>
</tr>
<tr>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
<td>Wallace</td>
</tr>
<tr>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
</tr>
<tr>
<td>Curtis</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Alexander</th>
<th>Barrus</th>
<th>Buttars</th>
<th>Frank</th>
</tr>
</thead>
<tbody>
<tr>
<td>E. Hutchings</td>
<td>Morgan</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

S.B. 119 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Sub. S.B. 164, INDIVIDUAL INCOME TAX − TAX CREDIT FOR LIVE ORGAN DONATION EXPENSES, under suspension of the rules, read the third time by short title and placed on its final passage.
Sub. S.B. 164 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Bigelow  Biskupski
Bourdeaux  Bowman  Buxton  Christensen
D. Clark  S. Clark  Cosgrove  D. Cox
Daw  Dayton  Dee  Donnelson
Dougall  Duckworth  Dunnigan  Ferrin
Ferry  Fisher  Fowlke  Frank
Gibson  Goodfellow  Gowans  Hansen
Hardy  Harper  Hendrickson  Hogue
Holdaway  Hughes  Hunsaker  E. Hutchings
B. Johnson  Jones  King  Kiser
Last  Lawrence  Litvack  Mascaro
Mathis  McGee  Menlove  Morley
Moss  Murray  Newbold  Noel
Oda  Painter  Ray  Romero
Shurtliff  G. Snow  Ure  Urquhart
Walker  Wallace  Wheatley  Wheeler
Wiley  Wyatt  Curtis

Absent or not voting were: Representatives
Buttars  Lockhart  Morgan  Tilton

Sub. S.B. 164 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

Sub. S.B. 167, PENALTIES FOR FALSE DRIVER LICENSES AND IDENTIFICATION CARDS, under suspension of the rules, read the third time by short title and placed on its final passage.

Sub. S.B. 167 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Bigelow  Biskupski
Absent or not voting were: Representatives
Buttars Buxton Morgan

Sub. S.B. 167 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 239, PUBLIC LANDS POLICY COORDINATION, under suspension of the rules, read the third time by short title and placed on its final passage.

On motion of Representative Urquhart, the House voted to circle S.B. 239.

* * *

S.B. 1, SUPPLEMENTAL APPROPRIATIONS ACT, read the third time by short title and placed on its final passage.

On motion of Representative Bigelow, the House voted to circle S.B. 1.

* * *

S.B. 86, 2004 GENERAL OBLIGATION BOND AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Bigelow, the House voted to circle S.B. 86.
Sub. S.B. 58, LIABILITY PROTECTION OF EDUCATORS, read the third time by short title and placed on its final passage.

Sub. S.B. 58 then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard Adams Alexander S. Allen
Barrus Becker Biskupski Bourdeaux
Bowman Butters Buxton Christensen
D. Clark S. Clark Cosgrove D. Cox
Daw Dayton Dee Donnelson
Dougall Duckworth Dunnigan Ferrin
Ferry Fisher Fowlke Frank
Gibson Goodfellow Gowans Hansen
Hardy Harper Hendrickson Hogue
Holdaway Hughes Hunsaker E. Hutchings
B. Johnson Jones King Kiser
Last Lawrence Litvack Lockhart
Mascaro Mathis McGee Menlove
Morley Moss Murray Newbold
Noel Oda Painter Ray
Romero Shurtliff G. Snow Ure
Urquhart Walker Wallace Wheatley
Wheeler Wiley Wyatt Curtis

**Absent or not voting were:** Representatives

Bigelow Morgan Tilton

Sub. S.B. 58 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

**UNFINISHED BUSINESS**

On motion of Representative Bigelow, the House voted to uncircle S.B. 86.

S.B. 86, 2004 GENERAL OBLIGATION BOND AMENDMENTS, was before the House on its final passage.

On motion of Representative Bigelow, the House voted to delete S.B. 86 in title and body and insert Sub. S.B. 86 in lieu thereof.
Sub. S.B. 86 then passed on the following roll call:

**Y eas, 72; Nays, 0; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
</tr>
<tr>
<td>Donnelly</td>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
</tr>
<tr>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
</tr>
<tr>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
</tr>
<tr>
<td>Hansen</td>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
</tr>
<tr>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
</tr>
<tr>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
</tr>
<tr>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
</tr>
<tr>
<td>Lockhart</td>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
</tr>
<tr>
<td>Menlove</td>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
</tr>
<tr>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
</tr>
<tr>
<td>Romero</td>
<td>Shurtleff</td>
<td>G. Snow</td>
<td>Tilton</td>
</tr>
<tr>
<td>Ure</td>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
</tr>
<tr>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
<td>Curtis</td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

| Morgan | Morley | Urquhart |

Sub. S.B. 86, as substituted, returned to the Senate for further consideration.

**THIRD READING CALENDAR**

**S.B. 62, PERSONAL PROPERTY TRANSACTIONS AMENDMENTS,** read the third time by short title and placed on its final passage.

On motion of Representative Adams, the House voted to circle S.B. 62.

**UNFINISHED BUSINESS**

On motion of Representative Urquhart, the House voted to uncircle S.B. 239.

S.B. 239, PUBLIC LANDS POLICY COORDINATION, was before the House on its final passage.

Representative Becker proposed the following amendment:
1. Page 3, Lines 77 and 78:
   After “based on” delete the rest of the line and on line 78 delete up to the semicolon and insert “cooperation and in conjunction with political subdivisions”

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

S.B. 239, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
</tr>
<tr>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
<td>Frank</td>
</tr>
<tr>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
</tr>
<tr>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
</tr>
<tr>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
<td>Lockhart</td>
</tr>
<tr>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
<td>Noel</td>
</tr>
<tr>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
<td>Romero</td>
</tr>
<tr>
<td>Shurtliff</td>
<td>G. Snow</td>
<td>Tilton</td>
<td>Urquhart</td>
</tr>
<tr>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
</tr>
<tr>
<td>Wiley</td>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
</tr>
</tbody>
</table>

Absent or not voting were: Representatives

| Fowlke | Morgan | Newbold | Ure |

S.B. 239, as amended, returned to the Senate for further consideration.

THIRD READING CALENDAR

S.B. 41, SCHOOL AND INSTITUTIONAL TRUST LANDS MANAGEMENT ACT REVISIONS, read the third time by short title and placed on its final passage.

S.B. 41 then passed on the following roll call:
Yeas, 68; Nays, 0; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Aagard      Adams      Alexander      S. Allen
Barrus      Becker     Bigelow       Biskupski
Bourdeaux   Bowman     Buttars       Buxton
Christensen D. Clark  S. Clark      Cosgrove
D. Cox      Daw        Dayton       Dee
Donnelson   Dougall    Duckworth     Dunnigan
Ferry       Fisher     Frank         Gibson
Goodfellow  Gowans     Hansen       Hardy
Harper      Hendrickson Hogue        Holdaway
Hughes      Hunsaker   E. Hutchings  B. Johnson
Jones       King       Kiser         Last
Lawrence    Litvack    Lockhart      Mascaro
Mathis      Menlove    Morley        Moss
Murray      Newbold    Noel          Painter
Ray         Romero     Shurtliff     G. Snow
Ure         Walker     Wallace       Wheatley
Wheeler     Wiley      Wyatt         Curtis

Absent or not voting were: Representatives

Ferrin      Fowlke     McGee         Morgan
Oda         Tilton      Urquhart

S.B. 41 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

2nd Sub. S.B. 56, REAL ESTATE − EXCLUSIVE BROKERAGE AGREEMENTS, read the third time by short title and placed on its final passage.

2nd Sub. S.B. 56 then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard      Adams      Alexander      S. Allen
Barrus      Becker     Bigelow       Biskupski
Bourdeaux   Bowman     Buttars       Christensen
D. Clark    S. Clark   Cosgrove     D. Cox
Absent or not voting were: Representatives

Buxton       Dayton       Dunnigan       King
McGee        Morgan       Shurtliff

2nd Sub. S.B. 56 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 114, COUNTY AND MUNICIPAL ZONING REGARDING BILLBOARDS, read the third time by short title and placed on its final passage.

Representative Ure proposed the following amendment:

1. Page 1, Line 14

14 be rebuilt or replaced by anyone other than its owner; {and} 

2. Page 1, Line 16:

16 allow nonconforming billboards to be rebuilt {and} 

   provides that, under certain circumstances, a county or municipal permit for a billboard remains valid for 180 days after a required state permit is issued.

3. Page 4, Line 100

Senate 3rd Reading Amendments 2–10–2005:

   (6) A permit issued, extended, or renewed by a municipality for a billboard remains valid for a period of 180 days after a required state
permit is issued for the billboard if:
(a) the billboard requires a state permit; and
(b) an application for the state permit is filed within 30 days after the
municipality issues, extends, or renews a permit for the billboard.

A municipality may terminate the nonconforming status of school district property

4. Page 6, Lines 170 through 171:

(5) A county may not allow a nonconforming billboard to be rebuilt or replaced by anyone other than its owner or the owner acting through its contractors.

5. Page 6, Line 178:

(6) A permit issued, extended, or renewed by a county for a billboard remains valid for a period of 180 days after a required state permit is issued for the billboard if:
(a) the billboard requires a state permit; and
(b) an application for the state permit is filed within 30 days after the county issues, extends, or renews a permit for the billboard.

A county may terminate the nonconforming status of school district property when

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

On motion of Representative Urquhart, the House voted to circle S.B. 114.

* * *

S.B. 126, MEDICAL BENEFITS RECOVERY ACT AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 126 then passed on the following roll call:

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

Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskups</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Butters</td>
<td>Buxton</td>
<td>Christensen</td>
</tr>
<tr>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
</tr>
</tbody>
</table>
Dougall  Duckworth  Dunnigan  Ferrin  
Ferry    Fisher    Fowlke    Frank    
Gibson   Gowans   Hansen   Hardy    
Harper   Hendrickson   Hogue   Holdaway  
Hunsaker E. Hutchings B. Johnson  Jones  
King     Kiser     Last     Lawrence  
Litvack  Lockhart  Mascaro  Mathis    
McGee    Menlove   Morley   Moss     
Murray   Newbold   Noel    Oda      
Painter  Ray      Romero  Shurtleff  
G. Snow  Tilton   Urquhart Walker    
Wallace  Wheatley  Wheeler  Wiley    
Wyatt    Curtis    

**Absent or not voting were:** Representatives  
Bowman  Goodfellow Hughes Morgan  
Ure

**S.B. 126** was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

**UNFINISHED BUSINESS**

On motion of Representative Ure, the House voted to uncircle **S.B. 114**.

**S.B. 114,** COUNTY AND MUNICIPAL ZONING REGARDING BILLBOARDS, was before the House on its final passage.

**S.B. 114**, as amended, then passed on the following roll call:

**Yeas, 67; Nays, 3; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives  
Aagard  Adams  Alexander  S. Allen  
Barrus  Bigelow  Biskupski  Bourdeaux  
Bowman  Buttars  Christensen  D. Clark  
S. Clark  Cosgrove  D. Cox  Daw  
Dee  Donnelson  Dougall  Duckworth  
Dunnigan  Ferrin  Ferry  Fisher  
Fowlke  Frank  Gibson  Gowans  
Hansen  Hardy  Harper  Hendrickson  
Hogue  Holdaway  Hughes  Hunsaker
E. Hutchings  B. Johnson  Jones  Kiser  
Last  Lawrence  Litvack  Mascaro  
Mathis  McGee  Menlove  Morley  
Moss  Murray  Newbold  Noel  
Oda  Painter  Romero  Shurtliff  
G. Snow  Tilton  Ure  Urquhart  
Walker  Wallace  Wheatley  Wheeler  
Wiley  Wyatt  Curtis  

Voting in the negative were: Representatives  
Becker  King  Ray  

Absent or not voting were: Representatives  
Buxton  Dayton  Goodfellow  Lockhart  
Morgan  

S.B. 114, as amended, returned to the Senate for further consideration.  

THIRD READING CALENDAR  

Sub. S.B. 150, FOOD SAFETY MANAGER CERTIFICATION, read the third time by short title and placed on its final passage.  

Sub. S.B. 150 then passed on the following roll call:  

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

Voting in the affirmative were: Representatives  
Aagard  Adams  Alexander  S. Allen  
Barrus  Becker  Bigelow  Biskupski  
Bourdeaux  Bowman  Buttars  Buxton  
Christensen  D. Clark  S. Clark  Cosgrove  
D. Cox  Daw  Dayton  Dee  
Donnelson  Dougall  Duckworth  Dunnigan  
Ferrin  Ferry  Fisher  Fowlke  
Frank  Gibson  Goodfellow  Gowans  
Hansen  Hardy  Harper  Hendrickson  
Hogue  Holdaway  Hughes  Hunsaker  
E. Hutchings  B. Johnson  Jones  King  
Kiser  Last  Lawrence  Litvack  
Lockhart  Mascaro  Mathis  McGee  
Menlove  Morley  Moss  Murray  
Newbold  Noel  Oda  Painter  

Absent or not voting were: Representatives
Morgan Tilton

Sub. S.B. 150 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Bigelow, the House voted to have the House Journal reflect that the following bills were considered under suspension of the rules: S.B. 119, Sub. S.B. 164, Sub. S.B. 167, and S.B. 239.

***

On motion of Representative Alexander, the House voted to recess until 2:00 p.m.

AFTERNOON SESSION

The House was called to order by Speaker Curtis at 2:00 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 28, 2005
The Senate passed, as substituted, and amended 1st Sub. S.B. 211, FUNDING FOR CONVENTION FACILITIES, by Senator M. Waddoups, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. Sub. S.B. 211, read the first time by short title and referred to the Rules Committee.

***

Mr. Speaker: February 28, 2005
The Senate passed, as amended, 1st Sub. H.B. 105, CONSTRUCTION FILING AMENDMENTS, by Representative M. Morley, and it is transmitted for further consideration; and
The Senate passed, as amended, **1st Sub. H.B. 200**, INSURANCE LAW REVISIONS, by Representative J. Dunnigan, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate


* * *

Mr. Speaker: February 28, 2005

The Senate passed, **H.B. 89**, PRESUMPTION OF RESPONSIBILITY FOR ABUSE OR NEGLECT, by Representative L. Christensen, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 102**, HIGHER EDUCATION SAVINGS INCENTIVE PROGRAM AMENDMENTS, by Representative S. Wyatt, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 154**, SCHOOL AND INSTITUTIONAL TRUST LANDS AMENDMENTS, by Representative E. Hutchings, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 217**, PUBLIC SAFETY RETIREMENT – EXEMPTION OF CERTAIN EMPLOYEES, by Representative D. Clark, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 89**, **H.B. 102**, **H.B. 154**, and **H.B. 217** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

**THIRD READING CALENDAR**

**S.B. 59**, HOME SCHOOL AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Shurtliff proposed the following amendment:

1. Page 3, Line 86 and 87:  
Delete lines 86 and 87.
Representative Shurtliff’s motion to amend failed on a voice vote.

Representative Ferry declared a conflict of interest because his family home schools.

S.B. 59 then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

- Aagard
- Adams
- Alexander
- S. Allen
- Barrus
- Becker
- Bigelow
- Biskupski
- Bourdeaux
- Bowman
- Butters
- Buxton
- Christensen
- S. Clark
- Cosgrove
- D. Cox
- Daw
- Dayton
- Dee
- Donnelson
- Dougall
- Duckworth
- Ferry
- Fisher
- Fowlke
- Frank
- Gibson
- Goodfellow
- Gowans
- Hansen
- Hardy
- Harper
- Hendrickson
- Hogue
- Holdaway
- Hughes
- Hunsaker
- E. Hutchings
- B. Johnson
- Jones
- Kiser
- Last
- Lawrence
- Litvack
- Lockhart
- Mascaro
- Mathis
- McGee
- Menlove
- Morgan
- Morley
- Moss
- Murray
- Newbold
- Noel
- Oda
- Painter
- Ray
- Romero
- Shurtliff
- G. Snow
- Tilton
- Ure
- Urquhart
- Walker
- Wallace
- Wheatley
- Wheeler
- Wiley
- Wyatt

**Absent or not voting were:** Representatives

- D. Clark
- Dunnigan
- Ferrin
- King
- Curtis

S.B. 59 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

**UNFINISHED BUSINESS**

On motion of Representative Adams, the House voted to uncircle S.B. 62.
S.B. 62, PERSONAL PROPERTY TRANSACTIONS AMENDMENTS, was before the House on its final passage.

S.B. 62 then passed on the following roll call:

**Yeas, 65; Nays, 0; Absent or not voting, 10.**

**Voting in the affirmative were:**

Representatives
- Aagard
- Adams
- Alexander
- S. Allen
- Barrus
- Becker
- Bigelow
- Biskupski
- Bowman
- Butters
- Buxton
- D. Clark
- S. Clark
- Cosgrove
- D. Cox
- Daw
- Dee
- Donnelson
- Dougall
- Duckworth
- Ferry
- Fisher
- Fowlke
- Frank
- Gibson
- Goodfellow
- Gowans
- Hansen
- Hardy
- Harper
- Hendrickson
- Hogue
- Holdaway
- Hughes
- Hunsaker
- E. Hutchings
- Jones
- King
- Kiser
- Last
- Lawrence
- Litvack
- Mascaro
- Mathis
- McGee
- Menlove
- Morgan
- Morley
- Moss
- Murray
- Newbold
- Noel
- Oda
- Painter
- Ray
- Romero
- Shurtliff
- G. Snow
- Urquhart
- Walker
- Wallace
- Wheatley
- Wheeler
- Wiley
- Wyatt

**Absent or not voting were:**

Representatives
- Bourdeaux
- Christensen
- Dayton
- Dunnigan
- Ferrin
- B. Johnson
- Lockhart
- Tilton
- Ure
- Curtis

S.B. 62 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

**THIRD READING CALENDAR**

Sub. S.B. 152, BUSINESS LICENSE FEES, read the third time by short title and placed on its final passage.

Sub. S.B. 152 then passed on the following roll call:

**Yeas, 63; Nays, 1; Absent or not voting, 11.**
Voting in the affirmative were: Representatives

Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Biskupski  Bourdeaux
Bowman  Buttars  Buxton  D. Clark
S. Clark  Cosgrove  Daw  Dayton
Dee  Donnelson  Dougall  Duckworth
Ferry  Fisher  Frank  Gibson
Goodfellow  Gowans  Hansen  Hardy
Harper  Hendrickson  Hogue  Hughes
Hunsaker  E. Hutchings  Jones  Kiser
Last  Lawrence  Litvack  Lockhart
Mascaro  Mathis  McGee  Menlove
Morgan  Morley  Moss  Murray
Newbold  Noel  Oda  Painter
Ray  Romero  Shurtliff  G. Snow
Ure  Urquhart  Walker  Wheatley
Wheeler  Wiley  Wyatt

Voting in the negative was: Representative

Fowlke

Absent or not voting were: Representatives

Bigelow  Christensen  D. Cox  Dunnigan
Ferrin  Holdaway  B. Johnson  King
Tilton  Wallace  Curtis

Sub. S.B. 152 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

UNFINISHED BUSINESS

On motion of Representative Ferry, under suspension of the rules, the House voted to uncircle S.B. 57.

S.B. 57, USE OF STATE SALES AND USE TAX REVENUES FOR BUSINESS DEVELOPMENT IN DISADVANTAGED RURAL COMMUNITIES, was before the House on its final passage.

On motion of Representative Ferry, the House voted to delete S.B. 57 in title and body and insert Sub. S.B. 57 in lieu thereof.

Sub. S.B. 57 then passed on the following roll call:
Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard Adams Alexander Barrus
Becker Bigelow Biskupski Bourdeaux
Bowman Buttars Buxton Christensen
D. Clark S. Clark Cosgrove D. Cox
Daw Dayton Dee Donnelson
Dougall Duckworth Ferrin Ferry
Fisher Fowlke Frank Gibson
Goodfellow Gowans Hansen Hardy
Harper Hendrickson Hogue Holdaway
Hughes Hunsaker B. Johnson Jones
King Kiser Last Lawrence
Litvack Lockhart Mascaro Mathis
McGee Menlove Morgan Moss
Murray Newbold Noel Oda
Painter Ray Romero Shurtliff
G. Snow Tilton Walker Wallace
Wheatley Wheeler Wiley Wyatt
Curtis

Absent or not voting were: Representatives

S. Allen Dunnigan E. Hutchings Morley
Ure Urquhart

Sub. S.B. 57, as substituted, returned to the Senate for further consideration.

THIRD READING CALENDAR

S.B. 159, ASSESSMENT OFFSET FOR DONATIONS PROMOTING OCCUPATIONAL HEALTH AND SAFETY, read the third time by short title and placed on its final passage.

S.B. 159 then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard Adams S. Allen Barrus
Becker Bigelow Biskupski Bourdeaux
Bowman Buttars Buxton Christensen
S. Clark Cosgrove Daw Dee
Voting in the negative were: Representatives
D. Clark    D. Cox    Dayton    Dougall
Ferrin      Fowlke    Frank    Gibson
Gowans      Harper    Hughes    Lockhart
Newbold     Tilton    Walker

Absent or not voting were: Representatives
Alexander   Morley

S.B. 159 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 134, POWERSPORT VEHICLE FRANCHISE ACT, read the third time by short title and placed on its final passage.

S.B. 134 then passed on the following roll call:

Yeas, 67; Nays, 2; Absent or not voting, 6.

Voting in the affirmative were: Representatives
Aagard      Adams     Alexander   S. Allen
Barrus      Becker    Bigelow    Bourdeaux
Bowman      Buttars   Buxton    Christensen
D. Clark    S. Clark  Cosgrove   D. Cox
Daw         Dee       Donnelson  Dougall
Duckworth   Dunnigan  Ferry     Fisher
Fowlke      Frank     Gibson    Goodfellow
Gowans      Hansen    Hardy     Harper
Hendrickson        Hogue          Holdaway          Hunsaker
B. Johnson         Jones          King             Kiser
Last               Lawrence       Litvack          Lockhart
Mascaro            Mathis         Menlove         Morgan
Moss               Murray         Newbold         Noel
Oda                Painter        Ray              Romero
Shurtliff          G. Snow        Tilton          Ure
Urquhart           Wallace        Wheatley        Wheeler
Wiley              Wyatt          Curtis

**Voting in the negative were:** Representatives
Dayton             Walker

**Absent or not voting were:** Representatives
Biskupski           Ferrin         Hughes          E. Hutchings
McGee              Morley

S.B. 134 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

S.B. 161, AMENDMENTS TO THE PROPERTY TAX VALUATION AGENCY FUND ASSESSING AND COLLECTING LEVY, read the third time by short title and placed on its final passage.

S.B. 161 then passed on the following roll call:

**Yeas, 60; Nays, 0; Absent or not voting, 15.**

**Voting in the affirmative were:** Representatives
Aagard             Alexander       S. Allen         Barrus
Becker             Bigelow         Bourdeaux        Bowman
Buttars            Buxton          Christensen      D. Clark
Cosgrove           D. Cox          Daw             Dayton
Dee                Donnelson       Duckworth        Ferrin
Ferry              Fisher          Fowlke           Frank
Gibson             Goodfellow      Gowans          Hansen
Harper             Hogue           Holdaway        Hunsaker
B. Johnson         Jones           King             Last
Lawrence           Mascaro         Mathis          Menlove
Morgan             Moss            Murray          Newbold
S.B. 161 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

Sub. S.B. 170, STATE TAX COMMISSION COLLECTION AND LICENSING PRACTICES, read the third time by short title and placed on its final passage.

Sub. S.B. 170 then passed on the following roll call:

**Yeas, 58; Nays, 0; Absent or not voting, 17.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Alexander</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Bourdeaux</td>
<td>Bowman</td>
</tr>
<tr>
<td>Butters</td>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
</tr>
<tr>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
<td>Dee</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
</tr>
<tr>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
</tr>
<tr>
<td>Harper</td>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hunsaker</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>Jones</td>
<td>Last</td>
<td>Lawrence</td>
</tr>
<tr>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morgan</td>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
</tr>
<tr>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
</tr>
<tr>
<td>Romero</td>
<td>Shurtliff</td>
<td>G. Snow</td>
<td>Tilton</td>
</tr>
<tr>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
</tr>
<tr>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

| Adams | Biskupski | S. Clark | Dayton |
| Dougall | Hardy | Hendrickson | Hughes |
Sub. S.B. 170 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

S.B. 172, DIVISION OF REAL ESTATE AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle S.B. 172.

***

Sub. S.B. 149, PETE SUAZO ATHLETIC COMMISSION AMENDMENTS, read the third time by short title and placed on its final passage.

Sub. S.B. 149 then passed on the following roll call:

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

Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
</tr>
<tr>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
</tr>
<tr>
<td>Goodfellow</td>
<td>Gowan</td>
<td>Hansen</td>
<td>Hardy</td>
</tr>
<tr>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
</tr>
<tr>
<td>Hunsaker</td>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
</tr>
<tr>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
</tr>
<tr>
<td>Lockhart</td>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
</tr>
<tr>
<td>Menlove</td>
<td>Morgan</td>
<td>Moss</td>
<td>Murray</td>
</tr>
<tr>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Shurtleff</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Ure</td>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
</tr>
<tr>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
<td>Curtis</td>
</tr>
</tbody>
</table>

Absent or not voting were: Representatives

<table>
<thead>
<tr>
<th>Bourdeaux</th>
<th>Fisher</th>
<th>Hughes</th>
<th>E. Hutchings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Morley</td>
<td>Tilton</td>
<td>Urquhart</td>
<td></td>
</tr>
</tbody>
</table>
Sub. S.B. 149 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

UNFINISHED BUSINESS

On motion of Representative Bigelow, the House voted to uncircle S.B. 1.

S.B. 1, SUPPLEMENTAL APPROPRIATIONS ACT, was before the House on its final passage.

Representative Alexander proposed the following amendment:

1. Page 5, Line 168:
   Delete “3,585,500” and insert “3,555,500”

2. Page 5, Line 170:
   Delete “3,585,500” and insert “3,555,500”

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

# # #

Representative Snow proposed the following amendment:

1. Page 5, Lines 166a, b, and c (goldenrod copy dated 2−25−2005):
   Delete lines 166a, 166b, and 166c.

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

# # #

Representative Jones proposed the following amendment:

1. Page 4, Lines 119−125:
   Delete lines 119 through 125.

2. Page 9, Line 304:
   Take “$150,000” from line 119 and insert it into the Division of Aging and Adult Services for an ombudsman to oversee nursing home abuse complaints.

Representative Christensen proposed the following substitute motion to amend:
   Delete “48,488,000” and insert “48,023,000”

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

**Yeas, 39; Nays, 35; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Alexander</th>
<th>Bigelow</th>
<th>Bowman</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buttars</td>
<td>Christensen</td>
<td>D. Clark</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Dougall</td>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fowlke</td>
</tr>
<tr>
<td>Frank</td>
<td>Gibson</td>
<td>Harper</td>
<td>Hogue</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hughes</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
</tr>
<tr>
<td>Kiser</td>
<td>Last</td>
<td>Lockhart</td>
<td>Mathis</td>
</tr>
<tr>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
</tr>
<tr>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
</tr>
<tr>
<td>Wallace</td>
<td>Wiley</td>
<td>Curtis</td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
<th>Becker</th>
</tr>
</thead>
<tbody>
<tr>
<td>Biskupski</td>
<td>Bourdeaux</td>
<td>Buxton</td>
<td>S. Clark</td>
</tr>
<tr>
<td>Cosgrove</td>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Fisher</td>
</tr>
<tr>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
</tr>
<tr>
<td>Hendrickson</td>
<td>Hunsaker</td>
<td>Jones</td>
<td>King</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Litvack</td>
<td>Mascaro</td>
<td>McGee</td>
</tr>
<tr>
<td>Menlove</td>
<td>Morgan</td>
<td>Moss</td>
<td>Murray</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Shurtleff</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wyatt</td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting was:** Representative

Morley

Representative Jones re–proposed the following amendment:

1. Page 4, Lines 119–125:
   Delete lines 119 through 125.

2. Page 9, Line 304:
   Take “$150,000” from line 119 and insert it into the Division of Aging and Adult Services for an ombudsman to oversee nursing home abuse complaints.
Representative Jones motion to amend failed on a voice vote.

###

Representative King proposed the following amendment:

1. Page 4, Line 125:
   After Line 125 insert:
   “It is the intent of the Legislature that the Department spend this money to conduct a feasibility study to determine whether or not to move the state prison at Draper to another location. It is also the intent of the Legislature that the Department, in expending the money to conduct the feasibility study, ensure that the process: allows substantial opportunity for public review and comment; gives due consideration to those public comments and recommendations in the preparations and final recommendations of the study; allows opportunities for all interested parties to submit written comments on any draft Request for Proposals; includes public hearings on the draft report and recommendations in each community affected by the recommendations contained in the draft report; and allows opportunities for interested parties to submit oral or written comments to the draft report at those public hearings.”

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

###

Representative Becker proposed the following amendment:

1. Page 12, Line 413:
   Insert a new line: “From General Fund, one-time to Capitol Trails Grant $80,000”

Representative Snow proposed the following substitute motion to amend:

   Refer to Representative Christensen’s amendment.
   Delete “48,023,000” and reinstate “48,488,000”

   Insert a new line: “Utah Museum of Fine Arts 465,000”

Representative Snow’s motion to amend passed on a voice vote.
Representative Becker re-proposed the following amendment:

1. Page 12, Line 413:
   Insert a new line: “From General Fund, one-time to Capitol Trails Grant $80,000”

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

Representative Buxton proposed the following amendment:

1. Page 5, Line 162
   Senate 2nd Reading Amendments 2–25–05:
   Delete “50,000,000” and insert “54,500,000”

2. Page 5, Line 166
   Senate 2nd Reading Amendments 2–25–05:
   After line 166 insert:
   “Veteran’s Nursing Home 4,500,000”

3. Page 5, Line 178
   Senate 2nd Reading Amendments 2–25–05:
   Delete “10,351,500” and insert “5,851,500”

4. Page 5, Line 180
   Senate 2nd Reading Amendments 2–25–05:
   Delete “10,351,500” and insert “5,851,500”

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

Representative McGee proposed the following amendment:

1. Page 5, Line 178 and 179:
   Refer to Representative Buxton’s amendment.
   Delete “5,851,500” on both lines and insert “2,851,500”

2. Page 8, Line 283:
   Delete “1,694,400” and insert “4,694,400”

3. Page 8, Line 286:
   Insert a new line: “Division of Substance Abuse and Mental Health 3,000,000”
Representative McGee’s motion to amend failed on a voice vote.

**S.B. 1**, as amended, then passed on the following roll call:

**Yeas, 60; Nays, 11; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Bigelow</td>
<td>Bowman</td>
<td>Buttars</td>
</tr>
<tr>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
</tr>
<tr>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
</tr>
<tr>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
</tr>
<tr>
<td>Hansen</td>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
</tr>
<tr>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
</tr>
<tr>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>Kiser</td>
<td>Last</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Lockhart</td>
<td>Mascaro</td>
<td>Mathis</td>
</tr>
<tr>
<td>Menlove</td>
<td>Morgan</td>
<td>Murray</td>
<td>Newbold</td>
</tr>
<tr>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
</tr>
<tr>
<td>G. Snow</td>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
</tr>
<tr>
<td>Wallace</td>
<td>Wheeler</td>
<td>Wyatt</td>
<td>Curtis</td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Becker</th>
<th>Bourdeaux</th>
<th>Cosgrove</th>
<th>Jones</th>
</tr>
</thead>
<tbody>
<tr>
<td>Litvack</td>
<td>McGee</td>
<td>Moss</td>
<td>Romero</td>
</tr>
<tr>
<td>Shurtliff</td>
<td>Wheatley</td>
<td>Wiley</td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Biskupski</th>
<th>King</th>
<th>Morley</th>
<th>Tilton</th>
</tr>
</thead>
</table>

**S.B. 1**, as amended, returned to the Senate for further consideration.

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

On motion of Representative Alexander, the House voted to cease to saunter.

**RULES COMMITTEE REPORT**

Mr. Speaker: February 28, 2005

The Rules Committee recommends that, under suspension of the rules, the following bills and resolutions be considered read for the second time and placed on the Third Reading Calendar for Senate bills:
S.B. 127  Tax, Fee, or Charge Amendments (Sen. L. Hillyard)
S.C.R. 5  Resolution Approving Settlement of Lawsuit
          (Sen. P. Knudson)
1st Sub. S.B. 60 Local Land Use Development and Management
          Amendments (Sen. G. Bell)
1st Sub. S.B. 212 Child Care Investigations (Sen. P. Hellewell)
S.C.R. 10  Concurrent Resolution Honoring Utah Foundation
          (Sen. L. A. Mansell)
1st Sub. S.B. 177 Increase Statute of Limitations on Rape (Sen. E. Mayne)
1st Sub. S.B. 65  Alcoholic Beverage Control Amendments
          (Sen. P. Knudson)
1st Sub. S.B. 215 Financial Institutions as Limited Liability Companies
          (Sen. L. Hillyard)
S.J.R. 6  Space Exploration Resolution (Sen. P. Knudson)
2nd Sub. S.B. 110 Medical Device Notification and Liability
          (Sen. D. C. Buttars)
S.B. 194  Sales and Use Tax Exemption for Items Relating to Direct
          Mail (Sen. H. Stephenson)
S.J.R. 17  Resolution Recognizing Huntsman Cancer Institute
          (Sen. P. Knudson)
5th Sub. S.B. 61 Privately Owned Health Care Organization Task Force
          (Sen. M. Waddoups)
S.B. 153  Tax Reform Task Force (Sen. C. Bramble)

Rebecca Lockhart, Chair
Report filed. On motion of Representative Lockhart, the report of the Rules
Committee was adopted.

MISCELLANEOUS BUSINESS

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

THIRD READING CALENDAR

H.B. 375, REVISIONS TO GENERAL STATE GOVERNMENT −
NOTARY LAW AMENDMENTS, read the third time by short title and placed on
its final passage.

H.B. 375, as amended, then passed on the following roll call:

Yeas, 70; Nays, 1; Absent or not voting, 4.
Voting in the affirmative were: Representatives
Aagard        Adams        S. Allen        Barrus
Becker        Bigelow      Biskupski      Bourdeaux
Bowman        Buttars      Buxton        Christensen
S. Clark      Cosgrove     D. Cox         Daw
Dayton        Dee          Donnelson     Dougall
Duckworth     Dunnigan     Ferrin        Ferry
Fisher        Fowlke       Frank         Gibson
Goodfellow    Gowans       Hansen        Hardy
Harper        Hogue        Holdaway      Hughes
Hunsaker      E. Hutchings B. Johnson    Jones
King          Kiser        Last          Lawrence
Litvack       Lockhart     Mascaro       Mathis
McGee         Menlove      Morgan        Morley
Moss          Murray       Newbold       Noel
Oda           Painter      Romero        Shurtliff
G. Snow       Tilton       Ure           Urquhart
Walker        Wallace      Wheatley      Wheeler
Wiley         Curtis

Voting in the negative was: Representative
D. Clark

Absent or not voting were: Representatives
Alexander    Hendrickson  Ray          Wyatt

H.B. 375, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Buttars, the House voted to uncircle Sub. H.B. 381.

Sub. H.B. 381, NONRESIDENT TUITION WAIVERS, was before the House on its final passage.

On motion of Representative Buttars, under suspension of the rules, the House voted to consider Sub. H.B. 381 read the first, second, and third times by short title.

Sub. H.B. 381 then passed on the following roll call:

Yeas, 58; Nays, 12; Absent or not voting, 5.
Voting in the affirmative were: Representatives
Aagard        Adams        Alexander        S. Allen
Barrus        Becker       Bigelow        Biskupski
Bourdeaux     Bowman       Buttars       Christensen
D. Clark      S. Clark     Cosgrove       D. Cox
Daw           Dee          Duckworth      Dunnigan
Ferry         Fisher       Fowlke        Gibson
Goodfellow    Gowans       Hansen        Hardy
Holdaway      Hunsaker     E. Hutchings  B. Johnson
Jones         King         Last          Lawrence
Litvack       Mascaro      Mathis        McGee
Menlove       Morgan       Moss          Murray
Noel          Painter      Ray           Romero
Shurtleff     G. Snow      Tilton        Ure
Urquhart      Wallace      Wheatley       Wheeler
Wiley         Wyatt

Voting in the negative were: Representatives
Dayton        Donnelson    Frank         Hogue
Hughes        Kiser        Lockhart      Morley
Newbold       Oda          Walker        Curtis

Absent or not voting were: Representatives
Buxton        Dougall      Ferrin        Harper
Hendrickson

Sub. H.B. 381 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 373, EDUCATION TECHNOLOGY TASK FORCE, read the third time by short title and placed on its final passage.

H.B. 373 then passed on the following roll call:

Yeas, 65; Nays, 5; Absent or not voting, 5.

Voting in the affirmative were: Representatives
Aagard        Adams        Alexander        S. Allen
Barrus        Becker       Bigelow        Biskupski
Bourdeaux     Bowman       Buttars       Buxton
Christensen   D. Clark     S. Clark     Cosgrove
D. Cox        Daw          Dee           Donnelson
Day 43  Monday, February 28, 2005

Voting in the negative were: Representatives
Dayton  McGee  Morley  Moss
Wallace

Absent or not voting were: Representatives
Ferrin  Hendrickson  B. Johnson  Ure
Urquhart

H.B. 373 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Alexander, the House voted to uncircle H.B. 291.

H.B. 291, CAPITOL PRESERVATION BOARD MODIFICATIONS, was before the House on its final passage.

On motion of Representative Alexander, the House voted to delete H.B. 291 in title and body and insert Sub. H.B. 291 in lieu thereof.

Sub. H.B. 291 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Biskupski  Bourdeaux
Bowman  Buttars  Buxton  Christensen
D. Clark  S. Clark  Cosgrove  D. Cox
Daw  Dayton  Dee  Donnelson

<table>
<thead>
<tr>
<th>Dougall</th>
<th>Duckworth</th>
<th>Dunnigan</th>
<th>Ferry</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
</tr>
<tr>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
</tr>
<tr>
<td>Harper</td>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hughes</td>
</tr>
<tr>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>Jones</td>
<td>King</td>
</tr>
<tr>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
</tr>
<tr>
<td>Lockhart</td>
<td>Mascaro</td>
<td>Mathis</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morgan</td>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
</tr>
<tr>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
<td>Romero</td>
</tr>
<tr>
<td>Shurtleff</td>
<td>G. Snow</td>
<td>Tilton</td>
<td>Walker</td>
</tr>
<tr>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
</tr>
<tr>
<td>Curtis</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Dougall    Duckworth    Dunnigan    Ferrin
Ferry      Fisher       Fowlke      Frank
Gibson     Goodfellow  Gowans      Hansen
Hardy      Harper       Hendrickson Hogue
Holdaway   Hughes       Hunsaker    E. Hutchings
B. Johnson Jones       King        Kiser
Last       Lawrence     Litvack     Lockhart
Mascaro    Mathis       McGee       Menlove
Morgan     Morley       Moss        Murray
Newbold    Noel         Oda         Painter
Ray        Romero       Shurtliff   G. Snow
Tilton     Walker       Wallace     Wheatley
Wheeler    Wiley        Wyatt

Absent or not voting were: Representatives
Bigelow    Ure          Urquhart    Curtis

Sub. H.B. 291 transmitted to the Senate for its consideration.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 28, 2005

The Senate refuses to concur with the House Amendments to S.B. 1, SUPPLEMENTAL APPROPRIATIONS ACT, by Senator L. Hillyard, and requests the House recede from its amendments.

Annette B. Moore
Secretary of the Senate

Communication filed. On motion of Representative Bigelow, the House voted to refuse to recede from its amendments to S.B. 1. The Speaker was authorized to appoint a conference committee. The Speaker appointed Representatives Bigelow, Alexander, and King.

***

Mr. Speaker: February 28, 2005

The Senate passed, as amended, H.B. 301, SUPPLEMENTAL APPROPRIATIONS III, by Representative R. Bigelow, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. On motion of Representative Bigelow, the House voted to concur in the Senate amendments to H.B. 301.
H.B. 301, as amended by the Senate, then passed on the following roll call:

Yeas, 60; Nays, 15; Absent or not voting, 0.

Voting in the affirmative were: Representatives

Aagard  Adams  Alexander  S. Allen
Barrus  Bigelow  Bourdeaux  Bowman
Buttars  Buxton  Christensen  D. Clark
S. Clark  Cosgrove  D. Cox  Daw
Dee  Donnelson  Dougall  Dunnigan
Ferrin  Ferry  Fisher  Fowlke
Frank  Gibson  Goodfellow  Hardy
Harper  Hogue  Holdaway  Hughes
Hunsaker  E. Hutchings  B. Johnson  King
Kiser  Last  Lawrence  Litvack
Lockhart  Mascaro  Mathis  Menlove
Morgan  Murray  Newbold  Noel
Oda  Painter  Ray  G. Snow
Tilton  Ure  Urquhart  Walker
Wallace  Wheeler  Wyatt  Curtis

Voting in the negative were: Representatives

Becker  Biskupski  Dayton  Duckworth
Gowans  Hansen  Hendrickson  Jones
McGee  Morley  Moss  Romero
Shurtliff  Wheatley  Wiley

H.B. 301, as amended by the Senate, transmitted to the Senate for signature of the President.

THIRD READING CALENDAR

H.B. 272, PATIENT ACCESS TO PROVIDERS AND CONTRACTING AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Lockhart proposed the following amendment:

1. Page 3, Lines 82 through 84

82 (d) If the parties are unable to resolve their dispute, the matter shall be subject to

83 binding arbitration by a jointly selected arbitrator. Each party is to bear its own expense except
the cost of the jointly selected arbitrator shall be equally shared. This Subsection (d) does not apply to the claim of a general acute hospital to the extent it is inconsistent with the hospital’s provider agreement.

2. Page 4, Lines 107 through 109
   House Committee Amendments 2–22–2005:

   (iii) If the parties are unable to resolve their dispute, the matter shall be subject to
   binding arbitration by a jointly selected arbitrator. Each party is to bear its own expense except
   the cost of the jointly selected arbitrator shall be equally shared. This Subsection (iii) does not apply to the claim of a general acute hospital to the extent it is inconsistent with the hospital’s provider agreement.

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

H.B. 272, as amended, then passed on the following roll call:

Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
</tr>
<tr>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
</tr>
<tr>
<td>Hardy</td>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
</tr>
<tr>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
</tr>
<tr>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Litvack</td>
<td>Lockhart</td>
<td>Mascaro</td>
</tr>
<tr>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
</tr>
<tr>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
</tr>
<tr>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
</tr>
<tr>
<td>Romero</td>
<td>Shurtleff</td>
<td>G. Snow</td>
<td>Tilton</td>
</tr>
<tr>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
<td>Wallace</td>
</tr>
<tr>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
</tr>
<tr>
<td>Curtis</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Absent or not voting were: Representatives
Christensen       Harper

H.B. 272, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Lockhart, the House voted to uncircle Sub. H.B. 18.

Sub. H.B. 18, TRANSPORTATION INVESTMENT ACT, was before the House on its final passage.

Representative Lockhart proposed the following amendment:

1. Page 1, Line 25 through Page 2, Line 27
   25 ▶ provides that \(-\$70,000,000\) \$90,000,000 of the revenues deposited in the Transportation Investment Fund of 2005 shall annually be transferred to the Centennial Highway Fund
   26 Investment Fund of 2005 shall annually be transferred to the Centennial Highway Fund
   27 Restricted Account until the highway general obligation bonds for the Centennial Highway Fund have been paid off;

2. Page 2, Line 32:
   32 { None } This bill appropriates:
   • \(-\$179,594,700\) \$179,594,700 from the General Fund to the Centennial Highway Program; and
   • \$30,000,000 from the General Fund to the Transportation Investment Fund of 2005, for fiscal year 2005–06 only.

3. Page 11, Line 313 through Page 12, Line 339:
   313 (8) (a) Notwithstanding Subsection (3)(a), in addition to the amount deposited in
   314 Subsection (6)(a), and until Subsection (8)(b) applies, for a fiscal year beginning on or after
   315 July 1, 2005, the Division of Finance shall deposit \(-\$60,000,000\) \$59,594,700 of the revenues generated by
   316 the taxes described in Subsections (2)(a)(i) and (2)(b)(i) into the Centennial Highway Fund
Restricted Account created by Section 72–2–118.

(b) Notwithstanding Subsection (3)(a) and in addition to the amounts deposited under

Subsections (6)(b) and (9), when the highway general obligation bonds issued under Title 63B, Chapters 6 through 13 have been paid off, the Division of Finance shall deposit \( \{ -60,000,000 \} \) \$59,594,700 of the revenues generated by the taxes described in Subsections (2)(a)(i) and (2)(b)(i) into the Transportation Investment Fund of 2005 created by Section 72–2–124.

(9) (a) Notwithstanding Subsection (3)(a), for a fiscal year beginning on or after July 1, 2005, the Division of Finance shall deposit \( \{ -70,000,000 \} \) \$90,000,000 of the revenues generated by the taxes described in Subsections (2)(a)(i) and (2)(b)(i) into the Transportation Investment Fund of 2005 created by Section 72–2–124.

(b) Notwithstanding Subsection (3)(a), for the fiscal year 2007 only, the Division of Finance may, subject to legislative appropriation, deposit into the Transportation Investment Fund of 2005 created by Section 72–2–124 a portion of the taxes listed under Subsection (3)(a) equal to the revenues generated by a \(- \frac{23}{36}\%\) tax rate on the taxable transactions under Subsection (1) including the amounts deposited under Subsection (8) and (9)(a), which represents a portion of the amount of revenue generated by the sales and use tax on vehicles and vehicle-related products.

(c) Notwithstanding Subsection (3)(a) and in addition to any amount deposited under
Subsections (6)(b) and (8)(b), for a fiscal year beginning on or after July 1, 2007, the Division of Finance may, subject to legislative appropriation, deposit into the Transportation Investment Fund of 2005 created by Section 72–2–124 a portion of the taxes listed under Subsection (3)(a) equal to the revenues generated by a .56% tax rate on the taxable transactions under Subsection (1) including the amounts deposited under Subsections (8) and (9)(a), which represents a portion of the amount of revenue generated by the sales and use tax on vehicles and vehicle–related products.

4. Page 16, Lines 466 through 475:

The executive director may use fund monies only to pay the costs of maintenance, construction, reconstruction, or renovation to state and federal highways prioritized by the Transportation Commission under a prioritization process for new transportation capacity projects.

(b) The executive director may use fund monies deposited into the fund in fiscal year 2006 only to pay the costs of maintenance, construction, reconstruction, or renovation to state and federal highways prioritized by the Transportation Commission.

On July 1 of each year until the highway general obligations bonds issued under Title 36, Chapters 6 through 13 have been paid off, the Division of Finance shall transfer $90,000,000 of the revenues deposited in the Transportation Investment Fund of 2005 created by this section to the Centennial Highway Fund Restricted Account within the Transportation Investment Fund of 2005 created by Section 72–2–118.
Under the terms and conditions of Section 63−38−3, the following sums of money are appropriated from resources not otherwise appropriated, or reduced from amounts previously appropriated, out of the funds or fund accounts indicated for the use and support of the government of the State of Utah for the fiscal year beginning July 1, 2005 and ending June 30, 2006. This is an addition to or a subtraction from amounts previously appropriated for fiscal year 2006.

To Department of Transportation – Centennial Highway Program
From General Fund ($149,594,700)
From General Fund, One−time ($30,000,000)
Schedule of Programs:
Centennial Highway Program ($179,594,700)

To Department of Transportation – Transportation Investment Fund of 2005
From General Fund, One−time $30,000,000
Schedule of Programs:
Transportation Investment Fund of 2005 $30,000,000

474 Section {−7−} 8. Effective date.
475 This bill takes effect on July 1, 2005.

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

Sub. H.B. 18, as amended, then passed on the following roll call:

Yeas, 50; Nays, 24; Absent or not voting, 1.

Voting in the affirmative were: Representatives
Aagard       Adams    Alexander    Barrus
Bowman       Buttars  Buxton      Christensen
D. Clark     S. Clark Cosgrove   D. Cox
Daw          Dayton   Dee         Donnelson
Dougal       Ferrin   Ferry       Fisher
Fowlke       Frank    Gibson      Hardy
Harper        Hogue    Hughes      Hunsaker
E. Hutchings B. Johnson Kiser       Last
Lawrence     Lockhart Mathis      Menlove
Morley       Murray   Newbold     Noel
Oda          Painter   Ray         Shurtliff
Tilton       Urquhart Walker      Wallace
Wheeler      Wyatt
Voting in the negative were: Representatives
S. Allen Becker Bigelow Biskupski
Bourdeaux Duckworth Dunnigan Goodfellow
Gowans Hansen Hendrickson Holdaway
Jones King Litvack Mascaro
McGee Morgan Moss Romero
G. Snow Ure Wheatley Wiley

Absent or not voting was: Representative
Curtis

Sub. H.B. 18, as amended, transmitted to the Senate for its consideration.

* * *

On motion of Representative Dougall, the House voted to uncircle H.B. 263.

H.B. 263, INSURERS REHABILITATION AND LIQUIDATION, was before the House on its final passage.

On motion of Representative Ferry, the House voted to circle H.B. 263.

* * *

On motion of Representative Hughes, the House voted to uncircle H.B. 126.

H.B. 126, AMENDMENTS TO FACILITIES WITH REGIONAL IMPACT, was before the House on its final passage.

H.B. 126, as amended, then passed on the following roll call:

Yeas, 55; Nays, 17; Absent or not voting, 3.

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Bowman Buxton Christensen
D. Clark S. Clark Cosgrove D. Cox
Daw Dayton Donnelson Dougall
Dunnigan Ferrin Ferry Fisher
Frank Hansen Hardy Harper
Hogue Hughes Hunsaker E. Hutchings
Jones King Kiser Last
Lawrence Litvack Lockhart Mathis
Morgan    Newbold    Oda
Ray       Romero    Shurtleff
Tilton    Ure       Urquhart
Wallace   Wiley

Voting in the negative were: Representatives
Buttars    Duckworth    Fowlke    Gibson
Goodfellow Gowans    Hendrickson Holdaway
Mascaro    Menlove     Morley    Moss
Murray     Noel       Wheatley Wheeler
Wyatt

Absent or not voting were: Representatives
Dee        B. Johnson    Curtis

H.B. 126, as amended, transmitted to the Senate for its consideration.

* * *

On motion of Representative Dougall, the House voted to uncircle H.B. 263.

H.B. 263, INSURERS REHABILITATION AND LIQUIDATION, was before the House on its final passage.

On motion of Representative Dunnigan, the House voted to delete H.B. 263 in title and body and insert 3rd Sub. H.B. 263 in lieu thereof and as amended on line 79 to delete the first “to”.

3rd Sub. H.B. 263 then passed on the following roll call:

Y eas, 72; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Representatives
Aagard     Adams     Alexander    S. Allen
Barrus     Becker    Bigelow     Biskupski
Bourdeaux  Bowman    Buttars     Buxton
Christensen D. Clark    S. Clark    Cosgrove
D. Cox     Daw       Dayton     Dee
Donnelson  Dougall    Duckworth   Dunnigan
Ferry      Fisher    Fowlke      Frank
Gibson     Goodfellow Gowans     Hansen
Hardy      Harper    Hendrickson Hogue
Holdaway   Hughes    Hunsaker    E. Hutchings
Jones      King      Kiser      Last
Absent or not voting were: Representatives
Ferrin B. Johnson Curtis

3rd Sub. H.B. 263 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to adjourn until March 1, 2005, at 8:30 a.m.
FORTY-FOURTH DAY

* * *

MORNING SESSION

The House was called to order by Speaker Curtis at 8:40 a.m.

Roll call showed all members present.

Prayer by Jeb Johnson, grandson of Representative Brad Johnson.

Pledge of Allegiance by Scott Jackson, nephew of Representative Brad Johnson.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 28, 2005

The Senate passed, as amended, S.C.R. 2, RESOLUTION APPROVING CLASS V LANDFILL, by Senator R. Allen, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. S.C.R. 2, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: February 28, 2005

The President of the Senate has signed H.B. 65, DRIVER LICENSE AND COMMERCIAL DRIVER LICENSE AMENDMENTS, by Representative D. Bowman, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed H.J.R. 17, RESOLUTION HONORING CELEBRATION OF MARRIAGE WEEK, by Representative L. Fowlke, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. H.B. 65 and H.J.R. 17 were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.
Mr. Speaker:

The Senate substituted and passed, Senate 2nd Sub. H.B. 49, BICYCLE SAFETY PROVISIONS, by Representative R. McGee, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. 2nd Sub. H.B. 49, placed on the calendar for concurrence.

UNFINISHED BUSINESS

On motion of Representative Adams, the House voted to uncircle S.B. 172.

S.B. 172, DIVISION OF REAL ESTATE AMENDMENTS, was before the House on its final passage.

Representative Ray proposed the following amendment:

1. Page 54, Line 1668:
   Before “members” delete “three” and insert “four”

2. Page 55, Line 1671–1672:
   Delete lines 1671 and 1672.

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

S.B. 172, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard  Adams  Alexander  S. Allen
Barrus  Biskupski  Bowman  Buxton
Christensen  D. Clark  S. Clark  Cosgrove
D. Cox  Daw  Dayton  Dee
Donnelson  Dougall  Duckworth  Ferrin
Ferry  Fisher  Fowlke  Frank
Gibson  Goodfellow  Gowans  Hansen
Hardy  Harper  Hendrickson  Hogue
Holdaway  Hughes  Hunsaker  E. Hutchings
B. Johnson  Jones  Kiser  Last
Absent or not voting were: Representatives
Becker    Bigelow    Bourdeaux    Buttars
Dunnigan  King       Morgan       G. Snow
Urquhart

S.B. 172, as amended, returned to the Senate for further consideration.

THIRD READING CALENDAR

S.B. 163, CAPITOL PRESERVATION BOARD AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 163 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard    Adams       Alexander    S. Allen
Barrus    Becker      Bigelow     Biskupski
Bourdeaux Bowman    Christensen  D. Clark
S. Clark  Cosgrove    D. Cox       Daw
Dayton    Donnelson  Dougall     Duckworth
Ferrin    Ferry       Fisher      Fowlke
Frank     Gibson      Goodfellow  Gowans
Hardy     Harper      Hendrickson Hogue
Holdaway  Hunsaker   E. Hutchings B. Johnson
Jones     King        Kiser       Last
Lawrence  Lockhart   Mascaro     Mathis
McGee     Menlove     Morley      Moss
Murray    Newbold    Noel        Oda
Painter   Ray         Romero      Shurtliff
G. Snow   Tilton      Ure         Urquhart
Walker    Wallace     Wheatley   Wheeler
Wiley     Wyatt       Curtis
Absent or not voting were: Representatives
Buttars   Buxton  Dee   Dunnigan
Hansen    Hughes  Litvack Morgan

S.B. 163 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

S.B. 227, PUBLIC SAFETY DRIVING PRIVILEGE AND IDENTIFICATION CARD AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House voted to circle S.B. 227.

***

S.B. 127, TAX, FEE, OR CHARGE AMENDMENTS, under suspension of the rules, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to consider S.B. 127 under suspension of the rules.

S.B. 127 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard    Adams   Alexander S. Allen
Barrus    Becker  Bigelow  Biskupski
Bourdeaux Bowman Buttars Buxton
Christensen D. Clark S. Clark Cosgrove
D. Cox    Daw      Dayton  Dee
Donnelson Dougall Duckworth Dunnigan
Ferry     Fisher   Fowlke  Frank
Gibson    Goodfellow Gowans Hansen
Hardy     Harper   Hendrickson Hogue
Holdaway Hughes Hunsaker E. Hutchings
B. Johnson Jones  King  Kiser
Last      Lawrence Litvack Lockhart
Mascaro   Mathis  McGee  Menlove
Morley    Moss     Murray Newbold
Noel      Oda      Painter Ray
Day 44922 HOUSE JOURNAL

<table>
<thead>
<tr>
<th>Romero</th>
<th>Shurtliff</th>
<th>G. Snow</th>
<th>Tilton</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
<td>Wallace</td>
</tr>
<tr>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
</tr>
<tr>
<td>Curtis</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

Ferrin Morgan

**S.B. 127** was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

**S.C.R. 5**, RESOLUTION APPROVING SETTLEMENT OF LAWSUIT, read the third time by short title and placed on its final passage.

**S.C.R. 5** then passed on the following roll call:

**Yeas, 68; Nays, 2; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>Becker</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
<td>Bowman</td>
</tr>
<tr>
<td>Buttars</td>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
</tr>
<tr>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
</tr>
<tr>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
</tr>
<tr>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
</tr>
<tr>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
</tr>
<tr>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
<td>Harper</td>
</tr>
<tr>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hughes</td>
</tr>
<tr>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>Jones</td>
</tr>
<tr>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
</tr>
<tr>
<td>Litvack</td>
<td>Lockhart</td>
<td>Mascaro</td>
<td>Mathis</td>
</tr>
<tr>
<td>McGee</td>
<td>Menlove</td>
<td>Morley</td>
<td>Moss</td>
</tr>
<tr>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
</tr>
<tr>
<td>Painter</td>
<td>Ray</td>
<td>Shurtliff</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Urquhart</td>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
</tr>
<tr>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
<td>Curtis</td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

Barrus Tilton
Absent or not voting were: Representatives
S. Allen Buxton Morgan Romero Ure

S.C.R. 5 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Sub. S.B. 60, LOCAL LAND USE DEVELOPMENT AND MANAGEMENT AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Adams, the House voted to circle Sub. S.B. 60.

* * *

Sub. S.B. 212, CHILD CARE INVESTIGATIONS, read the third time by short title and placed on its final passage.

Representative Morley proposed the following amendment:

1. Page 3, Line 67

   67 Section 78−8−506 if the person gives false information to the department with a purpose of

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

Sub. S.B. 212, as amended, then passed on the following roll call:

Yeas, 39; Nays, 30; Absent or not voting, 6.

Voting in the affirmative were: Representatives
Voting in the negative were: Representatives

<table>
<thead>
<tr>
<th>S. Allen</th>
<th>Becker</th>
<th>Biskupski</th>
<th>Bourdeaux</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cosgrove</td>
<td>Dee</td>
<td>Duckworth</td>
<td>Ferry</td>
</tr>
<tr>
<td>Fisher</td>
<td>Fowlke</td>
<td>Goodfellow</td>
<td>Gowans</td>
</tr>
<tr>
<td>Hansen</td>
<td>Hardy</td>
<td>Hendrickson</td>
<td>Hunsaker</td>
</tr>
<tr>
<td>Jones</td>
<td>King</td>
<td>Lawrence</td>
<td>Litvack</td>
</tr>
<tr>
<td>Mascaro</td>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
</tr>
<tr>
<td>Moss</td>
<td>Romero</td>
<td>Shurtliff</td>
<td>Wheatley</td>
</tr>
<tr>
<td>Wiley</td>
<td>Wyatt</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Absent or not voting were: Representatives

<table>
<thead>
<tr>
<th>Alexander</th>
<th>Bigelow</th>
<th>Buxton</th>
<th>Hughes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lockhart</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Sub. S.B. 212, as amended, returned to the Senate for further consideration.

***

S.C.R. 10, CONCURRENT RESOLUTION HONORING UTAH FOUNDATION, read the third time by short title and placed on its final passage.

S.C.R. 10 then passed on the following roll call:

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

Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
<td>Bowman</td>
</tr>
<tr>
<td>Buttars</td>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
</tr>
<tr>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
</tr>
<tr>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
</tr>
<tr>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
</tr>
<tr>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
</tr>
<tr>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
<td>Harper</td>
</tr>
<tr>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hunsaker</td>
</tr>
<tr>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>Jones</td>
<td>Kiser</td>
</tr>
<tr>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
<td>Lockhart</td>
</tr>
<tr>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morgan</td>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
</tr>
<tr>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Tilton</td>
<td>Urquhart</td>
<td>Walker</td>
<td>Wallace</td>
</tr>
<tr>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
</tr>
<tr>
<td>Curtis</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Absent or not voting were: Representatives
Alexander   Bigelow   Buxton   Hughes
King       Ure

S.C.R. 10 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

Sub. S.B. 177, INCREASE STATUTE OF LIMITATIONS ON RAPE, read the third time by short title and placed on its final passage.

Representative Ferrin proposed the following amendment:

1. Page 2, Line 33:
   Delete the colon at the end of the line.

2. Page 2, Line 33–34:
   Delete lines 33 and 34.

3. Page 2, Line 36:
   Delete “(ii)”

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

On motion of Representative Ray, the House voted to circle Sub. S.B. 177.

MISCELLANEOUS BUSINESS

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

THIRD READING CALENDAR

H.C.R. 13, CONCURRENT RESOLUTION PROMOTING UTAH SAVES STRATEGIC INITIATIVE, read the third time by short title and placed on its final passage.

H.C.R. 13 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard   Adams   Alexander   S. Allen
Barrus   Becker   Bigelow   Bourdeaux
Absent or not voting were: Representatives
Biskupski Harper Holdaway Hughes
Noel Urquhart

H.C.R. 13 transmitted to the Senate for its consideration.

* * *

H.J.R. 18, JOINT RESOLUTION SUPPORTING COUNTIES EXPANSION OF CORRECTIONAL FACILITIES, read the third time by short title and placed on its final passage.

H.J.R. 18 then passed on the following roll call:

Yea, 54; Nay, 17; Absent or not voting, 4.

Voting in the affirmative were: Representatives
Aagard Adams S. Allen Barrus
Becker Bigelow Bourdeaux Bowman
Buttars Buxton Christensen D. Clark
S. Clark Cosgrove D. Cox Daw
Dee Donnelson Duckworth Dunnigan
Fisher Fowlke Gibson Goodfellow
Gowans Hansen Hardy Harper
Hendrickson Hogue Holdaway Hunsaker
E. Hutchings Jones King Kiser
Voting in the negative were: Representatives
Alexander Dayton Dougall Ferrin
Frank Hughes B. Johnson Lockhart
Morley Newbold Oda Ray
Romero Ure Walker Wallace
Curtis

Absent or not voting were: Representatives
Biskupski Ferry Noel Tilton

H.J.R. 18 transmitted to the Senate for its consideration.

* * *

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

On motion of Representative Alexander, the House voted to cease to saunter.

THIRD READING CALENDAR

Sub. H.B. 335. DISCONNECTING TERRITORY FROM A MUNICIPALITY, read the third time by short title and placed on its final passage.

Representative Frank proposed the following amendment:

1. Page 6, Lines 168 through 169

   168 (5) (a) The legislative body of a municipality that has a common boundary with another municipality located within the same county may request the legislative body of the other municipality to adjust the

   169  

2. Page 6, Lines 179 through 180:

   179 (5)(c), a requesting municipality may file a petition requesting the boundary commission of the county in which the requesting municipality and the other municipality are located to

   180 adjust the common boundary.
Representative Frank’s motion to amend passed on a voice vote.

**Sub. H.B. 335**, as amended, then passed on the following roll call:

**Yeas, 63; Nays, 8; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Bigelow</td>
<td>Bowman</td>
<td>Buttars</td>
</tr>
<tr>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
</tr>
<tr>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
</tr>
<tr>
<td>Dee</td>
<td>Donnelly</td>
<td>Duckworth</td>
<td>Dunnigan</td>
</tr>
<tr>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
</tr>
<tr>
<td>Frank</td>
<td>Gibson</td>
<td>Gowans</td>
<td>Hansen</td>
</tr>
<tr>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
</tr>
<tr>
<td>Last</td>
<td>Lockhart</td>
<td>Mascaro</td>
<td>Mathis</td>
</tr>
<tr>
<td>Menlove</td>
<td>Morgan</td>
<td>Morley</td>
<td>Moss</td>
</tr>
<tr>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
<td>Ray</td>
</tr>
<tr>
<td>Shurtliff</td>
<td>G. Snow</td>
<td>Tilton</td>
<td>Ure</td>
</tr>
<tr>
<td>Urquhart</td>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
</tr>
<tr>
<td>Wheeler</td>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Becker</th>
<th>Bourdeaux</th>
<th>Dougall</th>
<th>Lawrence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Litvack</td>
<td>McGee</td>
<td>Romero</td>
<td>Wiley</td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

| Biskupski | Goodfellow | Oda | Painter |

**Sub. H.B. 335**, as amended, transmitted to the Senate for its consideration.

**INTRODUCTION OF BILL**

**H.B. 382, Supplemental Minimum School Program Finance Act** (G. Snow), read the first time by short title and referred to the Rules Committee.

**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker: March 1, 2005

The President of the Senate has appointed a Conference Committee consisting of Senators L. Hillyard, J. Hickman, and R. Allen to meet with a like
committee from the House of Representatives to consider or amend S.B. 1, SUPPLEMENTAL APPROPRIATIONS ACT, by Senator L. Hillyard.

Annette B. Moore
Secretary of the Senate

Communication filed. The Conference Committee may now meet.

***

Mr. Speaker: March 1, 2005

The Senate concurred in the House amendments and passed S.B. 15, CHILDREN’S JUSTICE CENTER AMENDMENTS, by Senator D. C. Buttars, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed 1st Sub. S.B. 86, 2004 GENERAL OBLIGATION BOND AMENDMENTS, by Senator P. Knudson, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed S.B. 107, LICENSURE AND REGULATION OF PROGRAMS AND FACILITIES, by Senator T. Hatch, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed S.B. 114, COUNTY AND MUNICIPAL ZONING REGARDING BILLBOARDS, by Senator M. Waddoups, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed S.B. 239, PUBLIC LANDS POLICY COORDINATION, by Senator T. Hatch, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed 1st Sub. S.B. 57, FUNDING FOR BUSINESS DEVELOPMENT IN DISADVANTAGED RURAL COMMUNITIES, by Senator P. Knudson, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. S.B. 15, Sub. S.B. 86, S.B. 107, S.B. 114, S.B. 239, and Sub. S.B. 57 were signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

Mr. Speaker: March 1, 2005

The Senate passed, 1st Sub. H.B. 62, AMENDMENTS TO INTERMEDIATE CARE FACILITIES FOR MENTALLY RETARDED, by
Representative R. Lockhart, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 236**, HEALTH INSURANCE LAW AMENDMENTS, by Representative J. Dunnigan, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 309**, MUNICIPAL BUDGET AMENDMENTS, by Representative M. Walker, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 349**, MONEY MANAGEMENT ACT AMENDMENTS, by Representative D. Clark, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 80**, SERVICES FOR PEOPLE WITH DISABILITIES, by Representative R. Lockhart, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **Sub. H.B. 62, H.B. 236, H.B. 309, H.B. 349**, and **H.B. 80** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

* * *

Mr. Speaker: March 1, 2005

The Senate passed, as amended, **H.B. 79**, PROVISION OF SERVICES FOR PEOPLE WITH DISABILITIES, by Representative R. Lockhart, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 223**, AMENDMENTS TO DRIVER LICENSE AND IDENTIFICATION CARDS, by Representative C. Oda, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate


**RULES COMMITTEE REPORTS**

Mr. Speaker: March 1, 2005

The House Rules Committee recommends, under suspension of the rules and with written request of the sponsor, that **S.B. 141**, Military Installation
Partnerships (Sen. S. Killpack) be read for the second time and placed on the Third Reading Calendar for Senate bills with the following amendments:

1. Page 1, Lines 23 through 25:
   23  $5,000,000 for the fiscal year ending June 30, 2005.  
   24  $10,000,000 for the fiscal year beginning July 1, 2005.  
   25  Other Special Clauses:

2. Page 3, Lines 71 through 83:
   71  For the fiscal year ending June 30, 2005, the executive director may disperse an  
   72  amount not to exceed $5,000,000 for projects referred to under this section.  
   73  For the fiscal year beginning July 1, 2005, only, the executive director may disperse  
   74  the following amounts for the projects referred to under this section:  
   75  for the period through December 31, 2005, an amount not to exceed $5,000,000  
   76  and  
   77  ii) for the period January 1, through June 30, 2006, the remaining balance.  
   78  Section 2. Appropriation.  
   79  There is appropriated from the General Fund  
   80  for the fiscal year ending June 30, 2005, $5,000,000 to the Department of  
   81  Community and Economic Development for the program established in Section 9–2–2301  
   82  for the fiscal year beginning July 1, 2005, $10,000,000 to the Department of  
   83  Community and Economic Development for the program established in Section 9–2–2301.  

The House Rules Committee recommends, under suspension of the rules and with written request of the sponsor, that **1st Sub. S.B. 13**, Individual Income Tax Subtraction for Certain Military Income and Tuition Waiver for Qualifying Military Service Members (Sen. H. Stephenson), be replaced with **2nd Sub. S.B. 13**, Individual Income Tax Subtraction for Certain Military Income, and further recommends it be read for the first and second time and placed on the Third Reading Calendar for Senate bills; and

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

- **S.B. 29** Licensing of Crane Operators (Sen. G. Davis)
- **S.B. 206** Nonparticipating Tobacco Manufacturer Amendments (Sen. S. Killpack)
- **S.J.R. 16** Resolution Urging Comprehensive Cancer Control Plan for the State (Sen. K. Hale)
- **S.B. 223** Oversight and Enforcement of Work Done on Mobile Homes (Sen. E. Mayne)
- **S.B. 49** Motor Vehicle Liability Coverage Amendments (Sen. D. Eastman)
- **S.C.R. 6** Resolution Supporting the Golden Rule Project (Sen. F. Fife)
- **1st Sub. S.B. 64** Real Estate Transactions and Securities (Sen. L. A. Mansell)
- **S.B. 173** Brownfields Revision (Sen. L. A. Mansell)
- **S.B. 132** Health Care Consumer’s Report (Sen. A. Christensen)
- **S.B. 96** Commerce Service Fund Amendments (Sen. G. Bell)
- **S.B. 142** Pharmacy Practice Act Amendments (Sen. P. Knudson)
- **1st Sub. S.B. 178** Charter School Amendments (Sen. H. Stephenson)
- **2nd Sub. S.B. 184** Redevelopment Agency Amendments (Sen. C. Bramble)
- **S.B. 52** Price Controls During Emergencies Act (Sen. P. Arent)
- **1st Sub. S.B. 211** Funding for Convention Facilities (Sen. M. Waddoups)

Rebecca Lockhart, Chair

Report filed. On motion of Representative Hardy, the reports of the Rules Committee were adopted.
RULES COMMITTEE REPORT

Mr. Speaker: March 1, 2005

The House Rules Committee recommends, under suspension of the rules and with written request of the sponsor, that S.B. 139, Minimum Wage Provisions (Sen. H. Stephenson) be replaced with Substitute S.B. 139, Wage Provisions (Sen. H. Stephenson) and further recommends it be read for the second time and placed on the Third Reading Calendar for Senate bills.

Rebecca Lockhart, Chair

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

CONCURRENCE CALENDAR

On motion of Representative Gibson, the House voted to concur in the Senate amendments to 2nd Sub. H.B. 93, EMISSION INSPECTION AMENDMENTS.

2nd Sub. H.B. 93, as amended by the Senate, then passed on the following roll call:

Yeas, 63; Nays, 9; Absent or not voting, 3.

Voting in the affirmative were: Representatives

Aagard  Adams  Alexander  S. Allen
Barrus  Bigelow  Bourdeaux  Bowman
Buxton  D. Clark  S. Clark  D. Cox
Daw  Dayton  Dee  Donnelson
Dougall  Duckworth  Dunnigan  Fisher
Fowlke  Frank  Gibson  Goodfellow
Gowans  Hansen  Hardy  Harper
Hendrickson  Holdaway  Hughes  Hunsaker
E. Hutchings  B. Johnson  Jones  King
Kiser  Last  Lawrence  Litvack
Lockhart  Mascaro  Mathis  Menlove
Morgan  Morley  Moss  Murray
Noel  Oda  Painter  Ray
Romero  Shurtleff  Tilton  Urquhart
Walker  Wallace  Wheatley  Wheeler
Wiley  Wyatt  Curtis

Voting in the negative were: Representatives

Buttars  Christensen  Cosgrove  Ferrin
Ferry  Hogue  McGee  G. Snow
Ure
Absent or not voting were: Representatives
Becker Biskupski Newbold

2nd Sub. H.B. 93, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative D. Clark, the House voted to concur in the Senate amendments to H.B. 109, INFORMATION TECHNOLOGY GOVERNANCE AMENDMENTS.

H.B. 109, as amended by the Senate, then passed on the following roll call:

Yeas, 50; Nays, 20; Absent or not voting, 5.

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Bigelow Buttars Buxton
Christensen D. Clark S. Clark Daw
Dayton Dee Donnelly Dougall
Dunnigan Fisher Frank Gibson
Goodfellow Hardy Harper Hogue
Holdaway Hughes Hunsaker E. Hutchings
B. Johnson Last Lawrence Lockhart
Mascaro Mathis Morley Murray
Noel Oda Painter Ray
Shurtliff G. Snow Tilton Ure
Urquhart Walker Wallace Wheeler
Wyatt Curtis

Voting in the negative were: Representatives
Becker Bourdeaux Bowman Cosgrove
D. Cox Duckworth Fowlke Gowan
Hansen Hendrickson Jones King
Kiser Litvack McGee Menlove
Morgan Romero Wheatley Wiley

Absent or not voting were: Representatives
Biskupski Ferrin Ferry Moss
Newbold

H.B. 109, as amended by the Senate, transmitted to the Senate for signature of the president.
MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, the House voted to consider H.B. 109 under suspension of the rules. H.B. 109 was revoted for final passage under suspension of the rules.

CONCURRENCE CALENDAR

H.B. 109, as amended by the Senate, and under suspension of the rules, then passed on the following roll call:

Yeas, 50; Nays, 17; Absent or not voting, 8.

Voting in the affirmative were: Representatives
Aagard       Adams       S. Allen       Barrus
Bigelow      Buttars     Christensen   D. Clark
S. Clark     Daytorn     Dayton        Dee
Donnelson    Dougall     Dunnigan      Ferrin
Ferry        Fisher      Fowlke        Frank
Gibson       Goodfellow  Hardy         Harper
Hogue        Holdaway    Hughes        Hunsaker
E. Hutchings B. Johnson  Lockhart      Mascaro
Mathis       Menlove     Morley        Murray
Noel         Oda         Painter       Ray
Shurtliff    G. Snow     Tilton        Ure
Urquhart     Walker      Wallace       Wheeler
Wyatt        Curtis

Voting in the negative were: Representatives
Becker       Bourdeaux   Cosgrove      D. Cox
Duckworth    Gowans      Hansen       Hendrickson
Jones        King        Kiser         Litvack
McGee        Morgan      Moss          Romero
Wheatley

Absent or not voting were: Representatives
Alexander    Biskupski   Bowman       Buxton
Last         Lawrence    Newbold      Wiley

H.B. 109, as amended by the Senate, transmitted to the Senate for signature of the president.
MISCELLANEOUS BUSINESS


CONCURRENCE CALENDAR

On motion of Representative Ure, the House voted to concur in the Senate amendments to H.B. 157, WATER ENFORCEMENT PROCEDURES AND PENALTIES.

H.B. 157, as amended by the Senate, and under suspension of the rules, then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard    Adams    Alexander    S. Allen
Barrus    Becker    Bigelow    Biskupski
Bourdeaux    Bowman    Buttars    Buxton
Christensen    D. Clark    S. Clark    Cosgrove
D. Cox    Daw    Dee    Donnelson
Dougall    Duckworth    Dunnigan    Ferrin
Ferry    Fisher    Fowlke    Frank
Gibson    Goodfellow    Hansen    Hardy
Harper    Hendrickson    Hogue    Holdaway
Hughes    Hunsaker    B. Johnson    Jones
King    Kiser    Last    Lawrence
Litvack    Lockhart    Mascaro    Mathis
McGee    Menlove    Morgan    Morley
Moss    Murray    Noel    Oda
Painter    Ray    Romero    Shurtliff
G. Snow    Tilton    Ure    Urquhart
Walker    Wallace    Wheatley    Wheeler
Wiley    Wyatt    Curtis

Absent or not voting were: Representatives

Dayton    Gowans    E. Hutchings    Newbold

H.B. 157, as amended by the Senate, transmitted to the Senate for signature of the president.
On motion of Representative Jones, the House voted to concur in the Senate amendments to **H.B. 165**, UTAH COMMISSION ON AGING.

**H.B. 165**, as amended by the Senate, and under suspension of the rules, then passed on the following roll call:

**Yeas, 46; Nays, 26; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

- Aagard
- Adams
- S. Allen
- Becker
- Bigelow
- Biskupski
- Bourdeaux
- Bowman
- Buxton
- D. Clark
- S. Clark
- Cosgrove
- Dee
- Duckworth
- Dunnigan
- Fisher
- Fowlke
- Goodfellow
- Hansen
- Hardy
- Hendrickson
- Hogue
- Holdaway
- Hunsaker
- E. Hutchings
- B. Johnson
- Jones
- King
- Last
- Lawrence
- Litvack
- Mascaro
- McGee
- Menlove
- Morgan
- Moss
- Murray
- Noel
- Painter
- Romero
- Shurtliff
- Ure
- Urquhart
- Wallace
- Wheatley
- Wiley

**Voting in the negative were:** Representatives

- Alexander
- Barrus
- Buttars
- Christensen
- D. Cox
- Daw
- Dayton
- Donnelson
- Dougall
- Ferrin
- Ferry
- Frank
- Gibson
- Harper
- Hughes
- Kiser
- Lockhart
- Mathis
- Morley
- Oda
- G. Snow
- Tilton
- Walker
- Wheeler
- Wyatt
- Curtis

**Absent or not voting were:** Representatives

- Gowans
- Newbold
- Ray

**H.B. 165**, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Holdaway, the House voted to concur in the Senate amendments to **H.B. 216**, GLOBAL POSITIONING REFERENCE NETWORK.
H.B. 216, as amended by the Senate, and under suspension of the rules, then passed on the following roll call:

**Yeas, 68; Nays, 1; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Adams, Alexander  
Bigelow, Biskupski  
Buttars, Buxton  
S. Clark, Cosgrove  
Dayton, Dee  
Duckworth, Dunnigan  
Fisher, Fowlke  
Goodfellow, Hansen  
Hendrickson, Hogue  
Hunsaker, E. Hutchings  
King, Kiser  
Litvack, Lockhart  
McGee, Menlove  
Murray, Noel  
Romero, Shurtleff  
Urquhart, Walker  
Wheeler, Wiley

Becker  
Bowman  
Christensen  
D. Cox  
Donnelson  
Ferrin  
Frank  
Hardy  
Holdaway  
B. Johnson  
Last  
Mascaro  
Morgan  
Oda  
G. Snow  
Wallace  
Wyatt

Voting in the negative was: Representative

Tilton

**Absent or not voting were:** Representatives

Aagard, Barrus  
Newbold, Ray

Gowans  
Morley

H.B. 216, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Goodfellow, the House voted to concur in the Senate amendments to **Sub. H.B. 234**, TELEPHONE SURCHARGE FOR EDUCATION AND TRAINING PROGRAMS AT PRISON.

**Sub. H.B. 234**, as amended by the Senate, and under suspension of the rules, then passed on the following roll call:

**Yeas, 63; Nays, 9; Absent or not voting, 3.**
Voting in the affirmative were: Representatives

Aagard       Adams       Alexander       S. Allen
Barrus       Becker      Bigelow       Biskupsiki
Bourdeaux    Bowman      Buxton       Christensen
D. Clark     S. Clark    Cosgrove      D. Cox
Daw          Dayton      Dee           Donnelson
Dougall      Duckworth   Dunnigan      Ferry
Fisher       Fowlke      Gibson       Goodfellow
Gowans       Hansen      Hardy        Harper
Hendrickson  Hogue       Holdaway     Hunsaker
E. Hutchings Jones       King          Kiser
Lawrence     Litvack     Lockhart     Mascaro
McGee        Menlove     Morgan       Moss
Murray       Noel        Oda           Painter
Ray          Romero      Shurtliff    Tilton
Ure          Urquhart    Walker       Wheatley
Wheeler      Wiley       Curtis

Voting in the negative were: Representatives

Buttars      Frank       Hughes       B. Johnson
Last         Mathis      Morley       G. Snow
Wallace

Absent or not voting were: Representatives

Ferrin        Newbold      Wyatt

Sub. H.B. 234, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Johnson, the House voted to concur in the Senate amendments to 2nd Sub. H.B. 188, PUBLIC EDUCATION JOB ENHANCEMENT PROGRAM.

On motion of Representative Johnson, under suspension of the rules, the House voted to consider 2nd Sub. H.B. 188 read the first, second, and third times by short title.

2nd Sub. H.B. 188, as amended by the Senate, then passed on the following roll call:

Yeas, 56; Nays, 14; Absent or not voting, 5.
Voting in the affirmative were: Representatives

Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Bigelow  Biskupski
Bourdeaux  Bowman  Buttars  Buxton
Christensen  D. Clark  S. Clark  Cosgrove
Dee  Donnelson  Dougall  Duckworth
Dunnigan  Ferry  Fowlke  Gibson
Goodfellow  Gowans  Hansen  Hardy
Harper  Hendrickson  Hogue  Holdaway
Hughes  Hunsaker  E. Hutchings  B. Johnson
Jones  King  Kiser  Last
Litvack  Mascaro  McGee  Menlove
Morgan  Moss  Murray  Noel
Oda  Shurtleff  G. Snow  Wheatley
Wheeler  Wiley  Wyatt  Curtis

Voting in the negative were: Representatives

D. Cox  Daw  Dayton  Fisher
Frank  Lockhart  Mathis  Morley
Painter  Romero  Tilton  Ure
Walker  Wallace

Absent or not voting were: Representatives

Ferrin  Lawrence  Newbold  Ray
Urquhart

2nd Sub. H.B. 188, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Morley, the House voted to concur in the Senate amendments to Sub. H.B. 105, CONSTRUCTION FILING AMENDMENTS.

Sub. H.B. 105, as amended by the Senate, then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard  Adams  S. Allen  Barrus
Becker  Bigelow  Biskupski  Bourdeaux
Bowman  Buttars  Buxton  Christensen
Absent or not voting were: Representatives
Alexander Ferrin

Sub. H.B. 105, as amended by the Senate, transmitted to the Senate for signature of the president.

***

On motion of Representative Dunnigan, the House voted to concur in the Senate amendments to Sub. H.B. 200, INSURANCE LAW REVISIONS.

Sub. H.B. 200, as amended by the Senate, then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Buttars Buxton Christensen
D. Clark S. Clark Cosgrove D. Cox
Daw Dayton Dee Donnelson
Dougall Duckworth Dunnigan Ferry
Fisher Fowlke Frank Gibson
Goodfellow Gowans Hansen Hardy
Harper Hendrickson Hogue Holdaway
Hughes Hunsaker E. Hutchings B. Johnson
Jones King Kiser Last
Lawrence Litvack Lockhart Mascaro
Mathis McGee Menlove Morgan
Morley Moss Murray Newbold
Noel Oda Painter Ray
Romero Shurtliff G. Snow Tilton
Ure Urquhart Walker Wallace
Wheatley Wheeler Wiley Wyatt
Curtis
Absent or not voting was: Representative Bowman

Sub. H.B. 200, as amended by the Senate, transmitted to the Senate for signature of the president.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to move to the Senate Third Reading Calendar.

UNFINISHED BUSINESS

On motion of Representative Litvack, the House voted to uncircle Sub. S.B. 177.

Sub. S.B. 177, INCREASE STATUTE OF LIMITATIONS ON RAPE, was before the House on its final passage.

Representative Litvack proposed the following amendment:

1. Page 2, Lines 30 through 37

30 (1) Except as otherwise provided, a prosecution for:

31 (a) a felony or negligent homicide shall be commenced within four years after it is

32 committed[, except that prosecution for the offenses under Subsection (2) shall be

33 commenced ⎦

34 [()] –} within eight years after the offense is committed, if within four years after its
commission the offense is reported to a law enforcement agency { or }

(ii) at a later date if DNA evidence allows prosecution to be commenced under

Subsection (3) ;

2. Page 2, Lines 47 through 49:

Notwithstanding Subsection (1), prosecution for the offenses listed in Subsections 76–3–203.5(1)(c)(i)(A) through (P) may be commenced at any time if the identity of the person who committed the crime is unknown but DNA evidence is collected that would identify the person at a later date.

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

Sub. S.B. 177, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Bowman Buttars Buxton
Christensen D. Clark S. Clark Cosgrove
D. Cox Daw Dayton Dee
Donnelson Dougall Duckworth Ferrin
Ferry Fisher Fowlke Frank
Gibson Goodfellow Gowans Hansen
Hardy Harper Hendrickson Hogue
Holdaway Hughes Hunsaker E. Hutchings
B. Johnson Jones King Last
Lawrence Litvack Lockhart Mascaro
Mathis McGee Menlove Morgan
Morley Moss Murray Newbold
Noel Oda Painter Ray
Romero Shurtliff G. Snow Tilton
Ure Walker Wallace Wheatley
Wheeler Wiley Wyatt Curtis
Absent or not voting were: Representatives
Dunnigan    Kiser    Urquhart

Sub. S.B. 177, as amended, returned to the Senate for further consideration.

THIRD READING CALENDAR

Sub. S.B. 65, ALCOHOLIC BEVERAGE CONTROL AMENDMENTS, read the third time by short title and placed on its final passage.

Sub. S.B. 65 then passed on the following roll call:

Y eas, 47; Nays, 21; Absent or not voting, 7.

Voting in the affirmative were: Representatives
Aagard    Adams    S. Allen    Barrus
Biskupski Bourdeaux Bowman Buxton
D. Clark S. Clark Cosgrove D. Cox
Dee Duckworth Ferrin Ferry
Fisher Fowlke Gibson Goodfellow
Gowans Hansen Hardy Hendrickson
Hughes Hunsaker E. Hutchings B. Johnson
Jones King Kiser Last
Lawrence Litvack Mascaro McGee
Morgan Moss Murray Oda
Painter Ray Romero Shurtliff
Ure Wheatley Wiley

Voting in the negative were: Representatives
Alexander Bigelow Buttars Christensen
Daw Dayton Donnelson Dunnigan
Hogue Lockhart Mathis Menlove
Morley Noel G. Snow Tilton
Walker Wallace Wheeler Wyatt
Curtis

Absent or not voting were: Representatives
Becker Dougall Frank Harper
Holdaway Newbold Urquhart

Sub. S.B. 65 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.
Sub. S.B. 215, FINANCIAL INSTITUTIONS AS LIMITED LIABILITY COMPANIES, read the third time by short title and placed on its final passage.

Representative Romero declared a conflict of interest because one of his law partners worked on this bill.

Sub. S.B. 215 then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
</tr>
<tr>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
</tr>
<tr>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
</tr>
<tr>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
</tr>
<tr>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
<tr>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
</tr>
<tr>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Litvack</td>
<td>Lockhart</td>
<td>Mascaro</td>
</tr>
<tr>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
</tr>
<tr>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
<td>Noel</td>
</tr>
<tr>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
<td>Romero</td>
</tr>
<tr>
<td>Shurtleff</td>
<td>G. Snow</td>
<td>Ure</td>
<td>Urquhart</td>
</tr>
<tr>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
</tr>
<tr>
<td>Wiley</td>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

| Becker    | Holdaway    | Newbold    | Tilton   |

Sub. S.B. 215 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

S.J.R. 6, SPACE EXPLORATION RESOLUTION, read the third time by short title and placed on its final passage.
On motion of Representative Ferry, the House voted to circle S.J.R. 6.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to recess until 2:00 p.m.

AFTERNOON SESSION

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

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: 

The Senate, upon reconsideration, passed as substituted, 2nd Sub. S.B. 231, COMPENSATION OF LIEUTENANT GOVERNOR AND OTHER STATE OFFICERS, by Senator M. Madsen, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. 2nd Sub. S.B. 231, read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: 

The Senate passed, as amended, 1st Sub. H.B. 42, MEDICAL RECOMMENDATIONS FOR CHILDREN, by Representative M. Morley, and it is transmitted for further consideration; and

The Senate passed, as amended, H.B. 280, JOINT CUSTODY AMENDMENTS, by Representative L. Christensen, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate


* * *

Mr. Speaker: 

The Senate passed, H.B. 206, CHARTER SCHOOL REPORTING, by Representative C. Moss, which has been signed by the President and it is transmitted for the signature of the Speaker; and
The President of the Senate has signed **H.B. 301**, SUPPLEMENTAL APPROPRIATIONS III, by Representative R. Bigelow, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 206** and **H.B. 301** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

**CONCURRENCE CALENDAR**

On motion of Representative McGee, the House voted to concur in the Senate amendments to **2nd Sub. H.B. 49**, BICYCLE SAFETY PROVISIONS.

**2nd Sub. H.B. 49**, as amended by the Senate, then passed on the following roll call:

**Yeas, 42; Nays, 26; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives  
Aagard  Becker  Bigelow  Biskupski  
Bourdeaux  Bowman  Buxton  Cosgrove  
Daw  Dee  Duckworth  Ferrin  
Ferry  Fisher  Fowlke  Goodfellow  
Gowans  Hardy  Harper  Hendrickson  
Holdaway  Hughes  Hunsaker  E. Hutchings  
Jones  Kiser  Last  Lawrence  
Mascaro  Mathis  McGee  Menlove  
Morgan  Moss  Ray  Romero  
Shurtliff  Ure  Urquhart  Wheatley  
Wiley  Wyatt

**Voting in the negative were:** Representatives  
S. Allen  Barrus  Buttars  Christensen  
S. Clark  Dayton  Donnelson  Dougall  
Dunnigan  Frank  Gibson  Hansen  
Hogue  B. Johnson  Lockhart  Morley  
Murray  Newbold  Oda  Painter  
G. Snow  Tilton  Walker  Wallace  
Wheeler  Curtis

**Absent or not voting were:** Representatives  
Adams  Alexander  D. Clark  D. Cox  
King  Litvack  Noel
2nd Sub. H.B. 49, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Lockhart, the House voted to concur in the Senate amendments to H.B. 79, PROVISION OF SERVICES FOR PEOPLE WITH DISABILITIES.

H.B. 79, as amended by the Senate, then passed on the following roll call:

**Y eas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
</tr>
<tr>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
</tr>
<tr>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
</tr>
<tr>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Ferry</td>
</tr>
<tr>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
</tr>
<tr>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
</tr>
<tr>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
</tr>
<tr>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
</tr>
<tr>
<td>Jones</td>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
</tr>
<tr>
<td>Lockhart</td>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
</tr>
<tr>
<td>Menlove</td>
<td>Morgan</td>
<td>Morley</td>
<td>Moss</td>
</tr>
<tr>
<td>Murray</td>
<td>Newbold</td>
<td>Oda</td>
<td>Painter</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Tilton</td>
<td>Urquhart</td>
<td>Walker</td>
<td>Wallace</td>
</tr>
<tr>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
</tr>
<tr>
<td>Curtis</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Alexander</th>
<th>D. Clark</th>
<th>King</th>
<th>Litvack</th>
</tr>
</thead>
<tbody>
<tr>
<td>Noel</td>
<td>Ure</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

H.B. 79, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Oda, the House voted to concur in the Senate amendments to H.B. 223, AMENDMENTS TO DRIVER LICENSE AND IDENTIFICATION CARDS.
H.B. 223, as amended by the Senate, then passed on the following roll call:

Yeas, 62; Nays, 11; Absent or not voting, 2.

Voting in the affirmative were: Representatives

- Aagard
- Adams
- Alexander
- S. Allen
- Barrus
- Bigelow
- Bowman
- Buttars
- Buxton
- Christensen
- S. Clark
- D. Cox
- Daw
- Dayton
- Dee
- Donnelson
- Dougall
- Duckworth
- Dunnigan
- Ferrin
- Ferry
- Fisher
- Fowlke
- Frank
- Gibson
- Goodfellow
- Gowans
- Hansen
- Hardy
- Harper
- Hendrickson
- Hogue
- Holdaway
- Hughes
- Hunsaker
- E. Hutchings
- B. Johnson
- King
- Kiser
- Last
- Lawrence
- Mascaro
- Mathis
- Menlove
- Morgan
- Morley
- Murray
- Newbold
- Noel
- Oda
- Painter
- Ray
- Shurtliff
- G. Snow
- Tilton
- Ure
- Urquhart
- Walker
- Wallace
- Wheeler
- Wyatt
- Curtis

Voting in the negative were: Representatives

- Becker
- Biskupski
- Bourdeaux
- Cosgrove
- Jones
- Litvack
- McGee
- Moss
- Romero
- Wheatley
- Wiley

Absent or not voting were: Representatives

- D. Clark
- Lockhart

H.B. 223, as amended by the Senate, transmitted to the Senate for signature of the president.

MISCELLANEOUS BUSINESS

On substitute motion of Representative Lockhart, under suspension of the rules, the House voted to lift H.B. 288 and H.B. 382 from the Rules Committee, consider them read the second time by short title and placed at the top of the Third Reading Calendar.

* * *

On motion of Representative Snow, under suspension of the rules, the House voted to move to the House Third Reading Calendar.
On motion of Representative Lockhart, under suspension of the rules, the House voted to lift H.B. 382 to the top of the Third Reading Calendar.

THIRD READING CALENDAR

H.B. 382, SUPPLEMENTAL MINIMUM SCHOOL PROGRAM FINANCE ACT, read the third time by short title and placed on its final passage.

Representative Allen proposed the following amendment:

1. Page 6, Line 174:
   After “six” insert “or preschool handicapped”

2. Page 6, Line 178:
   After “six” insert “or preschool handicapped”

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

H.B. 382, as amended, then passed on the following roll call:

Yeas, 70; Nays, 1; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Aagard    Adams    S. Allen    Barrus
Becker    Bigelow    Biskupski    Bourdeaux
Bowman    Buttars    Christensen    D. Clark
S. Clark    Cosgrove    D. Cox    Daw
Dayton    Donnelson    Dougall    Duckworth
Dunnigan    Ferrin    Ferry    Fisher
Fowlke    Frank    Gibson    Goodfellow
Gowans    Hansen    Hardy    Harper
Hendrickson    Hogue    Hughes    Hunsaker
E. Hutchings    B. Johnson    Jones    King
Kiser    Last    Lawrence    Litvack
Lockhart    Mascaro    Mathis    McGee
Menlove    Morgan    Morley    Moss
Newbold    Noel    Oda    Painter
Ray    Romero    Shurtliff    G. Snow
Tilton    Ure    Urquhart    Walker
Wallace    Wheatley    Wheeler    Wiley
Wyatt
Voting in the negative was: Representative Holdaway

Absent or not voting were: Representatives Alexander Buxton Dee Murray

H.B. 382, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 288, EXECUTIVE COMPENSATION AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Ferry, the House voted to circle H.B. 288.

MISCELLANEOUS BUSINESS

On motion of Representative Ferry, the House voted to move to the Senate Third Reading Calendar.

UNFINISHED BUSINESS

On motion of Representative Lockhart, the House voted to uncircle S.B. 227.

S.B. 227, PUBLIC SAFETY DRIVING PRIVILEGE AND IDENTIFICATION CARD AMENDMENTS, was before the House on its final passage.

Representative Ure proposed the following amendment:

1. Page 1, Line 12

   requires the Driver License Division to make rules for acceptable documentation of an applicant’s identity, Utah residency, Utah residence address, proof of legal presence, and proof of citizenship;

   prohibits the Driver License Division from issuing a driver license, driving privilege card, or identification card to a person who is not a Utah resident;

2. Page 2, Lines 44 through 46

   Senate Committee Amendments 2–16–2005:

   AMENDS:

   53–3–104, as last amended by Chapter 85, Laws of Utah 2001
Be it enacted by the Legislature of the state of Utah:

Section 1. Section 53–3–104 is amended to read:


The division shall:

1. in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, make rules:
   (a) for examining applicants for a license, as necessary for the safety and welfare of the traveling public;
   (b) for acceptable documentation of an applicant’s identity, Utah resident status, Utah residence address, proof of legal presence, proof of citizenship, and other proof or documentation required under this chapter;
   (c) regarding the restrictions to be imposed on a person driving a motor vehicle with a temporary learner permit; and
   (d) for exemptions from licensing requirements as authorized in this chapter;

2. examine each applicant according to the class of license applied for;

3. license motor vehicle drivers;

4. file every application for a license received by it and shall maintain indices containing:
   (a) all applications denied and the reason each was denied;
   (b) all applications granted; and
   (c) the name of every licensee whose license has been suspended, disqualified, or revoked by the division and the reasons for the action;

5. suspend, revoke, disqualify, cancel, or deny any license issued in accordance with this chapter;

6. file all accident reports and abstracts of court records of convictions received by it under state law;

7. maintain a record of each licensee showing his convictions and the traffic accidents in which he has been involved where a conviction has resulted;

8. consider the record of a licensee upon an application for
renewal of a license and at other appropriate times;

(9) search the license files, compile, and furnish a report on the driving record of any person licensed in the state in accordance with Section 53−3−109;

(10) develop and implement a record system as required by Section 41−6−48.5;

(11) in accordance with Section 53A−13−208, establish:
   (a) procedures and standards to certify teachers of driver education classes to administer knowledge and skills tests;
   (b) minimal standards for the tests; and
   (c) procedures to enable school districts to administer or process any tests for students to receive a class D operator’s license;

(12) in accordance with Section 53−3−510, establish:
   (a) procedures and standards to certify licensed instructors of commercial driver training school courses to administer the skills test;
   (b) minimal standards for the test; and
   (c) procedures to enable licensed commercial driver training schools to administer or process skills tests for students to receive a class D operator’s license; and

(13) provide administrative support to the Driver License Medical Advisory Board created in Section 53−3−303.

4. Page 7, Line 184:

184 (c) injury.

Section 3. Section 53−3−204 is amended to read:

53−3−204. Persons who may not be licensed.
(1) (a) The division may not license a person who:
   (i) is younger than 16 years of age;
   (ii) has not completed a course in driver training approved by the commissioner; or
   (iii) if the person is a minor, has not completed the driving requirement under Section 53−3−211 or is not a resident of the state of Utah.
   (b) Subsections (1)(a) (i), (ii), and (iii) do not apply to a person:
   (i) who has been licensed before July 1, 1967;
   (ii) who is 16 years of age or older making application for a license who has been licensed in another state or country; or
   (iii) who is applying for a permit under Section 53−3−210 or 53A−13−208.
(2) The division may not issue a license certificate to a person:
   (a) whose license has been suspended, denied, cancelled, or disqualified during the period of suspension, denial, cancellation, or disqualification;
   (b) whose privilege has been revoked, except as provided in Section 53−3−225;
   (c) who has previously been adjudged mentally incompetent and who has not at the time of application been restored to competency as provided by law;
   (d) who is required by this chapter to take an examination unless the person successfully passes the examination; or
   (e) whose driving privileges have been denied or suspended under:
      (i) Section 78−3a−506 by an order of the juvenile court; or
      (ii) Section 53−3−231.
(3) The division may grant a class D or M license to a person whose commercial license is disqualified under Part 4 of this chapter if the person is not otherwise sanctioned under this chapter.

5. Page 10, Lines 277 through 278:

277 (1) To apply for an identification card, the applicant shall:
   (a) be a Utah resident;
   (b) have a Utah residence address;
   (c) and appear in person at any license examining station.

278

Renumber remaining sections accordingly.

Representative Romero proposed the following substitute motion to amend:

Include Representative Ure’s amendment plus the following:

1. Page 9, Line 273
   Senate Committee Amendments 2−16−2005

273 chapter.

(12) Nothing in this section shall be construed to permit any law enforcement agency of this state to enforce federal legal presence provisions to any extent that is not elsewhere provided by law.

The motion was divided. Representative Ure’s motion to amend passed on a voice vote.
Representative Romero’s motion to amend failed on the following roll call:

**Yeas, 30; Nays, 38; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Becker  Biskupski  Bourdeaux  Bowman
D. Clark  S. Clark  Cosgrove  Daw
Duckworth  Fowlke  Goodfellow  Gowans
Hansen  Hardy  Hendrickson  E. Hutchings
Jones  King  Lawrence  Litvack
Mascaro  McGee  Menlove  Morgan
Moss  Romero  Shurtliff  Ure
Wheatley  Wiley

**Voting in the negative were:** Representatives

Aagard  Adams  Alexander  S. Allen
Barrus  Bigelow  Buttars  Buxton
Christensen  D. Cox  Dee  Donnelson
Dunnigan  Ferrin  Ferry  Fisher
Frank  Gibson  Harper  Hogue
Hughes  Hunsaker  B. Johnson  Kiser
Last  Lockhart  Mathis  Murray
Noel  Oda  Painter  Ray
G. Snow  Tilton  Walker  Wallace
Wheeler  Wyatt

**Absent or not voting were:** Representatives

Dayton  Dougall  Holdaway  Morley
Newbold  Urquhart  Curtis

# # #

Representative Goodfellow proposed the following amendment:

1. Page 1, Line 26 through Page 2, Line 28

26  {—repeals, as a substitute for a Social Security number, the use of a temporary identification number (ITIN) issued by the Internal Revenue Service for purposes of obtaining an identification card issued by the Driver License Division;—} requires the Driver License Division to distinguish an identification card that is issued to a person who did not use a Social Security number to obtain the identification card:
2. Page 2, Lines 35 through 37
   Senate Committee Amendments 2–16–2005:
   
   35 year; and
   
   36 provides that an identification card that was obtained without using a Social
   Security number expires on July 1, 2005; and – }

3. Page 2, Lines 41 through 42
   Senate Committee Amendments 2–16–2005:
   
   41 Other Special Clauses:
   
   42 § [ This bill takes effect on July 1, 2005 ] This bill provides an immediate effective date. § .
   This bill provides a coordination clause.

4. Page 2, Lines 47 through 48
   Senate Committee Amendments 2–16–2005:
   
   47 53–3–804, as last amended by Chapter 30, Laws of Utah 2003
   53–3–806, as last amended by Chapters 30 and 309, Laws of Utah 2003
   
   48 { 53–3–807, as last amended by Chapter 30, Laws of Utah 2003 – }

5. Page 10, Lines 281 through 286:
   
   281 (b) date of birth as set forth in a certified copy of the applicant’s birth certificate, or
   
   282 other satisfactory evidence of birth, which shall be attached to the application;
   
   283 (c) { (i) ( (i) Social Security number; ( (i) or ( (i) }
   
   284 (ii) temporary identification number (ITIN) issued by the Internal Revenue Service for
   
   285 a person who does not qualify for a Social Security number; ( )
   
   286 (d) place of birth;
6. Page 10, Line 299:

299 information required under Subsection (2)(g).

Section 4. Section 53−3−806 is amended to read:

53−3−806. Portrait−style format −− Minor’s card distinguishable.

(1) The division shall use a portrait−style format for all identification cards, similar to the format used for license certificates issued to a person younger than 21 years of age under Section 53−3−207.

(2) The identification card issued to a person younger than 21 years of age shall be distinguished by use of plainly printed information or by the use of a color or other means not used for the identification card issued to a person 21 years of age or older.

(3) The division shall distinguish an identification card issued to any person:

(a) younger than 21 years of age by plainly printing the date the identification card holder is 21 years of age, which is the legal age for purchasing an alcoholic beverage or product under Section 32A−12−203; and

(b) younger than 19 years of age by plainly printing the date the identification card holder is 19 years of age, which is the legal age for purchasing tobacco products under Section 76−10−104.

(4) (a) The division shall distinguish an identification card obtained without using a Social Security number as required under Subsection 53−3−804(2).

(b) The distinction under Subsection (4)(a) may be done with the use of a format, color, font, or other means.

(5) A governmental entity may not accept an identification card distinguished under Subsection (4) as proof of personal identification.

7. Page 10, Line 300 through Page 11, Line 332:

Delete lines 300−332

Renumber remaining sections accordingly.

8. Page 11, Line 334c

Senate Committee Amendments 2−16−2005:

334c signature, or in the case of a veto, the date of veto override. §


Notwithstanding the coordination clause in H.B. 223, Amendments to Driver License and Identification Cards, it is the intent of the
Legislature, that Subsection (1) of the coordination clause in H.B. 223 be deleted and renumber the remaining subsections accordingly.

Representative Goodfellow’s motion to amend failed on the following roll call:

**Yeas, 22; Nays, 48; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives  
Becker  Biskupski  Bourdeaux  Cosgrove  
Duckworth  Fowlke  Goodfellow  Gowans  
Hansen  Hendrickson  Jones  King  
Litvack  Mascaro  McGee  Menlove  
Morgan  Moss  Romero  Shurtliff  
Wheatley  Wiley

**Voting in the negative were:** Representatives  
Aagard  Adams  Alexander  S. Allen  
Barrus  Bigelow  Bowman  Buttars  
Buxton  Christensen  D. Clark  S. Clark  
D. Cox  Daw  Dee  Donnelson  
Dougall  Dunnigan  Ferrin  Ferry  
Fisher  Frank  Gibson  Hardy  
Harper  Hogue  Hughes  Hunsaker  
E. Hutchings  Kiser  Last  Lawrence  
Lockhart  Mathis  Morley  Murray  
Noel  Oda  Painter  Ray  
G. Snow  Tilton  Ure  Urquhart  
Walker  Wallace  Wheeler  Wyatt

**Absent or not voting were:** Representatives  
Dayton  Holdaway  B. Johnson  Newbold  
Curtis

###

Representative Litvack proposed the following amendment:

1. Page 1, Lines 18 through 23

   18  • distinguish a driving privilege card from a license certificate by {←

   19  • use a format, color, font, or other means to clearly distinguish the driving
privilege card from other driver licenses; and

- clearly display on the front of driving privilege card a phrase substantially similar to “FOR DRIVING PRIVILEGES ONLY—NOT VALID FOR IDENTIFICATION” indicating on the card whether a Social Security number has been provided;

2. Page 9, Lines 256 through 259
Senate Committee Amendments 2−16−2005:

(b) The division shall distinguish a driving privilege card from a license certificate by:

(i) use of a format, color, font, or other means; and

(ii) clearly displaying on the front of the driving privilege card a phrase substantially similar to “FOR DRIVING PRIVILEGES ONLY—NOT VALID FOR IDENTIFICATION” indicating on the card whether a Social Security number has been provided.

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

S.B. 227, as amended, then passed on the following roll call:

Y eas, 53; Nays, 18; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Aagard                      Adams                      Alexander                      S. Allen
Barrus                      Bigelow                      Bowman                      Buttars
Buxton                      Christensen                   D. Clark                      S. Clark
D. Cox                      Daw                         Dayton                      Dee
Donnelson                   Dougall                      Dunnigan                      Ferrin
Ferry                       Fisher                       Fowlke                       Frank
Gibson                      Hardy                        Harper                       Hogue
Hughes                      E. Hutchings                 B. Johnson                    Kiser
Last                        Lawrence                     Lockhart                     Mathis
Menlove                     Morgan                      Morley                      Murray
Newbold                     Noel                        Oda                         Painter
Ray                         G. Snow                      Tilton                       Ure
Urquhart                    Walker                      Wallace                     Wheeler
Wyatt
Voting in the negative were: Representatives
Becker Biskupski Bourdeaux Cosgrove
Duckworth Goodfellow Gowans Hansen
Hendrickson Jones King Litvack
McGee Moss Romero Shurtliff
Wheatley Wiley

Absent or not voting were: Representatives
Holdaway Hunsaker Mascaro Curtis

S.B. 227, as amended, returned to the Senate for further consideration.

UNFINISHED BUSINESS

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

S.J.R. 6, SPACE EXPLORATION RESOLUTION, was before the House on its final passage.

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

Y eas, 64; Nays, 1; Absent or not voting, 10.

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Bourdeaux
Buttars Buxton Christensen D. Clark
S. Clark Cosgrove D. Cox Daw
Dayton Donnelson Dougall Duckworth
Dunnigan Ferry Fisher Fowlke
Frank Goodfellow Gowans Hansen
Hardy Harper Hogue Hughes
Hunsaker E. Hutchings B. Johnson Jones
King Kiser Last Lawrence
Litvack Lockhart Mascaro Mathis
Menlove Morgan Morley Murray
Newbold Noel Painter Ray
Romero Shurtliff G. Snow Tilton
Ure Urquhart Walker Wallace
Wheeler Wiley Wyatt Curtis

Voting in the negative was: Representative Ferrin
Absent or not voting were: Representatives
Biskupski           Bowman           Dee                Gibson
Hendrickson        Holdaway         McGee             Moss
Oda                Wheatley

S.J.R. 6 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

MISCELLANEOUS BUSINESS

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

UNFINISHED BUSINESS

On motion of Representative Alexander, the House voted to uncircle H.B. 288.

H.B. 288, EXECUTIVE COMPENSATION AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Alexander proposed the following amendment:

1. Page 7, Lines 183–187:
   Delete lines 183 through 187.

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

H.B. 288, as amended, then passed on the following roll call:

Yeas, 47; Nays, 25; Absent or not voting, 3.

Voting in the affirmative were: Representatives
Aagard            Adams                Alexander          S. Allen
Barrus            Bigelow             Bourdeaux          Bowman
Buttars           Buxton              Christensen        D. Clark
S. Clark          D. Cox               Daw                Dayton
Donnelson         Dougall             Ferrin             Ferry
Frank             Gibson               Hardy              Harper
Hogue             Holdaway            Hughes             Hunsaker
E. Hutchings      B. Johnson          Last               Lawrence
Lockhart          Mascaro             Morgan             Murray
Noel              Oda                  Painter            Romero
G. Snow           Tilton              Ure                Urquhart
Wallace           Wheeler             Curtis

Tuesday, March 1, 2005
Voting in the negative were: Representatives
Becker  Biskupski  Cosgrove  Duckworth
Dunnigan  Fisher  Fowlke  Goodfellow
Gowans  Hansen  Hendrickson  Jones
King  Kiser  Litvack  Mathis
McGee  Menlove  Moss  Ray
Shurtleff  Walker  Wheatley  Wiley
Wyatt

Absent or not voting were: Representatives
Dee  Morley  Newbold

H.B. 288, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS


* * *

On motion of Representative Alexander, the House voted to move to the Senate Third Reading Calendar.

* * *

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

On motion of Representative Ferry, the House voted to cease to saunter.

THIRD READING CALENDAR

2nd Sub. S.B. 110, MEDICAL DEVICE NOTIFICATION AND LIABILITY, read the third time by short title and placed on its final passage.

On motion of Representative Ferry, the House voted to circle 2nd Sub. S.B. 110.

* * *

S.B. 194, SALES AND USE TAX EXEMPTION FOR ITEMS RELATING TO DIRECT MAIL, read the third time by short title and placed on its final passage.
S.B. 194 then passed on the following roll call:

**Yeas, 56; Nays, 0; Absent or not voting, 19.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>Barrus</th>
<th>Becker</th>
<th>Bourdeaux</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bowman</td>
<td>Buttars</td>
<td>Christensen</td>
<td>D. Clark</td>
</tr>
<tr>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Frank</td>
<td>Gibson</td>
</tr>
<tr>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hardy</td>
<td>Harper</td>
</tr>
<tr>
<td>Hendrickson</td>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
</tr>
<tr>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
</tr>
<tr>
<td>Kiser</td>
<td>Lawrence</td>
<td>Litvack</td>
<td>Lockhart</td>
</tr>
<tr>
<td>Mascaro</td>
<td>Mathis</td>
<td>Morgan</td>
<td>Morley</td>
</tr>
<tr>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
</tr>
<tr>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wyatt</td>
<td>Curtis</td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Alexander</th>
<th>S. Allen</th>
<th>Bigelow</th>
</tr>
</thead>
<tbody>
<tr>
<td>Biskupski</td>
<td>Buxton</td>
<td>S. Clark</td>
<td>Dayton</td>
</tr>
<tr>
<td>Dee</td>
<td>Fowlke</td>
<td>Hansen</td>
<td>Hogue</td>
</tr>
<tr>
<td>Last</td>
<td>McGee</td>
<td>Menlove</td>
<td>Moss</td>
</tr>
<tr>
<td>Painter</td>
<td>Wallace</td>
<td>Wiley</td>
<td></td>
</tr>
</tbody>
</table>

S.B. 194 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

**UNFINISHED BUSINESS**

On motion of Representative Urquhart, the House voted to uncircle 2nd Sub. S.B. 110.

2nd Sub. S.B. 110, MEDICAL DEVISE NOTIFICATION AND LIABILITY, was before the House on its final passage.

2nd Sub. S.B. 110 then passed on the following roll call:

**Yeas, 64; Nays, 7; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Alexander</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bowman</td>
<td>Buttars</td>
</tr>
</tbody>
</table>
Voting in the negative were: Representatives
Becker Bourdeaux Gowans Hansen
Hendrickson Litvack Ray

Absent or not voting were: Representatives
Adams Dee Ure Curtis

2nd Sub. S.B. 110 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

THIRD READING CALENDAR

S.J.R. 17, RESOLUTION RECOGNIZING HUNTSMAN CANCER INSTITUTE, read the third time by short title and placed on its final passage.

S.J.R. 17 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Bowman Buttars D. Clark
Cosgrove D. Cox Daw Dayton
Dee Donnelson Duckworth Duckworth
Dunnigan Ferrin Fisher
Fowlke Frank Gibson Goodfellow

Wheatley Wheeler Wyatt

THIRD READING CALENDAR

S.J.R. 17, RESOLUTION RECOGNIZING HUNTSMAN CANCER INSTITUTE, read the third time by short title and placed on its final passage.

S.J.R. 17 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Bowman Buttars D. Clark
Cosgrove D. Cox Daw Dayton
Dee Donnelson Duckworth Duckworth
Dunnigan Ferrin Fisher
Fowlke Frank Gibson Goodfellow

Wheatley Wheeler Wyatt
S.J.R. 17 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

5th Sub. S.B. 61, PRIVATELY OWNED HEALTH CARE ORGANIZATION TASK FORCE, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House considered 5th Sub. S.B. 61 under suspension of the rules.

Representative Alexander proposed the following amendment:

1. Page 2, Line 43:
   Delete “$400,000” and insert “$300,000”

2. Page 4, Line 112:
   Delete “$400,000” and insert “$300,000”

3. Page 4, Lines 89 through 95
   89 {– and–}
   90 (i) the impact of proliferation of medical technology and facilities
   (j) patient choice of, and access to, health care providers including:
   (i) the impact of any willing provider laws as applied to health
   maintenance organizations and preferred provider organizations; and
(ii) the use of medical non-compete provisions; and
(k) the effect of Subsections (1)(a) through (g) on:
(i) the state’s Medicaid program;
(ii) other government delivered health care services;
(iii) patients of the government programs described in this Subsection (k), and
(iv) the health care delivery systems of the government programs
described in this subsection (k).

(2) Notwithstanding the provisions of Section 52–4–5, the task force may close a meeting to review or discuss a record which:
(a) is a trade secret; or
(b) contains commercial information; and
(c) is classified as a protected record under Section 63–2–304.

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

Representative S. Clark declared a conflict of interest because he works on one of IHC’s boards.

5th Sub. S.B. 61, as amended, then passed on the following roll call:

Yeas, 63; Nays, 9; Absent or not voting, 3.

Voting in the affirmative were: Representatives

Adams Alexander S. Allen Barrus
Becker Bigelow Biskupski Buttars
Buxton Christensen D. Clark S. Clark
Cosgrove Daw Dee Donnelson
Dougall Dunnigan Ferrin Ferry
Fisher Fowlke Frank Gibson
Goodfellow Hardy Harper Hogue
Holdaway Hughes Hunsaker E. Hutchings
B. Johnson Jones King Kiser
Last Lawrence Litvack Lockhart
Mascaro Mathis McGee Menlove
Morgan Morley Moss Murray
Newbold Noel Oda Painter
Ray Romero Shurtliff G. Snow
Tilton Ure Urquhart Walker
Wheatley Wheeler Wyatt
Voting in the negative were: Representatives
Aagard           Bourdeaux           D. Cox           Duckworth
Gowans           Hansen             Hendrickson       Wallace
Wiley

Absent or not voting were: Representatives
Bowman           Dayton             Curtis

5th Sub. S.B. 61, as amended, returned to the Senate for further consideration.

UNFINISHED BUSINESS

On motion of Representative Adams, the House voted to uncircle Sub. S.B. 60.

Sub. S.B. 60, LOCAL LAND USE DEVELOPMENT AND MANAGEMENT AMENDMENTS, was before the House on its final passage.

On motion of Representative Adams, the House voted to delete Sub. S.B. 60 in title and body and insert 2nd Sub. S.B. 60 in lieu thereof.

Representative Christensen proposed the following amendment:

1. Page 16, Line 485:
   485 {–restrictive covenants,–} easements, and development agreements governing uses, density, open

2. Page 16, Line 488:
   488 requirements, public facilities, {–and height and location of } vegetation, [and] trees, and

3. Page 60, Lines 1826 through 1827:
   1826 (b) An owner’s failure to record a plat within the time period designated by ordinance
   1827 {– renders–} may render the plat voidable , unless the failure is for good cause or for reasons beyond the owner’s reasonable control .

4. Page 71, Line 2168:
   2168 shall have ten but not more than 30 calendar days to appeal.
5. Page 73, Lines 2242 through 2247:

2242 (8) (a) {–(ii) } If there is a record, the district court’s review is limited to the record provided by the land use authority or appeal authority, as the case may be.

2244 {–(ii) The court may not accept or consider any evidence outside the record of the land use authority or appeal authority, as the case may be, unless that evidence was offered to the court and the court determines that it was improperly excluded. }

6. Page 84, Line 2598:

2598 {– restrictive covenants,–} easements, and development agreements governing uses, density, open

7. Page 85, Line 2601:

2601 requirements, public facilities, {–and height and location of } vegetation, and

8. Page 136, Lines 4207 through 4208:

4207 (b) An owner’s failure to record a plat within the time period designated by ordinance may render the plat voidable, unless the failure is for good cause or for reasons beyond the owner’s reasonable control.

9. Page 147, Line 4546:

4546 shall have ten but not more than 30 calendar days to appeal.

10. Page 150, Lines 4620 through 4625:

4620 (8) (a) {–(ii) } If there is a record, the district court’s review is limited to the record provided by the land use authority or appeal authority, as the case may be.

4622 (ii) The court may not accept or consider any evidence outside the record of the land.
use authority or appeal authority, as the case may be, unless that evidence was offered to the
land use authority or appeal authority, respectively, and the court determines that it was improperly excluded.

The motion was divided.

Items 1, 2, 6, and 7 failed on the following roll call:

**Yeas, 25; Nays, 44;Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Alexander</th>
<th>Buttars</th>
<th>Christensen</th>
</tr>
</thead>
<tbody>
<tr>
<td>D. Clark</td>
<td>S. Clark</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td>Dayton</td>
<td>Donnelson</td>
<td>Duckworth</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Frank</td>
<td>Harper</td>
<td>Hogue</td>
<td>Hughes</td>
</tr>
<tr>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>Kiser</td>
<td>Lockhart</td>
</tr>
<tr>
<td>Mascaro</td>
<td>Morley</td>
<td>Tilton</td>
<td>Ure</td>
</tr>
<tr>
<td>Wheeler</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
<th>Becker</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
<td>Bowman</td>
</tr>
<tr>
<td>Cosgrove</td>
<td>Dee</td>
<td>Dunnigan</td>
<td>Fisher</td>
</tr>
<tr>
<td>Fowlke</td>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
</tr>
<tr>
<td>Hansen</td>
<td>Hardy</td>
<td>Hendrickson</td>
<td>Holdaway</td>
</tr>
<tr>
<td>Hunsaker</td>
<td>Jones</td>
<td>King</td>
<td>Last</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Litvack</td>
<td>McGee</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morgan</td>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
</tr>
<tr>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
<td>Romero</td>
</tr>
<tr>
<td>Shurtliff</td>
<td>G. Snow</td>
<td>Walker</td>
<td>Wallace</td>
</tr>
<tr>
<td>Wheatley</td>
<td>Wiley</td>
<td>Wyatt</td>
<td>Curtis</td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Buxton</th>
<th>Dougall</th>
<th>Ferry</th>
<th>Mathis</th>
</tr>
</thead>
<tbody>
<tr>
<td>Noel</td>
<td>Urquhart</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Items 3 and 8 failed on the following roll call:

**Yeas, 15; Nays, 46; Absent or not voting, 14.**
Voting in the affirmative were: Representatives
Alexander         Christensen    S. Clark    D. Cox
Daw               Dayton         Donnelson   Duckworth
Hogue             Hughes         Kiser       Lawrence
Tilton            Wheatley       Wheeler

Voting in the negative were: Representatives
Aagard            Adams          S. Allen     Barrus
Becker            Biskupski      Bourdeaux   Bowman
Buttars           Buxton         D. Clark    Cosgrove
Dee               Dunnigan       Fisher      Fowlke
Frank             Gibson         Goodfellow  Gowans
Hansen            Hardy          Harper      Hendrickson
Holdaway          Hunsaker       Jones       King
Last              Litvack         Mascaro     Mathis
McGee             Menlove        Morgan      Moss
Murray            Newbold        Oda         Ray
Romero            Shurtliff      Wallace     Wiley
Wyatt             Curtis

Absent or not voting were: Representatives
Bigelow           Dougall        Ferrin      Ferry
E. Hutchings      B. Johnson     Lockhart   Morley
Noel              Painter        G. Snow    Ure
Urquhart          Walker

Items 4 and 9 failed on a voice vote.

Items 5 and 10 failed on the following roll call:

Yeas, 23; Nays, 43; Absent or not voting, 9.

Voting in the affirmative were: Representatives
Alexander         S. Allen      Buttars      Christensen
D. Clark          S. Clark     D. Cox      Daw
Dayton            Donnelson    Duckworth   Dunnigan
Frank             Hogue        Holdaway   Hughes
E. Hutchings      B. Johnson   Kiser       Morley
Tilton            Wheatley     Wheeler

Voting in the negative were: Representatives
Aagard            Adams         Barrus      Becker
Bigelow           Biskupski    Bourdeaux  Bowman
Representative Dee proposed the following amendment:

1. Page 22, Line 649

   649 one of the resulting separate \{-unsubdivided\} parcels to a contiguous parcel of unsubdivided

2. Page 90, Lines 2767 through 2770:

   2767 \{(A)\} (i) a bona fide division or partition of agricultural land for \{-\} agricultural purposes; \{-\}

   2768 \{-\} [(B)] the purpose of joining one of the resulting separate unsubdivided parcels to a contiguous

   2769 parcel of unsubdivided agricultural land, if neither the resulting combined parcel nor the parcel

   2770 remaining from the division or partition violates an applicable land use ordinance;\{-\}

3. Page 90, Line 2775:

   2775 land use ordinances; \{-or\} 

4. Page 149, Line 4610:

   4610 (5) If the county has complied with Section \{-10−9a−205\} \{17−27a−205\}, a challenge to the enactment of
5. Page 149, Line 4613:

4613 (6) The petition is barred unless it is filed within 30 days after
the land use authority or appeal authority’s

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

2nd Sub. S.B. 60, as amended, then passed on the following roll call:

Yeas, 59; Nays, 15; Absent or not voting, 1.

Voting in the affirmative were: Representatives
Aagard    Adams    S. Allen    Barrus
Becker    Bigelow    Biskupski    Bourdeaux
Bowman    Buxton    Christensen    D. Clark
S. Clark  Cosgrove    D. Cox    Daw
Dee       Dunnigan    Ferrin    Fisher
Fowlke    Frank    Gibson    Goodfellow
Hansen    Hardy    Harper    Hendrickson
Holdaway  Hughes    Hunsaker    E. Hutchings
Jones     King    Last    Lawrence
Litvack    Mascaro    McGee    Menlove
Morgan    Morley    Moss    Murray
Newbold    Oda    Painter    Ray
Romero    Shurtleff    G. Snow    Ure
Walker    Wallace    Wheatley    Wheeler
Wiley    Wyatt    Curtis

Voting in the negative were: Representatives
Alexander    Buttars    Dayton    Donnelson
Dougall    Duckworth    Gowans    Hogue
B. Johnson    Kiser    Lockhart    Mathis
Noel    Tilton    Urquhart

Absent or not voting was: Representative
Ferry

2nd Sub. S.B. 60, as amended, returned to the Senate for further
consideration.

THIRD READING CALENDAR

S.B. 153, TAX REFORM TASK FORCE, read the third time by short title and
placed on its final passage.
On motion of Representative Harper, the House voted to consider **S.B. 153** under suspension of the rules.

**S.B. 153** then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard  Adams  Alexander  Barrus
Becker  Bigelow  Bourdeaux  Bowman
Buttars  Buxton  Christensen  D. Clark
S. Clark  Cosgrove  D. Cox  Daw
Dee  Donnelson  Dougall  Duckworth
Dunnigan  Ferrin  Fisher  Fowlke
Frank  Gibson  Goodfellow  Gowans
Hansen  Hardy  Harper  Hendrickson
Hogue  Holdaway  Hughes  Hunsaker
E. Hutchings  B. Johnson  Jones  King
Kiser  Last  Lawrence  Litvack
Mathis  McGee  Menlove  Morgan
Moss  Murray  Newbold  Noel
Oda  Painter  Ray  Romero
Shurtliff  G. Snow  Tilton  Ure
Urquhart  Walker  Wallace  Wheatley
Wheeler  Wiley  Wyatt  Curtis

**Absent or not voting were:** Representatives

S. Allen  Biskupski  Dayton  Ferry
Lockhart  Mascaro  Morley

**S.B. 153** was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

**2nd Sub. S.B. 13,** **INDIVIDUAL INCOME TAX SUBTRACTION FOR CERTAIN MILITARY INCOME,** read the third time by short title and placed on its final passage.

On motion of Representative Bigelow, the House voted to consider **2nd Sub. S.B. 13** under suspension of the rules.

Representative Bigelow proposed the following amendment:
1. Page 1, Lines 18 through 20

18 Other Special Clauses:
19 This bill has retrospective operation for the taxable year beginning on or after January 1, 2005, but beginning on or before December 31, 2005.

2. Page 12, Lines 355 through 358:

355 corporation; and
356 (n) [(i) except as provided in Subsection (2)(n)(ii),] for the taxable year beginning on or after January 1, [2004, 2005,] but beginning on or before December 31, [2004,] 2005, the first $2,200 of income a resident or nonresident individual qualifying military service.

3. Page 16, Lines 479 through 481:

479 Section 3. Retrospective operation.
480 This bill has retrospective operation for the taxable year beginning on or after January 1, 2005, but beginning on or before December 31, 2005.

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

2nd Sub. S.B. 13, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Daw</td>
<td>Dee</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
</tr>
<tr>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
</tr>
<tr>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
</tbody>
</table>
Absent or not voting were: Representatives

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Dayton</td>
<td>Last</td>
<td>Oda</td>
<td>Shurtliff</td>
</tr>
<tr>
<td>Ure</td>
<td>Urquhart</td>
<td>Wiley</td>
<td>Curtis</td>
</tr>
</tbody>
</table>

2nd Sub. S.B. 13, as amended, returned to the Senate for further consideration.

* * *

S.B. 141, MILITARY INSTALLATION PARTNERSHIPS, read the third time by short title and placed on its final passage.

On motion of Representative Dee, the House voted to consider S.B. 141 under suspension of the rules.

S.B. 141, as amended, then passed on the following roll call:

Yeas, 66; Nays, 5; Absent or not voting, 4.

Voting in the affirmative were: Representatives

<p>| | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Aagard</td>
<td>Adams</td>
<td>S. Allen</td>
<td>Barrus</td>
</tr>
<tr>
<td>Becker</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
<td>Bowman</td>
</tr>
<tr>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
</tr>
<tr>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
<td>Dee</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
</tr>
<tr>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Hansen</td>
<td>Hardy</td>
</tr>
<tr>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Hughes</td>
</tr>
<tr>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>Jones</td>
</tr>
<tr>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
</tr>
<tr>
<td>Litvack</td>
<td>Lockhart</td>
<td>Mascaro</td>
<td>Mathis</td>
</tr>
<tr>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
<td>Moss</td>
</tr>
<tr>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
</tr>
<tr>
<td>Painter</td>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
</tr>
</tbody>
</table>
Voting in the negative were: Representatives
Alexander Ferrin Gowans Morley
Tilton

Absent or not voting were: Representatives
Bigelow Buttars Dayton Holdaway

S.B. 141, as amended, returned to the Senate for further consideration.

***

S.B. 29, LICENSING OF CRANE OPERATORS, read the third time by short title and placed on its final passage.

On motion of Representative Ure, the House voted to circle S.B. 29.

***

S.B. 206, NONPARTICIPATING TOBACCO MANUFACTURER AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 206, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Bowman Buttars Buxton
Christensen D. Clark S. Clark Cosgrove
D. Cox Daw Dee Donnelson
Dougall Dunnigan Ferrin Ferry
Fisher Fowlke Frank Gibson
Goodfellow Gowans Hansen Hardy
Harper Hendrickson Hogue Hughes
Hunsaker E. Hutchings B. Johnson Jones
King Kiser Last Lawrence
Litvack Lockhart Mascaro Mathis
McGee Menlove Morgan Morley
Moss Murray Newbold Noel
S.B. 206, as amended, returned to the Senate for further consideration.

UNFINISHED BUSINESS

On motion of Representative Ure, the House voted to uncircle S.B. 29.

S.B. 29, LICENSING OF CRANE OPERATORS, was before the House on its final passage.

Representative Ure proposed the following amendment:

1. Page 4, Line 97:
   Delete “ten” and insert “thirty”

2. Page 1, Lines 25 through 26
   25 58−55−303, as last amended by Chapter 198, Laws of Utah 2001
   26 58−55−305, as last amended by Chapters 39 and 191, Laws of Utah 2004
       58−55−501 (Effective 07/01/05), as last amended by Chapter 45, Laws of Utah 2004

3. Page 19, Line 583:
   583 by an entity referred to in Subsection 58−55−302(3)(j)(ii).
   Section 5. Section 58−55−305 is amended to read:
   58−55−305. Exemptions from licensure.
   (1) In addition to the exemptions from licensure in Section 58−1−307, the following persons may engage in acts or practices included within the practice of construction trades, subject to the stated circumstances and limitations, without being licensed under this chapter:
   (a) an authorized representative of the United States government or an authorized employee of the state or any of its political subdivisions when working on construction work of the state or the subdivision, and when acting within the terms of the person’s trust,
office, or employment;

(b) a person engaged in construction or operation incidental to the construction and repair of irrigation and drainage ditches of regularly constituted irrigation districts, reclamation districts, and drainage districts or construction and repair relating to farming, dairying, agriculture, livestock or poultry raising, metal and coal mining, quarries, sand and gravel excavations, well drilling, as defined in Subsection 73–3–24(3), hauling to and from construction sites, and lumbering;

(c) public utilities operating under the rules of the Public Service Commission on construction work incidental to their own business;

(d) sole owners of property engaged in building:

(i) no more than one residential structure per year and no more than three residential structures per five years on their property for their own noncommercial, nonpublic use; except, a person other than the property owner or individuals described in Subsection (1)(e), who engages in building the structure must be licensed under this chapter if the person is otherwise required to be licensed under this chapter; or

(ii) structures on their property for their own noncommercial, nonpublic use which are incidental to a residential structure on the property, including sheds, carports, or detached garages;

(e) (i) a person engaged in construction or renovation of a residential building for noncommercial, nonpublic use if that person:

(A) works without compensation other than token compensation that is not considered salary or wages; and

(B) works under the direction of the property owner who engages in building the structure;

(ii) for purposes of this Subsection (1)(e), “token compensation” means compensation paid by a sole owner of property exempted from licensure under Subsection (1)(d) to a person exempted from licensure under this Subsection (1)(e), that is:

(A) minimal in value when compared with the fair market value of the services provided by the person;

(B) not related to the fair market value of the services provided by the person; and

(C) is incidental to providing of services by the person including paying for or providing meals or refreshment while services are being provided, or paying reasonable transportation costs incurred by the person in travel to the site of construction;

(f) a person engaged in the sale or merchandising of personal
property that by its design or manufacture may be attached, installed, or otherwise affixed to real property who has contracted with a person, firm, or corporation licensed under this chapter to install, affix, or attach that property;

(g) a contractor submitting a bid on a federal aid highway project, if, before undertaking construction under that bid, the contractor is licensed under this chapter;

(h) (i) a person engaged in the alteration, repair, remodeling, or addition to or improvement of a building with a contracted or agreed value of less than $1,000, including both labor and materials, and including all changes or additions to the contracted or agreed upon work;

(ii) notwithstanding Subsection (1)(h)(i):

(A) work in the plumbing and electrical trades must be performed by a licensed electrician or plumber except as otherwise provided in this section; and

(B) installation, repair, or replacement of a residential or commercial gas appliance or a combustion system must be performed by a person who has received certification under Subsection 58−55−308(2) except as otherwise provided in Subsection 58−55−308(2)(d) or 58−55−308(3);

(i) a person practicing a specialty contractor classification or construction trade which is not classified by rule by the director as significantly impacting the public’s health, safety, and welfare;

(j) owners and lessees of property and persons regularly employed for wages by owners or lessees of property or their agents for the purpose of maintaining the property, are exempt from this chapter when doing work upon the property;

(k) (i) a person engaged in minor plumbing work incidental to the replacement or repair of a fixture or an appliance in a residential or small commercial building, or structure used for agricultural use, as defined in Section 58−56−4, provided that no modification is made to:

(A) existing culinary water, soil, waste, or vent piping; or

(B) a gas appliance or combustion system;

(ii) except as provided in Subsection (1)(e), installation for the first time of a fixture or an appliance is not included in the exemption provided under Subsection (1)(k)(i);

(l) a person who ordinarily would be subject to the plumber licensure requirements under this chapter when installing or repairing a water conditioner or other water treatment apparatus if the conditioner or apparatus:
(i) meets the appropriate state construction codes or local plumbing standards; and
(ii) is installed or repaired under the direction of a person authorized to do the work under an appropriate specialty contractor license;
(m) a person who ordinarily would be subject to the electrician licensure requirements under this chapter when employed by or under contract with:
(i) railroad corporations, telephone corporations or their corporate affiliates, elevator contractors or constructors, or street railway systems; or
(ii) public service corporations, rural electrification associations, or municipal utilities who generate, distribute, or sell electrical energy for light, heat, or power;
(n) a person involved in minor electrical work incidental to a mechanical or service installation;
o) a student participating in construction trade education and training programs approved by the commission with the concurrence of the director under the condition that:
(i) all work intended as a part of a finished product on which there would normally be an inspection by a building inspector is, in fact, inspected and found acceptable by a licensed building inspector; and
(ii) a licensed contractor obtains the necessary building permits;
and
(p) a delivery person when replacing any of the following existing equipment with a new gas appliance, provided there is an existing gas shutoff valve at the appliance:
(i) gas range;
(ii) gas dryer;
(iii) outdoor gas barbeque; or
(iv) outdoor gas patio heater ; and
(q) a person engaged in construction or operation incidental to petroleum refining, only with respect to the crane operator licensure requirements under Section 58−55−301.
(2) (a) A compliance agency as defined in Subsection 58−56−3(4) that issues a building permit to any person requesting a permit as a sole owner of property referred to in Subsection (1)(d) shall notify the division, in writing or through electronic transmission, of the issuance of the permit.
(b) The division shall evaluate the effectiveness of the
notification requirement under Subsection (2)(a) and report its findings, including any recommendations for modification to or termination of the requirement, to the Legislature’s Business and Labor Interim Committee prior to the 2008 General Session.

Renumber remaining sections accordingly.

Representative Morley proposed the following substitute motion to amend:

1. Page 4, Line 97:
   Delete “ten” and insert “100”

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

**Yeas, 34; Nays, 32; Absent or not voting, 9.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Daw</td>
<td>Donnelson</td>
<td>Dougall</td>
</tr>
<tr>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
</tr>
<tr>
<td>Frank</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>B. Johnson</td>
</tr>
<tr>
<td>Kiser</td>
<td>Last</td>
<td>Lockhart</td>
<td>Morley</td>
</tr>
<tr>
<td>Murray</td>
<td>Noel</td>
<td>Ray</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Tilton</td>
<td>Urquhart</td>
<td>Walker</td>
<td>Wheeler</td>
</tr>
<tr>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>S. Allen</th>
<th>Bigelow</th>
<th>Biskupski</th>
<th>Bourdeaux</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bowman</td>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>Duckworth</td>
</tr>
<tr>
<td>Dunnigan</td>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
</tr>
<tr>
<td>Hansen</td>
<td>Hardy</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
<tr>
<td>Jones</td>
<td>King</td>
<td>Lawrence</td>
<td>Litvack</td>
</tr>
<tr>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
<td>Morgan</td>
</tr>
<tr>
<td>Moss</td>
<td>Painter</td>
<td>Romero</td>
<td>Shurtleff</td>
</tr>
<tr>
<td>Ure</td>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wiley</td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Becker</th>
<th>Dayton</th>
<th>Dee</th>
<th>Harper</th>
</tr>
</thead>
<tbody>
<tr>
<td>Holdaway</td>
<td>E. Hutchings</td>
<td>Menlove</td>
<td>Newbold</td>
</tr>
<tr>
<td>Oda</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

# # #

Representative S. Clark proposed the following amendment:
1. Page 17, Line 493:
   After “operator” insert “or equivalent certification by the operator’s own employer or crane owner”

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

###

Representative Frank proposed the following amendment:

1. Page 17, Line 498:
   After “certification” insert “by” and delete “from the National Commission for the Certification of Crane Operators or”

2. Page 17, Line 499:
   Delete “other” and after “offer” delete “an equivalent” and insert “a”

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

S.B. 29, as amended, then failed to pass on the following roll call:

**Yeas, 35; Nays, 39; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Becker</th>
<th>Bigelow</th>
<th>Biskupski</th>
<th>Bowman</th>
</tr>
</thead>
<tbody>
<tr>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Dee</td>
</tr>
<tr>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Gibson</td>
<td>Goodfellow</td>
</tr>
<tr>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
<td>Hendrickson</td>
</tr>
<tr>
<td>Hogue</td>
<td>Holdaway</td>
<td>Jones</td>
<td>King</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Litvack</td>
<td>Mascaro</td>
<td>Mathis</td>
</tr>
<tr>
<td>McGee</td>
<td>Morgan</td>
<td>Moss</td>
<td>Painter</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Shurtleff</td>
<td>Ure</td>
</tr>
<tr>
<td>Wallace</td>
<td>Wheatley</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Bourdeaux</td>
<td>Butters</td>
<td>Buxton</td>
</tr>
<tr>
<td>Christensen</td>
<td>D. Clark</td>
<td>Daw</td>
<td>Dayton</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Dougall</td>
<td>Ferrin</td>
<td>Ferry</td>
</tr>
<tr>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
<td>Harper</td>
</tr>
<tr>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
</tr>
<tr>
<td>Kiser</td>
<td>Last</td>
<td>Menlove</td>
<td>Morley</td>
</tr>
<tr>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
</tr>
<tr>
<td>G. Snow</td>
<td>Tilton</td>
<td>Urquhart</td>
<td>Walker</td>
</tr>
<tr>
<td>Wheeler</td>
<td>Wyatt</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Absent or not voting was: Representative Lockhart

S.B. 29, as amended, returned to the Senate for filing.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to adjourn until March 2, 2005, at 8:30 a.m.
FORTY–FIFTH DAY

MORNING SESSION

The House was called to order by Speaker Curtis at 8:40 a.m.

Roll call showed all members present.

Prayer by Johnny Deeds, Speaker Curtis’ intern.

Pledge of Allegiance by Karli Bell, Speaker Curtis’ daughter.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 1, 2005

The President of the Senate has signed 2nd Sub. H.B. 49, BICYCLE SAFETY PROVISIONS, by Representative R. McGee, et al, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed H.B. 79, PROVISION OF SERVICES FOR PEOPLE WITH DISABILITIES, by Representative R. Lockhart, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed 2nd Sub. H.B. 93, EMISSION INSPECTION AMENDMENTS, by Representative K. Gibson, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed 1st Sub. H.B. 105, CONSTRUCTION FILING AMENDMENTS, by Representative M. Morley, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed H.B. 109, INFORMATION TECHNOLOGY GOVERNANCE AMENDMENTS, by Representative D. Clark, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed H.B. 157, WATER ENFORCEMENT PROCEDURES AND PENALTIES, by Representative D. Ure, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed H.B. 165, UTAH COMMISSION ON AGING, by Representative P. Jones, and it is transmitted for the signature of the Speaker; and
The President of the Senate has signed 2nd Sub. H.B. 188, PUBLIC EDUCATION JOB ENHANCEMENT PROGRAM, by Representative B. Johnson, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed 1st Sub. H.B. 200, INSURANCE LAW REVISIONS, by Representative J. Dunnigan, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed H.B. 216, GLOBAL POSITIONING REFERENCE NETWORK, by Representative K. Holdaway, and it is transmitted for the signature of the Speaker; and

The Senate passed, H.B. 218, SECOND DISTRICT JUVENILE JUDGE, by Representative J. S. Adams, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed H.B. 223, AMENDMENTS TO DRIVER LICENSE AND IDENTIFICATION CARDS, by Representative C. Oda, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed 1st Sub. H.B. 234, TELEPHONE SURCHARGE FOR EDUCATION AND TRAINING PROGRAMS AT PRISON, by Representative B. Goodfellow, et al, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate


* * *

Mr. Speaker: March 1, 2005

The Senate substituted, amended, and passed, Senate 1st Sub. H.B. 121, PROPERTY EXEMPT FROM EXECUTION, by Representative J. Dunnigan, and it is transmitted for further consideration; and

The Senate substituted and passed, Senate 1st Sub. H.B. 17, MOTION PICTURE INCENTIVE FUND, by Representative S. Allen, et al, and it is transmitted for further consideration; and
The Senate passed, as amended, **H.B. 107, AMENDMENTS TO TAXES, FEES, OR CHARGES**, by Representative W. Harper, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate  

---

**Mr. Speaker:** March 1, 2005  

The Senate has rejected **H.B. 246, WASTE FEES AMENDMENTS**, by Representative S. Urquhart, and it is transmitted for filing.

Annette B. Moore  
Secretary of the Senate  
Communication filed. **H.B. 246**, was filed.

**MISCELLANEOUS BUSINESS**

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

---

On motion of Representative Holdaway, under suspension of the rules, the House voted to lift **H.R. 12** from the Rules Committee, consider it read the first, second, and third times by short title and placed at the top of the Third Reading Calendar.

**THIRD READING CALENDAR**

**H.R. 12, RESOLUTION HONORING HOLLACE (HOLLY) PARKER**, was before the House upon its final passage.

**H.R. 12** then passed on the following roll call:

**Y eas, 74; Nays, 0; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives  

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
</tbody>
</table>
Absent or not voting was: Representative Dunnigan

H.R. 12 was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Lt. Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Bigelow, under suspension of the rules, to recall H.B. 301 from the Office of Legislative Research and General Counsel.

***

On motion of Representative Bigelow, the House voted to reconsider its action on H.B. 301.

RECONSIDERATION OF H.B. 301

H.B. 301, SUPPLEMENTAL APPROPRIATIONS III, was before the House upon its final passage.

On motion of Representative Alexander, the House voted to circle H.B. 301.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to move to the Senate Third Reading Calendar.
S.J.R. 16, RESOLUTION URGING COMPREHENSIVE CANCER CONTROL PLAN FOR THE STATE, read the third time by short title and placed on its final passage.

S.J.R. 16 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bowman Buttars Buxton Christensen
D. Clark S. Clark Cosgrove Daw
Donnelson Dougall Duckworth Dunnigan
Ferrin Ferry Fisher Fowlke
Frank Gibson Goodfellow Gowans
Hansen Hardy Harper Hendrickson
Hogue Holdaway Hughes Hunsaker
E. Hutchings B. Johnson Jones King
Kiser Last Lawrence Litvack
Mascaro Mathis McGee Menlove
Morgan Morley Moss Murray
Newbold Noel Oda Painter
Ray Romero Shurtliff G. Snow
Tilton Walker Wallace Wheatley
Wheeler Wiley Wyatt

Absent or not voting were: Representatives
Bourdeaux D. Cox Dayton Dee
Lockhart Ure Urquhart Curtis

S.J.R. 16 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

S.B. 223, OVERSIGHT AND ENFORCEMENT OF WORK DONE ON MOBILE HOMES, read the third time by short title and placed on its final passage.

S.B. 223 then passed on the following roll call:
Yeas, 60; Nays, 8; Absent or not voting, 7.

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bowman</td>
</tr>
<tr>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
</tr>
<tr>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Foulke</td>
<td>Gibson</td>
</tr>
<tr>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
</tr>
<tr>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
</tr>
<tr>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
</tr>
<tr>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Litvack</td>
<td>Mascaro</td>
<td>McGee</td>
</tr>
<tr>
<td>Menlove</td>
<td>Morgan</td>
<td>Moss</td>
<td>Murray</td>
</tr>
<tr>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
<td>Ray</td>
</tr>
<tr>
<td>Romero</td>
<td>Shurtleff</td>
<td>G. Snow</td>
<td>Ure</td>
</tr>
<tr>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wiley</td>
<td>Wyatt</td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Barrus</th>
<th>Dougall</th>
<th>Mathis</th>
<th>Morley</th>
</tr>
</thead>
<tbody>
<tr>
<td>Painter</td>
<td>Tilton</td>
<td>Walker</td>
<td>Wheeler</td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Bourdeaux</th>
<th>Dayton</th>
<th>Dee</th>
<th>Frank</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lockhart</td>
<td>Urquhart</td>
<td>Dee</td>
<td>Curtis</td>
</tr>
</tbody>
</table>

**S.B. 223** was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

**S.B. 49,** MOTOR VEHICLE LIABILITY COVERAGE AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Oda, the House voted to circle **S.B. 49.**

***

**Sub. S.B. 137,** TOURISM, RECREATION, CULTURAL, AND CONVENTION FACILITIES TAX AMENDMENTS, read the third time by short title and placed on its final passage.
Representative Kiser proposed the following amendment:

1. Page 2, Lines 56a through 56c
   
   Senate 2nd Reading Amendments 2−24−2005
   
   56a   (ii) combine the sale of:
   
   56b   (A) ski lift tickets;   and
   
   56c   (B) accommodations and services described in Subsection 59−12−103(1)(i)

2. Page 2, Line 53
   
   Senate 2nd Reading Amendments 2−24−2005
   
   53   (b) A county of the first class shall expend at least
   
   $450,000   each year of the revenues

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

# # #

Representative Ure proposed the following amendment:

1. Page 1, Lines 9 through 11
   
   9   General Description:
   
   10   This bill amends the Tourism, Recreation, Cultural, and Convention Facilities Tax part
   
   11   to address the transactions that are subject to taxation and the expenditure of revenues generated by a tax under that part.

2. Page 1, Lines 13 through 14:
   
   13   This bill:
   
   14     amends the definition of “restaurant”;

3. Page 1, Lines 24 through 25:
   
   24   AMENDS:
   
   59−12−602, as last amended by Chapter 248, Laws of Utah 1995
   
   25   59−12−603, as last amended by Chapters 156 and 255, Laws of Utah 2004
 Senate Committee Amendments 2–21–2005:

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

Section 1. Section 59–12–602 is amended to read:


As used in this part:

(1) “Convention facility” means any publicly owned or operated convention center, sports arena, or other facility at which conventions, conferences, and other gatherings are held and whose primary business or function is to host such conventions, conferences, and other gatherings.

(2) “Cultural facility” means any publicly owned or operated museum, theater, art center, music hall, or other cultural or arts facility.

(3) “Recreation facility” or “tourist facility” means any publicly owned or operated park, campground, marina, dock, golf course, water park, historic park, monument, planetarium, zoo, bicycle trails, and other recreation or tourism–related facility.

(4) (a) “Restaurant” includes any coffee shop, cafeteria, luncheonette, soda fountain, or fast–food service where food is prepared for immediate consumption.

(b) “Restaurant” does not include:

(i) any retail establishment whose primary business or function is the sale of fuel or food items for off–premise, but not immediate, consumption; { and }

(ii) a theater that sells food items {, but not a dinner theater. } ; and

(iii) a dinner theater.

Renumber remaining sections accordingly.

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

Sub. S.B. 137, as amended, then passed on the following roll call:

Yeas, 53; Nays, 16; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard       Adams       S. Allen       Barrus
Becker       Biskupski   Bowman       Buttars
Buxton       Christensen D. Clark       S. Clark
Cosgrove     D. Cox      Daw           Dee
Donnelson    Dougall    Ferrin       Ferry
Fowlke        Frank        Gibson        Hansen
Harper        Hogue        Holdaway      Hughes
Hunsaker      B. Johnson   Jones         Kiser
Last          Lawrence     Mascaro       McGee
Menlove       Morgan       Moss          Murray
Newbold       Noel         Oda           Painter
Ray           Romero       Shurtleff     G. Snow
Ure           Urquhart     Walker        Wallace

Voting in the negative were: Representatives
Alexander     Bigelow      Bourdeaux     Duckworth
Dunnigan      Fisher       Goodfellow    Gowans
Hendrickson   King         Lockhart      Mathis
Morley        Wheeler      Wiley         Wyatt

Absent or not voting were: Representatives
Dayton        Hardy        E. Hutchings  Litvack
Tilton        Wheatley

Sub. S.B. 137, as amended, returned to the Senate for further consideration.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 2, 2005

The Senate concurred in the House amendments and passed 2nd Sub. S.B. 60, LOCAL LAND USE DEVELOPMENT AND MANAGEMENT AMENDMENTS, by Senator G. Bell, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed 5th Sub. S.B. 61, PRIVATELY OWNED HEALTH CARE ORGANIZATION TASK FORCE, by Senator M. Waddoups, et al, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed S.B. 127, TAX, FEE, OR CHARGE AMENDMENTS, by Senator L. Hillyard, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed S.B. 172, DIVISION OF REAL ESTATE AMENDMENTS, by Senator M. Waddoups, and it is transmitted for the signature of the Speaker; and
The Senate concurred in the House amendments and passed **1st Sub. S.B. 177**, INCREASE STATUTE OF LIMITATIONS ON RAPE, by Senator E. Mayne, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **1st Sub. S.B. 212**, CHILD CARE INVESTIGATIONS, by Senator P. Hellewell, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **S.B. 227**, PUBLIC SAFETY DRIVING PRIVILEGE AND IDENTIFICATION CARD AMENDMENTS, by Senator C. Bramble, and it is transmitted for the signature of the Speaker; and

The Senate passed, **2nd Sub. H.B. 45**, PROPERTY AFFECTED BY ACCESS INTERRUPTION, by Representative G. Hughes, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 86**, UTAH COLLEGE OF APPLIED TECHNOLOGY AMENDMENTS, by Representative R. Bigelow, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 124**, ENROLLMENT GROWTH PROGRAM AMENDMENTS, by Representative B. Last, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 243**, REPEAL OF GERIATRIC CARE MANAGER, by Representative R. Lockhart, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 247**, CREDIT OR REFUND FOR TAX PAID ON CIGARETTE OR TOBACCO PRODUCT DESTROYED OR RETURNED TO THE MANUFACTURER, by Representative E. Hutchings, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 250**, CAPITOL COMPLEX SPACE, by Representative J. Alexander, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 255**, INVESTMENT OF HIGHER EDUCATION INSTITUTION ENDOWMENT FUNDS, by Representative D. Clark, which has been signed by the President and it is transmitted for the signature of the Speaker; and
The Senate passed, 2nd Sub. H.B. 264, STATE LAND USE MANAGEMENT PLANS AMENDMENTS, by Representative M. Noel, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, H.B. 297, AGGRAVATED MURDER AMENDMENTS, by Representative S. Wyatt, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. 2nd Sub. S.B. 60, 5th Sub. S.B. 61, S.B. 127, S.B. 172, Sub. S.B. 177, Sub. S.B. 212, and S.B. 227 were signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.


THIRD READING CALENDAR

S.C.R. 6, RESOLUTION SUPPORTING THE GOLDEN RULE PROJECT, read the third time by short title and placed on its final passage.

S.C.R. 6 then passed on the following roll call:

Yeas, 66; Nays, 1; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Aagard       Adams       Alexander       S. Allen
Becker       Bigelow     Biskupski      Bourdeaux
Bowman       Buttars     Buxton        Christensen
D. Clark     S. Clark    Cosgrove      D. Cox
Daw          Dayton      Dee           Dougall
Duckworth    Dunnigan    Ferrin        Ferry
Fisher       Fowlke      Frank         Gibson
Goodfellow   Gowans      Hansen        Harper
Hendrickson  Hogue       Holdaway      Hughes
Hunsaker     B. Johnson  Jones         King
Kiser        Last        Lawrence      Litvack
Lockhart     Mascaro     Mathis        McGee
Menlove  Morley  Moss  Murray
Newbold  Noel   Oda  Ray
Romero  Shurtleff  G. Snow  Tilton
Urquhart  Walker  Wallace  Wheatley
Wheeler  Wiley

Voting in the negative was: Representative
Barrus

Absent or not voting were: Representatives
Donnelson  Hardy  E. Hutchings  Morgan
Painter  Ure  Wyatt  Curtis

S.C.R. 6 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Sub. S.B. 64, REAL ESTATE TRANSACTIONS AND SECURITIES, read the third time by short title and placed on its final passage.

On motion of Representative Snow, the House voted to delete Sub. S.B. 64 in title and body and insert 2nd Sub. S.B. 64 in lieu thereof.

2nd Sub. S.B. 64 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Bigelow  Biskupski
Bourdeaux  Buttars  Buxton  Christensen
D. Clark  S. Clark  Cosgrove  D. Cox
Daw  Dayton  Dee  Donnelson
Dougall  Duckworth  Dunnigan  Ferrin
Ferry  Fisher  Fowlke  Frank
Gibson  Goodfellow  Gowans  Hansen
Harper  Hendrickson  Hogue  Holdaway
Hughes  Hunsaker  E. Hutchings  King
Kiser  Last  Lawrence  Litvack
Lockhart  Mathis  McGee  Menlove
Morgan  Morley  Moss  Murray
Newbold  Noel  Oda  Painter
Absent or not voting were: Representatives
Bowman  Hardy  B. Johnson  Jones
Mascaro  Tilton  Wyatt  Curtis

2nd Sub. S.B. 64, as substituted, returned to the Senate for further consideration.

* * *

S.B. 173, BROWNFIELDS REVISION, read the third time by short title and placed on its final passage.

S.B. 173 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Bigelow  Biskupski
Bourdeaux  Bowman  Buttars  Buxton
Christensen  D. Clark  S. Clark  Cosgrove
D. Cox  Daw  Dayton  Dee
Donnelson  Dougall  Duckworth  Dunnigan
Ferrin  Ferry  Fisher  Fowlke
Frank  Gibson  Goodfellow  Gowans
Hansen  Harper  Hendrickson  Hogue
Holdaway  Hughes  Hunsaker  E. Hutchings
Jones  King  Kiser  Last
Lawrence  Lockhart  Mathis  Menlove
Morgan  Morley  Moss  Murray
Newbold  Noel  Oda  Painter
Ray  Romero  Shurtliff  G. Snow
Tilton  Ure  Urquhart  Walker
Wallace  Wheatley  Wheeler  Wiley

Absent or not voting were: Representatives
Hardy  B. Johnson  Litvack  Mascaro
McGee  Wyatt  Curtis
S.B. 173 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

S.B. 132, HEALTH CARE CONSUMER’S REPORT, read the third time by short title and placed on its final passage.

S.B. 132 then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
</tr>
<tr>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
</tr>
<tr>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
</tr>
<tr>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>Jones</td>
</tr>
<tr>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
</tr>
<tr>
<td>Litvack</td>
<td>Mascaro</td>
<td>Mathis</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morgan</td>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
</tr>
<tr>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
</tr>
<tr>
<td>Romero</td>
<td>Shurtliff</td>
<td>G. Snow</td>
<td>Tilton</td>
</tr>
<tr>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
<td>Wallace</td>
</tr>
<tr>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Ferrin</th>
<th>Hardy</th>
<th>B. Johnson</th>
<th>Lockhart</th>
</tr>
</thead>
<tbody>
<tr>
<td>McGee</td>
<td>Morley</td>
<td>Curtis</td>
<td></td>
</tr>
</tbody>
</table>

S.B. 132 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

S.B. 96, COMMERCE SERVICE FUND AMENDMENTS, read the third time by short title and placed on its final passage.
S.B. 96 then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
</tr>
<tr>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
</tr>
<tr>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
</tr>
<tr>
<td>Hansen</td>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Litvack</td>
<td>Mascaro</td>
<td>Mathis</td>
</tr>
<tr>
<td>Menlove</td>
<td>Morgan</td>
<td>Moss</td>
<td>Murray</td>
</tr>
<tr>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
</tr>
<tr>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
</tr>
<tr>
<td>Wyatt</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Hardy</th>
<th>B. Johnson</th>
<th>Lockhart</th>
<th>McGee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Morley</td>
<td>Curtis</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

S.B. 96 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

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

On motion of Representative Ferry, the House voted to cease to saunter.

**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker: March 2, 2005

The Senate passed, as amended, **H.B. 128, COMPENSATION OF EXECUTIVE OFFICERS**, by Representative L. Christensen, and it is transmitted for further consideration; and
The Senate passed, as amended, **1st Sub. H.B. 184**, CRIME VICTIMS – CHANGE OF LOCKS ON RENTAL PROPERTY, by Representative L. Shurtliff, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 275**, BUSINESS ENTITY AMENDMENTS, by Representative R. Romero, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate


* * *

Mr. Speaker: March 2, 2005

The Senate passed, **H.B. 230**, RECYCLING OF WASTES TIRES, by Representative D. Ure, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 266**, CHANGES TO QUALITY GROWTH COMMISSION, by Representative C. Buttars, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 230** and **H.B. 266** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

**THIRD READING CALENDAR**

**S.B. 142**, PHARMACY PRACTICE ACT AMENDMENTS, read the third time by short title and placed on its final passage.

**S.B. 142** then passed on the following roll call:

**Yeas, 65; Nays, 0; Absent or not voting, 10.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
</tr>
<tr>
<td>Bowman</td>
<td>Buttars</td>
<td>Christensen</td>
<td>S. Clark</td>
</tr>
<tr>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
</tr>
</tbody>
</table>
Absent or not voting were: Representatives

<table>
<thead>
<tr>
<th>Name</th>
<th>Name</th>
<th>Name</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alexander</td>
<td>Buxton</td>
<td>D. Clark</td>
<td>Hughes</td>
</tr>
<tr>
<td>Lockhart</td>
<td>Morley</td>
<td>Noel</td>
<td>Oda</td>
</tr>
<tr>
<td>Ure</td>
<td>Curtis</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

S.B. 142 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

Sub. S.B. 178, CHARTER SCHOOL AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Ferrin, the House voted to delete Sub. S.B. 178 in title and body and insert 2nd Sub. S.B. 178 in lieu thereof.

Representative Ferrin proposed the following amendment:

1. Page 6, Lines 169 through 170
   169 (ii) The school may give preference to students who reside within :
   (A) the school district in
   170 which the school is located ;
   (B) the municipality in which the school is located; or
   (C) a two−mile radius from the school

Representative Ferrin’s motion to amend passed on a voice vote.
Representative Mascaro proposed the following amendment:

1. Page 5, Lines 131–136:
   Delete lines 131 through 136.

2. Page 15, Line 442:
   Delete “shall” and reinstate “may”

Representative Lawrence proposed the following substitute motion to amend:

1. Page 5, Line 131:
   After “denied” insert “solely”

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

**Yeas, 36; Nays, 31; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Aagard Adams S. Allen Barrus
Bigelow Buttars D. Clark S. Clark
D. Cox Dee Donnelson Dougall
Dunnigan Ferrin Ferry Fisher
Frank Gibson Hardy Hogue
Holdaway Hunsaker E. Hutchings Last
Lawrence Lockhart Mathis Menlove
Murray Noel Oda G. Snow
Urquhart Walker Wallace Wyatt

**Voting in the negative were:** Representatives

Becker Biskupski Bourdeaux Christensen
Cosgrove Daw Duckworth Fowlke
Goodfellow Gowans Hansen Hendrickson
Hughes B. Johnson Jones King
Kiser Litvack Mascaro McGee
Morgan Moss Newbold Painter
Ray Romero Shurtleff Tilton
Wheatley Wheeler Wiley

**Absent or not voting were:** Representatives

Alexander Bowman Buxton Dayton
Harper Morley Ure Curtis
Representative Moss proposed the following amendment:

1. Page 9, Line 266:
   Delete line 266 and renumber accordingly.

Representative Moss’s motion to amend failed on the following roll call:

**Yeas, 23; Nays, 41; Absent or not voting, 11.**

**Voting in the affirmative were:** Representatives
Biskupski Bourdeaux Cosgrove Dayton
Duckworth Fowlke Goodfellow Gowans
Hansen Hardy Hendrickson Holdaway
B. Johnson Jones King Lawrence
Litvack Menlove Moss Romero
Shurtleff Wheatley Wiley

**Voting in the negative were:** Representatives
Aagard Adams S. Allen Barrus
Bigelow Buttars Christensen D. Clark
S. Clark D. Cox Daw Dee
Donnelson Dougall Ferrin Ferry
Fisher Frank Gibson Harper
Hogue Hunsaker Kiser Last
Lockhart Mascaro Mathis Morley
Murray Newbold Noel Oda
Painter Ray G. Snow Tilton
Urquhart Walker Wallace Wyatt
Curtis

**Absent or not voting were:** Representatives
Alexander Becker Bowman Buxton
Dunnigan Hughes E. Hutchings McGee
Morgan Ure Wheeler

---

Representative Mascaro proposed the following amendment:

2. Page 15, Line 442:
   Delete “shall” and reinstate “may”
Representative Mascaro’s motion to amend failed on a voice vote.

2nd Sub. S.B. 178, as amended, then passed on the following roll call:

**Yeas, 46; Nays, 26; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bigelow</td>
<td>Buttars</td>
<td>Buxton</td>
<td>D. Clark</td>
</tr>
<tr>
<td>S. Clark</td>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
</tr>
<tr>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
<td>Dunnigan</td>
</tr>
<tr>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fowlke</td>
<td>Frank</td>
</tr>
<tr>
<td>Gibson</td>
<td>Hardy</td>
<td>Harper</td>
<td>Hogue</td>
</tr>
<tr>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
</tr>
<tr>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
<td>Lockhart</td>
</tr>
<tr>
<td>Mascaro</td>
<td>Mathis</td>
<td>Morgan</td>
<td>Morley</td>
</tr>
<tr>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
</tr>
<tr>
<td>G. Snow</td>
<td>Tilton</td>
<td>Urquhart</td>
<td>Walker</td>
</tr>
<tr>
<td>Wallace</td>
<td>Curtis</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Becker</th>
<th>Biskupski</th>
<th>Bourdeaux</th>
<th>Bowman</th>
</tr>
</thead>
<tbody>
<tr>
<td>Christensen</td>
<td>Cosgrove</td>
<td>Duckworth</td>
<td>Fisher</td>
</tr>
<tr>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
<td>Hendrickson</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Jones</td>
<td>King</td>
<td>Litvack</td>
</tr>
<tr>
<td>McGee</td>
<td>Menlove</td>
<td>Moss</td>
<td>Painter</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Shurtleff</td>
<td>Wheatley</td>
</tr>
<tr>
<td>Wheeler</td>
<td>Wiley</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

| Alexander | Ure | Wyatt |

2nd Sub. S.B. 178, as substituted and amended, returned to the Senate for further consideration.

***

2nd Sub. S.B. 184, REDEVELOPMENT AGENCY AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Dougall proposed the following amendment:
1. Page 15, Line 457
   457 (c) the project area plan incorporated by reference; and

2. Page 18, Line 524:
   524 (2) Except as provided in Subsection (4)(a), a project area plan may not be amended after the effective date of this Subsection

Representative Allen proposed the following substitute motion to amend:

Include Representative Dougall’s amendment plus the following:

1. Page 12, Line 357 and 358:
   Delete “February 24” and reinstate “February 15” on both lines.

The motion was divided. Representative Dougall’s motion to amend passed on a voice vote.

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

**Yeas, 37; Nays, 33; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard       S. Allen    Bigelow    Biskupski
Bourdeaux    Cosgrove    D. Cox     Dayton
Donnelson    Dougall    Duckworth  Ferrin
Fowlke       Frank       Gibson     Gowans
Hansen       Hendrickson Hunsaker  E. Hutchings
Jones        King        Litvack    Lockhart
Mathis       McGee       Menlove   Morgan
Morley       Murray      Romero    G. Snow
Tilton       Ure         Walker    Wheatley

**Voting in the negative were:** Representatives

Adams        Barrus      Becker     Bowman
Buttars      Christensen D. Clark  S. Clark
Daw          Dee         Dunnigan  Ferry
Fisher       Goodfellow  Hardy     Harper
Hogue        Holdaway    B. Johnson Kiser
Last         Lawrence    Mascaro   Moss
Newbold      Noel        Oda       Painter
Ray          Shurtleff   Urquhart  Wallace
Wiley
Absent or not voting were: Representatives
Alexander Buxton Hughes Wyatt Curtis

Representative Harper declared a conflict of interest because he does business with a redevelopment agency.

2nd Sub. S.B. 184, as amended, then passed on the following roll call:

Yeas, 56; Nays, 12; Absent or not voting, 7.

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Bigelow Biskupski Bowman Buttars
Christensen S. Clark Cosgrove D. Cox
Daw Dayton Dee Donnelson
Dougall Duckworth Dunnigan Ferrin
Fisher Fowlke Frank Gibson
Goodfellow Gowans Hansen Hardy
Hogue Holdaway Hughes Hunsaker
E. Hutchings B. Johnson Kiser Lawrence
Lockhart Mathis McGee Menlove
Morgan Morley Moss Newbold
Noel Oda Painter Ray
Romero Shurtliff Tilton Ure
Walker Wallace Wheatley Wheeler

Voting in the negative were: Representatives
Barrus Becker Bourdeaux Buxton
D. Clark Harper King Last
Litvack Murray Urquhart Wiley

Absent or not voting were: Representatives
Ferry Hendrickson Jones Mascaro
G. Snow Wyatt Curtis

2nd Sub. S.B. 184, as amended, returned to the Senate for further consideration.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 2, 2005

The Senate passed, as amended, 2nd Sub. H.B. 256, LOCAL GOVERNMENT AUTHORITY, by Representative A. Hardy, and it is transmitted for further consideration; and
The Senate passed, as amended, **H.B. 311**, CONTROLLED SUBSTANCE LAW AMENDMENTS, by Representative B. Dee, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 98**, OFFENSES COMMITTED AGAINST CORRECTIONAL AND PEACE OFFICERS, by Representative C. Oda, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. 2nd Sub. H.B. 256, H.B. 311, and H.B. 98, placed on the calendar for concurrence.

* * *

Mr. Speaker: March 2, 2005

The Senate passed, 1st Sub. H.B. 103, STUDENT HOUSING BUILT BY HIGHER EDUCATION INSTITUTIONS, by Representative S. Clark, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, H.B. 138, NONRESIDENT TUITION FOR HIGHER EDUCATION AMENDMENTS, by Representative M. S. Lawrence, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, H.B. 273, REAL ESTATE AND MECHANICS LIENS − SECURITY ALTERNATIVES, by Representative M. Morley, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, H.B. 348, EMPLOYMENT AGENCY REVISIONS, by Representative J. S. Adams, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. Sub. H.B. 103, H.B. 138, H.B. 273, and H.B. 348 were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

**THIRD READING CALENDAR**

S.B. 52, PRICE CONTROLS DURING EMERGENCIES ACT, read the third time by short title and placed on its final passage.
S.B. 52 then passed on the following roll call:

**Yeas, 42; Nays, 17; Absent or not voting, 16.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>S. Allen</th>
<th>Becker</th>
<th>Bigelow</th>
<th>Bourdeaux</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bowman</td>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
</tr>
<tr>
<td>Cosgrove</td>
<td>Daw</td>
<td>Donnelson</td>
<td>Duckworth</td>
</tr>
<tr>
<td>Fisher</td>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
</tr>
<tr>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
</tr>
<tr>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>King</td>
<td>Last</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morgan</td>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
</tr>
<tr>
<td>Noel</td>
<td>Painter</td>
<td>Ray</td>
<td>Romero</td>
</tr>
<tr>
<td>Shurtliff</td>
<td>G. Snow</td>
<td>Wallace</td>
<td>Wheatley</td>
</tr>
<tr>
<td>Wheeler</td>
<td>Wiley</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Alexander</th>
<th>Barrus</th>
<th>Buttars</th>
</tr>
</thead>
<tbody>
<tr>
<td>D. Cox</td>
<td>Dayton</td>
<td>Dee</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fowlke</td>
<td>Frank</td>
<td>Harper</td>
</tr>
<tr>
<td>Morley</td>
<td>Oda</td>
<td>Tilton</td>
<td>Urquhart</td>
</tr>
<tr>
<td>Walker</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>Biskupski</th>
<th>S. Clark</th>
<th>Dougall</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dunnigan</td>
<td>Gibson</td>
<td>Hardy</td>
<td>Hendrickson</td>
</tr>
<tr>
<td>Jones</td>
<td>Kiser</td>
<td>Litvack</td>
<td>Lockhart</td>
</tr>
<tr>
<td>Mascaro</td>
<td>Ure</td>
<td>Wyatt</td>
<td>Curtis</td>
</tr>
</tbody>
</table>

S.B. 52 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

Sub. S.B. 211, FUNDING FOR CONVENTION FACILITIES, read the third time by short title and placed on its final passage.

On motion of Representative Bigelow, the House voted to circle Sub. S.B. 211.

***

Sub. S.B. 139, WAGE PROVISIONS, read the third time by short title and placed on its final passage.
Sub. S.B. 139 then passed on the following roll call:

Yeas, 48; Nays, 21; Absent or not voting, 6.

Voting in the affirmative were: Representatives

| Aagard  | Adams  | Alexander | S. Allen
|---------|--------|-----------|----------
| Barrus  | Bigelow| Butts     | Buxton   |
| Christensen | D. Clark | S. Clark | D. Cox |
| Daw     | Dayton | Dee       | Donnelson|
| Dougall | Ferrin | Ferry     | Fisher   |
| Fowlke  | Frank  | Hardy     | Harper   |
| Hogue   | Hughes | Hunsaker  | B. Johnson|
| Kiser   | Last   | Lawrence  | Lockhart |
| Mascaro | Mathis | Menlove   | Morley   |
| Murray  | Newbold| Oda       | Painter  |
| Ray     | G. Snow| Tilton    | Ure      |
| Urquhart| Walker | Wallace   | Wheeler  |

Voting in the negative were: Representatives

<table>
<thead>
<tr>
<th>Becker</th>
<th>Biskupski</th>
<th>Bourdeaux</th>
<th>Bowman</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cosgrove</td>
<td>Duckworth</td>
<td>Goodfellow</td>
<td>Gowans</td>
</tr>
<tr>
<td>Hansen</td>
<td>Hendrickson</td>
<td>Holdaway</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>Jones</td>
<td>King</td>
<td>Litvack</td>
<td>McGee</td>
</tr>
<tr>
<td>Moss</td>
<td>Romero</td>
<td>Shurtliff</td>
<td>Wheatley</td>
</tr>
<tr>
<td>Wiley</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Absent or not voting were: Representatives

<table>
<thead>
<tr>
<th>Dunnigan</th>
<th>Gibson</th>
<th>Morgan</th>
<th>Noel</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Sub. S.B. 139 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

March 2, 2005

The Senate passed, as amended, 1st Sub. H.B. 113, GOVERNMENT BOUNDARY CHANGES, by Representative K. Holdaway, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Mr. Speaker: March 2, 2005

The Senate passed, H.B. 226, GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT REQUIREMENTS REGARDING ANIMAL IDENTIFICATION PROGRAM, by Representative C. Buttars, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. H.B. 226 were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

RULES COMMITTEE REPORT

Mr. Speaker: March 2, 2005

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

S.J.R. 19 Resolution Recognizing Granite School District’s 100 Years (Sen. G. Davis)
S.J.R. 20 Joint Resolution Recognizing Retiring President of Dixie State College (Sen. J. Hickman)
S.J.R. 14 Joint Resolution on Stroke Awareness (Sen. P. Knudson)
S.J.R. 15 Joint Resolution Urging Medicaid Reform (Sen. P. Knudson)
S.J.R. 18 Joint Resolution Approving Consolidation of West Valley and Sandy District Courts (Sen. P. Knudson)
S.B. 144 Motor Vehicle Stops At Port−of−entry (Sen. P. Knudson)
1st Sub. S.B. 25 Transportation Amendments and Highway Jurisdictional Transfer Task Force (Sen. C. Walker)
S.B. 51 New Motor Vehicle Franchise Act Amendments (Sen. D. Eastman)
S.B. 179 Protection of Government Records (Sen. G. Bell)
S.B. 138 Judgment Interest Amendments (Sen. E. Mayne)
S.B. 216 Amendments to Utah Emergency Medical Services Act (Sen. C. Bramble)
S.B. 19 Disease Testing of Individuals Exposed to Blood Borne Pathogens (Sen. P. Arent)
S.B. 77 Amendments to Indoor Clean Air Act
(Sen. M. Waddoups)

1st Sub. S.B. 109 Safety Belt Enforcement (Sen. K. Hale)

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


Rebecca Lockhart, Chair

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

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to recess until 2:00 p.m.

AFTERNOON SESSION

The House was called to order by Speaker Curtis at 2:00 p.m.

COMMUNICATION FROM THE SENATE

Mr. Speaker: March 2, 2005

The Senate passed, H.B. 380, AMENDMENTS TO LOCAL DISTRICTS, by Representative K. Morgan, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. H.B. 380 was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

CONCURRENCE CALENDAR

On motion of Representative Morley, the House voted to concur in the Senate amendments to Sub. H.B. 42, MEDICAL RECOMMENDATIONS FOR CHILDREN.

Sub. H.B. 42, as amended by the Senate, then passed on the following roll call:
Yeas, 46; Nays, 21; Absent or not voting, 8.

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bigelow</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>Christensen</td>
<td>S. Clark</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td>Dayton</td>
<td>Donnelson</td>
<td>Dougall</td>
<td>Dunnigan</td>
</tr>
<tr>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
</tr>
<tr>
<td>Frank</td>
<td>Gibson</td>
<td>Hardy</td>
<td>Harper</td>
</tr>
<tr>
<td>Hogue</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>Kiser</td>
<td>Last</td>
<td>Lockhart</td>
</tr>
<tr>
<td>Mascaro</td>
<td>Mathis</td>
<td>Morley</td>
<td>Murray</td>
</tr>
<tr>
<td>Newbold</td>
<td>Noel</td>
<td>Painter</td>
<td>Romero</td>
</tr>
<tr>
<td>G. Snow</td>
<td>Tilton</td>
<td>Ure</td>
<td>Walker</td>
</tr>
<tr>
<td>Wallace</td>
<td>Wheeler</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Becker</th>
<th>Biskupski</th>
<th>Bourdeaux</th>
<th>Cosgrove</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dee</td>
<td>Duckworth</td>
<td>Goodfellow</td>
<td>Gowans</td>
</tr>
<tr>
<td>Hansen</td>
<td>Hendrickson</td>
<td>Holdaway</td>
<td>Jones</td>
</tr>
<tr>
<td>King</td>
<td>Lawrence</td>
<td>Litvack</td>
<td>Menlove</td>
</tr>
<tr>
<td>Moss</td>
<td>Shurtliff</td>
<td>Wheatley</td>
<td>Wiley</td>
</tr>
<tr>
<td>Curtis</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Alexander</th>
<th>D. Clark</th>
<th>McGee</th>
<th>Morgan</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oda</td>
<td>Ray</td>
<td>Urquhart</td>
<td>Wyatt</td>
</tr>
</tbody>
</table>

Sub. H.B. 42, as amended by the Senate, transmitted to the Senate for signature of the president.

***

On motion of Representative Christensen, the House voted to concur in the Senate amendments to **H.B. 280, JOINT CUSTODY AMENDMENTS.**

H.B. 280, as amended by the Senate, then passed on the following roll call:

**Yeas, 65; Nays, 0; Absent or not voting, 10.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bowman</td>
<td>Buttars</td>
</tr>
<tr>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
</tr>
</tbody>
</table>
H.B. 280, as amended by the Senate, transmitted to the Senate for signature of the president.

MISCELLANEOUS BUSINESS

On motion of Representative Christensen, the House voted to print the following intent language for H.B. 280 in the House Journal.

INTENT LANGUAGE FOR H.B. 280

The intent of H.B. 280 is that it be applied consistent with those existing court cases, which recognize that the changed circumstances that may support a motion to modify a prior custody order are those that affect the custodial relationship and cannot be self-generated by the petitioner to re-open the custody issue.

CONCURRENCE CALENDAR

On motion of Representative Dunnigan, the House voted to concur in the Senate amendments to Sub. H.B. 121, PROPERTY EXEMPT FROM EXECUTION.

Sub. H.B. 121, as amended by the Senate, then passed on the following roll call:
Yeas, 63; Nays, 4; Absent or not voting, 8.

Voting in the affirmative were: Representatives
Aagard  Adams  S. Allen  Barrus
Becker  Bigelow  Biskupski  Bourdeaux
Bowman  Buttars  Christensen  D. Clark
S. Clark  Cosgrove  D. Cox  Daw
Dayton  Dee  Donnelson  Dougall
Dunnigan  Ferrin  Ferry  Fisher
Fowlke  Frank  Gibson  Goodfellow
Gowans  Hansen  Hardy  Harper
Hendrickson  Hogue  Holdaway  Hunsaker
E. Hutchings  B. Johnson  Jones  King
Kiser  Last  Lawrence  Litvack
Lockhart  Mascaro  Mathis  Menlove
Morgan  Morley  Moss  Murray
Newbold  Oda  Painter  Ray
Shurtliff  G. Snow  Tilton  Walker
Wallace  Wheeler  Wiley

Voting in the negative were: Representatives
McGee  Romero  Ure  Curtis

Absent or not voting were: Representatives
Alexander  Buxton  Duckworth  Hughes
Noel  Urquhart  Wheatley  Wyatt

Sub. H.B. 121, as amended by the Senate, transmitted to the Senate for signature of the president.

***

On motion of Representative Allen, the House voted to concur in the Senate amendments to Sub. H.B. 17, MOTION PICTURE INCENTIVE FUND.

Sub. H.B. 17, as amended by the Senate, then passed on the following roll call:

Yeas, 60; Nays, 12; Absent or not voting, 3.

Voting in the affirmative were: Representatives
Aagard  Adams  S. Allen  Barrus
Becker  Bigelow  Biskupski  Bourdeaux
Bowman  Buttars  Buxton  D. Clark
Voting in the affirmative were: Representatives
Aagard Adams S. Allen Barrus
Bigelow Biskupski Bourdeaux Buttars
Buxton Christensen D. Clark S. Clark
Cosgrove D. Cox Daw Dayton
Donnelson Dougall Duckworth Dunnigan
Ferrin Ferry Fished Dunnigan
Gibson Goodfellow Gowans Hansen
Hardy Harper Hendrickson Hogue
Holdaway Hughes Hunsaker Hutchings

Voting in the negative were: Representatives
Christensen Daw Dayton Donnelson
Dougall Frank Hughes Lockhart
Morley Oda Painter Tilton

Absent or not voting were: Representatives
Alexander G. Snow Wyatt

Sub. H.B. 17, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Harper, the House voted to concur in the Senate amendments to H.B. 107, AMENDMENTS TO TAXES, FEES OR CHARGES.

H.B. 107, as amended by the Senate, then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams S. Allen Barrus
Bigelow Biskupski Bourdeaux Buttars
Buxton Christensen D. Clark S. Clark
Cosgrove D. Cox Daw Dayton
Donnelson Dougall Duckworth Dunnigan
Ferrin Ferry Fished Dunnigan
Gibson Goodfellow Gowans Hansen
Hardy Harper Hendrickson Hogue
Holdaway Hughes Hunsaker Hutchings
Day 45  Wednesday, March 2, 2005  1015

B. Johnson  Jones  King  Kiser
Last  Lawrence  Litvack  Lockhart
Mascaro  Mathis  McGee  Menlove
Morgan  Morley  Moss  Murray
Newbold  Noel  Oda  Painter
Ray  Romero  G. Snow  Tilton
Ure  Urquhart  Walker  Wallace
Wheatley  Wheeler  Wiley  Curtis

Absent or not voting were: Representatives
Alexander  Becker  Bowman  Dee
Fowlke  Shurtliff  Wyatt

H.B. 107, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Shurtliff, the House voted to concur in the Senate amendments to Sub. H.B. 184, CRIME VICTIMS − CHANGE OF LOCKS ON RENTAL PROPERTY.

Sub. H.B. 184, as amended by the Senate, then passed on the following roll call:

Yeas, 65; Nays, 3; Absent or not voting, 7.

Voting in the affirmative were: Representatives
Aagard  Adams  S. Allen  Barrus
Becker  Bigelow  Biskupski  Bourdeaux
Bowman  Buttars  Christensen  D. Clark
S. Clark  Cosgrove  D. Cox  Daw
Dee  Donnelson  Dougall  Duckworth
Dunnigan  Ferrin  Ferry  Fisher
Fowlke  Frank  Gibson  Goodfellow
Gowans  Hansen  Hardy  Harper
Hendrickson  Hogue  Holdaway  Hughes
Hunsaker  E. Hutchings  B. Johnson  Jones
King  Last  Lawrence  Litvack
Lockhart  Mascaro  McGee  Menlove
Morgan  Moss  Murray  Newbold
Noel  Oda  Painter  Romero
Voting in the negative were: Representatives
Morley Tilton Curtis

Absent or not voting were: Representatives
Alexander Buxton Dayton Kiser
Mathis Ray Wyatt

Sub. H.B. 184, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Romero, the House voted to concur in the Senate amendments to H.B. 275, BUSINESS ENTITY AMENDMENTS.

H.B. 275, as amended by the Senate, then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams S. Allen Barrus
Becker Bigelow Biskupski Bourdeaux
Bowman Buttars Buxton Christensen
D. Clark S. Clark Cosgrove D. Cox
Daw Dayton Dee Donnelson
Dougall Duckworth Dunnigan Ferrin
Ferry Fisher Fowlke Frank
Gibson Goodfellow Gowans Hansen
Hardy Harper Hendrickson Hogue
Holdaway Hughes Hunsaker E. Hutchings
B. Johnson Jones King Kiser
Last Lawrence Litvack Lockhart
Mascaro Mathis McGee Menlove
Morgan Morley Moss Murray
Newbold Noel Oda Painter
Ray Romero Shurtliff G. Snow
Tilton Urquhart Walker Wallace
Wheatley Wheeler Wiley Curtis

Absent or not voting were: Representatives
Alexander Ure Wyatt
**H.B. 275**, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Christensen, the House voted to concur in the Senate amendments to **H.B. 128**, COMPENSATION OF EXECUTIVE OFFICERS.

**H.B. 128**, as amended by the Senate, then passed on the following roll call:

**Yeas, 41; Nays, 28; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Biskupski</th>
<th>Bourdeaux</th>
<th>Bowman</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
</tr>
<tr>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
</tr>
<tr>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
</tr>
<tr>
<td>Hardy</td>
<td>Harper</td>
<td>Hogue</td>
<td>Hughes</td>
</tr>
<tr>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>Last</td>
</tr>
<tr>
<td>Litvack</td>
<td>Mascaro</td>
<td>Morgan</td>
<td>Newbold</td>
</tr>
<tr>
<td>Noel</td>
<td>Painter</td>
<td>Romero</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Tilton</td>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
</tr>
<tr>
<td>Curtis</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>S. Allen</th>
<th>Barrus</th>
<th>Becker</th>
<th>Bigelow</th>
</tr>
</thead>
<tbody>
<tr>
<td>Duckworth</td>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
</tr>
<tr>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
<td>Hendrickson</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
<td>Oda</td>
</tr>
<tr>
<td>Ray</td>
<td>Shurtleff</td>
<td>Walker</td>
<td>Wiley</td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>Alexander</th>
<th>Lockhart</th>
<th>Ure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urquhart</td>
<td>Wyatt</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**H.B. 128**, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Hardy, the House voted to concur in the Senate amendments to **2nd Sub. H.B. 256**, LOCAL GOVERNMENT AUTHORITY.
2nd Sub. H.B. 256, as amended by the Senate, then passed on the following roll call:

**Y eas, 51; Nays, 17; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

- Aagard
- Bourdeaux
- S. Clark
- Dayton
- Duckworth
- Frank
- Hogue
- King
- Litvack
- Morgan
- Noel
- Shurtliff
- Wheatley

- S. Allen
- Bowman
- Cosgrove
- Dee
- Dunnigan
- Goodfellow
- Hunsaker
- Kiser
- Lockhart
- Moss
- Oda
- Urquhart
- Wheeler

- Barrus
- Buxton
- D. Cox
- Donnelson
- Ferrin
- Hansen
- E. Hutchings
- Last
- Mascaro
- Murray
- Painter
- Walker
- Wiley

**Voting in the negative were:** Representatives

- Biskupski
- Fowlke
- Holdaway
- Morley
- Curtis

- Buttars
- Gibson
- B. Johnson
- Romero
- Ure

- Christensen
- Gowans
- Mathis
- G. Snow
- Wyatt

- Ferry
- Harper
- Menlove
- Tilton

- Hendrickson

**Absent or not voting were:** Representatives

- Adams
- Hughes

- Alexander
- Ure

- Becker
- Wyatt


2nd Sub. H.B. 256, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Dee, the House voted to concur in the Senate amendments to **H.B. 311, CONTROLLED SUBSTANCE LAW AMENDMENTS.**

**H.B. 311, as amended by the Senate, then passed on the following roll call:**

**Y eas, 58; Nays, 7; Absent or not voting, 10.**
Voting in the affirmative were: Representatives
Aagard        S. Allen        Barrus       Bigelow
Bowman        Christensen     D. Clark     S. Clark
Cosgrove      D. Cox          Daw          Dayton
Dee           Donnelson       Dougall     Dunnigan
Ferry          Fisher         Fowlke        Frank
Gibson        Goodfellow           Gowans       Hardy
Harper         Hogue          Holdaway      Hughes
Hunsaker       E. Hutchings   B. Johnson    Jones
King           Kiser          Last          Lawrence
Mascaro       Mathis         McGee        Menlove
Morgan         Moss           Murray       Newbold
Noel           Oda            Painter       Ray
Shurtliff      G. Snow        Tilton       Ure
Urquhart       Walker         Wallace      Wheatley
Wheeler        Curtis

Voting in the negative were: Representatives
Biskupski   Bourdeaux       Duckworth    Litvack
Morley      Romero          Wiley

Absent or not voting were: Representatives
Adams       Alexander      Becker       Buttars
Buxton      Ferrin         Hansen       Hendrickson
Lockhart    Wyatt

H.B. 311, as amended by the Senate, transmitted to the Senate for signature of the president.

***

On motion of Representative Oda, the House voted to concur in the Senate amendments to H.B. 98, OFFENSES COMMITTEE AGAINST CORRECTIONAL AND PEACE OFFICERS.

H.B. 98, as amended by the Senate, then passed on the following roll call:

Y eas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives
Aagard        Alexander      S. Allen       Barrus
Bigelow       Biskupski      Bourdeaux    Buttars
Buxton        Christensen    D. Clark     S. Clark
Cosgrove  D. Cox  Daw  Dayton
Dee  Donnelson  Dougall  Duckworth
Dunnigan  Fisher  Fowlke  Frank
Gibson  Goodfellow  Gowans  Hansen
Hardy  Harper  Hogue  Holdaway
Hunsaker  E. Hutchings  B. Johnson  Jones
King  Kiser  Last  Lawrence
Litvack  Lockhart  Mascaro  Mathis
McGee  Menlove  Morgan  Morley
Moss  Murray  Newbold  Noel
Oda  Painter  Ray  Romero
Shurtliff  G. Snow  Tilton  Ure
Walker  Wallace  Wheatley  Wheeler
Wiley  Curtis

Absent or not voting were: Representatives
Adams  Becker  Bowman  Ferrin
Ferry  Hendrickson  Hughes  Urquhart
Wyatt

H.B. 98, as amended by the Senate, transmitted to the Senate for signature of the president.

***

On motion of Representative Holdaway, the House voted to concur in the Senate amendments to Sub. H.B. 113, GOVERNMENT BOUNDARY CHANGES.

Sub. H.B. 113, as amended by the Senate, then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard  Alexander  S. Allen  Barrus
Becker  Bigelow  Biskupski  Bourdeaux
Bowman  Buttars  Buxton  Christensen
D. Clark  S. Clark  Cosgrove  D. Cox
Daw  Dayton  Dee  Donnelson
Dougall  Duckworth  Dunnigan  Ferry
Fisher  Fowlke  Frank  Gibson
Goodfellow  Gowans  Hansen  Hardy
Absent or not voting were: Representatives
Adams  Ferrin  Hendrickson  Hughes
Kiser  Mascaro  Urquhart  Wyatt

Sub. H.B. 113, as amended by the Senate, transmitted to the Senate for signature of the president.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, under suspension of the rules, the House voted to limit debate to 5 minutes for the sponsor and 2 minutes for each person debating the bill. For the next few commendation resolutions debate will be limited to 3 minutes total.

THIRD READING CALENDAR

S.J.R. 19. RESOLUTION RECOGNIZING GRANITE SCHOOL DISTRICT’S 100 YEARS, read the third time by short title and placed on its final passage.

S.J.R. 19 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard  Alexander  S. Allen  Barrus
Becker  Bigelow  Biskupski  Bourdeaux
Bowman  Buxton  Christensen  D. Clark
S. Clark  Cosgrove  D. Cox  Daw
Dayton  Dougall  Duckworth  Dunnigan
Ferry  Fisher  Fowlke  Frank
Gibson  Goodfellow  Gowans  Hansen
Harper  Hendrickson  Hogue  Holdaway
Hughes  E. Hutchings  B. Johnson  Jones
Absence or not voting were: Representatives
Adams Buttars Dee Donnelson
Ferrin Hardy Hunsaker Kiser
Painter Shurtleff Tilton Wyatt

S.J.R. 19 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.J.R. 20, JOINT RESOLUTION RECOGNIZING RETIRING PRESIDENT OF DIXIE STATE COLLEGE, read the third time by short title and placed on its final passage.

S.J.R. 20 then passed on the following roll call:

Yeas, 71; Nays, 1; Absent or not voting, 3.

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Bourdeaux
Bowman Buttars Buxton Christensen
D. Clark S. Clark Cosgrove D. Cox
Daw Dayton Dee Donnelson
Dougall Duckworth Dunnigan Ferrin
Ferry Fisher Fowlke Frank
Gibson Goodfellow Gowans Hansen
Hardy Harper Hendrickson Hogue
Holdaway Hunsaker E. Hutchings B. Johnson
Jones King Kiser Last
Litvack Lockhart Mascaro Mathis
McGee Menlove Morgan Morley
Moss Murray Newbold Noel
Oda Painter Ray Romero
Voting in the negative was: Representative Hughes

Absent or not voting were: Representatives Biskupski Lawrence Wyatt

*S.J.R. 20* was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

*S.J.R. 14*, JOINT RESOLUTION ON STROKE AWARENESS, read the third time by short title and placed on its final passage.

S.J.R. 14 then passed on the following roll call:

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

Voting in the affirmative were: Representatives

| Aagard | Alexander | S. Allen | Barrus |
| Becker | Bigelow   | Bourdeaux| Bowman |
| Buttars | Christensen | D. Clark | S. Clark |
| Cosgrove | D. Cox | Daw | Dayton |
| Dee | Donnelson | Dougall | Duckworth |
| Dunnigan | Ferrin | Ferry | Fisher |
| Fowlke | Frank | Gibson | Goodfellow |
| Gowans | Hansen | Hardy | Harper |
| Hendrickson | Hogue | Holdaway | Hughes |
| Hunsaker | E. Hutchings | B. Johnson | Jones |
| King | Last | Lawrence | Litvack |
| Lockhart | Mascaro | Mathis | McGee |
| Menlove | Morgan | Morley | Moss |
| Murray | Newbold | Noel | Oda |
| Painter | Ray | Romero | Shurtliff |
| G. Snow | Ure | Walker | Wallace |
| Wheatley | Wheeler | Wiley |

Absent or not voting were: Representatives Adams Biskupski Buxton Kiser

Tilton Urquhart Wyatt Curtis
S.J.R. 14 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

S.J.R. 15, JOINT RESOLUTION URGING MEDICAID REFORM, read the third time by short title and placed on its final passage.

S.J.R. 15 then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard  
Adams  
Alexander  
S. Allen  
Barrus  
Becker  
Bigelow  
Bourdeaux  
Buttars  
Buxton  
Christensen  
D. Clark  
S. Clark  
Cosgrove  
D. Cox  
Daw  
Dayton  
Dee  
Donnelson  
Dougall  
Duckworth  
Dunnigan  
Ferrin  
Ferry  
Fisher  
Fowlke  
Frank  
Gibson  
Goodfellow  
Gowans  
Hansen  
Hardy  
Harper  
Hendrickson  
Hogue  
Holdaway  
Hughes  
Hunsaker  
E. Hutchings  
B. Johnson  
Jones  
King  
Last  
Lawrence  
Litvack  
Mascaro  
Mathis  
McGee  
Menlove  
Morgan  
Morley  
Moss  
Murray  
Newbold  
Noel  
Oda  
Painter  
Ray  
Romero  
Shurtliff  
G. Snow  
Ure  
Walker  
Wallace  
Wheatley  
Wheeler  
Wiley  
Wyatt  

**Absent or not voting were:** Representatives

Biskupski  
Bowman  
Kiser  
Lockhart  
Tilton  
Urquhart  

S.J.R. 15 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.
S.J.R. 18, JOINT RESOLUTION APPROVING CONSOLIDATION OF WEST VALLEY AND SANDY DISTRICT COURTS, read the third time by short title and placed on its final passage.

S.J.R. 18 then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Biskupski  Bourdeaux
Bowman  Buttars  Christensen  D. Clark
S. Clark  Cosgrove  D. Cox  Daw
Dayton  Dee  Donnelson  Dougall
Dunnigan  Ferrin  Fisher  Frank
Gibson  Goodfellow  Gowans  Hansen
Harper  Hendrickson  Hogue  Hughes
Hunsaker  E. Hutchings  B. Johnson  Jones
King  Kiser  Lawrence  Litvack
Lockhart  Mascaro  Mathis  McGee
Menlove  Morgan  Morley  Moss
Murray  Newbold  Noel  Oda
Painter  Ray  Romero  Shurtliff
G. Snow  Ure  Urquhart  Walker
Wallace  Wheatley  Wheeler  Wiley
Wyatt  Curtis

Voting in the negative were: Representatives

Bigelow  Ferry  Holdaway

Absent or not voting were: Representatives

Buxton  Duckworth  Fowlke  Hardy
Last  Tilton

S.J.R. 18 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

2nd Sub. S.B. 192, HIGH TECHNOLOGY ECONOMIC DEVELOPMENT APPROPRIATION, read the third time by short title and placed on its final passage.
On motion of Representative D. Clark, the House voted to circle **2nd Sub. S.B. 192**.

***

**2nd Sub. S.B. 199**, OFFICE OF ENERGY – OVERSIGHT, read the third time by short title and placed on its final passage.

Representative Allen proposed the following amendment:

1. Page 26, Lines 777 through 779
   777 Section 12. Repealer.
   778 This bill repeals:
   
   **Section 13. Study regarding Governor’s Office of Economic Development’s role in the assumption of responsibility for state energy policy duties and programs.**
   
   (1) The Legislature’s Public Utilities and Technology Interim Committee shall monitor and study the implementation and consequences of the elimination of the Energy Office and the assumption of the Energy Office duties and responsibilities by the Governor’s Office of Economic Development.
   
   (2) The Public Utilities and Technology Interim Committee shall conduct a study to determine what modifications, if any, may be needed to further enhance the state’s energy programs and policies.
   
   (3) The Governor’s Office of Economic Development shall report to the Public Utilities and Technology Interim committee by September 30 to report on the Governor’s Office’s assumption of responsibility for energy policy duties and programs.
   
   (4) The Public Utilities and Technology Interim Committee shall complete the study required by Subsection (1) and present its findings, including any proposed legislation, to the Legislative Management Committee by November 30, 2005.

Renumber remaining sections accordingly.

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

**2nd Sub. S.B. 199**, as amended, then passed on the following roll call:

*Yeas, 67; Nays, 6; Absent or not voting, 2.*
**Voting in the affirmative were:** Representatives

Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Bigelow  Bourdeaux
Bowman  Buttars  Buxton  D. Clark
Cosgrove  D. Cox  Daw  Dayton
Dee  Donnelson  Dougall  Duckworth
Dunnigan  Ferrin  Ferry  Fisher
Frank  Gibson  Goodfellow  Gowans
Hansen  Hardy  Harper  Hendrickson
Hogue  Holdaway  Hughes  Hunsaker
E. Hutchings  B. Johnson  Jones  King
Kiser  Last  Lawrence  Lockhart
Mascaro  Mathis  McGee  Menlove
Morgan  Moss  Murray  Newbold
Noel  Oda  Painter  Ray
Romero  Shurtliff  G. Snow  Ure
Urquhart  Walker  Wallace  Wheatley
Wheeler  Wyatt  Curtis

**Voting in the negative were:** Representatives

Biskupski  Fowlke  Litvack  Morley
Tilton  Wiley

**Absent or not voting were:** Representatives

Christensen  S. Clark

2nd Sub. S.B. 199, as amended, returned to the Senate for further consideration.

***

**S.B. 144, MOTOR VEHICLE STOP AT PORT—OF—ENTRY,** read the third time by short title and placed on its final passage.

On motion of Representative Ferry, the House voted to delete S.B. 144 in title and body and insert Sub. S.B. 144 in lieu thereof.

Sub. S.B. 144 then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard  Adams  S. Allen  Barrus
Becker  Biskupski  Bourdeaux  Bowman
Sub. S.B. 144, as amended, returned to the Senate for further consideration.

***

Sub. S.B. 25, TRANSPORTATION AMENDMENTS AND HIGHWAY JURISDICTIONAL TRANSFER TASK FORCE, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House voted to circle Sub. S.B. 25.

***

S.B. 51, NEW MOTOR VEHICLE FRANCHISE ACT AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 51, as amended, then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard Adams S. Allen Barrus
Becker Bigelow Biskupski Bourdeaux

Absent or not voting were: Representatives

Alexander Bigelow Hansen Hughes
B. Johnson King Morley G. Snow
Urquhart
Day 45       Wednesday, March 2, 2005

Absent or not voting were: Representatives
Alexander      Dayton      E. Hutchings      Morley
Noel           Shurtliff

S.B. 51, as amended, returned to the Senate for further consideration.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 2, 2005

The Senate concurred in the House amendments and passed 2nd Sub. S.B. 64, REAL ESTATE TRANSACTIONS AND SECURITIES, by Senator L. A. Mansell, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed S.B. 206, NONPARTICIPATING TOBACCO MANUFACTURER AMENDMENTS, by Senator S. Killpack, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. 2nd Sub. S.B. 64 and S.B. 206 were signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.
Mr. Speaker: March 2, 2005

The Senate passed, **H.B. 22. INTERCOUNTRY ADOPTION ACCREDITATION**, by Representative R. McGee, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. **H.B. 22** was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

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

On motion of Representative Urquhart, the House voted to cease to saunter.

**THIRD READING CALENDAR**

**S.B. 179. PROTECTION OF GOVERNMENT RECORDS**, read the third time by short title and placed on its final passage.

**S.B. 179** then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>S. Allen</th>
<th>Barrus</th>
<th>Becker</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
<td>Bowman</td>
</tr>
<tr>
<td>Buttars</td>
<td>Buxton</td>
<td>D. Clark</td>
<td>S. Clark</td>
</tr>
<tr>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
</tr>
<tr>
<td>Dee</td>
<td>Donnelson</td>
<td>Duckworth</td>
<td>Dunnigan</td>
</tr>
<tr>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fowlke</td>
<td>Gibson</td>
</tr>
<tr>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
</tr>
<tr>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
</tr>
<tr>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
</tr>
<tr>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Litvack</td>
<td>Mascaro</td>
<td>Mathis</td>
</tr>
<tr>
<td>McGee</td>
<td>Menlove</td>
<td>Morley</td>
<td>Moss</td>
</tr>
<tr>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Ure</td>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
</tr>
<tr>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
<td></td>
</tr>
</tbody>
</table>

* * *
Absent or not voting were: Representatives
Adams Alexander Christensen Dougall
Fisher Frank Lockhart Morgan
Painter Tilton Urquhart Curtis

S.B. 179 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

S.B. 138, JUDGMENT INTEREST AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 138 then passed on the following roll call:
Y eas, 61; Nays, 0; Absent or not voting, 14.

Voting in the affirmative were: Representatives
Aagard S. Allen Barrus Becker
Biskupski Bourdeaux Buttars Christensen
D. Clark S. Clark Cosgrove D. Cox
Daw Dayton Donnelson Duckworth
Dunnigan Ferrin Ferry Fisher
Fowlke Frank Gibson Goodfellow
Gowans Hansen Hardy Hendrickson
Hogue Holdaway Hughes Hunsaker
E. Hutchings B. Johnson Jones King
Kiser Last Lawrence Litvack
Mascaro Mathis Menlove Morley
Moss Murray Newbold Noel
Oda Painter Ray Romero
Shurtleff G. Snow Ure Walker
Wallace Wheatley Wheeler Wyatt

Absent or not voting were: Representatives
Adams Alexander Bigelow Bowman
Buxton Dee Dougall Harper
Lockhart McGee Morgan Tilton
Urquhart Curtis

S.B. 138 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.
S.B. 216, AMENDMENTS TO UTAH EMERGENCY MEDICAL SERVICES ACT, read the third time by short title and placed on its final passage.

On motion of Representative Ferry, the House voted to circle S.B. 216.

S.B. 19, DISEASE TESTING OF INDIVIDUALS EXPOSED TO BLOOD BORNE PATHOGENS, read the third time by short title and placed on its final passage.

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

Yeas, 63; Nays, 2; Absent or not voting, 10.

Voting in the affirmative were: Representatives

Aagard Adams S. Allen Becker
Biskupski Bourdeaux Bowman Buttars
Buxton D. Clark S. Clark Cosgrove
D. Cox Daw Dee Donnelson
Duckworth Dunnigan Ferrin Ferry
Fisher Fowlke Frank Gibson
Goodfellow Gowans Hansen Hardy
Hendrickson Hogue Holdaway Hughes
Hunsaker E. Hutchings B. Johnson Jones
King Kiser Last Lawrence
Litvack Mascaro Mathis Menlove
Morgan Morley Moss Murray
Newbold Noel Oda Painter
Ray Romero Shurtliff G. Snow
Ure Walker Wallace Wheatley
Wheeler Wiley Wyatt

Voting in the negative were: Representatives

Barrus Dayton

Absent or not voting were: Representatives

Alexander Bigelow Christensen Dougall
Harper Lockhart McGee Tilton
Urquhart Curtis

S.B. 19 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.
S.B. 77, AMENDMENTS TO INDOOR CLEAN AIR ACT, read the third time by short title and placed on its final passage.

On motion of Representative Ray, the House voted to circle S.B. 77.

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

On motion of Representative Ferry, the House voted to cease to saunter.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 2, 2005

The Senate refuses to concur with the House Amendments to 1st Sub. S.B. 137, TOURISM, RECREATION, CULTURAL, AND CONVENTION FACILITIES TAX AMENDMENTS, by Senator H. Stephenson, and requests the House recede from its amendments.

Annette B. Moore
Secretary of the Senate

Communication filed. On motion of Representative Kiser, the House voted to refuse to recede from its amendments to Sub. S.B. 137. The Speaker was authorized to appoint a conference committee. The Speaker appointed Representatives Kiser, Ure, and Morgan.

Mr. Speaker: March 2, 2005

The Senate concurred in the House amendments and passed 2nd Sub. S.B. 13, INDIVIDUAL INCOME TAX SUBTRACTION FOR CERTAIN MILITARY INCOME, by Senator H. Stephenson, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed S.B. 41, SCHOOL AND INSTITUTIONAL TRUST LANDS MANAGEMENT ACT REVISIONS, by Senator M. Dmitrich, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. 2nd Sub. S.B. 13 and S.B. 41 were signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.
Mr. Speaker:

The Senate passed, **H.B. 136**, CHARTER SCHOOL ENROLLMENT, by Representative J. Ferrin, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 147**, PROPERTY TAX EXEMPTION FOR VETERANS, by Representative G. Hughes, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 17**, MOTION PICTURE INCENTIVE FUND, by Representative S. Allen, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 42**, MEDICAL RECOMMENDATIONS FOR CHILDREN, by Representative M. Morley, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 75**, GOVERNMENT RECORDS ACCESS AND MANAGEMENT TASK FORCE, by Representative D. Aagard, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 107**, AMENDMENTS TO TAXES, FEES, OR CHARGES, by Representative W. Harper, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 121**, PROPERTY EXEMPT FROM EXECUTION, by Representative J. Dunnigan, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 184**, CRIME VICTIMS – CHANGE OF LOCKS ON RENTAL PROPERTY, by Representative L. Shurtleff, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 280**, JOINT CUSTODY AMENDMENTS, by Representative L. Christensen, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 299**, MOTOR VEHICLE BUSINESS LICENSING AMENDMENTS, by Representative P. Ray, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

CONFERENCE COMMITTEE REPORT

Mr. Speaker: March 2, 2005

The Joint Conference Committee comprised of Senators Hillyard, Hickman, and Allen, and Representatives Bigelow, Alexander, and King, recommends S.B. 1, SUPPLEMENTAL APPROPRIATIONS ACT, by Senator Lyle W. Hillyard, with the following amendments:

1. Include the House amendments on Page 4, Lines 125a–125q, of the Lilac copy dated 02–28–05.

2. Include the House amendments on Page 5, Lines 166–166d, of the Lilac copy dated 02–28–05.

Lyle W. Hillyard, Senate Chair

Ron Bigelow, House Chair

Report filed. On motion of Representative Bigelow, the House voted to adopt the Conference Committee Report.

S.B. 1 then passed on the following roll call:

Yeas, 48; Nays, 16; Absent or not voting, 11.

Voting in the affirmative were: Representatives

Aagard  Adams  S. Allen  Barrus  
Bigelow  Bowman  Butters  Buxton  
D. Clark  S. Clark  D. Cox  Daw  
Dayton  Dee  Dougall  Dunnigan  
Ferrin  Ferry  Fisher  Fowlke  
Frank  Gibson  Goodfellow  Hardy  
Harper  Hogue  Holdaway  Hughes  
Hunsaker  Last  Lawrence  Lockhart  
Mascaro  Mathis  Menlove  Morley  
Murray  Newbold  Oda  Painter  
Ray  G. Snow  Ure  Urquhart  
Wallace  Wheeler  Wyatt  Curtis  


Voting in the negative were: Representatives

Biskupski  Cosgrove  Donnelson  Duckworth
Gowans    Hansen  Hendrickson  Jones
King      Litvack  McGee     Moss
Romero    Shurtliff  Wheatley  Wiley

Absent or not voting were: Representatives

Alexander  Becker  Bourdeaux  Christensen
E. Hutchings  B. Johnson  Kiser  Morgan
Noel      Tilton  Walker

S.B. 1 transmitted to the Senate for further consideration.

THIRD READING CALENDAR

Sub. S.B. 109, SAFETY BELT ENFORCEMENT, read the third time by short title and placed on its final passage.


Representative Noel’s motion to substitute passed on a voice vote.

# # #

Representative Barrus proposed the following amendment:

1. Page 1, Lines 13–15:
   Delete line 13, 14, and 15.

2. Pages 2–3, Lines 55–58:
   Reinstate lines 55, 56, 57, and 58.

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

Yeas, 46; Nays, 25; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Aagard  Adams  Barrus  Bigelow
Buttars  Buxton  Christensen  D. Clark
S. Clark  D. Cox  Daw  Dayton
Dee    Donnelson  Dougall  Ferrin
Ferry   Fisher  Fowlke  Frank
Gibson  Gowans  Harper  Hogue
2nd Sub. S.B. 109, as amended, then passed on the following roll call:

Yeas, 40; Nays, 33; Absent or not voting, 2.
Absent or not voting were: Representatives
Adams Alexander

2nd Sub. S.B. 109, as amended, returned to the Senate for further consideration.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 2, 2005

The President of the Senate has signed H.B. 98, OFFENSES COMMITTED AGAINST CORRECTIONAL AND PEACE OFFICERS, by Representative C. Oda, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed H.B. 311, CONTROLLED SUBSTANCE LAW AMENDMENTS, by Representative B. Dee, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed 1st Sub. H.B. 113, GOVERNMENT BOUNDARY CHANGES, by Representative K. Holdaway, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed H.B. 128, COMPENSATION OF EXECUTIVE OFFICERS, by Representative L. Christensen, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed 2nd Sub. H.B. 256, LOCAL GOVERNMENT AUTHORITY, by Representative A. Hardy, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed H.B. 275, BUSINESS ENTITY AMENDMENTS, by Representative R. Romero, and it is transmitted for the signature of the Speaker; and

The Senate passed, 1st Sub. H.B. 87, CLAIMS AGAINST A COUNTY, by Representative S. Clark, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

* * *

Mr. Speaker:  
March 2, 2005

The Senate refuses to concur with the House Amendments to 2nd Sub. S.B. 178, CHARTER SCHOOL AMENDMENTS, by Senator H. Stephenson, and requests the House recede from its amendments.

Annette B. Moore  
Secretary of the Senate

Communication filed. Representative Ferrin moved that the House recede from its amendments to 2nd Sub. S.B. 178. The motion passed on the following roll call:

**Yeas, 38; Nays, 37; Absent or not voting, 0.**

**Voting in the affirmative were:** Representatives

Aagard  Adams  Alexander  S. Allen  
Barrus  Bigelow  Bowman  Butter  
D. Clark  S. Clark  D. Cox  Daw  
Dayton  Donnelson  Dougall  Ferrin  
Frank  Harper  Hogue  Hughes  
E. Hutchings  B. Johnson  Kiser  Lockhart  
Mathis  Morley  Newbold  Noel  
Oda  G. Snow  Tilton  Ure  
Urquhart  Walker  Wallace  Wheeler  
Wyatt  Curtis

**Voting in the negative were:** Representatives

Becker  Biskupski  Bourdeaux  Buxton  
Christensen  Cosgrove  Dee  Duckworth  
Dunnigan  Ferry  Fisher  Fowlke  
Gibson  Goodfellow  Gowans  Hansen  
Hardy  Hendrickson  Holdaway  Hunsaker  
Jones  King  Last  Lawrence  
Litvack  Mascaro  McGee  Menlove  
Morgan  Moss  Murray  Painter  
Ray  Romero  Shurtliff  Wheatley  

Sub. S.B. 178 passed on the following roll call:
Yeas, 38; Nays, 37; Absent or not voting, 0.

**Voting in the affirmative were:** Representatives


**Voting in the negative were:** Representatives


Sub. S.B. 178 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

Mr. Speaker:  March 2, 2005

The Senate passed, as amended, **H.B. 142**, ISSUES SUBMITTED TO VOTERS, by Representative G. Hughes, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate  

Communication filed. **H.B. 142**, placed on the calendar for concurrence.

**MISCELLANEOUS BUSINESS**

On motion of Representative Alexander, under suspension of the rules, the House voted to move to the House Third Reading Calendar.
THIRD READING CALENDAR

H.J.R. 20, MASTER STUDY RESOLUTION, read the third time by short title and placed on its final passage.

Representative Ure proposed the following amendment:

1. Page 17, Line 520:
   After line 520, insert:
   “WPU Formula Related to Special Education – to study adjusting the WPU formula in relation to funding for special education.”

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

###

Representative Shurtliff proposed the following amendment:

1. Page 17, After line 520:
   Insert a new item as follows: “Promotion of gaming on high school sports by newspaper publishing odds on ball games and playoffs.”

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

###

Representative Hansen proposed the following amendment:

1. Page 12, Line 366:
   After “Municipal” insert “Water and”

2. Page 12, Line 367:
   After ”from” insert “ water and”

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

###

Representative Hansen proposed the following amendment:

1. Page 17, After line 520:
   Insert a new item as follows: “Effects of Minority Reports on Legislation”

Representative Hansen’s motion to amend passed on a voice vote.
On motion of Representative Urquhart, the House voted to circle **H.J.R. 20**.

**UNFINISHED BUSINESS**

On motion of Representative Bigelow, the House voted to uncircle **H.B. 301**.

**H.B. 301**, SUPPLEMENTAL APPROPRIATIONS III, was before the House upon reconsideration.

**H.B. 301**, as amended by the Senate, then passed on the following roll call:

**Yeas, 57; Nays, 9; Absent or not voting, 9.**

**Voting in the affirmative were:** Representatives

- Adams
- Alexander
- S. Allen
- Barrus
- Bigelow
- Bourdeaux
- Bowman
- Buttars
- Buxton
- Christensen
- D. Clark
- S. Clark
- Cosgrove
- D. Cox
- Daw
- Dee
- Donnelson
- Dougall
- Dunnigan
- Ferrin
- Ferry
- Fisher
- Frank
- Gibson
- Goodfellow
- Hardy
- Harper
- Holdaway
- Hunsaker
- E. Hutchings
- B. Johnson
- Jones
- King
- Last
- Lawrence
- Litvack
- Lockhart
- Mascaro
- Mathis
- Menlove
- Moss
- Murray
- Newbold
- Noel
- Oda
- Painter
- Ray
- G. Snow
- Tilton
- Ure
- Urquhart
- Walker
- Wallace
- Wheatley
- Wheeler
- Wyatt
- Curtis

**Voting in the negative were:** Representatives

- Becker
- Biskupski
- Duckworth
- Gowans
- Hansen
- Hendrickson
- McGee
- Romero
- Shurtliff

**Absent or not voting were:** Representatives

- Aagard
- Dayton
- Fowlke
- Hogue
- Hughes
- Kiser
- Morgan
- Morley
- Wiley

**H.B. 301**, as amended by the Senate, transmitted to the Senate for its consideration.
RULES COMMITTEE REPORT

Mr. Speaker: March 2, 2005

The House Rules Committee recommends, under suspension of the rules and with written request of the sponsor, that S.B. 7, Funding for Tourism (Sen. S. Jenkins) be amended as follows, considered read for the first and second time and further recommends it be placed on the Third Reading Calendar:

1. Page 1, Lines 23 through 27:

   23 This bill appropriates:
   24 {−$10,000,000 as an ongoing appropriation subject to future budget constraints and
   25 with an automatic $1,000,000 reduction in each fiscal year following—} $18,000,000 from the General Fund for fiscal year 2005–06 only to the Tourism Marketing Performance Fund.
   27 Other Special Clauses:

2. Page 7, Lines 207 through 211:

   207 (4) The fund shall be funded by:
   208 (a) {an annual appropriation} appropriations made to the fund by the Legislature {as set forth in Subsection (7)} ; and
   210 (b) increases in the sales and use tax revenues derived from the retail sales of tourist–oriented goods and services in accordance with this section.

3. Page 8, Lines 234 through 243

   Senate 3rd Reading Amendments 2–23–2005:
   234 (7) (a) Monies deposited in the fund shall be as follows for each fiscal year.
   235 (b) {–(i) } For the fiscal year beginning July 1, 2005, the budget base shall be a $10,000,000 appropriation.
   236 (ii) For each succeeding fiscal year, the budget base shall be a reduction in the prior fiscal year’s appropriation {as modified by Subsection}. [6] (7) 
238a increases
239 identified in Subsection (8).
240 {(c) The $10,000,000 appropriation portion of the budget base shall decrease by:
241 $1,000,000 in each fiscal year following fiscal year 2005−06. }
242 (d) Monies in the fund are nonlapsing.
243 (8) (a) In fiscal years 2006 through 2015, a portion of the state sales and use tax

4. Page 11, Lines 325 through 327
Senate Committee Amendments 1−19−2005:
325 There is appropriated from the General Fund for fiscal year
[2004−05] 2005−06 only $10,000,000 to the
325a Tourism Marketing Performance Fund to help pay for the
326 statewide advertising, marketing, and branding campaign for promotion
327 Section 9. Effective date.

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

S.B. 71 Security Personnel Licensing Amendments
(Sen. G. Davis)
S.C.R. 8 Concurrent Resolution Approving Class V Landfill
(Sen. M. Dmitrich)
S.B. 75 Public Safety Database Amendments (Sen. M. Waddoups)
S.B. 146 Avoiding Apprehension Amendment (Sen. M. Waddoups)
S.B. 207 Motor Vehicle Insurance Coverage Amendments
(Sen. D. Eastman)
1st Sub. S.B. 8 Local Corridor Preservation Funding (Sen. S. Killpack)
S.B. 157 Utah Consumer Credit Code Amendments
(Sen. P. Knudson)
S.B. 158 Dishonored Instrument Amendments (Sen. P. Knudson)
1st Sub. S.B. 80 Special Service Districts – Service Expansion
(Sen. M. Dmitrich)
S.B. 190 County Officer Amendments (Sen. C. Bramble)
S.C.R. 2  Resolution Approving Class V Landfill (Sen. R. Allen)
S.B. 148  Conservation Easement Endowment Restricted Account (Sen. B. Evans)
1st Sub. S.B. 31  Local Government Amendments (Sen. D. Thomas)

Rebecca Lockhart, Chair
Reports filed. On motion of Representative Lockhart, the reports of the Rules Committee were adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to recess until 7:30 p.m.

EVENING SESSION

The House was called to order by Speaker Curtis at 7:40 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 2, 2005
The President of the Senate has appointed a Conference Committee consisting of Senators H. Stephenson, C. Walker, and G. Davis to meet with a like committee from the House of Representatives to consider or amend 1st Sub. S.B. 137, TOURISM, RECREATION, CULTURAL, AND CONVENTION FACILITIES TAX AMENDMENTS, by Senator H. Stephenson.

Annette B. Moore
Secretary of the Senate
Communication filed. The Conference Committee may now meet.

***

Mr. Speaker: March 2, 2005
The Senate concurred in the House amendments and passed 2nd Sub. S.B. 184, REDEVELOPMENT AGENCY AMENDMENTS, by Senator C. Bramble, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed 2nd Sub. S.B. 199, OFFICE OF ENERGY – OVERSIGHT, by Senator T. Hatch, and it is transmitted for the signature of the Speaker; and

The Senate adopted the Joint Conference Committee Report dated March 2, 2005, and passed S.B. 1, SUPPLEMENTAL APPROPRIATIONS ACT, by Senator L. Hillyard, and it is transmitted for the signature of the Speaker; and
The Senate concurred in the House amendments and passed **S.B. 51, NEW MOTOR VEHICLE FRANCHISE ACT AMENDMENTS**, by Senator D. Eastman, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **1st Sub. S.B. 139, WAGE PROVISIONS**, by Senator H. Stephenson, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **2nd Sub. S.B. 184, 2nd Sub. S.B. 199, S.B. 1, S.B. 51, and Sub. S.B. 139** were signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

Mr. Speaker: March 2, 2005

The Senate passed, **1st Sub. H.B. 211, INTEGRITY OF ELECTION RESULTS AMENDMENTS**, by Representative J. Dougall, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communication filed. **Sub. H.B. 211** was signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

***

Mr. Speaker: March 2, 2005

The Senate passed, as amended, **H.B. 288, EXECUTIVE COMPENSATION AMENDMENTS**, by Representative J. Alexander, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 142, ISSUES SUBMITTED TO VOTERS**, by Representative G. Hughes, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to move to the Senate Third Reading Calendar.

UNFINISHED BUSINESS

On motion of Representative Lockhart, the House voted to uncircle S.B. 216.

S.B. 216, AMENDMENTS TO UTAH EMERGENCY MEDICAL SERVICES ACT, was before the House on its final passage.

S.B. 216 then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard  Alexander  S. Allen  Barrus
Becker  Bigelow  Biskupski  Bourdeaux
Bowman  Butters  Buxton  Christensen
D. Clark  S. Clark  Cosgrove  D. Cox
Daw  Dayton  Dee  Donnelson
Dougall  Duckworth  Ferrin  Ferry
Fisher  Fowlke  Gibson  Goodfellow
Gowans  Hansen  Hardy  Hendrickson
Hogue  Hughes  Hunsaker  B. Johnson
Jones  King  Kiser  Lawrence
Litvack  Lockhart  Mascaro  Mathis
McGee  Menlove  Morgan  Morley
Murray  Newbold  Noel  Oda
Painter  Ray  Romero  Shurtliff
G. Snow  Tilton  Ure  Walker
Wallace  Wheatley  Wheeler  Wiley
Wyatt

Absent or not voting were: Representatives

Adams  Dunnigan  Frank  Harper
Holdaway  E. Hutchings  Last  Moss
Urquhart

S.B. 216 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.
MISCELLANEOUS BUSINESS

On motion of Representative Lockhart, the House voted to print the following intent language in the House Journal.

INTENT LANGUAGE TO S.B. 216

The role of local governments in the licensing of ground ambulance and paramedic providers that serve areas also served by the local government is important. The Legislature strongly encourages local government to establish cost, quality, and access goals for the ground ambulance and paramedic services that serve their areas. Utah Code Ann. Section 26–8a–408(7)

UNFINISHED BUSINESS

On motion of Representative Lockhart, the House voted to uncircle Sub. S.B. 25.

Sub. S.B. 25, TRANSPORTATION AMENDMENTS AND HIGHWAY JURISDICTIONAL TRANSFER TASK FORCE, was before the House on its final passage.

Sub. S.B. 25 then passed on the following roll call:

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

Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
</tr>
<tr>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
</tr>
<tr>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
</tr>
<tr>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
</tr>
<tr>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
<td>Lockhart</td>
</tr>
<tr>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morgan</td>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
</tr>
<tr>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Shurtleff</td>
<td>G. Snow</td>
</tr>
</tbody>
</table>
Absent or not voting were: Representatives
Hansen, Urquhart

Sub. S.B. 25 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Representative Ray moved to uncircle S.B. 77 and it failed to pass on the following roll call:

**Yeas, 34; Nays, 38; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>S. Allen</th>
<th>Becker</th>
<th>Biskupski</th>
<th>Bourdeaux</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buttars</td>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>Daw</td>
<td>Dougall</td>
<td>Dunnigan</td>
<td>Fowlke</td>
</tr>
<tr>
<td>Frank</td>
<td>Gibson</td>
<td>Hardy</td>
<td>Harper</td>
</tr>
<tr>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hunsaker</td>
<td>B. Johnson</td>
</tr>
<tr>
<td>Jones</td>
<td>Kiser</td>
<td>Lawrence</td>
<td>Litvack</td>
</tr>
<tr>
<td>Mascaro</td>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
</tr>
<tr>
<td>Moss</td>
<td>Newbold</td>
<td>Ray</td>
<td>Romero</td>
</tr>
<tr>
<td>Wheatley</td>
<td>Curtis</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bigelow</td>
<td>Bowman</td>
<td>Buxton</td>
<td>Christensen</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Dee</td>
<td>Donnelson</td>
<td>Duckworth</td>
</tr>
<tr>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
<td>Goodfellow</td>
</tr>
<tr>
<td>Gowans</td>
<td>Hansen</td>
<td>Hendrickson</td>
<td>Hughes</td>
</tr>
<tr>
<td>King</td>
<td>Last</td>
<td>Lockhart</td>
<td>Mathis</td>
</tr>
<tr>
<td>Morley</td>
<td>Murray</td>
<td>Noel</td>
<td>Oda</td>
</tr>
<tr>
<td>Painter</td>
<td>Shurtliff</td>
<td>G. Snow</td>
<td>Tilton</td>
</tr>
<tr>
<td>Ure</td>
<td>Walker</td>
<td>Wallace</td>
<td>Wheeler</td>
</tr>
<tr>
<td>Wiley</td>
<td>Wyatt</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives
Dayton, E. Hutchings, Urquhart
THIRD READING CALENDAR

S.B. 7, FUNDING FOR TOURISM, under suspension of the rules, read the third time by short title and placed on its final passage.

On motion of Representative Hughes, the House voted to consider this bill under suspension of the rules.

S.B. 7, as amended, then passed on the following roll call:

Yeas, 70; Nays, 3; Absent or not voting, 2.

Voting in the affirmative were: Representatives
Aagard
Barrus
Bourdeaux
Christensen
D. Cox
Donnelson
Ferry
Gibson
Harper
Hughes
Jones
Lawrence
McGee
Murray
Painter
G. Snow
Wallace
Wyatt

Adams
Becker
Bowman
D. Clark
Daw
Duckworth
Fisher
Goodfellow
Hendrickson
Hunsaker
King
Litvack
Menlove
Newbold
Ray
Ure
Wheatley
Curtis

Alexander
Bigelow
Buttars
S. Clark
Dayton
Dunnigan
Fowlke
Hansen
Hogue
E. Hutchings
Kiser
Mascaro
Morgan
Noel
Romero
Urquhart
Wheeler

S. Allen
Biskupski
Buxton
Cosgrove
Dee
Ferrin
Frank
Hardy
Holdaway
B. Johnson
Last
Mathis
Moss
Oda
Shurtliff
Walker
Wiley

Voting in the negative were: Representatives
Dougall
Lawrence
McGee
Murray
Painter
G. Snow
Wallace
Wyatt

Morley
Litvack
Menlove
Newbold
Ray
Ure
Wheatley

Tilton
Mascaro
Morgan
Noel
Romero
Urquhart
Wheeler

Absent or not voting were: Representatives
Gowans
Lockhart

S.B. 7, as amended, returned to the Senate for further consideration.

* * *

S.B. 71, SECURITY PERSONNEL LICENSING AMENDMENTS, read the third time by short title and placed on its final passage.
S.B. 71 then passed on the following roll call:

**Yea**s, 41; **Nay**s, 26; **Absent or not voting**, 8.

**Voting in the affirmative were**: Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>S. Allen</th>
<th>Becker</th>
<th>Bourdeaux</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
<td>S. Clark</td>
</tr>
<tr>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Duckworth</td>
<td>Dunnigan</td>
</tr>
<tr>
<td>Ferry</td>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
</tr>
<tr>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
<td>Last</td>
</tr>
<tr>
<td>Litvack</td>
<td>Lockhart</td>
<td>Mascaro</td>
<td>McGee</td>
</tr>
<tr>
<td>Morgan</td>
<td>Morley</td>
<td>Murray</td>
<td>Newbold</td>
</tr>
<tr>
<td>Noel</td>
<td>Romero</td>
<td>Shurtleff</td>
<td>Urquhart</td>
</tr>
<tr>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
</tr>
<tr>
<td>Wyatt</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were**: Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>Alexander</th>
<th>Barrus</th>
<th>Bigelow</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bowman</td>
<td>D. Clark</td>
<td>Donnelson</td>
<td>Fisher</td>
</tr>
<tr>
<td>Fowlke</td>
<td>Gibson</td>
<td>Hardy</td>
<td>Harper</td>
</tr>
<tr>
<td>Hughes</td>
<td>B. Johnson</td>
<td>Lawrence</td>
<td>Mathis</td>
</tr>
<tr>
<td>Menlove</td>
<td>Moss</td>
<td>Oda</td>
<td>Painter</td>
</tr>
<tr>
<td>Ray</td>
<td>G. Snow</td>
<td>Tilton</td>
<td>Ure</td>
</tr>
<tr>
<td>Walker</td>
<td>Curtis</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were**: Representatives

<table>
<thead>
<tr>
<th>Biskupski</th>
<th>Daw</th>
<th>Dayton</th>
<th>Dee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dougall</td>
<td>Ferrin</td>
<td>Frank</td>
<td>Holdaway</td>
</tr>
</tbody>
</table>

S.B. 71 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

**UNFINISHED BUSINESS**

On motion of Representative Adams, the House voted to uncircle **Sub. S.B. 211**.

**Sub. S.B. 211**, FUNDING FOR CONVENTION FACILITIES, was before the House on its final passage.

Representative Adams proposed the following amendment:
1. Page 2, Lines 50 through 51
   Senate 3rd Reading Amendments 2−24−2005

   Beginning on July 1, 2005, through June 30, 2015, a municipality may use revenues generated by the tax under this part.

2. Page 3, Lines 68a through 68b
   Senate 3rd Reading Amendments 2−24−2005:

   Beginning on July 1, 2015, a municipality may use revenues generated by the tax under this part for general fund purposes.

3. Page 8, Lines 224 through 233
   Senate 3rd Reading Amendments 2−24−2005:

   For a county of the first class, the revenues generated by the tax authorized by Subsection (1)(a) that are expended for a purpose described in Subsection (1)(b)(i) or (ii) may only be expended for amounts the county legislative body is required to pay under a contract that is awarded:

   (i) on or after the day on which the county legislative body enacts a tax under this part;

   and

   (ii) following procurement procedures that:

   (A) the county uses for procuring services under a contract; and

   (B) are commenced on or after the day on which the county legislative body enacts a tax under this part.

   The authority to impose a tax authorized by Subsection (1)(a) is in addition to any
Representative Adams’ motion to amend passed on a voice vote.

###

Representative Dee proposed the following amendment:

1. Page 1, Lines 10 through 20
   Senate 2nd Reading Amendments 2−22−2005

   This bill:

   ▶ amends the purposes for which revenues generated by the municipality transient room tax may be used;

   ◄ addresses the distribution of revenues from a tax on leases or rentals of certain motor vehicles;

   ◄ authorizes a county legislative body of a county of the first class to enact a tax on certain accommodations and services including:

   • providing definitions;

   • providing the rates of the tax;

   • providing that the tax may be used for certain purposes relating to convention facilities;

2. Page 2, Lines 31 through 33
   Senate 3rd Reading Amendments 2−24−2005:

   AMENDS:

   59−12−352, as last amended by Chapters 156 and 255, Laws of Utah 2004

   59−12−603, as last amended by Chapters 156 and 255, Laws of Utah 2004

3. Page 3, Line 69 through Page 7, Line 200
   Senate 3rd Reading Amendments 2−24−2005:
   Delete lines 69 through 200
4. Page 7, Line 211 through Page 8, Line 213
   Senate 2nd Reading Amendments 2–22–2005:

   211  (1) (a) Beginning on July 1, 2005, through June 30, 2015, a
county legislative body §⇒ (→) of

   211a (→) §⇒

   212 §⇒ (→) county of the first class (→) may impose a
tax (→ of 1% on charges for the accommodations and

   213 services described in Subsection 59–12–103(1)(i). )
   (i) at a rate of 1.25%:
   (A) beginning on or after July 1, 2005, through June 30, 2011; and
   (B) on charges for the accommodations and services described in
   Subsection 59–12–103(1)(i); or
   (ii) at a rate of 1%:
   (A) beginning on or after July 1, 2011, through June 30, 2015; and
   (B) on charges for the accommodations and services described in
   Subsection 59–12–103(1)(i).

5. Page 8, Lines 218e through 219a
   Senate 3rd Reading Amendments 2–24–2005:

   218e (C) that arise from the construction, expansion, or renovation of
an accommodation facility. §⇒

   219 (c) Notwithstanding Subsection (1)(b), a county legislative
body (§⇒ of a county of the

   219a first class) §⇒ may not expend in any

6. Page 8, Lines 223 through 224
   Senate 3rd Reading Amendments 2–24–2005:

   223 (ii) relating to one convention facility.

   224 (d) §⇒ (→) The (→) For a county of the first
class, the } §⇒

Renumber remaining sections accordingly.

Representative Dee’s motion to amend passed on a voice vote.
Representative Litvack declared a conflict of interest because his wife works for Salt Lake County.

Sub. S.B. 211, as amended, then passed on the following roll call:

Yeas, 59; Nays, 15; Absent or not voting, 1.

Voting in the affirmative were: Representatives

Aagard    Adams    Alexander    S. Allen
Barrus    Becker    Biskupski    Bourdeaux
Bowman    Buttars   Buxton      S. Clark
Cosgrove  D. Cox    Daw         Dee
Donnelson Dougall  Duckworth    Fisher
Fowlke    Gibson    Goodfellow  Gowans
Hansen    Hardy     Harper      Hendrickson
Hogue     Holdaway  Hughes      Hunsaker
E. Hutchings B. Johnson Jones      King
Kiser     Litvack   Mascaro     Mathis
McGee     Menlove   Morgan      Moss
Murray    Noel      Oda         Painter
Ray       Romero    Shurtliff   G. Snow
Ure       Walker    Wallace     Wheatley
Wiley     Wyatt     Curtis

Voting in the negative were: Representatives

Bigelow  D. Clark    Dayton    Dunnigan
Ferrin    Ferry       Frank     Last
Lawrence  Lockhart   Morley     Newbold
Tilton    Urquhart   Wheeler

Absent or not voting was: Representative
Christensen

Sub. S.B. 211, as amended, returned to the Senate for further consideration.
CONFERENCE COMMITTEE REPORT

Mr. Speaker: March 2, 2005


Howard Stephenson
Senate Chair

Todd E. Kiser
House Chair

Report filed. On motion of Representative Kiser, the House voted to adopt the Conference Committee Report.

2nd Sub. S.B. 137 then passed on the following roll call:

Yeas, 65; Nays, 5; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard, Adams, Alexander, S. Allen
Barrus, Becker, Bigelow, Biskupski
Bourdeaux, Bowman, Buxton, Christensen
D. Clark, S. Clark, D. Cox, Daw
Dayton, Dee, Duckworth, Dunnigan
Ferrin, Ferry, Fowlke, Gibson
Gowans, Hardy, Harper, Hendrickson
Hogue, Holdaway, Hughes, Hunsaker
E. Hutchings, B. Johnson, Jones, King
Kiser, Last, Lawrence, Litvack
Lockhart, Mascaro, Mathis, McGee
Menlove, Morgan, Morley, Moss
Murray, Newbold, Noel, Oda
Painter, Ray, Romero, Shurtleff
G. Snow, Tilton, Ure, Urquhart
Walker, Wallace, Wheatley, Wiley
Curtis

Voting in the negative were: Representatives

Cosgrove, Donnelson, Fisher, Wheeler
Wyatt
Absent or not voting were: Representatives
Buttars         Dougall      Frank      Goodfellow
Hansen

2nd Sub. S.B. 137 transmitted to the Senate for consideration.

THIRD READING CALENDAR

S.C.R. 8, CONCURRENT RESOLUTION APPROVING CLASS V LANDFILL, read the third time by short title and placed on its final passage.

S.C.R. 8 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard   Alexander   S. Allen    Barrus
Becker   Bigelow     Biskupski   Bourdeaux
Bowman   Buxton      Christensen D. Clark
S. Clark Cosgrove   D. Cox      Daw
Dayton   Donnelson   Duckworth   Dunnigan
Ferry    Fisher      Fowlke     Gibson
Goodfellow Gowans    Hansen     Hardy
Harper   Hendrickson Hogue      Holdaway
Hughes   Hunsaker    E. Hutchings B. Johnson
Jones    King        Kiser      Last
Lawrence Litvack    Lockhart   Mascaro
Mathis   McGee       Menlove    Morgan
Morley   Moss        Murray     Newbold
Noel     Oda         Painter    Ray
Romero   Shurtliff   G. Snow     Tilton
Ure      Urquhart    Walker     Wheeler
Wiley    Wyatt       Curtis

Absent or not voting were: Representatives
Adams      Buttars    Dee        Dougall
Ferrin     Frank      Wallace    Wheatley

S.C.R. 8 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

S.B. 75, PUBLIC SAFETY DATABASE AMENDMENTS, read the third time by short title and placed on its final passage.
On motion of Representative Urquhart, the House voted to circle S.B. 75.

* * *

S.B. 146, AVOIDING APPREHENSION AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 146 then passed on the following roll call:

Yeas, 61; Nays, 1; Absent or not voting, 13.

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
<td>Bowman</td>
</tr>
<tr>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
<td>S. Clark</td>
</tr>
<tr>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
</tr>
<tr>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
<td>Hansen</td>
</tr>
<tr>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
</tr>
<tr>
<td>Jones</td>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
</tr>
<tr>
<td>Litvack</td>
<td>Lockhart</td>
<td>Mathis</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morgan</td>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
</tr>
<tr>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
<td>Ray</td>
</tr>
<tr>
<td>Romero</td>
<td>G. Snow</td>
<td>Ure</td>
<td>Urquhart</td>
</tr>
<tr>
<td>Walker</td>
<td>Wallace</td>
<td>Wheeler</td>
<td>Wiley</td>
</tr>
<tr>
<td>Wyatt</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative was:** Representative

Tilton

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Alexander</th>
<th>Bigelow</th>
<th>Buttars</th>
<th>Dee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dougall</td>
<td>Hughes</td>
<td>King</td>
<td>Mascaro</td>
</tr>
<tr>
<td>McGee</td>
<td>Painter</td>
<td>Shurtleff</td>
<td>Wheatley</td>
</tr>
<tr>
<td>Curtis</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

S.B. 146 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 207, MOTOR VEHICLE INSURANCE COVERAGE AMENDMENTS, read the third time by short title and placed on its final passage.
S.B. 207 then passed on the following roll call:

Yeas, 62; Nays, 0; Absent or not voting, 13.

Voting in the affirmative were: Representatives

Aagard  Adams  S. Allen  Barrus
Becker  Bigelow  Biskupski  Bourdeaux
Bowman  Buxton  Christensen  D. Clark
S. Clark  Cosgrove  D. Cox  Daw
Dayton  Dee  Donnelson  Dougall
Duckworth  Dunnigan  Ferrin  Fisher
Fowlke  Frank  Gibson  Goodfellow
Hardy  Harper  Hendrickson  Hogue
Hunsaker  E. Hutchings  B. Johnson  Jones
Kiser  Last  Lawrence  Litvack
Mascaro  Mathis  Menlove  Morgan
Moss  Murray  Newbold  Noel
Oda  Painter  Ray  Romero
G. Snow  Tilton  Ure  Urquhart
Walker  Wallace  Wheatley  Wheeler
Wiley  Wyatt

Absent or not voting were: Representatives

Alexander  Buttars  Ferry  Gowans
Hansen  Holdaway  Hughes  King
Lockhart  McGee  Morley  Shurtliff
Curtis

S.B. 207 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

Sub. S.B. 8, LOCAL CORRIDOR PRESERVATION FUNDING, read the third time by short title and placed on its final passage.

On motion of Representative Ferry, the House voted to circle Sub. S.B. 8.

***

S.B. 157, UTAH CONSUMER CREDIT CODE AMENDMENTS, read the third time by short title and placed on its final passage.
S.B. 157 then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Alexander</th>
<th>S. Allen</th>
<th>Biskupski</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Buxton</td>
<td>D. Clark</td>
<td>S. Clark</td>
</tr>
<tr>
<td>Buttars</td>
<td>Cosgrove</td>
<td>Daw</td>
<td>Dayton</td>
</tr>
<tr>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
</tr>
<tr>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
</tr>
<tr>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Gowans</td>
</tr>
<tr>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
</tr>
<tr>
<td>Last</td>
<td>Litvack</td>
<td>Lockhart</td>
<td>Mascaro</td>
</tr>
<tr>
<td>Mathis</td>
<td>Menlove</td>
<td>Morgan</td>
<td>Morley</td>
</tr>
<tr>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
</tr>
<tr>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
<td>Romero</td>
</tr>
<tr>
<td>Shurtleff</td>
<td>G. Snow</td>
<td>Tilton</td>
<td>Ure</td>
</tr>
<tr>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
</tr>
<tr>
<td>Wiley</td>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative was:** Representative

Christensen

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>Bigelow</th>
<th>Dunnigan</th>
<th>Hansen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lawrence</td>
<td>McGee</td>
<td>Urquhart</td>
<td></td>
</tr>
</tbody>
</table>

S.B. 157 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

S.B. 158, DISHONORED INSTRUMENT AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 158 then passed on the following roll call:

**Yeas, 61; Nays, 0; Absent or not voting, 14.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
</tbody>
</table>
Absent or not voting were: Representatives
Bourdeaux Bowman S. Clark Dayton
Dougall Ferrin Fowlke Gowans
Hansen Holdaway Hughes King
Noel Urquhart

S.B. 158 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

MISCELLANEOUS BUSINESS

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

UNFINISHED BUSINESS

On motion of Representative Alexander, the House voted to uncircle H.J.R. 20.

H.J.R. 20, MASTER STUDY RESOLUTION, was before the House on its final passage.

Representative Alexander proposed the following amendment:

1. Page 17, Line 520:
After Line 520, insert:
“Revision to Penalty for Late Tax Payment − to study and examine whether Utah’s 2% penalty for late property taxes should be altered to discourage delinquent payments.”
2. Page 12, Line 365:
   After “government” insert “and school districts”

3. Page 17, Line 520:
   After Line 520, insert:
   “Technology Supporting Involvement in Education –
   to study the use of technology to support community and family
   involvement in education.
   Repeal of Exemption from Nonresident Tuition – to study the repeal of
   the provision that, if allowed under federal law, a student, other than a
   nonimmigrant alien, shall be exempt from the nonresident portion of
   total tuition if the student attended high school in this state for three or
   more years and graduated from a high school or received its equivalent
   in this state (H.B. 239).
   Land Use Impacts – to study the land use impacts related to Camp
   Williams.
   Election Options – to study the use of ranked-choice voting for state
   executive offices and full representation voting for the Utah Senate and
   the Utah House of Representatives.
   Mortgage Fraud – to study mortgage fraud and identity theft related to
   mortgage fraud.
   Teaching by Registered Sex Offenders – to study higher education
   teaching by registered sex offenders.
   Electrical Qualifying Facility – to study applying for sales tax
   exemption for electrical power plant equipment for electrical
   qualifying facilities under federal law.
   Guardian Ad Litem Operations – to study the full operations of the
   Guardian Ad Litem’s Office and potential statutory changes.”

4. Page 4, Lines 101–103:
   Delete lines 101 through 103.

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

**H.J.R. 20**, as amended, then passed on the following roll call:

**Yeas, 60; Nays, 0; Absent or not voting, 15.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bowman</td>
</tr>
<tr>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
<td>S. Clark</td>
</tr>
<tr>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
<td>Dayton</td>
</tr>
</tbody>
</table>
Absent or not voting were: Representatives

**H.J.R. 20**, as amended, transmitted to the Senate for its consideration.

**MISCELLANEOUS BUSINESS**

On motion of Representative Alexander, the House voted to move to the Senate Third Reading Calendar.

**UNFINISHED BUSINESS**

On motion of Representative Dee, the House voted to uncircle **S.B. 75**.

**S.B. 75**, **PUBLIC SAFETY DATABASE AMENDMENTS**, was before the House on its final passage.

Representative Tilton proposed the following amendment:

1. Page 2, Line 37 (goldenrod copy):
   Before “under” insert “without charging any additional fees for access to the database and”

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

**S.B. 75**, as amended, then failed to pass on the following roll call:

**Yeas, 14; Nays, 54; Absent or not voting, 7.**
Voting in the affirmative were: Representatives
Bowman        Buxton        Dayton        Dee
Goodfellow    Hunsaker     E. Hutchings   Last
Lawrence      Morgan       Moss          Ray
Wyatt         Curtis

Voting in the negative were: Representatives
Aagard        Adams        S. Allen       Barrus
Becker        Bigelow      Biskupski      Bourdeaux
Buttars       Christensen  D. Clark       Cosgrove
D. Cox        Daw          Donnelson     Dougall
Duckworth     Ferrin       Ferry          Fisher
Fowlke        Frank        Gibson         Gowans
Hansen        Hardy        Hendrickson   Hogue
Holdaway      Hughes       Jones          King
Kiser         Litvack      Lockhart       Mascaro
Mathis        McGee        Menlove       Morley
Murray        Newbold      Oda            Painter
Romero        Shurtliff    G. Snow        Tilton
Ure           Walker       Wallace        Wheatley
Wheeler       Wiley

Absent or not voting were: Representatives
Alexander     S. Clark     Dunnigan      Harper
B. Johnson    Noel         Urquhart

S.B. 75, as amended, returned to the Senate for filing.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 2, 2005

The Senate passed, as substituted, 5th Sub. S.B. 183, PUBLIC TRANSIT DISTRICT ANNEXATION AND FUNDING AMENDMENTS, by Senator Bell, and it is transmitted for consideration; and

The Senate passed, as amended, S.B. 3, SUPPLEMENTAL APPROPRIATIONS ACT II, by Senator L. Hillyard, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. 5th Sub. S.B. 183 and S.B. 3, read the first time by short title and referred to the Rules Committee.
Mr. Speaker: March 2, 2005

The Senate passed, as amended, 2nd Sub. H.B. 313, ECONOMIC DEVELOPMENT INITIATIVE FOR HIGHER EDUCATION, by Representative K. Holdaway, and it is transmitted for further consideration; and

The Senate passed, as amended, H.B. 382, SUPPLEMENTAL MINIMUM SCHOOL PROGRAM FINANCE ACT, by Representative G. Snow, and it is transmitted for further consideration; and

The Senate passed, upon reconsideration, as amended, 1st Sub. H.B. 338, CHILD AND FAMILY WELFARE REVISIONS, by Representative L. Christensen, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate


* * *

Mr. Speaker: March 2, 2005

The Senate passed, H.B. 114, CHILDREN’S HEALTH CARE COVERAGE AMENDMENTS, by Representative D. Hogue, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, H.B. 25, DIRECT–ENTRY MIDWIFE ACT, by Representative J. Biskupski, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, 1st Sub. H.B. 78, CORPORATE FRANCHISE AND INCOME TAX AMENDMENTS, by Representative W. Harper, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed H.B. 301, SUPPLEMENTAL APPROPRIATIONS III, by Representative R. Bigelow, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. H.B. 114, H.B. 25, Sub. H.B. 78, and H.B. 301 were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.
Mr. Speaker: March 2, 2005

The Senate concurred in the House amendments and passed 1st Sub. S.B. 144, MOTOR VEHICLE Stops AT PORT−OF−ENTRY, by Senator P. Knudson, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. Sub. S.B. 144 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

Mr. Speaker: March 2, 2005

The Senate refuses to concur with the House Amendments to 2nd Sub. S.B. 109, SAFETY BELT ENFORCEMENT, by Senator K. Hale, and requests the House recede from its amendments.

Annette B. Moore
Secretary of the Senate

Communication filed. On motion of Representative Allen, the House voted to refuse to recede from its amendments to 2nd Sub. S.B. 109 and request that a Conference Committee be appointed. The Speaker appointed Representatives Allen, Ure, and Gowans.

RULES COMMITTEE REPORTS

Mr. Speaker: March 2, 2005

The House Rules Committee recommends, with written request of the sponsor, that 1st Substitute S.B. 39, Consumer Credit Protection (Sen. C. Walker) be replaced with 2nd Substitute S.B. 39, Consumer Credit Protection (Sen. C. Walker) and further recommends, under suspension of the rules, it be considered read for the second time and placed on the Third Reading Calendar for Senate Bills; and

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

S.J.R. 11 Resolution Limiting Number of Governor’s Terms (Sen. C. Walker)
2nd Sub. S.B. 209 Interlocal Cooperation Amendments (Sen. C. Bramble)
S.B. 205  Individual Income Tax – Office of State Debt Collection Rulemaking Authority (Sen. M. Dmitrich)
S.B. 203  Property Tax – County Service Areas (Sen. M. Waddoups)
S.B. 188  Classifying Off-highway Vehicles as Allowed on Designated Roads (Sen. T. Hatch)
1st Sub. S.B. 225  Changes to General Government – Sales and Use Tax Amendments (Sen. G. Davis)
S.B. 174  Security Service Amendments (Sen. R. Allen)
1st Sub. S.B. 187  Special Hunting Permits for Antelope Island (Sen. J. Hickman)

Rebecca Lockhart, Chair

Reports filed. On motion of Representative Lockhart, the report of the Rules Committee were adopted.

MISCELLANEOUS BUSINESS

On motion of Representative Bigelow, under suspension of the rules, the House voted to lift S.B. 3 from the Rules Committee, consider it read the second time by short title and placed at the top of the calendar for third reading.

THIRD READING CALENDAR

S.B. 3, SUPPLEMENTAL APPROPRIATIONS ACT II, read the third time by short title and placed on its final passage.

Representative Bigelow proposed the following amendment:

1. Page 28, Line 1049:
Delete “100,000” and insert “180,000”

2. Page 28, Line 1051:
Delete “100,000” and insert “180,000”

3. Page 2, Line 44
Senate 2nd Reading Amendments 3–2–2005:
Delete “309,600” and insert “9,600”

4. Page 2, Line 46
Senate 2nd Reading Amendments 3–2–2005:
Delete “309,600” and insert “9,600”

5. Page 3, Line 74:
Delete “20,500” and insert “170,500”
6. Page 3, Line 76:
   After Line 76 insert:
   “State and Local Planning 150,000”

7. Page 3, Line 82:
   After Line 82 insert:
   “It is the intent of the Legislature that the Governor’s Office of
   Planning and Budget use the monies appropriated for State and Local
   Planning to assist cities and counties with county resource
   management planning, quality growth planning, critical lands
   planning, or other important local government planning needs.”

8. Page 16, Line 586c
   Senate 2nd Reading Amendments 3–2–2005:
   Delete “(300,000)” and insert “(150,000)”

9. Page 16, Line 586e
   Senate 2nd Reading Amendments 3–2–2005:
   Delete “(300,000)” and insert “(150,000)’”

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

###

Representative Holdaway proposed the following amendment:

1. Page 17, Line 609:
   After Line 609:
   “RESTRICTED REVENUE — CAPITAL FACILITIES AND
   ADMINISTRATIVE SERVICES
   ITEM 55a
   To Education Budget Reserve Account
   From Uniform School Fund One–time (903,300)
   Schedule of Programs:
   Education Budget Reserve Account (903,300)”

2. Page 44, Line 1659:
   After Line 1659 insert:
   “ITEM 157a
   To State Board of Education – Minimum School Program
   From Uniform School Fund One–time 903,300
   Schedule of Programs:
   Special Education 903,300
It is the intent of the Legislature that the State Board of Education shall use the $903,300 in one-time Uniform School Funds to replace special education funds reduced because of the passage of Carson Smith Special Needs Scholarship (House Bill 249, 2005 General Session)

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

###

Representative Becker proposed the following amendment:

1. Page 24, Line 895:
   After Line 895 insert:
   “It is the intent of the legislature that $50,000 be used to fund the documentary production of Our Story: Italian-Americans in Utah. It is also the intent of the Legislature that the documentary be used for the purpose of promoting and establishing an international relationship with Italy, host country of the 2006 Winter Olympic Games in Torino, by celebrating the living legacy of Italians in Utah, and by encouraging and cultivating economic development opportunities including tourism, travel, and trade, and educational, technological, cultural, and historical exchange programs.”

Representative Ferrin proposed the following substitute motion to amend:

1. Page 17, Line 609:
   After Line 609:
   “RESTRICTED REVENUE — CAPITAL FACILITIES AND ADMINISTRATIVE SERVICES
ITEM 54a
To Education Budget Reserve Account
From Uniform School Fund One–time (900,000)
Schedule of Programs:
Education Budget Reserve Account (900,000)”

2. Page 42, Line 1589:
   After Line 1589 insert:
   “From Uniform School Fund One–time 900,000”

3. Page 43, Line 1591:
   Delete “100,000” and insert “1,000,000”

4. Page 43, Line 1594:
   Delete “$100,000 ongoing” and insert “$1,000,000”
5. Page 43, Line 1596:  
After “basis” insert “to provide up to $75 per student enrolled in a charter school”

6. Page 43, Line 1598:  
After “Formula program” insert “to help with charter school administrative expenses”

Representative Ferrin’s substitute motion to amend failed on the following roll call:

**Yeas, 16; Nays, 42; Absent or not voting, 17.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Barrus</th>
<th>Daw</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dayton</td>
<td>Donnelson</td>
<td>Ferrin</td>
<td>Frank</td>
</tr>
<tr>
<td>E. Hutchings</td>
<td>Kiser</td>
<td>Lawrence</td>
<td>Lockhart</td>
</tr>
<tr>
<td>Morley</td>
<td>Oda</td>
<td>Tilton</td>
<td>Wallace</td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

| S. Allen | Becker | Bigelow | Bowman |
| Buttars | Buxton | Christensen | D. Clark |
| Cosgrove | D. Cox | Dee | Dougall |
| Duckworth | Dunnigan | Ferry | Fisher |
| Fowlke | Gibson | Goodfellow | Hansen |
| Hardy | Holdaway | Hunsaker | B. Johnson |
| Jones | King | Last | Litvack |
| Mascaro | McGee | Menlove | Murray |
| Newbold | Romero | Shurtleff | G. Snow |
| Urquhart | Wheatley | Wheeler | Wiley |
| Wyatt | Curtis |

**Absent or not voting were:** Representatives

| Alexander | Biskupski | Bourdeaux | S. Clark |
| Gowans | Harper | Hendrickson | Hogue |
| Hughes | Mathis | Morgan | Moss |
| Noel | Painter | Ray | Ure |
| Walker | |

Representative Becker’s motion to amend failed on the following roll call:

**Yeas, 29; Nays, 39; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

| Adams | Becker | Biskupski | Bourdeaux |
| Buttars | D. Clark | Cosgrove | Daw |
Day 45  Wednesday, March 2, 2005

Voting in the negative were: Representatives
Aagard        S. Allen          Barrus          Bigelow
Bowman        Buxton           Christensen     S. Clark
D. Cox        Dayton           Dee             Donnelson
Dougall       Dunnigan         Ferrin          Ferry
Fisher        Frank            Gibson          Hardy
Hogue         Holdaway         Hughes          E. Hutchings
B. Johnson    Last             Lockhart        Mathis
Morley        Murray           Newbold         Oda
Painter       G. Snow          Urquhart        Walker
Wallace       Wheeler          Wyatt

Absent or not voting were: Representatives
Alexander     Fowlke           Gowans          Kiser
Noel          Tilton           Ure

# # #

Representative Christensen, under suspension of the rules, proposed the following amendment:

1. Page 42, Line 1580:
   Insert a new item 148a as follows:
   To the State Board of Education – State Office of Education
   From General Fund, One–time $15,000
   Schedule of Programs:
   State Office of Education $15,000
   The Legislature intends that the $15,000 appropriated in this item be
   used for implementation of a Congressional Conference on Civic
   Education action plan.”

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

S.B. 3, as amended, then passed on the following roll call:

Y eas, 70; Nays, 1; Absent or not voting, 4.
Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Name</th>
<th>Name</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aagard</td>
<td>Alexander</td>
<td>S. Allen</td>
</tr>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
</tr>
<tr>
<td>Daw</td>
<td>Dayton</td>
<td>Dee</td>
</tr>
<tr>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Gibson</td>
</tr>
<tr>
<td>Gowans</td>
<td>Hardy</td>
<td>Harper</td>
</tr>
<tr>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hughes</td>
</tr>
<tr>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>Jones</td>
</tr>
<tr>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
</tr>
<tr>
<td>Lockhart</td>
<td>Mascaro</td>
<td>Mathis</td>
</tr>
<tr>
<td>Menlove</td>
<td>Morgan</td>
<td>Morley</td>
</tr>
<tr>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
</tr>
<tr>
<td>Painter</td>
<td>Ray</td>
<td>Romero</td>
</tr>
<tr>
<td>G. Snow</td>
<td>Tilton</td>
<td>Ure</td>
</tr>
<tr>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
</tr>
<tr>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
</tr>
</tbody>
</table>

Voting in the negative was: Representative

- Hansen

Absent or not voting were: Representatives

- Adams
- Fowlke
- Frank
- Urquhart

S.B. 3, as amended, returned to the Senate for further consideration.

**MISCELLANEOUS BUSINESS**

On motion of Representative D. Clark, the House voted to have the following intent language printed upon the pages of the House Journal.

**INTENT LANGUAGE FOR S.B. 3**

“In passing S.B. 3, Supplemental Appropriations Act II, H.B. 1, Annual Appropriations Act, S.B. 1, Supplemental Appropriations Act, H.B. 301, Supplemental Appropriations II, and H.B. 213, Unused Sick Leave at Retirement Amendments, the Legislature recognizes and intends the following:

1. H.B. 213 does not affect the vested rights of any retired state employees or of state employees who retire by December 31, 2005 and are covered by the current programs described under Sections 67−19−14 through 67−19−14.3;
2. State employee rights before actual retirement are limited vested rights, in
contrast to the retired employees’ absolute vested rights;

(3) The rapidly increasing costs and value of the unused sick leave programs described under Sections 67−19−14 through 67−19−14.3 are changing conditions that require legislative action to maintain the financial security and future actuarial soundness of the benefit;

(4) The Legislature may subject the programs described under Sections 67−19−14 through 67−19−14.3 to reasonable modifications to meet those changing conditions;

(5) The Legislature may be required to provide a substantial substitute in consideration of the modifications to the programs for current state employees with limited vested rights; and

(6) The Legislature is providing the following components as a substantial substitute, if a substantial substitute is required:

(a) Ongoing state employee compensation increases beginning with the 2005−06 fiscal year, including:
   (i) Cost−of−living salary increases; and
   (ii) Other benefit increases, including both health insurance and retirement, in addition to the cost−of−living increases;

(b) Ongoing state employee market comparability adjustments, beginning in the 2005−06 fiscal year;

(c) Grandfathering current benefit provisions by:
   (i) Maintaining current the state employees’ ability to purchase health insurance coverage after retirement under Program I with all sick leave hours accumulated through the end of calendar year 2005;
   (ii) Preserving the increasing value of the benefit purchased with those accumulated sick leave hours by allowing the state employees to continue to purchase one month’s health insurance coverage, which is annually more expensive, for the constant purchase price of eight hours of:
      (A) unused sick leave that are under Program I; or
      (B) converted sick leave; and
   (iii) Making the legislative modifications prospective only as applied to future state employee sick leave accumulations;

(d) Enacting Program II for state employee sick leave hours accumulated after January 1, 2006;

(e) Providing for an additional accumulation of state employee converted sick leave hours through 2014;

(f) Providing payment of 25% of a state employee’s unused accumulated sick leave at the employee’s rate of pay at the time of retirement into the employee’s 401(k) plan; and

(g) Recognizing that the long−term savings realized by the enactment of H.B. 213
will annually help preserve the state’s ability to fund the costs of future state employee compensation and benefit increases.”

UNFINISHED BUSINESS

On motion of Representative D. Clark, the House voted to uncircle 2nd Sub. S.B. 192.

2nd Sub. S.B. 192, HIGH TECHNOLOGY ECONOMIC DEVELOPMENT APPROPRIATION, was before the House on its final passage.

On motion of Representative D. Clark, the House voted to delete 2nd Sub. S.B. 192 in title and body and insert 4th Sub. S.B. 192 in lieu thereof.

On motion of Representative D. Clark, the House voted to consider 4th Sub. S.B. 192 under suspension of the rules.

4th Sub. S.B. 192 then passed on the following roll call:

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

Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
<th>Becker</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
<td>Bowman</td>
</tr>
<tr>
<td>Buttars</td>
<td>Buxton</td>
<td>Christensen</td>
<td>D. Clark</td>
</tr>
<tr>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
</tr>
<tr>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Ferry</td>
</tr>
<tr>
<td>Fisher</td>
<td>Fowlke</td>
<td>Gibson</td>
<td>Goodfellow</td>
</tr>
<tr>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
<td>Harper</td>
</tr>
<tr>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hughes</td>
</tr>
<tr>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>Jones</td>
</tr>
<tr>
<td>King</td>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
</tr>
<tr>
<td>Lockhart</td>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
</tr>
<tr>
<td>Menlove</td>
<td>Morgan</td>
<td>Moss</td>
<td>Murray</td>
</tr>
<tr>
<td>Newbold</td>
<td>Noel</td>
<td>Painter</td>
<td>Ray</td>
</tr>
<tr>
<td>Romero</td>
<td>Shurtliff</td>
<td>G. Snow</td>
<td>Tilton</td>
</tr>
<tr>
<td>Ure</td>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
</tr>
<tr>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
<td>Curtis</td>
</tr>
</tbody>
</table>

Absent or not voting were: Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Alexander</th>
<th>Frank</th>
<th>Kiser</th>
</tr>
</thead>
<tbody>
<tr>
<td>Morley</td>
<td>Oda</td>
<td>Urquhart</td>
<td></td>
</tr>
</tbody>
</table>
4th Sub. S.B. 192, as substituted, returned to the Senate for further consideration.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 2, 2005

The Senate substituted and passed, Senate 2nd Sub. H.B. 104, SPYWARE CONTROL ACT REVISIONS, by Representative S. Urquhart, and it is transmitted for further consideration; and

The Senate passed, upon reconsideration, as amended, 3rd Sub. H.B. 308, ARCHEOLOGICAL RESOURCES AMENDMENTS, by Representative B. Johnson, and it is transmitted for further consideration; and

The Senate passed, upon reconsideration, as amended, H.B. 324, TAXABLE VALUE ADJUSTMENT FOR PROPERTY DAMAGED BY A NATURAL DISASTER, by Representative B. Last, and it is transmitted for further consideration and with the following amendments:

1. Page 1, Line 17:
   Delete “40%” and reinstate “30%”

2. Page 2a, Line 58
   Lilac House Floor Amendments 2–22–2005:
   Delete “40%” and reinstate “30%”

3. Page 3, Line 74
   Lilac House Floor Amendments 2–22–2005:
   Delete “40%” and reinstate “30%”

The Senate passed, upon reconsideration, as amended, 3rd Sub. H.B. 260, AMENDMENTS RELATED TO PORNOGRAPHIC AND HARMFUL MATERIALS, by Representative J. Dougall, and it is transmitted for further consideration with the following amendments:

1. Page 9, Lines 260 through 265:
   260 (3) (a) A service provider may comply with Subsection (1) by:
   261 (i) providing {– network-level } in−network filtering to prevent receipt of material harmful to minors;
   262 or
   263 (ii) providing {– at the time of a consumer’s request under Subsection (1) } software for
contemporaneous installation on the consumer’s computer that blocks, in an easy–to–enable and commercially reasonable manner, receipt of material harmful to minors.

2. Page 11, Lines 313 through 319:

(2) (a) A service provider may comply with Subsection (1) by:

(i) providing network−level in−network filtering to prevent receipt of material harmful to minors;

(ii) providing at the consumer’s request, software for contemporaneous installation on the consumer’s computer that blocks, in an easy−to−enable and commercially reasonable manner, receipt of material harmful to minors; or

(iii) complying with any federal law in effect that requires the blocking of content from a registry of sites containing material harmful to minors.

3. Page 11, Line 325:

(ii) A service provider with fewer than 7,500 subscribers may charge a consumer for

The Senate passed, upon reconsideration, as amended, H.B. 259, ADOPTION AMENDMENTS, by Representative A. Hardy, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate


CONCURRENCE CALENDAR

Representative Alexander moved that the House concur in the Senate amendments to H.B. 288, EXECUTIVE COMPENSATION AMENDMENTS. The motion failed on the following roll call:

Yeas, 32; Nays, 40; Absent or not voting, 3.
Voting in the affirmative were: Representatives
Adams       Alexander       Becker       Bigelow
Bowman      Buttars         Buxton       Christensen
S. Clark    Ferry           Hardy        Harper
Hogue       Hughes          Hunsaker     E. Hutchings
B. Johnson  King            Kiser        Last
Morgan      Murray          Newbold      Noel
Oda         Painter         G. Snow      Tilton
Ure         Urquhart        Wheeler      Curtis

Voting in the negative were: Representatives
Aagard      S. Allen        Barrus       Biskupski
Bourdeaux   D. Clark        Cosgrove     D. Cox
Daw         Dayton          Dee          Donnelson
Dougall     Duckworth       Dunnigan     Ferrin
Fisher      Gibson          Goodfellow   Gowans
Hansen      Hendrickson     Holdaway     Jones
Lawrence    Litvack         Lockhart     Mascaro
Mathis      McGee           Menlove      Morley
Moss        Ray             Romero       Walker
Wallace     Wheatley        Wiley        Wyatt

Absent or not voting were: Representatives
Fowlke      Frank           Shurtliff

* * *

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

On motion of Representative Alexander, the House voted to cease to saunter.

* * *

On motion of Representative Alexander, the House voted to refuse to concur with the Senate amendments to H.B. 288 and to request the Senate to recede from its amendments.

CONCURRENCE CALENDAR

On motion of Representative Hughes, the House voted to concur in the Senate amendments to H.B. 142, ISSUES SUBMITTED TO VOTERS.

H.B. 142, as amended by the Senate, then passed on the following roll call:
### Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Adams</th>
<th>Alexander</th>
<th>Bowman</th>
<th>Buttars</th>
</tr>
</thead>
<tbody>
<tr>
<td>Christensen</td>
<td>S. Clark</td>
<td>Daw</td>
<td>Dayton</td>
</tr>
<tr>
<td>Dee</td>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
</tr>
<tr>
<td>Ferry</td>
<td>Fisher</td>
<td>Fowlke</td>
<td>Gibson</td>
</tr>
<tr>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
<td>Hendrickson</td>
</tr>
<tr>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
</tr>
<tr>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>Kiser</td>
<td>Last</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Lockhart</td>
<td>Mathis</td>
<td>Menlove</td>
</tr>
<tr>
<td>Morley</td>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
</tr>
<tr>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
</tr>
<tr>
<td>Wheeler</td>
<td>Wyatt</td>
<td></td>
<td>Curtis</td>
</tr>
</tbody>
</table>

### Voting in the negative were: Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>S. Allen</th>
<th>Barrus</th>
<th>Becker</th>
</tr>
</thead>
<tbody>
<tr>
<td>Biskupski</td>
<td>Bourdeaux</td>
<td>Cosgrove</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Jones</td>
<td>King</td>
<td>Litvack</td>
</tr>
<tr>
<td>Mascaro</td>
<td>Morgan</td>
<td>Moss</td>
<td>Romero</td>
</tr>
<tr>
<td>Shurtliff</td>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wiley</td>
</tr>
</tbody>
</table>

### Absent or not voting were: Representatives

<table>
<thead>
<tr>
<th>Bigelow</th>
<th>Buxton</th>
<th>D. Clark</th>
<th>Dougall</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frank</td>
<td>Goodfellow</td>
<td>Harper</td>
<td>McGee</td>
</tr>
</tbody>
</table>

**H.B. 142**, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Holdaway, the House voted to concur in the Senate amendments to **2nd Sub. H.B. 313**, ECONOMIC DEVELOPMENT INITIATIVE FOR HIGHER EDUCATION.

**2nd Sub. H.B. 313**, as amended by the Senate, then passed on the following roll call:

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

### Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Biskupski</td>
<td>Bowman</td>
<td>Buttars</td>
</tr>
</tbody>
</table>

* * *
Day 45  Wednesday, March 2, 2005  1079

Christensen  S. Clark  Cosgrove  D. Cox
Daw  Dayton  Dee  Donnelson
Duckworth  Dunnigan  Ferrin  Ferry
Fisher  Fowlke  Gibson  Goodfellow
Hardy  Hendrickson  Holdaway  Hughes
Hunsaker  E. Hutchings  B. Johnson  Jones
King  Kiser  Litvack  Lockhart
Mascaro  Mathis  Morley  Moss
Murray  Newbold  Noel  Oda
Painter  Romero  Shurtliff  G. Snow
Tilton  Urquhart  Walker  Wallace
Wheatley  Wheeler  Wiley  Wyatt
Curtis

Absent or not voting were: Representatives
S. Allen  Bigelow  Bourdeaux  Buxton
D. Clark  Dougall  Frank  Gowans
Hansen  Harper  Hogue  Last
Lawrence  McGee  Menlove  Morgan
Ray  Ure

2nd Sub. H.B. 313, as amended by the Senate, transmitted to the Senate for signature of the president.

***

On motion of Representative Snow, the House voted to refuse to concur with the Senate amendments to H.B. 382 and to request the Senate to recede from its amendments.

***

On motion of Representative Christensen, the House voted to concur in the Senate amendments to Sub. H.B. 338, CHILD AND FAMILY WELFARE REVISIONS.

Sub. H.B. 338, as amended by the Senate, then passed on the following roll call:

Yeas, 50; Nays, 16; Absent or not voting, 9.

Voting in the affirmative were: Representatives
Aagard  Alexander  Barrus  Bigelow
Buttars  Buxton  Christensen  D. Clark
Voting in the negative were: Representatives
Becker Biskupski Bourdeaux Cosgrove
Duckworth Goodfellow Hansen Hendrickson
Jones King Lawrence Litvack
Moss Romero Shurtliff Wiley

Absent or not voting were: Representatives
Adams S. Allen Bowman Gowans
Harper Hogue McGee Morgan
Ure

Sub. H.B. 338, as amended by the Senate, transmitted to the Senate for signature of the president.

THIRD READING CALENDAR

Sub. S.B. 80, SPECIAL SERVICE DISTRICTS – SERVICE EXPANSION, read the third time by short title and placed on its final passage.

Sub. S.B. 80 then passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives
Aagard Alexander S. Allen Barrus
Becker Biskupski Bourdeaux Bowman
Buxton Christensen S. Clark Cosgrove
D. Cox Daw Dayton Dee
Donnelson Dougall Duckworth Dunnigan
Ferrin Fisher Fowlke Gibson
Goodfellow Hansen Hardy Hendrickson
Sub. S.B. 80 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 190, COUNTY OFFICER AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 190 then passed on the following roll call:

Yeas, 60; Nays, 6; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Aagard Adams Alexander Barrrus
Becker Bigelow Biskupski Bourdeaux
Bowman Buttar D. Cox Daw
S. Clark Cosgrove D. Cox Dunnigan
Dayton Donnelson Dougall Goodfellow
Ferrin Fowlke Gibson Hendrickson
Gowans Hansen Hardy Hunsaker
Hogue Holdaway Hughes King
E. Hutchings B. Johnson Jones Lockhart
Kiser Last Litvak Menlove
Mascaro Mathis McGee Morgan Moss Oda
Wheatley Wheeler Wiley Wyatt

Absent or not voting were: Representatives

Adams Bigelow Buttars D. Clark
Ferry Frank Gowans Harper
McGee Tilton
Painting Ray Romero Shurtliff
G. Snow Tilton Walker Wallace
Wheatley Wheeler Wiley Curtis

Voting in the negative were: Representatives
Dee Ferry Fisher Lawrence
Murray Wyatt

Absent or not voting were: Representatives
S. Allen Buxton Duckworth Frank
Harper Morley Noel Ure Urquhart

S.B. 190 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

UNFINISHED BUSINESS

On motion of Representative Lockhart, the House voted to uncircle Sub. S.B. 8.

Sub. S.B. 8, LOCAL CORRIDOR PRESERVATION FUNDING, was before the House on its final passage.

Representative Adams proposed the following amendment:

1. Page 1, Lines 14 through 15
   14 allows a county legislative body to impose up to a $10 local option transportation corridor preservation fee on motor vehicle registrations and renewals of registration;

2. Page 3, Lines 66 through 67
   Senate 2nd Reading Amendments 1−24−2005:
   66 (1) (a) (i) A county legislative body may impose a local option transportation corridor preservation fee of up to $10 on each motor vehicle registration within the county.

Representative Adams’ motion to amend passed on a voice vote.
Sub. S.B. 8, as amended, then passed on the following roll call:

Yeas, 54; Nays, 16; Absent or not voting, 5.

Voting in the affirmative were: Representatives
Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Biskupski  Bourdeaux
Bowman  Buttars  Buxton  D. Clark
S. Clark  Cosgrove  D. Cox  Daw
Dayton  Dee  Donnelson  Dougall
Duckworth  Ferrin  Fisher  Fowlke
Gibson  Goodfellow  Gowans  Hansen
Hardy  Hendrickson  Hogue  Holdaway
Hunsaker  E. Hutchings  B. Johnson  Jones
King  Last  Litvack  Lockhart
Mascaro  McGee  Moss  Murray
Newbold  Noel  Oda  Ray
Romero  Shurtliff  Urquhart  Wallace
Wheatley  Wiley

Voting in the negative were: Representatives
Christensen  Dunnigan  Ferry  Kiser
Lawrence  Mathis  Menlove  Morley
Painter  G. Snow  Tilton  Ure
Walker  Wheeler  Wyatt  Curtis

Absent or not voting were: Representatives
Bigelow  Frank  Harper  Hughes
Morgan

Sub. S.B. 8, as amended, returned to the Senate for further consideration.

CONCURRENCE CALENDAR

On motion of Representative Urquhart, the House voted to concur in the Senate amendments to 2nd Sub. H.B. 104, SPYWARE CONTROL ACT REVISIONS.

2nd Sub. H.B. 104, as amended by the Senate, then passed on the following roll call:

Yeas, 66; Nays, 1; Absent or not voting, 8.

Voting in the affirmative were: Representatives
Aagard  Alexander  S. Allen  Barrus
Becker  Bigelow  Biskupski  Bourdeaux
Voting in the negative was: Representative
Lawrence

Absent or not voting were: Representatives
Adams Bowman Buttars S. Clark
Fisher Frank B. Johnson Lockhart

2nd Sub. H.B. 104, as amended by the Senate, transmitted to the Senate for signature of the president.

On motion of Representative Hardy, the House voted to concur in the Senate amendments to H.B. 259, ADOPTION AMENDMENTS.

H.B. 259, as amended by the Senate, then passed on the following roll call:

Yeas, 67; Nays, 2; Absent or not voting, 6.

Voting in the affirmative were: Representatives
Aagard S. Allen Barrus Becker
Bigelow Biskupski Bourdeaux Buttars
Christensen D. Clark S. Clark Cosgrove
D. Cox Daw Dayton Dee
Donnelson Dougall Dunnigan Ferrin
Ferry Fisher Fowlke Frank
Gibson Goodfellow Gowans Hansen
Voting in the negative were: Representatives
    Alexander Wallace

Absent or not voting were: Representatives
    Adams Bowman Buxton Duckworth
    Lockhart Ure

H.B. 259, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Dougall, the House voted to concur in the Senate amendments to 3rd Sub. H.B. 260, AMENDMENTS RELATED TO PORNOGRAPHIC AND HARMFUL MATERIALS.

3rd Sub. H.B. 260, as amended by the Senate, then passed on the following roll call:

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

Voting in the affirmative were: Representatives
    Aagard Adams Alexander S. Allen
    Barrus Becker Biskupski Bourdeaux
    Bowman Buttars Buxton Christensen
    D. Clark S. Clark Cosgrove D. Cox
    Daw Dayton Dee Donnelson
    Dougall Duckworth Dunnigan Ferrin
    Ferry Fisher Fowlke Frank
    Gibson Goodfellow Hansen Hardy
    Harper Hendrickson Holdaway Hunsaker
    E. Hutchings Jones King Kiser
Lawrence Litvack Lockhart Mascaro
Mathis McGee Menlove Morgan
Morley Moss Murray Newbold
Oda Painter Ray Romero
Shurtliff G. Snow Tilton Ure
Urquhart Walker Wallace Wheatley
Wheeler Wyatt Curtis

Absent or not voting were: Representatives
Bigelow Gowans Hogue Hughes
B. Johnson Last Noel Wiley

3rd Sub. H.B. 260, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Last, the House voted to concur in the Senate amendments to H.B. 324, TAXABLE VALUE ADJUSTMENT FOR PROPERTY DAMAGED BY A NATURAL DISASTER.

H.B. 324, as amended by the Senate, then passed on the following roll call:

Yeas, 63; Nays, 1; Absent or not voting, 11.

Voting in the affirmative were: Representatives
Aagard Alexander S. Allen Barrus
Becker Bigelow Biskupski Bourdeaux
Bowman Buttars Christensen D. Clark
S. Clark Cosgrove D. Cox Daw
Donnelson Dougall Duckworth Dunnigan
Ferrin Fisher Fowlke Frank
Gibson Goodfellow Gowans Hansen
Hardy Harper Hendrickson Holdaway
Hughes Hunsaker E. Hutchings B. Johnson
King Kiser Lawrence Litvack
Lockhart Mascaro Mathis Menlove
Morgan Morley Murray Newbold
Oda Painter Ray Shurtliff
G. Snow Tilton Ure Urquhart
Walker Wallace Wheatley Wheeler
Wiley Wyatt Curtis
Voting in the negative was: Representative Romero

Absent or not voting were: Representatives
Adams Buxton Dayton Dee
Ferry Hogue Jones Last
McGee Moss Noel

H.B. 324, as amended by the Senate, transmitted to the Senate for signature of the president.

* * *

On motion of Representative Johnson, the House voted to concur in the Senate amendments to 3rd Sub. H.B. 308, ARCHEOLOGICAL RESOURCES AMENDMENTS.

3rd Sub. H.B. 308, as amended by the Senate, then passed on the following roll call:

Yeas, 56; Nays, 9; Absent or not voting, 10.

Voting in the affirmative were: Representatives
Aagard Adams Alexander Barrus
Bigelow Bourdeaux Buttars Buxton
Christensen D. Clark S. Clark Cosgrove
D. Cox Dayton Dee Donnelson
Dougall Ferrin Ferry Fisher
Fowlke Frank Gibson Goodfellow
Gowans Hansen Hardy Harper
Hendrickson Hogue Holdaway Hughes
Hunsaker E. Hutchings B. Johnson Last
Lawrence Lockhart Mascaro Mathis
Menlove Morgan Murray Newbold
Oda Painter Ray Shurtleff
G. Snow Ure Urquhart Walker
Wallace Wheeler Wyatt Curtis

Voting in the negative were: Representatives
S. Allen Biskupski Duckworth King
Kiser Litvack Romero Wheatley
Wiley
Absent or not voting were: Representatives
Becker Bowman Daw Dunnigan
Jones McGee Morley Moss
Noel Tilton

3rd Sub. H.B. 308, as amended by the Senate, transmitted to the Senate for signature of the president.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 2, 2005

The Senate refuses to recede from its amendments to H.B. 288, EXECUTIVE COMPENSATION AMENDMENTS, by Representative J. Alexander, and has appointed a Conference Committee consisting of Senators T. Hatch, J. Hickman, and S. McCoy to meet with a like committee from the House on this bill.

Annette B. Moore
Secretary of the Senate

Communications filed. On motion of Representative Alexander, the Speaker was authorized to appoint a Conference Committee. The Speaker appointed Representatives Alexander, Urquhart, and Goodfellow.

* * *

Mr. Speaker: March 2, 2005

The Senate passed, upon reconsideration, as amended, 1st Sub. H.B. 96, AMENDMENTS RELATING TO CLEAN FUELS AND VEHICLES USING CLEAN FUELS, by Representative F. Hunsaker, and it is transmitted for further consideration with the following amendments:

1. Page 1, Lines 15 through 17

15 provides the circumstances under which a vehicle may travel in lanes designated for
16 the use of high occupancy vehicles regardless of the number of occupants;

 grants Rulemaking authority to the Department of Transportation;
17 extends for a period of five taxable years certain individual income tax and

2. Page 3, Line 74 through Page 4, Line 97:

74 regardless of the number of occupants to the extent authorized or permitted by federal law or
(b) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the Department of Transportation may make rules to allow a vehicle with clean fuel special group license plates issued in accordance with Section 41−1a−418 to travel in lanes designated for the use of high occupancy vehicles regardless of the number of occupants to the extent authorized or permitted by federal law or federal regulation.

(b) (i) Before a vehicle with clean fuel special group license plates issued in accordance with Section 41−1a−418 may travel in lanes designated for the use of high occupancy vehicles regardless of the number of occupants, the vehicle shall have a label attached to the vehicle as provided in Subsection (5)(b)(ii) if the category of clean fuel vehicles authorized or permitted by federal law or federal regulation to travel in lanes designated for the use of high occupancy vehicles regardless of the number of occupants is a category of vehicles that:

(A) includes the vehicle described in this Subsection (5)(b)(i); and

(B) is more narrow than the category of vehicles that may be issued clean fuel special group license plates in accordance with Section 41−1a−418.

(ii) The label described in Subsection (5)(b)(i) shall:

(A) meet the design specifications of 40 C.F.R. Sec. 88.312−93; and

(B) be attached:

(I) regardless of whether the vehicle described in Subsection (5)(b)(i) is part of a fleet of vehicles;

(II) to the rear of the vehicle described in Subsection (5)(b)(i);

(III) in one or more places in addition to the attachment required by Subsection
(5)(b)(ii)(B)(II) if federal law or federal regulation requires an attachment in one or more places.

in addition the attachment required by Subsection (5)(b)(ii)(B)(II); and

(IV) following the procedures and requirements provided in 40 C.F.R. Sec. 88.312−93

for attaching labels to vehicles.

(6) A person who operates a vehicle in violation of Subsection (2) or

The Senate passed, upon reconsideration, as amended, H.B. 276, DIVISION OF CRIMINAL INVESTIGATION AND TECHNICAL SERVICES AMENDMENTS, by Representative C. Oda, and it is transmitted for further consideration with the following amendments:

1. Page 4, Lines 118 through 120

(iii) equivalent experience with a firearm through participation in an organized

shooting competition, law enforcement, or military service.

(c) Any instruction taken by a student under Subsection (8)(b) shall be

in person and not through electronic means.

(9) An applicant for certification as a Utah concealed firearms instructor shall:

The Senate passed, upon reconsideration, as amended, H.B. 318, COMMUNITY AND ECONOMIC DEVELOPMENT RESTRUCTURING, by Representative C. Buttars, and it is transmitted for further consideration with the following amendments:

1. Page 4, Line 102:

After Line 102 insert “This bill provides coordination clauses.”

2. Page 181, Line 5600:

After Line 5600 insert:


If this H.B. 318 and H.B. 1, Annual Appropriations Act, both pass, it is the intent of the Legislature that the Division of Finance:

(1) reallocate any appropriations contained in the line items entitled “Department of Community and Economic Development − Business
and Travel Development” and “Department of Community and Economic Development – Incentive Funds” to the newly created Governor’s Office of Economic Development; and
(2) reallocate any appropriations contained in the remaining line items listed under the heading “Department of Community and Economic Development” to the Department of Community and Culture.”

“Section 171. Coordinating H.B. 318 with H.B. 11. If this H.B.318 and H.B.11, Economic Development Incentives, both pass, it is the intent of the Legislature that the Office of Legislative Research and General Counsel, in preparing the Utah Code database for publication, shall make the following changes:
(1) Part 22 in H.B.11 shall be renumbered as Part 17 in Title 63, Chapter 38f, with Sections 9−2−2201, 9−2−2202, 9−2−2203, 9−2−2204, 9−2−2205, 9−2−2206, and 9−2−2207 being renumbered to 63−38f−1701, 63−38f−1702, 63−38f−1703, 63−38f−1704, 63−38f−1705, 63−38f−1706, and 63−38f−1707 respectively.
(2) The following subsections in Section 63−38f−1309 shall read as follows:
“(2) The account shall be used to make payments as required under [Section 9−2−2006] Sections 63−38f−1306 and 63−38f−1705.”
“(3) (a) The Division of Finance shall transfer from the General Fund the amount estimated by the [department] office from new state revenues needed to make the partial rebates as allowed in [Section 9−2−2006] Sections 63−38f−1306 and 63−38f−1705.”
“(4) Notwithstanding Subsections 51−5−3(23)(b) and 63−38−9(4)(c), after receiving request for payment, in accordance with Subsection [9−2−2006] 63−38f−1306(2) or 63−38f−1705(2), the Division of Finance shall pay the partial rebates as allowed in Section [9−2−2006] 63−38f−1306 or 63−38f−1705 from the account.”
“(5) (b) The [department] office shall update the estimates required by Subsections (5)(a)(i) and (ii) within 30 days of the signing of each new agreement entered into under this part or Part 17, Economic Development Incentives Act.”
(3) Renumbered Section 63−38f−1703 shall read as follows:
“63−38f−1703, Definitions.
As used in this part:
(1) “Development zone” means an economic development zone created under Section 63−38f−1704.
(2) “High paying jobs” means the annual wages of employment positions that compare favorably against the median wage of a
community in which the jobs will exist.

(3) “Local incentives” means financial and other assistance provided by local taxing authorities within a development zone, which may include:
   (a) partial rebates of new local revenues; and
   (b) other sources of funds under authority of state law or local ordinances, or both state law and local ordinances.

(4) “New incremental jobs” means jobs that are:
   (a) not shifted from one jurisdiction in the state to another jurisdiction in the state; and
   (b) created in addition to the baseline count of jobs already in existence within a company or employed by an individual.

(5) “New local revenues” mean incremental new local tax revenues that are generated as a result of new economic commercial projects in a development zone, to include the local government’s portion of sales taxes, property taxes, impact fees, and other taxes or fees, or both taxes and fees, derived from the projects, together with indirect local government revenues generated by the projects, but not to include any portion of sales taxes earmarked for state government or other taxing jurisdictions eligible for sales tax revenues.

(6) “New state revenues” means incremental new state tax revenues that are generated as a result of new economic commercial projects in a developmental zone, to include the state’s portion of sales taxes, and company and employee income taxes derived from the projects, together with indirect state revenues generated by the projects, but not to include any portion of sales taxes earmarked for local governments or other taxing jurisdictions eligible for sales tax revenues.

(7) “Office” means the Governor’s Office of Economic Development.

(8) “Partial rebates” means returning a portion of the new local revenues and new state revenues generated by new commercial projects to companies or individuals that have created new economic growth within a development zone.”

(4) Renumbered Section 63−38f−1704 shall read as follows:
“63−38f−1704. Creation of economic development zones — Incentives.

(1) The office, with advice from the board, may create an economic development zone in the state that satisfies all of the following requirements:
   (a) the area is zoned commercial, industrial, manufacturing, business park, research park, or other appropriate use in a community approved master plan; and
the request to create a development zone has been forwarded to the office after first being approved by an appropriate local government entity that has committed or will commit to provide local incentives.

(2) (a) The office, with advice from the board, may enter into agreements providing for partial rebates of new state revenues generated by new commercial projects to companies or individuals that create new economic growth within a development zone under the same restrictions and limitations as provided in Section 63−38f−1304.

(b) The limitations and restrictions applied to partial rebates of new state revenues in Section 63−38f−1304 also apply to partial rebates of new local revenues under this part.”

(5) Renumbered Section 63−38f−1705 shall read as follows:
“63−38f−1705. Qualifications for rebates — Payment procedure.
“(1) The office shall set standards to qualify for partial rebates under this part, subject to the following:
(a) the qualification criteria established in Subsections 63−38f−1305(1), (2), (3), (4), and (6); and
(b) only projects that include significant capital investment, the creation of high paying jobs, or significant purchases from Utah vendors and providers, or any combination of these three economic factors are eligible for partial rebates.

(2) A payment of partial rebates of new state revenues shall be made in accordance with procedures adopted by the office, with advice from the board, to include the payment procedures described in Section 63−38f−1306 as applied to partial rebates authorized under this part.”

(6) Renumbered Section 63−38f−1706 shall read as follows:
(1) The office, with advice from the board, and within the limitations of this part, may determine:
(a) the structure and amount of any partial rebates offered under this part;
(b) the economic impacts and job creation necessary to qualify for the incentive; and
(c) the other terms and conditions of an agreement entered into under this part.
(2) In reviewing claims for partial rebates of new state revenues, the office may accept the same type of information and evidence allowed under Subsections 63−38f−1307(2)(a) and (b).

(a) The office shall make a report to the Legislature’s Workforce Services and Community and Economic Development Interim committee on:
(i) the success of attracting new commercial projects to development zones under this part and the corresponding increase in new incremental jobs; 
(ii) the period of time over which partial rebates of new state revenues shall be granted under this part; and
(iii) the economic impact on the state related to generating new state revenues and rebating a portion of those revenues under this part.
(b) The office shall make the report prior to the 2006 General Session of the Legislature to enable the committee to determine whether this part should be modified during the 2006 General Session.”
(7) Renumbered Section 63–38f–1707 shall read as follows: “63–38f–1707. Coordination with the Industrial Assistance Fund. Projects that qualify for partial rebates on new state revenues under this part and enter into agreements with the office under this part are ineligible to qualify for additional financial assistance for the Industrial Assistance Fund under Section 63–38f–904.”

“Section 172. Coordinating H.B. 318 with H.B. 17. If this H.B. 318 and H.B. 17, Motion Picture Incentive Fund, both pass, it is the intent of the Legislature that the Office of Legislative Research and General Counsel, in preparing the Utah Code database for publication, shall make the following changes:
(1) Part 21 in H.B. 17 shall be renumbered in Title 63, Chapter 38f, to be consistent with the renumbering done in H.B. 318 to include the renumbering of sections within the part and references to renumbered sections within the part.
(2) In Section 9–2–2102 the terms “executive director” shall be replaced with “director” and “Department of Community and Economic Development” be replaced with “Governor’s Office of Economic Development” and the statutory cite shall be made consistent with the renumbering of the part to Title 63, Chapter 38f.
(3) Subsections 9–2–2103(2)(a) and (b) shall read: “(2)(a) The fund shall be administered by the administrator with advice from the board.
(b) The administrator, with advice from the board, shall approve fund policies and qualification criteria to receive an incentive award consistent with the provisions of this part.”
(4) Subsections 9–2–2104(2)(a) and (2)(b) shall read: “(2)(a) The administrator has authority to determine the structure, amount, and nature of the incentive given to a motion picture company,
subject to the limitations and considerations set out in Subsections (3) and (4).

(b) A financial incentive shall be paid to a motion picture company from the fund only after the administrator has determined with advice from the board that the motion picture company has satisfied the conditions upon which the incentive is to be given."

“Section 173. Coordinating H.B. 318 with H.B. 224. If this H.B. 318 and H.B. 224, Permanent Community Impact Fund – Board Membership, both pass, it is the intent of the Legislature that the Office of Legislative Research and General Counsel, in preparing the database for publication, shall modify Subsection 9–4–304(1)(j) enacted in H.B. 224 to read: “(j) a locally elected official from each of the two counties that produced the most mineral lease monies during the previous four-year period, prior to the term of appointment, as determined by the Department of Community and Culture.”

“Section 174. Coordinating H.B. 318 with H.B. 301. If this H.B. 318 and H.B. 301, Supplemental Appropriations Act III, both pass, it is the intent of the Legislature that the Division of Finance: (1) reallocate any appropriations contained in the line items entitled “Department of Community and Economic Development – Business and Travel Development” and “Department of Community and Economic Development – Incentive Funds” to the newly created Governor’s Office of Economic Development; and (2) reallocate any appropriations contained in the remaining line items listed under the heading “Department of Community and Economic Development” to the Department of Community and Culture.”

“Section 175. Coordinating H.B. 318 with S.B. 1. If this H.B. 318 and S.B. 1, Supplemental Appropriations Act, both pass, it is the intent of the Legislature that the Division of Finance: (1) reallocate any appropriations contained in the line items entitled “Department of Community and Economic Development – Business and Travel Development” and “Department of Community and Economic Development – Incentive Funds” to the newly created Governor’s Office of Economic Development; and (2) reallocate any appropriations contained in the remaining line items listed under the heading “Department of Community and Economic Development” to the Department of Community and Culture.”
If this H.B. 318 and S.B. 3, Supplemental Appropriations Act II, both pass, it is the intent of the Legislature that theDivision of Finance:
(1) reallocate any appropriations contained in the line items entitled "Department of Community and Economic Development − Business and Travel Development” and “Department of Community and Economic Development − Incentive Funds” to the newly created Governor’s Office of Economic Development; and
(2) reallocate any appropriations contained in the remaining line items listed under the heading “Department of Community and Economic Development” to the Department of Community and Culture.”

If this H.B. 318 and S.B. 7, Funding for Tourism, both pass, it is the intent of the Legislature that the Office of Legislative Research and General Counsel, in preparing the Utah Code database for publication, shall coordinate the enactment of H.B. 318 with S.B. 7 so that:
(1) Section 63−55−209 in S.B.7 shall not be amended.
(2) In merging Section 9−3−201 with renumbered Section 63−38f−1406, the reference in Subsection (3) to “Section 9−3−203” shall be changed to “Section 63−38f−1404”.
(3) In merging Section 9−3−202 with renumbered Section 63−38f−1407, Subsection 63−38f−1407(10) shall be renumbered as Subsection 63−38f−1407(12).
(4) In merging Section 9−3−203 with renumbered Section 63−38f−1408:
(a) Subsection (1)(a) shall read: “(a) review and advise the office on a program of out−of−state advertising, marketing, and branding, taking into account the long−term strategic plan, economic trends, and opportunities for tourism development on a statewide basis, as a condition of the distribution of funds to the office from the Tourism Marketing Performance Fund under Section 63−38f−1405;”
(b) Subsection (1)(d)(i) shall read: “(d)(i) advise the office in establishing a Cooperative Program from the monies in the Tourism Marketing Performance Fund under Section 63−38f−1405 for use by cities, counties, nonprofit destination marketing organizations, and similar public entities for the purpose of supplementing monies committed by these entities for advertising and promotion to and for out−of−state residents to attract them to visit sites advertised by and attend events sponsored by these entities;
(c) Subsection (1)(d)(iii) shall read: “(iii) the office, with advice from
the board, shall establish eligibility, advertising, and timing requirements and criteria and provide for an approval process for applications;”;
(d) Subsections (1)(d)(iii)(A) and (B) shall be deleted; and
(e) Subsection (3) shall read: “(3) The board may not make policy related to the management or operation of the office.”
(5) In merging Section 9−3−204 with renumbered Section 63−38f−1409, Subsection (2)(b) shall be renumbered as Subsection (1)(c) and read as follows: “(c) receive advice from the Board of Tourism Development under Subsection 63−38f−1404(1)(a) before implementing the out−of−state advertising, marketing, and branding campaign;” and the subsequent subsections in Subsection (1) shall be renumbered.
(6) Section 9−3−207 shall be renumbered as Section 63−38f−1405 with the following modifications:
(a) Subsection (2) shall read: “(2) The fund shall be administered by the office for the purposes listed in Subsection (5).”;
(b) in Subsection (5) delete “as authorized and approved by the Board of Travel Development”;
(c) Subsection (6)(a) shall read: “(6) (a) For the fiscal year beginning July 1, 2005, the director shall allocate 7.5% of the fund, but not to exceed $750,000, to be distributed to a sports organization for advertising, marketing, branding, and promoting Utah in attracting sporting events into the state as determined by the office.”; and
(d) Subsection (6)(d) shall read: “(d) The office shall provide for an annual accounting to the director and the board by a sports organization for the use of moneys it receives under Subsection (6)(a) or (b).”
(7) The repeal of Sections 9−2−1701, 9−2−1702, 9−2−1703, 9−2−1703.5, and 9−2−1704 in S.B.7 shall take precedence over the renumbering and amending of those sections in H.B. 318.
(8) Renumber the following sections in H.B. 318:
(a) renumber Section 63−38f−1409 to Section 63−38f−1401, Section 63−38f−1406 to Section 63−38f−1402, Section 63−38f−1407 to 63−38f−1403, Section 63−38f−1408 to Section 63−38f−1404, and Section 63−38f−1410 to 63−38f−1406; and
(b) renumber Section 9−3−207 in S.B.7 to Section 63−38f−1405.”

If this H.B. 318 and S.B. 57, Use of State Sales and Use Tax Revenues for Business Development in Disadvantaged Rural Communities, both pass, it is the intent of the Legislature that the Office of Legislative
Research and General Counsel, in preparing the Utah Code database for publication, shall make the following changes:

1. Part 21 in S.B. 57 shall be renumbered in Title 63, Chapter 38f to be consistent with the renumbering done in H.B. 318, to include the renumbering of sections within the part and references to renumbered sections within the part.

2. In Section 9−2−2102, the references to “Section 9−2−202” shall be changed to Section 63−38f−301.

3. (a) Subsection 9−2−2104(1)(c) shall read: “(c) If the board awards a loan to an eligible county in accordance with this section, the loan shall be subject to interest as provided by the procedures and methods referred to in Subsection (6).

(b) Subsection 9−2−2104(2)(b)(v) shall read:
“(v) establish that the community within which the project area is located is a disadvantaged community on the basis of one or more of the following factors:
(A) median income per capita within the community;
(B) median property tax revenues generated within the community;
(C) median sales and use tax revenues generated within the community; or
(D) unemployment rates within the community;”.

(c) Subsection 9−2−2104 (4)(c)(iii) shall read: “(iii) in accordance with procedures established for prioritizing which projects may be awarded a grant or loan by the board under this section;”; and Subsections (4)(c)(iii)(A) and (B) shall be deleted.

(d) In Subsections 9−2−2104(4)(c)(ii) and 9−2−2104(4)(d), the term “executive director” shall be replaced with “director”.

(e) In Subsection 9−2−2104(5)(b), an “or” shall be inserted at the end of Subsection (iii), the “or” deleted at the end of Subsection (iv), and Subsection (v) deleted in its entirety.

(f) Subsection 9−2−2104(6) shall read:
“(6) The office shall establish procedures:
(a) for prioritizing which projects may be awarded a grant or loan by the board under this section; and
(b) for loans awarded in accordance with this section:
(i) the methods of calculating interest applicable to the loans; and
(ii) procedures for;
(A) applying interest to the loans; and
(B) paying interest on the loans.”.

4. (a) In Subsection 9−2−2105(1) and (2)(b), the term “executive director” shall be replaced with “director”.

(b) In Subsection 9−2−2105(2)(b), the term “executive director” shall be replaced with “director”.

(c) Subsection 9−2−2105(3)(b)(v) shall read:
“(v) establish that the community within which the project area is located is a disadvantaged community on the basis of one or more of the following factors:
(A) median income per capita within the community;
(B) median property tax revenues generated within the community;
(C) median sales and use tax revenues generated within the community; or
(D) unemployment rates within the community;”.

(e) Subsection 9−2−2105(4)(b)(v) shall read:
“(v) establish that the community within which the project area is located is a disadvantaged community on the basis of one or more of the following factors:
(A) median income per capita within the community;
(B) median property tax revenues generated within the community;
(C) median sales and use tax revenues generated within the community; or
(D) unemployment rates within the community;”.

(f) Subsection 9−2−2105(6) shall read:
“(6) The office shall establish procedures:
(a) for prioritizing which projects may be awarded a grant or loan by the board under this section; and
(b) for loans awarded in accordance with this section:
(i) the methods of calculating interest applicable to the loans; and
(ii) procedures for;
(A) applying interest to the loans; and
(B) paying interest on the loans.”.

(g) Subsection 9−2−2105(7)(b)(v) shall read:
“(v) establish that the community within which the project area is located is a disadvantaged community on the basis of one or more of the following factors:
(A) median income per capita within the community;
(B) median property tax revenues generated within the community;
(C) median sales and use tax revenues generated within the community; or
(D) unemployment rates within the community;”.

The changes specified in Section 9−2−2104, 9−2−2105, and 9−2−2106 of the Utah Code, as well as the renumbering of Part 21 in S.B. 57, shall be implemented to ensure consistency and accuracy in the publication of the Utah Code database.
(b) In Subsection 9–2–2105(3)(c), the numeral “(i)” shall be deleted and Subsection (ii) shall be deleted in its entirety.

(5) In Subsection 63–65–4(1)(b)(v), the reference to Section 9–2–2103 shall be changed to reflect the renumbering of the section in Title 63, Chapter 38f.

“Section 179. Coordinating H.B. 318 with S.B. 141.
If this H.B. 318 and S.B. 141, Military Installation Partnerships, both pass, it is the intent of the Legislature that the Office of Legislative Research and General Counsel, in preparing the Utah Code database for publication, shall make the following changes:
(1) Part 23 in S.B. 141 shall be renumbered in Title 63, Chapter 38f, to be consistent with the renumbering done in H.B. 318;
(2) in Section 9–2–2301, the terms “department” shall be replaced with “office” and “executive director” be replaced with “director”; and
(3) in Section 2, Appropriation, in S.B. 141 the term “Department of Community and Economic Development” shall be replaced with “Governor’s Office of Economic Development”.”

Annette B. Moore
Secretary of the Senate


**CONCURRENCE CALENDAR**

On motion of Representative Hunsaker, the House voted to concur in the Senate amendments to **Sub. H.B. 96, AMENDMENTS RELATING TO CLEAN FUELS AND VEHICLES USING CLEAN FUELS**.

**Sub. H.B. 96**, as amended by the Senate, then passed on the following roll call:

**Yeas, 56; Nays, 11; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
<td>Bowman</td>
</tr>
<tr>
<td>Buttars</td>
<td>Buxton</td>
<td>D. Clark</td>
<td>S. Clark</td>
</tr>
<tr>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
<td>Dee</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferry</td>
</tr>
<tr>
<td>Fisher</td>
<td>Fowlke</td>
<td>Gibson</td>
<td>Gowans</td>
</tr>
<tr>
<td>Hardy</td>
<td>Harper</td>
<td>Hogue</td>
<td>Holdaway</td>
</tr>
</tbody>
</table>
Voting in the negative were: Representatives

Christensen  Dayton  Ferrin  Frank
Hansen  Hendrickson  Mathis  Morley
Tilton  Walker  Wheeler

Absent or not voting were: Representatives

Alexander  Bigelow  Dougall  Goodfellow
Noel  Ure  Urquhart  Wallace

Sub. H.B. 96, as amended by the Senate, transmitted to the Senate for signature of the president.

THIRD READING CALENDAR

S.C.R. 2, RESOLUTION APPROVING CLASS V LANDFILL, read the third time by short title and placed on its final passage.

On motion of Representative Ferry, the House voted to circle S.C.R. 2.

CONCURRENCE CALENDAR

On motion of Representative Oda, the House voted to concur in the Senate amendments to H.B. 276, DIVISION OF CRIMINAL INVESTIGATION AND TECHNICAL SERVICES AMENDMENTS.

H.B. 276, as amended by the Senate, then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard  Adams  S. Allen  Barrus
Becker  Biskupski  Bourdeaux  Bowman
Buttars  Buxton  Christensen  D. Clark
Cosgrove  D. Cox  Dayton  Dee
Donnelson  Dougall  Duckworth  Ferrin
Ferry  Fisher  Fowlke  Frank
Gibson Hansen Hardy Hendrickson
Hogue Holdaway Hughes Hunsaker
E. Hutchings B. Johnson Jones King
Kiser Last Lawrence Litvack
Lockhart Mascaro Mathis McGee
Menlove Morgan Morley Moss
Murray Noel Oda Painter
Ray Romero G. Snow Tilton
Walker Wallace Wheatley Wheeler
Wiley Wyatt Curtis

Absent or not voting were: Representatives
Alexander Bigelow S. Clark Daw
Dunnigan Goodfellow Gowans Harper
Newbold Shurtliff Ure Urquhart

H.B. 276, as amended by the Senate, transmitted to the Senate for signature of the president.

UNFINISHED BUSINESS

On motion of Representative Menlove, the House voted to uncircle S.C.R. 2.

S.C.R. 2, RESOLUTION APPROVING CLASS V LANDFILL, was before the House on its final passage.

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

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Biskupski Bourdeaux Bowman
Buttars Christensen D. Clark Cosgrove
D. Cox Dayton Dee Donnelson
Duckworth Dunnigan Ferrin Fisher
Fowlke Frank Gibson Goodfellow
Gowans Hansen Hardy Harper
Hendrickson Hogue Holdaway Hughes
Hunsaker E. Hutchings Jones Kiser
Last Lawrence Litvack Mascaro
Mathis McGee Menlove Morgan
Morley Moss Murray Newbold
Noel Oda Painter Ray
Romero Shurtliff Urquhart Walker
Wallace Wheatley Wheeler Wyatt
Curtis

Voting in the negative were: Representatives
Becker S. Clark Daw Dougall
B. Johnson G. Snow

Absent or not voting were: Representatives
Bigelow Buxton Ferry King
Lockhart Tilton Ure Wiley

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

COMMUNICATION FROM THE SENATE

Mr. Speaker: March 2, 2005

The Senate passed, upon reconsideration, as amended, 1st Sub. H.B. 57, TOURISM TASK FORCE, by Representative D. Ure, and it is transmitted for further consideration with the attached following amendments.

Annette B. Moore
Secretary of the Senate

Communication filed. Sub. H.B. 57, placed on the calendar for concurrence.

CONCURRENCE CALENDAR

On motion of Representative Buttars, the House voted to concur in the Senate amendments to H.B. 318, COMMUNITY AND ECONOMIC DEVELOPMENT RESTRUCTURING.

H.B. 318, as amended by the Senate, then passed on the following roll call:

Yeas, 50; Nays, 15; Absent or not voting, 10.

Voting in the affirmative were: Representatives
Aagard Adams S. Allen Barrus
Becker Bigelow Bourdeaux Buttars
Christensen D. Clark S. Clark Cosgrove
Dee Donnelson Dougall Duckworth
Dunnigan Ferrin Fisher Fowlke
Voting in the negative were: Representatives

Alexander Daw Dayton Ferry
Hardy Harper Hendrickson Last
Mathis Morley Newbold G. Snow
Tilton Walker Curtis

Absent or not voting were: Representatives

Biskupski Bowman Buxton D. Cox
Frank Gowans Kiser Lockhart
Moss Wheeler

H.B. 318, as amended by the Senate, transmitted to the Senate for signature of the president.

***

On motion of Representative Ure, the House voted to concur in the Senate amendments to Sub. H.B. 57, TOURISM TASK FORCE.

Sub. H.B. 57, as amended by the Senate, then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard Adams S. Allen Barrus
Becker Bigelow Biskupski Bourdeaux
Bowman Buttars Buxton Christensen
D. Clark S. Clark Cosgrove D. Cox
Daw Dayton Dee Donnelson
Dougall Duckworth Dunnigan Ferrin
Ferry Fisher Fowlke Frank
Gibson Goodfellow Gowans Hansen
Hardy Harper Hendrickson Hogue
Absent or not voting were: Representatives
Alexander Last McGee Curtis

Sub. H.B. 57, as amended by the Senate, transmitted to the Senate for signature of the president.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

March 2, 2005

The Senate adopted the Joint Conference Committee Report dated March 2, 2005, and passed 1st Sub. S.B. 137, TOURISM, RECREATION, CULTURAL, AND CONVENTION FACILITIES TAX AMENDMENTS, by Senator H. Stephenson, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed 1st Sub. S.B. 211, FUNDING FOR CONVENTION FACILITIES, by Senator M. Waddoups, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed 4th Sub. S.B. 192, HIGH TECHNOLOGY ECONOMIC DEVELOPMENT APPROPRIATION, by Senator L. A. Mansell, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed 1st Sub. S.B. 8, LOCAL CORRIDOR PRESERVATION FUNDING, by Senator S. Killpack, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed S.B. 7, FUNDING FOR TOURISM, by Senator S. Jenkins, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed S.B. 3, SUPPLEMENTAL APPROPRIATIONS ACT II, by Senator L. Hillyard, and it is transmitted for the signature of the Speaker; and
The Senate concurred in the House amendments and passed **S.B. 141, MILITARY INSTALLATION PARTNERSHIPS**, by Senator S. Killpack, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **Sub. S.B. 137, Sub. S.B. 211, 4th Sub. S.B. 192, Sub. S.B. 8, S.B. 7, S.B. 3, and S.B. 141** were signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

Mr. Speaker:  
March 2, 2005

The President of the Senate has signed **H.B. 301, SUPPLEMENTAL APPROPRIATIONS III**, by Representative R. Bigelow, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 233, ADOPTION LAW REVISIONS**, by Representative R. McGee, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 142, ISSUES SUBMITTED TO VOTERS**, by Representative G. Hughes, and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 235, INSURANCE ARBITRATION AMENDMENTS**, by Representative S. Urquhart, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 268, DRUG UTILIZATION REVIEW COMMITTEE AMENDMENTS**, by Representative R. Lockhart, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 319, EXPANSION OF DEPARTMENT OF ADMINISTRATIVE SERVICES OVERSIGHT TO INCLUDE HUMAN RESOURCE MANAGEMENT**, by Representative D. G. Buxton, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate receded from its amendments and passed **H.B. 382, SUPPLEMENTAL MINIMUM SCHOOL PROGRAM FINANCE ACT**, by Representative G. Snow, which has been signed by the President and it is transmitted for the signature of the Speaker; and
The Senate passed, **H.C.R. 3**, RESOLUTION REGARDING WASHINGTON COUNTY WASTE FACILITY, by Representative B. Last, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.J.R. 19**, JOINT RESOLUTION URGING HEALTH CARE FOR UTAH'S INDIGENT AND NEEDY UNINSURED, by Representative L. Fowlke, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.J.R. 20**, MASTER STUDY RESOLUTION, by Representative J. Alexander, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 338**, CHILD AND FAMILY WELFARE REVISIONS, by Representative L. Christensen, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **3rd Sub. H.B. 260**, AMENDMENTS RELATED TO PORNOGRAPHIC AND HARMFUL MATERIALS, by Representative J. Dougall, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 259**, ADOPTION AMENDMENTS, by Representative A. Hardy, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **2nd Sub. H.B. 104**, SPYWARE CONTROL ACT REVISIONS, by Representative S. Urquhart, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **3rd Sub. H.B. 308**, ARCHEOLOGICAL RESOURCES AMENDMENTS, by Representative B. Johnson, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 324**, TAXABLE VALUE ADJUSTMENT FOR PROPERTY DAMAGED BY A NATURAL DISASTER, by Representative B. Last, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 276**, DIVISION OF CRIMINAL INVESTIGATION AND TECHNICAL SERVICES AMENDMENTS, by Representative C. Oda, and it is transmitted for the signature of the Speaker; and
The President of the Senate has signed 1st Sub. H.B. 96, AMENDMENTS RELATING TO CLEAN FUELS AND VEHICLES USING CLEAN FUELS, by Representative F. Hunsaker, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed 1st Sub. H.B. 57, TOURISM TASK FORCE, by Representative D. Ure, and it is transmitted for the signature of the Speaker; and

The Senate has rejected 1st Sub. H.B. 269, SALES MARKETING REQUIREMENTS, by Representative M. Noel, and it is transmitted for filing; and

The President of the Senate has signed 2nd Sub. H.B. 313, ECONOMIC DEVELOPMENT INITIATIVE FOR HIGHER EDUCATION, by Representative K. Holdaway, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed H.B. 318, COMMUNITY AND ECONOMIC DEVELOPMENT RESTRUCTURING, by Representative C. Buttars, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed H.C.R. 9, RESOLUTION HONORING OUTGOING PRESIDENT KERMIT L. HALL, by Representative F. Hunsaker, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate


* * *

Mr. Speaker:

The Senate has rejected H.B. 140, INDIVIDUAL INCOME TAX CONTRIBUTION FOR COMMUNITY SPAY AND NEUTER PROGRAMS, by Representative M. Noel, and it is transmitted for filing.

Annette B. Moore
Secretary of the Senate

Communications filed. H.B. 140, was filed.
Mr. Speaker:

March 2, 2005

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. 44  Additional State Retirement Benefit (Rep. L. Shurtliff)
H.B. 46  Public Education Capital Outlay Act Amendments (Rep. D. Cox)
1st Sub. H.B. 84  Reading Requirements for Student Advancement (Rep. K. Morgan)
H.B. 95  Sex Offender Registration Amendments (Rep. M. S. Lawrence)
H.B. 118  Revise Utility Improvement Districts (Rep. D. Ure)
H.B. 119  Navajo Trust Fund Amendments (Rep. B. King)
H.B. 126  Amendments to Facilities with Regional Impact (Rep. G. Hughes)
H.B. 129  School Uniforms (Rep. C. Frank)
H.B. 135  Implementing Federal Educational Programs (Rep. M. Dayton)
H.B. 148  School Truancy Amendments (Rep. E. Hutchings)
H.B. 163  Garnishment Fees (Rep. S. Mascaro)
H.B. 214  Emerging Technologies and Open Government (Rep. D. Clark)
H.B. 225  Boat Registration Fee (Rep. B. Goodfellow)
H.B. 238  Utah Technology Commission Membership
          (Rep. J. Dougall)
H.B. 242  Criminal Penalty for Animal Cruelty (Rep. S. Wyatt)
1st Sub. H.B. 261  Motorboat Liability Insurance Amendments
           (Rep. K. Gibson)
3rd Sub. H.B. 263  Insurers Rehabilitation and Liquidation (Rep. J. Dougall)
H.B. 270  Temporary Road Closures (Rep. M. Noel)
H.B. 272  Patient Access to Providers and Contracting Amendments
           (Rep. R. Lockhart)
H.B. 288  Executive Compensation Amendments
           (Rep. J. Alexander)
1st Sub. H.B. 291  Capitol Preservation Board Modifications
           (Rep. J. Alexander)
H.B. 292  Commission on Racial and Ethnic Fairness
           (Rep. D. Bourdeaux)
H.B. 303  Shelter Hearing Amendments (Rep. E. Hutchings)
H.B. 306  Amendment Regarding Controlled Substances
           (Rep. C. Oda)
H.B. 314  Driving with Any Measurable Controlled Substance in the
          Body Revisions (Rep. M. Noel)
1st Sub. H.B. 335  Disconnecting Territory from a Municipality
          (Rep. C. Frank)
H.B. 342  Civil Legal Aid for Victims of Domestic Violence
          (Rep. S. Mascaro)
H.B. 346  Schools for the Deaf and the Blind Salary Adjustments
          (Rep. K. Morgan)
H.B. 356  State Government Law Revisions – Withdrawal from
          Education Compact (Rep. M. Dayton)
H.B. 362  Appropriation for Highly Qualified Teachers
          (Rep. K. Holdaway)
H.B. 373  Education Technology Task Force (Rep. E. Hutchings)
H.B. 375  Revisions to General State Government – Notary Law
          Amendments (Rep. B. King)
1st Sub. H.B. 381  Nonresident Tuition Waivers (Rep. C. Buttrars)
H.C.R. 13  Concurrent Resolution Promoting Utah Saves Strategic
          Initiative (Rep. D. Hogue)
H.C.R. 14  Concurrent Resolution Honoring America’s Military War
          Dogs (Rep. S. Mascaro)


Annette B. Moore
Secretary of the Senate

Communication filed.

RULES COMMITTEE REPORT

Mr. President: March 2, 2005

I am directed to inform the Utah State Senate that the House Committee on Rules has struck the enacting clause on the following Senate Bills and Resolutions:

S.B. 22 Drug Offender Reform Act (D.C. Buttars)
Sub. S.B.31 Local Government Amendments (D. Thomas)
2nd Sub. S.B. 34 Patient Access Reform (D.C. Buttars)
2nd Sub. S.B. 39 Consumer Credit Protection (C. Walker)
S.B. 49 Motor Vehicle Liability Coverage Amendments (D. Eastman)
Sub. S.B. 63 Severance Tax Amendments (B. Evans)
S.B. 67 Election Law – Voter Requirements (M. Madsen)
S.B. 77 Amendments to Indoor Clean Air Act (M. Waddoups)
S.B. 87 Residence Lien Restriction and Lien Recovery Fund Amendments (D. Thomas)
S.B. 109 Safety Belt Enforcement (K. Hale)
Sub. S.B. 113 Employee Noncompetition Contracts (E. Mayne)
S. B. 131 Authorization for Additional Judicial Position (M. Madsen)
S.B. 136 Justice Court Operations Amendments (E. Mayne)
S.B. 145 Prohibition Against Certain Medical Noncompetition Agreements (A.M. Christensen)
S.B. 147 Psychologist Licensing Act Amendments (E. Mayne)
S.B. 148 Conservation Easement Endowment Restricted Account (B. Evans)
S.B. 151 Driver Education Amendments (T. Hatch)
S.B. 154 Public Safety Retirement Amendments (D.C. Buttars)
S.B. 162 Changes to 2004 General Obligation Bond (R. Allen)
Sub. S.B. 168 Construction Trade Related Amendments (S. Jenkins)
S.B. 180 Workers Compensation – Competitive Bid Requirements (M. Waddoups)
S.B. 182 Veterinary Practice Act – Exemptions (M. Dmitrich)
5th Sub. S.B. 183 Public Transit District Annexation and Funding Amendments (G. Bell)
Sub. S.B. 187 Special Hunting Permits for Antelope Island (J. Hickman)
S.B. 188 Classifying Off−Highway Vehicles as Allowed on Designated Roads (T. Hatch)
S.B. 191 Political Subdivisions – Truth in Government Competition (R. Allen)
Sub. S.B. 195 Tax Revisions (C. Bramble)
S.B. 201 Center for Multicultural Health (D.C. Buttars)
S.B. 203 Property Tax – County Service Areas (M. Waddoups)
Sub. S.B. 204 Sales and Use Tax Diversions (D. Peterson)
S.B. 205 Individual Income Tax – Office of State Debt Collection Rulemaking Authority (M. Dmitrich)
2nd Sub. S.B. 209 Interlocal Cooperation Amendments (C. Bramble)
Sub. S.B. 225 Changes to General Government – Sales and Use Tax Amendments (G. Davis)
S.B. 174 Security Service Amendments (R. Allen)
2nd Sub. S.B. 231 Compensation of Lieutenant Governor and Other State Officers (M. Madsen)
S.B. 232 Executive Director of Department of Health Issues (S. Killpack)
S.J.R. 11 Resolution Limiting Number of Governor’s Terms (C. Walker)

Rebecca Lockhart, Chair

Report filed.

RULES COMMITTEE REPORT

Mr. Speaker: March 2, 2005

I am directed to inform the Utah House of Representatives that the House Committee on Rules has struck the enacting clause on the following House Bills and Resolutions:

H.B. 21 Automobile Crime Prevention (P. Ray)
H.B. 27 Health Insurance Fair Marketing Standards (S. Mascaro)
H.B. 31 Vision Care for Medicaid Recipient (S. Mascaro)
H.B. 32 Dental Services for Adults on Medicaid (S. Mascaro)
H.B. 35 Telecommunications Amendments (S. Urquhart)
H.B. 39 Tuition Tax Credits (J. Ferrin)
H.B. 41 Special District for Police Services (R. Romero)
H.B. 50 Criminal Penalty Amendment (D. Litvack)
H.B. 58  Government Efficiency and Effectiveness Review Committee (P. Wallace)
H.B. 61  State School Board Elections and Filling of Vacancies (J. Ferrin)
H.B. 72  School Curriculum Amendments (C. Moss)
H.B. 73  Local Referendum Requirements (D. Hogue)
H.B. 81  Workers’ Compensation Coverage of Fire Department Employees (J. Murray)
H.B. 82  Contractors Bonds and Letters of Credit (D. Clark)
H.B. 88  Air Conditioned Buses for Students with Disabilities (D. Hogue)
Sub. H.B. 92  Safety Belt Law Amendments (M. Noel)
Sub. H.B. 94  Youth Corrections Amendments (S. Moss)
H.B. 99  State Fleet Vehicle Classification (E. Hutchings)
H.B. 100  Consumer Credit Bureau Notice of Requirements (K. Morgan)
H.B. 101  Amendments to the Individual Income Tax (W. Harper)
H.B. 106  Regulation of Noncompete Agreements in Medical Practices (R. McGee)
H.B. 107  Amendments to Taxes, Fees, or Charges (W. Harper)
H.B. 108  Telecommunications Taxation (G. Curtis)
H.B. 110  Emergency Administration of Epinephrine (T. Kiser)
H.B. 111  Licensing of Child Care Centers – Oversight and Regulation (D.G. Buxton)
H.B. 112  Background Checks in County Government (B. Dee)
H.B. 117  Revisions to State Government (B. Ferry)
H.B. 120  Crime of Soliciting Sex from a Child (L. Fowlke)
H.B. 122  Bail Bond Amendments (K. Gibson)
H.B. 123  Restrictions of Advertising Illegal Activities (S. Wyatt)
Sub. H.B. 127  Offer of Settlement Provisions (L. Christensen)
H.B. 130  Income Tax Subtraction for Specialized Immigrant Services (A. Tilton)
H.B. 133  Mobile Home Park – Notice of Sale of Underlying Property (M. Wheatley)
Sub. H.B. 134  Public Safety Officers – Critical Incident Shooting Provisions (P. Ray)
H.B. 137  Repeal of Prior Amendments to the Voluntary Contributions Act (N. Hansen)
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>H.B. 140</td>
<td>Individual Income Tax Contribution for Community Spay and Neuter Programs (M. Noel)</td>
</tr>
<tr>
<td>H.B. 141</td>
<td>School Breakfast Program (D. Litvack)</td>
</tr>
<tr>
<td>H.B. 144</td>
<td>Ban of Gifts to Elected Officials (R. Becker)</td>
</tr>
<tr>
<td>H.B. 146</td>
<td>Vaccine Restrictions (E. Hutchings)</td>
</tr>
<tr>
<td>2nd Sub. H.B. 152</td>
<td>County Option Sales and Use Tax for Agricultural Land, Open Land, and Recreational Facilities Act (C. Buttars)</td>
</tr>
<tr>
<td>2nd Sub. H.B. 153</td>
<td>Security for Public Schools (S. Allen)</td>
</tr>
<tr>
<td>H.B. 158</td>
<td>Election Requirements for County Candidates (R. Romero)</td>
</tr>
<tr>
<td>H.B. 161</td>
<td>Injury Reporting Requirement Amendments (J. Murray)</td>
</tr>
<tr>
<td>H.B. 166</td>
<td>Indoor Clean Air Act Amendments (P. Ray)</td>
</tr>
<tr>
<td>H.B. 167</td>
<td>Elder Protection Provisions (P. Jones)</td>
</tr>
<tr>
<td>H.B. 169</td>
<td>Appropriation for School Districts Impacted by Fee Waivers (L. Shurtliff)</td>
</tr>
<tr>
<td>H.B. 172</td>
<td>Notary Public Amendments (L. Shurtliff)</td>
</tr>
<tr>
<td>H.B. 175</td>
<td>Education Achievement Gap Task Force (D. Litvack)</td>
</tr>
<tr>
<td>H.B. 178</td>
<td>Mental Health Services Coordinator (D. Hogue)</td>
</tr>
<tr>
<td>H.B. 187</td>
<td>Capital Outlay Foundation Program – Participation Requirements (J. Ferrin)</td>
</tr>
<tr>
<td>H.B. 189</td>
<td>Applied Technology Program Amendments (J. Ferrin)</td>
</tr>
<tr>
<td>H.B. 192</td>
<td>Utah High Cost Home Loan Act Amendments (W. Harper)</td>
</tr>
<tr>
<td>H.B. 193</td>
<td>Deregulation of General Building Contractors (G. Hughes)</td>
</tr>
<tr>
<td>H.B. 194</td>
<td>Fair Housing for Domestic Violence Victims and Landlord Protection Act (L. Shurtliff)</td>
</tr>
<tr>
<td>H.B. 196</td>
<td>Legislators Involvement in Public Schools (D. Bourdeaux)</td>
</tr>
<tr>
<td>Sub. H.B. 197</td>
<td>Individual Income Tax Amendments (P. Jones)</td>
</tr>
<tr>
<td>H.B. 199</td>
<td>Special Election Dates (D. Hogue)</td>
</tr>
<tr>
<td>H.B. 205</td>
<td>Deer Hunt Opening Season Date Amendments (S. Clark)</td>
</tr>
<tr>
<td>H.B. 207</td>
<td>Prescriptive Easement Act (G. Hughes)</td>
</tr>
<tr>
<td>Sub. H.B. 219</td>
<td>Traffic Enforcement Amendments (R. McGee)</td>
</tr>
<tr>
<td>H.B. 227</td>
<td>Corporate Franchise and Income Taxes – Exemption (W. Harper)</td>
</tr>
<tr>
<td>H.B. 228</td>
<td>Removal or Defacement of Political Signs (G. Hughes)</td>
</tr>
<tr>
<td>H.B. 229</td>
<td>Water Rights in Irrigation Companies (P. Painter)</td>
</tr>
<tr>
<td>Sub. H.B. 232</td>
<td>Utah Basic Skills Competency Test Alternatives (P. Ray)</td>
</tr>
</tbody>
</table>
H.B. 237  State Benefit Provider Revisions (P. Ray)
Sub. H.B. 239  Higher Education Tuition and Residency Legislative Task Force (G. Donnelson)
H.B. 244  Transfer of Prescriptions (N. Hansen)
H.B. 245  Compensation of Constitutional Officers – Benefits and Insurance (M. Noel)
H.B. 246  Waste Fees Amendments (S. Urquhart)
H.B. 248  Child Support Obligations (E. Hutchings)
H.B. 251  Amendments Related to Public Utilities (A. Tilton)
H.B. 252  Marriage Preparation Education (R. McGee)
H.B. 253  Tax Amendments (W. Harper)
H.B. 254  Tax Credit for Tuition (S. Mascaro)
H.B. 257  Transportation General Obligation Bonds Authorization (S. Urquhart)
H.B. 258  Individual Income Tax Credit for Employment–Related Expenses (D. Litvack)
H.B. 262  Licensure of Athletic Trainers (P. Ray)
H.B. 265  Restrictions on Riders in the Back of Open Vehicle (C. Buttars)
H.B. 267  Election Day Voter Registration (N. Hansen)
Sub. H.B. 269  Sales Marketing Requirements (M. Noel)
Sub. H.B. 271  Commitment to Mental Health Authority (M. Noel)
H.B. 272  Patient Access to Providers and Contracting Amendments (R. Lockhart)
H.B. 274  Referendum Procedure (D. Hogue)
H.B. 277  Revisions to the Utah Credit Union Act (L. Christensen)
H.B. 278  Termination of Parental Rights for Murder or Attempted Murder (J. Biskupski)
H.B. 281  Task Force on Legislative Reforms (N. Hansen)
Sub. H.B. 282  State Employee Ethics Amendments (J. Dougall)
H.B. 284  Restructure of State Utility Regulatory Entities (A. Tilton)
H.B. 285  Nurse Practice Act Amendments (R. Lockhart)
H.B. 286  Use of Public Education Monies (P. Jones)
H.B. 289  Authority for Design–Build Construction (M. Morley)
H.B. 290  Restrictions on Gifts (J. Ferrin)
H.B. 293  Materials Harmful to Minors (D. Hogue)
H.B. 294  Regulation of Assisted Living Facility Amendments (R. Lockhart)
H.B. 295  Deferred Deposit Lending Revisions (L. Fowlke)
H.B. 296  Condominium Ownership Act Amendments (C. Moss)
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Title</th>
<th>Sponsor</th>
</tr>
</thead>
<tbody>
<tr>
<td>H.B. 298</td>
<td>Foster Placements (N. Hansen)</td>
<td></td>
</tr>
<tr>
<td>H.B. 300</td>
<td>Health Care Savings Account Act (M. Dayton)</td>
<td></td>
</tr>
<tr>
<td>Sub. H.B. 302</td>
<td>Regulation of Construction Industry (J. Adams)</td>
<td></td>
</tr>
<tr>
<td>Sub. H.B. 304</td>
<td>Premium Assistance Program for Covered−At−Work</td>
<td>(K. Holdaway)</td>
</tr>
<tr>
<td>H.B. 305</td>
<td>Collection Practices Amendments (D. Bourdeaux)</td>
<td></td>
</tr>
<tr>
<td>H.B. 307</td>
<td>Redevelopment Agency Changes (J. Dougall)</td>
<td></td>
</tr>
<tr>
<td>H.B. 310</td>
<td>Aging and Adult Services Program Amendments</td>
<td>(E. Hutchings)</td>
</tr>
<tr>
<td>H.B. 312</td>
<td>Municipal Electrical Entities Amendments (A. Tilton)</td>
<td></td>
</tr>
<tr>
<td>H.B. 316</td>
<td>Driver License Requirements for Illegal Aliens</td>
<td>(A. Tilton)</td>
</tr>
<tr>
<td>H.B. 317</td>
<td>Vehicle Impound Amendments (J. Gowans)</td>
<td></td>
</tr>
<tr>
<td>H.B. 320</td>
<td>Utility Regulatory Reform (J. Gowans)</td>
<td></td>
</tr>
<tr>
<td>H.B. 321</td>
<td>Background Checks for Boarding Schools (B. Last)</td>
<td></td>
</tr>
<tr>
<td>H.B. 322</td>
<td>Motor Vehicle Repairs – Consumer Rights (T. Kiser)</td>
<td></td>
</tr>
<tr>
<td>H.B. 323</td>
<td>Access to Employment Data (J. Mathis)</td>
<td></td>
</tr>
<tr>
<td>H.B. 325</td>
<td>Open Enrollment Amendments (D. Bourdeaux)</td>
<td></td>
</tr>
<tr>
<td>H.B. 327</td>
<td>Department of Commerce – Demographic Data Tracking</td>
<td>(M. Wheatley)</td>
</tr>
<tr>
<td>H.B. 328</td>
<td>Rural Health Care Infrastructure (M. Noel)</td>
<td></td>
</tr>
<tr>
<td>H.B. 329</td>
<td>County Contracted Services (K. Holdaway)</td>
<td></td>
</tr>
<tr>
<td>H.B. 330</td>
<td>Driver License Qualifications Amendments</td>
<td>(G. Donnelson)</td>
</tr>
<tr>
<td>H.B. 331</td>
<td>Disaster Relief Provisions (D. Clark)</td>
<td></td>
</tr>
<tr>
<td>H.B. 332</td>
<td>Possession of a Dangerous Weapon in a Vehicle</td>
<td>(M. Morely)</td>
</tr>
<tr>
<td>H.B. 333</td>
<td>Density Credit for Land Donated to School District</td>
<td>(D. Cox)</td>
</tr>
<tr>
<td>H.B. 336</td>
<td>Voting Requirements (L. Shurtleff)</td>
<td></td>
</tr>
<tr>
<td>H.B. 337</td>
<td>Golf Carts Allowed on Certain Highways (C. Moss)</td>
<td></td>
</tr>
<tr>
<td>H.B. 339</td>
<td>School Trust Lands Revisions (D. Clark)</td>
<td></td>
</tr>
<tr>
<td>H.B. 340</td>
<td>Office of Recovery Services Fee (A. Tilton)</td>
<td></td>
</tr>
<tr>
<td>H.B. 341</td>
<td>Child and Family Services Records (S. Mascaro)</td>
<td></td>
</tr>
<tr>
<td>H.B. 343</td>
<td>Medicaid – Pregnant Women Resource Test</td>
<td>(M. Wheatley)</td>
</tr>
<tr>
<td>H.B. 344</td>
<td>Regulation of Phlebotomists (M. Wheatley)</td>
<td></td>
</tr>
<tr>
<td>H.B. 345</td>
<td>State School Board Amendments (K. Morgan)</td>
<td></td>
</tr>
<tr>
<td>H.B. 347</td>
<td>Family Impact Statement (C. Frank)</td>
<td></td>
</tr>
<tr>
<td>H.B. 350</td>
<td>State Building Energy Efficiency Program (F. Hunsaker)</td>
<td></td>
</tr>
<tr>
<td>H.B. 351</td>
<td>Health Insurance Disclosure Requirements (B. Last)</td>
<td></td>
</tr>
</tbody>
</table>
H.B. 352  Mandatory Minimum Sentencing for Child Molesters  
(C. Frank)
H.B. 353  Government Operations (J. Gowans)
H.B. 354  Licensure of Wholesale Distributors of Prescription Drugs  
(B. Last)
H.B. 355  Amendments to Workers Compensation Fund (D. Ure)
H.B. 357  Amendments to Independent Entities (D. Ure)
H.B. 358  Tuition and Books Assistance (E. Hutchings)
H.B. 359  Professional Licensing Amendments (M. Wheatley)
H.B. 360  Protective Order Amendments (E. Hutchings))
H.B. 361  Municipal Authority to Use Collection Agencies  
(M. Walker)
H.B. 363  Transportation Amendments (K. Gibson)
H.B. 364  Abusive Attorneys Fees (B. Last)
H.B. 365  Revolving Door Limitation for Public Officials to  
Become Lobbyists (C. Moss)
H.B. 366  Ethics Commission (D. Litvack)
H.B. 367  Restrictions on High Occupancy Vehicle Lane  
(D. Litvack)
H.B. 368  Special Function Officers for Division of Occupational  
and Professional Licensing (N. Hendrickson)
H.B. 369  Lobbying Regulation (J. Ferrin)
H.B. 370  Contribution Limits on Governor’s Campaign (J. Ferrin)
H.B. 371  Designation of Next of Kin with Department of Health  
(J. Biskupski)
H.B. 372  Power of Attorney Amendments (M. Newbold)
H.B. 374  Implements of Husbandry Permit Stickers (J. Mathis)
H.B. 376  Hill Air Force Museum Appropriation (D. Buxton)
H.B. 377  County Option Funding for Botanical, Cultural,  
Recreation, and Zoological Organizations or Facilities  
(E. Hutchings)
H.B. 378  911 Emergency Response Amendments (E. Hutchings)
H.B. 379  Young Artist Provisions (G. Hughes)
H.C.R. 4  Utah Athletic Foundation Resolution (D. Ure)
H.C.R. 12 Resolution Urging Congress to Provide Sufficient  
Funding of Medicaid (R. Bigelow)
H.J.R. 2  Joint Rules Resolution − Family Impact Statement of  
Legislation (C. Frank)
H.J.R. 4  Joint Rules Resolution − Conflict of Interest Amendments  
(D. Ure)
H.J.R. 7  Resolution Amending State Auditor Qualifications  
(R. Romero)

H.J.R. 12 Resolution Eliminating Property Tax on Personal Property  
(J. Dougall)

H.J.R. 14 Resolution Establishing Redistricting Commission  
(R. McGee)

H.J.R. 16 Joint Resolution Related to the Utah Athletic Foundation  
(D. Ure)

H.R. 1 House Rules Resolution – Lobbyist Code of Ethics  
Amendments (D. Ure)

H.R. 5 House Rules Resolution – Oral Declaration of Conflict of  
Interest (D. Ure)

H.R. 6 House Rules Resolution – Electronic Voting Board  
(D. Ure)

H.R. 8 Resolution Encouraging State Research Universities to  
Focus on Enhancing State Trust Lands (E. Hutchings)

Rebecca Lockhart, Chair

Report filed.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House of Representatives of the Fifty–sixth Legislature voted to adjourn sine die.

On motion of Representative Newbold, the House authorized two days pay for session employees.

On motion of Representative Alexander, the House voted to authorize the Speaker to appoint a committee to wait upon the Governor to inform His Excellency that the House of Representatives has finished its business and has adjourned sine die.

The Speaker appointed Representatives Dee, Buxton, and Romero.

On motion of Representative Alexander, the House voted to authorize the Speaker to appoint a committee to wait upon the Senate and inform that Honorable Body that the House of Representatives has completed its business and has adjourned sine die.

The Speaker appointed Representatives S. Clark, Snow, and Bourdeaux.

Representative S. Clark reported that his committee had waited upon the Senate and informed them that the House of Representatives has completed its business and had adjourned sine die.
Senators McCoy, Walker, and Madsen formally notified the House of Representatives that the Senate had adjourned sine die.

Governor Jon Huntsman, Jr., spoke briefly to the House of Representatives.
H.B. 1 — ANNUAL APPROPRIATIONS ACT (R. Bigelow)
Read the first time by short title and referred to the Rules Committee. ...... 213
Read the second time ............................................................ 438
Circled .......................................................... 438
Uncircled ............................................................. 438
Amendments ............................................................. 438
Transmitted to the Senate ..................................................... 439
Signed by the Speaker and transmitted to the Governor ...................... 458

H.B. 3 — MINIMUM SCHOOL PROGRAM ACT AMENDMENTS (G. Snow)
Read the first time by short title and referred to the Rules Committee. ...... 213
Read the second time ............................................................ 439
Read the third time ............................................................. 439
Circled .......................................................... 439
Uncircled ............................................................. 456
Amendments ............................................................. 456
Transmitted to the Senate ..................................................... 458
Signed by the Speaker and transmitted to the Governor ...................... 513

H.B. 4 — DIVORCE MEDIATION PROGRAM (B. Ferry)
Read the first time by short title and referred to the Rules Committee. ...... 41
Assigned to standing committee ............................................. 52
Amendments ............................................................. 238
Read the second time ............................................................ 239
Read the third time ............................................................. 394
Transmitted to the Senate ..................................................... 395
Signed by the Speaker and transmitted to the Governor ...................... 875

H.B. 5 — PERSON WITH A DISABILITY MOTORCYCLE PARKING (T. Kiser)
Read the first time by short title and referred to the Rules Committee. ...... 41
Read the second time ............................................................ 50
Read the third time ............................................................. 62
Transmitted to the Senate ..................................................... 63
Signed by the Speaker and transmitted to the Governor ...................... 316

H.B. 6 — MASTER HIGHWAY DESIGNATION AMENDMENTS (J. Murray)
Read the first time by short title and referred to the Rules Committee. ...... 41
Read the second time ............................................................ 50
Read the third time ............................................................. 63
Transmitted to the Senate ..................................................... 64
Signed by the Speaker and transmitted to the Governor ...................... 295
H.B. 7 — INDIVIDUAL INCOME TAX – CONTRIBUTIONS FOR EDUCATION (S. Allen)
Read the first time by short title and referred to the Rules Committee. 41
Read the second time ......................................................... 97
Read the third time ......................................................... 186
Transmitted to the Senate ................................................. 187
Signed by the Speaker and transmitted to the Governor ............ 316

H.B. 8 — CHILD PROTECTION TEAM MEETINGS (A. Tilton)
Read the first time by short title and referred to the Rules Committee. 41
Read the second time ......................................................... 50
Read the third time ......................................................... 72
Transmitted to the Senate ................................................. 72
Signed by the Speaker and transmitted to the Governor ............ 295

H.B. 9 — SALES AND USE TAX – AGRICULTURAL EXEMPTION VEHICLE LIMITATION
(R. Menlove)
Read the first time by short title and referred to the Rules Committee. 41
Assigned to standing committee ........................................ 65
Amendments ................................................................. 114
Read the second time ......................................................... 115
Read the third time ......................................................... 229
Transmitted to the Senate ................................................. 230
Signed by the Speaker and transmitted to the Governor ............ 409

H.B. 10 — EMPLOYMENT SECURITY ACT AMENDMENTS (D. Cox)
Read the first time by short title and referred to the Rules Committee. 41
Read the second time ......................................................... 50
Read the third time ......................................................... 72
Transmitted to the Senate ................................................. 73
Signed by the Speaker and transmitted to the Governor ............ 295

H.B. 11 — ECONOMIC DEVELOPMENT INCENTIVES (B. Dee)
Read the first time by short title and referred to the Rules Committee. 41
Assigned to standing committee ........................................ 53
Read the second time ......................................................... 162
Read the third time ......................................................... 323
Amendments ................................................................. 323
Circled ................................................................. 323
Uncircled ................................................................. 324
Held for possible reconsideration ..................................... 325
Reconsideration .......................................................... 361
Transmitted to the Senate ................................................. 361
Placed on Concurrence Calendar ...................................... 613
Concurrence ............................................................. 650
Signed by the Speaker and transmitted to the Governor ............ 685
H.B. 12 — HEALTH CARE ASSISTANTS (*R. Lockhart*)

Read the first time by short title and referred to the Rules Committee. . . . . . . . . 41
Read the second time . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 51
Read the third time . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 88
Circled . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 88
Uncircled . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 144
Transmitted to the Senate . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 144
Placed on Concurrence Calendar . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 355
Concurrence . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 389
Signed by the Speaker and transmitted to the Governor . . . . . . . . . . . . . . . . . . . . . . 409

H.B. 13 — OCCUPATIONAL AND PROFESSIONAL LICENSING SUNSET AMENDMENT

(R. Lockhart)

Read the first time by short title and referred to the Rules Committee. . . . . . . . . 41
Read the second time . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 51
Read the third time . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 88
Circled . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 88
Uncircled . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 233
Amendments . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 234
Transmitted to the Senate . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 234
Signed by the Speaker and transmitted to the Governor . . . . . . . . . . . . . . . . . . . . . 612

H.B. 14 — BOND ELECTION PROCESS AMENDMENTS (*F. Hunsaker*)

Read the first time by short title and referred to the Rules Committee. . . . . . . . . 41
Assigned to standing committee . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 52
Read the second time . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 83
Read the third time . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 165
Amendments . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 165
Held . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 166
Transmitted to the Senate . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 188
Signed by the Speaker and transmitted to the Governor . . . . . . . . . . . . . . . . . . . . . 316

H.B. 15 — REPEAL OF STATE DEBT COLLECTION ADVISORY BOARD (*D. Aagard*)

Read the first time by short title and referred to the Rules Committee. . . . . . . . . 41
Read the second time . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 51
Read the third time . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 88
Circled . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 88
Uncircled . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 92
Transmitted to the Senate . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 92
Signed by the Speaker and transmitted to the Governor . . . . . . . . . . . . . . . . . . . . . 295

H.B. 16 — REPEAL OF VEHICLE EQUIPMENT SAFETY COMMISSION (*N. Hendrickson*)

Read the first time by short title and referred to the Rules Committee. . . . . . . . . 42
Read the second time . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 51
Read the third time . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 88
Transmitted to the Senate . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . 89
Signed by the Speaker and transmitted to the Governor . . . . . . . . . . . . . . . . . . . . . 295
H.B. 17 — MOTION PICTURE INCENTIVE FUND (S. Allen)
Read the first time by short title and referred to the Rules Committee. ........ 42
Assigned to standing committee .................................................. 78
Read the second time ............................................................... 111
Read the third time ............................................................... 229
Circled ............................................................... 229
Uncircled ............................................................... 258
Transmitted to the Senate ............................................................... 259

1st Sub. H.B. 17 — MOTION PICTURE INCENTIVE FUND (S. Allen)
Placed on Concurrence Calendar .................................................. 986
Concurrence ............................................................... 1013
Signed by the Speaker and transmitted to the Governor ............................... 1034

H.B. 18 — TRANSPORTATION INVESTMENT ACT (R. Lockhart)
Read the first time by short title and referred to the Rules Committee. ........ 42
Substituted ............................................................... 666

1st Sub. H.B. 18 — TRANSPORTATION INVESTMENT ACT (R. Lockhart)
Assigned to standing committee .................................................. 666
Read the second time ............................................................... 703, 820
Returned to Rules Committee .................................................. 703
Read the third time ............................................................... 861
Circled ............................................................... 861
Uncircled ............................................................... 911
Amendments ............................................................... 911
Transmitted to the Senate ............................................................... 915
Enacting Clause Stricken ............................................................... 1108

H.B. 19 — PROCUREMENT CODE RENUMBERING (R. Bigelow)
Read the first time by short title and referred to the Rules Committee. ........ 42
Read the second time ............................................................... 51
Read the third time ............................................................... 89
Transmitted to the Senate ............................................................... 90
Signed by the Speaker and transmitted to the Governor ............................... 295

H.B. 20 — CALLING LOCAL SPECIAL ELECTIONS FOR SALES AND USE TAX PURPOSES
(S. Clark)
Read the first time by short title and referred to the Rules Committee. ........ 42
Read the second time ............................................................... 51
Read the third time ............................................................... 90
Transmitted to the Senate ............................................................... 91
Signed by the Speaker and transmitted to the Governor ............................... 295

H.B. 21 — AUTOMOBILE CRIME PREVENTION (P. Ray)
Read the first time by short title and referred to the Rules Committee. ........ 42
Enacting Clause Stricken ............................................................... 1111
H.B. 22 — INTERCOUNTRY ADOPTION ACCREDITATION (R. McGee)
Read the first time by short title and referred to the Rules Committee. ........... 42
Assigned to standing committee .................................................. 111
Read the second time ................................................................. 258
Read the third time ................................................................. 474
Transmitted to the Senate ......................................................... 475
Signed by the Speaker and transmitted to the Governor ................. 1030

H.B. 23 — DEPARTMENT OF WORKFORCE SERVICES – WORK EXPERIENCE AND TRAINING PROGRAMS (D. Cox)
Read the first time by short title and referred to the Rules Committee. ........... 42
Read the second time ................................................................. 97
Read the third time ................................................................. 187
Amendments ................................................................. 187
Transmitted to the Senate ......................................................... 188
Signed by the Speaker and transmitted to the Governor ................. 557

H.B. 24 — TRAFFIC CODE AMENDMENTS (J. Dunnigan)
Read the first time by short title and referred to the Rules Committee. ........... 42
Read the second time ................................................................. 51
Read the third time ................................................................. 95
Circled ................................................................. 95
Uncircled ................................................................. 102
Amendments ................................................................. 102
Transmitted to the Senate ......................................................... 104

1st Sub. H.B. 24 — TRAFFIC CODE AMENDMENTS (J. Dunnigan)
Placed on Concurrence Calendar .................................................. 426
Concurrence ................................................................. 465
Signed by the Speaker and transmitted to the Governor ................. 513

H.B. 25 — DIRECT-ENTRY MIDWIFE ACT (J. Biskupski)
Read the first time by short title and referred to the Rules Committee. ........... 42
Assigned to standing committee .................................................. 52
Amendments ................................................................. 209
Read the second time ................................................................. 210
Read the third time ................................................................. 356
Amendments ................................................................. 357
Transmitted to the Senate ......................................................... 361
Signed by the Speaker and transmitted to the Governor ................. 1065
H.B. 26 — CONVEYANCES OF PROPERTY (J. S. Adams)
Read the first time by short title and referred to the Rules Committee. ........ 42
Read the second time ................................................................. 51
Read the third time ................................................................. 91
Transmitted to the Senate ........................................................... 92
Placed on Concurrence Calendar ................................................ 295
Concurrence ................................ .............................................. 320
Signed by the Speaker and transmitted to the Governor .................... 354

H.B. 27 — HEALTH INSURANCE FAIR MARKETING STANDARDS (S. Mascaro)
Read the first time by short title and referred to the Rules Committee. ........ 42
Assigned to standing committee .................................................. 64
Amendments ................................ .............................................. 210
Referred to Rules Committee ....................................................... 210
Enacting Clause Stricken ............................................................ 1111

H.B. 28 — JUVENILE JUSTICE RECODIFICATION (D. Aagard)
Read the first time by short title and referred to the Rules Committee. ........ 42
Read the second time ................................................................. 51
Read the third time ................................................................. 92
Circled ................................ ..................................................... 93
Uncircled ................................ .................................................... 108
Substituted ................................ ................................................. 108

1st Sub. H.B. 28 — JUVENILE JUSTICE RECODIFICATION AND REVISIONS (D. Aagard)
Circled ................................ ..................................................... 108
Uncircled ................................ .................................................... 138
Transmitted to the Senate ........................................................... 139
Placed on Concurrence Calendar ................................................ 295
Concurrence ................................ .............................................. 321
Signed by the Speaker and transmitted to the Governor .................... 354

H.B. 29 — STATE ENGINEER’S POWERS AND DUTIES AMENDMENTS (D. Clark)
Read the first time by short title and referred to the Rules Committee. ........ 42
Assigned to standing committee .................................................. 145
Amendments ................................ .............................................. 195
Read the second time ................................................................. 197
Time Certain ................................ .............................................. 236
Read the third time ................................................................. 283
Transmitted to the Senate ........................................................... 284
Signed by the Speaker and transmitted to the Governor .................... 612
H.B. 30 — CONSUMER SALES PRACTICES ACT AMENDMENTS (T. Kiser)
Read the first time by short title and referred to the Rules Committee. ........ 43
Read the second time ......................................................... 51
Read the third time ......................................................... 93
Circled ........................................................................ 93
Uncircled ..................................................................... 101
Amendments ............................................................... 101
Transmitted to the Senate .............................................. 102
Placed on Concurrence Calendar .................................... 558
Returned to the Senate .................................................... 609
Signed by the Speaker and transmitted to the Governor ............ 635

H.B. 31 — VISION CARE FOR MEDICAID RECIPIENT (S. Mascaro)
Read the first time by short title and referred to the Rules Committee. ........ 43
Enacting Clause Stricken .................................................... 1111

H.B. 32 — DENTAL SERVICES FOR ADULTS ON MEDICAID (S. Mascaro)
Read the first time by short title and referred to the Rules Committee. ........ 43
Enacting Clause Stricken .................................................... 1111

H.B. 33 — ASSISTANCE FOR PEOPLE WITH BLEEDING DISORDERS (D. Litvack)
Read the first time by short title and referred to the Rules Committee. ........ 43
Assigned to standing committee ........................................... 78
Amendments ............................................................... 153
Read the second time ......................................................... 154
Read the third time ......................................................... 301
Amendments ............................................................... 302
Transmitted to the Senate .................................................... 302
Signed by the Speaker and transmitted to the Governor ............ 875

H.B. 34 — EMERGENCY RELATED AMENDMENTS (S. Allen)
Read the first time by short title and referred to the Rules Committee. ........ 43
Read the second time ......................................................... 51
Read the third time ......................................................... 93
Circled ........................................................................ 93
Uncircled ..................................................................... 108
Amendments ............................................................... 108
Transmitted to the Senate .................................................... 109
Signed by the Speaker and transmitted to the Governor ............ 332

H.B. 35 — TELECOMMUNICATIONS AMENDMENTS (S. Urquhart)
Read the first time by short title and referred to the Rules Committee. ........ 43
Enacting Clause Stricken .................................................... 1111
H.B. 36 — CHARTER SCHOOL CONSTRUCTION AMENDMENTS (J. Ferrin)
Read the first time by short title and referred to the Rules Committee. ....... 43
Read the second time ................................................................. 51
Read the third time ................................................................. 93
Circled ............................................................. 93
Uncircled ............................................................. 121
Substituted ............................................................. 121

1st Sub. H.B. 36 — CHARTER SCHOOL CONSTRUCTION AMENDMENTS (J. Ferrin)
Amendments ............................................................. 121
Transmitted to the Senate ............................................................. 123
Placed on Concurrence Calendar ............................................................. 410

2nd Sub. H.B. 36 — CHARTER SCHOOL CONSTRUCTION AMENDMENTS (J. Ferrin)
Signed by the Speaker and transmitted to the Governor ............................................................. 482
Concurrence ............................................................. 454

H.B. 37 — ADMINISTRATIVE RULES REAUTHORIZATION (D. Ure)
Read the first time by short title and referred to the Rules Committee. ....... 43
Read the second time ................................................................. 51
Read the third time ................................................................. 93
Transmitted to the Senate ............................................................. 94
Signed by the Speaker and transmitted to the Governor ............................................................. 295

H.B. 38 — WATER LAW – CRIMINAL PENALTIES AMENDMENTS (B. Ferry)
Read the first time by short title and referred to the Rules Committee. ....... 43
Assigned to standing committee ............................................................. 145
Substituted ............................................................. 195

1st Sub. H.B. 38 — WATER LAW – CRIMINAL PENALTIES AMENDMENTS (B. Ferry)
Amendments ............................................................. 195
Read the second time ................................................................. 197
Time Certain ............................................................. 236
Read the third time ................................................................. 284
Transmitted to the Senate ............................................................. 284
Signed by the Speaker and transmitted to the Governor ............................................................. 875

H.B. 39 — TUITION TAX CREDITS (J. Ferrin)
Read the first time by short title and referred to the Rules Committee. ....... 43
Substituted ............................................................. 576
2nd Sub. H.B. 39 — TUITION TAX CREDITS (J. Ferrin)
- Assigned to standing committee ................................. 576
- Amendments ..................................................... 673
- Read the second time ........................................... 675, 699
- Returned to Rules Committee ................................. 675
- Read the third time .............................................. 769
- Circled .......................................................... 769, 840
- Uncircled ......................................................... 825, 840
- Failed ............................................................. 842
- Enacting Clause Stricken ...................................... 1111

H.B. 40 — REPEAL OF SUNSET OF TOWNSHIP PROVISION (M. S. Lawrence)
- Read the first time by short title and referred to the Rules Committee. .... 43
- Assigned to standing committee ................................ 52
- Substituted ......................................................... 148

1st Sub. H.B. 40 — SUNSET OF TOWNSHIP PROVISION (M. S. Lawrence)
- Amendments ..................................................... 148
- Read the second time ........................................... 148
- Read the third time .............................................. 249
- Transmitted to the Senate ...................................... 249
- Signed by the Speaker and transmitted to the Governor .................. 409

H.B. 41 — SPECIAL DISTRICT FOR POLICE SERVICES (T. McCartney)
- Read the first time by short title and referred to the Rules Committee. .... 43

H.B. 41 — SPECIAL DISTRICT FOR POLICE SERVICES (R. Romero) (Change of sponsorship)
- Enacting Clause Stricken ...................................... 1111

H.B. 42 — MEDICAL RECOMMENDATIONS FOR CHILDREN (M. Morley)
- Read the first time by short title and referred to the Rules Committee. .... 43
- Assigned to standing committee ................................ 250
- Substituted ......................................................... 277

1st Sub. H.B. 42 — MEDICAL RECOMMENDATIONS FOR CHILDREN (M. Morley)
- Amendments ..................................................... 277
- Read the second time ........................................... 278
- Read the third time .............................................. 477
- Amendments ..................................................... 477
- Transmitted to the Senate ...................................... 481
- Placed on Concurrence Calendar .............................. 946
- Concurrence ..................................................... 1010
- Signed by the Speaker and transmitted to the Governor ............... 1034
H.B. 43 — SCHOOL LAND TRUST PROGRAM FUNDING AMENDMENTS (S. Urquhart)
Read the first time by short title and referred to the Rules Committee. 43
Assigned to standing committee 51
Read the second time 70
Read the third time 116
Transmitted to the Senate 117
Placed on Concurrence Calendar 718
Refuse to Concur 741
Refuse to Recede 760
Substituted 812

4th Sub. H.B. 43 — SCHOOL LAND TRUST PROGRAM FUNDING AMENDMENTS
(S. Urquhart)
Conference Committee Report 812
Signed by the Speaker and transmitted to the Governor 847

H.B. 44 — ADDITIONAL STATE RETIREMENT BENEFIT (L. Shurtliff)
Read the first time by short title and referred to the Rules Committee. 43
Assigned to standing committee 53
Read the second time 319
Read the third time 535
Transmitted to the Senate 536
Enacting Clause Stricken 1108

H.B. 45 — ASSESSMENT OF PROPERTY AFFECTED BY BUSINESS INTERRUPTION
(G. Hughes)
Read the first time by short title and referred to the Rules Committee. 44
Assigned to standing committee 51
Amendments 211
Read the second time 211
Read the third time 390
Substituted 390

1st Sub. H.B. 45 — PROPERTY AFFECTED BY ACCESS INTERRUPTION (G. Hughes)
Circled 390
Uncircled 468
Substituted 468

2nd Sub. H.B. 45 — PROPERTY AFFECTED BY ACCESS INTERRUPTION (G. Hughes)
Circled 468
Uncircled 536
Read the first time by short title and referred to Rules Committee 536
Read the second time 536
Read the third time 536
Transmitted to the Senate 537
Signed by the Speaker and transmitted to the Governor 994
H.B. 46 — PUBLIC EDUCATION CAPITAL OUTLAY ACT AMENDMENTS (D. Cox)

Read the first time by short title and referred to the Rules Committee. .......... 44
Assigned to standing committee .................................................. 51
Read the second time ................................................................. 208
Read the third time ................................................................. 351
Amendments ............................................................................. 351
Transmitted to the Senate ............................................................. 352
Enacting Clause Stricken .............................................................. 1108

H.B. 47 — NEW AUTOMOBILE FRANCHISE ACT AMENDMENTS (S. Urquhart)

Read the first time by short title and referred to the Rules Committee. .......... 44
Assigned to standing committee .................................................. 78
Amendments ............................................................................. 154
Read the second time ................................................................. 162
Read the third time ................................................................. 309
Circled ..................................................................................... 309
Uncircled .................................................................................. 325
Transmitted to the Senate ............................................................. 326
Signed by the Speaker and transmitted to the Governor ......................... 612

H.B. 48 — MOTOR VEHICLE REGISTRATION AND SAFETY INSPECTION AMENDMENTS
(B. Daw)

Read the first time by short title and referred to the Rules Committee. .......... 44
Assigned to standing committee .................................................. 65
Amendments ............................................................................. 85
Read the second time ................................................................. 87
Read the third time ................................................................. 185
Transmitted to the Senate ............................................................. 186
Enacting Clause Stricken .............................................................. 1108

H.B. 49 — BICYCLE SAFETY PROVISIONS (R. McGee)

Read the first time by short title and referred to the Rules Committee. .......... 44
Assigned to standing committee .................................................. 64
Amendments ............................................................................. 151
Read the second time ................................................................. 153
Read the third time ................................................................. 289
Substituted .............................................................................. 289

Sub. H.B. 49 — BICYCLE SAFETY PROVISIONS (R. McGee)

Transmitted to the Senate ............................................................. 289

2nd Sub. H.B. 49 — BICYCLE SAFETY PROVISIONS (R. McGee)

Placed on Concurrence Calendar .................................................... 919
Concurrence .............................................................................. 947
Signed by the Speaker and transmitted to the Governor ......................... 985
H.B. 50 — CRIMINAL PENALTY AMENDMENT (D. Litvack)
  Read the first time by short title and referred to the Rules Committee. .......... 44
  Assigned to standing committee ......................................................... 577
  Returned to Rules Committee .......................................................... 796
  Enacting Clause Stricken ................................................................. 1111

H.B. 51 — ELECTRONIC PAYMENTS TO LOCAL GOVERNMENT ENTITIES (J. Murray)
  Read the first time by short title and referred to the Rules Committee. .......... 44
  Assigned to standing committee ......................................................... 52
  Read the second time ................................................................. 82
  Read the third time ................................................................. 131
  Transmitted to the Senate ................................................................. 132
  Placed on Concurrence Calendar ......................................................... 316
  Concurrence .................................................................................. 346
  Signed by the Speaker and transmitted to the Governor ......................... 365

H.B. 52 — FIRE PREVENTION AMENDMENTS (J. Murray)
  Read the first time by short title and referred to the Rules Committee. .......... 44
  Assigned to standing committee ......................................................... 51
  Amendments ................................................................................ 66
  Read the second time ................................................................. 67
  Read the third time ................................................................. 104
  Transmitted to the Senate ................................................................. 105
  Signed by the Speaker and transmitted to the Governor ......................... 295

H.B. 53 — TAX TREATMENT OF PERSONAL PROPERTY (L. Shurtliff)
  Read the first time by short title and referred to the Rules Committee. .......... 44
  Assigned to standing committee ......................................................... 53
  Read the second time ................................................................. 82
  Read the third time ................................................................. 139
  Amendments ................................................................................ 139
  Transmitted to the Senate ................................................................. 141
  Signed by the Speaker and transmitted to the Governor ......................... 409

H.B. 54 — CRIMINAL APPEAL AMENDMENTS (S. Wyatt)
  Read the first time by short title and referred to the Rules Committee. .......... 44
  Assigned to standing committee ......................................................... 52
  Amendments ................................................................................ 85
  Read the second time ................................................................. 85
  Read the third time ................................................................. 170
  Transmitted to the Senate ................................................................. 171
  Signed by the Speaker and transmitted to the Governor ......................... 316
H.B. 55 — DRUG OFFENSE PENALTY ENHANCEMENTS (B. Dee)
Read the first time by short title and referred to the Rules Committee. .......... 44
Assigned to standing committee .............................................................. 52
Read the second time ................................................................. 85
Read the third time ................................................................. 185
Transmitted to the Senate ................................................................. 185
Placed on Concurrence Calendar ......................................................... 613, 734
Returned to the Senate ................................................................. 730
Concurrence ................................................................. 651, 764
Signed by the Speaker and transmitted to the Governor .................. 685, 811

H.B. 56 — DIVORCE AMENDMENTS (P. Wallace)
Read the first time by short title and referred to the Rules Committee. .......... 44
Substituted ................................................................. 329

1st Sub. H.B. 56 — DIVORCE TASK FORCE (P. Wallace)
Read the first time by short title and referred to Rules Committee .......... 629
Assigned to standing committee .............................................................. 329
Read the second time ................................................................. 382, 629
Read the third time ................................................................. 629
Transmitted to the Senate ................................................................. 629
Enacting Clause Stricken ................................................................. 1108

H.B. 57 — ALCOHOLIC BEVERAGE CONTROL TASK FORCE (D. Ure)
Read the first time by short title and referred to the Rules Committee. .......... 44
Substituted ................................................................. 364

1st Sub. H.B. 57 — ALCOHOLIC BEVERAGE CONTROL TASK FORCE (D. Ure)
Assigned to standing committee .............................................................. 364

1st Sub. H.B. 57 — TOURISM TASK FORCE (D. Ure) (Title Change)
Read the second time ................................................................. 410
Read the third time ................................................................. 660
Transmitted to the Senate ................................................................. 660
Placed on Concurrence Calendar ......................................................... 1102
Concurrence ................................................................. 1103
Signed by the Speaker and transmitted to the Governor .................. 1107

H.B. 58 — GOVERNMENT EFFICIENCY AND EFFECTIVENESS REVIEW COMMITTEE
(P. Wallace)
Read the first time by short title and referred to the Rules Committee. .......... 44
Assigned to standing committee .............................................................. 52
Returned to Rules Committee .............................................................. 489
Enacting Clause Stricken ................................................................. 1112
H.B. 59 — DOMESTIC VIOLENCE ENHANCEMENT (C. Moss)
Read the first time by short title and referred to the Rules Committee. .......... 44
Assigned to standing committee .................................................. 96
Read the second time ............................................................... 153
Read the third time ................................................................. 301
Transmitted to the Senate ......................................................... 301
Signed by the Speaker and transmitted to the Governor ......................... 612

H.B. 60 — PRODUCER LICENSING AMENDMENTS (J. Dunnigan)
Read the first time by short title and referred to the Rules Committee. .......... 45
Assigned to standing committee .................................................. 64
Read the second time ............................................................... 99
Read the third time ................................................................. 204
Amendments ................................................................. 204
Transmitted to the Senate ......................................................... 205

H.B. 60 — INSURANCE LICENSING AMENDMENTS (J. Dunnigan) (Title Change)
Placed on Concurrence Calendar ............................................... 410
Concurrence ................................................................. 455
Signed by the Speaker and transmitted to the Governor ......................... 482

H.B. 61 — STATE SCHOOL BOARD ELECTIONS AND FILLING OF VACANCIES (J. Ferrin)
Read the first time by short title and referred to the Rules Committee. .......... 45
Enacting Clause Stricken ............................................................ 1112

H.B. 62 — AMENDMENTS TO INTERMEDIATE CARE FACILITIES FOR MENTALLY RETARDED (R. Lockhart)
Read the first time by short title and referred to the Rules Committee. .......... 45
Assigned to standing committee .................................................. 124
Amendments ................................................................. 299
Read the second time ............................................................... 299
Read the third time ................................................................. 535
Circled ................................................................. 535
Uncircled ................................................................. 627
Substituted ................................................................. 627

1st Sub. H.B. 62 — AMENDMENTS TO INTERMEDIATE CARE FACILITIES FOR MENTALLY RETARDED (R. Lockhart)
Circled ................................................................. 627
Uncircled ................................................................. 654
Transmitted to the Senate ......................................................... 655
Signed by the Speaker and transmitted to the Governor ......................... 930

H.B. 63 — SCHOOL DISTRICT AMENDMENTS (D. Cox)
Read the first time by short title and referred to the Rules Committee. .......... 45
Assigned to standing committee .................................................. 123
Substituted ................................................................. 384
1st Sub. H.B. 63 — SCHOOL DISTRICT AMENDMENTS (D. Cox)

Read the second time .................................................. 385
Read the third time .................................................... 644
Transmitted to the Senate ............................................. 645
Enacting Clause Stricken .............................................. 1108

H.B. 64 — CRIMINAL BACKGROUND CHECKS FOR PERSONAL CARE ATTENDANTS
(F. Hunsaker)

Read the first time by short title and referred to the Rules Committee. ........ 45
Assigned to standing committee .................................... 111
Read the second time .................................................. 154
Read the third time .................................................... 302
Amendments ............................................................... 303
Transmitted to the Senate ............................................. 309
Signed by the Speaker and transmitted to the Governor ...................... 612

H.B. 65 — DRIVER LICENSE AND COMMERCIAL DRIVER LICENSE AMENDMENTS
(D. Bowman)

Read the first time by short title and referred to the Rules Committee. ........ 45
Assigned to standing committee .................................... 146
Amendments ............................................................... 194
Read the second time .................................................. 195
Read the third time .................................................... 350
Transmitted to the Senate ............................................. 351
Placed on Concurrence Calendar ..................................... 847
Concurrence .............................................................. 876
Signed by the Speaker and transmitted to the Governor ...................... 918

H.B. 66 — NATUROPATHIC PHYSICIAN AMENDMENTS (J. Ferrin)

Read the first time by short title and referred to the Rules Committee. ........ 45
Assigned to standing committee .................................... 111
Read the second time .................................................. 162
Read the third time .................................................... 309
Circled ................................................................. 309
Uncircled .............................................................. 311
Amendments ............................................................... 311
Transmitted to the Senate ............................................. 313
Signed by the Speaker and transmitted to the Governor ...................... 612

H.B. 67 — ABANDONED VEHICLES AMENDMENTS (J. Gowans)

Read the first time by short title and referred to the Rules Committee. ........ 45
Assigned to standing committee .................................... 96
Read the second time .................................................. 153
Read the third time .................................................... 300
Substituted ............................................................... 300
1st Sub. H.B. 67 — ABANDONED VEHICLES AMENDMENTS (J. Gowans)
Transmitted to the Senate ....................................................... 301
Signed by the Speaker and transmitted to the Governor ................. 749

H.B. 68 — MOTOR VEHICLE ENFORCEMENT DIVISION AMENDMENTS (P. Ray)
Read the first time by short title and referred to the Rules Committee .. 45
Assigned to standing committee ............................................ 145
Read the second time ............................................................. 193
Read the third time .............................................................. 347
Amendments ........................................................................... 347
Transmitted to the Senate ....................................................... 348
Signed by the Speaker and transmitted to the Governor ................. 612

H.B. 69 — FEDERAL HEALTH CARE TAX CREDIT PROGRAM ACT (C. Oda)
Read the first time by short title and referred to the Rules Committee .. 45
Assigned to standing committee ............................................ 95
Read the second time ............................................................. 127
Read the third time .............................................................. 198
Transmitted to the Senate ....................................................... 199
Signed by the Speaker and transmitted to the Governor ................. 409

H.B. 70 — HEALTH DISCOUNT PROGRAM CONSUMER PROTECTION ACT (J. Dunnigan)
Read the first time by short title and referred to the Rules Committee .. 45
Assigned to standing committee ............................................ 171
Amendments ........................................................................... 252
Read the second time ............................................................. 255
Read the third time .............................................................. 415
Amendments ........................................................................... 415
Transmitted to the Senate ....................................................... 418
Signed by the Speaker and transmitted to the Governor ................. 685

H.B. 71 — LICENSING OF ESTHETICIANS AND NAIL TECHNICIANS (J. Fisher)
Read the first time by short title and referred to the Rules Committee .. 45
Assigned to standing committee ............................................ 111
Amendments ........................................................................... 157
Read the second time ............................................................. 162
Read the third time .............................................................. 309
Amendments ........................................................................... 310
Transmitted to the Senate ....................................................... 311
Signed by the Speaker and transmitted to the Governor ................. 612, 701
Recalled .................................................................................... 676

H.B. 72 — SCHOOL CURRICULUM AMENDMENTS (C. Moss)
Read the first time by short title and referred to the Rules Committee .. 59
Enacting Clause Stricken ......................................................... 1112
H.B. 73 — LOCAL REFERENDUM REQUIREMENTS (D. Hogue)
Read the first time by short title and referred to the Rules Committee. ........ 59
Assigned to standing committee .................................................. 111
Amendments ............................................................................. 426
Read the second time ................................................................. 427, 820
Returned to Rules Committee ..................................................... 668, 962
Read the third time ................................................................. 427, 820
Circled ................................................................................. 1112
Enacting Clause Stricken ......................................................... 1112

H.B. 74 — TUITION REIMBURSEMENT PROGRAM FOR STUDENTS SEEKING TEACHER LICENSURE IN DISABILITY OR SPECIAL EDUCATION (R. Menlove)
Read the first time by short title and referred to the Rules Committee. ........ 59
Assigned to standing committee .................................................. 171
Substituted ............................................................................... 255
2nd Sub. H.B. 74 — TUITION PROGRAM FOR STUDENTS SEEKING TEACHER LICENSURE IN DISABILITY OR SPECIAL EDUCATION (R. Menlove)
Amendments ............................................................................. 255
Read the second time ................................................................. 256
Read the third time ................................................................. 256
Amendments ............................................................................. 420
Transmitted to the Senate ............................................................ 421, 848
Placed on Concurrence Calendar .................................................. 785
Concurrence ............................................................................... 847
Signed by the Speaker and transmitted to the Governor ..................... 875

H.B. 75 — GOVERNMENT RECORDS ACCESS AND MANAGEMENT TASK FORCE (D. Aagard)
Read the first time by short title and referred to the Rules Committee. ........ 59
Assigned to standing committee .................................................. 111
Amendments ............................................................................. 148
Read the second time ................................................................. 150
Read the third time ................................................................. 259
Transmitted to the Senate ............................................................ 259
Signed by the Speaker and transmitted to the Governor ..................... 1034

H.B. 76 — HABITUAL VIOLENT OFFENDERS AMENDMENTS (P. Ray)
Read the first time by short title and referred to the Rules Committee. ........ 70
Assigned to standing committee .................................................. 124
Read the second time ................................................................. 124
Read the third time ................................................................. 348
Transmitted to the Senate ............................................................ 348
Signed by the Speaker and transmitted to the Governor ..................... 685
H.B. 77 — PROVISIONS FOR EMANCIPATION OF A MINOR (R. McGee)

Read the first time by short title and referred to the Rules Committee. ........... 70
Assigned to standing committee ................................................. 292
Read the second time ............................................................... 427, 699
Returned to Rules Committee ..................................................... 668
Read the third time ................................................................. 781
Amendments ........................................................................... 781
Transmitted to the Senate ......................................................... 782
Enacting Clause Stricken ......................................................... 1108

H.B. 78 — CORPORATE FRANCHISE AND INCOME TAX AMENDMENTS (W. Harper)

Read the first time by short title and referred to the Rules Committee. ............ 71
Assigned to standing committee ................................................. 124
Amendments ........................................................................... 175
Read the second time ............................................................... 176
Read the third time ................................................................. 327
Substituted ........................................................................... 327

1st Sub. H.B. 78 — CORPORATE FRANCHISE AND INCOME TAX AMENDMENTS

(W. Harper)
Circled ............................................................................... 327
Uncircled ............................................................................... 475
Transmitted to the Senate ......................................................... 476
Signed by the Speaker and transmitted to the Governor ..................... 1065

H.B. 79 — PROVISION OF SERVICES FOR PEOPLE WITH DISABILITIES (R. Lockhart)

Read the first time by short title and referred to the Rules Committee. ............ 71
Assigned to standing committee ................................................. 145
Amendments ........................................................................... 256
Read the second time ............................................................... 258
Read the third time ................................................................. 468
Amendments ........................................................................... 468
Transmitted to the Senate ......................................................... 474
Placed on Concurrence Calendar .................................................. 930
Concurrence ........................................................................... 948
Signed by the Speaker and transmitted to the Governor ..................... 985

H.B. 80 — SERVICES FOR PEOPLE WITH DISABILITIES (R. Lockhart)

Read the first time by short title and referred to the Rules Committee. ............ 71
Assigned to standing committee ................................................. 171
Amendments ........................................................................... 210
Read the second time ............................................................... 210
Read the third time ................................................................. 361
Circled ............................................................................... 362, 598
Uncircled ............................................................................... 598, 600
Amendments ........................................................................... 600
Transmitted to the Senate ......................................................... 601
Signed by the Speaker and transmitted to the Governor ..................... 930
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Bill Title</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>H.B. 81</td>
<td>WORKERS’ COMPENSATION COVERAGE OF FIRE DEPARTMENT EMPLOYEES</td>
<td>Read the first time by short title and referred to the Rules Committee. Assigned to standing committee Returned to Rules Committee Enacting Clause Stricken</td>
</tr>
<tr>
<td>H.B. 82</td>
<td>CONTRACTORS BONDS AND LETTERS OF CREDIT</td>
<td>Read the first time by short title and referred to the Rules Committee. Enacting Clause Stricken</td>
</tr>
<tr>
<td>H.B. 83</td>
<td>WEIGHTS AND MEASURES AMENDMENTS</td>
<td>Read the first time by short title and referred to the Rules Committee. Assigned to standing committee Substituted</td>
</tr>
<tr>
<td>1st Sub. H.B. 83</td>
<td>WEIGHTS AND MEASURES AMENDMENTS (D. Ure)</td>
<td>Read the second time Read the third time Transmitted to the Senate Signed by the Speaker and transmitted to the Governor</td>
</tr>
<tr>
<td>H.B. 84</td>
<td>READING REQUIREMENTS FOR STUDENT ADVANCEMENT</td>
<td>Read the first time by short title and referred to the Rules Committee. Assigned to standing committee Substituted 1st Sub. H.B. 84</td>
</tr>
<tr>
<td>H.B. 85</td>
<td>HEALTH INSURANCE HIGH RISK POOL – ELIGIBILITY AMENDMENTS</td>
<td>Read the first time by short title and referred to the Rules Committee. Assigned to standing committee Read the second time Read the third time Cirled Uncircled Transmitted to the Senate Enacting Clause Stricken</td>
</tr>
</tbody>
</table>
H.B. 86 — UTAH COLLEGE OF APPLIED TECHNOLOGY AMENDMENTS (R. Bigelow)
Read the first time by short title and referred to the Rules Committee . . . . . . . . 100
Assigned to standing committee ........................................ 188
Amendments .................................................................... 334
Read the second time ...................................................... 335
Read the third time .......................................................... 585
Amendments .................................................................... 585
Transmitted to the Senate .................................................. 587
Signed by the Speaker and transmitted to the Governor ............ 994

H.B. 87 — LIABILITY INSURANCE FOR COUNTY RECORDERS (S. Clark)
Read the first time by short title and referred to the Rules Committee. ............. 100
Substituted ....................................................................... 460

1st Sub. H.B. 87 — CLAIMS AGAINST A COUNTY (S. Clark)
Assigned to standing committee ........................................... 460
Read the second time ...................................................... 534, 669
Returned to Rules Committee .............................................. 668
Read the third time .......................................................... 696
Transmitted to the Senate .................................................. 697
Signed by the Speaker and transmitted to the Governor ............ 1038

H.B. 88 — AIR CONDITIONED BUSES FOR STUDENTS WITH DISABILITIES (D. Hogue)
Read the first time by short title and referred to the Rules Committee. ............. 100
Assigned to standing committee ........................................... 171
Returned to Rules Committee .............................................. 802
Enacting Clause Stricken .................................................... 1112

H.B. 89 — PRESUMPTION OF RESPONSIBILITY FOR ABUSE OR NEGLECT (L. Christensen)
Read the first time by short title and referred to the Rules Committee. ............. 100
Assigned to standing committee ........................................... 189
Read the second time ...................................................... 240
Read the third time .......................................................... 400
Transmitted to the Senate .................................................. 401
Signed by the Speaker and returned to the Senate .................... 890

H.B. 90 — SEARCH AND RESCUE ADVISORY BOARD — AMENDMENTS (J. S. Adams)
Read the first time by short title and referred to the Rules Committee. ............. 100
Assigned to standing committee ........................................... 171
Read the second time ...................................................... 212
Read the third time .......................................................... 280
Transmitted to the Senate .................................................. 281
Signed by the Speaker and transmitted to the Governor ............ 557
H.B. 91 — LICENSE PLATE FOR DISABLED AMERICAN VETERANS (R. Bigelow)

Read the first time by short title and referred to the Rules Committee. ........... 115
Assigned to standing committee ......................................................... 189
Read the second time ................................................................. 238
Time Certain ................................................................................. 271
Read the third time ................................................................. 289
Amendments ........................................................................... 290
Transmitted to the Senate ................................................................. 291

H.B. 91 — LICENSE PLATE FOR DISABLED VETERANS (R. Bigelow) (Title Change)

Signed by the Speaker and transmitted to the Governor ................. 749

H.B. 92 — SAFETY BELT LAW REQUIREMENT AMENDMENTS (M. Noel)

Read the first time by short title and referred to the Rules Committee. ........... 130
Assigned to standing committee ......................................................... 631
Substituted ............................................................................. 795

1st Sub. H.B. 92 — SAFETY BELT LAW REQUIREMENT AMENDMENTS (M. Noel)

Amendments ........................................................................... 796
Returned to Rules Committee ................................................................. 796, 962
Read the second time ....................................................................... 821
Enacting Clause Stricken .................................................................. 1112

H.B. 93 — EMISSION INSPECTION AMENDMENTS (K. Gibson)

Read the first time by short title and referred to the Rules Committee. ........... 130
Assigned to standing committee ......................................................... 189
Read the second time ....................................................................... 238
Read the third time ....................................................................... 391
Substituted ............................................................................. 391

1st Sub. H.B. 93 — EMISSION INSPECTION AMENDMENTS (K. Gibson)

Amendments ........................................................................... 391
Transmitted to the Senate ................................................................. 394

2nd Sub. H.B. 93 — EMISSION INSPECTION AMENDMENTS (K. Gibson)

Placed on Concurrence Calendar ......................................................... 875
Concurrence ........................................................................... 933
Signed by the Speaker and transmitted to the Governor ................. 985

H.B. 94 — YOUTH CORRECTIONS AMENDMENTS (C. Moss)

Read the first time by short title and referred to the Rules Committee. ........... 130
Assigned to standing committee ......................................................... 511
Substituted ........................................................................... 616
1st Sub. H.B. 94 — YOUTH CORRECTIONS AMENDMENTS *(C. Moss)*

Amendments ................................. 616
Read the second time ......................... 620
Returned to Rules Committee .................. 668
Enacting Clause Stricken ..................... 1112

H.B. 95 — SEX OFFENDER REGISTRATION AMENDMENTS *(M. S. Lawrence)*

Read the first time by short title and referred to the Rules Committee .......... 130
Assigned to standing committee .............. 235
Amendments ...................................... 279
Read the second time ......................... 279
Read the third time ........................... 508
Transmitted to the Senate ..................... 509
Enacting Clause Stricken ..................... 1108

H.B. 96 — AMENDMENTS RELATING TO CLEAN FUELS AND VEHICLES USING CLEAN FUELS *(F. Hunsaker)*

Read the first time by short title and referred to the Rules Committee .......... 162
Substituted ..................................... 424

1st Sub. H.B. 96 — AMENDMENTS RELATING TO CLEAN FUELS AND VEHICLES USING CLEAN FUELS *(F. Hunsaker)*

Assigned to standing committee .............. 424
Amendments ...................................... 533
Read the second time ......................... 534, 732
Returned to Rules Committee .................. 668
Read the third time ........................... 786
Circled .......................................... 786
Uncircled ........................................ 813
Amendments ...................................... 813
Transmitted to the Senate ..................... 815
Amendments ...................................... 1088
Placed on Concurrence Calendar ............... 1099
Concurrence ..................................... 1099
Signed by the Speaker and transmitted to the Governor ......................... 1107

H.B. 97 — STATE BUDGET PROVISIONS *(G. Curtis)*

Read the first time by short title and referred to the Rules Committee .......... 162
Substituted ..................................... 250

1st Sub. H.B. 97 — STATE BUDGET PROVISIONS *(G. Curtis)*

Assigned to standing committee .............. 250
Read the second time ......................... 277
Read the third time ........................... 477
Circled .......................................... 477
Returned to Rules Committee .................. 535
Enacting Clause Stricken ..................... 1112
H.B. 98 — OFFENSES COMMITTED AGAINST CORRECTIONAL AND PEACE OFFICERS  
(C. Oda)  
Read the first time by short title and referred to the Rules Committee. . . . . . . 163  
Assigned to standing committee ......................................................... 235  
Read the second time ...................................................................... 278  
Read the third time .......................................................................... 507  
Transmitted to the Senate ................................................................. 508  
Placed on Concurrence Calendar ....................................................... 1006  
Concurrence ....................................................................................... 1019  
Signed by the Speaker and transmitted to the Governor ....................... 1038

H.B. 99 — STATE FLEET VEHICLE CLASSIFICATION (E. Hutchings)  
Read the first time by short title and referred to the Rules Committee. . . . . . . 163  
Assigned to standing committee ......................................................... 250  
Returned to Rules Committee ............................................................. 412  
Enacting Clause Stricken ..................................................................... 1112

H.B. 100 — CONSUMER CREDIT BUREAU NOTICE REQUIREMENTS (K. Morgan)  
Read the first time by short title and referred to the Rules Committee. . . . . . . 176  
Assigned to standing committee ......................................................... 273  
Returned to Rules Committee ............................................................. 795  
Enacting Clause Stricken ..................................................................... 1112

H.B. 101 — AMENDMENTS TO THE INDIVIDUAL INCOME TAX (W. Harper)  
Read the first time by short title and referred to the Rules Committee. . . . . . . 197  
Assigned to standing committee ......................................................... 274  
Returned to Rules Committee ............................................................. 800  
Enacting Clause Stricken ..................................................................... 1112

H.B. 102 — HIGHER EDUCATION SAVINGS INCENTIVE PROGRAM AMENDMENTS  
(S. Wyatt)  
Read the first time by short title and referred to the Rules Committee. . . . . . . 197  
Assigned to standing committee ......................................................... 235  
Amendments ....................................................................................... 334  
Read the second time ...................................................................... 335  
Read the third time .......................................................................... 587  
Transmitted to the Senate ................................................................. 587  
Signed by the Speaker and returned to the Senate ......................... 890

H.B. 103 — STUDENT HOUSING BUILT BY HIGHER EDUCATION INSTITUTIONS (S. Clark)  
Read the first time by short title and referred to the Rules Committee. . . . . . . 197  
Assigned to standing committee ......................................................... 273  
Substituted ......................................................................................... 445
<table>
<thead>
<tr>
<th>Bills</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1st Sub. H.B. 103</strong></td>
<td>STUDENT HOUSING BUILT BY HIGHER EDUCATION INSTITUTIONS (S. Clark)</td>
</tr>
<tr>
<td>Read the second time</td>
<td>445, 699</td>
</tr>
<tr>
<td>Returned to Rules Committee</td>
<td>668</td>
</tr>
<tr>
<td>Read the third time</td>
<td>765</td>
</tr>
<tr>
<td>Amendments</td>
<td>765</td>
</tr>
<tr>
<td>Transmitted to the Senate</td>
<td>767</td>
</tr>
<tr>
<td>Signed by the Speaker and transmitted to the Governor</td>
<td>1006</td>
</tr>
<tr>
<td><strong>H.B. 104</strong></td>
<td>SPYWARE CONTROL ACT REVISIONS (S. Urquhart)</td>
</tr>
<tr>
<td>Read the first time by short title and referred to the Rules Committee</td>
<td>213</td>
</tr>
<tr>
<td>Assigned to standing committee</td>
<td>292</td>
</tr>
<tr>
<td>Read the second time</td>
<td>340</td>
</tr>
<tr>
<td>Read the third time</td>
<td>597</td>
</tr>
<tr>
<td>Transmitted to the Senate</td>
<td>598</td>
</tr>
<tr>
<td><strong>2nd Sub. H.B. 104</strong></td>
<td>SPYWARE CONTROL ACT REVISIONS (S. Urquhart)</td>
</tr>
<tr>
<td>Placed on Concurrence Calendar</td>
<td>1076</td>
</tr>
<tr>
<td>Concurrence</td>
<td>1083</td>
</tr>
<tr>
<td>Signed by the Speaker and transmitted to the Governor</td>
<td>1107</td>
</tr>
<tr>
<td><strong>H.B. 105</strong></td>
<td>CONSTRUCTION FILING AMENDMENTS (M. Morley)</td>
</tr>
<tr>
<td>Read the first time by short title and referred to the Rules Committee</td>
<td>213</td>
</tr>
<tr>
<td>Assigned to standing committee</td>
<td>291</td>
</tr>
<tr>
<td>Substituted</td>
<td>333</td>
</tr>
<tr>
<td><strong>1st Sub. H.B. 105</strong></td>
<td>CONSTRUCTION FILING AMENDMENTS (M. Morley)</td>
</tr>
<tr>
<td>Read the second time</td>
<td>334</td>
</tr>
<tr>
<td>Read the third time</td>
<td>581</td>
</tr>
<tr>
<td>Amendments</td>
<td>581</td>
</tr>
<tr>
<td>Transmitted to the Senate</td>
<td>585</td>
</tr>
<tr>
<td>Placed on Concurrence Calendar</td>
<td>890</td>
</tr>
<tr>
<td>Concurrence</td>
<td>940</td>
</tr>
<tr>
<td>Signed by the Speaker and transmitted to the Governor</td>
<td>985</td>
</tr>
<tr>
<td><strong>H.B. 106</strong></td>
<td>REGULATION OF NONCOMPETE AGREEMENTS IN MEDICAL PRACTICES (R. McGee)</td>
</tr>
<tr>
<td>Read the first time by short title and referred to the Rules Committee</td>
<td>213</td>
</tr>
<tr>
<td>Assigned to standing committee</td>
<td>667</td>
</tr>
<tr>
<td>Returned to Rules Committee</td>
<td>804</td>
</tr>
<tr>
<td>Enacting Clause Stricken</td>
<td>1112</td>
</tr>
</tbody>
</table>
H.B. 107 — AMENDMENTS TO TAXES, FEES, OR CHARGES (W. Harper)
Read the first time by short title and referred to the Rules Committee ............ 213
Assigned to standing committee ....................................................... 578
Amendments ................................................................. 613
Read the second time .......................................................... 616, 669
Returned to Rules Committee ...................................................... 668
Read the third time .............................................................. 676
Transmitted to the Senate ........................................................ 677
Placed on Concurrence Calendar ................................................. 986
Concurrence ................................................................. 1014
Signed by the Speaker and transmitted to the Governor ....................... 1034

H.B. 108 — TELECOMMUNICATIONS TAXATION (J. Dougall)
Read the first time by short title and referred to the Rules Committee. ........... 213
Enacting Clause Stricken ........................................................ 1112

H.B. 109 — INFORMATION TECHNOLOGY GOVERNANCE AMENDMENTS (D. Clark)
Read the first time by short title and referred to the Rules Committee. ........... 213
Assigned to standing committee ................................................. 363
Amendments ................................................................. 441
Read the second time .......................................................... 442, 669
Returned to Rules Committee ...................................................... 668
Read the third time .............................................................. 683
Circled ................................................................. 683
Uncircled ................................................................. 691
Amendments ................................................................. 691
Transmitted to the Senate ........................................................ 693
Placed on Concurrence Calendar ................................................. 875
Concurrence ................................................................. 934, 935
Other Action ................................................................. 935
Signed by the Speaker and transmitted to the Governor ....................... 985

H.B. 110 — EMERGENCY ADMINISTRATION OF EPINEPHRINE (T. Kiser)
Read the first time by short title and referred to the Rules Committee. ........... 214
Enacting Clause Stricken ........................................................ 1112

H.B. 111 — LICENSING OF CHILD CARE CENTERS – OVERSIGHT AND REGULATION
(D. G. Buxton)
Read the first time by short title and referred to the Rules Committee. ........... 214
Enacting Clause Stricken ........................................................ 1112

H.B. 112 — BACKGROUND CHECKS IN COUNTY GOVERNMENT (B. Dee)
Read the first time by short title and referred to the Rules Committee. ........... 214
Enacting Clause Stricken ........................................................ 1112
H.B. 113 — GOVERNMENT BOUNDARY CHANGES (K. Holdaway)

Read the first time by short title and referred to the Rules Committee . . . . . 214
Assigned to standing committee .................................................. 363
Substituted ................................................................. 413

1st Sub. H.B. 113 — GOVERNMENT BOUNDARY CHANGES (K. Holdaway)

Read the second time ........................................................... 413
Read the third time ............................................................... 662
Transmitted to the Senate ........................................................ 663
Placed on Concurrence Calendar .............................................. 1008
Concurrence ........................................................................... 1020
Signed by the Speaker and transmitted to the Governor ................. 1038

H.B. 114 — CHILDREN’S HEALTH CARE COVERAGE AMENDMENTS (D. Hogue)

Read the first time by short title and referred to the Rules Committee . . . . 214
Assigned to standing committee .................................................. 577
Read the second time ............................................................... 672, 732
Returned to Rules Committee .................................................... 672
Read the third time ................................................................. 782
Transmitted to the Senate .......................................................... 783
Signed by the Speaker and transmitted to the Governor ................. 1065

H.B. 115 — UTAH CHILD ABUSE PREVENTION BOARD (P. Ray)

Read the first time by short title and referred to the Rules Committee . . . . 214
Assigned to standing committee .................................................. 631
Substituted ................................................................. 671

1st Sub. H.B. 115 — UTAH CHILD ABUSE PREVENTION BOARD (P. Ray)

Amendments ............................................................... 671
Read the second time ............................................................. 672
Read the third time ................................................................. 763
Transmitted to the Senate .......................................................... 764
Enacting Clause Stricken .......................................................... 1108

H.B. 116 — PRIVATE ACTIVITY BOND VOLUME CAP ALLOCATION AMENDMENTS

(D. Clark)

Read the first time by short title and referred to the Rules Committee . . . . 214
Assigned to standing committee .................................................. 330
Read the second time ............................................................. 410
Read the third time ................................................................. 659
Transmitted to the Senate .......................................................... 660
Signed by the Speaker and transmitted to the Governor ................. 875

H.B. 117 — REVISIONS TO STATE GOVERNMENT (B. Ferry)

Read the first time by short title and referred to the Rules Committee . . . . 214
Enacting Clause Stricken .......................................................... 1112
H.B. 118 — REVISE UTILITY SPECIAL SERVICE DISTRICTS (D. Ure)
Read the first time by short title and referred to the Rules Committee. ....... 214
Assigned to standing committee ................................................. 423
Amendments ............................................................................ 530
Read the second time ................................................................. 531, 699
Returned to Rules Committee ..................................................... 668
Read the third time ..................................................................... 745
Transmitted to the Senate ............................................................ 745
Enacting Clause Stricken .............................................................. 1108

H.B. 119 — NAVAJO TRUST FUND AMENDMENTS (B. King)
Read the first time by short title and referred to the Rules Committee. ....... 214
Assigned to standing committee ................................................. 459
Read the second time ................................................................. 533, 699
Returned to Rules Committee ..................................................... 668
Read the third time ..................................................................... 750
Transmitted to the Senate ............................................................ 751
Enacting Clause Stricken .............................................................. 1108

H.B. 120 — CRIME OF SOLICITING SEX FROM A CHILD (L. Fowlke)
Read the first time by short title and referred to the Rules Committee. ....... 214
Enacting Clause Stricken .............................................................. 1112

H.B. 121 — PROPERTY EXEMPT FROM EXECUTION (J. Dunnigan)
Read the first time by short title and referred to the Rules Committee. ....... 214
Assigned to standing committee ................................................. 313
Read the second time ................................................................. 334
Read the third time ..................................................................... 538
Amendments ............................................................................ 538
Transmitted to the Senate ............................................................ 541

1st Sub. H.B. 121 — PROPERTY EXEMPT FROM EXECUTION (J. Dunnigan)
Placed on Concurrence Calendar .................................................. 986
Concurrence ............................................................................ 1012
Signed by the Speaker and transmitted to the Governor ............... 1034
H.B. 122 — BAIL BOND AMENDMENTS (K. Gibson)
Read the first time by short title and referred to the Rules Committee. .... 214
Assigned to standing committee ............................................. 511
Amendments ........................................................................... 617
Read the second time ............................................................. 620, 699
Returned to Rules Committee .................................................. 668
Read the third time ................................................................... 782
Circled ..................................................................................... 782
Uncircled ................................................................................. 785
Substituted .............................................................................. 785
Failed ..................................................................................... 786
Enacting Clause Stricken .......................................................... 1112

H.B. 123 — RESTRICTIONS OF ADVERTISING ILLEGAL ACTIVITIES (S. Wyatt)
Read the first time by short title and referred to the Rules Committee. .... 214
Assigned to standing committee ................................................. 396
Returned to Rules Committee .................................................... 799
Enacting Clause Stricken ............................................................ 1112

H.B. 124 — ENROLLMENT GROWTH PROGRAM AMENDMENTS (B. Last)
Read the first time by short title and referred to the Rules Committee. .... 214
Assigned to standing committee ................................................. 363
Read the second time .............................................................. 532, 670
Returned to Rules Committee .................................................... 668
Read the third time .................................................................. 726
Transmitted to the Senate ........................................................... 726
Signed by the Speaker and transmitted to the Governor ................... 994

H.B. 125 — SMALL BUSINESS ECONOMIC STIMULUS (C. Frank)
Read the first time by short title and referred to the Rules Committee. ..... 215

H.B. 126 — AMENDMENTS TO FACILITIES WITH REGIONAL IMPACT (G. Hughes)
Read the first time by short title and referred to the Rules Committee. ..... 215
Assigned to standing committee ................................................. 423
Amendments ........................................................................... 558
Read the second time .............................................................. 559, 733
Returned to Rules Committee .................................................... 668
Read the third time .................................................................. 807
Circled ..................................................................................... 808
Uncircled ................................................................................. 915
Transmitted to the Senate ........................................................... 916
Enacting Clause Stricken ............................................................ 1108

H.B. 127 — OFFER OF SETTLEMENT PROVISIONS (L. Christensen)
Read the first time by short title and referred to the Rules Committee. ..... 215
Assigned to standing committee ................................................. 577
Substituted .............................................................................. 799
1st Sub. H.B. 127 — OFFER OF SETTLEMENT PROVISIONS (L. Christensen)
Amendments ................................................................. 799
Returned to Rules Committee ......................... 799
Enacting Clause Stricken ................................. 1112

H.B. 128 — COMPENSATION OF EXECUTIVE OFFICERS (L. Christensen)
Read the first time by short title and referred to the Rules Committee. .... 215
Assigned to standing committee ............................... 313
Read the second time ............................................... 412
Read the third time .................................................. 661
Amendments ............................................................... 661
Transmitted to the Senate ........................................... 662
Placed on Concurrence Calendar ......................... 999
Concurrence ............................................................. 1017
Signed by the Speaker and transmitted to the Governor ............ 1038

H.B. 129 — SCHOOL UNIFORMS (C. Frank)
Read the first time by short title and referred to the Rules Committee. .... 215
Assigned to standing committee ............................... 423, 511
Amendments ............................................................... 559
Read the second time ............................................... 562, 733
Returned to Rules Committee ................................. 668
Read the third time .................................................. 808
Circled ................................................................. 808
Uncircled ............................................................... 809
Failed ................................................................. 809
Reconsideration ....................................................... 824
Transmitted to the Senate ........................................... 825
Enacting Clause Stricken ........................................ 1108

H.B. 130 — INCOME TAX SUBTRACTION FOR SPECIALIZED IMMIGRANT SERVICES (A. Tilton)
Read the first time by short title and referred to the Rules Committee. .... 215
Assigned to standing committee ............................... 578
Amendments ............................................................... 799
Returned to Rules Committee ................................. 800
Enacting Clause Stricken ........................................ 1112

H.B. 131 — ACCESS TO HEALTH CARE FACILITIES AND PLACES OF WORSHIP (D. Aagard)
Read the first time by short title and referred to the Rules Committee. .... 215
Assigned to standing committee ............................... 292
Amendments ............................................................... 381
Read the second time ............................................... 382, 732
Returned to Rules Committee ................................. 668
Read the third time .................................................. 628, 786
Circled ................................................................. 628, 787
Returned to Rules Committee ................................. 666, 962
Enacting Clause Stricken ........................................ 1112
H.B. 132 — INTERNET CRIMES AGAINST CHILDREN (T. Cosgrove)
Read the first time by short title and referred to the Rules Committee. ..... 215
Assigned to standing committee ............................................. 631
Amendments ................................................................. 702
Read the second time ......................................................... 702, 732
Returned to Rules Committee ............................................... 702
Read the third time ............................................................. 790
Transmitted to the Senate ...................................................... 790
Signed by the Speaker and transmitted to the Governor .............. 875

H.B. 133 — MOBILE HOME PARK — NOTICE OF SALE OF UNDERLYING PROPERTY
(M. Wheatley)
Read the first time by short title and referred to the Rules Committee. ..... 215
Assigned to standing committee ............................................. 510
Returned to Rules Committee ............................................... 795
Enacting Clause Stricken ..................................................... 1112

H.B. 134 — PUBLIC SAFETY OFFICERS — CRITICAL INCIDENT SHOOTING PROVISIONS
(P. Ray)
Read the first time by short title and referred to the Rules Committee. ..... 215
Assigned to standing committee ............................................. 631
Substituted ..................................................................... 803

1st Sub. H.B. 134 — PUBLIC SAFETY OFFICERS — CRITICAL INCIDENT SHOOTING
PROVISIONS (P. Ray)
Returned to Rules Committee ............................................... 804
Enacting Clause Stricken ..................................................... 1112

H.B. 135 — IMPLEMENTING FEDERAL EDUCATIONAL PROGRAMS (M. Dayton)
Read the first time by short title and referred to the Rules Committee. ..... 197
Assigned to standing committee ............................................. 250
Read the second time ............................................................. 299
Read the third time ............................................................. 520
Circled ......................................................................... 520
Uncircled ..................................................................... 521
Transmitted to the Senate ...................................................... 522
Enacting Clause Stricken ..................................................... 1108

H.B. 136 — CHARTER SCHOOL ENROLLMENT (J. Ferrin)
Read the first time by short title and referred to the Rules Committee. ..... 197
Assigned to standing committee ............................................. 273
Read the second time ............................................................. 335
Read the third time ............................................................. 596
Transmitted to the Senate ...................................................... 597
Signed by the Speaker and transmitted to the Governor .............. 1034
H.B. 137 — REPEAL OF PRIOR AMENDMENTS TO THE VOLUNTARY CONTRIBUTIONS ACT (N. Hansen)
Read the first time by short title and referred to the Rules Committee. ............ 197
Enacting Clause Stricken .................................................. 1112

H.B. 138 — NONRESIDENT TUITION FOR HIGHER EDUCATION AMENDMENTS
(M. S. Lawrence)
Read the first time by short title and referred to the Rules Committee. ............ 198
Assigned to standing committee ........................................ 273
Read the second time ......................................................... 444, 699
Returned to Rules Committee ............................................. 668
Read the third time ........................................................... 731
Circled .............................................................................. 731
Uncircled ........................................................................... 746
Amendments ........................................................................ 746
Transmitted to the Senate .................................................... 747
Signed by the Speaker and transmitted to the Governor ......................... 1006

H.B. 139 — LOCAL SCHOOL BOARD AMENDMENTS (M. Dayton)
Read the first time by short title and referred to the Rules Committee. ............ 198
Assigned to standing committee ............................................ 273
Read the second time .......................................................... 336
Read the third time ............................................................. 430
Transmitted to the Senate ....................................................... 431
Signed by the Speaker and transmitted to the Governor ......................... 749

H.B. 140 — INDIVIDUAL INCOME TAX CONTRIBUTION FOR COMMUNITY SPAY AND NEUTER PROGRAMS (M. Noel)
Read the first time by short title and referred to the Rules Committee. ............ 198
Assigned to standing committee ............................................ 363
Amendments ......................................................................... 482
Read the second time .......................................................... 486, 732
Returned to Rules Committee ................................................. 668
Read the third time ............................................................. 787
Transmitted to the Senate ....................................................... 787
Failed ................................................................................ 1107
Enacting Clause Stricken ....................................................... 1113

H.B. 141 — SCHOOL BREAKFAST PROGRAM (D. Litvack)
Read the first time by short title and referred to the Rules Committee. ............ 198
Assigned to standing committee ............................................ 510
Amendments ......................................................................... 777
Read the second time .......................................................... 778, 821
Returned to Rules Committee ................................................. 778, 962
Enacting Clause Stricken ....................................................... 1113
H.B. 142 — ISSUES SUBMITTED TO VOTERS (G. Hughes)
Read the first time by short title and referred to the Rules Committee. ....... 176
Assigned to standing committee .................................................. 291
Read the second time ................................................................. 356
Read the third time ................................................................. 603
Amendments ............................................................................. 603
Transmitted to the Senate ............................................................ 609
Placed on Concurrence Calendar ................................................ 1040, 1046
Concurrence ............................................................................. 1077
Signed by the Speaker and transmitted to the Governor .............. 1107

H.B. 143 — NATIONAL GUARD AMENDMENTS (E. Hutchings)
Read the first time by short title and referred to the Rules Committee. ....... 176
Assigned to standing committee .................................................. 292
Read the second time ................................................................. 355
Read the third time ................................................................. 434
Transmitted to the Senate ............................................................ 435
Signed by the Speaker and transmitted to the Governor .............. 847

H.B. 144 — BAN ON GIFTS TO ELECTED OFFICIALS (R. Becker)
Read the first time by short title and referred to the Rules Committee. ....... 177
Enacting Clause Stricken ............................................................... 1113

H.B. 145 — AMENDMENTS TO HEARING AND SPEECH IMPAIRED
TELECOMMUNICATIONS PROGRAM (B. Goodfellow)
Read the first time by short title and referred to the Rules Committee. ....... 177
Assigned to standing committee .................................................. 251
Read the second time ................................................................. 296
Read the third time ................................................................. 517
Amendments ............................................................................. 517
Transmitted to the Senate ............................................................ 518
Signed by the Speaker and transmitted to the Governor .............. 749

H.B. 146 — VACCINE RESTRICTIONS (E. Hutchings)
Read the first time by short title and referred to the Rules Committee. ....... 177
Assigned to standing committee .................................................. 510
Amendments ............................................................................. 803
Returned to Rules Committee ...................................................... 804
Enacting Clause Stricken ............................................................... 1113
H.B. 147 — PROPERTY TAX EXEMPTION FOR VETERANS (G. Hughes)
Read the first time by short title and referred to the Rules Committee. ........ 177
Assigned to standing committee ................................................. 292
Amendments ........................................................................... 483
Read the second time ................................................................. 486, 699
Returned to Rules Committee .................................................. 668
Read the third time .................................................................. 743
Transmitted to the Senate ......................................................... 744
Signed by the Speaker and transmitted to the Governor ............ 1034

H.B. 148 — SCHOOL TRUANCY AMENDMENTS (E. Hutchings)
Read the first time by short title and referred to the Rules Committee. ........ 177
Assigned to standing committee ................................................. 273
Amendments ........................................................................... 531
Read the second time ................................................................. 532, 669
Returned to Rules Committee .................................................. 668
Read the third time .................................................................. 695
Amendments ........................................................................... 695
Transmitted to the Senate ......................................................... 696
Enacting Clause Stricken ............................................................ 1108

H.B. 149 — VEHICLE IDENTIFICATION NUMBER INSPECTORS (C. Frank)
Read the first time by short title and referred to the Rules Committee. ........ 177
Assigned to standing committee ................................................. 236
Read the second time ................................................................. 280
Read the third time .................................................................. 509
Transmitted to the Senate ......................................................... 510
Signed by the Speaker and transmitted to the Governor ............ 718

H.B. 150 — WATER RIGHTS FEES (J. Gowans)
Read the first time by short title and referred to the Rules Committee. ........ 163
Assigned to standing committee ................................................. 189
Read the second time ................................................................. 242
Read the third time .................................................................. 403
Transmitted to the Senate ......................................................... 404
Signed by the Speaker and transmitted to the Governor ............ 811

H.B. 151 — SCHOOL COMMUNITY COUNCILS (J. Dougall)
Read the first time by short title and referred to the Rules Committee. ........ 163
Substituted .............................................................................. 250

1st Sub. H.B. 151 — SCHOOL COMMUNITY COUNCILS (J. Dougall)
Assigned to standing committee ................................................. 250
Substituted .............................................................................. 384
3rd Sub. H.B. 151 — SCHOOL COMMUNITY COUNCILS (J. Dougall)
Read the second time ................................................. 385
Read the third time .................................................. 656
Transmitted to the Senate ........................................... 657
Enacting Clause Stricken ......................................... 1108

H.B. 152 — COUNTY OPTION SALES AND USE TAX FOR AGRICULTURAL LAND, OPEN LAND, AND RECREATIONAL FACILITIES ACT (C. Buttars)
Read the first time by short title and referred to the Rules Committee. ....... 130
Assigned to standing committee .................................. 235
Substituted .................................................................. 593

2nd Sub. H.B. 152 — COUNTY OPTION SALES AND USE TAX FOR AGRICULTURAL LAND, OPEN LAND, AND RECREATIONAL FACILITIES ACT (C. Buttars)
Read the second time ................................................. 593, 821
Returned to Rules Committee ....................................... 668, 962
Enacting Clause Stricken ......................................... 1113

H.B. 153 — SECURITY FOR PUBLIC SCHOOLS (K. Holdaway)
Read the first time by short title and referred to the Rules Committee. ........ 130

H.B. 153 — SECURITY FOR PUBLIC SCHOOLS (S. Allen) (Sponsor Change)
Substituted .................................................................. 460

1st Sub. H.B. 153 — SECURITY FOR PUBLIC SCHOOLS (S. Allen)
Assigned to standing committee .................................. 460
Substituted .................................................................. 564

2nd Sub. H.B. 153 — SECURITY FOR PUBLIC SCHOOLS (S. Allen)
Amendments ................................................................. 564
Read the second time ................................................. 566, 732
Returned to Rules Committee ....................................... 668, 962
Read the third time .................................................. 792
Circled ........................................................................ 793
Enacting Clause Stricken ......................................... 1113

H.B. 154 — SCHOOL AND INSTITUTIONAL TRUST LANDS AMENDMENTS (E. Hutchings)
Read the first time by short title and referred to the Rules Committee. ...... 131
Assigned to standing committee .................................. 250
Read the second time .................................................. 318
Read the third time .................................................. 427
Transmitted to the Senate ........................................... 428
Signed by the Speaker and returned to the Senate ......................... 890
H.B. 155 — AGRICULTURAL COOP AMENDMENTS (C. Buttars)
Read the first time by short title and referred to the Rules Committee. 131
Assigned to standing committee 189
Substituted 240

1st Sub. H.B. 155 — AGRICULTURAL COOP AMENDMENTS (C. Buttars)
Read the second time 242
Read the third time 404
Transmitted to the Senate 405
Signed by the Speaker and transmitted to the Governor 784

H.B. 156 — DAIRY PROMOTION ACT AMENDMENTS (D. Ure)
Read the first time by short title and referred to the Rules Committee. 100
Assigned to standing committee 172
Read the second time 242
Read the third time 405
Transmitted to the Senate 406
Signed by the Speaker and transmitted to the Governor 784

H.B. 157 — WATER ENFORCEMENT PROCEDURES AND PENALTIES (D. Ure)
Read the first time by short title and referred to the Rules Committee. 87
Assigned to standing committee 145
Read the second time 197
Time Certain 236
Read the third time 284
Amendments 284
Transmitted to the Senate 286
Placed on Concurrence Calendar 875
Other Action 936
Concurrence 936
Signed by the Speaker and transmitted to the Governor 985

H.B. 158 — ELECTION REQUIREMENTS FOR COUNTY CANDIDATES (R. Romero)
Read the first time by short title and referred to the Rules Committee. 87
Assigned to standing committee 423
Amendments 797
Returned to Rules Committee 798
Enacting Clause Stricken 1113

H.B. 159 — MOTOR ASSISTED SCOOTER AND MINI–MOTORCYCLE AMENDMENTS
(B. Dee)
Read the first time by short title and referred to the Rules Committee. 59
Assigned to standing committee 124
Amendments 174
Read the second time 175
Read the third time 326
Substituted 326
1st Sub. H.B. 159 — MOTOR ASSISTED SCOOTER AND MINI-MOTORCYCLE AMENDMENTS (B. Dee)
Transmitted to the Senate ................................................................. 327
Signed by the Speaker and transmitted to the Governor .................. 612

H.B. 160 — WILDLIFE LICENSE AGENTS AMENDMENTS (J. Fisher)
Read the first time by short title and referred to the Rules Committee. .... 45
Assigned to standing committee ..................................................... 78
Read the second time ................................................................. 130
Read the third time .................................................................. 201
Transmitted to the Senate ............................................................. 201
Signed by the Speaker and transmitted to the Governor ................. 332

H.B. 161 — INJURY REPORTING REQUIREMENT AMENDMENTS (J. Murray)
Read the first time by short title and referred to the Rules Committee. .... 45
Assigned to standing committee ..................................................... 52
Returned to Rules Committee ....................................................... 804
Enacting Clause Stricken .............................................................. 1113

H.B. 162 — MUNICIPAL WEED ABATEMENT (M. Morley)
Read the first time by short title and referred to the Rules Committee. .... 46
Assigned to standing committee ..................................................... 52
Amendments ............................................................................ 81
Read the second time ................................................................. 82
Read the third time .................................................................. 132
Transmitted to the Senate ............................................................. 133
Placed on Concurrence Calendar .................................................. 332
Concurrence ............................................................................ 399
Signed by the Speaker and transmitted to the Governor ................. 425

H.B. 163 — GARNISHMENT FEES (S. Mascaro)
Read the first time by short title and referred to the Rules Committee. .... 46
Assigned to standing committee ..................................................... 189
Amendments ............................................................................ 341
Read the second time ................................................................. 344
Read the third time .................................................................. 601
Failed ...................................................................................... 602
Reconsideration ...................................................................... 646
Circled .................................................................................... 647
Uncircled ................................................................................ 653
Transmitted to the Senate ............................................................. 654
Enacting Clause Stricken ............................................................ 1108
H.B. 164 — REPEAL OF UTAH PERSONAL INTRODUCTION SERVICES PROTECTION ACT
(S. Allen)
Read the first time by short title and referred to the Rules Committee.  .... 46
Assigned to standing committee .................................................. 64
Read the second time ................................................................. 85
Read the third time ................................................................. 169
Transmitted to the Senate ......................................................... 170
Signed by the Speaker and transmitted to the Governor .................. 409

H.B. 165 — UTAH COMMISSION ON AGING (P. Jones)
Read the first time by short title and referred to the Rules Committee. .... 46
Assigned to standing committee .................................................. 78
Amendments ............................................................................. 128
Read the second time ................................................................. 129
Read the third time ................................................................. 245
Transmitted to the Senate ......................................................... 245
Other Action ............................................................................ 786
Recalled .................................................................................. 779
Placed on Concurrence Calendar .............................................. 875
Other Action ............................................................................ 936
Concurrence ........................................................................... 937
Signed by the Speaker and transmitted to the Governor ................. 985

H.B. 166 — UTAH INDOOR CLEAN AIR ACT AMENDMENTS (P. Ray)
Read the first time by short title and referred to the Rules Committee. .... 46
Assigned to standing committee .................................................. 396
Returned to Rules Committee .................................................... 803
Enacting Clause Stricken ............................................................ 1113

H.B. 167 — ELDER PROTECTION PROVISIONS (P. Jones)
Read the first time by short title and referred to the Rules Committee. .... 46
Assigned to standing committee .................................................. 78
Returned to Rules Committee .................................................... 804
Enacting Clause Stricken ............................................................ 1113

H.B. 168 — COOPERATIVE WILDLIFE MANAGEMENT UNIT AMENDMENTS (J. Gowans)
Read the first time by short title and referred to the Rules Committee. .... 46
Assigned to standing committee .................................................. 65
Read the second time ................................................................. 130
Read the third time ................................................................. 246
Transmitted to the Senate ......................................................... 246
Signed by the Speaker and transmitted to the Governor ................. 409
H.B. 169 — APPROPRIATION FOR SCHOOL DISTRICTS IMPACTED BY FEE WAIVERS
(L. Shurtliff)
Read the first time by short title and referred to the Rules Committee. . . . . 46
Assigned to standing committee ................................................. 235
Read the second time ................................................................. 720, 821
Returned to Rules Committee ...................................................... 720, 962
Enacting Clause Stricken ............................................................ 1113

H.B. 170 — EXTENSION OF UTAH LOW–INCOME HOUSING TAX CREDITS (S. Clark)
Read the first time by short title and referred to the Rules Committee. . . . . 46
Assigned to standing committee .................................................... 53
Read the second time ................................................................. 82
Read the third time ................................................................. 164
Transmitted to the Senate ......................................................... 165
Signed by the Speaker and transmitted to the Governor .................... 316

H.B. 171 — CALCULATION OF MINING SEVERANCE TAX ON BERYLLIUM (R. Wheeler)
Read the first time by short title and referred to the Rules Committee. . . . . 46
Assigned to standing committee .................................................... 78
Read the second time ................................................................. 115
Read the third time ................................................................. 230
Transmitted to the Senate ......................................................... 230
Signed by the Speaker and transmitted to the Governor .................... 612

H.B. 172 — NOTARY PUBLIC AMENDMENTS (L. Shurtliff)
Read the first time by short title and referred to the Rules Committee. . . . . 46
Assigned to standing committee .................................................... 51
Read the second time ................................................................. 67
Read the third time ................................................................. 105
Circled ................................................................. 105
Uncircled ................................................................. 201
Amendments ................................................................. 201
Transmitted to the Senate ......................................................... 204
Failed ................................................................. 847
Enacting Clause Stricken ............................................................ 1113

H.B. 173 — STATE EMPLOYEE AMENDMENTS (A. Hardy)
Read the first time by short title and referred to the Rules Committee. . . . . 46
Assigned to standing committee .................................................... 53
Read the second time ................................................................. 115
Read the third time ................................................................. 177
Transmitted to the Senate ......................................................... 177
Signed by the Speaker and transmitted to the Governor .................... 526
H.B. 174 — CHILD PROTECTION REGISTRY AMENDMENTS (J. Dougall)
Read the first time by short title and referred to the Rules Committee. .......... 46
Assigned to standing committee ................................................. 78
Substituted ................................................................. 150

1st Sub. H.B. 174 — CHILD PROTECTION REGISTRY AMENDMENTS (J. Dougall)
Read the second time .......................................................... 150
Read the third time ............................................................. 273
Circled ................................................................. 273, 644
Uncircled ........................................................................ 644, 655
Substituted ................................................................. 655

3rd Sub. H.B. 174 — CHILD PROTECTION REGISTRY AMENDMENTS (J. Dougall)
Transmitted to the Senate ......................................................... 656
Enacting Clause Stricken ....................................................... 1108

H.B. 175 — EDUCATION ACHIEVEMENT GAP TASK FORCE (D. Litvack)
Read the first time by short title and referred to the Rules Committee. .......... 46
Assigned to standing committee ................................................. 78
Returned to Rules Committee .................................................. 779
Enacting Clause Stricken ....................................................... 1113

H.B. 176 — REVISOR’S STATUTE (R. Lockhart)
Read the first time by short title and referred to the Rules Committee. .......... 46
Read the second time ............................................................. 50
Read the third time ............................................................. 62
Circled ........................................................................ 62
Uncircled ........................................................................ 73
Transmitted to the Senate ......................................................... 74
Signed by the Speaker and transmitted to the Governor ......................... 295

H.B. 177 — WILDLIFE LICENSE REFUND AMENDMENTS (M. Dayton)
Read the first time by short title and referred to the Rules Committee. .......... 47
Assigned to standing committee ................................................. 52
Read the second time ............................................................. 84
Read the third time ............................................................. 167
Transmitted to the Senate ......................................................... 167
Signed by the Speaker and transmitted to the Governor ......................... 332
H.B. 178 — MENTAL HEALTH SERVICES COORDINATOR (D. Hogue)
Read the first time by short title and referred to the Rules Committee. ....... 47
Assigned to standing committee .................................................... 52
Amendments ............................................................................. 69
Read the second time ................................................................. 69, 732
Circled ...................................................................................... 109
Read the third time ................................................................... 109, 806
Returned to Rules Committee .................................................... 668, 806
Enacting Clause Stricken .......................................................... 1113

H.B. 179 — UTAH VENTURE CAPITAL ENHANCEMENT ACT AMENDMENTS (P. Wallace)
Read the first time by short title and referred to the Rules Committee. ....... 47
Assigned to standing committee .................................................... 53
Read the second time ................................................................... 83
Read the third time ..................................................................... 166
Transmitted to the Senate ............................................................ 167
Signed by the Speaker and transmitted to the Governor .................... 409

H.B. 180 — RETIREMENT OFFICE AMENDMENTS (A. Hardy)
Read the first time by short title and referred to the Rules Committee. ....... 47
Assigned to standing committee .................................................... 53
Read the second time ................................................................... 115
Read the third time ..................................................................... 178
Transmitted to the Senate ............................................................ 179

1st Sub. H.B. 180 — RETIREMENT OFFICE AMENDMENTS (A. Hardy)
Placed on Concurrence Calendar .................................................... 701
Concurrence .............................................................................. 740
Signed by the Speaker and transmitted to the Governor .................... 763

H.B. 181 — DUPLICATE WILDLIFE LICENSING AMENDMENTS (M. Dayton)
Read the first time by short title and referred to the Rules Committee. ....... 47
Assigned to standing committee .................................................... 52
Amendments ............................................................................. 84
Read the second time ................................................................... 84
Read the third time ..................................................................... 167
Transmitted to the Senate ............................................................ 168
Signed by the Speaker and transmitted to the Governor .................... 332

H.B. 182 — HISTORICAL LIVESTOCK TRAILS (B. Johnson)
Read the first time by short title and referred to the Rules Committee. ....... 47
Assigned to standing committee .................................................... 52
Substituted ................................................................................. 129
1st Sub. H.B. 182 — HISTORICAL LIVESTOCK TRAILS (B. Johnson)
Amendments ................................................................. 129
Read the second time .................................................. 130
Read the third time .................................................... 247
Transmitted to the Senate ............................................. 247
Signed by the Speaker and transmitted to the Governor ........ 409

H.B. 183 — VERIFICATION OF ELIGIBILITY FOR FEE WAIVERS (W. Harper)
Read the first time by short title and referred to the Rules Committee. .... 47
Assigned to standing committee ........................................ 52
Amendments ................................................................. 99
Read the second time .................................................. 100
Read the third time .................................................... 206
Amendments ................................................................. 206
Transmitted to the Senate ............................................. 207
Placed on Concurrence Calendar ..................................... 613
Concurrence ................................................................. 652
Signed by the Speaker and transmitted to the Governor ........ 685

H.B. 184 — DOMESTIC VIOLENCE – CHANGE OF LOCKS ON RENTAL PROPERTY
(L. Shurtliff)
Read the first time by short title and referred to the Rules Committee. .... 47
Assigned to standing committee ........................................ 171
Substituted ................................................................. 366

1st Sub. H.B. 184 — CRIME VICTIMS – CHANGE OF LOCKS ON RENTAL PROPERTY
(L. Shurtliff)
Amendments ................................................................. 366
Read the second time .................................................. 366
Read the third time .................................................... 623
Amendments ................................................................. 623
Transmitted to the Senate ............................................. 625
Placed on Concurrence Calendar ..................................... 999
Concurrence ................................................................. 1015
Signed by the Speaker and transmitted to the Governor ........ 1034

H.B. 185 — UTAH COMPUTER CRIMES ACT AMENDMENTS (B. Daw)
Read the first time by short title and referred to the Rules Committee. .... 47
Assigned to standing committee ........................................ 52
Read the second time .................................................. 70
Read the third time .................................................... 121
Circled ................................................................. 121
Uncircled ................................................................. 134
Amendments ................................................................. 134
Transmitted to the Senate ............................................. 138
Placed on Concurrence Calendar ..................................... 295
Concurrence ................................................................. 322
Signed by the Speaker and transmitted to the Governor ........ 354
H.B. 186 — CONSUMER PROTECTION AMENDMENTS (S. Allen)
Read the first time by short title and referred to the Rules Committee. ........ 47
Assigned to standing committee ................................................. 53
Read the second time ................................................................. 70
Read the third time .................................................................. 118
Amendments ................................................................. 119
Transmitted to the Senate ......................................................... 121
Placed on Concurrence Calendar .............................................. 410
Concurrence ................................................................. 455
Signed by the Speaker and transmitted to the Governor ................. 482

H.B. 187 — CAPITAL OUTLAY FOUNDATION PROGRAM – PARTICIPATION
REQUIREMENTS (J. Ferrin)
Read the first time by short title and referred to the Rules Committee. ........ 47
Assigned to standing committee ................................................. 52
Amendments ................................................................. 800
Returned to Rules Committee .................................................. 802
Enacting Clause Stricken .......................................................... 1113

H.B. 188 — BEGINNING TEACHER ENHANCEMENTS (B. Johnson)
Read the first time by short title and referred to the Rules Committee. ........ 47
Assigned to standing committee ................................................. 123
Read the second time ................................................................. 256
Read the third time .................................................................. 418
Transmitted to the Senate ......................................................... 419

2nd Sub. H.B. 188 — PUBLIC EDUCATION JOB ENHANCEMENT PROGRAM (B. Johnson)
Placed on Concurrence Calendar ................................................ 875
Read the first time by short title and referred to Rules Committee ............. 939
Read the second time ................................................................. 939
Read the third time .................................................................. 939
Concurrence ................................................................. 939
Signed by the Speaker and transmitted to the Governor ....................... 985

H.B. 189 — APPLIED TECHNOLOGY PROGRAM AMENDMENTS (J. Ferrin)
Read the first time by short title and referred to the Rules Committee. ........ 47
Assigned to standing committee ................................................. 111
Read the second time ................................................................. 128
Read the third time .................................................................. 243
Failed .................................................................................. 244, 524
Reconsideration ...................................................................... 258
Circled ............................................................................... 258
Uncircled ............................................................................ 522
Amendments ................................................................. 522
Enacting Clause Stricken .......................................................... 1113
H.B. 190 — INDIVIDUAL INCOME TAX – ELECTRONIC FILING REQUIREMENTS (S. Clark)
Read the first time by short title and referred to the Rules Committee. . . . . 47
Assigned to standing committee .................................................. 78
Read the second time ................................................................. 115
Read the third time ................................................................. 231
Substituted ................................................................. 231

1st Sub. H.B. 190 — INDIVIDUAL INCOME TAX – ELECTRONIC FILING REQUIREMENTS
(S. Clark)
Circled ................................................................. 231
Uncircled ................................................................. 233
Transmitted to the Senate ................................................................. 233
Signed by the Speaker and transmitted to the Governor ....................... 612

H.B. 191 — CAPTIVE INSURANCE LAW AMENDMENTS (J. Dunnigan)
Read the first time by short title and referred to the Rules Committee. . . . . 47
Assigned to standing committee .................................................. 64
Amendments ........................................................................... 98
Read the second time ................................................................. 99
Read the third time ................................................................. 205
Circled ........................................................................... 205
Uncircled ........................................................................... 232
Transmitted to the Senate ................................................................. 232
Signed by the Speaker and transmitted to the Governor ....................... 784

H.B. 192 — UTAH HIGH COST HOME LOAN ACT AMENDMENTS (W. Harper)
Read the first time by short title and referred to the Rules Committee. . . . . 48
Enacting Clause Stricken ................................................................. 1113

H.B. 193 — DEREGULATION OF GENERAL BUILDING CONTRACTORS (G. Hughes)
Read the first time by short title and referred to the Rules Committee. . . . . 48
Assigned to standing committee .................................................. 95
Returned to Rules Committee ................................................................. 795
Enacting Clause Stricken ................................................................. 1113

H.B. 194 — FAIR HOUSING FOR DOMESTIC VIOLENCE VICTIMS AND LANDLORD
PROTECTION ACT (L. Shurtliff)
Read the first time by short title and referred to the Rules Committee. . . . . 48
Enacting Clause Stricken ................................................................. 1113

H.B. 195 — INSURANCE LAW AMENDMENTS (J. Dunnigan)
Read the first time by short title and referred to the Rules Committee. . . . . 48
Assigned to standing committee .................................................. 95
Read the second time ................................................................. 127
Read the third time ................................................................. 199
Transmitted to the Senate ................................................................. 200
Signed by the Speaker and transmitted to the Governor ....................... 440, 461
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Title</th>
<th>Revised Bill Number</th>
<th>Notes</th>
</tr>
</thead>
</table>
| H.B. 196    | LEGISLATORS INVOLVEMENT IN PUBLIC SCHOOLS (D. Bourdeaux) |  | Read the first time by short title and referred to the Rules Committee. 48
|             |       |                     | Assigned to standing committee 171 |
|             |       |                     | Amendments 801 |
|             |       |                     | Returned to Rules Committee 802 |
|             |       |                     | Enacting Clause Stricken 1113 |
| H.B. 197    | INDIVIDUAL INCOME TAX AMENDMENTS FOR EDUCATION FUNDING (P. Jones) |  | Read the first time by short title and referred to the Rules Committee. 48, 100
|             |       |                     | Substituted 313 |
| 1st Sub. H.B. 197 | INDIVIDUAL INCOME TAX AMENDMENTS (P. Jones) |  | Assigned to standing committee 313 |
|             |       |                     | Returned to Rules Committee 800 |
|             |       |                     | Enacting Clause Stricken 1113 |
| H.B. 198    | NATUROPATHIC FORMULARY PEER COMMITTEE AMENDMENTS (J. Ferrin) |  | Read the first time by short title and referred to the Rules Committee. 59
|             |       |                     | Assigned to standing committee 96 |
|             |       |                     | Read the second time 129 |
|             |       |                     | Read the third time 246 |
|             |       |                     | Circled 246 |
|             |       |                     | Uncircled 247 |
|             |       |                     | Amendments 248 |
|             |       |                     | Transmitted to the Senate 248 |
|             |       |                     | Signed by the Speaker and transmitted to the Governor 612 |
| H.B. 199    | SPECIAL ELECTION DATES (D. Hogue) |  | Read the first time by short title and referred to the Rules Committee. 59
|             |       |                     | Assigned to standing committee 124 |
|             |       |                     | Read the second time 150, 820 |
|             |       |                     | Returned to Rules Committee 668 |
|             |       |                     | Amendments 860, 962 |
|             |       |                     | Read the third time 309, 860 |
|             |       |                     | Circled 309, 861 |
|             |       |                     | Enacting Clause Stricken 1113 |
| H.B. 200    | PROPERTY AND CASUALTY INSURANCE LAW AMENDMENTS (J. Dunnigan) |  | Read the first time by short title and referred to the Rules Committee. 59
|             |       |                     | Assigned to standing committee 95 |
|             |       |                     | Substituted 211 |
1st Sub. H.B. 200 — INSURANCE LAW REVISIONS (J. Dunnigan)
Read the first time by short title and referred to Rules Committee .............. 362
Read the second time ................................................................. 211, 362
Read the third time ................................................................. 362
Transmitted to the Senate ......................................................... 362
Placed on Concurrence Calendar .............................................. 890
Concurrence ................................................................. 941
Signed by the Speaker and transmitted to the Governor ................. 985

H.B. 201 — LIFE INSURANCE AND ANNUITIES LAW AMENDMENTS (J. Dunnigan)
Read the first time by short title and referred to the Rules Committee. ........ 59
Assigned to standing committee ................................................. 95
Amendments ................................................................. 126
Read the second time ................................................................. 127
Read the third time ................................................................. 242
Amendments ................................................................. 242
Transmitted to the Senate ......................................................... 243
Signed by the Speaker and transmitted to the Governor ................. 784

H.B. 202 — REVISIONS TO CHILD WELFARE (W. Harper)
Read the first time by short title and referred to the Rules Committee. ........ 71
Assigned to standing committee ................................................. 235
Substituted ................................................................. 445

2nd Sub. H.B. 202 — REVISIONS TO CHILD WELFARE (W. Harper)
Amendments ................................................................. 445
Read the second time ................................................................. 448, 669
Returned to Rules Committee ...................................................... 668
Read the third time ................................................................. 708
Amendments ................................................................. 708
Transmitted to the Senate ......................................................... 716
Enacting Clause Stricken ......................................................... 1108

H.B. 203 — AGRICULTURAL ADVISORY BOARD (M. Noel)
Read the first time by short title and referred to the Rules Committee. ........ 71
Assigned to standing committee ................................................. 172
Read the second time ................................................................. 280
Read the third time ................................................................. 345
Transmitted to the Senate ......................................................... 346
Signed by the Speaker and transmitted to the Governor ................. 612

H.B. 204 — STATUTE OF LIMITATIONS AMENDMENTS (D. Clark)
Read the first time by short title and referred to the Rules Committee. ........ 71
Assigned to standing committee ................................................. 124
Substituted ................................................................. 381
1st Sub. H.B. 204 — STATUTE OF LIMITATIONS AMENDMENTS (D. Clark)
Read the second time ................................................. 382
Read the third time .................................................... 627
Circled ................................................................. 628
Uncircled .............................................................. 628
Transmitted to the Senate ............................................ 629
Enacting Clause Stricken ......................................... 1108

H.B. 205 — DEER HUNT OPENING SEASON DATE AMENDMENTS (S. Clark)
Read the first time by short title and referred to the Rules Committee. .... 71
Enacting Clause Stricken ......................................... 1113

H.B. 206 — CHARTER SCHOOL REPORTING (C. Moss)
Read the first time by short title and referred to the Rules Committee. .... 71
Assigned to standing committee ................................ 145
Read the second time .................................................. 385
Read the third time .................................................... 657
Amendments ............................................................. 657
Transmitted to the Senate ............................................ 658
Signed by the Speaker and transmitted to the Governor ................. 947

H.B. 207 — PRESCRIPTIVE EASEMENTS ACT (G. Hughes)
Read the first time by short title and referred to the Rules Committee. .... 71
Assigned to standing committee ................................ 145
Substituted ............................................................. 687

1st Sub. H.B. 207 — PRESCRIPTIVE EASEMENTS ACT (G. Hughes)
Amendments ............................................................. 687
Returned to Rules Committee ....................................... 687
Enacting Clause Stricken ......................................... 1113

H.B. 208 — UNCLAIMED PROPERTY AMENDMENTS (P. Ray)
Read the first time by short title and referred to the Rules Committee. .... 71
Assigned to standing committee ................................ 189
Amendments ............................................................. 239
Read the second time .................................................. 240
Read the third time .................................................... 401
Amendments ............................................................. 401
Transmitted to the Senate ............................................ 402
Signed by the Speaker and transmitted to the Governor ................. 685
H.B. 209 — ADMINISTRATIVE RULES – IMPACT ON SMALL BUSINESSES (G. Hughes)
Read the first time by short title and referred to the Rules Committee. ............ 71
Assigned to standing committee .................................................. 145
Amendments ............................................................................. 254
Read the second time ................................................................ 255
Read the third time .................................................................... 418
Circled ....................................................................................... 418
Uncircled .................................................................................... 419
Transmitted to the Senate ............................................................. 420
Enacting Clause Stricken .............................................................. 1108

H.B. 210 — RESIDENTIAL MORTGAGES PRACTICES – EMPLOYMENT SECURITY
REVISIONS (M. Walker)
Read the first time by short title and referred to the Rules Committee. ............ 87
Enacting Clause Stricken .............................................................. 1113

H.B. 211 — INTEGRITY OF ELECTION RESULTS AMENDMENTS (J. Dougall)
Read the first time by short title and referred to the Rules Committee. ............ 87
Assigned to standing committee .................................................. 171
Substituted .................................................................................. 356

1st Sub. H.B. 211 — INTEGRITY OF ELECTION RESULTS AMENDMENTS (J. Dougall)
Amendments ................................................................. 356
Read the second time ............................................................... 356
Read the third time ............................................................... 622
Amendments ................................................................. 622
Intent Language ................................................................. 623
Transmitted to the Senate .......................................................... 623
Signed by the Speaker and transmitted to the Governor ................. 1046

H.B. 212 — TRAFFIC VIOLATIONS BY DIPLOMATS (D. Hogue)
Read the first time by short title and referred to the Rules Committee. ............ 87
Assigned to standing committee .................................................. 171
Read the second time ............................................................... 278
Read the third time ............................................................... 344
Transmitted to the Senate .......................................................... 345
Signed by the Speaker and transmitted to the Governor ................. 612
H.B. 213 — UNUSED SICK LEAVE AT RETIREMENT AMENDMENTS *(D. Clark)*
Read the first time by short title and referred to the Rules Committee. .......... 87
Assigned to standing committee ................................................. 274
Amendments .......................................................... 332
Read the second time .......................................................... 333
Moved to top of calendar ........................................................ 333
Read the third time ............................................................... 347
Circled ................................................................. 347
Uncircled ................................................................. 494
Amendments ................................................................. 495
Transmitted to the Senate ...................................................... 507
Signed by the Speaker and transmitted to the Governor ................. 875

H.B. 214 — EMERGING TECHNOLOGIES AND OPEN GOVERNMENT *(D. Clark)*
Read the first time by short title and referred to the Rules Committee. .......... 87
Assigned to standing committee ................................................. 145
Read the second time .......................................................... 256
Read the third time ............................................................... 466
Transmitted to the Senate ...................................................... 467
Enacting Clause Stricken .......................................................... 1108

H.B. 215 — PROPERTY TRACKING AMENDMENTS *(P. Ray)*
Read the first time by short title and referred to the Rules Committee. .......... 87
Assigned to standing committee ................................................. 189
Read the second time .......................................................... 240
Read the third time ............................................................... 403
Transmitted to the Senate ...................................................... 403
Signed by the Speaker and transmitted to the Governor ................. 685

H.B. 216 — GLOBAL POSITIONING REFERENCE NETWORK *(K. Holdaway)*
Read the first time by short title and referred to the Rules Committee. .......... 88
Assigned to standing committee ................................................. 292
Read the second time .......................................................... 413
Read the third time ............................................................... 664
Transmitted to the Senate ...................................................... 665
Placed on Concurrence Calendar ................................................ 875
Other Action ................................................................. 936
Concurrence ................................................................. 937
Signed by the Speaker and transmitted to the Governor ................. 985

H.B. 217 — PUBLIC SAFETY RETIREMENT – EXEMPTION OF CERTAIN EMPLOYEES *(D. Clark)*
Read the first time by short title and referred to the Rules Committee. .......... 88
Assigned to standing committee ................................................. 112
Read the second time .......................................................... 319
Read the third time ............................................................... 537
Transmitted to the Senate ...................................................... 538
Signed by the Speaker and returned to the Senate ................. 890
H.B. 218 — SECOND DISTRICT JUVENILE JUDGE (J. S. Adams)
Read the first time by short title and referred to the Rules Committee. .......... 88
Assigned to standing committee .................................................. 145
Read the second time ................................................................. 193
Read the third time ................................................................. 349
Transmitted to the Senate ......................................................... 350
Signed by the Speaker and transmitted to the Governor ......................... 985

H.B. 219 — TRAFFIC ENFORCEMENT AMENDMENTS (R. McGee)
Read the first time by short title and referred to the Rules Committee. .......... 88
Substituted ............................................................................... 424

1st Sub. H.B. 219 — TRAFFIC ENFORCEMENT AMENDMENTS (R. McGee)
Assigned to standing committee .................................................. 424
Returned to Rules Committee ..................................................... 796
Enacting Clause Stricken ............................................................ 1113

H.B. 220 — SALES AND USE TAX EXEMPTION FOR TEXTBOOKS FOR HIGHER
EDUCATION (D. Bourdeaux)
Read the first time by short title and referred to the Rules Committee. .......... 100
Assigned to standing committee .................................................. 189
Read the second time ................................................................. 261
Read the third time ................................................................. 476
Transmitted to the Senate ......................................................... 477
Enacting Clause Stricken ............................................................ 1108

H.B. 221 — ELECTRONIC COMMUNICATION HARASSMENT (J. Dougall)
Read the first time by short title and referred to the Rules Committee. .......... 100
Assigned to standing committee .................................................. 145
Read the second time ................................................................. 209
Read the third time ................................................................. 352
Transmitted to the Senate ......................................................... 352
Placed on Concurrence Calendar ................................................ 613
Concurrence ............................................................................. 653
Signed by the Speaker and transmitted to the Governor ......................... 685

H.B. 222 — PILOT PROGRAM REPEAL CLEAN–UP (R. Romero)
Read the first time by short title and referred to the Rules Committee. .......... 100
Assigned to standing committee .................................................. 124
Read the second time ................................................................. 194
Read the third time ................................................................. 263
Transmitted to the Senate ......................................................... 263
Signed by the Speaker and transmitted to the Governor ......................... 557
H.B. 223 — AMENDMENTS TO DRIVER LICENSE AND IDENTIFICATION CARDS (C. Oda)
Read the first time by short title and referred to the Rules Committee. ........ 100
Assigned to standing committee .................................................. 292
Amendments ................................................................. 447
Read the second time .............................................................. 448
Read the third time ................................................................. 543
Transmitted to the Senate ......................................................... 544
Placed on Concurrence Calendar .................................................. 930
Concurrence ................................................................. 948
Signed by the Speaker and transmitted to the Governor ......................... 985

H.B. 224 — PERMANENT COMMUNITY IMPACT FUND – BOARD MEMBERSHIP (J. Mathis)
Read the first time by short title and referred to the Rules Committee. ........ 100
Assigned to standing committee .................................................. 145
Amendments ................................................................. 241
Read the second time .............................................................. 242
Read the third time ................................................................. 406
Transmitted to the Senate ......................................................... 406
Signed by the Speaker and transmitted to the Governor ......................... 784

H.B. 225 — BOAT REGISTRATION FEE (B. Goodfellow)
Read the first time by short title and referred to the Rules Committee. ........ 100
Assigned to standing committee .................................................. 172
Read the second time .............................................................. 212
Read the third time ................................................................. 390
Failed ................................................................. 391
Reconsideration ................................................................. 415
Circled ................................................................. 415
Uncircled ................................................................. 514
Transmitted to the Senate ......................................................... 515
Enacting Clause Stricken ......................................................... 1108

H.B. 226 — GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT
REQUIREMENTS REGARDING ANIMAL IDENTIFICATION PROGRAM (C. Buttars)
Read the first time by short title and referred to the Rules Committee. ........ 101
Assigned to standing committee .................................................. 172
Read the second time .............................................................. 280
Read the third time ................................................................. 515
Amendments ................................................................. 515
Transmitted to the Senate ......................................................... 516
Signed by the Speaker and transmitted to the Governor ......................... 1009
H.B. 227 — CORPORATE FRANCHISE AND INCOME TAXES – EXEMPTION FOR BANKS
(W. Harper)
Read the first time by short title and referred to the Rules Committee. . . . . . . . . 101
Assigned to standing committee .................................................. 145
Returned to Rules Committee ....................................................... 800
Enacting Clause Stricken ................................................................. 1113

H.B. 228 — REMOVAL OR DEFACEMENT OF POLITICAL SIGNS (G. Hughes)
Read the first time by short title and referred to the Rules Committee. . . . . . . . . 115
Assigned to standing committee .................................................. 250
Read the second time ................................................................. 366
Read the third time ......................................................................... 625
Failed .......................................................................................... 625
Enacting Clause Stricken ................................................................. 1113

H.B. 229 — WATER RIGHTS IN IRRIGATION COMPANIES (P. Painter)
Read the first time by short title and referred to the Rules Committee. . . . . . . . . 131
Assigned to standing committee .................................................. 189
Returned to Rules Committee ....................................................... 797
Enacting Clause Stricken ................................................................. 1113

H.B. 230 — RECYCLING OF WASTE TIRES (D. Ure)
Read the first time by short title and referred to the Rules Committee. . . . . . . . . 131
Assigned to standing committee .................................................. 292
Amendments ............................................................................... 380
Read the second time ................................................................. 381
Read the third time ......................................................................... 626
Transmitted to the Senate .............................................................. 626
Signed by the Speaker and transmitted to the Governor ................. 999

H.B. 231 — SCHOOL DISTRICT BOUNDARIES (M. Noel)
Read the first time by short title and referred to the Rules Committee. . . . . . . . . 131
Assigned to standing committee .................................................. 235
Read the second time ................................................................. 385
Read the third time ......................................................................... 658
Transmitted to the Senate .............................................................. 659
Enacting Clause Stricken ................................................................. 1109

H.B. 232 — UTAH BASIC SKILLS COMPETENCY TEST ALTERNATIVES (P. Ray)
Read the first time by short title and referred to the Rules Committee. . . . . . . . . 131
Substituted ................................................................................. 576
1st Sub. H.B. 232 — UTAH BASIC SKILLS COMPETENCY TEST ALTERNATIVES (P. Ray)

Assigned to standing committee ................................................. 576
Amendments ............................................................................ 777
Read the second time ............................................................... 778, 821
Returned to Rules Committee .................................................. 778, 962
Enacting Clause Stricken .......................................................... 1113

H.B. 233 — ADOPTION LAW REVISIONS (R. McGee)

Read the first time by short title and referred to the Rules Committee. ...... 131
Assigned to standing committee ............................................... 363
Amendments ............................................................................ 513
Read the second time ............................................................... 514
Read the third time ..................................................................... 635
Transmitted to the Senate .......................................................... 635
Signed by the Speaker and transmitted to the Governor .................... 1107

H.B. 234 — TELEPHONE SURCHARGE FOR EDUCATION AND TRAINING PROGRAMS AT PRISON (B. Goodfellow)

Read the first time by short title and referred to the Rules Committee. ...... 131
Assigned to standing committee ............................................... 251
Amendments ............................................................................ 339
Read the second time ............................................................... 340
Read the third time ..................................................................... 598
Transmitted to the Senate .......................................................... 599

1st Sub. H.B. 234 — TELEPHONE SURCHARGE FOR EDUCATION AND TRAINING PROGRAMS AT PRISON (B. Goodfellow)

Placed on Concurrence Calendar .................................................. 875
Other Action ............................................................................. 936
Concurrence ............................................................................ 938
Signed by the Speaker and transmitted to the Governor .................... 985

H.B. 235 — INSURANCE AMENDMENTS (S. Urquhart)

Read the first time by short title and referred to the Rules Committee. ...... 131
Assigned to standing committee ............................................... 189
Substituted .............................................................................. 341

1st Sub. H.B. 235 — INSURANCE ARBITRATION AMENDMENTS (S. Urquhart)

Amendments ............................................................................ 341
Read the second time .................................................................. 344
Read the third time ..................................................................... 602
Circled ......................................................................................... 602
Uncircled ................................................................................... 642
Amendments ............................................................................ 642
Transmitted to the Senate .......................................................... 644
Signed by the Speaker and transmitted to the Governor .................... 1107
H.B. 236 — HEALTH INSURANCE LAW AMENDMENTS (J. Dunnigan)
Read the first time by short title and referred to the Rules Committee. .......... 131
Assigned to standing committee .................................................. 235
Amendments ................................................................. 296
Read the second time .......................................................... 298
Read the third time .......................................................... 519
Amendments ................................................................. 519
Transmitted to the Senate ......................................................... 520
Signed by the Speaker and transmitted to the Governor ................. 930

H.B. 237 — STATE BENEFIT PROVIDER REVISIONS (P. Ray)
Read the first time by short title and referred to the Rules Committee. .......... 163
Enacting Clause Stricken ......................................................... 1114

H.B. 238 — UTAH TECHNOLOGY COMMISSION MEMBERSHIP (J. Dougall)
Read the first time by short title and referred to the Rules Committee. .......... 177
Assigned to standing committee .................................................. 236
Amendments ................................................................. 296
Read the second time .......................................................... 296
Read the third time .......................................................... 518
Transmitted to the Senate ......................................................... 518
Enacting Clause Stricken ......................................................... 1109

H.B. 239 — REPEAL OF EXEMPTION FROM NONRESIDENT TUITION (G. Donnelson)
Read the first time by short title and referred to the Rules Committee. .......... 198
Assigned to standing committee .................................................. 329
Substituted ............................................................................ 697
Returned to Rules Committee .................................................. 444, 778

1st Sub. H.B. 239 — HIGHER EDUCATION TUITION AND RESIDENCY LEGISLATIVE TASK
FORCE (G. Donnelson)
Read the first time by short title and referred to Rules Committee .............. 697
Assigned to standing committee .................................................. 697
Read the second time .......................................................... 778, 821
Returned to Rules Committee .................................................. 778, 962
Enacting Clause Stricken ......................................................... 1114

H.B. 240 — DISASTER LOAN PROGRAM (R. Bigelow)
Read the first time by short title and referred to the Rules Committee. .......... 198
Read the second time .......................................................... 204
Time Certain ................................................................. 204
Read the third time .......................................................... 226
Amendments ................................................................. 226
Transmitted to the Senate ......................................................... 228
Signed by the Speaker and transmitted to the Governor ................. 238
<table>
<thead>
<tr>
<th>House Bill</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>H.B. 241</td>
<td>VETERANS NURSING HOME (D. G. Buxton)</td>
</tr>
<tr>
<td>H.B. 242</td>
<td>CRIMINAL PENALTY FOR ANIMAL CRUELTY (S. Wyatt)</td>
</tr>
<tr>
<td>H.B. 243</td>
<td>REPEAL OF GERIATRIC CARE MANAGER (R. Lockhart)</td>
</tr>
<tr>
<td>H.B. 244</td>
<td>TRANSFER OF PRESCRIPTIONS (N. Hansen)</td>
</tr>
<tr>
<td>H.B. 245</td>
<td>COMPENSATION OF CONSTITUTIONAL OFFICERS – BENEFITS AND INSURANCE (M. Noel)</td>
</tr>
</tbody>
</table>
H.B. 246 — WASTE FEES AMENDMENTS (S. Urquhart)
Read the first time by short title and referred to the Rules Committee. 216
Assigned to standing committee 396
Amendments 451
Read the second time 454, 669
Returned to Rules Committee 668
Read the third time 683
Amendments 683
Circled 683, 771
Uncircled 754, 818
Amendments 754
Transmitted to the Senate 756, 820
Reconsideration 769
Amendments 770, 818
Failed 986
Enacting Clause Stricken 1114

H.B. 247 — CREDIT OR REFUND FOR TAX PAID ON CIGARETTE OR TOBACCO PRODUCT DESTROYED OR RETURNED TO THE MANUFACTURER (E. Hutchings)
Read the first time by short title and referred to the Rules Committee. 216
Assigned to standing committee 363
Substituted 444
Amendments 444
Read the second time 445, 733
Returned to Rules Committee 668
Read the third time 808
Transmitted to the Senate 809
Signed by the Speaker and transmitted to the Governor 994

1st Sub. H.B. 247 — CREDIT OR REFUND FOR TAX PAID ON CIGARETTE OR TOBACCO PRODUCT DESTROYED OR RETURNED TO THE MANUFACTURER (E. Hutchings)
Amendments 444
Read the second time 445, 733
Returned to Rules Committee 668
Read the third time 808
Transmitted to the Senate 809
Signed by the Speaker and transmitted to the Governor 994

H.B. 248 — CHILD SUPPORT OBLIGATIONS (E. Hutchings)
Read the first time by short title and referred to the Rules Committee. 216
Assigned to standing committee 329
Amendments 411
Read the second time 412
Read the third time 662
Circled 662
Uncircled 663
Amendments 663
Failed 664
Enacting Clause Stricken 1114
H.B. 249 — CARSON SMITH SPECIAL NEEDS SCHOLARSHIPS (M. Newbold)
Read the first time by short title and referred to the Rules Committee.  . . . . 216
Assigned to standing committee .................................................. 423
Amendments ................................................................. 560, 593
Read the second time ............................................................ 562, 595, 669
Returned to Rules Committee .................................................. 668
Read the third time .............................................................. 679
Amendments ................................................................. 679
Transmitted to the Senate ...................................................... 682
Signed by the Speaker and transmitted to the Governor ................. 875

H.B. 250 — CAPITOL COMPLEX SPACE (J. Alexander)
Read the first time by short title and referred to the Rules Committee.  . . . . 216
Assigned to standing committee .................................................. 292
Read the second time .............................................................. 355
Read the third time .............................................................. 602
Transmitted to the Senate ...................................................... 603
Signed by the Speaker and transmitted to the Governor ................. 994

H.B. 251 — AMENDMENTS RELATED TO PUBLIC UTILITIES (A. Tilton)
Read the first time by short title and referred to the Rules Committee.  . . . . 216
Enacting Clause Stricken .......................................................... 1114

H.B. 252 — MARRIAGE PREPARATION EDUCATION (R. McGee)
Read the first time by short title and referred to the Rules Committee.  . . . . 216
Assigned to standing committee .................................................. 510
Amendments ................................................................. 542
Read the second time .............................................................. 543, 821
Returned to Rules Committee .................................................. 668, 962
Enacting Clause Stricken .......................................................... 1114

H.B. 253 — TAX AMENDMENTS (W. Harper)
Read the first time by short title and referred to the Rules Committee.  . . . . 216
Enacting Clause Stricken .......................................................... 1114

H.B. 254 — TAX CREDIT FOR TUITION (S. Mascaro)
Read the first time by short title and referred to the Rules Committee.  . . . . 216
Enacting Clause Stricken .......................................................... 1114
H.B. 255 — INVESTMENT OF HIGHER EDUCATION INSTITUTION ENDOWMENT FUNDS
(D. Clark)
Read the first time by short title and referred to the Rules Committee. .......... 216
Assigned to standing committee .................................................. 363
Amendments ........................................................................... 527
Read the second time ................................................................. 530, 699
Returned to Rules Committee ..................................................... 668
Read the third time ................................................................. 744
Transmitted to the Senate ......................................................... 745
Signed by the Speaker and transmitted to the Governor ................. 994

H.B. 256 — LOCAL GOVERNMENT ACQUISITION OF REAL PROPERTY (A. Hardy)
Read the first time by short title and referred to the Rules Committee. .......... 216
Assigned to standing committee .................................................. 363
Amendments ........................................................................... 619
Read the second time ................................................................. 620, 699
Returned to Rules Committee ..................................................... 668
Read the third time ................................................................. 731
Circled .......................................................... 731, 848
Uncircled ................................................................. 848, 855
Substituted .............................................................................. 855

2nd Sub. H.B. 256 — LOCAL GOVERNMENT AUTHORITY (A. Hardy)
Transmitted to the Senate ......................................................... 856
Placed on Concurrence Calendar .................................................. 1006
Concurrence ............................................................................. 1017
Signed by the Speaker and transmitted to the Governor ................. 1038

H.B. 257 — TRANSPORTATION GENERAL OBLIGATION BONDS AUTHORIZATION
(S. Urquhart)
Read the first time by short title and referred to the Rules Committee. .......... 216
Enacting Clause Stricken ........................................................... 1114

H.B. 258 — INDIVIDUAL INCOME TAX CREDIT FOR EMPLOYMENT–RELATED EXPENSES
(D. Litvack)
Read the first time by short title and referred to the Rules Committee. .......... 216
Assigned to standing committee .................................................. 314
Returned to Rules Committee ..................................................... 800
Enacting Clause Stricken ........................................................... 1114
H.B. 259 — ADOPTION AMENDMENTS (A. Hardy)
Read the first time by short title and referred to the Rules Committee. 216
Assigned to standing committee 329
Read the second time 543, 669
Returned to Rules Committee 668
Read the third time 705
Amendments 705
Transmitted to the Senate 707
Placed on Concurrence Calendar 1076
Concurrence 1084
Signed by the Speaker and transmitted to the Governor 1107

H.B. 260 — AMENDMENTS RELATED TO PORNOGRAPHIC AND HARMFUL MATERIALS
(J. Dougall)
Read the first time by short title and referred to the Rules Committee. 217
Assigned to standing committee 698
Substituted 722

1st Sub. H.B. 260 — AMENDMENTS RELATED TO PORNOGRAPHIC AND HARMFUL MATERIALS (J. Dougall)
Read the second time 722, 732
Returned to the Rules Committee 722
Read the third time 786
Circled 786
Uncircled 815
Substituted 815

2nd Sub. H.B. 260 — AMENDMENTS RELATED TO PORNOGRAPHIC AND HARMFUL MATERIALS (J. Dougall)
Transmitted to the Senate 816

3rd Sub. H.B. 260 — AMENDMENTS RELATED TO PORNOGRAPHIC AND HARMFUL MATERIALS (J. Dougall)
Placed on Concurrence Calendar 1076
Concurrence 1085
Signed by the Speaker and transmitted to the Governor 1107

H.B. 261 — MOTORBOAT LIABILITY INSURANCE AND UNINSURED MOTORIST AND
MOTORBOAT IDENTIFICATION DATABASE PROGRAM AMENDMENTS
(K. Gibson)
Read the first time by short title and referred to the Rules Committee. 217
Assigned to standing committee 364
Substituted 649
1st Sub. H.B. 261 — MOTORBOAT LIABILITY INSURANCE AMENDMENTS (K. Gibson)

Amendments ............................................................... 649
Read the first time by short title and referred to Rules Committee ............ 650
Read the second time .................................................. 650, 698
Returned to Rules Committee ....................................... 668
Read the third time ..................................................... 729
Amendments ............................................................... 729
Transmitted to the Senate .............................................. 730
Enacting Clause Stricken ............................................. 1109

H.B. 262 — LICENSURE OF ATHLETIC TRAINERS (P. Ray)

Read the first time by short title and referred to the Rules Committee. ....... 217
Assigned to standing committee ...................................... 577
Amendments ............................................................... 687
Read the second time .................................................. 689, 821
Returned to Rules Committee ....................................... 689, 962
Enacting Clause Stricken ............................................. 1114

H.B. 263 — INSURERS REHABILITATION AND LIQUIDATION (J. Dougall)

Read the first time by short title and referred to the Rules Committee. ....... 217
Assigned to standing committee ...................................... 313
Amendments ............................................................... 382
Read the second time .................................................. 383, 669
Returned to Rules Committee ....................................... 668
Read the third time ..................................................... 640, 676
Circled ................................................................. 640, 676, 915
Uncircled ................................................................. 915, 916
Substituted ............................................................... 916

3rd Sub. H.B. 263 — INSURERS REHABILITATION AND LIQUIDATION (J. Dougall)

Transmitted to the Senate .............................................. 917
Enacting Clause Stricken ............................................. 1109

H.B. 264 — STATE LAND USE MANAGEMENT PLANS AMENDMENTS (M. Noel)

Read the first time by short title and referred to the Rules Committee. ....... 217
Assigned to standing committee ...................................... 423
Amendments ............................................................... 589
Read the second time .................................................. 593, 699
Returned to Rules Committee ....................................... 668
Read the third time ..................................................... 756
Substituted ............................................................... 756

1st Sub. H.B. 264 — STATE LAND USE MANAGEMENT PLANS AMENDMENTS (M. Noel)

Circled ................................................................. 756
Uncircled ................................................................. 816
Substituted ............................................................... 817
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Title</th>
<th>Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>2nd Sub. H.B. 264</td>
<td><strong>STATE LAND USE MANAGEMENT PLANS AMENDMENTS (M. Noel)</strong></td>
<td>Amendments 817, Transmitted to the Senate 818, Signed by the Speaker and transmitted to the Governor 994</td>
</tr>
<tr>
<td>H.B. 265</td>
<td><strong>RESTRICTIONS ON RIDERS IN THE BACK OF OPEN VEHICLE (C. Buttars)</strong></td>
<td>Read the first time by short title and referred to the Rules Committee 217, Enacting Clause Stricken 1114</td>
</tr>
<tr>
<td>H.B. 266</td>
<td><strong>CHANGES TO QUALITY GROWTH COMMISSION (C. Buttars)</strong></td>
<td>Read the first time by short title and referred to the Rules Committee 217, Assigned to standing committee 423, Amendments 486, Read the second time 489, 669, Returned to Rules Committee 668, Read the third time 690, Transmitted to the Senate 691, Signed by the Speaker and transmitted to the Governor 999</td>
</tr>
<tr>
<td>H.B. 267</td>
<td><strong>ELECTION DAY VOTER REGISTRATION (N. Hansen)</strong></td>
<td>Read the first time by short title and referred to the Rules Committee 217, Assigned to standing committee 510, Returned to Rules Committee 803, Enacting Clause Stricken 1114</td>
</tr>
<tr>
<td>H.B. 268</td>
<td><strong>DRUG UTILIZATION REVIEW COMMITTEE AMENDMENTS (R. Lockhart)</strong></td>
<td>Read the first time by short title and referred to the Rules Committee 217, Assigned to standing committee 577, Read the second time 672, 733, Returned to Rules Committee 672, Read the third time 842, Transmitted to the Senate 843, Signed by the Speaker and transmitted to the Governor 1107</td>
</tr>
<tr>
<td>H.B. 269</td>
<td><strong>SALES MARKETING REQUIREMENTS (M. Noel)</strong></td>
<td>Read the first time by short title and referred to the Rules Committee 217, Assigned to standing committee 313, Read the second time 383, Read the third time 640, Amendments 640, Transmitted to the Senate 642</td>
</tr>
<tr>
<td>1st Sub. H.B. 269</td>
<td><strong>SALES MARKETING REQUIREMENTS (M. Noel)</strong></td>
<td>Failed in Senate 1107, Enacting Clause Stricken 1114</td>
</tr>
</tbody>
</table>
H.B. 270 — TEMPORARY ROAD CLOSURES (M. Noel)
Read the first time by short title and referred to the Rules Committee. . . . . . . . . . . . . . 217
Assigned to standing committee ................................................................. 292
Amendments ......................................................................................... 340
Read the second time ........................................................................ 340
Read the third time ............................................................................. 599
Transmitted to the Senate ................................................................. 600
Enacting Clause Stricken ............................................................... 1109

H.B. 271 — COMMITMENT TO MENTAL HEALTH AUTHORITY (M. Noel)
Read the first time by short title and referred to the Rules Committee. . . . . . . . . . . . . . 217
Assigned to standing committee ................................................................. 667
Substituted ............................................................................................. 799
1st Sub. H.B. 271 — COMMITMENT TO MENTAL HEALTH AUTHORITY (M. Noel)
Returned to Rules Committee ......................................................... 799
Enacting Clause Stricken ............................................................... 1114

H.B. 272 — PATIENT ACCESS TO PROVIDERS AND CONTRACTING AMENDMENTS
(R. Lockhart)
Read the first time by short title and referred to the Rules Committee. . . . . . . . . . . . . . 217
Assigned to standing committee ................................................................. 630
Amendments ......................................................................................... 630
Read the second time ........................................................................ 719, 821
Returned to Rules Committee ......................................................... 719
Read the third time ............................................................................. 909
Amendments ............................................................................................. 909
Transmitted to the Senate ................................................................. 911
Enacting Clause Stricken ............................................................... 1109

H.B. 273 — REAL ESTATE AND MECHANICS LIENS – SECURITY ALTERNATIVES
(M. Morley)
Read the first time by short title and referred to the Rules Committee. . . . . . . . . . . . . . 217
Assigned to standing committee ................................................................. 459
Read the second time ........................................................................ 530
Read the third time ............................................................................. 636
Transmitted to the Senate ................................................................. 637
Signed by the Speaker and transmitted to the Governor ....................... 1006
H.B. 274 — REFERENDUM PROCEDURE (D. Hogue)
Read the first time by short title and referred to the Rules Committee. ....... 218
Assigned to standing committee ................................................. 423
Amendments ................................................................. 487
Read the second time ............................................................ 489, 820
Returned to Rules Committee .................................................. 668, 962
Read the third time ............................................................... 860
Circled ............................................................................... 860
Enacting Clause Stricken ......................................................... 1114

H.B. 275 — BUSINESS ENTITY AMENDMENTS (R. Romero)
Read the first time by short title and referred to the Rules Committee. ....... 218
Assigned to standing committee ................................................. 577
Read the second time ............................................................ 649, 669
Returned to Rules Committee .................................................. 668
Read the third time ............................................................... 722
Amendments ........................................................................ 722
Transmitted to the Senate ......................................................... 723
Placed on Concurrence Calendar .............................................. 999
Concurrence ..................................................................... 1016
Signed by the Speaker and transmitted to the Governor ................. 1038

H.B. 276 — DIVISION OF CRIMINAL INVESTIGATION AND TECHNICAL SERVICES AMENDMENTS (C. Oda)
Read the first time by short title and referred to the Rules Committee. ....... 218
Assigned to standing committee ................................................. 329
Read the second time ............................................................ 448
Read the third time ............................................................... 544
Transmitted to the Senate ......................................................... 544
Amendments ........................................................................ 1090
Placed on Concurrence Calendar .............................................. 1099
Concurrence ..................................................................... 1100
Signed by the Speaker and transmitted to the Governor ................. 1107

H.B. 277 — REVISIONS TO THE UTAH CREDIT UNION ACT (L. Christensen)
Read the first time by short title and referred to the Rules Committee. ....... 218
Assigned to standing committee ................................................. 697
Returned to Rules Committee .................................................. 731, 795
Returned to standing committee .............................................. 733
Enacting Clause Stricken ......................................................... 1114

H.B. 278 — TERMINATION OF PARENTAL RIGHTS FOR MURDER OR ATTEMPTED MURDER (J. Biskupski)
Read the first time by short title and referred to the Rules Committee. ....... 218
Enacting Clause Stricken ......................................................... 1114
H.B. 279 — CLINICAL COUNSELOR – TITLE CHANGE (L. Fowlke)

Read the first time by short title and referred to the Rules Committee. .... 218
Assigned to standing committee ........................................... 291
Read the second time ......................................................... 339
Read the third time ........................................................... 431
Transmitted to the Senate ..................................................... 432
Signed by the Speaker and transmitted to the Governor ................. 685

H.B. 280 — JOINT CUSTODY AMENDMENTS (L. Christensen)

Read the first time by short title and referred to the Rules Committee. .... 218
Assigned to standing committee ........................................... 363
Read the second time ......................................................... 427 , 698
Returned to Rules Committee ............................................... 668
Read the third time ........................................................... 728
Amendments ................................................................. 728
Transmitted to the Senate ................................................... 729
Placed on Concurrence Calendar ........................................... 946
Concurrence ................................................................. 1011
Intent Language ............................................................. 1012
Signed by the Speaker and transmitted to the Governor ................. 1034

H.B. 281 — TASK FORCE ON LEGISLATIVE REFORMS (N. Hansen)

Read the first time by short title and referred to the Rules Committee. .... 218
Assigned to standing committee ........................................... 313
Read the second time ......................................................... 356
Read the third time ........................................................... 621
Amendments ................................................................. 621
Failed ................................................................. 621
Enacting Clause Stricken .................................................... 1114

H.B. 282 — STATE EMPLOYEE ETHICS AMENDMENTS (J. Dougall)

Read the first time by short title and referred to the Rules Committee. .... 218
Assigned to standing committee ........................................... 423
Substituted ................................................................. 533

1st Sub. H.B. 282 — STATE EMPLOYEE ETHICS AMENDMENTS (J. Dougall)

Amendments ................................................................. 533
Read the second time ......................................................... 533
Returned to Rules Committee ............................................... 668
Enacting Clause Stricken .................................................... 1114
<table>
<thead>
<tr>
<th>Bill</th>
<th>Description</th>
<th>Read First Time</th>
<th>Referred To Committee</th>
<th>Assigned To Committee</th>
<th>Read Second Time</th>
<th>Read Third Time</th>
<th>Transmitted To Senate</th>
<th>Signed By Speaker And Governor</th>
</tr>
</thead>
<tbody>
<tr>
<td>H.B. 283</td>
<td>REAL ESTATE AMENDMENTS (G. Snow)</td>
<td>218</td>
<td>313</td>
<td>464</td>
<td>465</td>
<td>749</td>
<td></td>
<td></td>
</tr>
<tr>
<td>H.B. 284</td>
<td>RESTRUCTURE OF STATE UTILITY REGULATORY ENTITIES (A. Tilton)</td>
<td>218</td>
<td>1114</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>H.B. 285</td>
<td>CERTIFIED MEDICATION AIDE (R. Lockhart)</td>
<td>218</td>
<td>1114</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>H.B. 285</td>
<td>NURSE PRACTICE ACT AMENDMENTS (R. Lockhart) (Title Change)</td>
<td></td>
<td>1114</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>H.B. 286</td>
<td>USE OF PUBLIC EDUCATION MONIES (P. Jones)</td>
<td>218</td>
<td>1114</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>H.B. 287</td>
<td>REVENUE BONDS AND CAPITAL FACILITIES AUTHORIZATIONS (D. G. Buxton)</td>
<td>218</td>
<td>669</td>
<td>676</td>
<td>676</td>
<td>677</td>
<td>678</td>
<td>875</td>
</tr>
<tr>
<td>H.B. 288</td>
<td>EXECUTIVE COMPENSATION AMENDMENTS (J. Alexander)</td>
<td>219</td>
<td>949</td>
<td>951</td>
<td>951</td>
<td>961</td>
<td>962</td>
<td>1046</td>
</tr>
</tbody>
</table>
H.B. 289 — AUTHORITY FOR DESIGN BUILD CONSTRUCTION FOR POLITICAL SUBDIVISIONS (M. Morley)
Read the first time by short title and referred to the Rules Committee. .......... 219

H.B. 289 — AUTHORITY FOR DESIGN-BUILD CONSTRUCTION (M. Morley) (Title Change)
Assigned to standing committee ........................................... 510
Returned to Rules Committee ............................................. 795
Enacting Clause Stricken .................................................. 1114

H.B. 290 — RESTRICTIONS ON GIFTS (J. Ferrin)
Read the first time by short title and referred to the Rules Committee. ...... 219
Enacting Clause Stricken .................................................... 1114

H.B. 291 — CAPITOL PRESERVATION BOARD MODIFICATIONS (J. Alexander)
Read the first time by short title and referred to the Rules Committee. ...... 219
Assigned to standing committee ........................................... 313
Read the second time .......................................................... 356, 732
Returned to Rules Committee ............................................. 668
Read the third time ........................................................... 622, 790
Circled .............................................................................. 622, 790
Uncircled ........................................................................... 907
Substituted ......................................................................... 907

1st Sub. H.B. 291 — CAPITOL PRESERVATION BOARD MODIFICATIONS (J. Alexander)
Transmitted to the Senate ...................................................... 908
Enacting Clause Stricken .................................................... 1109

H.B. 292 — COMMISSION ON RACIAL AND ETHNIC FAIRNESS (D. Bourdeaux)
Read the first time by short title and referred to the Rules Committee. ...... 219
Assigned to standing committee ........................................... 631
Amendments ........................................................................ 701
Read the second time .......................................................... 702, 733
Returned to Rules Committee ............................................. 702
Read the third time ........................................................... 806
Amendments ........................................................................ 806
Transmitted to the Senate ...................................................... 807
Enacting Clause Stricken .................................................... 1109

H.B. 293 — MATERIALS HARMFUL TO MINORS (D. Hogue)
Read the first time by short title and referred to the Rules Committee. ...... 219
Enacting Clause Stricken .................................................... 1114

H.B. 294 — REGULATION OF ASSISTED LIVING FACILITY AMENDMENTS (R. Lockhart)
Read the first time by short title and referred to the Rules Committee. ...... 219
Enacting Clause Stricken .................................................... 1114
H.B. 295 — DEFERRED DEPOSIT LENDING REVISIONS (L. Fowlke)
Read the first time by short title and referred to the Rules Committee. .... 219
Enacting Clause Stricken ........................................... 1114

H.B. 296 — CONDOMINIUM OWNERSHIP ACT AMENDMENTS (C. Moss)
Read the first time by short title and referred to the Rules Committee. .... 219
Assigned to standing committee ..................................... 630
Read the second time ................................................. 777, 820
Returned to Rules Committee ........................................ 777
Read the third time ...................................................... 843
Amendments .................................................................. 843
Failed ........................................................................... 844
Enacting Clause Stricken .............................................. 1114

H.B. 297 — AGGRAVATED MURDER AMENDMENTS (S. Wyatt)
Read the first time by short title and referred to the Rules Committee. .... 219
Assigned to standing committee ..................................... 510
Read the second time ................................................. 543, 669
Returned to Rules Committee ........................................ 668
Read the third time ...................................................... 705
Transmitted to the Senate ............................................. 705
Signed by the Speaker and transmitted to the Governor ................. 994

H.B. 298 — FOSTER PLACEMENTS (N. Hansen)
Read the first time by short title and referred to the Rules Committee. .... 219
Enacting Clause Stricken .............................................. 1115

H.B. 299 — MOTOR VEHICLE BUSINESS LICENSING AMENDMENTS (P. Ray)
Read the first time by short title and referred to the Rules Committee. .... 219
Assigned to standing committee ..................................... 396
Amendments .................................................................. 448
Read the second time ..................................................... 449, 732
Returned to Rules Committee ........................................ 668
Read the third time ...................................................... 790
Amendments .................................................................. 791
Transmitted to the Senate ............................................. 791
Signed by the Speaker and transmitted to the Governor ................. 1034

H.B. 300 — HEALTH CARE SAVINGS ACCOUNT ACT (M. Dayton)
Read the first time by short title and referred to the Rules Committee. .... 219
Enacting Clause Stricken .............................................. 1115
H.B. 301 — SUPPLEMENTAL APPROPRIATIONS III (R. Bigelow)
Read the first time by short title and referred to the Rules Committee. 219
Read the second time 856
Read the third time 856
Amendments 856
Transmitted to the Senate 859
Concurrence 908
Signed by the Speaker and transmitted to the Governor 947
Recalled 987
Reconsideration 987
Circled 1042
Uncircled 1042
Transmitted to the Senate 1042
Signed by the Speaker and transmitted to the Governor 1065, 1107

H.B. 302 — REGULATION OF CONSTRUCTION INDUSTRY (J. S. Adams)
Read the first time by short title and referred to the Rules Committee. 220
Assigned to standing committee 459
Substituted 563

1st Sub. H.B. 302 — REGULATION OF CONSTRUCTION INDUSTRY (J. S. Adams)
Read the second time 564, 669
Returned to Rules Committee 668, 962
Read the third time 707
Circled 707
Enacting Clause Stricken 1115

H.B. 303 — CRIME OF CHILD ENDANGERMENT (E. Hutchings)
Read the first time by short title and referred to the Rules Committee. 220

H.B. 303 — SHELTER HEARING AMENDMENTS (E. Hutchings) (Title Change)
Read the first time by short title and referred to the Rules Committee. 462
Assigned to standing committee 510
Read the second time 563, 699
Returned to Rules Committee 668
Read the third time 754
Transmitted to the Senate 754
Enacting Clause Stricken 1109

H.B. 304 — PREMIUM ASSISTANCE PROGRAM FOR COVERED−AT−WORK (K. Holdaway)
Read the first time by short title and referred to the Rules Committee. 220
Assigned to standing committee 577
Substituted 720
Amendments 720
1st Sub. H.B. 304 — PREMIUM ASSISTANCE PROGRAM FOR COVERED—AT—WORK
(K. Holdaway)
Read the second time ................................. 721, 821
Returned to Rules Committee ....................... 721, 962
Enacting Clause Stricken ........................... 1115

H.B. 305 — COLLECTION PRACTICES AMENDMENTS (D. Bourdeaux)
Read the first time by short title and referred to the Rules Committee. ........... 220
Enacting Clause Stricken ........................... 1115

H.B. 306 — AMENDMENT REGARDING CONTROLLED SUBSTANCES (C. Oda)
Read the first time by short title and referred to the Rules Committee. .......... 220
Assigned to standing committee .................. 423
Amendments ........................................... 492
Read the second time ................................. 494, 669
Returned to Rules Committee ...................... 668
Read the third time .................................. 693
Transmitted to the Senate ............................ 694
Enacting Clause Stricken ........................... 1109

H.B. 307 — REDEVELOPMENT AGENCY CHANGES (J. Dougall)
Read the first time by short title and referred to the Rules Committee. .......... 220
Assigned to standing committee .................. 577
Read the second time ................................. 686, 699
Returned to Rules Committee ...................... 686, 962
Read the third time .................................. 743
Circled .................................................. 743
Enacting Clause Stricken ........................... 1115

H.B. 308 — ARCHEOLOGICAL RESOURCES AMENDMENTS (B. Johnson)
Read the first time by short title and referred to the Rules Committee. .......... 220
Assigned to standing committee .................. 510
Substituted ............................................ 649

1st Sub. H.B. 308 — ARCHEOLOGICAL RESOURCES AMENDMENTS (B. Johnson)
Read the second time ................................. 649, 669
Returned to Rules Committee ...................... 669
Read the third time .................................. 723
Substituted ............................................ 723

3rd Sub. H.B. 308 — ARCHEOLOGICAL RESOURCES AMENDMENTS (B. Johnson)
Amendments ............................................ 723
Transmitted to the Senate ............................ 725
Placed on Concurrence Calendar .................. 1076
Concurrence .......................................... 1087
Signed by the Speaker and transmitted to the Governor ......................... 1107
H.B. 309 — MUNICIPAL BUDGET AMENDMENTS (M. Walker)
Read the first time by short title and referred to the Rules Committee. 220
Assigned to standing committee 631
Read the second time 686, 698
Returned to Rules Committee 686
Circled 704
Uncircled 727
Transmitted to the Senate 728, 742
Reconsideration 741
Signed by the Speaker and transmitted to the Governor 930

H.B. 310 — AGING AND ADULT SERVICES PROGRAM AMENDMENTS (E. Hutchings)
Read the first time by short title and referred to the Rules Committee. 220
Assigned to standing committee 459
Amendments 562
Read the second time 563
Returned to Rules Committee 668
Enacting Clause Stricken 1115

H.B. 311 — GENERAL GOVERNMENT AMENDMENTS (B. Dee)
Read the first time by short title and referred to the Rules Committee. 220

H.B. 311 — CONTROLLED SUBSTANCE LAW AMENDMENTS (B. Dee) (Title Change)
Read the first time by short title and referred to the Rules Committee. 462
Read the first time by short title and referred to Rules Committee 511
Assigned to standing committee 511
Read the second time 620
Read the third time 704
Transmitted to the Senate 704
Placed on Concurrence Calendar 1006
Concurrence 1018
Signed by the Speaker and transmitted to the Governor 1038

H.B. 312 — MUNICIPAL ELECTRICAL ENTITIES AMENDMENTS (A. Tilton)
Read the first time by short title and referred to the Rules Committee. 220
Assigned to standing committee 578
Returned to Rules Committee 722
Enacting Clause Stricken 1115

H.B. 313 — ECONOMIC DEVELOPMENT INITIATIVE FOR HIGHER EDUCATION
(K. Holdaway)
Read the first time by short title and referred to the Rules Committee. 220
Assigned to standing committee 632
Substituted 690
1st Sub. H.B. 313 — ECONOMIC DEVELOPMENT INITIATIVE FOR HIGHER EDUCATION
(K. Holdaway)
Read the second time ................................................. 690, 733
Returned to Rules Committee ........................................ 690
Read the third time .................................................... 823
Circled ........................................................................ 823
Uncircled ...................................................................... 848
Substituted ................................................................... 849

2nd Sub. H.B. 313 — ECONOMIC DEVELOPMENT INITIATIVE FOR HIGHER EDUCATION
(K. Holdaway)
Transmitted to the Senate .............................................. 850
Placed on Concurrence Calendar .................................... 1065
Concurrence .................................................................. 1078
Signed by the Speaker and transmitted to the Governor .......... 1107

H.B. 314 — DRIVING UNDER THE INFLUENCE REVISIONS (M. Noel)
Read the first time by short title and referred to the Rules Committee. .... 220

H.B. 314 — DRIVING WITH ANY MEASURABLE CONTROLLED SUBSTANCE IN THE
BODY REVISIONS (M. Noel) (Title Change)
Read the first time by short title and referred to the Rules Committee. .... 535
Assigned to standing committee ...................................... 668
Read the second time .................................................... 703, 732
Returned to Rules Committee .......................................... 703
Read the third time ....................................................... 805
Transmitted to the Senate ................................................. 806
Enacting Clause Stricken ............................................... 1109

H.B. 315 — DEPARTMENT OF COMMUNITY DEVELOPMENT AND ARTS RESTRUCTURE
(D. G. Buxton)
Read the first time by short title and referred to the Rules Committee. .... 220

H.B. 316 — DRIVER LICENSE REQUIREMENTS FOR ILLEGAL ALIENS (A. Tilton)
Read the first time by short title and referred to the Rules Committee. .... 221
Enacting Clause Stricken ............................................... 1115

H.B. 317 — VEHICLE IMPOUND AMENDMENTS (J. Gowans)
Read the first time by short title and referred to the Rules Committee. .... 221
Enacting Clause Stricken ............................................... 1115
H.B. 318 — EXPANSION OF GOVERNOR’S OVERSIGHT (C. Buttars)
Read the first time by short title and referred to the Rules Committee. ........ 221

H.B. 318 — COMMUNITY AND ECONOMIC DEVELOPMENT RESTRUCTURING (C. Buttars)
(Title Change)
Read the first time by short title and referred to the Rules Committee. .... 703
Assigned to standing committee ................................................. 698, 704
Amendments ................................................................. 734
Read the second time .......................................................... 735, 820
Returned to Rules Committee .................................................. 735
Read the third time .............................................................. 843
Circled ......................... 843
Uncircled ................................................................. 850
Amendments ................................................................. 850
Transmitted to the Senate ....................................................... 853
Amendments ................................................................. 1090
Placed on Concurrence Calendar ............................................. 1099
Concurrence ................................................................. 1102
Signed by the Speaker and transmitted to the Governor ................. 1107

H.B. 319 — EXPANSION OF DEPARTMENT OF ADMINISTRATIVE SERVICES OVERSIGHT
TO INCLUDE HUMAN RESOURCE MANAGEMENT (D. G. Buxton)
Read the first time by short title and referred to the Rules Committee. .... 221
Assigned to standing committee ................................................. 667
Amendments ................................................................. 689
Read the second time .......................................................... 689, 699
Returned to Rules Committee .................................................. 689
Read the third time .............................................................. 768
Transmitted to the Senate ....................................................... 769
Signed by the Speaker and transmitted to the Governor ................. 1107

H.B. 320 — UTILITY REGULATORY REFORM (J. Gowans)
Read the first time by short title and referred to the Rules Committee. .... 221
Enacting Clause Stricken ....................................................... 1115

H.B. 321 — CRIMINAL BACKGROUND CHECK AMENDMENTS (B. Last)
Read the first time by short title and referred to the Rules Committee. .... 221

H.B. 321 — BACKGROUND CHECKS FOR BOARDING SCHOOLS (B. Last) (Title Change)
Read the first time by short title and referred to the Rules Committee. .... 535
Assigned to standing committee ................................................. 667
Returned to Rules Committee .................................................. 804
Enacting Clause Stricken ....................................................... 1115

H.B. 322 — MOTOR VEHICLE REPAIRS − CONSUMER RIGHTS (T. Kiser)
Read the first time by short title and referred to the Rules Committee. .... 221
Substituted ................................................................. 731
Sub. H.B. 322 — MOTOR VEHICLE REPAIRS – CONSUMER RIGHTS (T. Kiser)
Assigned to standing committee .............................................. 731
Returned to Rules Committee .............................................. 795
Enacting Clause Stricken .................................................. 1115

H.B. 323 — ACCESS TO EMPLOYMENT DATA (J. Mathis)
Read the first time by short title and referred to the Rules Committee. ........ 221
Enacting Clause Stricken .................................................. 1115

H.B. 324 — REAL PROPERTY – REASSESSMENT AFTER A NATURAL DISASTER (B. Last)
Read the first time by short title and referred to the Rules Committee. ........ 221

H.B. 324 — TAXABLE VALUE ADJUSTMENT FOR PROPERTY DAMAGED BY A NATURAL DISASTER (B. Last) (Title Change)
Read the first time by short title and referred to the Rules Committee. ........ 462
Assigned to standing committee .............................................. 511
Amendments ............................................................. 614, 707
Read the second time ..................................................... 616, 669
Returned to Rules Committee .............................................. 668
Read the third time ......................................................... 707
Transmitted to the Senate .................................................... 708
Amendments ............................................................. 1075
Placed on Concurrence Calendar ......................................... 1076
Concurrence ............................................................. 1086
Signed by the Speaker and transmitted to the Governor ..................... 1107

H.B. 325 — OPEN ENROLLMENT AMENDMENTS (D. Bourdeaux)
Read the first time by short title and referred to the Rules Committee. ........ 221
Enacting Clause Stricken .................................................. 1115

H.B. 326 — EARLY HIGH SCHOOL GRADUATION (B. Daw)
Read the first time by short title and referred to the Rules Committee. ........ 221

H.B. 326 — HIGH SCHOOL CURRICULUM AND EARLY GRADUATION (B. Daw)
(Title Change)
Read the first time by short title and referred to the Rules Committee. ........ 535
Assigned to standing committee .............................................. 631
H.B. 326 — HIGH SCHOOL CURRICULUM (B. Daw) (Title Change)
Read the first time by short title and referred to Rules Committee .................. 805
Amendments ................................................................. 719
Read the second time ................................................. 720, 732, 805
Returned to Rules Committee ........................................ 720
Read the third time ....................................................... 805
Failed ........................................................................ 805
Circled ........................................................................ 816
Uncircled ..................................................................... 845
Reconsideration ........................................................... 845
Substituted ................................................................. 845

1st Sub. H.B. 326 — HIGH SCHOOL CURRICULUM (B. Daw)
Transmitted to the Senate .................................................. 845
Enacting Clause Stricken .................................................. 1109

H.B. 327 — DEPARTMENT OF COMMERCE – DEMOGRAPHIC DATA TRACKING
(M. Wheatley)
Read the first time by short title and referred to the Rules Committee. ......... 221
Assigned to standing committee ............................................. 698
Read the second time ...................................................... 750
Returned to Rules Committee .............................................. 750
Enacting Clause Stricken ..................................................... 1115

H.B. 328 — RURAL HEALTH CARE INFRASTRUCTURE AMENDMENTS (M. Noel)
Read the first time by short title and referred to the Rules Committee. ......... 221

H.B. 328 — RURAL HEALTH CARE INFRASTRUCTURE (M. Noel) (Title Change)
Assigned to standing committee .......................................... 732
Returned to Rules Committee .............................................. 774
Enacting Clause Stricken ..................................................... 1115

H.B. 329 — COUNTY CONTRACTED SERVICES (K. Holdaway)
Read the first time by short title and referred to the Rules Committee. ......... 221
Assigned to standing committee .......................................... 631
Returned to Rules Committee .............................................. 798
Enacting Clause Stricken ..................................................... 1115

H.B. 330 — DRIVER LICENSE QUALIFICATIONS AMENDMENTS (G. Donnelson)
Read the first time by short title and referred to the Rules Committee. ......... 222
Assigned to standing committee .......................................... 698
Returned to Rules Committee .............................................. 740
Enacting Clause Stricken ..................................................... 1115
H.B. 331 — DISASTER RELIEF PROVISIONS (D. Clark)
Read the first time by short title and referred to the Rules Committee. ....... 222
Enacting Clause Stricken .................................................. 1115

H.B. 332 — POSSESSION OF A DANGEROUS WEAPON IN A VEHICLE (M. Morley)
Read the first time by short title and referred to the Rules Committee. ....... 222
Assigned to standing committee ......................................... 698
Returned to Rules Committee ............................................. 796
Enacting Clause Stricken .................................................. 1115

H.B. 333 — OPEN SPACE DENSITY CREDIT (D. Cox)
Read the first time by short title and referred to the Rules Committee. ....... 222

H.B. 333 — DENSITY CREDIT FOR LAND DONATED TO SCHOOL DISTRICT (D. Cox)
(Title Change)
Read the first time by short title and referred to the Rules Committee. .......... 462
Assigned to standing committee ......................................... 423
Returned to Rules Committee ............................................. 620
Enacting Clause Stricken .................................................. 1115

H.B. 334 — DIVORCE EDUCATION FOR CHILDREN (R. McGee)
Read the first time by short title and referred to the Rules Committee. ....... 222

H.B. 335 — DISCONNECTING TERRITORY FROM A MUNICIPALITY (C. Frank)
Read the first time by short title and referred to the Rules Committee. ....... 222
Assigned to standing committee ......................................... 577
Substituted ................................................................. 736

1st Sub. H.B. 335 — DISCONNECTING TERRITORY FROM A MUNICIPALITY (C. Frank)
Amendments ........................................................................ 736
Read the second time .......................................................... 736, 821
Returned to Rules Committee ............................................. 736
Read the third time ............................................................ 927
Amendments ........................................................................ 927
Transmitted to the Senate .................................................... 928
Enacting Clause Stricken .................................................. 1109

H.B. 336 — VOTING REQUIREMENTS (L. Shurtliff)
Read the first time by short title and referred to the Rules Committee. ....... 222
Enacting Clause Stricken .................................................. 1115
H.B. 337 — GOLF CARTS ALLOWED ON CERTAIN HIGHWAYS (C. Moss)
  Read the first time by short title and referred to the Rules Committee. .... 222
  Assigned to standing committee ........................................... 668
  Read the second time .......................................................... 703
  Returned to Rules Committee ............................................... 703
  Enacting Clause Stricken .................................................... 1115

H.B. 338 — CHILD AND FAMILY WELFARE REVISIONS (L. Christensen)
  Read the first time by short title and referred to the Rules Committee. .... 222
  Assigned to standing committee ........................................... 510
  Substituted ................................................................. 566

1st Sub. H.B. 338 — CHILD AND FAMILY WELFARE REVISIONS (L. Christensen)
  Read the second time ........................................................ 566, 699
  Returned to Rules Committee ............................................... 668
  Read the third time .......................................................... 757
  Amendments ................................................................. 757
  Transmitted to the Senate .................................................. 760
  Placed on Concurrence Calendar .......................................... 1065
  Concurrence ................................................................. 1079
  Signed by the Speaker and transmitted to the Governor ................. 1107

H.B. 339 — SCHOOL TRUST LANDS REVISIONS (D. Clark)
  Read the first time by short title and referred to the Rules Committee. .... 222
  Enacting Clause Stricken .................................................... 1115

H.B. 340 — OFFICE OF RECOVERY SERVICES FEE (A. Tilton)
  Read the first time by short title and referred to the Rules Committee. .... 222
  Assigned to standing committee ........................................... 698
  Read the second time ........................................................ 739, 821
  Returned to Rules Committee ............................................... 739, 962
  Enacting Clause Stricken .................................................... 1115

H.B. 341 — CHILD AND FAMILY SERVICES RECORDS (S. Mascaro)
  Read the first time by short title and referred to the Rules Committee. .... 222
  Enacting Clause Stricken .................................................... 1115

H.B. 342 — CIVIL LEGAL AID FOR VICTIMS OF DOMESTIC VIOLENCE (S. Mascaro)
  Read the first time by short title and referred to the Rules Committee. .... 222
  Assigned to standing committee ........................................... 459
  Read the second time ........................................................ 494, 669
  Returned to Rules Committee ............................................... 668
  Read the third time .......................................................... 694
  Transmitted to the Senate .................................................... 695
  Enacting Clause Stricken .................................................... 1109
H.B. 343 — IMPROVING ACCESS TO PRENATAL CARE AND STRENGTHENING SELF SUFFICIENCY (M. Wheatley)
Read the first time by short title and referred to the Rules Committee. ........ 222

H.B. 343 — MEDICAID – PREGNANT WOMEN RESOURCE TEST (M. Wheatley) (Title Change)
Read the first time by short title and referred to the Rules Committee. ........ 462
Assigned to standing committee .................................................. 631
Read the second time ................................................................. 721
Returned to Rules Committee ....................................................... 721
Enacting Clause Stricken ............................................................. 1115

H.B. 344 — REGULATION OF PHLEBOTOMISTS (M. Wheatley)
Read the first time by short title and referred to the Rules Committee. ........ 222
Enacting Clause Stricken ............................................................. 1115

H.B. 345 — STATE SCHOOL BOARD AMENDMENTS (K. Morgan)
Read the first time by short title and referred to the Rules Committee. ........ 223
Enacting Clause Stricken ............................................................. 1115

H.B. 346 — SCHOOLS FOR THE DEAF AND THE BLIND SALARY ADJUSTMENTS
(K. Morgan)
Read the first time by short title and referred to the Rules Committee. ........ 223
Assigned to standing committee .................................................. 459
Read the second time ................................................................. 562
Read the third time ................................................................. 675
Transmitted to the Senate ........................................................... 676
Enacting Clause Stricken ............................................................. 1109

H.B. 347 — FAMILY IMPACT STATEMENT (C. Frank)
Read the first time by short title and referred to the Rules Committee. ........ 223
Enacting Clause Stricken ............................................................. 1115

H.B. 348 — REVISING GENERAL GOVERNMENT (J. S. Adams)
Read the first time by short title and referred to the Rules Committee. ........ 223

H.B. 348 — EMPLOYMENT AGENCY REVISIONS (J. S. Adams) (Title Change)
Read the first time by short title and referred to the Rules Committee. ........ 462
Assigned to standing committee .................................................. 459
Read the second time ................................................................. 535
Read the third time ................................................................. 639
Transmitted to the Senate ........................................................... 639
Signed by the Speaker and transmitted to the Governor ......................... 1006
H.B. 349 — MONEY MANAGEMENT ACT AMENDMENTS (D. Clark)

Read the first time by short title and referred to the Rules Committee. ........ 223
Assigned to standing committee .................................................. 363
Amendments ................................................................. 526
Read the second time ................................................................. 530
Read the third time ................................................................. 637
Transmitted to the Senate .............................................................. 638
Signed by the Speaker and transmitted to the Governor ....................... 930

H.B. 350 — STATE BUILDING ENERGY EFFICIENCY PROGRAM (F. Hunsaker)

Read the first time by short title and referred to the Rules Committee. ........ 223
Enacting Clause Stricken ............................................................ 1115

H.B. 351 — HEALTH INSURANCE DISCLOSURE REQUIREMENTS (B. Last)

Read the first time by short title and referred to the Rules Committee. ........ 223
Enacting Clause Stricken ............................................................ 1115

H.B. 352 — MANDATORY MINIMUM SENTENCING FOR CHILD MOLESTERS (C. Frank)

Read the first time by short title and referred to the Rules Committee. ........ 223
Enacting Clause Stricken ............................................................ 1116

H.B. 353 — GOVERNMENT OPERATIONS (J. Gowans)

Read the first time by short title and referred to the Rules Committee. ........ 223
Enacting Clause Stricken ............................................................ 1116

H.B. 354 — LICENSURE OF WHOLESALE DISTRIBUTORS OF PRESCRIPTION DRUGS (B. Last)

Read the first time by short title and referred to the Rules Committee. ........ 223
Assigned to standing committee .................................................. 698
Returned to Rules Committee .................................................. 774
Enacting Clause Stricken ............................................................ 1116

H.B. 355 — AMENDMENTS TO WORKERS COMPENSATION FUND (D. Ure)

Read the first time by short title and referred to the Rules Committee. ........ 223
Enacting Clause Stricken ............................................................ 1116
H.B. 356 — STATE GOVERNMENT LAW REVISIONS (D. Ure)
Read the first time by short title and referred to the Rules Committee. .......... 223

H.B. 356 — STATE GOVERNMENT LAW REVISIONS – WITHDRAWAL FROM EDUCATION COMPACT (M. Dayton) (Title Change)
Read the first time by short title and referred to the Rules Committee. .......... 462
Assigned to standing committee ................................................................. 631
Read the second time ...................................................................................... 720
Read the third time ......................................................................................... 822
Transmitted to the Senate ............................................................................... 823
Enacting Clause Stricken ............................................................................. 1109

H.B. 357 — AMENDMENTS TO INDEPENDENT ENTITIES (D. Ure)
Read the first time by short title and referred to the Rules Committee. .......... 223
Enacting Clause Stricken ............................................................................. 1116

H.B. 358 — TUITION AND BOOKS ASSISTANCE (E. Hutchings)
Read the first time by short title and referred to the Rules Committee. .......... 822
Enacting Clause Stricken ............................................................................. 1116

H.B. 359 — PROFESSIONAL LICENSING AMENDMENTS (M. Wheatley)
Read the first time by short title and referred to the Rules Committee. .......... 223
Enacting Clause Stricken ............................................................................. 1116

H.B. 360 — PROTECTIVE ORDER AMENDMENTS (E. Hutchings)
Read the first time by short title and referred to the Rules Committee. .......... 224
Enacting Clause Stricken ............................................................................. 1116

H.B. 361 — MUNICIPAL AUTHORITY TO USE COLLECTION AGENCIES (M. Walker)
Read the first time by short title and referred to the Rules Committee. .......... 224
Assigned to standing committee ................................................................. 459
Read the second time ...................................................................................... 534, 699
Returned to Rules Committee ..................................................................... 668
Read the third time ......................................................................................... 751
Amendments ................................................................................................. 751
Failed ............................................................................................................. 753
Enacting Clause Stricken ............................................................................. 1116

H.B. 362 — APPROPRIATION FOR HIGHLY QUALIFIED TEACHERS (K. Holdaway)
Read the first time by short title and referred to the Rules Committee. .......... 224
Assigned to standing committee ................................................................. 363
Read the second time ...................................................................................... 562, 732
Returned to Rules Committee ..................................................................... 668
Read the third time ......................................................................................... 791
Transmitted to the Senate ............................................................................ 792
Enacting Clause Stricken ............................................................................. 1109
H.B. 363 — TRANSPORTATION AMENDMENTS (K. Gibson)
Read the first time by short title and referred to the Rules Committee. ..........
Enacting Clause Stricken ................................................. 1116

H.B. 364 — ABUSIVE ATTORNEYS FEES (B. Last)
Read the first time by short title and referred to the Rules Committee. ..........
Enacting Clause Stricken ................................................. 1116

H.B. 365 — REVOLVING DOOR LIMITATION FOR PUBLIC OFFICIALS TO BECOME
LOBBYISTS (C. Moss)
Read the first time by short title and referred to the Rules Committee. ..........
Enacting Clause Stricken ................................................. 1116

H.B. 366 — ETHICS COMMISSION (D. Litvack)
Read the first time by short title and referred to the Rules Committee. ..........
Enacting Clause Stricken ................................................. 1116

H.B. 367 — RESTRICTIONS ON HIGH OCCUPANCY VEHICLE LANE (D. Litvack)
Read the first time by short title and referred to the Rules Committee. ..........
Assigned to standing committee ........................................ 578
Amendments ................................................................... 737
Returned to Rules Committee ........................................... 738
Enacting Clause Stricken ................................................. 1116

H.B. 368 — SPECIAL FUNCTION OFFICERS FOR DIVISION OF OCCUPATIONAL AND
PROFESSIONAL LICENSING (N. Hendrickson)
Read the first time by short title and referred to the Rules Committee. ..........
Assigned to standing committee ........................................ 330
Read the second time ....................................................... 413, 669
Returned to Rules Committee ........................................... 668
Read the third time .......................................................... 678
Failed ............................................................................. 679
Enacting Clause Stricken ................................................. 1116

H.B. 369 — LOBBYIST REGULATION (J. Ferrin)
Read the first time by short title and referred to the Rules Committee. ..........
Assigned to standing committee ........................................ 631
Amendments ................................................................... 738
Read the second time ....................................................... 739
Returned to Rules Committee ........................................... 739
Enacting Clause Stricken ................................................. 1116

H.B. 370 — CONTRIBUTION LIMITS ON GOVERNOR’S CAMPAIGN (J. Ferrin)
Read the first time by short title and referred to the Rules Committee. ..........
Enacting Clause Stricken ................................................. 1116
H.B. 371 — DESIGNATION OF NEXT OF KIN WITH DEPARTMENT OF HEALTH (J. Biskupski)
Read the first time by short title and referred to the Rules Committee. 224
Enacting Clause Stricken 1116

H.B. 372 — POWER OF ATTORNEY AMENDMENTS (M. Newbold)
Read the first time by short title and referred to the Rules Committee. 224
Enacting Clause Stricken 1116

H.B. 373 — EDUCATION TECHNOLOGY TASK FORCE (E. Hutchings)
Read the first time by short title and referred to the Rules Committee. 224
Assigned to standing committee 577
Read the second time 689, 820
Returned to Rules Committee 689
Read the third time 906
Transmitted to the Senate 907
Enacting Clause Stricken 1109

H.B. 374 — IMPLEMENTS OF HUSBANDRY PERMIT STICKERS (J. Mathis)
Read the first time by short title and referred to the Rules Committee. 225
Enacting Clause Stricken 1116

H.B. 375 — REVISIONS TO GENERAL STATE GOVERNMENT (B. King)
Read the first time by short title and referred to the Rules Committee. 225

H.B. 375 — REVISIONS TO GENERAL STATE GOVERNMENT — NOTARY LAW
AMENDMENTS (B. King) (Title Change)
Read the first time by short title and referred to the Rules Committee. 703
Assigned to standing committee 731
Amendments 776
Read the second time 777, 820
Returned to Rules Committee 777
Read the third time 904
Transmitted to the Senate 905
Enacting Clause Stricken 1109

H.B. 376 — HILL AIR FORCE MUSEUM (D. G. Buxton)
Read the first time by short title and referred to the Rules Committee. 225
Enacting Clause Stricken 1116

H.B. 377 — COUNTY OPTION FUNDING FOR BOTANICAL, CULTURAL, RECREATION,
AND ZOOLOGICAL ORGANIZATIONS OR FACILITIES (E. Hutchings)
Read the first time by short title and referred to the Rules Committee. 225
Enacting Clause Stricken 1116
H.B. 378 — 911 EMERGENCY RESPONSE AMENDMENTS (E. Hutchings)
Read the first time by short title and referred to the Rules Committee. 225
Enacting Clause Stricken 1116

H.B. 379 — YOUNG ARTIST PROVISIONS (G. Hughes)
Read the first time by short title and referred to the Rules Committee. 225
Assigned to standing committee 631
Amendments 689
Read the second time 689
Returned to Rules Committee 689
Enacting Clause Stricken 1116

H.B. 380 — AMENDMENTS TO LOCAL DISTRICTS (K. Morgan)
Read the first time by short title and referred to the Rules Committee. 225
Assigned to standing committee 577
Read the second time 686, 698
Returned to Rules Committee 686
Circled 704
Uncircled 727
Transmitted to the Senate 727, 743
Reconsideration 742
Signed by the Speaker and transmitted to the Governor 1010

H.B. 381 — NONRESIDENT TUITION WAIVERS (C. Buttars)
Read the first time by short title and referred to the Rules Committee. 726
Assigned to standing committee 731
Substituted 778
1st Sub. H.B. 381 — NONRESIDENT TUITION WAIVERS (C. Buttars)
Read the first time by short title and referred to Rules Committee 905
Read the second time 778, 820, 905
Returned to Rules Committee 778
Read the third time 861, 905
Circled 861
Uncircled 905
Transmitted to the Senate 906
Enacting Clause Stricken 1109

H.B. 382 — SUPPLEMENTAL MINIMUM SCHOOL PROGRAM FINANCE ACT (G. Snow)
Read the first time by short title and referred to the Rules Committee. 928
Read the second time 949
Read the third time 950
Amendments 950
Transmitted to the Senate 951
Placed on Concurrence Calendar 1065
Refuse to Concur 1079
Signed by the Speaker and transmitted to the Governor 1107
H.C.R. 1 — RESOLUTION PROMOTING MODERATELY SIZED SCHOOLS (D. Cox)

Read the first time by short title and referred to the Rules Committee. .......... 48
Assigned to standing committee ................................................. 64
Read the second time .............................................................. 128
Read the third time .................................................................... 244
Transmitted to the Senate ............................................................ 245
Signed by the Speaker and transmitted to the Governor ..................... 612

H.C.R. 2 — COWBOY HALL OF FAME RESOLUTION (L. Shurtliff)

Read the first time by short title and referred to the Rules Committee. .......... 48
Assigned to standing committee ................................................. 65
Read the second time .................................................................... 151
Read the third time .................................................................... 288
Transmitted to the Senate ............................................................ 288
Signed by the Speaker and transmitted to the Governor ..................... 589

H.C.R. 3 — RESOLUTION REGARDING WASHINGTON COUNTY WASTE FACILITY (B. Last)

Read the first time by short title and referred to the Rules Committee. .......... 225
Assigned to standing committee ................................................. 396
Read the second time .................................................................... 462, 732
Returned to Rules Committee ..................................................... 668
Read the third time .................................................................... 789
Transmitted to the Senate ............................................................ 789
Signed by the Speaker and transmitted to the Governor ..................... 1107

H.C.R. 4 — UTAH ATHLETIC FOUNDATION RESOLUTION (D. Ure)

Read the first time by short title and referred to the Rules Committee. .......... 48
Assigned to standing committee ................................................. 53
Read the second time .................................................................... 83
Read the third time .................................................................... 133, 248
Lifted from Consent ...................................................................... 133
Circled ....................................................................................... 249
Returned to Rules Committee ..................................................... 668
Enacting Clause Stricken ............................................................ 1116

H.C.R. 5 — RESOLUTION HONORING UTAH MILITARY SERVICE PERSONNEL (F. Hunsaker)

Read the first time by short title and referred to the Rules Committee. .......... 48
Read the second time .................................................................... 50
Read the third time .................................................................... 54
Transmitted to the Senate ............................................................ 55
Signed by the Speaker and transmitted to the Governor ..................... 58
H.C.R. 6 — RESOLUTION RECOGNIZING UTAH’S LEGISLATORS BACK TO SCHOOL PROGRAM (M. Dayton)
Read the first time by short title and referred to the Rules Committee. 48
Assigned to standing committee 52
Amendments 128
Read the second time 128
Read the third time 200
Transmitted to the Senate 200
Signed by the Speaker and transmitted to the Governor 589

H.C.R. 7 — CONCURRENT RESOLUTION OPPOSING NUCLEAR TESTING (M. Noel)
Read the first time by short title and referred to the Rules Committee. 48
Assigned to standing committee 52
Read the second time 84
Read the third time 168
Transmitted to the Senate 169
Signed by the Speaker and transmitted to the Governor 409

H.C.R. 8 — RESOLUTION RECOGNIZING UTAH MANUFACTURERS ASSOCIATION (J. Alexander)
Read the first time by short title and referred to the Rules Committee. 76
Assigned to standing committee 79
Read the second time 111
Time Certain 111
Read the third time 117
Transmitted to the Senate 118
Signed by the Speaker and transmitted to the Governor 126

H.C.R. 9 — RESOLUTION HONORING OUTGOING USU PRESIDENT KERMIT L. HALL (F. Hunsaker)
Read the first time by short title and referred to the Rules Committee. 95
Assigned to standing committee 97
Read the second time 97
Read the third time 109
Transmitted to the Senate 110
Concurrence 437
Signed by the Speaker and transmitted to the Governor 1107

H.C.R. 10 — CONCURRENT RESOLUTION HONORING WALDO WILCOX FOR PRESERVATION OF RANGE CREEK AREA (B. King)
Read the first time by short title and referred to the Rules Committee. 163
Assigned to standing committee 189
Amendments 241
Read the second time 242
Read the third time 407
Transmitted to the Senate 407
Signed by the Speaker and transmitted to the Governor 763
H.C.R. 11 — RESOLUTION HONORING THE UNIVERSITY OF UTAH FOOTBALL TEAM
   (J. Alexander)
   Read the first time by short title and referred to the Rules Committee. 225
   Read the second time 697
   Read the third time 747
   Transmitted to the Senate 748
   Signed by the Speaker and transmitted to the Governor 749

H.C.R. 12 — RESOLUTION URGING CONGRESS TO PROVIDE SUFFICIENT FUNDING OF MEDICAID (R. Bigelow)
   Read the first time by short title and referred to the Rules Committee. 225
   Enacting Clause Stricken 1116

H.C.R. 13 — CONCURRENT RESOLUTION PROMOTING UTAH SAVES STRATEGIC INITIATIVE (D. Hogue)
   Read the first time by short title and referred to the Rules Committee. 225
   Assigned to standing committee 395
   Read the second time 719, 821
   Returned to Rules Committee 719
   Read the third time 925
   Transmitted to the Senate 926
   Enacting Clause Stricken 1109

H.C.R. 14 — CONCURRENT RESOLUTION HONORING AMERICA’S MILITARY WAR DOGS (S. Mascaro)
   Read the first time by short title and referred to the Rules Committee. 399
   Assigned to standing committee 396
   Other Action 399
   Read the second time 494
   Read the third time 595
   Transmitted to the Senate 596
   Enacting Clause Stricken 1109
H.J.R. 1 — JOINT RESOLUTION RELATED TO FINANCIAL INSTITUTIONS (J. Alexander)
Read the first time by short title and referred to the Rules Committee. 48
Assigned to standing committee 51
Read the second time 67
Read the third time 105
Amendments 105
Circled 108
Uncircled 141
Amendments 141
Transmitted to the Senate 144
Signed by the Speaker and transmitted to the Governor 685

H.J.R. 2 — JOINT RULES RESOLUTION – FAMILY IMPACT STATEMENT ON LEGISLATION
(C. Frank)
Read the first time by short title and referred to the Rules Committee. 48
Enacting Clause Stricken 1116

H.J.R. 3 — RESOLUTION REGARDING FEDERAL NO CHILD LEFT BEHIND (K. Holdaway)
Read the first time by short title and referred to the Rules Committee. 49
Assigned to standing committee 123
Read the second time 299
Read the third time 520
Transmitted to the Senate 521
Signed by the Speaker and transmitted to the Governor 875

H.J.R. 4 — JOINT RULES RESOLUTION – CONFLICT OF INTEREST AMENDMENTS
(D. Ure)
Read the first time by short title and referred to the Rules Committee. 49
Enacting Clause Stricken 1116

H.J.R. 5 — RESOLUTION CLARIFYING REMOVAL PROVISIONS (D. Hogue)
Read the first time by short title and referred to the Rules Committee. 49
Assigned to standing committee 78
Substituted 426
1st Sub. H.J.R. 5 — RESOLUTION CLARIFYING REMOVAL PROVISIONS (D. Hogue)
Read the second time 427, 733
Returned to Rules Committee 668
Read the third time 823
Failed 824
Enacting Clause Stricken 1116
H.J.R. 6 — RESOLUTION APPROVING COMPENSATION OF IN-SESSION EMPLOYEES

(M. Newbold)
Read the first time by short title and referred to the Rules Committee. ........ 49
Read the second time .......................................................... 50
Read the third time ............................................................. 61
Circled ................................................................. 61
Uncircled ................................................................. 61
Amendments ................................................................. 75
Transmitted to the Senate ................................................. 75
Signed by the Speaker and transmitted to the Governor ................. 193

H.J.R. 7 — RESOLUTION AMENDING STATE AUDITOR QUALIFICATIONS (R. Romero)
Read the first time by short title and referred to the Rules Committee. ........ 49
Assigned to standing committee ........................................ 172
Read the second time .......................................................... 686
Returned to Rules Committee ............................................. 686
Enacting Clause Stricken ................................................... 1117

H.J.R. 8 — JOINT RULES RESOLUTION – USE OF LEGISLATIVE SEALS (R. Lockhart)
Read the first time by short title and referred to the Rules Committee. ........ 49
Read the second time .......................................................... 50
Read the third time ............................................................. 62
Circled ................................................................. 62
Uncircled ................................................................. 74
Transmitted to the Senate ................................................. 75
Signed by the Speaker and transmitted to the Governor ................. 193

H.J.R. 9 — RESOLUTION AMENDING JOINT RULES REGARDING CONFLICTS OF INTEREST (J. Dougall)
Read the first time by short title and referred to the Rules Committee. ........ 49
Read the second time .......................................................... 50
Read the third time ............................................................. 62
Circled ................................................................. 62, 77
Uncircled ................................................................. 77, 94
Transmitted to the Senate ................................................. 95
Signed by the Speaker and transmitted to the Governor ................. 193

H.J.R. 10 — JOINT RULES RESOLUTION – AMENDMENTS IN CONTEXT (R. Lockhart)
Read the first time by short title and referred to the Rules Committee. ........ 49
Read the second time .......................................................... 50
Read the third time ............................................................. 62
Circled ................................................................. 62
Uncircled ................................................................. 118
Transmitted to the Senate ................................................. 118
Signed by the Speaker and transmitted to the Governor ................. 193
<table>
<thead>
<tr>
<th>H.J.R. 11</th>
<th>RESOLUTION ENCOURAGING SCHOOLS TO ADOPT NUTRITION AND PHYSICAL ACTIVITY POLICIES (P. Jones)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Read the first time by short title and referred to the Rules Committee</td>
<td>101</td>
</tr>
<tr>
<td>Assigned to standing committee</td>
<td>123</td>
</tr>
<tr>
<td>Amendments</td>
<td>256</td>
</tr>
<tr>
<td>Read the second time</td>
<td>256</td>
</tr>
<tr>
<td>Read the third time</td>
<td>421</td>
</tr>
<tr>
<td>Amendments</td>
<td>421</td>
</tr>
<tr>
<td>Transmitted to the Senate</td>
<td>422</td>
</tr>
<tr>
<td>Signed by the Speaker and transmitted to the Governor</td>
<td>685</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>H.J.R. 12</th>
<th>RESOLUTION ELIMINATING PROPERTY TAX ON PERSONAL PROPERTY (J. Dougall)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Read the first time by short title and referred to the Rules Committee</td>
<td>131</td>
</tr>
<tr>
<td>Assigned to standing committee</td>
<td>172</td>
</tr>
<tr>
<td>Returned to Rules Committee</td>
<td>800</td>
</tr>
<tr>
<td>Enacting Clause Stricken</td>
<td>1117</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>H.J.R. 13</th>
<th>RESOLUTION SUPPORTING NATIONAL BEAR RIVER HERITAGE AREA ACT (C. Buttars)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Read the first time by short title and referred to the Rules Committee</td>
<td>198</td>
</tr>
<tr>
<td>Assigned to standing committee</td>
<td>235</td>
</tr>
<tr>
<td>Read the second time</td>
<td>280</td>
</tr>
<tr>
<td>Top of Third Reading Calendar</td>
<td>466</td>
</tr>
<tr>
<td>Read the third time</td>
<td>516</td>
</tr>
<tr>
<td>Transmitted to the Senate</td>
<td>517</td>
</tr>
<tr>
<td>Enacting Clause Stricken</td>
<td>1110</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>H.J.R. 14</th>
<th>RESOLUTION ESTABLISHING REDISTRICTING COMMISSION (R. McGee)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Read the first time by short title and referred to the Rules Committee</td>
<td>225</td>
</tr>
<tr>
<td>Enacting Clause Stricken</td>
<td>1117</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>H.J.R. 15</th>
<th>RESOLUTION REGARDING UNITED STATES TRADE NEGOTIATIONS (S. Allen)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Read the first time by short title and referred to the Rules Committee</td>
<td>225</td>
</tr>
<tr>
<td>Assigned to standing committee</td>
<td>313</td>
</tr>
<tr>
<td>Read the second time</td>
<td>340</td>
</tr>
<tr>
<td>Read the third time</td>
<td>432</td>
</tr>
<tr>
<td>Transmitted to the Senate</td>
<td>433</td>
</tr>
<tr>
<td>Placed on Concurrence Calendar</td>
<td>686</td>
</tr>
<tr>
<td>Concurrence</td>
<td>725</td>
</tr>
<tr>
<td>Signed by the Speaker and transmitted to the Governor</td>
<td>749</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>H.J.R. 16</th>
<th>JOINT RESOLUTION RELATED TO THE UTAH ATHLETIC FOUNDATION (D. Ure)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Read the first time by short title and referred to the Rules Committee</td>
<td>225</td>
</tr>
<tr>
<td>Enacting Clause Stricken</td>
<td>1117</td>
</tr>
</tbody>
</table>
H.J.R. 17 — RESOLUTION HONORING CELEBRATION OF MARRIAGE WEEK (L. Fowlke)
Read the first time by short title and referred to the Rules Committee. 226
Assigned to standing committee 396
Read the second time 427
Circled 466
Uncircled 467
Read the third time 467
Transmitted to the Senate 468
Placed on Concurrence Calendar 812
Concurrence 876
Signed by the Speaker and transmitted to the Governor 918

H.J.R. 18 — JOINT RESOLUTION SUPPORTING COUNTIES EXPANSION OF CORRECTIONAL FACILITIES (D. Hogue)
Read the first time by short title and referred to the Rules Committee. 226
Assigned to standing committee 667
Read the second time 736, 821
Returned to Rules Committee 736
Read the third time 926
Transmitted to the Senate 927
Enacting Clause Stricken 1110

H.J.R. 19 — JOINT RESOLUTION URGING HEALTH CARE FOR UTAH’S INDIGENT AND NEEDY UNINSURED (L. Fowlke)
Read the first time by short title and referred to the Rules Committee. 226
Assigned to standing committee 396
Read the second time 514, 669
Returned to Rules Committee 668
Read the third time 682
Transmitted to the Senate 683
Signed by the Speaker and transmitted to the Governor 1107

H.J.R. 20 — MASTER STUDY RESOLUTION (J. Alexander)
Read the first time by short title and referred to the Rules Committee. 226
Read the second time 1010
Read the third time 1041
Amendments 1041, 1061
Circled 1042
Uncircled 1062
Transmitted to the Senate 1063
Signed by the Speaker and transmitted to the Governor 1107
H.J.R. 21 — RESOLUTION HONORING JADE PUSEY (D. Ure)

Read the first time by short title and referred to the Rules Committee. .......... 300
Read the second time ......................................................... 314
Time Certain ................................................................. 314
Read the third time ......................................................... 323
Transmitted to the Senate ................................................... 324
Signed by the Speaker and transmitted to the Governor ......................... 332
H.R. 1 — HOUSE RULES RESOLUTION – LOBBYIST CODE OF ETHICS AMENDMENTS
(D. Ure)
Read the first time by short title and referred to the Rules Committee. 49
Enacting Clause Stricken 1117

H.R. 2 — RESOLUTION SUPPORTING PERMANENT REPEAL OF FEDERAL INHERITANCE TAX (M. Morley)
Read the first time by short title and referred to the Rules Committee. 49
Assigned to standing committee 65
Read the second time 115
Read the third time 231
Signed by the Speaker and transmitted to the Lt. Governor 232

H.R. 3 — RESOLUTION SUPPORTING CONGRESSIONAL PRIVATIZATION OF SOCIAL SECURITY (M. Morley)
Read the first time by short title and referred to the Rules Committee. 49
Assigned to standing committee 96
Amendments 149
Read the second time 150
Read the third time 271
Signed by the Speaker and transmitted to the Lt. Governor 272

H.R. 4 — RESOLUTION URGING UNITED STATES SENATE SUPPORT OF PRESIDENT’S SUPREME COURT NOMINEES (M. Morley)
Read the first time by short title and referred to the Rules Committee. 71
Assigned to standing committee 96
Read the second time 150
Read the third time 272
Signed by the Speaker and transmitted to the Lt. Governor 273

H.R. 5 — HOUSE RULES RESOLUTION – ORAL DECLARATION OF CONFLICT OF INTEREST (D. Ure)
Read the first time by short title and referred to the Rules Committee. 71
Amendments 80
Read the second time 81
Read the third time 139
Circled 139
Returned to Rules Committee 668
Enacting Clause Stricken 1117
H.R. 6 — HOUSE RULES RESOLUTION – ELECTRONIC VOTING BOARD (D. Ure)
Read the first time by short title and referred to the Rules Committee. ........ 71
Read the second time ............................................................ 81
Read the third time ............................................................. 139
Circled ................................................................. 139
Uncircled ............................................................... 352
Amendments ............................................................... 352
Failed ................................................................. 354
Enacting Clause Stricken .................................................. 1117

H.R. 7 — HOUSE RULES RESOLUTION – MINORITY REPORT (D. Ure)
Read the first time by short title and referred to the Rules Committee. .......... 198
Substituted ................................................................. 398

2nd Sub. H.R. 7 — HOUSE RULES RESOLUTION – COMMITTEE REPORT (D. Ure)
Amendments ............................................................... 398
Read the first time by short title and referred to Rules Committee ........... 399
Read the second time ....................................................... 399, 698
Returned to Rules Committee ........................................... 668
Read the third time .......................................................... 659, 726
Circled ................................................................. 659, 726
Uncircled ............................................................... 779
Signed by the Speaker and transmitted to the Governor ......................... 731

H.R. 8 — RESOLUTION ENCOURAGING STATE RESEARCH UNIVERSITIES TO FOCUS ON
ENHANCING STATE TRUST LANDS (E. Hutchings)
Read the first time by short title and referred to the Rules Committee. .......... 226
Enacting Clause Stricken .................................................. 1117

H.R. 9 — HOUSE RESOLUTION DISCOURAGING PARTICIPATION IN FREE TRADE AREAS
OF THE AMERICAS (G. Donnelson)
Read the first time by short title and referred to the Rules Committee. .......... 226
Assigned to standing committee ........................................... 395
Read the second time ....................................................... 530
Read the third time .......................................................... 638
Signed by the Speaker and transmitted to the Governor ......................... 639

H.R. 10 — RESOLUTION SUPPORTING PARTICIPATION OF TAIWAN IN WORLD HEALTH
ORGANIZATION (B. Last)
Read the first time by short title and referred to the Rules Committee. .......... 226
Assigned to standing committee ........................................... 396
Read the second time ....................................................... 443, 698
Returned to Rules Committee ............................................. 668
Time Certain ............................................................... 716
Read the third time .......................................................... 716
Signed by the Speaker and transmitted to the Lt. Governor ..................... 717
H.R. 11 — RESOLUTION URGING CONGRESS TO PASS BALANCED BUDGET AMENDMENT (N. Hansen)
Read the first time by short title and referred to the Rules Committee. ........ 226
Assigned to standing committee ......................................................... 577
Read the second time ........................................................................... 689, 732
Returned to Rules Committee ............................................................... 689
Read the third time .............................................................................. 804
Signed by the Speaker and transmitted to the Lt. Governor ................. 804

H.R. 12 — RESOLUTION HONORING HOLLACE (HOLLY) PARKER (K. Holdaway)
Read the first time by short title and referred to Rules Committee .......... 986
Read the second time ........................................................................... 986
Read the third time .............................................................................. 986
Signed by the Speaker and transmitted to the Governor ....................... 987
S.B. 1 — SUPPLEMENTAL APPROPRIATIONS ACT (L. Hillyard)
Read the first time by short title and referred to Rules Committee ............. 871
Read the second time ............................................................... 871
Read the third time ............................................................... 880
Circled .................................................................................. 880
Uncircled .............................................................................. 899
Amendments ........................................................................ 899
Returned to the Senate .......................................................... 903
Refuse to Recede .................................................................. 908
Conference Committee may meet .............................................. 929
Conference Committee Report ................................................. 1035
Signed by the Speaker and returned to the Senate ....................... 1046

S.B. 3 — SUPPLEMENTAL APPROPRIATIONS ACT II (L. Hillyard)
Read the first time by short title and referred to Rules Committee ............. 1064
Read the second time ............................................................... 1067
Read the third time ............................................................... 1067
Amendments ........................................................................ 1067
Returned to the Senate .......................................................... 1072
Intent Language .................................................................. 1072
Signed by the Speaker and returned to the Senate ....................... 1105

S.B. 4 — UNINSURED MOTORIST PROPERTY DAMAGE COVERAGE AMENDMENTS
(D. Eastman)
Read the first time by short title and referred to Rules Committee ............. 237
Assigned to standing committee ................................................. 250
Read the second time ............................................................... 334
Read the third time ............................................................... 429
Signed by the Speaker and returned to the Senate ....................... 430

S.B. 5 — TRAFFIC CODE RECODIFICATION AND REVISIONS (S. Killpack)
Read the first time by short title and referred to Rules Committee ............. 66
Read the second time ............................................................... 79
Read the third time ............................................................... 115
Amendments ........................................................................ 116
Circled .................................................................................. 116
Uncircled .............................................................................. 133
Returned to the Senate .......................................................... 134
Signed by the Speaker and returned to the Senate ....................... 190

S.B. 6 — SALES AND USE TAX AGRICULTURE EXEMPTIONS (R. Allen)
Read the first time by short title and referred to the Rules Committee ............. 66
Assigned to standing committee ................................................. 96
Read the second time ............................................................... 176
Read the third time ............................................................... 265
Signed by the Speaker and returned to the Senate ....................... 266
S.B. 7 — FUNDING FOR TOURISM (S. Jenkins)
Read the first time by short title and referred to Rules Committee . . . . . . . 114, 1043
Assigned to standing committee .............................................. 251
Read the second time .......................................................... 317, 1043
Referred to Rules Committee due to fiscal impact ......................... 317
Read the third time .............................................................. 1050
Returned to the Senate ......................................................... 1050
Signed by the Speaker and returned to the Senate ...................... 1105

1st Sub. S.B. 8 — LOCAL CORRIDOR PRESERVATION FUNDING (S. Killpack)
Read the first time by short title and referred to Rules Committee .......... 261
Assigned to standing committee ............................................. 274
Read the second time .......................................................... 344, 1044
Returned to Rules Committee .................................................. 668
Read the third time .............................................................. 388, 1059
Circled ................................................................. 388, 1059
Uncircled ................................................................. 1082
Amendments ........................................................................ 1082
Returned to the Senate ......................................................... 1083
Signed by the Speaker and returned to the Senate ...................... 1105

S.B. 9 — AEROSPACE AND AVIATION DEVELOPMENT ZONE MODIFICATIONS
(M. Dmitrich)
Read the first time by short title and referred to Rules Committee .......... 80
Assigned to standing committee ............................................. 96
Read the second time .......................................................... 148
Read the third time .............................................................. 228
Signed by the Speaker ........................................................... 229

1st Sub. S.B. 10 — LIABILITY REFORM ACT AMENDMENTS (G. Bell)
Read the first time by short title and referred to Rules Committee .......... 398
Assigned to standing committee ............................................. 423
Read the second time .......................................................... 494
Read the third time .............................................................. 551
Signed by the Speaker and returned to the Senate ...................... 552

S.B. 11 — INITIATIVE PETITIONS AMENDMENTS (B. Evans)
Read the first time by short title and referred to Rules Committee .......... 114
Assigned to standing committee ............................................. 124
Read the second time .......................................................... 150
Read the third time .............................................................. 181
Circled ................................................................. 181
Uncircled ................................................................. 264
Signed by the Speaker and returned to the Senate ...................... 265
S.B. 12 — DEPARTMENT OF WORKFORCE SERVICES AMENDMENTS  
(S. Jenkins)
Read the first time by short title and referred to the Rules Committee . . . . . . 66
Assigned to standing committee ............................... 96
Read the second time .................................................. 162
Read the third time ................................................... 184
Signed by the Speaker and returned to the Senate .................. 184

1st Sub. S.B. 13 — INDIVIDUAL INCOME TAX SUBTRACTION FOR CERTAIN MILITARY
INCOME AND TUITION WAIVER FOR QUALIFYING MILITARY SERVICE
MEMBERS (H. Stephenson)
Read the first time by short title and referred to Rules Committee .......... 749
Substituted .......................................................... 932

2nd Sub. S.B. 13 — INDIVIDUAL INCOME TAX SUBTRACTION FOR CERTAIN MILITARY
INCOME (H. Stephenson)
Read the first time by short title and referred to Rules Committee .......... 932
Read the second time .................................................. 932
Read the third time ................................................... 973
Amendments .......................................................... 973
Returned to the Senate ............................................... 975
Signed by the Speaker and returned to the Senate ...................... 1033

S.B. 14 — UNIFORM PARENTAGE ACT (L. Hillyard)
Read the first time by short title and referred to Rules Committee .......... 174
Assigned to standing committee .................................. 396
Amendments .......................................................... 489
Read the second time .................................................. 494
Read the third time ................................................... 552
Circled ................................................................. 553, 570
Uncircled ............................................................... 570, 572
Amendments .......................................................... 572
Returned to the Senate ............................................... 576
Signed by the Speaker and returned to the Senate ...................... 648

S.B. 15 — CHILDREN’S JUSTICE CENTER AMENDMENTS (D. C. Buttars)
Read the first time by short title and referred to Rules Committee .......... 174
Assigned to standing committee .................................. 189
Amendments .......................................................... 341
Read the second time .................................................. 344, 860
Referred to Rules Committee due to fiscal impact ....................... 344
Read the third time ................................................... 861
Amendments .......................................................... 861
Circled ................................................................. 863
Uncircled ............................................................... 865
Returned to the Senate ............................................... 866
Signed by the Speaker and returned to the Senate ...................... 929
S.B. 16 — DEPARTMENT OF WORKFORCE SERVICES – ACCESS TO FINANCIAL RECORDS (S. Jenkins)
Read the first time by short title and referred to Rules Committee .................. 114
Assigned to standing committee ......................................................... 124
Read the second time ................................................................. 162
Read the third time ................................................................. 183
Signed by the Speaker and returned to the Senate .............................. 184

S.B. 17 — FOSTER CARE CITIZEN REVIEW BOARD (D. Eastman)
Read the first time by short title and referred to the Rules Committee .......... 66
Assigned to standing committee ....................................................... 96
Read the second time ................................................................. 154
Read the third time ................................................................. 181
Circled ................................................................. 181
Uncircled ................................................................. 263
Signed by the Speaker and returned to the Senate .............................. 264

S.B. 18 — REGULATING PROPRIETARY POSTSECONDARY SCHOOLS (D. Eastman)
Read the first time by short title and referred to the Rules Committee .......... 66
Assigned to standing committee ....................................................... 95
Read the second time ................................................................. 128
Read the third time ................................................................. 163
Signed by the Speaker and returned to the Senate .............................. 164

S.B. 19 — DISEASE TESTING OF INDIVIDUALS EXPOSED TO BLOOD BORNE PATHOGENS (P. Arent)
Read the first time by short title and referred to Rules Committee .......... 525
Assigned to standing committee ....................................................... 577
Read the second time ................................................................. 721, 1009
Returned to the Rules Committee .................................................... 722
Read the third time ................................................................. 1032
Signed by the Speaker and returned to the Senate .............................. 1032

S.B. 20 — OFFICE OF LEGISLATIVE AUDITOR – ACCESS TO INFORMATION (M. Waddoups)
Read the first time by short title and referred to Rules Committee .......... 80
Assigned to standing committee ....................................................... 96
Read the second time ................................................................. 150
Read the third time ................................................................. 179
Signed by the Speaker and returned to the Senate .............................. 180
S.B. 21 — LIMITATION ON LIABILITY REGARDING LIQUEFIED PETROLEUM GAS  
(*D. Eastman*)  
Read the first time by short title and referred to Rules Committee .................. 147  
Assigned to standing committee ................................................................. 171  
Read the second time .................................................................................... 239  
Read the third time ....................................................................................... 271  
Circled ............................................................................................................ 271  
Uncircled ........................................................................................................ 372  
Amendments .................................................................................................. 372  
Returned to the Senate .................................................................................. 373  
Signed by the Speaker and returned to the Senate ........................................... 408  

S.B. 22 — DRUG OFFENDER REFORM ACT (*D. C. Buttars*)  
Read the first time by short title and referred to Rules Committee .................. 98  
Assigned to standing committee ................................................................. 112  
Read the second time .................................................................................... 153  
Returned to Rules Committee ..................................................................... 153  
Enacting Clause Stricken .............................................................................. 1110  

1st Sub. S.B. 23 — PROPERTY TAX TREATMENT OF TANGIBLE PERSONAL PROPERTY  
(*C. Bramble*)  
Read the first time by short title and referred to Rules Committee .................. 114  
Assigned to standing committee ................................................................. 124  
Amendments .................................................................................................. 175  
Read the second time .................................................................................... 176  
Read the third time ....................................................................................... 265  
Circled ............................................................................................................ 265  
Uncircled ........................................................................................................ 267  
Returned to the Senate .................................................................................. 268  
Signed by the Speaker and returned to the Senate ........................................... 315  

1st Sub. S.B. 24 — WASTE AMENDMENTS (*C. Bramble*)  
Read the first time by short title and referred to Rules Committee .................. 277  
Assigned to standing committee ................................................................. 292  
Read the second time .................................................................................... 340  
Read the third time ....................................................................................... 377  
Signed by the Speaker and returned to the Senate ........................................... 378  
Intent Language .............................................................................................. 378  

1st Sub. S.B. 25 — TRANSPORTATION AMENDMENTS AND HIGHWAY JURISDICTIONAL TRANSFER TASK FORCE (*C. Walker*)  
Read the first time by short title and referred to Rules Committee .................. 762  
Read the second time .................................................................................... 1009  
Read the third time ....................................................................................... 1028  
Circled ............................................................................................................ 1028  
Uncircled ........................................................................................................ 1048  
Signed by the Speaker and returned to the Senate ........................................... 1049
1st Sub. S.B. 26 — PUBLIC UTILITIES AMENDMENTS (G. Bell)
Read the first time by short title and referred to Rules Committee 252
Assigned to standing committee 274
Read the second time 382
Read the third time 413
Signed by the Speaker and returned to the Senate 414

S.B. 27 — SUNSET REAUTHORIZATIONS (L. A. Mansell)
Read the first time by short title and referred to Rules Committee 147
Assigned to standing committee 172
Amendments 212
Read the second time 213
Read the third time 268
Amendments 268
Returned to the Senate 270
Signed by the Speaker and returned to the Senate 354

S.B. 29 — LICENSING OF CRANE OPERATORS (G. Davis)
Read the first time by short title and referred to Rules Committee 648
Returned to Rules Committee 666
Read the second time 795
Read the third time 976
Amendments 977
Circled 976
Uncircled 976
Failed 977
Returned to the Senate 983

S.B. 30 — AMENDMENTS TO SEARCH WARRANTS (D. Thomas)
Read the first time by short title and referred to Rules Committee 192
Assigned to standing committee 235
Read the second time 366
Read the third time 462
Signed by the Speaker and transmitted to the Governor 463

1st Sub. S.B. 31 — LOCAL GOVERNMENT AMENDMENTS (D. Thomas)
Read the first time by short title and referred to Rules Committee 380
Assigned to standing committee 631
Read the second time 686, 1045
Returned to Rules Committee 686
Enacting Clause Stricken 1110
S.B. 32 — LIMITATION OF LANDOWNER LIABILITY FOR PUBLIC RECREATION (G. Bell)
Read the first time by short title and referred to Rules Committee ............ 147
Assigned to standing committee ............................................. 171
Read the second time .............................................................. 279
Read the third time ................................................................. 367
Signed by the Speaker and returned to the Senate .......................... 367

2nd Sub. S.B. 34 — PATIENT ACCESS REFORM (D. C. Buttars)
Read the first time by short title and referred to Rules Committee ............ 440
Assigned to standing committee ................................................. 576
Returned to Rules Committee .................................................... 795
Enacting Clause Stricken .......................................................... 1110

1st Sub. S.B. 35 — RELATIONSHIPS WITH VENTURE CAPITAL ENTITIES (D. Thomas)
Read the first time by short title and referred to Rules Committee ............ 174
Assigned to standing committee ................................................. 236
Read the second time .............................................................. 262
Read the third time ................................................................. 320
Signed by the Speaker and returned to the Senate .......................... 320

S.B. 36 — SALES AND USE TAXATION OF PAWN TRANSACTIONS (R. Allen)
Read the first time by short title and referred to Rules Committee ............ 114
Assigned to standing committee ................................................. 124
Read the second time .............................................................. 176
Read the third time ................................................................. 266
Signed by the Speaker and returned to the Senate .......................... 267

S.B. 37 — MOTOR VEHICLE BUSINESS REGULATION ACT AMENDMENTS (D. Eastman)
Read the first time by short title and referred to Rules Committee ............ 174
Assigned to standing committee ................................................. 188
Amendments .............................................................. 297
Read the second time .............................................................. 298
Read the third time ................................................................. 369
Returned to the Senate ............................................................. 370
Signed by the Speaker and returned to the Senate .......................... 408

1st Sub. S.B. 39 — CONSUMER CREDIT PROTECTION (C. Walker)
Read the first time by short title and referred to Rules Committee ............ 461
Assigned to standing committee ................................................. 631
Read the second time .............................................................. 777
Returned to Rules Committee .................................................... 777
Substituted ................................................................. 1066

2nd Sub. S.B. 39 — CONSUMER CREDIT PROTECTION (C. Walker)
Read the second time .............................................................. 1066
Enacting Clause Stricken .......................................................... 1110
### Senate Bills

<table>
<thead>
<tr>
<th>Bill No.</th>
<th>Title</th>
<th>Sponsor</th>
<th>History Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>S.B. 40</td>
<td>REGULATION OF TITLE INSURANCE INDUSTRY</td>
<td>T. Hatch</td>
<td>Read the first time by short title and referred to Rules Committee: 192</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Assigned to standing committee: 235</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Read the second time: 298</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Read the third time: 370</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Signed by the Speaker and returned to the Senate: 371</td>
</tr>
<tr>
<td>S.B. 41</td>
<td>SCHOOL AND INSTITUTIONAL TRUST LANDS MANAGEMENT ACT REVISIONS</td>
<td>M. Dmitrich</td>
<td>Read the first time by short title and referred to Rules Committee: 525</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Assigned to standing committee: 577</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Returned to Rules Committee: 802</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Read the second time: 871</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Read the third time: 883</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Signed by the Speaker and returned to the Senate: 884, 1033</td>
</tr>
<tr>
<td>S.B. 42</td>
<td>ALCOHOL RESTRICTED DRIVERS</td>
<td>C. Walker</td>
<td>Read the first time by short title and referred to Rules Committee: 277</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Assigned to standing committee: 292</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Substituted: 381</td>
</tr>
<tr>
<td>1st Sub. S.B. 42</td>
<td>ALCOHOL RESTRICTED DRIVERS</td>
<td>C. Walker</td>
<td>Read the second time: 382</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Read the third time: 400</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Circled: 400</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Uncircled: 400</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Returned to the Senate: 415</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Signed by the Speaker and returned to the Senate: 440</td>
</tr>
<tr>
<td>2nd Sub. S.B. 43</td>
<td>PENALTY FOR PROVIDING FALSE INFORMATION TO STATE AGENCY</td>
<td>P. Hellewell</td>
<td>Read the first time by short title and referred to Rules Committee: 261</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Assigned to standing committee: 274</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Read the second time: 318</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Read the third time: 428</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Signed by the Speaker and returned to the Senate: 440</td>
</tr>
<tr>
<td>1st Sub. S.B. 44</td>
<td>GOVERNMENT RECORDS AMENDMENTS</td>
<td>C. Walker</td>
<td>Read the first time by short title and referred to Rules Committee: 252</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Assigned to standing committee: 274</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Read the second time: 318</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Read the third time: 373</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Circled: 373</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Uncircled: 552</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Signed by the Speaker and returned to the Senate: 552</td>
</tr>
</tbody>
</table>
S.B. 47 — WRONGFUL LIEN OFFENSES (B. Evans)
Read the first time by short title and referred to Rules Committee .......... 277
Assigned to standing committee ............................................. 291
Read the second time .......................................................... 334
Read the third time .............................................................. 375
Circled ................................................................. 375
Uncircled ................................................................. 544
Amendments ................................................................. 545
Returned to the Senate ......................................................... 546
Signed by the Speaker and returned to the Senate ................. 610

1st Sub. S.B. 48 — INSURANCE CANCELLATION AND NONRENEWAL RESTRICTIONS
(P. Arent)
Read the first time by short title and referred to Rules Committee .......... 440
Assigned to standing committee ............................................. 459
Amendments ................................................................. 528
Read the second time .......................................................... 530
Read the third time .............................................................. 556
Circled ................................................................. 556
Uncircled ................................................................. 571
Substituted ................................................................. 572

2nd Sub. S.B. 48 — INSURANCE CANCELLATION AND NONRENEWAL RESTRICTIONS
(P. Arent)
Returned to the Senate ......................................................... 572
Signed by the Speaker and returned to the Senate ................. 648

S.B. 49 — MOTOR VEHICLE LIABILITY COVERAGE AMENDMENTS (D. Eastman)
Read the first time by short title and referred to Rules Committee .......... 481
Assigned to standing committee ............................................. 511
Read the second time .......................................................... 650, 932
Returned to Rules Committee ................................................ 668
Read the third time .............................................................. 989
Circled ................................................................. 989
Enacting Clause Stricken ....................................................... 1110

S.B. 50 — CONTROLLED SUBSTANCE AMENDMENTS (P. Arent)
Read the first time by short title and referred to Rules Committee .......... 408
Assigned to standing committee ............................................. 423
Read the second time .......................................................... 514
Read the third time .............................................................. 555
Circled ................................................................. 556
Uncircled ................................................................. 580
Signed by the Speaker and returned to the Senate ................. 581
S.B. 51 — NEW MOTOR VEHICLE FRANCHISE ACT AMENDMENTS (D. Eastman)
Read the first time by short title and referred to Rules Committee .......................... 542
Assigned to standing committee .......................................................... 578
Amendments ................................................................. 702
Read the second time ............................................. 703, 1009
Returned to Rules Committee ............................................. 703
Read the third time ......................................... 1028
Returned to the Senate ............................................. 1029
Signed by the Speaker and returned to the Senate ......................... 1046

S.B. 52 — PRICE CONTROLS DURING EMERGENCIES ACT (P. Arent)
Read the first time by short title and referred to Rules Committee ..................... 461
Read the second time ................................................................. 932
Read the third time ................................................................. 1006
Signed by the Speaker and returned to the Senate ......................... 1007

S.B. 53 — LAND VALUE PROPERTY TAX STUDY (H. Stephenson)
Read the first time by short title and referred to Rules Committee ..................... 380
Assigned to standing committee ................................................................. 396
Read the second time ................................................................. 534
Read the third time ................................................................. 566
Circled ................................................................. 566
Uncircled ................................................................. 567
Signed by the Speaker and returned to the Senate ......................... 568

S.B. 54 — PROPERTY TAX CONFIDENTIALITY AMENDMENTS (H. Stephenson)
Read the first time by short title and referred to Rules Committee ..................... 380
Assigned to standing committee ................................................................. 396
Read the second time ................................................................. 486
Read the third time ................................................................. 550
Signed by the Speaker and returned to the Senate ......................... 551

S.B. 55 — ACCESS TO PATIENT MEDICAL RECORDS (P. Arent)
Read the first time by short title and referred to Rules Committee ..................... 440
Assigned to standing committee ................................................................. 459
Read the second time ................................................................. 514
Read the third time ................................................................. 635
Signed by the Speaker and returned to the Senate ......................... 636

2nd Sub. S.B. 56 — REAL ESTATE – EXCLUSIVE BROKERAGE AGREEMENTS (L. A. Mansell)
Read the first time by short title and referred to Rules Committee ..................... 610
Assigned to standing committee ................................................................. 666
Returned to Rules Committee ................................................................. 795
Read the second time ................................................................. 871
Read the third time ................................................................. 884
Signed by the Speaker and returned to the Senate ......................... 885
S.B. 57 — USE OF STATE SALES AND USE TAX REVENUES FOR BUSINESS DEVELOPMENT IN DISADVANTAGED RURAL COMMUNITIES (P. Knudson)
Read the first time by short title and referred to Rules Committee ............. 610
Assigned to standing committee .................................................. 667
Read the second time ................................................................. 690, 860
Returned to Rules Committee ....................................................... 690
Read the third time ................................................................. 863
Circled ................................................................. 863
Uncircled ................................................................. 893
Substituted ................................................................. 893

1st Sub. S.B. 57 — FUNDING FOR BUSINESS DEVELOPMENT IN DISADVANTAGED RURAL COMMUNITIES (P. Knudson)
Returned to the Senate ................................................................. 894
Signed by the Speaker and returned to the Senate .................................. 929

1st Sub. S.B. 58 — LIABILITY PROTECTION OF EDUCATORS (H. Stephenson)
Read the first time by short title and referred to Rules Committee ............. 588
Assigned to standing committee .................................................. 667
Read the second time ................................................................. 739, 871
Returned to Rules Committee ....................................................... 739
Read the third time ................................................................. 881
Signed by the Speaker and returned to the Senate .................................. 881

S.B. 59 — HOME SCHOOL AMENDMENTS (M. Madsen)
Read the first time by short title and referred to Rules Committee ............. 588
Assigned to standing committee .................................................. 667
Returned to Rules Committee ....................................................... 802
Read the second time ................................................................. 872
Read the third time ................................................................. 890
Amendments ................................................................. 890
Signed by the Speaker and returned to the Senate .................................. 891

1st Sub. S.B. 60 — LOCAL LAND USE DEVELOPMENT AND MANAGEMENT AMENDMENTS (G. Bell)
Read the first time by short title and referred to Rules Committee ............. 762
Read the second time ................................................................. 904
Read the third time ................................................................. 923
Circled ................................................................. 923
Uncircled ................................................................. 967
Substituted ................................................................. 967

2nd Sub. S.B. 60 — LOCAL LAND USE DEVELOPMENT AND MANAGEMENT AMENDMENTS (G. Bell)
Amendments ................................................................. 967
Returned to the Senate ................................................................. 972
Signed by the Speaker and returned to the Senate .................................. 994
5th Sub. S.B. 61 — PRIVATELY OWNED HEALTH CARE ORGANIZATION TASK FORCE  
(M. Waddoups)  
Read the first time by short title and referred to Rules Committee ............. 811  
Read the second time ............................................................................. 904  
Read the third time .............................................................................. 965  
Amendments .......................................................................................... 965  
Returned to the Senate ........................................................................... 967  
Signed by the Speaker and returned to the Senate ................................. 994  

S.B. 62 — PERSONAL PROPERTY TRANSACTIONS AMENDMENTS (M. Waddoups)  
Read the first time by short title and referred to Rules Committee .......... 846  
Read the second time ............................................................................. 871  
Read the third time .............................................................................. 882  
Circled .................................................................................................... 882  
Uncircled .................................................................................................. 891  
Signed by the Speaker and returned to the Senate ................................. 892  

1st Sub. S.B. 63 — SEVERANCE TAX AMENDMENTS (B. Evans)  
Read the first time by short title and referred to Rules Committee .......... 846  
Enacting Clause Stricken ......................................................................... 1110  

1st Sub. S.B. 64 — REAL ESTATE TRANSACTIONS AND SECURITIES (L. A. Mansell)  
Read the first time by short title and referred to Rules Committee .......... 634  
Assigned to standing committee ............................................................... 666  
Returned to Rules Committee ................................................................. 795  
Read the second time ............................................................................. 932  
Read the third time .............................................................................. 995  
Substituted ............................................................................................. 995  

2nd Sub. S.B. 64 — REAL ESTATE TRANSACTIONS AND SECURITIES (L. A. Mansell)  
Returned to the Senate ........................................................................... 996  
Signed by the Speaker and returned to the Senate ................................. 1029  

1st Sub. S.B. 65 — ALCOHOLIC BEVERAGE CONTROL AMENDMENTS (P. Knudson)  
Read the first time by short title and referred to Rules Committee .......... 648  
Assigned to standing committee ............................................................... 666  
Returned to Rules Committee ................................................................. 795  
Read the second time ............................................................................. 904  
Read the third time .............................................................................. 944  
 Signed by the Speaker and returned to the Senate ................................. 944  

S.B. 67 — ELECTION LAW – VOTER REQUIREMENTS (M. Madsen)  
Read the first time by short title and referred to Rules Committee .......... 846  
Enacting Clause Stricken ......................................................................... 1110
S.B. 71 — SECURITY PERSONNEL LICENSING AMENDMENTS (G. Davis)
Read the first time by short title and referred to Rules Committee ............. 671
Assigned to standing committee ................................................. 697
Returned to Rules Committee ................................................... 795
Read the second time ............................................................... 1044
Read the third time ................................................................. 1050
Signed by the Speaker and returned to the Senate ............................. 1051

S.B. 72 — CHILD WELFARE AMENDMENTS (D. Eastman)
Read the first time by short title and referred to Rules Committee .......... 481
Assigned to standing committee .................................................. 510
Read the second time ............................................................... 563, 860
Read the third time ................................................................. 863
Circled ................................................................................... 863
Uncircled .................................................................................. 866
Signed by the Speaker and returned to the Senate ............................. 867

S.B. 73 — TAMPERING WITH EVIDENCE (D. C. Buttars)
Read the first time by short title and referred to Rules Committee .......... 277
Assigned to standing committee .................................................. 313
Read the second time ............................................................... 448
Read the third time ................................................................. 549
Signed by the Speaker and returned to the Senate ............................. 550

S.B. 74 — MEDICAL RESERVE CORPS (L. Hillyard)
Read the first time by short title and referred to Rules Committee .......... 331
Assigned to standing committee .................................................. 363
Amendments ............................................................................. 443
Read the second time ............................................................... 443
Read the third time ................................................................. 548
Returned to the Senate ............................................................... 549
Signed by the Speaker and returned to the Senate ............................. 610

S.B. 75 — PUBLIC SAFETY DATABASE AMENDMENTS (M. Waddoups)
Read the first time by short title and referred to Rules Committee .......... 557
Read the second time ............................................................... 1044
Read the third time ................................................................. 1057
Circled ................................................................................... 1058
Uncircled .................................................................................. 1063
Amendments ............................................................................. 1063
Failed ..................................................................................... 1064
Returned to the Senate ............................................................... 1064
S.B. 76 — AMENDMENTS TO NAVAJO TRUST FUND (B. Evans)
Read the first time by short title and referred to Rules Committee .............. 114
Assigned to standing committee ........................................... 124
Read the second time ......................................................... 150
Read the third time ......................................................... 181
Signed by the Speaker and returned to the Senate ............................ 182

S.B. 77 — AMENDMENTS TO INDOOR CLEAN AIR ACT (M. Waddoups)
Read the first time by short title and referred to Rules Committee .............. 634
Assigned to standing committee ........................................... 666
Returned to Rules Committee ............................................ 795
Read the second time ......................................................... 1010
Read the third time ......................................................... 1033
Circled ................................................................. 1033, 1049
Other Action ................................................................. 1049
Enacting Clause Stricken .................................................... 1110

S.B. 78 — OPTIONAL FORMS OF COUNTY GOVERNMENT AMENDMENT (D. Thomas)
Read the first time by short title and referred to Rules Committee .............. 114
Assigned to standing committee ........................................... 172
Read the second time ......................................................... 213
Read the third time ......................................................... 282
Signed by the Speaker and returned to the Senate ............................ 283

S.B. 79 — EXTENSION OF SUNSET DATE ON RESOURCE DEVELOPMENT
COORDINATING COMMITTEE (B. Evans)
Read the first time by short title and referred to Rules Committee .............. 174
Assigned to standing committee ........................................... 189
Read the second time ......................................................... 212
Read the third time ......................................................... 281
Signed by the Speaker and returned to the Senate ............................ 282

1st Sub. S.B. 80 — SPECIAL SERVICE DISTRICTS – SERVICE EXPANSION (M. Dmitrich)
Read the first time by short title and referred to Rules Committee .............. 525
Assigned to standing committee ........................................... 578
Read the second time ......................................................... 736, 1044
Returned to Rules Committee ............................................ 736
Read the third time ......................................................... 1080
Signed by the Speaker and returned to the Senate ............................ 1081

S.B. 81 — LOCAL GOVERNMENT APPROVAL FOR SOLID NONHAZARDOUS AND
HAZARDOUS WASTE DISPOSAL (B. Evans)
Read the first time by short title and referred to Rules Committee .............. 174
Assigned to standing committee ........................................... 189
Read the second time ......................................................... 262
Read the third time ......................................................... 286
Signed by the Speaker and returned to the Senate ............................ 287
S.B. 83 — MEDICAL DECISIONS OF A PARENT OR GUARDIAN (D. Thomas)
Read the first time by short title and referred to Rules Committee .......... 147
Assigned to standing committee ............................................. 313
Amendments ................................................................. 336
Read the second time ......................................................... 339
Read the third time ......................................................... 376
Returned to the Senate ....................................................... 376
Signed by the Speaker and returned to the Senate ...................... 408

S.B. 86 — 2004 GENERAL OBLIGATION BOND AMENDMENTS (P. Knudson)
Read the first time by short title and referred to Rules Committee .......... 192
Assigned to standing committee ............................................. 274
Read the second time ......................................................... 318, 871
Returned to Rules Committee .................................................. 668
Read the third time ......................................................... 373, 880
Circled .......................................................... 374, 880
Uncircled ............................................................... 881
Substituted ................................................................. 881

1st Sub. S.B. 86 — 2004 GENERAL OBLIGATION BOND AMENDMENTS (P. Knudson)
Returned to the Senate ....................................................... 882
Signed by the Speaker and returned to the Senate ...................... 929

S.B. 87 — RESIDENCE LIEN RESTRICTION AND LIEN RECOVERY FUND AMENDMENTS
(D. Thomas)
Read the first time by short title and referred to Rules Committee .......... 192
Assigned to standing committee ............................................. 235
Amendments ................................................................. 794
Returned to Rules Committee .................................................. 795
Enacting Clause Stricken ....................................................... 1110

S.B. 88 — CREATION OF LOCAL DISTRICTS (C. Walker)
Read the first time by short title and referred to Rules Committee .......... 192
Assigned to standing committee ............................................. 235
Read the second time ......................................................... 262
Read the third time ......................................................... 319, 374
Moved to Third Reading Calendar ........................................... 319
Signed by the Speaker and returned to the Senate ...................... 375

S.B. 90 — COUNTY OFFICERS SERVING ON BOARDS OF COUNTY MENTAL HEALTH AND
SUBSTANCE ABUSE PROVIDERS (D. Thomas)
Read the first time by short title and referred to Rules Committee .......... 192
Assigned to standing committee ............................................. 235
Read the second time ......................................................... 300
Read the third time ......................................................... 366
Moved to Third Reading Calendar ........................................... 367
Signed by the Speaker and returned to the Senate ...................... 389
S.B. 91 — INTERSTATE JUVENILE COMPACT (L. Hillyard)
Read the first time by short title and referred to Rules Committee ............... 192
Assigned to standing committee ................................................ 235
Read the second time ............................................................ 279, 860
Referred to Rules Committee due to fiscal impact ............................... 279
Read the third time ............................................................... 863
Signed by the Speaker and returned to the Senate .............................. 864

S.B. 93 — CHILDREN’S JUSTICE CENTER ADDITION (T. Hatch)
Read the first time by short title and referred to Rules Committee ............... 192
Assigned to standing committee ................................................ 235
Read the second time ............................................................ 300, 860
Referred to Rules Committee due to fiscal impact ............................... 300
Read the third time ............................................................... 864
Signed by the Speaker and returned to the Senate .............................. 865

S.B. 94 — RESTITUTION AMENDMENTS (G. Bell)
Read the first time by short title and referred to Rules Committee ............... 192
Assigned to standing committee ................................................ 235
Read the second time ............................................................ 279
Read the third time ............................................................... 368
Signed by the Speaker and returned to the Senate .............................. 368

S.B. 95 — OFFICE OF MUSEUM SERVICES AMENDMENTS (R. Allen)
Read the first time by short title and referred to Rules Committee ............... 114
Assigned to standing committee ................................................ 124
Read the second time ............................................................ 162
Read the third time ............................................................... 182
Signed by the Speaker and returned to the Senate .............................. 183

S.B. 96 — COMMERCE SERVICE FUND AMENDMENTS (G. Bell)
Read the first time by short title and referred to Rules Committee ............... 749
Read the second time ............................................................ 932
Read the third time ............................................................... 997
Signed by the Speaker and returned to the Senate .............................. 998

S.B. 97 — CONSOLIDATION OF CITY AND COUNTY LIBRARY (G. Bell)
Read the first time by short title and referred to Rules Committee ............... 192
Assigned to standing committee ................................................ 236
Read the second time ............................................................ 262
Read the third time ............................................................... 287
Signed by the Speaker and returned to the Senate .............................. 288
S.B. 98 — MOTOR VEHICLE REGISTRATION AND TITLE AMENDMENTS (S. Killpack)
Read the first time by short title and referred to Rules Committee .............. 252
Assigned to standing committee ............................................ 274
Read the second time ............................................................. 344
Read the third time ............................................................... 386
Circled .................................................. 386
Uncircled ............................................................... 387
Signed by the Speaker and returned to the Senate ......................... 388

S.B. 100 — ACCESS TO HIGH SPEED INTERNET AT STATE CAPITOL COMPLEX (S. Killpack)
Read the first time by short title and referred to Rules Committee .......... 58
Read the second time ............................................................. 59
Read the third time ............................................................... 60
Signed by the Speaker and returned to the Senate ......................... 61

S.B. 101 — UTAH ADMINISTRATIVE RULEMAKING ACT REVISION (H. Stephenson)
Read the first time by short title and referred to Rules Committee .......... 80
Assigned to standing committee ............................................ 96
Read the second time ............................................................. 150
Placed on Third Reading Calendar ........................................... 229
Read the third time ............................................................... 229, 270
Signed by the Speaker and returned to the Senate ......................... 271

S.B. 103 — LIENS ON AIRCRAFT (T. Hatch)
Read the first time by short title and referred to Rules Committee .......... 147
Assigned to standing committee ............................................ 171
Read the second time ............................................................. 279
Read the third time ............................................................... 368
Signed by the Speaker and returned to the Senate ......................... 369

1st Sub. S.B. 104 — JUDICIARY AMENDMENTS (L. Hillyard)
Read the first time by short title and referred to Rules Committee .......... 252
Assigned to standing committee ............................................ 274
Read the second time ............................................................. 344
Read the third time ............................................................... 433
Signed by the Speaker and returned to the Senate ......................... 433

1st Sub. S.B. 106 — UTAH RELIGIOUS LAND USE ACT (D. Thomas)
Read the first time by short title and referred to Rules Committee .......... 261
Assigned to standing committee ............................................ 274
Amendments ................................................................. 316
Read the second time ............................................................. 317
Read the third time ............................................................... 371
Returned to the Senate .......................................................... 372
Signed by the Speaker and returned to the Senate ......................... 408
S.B. 107 — LICENSURE AND REGULATION OF PROGRAMS AND FACILITIES (T. Hatch)
Read the first time by short title and referred to Rules Committee .................. 277
Assigned to standing committee ............................................... 291
Read the second time ................................................................. 339, 860
Referred to Rules Committee due to fiscal impact ................................. 339
Read the third time ........................................................................ 867
Amendments ................................................................................. 867
Return to the Senate ....................................................................... 871
Signed by the Speaker and returned to the Senate .................................. 929

1st Sub. S.B. 108 — TELECOMMUNICATIONS REVISIONS (C. Bramble)
Read the first time by short title and referred to Rules Committee .............. 252
Assigned to standing committee ....................................................... 274
Read the second time ...................................................................... 340
Read the third time ......................................................................... 376
Signed by the Speaker and returned to the Senate .................................. 377

1st Sub. S.B. 109 — SAFETY BELT ENFORCEMENT (K. Hale)
Read the first time by short title and referred to Rules Committee .............. 700
Read the second time ...................................................................... 1010
Read the third time ......................................................................... 1036
Substituted ...................................................................................... 1036

2nd Sub. S.B. 109 — SAFETY BELT ENFORCEMENT (K. Hale)
Amendments .................................................................................. 1036
Returned to the Senate .................................................................... 1038, 1066
Refuse to Recede ............................................................................ 1066
Enacting Clause Stricken ................................................................. 1110

2nd Sub. S.B. 110 — MEDICAL DEVICE NOTIFICATION AND LIABILITY (D. C. Buttars)
Read the first time by short title and referred to Rules Committee .............. 315
Read the second time ...................................................................... 904
Read the third time ......................................................................... 962
Circled ............................................................................................ 962
Uncircled .......................................................................................... 963
Signed by the Speaker and returned to the Senate .................................. 964

1st Sub. S.B. 113 — EMPLOYEE NONCOMPETITION CONTRACTS (E. Mayne)
Read the first time by short title and referred to Rules Committee .............. 873
Enacting Clause Stricken ................................................................. 1110
S.B. 114 — COUNTY AND MUNICIPAL ZONING REGARDING BILLBOARDS (M. Waddoups)
Read the first time by short title and referred to Rules Committee .............. 425
Assigned to standing committee .............................................. 459, 511
Read the second time .......................................................... 650, 871
Returned to Rules Committee ................................................. 668
Read the third time .............................................................. 885
Amendments ................................................................. 885
Circled ................................................................. 886
Uncircled ................................................................. 887
Returned to the Senate ......................................................... 888
Signed by the Speaker and returned to the Senate ......................... 929

S.B. 115 — PERMANENT TOTAL DISABILITY AMENDMENTS (E. Mayne)
Read the first time by short title and referred to Rules Committee ............. 208
Assigned to standing committee .............................................. 235
Read the second time .......................................................... 334
Read the third time .............................................................. 375
Circled ................................................................. 376
Uncircled ................................................................. 554
Signed by the Speaker and returned to the Senate ......................... 554

S.B. 116 — ARBITRATION – USE OF SUBPOENA AUTHORIZED (D. Eastman)
Read the first time by short title and referred to Rules Committee ............. 252
Assigned to standing committee .............................................. 274
Read the second time .......................................................... 344
Read the third time .............................................................. 433
Signed by the Speaker and returned to the Senate ......................... 434

S.B. 117 — REPEAL OF UTAH TOMORROW STRATEGIC PLANNING COMMITTEE
(M. Waddoups)
Read the first time by short title and referred to Rules Committee ............. 252
Assigned to standing committee .............................................. 274
Read the second time .......................................................... 318
Read the third time .............................................................. 374
Signed by the Speaker and returned to the Senate ......................... 374

S.B. 118 — IDENTITY FRAUD AMENDMENTS (C. Walker)
Read the first time by short title and referred to Rules Committee ............. 252
Assigned to standing committee .............................................. 274
Read the second time .......................................................... 366
Read the third time .............................................................. 463
Signed by the Speaker and transmitted to the Governor ..................... 464
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Title</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>S.B. 119</td>
<td>RURAL MEDICAL RESIDENCY TRAINING PROGRAMS (P. Knudson)</td>
<td>Read the first time by short title and referred to Rules Committee ....</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Assigned to standing committee</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Read the second time</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Referred to Rules Committee due to fiscal impact</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Read the third time</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Signed by the Speaker and returned to the Senate</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Other Action</td>
</tr>
<tr>
<td>S.B. 120</td>
<td>ALLOCATION OF PROFITS FROM SCHOOL AND INSTITUTIONAL TRUST LANDS (T. Hatch)</td>
<td>Read the first time by short title and referred to Rules Committee ....</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Assigned to standing committee</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Amendments</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Read the second time</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Read the third time</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Circled</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Uncircled</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Returned to the Senate</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Signed by the Speaker and returned to the Senate</td>
</tr>
<tr>
<td>S.B. 121</td>
<td>PROPERTY TAX EXEMPTION AMENDMENTS (C. Bramble)</td>
<td>Read the first time by short title and referred to Rules Committee ....</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Assigned to standing committee</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Read the second time</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Read the third time</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Signed by the Speaker and returned to the Senate</td>
</tr>
<tr>
<td>1st Sub. S.B. 122</td>
<td>RESIDENT TUITION STATUS FOR JOB CORPS STUDENTS (G. Bell)</td>
<td>Read the first time by short title and referred to Rules Committee ....</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Assigned to standing committee</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Read the second time</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Read the third time</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Circled</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Uncircled</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Signed by the Speaker and returned to the Senate</td>
</tr>
<tr>
<td>S.B. 123</td>
<td>GOVERNMENTAL IMMUNITY ACT − TECHNICAL AMENDMENTS (G. Bell)</td>
<td>Read the first time by short title and referred to Rules Committee ....</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Assigned to standing committee</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Read the second time</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Read the third time</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Signed by the Speaker and returned to the Senate</td>
</tr>
</tbody>
</table>
S.B. 125 — AMENDMENTS TO INDIVIDUAL INCOME TAX CREDIT FOR SPECIAL NEEDS ADOPTIONS (P. Hellewell)
Read the first time by short title and referred to Rules Committee .................. 277
Assigned to standing committee ................................................. 292
Read the second time .......................................................... 534
Read the third time ............................................................. 579
Signed by the Speaker and returned to the Senate ................................. 580

S.B. 126 — MEDICAL BENEFITS RECOVERY ACT AMENDMENTS (S. Killpack)
Read the first time by short title and referred to Rules Committee .............. 365
Assigned to standing committee ................................................. 396
Read the second time ........................................................... 443, 871
Returned to Rules Committee .................................................. 668
Read the third time .............................................................. 549, 886
Circled .......................................................... 549
Signed by the Speaker and returned to the Senate .................................. 887

S.B. 127 — TAX, FEE, OR CHARGE AMENDMENTS (L. Hillyard)
Read the first time by short title and referred to Rules Committee .......... 440
Assigned to standing committee ................................................. 459
Amendments ................................................................. 559
Read the second time ........................................................... 559, 904
Referred to Rules Committee due to fiscal impact ................................. 559
Read the third time .............................................................. 921
Signed by the Speaker and returned to the Senate .................................. 922, 994

S.B. 128 — CALCULATION OF INTEREST ON TAX OVERPAYMENTS (H. Stephenson)
Read the first time by short title and referred to Rules Committee .......... 277
Assigned to standing committee ................................................. 292
Read the second time ........................................................... 356
Read the third time .............................................................. 435
Signed by the Speaker and returned to the Senate .................................. 436

S.B. 129 — BRINE SHRIMP ROYALTY ACT AMENDMENTS (T. Hatch)
Read the first time by short title and referred to Rules Committee .......... 277
Assigned to standing committee ................................................. 292
Read the second time ........................................................... 486
Referred to Rules Committee due to fiscal impact ................................. 486
Placed on calendar .............................................................. 576
Read the third time .............................................................. 578
Signed by the Speaker and returned to the Senate .................................. 579
S.B. 130 — RETIREMENT FOR AIRPORT POLICE (M. Dmitrich)
Read the first time by short title and referred to Rules Committee 331
Assign to standing committee 363
Read the second time 513
Read the third time 555
Signed by the Speaker and returned to the Senate 555

S.B. 131 — AUTHORIZATION FOR ADDITIONAL JUDICIAL POSITION (M. Madsen)
Read the first time by short title and referred to Rules Committee 277
Assign to standing committee 292
Read the second time 427
Enacting Clause Stricken 1110

S.B. 132 — HEALTH CARE CONSUMER’S REPORT (A. Christensen)
Read the first time by short title and referred to Rules Committee 542
Read the second time 932
Read the third time 997
Signed by the Speaker and returned to the Senate 997

S.B. 133 — INDIVIDUAL INCOME TAX – RETURN FILING REQUIREMENTS (H. Stephenson)
Read the first time by short title and referred to Rules Committee 277
Assign to standing committee 314
Read the second time 356
Read the third time 436
Signed by the Speaker and returned to the Senate 437

S.B. 134 — POWERSPORT VEHICLE FRANCHISE ACT (D. Eastman)
Read the first time by short title and referred to Rules Committee 525
Assign to standing committee 578
Read the second time 703, 872
Returned to Rules Committee 703
Read the third time 895
Signed by the Speaker and returned to the Senate 896

1st Sub. S.B. 135 — DRUG COURTS PILOT PROJECT (L. Hillyard)
Read the first time by short title and referred to Rules Committee 380
Assign to standing committee 396
Read the second time 494
Read the third time 553
Signed by the Speaker and returned to the Senate 553

S.B. 136 — JUSTICE COURT OPERATIONS AMENDMENTS (E. Mayne)
Read the first time by short title and referred to Rules Committee 380
Assign to standing committee 396
Returned to Rules Committee 798
Enacting Clause Stricken 1110
1st Sub. S.B. 137 — TOURISM, RECREATION, CULTURAL, AND CONVENTION FACILITIES
   TAX AMENDMENTS (H. Stephenson)
   Read the first time by short title and referred to Rules Committee ............. 846
   Read the second time ............................................. 932
   Read the third time .................................................. 989
   Amendments .............................................................. 990
   Returned to the Senate ............................................. 992
   Refuse to Recede ..................................................... 1033
   Other Action ............................................................ 1045
   Conference Committee Report .................................. 1056
   Substituted ............................................................... 1056
   Signed by the Speaker and returned to the Senate ......................... 1105

S.B. 138 — JUDGMENT INTEREST AMENDMENTS (E. Mayne)
   Read the first time by short title and referred to Rules Committee ............. 525
   Assigned to standing committee .................................... 577
   Read the second time ............................................... 649, 1009
   Returned to Rules Committee ....................................... 668
   Read the third time ................................................... 1031
   Signed by the Speaker and returned to the Senate ......................... 1031

S.B. 139 — MINIMUM WAGE PROVISIONS (H. Stephenson)
   Read the first time by short title and referred to Rules Committee ............. 634
   Assigned to standing committee .................................... 667
   Returned to Rules Committee ....................................... 798
   Substituted ............................................................... 933

1st Sub. S.B. 139 — WAGE PROVISIONS (H. Stephenson)
   Read the second time ............................................... 933
   Read the third time ................................................... 1007
   Signed by the Speaker and returned to the Senate ......................... 1008, 1046

S.B. 141 — MILITARY INSTALLATION PARTNERSHIPS (S. Killpack)
   Read the first time by short title and referred to Rules Committee ............. 525
   Assigned to standing committee .................................... 577
   Amendments .............................................................. 930
   Read the second time ............................................... 739, 930
   Returned to Rules Committee ....................................... 739
   Read the third time ................................................... 975
   Returned to the Senate ............................................... 976
   Signed by the Speaker and returned to the Senate ......................... 1105

S.B. 142 — PHARMACY PRACTICE ACT AMENDMENTS (P. Knudson)
   Read the first time by short title and referred to Rules Committee ............. 440
   Read the second time ............................................... 932
   Read the third time ................................................... 999
   Signed by the Speaker and returned to the Senate ......................... 1000
S.B. 144 — MOTOR VEHICLE STOPS AT PORT–OF–ENTRY  (P. Knudson)
Read the first time by short title and referred to Rules Committee ............ 525
Assigned to standing committee ............................................ 578
Read the second time ...................................................... 737, 1009
Returned to Rules Committee ............................................. 737
Read the third time .......................................................... 1027
Substituted ................................................................. 1027

1st Sub. S.B. 144 — MOTOR VEHICLE STOPS AT PORT–OF–ENTRY  (P. Knudson)
Returned to the Senate ....................................................... 1028
Signed by the Speaker and returned to the Senate ............................. 1066

S.B. 145 — PROHIBITION AGAINST CERTAIN MEDICAL NONCOMPETITION AGREEMENTS (A. Christensen)
Read the first time by short title and referred to Rules Committee ............ 512
Enacting Clause Stricken ................................................... 1110

S.B. 146 — AVOIDING APPEHENSION AMENDMENT  (M. Waddoups)
Read the first time by short title and referred to Rules Committee ............ 481
Assigned to standing committee ............................................ 510
Read the second time ...................................................... 566, 1044
Referred to Rules Committee due to fiscal impact ............................ 566
Read the third time .......................................................... 1058
Signed by the Speaker and returned to the Senate ............................. 1058

S.B. 147 — PSYCHOLOGIST LICENSING ACT AMENDMENTS (E. Mayne)
Read the first time by short title and referred to Rules Committee ............ 512
Assigned to standing committee ............................................ 576
Returned to Rules Committee ............................................. 795
Enacting Clause Stricken ................................................... 1110

S.B. 148 — CONSERVATION EASEMENT ENDOWMENT RESTRICTED ACCOUNT (B. Evans)
Read the first time by short title and referred to Rules Committee ............ 525
Assigned to standing committee ............................................ 577
Read the second time ...................................................... 739, 1045
Returned to Rules Committee ............................................. 739
Enacting Clause Stricken ................................................... 1110

1st Sub. S.B. 149 — PETE SUAZO ATHLETIC COMMISSION AMENDMENTS (E. Mayne)
Read the first time by short title and referred to Rules Committee ............ 557
Assigned to standing committee ............................................ 631
Read the second time ...................................................... 739, 872
Returned to Rules Committee ............................................. 739
Read the third time .......................................................... 898
Signed by the Speaker and returned to the Senate ............................. 899
1st Sub. S.B. 150 — FOOD SAFETY MANAGER CERTIFICATION (D. Peterson)
Read the first time by short title and referred to Rules Committee ............. 557
Assigned to standing committee .............................................. 631
Read the second time ............................................................. 776, 872
Returned to Rules Committee .................................................. 776
Read the third time ............................................................... 888
Signed by the Speaker and returned to the Senate .......................... 889

S.B. 151 — DRIVER EDUCATION AMENDMENTS (T. Hatch)
Read the first time by short title and referred to Rules Committee ............. 588
Assigned to standing committee ................................................. 668
Returned to Rules Committee .................................................... 797
Enacting Clause Stricken .......................................................... 1110

1st Sub. S.B. 152 — BUSINESS LICENSE FEES (M. Waddoups)
Read the first time by short title and referred to Rules Committee ............. 557
Assigned to standing committee ................................................. 631
Read the second time ............................................................. 672, 872
Returned to Rules Committee .................................................... 672
Read the third time ............................................................... 892
Signed by the Speaker and returned to the Senate .......................... 893

S.B. 153 — TAX REFORM TASK FORCE (C. Bramble)
Read the first time by short title and referred to Rules Committee ............. 512
Assigned to standing committee ................................................. 578
Read the second time ............................................................. 690, 904
Returned to Rules Committee .................................................... 690
Read the third time ............................................................... 972
Signed by the Speaker and returned to the Senate .......................... 973

S.B. 154 — PUBLIC SAFETY RETIREMENT AMENDMENTS (D. C. Buttars)
Read the first time by short title and referred to Rules Committee ............. 749
Enacting Clause Stricken .......................................................... 1110

S.B. 157 — UTAH CONSUMER CREDIT CODE AMENDMENTS (P. Knudson)
Read the first time by short title and referred to Rules Committee ............. 557
Assigned to standing committee ................................................. 631
Read the second time ............................................................. 672, 1044
Returned to Rules Committee .................................................... 672
Read the third time ............................................................... 1059
Signed by the Speaker and returned to the Senate .......................... 1060
S.B. 158 — DISHONORED INSTRUMENT AMENDMENTS (P. Knudson)
Read the first time by short title and referred to Rules Committee ............ 557
Assigned to standing committee .................................................. 631
Read the second time ................................................................. 672, 1044
Returned to Rules Committee ...................................................... 672
Read the third time ................................................................. 1060
Signed by the Speaker and returned to the Senate ............................. 1061

S.B. 159 — ASSESSMENT OFFSET FOR DONATIONS PROMOTING OCCUPATIONAL
HEALTH AND SAFETY (E. Mayne)
Read the first time by short title and referred to Rules Committee .......... 588
Assigned to standing committee .................................................. 698
Read the second time ................................................................. 735, 872
Returned to Rules Committee ...................................................... 735
Read the third time ................................................................. 894
Signed by the Speaker and returned to the Senate ............................. 895

S.B. 161 — AMENDMENTS TO THE PROPERTY TAX VALUATION AGENCY FUND
ASSESSING AND COLLECTING LEVY (H. Stephenson)
Read the first time by short title and referred to Rules Committee .......... 557
Assigned to standing committee .................................................. 632
Read the second time ................................................................. 690, 872
Returned to Rules Committee ...................................................... 690
Read the third time ................................................................. 896
Signed by the Speaker and returned to the Senate ............................. 897

S.B. 162 — CHANGES TO 2004 GENERAL OBLIGATION BOND (R. Allen)
Read the first time by short title and referred to Rules Committee .......... 648
Enacting Clause Stricken ............................................................ 1110

S.B. 163 — CAPITOL PRESERVATION BOARD AMENDMENTS (B. Evans)
Read the first time by short title and referred to Rules Committee .......... 525
Assigned to standing committee .................................................. 577
Read the second time ................................................................. 739, 872
Returned to Rules Committee ...................................................... 739
Read the third time ................................................................. 920
Signed by the Speaker and returned to the Senate ............................. 921

1st Sub. S.B. 164 — INDIVIDUAL INCOME TAX – TAX CREDIT FOR LIVE ORGAN
DONATION EXPENSES (K. Hale)
Read the first time by short title and referred to Rules Committee .......... 648
Assigned to standing committee .................................................. 667
Read the second time ................................................................. 738, 860
Returned to Rules Committee ...................................................... 738
Read the third time ................................................................. 878
Signed by the Speaker and returned to the Senate ............................. 879
Other Action ................................................................. 889
1st Sub. S.B. 167 — PENALTIES FOR FALSE DRIVER LICENSES AND IDENTIFICATION CARDS (C. Walker)
Read the first time by short title and referred to Rules Committee ............. 648
Assigned to standing committee .................................................. 668
Read the second time ............................................................. 703, 860
Returned to Rules Committee ....................................................... 703
Read the third time ............................................................... 879
Signed by the Speaker and returned to the Senate ................................. 880
Other Action ................................................................. 889

1st Sub. S.B. 168 — CONSTRUCTION TRADE RELATED AMENDMENTS (S. Jenkins)
Read the first time by short title and referred to Rules Committee ............. 811
Enacting Clause Stricken ............................................................. 1110

1st Sub. S.B. 170 — STATE TAX COMMISSION COLLECTION AND LICENSING PRACTICES (C. Bramble)
Read the first time by short title and referred to Rules Committee ............. 811
Read the second time ............................................................. 872
Read the third time ............................................................... 897
Signed by the Speaker and returned to the Senate ................................ 898

S.B. 172 — DIVISION OF REAL ESTATE AMENDMENTS (M. Waddoups)
Read the first time by short title and referred to Rules Committee ............. 718
Assigned to standing committee .................................................. 731
Returned to Rules Committee ....................................................... 795
Read the second time ............................................................. 872
Read the third time ............................................................... 898
Circled ................................................................. 898
Uncircled ................................................................. 919
Amendments ................................................................. 919
Returned to the Senate ............................................................. 920
Signed by the Speaker and returned to the Senate ................................. 994

S.B. 173 — BROWNFIELDS REVISION (L. A. Mansell)
Read the first time by short title and referred to Rules Committee ............. 671
Assigned to standing committee .................................................. 698
Read the second time ............................................................. 735, 932
Returned to Rules Committee ....................................................... 735
Read the third time ............................................................... 996
Signed by the Speaker and returned to the Senate ................................. 997

S.B. 174 — SECURITY SERVICE AMENDMENTS (R. Allen)
Read the first time by short title and referred to Rules Committee ............. 557
Assigned to standing committee .................................................. 631
Read the second time ............................................................. 719, 1067
Returned to Rules Committee ....................................................... 719
Enacting Clause Stricken ............................................................. 1111
1st Sub. S.B. 177 — INCREASE STATUTE OF LIMITATIONS ON RAPE (E. Mayne)
Read the first time by short title and referred to Rules Committee 700
Assigned to standing committee 732
Read the second time 776, 904
Returned to Rules Committee 776
Read the third time 925
Circled 925
Uncircled 942
Amendments 925, 942
Returned to the Senate 944
Signed by the Speaker and returned to the Senate 994

1st Sub. S.B. 178 — CHARTER SCHOOL AMENDMENTS (H. Stephenson)
Read the first time by short title and referred to Rules Committee 718
Assigned to standing committee 731
Returned to Rules Committee 802
Read the second time 932
Read the third time 1000
Substituted 1000

2nd Sub. S.B. 178 — CHARTER SCHOOL AMENDMENTS (H. Stephenson)
Amendments 1000
Returned to the Senate 1003
Receded from amendments 1039
Signed by the Speaker and returned to the Senate 1040

S.B. 179 — PROTECTION OF GOVERNMENT RECORDS (G. Bell)
Read the first time by short title and referred to Rules Committee 718
Read the second time 1009
Read the third time 1030
Signed by the Speaker and returned to the Senate 1031

S.B. 180 — WORKERS COMPENSATION – COMPETITIVE BID REQUIREMENTS
(M. Waddoups)
Read the first time by short title and referred to Rules Committee 671
Assigned to standing committee 698
Returned to Rules Committee 797
Enacting Clause Stricken 1110

S.B. 182 — VETERINARY PRACTICE ACT – EXEMPTIONS (M. Dmitrich)
Read the first time by short title and referred to Rules Committee 557
Enacting Clause Stricken 1111

5th Sub. S.B. 183 — PUBLIC TRANSIT DISTRICT ANNEXATION AND FUNDING
AMENDMENTS (G. Bell)
Read the first time by short title and referred to Rules Committee 1064
Enacting Clause Stricken 1111
2nd Sub. S.B. 184 — REDEVELOPMENT AGENCY AMENDMENTS (C. Bramble)
Read the first time by short title and referred to Rules Committee .......... 873
Read the second time ......................................................... 932
Read the third time ......................................................... 1003
Amendments ................................................................. 1003
Returned to the Senate ..................................................... 1005
Signed by the Speaker and returned to the Senate ......................... 1046

1st Sub. S.B. 187 — SPECIAL HUNTING PERMITS FOR ANTELOPE ISLAND (J. Hickman)
Read the first time by short title and referred to Rules Committee .......... 749
Read the second time .......................................................... 1067
Enacting Clause Stricken ................................................... 1111

S.B. 188 — CLASSIFYING OFF-HIGHWAY VEHICLES AS ALLOWED ON DESIGNATED ROADS (T. Hatch)
Read the first time by short title and referred to Rules Committee .......... 648
Assigned to standing committee ............................................ 668
Read the second time .......................................................... 737, 1067
Returned to Rules Committee .............................................. 737
Enacting Clause Stricken ................................................... 1111

S.B. 190 — COUNTY OFFICER AMENDMENTS (C. Bramble)
Read the first time by short title and referred to Rules Committee .......... 648
Assigned to standing committee ............................................ 667
Returned to Rules Committee .............................................. 798
Read the second time .......................................................... 1044
Read the third time ............................................................ 1081
Signed by the Speaker and returned to the Senate ......................... 1082

S.B. 191 — POLITICAL SUBDIVISIONS – TRUTH IN GOVERNMENT COMPETITION (R. Allen)
Read the first time by short title and referred to Rules Committee .......... 700
Enacting Clause Stricken ................................................... 1111

2nd Sub. S.B. 192 — HIGH TECHNOLOGY ECONOMIC DEVELOPMENT Appropriation (L. A. Mansell)
Read the first time by short title and referred to Rules Committee .......... 873
Read the second time .......................................................... 1009
Read the third time ............................................................ 1025
Circled ................................................................. 1026
Uncircled ................................................................. 1074
Substituted ................................................................. 1074

4th Sub. S.B. 192 — HIGH TECHNOLOGY ECONOMIC DEVELOPMENT Appropriation (L. A. Mansell)
Returned to the Senate ....................................................... 1075
Signed by the Speaker and returned to the Senate ................. 1105
S.B. 194 — SALES AND USE TAX EXEMPTION FOR ITEMS RELATING TO DIRECT MAIL
(H. Stephenson)
Read the first time by short title and referred to Rules Committee ............. 684
Read the second time ......................................................... 904
Read the third time ............................................................ 962
Signed by the Speaker and returned to the Senate ............................... 963

1st Sub. S.B. 195 — TAX REVISIONS (C. Bramble)
Read the first time by short title and referred to Rules Committee ............. 762
Enacting Clause Stricken ...................................................... 1111

2nd Sub. S.B. 199 — OFFICE OF ENERGY — OVERSIGHT (T. Hatch)
Read the first time by short title and referred to Rules Committee ............. 684
Assigned to standing committee ............................................. 732
Read the second time ............................................................ 763, 1009
Returned to Rules Committee ................................................. 763
Read the third time ............................................................. 1026
Amendments ............................................................................ 1026
Returned to the Senate ............................................................ 1027
Signed by the Speaker and returned to the Senate ............................... 1046

S.B. 201 — CENTER FOR MULTICULTURAL HEALTH (D. C. Buttars)
Read the first time by short title and referred to Rules Committee ............. 762
Enacting Clause Stricken ...................................................... 1111

S.B. 203 — PROPERTY TAX — COUNTY SERVICE AREAS (M. Waddoups)
Read the first time by short title and referred to Rules Committee ............. 684
Read the second time ............................................................. 1067
Enacting Clause Stricken ...................................................... 1111

1st Sub. S.B. 204 — SALES AND USE TAX DIVERSIONS (D. Peterson)
Read the first time by short title and referred to Rules Committee ............. 749
Enacting Clause Stricken ...................................................... 1111

S.B. 205 — INDIVIDUAL INCOME TAX — OFFICE OF STATE DEBT COLLECTION
RULEMAKING AUTHORITY (M. Dmitrich)
Read the first time by short title and referred to Rules Committee ............. 749
Read the second time ............................................................. 1067
Enacting Clause Stricken ...................................................... 1111
S.B. 206 — NONPARTICIPATING TOBACCO MANUFACTURER AMENDMENTS (S. Killpack)
Read the first time by short title and referred to Rules Committee . . . . 684
Assigned to standing committee .................................................. 732
Amendments .................................................................................. 774
Read the second time ................................................................. 776, 932
Returned to Rules Committee ......................................................... 776
Read the third time ......................................................................... 976
Returned to the Senate ................................................................. 977
Signed by the Speaker and returned to the Senate ......................... 1029

S.B. 207 — MOTOR VEHICLE INSURANCE COVERAGE AMENDMENTS (D. Eastman)
Read the first time by short title and referred to Rules Committee .... 648
Assigned to standing committee .................................................. 668
Read the second time ......................................................... 737, 1044
Returned to Rules Committee ......................................................... 737
Read the third time ......................................................................... 1058
Signed by the Speaker and returned to the Senate ......................... 1059

2nd Sub. S.B. 209 — INTERLOCAL COOPERATION AMENDMENTS (C. Bramble)
Read the first time by short title and referred to Rules Committee .... 873
Read the second time ................................................................. 1066
Enacting Clause Stricken ............................................................... 1111

1st Sub. S.B. 211 — FUNDING FOR CONVENTION FACILITIES (M. Waddoups)
Read the first time by short title and referred to Rules Committee .... 889
Read the second time ................................................................. 932
Read the third time ......................................................................... 1007
Circled ......................................................................................... 1007
Uncircled ....................................................................................... 1051
Amendments ................................................................................. 1051
Returned to the Senate ................................................................. 1055
Signed by the Speaker and returned to the Senate ......................... 1105

1st Sub. S.B. 212 — CHILD CARE INVESTIGATIONS (P. Hellewell)
Read the first time by short title and referred to Rules Committee .... 749
Read the second time ................................................................. 904
Read the third time ......................................................................... 923
Amendments ................................................................................. 923
Returned to the Senate ................................................................. 924
Signed by the Speaker and returned to the Senate ......................... 994
1st Sub. S.B. 215 — FINANCIAL INSTITUTIONS AS LIMITED LIABILITY COMPANIES
   (L. Hillyard)
   Read the first time by short title and referred to Rules Committee ............... 648
   Assigned to standing committee ........................................... 667
   Returned to Rules Committee ............................................. 785
   Read the second time ....................................................... 904
   Read the third time ....................................................... 945
   Signed by the Speaker and returned to the Senate .......................... 945

S.B. 216 — AMENDMENTS TO UTAH EMERGENCY MEDICAL SERVICES ACT (C. Bramble)
   Read the first time by short title and referred to Rules Committee ............. 846
   Read the second time ....................................................... 1009
   Read the third time ....................................................... 1032
   Circled ................................................................. 1032
   Uncircled ................................................................. 1047
   Signed by the Speaker and returned to the Senate .......................... 1047
   Intent Language .......................................................... 1048

S.B. 219 — SECURITY IN CONSTRUCTION PROJECTS (C. Bramble)
   Returned to Rules Committee ............................................. 721

S.B. 223 — OVERSIGHT AND ENFORCEMENT OF WORK DONE ON MOBILE HOMES
   (E. Mayne)
   Read the first time by short title and referred to Rules Committee ............. 648
   Assigned to standing committee ........................................... 667
   Returned to Rules Committee ............................................. 795
   Read the second time ....................................................... 932
   Read the third time ....................................................... 988
   Signed by the Speaker and returned to the Senate .......................... 989

1st Sub. S.B. 225 — CHANGES TO GENERAL GOVERNMENT − SALES AND USE TAX
   AMENDMENTS (G. Davis)
   Read the first time by short title and referred to Rules Committee ............. 846
   Read the second time ....................................................... 1067
   Enacting Clause Stricken .................................................. 1111

S.B. 227 — PUBLIC SAFETY DRIVING PRIVILEGE AND IDENTIFICATION CARD
   AMENDMENTS (C. Bramble)
   Read the first time by short title and referred to Rules Committee ............. 718
   Read the second time ....................................................... 872
   Read the third time ....................................................... 921
   Circled ................................................................. 921
   Uncircled ................................................................. 951
   Amendments .................................................. 951
   Returned to the Senate .................................................. 960
   Signed by the Speaker and returned to the Senate .......................... 994
1st Sub. S.B. 231 — COMPENSATION OF LIEUTENANT GOVERNOR AND OTHER STATE OFFICERS (M. Madsen)
Read the first time by short title and referred to Rules Committee .................. 873
Returned to the Senate ................................................................. 877

2nd Sub. S.B. 231 — COMPENSATION OF LIEUTENANT GOVERNOR AND OTHER STATE OFFICERS (M. Madsen)
Read the first time by short title and referred to Rules Committee ............. 946
Enacting Clause Stricken ............................................................. 1111

S.B. 232 — EXECUTIVE DIRECTOR OF DEPARTMENT OF HEALTH ISSUES (S. Killpack)
Read the first time by short title and referred to Rules Committee .......... 648
Assigned to standing committee ........................................... 667
Amendments ........................................................................... 775
Read the second time ................................................................. 776
Returned to Rules Committee .................................................. 776
Enacting Clause Stricken ............................................................. 1111

S.B. 239 — PUBLIC LANDS POLICY COORDINATION (T. Hatch)
Read the first time by short title and referred to Rules Committee .......... 684
Assigned to standing committee ........................................... 731
Returned to Rules Committee .................................................. 802
Read the second time ................................................................. 860
Read the third time ................................................................. 880
Circled .................................................................................. 880
Uncircled ................................................................................ 882
Amendments ........................................................................... 882
Returned to the Senate ............................................................. 883
Other Action ........................................................................... 889
Signed by the Speaker and returned to the Senate ......................... 929
S.C.R. 1 — RESOLUTION ENCOURAGING MANAGED LANES STUDY (C. Walker)
Read the first time by short title and referred to Rules Committee .......... 58
Assigned to standing committee ........................................... 78
Read the second time ......................................................... 151
Read the third time ......................................................... 181
Circled ............................................................................. 181
Uncircled ........................................................................... 568
Signed by the Speaker and returned to the Senate ......................... 569

S.C.R. 2 — RESOLUTION APPROVING CLASS V LANDFILL (R. Allen)
Read the first time by short title and referred to Rules Committee .......... 918
Read the second time ......................................................... 1045
Read the third time ......................................................... 1100
Circled ............................................................................. 1100
Uncircled ........................................................................... 1101
Signed by the Speaker and returned to the Senate ......................... 1102

S.C.R. 3 — RESOLUTION HONORING SEARCHERS (L. Hillyard)
Read the first time by short title ................................................. 56
Read the second time ......................................................... 56
Read the third time ......................................................... 56
Signed by the Speaker and transmitted to the Governor ................. 57

S.C.R. 4 — RESOLUTION APPROVING UTAH RECREATIONAL LAND EXCHANGE
(B. Evans)
Read the first time by short title and referred to Rules Committee .......... 237
Assigned to standing committee ........................................... 250
Read the second time ......................................................... 340
Read the third time ......................................................... 385
Signed by the Speaker and returned to the Senate ......................... 386

S.C.R. 5 — RESOLUTION APPROVING SETTLEMENT OF LAWSUIT (P. Knudson)
Read the first time by short title and referred to Rules Committee .......... 525
Assigned to standing committee ........................................... 632
Read the second time ......................................................... 703, 904
Returned to Rules Committee ............................................... 703
Read the third time ......................................................... 922
Signed by the Speaker and returned to the Senate ......................... 923

S.C.R. 6 — RESOLUTION SUPPORTING THE GOLDEN RULE PROJECT (F. Fife)
Read the first time by short title and referred to Rules Committee .......... 648
Assigned to standing committee ........................................... 668
Read the second time ......................................................... 690, 932
Returned to Rules Committee ............................................... 690
Read the third time ......................................................... 994
Signed by the Speaker and returned to the Senate ......................... 995
S.C.R. 8 — CONCURRENT RESOLUTION APPROVING CLASS V LANDFILL (M. Dmitrich)
   Read the first time by short title and referred to Rules Committee ............... 846
   Read the second time ................................................................. 1044
   Read the third time ............................................................... 1057
   Signed by the Speaker and returned to the Senate ............................. 1057

1st Sub. S.C.R. 9 — CONCURRENT RESOLUTION REGARDING DELTA AIR LINES
   (D. Eastman)
   Read the first time by short title and referred to Rules Committee .......... 570
   Read the second time ................................................................. 571
   Read the third time ............................................................... 571
   Signed by the Speaker and returned to the Senate ............................. 571

S.C.R. 10 — CONCURRENT RESOLUTION HONORING UTAH FOUNDATION (L. A. Mansell)
   Read the first time by short title and referred to Rules Committee ....... 634
   Assigned to standing committee ................................................... 667
   Returned to Rules Committee ...................................................... 803
   Read the second time ................................................................. 904
   Read the third time ............................................................... 924
   Signed by the Speaker and returned to the Senate ............................. 925

S.C.R. 11 — CONCURRENT RESOLUTION ON MCGUFF HOUSE (D. Eastman)
   Read the first time by short title and referred to Rules Committee ........ 788
   Amendments ................................................................. 788
   Read the second time ................................................................. 788
   Read the third time ............................................................... 788
   Signed by the Speaker and returned to the Senate ............................. 789
S.J.R. 1 — JOINT RESOLUTION APPROVING APPOINTMENT OF LEGISLATIVE AUDITOR GENERAL (J. Valentine)
Read the first time by short title and referred to Rules Committee .................. 58
Read the second time .................................................. 59
Read the third time .................................................. 60
Signed by the Speaker and returned to the Senate .................. 60

S.J.R. 3 — RESOLUTION ENCOURAGING MEDIATION (C. Walker)
Read the first time by short title and referred to Rules Committee ................. 192
Assigned to standing committee .................................................. 236
Read the second time .................................................. 262
Read the third time .................................................. 319
Signed by the Speaker and returned to the Senate .................. 320

S.J.R. 4 — JOINT RULES RESOLUTION – INTERIM RULES RECODIFICATION
(M. Waddoups)
Read the first time by short title and referred to Rules Committee .................. 114
Read the second time .................................................. 125
Read the third time .................................................. 163
Circled .................................................. 163
Uncircled .................................................. 180
Signed by the Speaker and returned to the Senate .................. 180

S.J.R. 5 — RESOLUTION APPROVING CONTRACT FOR STATE CAPITOL RENOVATION
(L. A. Mansell)
Read the first time by short title and referred to Rules Committee .................. 58
Read the second time .................................................. 75
Read the third time .................................................. 76
Signed by the Speaker and returned to the Senate .................. 77

S.J.R. 6 — SPACE EXPLORATION RESOLUTION (P. Knudson)
Read the first time by short title and referred to Rules Committee .................. 252
Assigned to standing committee .................................................. 275
Read the second time .................................................. 317, 904
Returned to Rules Committee .................................................. 668
Read the third time .................................................. 373, 945
Circled .................................................. 373, 946
Uncircled .................................................. 960
Signed by the Speaker and returned to the Senate .................. 961

S.J.R. 7 — RESOLUTION RECOGNIZING RONALD REAGAN DAY (P. Knudson)
Read the first time by short title and referred to Rules Committee .................. 315
Read the second time .................................................. 328
Read the third time .................................................. 328
Signed by the Speaker and returned to the Senate .................. 329
1st Sub. S.J.R. 8 — JOINT RULES RESOLUTION – APPEARANCE OF BILLS (C. Bramble)
Read the first time by short title and referred to Rules Committee ............... 331
Read the second time ................................................................. 399
Read the third time ................................................................. 547
Circled ................................................................. 547
Uncircled ................................................................. 569
Signed by the Speaker and returned to the Senate ................................. 570

S.J.R. 9 — RESOLUTION RECOGNIZING 100 YEARS OF ROTARY INTERNATIONAL
(P. Knudson)
Read the first time by short title and referred to Rules Committee ........... 853
Read the second time ................................................................. 854
Read the third time ................................................................. 854
Signed by the Speaker and returned to the Senate ................................. 854

S.J.R. 10 — RESOLUTION TO CONGRESS REGARDING OIL AND GAS DRILLING AND
EXPLORATION (H. Stephenson)
Read the first time by short title and referred to Rules Committee ........... 331
Assigned to standing committee ................................................. 363
Read the second time ................................................................. 412
Read the third time ................................................................. 547
Signed by the Speaker and returned to the Senate ................................. 548

S.J.R. 11 — RESOLUTION LIMITING NUMBER OF GOVERNOR’S TERMS (C. Walker)
Read the first time by short title and referred to Rules Committee ........... 512
Assigned to standing committee ................................................. 577
Read the second time ................................................................. 739 , 1066
Returned to Rules Committee ..................................................... 739
Enacting Clause Stricken ............................................................. 1111

S.J.R. 13 — JOINT RESOLUTION AMENDING INTERIM LEGISLATIVE RULES
(M. Waddoups)
Read the first time by short title and referred to Rules Committee ........... 315
Read the second time ................................................................. 329
Read the third time ................................................................. 367
Circled ................................................................. 367
Uncircled ................................................................. 386
Signed by the Speaker and returned to the Senate ................................. 387

S.J.R. 14 — JOINT RESOLUTION ON STROKE AWARENESS (P. Knudson)
Read the first time by short title and referred to Rules Committee ........... 648
Assigned to standing committee ................................................. 667
Read the second time ................................................................. 776 , 1009
Returned to Rules Committee ..................................................... 776
Read the third time ................................................................. 1023
Signed by the Speaker and returned to the Senate ................................. 1024
S.J.R. 15 — JOINT RESOLUTION URGING MEDICAID REFORM (P. Knudson)
Read the first time by short title and referred to Rules Committee .......... 648
Assigned to standing committee ............................................. 667
Read the second time ......................................................... 776, 1009
Returned to Rules Committee .................................................. 776
Read the third time ............................................................. 1024
Signed by the Speaker and returned to the Senate ............................. 1024

S.J.R. 16 — RESOLUTION URGING COMPREHENSIVE CANCER CONTROL PLAN FOR THE
STATE (K. Hale)
Read the first time by short title and referred to Rules Committee .......... 700
Assigned to standing committee ................................................. 732
Read the second time ............................................................. 776, 932
Returned to Rules Committee ..................................................... 776
Read the third time ............................................................... 988
Signed by the Speaker and returned to the Senate ............................... 988

S.J.R. 17 — RESOLUTION RECOGNIZING HUNTSMAN CANCER INSTITUTE (P. Knudson)
Read the first time by short title and referred to Rules Committee .......... 684
Assigned to standing committee .................................................. 732
Read the second time ............................................................. 776, 904
Returned to Rules Committee ..................................................... 776
Read the third time ............................................................... 964
Signed by the Speaker and returned to the Senate ............................... 965

S.J.R. 18 — JOINT RESOLUTION APPROVING CONSOLIDATION OF WEST VALLEY AND
SANDY DISTRICT COURTS (P. Knudson)
Read the first time by short title and referred to Rules Committee .......... 784
Read the second time ............................................................. 1009
Read the third time ............................................................... 1025
Signed by the Speaker and returned to the Senate ............................... 1025

S.J.R. 19 — RESOLUTION RECOGNIZING GRANITE SCHOOL DISTRICT’S 100 YEARS
(G. Davis)
Read the first time by short title and referred to Rules Committee .......... 784
Read the second time ............................................................. 1009
Read the third time ............................................................... 1021
Signed by the Speaker and returned to the Senate ............................... 1022

S.J.R. 20 — JOINT RESOLUTION RECOGNIZING RETIRING PRESIDENT OF DIXIE STATE
COLLEGE (J. Hickman)
Read the first time by short title and referred to Rules Committee .......... 762
Read the second time ............................................................. 1009
Read the third time ............................................................... 1022
Signed by the Speaker and returned to the Senate ............................... 1023
FINAL ACTION
INDEX
HB 1  **Annual Appropriations Act**  R. Bigelow
Governor Signed on 2/22/2005
Effective Date: 7/1/2005

HB 3  **Minimum School Program Act Amendments**  G. Snow
Governor Signed on 2/22/2005
Effective Date: 7/1/2005

HB 4  **Divorce Mediation Program**  B. Ferry
Governor Signed on 3/21/2005
Effective Date: 5/2/2005

HB 5  **Person with a Disability Motorcycle Parking**  T. Kiser
Governor Signed on 3/18/2005
Effective Date: 5/2/2005

HB 6  **Master Highway Designation Amendments**  J. Murray
Governor Signed on 3/10/2005
Effective Date: 5/2/2005

HB 7  **Individual Income Tax − Contributions for Education**  S. Allen
Governor Signed on 3/18/2005
Effective Date: 5/2/2005

HB 8  **Child Protection Team Meetings**  A. Tilton
Governor Signed on 3/10/2005
Effective Date: 5/2/2005

HB 9  **Sales and Use Tax − Agricultural Exemption Vehicle Limitation**  R. Menlove
Governor Signed on 3/18/2005
Effective Date: 7/1/2005

HB 10  **Employment Security Act Amendments**  D. Cox
Governor Signed on 3/1/2005
Effective Date: 3/1/2005

HB 11  **Economic Development Incentives**  B. Dee
Governor Signed on 3/21/2005
Effective Date: 5/2/2005
<table>
<thead>
<tr>
<th>Bill</th>
<th>Title</th>
<th>Sponsor</th>
<th>Action Date</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>HB 12</td>
<td><strong>Health Care Assistants</strong></td>
<td>R. Lockhart</td>
<td>Governor Signed on 3/11/2005</td>
<td>5/2/2005</td>
</tr>
<tr>
<td>HB 13</td>
<td><strong>Occupational and Professional Licensing Sunset Amendment</strong></td>
<td>R. Lockhart</td>
<td>Governor Signed on 3/11/2005</td>
<td>5/2/2005</td>
</tr>
<tr>
<td>HB 14</td>
<td><strong>Bond Election Process Amendments</strong></td>
<td>F. Hunsaker</td>
<td>Governor Signed on 3/16/2005</td>
<td>5/2/2005</td>
</tr>
<tr>
<td>HB 15</td>
<td><strong>Repeal of State Debt Collection Advisory Board</strong></td>
<td>D. Aagard</td>
<td>Governor Signed on 3/10/2005</td>
<td>5/2/2005</td>
</tr>
<tr>
<td>HB 16</td>
<td><strong>Repeal of Vehicle Equipment Safety Commission</strong></td>
<td>N. Hendrickson</td>
<td>Governor Signed on 3/10/2005</td>
<td>5/2/2005</td>
</tr>
<tr>
<td>HB 17</td>
<td><strong>Motion Picture Incentive Fund</strong></td>
<td>S. Allen</td>
<td>Governor Signed on 3/18/2005</td>
<td>7/1/2005</td>
</tr>
<tr>
<td>HB 18</td>
<td><strong>Transportation Investment Act</strong></td>
<td>R. Lockhart</td>
<td>House/ filed on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 19</td>
<td><strong>Procurement Code Renumbering</strong></td>
<td>R. Bigelow</td>
<td>Governor Signed on 3/10/2005</td>
<td>5/2/2005</td>
</tr>
<tr>
<td>HB 20</td>
<td><strong>Calling Local Special Elections for Sales and Use Tax Purposes</strong></td>
<td>S. Clark</td>
<td>Governor Signed on 3/18/2005</td>
<td>5/2/2005</td>
</tr>
<tr>
<td>HB 21</td>
<td><strong>Automobile Crime Prevention</strong></td>
<td>P. Ray</td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
</tbody>
</table>
HB 22  Intercountry Adoption Accreditation  R. McGee
Governor Signed on 3/18/2005
Effective Date: 5/2/2005

HB 23  Department of Workforce Services –
Work Experience and Training Programs  D. Cox
Governor Signed on 3/11/2005
Effective Date: 5/2/2005

HB 24  Traffic Code Amendments  J. Dunnigan
Governor Signed on 3/10/2005
Effective Date: 5/2/2005

HB 25  Direct-entry Midwife Act  J. Biskupski
Governor Signed on 3/22/2005
Effective Date: 5/2/2005

HB 26  Conveyances of Property  J. Adams
Governor Signed on 3/18/2005
Effective Date: 5/2/2005

HB 27  Health Insurance Fair Marketing Standards  S. Mascaro
House/ enacting clause struck on 3/2/2005

HB 28  Juvenile Justice Recodification and Revisions  D. Aagard
Governor Signed on 3/1/2005
Effective Date: 3/1/2005

HB 29  State Engineer’s Powers and Duties Amendments  D. Clark
Governor Signed on 3/17/2005
Effective Date: 5/2/2005

HB 30  Consumer Sales Practices Act Amendments  T. Kiser
Governor Signed on 3/10/2005
Effective Date: 5/2/2005

HB 31  Vision Care for Medicaid Recipient  S. Mascaro
House/ enacting clause struck on 3/2/2005

HB 32  Dental Services for Adults on Medicaid  S. Mascaro
House/ enacting clause struck on 3/2/2005
HB 33  Assistance for People with Bleeding Disorders  D. Litvack
Governor Signed on 3/21/2005  
Effective Date: 5/2/2005

HB 34  Emergency Related Amendments  S. Allen
Governor Signed on 3/18/2005  
Effective Date: 5/2/2005

HB 35  Telecommunications Amendments  S. Urquhart
House/ enacting clause struck on 3/2/2005

HB 36  Charter School Construction Amendments  J. Ferrin
Governor Signed on 2/17/2005  
Effective Date: 2/17/2005

HB 37  Administrative Rules Reauthorization  D. Ure
Governor Signed on 3/21/2005  
Effective Date: 5/1/2005

HB 38  Water Law − Criminal Penalties Amendments  B. Ferry
Governor Signed on 3/18/2005  
Effective Date: 5/2/2005

HB 39  Tuition Tax Credits  J. Ferrin
House/ filed on 2/25/2005

HB 40  Sunset of Township Provision  M. Lawrence
Governor Signed on 3/10/2005  
Effective Date: 5/2/2005

HB 41  Special District for Police Services  R. Romero
House/ enacting clause struck on 3/2/2005

HB 42  Medical Recommendations for Children  M. Morley
Governor Vetoed on 3/22/2005  
Effective Date: 5/2/2005

HB 43  School Land Trust Program Funding Amendments  S. Urquhart
Governor Signed on 3/17/2005  
Effective Date: 7/1/2005
<table>
<thead>
<tr>
<th>Bill No.</th>
<th>Title</th>
<th>Sponsor</th>
<th>Action Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>HB 44</td>
<td><strong>Additional State Retirement Benefit</strong></td>
<td>L. Shurtliff</td>
<td>House/ filed on 3/2/2005</td>
</tr>
<tr>
<td>HB 45</td>
<td><strong>Property Affected by Access Interruption</strong></td>
<td>G. Hughes</td>
<td>Governor Signed on 3/11/2005 Effective Date: 5/2/2005</td>
</tr>
<tr>
<td>HB 46</td>
<td><strong>Public Education Capital Outlay Act Amendments</strong></td>
<td>D. Cox</td>
<td>House/ filed on 3/2/2005</td>
</tr>
<tr>
<td>HB 47</td>
<td><strong>New Automobile Franchise Act Amendments</strong></td>
<td>S. Urquhart</td>
<td>Governor Signed on 3/17/2005 Effective Date: 5/2/2005</td>
</tr>
<tr>
<td>HB 48</td>
<td><strong>Motor Vehicle Registration and Safety Inspection Amendments</strong></td>
<td>B. Daw</td>
<td>House/ filed on 3/2/2005</td>
</tr>
<tr>
<td>HB 49</td>
<td><strong>Bicycle Safety Provisions</strong></td>
<td>R. McGee</td>
<td>Governor Signed on 3/18/2005 Effective Date: 5/2/2005</td>
</tr>
<tr>
<td>HB 50</td>
<td><strong>Criminal Penalty Amendment</strong></td>
<td>D. Litvack</td>
<td>House/ enacting clause struck on 3/2/2005</td>
</tr>
<tr>
<td>HB 51</td>
<td><strong>Electronic Payments to Local Government Entities</strong></td>
<td>J. Murray</td>
<td>Governor Signed on 3/10/2005 Effective Date: 5/2/2005</td>
</tr>
<tr>
<td>HB 52</td>
<td><strong>Fire Prevention Amendments</strong></td>
<td>J. Murray</td>
<td>Governor Signed on 3/11/2005 Effective Date: 5/2/2005</td>
</tr>
<tr>
<td>HB 53</td>
<td><strong>Tax Treatment of Personal Property</strong></td>
<td>L. Shurtliff</td>
<td>Governor Signed on 3/18/2005 Effective Date: 1/1/2006</td>
</tr>
<tr>
<td>HB 54</td>
<td><strong>Criminal Appeal Amendments</strong></td>
<td>S. Wyatt</td>
<td>Governor Signed on 3/16/2005 Effective Date: 5/2/2005</td>
</tr>
</tbody>
</table>
HB 55  **Drug Offense Penalty Enhancements**  
Governor Signed on 3/10/2005  
Effective Date: 5/2/2005  
B. Dee

HB 56  **Divorce Task Force**  
House/ filed on 3/2/2005  
P. Wallace

HB 57  **Tourism Task Force**  
Governor Signed on 3/18/2005  
Effective Date: 5/2/2005  
D. Ure

HB 58  **Government Efficiency and Effectiveness Review Committee**  
House/ enacting clause struck on 3/2/2005  
P. Wallace

HB 59  **Domestic Violence Enhancement**  
Governor Signed on 3/11/2005  
Effective Date: 5/2/2005  
C. Moss

HB 60  **Insurance Licensing Amendments**  
Governor Signed on 3/18/2005  
Effective Date: 5/2/2005  
J. Dunnigan

HB 61  **State School Board Elections and Filling of Vacancies**  
House/ enacting clause struck on 3/2/2005  
J. Ferrin

HB 62  **Amendments to Intermediate Care Facilities for Mentally Retarded**  
Governor Signed on 3/10/2005  
Effective Date: 7/1/2005  
R. Lockhart

HB 63  **School District Amendments**  
House/ filed on 3/2/2005  
D. Cox

HB 64  **Criminal Background Checks for Personal Care Attendants**  
Governor Signed on 3/16/2005  
Effective Date: 5/2/2005  
F. Hunsaker

HB 65  **Driver License and Commercial Driver License Amendments**  
Governor Signed on 3/18/2005  
Effective Date: 7/1/2005  
D. Bowman
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Title</th>
<th>Sponsor</th>
</tr>
</thead>
<tbody>
<tr>
<td>HB 66</td>
<td>Naturopathic Physician Amendments</td>
<td>J. Ferrin</td>
</tr>
<tr>
<td></td>
<td>Governor Signed on 3/8/2005</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Effective Date: 3/8/2005</td>
<td></td>
</tr>
<tr>
<td>HB 67</td>
<td>Abandoned Vehicles Amendments</td>
<td>J. Gowans</td>
</tr>
<tr>
<td></td>
<td>Governor Signed on 3/11/2005</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Effective Date: 5/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 68</td>
<td>Motor Vehicle Enforcement Division Amendments</td>
<td>P. Ray</td>
</tr>
<tr>
<td></td>
<td>Governor Signed on 3/11/2005</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Effective Date: 7/1/2005</td>
<td></td>
</tr>
<tr>
<td>HB 69</td>
<td>Federal Health Care Tax Credit Program Act</td>
<td>C. Oda</td>
</tr>
<tr>
<td></td>
<td>Governor Signed on 3/18/2005</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Effective Date: 5/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 70</td>
<td>Health Discount Program Consumer Protection Act</td>
<td>J. Dunnigan</td>
</tr>
<tr>
<td></td>
<td>Governor Signed on 3/11/2005</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Effective Date: 9/1/2005</td>
<td></td>
</tr>
<tr>
<td>HB 71</td>
<td>Licensing of Estheticians and Nail Technicians</td>
<td>J. Fisher</td>
</tr>
<tr>
<td></td>
<td>Governor Signed on 3/18/2005</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Effective Date: 12/31/2005</td>
<td></td>
</tr>
<tr>
<td>HB 72</td>
<td>School Curriculum Amendments</td>
<td>C. Moss</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 73</td>
<td>Local Referendum Requirements</td>
<td>D. Hogue</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 74</td>
<td>Tuition Program for Students Seeking Teacher Licensure in Disability or Special Education</td>
<td>R. Menlove</td>
</tr>
<tr>
<td></td>
<td>Governor Signed on 3/18/2005</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Effective Date: 5/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 75</td>
<td>Government Records Access and Management Task Force</td>
<td>D. Aagard</td>
</tr>
<tr>
<td></td>
<td>Governor Signed on 3/18/2005</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Effective Date: 5/2/2005</td>
<td></td>
</tr>
</tbody>
</table>
HB 76  **Habitual Violent Offenders Amendments**  P. Ray
Governor Signed on 3/11/2005
Effective Date: 3/11/2005

HB 77  **Provisions for Emancipation of a Minor**  R. McGee
House/ filed on 3/2/2005

HB 78  **Corporate Franchise and Income Tax Amendments**  W. Harper
Governor Signed on 3/18/2005
Effective Date: 1/1/2006

HB 79  **Provision of Services for People with Disabilities**  R. Lockhart
Governor Signed on 3/11/2005
Effective Date: 5/2/2005

HB 80  **Services for People with Disabilities**  R. Lockhart
Governor Signed on 3/11/2005
Effective Date: 5/2/2005

HB 81  **Workers’ Compensation Coverage of Fire Department Employees**  J. Murray
House/ enacting clause struck on 3/2/2005

HB 82  **Contractors Bonds and Letters of Credit**  S. Clark
House/ enacting clause struck on 3/2/2005

HB 83  **Weights and Measures Amendments**  D. Ure
Governor Signed on 3/18/2005
Effective Date: 1/1/2006

HB 84  **Reading Requirements for Student Advancement**  K. Morgan
House/ filed on 3/2/2005

HB 85  **Health Insurance High Risk Pool – Eligibility Amendments**  D. Litvack
House/ filed on 3/2/2005

HB 86  **Utah College of Applied Technology Amendments**  R. Bigelow
Governor Signed on 3/18/2005
Effective Date: 5/2/2005
HB 87  **Claims Against a County**  S. Clark
Governor Signed on 3/18/2005
Effective Date: 5/2/2005

HB 88  **Air Conditioned Buses for Students with Disabilities**  D. Hogue
House/ enacting clause struck on 3/2/2005

HB 89  **Presumption of Responsibility for Abuse or Neglect**  L. Christensen
Governor Signed on 3/22/2005
Effective Date: 5/2/2005

HB 90  **Search and Rescue Advisory Board – Amendments**  J. Adams
Governor Signed on 3/11/2005
Effective Date: 5/2/2005

HB 91  **License Plate for Disabled Veterans**  R. Bigelow
Governor Signed on 3/11/2005
Effective Date: 10/1/2005

HB 92  **Safety Belt Law Requirement Amendments**  M. Noel
House/ enacting clause struck on 3/2/2005

HB 93  **Emission Inspection Amendments**  K. Gibson
Governor Signed on 3/18/2005
Effective Date: 5/2/2005

HB 94  **Youth Corrections Amendments**  C. Moss
House/ enacting clause struck on 3/2/2005

HB 95  **Sex Offender Registration Amendments**  M. Lawrence
House/ filed on 3/2/2005

HB 96  **Amendments Relating to Clean Fuels and Vehicles Using Clean Fuels**  F. Hunsaker
Governor Signed on 3/16/2005
Effective Date: 5/2/2005

HB 97  **State Budget Provisions**  G. Curtis
House/ enacting clause struck on 3/2/2005
<table>
<thead>
<tr>
<th>Bill</th>
<th>Title</th>
<th>Sponsor</th>
<th>Action Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>HB 98</td>
<td><strong>Offenses Committed Against Correctional and Peace Officers</strong></td>
<td>C. Oda</td>
<td>Governor Signed on 3/18/2005, Effective Date: 5/2/2005</td>
</tr>
<tr>
<td>HB 99</td>
<td><strong>State Fleet Vehicle Classification</strong></td>
<td>E. Hutchings</td>
<td>House/ enacting clause struck on 3/2/2005</td>
</tr>
<tr>
<td>HB 100</td>
<td><strong>Consumer Credit Bureau Notice Requirements</strong></td>
<td>K. Morgan</td>
<td>House/ enacting clause struck on 3/2/2005</td>
</tr>
<tr>
<td>HB 101</td>
<td><strong>Amendments to the Individual Income Tax</strong></td>
<td>W. Harper</td>
<td>House/ enacting clause struck on 3/2/2005</td>
</tr>
<tr>
<td>HB 102</td>
<td><strong>Higher Education Savings Incentive Program Amendments</strong></td>
<td>S. Wyatt</td>
<td>Governor Signed on 3/16/2005, Effective Date: 3/16/2005</td>
</tr>
<tr>
<td>HB 103</td>
<td><strong>Student Housing Built by Higher Education Institutions</strong></td>
<td>S. Clark</td>
<td>Governor Signed on 3/18/2005, Effective Date: 5/2/2005</td>
</tr>
<tr>
<td>HB 104</td>
<td><strong>Spyware Control Act Revisions</strong></td>
<td>S. Urquhart</td>
<td>Governor Signed on 3/17/2005, Effective Date: 5/2/2005</td>
</tr>
<tr>
<td>HB 105</td>
<td><strong>Construction Filing Amendments</strong></td>
<td>M. Morley</td>
<td>Governor Signed on 3/11/2005, Effective Date: 5/2/2005</td>
</tr>
<tr>
<td>HB 106</td>
<td><strong>Regulation of Noncompete Agreements in Medical Practices</strong></td>
<td>R. McGee</td>
<td>House/ enacting clause struck on 3/2/2005</td>
</tr>
<tr>
<td>HB 107</td>
<td><strong>Amendments to Taxes, Fees, or Charges</strong></td>
<td>W. Harper</td>
<td>Governor Signed on 3/18/2005, Effective Date: 7/1/2005</td>
</tr>
<tr>
<td>HB 108</td>
<td><strong>Telecommunications Taxation</strong></td>
<td>G. Curtis</td>
<td>House/ enacting clause struck on 3/2/2005</td>
</tr>
<tr>
<td>Bill Number</td>
<td>Title</td>
<td>Sponsor</td>
<td>Action Date</td>
</tr>
<tr>
<td>-------------</td>
<td>----------------------------------------------------</td>
<td>------------------</td>
<td>---------------------</td>
</tr>
<tr>
<td>HB 109</td>
<td>Information Technology Governance Amendments</td>
<td>D. Clark</td>
<td>Governor Signed on 3/17/2005</td>
</tr>
<tr>
<td>HB 110</td>
<td>Emergency Administration of Epinephrine</td>
<td>T. Kiser</td>
<td>House/ enacting clause struck on 3/2/2005</td>
</tr>
<tr>
<td>HB 111</td>
<td>Licensing of Child Care Centers – Oversight and Regulation</td>
<td>D. Buxton</td>
<td>House/ enacting clause struck on 3/2/2005</td>
</tr>
<tr>
<td>HB 112</td>
<td>Background Checks in County Government</td>
<td>B. Dee</td>
<td>House/ enacting clause struck on 3/2/2005</td>
</tr>
<tr>
<td>HB 113</td>
<td>Government Boundary Changes</td>
<td>K. Holdaway</td>
<td>Governor Signed on 3/18/2005</td>
</tr>
<tr>
<td>HB 114</td>
<td>Children’s Health Care Coverage Amendments</td>
<td>D. Hogue</td>
<td>Governor Signed on 3/21/2005</td>
</tr>
<tr>
<td>HB 115</td>
<td>Utah Child Abuse Prevention Board</td>
<td>P. Ray</td>
<td>House/ filed on 3/2/2005</td>
</tr>
<tr>
<td>HB 117</td>
<td>Revisions to State Government</td>
<td>B. Ferry</td>
<td>House/ enacting clause struck on 3/2/2005</td>
</tr>
<tr>
<td>HB 118</td>
<td>Revise Utility Improvement Districts</td>
<td>D. Ure</td>
<td>House/ filed on 3/2/2005</td>
</tr>
<tr>
<td>HB 119</td>
<td>Navajo Trust Fund Amendments</td>
<td>B. King</td>
<td>House/ filed on 3/2/2005</td>
</tr>
<tr>
<td>HB 120</td>
<td>Crime of Soliciting Sex from a Child</td>
<td>L. Fowlke</td>
<td>House/ enacting clause struck on 3/2/2005</td>
</tr>
</tbody>
</table>
HB 121 Property Exempt from Execution
Governor Signed on 3/18/2005
Effective Date: 5/2/2005

HB 122 Bail Bond Amendments
House/ filed on 2/24/2005

HB 123 Restrictions of Advertising Illegal Activities
House/ enacting clause struck on 3/2/2005

HB 124 Enrollment Growth Program Amendments
Governor Signed on 3/17/2005
Effective Date: 7/1/2005

HB 125 Small Business Economic Stimulus
House/ enacting clause struck on 3/2/2005

HB 126 Amendments to Facilities with Regional Impact
House/ filed on 3/2/2005

HB 127 Offer of Settlement Provisions
House/ enacting clause struck on 3/2/2005

HB 128 Compensation of Executive Officers
Governor Signed on 3/21/2005
Effective Date: 5/2/2005

HB 129 School Uniforms
House/ filed on 3/2/2005

HB 130 Income Tax Subtraction for Specialized Immigrant Services
House/ enacting clause struck on 3/2/2005

HB 131 Access to Health Care Facilities and Places of Worship
House/ enacting clause struck on 3/2/2005

HB 132 Internet Crimes Against Children
Governor Signed on 3/21/2005
Effective Date: 5/2/2005
HB 133  Mobile Home Park – Notice of Sale of Underlying Property  M. Wheatley
House/ enacting clause struck on 3/2/2005

HB 134  Public Safety Officers – Critical Incident Shooting Provisions  P. Ray
House/ enacting clause struck on 3/2/2005

HB 135  Implementing Federal Educational Programs  M. Dayton
House/ filed on 3/2/2005

HB 136  Charter School Enrollment  J. Ferrin
Governor Signed on 3/22/2005
Effective Date: 5/2/2005

HB 137  Repeal of Prior Amendments to the Voluntary Contributions Act  N. Hansen
House/ enacting clause struck on 3/2/2005

HB 138  Nonresident Tuition for Higher Education Amendments  M. Lawrence
Governor Signed on 3/18/2005
Effective Date: 5/2/2005

HB 139  Local School Board Amendments  M. Dayton
Governor Signed on 3/17/2005
Effective Date: 5/2/2005

HB 140  Individual Income Tax Contribution for Community Spay and Neuter Programs  M. Noel
House/ filed on 3/2/2005

HB 141  School Breakfast Program  D. Litvack
House/ enacting clause struck on 3/2/2005

HB 142  Issues Submitted to Voters  G. Hughes
Governor Signed on 3/18/2005
Effective Date: 5/2/2005

HB 143  National Guard Amendments  E. Hutchings
Governor Signed on 3/11/2005
Effective Date: 5/2/2005
HB 144  **Ban on Gifts to Elected Officials**  
House/ enacting clause struck on 3/2/2005  
R. Becker

HB 145  **Amendments to Hearing and Speech Impaired Telecommunications Program**  
Governor Signed on 3/21/2005  
Effective Date: 5/2/2005  
B. Goodfellow

HB 146  **Vaccine Restrictions**  
House/ enacting clause struck on 3/2/2005  
E. Hutchings

HB 147  **Property Tax Exemption for Veterans**  
Governor Signed on 3/18/2005  
Effective Date: 5/2/2005  
G. Hughes

HB 148  **School Truancy Amendments**  
House/ filed on 3/2/2005  
E. Hutchings

HB 149  **Vehicle Identification Number Inspectors**  
Governor Signed on 3/10/2005  
Effective Date: 5/2/2005  
C. Frank

HB 150  **Water Rights Fees**  
Governor Signed on 3/11/2005  
Effective Date: 5/2/2005  
J. Gowans

HB 151  **School Community Councils**  
House/ filed on 3/2/2005  
J. Dougall

HB 152  **County Option Sales and Use Tax for Agricultural Land, Open Land, and Recreational Facilities Act**  
House/ enacting clause struck on 3/2/2005  
C. Buttars

HB 153  **Security for Public Schools**  
House/ enacting clause struck on 3/2/2005  
S. Allen

HB 154  **School and Institutional Trust Lands Amendments**  
Governor Signed on 3/11/2005  
Effective Date: 5/2/2005  
E. Hutchings
HB 155  Agricultural Coop Amendments  C. Buttars
Governor Signed on 3/16/2005
Effective Date: 5/2/2005

HB 156  Dairy Promotion Act Amendments  D. Ure
Governor Signed on 3/17/2005
Effective Date: 5/2/2005

HB 157  Water Enforcement Procedures and Penalties  D. Ure
Governor Signed on 3/10/2005
Effective Date: 5/2/2005

HB 158  Election Requirements for County Candidates  R. Romero
House/ enacting clause struck on 3/2/2005

HB 159  Motor Assisted Scooter and Mini–motorcycle Amendments  B. Dee
Governor Signed on 3/16/2005
Effective Date: 5/2/2005

HB 160  Wildlife License Agents Amendments  J. Fisher
Governor Signed on 3/11/2005
Effective Date: 5/2/2005

HB 161  Injury Reporting Requirement Amendments  J. Murray
House/ enacting clause struck on 3/2/2005

HB 162  Municipal Abatement of Weeds and Other Neglected Items on Property  M. Morley
Governor Signed on 3/11/2005
Effective Date: 5/2/2005

HB 163  Garnishment Fees  S. Mascaro
House/ filed on 3/2/2005

HB 164  Repeal of Utah Personal Introduction Services Protection Act  S. Allen
Governor Signed on 3/11/2005
Effective Date: 5/2/2005

HB 165  Utah Commission on Aging  P. Jones
Governor Signed on 3/21/2005
Effective Date: 5/2/2005
HB 166  **Utah Indoor Clean Air Act Amendments**  P. Ray  
House/ enacting clause struck on 3/2/2005  

HB 167  **Elder Protection Provisions**  P. Jones  
House/ enacting clause struck on 3/2/2005  

HB 168  **Cooperative Wildlife Management Unit Amendments**  J. Gowans  
Governor Signed on 3/16/2005  
Effective Date: 5/2/2005  

HB 169  **Appropriation for School Districts Impacted by Fee Waivers**  L. Shurtliff  
House/ enacting clause struck on 3/2/2005  

HB 170  **Extension of Utah Low-income Housing Tax Credits**  S. Clark  
Governor Signed on 3/16/2005  
Effective Date: 5/2/2005  

HB 171  **Calculation of Mining Severance Tax on Beryllium**  R. Wheeler  
Governor Signed on 3/18/2005  
Effective Date: 5/2/2005  

HB 172  **Notary Public Amendments**  L. Shurtliff  
House/ filed on 2/25/2005  

HB 173  **State Employee Amendments**  A. Hardy  
Governor Signed on 3/16/2005  
Effective Date: 5/2/2005  

HB 174  **Child Protection Registry Amendments**  J. Dougall  
House/ filed on 3/2/2005  

HB 175  **Education Achievement Gap Task Force**  D. Litvack  
House/ enacting clause struck on 3/2/2005  

HB 176  **Revisor’s Statute**  R. Lockhart  
Governor Signed on 3/11/2005  
Effective Date: 5/2/2005
<table>
<thead>
<tr>
<th>Bill</th>
<th>Title</th>
<th>Sponsor</th>
<th>Action Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>HB 177</td>
<td><strong>Wildlife License Refund Amendments</strong></td>
<td>M. Dayton</td>
<td>Governor Signed on 3/16/2005 Effective Date: 5/2/2005</td>
</tr>
<tr>
<td>HB 178</td>
<td><strong>Mental Health Services Coordinator</strong></td>
<td>D. Hogue</td>
<td>House/ enacting clause struck on 3/2/2005</td>
</tr>
<tr>
<td>HB 179</td>
<td><strong>Utah Venture Capital Enhancement Act Amendments</strong></td>
<td>P. Wallace</td>
<td>Governor Signed on 3/1/2005 Effective Date: 3/1/2005</td>
</tr>
<tr>
<td>HB 180</td>
<td><strong>Retirement Office Amendments</strong></td>
<td>A. Hardy</td>
<td>Governor Signed on 3/16/2005 Effective Date: 5/2/2005</td>
</tr>
<tr>
<td>HB 181</td>
<td><strong>Duplicate Wildlife Licensing Amendments</strong></td>
<td>M. Dayton</td>
<td>Governor Signed on 3/16/2005 Effective Date: 5/2/2005</td>
</tr>
<tr>
<td>HB 182</td>
<td><strong>Historical Livestock Trails</strong></td>
<td>B. Johnson</td>
<td>Governor Signed on 3/16/2005 Effective Date: 5/2/2005</td>
</tr>
<tr>
<td>HB 183</td>
<td><strong>Verification of Eligibility for Fee Waivers</strong></td>
<td>W. Harper</td>
<td>Governor Signed on 3/16/2005 Effective Date: 5/2/2005</td>
</tr>
<tr>
<td>HB 184</td>
<td><strong>Crime Victims − Change of Locks on Rental Property</strong></td>
<td>L. Shurtliff</td>
<td>Governor Signed on 3/16/2005 Effective Date: 5/2/2005</td>
</tr>
<tr>
<td>HB 185</td>
<td><strong>Utah Computer Crimes Act Amendments</strong></td>
<td>B. Daw</td>
<td>Governor Signed on 3/11/2005 Effective Date: 5/2/2005</td>
</tr>
<tr>
<td>HB 186</td>
<td><strong>Consumer Protection Amendments</strong></td>
<td>S. Allen</td>
<td>Governor Signed on 3/8/2005 Effective Date: 3/8/2005</td>
</tr>
<tr>
<td>Bill Number</td>
<td>Title</td>
<td>Sponsor</td>
<td>Status Notes</td>
</tr>
<tr>
<td>-------------</td>
<td>------------------------------------------------------------</td>
<td>---------</td>
<td>--------------</td>
</tr>
<tr>
<td>HB 187</td>
<td>Capital Outlay Foundation Program – Participation Requirements</td>
<td>J. Ferrin</td>
<td>House/ enacting clause struck on 3/2/2005</td>
</tr>
<tr>
<td>HB 188</td>
<td>Public Education Job Enhancement Program</td>
<td>B. Johnson</td>
<td>Governor Signed on 3/17/2005 Effective Date: 5/2/2005</td>
</tr>
<tr>
<td>HB 189</td>
<td>Applied Technology Program Amendments</td>
<td>J. Ferrin</td>
<td>House/ filed on 2/15/2005</td>
</tr>
<tr>
<td>HB 190</td>
<td>Individual Income Tax – Electronic Filing Requirements</td>
<td>S. Clark</td>
<td>Governor Signed on 3/16/2005 Effective Date: 5/2/2005</td>
</tr>
<tr>
<td>HB 191</td>
<td>Captive Insurance Law Amendments</td>
<td>J. Dunnigan</td>
<td>Governor Signed on 3/16/2005 Effective Date: 5/2/2005</td>
</tr>
<tr>
<td>HB 192</td>
<td>Utah High Cost Home Loan Act Amendments</td>
<td>W. Harper</td>
<td>House/ enacting clause struck on 3/2/2005</td>
</tr>
<tr>
<td>HB 193</td>
<td>Deregulation of General Building Contractors</td>
<td>G. Hughes</td>
<td>House/ enacting clause struck on 3/2/2005</td>
</tr>
<tr>
<td>HB 194</td>
<td>Fair Housing for Domestic Violence Victims and Landlord Protection Act</td>
<td>L. Shurtliff</td>
<td>House/ enacting clause struck on 3/2/2005</td>
</tr>
<tr>
<td>HB 195</td>
<td>Insurance Law Amendments</td>
<td>J. Dunnigan</td>
<td>Governor Signed on 3/16/2005 Effective Date: 5/2/2005</td>
</tr>
<tr>
<td>HB 196</td>
<td>Legislators Involvement in Public Schools</td>
<td>D. Bourdeaux</td>
<td>House/ enacting clause struck on 3/2/2005</td>
</tr>
<tr>
<td>HB 197</td>
<td>Individual Income Tax Amendments</td>
<td>P. Jones</td>
<td>House/ enacting clause struck on 3/2/2005</td>
</tr>
</tbody>
</table>
HB 198  Naturopathic Formulary Peer Committee Amendments  J. Ferrin
Governor Signed on 3/11/2005
Effective Date: 5/2/2005

HB 199  Special Election Dates  D. Hogue
House/ enacting clause struck on 3/2/2005

HB 200  Insurance Law Revisions  J. Dunnigan
Governor Signed on 3/16/2005
Effective Date: 5/2/2005

HB 201  Life Insurance and Annuities Law Amendments  J. Dunnigan
Governor Signed on 3/16/2005
Effective Date: 5/2/2005

HB 202  Revisions to Child Welfare  W. Harper
House/ filed on 3/2/2005

HB 203  Agricultural Advisory Board  M. Noel
Governor Signed on 3/17/2005
Effective Date: 5/2/2005

HB 204  Statute of Limitations Amendments  D. Clark
Senate/ to House on 3/2/2005

HB 205  Deer Hunt Opening Season Date Amendments  S. Clark
House/ enacting clause struck on 3/2/2005

HB 206  Charter School Reporting  C. Moss
Governor Signed on 3/11/2005
Effective Date: 5/2/2005

HB 207  Prescriptive Easements Act  G. Hughes
House/ enacting clause struck on 3/2/2005

HB 208  Unclaimed Property Amendments  P. Ray
Governor Signed on 3/16/2005
Effective Date: 5/2/2005
<table>
<thead>
<tr>
<th>Bill No.</th>
<th>Bill Title</th>
<th>Sponsor</th>
<th>Status/Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>HB 211</td>
<td>Integrity of Election Results Amendments</td>
<td>J. Dougall</td>
<td>Failed Due to Lack of Presentment on 4/4/2005</td>
</tr>
<tr>
<td>HB 212</td>
<td>Traffic Violations by Diplomats</td>
<td>D. Hogue</td>
<td>Governor Signed on 3/16/2005 Effective Date: 5/2/2005</td>
</tr>
<tr>
<td>HB 213</td>
<td>Unused Sick Leave At Retirement Amendments</td>
<td>D. Clark</td>
<td>Governor Signed on 3/1/2005 Effective Date: 1/1/2006</td>
</tr>
<tr>
<td>HB 214</td>
<td>Emerging Technologies and Open Government</td>
<td>D. Clark</td>
<td>House/ filed on 3/2/2005</td>
</tr>
<tr>
<td>HB 215</td>
<td>Property Tracking Amendments</td>
<td>P. Ray</td>
<td>Governor Signed on 3/11/2005 Effective Date: 5/2/2005</td>
</tr>
<tr>
<td>HB 216</td>
<td>Global Positioning Reference Network</td>
<td>K. Holdaway</td>
<td>Governor Signed on 3/11/2005 Effective Date: 5/2/2005</td>
</tr>
<tr>
<td>HB 217</td>
<td>Public Safety Retirement – Exemption of Certain Employees</td>
<td>D. Clark</td>
<td>Governor Signed on 3/17/2005 Effective Date: 5/2/2005</td>
</tr>
<tr>
<td>HB 218</td>
<td>Second District Juvenile Judge</td>
<td>J. Adams</td>
<td>Governor Signed on 3/11/2005 Effective Date: 5/2/2005</td>
</tr>
<tr>
<td>HB 219</td>
<td>Traffic Enforcement Amendments</td>
<td>R. McGee</td>
<td>House/ enacting clause struck on 3/2/2005</td>
</tr>
</tbody>
</table>
HB 220  **Sales and Use Tax Exemption for Textbooks for Higher Education**  
D. Bourdeaux  
House/ filed on 3/2/2005

HB 221  **Electronic Communication Harassment**  
J. Dougall  
Governor Signed on 3/16/2005  
Effective Date: 5/2/2005

HB 222  **Pilot Program Repeal Clean-up**  
R. Romero  
Governor Signed on 3/16/2005  
Effective Date: 5/2/2005

HB 223  **Amendments to Driver License and Identification Cards**  
C. Oda  
Governor Signed on 3/10/2005  
Effective Date: 7/1/2005

HB 224  **Permanent Community Impact Fund – Board Membership**  
J. Mathis  
Governor Signed on 3/16/2005  
Effective Date: 5/2/2005

HB 225  **Boat Registration Fee**  
B. Goodfellow  
House/ filed on 3/2/2005

HB 226  **Government Records Access and Management Act Requirements Regarding Animal Identification Program**  
C. Buttars  
Governor Signed on 3/16/2005  
Effective Date: 5/2/2005

HB 227  **Corporate Franchise and Income Taxes – Exemption for Banks**  
W. Harper  
House/ enacting clause struck on 3/2/2005

HB 228  **Removal or Defacement of Political Signs**  
G. Hughes  
House/ filed on 2/17/2005

HB 229  **Water Rights in Irrigation Companies**  
P. Painter  
House/ enacting clause struck on 3/2/2005
HB 230  Recycling of Waste Tires  
Governor Signed on 3/16/2005  
Effective Date: 5/2/2005  
D. Ure

HB 231  School District Boundaries  
House/ filed on 3/2/2005  
M. Noel

HB 232  Utah Basic Skills Competency Test Alternatives  
House/ enacting clause struck on 3/2/2005  
P. Ray

HB 233  Adoption Law Revisions  
Governor Signed on 3/16/2005  
Effective Date: 5/2/2005  
R. McGee

HB 234  Telephone Surcharge for Education and Training Programs At Prison  
Governor Signed on 3/22/2005  
Effective Date: 7/1/2005  
B. Goodfellow

HB 235  Insurance Arbitration Amendments  
Governor Signed on 3/17/2005  
Effective Date: 5/2/2005  
S. Urquhart

HB 236  Health Insurance Law Amendments  
Governor Signed on 3/11/2005  
Effective Date: 5/2/2005  
J. Dunnigan

HB 237  State Benefit Provider Revisions  
House/ enacting clause struck on 3/2/2005  
P. Ray

HB 238  Utah Technology Commission Membership  
House/ filed on 3/2/2005  
J. Dougall

HB 239  Higher Education Tuition and Residency Legislative Task Force  
House/ enacting clause struck on 3/2/2005  
G. Donnelson
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Bill Title</th>
<th>Sponsor</th>
<th>Action Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>HB 240</td>
<td>Disaster Loan Program</td>
<td>R. Bigelow</td>
<td>Governor Signed on 2/2/2005 Effective Date: 2/2/2005</td>
</tr>
<tr>
<td>HB 241</td>
<td>Veterans Nursing Home</td>
<td>D. Buxton</td>
<td>House/ filed on 3/2/2005</td>
</tr>
<tr>
<td>HB 242</td>
<td>Criminal Penalty for Animal Cruelty</td>
<td>S. Wyatt</td>
<td>House/ filed on 3/2/2005</td>
</tr>
<tr>
<td>HB 243</td>
<td>Repeal of Geriatric Care Manager</td>
<td>R. Lockhart</td>
<td>Governor Signed on 3/16/2005 Effective Date: 5/2/2005</td>
</tr>
<tr>
<td>HB 244</td>
<td>Transfer of Prescriptions</td>
<td>N. Hansen</td>
<td>House/ enacting clause struck on 3/2/2005</td>
</tr>
<tr>
<td>HB 245</td>
<td>Compensation of Constitutional Officers – Benefits and Insurance</td>
<td>M. Noel</td>
<td>House/ filed on 2/24/2005</td>
</tr>
<tr>
<td>HB 246</td>
<td>Waste Fees Amendments</td>
<td>S. Urquhart</td>
<td>House/ filed on 3/2/2005</td>
</tr>
<tr>
<td>HB 247</td>
<td>Credit or Refund for Tax Paid on Cigarette or Tobacco Product Destroyed or Returned to the Manufacturer</td>
<td>E. Hutchings</td>
<td>Governor Signed on 3/16/2005 Effective Date: 7/1/2005</td>
</tr>
<tr>
<td>HB 248</td>
<td>Child Support Obligations</td>
<td>E. Hutchings</td>
<td>House/ filed on 2/18/2005</td>
</tr>
<tr>
<td>HB 249</td>
<td>Carson Smith Special Needs Scholarships</td>
<td>M. Newbold</td>
<td>Governor Signed on 3/10/2005 Effective Date: 5/2/2005</td>
</tr>
<tr>
<td>HB 250</td>
<td>Capitol Complex Space</td>
<td>J. Alexander</td>
<td>Governor Signed on 3/21/2005 Effective Date: 5/2/2005</td>
</tr>
</tbody>
</table>
HB 251  Amendments Related to Public Utilities
        House/ enacting clause struck on 3/2/2005
        A. Tilton

HB 252  Marriage Preparation Education
        House/ enacting clause struck on 3/2/2005
        R. McGee

HB 253  Tax Amendments
        House/ enacting clause struck on 3/2/2005
        W. Harper

HB 254  Tax Credit for Tuition
        House/ enacting clause struck on 3/2/2005
        S. Mascaro

HB 255  Investment of Higher Education Institution
        Endowment Funds
        Governor Signed on 3/17/2005
        Effective Date: 5/2/2005
        D. Clark

HB 256  Local Government Authority
        Governor Signed on 3/16/2005
        Effective Date: 5/2/2005
        A. Hardy

HB 257  Transportation General Obligation
        Bonds Authorization
        House/ enacting clause struck on 3/2/2005
        S. Urquhart

HB 258  Individual Income Tax Credit for
        Employment–related Expenses
        House/ enacting clause struck on 3/2/2005
        D. Litvack

HB 259  Adoption Amendments
        Governor Signed on 3/16/2005
        Effective Date: 5/2/2005
        A. Hardy

HB 260  Amendments Related to Pornographic and
        Harmful Materials
        Governor Signed on 3/21/2005
        Effective Date: 3/21/2005
        J. Dougall

HB 261  Motorboat Liability Insurance Amendments
        House/ filed on 3/2/2005
        K. Gibson
HB 262  **Licensure of Athletic Trainers**  P. Ray
House/ enacting clause struck on 3/2/2005

HB 263  **Insurers Rehabilitation and Liquidation**  J. Dougall
House/ filed on 3/2/2005

HB 264  **State Land Use Management Plans Amendments**  M. Noel
Governor Signed on 3/17/2005
Effective Date: 5/2/2005

HB 265  **Restrictions on Riders in the Back of Open Vehicle**  C. Buttars
House/ enacting clause struck on 3/2/2005

HB 266  **Changes to Quality Growth Commission**  C. Buttars
Governor Signed on 3/16/2005
Effective Date: 5/2/2005

HB 267  **Election Day Voter Registration**  N. Hansen
House/ enacting clause struck on 3/2/2005

HB 268  **Drug Utilization Review Committee Amendments**  R. Lockhart
Governor Signed on 3/16/2005
Effective Date: 5/2/2005

HB 269  **Sales Marketing Requirements**  M. Noel
House/ filed on 3/2/2005

HB 270  **Temporary Road Closures**  M. Noel
House/ filed on 3/2/2005

HB 271  **Commitment to Mental Health Authority**  M. Noel
House/ enacting clause struck on 3/2/2005

HB 272  **Patient Access to Providers and Contracting Amendments**  R. Lockhart
House/ filed on 3/2/2005

HB 273  **Real Estate and Mechanics Liens – Security Alternatives**  M. Morley
Governor Signed on 3/16/2005
Effective Date: 5/2/2005
HB 274  Referendum Procedure  D. Hogue
House/ enacting clause struck on 3/2/2005

HB 275  Business Entity Amendments  R. Romero
Governor Signed on 3/16/2005
Effective Date: 5/2/2005

HB 276  Division of Criminal Investigation and Technical Services Amendments  C. Oda
Governor Signed on 3/21/2005
Effective Date: 5/2/2005

HB 277  Revisions to the Utah Credit Union Act  L. Christensen
House/ enacting clause struck on 3/2/2005

HB 278  Termination of Parental Rights for Murder or Attempted Murder  J. Biskupski
House/ enacting clause struck on 3/2/2005

HB 279  Clinical Counselor − Title Change  L. Fowlke
Governor Vetoed on 3/22/2005
Effective Date: 5/2/2005

HB 280  Joint Custody Amendments  L. Christensen
Governor Signed on 3/16/2005
Effective Date: 5/2/2005

HB 281  Task Force on Legislative Reforms  N. Hansen
House/ filed on 2/17/2005

HB 282  State Employee Ethics Amendments  J. Dougall
House/ enacting clause struck on 3/2/2005

HB 283  Real Estate Amendments  G. Snow
Governor Signed on 3/18/2005
Effective Date: 5/2/2005

HB 284  Restructure of State Utility Regulatory Entities  A. Tilton
House/ enacting clause struck on 3/2/2005
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Bill Title</th>
<th>Sponsor</th>
</tr>
</thead>
<tbody>
<tr>
<td>HB 285</td>
<td>Nurse Practice Act Amendments</td>
<td>R. Lockhart</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 286</td>
<td>Use of Public Education Monies</td>
<td>P. Jones</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 287</td>
<td>Revenue Bonds and Capital Facilities Authorizations</td>
<td>D. Buxton</td>
</tr>
<tr>
<td></td>
<td>Governor Signed on 3/17/2005</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Effective Date: 5/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 288</td>
<td>Executive Compensation Amendments</td>
<td>J. Alexander</td>
</tr>
<tr>
<td></td>
<td>Senate/ to House on 3/3/2005</td>
<td></td>
</tr>
<tr>
<td>HB 289</td>
<td>Authority for Design–build Construction</td>
<td>M. Morley</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 290</td>
<td>Restrictions on Gifts</td>
<td>J. Ferrin</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 291</td>
<td>Capitol Preservation Board Modifications</td>
<td>J. Alexander</td>
</tr>
<tr>
<td></td>
<td>House/ filed on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 292</td>
<td>Commission on Racial and Ethnic Fairness</td>
<td>D. Bourdeaux</td>
</tr>
<tr>
<td></td>
<td>House/ filed on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 293</td>
<td>Materials Harmful to Minors</td>
<td>D. Hogue</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 294</td>
<td>Regulation of Assisted Living Facility Amendments</td>
<td>R. Lockhart</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 295</td>
<td>Deferred Deposit Lending Revisions</td>
<td>L. Fowlke</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 296</td>
<td>Condominium Ownership Act Amendments</td>
<td>C. Moss</td>
</tr>
<tr>
<td></td>
<td>House/ filed on 2/25/2005</td>
<td></td>
</tr>
<tr>
<td>HB 297</td>
<td>Aggravated Murder Amendments</td>
<td>S. Wyatt</td>
</tr>
<tr>
<td></td>
<td>Governor Signed on 3/16/2005</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Effective Date: 5/2/2005</td>
<td></td>
</tr>
<tr>
<td>Bill Number</td>
<td>Description</td>
<td>Sponsor</td>
</tr>
<tr>
<td>------------</td>
<td>-------------------------------------------------------</td>
<td>--------------</td>
</tr>
<tr>
<td>HB 298</td>
<td>Foster Placements</td>
<td>N. Hansen</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 299</td>
<td>Motor Vehicle Business Licensing Amendments</td>
<td>P. Ray</td>
</tr>
<tr>
<td></td>
<td>Governor Signed on 3/16/2005</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Effective Date: 5/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 300</td>
<td>Health Care Savings Account Act</td>
<td>M. Dayton</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 301</td>
<td>Supplemental Appropriations III</td>
<td>R. Bigelow</td>
</tr>
<tr>
<td></td>
<td>Governor Signed on 3/22/2005</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Effective Date: 7/1/2005</td>
<td></td>
</tr>
<tr>
<td>HB 302</td>
<td>Regulation of Construction Industry</td>
<td>J. Adams</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 303</td>
<td>Shelter Hearing Amendments</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td></td>
<td>House/ filed on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 304</td>
<td>Premium Assistance Program for Covered–at–work</td>
<td>K. Holdaway</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 305</td>
<td>Collection Practices Amendments</td>
<td>D. Bourdeaux</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 306</td>
<td>Amendment Regarding Controlled Substances</td>
<td>C. Oda</td>
</tr>
<tr>
<td></td>
<td>House/ filed on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 307</td>
<td>Redevelopment Agency Changes</td>
<td>J. Dougall</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 308</td>
<td>Archeological Resources Amendments</td>
<td>B. Johnson</td>
</tr>
<tr>
<td></td>
<td>Governor Signed on 3/16/2005</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Effective Date: 5/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 309</td>
<td>Municipal Budget Amendments</td>
<td>M. Walker</td>
</tr>
<tr>
<td></td>
<td>Governor Signed on 3/16/2005</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Effective Date: 5/2/2005</td>
<td></td>
</tr>
<tr>
<td>Bill Number</td>
<td>Title</td>
<td>Sponsor</td>
</tr>
<tr>
<td>-------------</td>
<td>--------------------------------------------------------------</td>
<td>---------------</td>
</tr>
<tr>
<td>HB 310</td>
<td>Aging and Adult Services Program Amendments</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>HB 311</td>
<td>Controlled Substance Law Amendments</td>
<td>B. Dee</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HB 312</td>
<td>Municipal Electrical Entities Amendments</td>
<td>A. Tilton</td>
</tr>
<tr>
<td>HB 313</td>
<td>Economic Development Initiative for Higher Education</td>
<td>K. Holdaway</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HB 314</td>
<td>Driving with Any Measurable Controlled Substance in the Body Revisions</td>
<td>M. Noel</td>
</tr>
<tr>
<td>HB 315</td>
<td>Department of Community Development and Arts Restructure</td>
<td>D. Buxton</td>
</tr>
<tr>
<td>HB 316</td>
<td>Driver License Requirements for Illegal Aliens</td>
<td>A. Tilton</td>
</tr>
<tr>
<td>HB 317</td>
<td>Vehicle Impound Amendments</td>
<td>J. Gowans</td>
</tr>
<tr>
<td>HB 318</td>
<td>Community and Economic Development Restructuring</td>
<td>C. Buttars</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HB 319</td>
<td>Expansion of Department of Administrative Services Oversight to Include Human Resource Management</td>
<td>D. Buxton</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HB 320</td>
<td>Utility Regulatory Reform</td>
<td>J. Gowans</td>
</tr>
<tr>
<td>Bill Number</td>
<td>Bill Title</td>
<td>Sponsor</td>
</tr>
<tr>
<td>-------------</td>
<td>-------------------------------------------------------------</td>
<td>-------------</td>
</tr>
<tr>
<td>HB 321</td>
<td><strong>Background Checks for Boarding Schools</strong></td>
<td>B. Last</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 322</td>
<td><strong>Motor Vehicle Repairs – Consumer Rights</strong></td>
<td>T. Kiser</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 323</td>
<td><strong>Access to Employment Data</strong></td>
<td>J. Mathis</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 324</td>
<td><strong>Taxable Value Adjustment for Property Damaged by a</strong></td>
<td>B. Last</td>
</tr>
<tr>
<td></td>
<td><strong>Natural Disaster</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Governor Signed on 3/17/2005</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Effective Date: 5/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 325</td>
<td><strong>Open Enrollment Amendments</strong></td>
<td>D. Bourdeaux</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 326</td>
<td><strong>High School Curriculum</strong></td>
<td>B. Daw</td>
</tr>
<tr>
<td></td>
<td>House/ filed on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 327</td>
<td><strong>Department of Commerce – Demographic Data Tracking</strong></td>
<td>M. Wheatley</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 328</td>
<td><strong>Rural Health Care Infrastructure</strong></td>
<td>M. Noel</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 329</td>
<td><strong>County Contracted Services</strong></td>
<td>K. Holdaway</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 330</td>
<td><strong>Driver License Qualifications Amendments</strong></td>
<td>G. Donnelson</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 331</td>
<td><strong>Disaster Relief Provisions</strong></td>
<td>D. Clark</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 332</td>
<td><strong>Possession of a Dangerous Weapon in a Vehicle</strong></td>
<td>M. Morley</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 333</td>
<td><strong>Density Credit for Land Donated to School District</strong></td>
<td>D. Cox</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
</tbody>
</table>
HB 334  Divorce Education for Children  
House/ enacting clause struck on 3/2/2005  
R. McGee

HB 335  Disconnecting Territory from a Municipality  
House/ filed on 3/2/2005  
C. Frank

HB 336  Voting Requirements  
House/ enacting clause struck on 3/2/2005  
L. Shurtliff

HB 337  Golf Carts Allowed on Certain Highways  
House/ enacting clause struck on 3/2/2005  
C. Moss

HB 338  Child and Family Welfare Revisions  
Governor Signed on 3/22/2005  
Effective Date: 5/2/2005  
L. Christensen

HB 339  School Trust Lands Revisions  
House/ enacting clause struck on 3/2/2005  
D. Clark

HB 340  Office of Recovery Services Fee  
House/ enacting clause struck on 3/2/2005  
A. Tilton

HB 341  Child and Family Services Records  
House/ enacting clause struck on 3/2/2005  
S. Mascaro

HB 342  Civil Legal Aid for Victims of Domestic Violence  
House/ filed on 3/2/2005  
S. Mascaro

HB 343  Medicaid – Pregnant Women Resource Test  
House/ enacting clause struck on 3/2/2005  
M. Wheatley

HB 344  Regulation of Phlebotomists  
House/ enacting clause struck on 3/2/2005  
M. Wheatley

HB 345  State School Board Amendments  
House/ enacting clause struck on 3/2/2005  
K. Morgan

HB 346  Schools for the Deaf and the Blind Salary Adjustments  
House/ filed on 3/2/2005  
K. Morgan
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Title</th>
<th>Sponsor</th>
</tr>
</thead>
<tbody>
<tr>
<td>HB 347</td>
<td>Family Impact Statement</td>
<td>C. Frank</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 348</td>
<td>Employment Agency Revisions</td>
<td>J. Adams</td>
</tr>
<tr>
<td></td>
<td>Governor Signed on 3/16/2005</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Effective Date: 5/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 349</td>
<td>Money Management Act Amendments</td>
<td>D. Clark</td>
</tr>
<tr>
<td></td>
<td>Governor Signed on 3/17/2005</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Effective Date: 5/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 350</td>
<td>State Building Energy Efficiency Program</td>
<td>F. Hunsaker</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 351</td>
<td>Health Insurance Disclosure Requirements</td>
<td>B. Last</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 352</td>
<td>Mandatory Minimum Sentencing for Child Molesters</td>
<td>C. Frank</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 353</td>
<td>Government Operations</td>
<td>J. Gowans</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 354</td>
<td>Licensure of Wholesale Distributors of Prescription Drugs</td>
<td>B. Last</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 355</td>
<td>Amendments to Workers Compensation Fund</td>
<td>D. Ure</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 356</td>
<td>State Government Law Revisions – Withdrawal from Education Compact</td>
<td>M. Dayton</td>
</tr>
<tr>
<td></td>
<td>House/ filed on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 357</td>
<td>Amendments to Independent Entities</td>
<td>D. Ure</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
<tr>
<td>HB 358</td>
<td>Tuition and Books Assistance</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td></td>
<td>House/ enacting clause struck on 3/2/2005</td>
<td></td>
</tr>
</tbody>
</table>
HB 359  Professional Licensing Amendments  M. Wheatley  House/ enacting clause struck on 3/2/2005

HB 360  Protective Order Amendments  E. Hutchings  House/ enacting clause struck on 3/2/2005

HB 361  Municipal Authority to Use Collection Agencies  M. Walker  House/ filed on 2/24/2005

HB 362  Appropriation for Highly Qualified Teachers  K. Holdaway  House/ filed on 3/2/2005

HB 363  Transportation Amendments  K. Gibson  House/ enacting clause struck on 3/2/2005

HB 364  Abusive Attorneys Fees  B. Last  House/ enacting clause struck on 3/2/2005

HB 365  Revolving Door Limitation for Public Officials to Become Lobbyists  C. Moss  House/ enacting clause struck on 3/2/2005

HB 366  Ethics Commission  D. Litvack  House/ enacting clause struck on 3/2/2005

HB 367  Restrictions on High Occupancy Vehicle Lane  D. Litvack  House/ enacting clause struck on 3/2/2005

HB 368  Special Function Officers for Division of Occupational and Professional Licensing  N. Hendrickson  House/ filed on 2/21/2005

HB 369  Lobbyist Regulation  J. Ferrin  House/ enacting clause struck on 3/2/2005

HB 370  Contribution Limits on Governor’s Campaign  J. Ferrin  House/ enacting clause struck on 3/2/2005

HB 371  Designation of Next of Kin with Department of Health  J. Biskupski  House/ enacting clause struck on 3/2/2005
<table>
<thead>
<tr>
<th>Bill Number</th>
<th>Description</th>
<th>Sponsor</th>
<th>Status Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>HB 372</td>
<td><strong>Power of Attorney Amendments</strong></td>
<td>M. Newbold</td>
<td>House/ enacting clause struck on 3/2/2005</td>
</tr>
<tr>
<td>HB 373</td>
<td><strong>Education Technology Task Force</strong></td>
<td>E. Hutchings</td>
<td>House/ filed on 3/2/2005</td>
</tr>
<tr>
<td>HB 374</td>
<td><strong>Implements of Husbandry Permit Stickers</strong></td>
<td>J. Mathis</td>
<td>House/ enacting clause struck on 3/2/2005</td>
</tr>
<tr>
<td>HB 375</td>
<td><strong>Revisions to General State Government – Notary Law Amendments</strong></td>
<td>B. King</td>
<td>House/ filed on 3/2/2005</td>
</tr>
<tr>
<td>HB 376</td>
<td><strong>Hill Air Force Museum Appropriation</strong></td>
<td>D. Buxton</td>
<td>House/ enacting clause struck on 3/2/2005</td>
</tr>
<tr>
<td>HB 377</td>
<td><strong>County Option Funding for Botanical, Cultural, Recreation, and Zoological Organizations or Facilities</strong></td>
<td>E. Hutchings</td>
<td>House/ enacting clause struck on 3/2/2005</td>
</tr>
<tr>
<td>HB 378</td>
<td><strong>911 Emergency Response Amendments</strong></td>
<td>E. Hutchings</td>
<td>House/ enacting clause struck on 3/2/2005</td>
</tr>
<tr>
<td>HB 379</td>
<td><strong>Young Artist Provisions</strong></td>
<td>G. Hughes</td>
<td>House/ enacting clause struck on 3/2/2005</td>
</tr>
<tr>
<td>HB 380</td>
<td><strong>Amendments to Local Districts</strong></td>
<td>K. Morgan</td>
<td>Governor Signed on 3/10/2005 Effective Date: 5/2/2005</td>
</tr>
<tr>
<td>HB 381</td>
<td><strong>Nonresident Tuition Waivers</strong></td>
<td>C. Buttars</td>
<td>House/ filed on 3/2/2005</td>
</tr>
<tr>
<td>HB 382</td>
<td><strong>Supplemental Minimum School Program Finance Act</strong></td>
<td>G. Snow</td>
<td>Governor Signed on 3/17/2005 Effective Date: 7/1/2005</td>
</tr>
<tr>
<td>HCR 1</td>
<td><strong>Resolution Promoting Moderately Sized Schools</strong></td>
<td>D. Cox</td>
<td>Governor Signed on 3/1/2005 Effective Date: 3/1/2005</td>
</tr>
</tbody>
</table>
HCR 2  Cowboy Hall of Fame Resolution  L. Shurtliff
Governor Signed on 3/1/2005
Effective Date: 3/1/2005

HCR 3  Resolution Regarding Washington County Waste Facility  B. Last
Governor Signed on 3/22/2005
Effective Date: 3/22/2005

HCR 4  Utah Athletic Foundation Resolution  D. Ure
House/ enacting clause struck on 3/2/2005

HCR 5  Resolution Honoring Utah Military Service Personnel  F. Hunsaker
Governor Signed on 3/1/2005
Effective Date: 3/1/2005

HCR 6  Resolution Recognizing Utah’s Legislators Back to School Program  M. Dayton
Governor Signed on 3/1/2005
Effective Date: 3/1/2005

HCR 7  Concurrent Resolution Opposing Nuclear Testing  M. Noel
Governor Signed on 3/17/2005
Effective Date: 3/17/2005

HCR 8  Resolution Recognizing Utah Manufacturers Association  J. Alexander
Governor Signed on 3/1/2005
Effective Date: 3/1/2005

HCR 9  Resolution Honoring Outgoing USU President Kermit L. Hall  F. Hunsaker
Governor Signed on 2/17/2005
Effective Date: 2/17/2005

HCR 10 Concurrent Resolution Honoring Waldo Wilcox for Preservation of Range Creek Area  B. King
Governor Signed on 3/8/2005
Effective Date: 3/8/2005
HCR 11  Resolution Honoring the University of Utah Football Team  J. Alexander
Governor Signed on 3/11/2005
Effective Date: 3/11/2005

HCR 12  Resolution Urging Congress to Provide Sufficient Funding of Medicaid  R. Bigelow
House/ enacting clause struck on 3/2/2005

HCR 13  Concurrent Resolution Promoting Utah Saves Strategic Initiative  D. Hogue
House/ filed on 3/2/2005

HCR 14  Concurrent Resolution Honoring America’s Military War Dogs  S. Mascaro
House/ filed on 3/2/2005

HJR 1  Joint Resolution Related to Financial Institutions  J. Alexander
House/ to Lieutenant Governor on 3/9/2005
Effective Date: 2/21/2005

HJR 2  Joint Rules Resolution – Family Impact Statement on Legislation  C. Frank
House/ enacting clause struck on 3/2/2005

HJR 3  Resolution Regarding Federal No Child Left Behind  K. Holdaway
House/ to Lieutenant Governor on 3/7/2005
Effective Date: 2/25/2005

HJR 4  Joint Rules Resolution – Conflict of Interest Amendments  D. Ure
House/ enacting clause struck on 3/2/2005

HJR 5  Resolution Clarifying Removal Provisions  D. Hogue
House/ filed on 2/25/2005

HJR 6  Resolution Approving Compensation of In–session Employees  M. Newbold
House/ to Lieutenant Governor on 3/7/2005
Effective Date: 1/27/2005
HJR 7  Resolution Amending State Auditor Qualifications  R. Romero
House/ enacting clause struck on 3/2/2005

HJR 8  Joint Rules Resolution – Use of Legislative Seals  R. Lockhart
House/ to Lieutenant Governor on 2/4/2005
Effective Date: 1/27/2005

HJR 9  Resolution Amending Joint Rules Regarding Conflicts of Interest  J. Dougall
House/ to Lieutenant Governor on 2/4/2005
Effective Date: 1/27/2005

HJR 10  Joint Rules Resolution – Amendments in Context  R. Lockhart
House/ to Lieutenant Governor on 2/4/2005
Effective Date: 1/27/2005

HJR 11  Resolution Encouraging Schools to Adopt Nutrition and Physical Activity Policies  P. Jones
House/ to Lieutenant Governor on 3/7/2005
Effective Date: 2/21/2005

HJR 12  Resolution Eliminating Property Tax on Personal Property  J. Dougall
House/ enacting clause struck on 3/2/2005

HJR 13  Resolution Supporting National Bear River Heritage Area Act  C. Buttars
House/ filed on 3/2/2005

HJR 14  Resolution Establishing Redistricting Commission  R. McGee
House/ enacting clause struck on 3/2/2005

HJR 15  Resolution Regarding United States Trade Negotiations  S. Allen
House/ to Lieutenant Governor on 3/7/2005
Effective Date: 2/22/2005

HJR 16  Joint Resolution Related to the Utah Athletic Foundation  D. Ure
House/ enacting clause struck on 3/2/2005
HJR 17  Resolution Honoring Celebration of Marriage Week  L. Fowlke
House/ to Lieutenant Governor on 3/7/2005
Effective Date: 2/28/2005

HJR 18  Joint Resolution Supporting Counties
Expansion of Correctional Facilities  D. Hogue
House/ filed on 3/2/2005

HJR 19  Joint Resolution Urging Health Care
for Utah’s Indigent and Needy Uninsured  L. Fowlke
House/ to Lieutenant Governor on 3/11/2005
Effective Date: 3/2/2005

HJR 20  Master Study Resolution  J. Alexander
House/ to Lieutenant Governor on 3/11/2005
Effective Date: 3/2/2005

HJR 21  Resolution Honoring Jade Pusey  D. Ure
House/ to Lieutenant Governor on 2/25/2005
Effective Date: 2/7/2005

HR 1  House Rules Resolution – Lobbyist Code of Ethics Amendments  D. Ure
House/ enacting clause struck on 3/2/2005

HR 2  Resolution Supporting Permanent Repeal of Federal Inheritance Tax  M. Morley
House/ to Lieutenant Governor on 3/7/2005
Effective Date: 1/31/2005

HR 3  Resolution Supporting Congressional Privatization of Social Security  M. Morley
House/ to Lieutenant Governor on 3/7/2005
Effective Date: 2/2/2005

HR 4  Resolution Urging United States Senate Support of President’s Supreme Court Nominees  M. Morley
House/ to Lieutenant Governor on 3/7/2005
Effective Date: 2/2/2005

HR 5  House Rules Resolution – Oral Declaration of Conflict of Interest  D. Ure
House/ enacting clause struck on 3/2/2005
<table>
<thead>
<tr>
<th>Number</th>
<th>Description</th>
<th>Sponsor</th>
<th>Date/Status Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>HR 6</td>
<td><strong>House Rules Resolution – Electronic Voting Board</strong></td>
<td>D. Ure</td>
<td>House/ filed on 2/8/2005</td>
</tr>
<tr>
<td>HR 7</td>
<td><strong>House Rules Resolution – Committee Report</strong></td>
<td>D. Ure</td>
<td>House/ to Lieutenant Governor on 3/7/2005 Effective Date: 2/24/2005</td>
</tr>
<tr>
<td>HR 8</td>
<td><strong>Resolution Encouraging State Research Universities to Focus on Enhancing State Trust Lands</strong></td>
<td>E. Hutchings</td>
<td>House/ enacting clause struck on</td>
</tr>
<tr>
<td>HR 9</td>
<td><strong>House Resolution Discouraging Participation in Free Trade Areas of the Americas</strong></td>
<td>G. Donnelson</td>
<td>House/ to Lieutenant Governor on 3/7/2005 Effective Date: 2/18/2005</td>
</tr>
<tr>
<td>HR 10</td>
<td><strong>Resolution Supporting Participation of Taiwan in World Health Organization</strong></td>
<td>B. Last</td>
<td>House/ to Lieutenant Governor on 3/7/2005 Effective Date: 2/22/2005</td>
</tr>
<tr>
<td>HR 11</td>
<td><strong>Resolution Urging Congress to Pass</strong></td>
<td>N. Hansen</td>
<td>House/ to Lieutenant Governor on 3/7/2005 Effective Date: 2/24/2005</td>
</tr>
<tr>
<td>HR 12</td>
<td><strong>Resolution Honoring Hollace (Holly) Parker</strong></td>
<td>K. Holdaway</td>
<td>House/ to Lieutenant Governor on 3/9/2005 Effective Date: 3/2/2005</td>
</tr>
</tbody>
</table>
SUBJECT INDEX TITLES

ABUSE
Medical Decisions of a Parent or Guardian, Thomas, D. ............... SB 83 (P)
Presumption of Responsibility for Abuse or Neglect,
   Christensen, L. .................................................. HB 89 (P)
Revisions to Child Welfare, Harper, W. .............................. HB 202 (F)

ADMINISTRATIVE RULES AND PROCEDURES
Administrative Rules – Impact on Small
   Businesses, Hughes, G. ................................. HB 209 (F)
Administrative Rules Reauthorization, Ure, D. ....................... HB 37 (P)
Individual Income Tax – Return Filing Requirements,
   Stephenson, H. ........................................... SB 133 (P)
Utah Administrative Rulemaking Act Revision, Stephenson, H. ... SB 101 (P)

ADMINISTRATIVE SERVICES
Capitol Preservation Board Amendments, Evans, B. ............... SB 163 (P)

ADOPTION
Adoption Amendments, Hardy, A. ................................. HB 259 (P)
Adoption Law Revisions, McGee, R. ............................... HB 233 (P)
Amendments to Individual Income Tax Credit for Special
   Needs Adoptions, Hellewell, P. ........................... SB 125 (P)
Child Support Exemption for Adoptive Parents of Certain
   Children in State Custody, Hellewell, P. ................. SB 160 (F)
Child Welfare Removal – Adoption Option, Hellewell, P. .... SB 186 (F)
Intercountry Adoption Accreditation, McGee, R. .................. HB 22 (P)

ADVERTISING
Restrictions of Advertising Illegal Activities, Wyatt, S. ....... HB 123 (F)

AERONAUTICS
Aerospace and Aviation Development Zone Modifications,
   Dmitrich, M. ................................................... SB 9 (P)
Liens on Aircraft, Hatch, T. ...................................... SB 103 (P)
Space Exploration Resolution, Knudson, P. ....................... SJR 6 (P)
AGRICULTURE
Agricultural Advisory Board, Noel, M. .................................. HB 203 (P)
Agricultural Coop Amendments, Buttars, C. ........................ HB 155 (P)
County Option Sales and Use Tax for Agricultural Land,
   Open Land, and Recreational Facilities Act, Buttars, C. ...... HB 152 (F)
Dairy Promotion Act Amendments, Ure, D. .......................... HB 156 (P)
Historical Livestock Trails, Johnson, B. ............................... HB 182 (P)
Sales and Use Tax – Agricultural Exemption Vehicle Limitation,
   Menlove, R. ...................................................................... HB 9 (P)
Sales and Use Tax Agriculture Exemptions, Allen, R. .......... SB 6 (P)
Water Enforcement Procedures and Penalties, Ure, D. ....... HB 157 (P)
Water Law – Criminal Penalties Amendments, Ferry, B. ..... HB 38 (P)

AIR
Amendments to Indoor Clean Air Act, Waddoups, M. .......... SB 77 (F)
Utah Indoor Clean Air Act Amendments, Ray, P. ................. HB 166 (F)

AIRPORTS
Concurrent Resolution Regarding Delta Air Lines, Eastman, D. . . . SCR 9 (P)
Retirement for Airport Police, Dmitrich, M. ........................... SB 130 (P)

ALCOHOLIC BEVERAGE CONTROL
Alcoholic Beverage Control Amendments, Knudson, P. ......... SB 65 (P)
Young Artist Provisions, Hughes, G. ................................. HB 379 (F)

ALTERNATIVE DISPUTE RESOLUTION
Arbitration – Use of Subpoena Authorized, Eastman, D. ....... SB 116 (P)
Resolution Encouraging Mediation, Walker, C. ...................... SJR 3 (P)

APPLIED TECHNOLOGY EDUCATION
Applied Technology Program Amendments, Ferrin, J. ......... HB 189 (F)
Utah College of Applied Technology Amendments, Bigelow, R. ... HB 86 (P)

APPROPRIATIONS
Annual Appropriations Act, Bigelow, R. .............................. HB 1 (P)
Appropriation for Highly Qualified Teachers, Holdaway, K. ...... HB 362 (F)
Children’s Justice Center Addition, Hatch, T. ....................... SB 93 (P)
Division of Real Estate Amendments, Waddoups, M. .......... SB 172 (P)
Executive Compensation Amendments, Alexander, J. .......... HB 288 (F)
High Technology Economic Development Appropriation,
   Mansell, L. A. ................................. SB 192 (P)
Hill Air Force Museum Appropriation, Buxton, D. G. .......... HB 376 (F)
Supplemental Appropriations Act, Hillyard, L. ....................... SB 1 (P)
Supplemental Appropriations Act II, Hillyard, L. ................. SB 3 (P)
Supplemental Appropriations III, Bigelow, R. ...................... HB 301 (P)
Supplemental Minimum School Program Finance
   Act, Snow, G. ..................................... HB 382 (P)
Telephone Surcharge for Education and Training
   Programs At Prison, Goodfellow, B. ............................. HB 234 (P)
Telephone Surcharge for Education and Training
   Programs At Prison, Goodfellow, B. ............................. HB 234 (P)
Transportation Investment Act, Lockhart, R. ....................... HB 18 (F)

ARBITRATION\MEDIATION
Arbitration – Use of Subpoena Authorized, Eastman, D. ........ SB 116 (P)

ARCHIVES
Archeological Resources Amendments, Johnson, B. .............. HB 308 (P)

ARTS
Office of Museum Services Amendments, Allen, R. ............... SB 95 (P)

ATTORNEYS
Elder Protection Provisions, Jones, P. ............................. HB 167 (F)
Offer of Settlement Provisions, Christensen, L. .................. HB 127 (F)
Utah Attorney’s Fees Recovery Act, Thomas, D. .................. SB 92 (F)

AUTOMATED GEOGRAPHIC REFERENCE CENTER
Global Positioning Reference Network, Holdaway, K. .......... HB 216 (P)

BANKRUPTCY
Property Exempt from Execution, Dunnigan, J. ................. HB 121 (P)

BENEFITS/CLAIMS, HEALTH
Medical Benefits Recovery Act Amendments, Killpack, S. ...... SB 126 (P)
BICYCLES
Bicycle Safety Provisions, McGee, R. .......................... HB 49 (P)
Motor Assisted Scooter and Mini−motorcycle
   Amendments, Dee, B. ............................... HB 159 (P)

BLACKLISTING
Blacklisting Amendments, Christensen, A.  ................. SB 233 (F)

BOARD OF PARDONS AND PAROLES
Drug Courts Pilot Project, Hillyard, L.  ....................... SB 135 (P)
Restitution Amendments, Bell, G. ............................... SB 94 (P)

BOATING
Boat Registration Fee, Goodfellow, B.  ...................... HB 225 (F)
Motorboat Liability Insurance Amendments, Gibson, K. .... HB 261 (F)

BONDS
2004 General Obligation Bond Amendments, Knudson, P. .......... SB 86 (P)
Bond Election Process Amendments, Hunsaker, F. ............. HB 14 (P)
Changes to 2004 General Obligation Bond, Allen, R. ............ SB 162 (F)
Private Activity Bond Amendments, Clark, D. .................... HB 116 (P)
Revenue Bonds and Capital Facilities Authorizations,
   Buxton, D. G. ............................................ HB 287 (P)

BUDGETING
Municipal Budget Amendments, Walker, M. ..................... HB 309 (P)
Resolution Urging Congress to Pass Balanced Budget
   Amendment, Hansen, N. .................................. HR 11 (P)
State Budget Provisions, Curtis, G. ............................. HB 97 (F)

BUSINESS
Administrative Rules – Impact on Small
   Businesses, Hughes, G. .............................. HB 209 (F)
Alcoholic Beverage Control Amendments, Knudson, P. .......... SB 65 (P)
Blacklisting Amendments, Christensen, A. ...................... SB 233 (F)
Business Entity Amendments, Romero, R. ....................... HB 275 (P)
Business License Fees, Waddoups, M. .......................... SB 152 (P)
Captive Insurance Law Amendments, Dunnigan, J. ............. HB 191 (P)
Child Protection Registry Amendments, Dougall, J. ............. HB 174 (F)
Subject Index

1301

Concurrent Resolution Regarding Delta Air Lines, Eastman, D. . . . . SCR 9 (P)
Condominium Ownership Act Amendments, Moss, C. . . . . . . . . . . HB 296 (F)
Construction Filing Amendments, Morley, M. . . . . . . . . . . . . . . . . . HB 105 (P)
Construction Trade Related Amendments, Jenkins, S. . . . . . . . . . . . SB 168 (F)
Consumer Credit Bureau Notice Requirements, Morgan, K. . . . . . . HB 100 (F)
Consumer Credit Protection, Walker, C. . . . . . . . . . . . . . . . . . . . . . . SB 039 (F)
Consumer Protection Amendments, Allen, S. . . . . . . . . . . . . . . . . . . HB 186 (P)
Consumer Sales Practices Act Amendments, Kiser, T. . . . . . . . . . . . . HB 30 (P)
Contractors Bonds and Letters of Credit, Clark, S. . . . . . . . . . . . . . . HB 82 (F)
Conveyances of Property, Adams, J. S. . . . . . . . . . . . . . . . . . . . . . . . . HB 26 (P)
Crime Victims − Change of Locks on Rental Property,
Shurtliff, L. . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . HB 184 (P)
Department of Commerce − Demographic Data Tracking,
Wheatley, M. . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . HB 327 (F)
Dishonored Instrument Amendments, Knudson, P. . . . . . . . . . . . . . . SB 158 (P)
Division of Real Estate Amendments, Waddoups, M. . . . . . . . . . . . SB 172 (P)
Do Not Call Registry Amendments, Thomas, D. . . . . . . . . . . . . . . . . SB 84 (F)
Employee Noncompetition Contracts, Mayne, E. . . . . . . . . . . . . . . . SB 113 (F)
Employment Agency Revisions, Adams, J. S. . . . . . . . . . . . . . . . . . HB 348 (P)
Fair Housing for Domestic Violence Victims and
Landlord Protection Act, Shurtliff, L. . . . . . . . . . . . . . . . . . . . . . HB 194 (F)
Federal Health Care Tax Credit Program Act, Oda, C. . . . . . . . . . . . HB 69 (P)
Financial Institutions as Limited Liability
Companies, Hillyard, L. . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . SB 215 (P)
Garnishment by Deferred Deposit Lenders, Allen, R. . . . . . . . . . . . . SB 38 (F)
Health Discount Program Consumer Protection
Act, Dunnigan, J. . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . HB 70 (P)
Insurance Cancellation and Nonrenewal Restrictions, Arent, P. . . . . SB 48 (P)
Insurance Law Amendments, Dunnigan, J. . . . . . . . . . . . . . . . . . . . . HB 195 (P)
Insurance Law Revisions, Dunnigan, J. . . . . . . . . . . . . . . . . . . . . . . HB 200 (P)
Insurance Licensing Amendments, Dunnigan, J. . . . . . . . . . . . . . . . . HB 60 (P)
Insurers Rehabilitation and Liquidation, Dougall, J. . . . . . . . . . . . . HB 263 (F)
Joint Resolution Related to Financial Institutions, Alexander, J. . . . . HJR 1 (P)
Judgment Interest Amendments, Mayne, E. . . . . . . . . . . . . . . . . . . . SB 138 (P)
Judgment Interest Rate, Jenkins, S. . . . . . . . . . . . . . . . . . . . . . . . . . . SB 105 (F)
Liens on Aircraft, Hatch, T. . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . SB 103 (P)
Life Insurance and Annuities Law Amendments, Dunnigan, J. . . . . HB 201 (P)
Limitation on Liability Regarding Liquefied
Petroleum Gas, Eastman, D. . . . . . . . . . . . . . . . . . . . . . . . . . . . . . SB 21 (P)
Military Installation Partnerships, Killpack, S. . . . . . . . . . . . . . . . . . SB 141 (P)


Mobile Home Park – Notice of Sale of Underlying Property, Wheatley, M. .................................................. HB 133 (F)

Mutual Dependence Benefits Contract, Bell, G. ............................................. SB 89 (F)

New Automobile Franchise Act Amendments, Urquhart, S. .................................... HB 47 (P)

New Motor Vehicle Franchise Act Amendments, Eastman, D. .......................... SB 51 (P)

Pete Suazo Athletic Commission Amendments, Mayne, E. .......................... SB 149 (P)

Prescriptive Easements Act, Hughes, G. ....................................................... HB 207 (F)

Price Controls During Emergencies Act, Arent, P. .......................... SB 52 (P)

Protection of Government Records, Bell, G. ............................................... SB 179 (P)

Real Estate – Exclusive Brokerage Agreements, Mansell, L. A. ............................ SB 56 (P)

Real Estate Amendments, Snow, G. ......................................................... HB 283 (P)

Real Estate and Mechanics Liens – Security Alternatives, Morley, M. .................................................. HB 273 (P)

Real Estate Transactions and Securities, Mansell, L. A. .......................... SB 64 (P)

Regulating Proprietary Postsecondary Schools, Eastman, D. .......................... SB 18 (P)

Regulation of Construction Industry, Adams, J. S. .................................. HB 302 (F)

Regulation of Title Insurance Industry, Hatch, T. .................................... SB 40 (P)

Relationships with Venture Capital Entities, Thomas, D. ............................ SB 35 (P)

Repeal of Utah Personal Introduction Services Protection Act, Allen, S. ..................... HB164 (P)

Resolution Recognizing Utah Manufacturers Association, Alexander, J. ........................................ HCR 8 (P)

Resolution Supporting Congressional Privatization of Social Security, Morley, M. .................................................. HR 3 (P)

Revisions to the Utah Credit Union Act, Christensen, L. ............................ HB 277 (F)

Sales Marketing Requirements, Noel, M. .................................................. HB 269 (F)

Security Personnel Licensing Amendments, Davis, G. .......................... SB 71 (P)

Utah Consumer Credit Code Amendments, Knudson, P. .............................. SB 157 (P)

Utah High Cost Home Loan Act Amendments, Harper, W. ........................ HB 192 (F)

Wage Provisions, Stephenson, H. ......................................................... SB 139 (P)

Workers’ Compensation Coverage of Fire Department Employees, Murray, J. .................................................. HB 81 (F)

Young Artist Provisions, Hughes, G. ....................................................... HB 379 (F)

BUSINESS AND ECONOMIC DEVELOPMENT

Aerospace and Aviation Development Zone Modifications, Dmitrich, M. .................................................. SB 9 (P)

Community and Economic Development Restructuring, Buttars, C. .................................................. HB 318 (P)

Economic Development Incentives, Dee, B. .............................................. HB 11 (P)

Funding for Tourism, Jenkins, S. ......................................................... SB 7 (P)
Insurance Cancellation and Nonrenewal Restrictions, Arent, P. .... SB 48 (P)
Military Installation Partnerships, Killpack, S. ................. SB 141 (P)
Price Controls During Emergencies Act, Arent, P. .......... SB 52 (P)
Regulation of Title Insurance Industry, Hatch, T. .......... SB 40 (P)
Utah Venture Capital Enhancement Act Amendments,
    Wallace, P. ........................................... HB 179 (P)

CAPITOL BUILDING

Capitol Complex Space, Alexander, J. ......................... HB 250 (P)
Resolution Approving Contract for State Capitol
    Renovation, Mansell, L. A. .............................. SJR 5 (P)

CHARITIES

Charitable Purpose Determination, Hellewell, P. .......... SB 45 (F)
Joint Resolution Urging Health Care for Utah’s Indigent
    and Needy Uninsured, Fowlke, L. ....................... HJR 19 (P)
Property Tax Exemption Amendments, Bramble, C. .......... SB 121 (P)
Resolution Recognizing 100 Years of Rotary
    International, Knudson, P. ............................. SJR 9 (P)

CHARTER SCHOOLS

Applied Technology Program Amendments, Ferrin, J. ...... HB 189 (F)
Charter School Amendments, Stephenson, H. ................. SB 178 (P)
Charter School Construction Amendments, Ferrin, J. ....... HB 36 (P)
Charter School Enrollment, Ferrin, J. ....................... HB 136 (P)
Charter School Reporting, Moss, C. ......................... HB 206 (P)

CHILD CARE

Department of Workforce Services Amendments, Jenkins, S. .... SB 12 (P)

CHILD RESTRAINTS

Safety Belt Enforcement, Hale, K. ......................... SB 109 (F)

CHILD SUPPORT

Child Support Exemption for Adoptive Parents of Certain
    Children in State Custody, Hellewell, P. .............. SB 160 (F)
Child Support Obligations, Hutchings, E. ................... HB 248 (F)
Office of Recovery Services Fee, Tilton, A. ............... HB 340 (F)
CHILD WELFARE

Child and Family Welfare Revisions, Christensen, L. ............... HB 338 (P)
Child Protection Team Meetings, Tilton, A. ......................... HB 8 (P)
Child Support Exemption for Adoptive Parents of Certain
  Children in State Custody, Hellewell, P. ................... SB 160 (F)
Child Welfare Removal – Adoption Option, Hellewell, P. ...... SB 186 (F)
Child Welfare Services, Hellewell, P. ..................... SB 165 (F)
Foster Care Citizen Review Board, Eastman, D. ............... SB 17 (P)
Revisions to Child Welfare, Harper, W. ..................... HB 202 (F)

CHILDREN

Child and Family Services Records, Mascaro, S. ............... HB 341 (F)
Child Protection Amendments, Bell, G. ...................... SB 112 (F)
Child Protection Registry Amendments, Dougall, J. ........... HB 174 (F)
Child Protection Team Meetings, Tilton, A. .................. HB 8 (P)
Child Welfare Amendments, Eastman, D. .................. SB 72 (P)
Children’s Justice Center Amendments, Buttars, D. C. ....... SB 15 (P)
Children’s Health Care Coverage Amendments, Hogue, D. .... HB 114 (P)
Children’s Justice Center Addition, Hatch, T. ................. SB 93 (P)
Internet Crimes Against Children, Cosgrove, T. ............. HB 132 (P)
Medical Decisions of a Parent or Guardian, Thomas, D. ....... SB 83 (P)
Medical Recommendations for Children, Morley, M. ........ HB 42 (P)
Presumption of Responsibility for Abuse or Neglect,
  Christensen, L. ................................................. HB 89 (P)
Resolution Encouraging Schools to Adopt Nutrition and
  Physical Activity Policies, Jones, P. ......................... HJR 11 (P)
Shelter Hearing Amendments, Hutchings, E. .................. HB 303 (F)

CLEAN FUELS

Amendments Relating to Clean Fuels and Vehicles Using
  Clean Fuels, Hunsaker, F. .................................... HB 96 (P)

CODE OF CRIMINAL PROCEDURE

Amendments to Search Warrants, Thomas, D. .................... SB 30 (P)
Drug Offender Reform Act, Buttars, D. C. ....................... SB 22 (F)
Property Tracking Amendments, Ray, P. ....................... HB 215 (P)

COLLECTION AGENCIES

Municipal Authority to Use Collection Agencies, Walker, M. .... HB 361 (F)
COMMERCIAL DRIVER LICENSE (CDL)

Driver License and Commercial Driver License
   Amendments, Bowman, D. ................................. HB 65 (P)

COMMITTEE OF UTILITY CONSUMER SERVICES

Utility Regulatory Reform, Gowans, J. ........................ HB 320 (F)

COMMITTEES, LEGISLATIVE

House Rules Resolution – Committee Report, Ure, D. .......... HR 7 (P)
Master Study Resolution, Alexander, J. ........................ HJR 20 (P)
Repeal of Utah Tomorrow Strategic Planning Committee,
   Waddoups, M. .............................................. SB 117 (P)

COMMUNITY AND ECONOMIC DEVELOPMENT

Aerospace and Aviation Development Zone
   Modifications, Dmitrich, M. .......................... SB 9 (P)
Amendments to Department of Community and
   Economic Development, Knudson, P. ..................... SB 234 (F)
Amendments to Navajo Trust Fund, Evans, B. .................. SB 76 (P)
Archeological Resources Amendments, Johnson, B. .............. HB 308 (P)
Economic Development Incentives, Dee, B. ...................... HB 11 (P)
Funding for Business Development in Disadvantaged
   Rural Communities, Knudson, P. ........................ SB 57 (P)
Funding for Tourism, Jenkins, S. ................................. SB 7 (F)
High Technology Economic Development
  Appropriation, Mansell, L. A. ................................. SB 192 (P)
Military Installation Partnerships, Killpack, S. ................ SB 141 (P)
Motion Picture Incentive Fund, Allen, S. ........................ HB 17 (P)
Navajo Trust Fund Amendments, King, B. ................... HB 119 (F)
Office of Museum Services Amendments, Allen, R. .......... SB 95 (P)
Permanent Community Impact Fund – Board Membership,
  Mathis, J. .......................................................... HB 224 (P)
Private Activity Bond Amendments, Clark, D. ............. HB 116 (P)
Tourism Task Force, Ure, D. ......... .......................... HB 57 (P)
Utah Venture Capital Enhancement Act Amendments,
  Wallace, P. ...................................................... HB 179 (P)

CONFLICTS OF INTEREST

House Rules Resolution – Oral Declaration of Conflict
  of Interest, Ure, D. ............................................ HR 5 (F)
Joint Rules Resolution – Conflict of Interest
  Amendments, Ure, D. ........................................... HJR 4 (F)
Resolution Amending Joint Rules Regarding Conflicts
  of Interest, Dougall, J. ......................................... HJR 9 (P)

CONSTRUCTION INDUSTRIES

Charter School Construction Amendments, Ferrin, J.......... HB 36 (P)
Contractors Bonds and Letters of Credit, Clark, S. ....... HB 82 (F)
Deregulation of General Building Contractors, Hughes, G.  HB 193 (F)
Licensing of Crane Operators, Davis, G. ...................... SB 29 (F)
Oversight and Enforcement of Work Done on
  Mobile Homes, Mayne, E. ...................................... SB 223 (P)
Procurement Code Bidding and Contractual Amendments,
  Mayne, E. ..................................................... SB 66 (F)

CONSUMER CREDIT CODE

Consumer Credit Bureau Notice Requirements, Morgan, K. .... HB 100 (F)
Consumer Credit Protection, Walker, C. ...................... SB 39 (F)
Utah Consumer Credit Code Amendments, Knudson, P. .... SB 157 (P)

CONSUMER PROTECTION

Consumer Credit Protection, Walker, C. ...................... SB 39 (F)
Consumer Protection Amendments, Allen, S. ................. HB 186 (P)
<table>
<thead>
<tr>
<th>Subject Index</th>
<th>1307</th>
</tr>
</thead>
</table>

Consumer Sales Practices Act Amendments, Kiser, T. ............... HB 30 (P)
Do Not Call Registry Amendments, Thomas, D. ..................... SB 84 (F)
Limitation on Liability Regarding Liquefied Petroleum Gas, Eastman, D. ......................................... SB 21 (P)
Materials Harmful to Minors, Hogue, D. ............................ HB 293 (F)
Regulating Proprietary Postsecondary Schools, Eastman, D. ....... SB 18 (P)

**CONTRACTS**

Employee Noncompetition Contracts, Mayne, E. .................... SB 113 (F)
Judgment Interest Amendments, Mayne, E. .......................... SB 138 (P)
Judgment Interest Rate, Jenkins, S. ................................. SB 105 (F)
Mutual Dependence Benefits Contract, Bell, G. ..................... SB 89 (F)

**CONTROLLED SUBSTANCES**

Amendment Regarding Controlled Substances, Oda, C. ............... HB 306 (F)
Controlled Substance Amendments, Arent, P. ........................ SB 50 (P)
Controlled Substance Law Amendments, Dee, B. ..................... HB 311 (P)
Drug Courts Pilot Project, Hillyard, L. ............................... SB 135 (P)
Drug Offender Reform Act, Buttars, D. C. ........................... SB 22 (F)
Drug Offense Penalty Enhancements, Dee, B. ........................ HB 55 (P)
Transfer of Prescriptions, Hansen, N. ............................... HB 244 (F)

**CORPORATE TAX**

Amendments Relating to Clean Fuels and Vehicles Using Clean Fuels, Hunsaker, F. ................................. HB 96 (P)
Brine Shrimp Royalty Act Amendments, Hatch, T. .................... SB 129 (P)
Corporate Franchise and Income Tax Amendments, Harper, W. .... HB 78 (P)
Corporate Franchise and Income Taxes – Exemption for Banks, Harper, W. ........................................ HB 227 (F)
Extension of Utah Low–income Housing Tax Credits, Clark, S. ... HB 170 (P)
Tax Revisions, Bramble, C. ........................................... SB 195 (F)

**CORPORATIONS**

Business Entity Amendments, Romero, R. ............................ HB 275 (P)

**COUNTIES**

Amendments to Facilities with Regional Impact, Hughes, G. .... HB 126 (F)
Authority for Design–build Construction, Morley, M. ................ HB 289 (F)
Claims Against a County, Clark, S. .................................... HB 87 (P)
Consolidation of City and County Library, Bell, G. ................. SB 97 (P)
County and Municipal Zoning Regarding Billboards,
   Waddoups, M. ................................. SB 114 (P)
County Contracted Services, Holdaway, K. ................. HB 329 (F)
County Officer Amendments, Bramble, C. .................... SB 190 (P)
County Officers Serving on Boards of County Mental
   Health and Substance Abuse Providers, Thomas, D. ........ SB 90 (P)
Density Credit for Land Donated to School District, Cox, D. .... HB 333 (F)
Electronic Payments to Local Government Entities, Murray, J. .... HB 51 (P)
Funding for Business Development in Disadvantaged
   Rural Communities, Knudson, P. ....................... SB 57 (P)
Government Boundary Changes, Holdaway, K. ................ HB 113 (P)
Local Government Amendments, Thomas, D. .................. SB 31 (F)
Local Land Use Development and Management
   Amendments, Bell, G. .............................. SB 60 (P)
Optional Forms of County Government Amendment, Thomas, D. .. SB 78 (P)
Political Subdivisions – Truth in Government Competition,
   Allen, R. ......................................... SB 191 (F)
Search and Rescue Advisory Board – Amendments, Adams, J. S. .. HB 90 (P)
Student Housing Built by Higher Education
   Institutions, Clark, S. ............................... HB 103 (P)
Temporary Road Closures, Noel, M. .......................... HB 270 (F)
Waste Fees Amendments, Urquhart, S. ....................... HB 246 (F)

COUNTY GOVERNMENT

Optional Forms of County Government Amendment, Thomas, D. .. SB 78 (P)

COURT PROCEDURE

Civil Legal Aid for Victims of Domestic Violence, Mascaro, S. .... HB 342 (F)
Criminal Appeal Amendments, Wyatt, S. ....................... HB 54 (P)
Justice Court Operations Amendments, Mayne, E. ............... SB 136 (F)

COURTS

Amendments to Search Warrants, Thomas, D. ..................... SB 30 (P)
Authorization for Additional Judicial Position, Madsen, M. ...... SB 131 (F)
Children’s Justice Center Amendments, Buttars, D. C. .......... SB 15 (P)
Civil Legal Aid for Victims of Domestic Violence, Mascaro, S. .. HB 342 (F)
Drug Courts Pilot Project, Hillyard, L. ........................ SB 135 (P)
Drug Offender Reform Act, Buttars, D. C. ...................... SB 22 (F)
Joint Resolution Approving Consolidation of West Valley
   and Sandy District Courts, Knudson, P. ..................... SJR 18 (P)
Justice Court Operations Amendments, Mayne, E. .............. SB 136 (F)
Offenses Committed Against Correctional and Peace Officers, Oda, C. .......................... HB 98 (P)
Resolution Urging United States Senate Support of President’s Supreme Court Nominees, Morley, M. ............. HR 4 (P)
Second District Juvenile Judge, Adams, J. S. ..................... HB 218 (P)
Uniform Parentage Act, Hillyard, L. .......................... SB 14 (P)

CRIMINAL CODE
Aggravated Murder Amendments, Wyatt, S. ....................... HB 297 (P)
Avoiding Apprehension Amendment, Waddoups, M. ............ SB 146 (P)
Criminal Appeal Amendments, Wyatt, S. ........................ SB 181 (F)
Criminal Code Amendments, Hale, K. .......................... SB 54 (P)
Criminal Penalty Amendment, Litvack, D. ...................... HB 50 (F)
Criminal Penalty for Animal Cruelty, Wyatt, S. ............... HB 242 (F)
Electronic Communication Harassment, Dougall, J. ............ HB 221 (P)
Habitual Violent Offenders Amendments, Ray, P. ............... HB 76 (P)
Identity Fraud Amendments, Walker, C. ........................ SB 118 (P)
Increase Statute of Limitations on Rape, Mayne, E. ............ SB 177 (P)
Personal Property Transactions Amendments, Waddoups, M. ........ SB 62 (P)
Removal or Defacement of Political Signs, Hughes, G. ........ HB 228 (F)
Sales Marketing Requirements, Noel, M. ........................ HB 269 (F)
Shelter Hearing Amendments, Hutchings, E. .................... HB 303 (F)
Statute of Limitations Amendments, Clark, D. .................. HB 204 (F)
Tampering with Evidence, Buttars, D. C. ......................... SB 73 (P)
Utah Computer Crimes Act Amendments, Daw, B. .............. HB 185 (P)
Water Law – Criminal Penalties Amendments, Ferry, B. ........ HB 38 (P)
Weapons Amendments, Madsen, M. .............................. SB 175 (F)
Wrongful Lien Offenses, Evans, B. ............................. SB 47 (P)

CRIMINAL CONDUCT
Avoiding Apprehension Amendment, Waddoups, M. ............ SB 146 (P)
Criminal Penalty for Animal Cruelty, Wyatt, S. ............... HB 242 (F)
Removal or Defacement of Political Signs, Hughes, G. ......... HB 228 (F)
Restrictions of Advertising Illegal Activities, Wyatt, S. ......... HB 123 (F)
Utah Computer Crimes Act Amendments, Daw, B. ............. HB 185 (P)

DEATH
Aggravated Murder Amendments, Wyatt, S. ....................... HB 297 (P)

DEPARTMENT OF ADMINISTRATIVE SERVICES
Expansion of Department of Administrative Services Oversight to Include Human Resource Management, Buxton, D. G. .... HB 319 (P)
DEPARTMENT OF AGRICULTURE AND FOOD
Agricultural Advisory Board, Noel, M. .......................... HB 203 (P)
Agricultural Coop Amendments, Buttars, C. .......................... HB 155 (P)
Dairy Promotion Act Amendments, Ure, D. .......................... HB 156 (P)

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
Alcoholic Beverage Control Amendments, Knudson, P. .......... SB 65 (P)

DEPARTMENT OF COMMERCE
Department of Commerce – Demographic Data Tracking,
  Wheatley, M. ................................................................. HB 327 (F)
Personal Property Transactions Amendments, Waddoups, M. ..... SB 62 (P)

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT
Amendments to Department of Community and
  Economic Development, Knudson, P. ......................... SB 234 (F)
Community and Economic Development Restructuring,
  Buttars, C. ................................................................. HB 318 (P)
Funding for Business Development in Disadvantaged
  Rural Communities, Knudson, P. ......................... SB 57 (P)
Private Activity Bond Amendments, Clark, D. ..................... HB 116 (P)

DEPARTMENT OF CORRECTIONS
Drug Offender Reform Act, Buttars, D. C. .......................... SB 22 (F)
Joint Resolution Supporting Counties Expansion of
  Correctional Facilities, Hogue, D. ................................. HJR 18 (F)
Offenses Committed Against Correctional and
  Peace Officers, Oda, C. ............................................ HB 98 (P)
Telephone Surcharge for Education and Training
  Programs At Prison, Goodfellow, B. ............................. HB 234 (P)
Youth Corrections Amendments, Moss, C. .......................... HB 94 (F)

DEPARTMENT OF ENVIRONMENTAL QUALITY
Brownfields Revision, Mansell, L. A. .............................. SB173 (P)
Concurrent Resolution Approving Class V
  Landfill, Dmitrich, M. ............................................. SCR 8 (P)
Prohibition Against Certain Low–level Radioactive
  Waste, Arent, P. .................................................. SB 166 (F)
Resolution Regarding Washington County Waste
  Facility, Last, B. ................................................. HCR 3 (P)
Waste Amendments, Bramble, C. ................................ SB 24 (P)

DEPARTMENT OF HEALTH

Controlled Substance Amendments, Arent, P. ..................... SB 50 (P)
Executive Director of Department of Health Issues, Killpack, S. .. SB 232 (F)
Individual Income Tax Contribution for Community
  Spay and Neuter Programs, Noel, M. ............................. HB 140 (F)
Premium Assistance Program for Covered-at-work,
  Holdaway, K. ....................................................... HB 304 (F)

DEPARTMENT OF HUMAN RESOURCE MANAGEMENT

Expansion of Department of Administrative Services Oversight
to Include Human Resource Management, Buxton, D. G. ........ HB 319 (P)

DEPARTMENT OF NATURAL RESOURCES

Boat Registration Fee, Goodfellow, B. ............................. HB 225 (F)
Conservation Easement Endowment Restricted Account,
  Evans, B. .............................................................. SB 148 (F)
Cooperative Wildlife Management Unit Amendments,
  Gowans, J. .............................................................. HB 168 (P)
Damages for Trespass in State Parks, Hatch, T. ................... SB 99 (F)
Deer Hunt Opening Season Date Amendments, Clark, S. ........ HB 205 (F)
Duplicate Wildlife Licensing Amendments, Dayton, M. ......... HB 181 (P)
Office of Energy – Oversight, Hatch, T. ............................ SB 199 (P)
Public Lands Policy Coordination, Hatch, T. ......................... SB 239 (P)
Sales and Use Tax Diversions, Peterson, D. ......................... SB 204 (F)
Special Hunting Permits for Antelope Island, Hickman, J. ...... SB 187 (F)
State Engineer’s Powers and Duties Amendments, Clark, D. .... HB 29 (P)
Water Rights Fees, Gowans, J. ........................................ HB 150 (P)
Water Rights in Irrigation Companies, Painter, P. ................ HB 229 (F)
Wildlife License Agents Amendments, Fisher, J. ................. HB 160 (P)
Wildlife License Refund Amendments, Dayton, M. ............... HB 177 (P)

DEPARTMENT OF WORKFORCE SERVICES

Department of Workforce Services – Access to Financial
  Records, Jenkins, S. ................................................. SB 16 (P)
Department of Workforce Services – Work Experience and
  Training Programs, Cox, D. ......................................... HB 23 (P)
DISABILITIES
Air Conditioned Buses for Students with Disabilities, Hogue, D. . . HB 88 (F)
Carson Smith Special Needs Scholarships, Newbold, M. ............... HB 249 (P)
License Plate for Disabled Veterans, Bigelow, R. ....................... HB 91 (P)
Permanent Total Disability Amendments, Mayne, E. ................. SB 115 (P)
Person with a Disability Motorcycle Parking, Kiser, T. ............... HB 5 (P)
Provision of Services for People with Disabilities, Lockhart, R. . . HB 79 (P)
Services for People with Disabilities, Lockhart, R. ................. HB 80 (P)

DISEASES
Disease Testing of Individuals Exposed to Blood Borne Pathogens, Arent, P. ........................................... SB 19 (P)

DIVISION OF CHILD AND FAMILY SERVICES
Child and Family Services Records, Mascaro, S. ..................... HB 341 (F)
Child Protection Amendments, Bell, G. .............................. SB 112 (F)
Child Welfare Amendments, Eastman, D. ............................ SB 72 (P)
Child Welfare Removal − Adoption Option, Hellewell, P. ........ SB 186 (F)
Child Welfare Services, Hellewell, P. .............................. SB 165 (F)
Foster Care Citizen Review Board, Eastman, D. .................... SB 17 (P)
Medical Decisions of a Parent or Guardian, Thomas, D. ........ SB 83 (P)
Revisions to Child Welfare, Harper, W. .............................. HB 202 (F)
Utah Child Abuse Prevention Board, Ray, P. ....................... HB 115 (F)

DIVISION OF PUBLIC UTILITIES
Utility Regulatory Reform, Gowans, J. .............................. HB 320 (F)

DOGS
Concurrent Resolution Honoring America’s Military
   War Dogs, Mascaro, S. ........................................... HCR 14 (F)
Criminal Penalty for Animal Cruelty, Wyatt, S. .................... HB 242 (F)
Individual Income Tax Contribution for Community Spay and Neuter Programs, Noel, M. ............................... HB 140 (F)

DOMESTIC VIOLENCE
Civil Legal Aid for Victims of Domestic Violence, Mascaro, S. . . HB 342 (F)
Crime Victims − Change of Locks on Rental Property,
   Shurtliff, L. ................................................... HB 184 (P)
Domestic Violence Enhancement, Moss, C. .......................... HB 59 (P)
Fair Housing for Domestic Violence Victims and Landlord
   Protection Act, Shurtliff, L. ................................. HB 194 (F)

DRIVER LICENSE

Alcohol Restricted Drivers, Walker, C. .......................... SB 42 (P)
Amendments to Driver License and Identification
   Cards, Oda, C. .................................................. HB 223 (P)
Driver License and Commercial Driver License
   Amendments, Bowman, D. .................................... HB 65 (P)
Driver License Qualifications Amendments, Donnelson, G. .... HB 330 (F)
Driver License Requirements for Illegal Aliens, Tilton, A. .... HB 316 (F)
Motor Assisted Scooter and Mini–motorcycle Amendments,
   Dee, B. ............................................................... HB 159 (P)
Penalties for False Driver Licenses and Identification Cards,
   Walker, C. ...................................................... SB 167 (P)
Public Safety Driving Privilege and Identification Card
   Amendments, Bramble, C. ................................. SB 227 (P)

DRIVING UNDER THE INFLUENCE (DUI)

Alcohol Restricted Drivers, Walker, C. .......................... SB 42 (P)
Controlled Substance Law Amendments, Dee, B. ............. HB 311 (P)
Driving with Any Measurable Controlled Substance
   in the Body Revisions, Noel, M. .............................. HB 314 (F)

EDUCATION

Air Conditioned Buses for Students with Disabilities, Hogue, D. .. HB 88 (F)
Allocation of Profits from School and Institutional
   Trust Lands, Hatch, T. ......................................... SB 120 (P)
Applied Technology Program Amendments, Ferrin, J. .......... HB 189 (F)
Appropriation for Highly Qualified Teachers, Holdaway, K. .... HB 362 (F)
Appropriation for School Districts Impacted by
   Fee Waivers, Shurtliff, L. ..................................... HB 169 (F)
Capital Outlay Foundation Program – Participation
   Requirements, Ferrin, J. ........................................ HB 187 (F)
Carson Smith Special Needs Scholarships, Newbold, M. ....... HB 249 (P)
Charter School Amendments, Stephenson, H. ................. SB 178 (P)
Charter School Construction Amendments, Ferrin, J. .......... HB 36 (P)
Charter School Enrollment, Ferrin, J. ........................ HB 136 (P)
Charter School Reporting, Moss, C. ............................ HB 206 (P)
Driver Education Amendments, Hatch, T. ...................... SB 151 (F)
Economic Development Initiative for Higher Education,
   Holdaway, K. .................................................. HB 313 (P)
Education Achievement Gap Task Force, Litvack, D. .................. HB 175 (F)
Education Technology Task Force, Hutchings, E. .................... HB 373 (F)
Enrollment Growth Program Amendments, Last, B. .................. HB 124 (P)
High School Curriculum, Daw, B. ................................. HB 326 (F)
Higher Education Savings Incentive Program
    Amendments, Wyatt, S. .................................. HB 102 (P)
Higher Education Tuition and Residency Legislative
    Task Force, Donnelson, G. ................................. HB 239 (F)
Home School Amendments, Madsen, M. .......................... SB 59 (P)
Implementing Federal Educational Programs, Dayton, M. .... HB 135 (F)
Individual Income Tax − Contributions for Education, Allen, S. .... HB 7 (P)
Joint Resolution Recognizing Retiring President of
    Dixie State College, Hickman, J. ......................... SJR 20 (P)
Liability Protection of Educators, Stephenson, H. ................. SB 58 (P)
Local School Board Amendments, Dayton, M. .................... HB 139 (P)
Medical Recommendations for Children, Morley, M. .......... HB 42 (P)
Minimum School Program Act Amendments, Snow, G. ....... HB 3 (P)
Nonresident Tuition for Higher Education Amendments,
    Lawrence, M. S. ....................................... HB 138 (P)
Nonresident Tuition Waivers, Buttars, C. ....................... HB 381 (F)
Public Education Capital Outlay Act Amendments, Cox, D..... HB 46 (F)
Public Education Job Enhancement Program, Johnson, B. .... HB 188 (P)
Reading Requirements for Student Advancement, Morgan, K. .... HB 84 (F)
Regulating Proprietary Postsecondary Schools, Eastman, D. .... SB 18 (P)
Relationships with Venture Capital Entities, Thomas, D. ....... SB 35 (P)
Resident Tuition Status for Job Corps Students, Bell, G. ....... SB 122 (P)
Resolution Encouraging Schools to Adopt Nutrition and
    Physical Activity Policies, Jones, P. ..................... HJR 11 (P)
Resolution Promoting Moderately Sized Schools, Cox, D. .... HCR 1 (P)
Resolution Recognizing Granite School District’s
    100 Years, Davis, G. .................................. SJR 19 (P)
Resolution Recognizing Utah’s Legislators Back to
    School Program, Dayton, M. ................................ HCR 6 (P)
Resolution Regarding Federal No Child Left Behind,
    Holdaway, K. ........................................ HJR 3 (P)
Resolution Supporting the Golden Rule Project, Fife, F. .... SCR 6 (P)
Rights-of-Way Across School and Institutional Trust
    Lands, Evans, B. ................................... SB 208 (F)
Sales and Use Tax Exemption for Textbooks for Higher
    Education, Bourdeaux, D. .............................. HB 220 (F)
School and Institutional Trust Lands
  Amendments, Hutchings, E. ............................... HB 154 (P)
School and Institutional Trust Lands Management Act
  Revisions, Dmitrich, M. ................................. SB 41 (P)
School Breakfast Program, Litvack, D. ............................ HB 141 (F)
School Community Councils, Dougall, J. .......................... HB 151 (F)
School Curriculum Amendments, Moss, C. .......................... HB 72 (F)
School District Amendments, Cox, D. .............................. HB 63 (F)
School District Boundaries, Noel, M. .............................. HB 231 (F)
School Land Trust Program Funding Amendments, Urquhart, S. ............................ HB 43 (P)
School Truancy Amendments, Hutchings, E. .......................... HB 148 (F)
School Uniforms, Frank, C. ................................. HB 129 (F)
Schools for the Deaf and the Blind Salary Adjustments,
  Morgan, K. ............................... HB 346 (F)
Security for Public Schools, Allen, S. ............................. HB 153 (F)
State Government Law Revisions − Withdrawal
  from Education Compact, Dayton, M. ............................. HB 356 (F)
State School Board Amendments, Morgan, K. ........................ HB 345 (F)
State School Board Candidate Selection Committees, Hale, K. ........................ SB 155 (F)
State School Board Elections and Filling of Vacancies, Ferrin, J. ............................ HB 61 (F)
Student Housing Built by Higher Education
  Institutions, Clark, S. ............................... HB 103 (P)
Supplemental Minimum School Program Finance
  Act, Snow, G. ............................... HB 382 (P)
Tuition and Books Assistance, Hutchings, E. ............................ HB 358 (F)
Tuition Program for Students Seeking Teacher Licensure in
  Disability or Special Education, Menlove, R. ........................ HB 74 (P)
Tuition Tax Credits, Ferrin, J. ............................... HB 39 (F)
Utah Basic Skills Competency Test Alternatives, Ray, P. ........................ HB 232 (F)
Utah College of Applied Technology Amendments, Bigelow, R. ............................ HB 86 (P)
Verification of Eligibility for Fee Waivers, Harper, W. ............................. HB 183 (P)

ELDERLY

Aging and Adult Services Program Amendments, Hutchings, E. ............................. HB 310 (F)
Criminal Background Checks for Personal Care Attendants,
  Hunsaker, F. ............................... HB 64 (P)
Elder Protection Provisions, Jones, P. ............................. HB 167 (F)
Individual Income Tax Credit for Employment−related
  Expenses, Litvack, D. ............................... HB 258 (F)
Utah Commission on Aging, Jones, P. ............................. HB 165 (P)
ELECTIONS
Bond Election Process Amendments, Hunsaker, F.  ............... HB 14 (P)
Calling Local Special Elections for Sales and Use
   Tax Purposes, Clark, S. ........................................... HB 20 (P)
Election Day Voter Registration, Hansen, N. ....................... HB 267 (F)
Election Law – Voter Requirements, Madsen, M. .................. SB 67 (F)
Integrity of Election Results Amendments, Dougall, J. ........... HB 211 (P)
Issues Submitted to Voters, Hughes, G. .......................... HB 142 (P)
Local Referendum Requirements, Hogue, D. ........................ HB 73 (F)
Personal Use of Campaign Funds, Hale, K. ......................... SB 140 (F)
Removal or Defacement of Political Signs, Hughes, G. ......... HB 228 (F)
Special Election Dates, Hogue, D. .............................. HB 199 (F)
Voting Requirements, Shurtliff, L. .............................. HB 336 (F)

ELECTRICITY
Municipal Electrical Entities Amendments, Tilton, A. ........... HB 312 (F)

ELECTRONIC INFORMATION
Emerging Technologies and Open Government, Clark, D. ...... HB 214 (F)

ELECTRONIC PRIVACY
Spyware Control Act Revisions, Urquhart, S. .................... HB 104 (P)
Utah Computer Crimes Act Amendments, Daw, B. ............. HB 185 (P)

ELECTRONIC PROCESSES
Construction Filing Amendments, Morley, M. ..................... HB 105 (P)
Electronic Communication Harassment, Dougall, J. .......... HB 221 (P)
Electronic Payments to Local Government Entities, Murray, J. . HB 51 (P)
Individual Income Tax – Electronic Filing Requirements,
   Clark, S. ................................................................. HB 190 (P)
Property Tracking Amendments, Ray, P. .......................... HB 215 (P)

EMERGENCY MANAGEMENT
Price Controls During Emergencies Act, Arent, P. ............. SB 52 (P)

EMISSIONS CONTROL
Emission Inspection Amendments, Gibson, K. .................... HB 93 (P)

EMPLOYEES AND COMPENSATION, LEGISLATIVE
Compensation of Constitutional Officers – Benefits and
   Insurance, Noel, M. .................................................. HB 245 (F)
Resolution Approving Compensation of In−session Employees, Newbold, M. ................................. HJR 6 (P)

EMPLOYMENT AGENCIES

Employment Agency Revisions, Adams, J. S. .................... HB 348 (P)

ENERGY

Emergency Related Amendments, Allen, S. ....................... HB 34 (P)
Office of Energy – Oversight, Hatch, T. ............................. SB 199 (P)
Public Utilities Amendments, Bell, G. .............................. SB 26 (P)
Reauthorization of Energy Policy Task Force, Eastman, D. ........... SB 28 (F)

ENVIRONMENT

Brownfields Revision, Mansell, L. A. ............................... SB 173 (P)
Prohibition Against Certain Low−level Radioactive Waste, Arent, P. ................................. SB 166 (F)
Recycling of Waste Tires, Ure, D. ................................. HB 230 (P)
Resolution Approving Class V Landfill, Allen, R. .................... SCR 2 (P)
Resolution Regarding Washington County Waste Facility,
Last, B. .......................................................... HCR 3 (P)
Utah Indoor Clean Air Act Amendments, Ray, P. .................. HB 166 (F)
Waste Amendments, Bramble, C. ................................. SB 24 (P)
Waste Fees Amendments, Urquhart, S. ............................. HB 246 (F)
Waste Tire Recycling Act Amendments, Fife, F. .................... SB 70 (F)

ETHICS

Ban on Gifts to Elected Officials, Becker, R. ....................... HB 144 (F)
House Rules Resolution – Lobbyist Code of Ethics
   Amendments, Ure, D. ........................................ HR 1 (F)
Lobbyist Regulation, Ferrin, J. ................................. HB 369 (F)
Lobbyist Reporting Amendments, Bell, G. .................... SB 102 (F)
Personal Use of Campaign Funds, Hale, K. .................... SB 140 (F)
State Employee Ethics Amendments, Dougall, J. .................. HB 282 (F)

EXECUTIVE BRANCH

Compensation of Lieutenant Governor and Other State Officers, Madsen, M. ...................... SB 231 (F)
Disaster Loan Program, Bigelow, R. ............................... HB 240 (P)
Executive Compensation Amendments, Alexander, J. ............ HB 288 (F)
Extension of Sunset Date on Resource Development
   Coordinating Committee, Evans, B. ........................... SB 79 (P)
EXECUTIVE DEPARTMENT – CONSTITUTION

Resolution Limiting Number of Governor’s Terms, Walker, C. . . . . . SJR 11 (F)

FAMILY

Child and Family Services Records, Mascaro, S. ............... HB 341 (F)
Child and Family Welfare Revisions, Christensen, L. .......... HB 338 (P)
Child Welfare Amendments, Eastman, D. ....................... SB 72 (P)
Divorce Mediation Program, Ferry, B. .......................... HB 4 (P)
Domestic Violence Enhancement, Moss, C. ..................... HB 59 (P)
Joint Custody Amendments, Christensen, L. ................. HB 280 (P)
Joint Rules Resolution – Family Impact Statement on
Legislation, Frank, C. ........................................ HJR 2 (F)
Marriage Preparation Education, McGee, R. ................. HB 252 (F)
Pilot Program Repeal Clean-up, Romero, R. ................. HB 222 (P)

FEDERAL GOVERNMENT

Concurrent Resolution Opposing Nuclear Testing, Noel, M. .... HCR 7 (P)
Federal Health Care Tax Credit Program Act, Oda, C. ....... HB 69 (P)
Federal Research Committee, Davis, G. ....................... SB 85 (F)
House Resolution Discouraging Participation in Free Trade
Areas of the Americas, Donelson, G. ......................... HR 9 (P)
Implementing Federal Educational Programs, Dayton, M. .... HB 135 (F)
Joint Resolution Urging Medicaid Reform, Knudson, P ....... SJR 15 (P)
Resolution Approving Utah Recreational Land Exchange,
Evans, B. ....................................................... SCR 4 (P)
Resolution Recognizing Ronald Reagan Day, Knudson, P .... SJR 7 (P)
Resolution Regarding Federal No Child Left Behind,
Holdaway, K. ............................................... HJR 3 (P)
Resolution Regarding United States Trade
Negotiations, Allen, S. ......................................... HJR 15 (P)
Resolution Supporting Congressional Privatization of
Social Security, Morley, M. .................................... HR 3 (P)
Resolution Supporting Participation of Taiwan in World
Health Organization, Last, B. ................................ HR 10 (P)
Resolution Supporting Permanent Repeal of Federal
Inheritance Tax, Morley, M. .................................... HR 2 (P)
Resolution Urging Congress to Pass Balanced Budget
Amendment, Hansen, N. ........................................ HR 11 (P)
Senate Resolution Discouraging Participation in Free Trade
Area of the Americas, Thomas, D. ........................... SR 1 (P)
Space Exploration Resolution, Knudson, P. ...................... SJR 6 (P)
FEES
Automobile Crime Prevention, Ray, P. ......................... HB 21 (F)
Business License Fees, Waddoups, M. ....................... SB 152 (P)
Garnishment Fees, Mascaro, S. ............................. HB 163 (F)
Office of Recovery Services Fee, Tilton, A. ............... HB 340 (F)
Water Rights Fees, Gowans, J. ............................. HB 150 (P)

FINANCIAL INSTITUTIONS
Concurrent Resolution Promoting Utah Saves Strategic Initiative, Hogue, D. ................................. HCR 13 (F)
Corporate Franchise and Income Taxes – Exemption for Banks, Harper, W. ............................... HB 227 (F)
Dishonored Instrument Amendments, Knudson, P. ........ SB 158 (P)
Financial Institutions as Limited Liability Companies, Hillyard, L. SB 215 (P)
Garnishment by Deferred Deposit Lenders, Allen, R. ...... SB 38 (F)
Joint Resolution Related to Financial Institutions, Alexander, J. HJR 1 (P)
Judgment Interest Amendments, Mayne, E. ............... SB 138 (P)
Revisions to the Utah Credit Union Act, Christensen, L. HB 277 (F)
Utah Consumer Credit Code Amendments, Knudson, P. SB 157 (P)

FIRE PROTECTION
Fire Prevention Amendments, Murray, J. ..................... HB 52 (P)
Interlocal Cooperation Amendments, Bramble, C. .......... SB 209 (F)
Property Tax – County Service Areas, Waddoups, M. .... SB 203 (F)
Workers’ Compensation Coverage of Fire Department Employees, Murray, J. ..................... HB 81 (F)

FISH AND GAME
Cooperative Wildlife Management Unit Amendments, Gowans, J. ............................................ HB 168 (P)
Deer Hunt Opening Season Date Amendments, Clark, S. HB 205 (F)
Duplicate Wildlife Licensing Amendments, Dayton, M. .. HB 181 (P)
Special Hunting Permits for Antelope Island, Hickman, J. SB 187 (F)
Wildlife License Agents Amendments, Fisher, J. .......... HB 160 (P)
Wildlife License Refund Amendments, Dayton, M. ....... HB 177 (P)

FOSTER CARE
Foster Care Citizen Review Board, Eastman, D. ........... SB 17 (P)

FRAUD
Identity Fraud Amendments, Walker, C. ..................... SB 118 (P)
FREEDOM OF RELIGION – CONSTITUTION

Utah Religious Land Use Act, Thomas, D. .................. SB 106 (P)

GOVERNMENT OPERATIONS (STATE ISSUES)

2004 General Obligation Bond Amendments, Knudson, P .......... SB 86 (P)
Bail Bond Amendments, Gibson, K. ............................. HB 122 (F)
Ban on Gifts to Elected Officials, Becker, R ..................... HB 144 (F)
Bond Election Process Amendments, Hunsaker, F ............... HB 14 (P)
Capitol Complex Space, Alexander, J ......................... HB 250 (P)
Capitol Preservation Board Amendments, Evans, B .......... SB 163 (P)
Capitol Preservation Board Modifications, Alexander, J ..... HB 291 (F)
Changes to 2004 General Obligation Bond, Allen, R ......... SB 162 (F)
Commerce Service Fund Amendments, Bell, G ............... SB 96 (P)
Community and Economic Development Restructuring,
   Buttars, C .................................................... HB 318 (P)
Compensation of Constitutional Officers – Benefits
   and Insurance, Noel, M ..................................... HB 245 (F)
Compensation of Executive Officers, Christensen, L .......... HB 128 (P)
Compensation of Lieutenant Governor and Other
   State Officers, Madsen, M .................................. SB 231 (F)
Disaster Loan Program, Bigelow, R ............................. HB 240 (P)
Election Day Voter Registration, Hansen, N .................... HB 267 (F)
Election Law – Voter Requirements, Madsen, M .......... SB 67 (F)
Election Requirements for County Candidates, Romero, R ... HB 158 (F)
Executive Compensation Amendments, Alexander, J ......... HB 288 (F)
Expansion of Department of Administrative Services Oversight
   to Include Human Resource Management, Buxton, D. G .. HB 319 (P)
Extension of Sunset Date on Resource Development
   Coordinating Committee, Evans, B .......................... SB 79 (P)
Federal Research Committee, Davis, G ......................... SB 85 (F)
Global Positioning Reference Network, Holdaway, K ......... HB 216 (P)
Government Efficiency and Effectiveness Review
   Committee, Wallace, P ..................................... HB 58 (F)
Government Records Access and Management Act Requirements
   Regarding Animal Identification Program, Buttars, C .... HB 226 (P)
Government Records Access and Management
   Task Force, Aagard, D. ..................................... HB 75 (P)
Government Records Amendments, Walker, C ................ SB 44 (P)
Governmental Immunity Act – Technical
   Amendments, Bell, G ....................................... SB 123 (P)
High Technology Economic Development
   Appropriation, Mansell, L. A. .......................... SB 192 (P)
Hill Air Force Museum Appropriation, Buxton, D. G. .......... HB 376 (F)
Income Tax Subtraction for Specialized Immigrant
   Services, Tilton, A. ................................... HB 130 (F)
Individual Income Tax – Office of State Debt Collection
   Rulemaking Authority, Dmitrich, M. ..................... SB 205 (F)
Initiative Petitions Amendments, Evans, B. .................. SB 11 (P)
Integrity of Election Results Amendments, Dougall, J .......... HB 211 (P)
Investment of Higher Education Institution Endowment
   Funds, Clark, D. ...................................... HB 255 (P)
Issues Submitted to Voters, Hughes, G. ....................... HB 142 (P)
Lobbyist Regulation, Ferrin, J. ................................ HB 369 (F)
Local Referendum Requirements, Hogue, D. .................. HB 73 (F)
Money Management Act Amendments, Clark, D. .............. HB 349 (P)
National Guard Amendments, Hutchings, E. ................. HB 143 (P)
Office of Energy – Oversight, Hatch, T. ..................... SB 199 (P)
Open and Public Meetings – Recording
   Requirement, Jenkins, S. ............................... SB 143 (F)
Personal Use of Campaign Funds, Hale, K. .................... SB 140 (F)
Procurement Code Renumbering, Bigelow, R. ................. HB 19 (P)
Public Lands Policy Coordination, Hatch, T. .................. SB 239 (P)
Referendum Procedure, Hogue, D. ............................ HB 274 (F)
Removal or Defacement of Political Signs, Hughes, G. .......... HB 228 (F)
Repeal of Prior Amendments to the Voluntary Contributions
   Act, Hansen, N. ...................................... HB 137 (F)
Repeal of State Debt Collection Advisory Board, Aagard, D. .... HB 15 (P)
Repeal of Utah Tomorrow Strategic Planning Committee,
   Waddoups, M. ......................................... SB 117 (P)
Repeal of Vehicle Equipment Safety Commission,
   Hendrickson, N. ....................................... HB 16 (P)
Residence Lien Restriction and Lien Recovery Fund
   Amendments, Thomas, D. .............................. SB 87 (F)
Resolution Approving Contract for State Capitol
   Renovation, Mansell, L. A. ............................ SJR 5 (P)
Resolution Approving Settlement of Lawsuit, Knudson, P. ..... SCR 5 (P)
Resolution Supporting the Golden Rule Project, Fife, F. ......... SCR 6 (P)
Revenue Bonds and Capital Facilities Authorizations,
   Buxton, D. G. ......................................... HB 287 (P)
Revisions to General State Government – Notary Law
   Amendments, King, B. .................................. HB 375 (F)
Revisor’s Statute, Lockhart, R. ............................. HB 176 (P)
Special Election Dates, Hogue, D. .......................... HB 199 (F)
State Budget Provisions, Curtis, G. .......................... HB 97 (F)
State Employee Ethics Amendments, Dougall, J. ......... HB 282 (F)
State Government Law Revisions – Withdrawal from
  Education Compact, Dayton, M. .......................... HB 356 (F)
State Land Use Management Plans Amendments, Noel, M. . HB 264 (P)
Sunset Reauthorizations, Mansell, L. A. .................... SB 27 (P)
Supplemental Appropriations III, Bigelow, R. ............... HB 301 (P)
Task Force on Legislative Reforms, Hansen, N. ........... HB 281 (F)
Utah Religious Land Use Act, Thomas, D. .................. SB 106 (P)
Veterans Nursing Home, Buxton, D. G. .................... HB 241 (F)
Voting Requirements, Shurtliff, L. .......................... HB 336 (F)

**GOVERNMENT PURCHASING**

Procurement Code Renumbering, Bigelow, R. ............... HB 19 (P)

**GOVERNMENT RECORDS**

Child Care Investigations, Hellewell, P. ..................... SB 212 (P)
Department of Workforce Services – Access to Financial
  Records, Jenkins, S. .......................................... SB 16 (P)
Government Records Access and Management Act Requirements
  Regarding Animal Identification Program, Butters, C. ....... HB 226 (P)
Government Records Access and Management
  Task Force, Aagard, D. ...................................... HB 75 (P)
Government Records Amendments, Walker, C. .............. SB 44 (P)
Personal Property Transactions Amendments, Waddoups, M. .... SB 62 (P)
Protection of Government Records, Bell, G. .................. SB 179 (P)
Wrongful Lien Offenses, Evans, B. .......................... SB 47 (P)

**GOVERNMENTAL IMMUNITY**

Governmental Immunity Act – Technical
  Amendments, Bell, G. ........................................ SB 123 (P)

**HAZARDOUS MATERIALS TRANSPORTATION**

Weights and Measures Amendments, Ure, D. ................. HB 83 (P)

**HAZARDOUS SUBSTANCES**

Brownfields Revision, Mansell, L. A. ........................ SB 173 (P)
Concurrent Resolution Opposing Nuclear Testing, Noel, M. .... HCR 7 (P)
Local Government Approval for Solid Nonhazardous and Hazardous Waste Disposal, Evans, B. ......................... SB 81 (P)

Prohibition Against Certain Low-level Radioactive Waste, Arent, P. .............................. SB 166 (F)
Waste Amendments, Bramble, C. ............................. SB 24 (P)
Waste Fees Amendments, Urquhart, S. ........................ HB 246 (F)

HEALTH

Access to Patient Medical Records, Arent, P. ............... SB 55 (P)
Aging and Adult Services Program Amendments, Hutchings, E. .. HB 310 (F)
Amendments Prohibiting Health Insurance Discrimination, McCoy, S. ......................... SB 111 (F)
Amendments to Indoor Clean Air Act, Waddoups, M. ............ SB 77 (F)
Amendments to Intermediate Care Facilities for Mentally Retarded, Lockhart, R. ......................... HB 62 (P)
Amendments to Utah Emergency Medical Services Act,
Bramble, C. ............................ SB 216 (P)
Assistance for People with Bleeding Disorders, Litvack, D. .... HB 33 (P)
Center for Multicultural Health, Buttars, D. C. ................. SB 201 (F)
Child Care Investigations, Hellewell, P. ........................ SB 212 (P)
Children’s Health Care Coverage Amendments, Hogue, D. .... HB 114 (P)
Criminal Background Checks for Personal Care
Attendants, Hunsaker, F. .......................... HB 64 (P)
Dental Services for Adults on Medicaid, Mascaro, S. .......... HB 32 (F)
Disease Testing of Individuals Exposed to Blood
Borne Pathogens, Arent, P. ........................ SB 19 (P)
Drug Utilization Review Committee
Amendments, Lockhart, R. .............................. HB 268 (P)
Executive Director of Department of Health Issues, Killpack, S. .. SB 232 (F)
Food Safety Manager Certification, Peterson, D. ............... SB 150 (P)
Health Care Assistants, Lockhart, R. ........................ HB 12 (P)
Health Care Consumer’s Report, Christensen, A. ............. SB 132 (P)
Health Insurance – Prompt Payment
Amendments, Waddoups, M. ........................ SB156 (F)
Health Insurance Fair Marketing Standards, Mascaro, S. .......... HB 27 (F)
Health Insurance High Risk Pool – Eligibility
Amendments, Litvack, D. .............................. HB 85 (F)
Health Insurance Law Amendments, Dunnigan, J. ................ HB 236 (P)
Individual Income Tax Contribution for Community Spay
and Neuter Programs, Noel, M. ........................ HB 140 (F)
Injury Reporting Requirement Amendments, Murray, J. ......... HB 161 (F)
Joint Resolution on Stroke Awareness, Knudson, P. .......... SJR 14 (P)
Joint Resolution Urging Medicaid Reform, Knudson, P. .... SJR 15 (P)
Licensure of Athletic Trainers, Ray, P. ....................... HB 262 (F)
Licensure of Wholesale Distributors of Prescription Drugs,
Last, B. .............................................................. HB 354 (F)
Medicaid – Pregnant Women Resource Test, Wheatley, M. .. HB 343 (F)
Medical Benefits Recovery Act Amendments, Killpack, S. .. SB 126 (P)
Medical Decisions of a Parent or Guardian, Thomas, D. .. SB 83 (P)
Medical Device Notification and Liability, Buttars, D. C. .. SB 110 (P)
Medical Recommendations for Children, Morley, M. ...... HB 42 (P)
Medical Reserve Corps, Hillyard, L. ......................... SB 74 (P)
Nonparticipating Tobacco Manufacturer Amendments,
Killpack, S. ...................................................... SB 206 (P)
Nurse Practice Act Amendments, Lockhart, R. ............. HB 285 (F)
Patient Access Reform, Buttars, D. C. ....................... SB 34 (F)
Patient Access to Providers and Contracting Amendments,
Lockhart, R. ..................................................... HB 272 (F)
Pharmacy Practice Act Amendments, Knudson, P. ....... SB 142 (P)
Premium Assistance Program for Covered-at-work,
Holdaway, K. .................................................... HB 304 (F)
Prescriptive Practice of Legend Drugs, Knudson, P. ...... SB 46 (F)
Privately Owned Health Care Organization Task Force,
Waddoups, M. .................................................... SB 61 (P)
Prohibition Against Certain Medical Noncompetition
Agreements, Christensen, A. .................................... SB 145 (F)
Psychologist Licensing Act Amendments, Mayne, E. ...... SB 147 (F)
Regulation of Noncompete Agreements in Medical
Practices, McGee, R. ............................................. HB 106 (F)
Repeal of Geriatric Care Manager, Lockhart, R. .......... HB 243 (P)
Resolution Encouraging Schools to Adopt Nutrition
and Physical Activity Policies, Jones, P. .................... HJR 11 (P)
Resolution Recognizing Huntsman Cancer
Institute, Knudson, P. ........................................... SJR 17 (P)
Resolution Supporting Participation of Taiwan in
World Health Organization, Last, B. ....................... HR 10 (P)
Rural Health Care Infrastructure, Noel, M. ................. HB 328 (F)
Rural Medical Residency Training Programs, Knudson, P. .. SB 119 (P)
School Breakfast Program, Litvack, D. ...................... HB 141 (F)
School Curriculum Amendments, Moss, C. ................. HB 72 (F)
Transfer of Prescriptions, Hansen, N. ......................... HB 244 (F)
Uniform Parentage Act, Hillyard, L. ....................... SB 14 (P)
Utah Child Abuse Prevention Board, Ray, P. ......................... HB 115 (F)
Vaccine Restrictions, Hutchings, E. ................................. HB 146 (F)
Veterinary Practice Act – Exemptions, Dmitrich, M. ............ SB 182 (F)
Vision Care for Medicaid Recipient, Mascaro, S. .............. HB 31 (F)

HEALTH CARE

Amendments Prohibiting Health Insurance
   Discrimination, McCoy, S. ................................. SB 111 (F)
Assistance for People with Bleeding Disorders, Litvack, D. .... HB 33 (P)
Health Care Assistants, Lockhart, R. ............................. HB 12 (P)
Joint Resolution Urging Health Care for Utah’s Indigent
   and Needy Uninsured, Fowlke, L. .............................. HJR 19 (P)
Medical Device Notification and Liability, Buttars, D. C. .... SB 110 (P)
Mutual Dependence Benefits Contract, Bell, G. ................ SB 89 (F)
Resolution Urging Comprehensive Cancer Control
   Plan for the State, Hale, K. ................................. SJR 16 (P)
Vaccine Restrictions, Hutchings, E. ............................... HB 146 (F)

HEALTH CARE FACILITIES

Amendments to Intermediate Care Facilities for
   Mentally Retarded, Lockhart, R. .............................. HB 62 (P)
Center for Multicultural Health, Buttars, D. C. .............. SB 201 (F)
Rural Health Care Infrastructure, Noel, M. ..................... HB 328 (F)

HEALTH CARE PROVIDERS

Aging and Adult Services Program Amendments, Hutchings, E. .. HB 310 (F)
Criminal Background Checks for Personal Care
   Attendants, Hunsaker, F. ................................. HB 64 (P)
Direct-entry Midwife Act, Biskupski, J. ........................ HB 25 (P)
Health Care Consumer’s Report, Christensen, A. ............. SB 132 (P)
Injury Reporting Requirement Amendments, Murray, J. .... HB 161 (F)
Medical Reserve Corps, Hillyard, L. ............................ SB 74 (P)
Naturopathic Physician Amendments, Ferrin, J. ............... HB 66 (P)
Nurse Practice Act Amendments, Lockhart, R. ................. HB 285 (F)
Patient Access Reform, Buttars, D. C. ........................ SB 34 (F)
Patient Access to Providers and Contracting
   Amendments, Lockhart, R. ................................. HB 272 (F)
Prescriptive Practice of Legend Drugs, Knudson, P. ........... SB 46 (F)
Prohibition Against Certain Medical Noncompetition
   Agreements, Christensen, A. ............................... SB 145 (F)
HIGHER EDUCATION

Economic Development Initiative for Higher Education,
   Holdaway, K. .................................................. HB 313 (P)
High Technology Economic Development
   Appropriation, Mansell, L. A. ................................. SB 192 (P)
Higher Education Savings Incentive Program
   Amendments, Wyatt, S. ........................................ HB 102 (P)
Higher Education Tuition and Residency Legislative
   Task Force, Donnelson, G. ................................. HB 239 (F)
Joint Resolution Recognizing Retiring President of
   Dixie State College, Hickman, J. ..................... SJR 20 (P)
Nonresident Tuition for Higher Education
   Amendments, Lawrence, M. S. ................................. HB 138 (P)
Nonresident Tuition Waivers, Buttars, C. ............................ HB 381 (F)
Office of Museum Services Amendments, Allen, R. .................... SB 95 (P)
Protection of Government Records, Bell, G. .......................... SB 179 (P)
Relationships with Venture Capital Entities, Thomas, D. .............. SB 35 (P)
Resident Tuition Status for Job Corps Students, Bell, G. ................. SB 122 (P)
Resolution Honoring Outgoing USU President
   Kermit L. Hall, Hunsaker, F. ................................. HCR 9 (P)
Resolution Honoring the University of Utah
   Football Team, Alexander, J. ............................. HCR 11 (P)
Sales and Use Tax Exemption for Textbooks for
   Higher Education, Bourdeaux, D. ............................ HB 220 (F)
Student Housing Built by Higher Education Institutions,
   Clark, S. .......................................................... HB 103 (P)
Utah College of Applied Technology Amendments, Bigelow, R. .... HB 86 (P)

HIGHPWAYS

Amendments Relating to Clean Fuels and Vehicles
   Using Clean Fuels, Hunsaker, F. .............................. HB 96 (P)
Classifying Off–highway Vehicles as Allowed on
   Designated Roads, Hatch, T. ................................ SB 188 (F)
Golf Carts Allowed on Certain Highways, Moss, C. ....................... HB 337 (F)
Master Highway Designation Amendments, Murray, J. ..................... HB 6 (P)
Resolution Encouraging Managed Lanes Study, Walker, C. ........ SCR 1 (P)
Restrictions on High Occupancy Vehicle Lane, Litvack, D. ........ HB 367 (F)
Transportation Amendments and Highway Jurisdictional
   Transfer Task Force, Walker, C. ............................. SB 25 (P)
HISTORY
Archeological Resources Amendments, Johnson, B. ............... HB 308 (P)
Concurrent Resolution Honoring Waldo Wilcox for
Preservation of Range Creek Area, King, B. ............... HCR 10 (P)

HOUSING
Condominium Ownership Act Amendments, Moss, C. ............ HB 296 (F)
Extension of Utah Low-income Housing Tax Credits, Clark, S. . HB 170 (P)
Permanent Community Impact Fund – Board
  Membership, Mathis, J. ................................. HB 170 (P)
Student Housing Built by Higher Education
  Institutions, Clark, S. ................................. HB 103 (P)

HUMAN SERVICES
Adoption Amendments, Hardy, A. ............................... HB 259 (P)
Adoption Law Revisions, McGee, R. ............................. HB 233 (P)
Background Checks for Boarding Schools, Last, B. .......... HB 321 (F)
Child and Family Services Records, Mascaro, S. ............... HB 341 (F)
Child and Family Welfare Revisions, Christensen, L. .......... HB 338 (P)
Child Protection Amendments, Bell, G. ........................ SB 112 (F)
Child Protection Registry Amendments, Dougall, J. .......... HB 174 (F)
Child Protection Team Meetings, Tilton, A. ....................... HB 8 (P)
Child Support Exemption for Adoptive Parents of Certain
  Children in State Custody, Hellewell, P. ..................... SB 160 (F)
Child Welfare Amendments, Eastman, D. ......................... SB 72 (P)
Child Welfare Removal – Adoption Option, Hellewell, P. .... SB 186 (F)
Child Welfare Services, Hellewell, P. ............................. SB 165 (F)
Commitment to Mental Health Authority, Noel, M. .......... HB 271 (F)
Criminal Background Checks for Personal Care
  Attendants, Hunsaker, F. .................................. HB 64 (P)
Domestic Violence Enhancement, Moss, C. ....................... HB 59 (P)
Fair Housing for Domestic Violence Victims and
  Landlord Protection Act, Shurtliff, L. ......................... HB 194 (F)
Foster Care Citizen Review Board, Eastman, D. ............... SB 17 (P)
Intercountry Adoption Accreditation, McGee, R. .............. HB 22 (P)
Juvenile Justice Recodification and Revisions, Aagard, D. .. HB 28 (P)
Licensure and Regulation of Programs and Facilities, Hatch, T. . SB 107 (P)
Marriage Preparation Education, McGee, R. ..................... HB 252 (F)
Mental Health Services Coordinator, Hogue, D. ................ HB 178 (F)
Programs and Facilities Licensing Amendments, Buttars, D. C. . SB 176 (F)
Provision of Services for People with Disabilities, Lockhart, R. . HB 79 (P)
Revisions to Child Welfare, Harper, W. .......................... HB 202 (F)
Services for People with Disabilities, Lockhart, R. .............. HB 80 (P)
Uniform Parentage Act, Hillyard, L. ............................. SB 14 (P)
Utah Child Abuse Prevention Board, Ray, P. .................... HB 115 (F)
Utah Commission on Aging, Jones, P. ........................... HB 165 (F)
Youth Corrections Amendments, Moss, C. ......................... HB 94 (F)

**IMPEACHMENT – CONSTITUTION**

Resolution Clarifying Removal Provisions, Hogue, D. ............... HJR 5 (F)

**INCOME TAX**

Amendments Relating to Clean Fuels and Vehicles
   Using Clean Fuels, Hunsaker, F. ............................... HB 96 (P)
Amendments to Individual Income Tax Credit for Special
   Needs Adoptions, Hellewell, P. .............................. SB 125 (P)
Amendments to the Individual Income Tax, Harper, W. ............ HB 101 (F)
Charitable Purpose Determination, Hellewell, P. ................... SB 45 (F)
Extension of Utah Low–income Housing Tax Credits, Clark, S. ... HB 170 (P)
Individual Income Tax – Contributions for Education, Allen, S. ... HB 7 (P)
Individual Income Tax – Earned Income Tax Credit, Hatch, T. .... SB 82 (F)
Individual Income Tax – Electronic Filing Requirements,
   Clark, S. .......................................................... HB 190 (P)
Individual Income Tax – Office of State Debt Collection
   Rulemaking Authority, Dmitrich, M. ........................... SB 205 (F)
Individual Income Tax – Return Filing Requirements,
   Stephenson, H. .................................................. SB 133 (P)
Individual Income Tax – Tax Credit for Live Organ
   Donation Expenses, Hale, K. ................................. SB 164 (P)
Individual Income Tax Amendments, Jones, P. .................... HB 197 (F)
Individual Income Tax Contribution for Community
   Spay and Neuter Programs, Noel, M. ......................... HB 140 (F)
Individual Income Tax Credit for Employment–related
   Expenses, Litvack, D. ........................................... HB 258 (F)
Individual Income Tax Subtraction for Certain Military
   Income, Stephenson, H. ........................................ SB 13 (P)
Tuition Tax Credits, Ferrin, J. .................................... HB 39 (F)

**INDIAN AFFAIRS**

Amendment Regarding Controlled Substances, Oda, C. ......... HB 306 (F)
Amendments to Navajo Trust Fund, Evans, B. .................... SB 76 (P)
Navajo Trust Fund Amendments, King, B. ......................... HB 119 (F)
INHERITANCE TAX

Resolution Supporting Permanent Repeal of Federal Inheritance Tax, Morley, M. ........................................ HR 2 (P)

INITIATIVE \ REFERENDUM

Initiative Petitions Amendments, Evans, B. ......................... SB 11 (P)
Issues Submitted to Voters, Hughes, G. ............................... HB 142 (P)
Local Referendum Requirements, Hogue, D. ........................... HB 73 (F)
Referendum Procedure, Hogue, D. ..................................... HB 274 (F)
Special Election Dates, Hogue, D. ..................................... HB 199 (F)

INSURANCE

Captive Insurance Law Amendments, Dunnigan, J. ............. HB 191 (P)
Insurance Cancellation and Nonrenewal Restrictions, Arent, P .. SB 48 (P)
Insurance Law Amendments, Dunnigan, J. ............................ HB 195 (P)
Insurance Law Revisions, Dunnigan, J. ............................... HB 200 (P)
Insurance Licensing Amendments, Dunnigan, J. .................... HB 60 (P)
Insurers Rehabilitation and Liquidation, Dougall, J. ............. HB 263 (F)
Life Insurance and Annuities Law Amendments, Dunnigan, J. . HB 201 (P)
Regulation of Title Insurance Industry, Hatch, T. .................. SB 40 (P)
Workers Compensation – Competitive Bid Requirements,
  Waddoups, M. ............................................................ SB 180 (F)

INSURANCE DEPARTMENT

Bail Bond Amendments, Gibson, K. ................................. HB 122 (F)
Health Discount Program Consumer Protection
  Act, Dunnigan, J. ....................................................... HB 70 (P)

INSURANCE, HEALTH

Amendments Prohibiting Health Insurance Discrimination,
  McCoy, S. ............................................................. SB 111 (F)
Assistance for People with Bleeding Disorders, Litvack, D. ... HB 33 (P)
Federal Health Care Tax Credit Program Act, Oda, C. .......... HB 69 (P)
Health Discount Program Consumer Protection
  Act, Dunnigan, J. ....................................................... HB 70 (P)
Health Insurance – Prompt Payment
  Amendments, Waddoups, M. ........................................ SB 156 (F)
Health Insurance Fair Marketing Standards, Mascaro, S. ....... HB 27 (F)
Health Insurance High Risk Pool – Eligibility Amendments,
  Litvack, D. ............................................................. HB 85 (F)
Health Insurance Law Amendments, Dunnigan, J. ............... HB 236 (P)
Patient Access Reform, Buttars, D. C. ......................... SB 34 (F)
Patient Access to Providers and Contracting Amendments,
    Lockhart, R. .............................................. HB 272 (F)

INTERLOCAL COOPERATION ENTITIES
Interlocal Cooperation Amendments, Bramble, C. ............ SB 209 (F)
Local Government Authority, Hardy, A. ....................... HB 256 (P)

INTERNET
Access to High Speed Internet At State Capitol Complex,
    Killpack, S. .................................................... SB 100 (P)
Amendments Related to Pornographic and Harmful
    Materials, Dougall, J. ....................................... HB 260 (P)
Internet Crimes Against Children, Cosgrove, T. ........... HB 132 (P)
Spyware Control Act Revisions, Urquhart, S. ................. HB 104 (P)

JOB TRAINING
Department of Workforce Services − Work Experience and
    Training Programs, Cox, D. .................................... HB 23 (P)

JUDICIARY
Arbitration − Use of Subpoena Authorized, Eastman, D. .... SB 116 (P)
Authorization for Additional Judicial Position, Madsen, M. ... SB 131 (F)
Child Protection Amendments, Bell, G. ......................... SB 112 (F)
Child Support Obligations, Hutchings, E. ....................... HB 248 (F)
Children’s Justice Center Amendments, Buttars, D. C. ...... SB 15 (P)
Children’s Justice Center Addition, Hatch, T. ................. SB 93 (P)
Civil Legal Aid for Victims of Domestic Violence, Mascaro, S. HB 342 (F)
Commission on Racial and Ethnic Fairness, Bourdeaux, D. ... HB 292 (F)
Criminal Appeal Amendments, Wyatt, S. ....................... HB 54 (P)
Department of Workforce Services − Access to Financial
    Records, Jenkins, S. ....................................... SB 16 (P)
Division of Criminal Investigation and Technical
    Services Amendments, Oda, C. ......................... HB 276 (P)
Divorce Mediation Program, Ferry, B. ....................... HB 4 (P)
Divorce Task Force, Wallace, P. .............................. HB 56 (F)
Drug Courts Pilot Project, Hillyard, L. ..................... SB 135 (P)
Elder Protection Provisions, Jones, P. ....................... HB 167 (F)
Garnishment Fees, Mascaro, S. ....................... HB 163 (F)
Subject Index 1331

Interstate Juvenile Compact, Hillyard, L. ....................... SB 91 (P)
Joint Custody Amendments, Christensen, L. .................... HB 280 (P)
Judiciary Amendments, Hillyard, L. ......................... SB 104 (P)
Justice Court Operations Amendments, Mayne, E. ........ SB 136 (F)
Liability Reform Act Amendments, Bell, G. ................. SB 10 (P)
Offer of Settlement Provisions, Christensen, L. ....... HB 127 (F)
Office of Recovery Services Fee, Tilton, A. ............. HB 340 (F)
Pilot Program Repeal Clean-up, Romero, R. ............. HB 222 (P)
Possession of a Dangerous Weapon in a Vehicle, Morley, M. .... HB 332 (F)
Presumption of Responsibility for Abuse or Neglect,
  Christensen, L. .............................................. HB 89 (P)
Property Exempt from Execution, Dunnigan, J. ......... HB 121 (P)
Protective Order Amendments, Hutchings, E. ........ HB 360 (F)
Provisions for Emancipation of a Minor, McGee, R. .... HB 77 (F)
Resolution Urging United States Senate Support of
  President’s Supreme Court Nominees, Morley, M. .... HR 4 (P)
Restitution Amendments, Bell, G. ............................ SB 94 (P)
Second District Juvenile Judge, Adams, J. S. ............ HB 218 (P)
Shelter Hearing Amendments, Hutchings, E. ............ HB 303 (F)
Statute of Limitations Amendments, Clark, D. ........ HB 204 (F)
Uniform Parentage Act, Hillyard, L. ..................... SB 14 (P)
Utah Attorney’s Fees Recovery Act, Thomas, D. ...... SB 92 (F)
Youth Corrections Amendments, Moss, C. ................. HB 94 (F)

JUVENILES

Interstate Juvenile Compact, Hillyard, L. ......................... SB 91 (P)
Juvenile Justice Recodification and Revisions, Aagard, D. .... HB 28 (P)
Second District Juvenile Judge, Adams, J. S. .............. HB 218 (P)
Sex Offender Registration Amendments, Lawrence, M. S. ... HB 95 (F)
Youth Corrections Amendments, Moss, C. ................. HB 94 (F)

LABOR

Assessment Offset for Donations Promoting Occupational
  Health and Safety, Mayne, E. ............................. SB 159 (P)
Disease Testing of Individuals Exposed to Blood Borne
  Pathogens, Arent, P. ....................................... SB 19 (P)
Employment Agency Revisions, Adams, J. S. ............ HB 348 (P)
Family Sustaining Wage Amendments, Fife, F. ........ SB 69 (F)
Permanent Total Disability Amendments, Mayne, E. .... SB 115 (P)
Residential Mortgages Practices – Employment Security
  Revisions, Walker, M. ................................. HB 210 (F)
Wage Provisions, Stephenson, H. ........................................ SB 139 (P)
Workers Compensation – Competitive Bid
  Requirements, Waddoups, M. ........................................ SB 180 (F)
Workers’ Compensation Coverage of Fire Department
  Employees, Murray, J. ................................................... HB 81 (F)

LANDLORD – TENANT

Crime Victims – Change of Locks on Rental Property,
  Shurtliff, L. ............................................................... HB 184 (P)
Mobile Home Park – Notice of Sale of Underlying Property, Wheatley, M. .......................................... HB 133 (F)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

Aggravated Murder Amendments, Wyatt, S. ......................... HB 297 (P)
Amendment Regarding Controlled Substances, Oda, C. ............ HB 306 (F)
Amendments Related to Pornographic and Harmful Materials, Dougall, J. ..................................................... HB 260 (P)
Amendments to Search Warrants, Thomas, D. ........................ SB 30 (P)
Automobile Crime Prevention, Ray, P. ................................. HB 21 (F)
Avoiding Apprehension Amendment, Waddoups, M. ............... SB 146 (P)
Bail Bond Amendments, Gibson, K. .................................... HB 122 (F)
Children’s Justice Center Addition, Hatch, T. ......................... SB 93 (P)
Commission on Racial and Ethnic Fairness, Bourdeaux, D. ....... HB 292 (F)
Concurrent Resolution on Mcgruff House, Eastman, D. ......... SCR 11 (P)
Controlled Substance Amendments, Arent, P. ......................... SB 50 (P)
Controlled Substance Law Amendments, Dee, B. .................... HB 311 (P)
Criminal Code Amendments, Hale, K. ................................ SB 181 (F)
Criminal Penalty Amendment, Litvack, D. ............................ HB 50 (F)
Criminal Penalty for Animal Cruelty, Wyatt, S. ..................... HB 242 (F)
Division of Criminal Investigation and Technical Services Amendments, Oda, C. ..................................................... HB 276 (P)
Drug Offender Reform Act, Buttars, D. C. ............................. SB 22 (F)
Drug Offense Penalty Enhancements, Dee, B. ......................... HB 55 (P)
Electronic Communication Harassment, Dougall, J. ................. HB 221 (P)
Fire Prevention Amendments, Murray, J. ............................. HB 52 (P)
Habitual Violent Offenders Amendments, Ray, P. ................. HB 76 (P)
Identity Fraud Amendments, Walker, C. .............................. SB 118 (P)
Increase Statute of Limitations on Rape, Mayne, E. .............. SB 177 (P)
Internet Crimes Against Children, Cosgrove, T. .................... HB 132 (P)
Joint Resolution Supporting Counties Expansion of Correctional Facilities, Hogue, D. ......................... HJR 18 (F)
Juvenile Justice Recodification and Revisions, Aagard, D. .......... HB 28 (P)
Offenses Committed Against Correctional and Peace Officers, Oda, C. ........................................ HB 98 (P)
Agency for Providing False Information to State
Penalty for Providing False Information to State
Agency, Hellewell, P .................................................... SB 43 (P)
Personal Property Transactions Amendments, Waddoups, M. .......... SB 62 (P)
Property Tracking Amendments, Ray, P. ................................. HB 215 (P)
Protective Order Amendments, Hutchings, E. .......................... HB 360 (F)
Public Safety Database Amendments, Waddoups, M. ................. SB 75 (F)
Public Safety Driving Privilege and Identification Card Amendments, Bramble, C. ........................................... SB 227 (P)
Public Safety Officers – Critical Incident Shooting
Provisions, Ray, P. ................................................................ HB 134 (F)
Public Safety Retirement Amendments, Buttars, D. C. ............... SB 154 (F)
Resolution Honoring Jade Pusey, Ure, D. ................................. HJR 21 (P)
Restrictions of Advertising Illegal Activities, Wyatt, S. ............. HB 123 (F)
Sex Offender Registration Amendments, Lawrence, M. S. ....... HB 95 (F)
Shelter Hearing Amendments, Hutchings, E. ............................ HB 303 (F)
Tampering with Evidence, Buttars, D. C. ................................... SB 73 (P)
Telephone Surcharge for Education and Training
Programs At Prison, Goodfellow, B. .................................... HB 234 (P)
Unclaimed Property Amendments, Ray, P. ............................... HB 208 (P)
Utah Computer Crimes Act Amendments, Daw, B. ................. HB 185 (P)
Weapons Amendments, Madsen, M. ....................................... SB 175 (F)
Wrongful Lien Offenses, Evans, B. ......................................... SB 47 (P)

LEGISLATIVE AFFAIRS

Annual Appropriations Act, Bigelow, R. ............................... HB 1 (P)
Ban on Gifts to Elected Officials, Becker, R. .......................... HB 144 (F)
Capitol Complex Space, Alexander, J. ................................. HB 250 (P)
Concurrent Resolution Approving Class V
Landfill, Dmitrich, M. ............................................... SCR 8 (P)
Concurrent Resolution Honoring America’s Military
War Dogs, Mascaro, S. ............................................... HCR 14 (F)
Concurrent Resolution Honoring Utah Foundation,
Mansell, L. A. ......................................................... SCR 10 (P)
Concurrent Resolution Honoring Waldo Wilcox for
Preservation of Range Creek Area, King, B. ....................... HCR 10 (P)
Concurrent Resolution on Mcgruff House, Eastman, D. ........ SCR 11 (P)
Concurrent Resolution Opposing Nuclear Testing, Noel, M. .... HCR 7 (P)
Concurrent Resolution Promoting Utah Saves
   Strategic Initiative, Hogue, D. ................................. HCR 13 (F)
Concurrent Resolution Regarding Delta Air Lines, Eastman, D. ...... SCR 9 (P)
Cowboy Hall of Fame Resolution, Shurtliff, L. ................... HCR 2 (P)
House Resolution Discouraging Participation in Free
   Trade Areas of the Americas, Donnelson, G. ..................... HR 9 (P)
House Rules Resolution – Committee Report, Ure, D. .............. HR 7 (P)
House Rules Resolution – Electronic Voting Board, Ure, D. ....... HR 6 (F)
House Rules Resolution – Lobbyist Code of Ethics
   Amendments, Ure, D. ........................................... HR 1 (F)
House Rules Resolution – Oral Declaration of Conflict
   of Interest, Ure, D. .......................................... HR 5 (F)
Joint Resolution Amending Interim Legislative Rules,
   Waddoups, M. .................................................. SJR 13 (P)
Joint Resolution Approving Appointment of Legislative
   Auditor General, Valentine, J. ................................. SJR 1 (P)
Joint Resolution Approving Consolidation of West Valley
   and Sandy District Courts, Knudson, P. ......................... SJR 18 (P)
Joint Resolution on Stroke Awareness, Knudson, P. .............. SJR 14 (P)
Joint Resolution Recognizing Retiring President of
   Dixie State College, Hickman, J. .............................. SJR 20 (P)
Joint Resolution Related to Financial Institutions, Alexander, J. . HJR 1 (P)
Joint Resolution Related to the Utah Athletic
   Foundation, Ure, D. .............................................. HJR 16 (F)
Joint Resolution Supporting Counties Expansion of
   Correctional Facilities, Hogue, D. ............................... HJR 18 (F)
Joint Resolution Urging Health Care for Utah’s Indigent
   and Needy Uninsured, Fowlke, L. ............................... HJR 19 (P)
Joint Resolution Urging Medicaid Reform, Knudson, P. .......... SJR 15 (P)
Joint Rules Resolution – Amendments in Context, Lockhart, R. .. HJR 10 (P)
Joint Rules Resolution – Appearance of Bills, Bramble, C. ...... SJR 8 (P)
Joint Rules Resolution – Conflict of Interest
   Amendments, Ure, D. .......................................... HJR 4 (F)
Joint Rules Resolution – Family Impact Statement on
   Legislation, Frank, C. ........................................... HJR 2 (F)
Joint Rules Resolution – Interim Rules Recodification,
   Waddoups, M. .................................................. SJR 4 (P)
Joint Rules Resolution – Use of Legislative Seals, Lockhart, R. .. HJR 8 (P)
Legislators Involvement in Public Schools, Bourdeaux, D. ....... HB 196 (F)
Lobbyist Reporting Amendments, Bell, G. ........................... SB 102 (F)
Master Study Resolution, Alexander, J. ............................ HJR 20 (P)
Office of Legislative Auditor – Access to Information,
   Waddoups, M. ......................................................... SB 20 (P)
Repeal of Utah Tomorrow Strategic Planning Committee,
   Waddoups, M. ......................................................... SB 117 (P)
Resolution Amending Joint Rules Regarding Conflicts
   of Interest, Dougall, J. .................................................. HJR 9 (P)
Resolution Amending State Auditor Qualifications, Romero, R. ........ HJR 7 (F)
Resolution Approving Class V Landfill, Allen, R. ......................... SCR 2 (P)
Resolution Approving Compensation of In−session
   Employees, Newbold, M. .................................................. HJR 6 (P)
Resolution Approving Contract for State Capitol
   Renovation, Mansell, L. A. ................................................. SJR 5 (P)
Resolution Approving Settlement of Lawsuit, Knudson, P. ............... SCR 5 (P)
Resolution Approving Utah Recreational Land Exchange,
   Evans, B. .................................................................. SCR 4 (P)
Resolution Clarifying Removal Provisions, Hogue, D. .................... HJR 5 (F)
Resolution Encouraging Managed Lanes Study, Walker, C. .......... SCR 1 (P)
Resolution Encouraging Mediation, Walker, C. ......................... SJR 3 (P)
Resolution Encouraging Schools to Adopt Nutrition
   and Physical Activity Policies, Jones, P. ................................ HJR 11 (P)
Resolution Establishing Redistricting Commission, McGee, R. ... HJR 14 (F)
Resolution Honoring Celebration of Marriage
   Week, Fowlke, L. ........................................................... HJR 17 (P)
Resolution Honoring Hollace (Holly) Parker, Holdaway, K. ........ HR 12 (P)
Resolution Honoring Jade Pusey, Ure, D. ................................ HJR 21 (P)
Resolution Honoring Outgoing USU President
   Kermit L. Hall, Hunsaker, F. .............................................. HCR 9 (P)
Resolution Honoring Searchers, Hillyard, L. ................................ SCR 3 (P)
Resolution Honoring the University of Utah Football
   Team, Alexander, J. ......................................................... HCR 11 (P)
Resolution Honoring Utah Military Service Personnel,
   Hunsaker, F. ................................................................. HCR 5 (P)
Resolution Limiting Number of Governor’s Terms, Walker, C. .... SJR 11 (F)
Resolution on Property Tax for Certain Personal Property,
   Hickman, J. ................................................................. SJR 2 (F)
Resolution Promoting Moderately Sized Schools, Cox, D. .......... HCR 1 (P)
Resolution Recognizing 100 Years of Rotary International,
   Knudson, P. .................................................................. SJR 9 (P)
Resolution Recognizing Granite School District’s
   100 Years, Davis, G. ......................................................... SJR 19 (P)
Resolution Recognizing Huntsman Cancer Institute, Knudson, P. ................. SJR 17 (P)
Resolution Recognizing Ronald Reagan Day, Knudson, P. .......... SJR 7 (P)
Resolution Recognizing Utah Manufacturers Association, Alexander, J. .................. HCR 8 (P)
Resolution Recognizing Utah’s Legislators Back to School Program, Dayton, M. .... HCR 6 (P)
Resolution Regarding Federal No Child Left Behind, Holdaway, K. .................... HJR 3 (P)
Resolution Regarding United States Trade Negotiations, Allen, S. .................... HJR 15 (P)
Resolution Regarding Washington County Waste Facility, Last, B. ....................... HCR 3 (P)
Resolution Supporting Congressional Privatization of Social Security, Morley, M. ........ HR 3 (P)
Resolution Supporting National Bear River Heritage Area Act, Buttars, C. ............ HJR 13 (F)
Resolution Supporting Participation of Taiwan in World Health Organization, Last, B. .......... HR 10 (P)
Resolution Supporting Permanent Repeal of Federal Inheritance Tax, Morley, M. .......... HR 2 (P)
Resolution Supporting the Golden Rule Project, Fife, F. ................... SCR 6 (P)
Resolution to Congress Regarding Oil and Gas Drilling and Exploration, Stephenson, H. ........ SJR 10 (P)
Resolution Urging Comprehensive Cancer Control Plan for the State, Hale, K. .......... SJR 16 (P)
Resolution Urging Congress to Pass Balanced Budget Amendment, Hansen, N. ......... HR 11 (P)
Resolution Urging Funding, Fife, F. ........................................ SJR 12 (F)
Resolution Urging United States Senate Support of President’s Supreme Court Nominees, Morley, M. .......... HR 4 (P)
Revisor’s Statute, Lockhart, R. .................. HB 176 (P)
Senate Resolution Discouraging Participation in Free Trade Area of the Americas, Thomas, D. .......... SR 1 (P)
Space Exploration Resolution, Knudson, P. .................. SJR 6 (P)
Supplemental Appropriations Act II, Hillyard, L. .................. SB 3 (P)
Task Force on Legislative Reforms, Hansen, N. .................. HB 281 (F)
Utah Athletic Foundation Resolution, Ure, D. .................. HCR 4 (F)
LEGISLATURE

Government Efficiency and Effectiveness Review
  Committee, Wallace, P. ................................. HB 58 (F)
House Rules Resolution – Electronic Voting Board, Ure, D. .... HR 6 (F)
Joint Rules Resolution – Amendments in Context, Lockhart, R. ... HJR 10 (P)
Joint Rules Resolution – Use of Legislative Seals, Lockhart, R. ... HJR 8 (P)
Legislators Involvement in Public Schools, Bourdeaux, D. ....... HB 196 (F)
Resolution Amending Joint Rules Regarding Conflicts
  of Interest, Dougall, J. ................................. HJR 9 (P)
Resolution Honoring Hollace (Holly) Parker, Holdaway, K. ....... HR 12 (P)
Resolution Recognizing Utah’s Legislators Back to School Program, Dayton, M. ....... HCR 6 (P)

LETTERS OF CREDIT

Contractors Bonds and Letters of Credit, Clark, S. ............... HB 82 (F)

LIABILITY

Liability Protection of Educators, Stephenson, H. ............... SB 58 (P)
Liability Reform Act Amendments, Bell, G. ....................... SB 10 (P)
Limitation on Liability Regarding Liquefied Petroleum Gas, Eastman, D. ............... SB 21 (P)
Medical Device Notification and Liability, Buttars, D. C. ........ SB 110 (P)

LIBRARIES

Consolidation of City and County Library, Bell, G. ............... SB 97 (P)

LICENSURE, HUMAN SERVICES PROGRAMS

Background Checks for Boarding Schools, Last, B. ............... HB 321 (F)
Criminal Background Checks for Personal Care
  Attendants, Hunsaker, F. ............................... HB 64 (P)
Licensure and Regulation of Programs and Facilities, Hatch, T. ... SB 107 (P)
Programs and Facilities Licensing Amendments, Buttars, D. C. ... SB 176 (F)
Provision of Services for People with Disabilities, Lockhart, R. ... HB 79 (P)

LIENS

Construction Filing Amendments, Morley, M. ...................... HB 105 (P)
Construction Trade Related Amendments, Jenkins, S. ............ SB 168 (F)
Liens on Aircraft, Hatch, T. ............................... SB 103 (P)
Real Estate and Mechanics Liens – Security
  Alternatives, Morley, M. ............................... HB 273 (P)
Residence Lien Restriction and Lien Recovery Fund
   Amendments, Thomas, D. . . . . . . . . . . . . . . . . . . . . . . . . SB 87 (F)
Wrongful Lien Offenses, Evans, B. . . . . . . . . . . . . . . . . . . . SB 47 (P)

**LIFE INSURANCE**

Life Insurance and Annuities Law Amendments, Dunnigan, J. . . . . HB 201 (P)

**LIMITED LIABILITY COMPANY**

Financial Institutions as Limited Liability
   Companies, Hillyard, L. . . . . . . . . . . . . . . . . . . . . . . . . . SB 215 (P)

**LIQUIFIED PETROLEUM GAS**

Limitation on Liability Regarding Liquefied
   Petroleum Gas, Eastman, D. . . . . . . . . . . . . . . . . . . . . . . . . SB 21 (P)

**LIVESTOCK**

Government Records Access and Management Act Requirements
   Regarding Animal Identification Program, Buttrs, C. . . . . . . HB 226 (P)
Historical Livestock Trails, Johnson, B. . . . . . . . . . . . . . . . . . . HB 182 (P)
Veterinary Practice Act − Exemptions, Dmitrich, M. . . . . . . . . . SB 182 (F)

**LOBBYING**

House Rules Resolution − Lobbyist Code of Ethics
   Amendments, Ure, D. . . . . . . . . . . . . . . . . . . . . . . . . . HR 1 (F)
Lobbyist Regulation, Ferrin, J. . . . . . . . . . . . . . . . . . . . . . . . . HB 369 (F)

**LOCAL BOARDS OF EDUCATION**

Applied Technology Program Amendments, Ferrin, J. . . . . . . . . . . . . . . . . . HB 189 (F)
Appropriation for School Districts Impacted by Fee Waivers,
   Shurtliff, L. . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . HB 169 (F)
Local School Board Amendments, Dayton, M. . . . . . . . . . . . . . . . . . . HB 139 (P)
School Truancy Amendments, Hutchings, E. . . . . . . . . . . . . . . . . . . HB 148 (F)
Security for Public Schools, Allen, S. . . . . . . . . . . . . . . . . . . . . . . . . HB 153 (F)

**LOCAL DISTRICTS**

Amendments to Local Districts, Morgan, K. . . . . . . . . . . . . . . . . . . HB 380 (P)
Creation of Local Districts, Walker, C. . . . . . . . . . . . . . . . . . . . SB 88 (P)
Government Boundary Changes, Holdaway, K. . . . . . . . . . . . . . . . . . . HB 113 (P)
MARRIAGE / DIVORCE

Divorce Mediation Program, Ferry, B. ......................... HB 4 (P)
Divorce Task Force, Wallace, P. .............................. HB 56 (F)
Joint Custody Amendments, Christensen, L. ................. HB 280 (P)
Marriage Preparation Education, McGee, R. ................ HB 252 (F)
Pilot Program Repeal Clean-up, Romero, R. .................. HB 222 (P)
Protective Order Amendments, Hutchings, E. ............... HB 360 (F)
Resolution Honoring Celebration of Marriage
  Week, Fowlke, L. ............................................. HJR 17 (P)

MEDICAID

Amendments to Intermediate Care Facilities for Mentally
  Retarded, Lockhart, R. ....................................... HB 62 (P)
Children’s Health Care Coverage Amendments, Hogue, D. .... HB 114 (P)
Dental Services for Adults on Medicaid, Mascaro, S. ....... HB 32 (F)
Drug Utilization Review Committee
  Amendments, Lockhart, R. ................................... HB 268 (P)
Joint Resolution Urging Medicaid Reform, Knudson, P. .... SJR 15 (P)
Medicaid – Pregnant Women Resource Test, Wheatley, M. .. HB 343 (F)
Vision Care for Medicaid Recipient, Mascaro, S. .......... HB 31 (F)

MEDICAL ASSISTANCE PROGRAMS

Children’s Health Care Coverage Amendments, Hogue, D. .... HB 114 (P)

MEDICAL MALPRACTICE

Medical Decisions of a Parent or Guardian, Thomas, D. ....... SB 83 (P)

MEDICAL RECORDS

Access to Patient Medical Records, Arent, P. .................. SB 55 (P)

MENTAL HEALTH

Commitment to Mental Health Authority, Noel, M. .......... HB 271 (F)
County Officers Serving on Boards of County Mental
  Health and Substance Abuse Providers, Thomas, D. ......... SB 90 (P)
Mental Health Services Coordinator, Hogue, D. ............... HB 178 (F)
MILITARY SERVICES

Concurrent Resolution Honoring America’s Military
   War Dogs, Mascaro, S. ................................................. HCR 14 (F)
Individual Income Tax Subtraction for Certain Military
   Income, Stephenson, H. ................................................. SB 13 (P)
Military Installation Partnerships, Killpack, S. ......................... SB 141 (P)
National Guard Amendments, Hutchings, E. ........................ HB 143 (P)
Property Tax Exemption for Veterans, Hughes, G. ....................... HB 147 (P)
Resolution Honoring Utah Military Service Personnel,
   Hunsaker, F. .......................................................... HCR 5 (P)
Veterans Nursing Home, Buxton, D. G. ................................. HB 241 (F)

MINERAL LEASE FUNDS

School and Institutional Trust Lands Management Act
   Revisions, Dmitrich, M. ................................................. SB 41 (P)

MINORS

Home School Amendments, Madsen, M. ................................ SB 59 (P)
Materials Harmful to Minors, Hogue, D. ............................... HB 293 (F)
Provisions for Emancipation of a Minor, McGee, R. .................. HB 77 (F)
Young Artist Provisions, Hughes, G. ................................... HB 379 (F)

MORTGAGE

Division of Real Estate Amendments, Waddoups, M. ............... SB 172 (P)
Residential Mortgages Practices – Employment Security
   Revisions, Walker, M. ................................................ HB 210 (F)
Utah High Cost Home Loan Act Amendments, Harper, W. ......... HB 192 (F)

MOTION PICTURES

Motion Picture Incentive Fund, Allen, S. ............................... HB 17 (P)

MOTOR FUEL AND SPECIAL FUEL TAXES

Amendments Relating to Clean Fuels and Vehicles Using
   Clean Fuels, Hunsaker, F. ............................................. HB 96 (P)
State Tax Commission Collection and Licensing Practices,
   Bramble, C. ........................................................... SB 170 (P)
MOTOR VEHICLE INSURANCE
Insurance Arbitration Amendments, Urquhart, S. .................. HB 235 (P)
Motor Vehicle Insurance – Property Damage Limit, Jenkins, S. ... SB 124 (F)
Motor Vehicle Insurance Coverage Amendments, Eastman, D. ... SB 207 (P)
Motor Vehicle Liability Coverage Amendments, Eastman, D. .... SB 49 (F)
Motor Vehicle Repairs – Consumer Rights, Kiser, T. .............. HB 322 (F)
Motorboat Liability Insurance Amendments, Gibson, K. .......... HB 261 (F)
Uninsured Motorist Property Damage Coverage
   Amendments, Eastman, D. ....................................... SB 4 (P)

MOTOR VEHICLE SAFETY INSPECTION
Motor Vehicle Registration and Safety Inspection
   Amendments, Daw, B. ........................................... HB 48 (F)

MOTOR VEHICLES
Abandoned Vehicles Amendments, Gowans, J. ...................... HB 67 (P)
Automobile Crime Prevention, Ray, P. ............................. HB 21 (F)
Driving with Any Measurable Controlled Substance
   in the Body Revisions, Noel, M. ............................... HB 314 (F)
Emission Inspection Amendments, Gibson, K. ...................... HB 93 (P)
Golf Carts Allowed on Certain Highways, Moss, C. ............. HB 337 (F)
Insurance Arbitration Amendments, Urquhart, S. ................. HB 235 (P)
Local Corridor Preservation Funding, Killpack, S. .............. SB 8 (P)
Motor Vehicle Business Licensing Amendments, Ray, P. ....... HB 299 (P)
Motor Vehicle Business Regulation Act Amendments,
   Eastman, D. ...................................................... SB 37 (P)
Motor Vehicle Enforcement Division Amendments, Ray, P. .... HB 68 (P)
Motor Vehicle Registration and Safety Inspection
   Amendments, Daw, B. ........................................... HB 48 (F)
Motor Vehicle Registration and Title Amendments, Killpack, S. ... SB 98 (P)
Motor Vehicle Repairs – Consumer Rights, Kiser, T. .......... HB 322 (F)
Motor Vehicle Stops At Port–of–entry, Knudson, P. ............. SB 144 (P)
New Automobile Franchise Act Amendments, Urquhart, S. .... HB 47 (P)
New Motor Vehicle Franchise Act Amendments, Eastman, D. ... SB 51 (P)
Powersport Vehicle Franchise Act, Eastman, D. ................. SB 134 (P)
Property Tax Treatment of Tangible Personal Property,
   Bramble, C. ..................................................... SB 23 (P)
Restrictions on High Occupancy Vehicle Lane, Litvack, D. .... HB 367 (F)
Restrictions on Riders in the Back of Open Vehicle, Buttars, C. ... HB 265 (F)
Safety Belt Enforcement, Hale, K. ............................... SB 109 (F)
Safety Belt Law Requirement Amendments, Noel, M. ........ HB 92 (F)
Tax Treatment of Personal Property, Shurtliff, L. ............... HB 53 (P)
Traffic Code Amendments, Dunnigan, J. ......................... HB 24 (P)
Traffic Code Recodification and Revisions, Killpack, S. .... SB 5 (P)
Traffic Enforcement Amendments, McGee, R. ................... HB 219 (F)
Traffic Violations by Diplomats, Hogue, D. ...................... HB 212 (P)
Vehicle Identification Number Inspectors, Frank, C. ........... HB 149 (P)

MOTORCYCLES

Person with a Disability Motorcycle Parking, Kiser, T. .......... HB 5 (P)
Property Tax Treatment of Tangible Personal Property,
   Bramble, C. .................................................. SB 23 (P)

MUSEUMS

Cowboy Hall of Fame Resolution, Shurtliff, L. ............... HCR 2 (P)
Hill Air Force Museum Appropriation, Buxton, D. G. .......... HB 376 (F)
Office of Museum Services Amendments, Allen, R. ............ SB 95 (P)

NATURAL RESOURCES

Boat Registration Fee, Goodfellow, B. .......................... HB 225 (F)
Concurrent Resolution Honoring Waldo Wilcox for
   Preservation of Range Creek Area, King, B. ............... HCR 10 (P)
Conservation Easement Endowment Restricted Account,
   Evans, B. .................................................... SB 148 (F)
Cooperative Wildlife Management Unit Amendments,
   Gowans, J. .................................................... HB 168 (P)
Damages for Trespass in State Parks, Hatch, T. .............. SB 99 (F)
Deer Hunt Opening Season Date Amendments, Clark, S. .... HB 205 (F)
Duplicate Wildlife Licensing Amendments, Dayton, M. ....... HB 181 (P)
Office of Energy – Oversight, Hatch, T. ........................ SB 199 (P)
Resolution Supporting National Bear River Heritage
   Area Act, Buttars, C. ....................................... HJR 13 (F)
Sales and Use Tax Diversions, Peterson, D. ........................ SB 204 (F)
Special Hunting Permits for Antelope Island, Hickman, J. .... SB 187 (F)
State Engineer’s Powers and Duties Amendments, Clark, D. .... HB 29 (P)
Water Enforcement Procedures and Penalties, Ure, D. ....... HB 157 (P)
Water Law – Criminal Penalties Amendments, Ferry, B. ....... HB 38 (P)
Water Rights Fees, Gowans, J. ................................. HB 150 (P)
Water Rights in Irrigation Companies, Painter, P. ............. HB 229 (F)
Wildlife License Agents Amendments, Fisher, J. ............... HB 160 (P)
Wildlife License Refund Amendments, Dayton, M. ............. HB 177 (P)
### NOTARY PUBLIC

Notary Public Amendments, Shurtliff, L. .......................... HB 172 (F)
Revisions to General State Government – Notary Law
   Amendments, King, B. .......................... HB 375 (F)

### NUMBERED BY SHORT TITLE

<table>
<thead>
<tr>
<th>Title</th>
<th>Bill Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>911 Emergency Response Amendments, Hutchings, E.</td>
<td>HB 378 (F)</td>
</tr>
<tr>
<td>Abusive Attorneys Fees, Last, B.</td>
<td>HB 364 (F)</td>
</tr>
<tr>
<td>Access to Employment Data, Mathis, J.</td>
<td>HB 323 (F)</td>
</tr>
<tr>
<td>Amendments Related to Public Utilities, Tilton, A.</td>
<td>HB 251 (F)</td>
</tr>
<tr>
<td>Amendments to Independent Entities, Ure, D.</td>
<td>HB 357 (F)</td>
</tr>
<tr>
<td>Amendments to State Government, Allen, R.</td>
<td>SB 220 (F)</td>
</tr>
<tr>
<td>Amendments to Telecommunications, Davis, G.</td>
<td>SB 226 (F)</td>
</tr>
<tr>
<td>Amendments to Workers Compensation Fund, Ure, D.</td>
<td>HB 355 (F)</td>
</tr>
<tr>
<td>Background Checks in County Government, Dee, B.</td>
<td>HB 112 (F)</td>
</tr>
<tr>
<td>Collection Practices Amendments, Bourdeaux, D.</td>
<td>HB 305 (F)</td>
</tr>
<tr>
<td>Compensation for Executive Director of Department</td>
<td></td>
</tr>
<tr>
<td>of Health, Knudson, P.</td>
<td>SB 236 (F)</td>
</tr>
<tr>
<td>Contribution Limits on Governor’s Campaign, Ferrin, J.</td>
<td>HB 370 (F)</td>
</tr>
<tr>
<td>Corporate Accountability, Mayne, E.</td>
<td>SB 171 (F)</td>
</tr>
<tr>
<td>County Option Funding for Botanical, Cultural, Recreation,</td>
<td></td>
</tr>
<tr>
<td>and Zoological Organizations or Facilities, Hutchings, E.</td>
<td>HB377 (F)</td>
</tr>
<tr>
<td>Crime of Soliciting Sex from a Child, Fowlke, L.</td>
<td>HB 120 (F)</td>
</tr>
<tr>
<td>Deferred Deposit Lending Revisions, Fowlke, L.</td>
<td>HB 295 (F)</td>
</tr>
<tr>
<td>Department of Community Development and</td>
<td></td>
</tr>
<tr>
<td>Arts Restructure, Buxton, D. G.</td>
<td>HB 315 (F)</td>
</tr>
<tr>
<td>Designation of Next of Kin with Department of Health,</td>
<td></td>
</tr>
<tr>
<td>Biskupski, J.</td>
<td>HB 371 (F)</td>
</tr>
<tr>
<td>Disaster Relief Provisions, Clark, D.</td>
<td>HB 331 (F)</td>
</tr>
<tr>
<td>Divorce Education for Children, McGee, R.</td>
<td>HB 334 (F)</td>
</tr>
<tr>
<td>Emergency Administration of Epinephrine, Kiser, T.</td>
<td>HB 110 (F)</td>
</tr>
<tr>
<td>Ethics Commission, Litvack, D.</td>
<td>HB 366 (F)</td>
</tr>
<tr>
<td>Family Impact Statement, Frank, C.</td>
<td>HB 347 (F)</td>
</tr>
<tr>
<td>Foster Placements, Hansen, N.</td>
<td>HB 298 (F)</td>
</tr>
<tr>
<td>General Government Amendments and Revisions, Fife, F.</td>
<td>SB 229 (F)</td>
</tr>
<tr>
<td>General Government Revisions, Peterson, D.</td>
<td>SB 210 (F)</td>
</tr>
<tr>
<td>General Obligation Bonds Authorizations, Hickman, J.</td>
<td>SB 2 (F)</td>
</tr>
<tr>
<td>General State Government Amendments, Allen, R.</td>
<td>SB 221 (F)</td>
</tr>
<tr>
<td>Good Samaritan Coverage of Health Providers</td>
<td></td>
</tr>
<tr>
<td>Charity Care, Madsen, M.</td>
<td>SB238 (F)</td>
</tr>
<tr>
<td>Government Operations, Gowans, J.</td>
<td>HB 353 (F)</td>
</tr>
</tbody>
</table>
Health Care Savings Account Act, Dayton, M. ...................... HB 300 (F)
Health Insurance Disclosure Requirements, Last, B. ............... HB 351 (F)
Health Law Amendments, Fife, F. ................................. SB 230 (F)
Hearing Instrument Specialist Licensing Act, Julander, P. .......... SB 202 (F)
Implements of Husbandry Permit Stickers, Mathis, J. ............. HB 374 (F)
Improvements to General Government, Fife, F. .................... SB 228 (F)
Independent Elections Commission, Davis, G. ..................... SB 200 (F)
Licensing of Child Care Centers – Oversight and
Regulation, Buxton, D. G. ............................................. HB 111 (F)
Local Law Enforcement Authority for Wildlife
Resources and State Parks, Hatch, T. ............................. SB198 (F)
Local Option Sales and Use Tax Distribution Amendments,
Bell, G. ................................................................. SB 169 (F)
Mandatory Minimum Sentencing for Child
Molesters, Frank, C. ....................................................... HB 352 (F)
Military Transformation Authority, Killpack, S. ...................... SB 237 (F)
Motor Vehicle Lease or Purchase Agreements, Madsen, M. ....... SB 218 (F)
Motor Vehicle Registration Amendments, Killpack, S. ............. SB 196 (F)
Open Enrollment Amendments, Bourdeaux, D. ...................... HB 325 (F)
Power of Attorney Amendments, Newbold, M. ...................... HB 372 (F)
Professional Licensing Amendments, Wheatley, M. ................ HB 359 (F)
Property Tax Changes, Hillyard, L. ................................... SB 193 (F)
Provisions Changing General Government, Davis, G. .............. SB 224 (F)
Regulation of Assisted Living Facility Amendments,
Lockhart, R. .............................................................. HB 294 (F)
Regulation of Phlebotomists, Wheatley, M. .......................... HB 344 (F)
Reporting Taxable Income from Child Care Services,
Buttars, D. C. .............................................................. SB 197 (F)
Resolution Concerning Health Care Availability, Bell, G. ........ SCR 7 (F)
Resolution Encouraging State Research Universities to
Focus on Enhancing State Trust Lands, Hutchings, E. ........... HR 8 (F)
Resolution Urging Congress to Provide Sufficient Funding
of Medicaid, Bigelow, R. ............................................... HCR 12 (F)
Restrictions on Gifts, Ferrin, J. ......................................... HB 290 (F)
Restructure of State Utility Regulatory Entities, Tilton, A. ....... HB 284 (F)
Revisions to State Government, Ferry, B. ............................ HB 117 (F)
Revolving Door Limitation for Public Officials to Become
Lobbyists, Moss, C. ....................................................... HB 365 (F)
Sales and Use Tax Amendments, Mayne, E. ......................... SB 68 (F)
School Trust Lands Revisions, Clark, D. ............................ HB 339 (F)
Security in Construction Projects, Bramble, C. ..................... SB 219 (F)
Small Business Economic Stimulus, Frank, C. ......................... HB 125 (F)
State Building Energy Efficiency Program, Hunsaker, F. ........ HB 350 (F)
Substance Abuse Counselor Amendments, Allen, R. ............ SB 213 (F)
Tax Amendments, Harper, W. ...................................... HB 253 (F)
Tax Credit for Tuition, Mascaro, S. .............................. HB 254 (F)
Tax Treatment of Food Sold in Vicinity of a Theater, Madsen, M. ....................................... SB 217 (F)
Telecommunications Taxation, Curtis, G. ........................ HB 108 (F)
Termination of Parental Rights for Murder or Attempted Murder, Biskupski, J. .................... HB 278 (F)
Towing Amendments, Buttars, D. C. ............................. SB 235 (F)
Transportation Amendments, Gibson, K. ........................ HB 363 (F)
Transportation General Obligation Bonds Authorization, Urquhart, S. ................................. HB 257 (F)
Use of Public Education Monies, Jones, P. ......................... HB 286 (F)
Utah Midwifery Act, Julander, P. ................................. SB 214 (F)
Vehicle Impound Amendments, Gowans, J. ........................ HB 317 (F)
Workers Compensation Fund Amendments, Bramble, C. ........ SB 222 (F)

**OCCUPATIONAL LICENSING**

Access to Patient Medical Records, Arent, P. ...................... SB 55 (P)
Child Care Investigations, Hellewell, P. ............................ SB 212 (P)
Clinical Counselor – Title Change, Fowlke, L. ................... HB 279 (P)
Controlled Substance Amendments, Arent, P. ..................... SB 50 (P)
Health Care Assistants, Lockhart, R. .............................. HB 12 (P)
Licensing of Crane Operators, Davis, G. .......................... SB 29 (F)
Licensing of Estheticians and Nail Technicians, Fisher, J. .... HB 71 (P)
Licensure of Athletic Trainers, Ray, P. ............................. HB 262 (F)
Licensure of Wholesale Distributors of Prescription Drugs,
Last, B. ................................. HB 354 (F)
Naturopathic Formulary Peer Committee Amendments,
Ferrin, J. ............................................ HB 198 (P)
Naturopathic Physician Amendments, Ferrin, J. ................. HB 66 (P)
Notary Public Amendments, Shurtliff, L. ......................... HB 172 (F)
Nurse Practice Act Amendments, Lockhart, R. .................... HB 285 (F)
Occupational and Professional Licensing Sunset Amendment, Lockhart, R. ............................. HB 13 (P)
Oversight and Enforcement of Work Done on Mobile Homes, Mayne, E. ................................. SB 223 (P)
Prescriptive Practice of Legend Drugs, Knudson, P. ............. SB 46 (F)
Psychologist Licensing Act Amendments, Mayne, E. ........... SB 147 (F)
Regulation of Noncompete Agreements in Medical Practices,
   McGee, R. .......................................................... HB 106 (F)
Repeal of Geriatric Care Manager, Lockhart, R. ............... HB 243 (P)
Security Personnel Licensing Amendments, Davis, G. ........... SB 71 (P)
Security Service Amendments, Allen, R. ......................... SB 174 (F)
Special Function Officers for Division of Occupational
   and Professional Licensing, Hendrickson, N. ................. HB 368 (F)

OCCUPATIONS AND PROFESSIONS

Clinical Counselor − Title Change, Fowlke, L. ................ HB 279 (P)
Deregulation of General Building Contractors, Hughes, G. .... HB 193 (F)
Direct−entry Midwife Act, Biskupski, J. ........................ HB 25 (P)
Fire Prevention Amendments, Murray, J. ........................ HB 52 (P)
Licensing of Crane Operators, Davis, G. ....................... SB 29 (F)
Licensing of Estheticians and Nail Technicians, Fisher, J. .... HB 71 (P)
Licensure of Athletic Trainers, Ray, P. .......................... HB 262 (F)
Naturopathic Formulary Peer Committee
   Amendments, Ferrin, J. ................................. HB 198 (P)
Naturopathic Physician Amendments, Ferrin, J. ............... HB 66 (P)
Occupational and Professional Licensing Sunset Amendment,
   Lockhart, R. .................................................. HB 13 (P)
Oversight and Enforcement of Work Done on Mobile
   Homes, Mayne, E. ......................................... SB 223 (P)
Regulation of Construction Industry, Adams, J. S. ............. HB 302 (F)
Security Service Amendments, Allen, R. ....................... SB 174 (F)
Special Function Officers for Division of Occupational
   and Professional Licensing, Hendrickson, N. ............... HB 368 (F)
Veterinary Practice Act − Exemptions, Dmitrich, M. .......... SB 182 (F)

OFFENSES

Aggravated Murder Amendments, Wyatt, S. .................... HB 297 (P)
Criminal Code Amendments, Hale, K. ............................ SB 181 (F)
Criminal Penalty Amendment, Litvack, D. ........................ HB 50 (F)
Drug Offense Penalty Enhancements, Dee, B. ..................... HB 55 (P)
Electronic Communication Harassment, Dougall, J. ............ HB 221 (P)
Habitual Violent Offenders Amendments, Ray, P. ............... HB 76 (P)
Offenses Committed Against Correctional and Peace
   Officers, Oda, C. ....................................... HB 98 (P)
Penalty for Providing False Information to State Agency,
   Hellewell, P. ......................................... SB 43 (P)
Restrictions of Advertising Illegal Activities, Wyatt, S. ....... HB 123 (F)
Sales Marketing Requirements, Noel, M. ......................... HB 269 (F)
Statute of Limitations Amendments, Clark, D. ..................... HB 204 (F)
Tampering with Evidence, Buttars, D. C. ................................. SB 73 (P)

**OFF–HIGHWAY VEHICLES**

Classifying Off–highway Vehicles as Allowed on
Designated Roads, Hatch, T. ................................. SB 188 (F)
Property Tax Treatment of Tangible Personal Property,
Bramble, C. ....................................................... SB 23 (P)

**OIL AND GAS**

Resolution to Congress Regarding Oil and Gas Drilling
and Exploration, Stephenson, H. ......................... SJR 10 (P)

**PARKS**

Damages for Trespass in State Parks, Hatch, T. ..................... SB 99 (F)
Special Hunting Permits for Antelope Island, Hickman, J. .......... SB 187 (F)

**PARTNERSHIPS**

Business Entity Amendments, Romero, R. ....................... HB 275 (P)

**PAWNSHOPS**

Sales and Use Taxation of Pawn Transactions, Allen, R. ............ SB 36 (P)

**PEACE OFFICER**

Avoiding Apprehension Amendment, Waddoups, M. ............... SB 146 (P)
Public Safety Officers – Critical Incident Shooting
Provisions, Ray, P. ................................................. HB 134 (F)
Special District for Police Services, Romero, R. ..................... HB 41 (F)
Unclaimed Property Amendments, Ray, P. ............................... HB 208 (P)

**PHARMACIES**

Licensure of Wholesale Distributors of Prescription
Drugs, Last, B. ...................................................... HB 354 (F)
Pharmacy Practice Act Amendments, Knudson, P. ................. SB 142 (P)
Prescriptive Practice of Legend Drugs, Knudson, P. ............... SB 46 (F)
Transfer of Prescriptions, Hansen, N. ................................. HB 244 (F)

**PHOTO RADAR**

Traffic Enforcement Amendments, McGee, R. ....................... HB 219 (F)
POLITICAL SUBDIVISIONS (LOCAL ISSUES)

Access to Health Care Facilities and Places of Worship,
   Aagard, D. ................................................................. HB 131 (F)
Amendments to Facilities with Regional Impact, Hughes, G. ...... HB 126 (F)
Amendments to Local Districts, Morgan, K. ......................... HB 380 (P)
Authority for Design–build Construction, Morley, M. .......... HB 289 (F)
Brownfields Revision, Mansell, L. A. ............................... SB 173 (P)
Business License Fees, Waddoups, M. ............................ SB 152 (P)
Changes to Quality Growth Commission, Buttars, C. .......... HB 266 (P)
Claims Against a County, Clark, S. ................................. HB 87 (P)
Consolidation of City and County Library, Bell, G. ............. SB 97 (P)
County and Municipal Zoning Regarding Billboards,
   Waddoups, M. ....................................................... SB 114 (P)
County Contracted Services, Holdaway, K. ....................... HB 329 (F)
County Officer Amendments, Bramble, C. ....................... SB 190 (P)
County Officers Serving on Boards of County Mental Health
   and Substance Abuse Providers, Thomas, D. ............... SB 90 (P)
Creation of Local Districts, Walker, C. ......................... SB 88 (P)
Density Credit for Land Donated to School District, Cox, D. .... HB 333 (F)
Disaster Loan Program, Bigelow, R. ................................. HB 240 (P)
Disconnecting Territory from a Municipality, Frank, C. ....... HB 335 (F)
Electronic Payments to Local Government Entities, Murray, J. .... HB 51 (P)
Family Sustaining Wage Amendments, Fife, F. ................ SB 69 (F)
Global Positioning Reference Network, Holdaway, K. ........ HB 216 (P)
Government Boundary Changes, Holdaway, K. .................. HB 113 (P)
Interlocal Cooperation Amendments, Bramble, C. ............. SB 209 (F)
Justice Court Operations Amendments, Mayne, E. ............. SB 136 (F)
Local Government Amendments, Thomas, D. ................... SB 31 (F)
Local Government Approval for Solid Nonhazardous and
   Hazardous Waste Disposal, Evans, B. ....................... SB 81 (P)
Local Government Authority, Hardy, A. ......................... HB 256 (P)
Local Land Use Development and Management
   Amendments, Bell, G. ............................................. SB 60 (P)
Municipal Abatement of Weeds and Other Neglected
   Items on Property, Morley, M. ................................. HB 162 (P)
Municipal Authority to Use Collection Agencies, Walker, M. ... HB 361 (F)
Municipal Budget Amendments, Walker, M. ..................... HB 309 (P)
Municipal Electrical Entities Amendments, Tilton, A. ........... HB 312 (F)
Optional Forms of County Government Amendment, Thomas, D. .. SB 78 (P)
Political Subdivisions – Truth in Government Competition,
   Allen, R. ............................................................. SB 191 (F)
Procurement Code Bidding and Contractual Amendments,
   Mayne, E. .................................................. SB 66 (F)
Property Tax – County Service Areas, Waddoups, M. ............... SB203 (F)
Redevelopment Agency Amendments, Bramble, C. ................. SB184 (P)
Redevelopment Agency Changes, Dougall, J. ....................... HB307 (F)
Revise Utility Improvement Districts, Ure, D. ....................... HB 118 (F)
Search and Rescue Advisory Board – Amendments, Adams, J. S. .. HB 90 (P)
Special District for Police Services, Romero, R. .................... HB 41 (F)
Special Service Districts – Service Expansion, Dmitrich, M. .... SB 80 (P)
Sunset of Township Provision, Lawrence, M. S. ............... HB 40 (P)
Utah Indoor Clean Air Act Amendments, Ray, P. ................. HB 166 (F)

**PORNOGRAPHY**

Amendments Related to Pornographic and Harmful Materials, Dougall, J. ....................... HB 260 (P)

**PORTS OF ENTRY**

Motor Vehicle Stops At Port-of-entry, Knudson, P. ............... SB 144 (P)

**PROPERTY TAX**

Amendments to the Property Tax Valuation Agency Fund
   Assessing and Collecting Levy, Stephenson, H. ............... SB161 (P)
Exemptions to Residential Property Tax, Mayne, E. ............... SB 33 (F)
Land Value Property Tax Study, Stephenson, H. .................. SB 53 (P)
Property Affected by Access Interruption, Hughes, G. .......... HB 45 (P)
Property Tax – Certified Tax Rate Adjustment, Bell, G. .......... SB 189 (F)
Property Tax – County Service Areas, Waddoups, M. .......... SB 203 (F)
Property Tax Confidentiality Amendments, Stephenson, H. .... SB 54 (P)
Property Tax Exemption Amendments, Bramble, C. ............... SB 121 (P)
Property Tax Exemption for Veterans, Hughes, G. ............... HB 147 (P)
Property Tax Treatment of Tangible Personal Property,
   Bramble, C. .............................................. SB 23 (P)
Resolution Eliminating Property Tax on Personal Property,
   Property, Dougall, J. ..................................... HJR 12 (F)
Resolution on Property Tax for Certain Personal Property,
   Hickman, J. .............................................. SJR 2 (F)
Tax Treatment of Personal Property, Shurtliff, L. ............... HB 53 (P)
Taxable Value Adjustment for Property Damaged by a Natural Disaster, Last, B. ....................... HB 324 (P)
PUBLIC EDUCATION

Air Conditioned Buses for Students with Disabilities, Hogue, D. . . . HB 88 (F)
Applied Technology Program Amendments, Ferrin, J. ................. HB 189 (F)
Appropriation for Highly Qualified Teachers, Holdaway, K. . . . HB 362 (F)
Capital Outlay Foundation Program – Participation
  Requirements, Ferrin, J. ........................................ HB 187 (F)
Carson Smith Special Needs Scholarships, Newbold, M. . . . HB 249 (P)
Charter School Amendments, Stephenson, H. ..................... SB 178 (P)
Charter School Enrollment, Ferrin, J. .......................... HB 136 (P)
Charter School Reporting, Moss, C. .............................. HB 206 (P)
Education Achievement Gap Task Force, Litvack, D. .......... HB 175 (F)
Enrollment Growth Program Amendments, Last, B. .......... HB 124 (P)
High School Curriculum, Daw, B. ............................... HB 326 (F)
Home School Amendments, Madsen, M. ......................... SB 59 (P)
Implementing Federal Educational Programs, Dayton, M. .... HB 135 (F)
Legislators Involvement in Public Schools, Bourdeaux, D. . . HB 196 (F)
Liability Protection of Educators, Stephenson, H. ............ SB 58 (P)
Local School Board Amendments, Dayton, M. ................. HB 139 (P)
Medical Recommendations for Children, Morley, M. ........ HB 42 (P)
Public Education Capital Outlay Act Amendments, Cox, D. . HB 46 (F)
Public Education Job Enhancement Program, Johnson, B. . HB 188 (P)
Reading Requirements for Student Advancement, Morgan, K. . HB 84 (F)
Resolution Promoting Moderately Sized Schools, Cox, D. . . HCR 1 (P)
Resolution Recognizing Granite School District’s
  100 Years, Davis, G. ....................................... SJR 19 (P)
School Breakfast Program, Litvack, D. ......................... HB 141 (F)
School Community Councils, Dougall, J. ....................... HB151 (F)
School Curriculum Amendments, Moss, C. ...................... HB 72 (F)
School District Amendments, Cox, D. ......................... HB 63 (F)
School District Boundaries, Noel, M. .......................... HB 231 (F)
School Land Trust Program Funding Amendments, Urquhart, S. . HB 43 (P)
School Truancy Amendments, Hutchings, E. .................... HB 148 (F)
School Uniforms, Frank, C. ................................. HB 129 (F)
Schools for the Deaf and the Blind Salary Adjustments,
  Morgan, K. ........................................... HB 346 (F)
Security for Public Schools, Allen, S. .......................... HB 153 (F)
State School Board Amendments, Morgan, K. .................. HB 345 (F)
State School Board Candidate Selection Committees, Hale, K. SB 155 (F)
State School Board Elections and Filling of Vacancies, Ferrin, J. . HB 61 (F)
Supplemental Minimum School Program Finance
  Act, Snow, G. ....................................... HB 382 (P)
Tuition and Books Assistance, Hutchings, E. .......................... HB 358 (F)
Tuition Program for Students Seeking Teacher Licensure in
Disability or Special Education, Menlove, R. ....................... HB 74 (P)
Tuition Tax Credits, Ferrin, J. ................................. HB 39 (F)
Utah Basic Skills Competency Test Alternatives, Ray, P .... HB 232 (F)
Verification of Eligibility for Fee Waivers, Harper, W. ........ HB 183 (P)

PUBLIC FUNDS AND ACCOUNTS

Amendments to Navajo Trust Fund, Evans, B. ...................... SB 76 (P)
Commerce Service Fund Amendments, Bell, G. .................. SB 96 (P)
Investment of Higher Education Institution Endowment
    Funds, Clark, D. ............................................. HB 255 (P)
Navajo Trust Fund Amendments, King, B. ......................... HB 119 (F)
School Land Trust Program Funding Amendments, Urquhart, S.  HB 43 (P)
Utah Child Abuse Prevention Board, Ray, P ..................... HB 115 (F)

PUBLIC MEETINGS

Open and Public Meetings − Recording Requirement, Jenkins, S.  SB 143 (F)

PUBLIC OFFICERS

Resolution Clarifying Removal Provisions, Hogue, D. .......... HJR 5 (F)

PUBLIC SAFETY

Automobile Crime Prevention, Ray, P. ............................... HB 21 (F)
Public Safety Database Amendments, Waddoups, M. .......... SB 75 (F)
Public Safety Driving Privilege and Identification Card
    Amendments, Bramble, C. .................................. SB 227 (P)
Public Safety Officers − Critical Incident Shooting
    Provisions, Ray, P. ............................................. HB 134 (F)
Public Safety Retirement − Exemption of Certain
    Employees, Clark, D. ........................................ HB 217 (P)
Public Safety Retirement Amendments, Buttars, D. C. ........ SB 154 (F)
Retirement for Airport Police, Dmitrich, M. ................. SB 130 (P)

PUBLIC SERVICE COMMISSION

Amendments to Hearing and Speech Impaired
    Telecommunications Program, Goodfellow, B. ............ HB 145 (P)
Utility Regulatory Reform, Gowans, J. ............................. HB 320 (F)
PUBLIC TRANSIT DISTRICTS

Limitation of Landowner Liability for Public Recreation, Bell, G. ........................................ SB 32 (P)
Public Transit District Annexation and Funding Amendments, Bell, G. ................................. SB 183 (F)

PUBLIC UTILITIES

Amendments to Hearing and Speech Impaired Telecommunications Program, Goodfellow, B. ................. HB 145 (P)
Emergency Related Amendments, Allen, S. ...................... HB 34 (P)
Public Utilities Amendments, Bell, G. ............................... SB 26 (P)
Reauthorization of Energy Policy Task Force, Eastman, D. .... SB 28 (F)
Revise Utility Improvement Districts, Ure, D. ................. HB 118 (F)
Telecommunications Amendments, Urquhart, S. ................ HB 35 (F)
Telecommunications Revisions, Bramble, C. .................... SB 108 (F)
Utility Regulatory Reform, Gowans, J. ........................... HB 320 (F)

RADIATION

Waste Amendments, Bramble, C. ................................. SB 24 (P)

RAILROADS

Resolution Urging Funding, Fife, F. ................................. SJR 12 (F)

REAL ESTATE

Condominium Ownership Act Amendments, Moss, C. ........ HB 296 (F)
Conveyances of Property, Adams, J. S. .......................... HB 26 (P)
Crime Victims – Change of Locks on Rental Property,
Shurtliff, L. .............................................................. HB 184 (P)
Division of Real Estate Amendments, Waddoups, M. ......... SB 172 (P)
Exemptions to Residential Property Tax, Mayne, E. .......... SB 33 (F)
Historical Livestock Trails, Johnson, B. ........................... HB 182 (P)
Mutual Dependence Benefits Contract, Bell, G. ............... SB 89 (F)
Prescriptive Easements Act, Hughes, G. ......................... HB 207 (F)
Property Exempt from Execution, Dunnigan, J. ............... HB 121 (P)
Real Estate – Exclusive Brokerage Agreements, Mansell, L. A. SB 56 (P)
Real Estate Amendments, Snow, G. .............................. HB 283 (P)
Real Estate and Mechanics Liens – Security Alternatives,
Morley, M. ............................................................ HB 273 (P)
Real Estate Transactions and Securities, Mansell, L. A. ..... SB 64 (P)
Regulation of Construction Industry, Adams, J. S. ............... HB 302 (F)
Utah High Cost Home Loan Act Amendments, Harper, W. ........ HB 192 (F)

RECODIFICATION
Traffic Code Recodification and Revisions, Killpack, S. ............ SB 5 (P)

RECREATION
Limitation of Landowner Liability for Public Recreation, Bell, G. ........................................ SB 32 (P)
Resolution Approving Utah Recreational Land Exchange, Evans, B. .................................................. SCR 4 (P)

RECYCLING
Recycling of Waste Tires, Ure, D. .......................... HB 230 (P)
Waste Tire Recycling Act Amendments, Fife, F. ................. SB 70 (F)

REDEVELOPMENT AGENCIES
Redevelopment Agency Amendments, Bramble, C. ............. SB 184 (P)
Redevelopment Agency Changes, Dougall, J. ...................... HB 307 (F)

REDISTRICTING
Resolution Establishing Redistricting Commission, McGee, R. . . HJR 14 (F)

REGISTRATION AND REGISTRATION FEES
Boat Registration Fee, Goodfellow, B. .......................... HB 225 (F)
Local Corridor Preservation Funding, Killpack, S. ................ SB 8 (P)
State Fleet Vehicle Classification, Hutchings, E. ................. HB 99 (F)
Tax Treatment of Personal Property, Shurtleff, L. ............... HB 53 (P)

RESOLUTIONS
Concurrent Resolution Approving Class V Landfill, Dmitrich, M. ........................................ SCR 8 (P)
Concurrent Resolution Honoring America’s Military War Dogs, Mascaro, S. ........................................ HCR 14 (F)
Concurrent Resolution Honoring Utah Foundation, Mansell, L. A. .................................................. SCR 10 (P)
Concurrent Resolution Honoring Waldo Wilcox for Preservation of Range Creek Area, King, B. ....................... HCR 10 (P)
Concurrent Resolution on McGruff House, Eastman, D. ........ SCR 11 (P)
Concurrent Resolution Opposing Nuclear Testing, Noel, M. .... HCR 7 (P)
Concurrent Resolution Promoting Utah Saves
  Strategic Initiative, Hogue, D. .............................. HCR 13 (F)
Concurrent Resolution Regarding Delta Air Lines, Eastman, D. .... SCR 9 (P)
Cowboy Hall of Fame Resolution, Shurtliff, L. ........................ HCR 2 (P)
House Resolution Discouraging Participation in Free Trade
  Areas of the Americas, Donnelson, G. .......................... HR 9 (P)
House Rules Resolution – Committee Report, Ure, D. ............... HR 7 (P)
House Rules Resolution – Electronic Voting Board, Ure, D. ....... HR 6 (F)
House Rules Resolution – Lobbyist Code of Ethics
  Amendments, Ure, D. ............................................ HR 1 (F)
House Rules Resolution – Oral Declaration of Conflict of Interest, Ure, D. ................................................... HR 5 (F)
Joint Resolution Amending Interim Legislative Rules,
  Waddoups, M. .................................................. SJR 13 (P)
Joint Resolution Approving Appointment of Legislative Auditor General, Valentine, J. ........................... SJR 1 (P)
Joint Resolution Approving Consolidation of
  West Valley and Sandy District Courts, Knudson, P. ............. SJR 18 (P)
Joint Resolution on Stroke Awareness, Knudson, P. ........................ SJR 14 (P)
Joint Resolution Recognizing Retiring President of Dixie State College, Hickman, J. ............................ SJR 14 (P)
Joint Resolution Related to Financial Institutions, Alexander, J. .... HJR 1 (P)
Joint Resolution Related to the Utah Athletic Foundation, Ure, D. ........................................... HJR 16 (F)
Joint Resolution Supporting Counties Expansion of Correctional Facilities, Hogue, D. .......................... HJR 18 (F)
Joint Resolution Urging Health Care for Utah’s Indigent and Needy Uninsured, Fowlke, L. ...................... HJR 19 (P)
Joint Resolution Urging Medicaid Reform, Knudson, P. ............. SJR 15 (P)
Joint Rules Resolution – Amendments in Context, Lockhart, R. .. HJR 10 (P)
Joint Rules Resolution – Appearance of Bills, Bramble, C. ........ SJR 8 (P)
Joint Rules Resolution – Conflict of Interest
  Amendments, Ure, D. ............................................ HJR 4 (F)
Joint Rules Resolution – Family Impact Statement on Legislation, Frank, C. ................................. HJR 2 (F)
Joint Rules Resolution – Interim Rules Recodification,
  Waddoups, M. .................................................. SJR 4 (P)
Joint Rules Resolution – Use of Legislative Seals, Lockhart, R. .. HJR 8 (P)
Master Study Resolution, Alexander, J. .......................... HJR 20 (P)
Resolution Amending Joint Rules Regarding
  Conflicts of Interest, Dougall, J. ............................. HJR 9 (P)
Resolution Amending State Auditor Qualifications, Romero, R.  ... HJR 7 (F)
Resolution Approving Class V Landfill, Allen, R. .................... SCR 2 (P)
Resolution Approving Compensation of In−session
  Employees, Newbold, M. ........................................ HJR 6 (P)
Resolution Approving Contract for State Capitol
  Renovation, Mansell, L. A. ................................. SJR 5 (P)
Resolution Approving Utah Recreational Land Exchange,
  Evans, B. ............................................. SCR 4 (P)
Resolution Clarifying Removal Provisions, Hogue, D. ................. HJR 5 (F)
Resolution Eliminating Property Tax on Personal Property,
  Dougall, J. ................................................ HJR 12 (F)
Resolution Encouraging Managed Lanes Study, Walker, C. ....... SCR 1 (P)
Resolution Encouraging Mediation, Walker, C. ........................ SJR 3 (P)
Resolution Encouraging Schools to Adopt Nutrition
  and Physical Activity Policies, Jones, P. ..................... HJR 11 (P)
Resolution Establishing Redistricting Commission, McGee, R. ... HJR 14 (F)
Resolution Honoring Celebration of Marriage
  Week, Fowlke, L. ............................................. HJR 17 (P)
Resolution Honoring Hollace (Holly) Parker, Holdaway, K. ....... HR 12 (P)
Resolution Honoring Jade Pusey, Ure, D. ........................... HJR 21 (P)
Resolution Honoring Outgoing USU President
  Kermit L. Hall, Hunsaker, F. ................................ HCR 9 (P)
Resolution Honoring Searchers, Hillyard, L. ........................ SCR 3 (P)
Resolution Honoring the University of Utah
  Football Team, Alexander, J. ............................. HCR 11 (P)
Resolution Honoring Utah Military Service Personnel,
  Hunsaker, F. ................................................ HCR 5 (P)
Resolution Limiting Number of Governor’s Terms, Walker, C. .... SJR 11 (F)
Resolution on Property Tax for Certain Personal Property,
  Hickman, J. ................................................. SJR 2 (F)
Resolution Promoting Moderately Sized Schools, Cox, D. ....... HCR 1 (P)
Resolution Recognizing 100 Years of Rotary
  International, Knudson, P. ................................... SJR 9 (P)
Resolution Recognizing Granite School District’s
  100 Years, Davis, G. .................................. SJR 19 (P)
Resolution Recognizing Huntsman Cancer
  Institute, Knudson, P. ................................... SJR 17 (P)
Resolution Recognizing Ronald Reagan Day, Knudson, P. ....... SJR 7 (P)
Resolution Recognizing Utah Manufacturers
  Association, Alexander, J. ........................................... HCR 8 (P)
Resolution Recognizing Utah’s Legislators Back to School Program, Dayton, M. ................................. HCR 6 (P)
Resolution Regarding Federal No Child Left Behind, Holdaway, K. ................................................. HJR 3 (P)
Resolution Regarding United States Trade Negotiations, Allen, S. .................................................... HJR 15 (P)
Resolution Regarding Washington County Waste Facility, Last, B. ................................................... HCR 3 (P)
Resolution Supporting Congressional Privatization of Social Security, Morley, M. ................................. HR 3 (P)
Resolution Supporting National Bear River Heritage Area Act, Buttars, C. ............................................ HJR 13 (F)
Resolution Supporting Participation of Taiwan in World Health Organization, Last, B. ............................ HR 10 (P)
Resolution Supporting Permanent Repeal of Federal Inheritance Tax, Morley, M. ................................. HR 2 (P)
Resolution Supporting the Golden Rule Project, Fife, F. ................................................................. SCR 6 (P)
Resolution to Congress Regarding Oil and Gas Drilling and Exploration, Stephenson, H. ....................... SJR 10 (P)
Resolution Urging Comprehensive Cancer Control Plan for the State, Hale, K. ...................................... SJR 16 (P)
Resolution Urging Congress to Pass Balanced Budget Amendment, Hansen, N. ................................. HR 11 (P)
Resolution Urging Funding, Fife, F. ................................. SJR 12 (F)
Resolution Urging United States Senate Support of President’s Supreme Court Nominees, Morley, M. ................................. HR 4 (P)
Senate Resolution Discouraging Participation in Free Trade Area of the Americas, Thomas, D. .................. SR 1 (P)
Space Exploration Resolution, Knudson, P. .................................................. SJR 6 (P)
Utah Athletic Foundation Resolution, Ure, D. .................................................. HCR 4 (F)

RESOLUTIONS, CONSTITUTIONAL

Resolution Amending State Auditor Qualifications, Romero, R. ........................................... HJR 7 (F)
Resolution Clarifying Removal Provisions, Hogue, D. .................................................. HJR 5 (F)
Resolution Eliminating Property Tax on Personal Property, Dougall, J. .................................................. HJR 12 (F)
Resolution Establishing Redistricting Commission, McGee, R. ........................................... HJR 14 (F)
Resolution Limiting Number of Governor’s Terms, Walker, C. ........................................... SJR 11 (F)
Resolution on Property Tax for Certain Personal Property,
   Hickman, J. ................................. SJR 2 (F)

RESOLUTIONS, RULES

House Rules Resolution – Committee Report, Ure, D. ............ HR 7 (P)
House Rules Resolution – Lobbyist Code of Ethics
   Amendments, Ure, D. ........................................ HR 1 (F)
House Rules Resolution – Oral Declaration of Conflict
   of Interest, Ure, D. ........................................ HR 5 (F)
Joint Resolution Amending Interim Legislative Rules,
   Waddoups, M. .................................................. SJR 13 (P)
Joint Rules Resolution – Amendments in Context, Lockhart, R. . . HJR 10 (P)
Joint Rules Resolution – Appearance of Bills, Bramble, C. ....... SJR 8 (P)
Joint Rules Resolution – Conflict of Interest
   Amendments, Ure, D. ......................................... HJR 4 (F)
Joint Rules Resolution – Family Impact Statement
   on Legislation, Frank, C. .................................... HJR 2 (F)
Joint Rules Resolution – Interim Rules Recodification,
   Waddoups, M. .................................................. SJR 4 (P)
Joint Rules Resolution – Use of Legislative Seals, Lockhart, R. . . HJR 8 (P)
Resolution Amending Joint Rules Regarding
   Conflicts of Interest, Dougall, J. ............................ HJR9 (P)

RESOLUTIONS, SETTLEMENTS

Resolution Approving Settlement of Lawsuit, Knudson, P. ......... SCR 5 (P)

RESTITUTION

Restitution Amendments, Bell, G. ............................... SB 94 (P)

RETIREMENT

Additional State Retirement Benefit, Shurtleff, L. ............... HB 44 (F)
Public Safety Retirement – Exemption of Certain
   Employees, Clark, D. ......................................... HB 217 (P)
Public Safety Retirement Amendments, Buttars, D. C. .......... SB 154 (F)
Retirement for Airport Police, Dmitrich, M. ..................... SB 130 (P)
Retirement Office Amendments, Hardy, A. ....................... HB 180 (P)
State Benefit Provider Revisions, Ray, P. ......................... HB 237 (F)
State Employee Amendments, Hardy, A. ........................ HB 173 (P)
Unused Sick Leave At Retirement Amendments, Clark, D. ....... HB 213 (P)
REVENUE AND TAXATION

Amendments Relating to Clean Fuels and Vehicles

Using Clean Fuels, Hunsaker, F. ................................. HB 96 (P)

Amendments to Individual Income Tax Credit for Special Needs Adoptions, Hellewell, P. ............... SB 125 (P)

Amendments to Taxes, Fees, or Charges, Harper, W. ............ HB 107 (P)

Amendments to the Individual Income Tax, Harper, W. ......... HB 101 (F)

Amendments to the Multi-channel Video or Audio Service Tax Act, Hatch, T. ................................. SB 185 (F)

Amendments to the Property Tax Valuation Agency Assessment Offset for Donations Promoting Occupational Health and Safety, Mayne, E. ............................. SB 159 (P)

Brine Shrimp Royalty Act Amendments, Hatch, T. .............. SB 129 (P)

Calculation of Interest on Tax Overpayments, Stephenson, H. .... SB 128 (P)

Calculation of Mining Severance Tax on Beryllium, Wheeler, R. ............................. HB 171 (P)

Calling Local Special Elections for Sales and Use Tax Purposes, Clark, S. ................................. HB 20 (P)

Changes to General Government − Sales and Use Tax Amendments, Davis, G. .......................... SB 225 (F)

Charitable Purpose Determination, Hellewell, P. .................. SB 45 (F)

Corporate Franchise and Income Tax Amendments, Harper, W. .... HB 78 (P)

Corporate Franchise and Income Taxes − Exemption for Banks, Harper, W. ................................. HB 227 (F)

County Option Sales and Use Tax for Agricultural Land, Open Land, and Recreational Facilities Act, Buttars, C. ......... HB 152 (F)

Credit or Refund for Tax Paid on Cigarette or Tobacco Product Destroyed or Returned to the Manufacturer, Hutchings, E. .... HB 247 (P)

Exemptions to Residential Property Tax, Mayne, E. ............. SB 33 (F)

Extension of Utah Low-income Housing Tax Credits, Clark, S. .... HB 170 (P)

Funding for Convention Facilities, Waddoups, M. ............... SB 211 (P)

Higher Education Savings Incentive Program Amendments, Wyatt, S. ................................. HB 102 (P)

Individual Income Tax − Contributions for Education, Allen, S. ................................. HB 7 (P)

Individual Income Tax − Earned Income Tax Credit, Hatch, T. .... SB 82 (F)

Individual Income Tax − Electronic Filing Requirements, Clark, S. ................................. HB 190 (P)

Individual Income Tax − Office of State Debt Collection Rulemaking Authority, Dmitrich, M. ................................. SB 205 (F)
Subject Index 1359

Individual Income Tax – Return Filing Requirements,
Stephenson, H. ............................................. SB 133 (P)

Individual Income Tax – Tax Credit for Live Organ Donation Expenses, Hale, K. ..................................... SB 164 (P)

Individual Income Tax Amendments, Jones, P. ............................ HB 197 (F)

Individual Income Tax Contribution for Community Spay and Neuter Programs, Noel, M. ............................. HB 140 (F)

Individual Income Tax Credit for Employment-related Expenses, Litvack, D. ..................................... HB 258 (F)

Individual Income Tax Subtraction for Certain Military Income, Stephenson, H. ............................. SB 13 (P)

Land Value Property Tax Study, Stephenson, H. ............................. SB 53 (P)

Privately Owned Health Care Organization Task Force, Waddoups, M. ..................................... SB 61 (P)

Property Affected by Access Interruption, Hughes, G. ................. HB 45 (P)

Property Tax – Certified Tax Rate Adjustment, Bell, G. ............... SB 189 (F)

Property Tax Confidentiality Amendments, Stephenson, H. .......... SB 54 (P)

Property Tax Exemption Amendments, Bramble, C. .................... SB 121 (P)

Property Tax Exemption for Veterans, Hughes, G. ....................... HB 147 (P)

Property Tax Treatment of Tangible Personal Property,
Bramble, C. ................................................................ SB 23 (P)

Public Transit District Annexation and Funding Amendments, Bell, G. ..................................... SB 183 (F)

Sales and Use Tax – Agricultural Exemption Vehicle Limitation, Menlove, R. ..................................... HB 9 (P)

Sales and Use Tax Agriculture Exemptions, Allen, R. .................. SB 6 (P)

Sales and Use Tax Diversions, Peterson, D. ................................. SB 204 (F)

Sales and Use Tax Exemption for Items Relating to Direct Mail, Stephenson, H. ............................. SB 194 (P)

Sales and Use Tax Exemption for Textbooks for Higher Education, Bourdeaux, D. ............................ HB 220 (F)

Sales and Use Taxation of Pawn Transactions, Allen, R. ............ SB 36 (P)

Severance Tax Amendments, Evans, B. ................................. SB 63 (F)

State Tax Commission Collection and Licensing Practices, Bramble, C. ................................. SB 170 (P)

Tax Reform Task Force, Bramble, C. ..................................... SB 153 (P)

Tax Revisions, Bramble, C. ......................................... SB 195 (F)

Tax Treatment of Personal Property, Shurtliff, L. ......................... HB 53 (P)

Tax, Fee, or Charge Amendments, Hillyard, L. ......................... SB 127 (P)

Taxable Value Adjustment for Property Damaged by a Natural Disaster, Last, B. ............................. HB 324 (P)
Tourism, Recreation, Cultural, and Convention Facilities
   Tax Amendments, Stephenson, H. ................................. SB 137 (P)
   Transportation Investment Act, Lockhart, R. ...................... HB 18 (F)

   **REVENUE AND TAXATION – CONSTITUTION**

   Resolution Eliminating Property Tax on Personal Property,
   Dougall, J. ............................................................ HJR 12 (F)
   Resolution on Property Tax for Certain Personal Property,
   Hickman, J. ........................................................... SJR 2 (F)

   **RIGHT OF WAY**

   Rights−of−Way Across School and Institutional Trust Lands,
   Evans, B. ............................................................... SB 208 (F)
   Temporary Road Closures, Noel, M. ................................. HB 270 (F)

   **RURAL HEALTH**

   Rural Medical Residency Training Programs, Knudson, P. ........ SB 119 (P)

   **SALES AND USE TAX**

   Amendments to Taxes, Fees, or Charges, Harper, W. .............. HB 107 (P)
   Calling Local Special Elections for Sales and Use
   Tax Purposes, Clark, S. ............................................. HB 20 (P)
   Changes to General Government – Sales and Use Tax
   Amendments, Davis, G. ............................................. SB 225 (F)
   County Option Sales and Use Tax for Agricultural Land,
   Open Land, and Recreational Facilities Act, Butters, C. ....... HB 152 (F)
   Funding for Convention Facilities, Waddoups, M. ................. SB 211 (P)
   Public Transit District Annexation and Funding
   Amendments, Bell, G. ............................................... SB 183 (F)
   Sales and Use Tax – Agricultural Exemption Vehicle
   Limitation, Menlove, R. ............................................. HB 9 (P)
   Sales and Use Tax Agriculture Exemptions, Allen, R. ............ SB 6 (P)
   Sales and Use Tax Diversions, Peterson, D. ....................... SB 204 (F)
   Sales and Use Tax Exemption for Items Relating to
   Direct Mail, Stephenson, H. ....................................... SB 194 (P)
   Sales and Use Tax Exemption for Textbooks for Higher
   Education, Bourdeaux, D. ......................................... HB 220 (F)
   Sales and Use Taxation of Pawn Transactions, Allen, R. ........ SB 36 (P)
   State Tax Commission Collection and Licensing Practices,
   Bramble, C. .............................................................. SB 170 (P)
Tax, Fee, or Charge Amendments, Hillyard, L. ................. SB 127 (P)
Tourism, Recreation, Cultural, and Convention Facilities
    Tax Amendments, Stephenson, H. ....................... SB 137 (P)

SCHOOL FINANCE
Minimum School Program Act Amendments, Snow, G. .......... HB 3 (P)

SCHOOL PERSONNEL
Appropriation for Highly Qualified Teachers, Holdaway, K. ...... HB 362 (F)
Liability Protection of Educators, Stephenson, H. ............... SB 58 (P)
Medical Recommendations for Children, Morley, M. .......... HB 42 (P)
Public Education Job Enhancement Program, Johnson, B. .... HB 188 (P)
School Community Councils, Dougall, J. ....................... HB 151 (F)
Schools for the Deaf and the Blind Salary Adjustments,
    Morgan, K. .............................................. HB 346 (F)
Tuition Program for Students Seeking Teacher Licensure in
    Disability or Special Education, Menlove, R. ............. HB 74 (P)

SCHOOL SAFETY
Security for Public Schools, Allen, S. ......................... HB 153 (F)

SEAT BELT LAWS
Safety Belt Enforcement, Hale, K. ............................... SB 109 (F)
Safety Belt Law Requirement Amendments, Noel, M. .......... HB 92 (F)

SECURITIES
Real Estate Transactions and Securities, Mansell, L. A. .......... SB 64 (P)

SECURITY LICENSING
Security Personnel Licensing Amendments, Davis, G. ............ SB 71 (P)

SEVERANCE TAX
Calculation of Mining Severance Tax on Beryllium, Wheeler, R. HB 171 (P)
Severance Tax Amendments, Evans, B. .......................... SB 63 (F)

SEXUAL OFFENSES
Increase Statute of Limitations on Rape, Mayne, E. ............ SB 177 (P)
Sex Offender Registration Amendments, Lawrence, M. S. .... HB 95 (F)

SIGNS
Removal or Defacement of Political Signs, Hughes, G. ........ HB 228 (F)
SOLID WASTE

Concurrent Resolution Approving Class V Landfill, Dmitrich, M. ........................................ SCR 8 (P)
Resolution Approving Class V Landfill, Allen, R. ................................. SCR 2 (P)
Resolution Regarding Washington County Waste Facility, \
Last, B. .......................................................... HCR 3 (P)
Waste Fees Amendments, Urquhart, S. ................................. HB 246 (F)

SPECIAL DISTRICTS

Amendments to Facilities with Regional Impact, Hughes, G. ....... HB 126 (F)
Amendments to Local Districts, Morgan, K. ............................... HB 380 (P)
Creation of Local Districts, Walker, C. ................................. SB 88 (P)
Electronic Payments to Local Government Entities, Murray, J. .... HB 51 (P)
Government Boundary Changes, Holdaway, K. ............................ HB 113 (P)
Political Subdivisions – Truth in Government Competition,
   Allen, R. .......................................................... SB 191 (F)
Property Tax – County Service Areas, Waddoups, M. ............ SB 203 (F)
Revise Utility Improvement Districts, Ure, D. ......................... HB 118 (F)
Special District for Police Services, Romero, R. ...................... HB 41 (F)
Special Service Districts – Service Expansion, Dmitrich, M. .... HB 80 (P)

STATE AFFAIRS IN GENERAL

Access to Health Care Facilities and Places of Worship,
   Aagard, D. ..................................................... HB 131 (F)
Authority for Design–build Construction, Morley, M. ............ HB 289 (F)
Disaster Loan Program, Bigelow, R. ................................. HB 240 (P)
Emergency Related Amendments, Allen, S. ......................... HB 34 (P)
Investment of Higher Education Institution Endowment Funds, Clark, D. ...................... HB 255 (P)
Repeal of Prior Amendments to the Voluntary Contributions Act, Hansen, N. ................. HB 137 (F)
Repeal of State Debt Collection Advisory Board, Aagard, D. .... HB 15 (P)
Repeal of Vehicle Equipment Safety Commission,
   Hendrickson, N. .................................................. HB 16 (P)
State Employee Ethics Amendments, Dougall, J. ..................... HB 282 (F)
State Land Use Management Plans Amendments, Noel, M. .... HB 264 (P)

STATE BOARD OF EDUCATION

 Appropriation for School Districts Impacted by Fee Waivers, Shurtliff, L. ...................... HB 169 (F)
School Curriculum Amendments, Moss, C. ................. HB 72 (F)
School District Boundaries, Noel, M. ....................... HB 231 (F)
State School Board Amendments, Morgan, K. ............ HB 45 (F)
State School Board Candidate Selection Committees, Hale, K. ... SB 155 (F)
State School Board Elections and Filling of Vacancies, Ferrin, J. ... HB 61 (F)
Verification of Eligibility for Fee Waivers, Harper, W. .......... HB 183 (P)

STATE BOARD OF REGENTS

Economic Development Initiative for Higher Education,
   Holdaway, K. ........................................... HB 313 (P)

STATE BOARDS, COMMISSIONS, AND COUNCILS

Capitol Preservation Board Amendments, Evans, B. ........... SB 163 (P)
Commission on Racial and Ethnic Fairness, Bourdeaux, D. .... HB 292 (F)
Concurrent Resolution Honoring Utah Foundation,
   Mansell, L. A. ........................................ SCR 10 (P)
Joint Resolution Related to the Utah Athletic
   Foundation, Ure, D. .................................. HJR 16 (F)
Permanent Community Impact Fund – Board
   Membership, Mathis, J. ............................... HB 224 (P)
Utah Athletic Foundation Resolution, Ure, D. ................. HCR 4 (F)

STATE BUILDINGS

Access to High Speed Internet At State Capitol Complex,
   Killpack, S............................................. SB 100 (P)

STATE LANDS

State Land Use Management Plans Amendments, Noel, M. ...... HB 264 (P)

STATE OFFICERS AND EMPLOYEES

Compensation of Executive Officers, Christensen, L. .......... HB 128 (P)
Compensation of Lieutenant Governor and Other
   State Officers, Madsen, M. ........................... SB 231 (F)
Election Requirements for County Candidates, Romero, R. .... HB 158 (F)
Executive Compensation Amendments, Alexander, J. ........ HB 288 (F)
Joint Resolution Approving Appointment of Legislative
   Auditor General, Valentine, J. ........................ SJR 1 (P)
Office of Legislative Auditor – Access to Information,
   Waddoups, M. ......................................... SB 20 (P)
Resolution Amending State Auditor Qualifications, Romero, R. ... HJR 7 (F)
Resolution Honoring Hollace (Holly) Parker, Holdaway, K. .......... HR 12 (P)
Retirement Office Amendments, Hardy, A. .......................... HB 180 (P)
State Benefit Provider Revisions, Ray, P. ............................. HB 237 (F)
State Employee Amendments, Hardy, A. ............................. HB 173 (F)
Unused Sick Leave At Retirement Amendments, Clark, D. ........ HB 213 (P)

STATE TAX COMMISSION

Calculation of Interest on Tax Overpayments, Stephenson, H. .. SB 128 (P)
Individual Income Tax – Electronic Filing Requirements,
  Clark, S. ........................................................................ HB 190 (P)
Individual Income Tax – Return Filing Requirements,
  Stephenson, H. ............................................................... SB 133 (P)
Property Tax Confidentiality Amendments, Stephenson, H. .... SB 54 (P)
State Tax Commission Collection and Licensing Practices,
  Bramble, C. ................................................................. SB 170 (P)

SUBPOENA POWERS

Arbitration – Use of Subpoena Authorized, Eastman, D. ......... SB 116 (P)

SUBSTANCE ABUSE

County Officers Serving on Boards of County Mental
  Health and Substance Abuse Providers, Thomas, D. ............ SB 90 (P)

SUNSET LEGISLATION

Amendments Relating to Clean Fuels and Vehicles Using
  Clean Fuels, Hunsaker, F. .............................................. HB 96 (P)
Amendments to Taxes, Fees, or Charges, Harper, W. ............. HB 107 (P)
Extension of Sunset Date on Resource Development
  Coordinating Committee, Evans, B. ................................. SB 79 (P)
Occupational and Professional Licensing Sunset
  Amendment, Lockhart, R. .............................................. HB 13 (P)
Sunset of Township Provision, Lawrence, M. S. ..................... HB 40 (P)
Sunset Reauthorizations, Mansell, L. A. .............................. SB 27 (P)

TASK FORCE / COMMITTEES

Divorce Task Force, Wallace, P. ......................................... HB 56 (F)
Education Achievement Gap Task Force, Litvack, D. .......... HB 175 (F)
Education Technology Task Force, Hutchings, E. ............... HB 373 (F)
Government Efficiency and Effectiveness Review
  Committee, Wallace, P. .............................................. HB 58 (F)
Government Records Access and Management
   Task Force, Aagard, D. ........................................ HB 75 (P)
Higher Education Tuition and Residency Legislative
   Task Force, Donnelson, G. ................................. HB 239 (F)
Privately Owned Health Care Organization
   Task Force, Waddoups, M. ................................. SB 61 (P)
Reauthorization of Energy Policy Task Force, Eastman, D. ....... SB 28 (F)
Task Force on Legislative Reforms, Hansen, N. ................. HB 281 (F)
Tax Reform Task Force, Bramble, C. ........................... SB 153 (P)
Tourism Task Force, Ure, D. .................................... HB 57 (P)
Transportation Amendments and Highway Jurisdictional
   Transfer Task Force, Walker, C. ........................... SB 25 (P)

TECHNOLOGY

Access to High Speed Internet At State Capitol Complex,
   Killpack, S. ................................................ SB 100 (P)
Education Technology Task Force, Hutchings, E. ................ HB 373 (F)
Emerging Technologies and Open Government, Clark, D. ........ HB 214 (F)
Global Positioning Reference Network, Holdaway, K. .......... HB 216 (P)
High Technology Economic Development
   Appropriation, Mansell, L. A. .............................. SB 192 (P)
Information Technology Governance Amendments, Clark, D. ... HB 109 (P)
Spyware Control Act Revisions, Urquhart, S. .................... HB 104 (P)
Telecommunications Amendments, Urquhart, S. ................ HB 35 (F)
Utah Technology Commission Membership, Dougall, J. ......... HB 238 (F)

TELECOMMUNICATIONS

Amendments to Hearing and Speech Impaired
   Telecommunications Program, Goodfellow, B. ............... HB 145 (P)
Amendments to the Multi-channel Video or Audio
   Service Tax Act, Hatch, T. .................................. SB 185 (F)
Do Not Call Registry Amendments, Thomas, D. ................ SB 84 (F)
Tax, Fee, or Charge Amendments, Hillyard, L. ................. SB 127 (P)
Telecommunications Amendments, Urquhart, S. ............... HB 35 (F)
Telecommunications Revisions, Bramble, C. .................... SB 108 (P)

TELEPHONE

Do Not Call Registry Amendments, Thomas, D. ............... SB 84 (F)
Electronic Communication Harassment, Dougall, J. ............ HB 221 (P)
Telecommunications Amendments, Urquhart, S. ................ HB 35 (F)
TELEVISION

Amendments to the Multi-channel Video or Audio Service Tax Act, Hatch, T. ............................ SB 185 (F)
Motion Picture Incentive Fund, Allen, S. ................................. HB 17 (P)

TOBACCO

Amendments to Indoor Clean Air Act, Waddoups, M. ............... SB 77 (F)
Credit or Refund for Tax Paid on Cigarette or Tobacco Product Destroyed or Returned to the Manufacturer, Hutchings, E. .... HB 247 (P)
Nonparticipating Tobacco Manufacturer Amendments,
   Killpack, S. ......................................................... SB 206 (P)

TOBACCO TAX

Credit or Refund for Tax Paid on Cigarette or Tobacco Product Destroyed or Returned to the Manufacturer, Hutchings, E. .... HB 247 (P)

TOWNSHIPS

Sunset of Township Provision, Lawrence, M. S. ......................... HB 40 (P)

TRANSPORTATION

Abandoned Vehicles Amendments, Gowans, J. ....................... HB 67 (P)
Alcohol Restricted Drivers, Walker, C. ................................. SB 42 (P)
Amendments Relating to Clean Fuels and Vehicles Using
   Clean Fuels, Hunsaker, F. ........................................ HB 96 (P)
Amendments to Driver License and Identification Cards, Oda, C. . HB 223 (P)
Bicycle Safety Provisions, McGee, R. .................................. HB 49 (P)
Classifying Off-highway Vehicles as Allowed on
   Designated Roads, Hatch, T. ................................. SB 188 (F)
Driver Education Amendments, Hatch, T. ........................... SB 151 (F)
Driver License and Commercial Driver License
   Amendments, Bowman, D. ........................................ HB 65 (P)
Driver License Qualifications Amendments, Donnelson, G. ...... HB 330 (F)
Driver License Requirements for Illegal Aliens, Tilton, A. ...... HB 316 (F)
Driving with Any Measurable Controlled Substance
   in the Body Revisions, Noel, M. ................................. HB 314 (F)
Emission Inspection Amendments, Gibson, K. ....................... HB 93 (P)
Golf Carts Allowed on Certain Highways, Moss, C. ............... HB 337 (F)
Insurance Arbitration Amendments, Urquhart, S. ................. HB 235 (P)
License Plate for Disabled Veterans, Bigelow, R. ................. HB 91 (P)
Limitation of Landowner Liability for Public Recreation, Bell, G. . SB 32 (P)
Local Corridor Preservation Funding, Killpack, S. .................. SB 8 (P)
Master Highway Designation Amendments, Murray, J. ............. HB 6 (P)
Motor Assisted Scooter and Mini–motorcycle Amendments,
   Dee, B. ................................................................. HB 159 (P)
Motor Vehicle Business Licensing Amendments, Ray, P. .......... HB 299 (P)
Motor Vehicle Business Regulation Act
   Amendments, Eastman, D. ......................................... SB 37 (P)
Motor Vehicle Enforcement Division Amendments, Ray, P. ...... HB 68 (P)
Motor Vehicle Insurance – Property Damage Limit, Jenkins, S. . SB 124 (F)
Motor Vehicle Insurance Coverage Amendments, Eastman, D. . SB 207 (P)
Motor Vehicle Liability Coverage Amendments, Eastman, D. . SB 49 (F)
Motor Vehicle Registration and Safety Inspection Amendments,
   Daw, B. ................................................................. HB 48 (F)
Motor Vehicle Registration and Title Amendments, Killpack, S. . SB 98 (P)
Motor Vehicle Repairs – Consumer Rights, Kiser, T. ............. HB 322 (F)
Motor Vehicle Stops At Port–of–entry, Knudson, P. .............. SB 144 (P)
Motorboat Liability Insurance Amendments, Gibson, K. ......... HB 261 (F)
New Automobile Franchise Act Amendments, Urquhart, S. .... HB 47 (P)
New Motor Vehicle Franchise Act Amendments, Eastman, D. .. SB 51 (P)
Penalties for False Driver Licenses and Identification
   Cards, Walker, C. .................................................. SB 167 (P)
Person with a Disability Motorcycle Parking, Kiser, T. .......... HB 5 (P)
Powersport Vehicle Franchise Act, Eastman, D. ..................... SB 134 (P)
Property Tax Treatment of Tangible Personal Property,
   Bramble, C. ......................................................... SB 23 (P)
Public Lands Policy Coordination, Hatch, T. ...................... SB 239 (P)
Public Safety Driving Privilege and Identification Card
   Amendments, Bramble, C. ........................................ SB 227 (P)
Public Transit District Annexation and Funding
   Amendments, Bell, G. ........................................... SB 183 (F)
Resolution Approving Settlement of Lawsuit, Knudson, P. ...... SCR 5 (P)
Resolution Encouraging Managed Lanes Study, Walker, C. .... SCR 1 (P)
Restrictions on High Occupancy Vehicle Lane, Litvack, D. .... HB 367 (F)
Restrictions on Riders in the Back of Open Vehicle, Buttars, C. HB 265 (F)
Safety Belt Enforcement, Hale, K. ................................... SB 109 (F)
Safety Belt Law Requirement Amendments, Noel, M. .......... HB 92 (F)
State Fleet Vehicle Classification, Hutchings, E. ................. HB 99 (F)
Tax Treatment of Personal Property, Shurtliff, L. ............... HB 53 (P)
Temporary Road Closures, Noel, M. ................................ HB 270 (F)
Traffic Code Amendments, Dunnigan, J. ......................... HB 24 (P)
Traffic Code Recodification and Revisions, Killpack, S. ...... SB 5 (P)
Traffic Enforcement Amendments, McGee, R. .................. HB 219 (F)
Traffic Violations by Diplomats, Hogue, D. ..................... HB 212 (P)
Transportation Amendments and Highway Jurisdictional
   Transfer Task Force, Walker, C. .............................. SB 25 (P)
Transportation Investment Act, Lockhart, R. ..................... HB 18 (F)
Uninsured Motorist Property Damage Coverage
   Amendments, Eastman, D. .................................... SB 4 (P)
Vehicle Identification Number Inspectors, Frank, C. .......... HB 149 (P)
Weights and Measures Amendments, Ure, D ...................... HB 83 (P)

TRAVEL AND TOURISM

Funding for Tourism, Jenkins, S. ............................... SB 7 (F)
Tourism Task Force, Ure, D. ................................. HB 57 (P)
Tourism, Recreation, Cultural, and Convention Facilities
   Tax Amendments, Stephenson, H. .......................... SB 137 (P)

TRUST LANDS

Allocation of Profits from School and Institutional
   Trust Lands, Hatch, T. ................................. SB 120 (P)
Resolution Approving Utah Recreational Land
   Exchange, Evans, B. ................................. SCR 4 (P)
Rights−of−Way Across School and Institutional
   Trust Lands, Evans, B. ................................. SB 208 (F)
School and Institutional Trust Lands Amendments,
   Hutchings, E. ......................................... HB 154 (P)
School and Institutional Trust Lands Management
   Act Revisions, Dmitrich, M. ............................ SB 41 (P)
School Land Trust Program Funding Amendments, Urquhart, S. ... HB 43 (P)

UNCLAIMED PROPERTY

Unclaimed Property Amendments, Ray, P. ....................... HB 208 (P)

UNEMPLOYMENT COMPENSATION

Employment Security Act Amendments, Cox, D. .............. HB 10 (P)

UNIFORM LAWS

Uniform Parentage Act, Hillyard, L. ............................. SB 14 (P)
UTAH MUNICIPAL CODE

Amendments to Facilities with Regional Impact, Hughes, G. ........ HB 126 (F)
Authority for Design–build Construction, Morley, M. .......... HB 289 (F)
Brownfields Revision, Mansell, L. A. ......................... SB 173 (P)
Business License Fees, Waddoups, M. ......................... SB 152 (P)
Consolidation of City and County Library, Bell, G. .......... SB 97 (P)
County and Municipal Zoning Regarding Billboards,
   Waddoups, M. .................................................. SB 114 (P)
County Contracted Services, Holdaway, K. .................. HB 329 (F)
Density Credit for Land Donated to School District, Cox, D. .... HB 333 (F)
Disconnecting Territory from a Municipality, Frank, C. ...... HB 335 (F)
Electronic Payments to Local Government Entities, Murray, J. . HB 51 (P)
Government Boundary Changes, Holdaway, K. ............... HB 113 (P)
Justice Court Operations Amendments, Mayne, E. .......... SB 136 (F)
Local Government Amendments, Thomas, D. ................ SB 31 (F)
Local Government Authority, Hardy, A. ...................... HB 256 (P)
Local Land Use Development and Management
   Amendments, Bell, G. ......................................... SB 60 (P)
Municipal Abatement of Weeds and Other Neglected
   Items on Property, Morley, M. .............................. HB 162 (P)
Municipal Authority to Use Collection Agencies, Walker, M. .... HB 361 (F)
Municipal Budget Amendments, Walker, M. .................. HB 309 (P)
Municipal Electrical Entities Amendments, Tilton, A. ....... HB 312 (F)
Political Subdivisions − Truth in Government Competition,
   Allen, R. ......................................................... SB 191 (F)
Search and Rescue Advisory Board − Amendments, Adams, J. S. HB 90 (P)
Student Housing Built by Higher Education Institutions,
   Clark, S. ......................................................... HB 103 (P)
Sunset of Township Provision, Lawrence, M. S. ............. HB 40 (P)

UTAH TECHNOLOGY COMMISSION

Emerging Technologies and Open Government, Clark, D. .... HB 214 (F)
Information Technology Governance Amendments, Clark, D. .... HB 109 (P)
Utah Technology Commission Membership, Dougall, J. ....... HB 238 (F)

UTAH TOMORROW (STATE PLANNING)

Repeal of Utah Tomorrow Strategic Planning Committee,
   Waddoups, M. ................................................. SB 117 (P)

VOLUNTEER WORKERS

Resolution Honoring Searchers, Hillyard, L. .................. SCR 3 (P)
WAGES

Family Sustaining Wage Amendments, Fife, F. ...................... SB 69 (F)
Wage Provisions, Stephenson, H. ................................. SB 139 (P)

WATER AND IRRIGATION

Sales and Use Tax Diversions, Peterson, D. ...................... SB 204 (F)
State Engineer’s Powers and Duties Amendments, Clark, D. ...... HB 29 (P)
Water Enforcement Procedures and Penalties, Ure, D. .......... HB 157 (P)
Water Law – Criminal Penalties Amendments, Ferry, B. ....... HB 38 (P)
Water Rights Fees, Gowans, J. ................................. HB 150 (P)
Water Rights in Irrigation Companies, Painter, P. ............. HB 229 (F)

WEAPONS

Division of Criminal Investigation and Technical Services
     Amendments, Oda, C. ......................................... HB 276 (P)
Possession of a Dangerous Weapon in a Vehicle, Morley, M. .... H 0332 (F)
Public Safety Officers – Critical Incident Shooting Provisions,
     Ray, P. ....................................................... HB 134 (F)
Weapons Amendments, Madsen, M. ............................... SB 175 (F)

WORKERS’ COMPENSATION

Assessment Offset for Donations Promoting Occupational
     Health and Safety, Mayne, E. ............................. SB 159 (P)
Disease Testing of Individuals Exposed to Blood Borne
     Pathogens, Arent, P. ........................................ SB 19 (P)
Permanent Total Disability Amendments, Mayne, E. ............ SB 115 (P)
Workers Compensation – Competitive Bid Requirements,
     Waddoups, M. ............................................. SB 180 (F)
Workers’ Compensation Coverage of Fire Department
     Employees, Murray, J. ..................................... HB 81 (F)

WORKFORCE SERVICES CODE

Department of Workforce Services – Access to Financial
     Records, Jenkins, S. ........................................ SB 16 (P)
Department of Workforce Services – Work Experience and
     Training Programs, Cox, D. ................................ HB 23 (P)
Department of Workforce Services Amendments, Jenkins, S. .... SB 12 (P)
Employment Security Act Amendments, Cox, D. ............... HB 10 (P)
Federal Health Care Tax Credit Program Act, Oda, C. ......... HB 69 (P)
Premium Assistance Program for Covered-at-work,
   Holdaway, K. ........................................... HB 304 (F)
Residential Mortgages Practices – Employment
   Security Revisions, Walker, M. ...................... HB 210 (F)

YOUTH CORRECTIONS

Youth Corrections Amendments, Moss, C. .................... HB 94 (F)

ZONING

County and Municipal Zoning Regarding Billboards,
   Waddoups, M. ............................................. SB 114 (P)
Local Land Use Development and Management
   Amendments, Bell, G. ..................................... SB 60 (P)
Student Housing Built by Higher Education Institutions, Clark, S. . HB 103 (P)
JOURNAL
of the
House of Representatives
of the
State of Utah

FIFTY-SIXTH LEGISLATURE
2005 FIRST SPECIAL SESSION
Commencing April 19, 2005 and
Ending April 20, 2005

PUBLISHED BY AUTHORITY
UTAH LEGISLATIVE PRINTING OFFICE
CERTIFICATION

The undersigned, as the duly appointed committee on the revision of the House Journal of the 2005 First Special Session of the Fifty-sixth Legislature of the State of Utah, do hereby certify that the contents published herein are a full, true and correct record of the proceedings of the session commencing on Wednesday, April 19, 2005 and ending Thursday, April 20, 2005.

COMMITTEE ON REVISION
OF THE HOUSE JOURNAL

CAROLE E. PETERSON
Chief Clerk

JANICE A. GADD
Journal Clerk
House Chamber  
State Capitol Complex  
Salt Lake City, Utah  
Tuesday, April 19, 2005

The House was called to order by Speaker Greg J. Curtis at 2:30 p.m.

Roll call showed all members present, except Representative LaVar Christensen, excused.

Pledge of Allegiance and prayer by Representative Paul Ray.

On motion of Representative Jeff Alexander, the House voted to continue with the same organization for the 2005 First Special Session of the 56th Legislature as set up and constituted during the 2005 Annual General Session of the Legislature insofar as it pertains to the Speakership, Majority Leadership and Minority Leadership.

Speaker Curtis appointed Carole E. Peterson as Chief Clerk.

The Chief Clerk read the following:

COMMUNICATIONS FROM THE GOVERNOR

Dear Ms. Fisher,  
April 19, 2005

It is my pleasure to appoint you to the Utah State Legislature, to fill the seat in Legislative District 29 that was vacated by Brent Goodfellow. I am confident that as a legislator you will serve our state and the citizens in your district with discernment and decorum.

Jon M. Huntsman, Jr.  
Governor
Communication filed.

Speaker Curtis administered the oath of office to Janice M. Fisher.

The Chief Clerk read the following:

CERTIFICATION

I, GARY R. HERBERT, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT the attached copy of a Proclamation issued on the 14th day of April, 2005 and signed by Governor Jon M. Huntsman, Jr., and the attached modifying Proclamation issued on the 18th day of April, 2005, are true and correct copies of the original Proclamations calling the Fifty-Sixth Legislature of the State of Utah into the First Special Session at the Capitol Complex at Salt Lake City, Utah on the 19th day of April, 2005, at 2:00 p.m., for the purposes named in the Proclamations.

I FURTHER CERTIFY THAT the membership of the Utah State House of Representatives has not changed from that of the Certification of the 2005 General Session, with the following exceptions:

TWENTY-NINTH DISTRICT: County of Salt Lake
Janice Fisher

THIRTY-FIRST DISTRICT: County of Salt Lake
Larry B. Wiley

SIXTY-EIGHTH DISTRICT: Counties of Juab, Millard, Sanpete
Richard Wheeler

IN TESTIMONY 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 19th day of April, 2005.

GARY R. HERBERT
Lieutenant Governor

Communication filed.

PROCLAMATION

WHEREAS, since the adjournment of the 2005 General Session of the Fifty-Sixth Legislature of the State of Utah, matters have arisen which require immediate legislative attention; and
WHEREAS, Article VII, Section 6 of the Constitution of the State of Utah provides that the Governor may, by proclamation, convene the Legislature into a Special Session;

NOW, THEREFORE, I, JON M. HUNTSMAN, JR., Governor of the State of Utah by virtue of the authority vested in me by the Constitution and the Laws of the State of Utah, do by this Proclamation call the Fifty−Sixth Legislature of the State of Utah into a Special Session at the State Capitol Complex at Salt Lake City, Utah, on the 19th day of April, 2005, at 2:00 p.m. for the following purposes:

1. To consider a provision directing public education officials regarding the administration and implementation of federal educational programs;

2. To consider a provision authorizing funding for, and the construction of, a veterans nursing home;

3. To consider a provision authorizing a substance abuse screening, assessment, and treatment study;

4. To consider a provision modifying the conditions under which a health care provider may bring an action against a health maintenance organization or preferred provider organization for payment and to require objective provider contracting provisions;

5. To consider a provision requiring the State Court Administrator, subject to legislative appropriation, to provide grants to nonprofit legal assistance providers;

6. To consider a joint resolution supporting jail expansion in Beaver, Millard, and Sanpete Counties through a contract with the Utah Department of Corrections;

7. To consider modifying provisions relating to tourism advertising, marketing, and branding;

8. To consider a provision modifying notice and hearing provisions relating to property tax increases by participants in certain interlocal cooperation entities;

9. To consider a provision modifying existing law regarding property tax levy rates, or other methods of funding services, for county service areas;

10. To consider a provision regarding funding for convention facilities in counties of the first class;
11. To consider a provision modifying membership of legislative task forces;

12. To consider a provision regarding funding for transportation;

13. To consider a provision modifying existing law concerning the process of making boundary adjustments between municipalities;

14. To consider a provision to give certain executive officials a 4.5% compensation increase; and

15. To consider a provision amending election law to require the State to obtain voting equipment capable of producing an auditable record of votes cast.

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 Complex in Salt Lake City, Utah this 14th day of April, 2005.

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

SUPPLEMENTAL PROCLAMATION

WHEREAS, the undersigned issued a Proclamation on April 14, 2005, calling the Legislature into a Special Session beginning on the 19th day of April, 2005; and

WHEREAS, the undersigned has since been informed of the need to modify paragraph nine of that Proclamation;

NOW, THEREFORE, I, Jon M. Huntsman, Hr., Governor of the State of Utah, do by this Proclamation amend paragraph nine of the Proclamation dated April 14, 2005, to read as follows: "To consider provisions modifying existing law regarding property tax levy rates, or other methods of funding services for unincorporated or previously unincorporated areas."
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 Complex in Salt Lake City, Utah this 18th day of April, 2005.

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

Communication filed.

MISCELLANEOUS BUSINESS

On motion of Representative Lockhart, the House voted to adopt the same House Rules and Joint Rules for the 2005 First Special Session as adopted in the 2005 Annual General Session.

On motion of Representative Becker, the House voted to authorize the Speaker to appoint a committee to wait upon the Senate to inform that Honorable Body that the House is organized and ready to do business.

The Speaker appointed Representatives Douglas C. Aagard, Merlynn T. Newbold, and Neal B. Hendrickson.

On motion of Representative Urquhart, the House voted to authorize the Speaker to appoint a committee to meet with a like committee from the Senate to wait upon the Governor to inform Her Excellency that the House is organized and ready to receive any communication or message he may have to offer.

The Speaker appointed Representatives John Dougall, Julie Fisher, Mark A. Wheatley.

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

On motion of Representative Lockhart, the House voted to consider all House and Senate bills under suspension of the rules.

Representative Aagard informed the House of Representatives that his committee had waited upon the Senate and informed them that the House was organized and ready to do business.
Representative Dougall informed the House of Representatives that the joint committee had waited upon the Governor and informed him that the Legislature was organized and ready to do business.

**INTRODUCTION OF BILLS**

**H.B. 1001, Implementing Federal Educational Programs** (M. Dayton), read the first time by short title, under suspension of the rules.

**H.B. 1002, Provider Contracting Amendments** (R. Lockhart), read the first time by short title, under suspension of the rules.

**H.B. 1003, Civil Legal Aid for Victims of Domestic Violence** (R. Romero), read the first time by short title, under suspension of the rules.

**H.B. 1004, Disconnecting Territory from a Municipality** (C. Frank), read the first time by short title, under suspension of the rules.

**H.B. 1005, Integrity of Election Results Amendments** (J. Dougall), read the first time by short title, under suspension of the rules.

**H.B. 1006, Changes in Task Force Membership** (J. Alexander), read the first time by short title, under suspension of the rules.

**H.B. 1007, Veterans’ Nursing Home Authorization and Funding** (D. G. Buxton), read the first time by short title, under suspension of the rules.

**H.B. 1008, Transportation Investment Act** (R. Lockhart), read the first time by short title, under suspension of the rules.

**H.B. 1009, Executive Compensation** (J. Alexander), read the first time by short title, under suspension of the rules.


* * *

THIRD READING CALENDAR

H.B. 1001, IMPLEMENTING FEDERAL EDUCATIONAL PROGRAMS, read the third time by short title and placed on its final passage.

Representative Bourdeaux proposed the following amendment:

1. Page 9, Line 246

246 determine which program best meets the educational needs of the student.

(5) In implementing and administering the No Child Left Behind Act, the State Board of Education shall ensure that:

(a) student performance data is disaggregated with respect to race, ethnicity, gender, limited English proficiency, and those students who qualify for free or reduced price school lunch in accordance with Section 53A−1−603;

(b) each of the subgroups identified under Subsection (5)(a) that consists of 10 or more students is separately accounted for in both assessment and accountability provisions; and

(c) the state’s public education system complies with the requirements of the No Child Left Behind Act sufficiently to:

(i) qualify to receive full federal funding; and

(ii) not jeopardize loss of federal funds due to non−compliance.

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

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

Yeas, 66; Nays, 7; Absent or not voting, 2.

Voting in the affirmative were: Representatives

Aagard        Adams       Alexander       S. Allen
Barrus        Becker      Bigelow        Biskupski
Bowman        Buttar       Buxton        D. Clark
S. Clark       D. Cox      Daw           Dayton
Dee           Donnelson   Dougall       Duckworth
Dunnigan      Ferrin       Ferry         Fisher
Fowlke        Gibson      Gowans        Hansen
Hardy          Harper      Hendrickson   Hogue
Holdaway       Hughes      Hunsaker     E. Hutchings
B. Johnson     Jones       King          Kiser
Last           Lawrence    Lockhart      Mascaro
Voting in the negative were: Representatives
Bourdeaux  Cosgrove  J.M. Fisher  Litvack
Romero  Wheatley  Wiley

Absent or not voting were: Representatives
Christensen  Frank

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

* * *

H.B. 1007, VETERANS’ NURSING HOME AUTHORIZATION AND FUNDING, read the third time by short title and placed on its final passage.

H.B. 1007 then passed on the following roll call:

Y eas, 73; Nays, 0; Absent or not voting, 2.

Voting in the affirmative were: Representatives
Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Bigelow  Biskupski
Bowman  Buttars  Buxton  D. Clark
S. Clark  Cosgrove  D. Cox  Daw
Dayton  Dee  Donnelson  Dougall
Duckworth  Dunnigan  Ferrin  Ferry
Fisher  J.M. Fisher  Fowlke  Frank
Gibson  Gowans  Hansen  Hardy
Harper  Hendrickson  Hogue  Holdaway
Hughes  Hunsaker  E. Hutchings  B. Johnson
Jones  King  Kiser  Last
Lawrence  Litvack  Lockhart  Mascaro
Mathis  McGee  Menlove  Morgan
Morley  Moss  Murray  Newbold
Noel  Oda  Painter  Ray
Romero  Shurtliff  G. Snow  Tilton
Ure  Urquhart  Walker  Wallace
Wheatley  Wheeler  Wiley  Wyatt
Curtis
Absent or not voting were: Representatives
Bourdeaux Christensen

H.B. 1007 transmitted to the Senate for its consideration.

***

H.B. 1002, PROVIDER CONTRACTING AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 1002 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Bowman Buttars Buxton
D. Clark S. Clark Cosgrove D. Cox
Daw Dayton Dee Donnelson
Dougall Duckworth Dunnigan Ferrin
Ferry Fisher J.M. Fisher Fowlke
Frank Gibson Gowans Hansen
Hardy Harper Hendrickson Hogue
Holdaway Hughes Hunsaker E. Hutchings
B. Johnson Jones King Kiser
Last Lawrence Litvack Lockhart
Mascaro Mathis McGee Menlove
Morgan Morley Moss Murray
Newbold Noel Oda Painter
Ray Romero Shurtliff G. Snow
Tilton Ure Urquhart Walker
Wallace Wheatley Wheeler Wiley
Wyatt Curtis

Absent or not voting was: Representative
Christensen

H.B. 1002 transmitted to the Senate for its consideration.

***

H.B. 1003, CIVIL LEGAL AID FOR VICTIMS OF DOMESTIC VIOLENCE, read the third time by short title and placed on its final passage.
H.B. 1003 then passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Bigelow  Biskupski
Bourdeaux  Bowman  Buttars  Buxton
D. Clark  S. Clark  Cosgrove  D. Cox
Daw  Dayton  Dee  Donnelson
Dougall  Duckworth  Dunnigan  Ferrin
Ferry  Fisher  J.M. Fisher  Fowlke
Frank  Gibson  Gowans  Hansen
Hardy  Harper  Hendrickson  Hogue
Holdaway  Hughes  Hunsaker  E. Hutchings
B. Johnson  Jones  King  Kiser
Last  Lawrence  Litvack  Lockhart
Mascaro  Mathis  McGee  Menlove
Morgan  Morley  Moss  Murray
Newbold  Noel  Oda  Painter
Ray  Romero  Shurtliff  G. Snow
Ure  Urquhart  Walker  Wallace
Wheatley  Wheeler  Wiley  Wyatt
Curtis

Absent or not voting were: Representatives

Christensen  Tilton

H.B. 1003 transmitted to the Senate for its consideration.

***

H.B. 1005, INTEGRITY OF ELECTION RESULTS AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Dougall proposed the following amendment:

1. Page 3, Lines 77 through 78

77   (A) shall be available as an official record for any recount or election contest conducted with respect to an election where the voting equipment is used:
For the purposes of a recount or an election contest, if the permanent paper record contains a conflict or inconsistency between the human readable printing and the machine readable printing, the human readable printing shall supercede the machine readable printing when determining the intent of the voter.

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

**H.B. 1005**, as amended, then passed on the following roll call:

**Y eas, 71; Nays, 1; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Aagard  Adams  Alexander  S. Allen  
Barrus  Becker  Bigelow  Biskupski  
Bourdeaux  Bowman  Buttars  Buxton  
D. Clark  S. Clark  Cosgrove  D. Cox  
Daw  Dayton  Dee  Donnelson  
Dougall  Duckworth  Dunnigan  Ferrin  
Ferry  Fisher  J.M. Fisher  Frank  
Gibson  Gowans  Hansen  Hardy  
Harper  Hendrickson  Hogue  Holdaway  
Hughes  Hunsaker  E. Hutchings  B. Johnson  
Jones  King  Last  Lawrence  
Litvack  Lockhart  Mascaro  Mathis  
McGee  Menlove  Morgan  Morley  
Moss  Murray  Newbold  Noel  
Oda  Painter  Ray  Romero  
Shurtliff  G. Snow  Ure  Urquhart  
Walker  Wallace  Wheatley  Wheeler  
Wiley  Wyatt  Curtis  

**Voting in the negative was:** Representative Kiser  

**Absent or not voting were:** Representatives  
Christensen  Fowlke  Tilton  

**H.B. 1005**, as amended, transmitted to the Senate for its consideration.
H.B. 1006, CHANGES IN TASK FORCE MEMBERSHIP, read the third time by short title and placed on its final passage.

Representative Hogue proposed the following amendment:

1. Page 2, Line 34: Delete “12” and insert “14”
2. Page 2, Line 55: Delete “12” and insert “14”

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

H.B. 1006, as amended, then passed on the following roll call:

Y eas, 74; Nays, 0; Absent or not voting, 1.

Voting in the affirmative were: Representatives

Aagard  Adams  Alexander  S. Allen  
Barrus  Becker  Bigelow  Biskupski  
Bourdeaux  Bowman  Buttars  Buxton  
D. Clark  S. Clark  Cosgrove  D. Cox  
Daw  Dayton  Dee  Donnelson  
Dougall  Duckworth  Dunnigan  Ferrin  
Ferry  Fisher  J.M. Fisher  Fowlke  
Frank  Gibson  Gowans  Hansen  
Hardy  Harper  Hendrickson  Hogue  
Holdaway  Hughes  Hunsaker  E. Hutchings  
B. Johnson  Jones  King  Kiser  
Last  Lawrence  Litvack  Lockhart  
Mascaro  Mathis  McGee  Menlove  
Morgan  Morley  Moss  Murray  
Newbold  Noel  Oda  Painter  
Ray  Romero  Shurtliff  G. Snow  
Tilton  Ure  Urquhart  Walker  
Wallace  Wheatley  Wheeler  Wiley  
Wyatt  Curtis  

Absent or not voting was: Representative Christensen

H.B. 1006, as amended, transmitted to the Senate for its consideration.
H.B. 1009, EXECUTIVE COMPENSATION, read the third time by short title and placed on its final passage.

Representative Ray proposed the following amendment:

1. Page 3, Line 81:
   Delete the new language and reinstate the old language.

2. Page 7, Line 189:
   Delete the new language and reinstate the old language.

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

H.B. 1009 then passed on the following roll call:

**Yeas, 61; Nays, 11; Absent or not voting, 3.**

Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
</tr>
<tr>
<td>Bowman</td>
<td>Butters</td>
<td>Buxton</td>
<td>D. Clark</td>
</tr>
<tr>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
<td>Dunnigan</td>
</tr>
<tr>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
<td>Frank</td>
</tr>
<tr>
<td>Gibson</td>
<td>Hardy</td>
<td>Harper</td>
<td>Hoge</td>
</tr>
<tr>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
</tr>
<tr>
<td>Jones</td>
<td>King</td>
<td>Last</td>
<td>Lawrence</td>
</tr>
<tr>
<td>Litvack</td>
<td>Lockhart</td>
<td>Mascaro</td>
<td>Mathis</td>
</tr>
<tr>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
<td>Morley</td>
</tr>
<tr>
<td>Moss</td>
<td>Murray</td>
<td>Noel</td>
<td>Oda</td>
</tr>
<tr>
<td>Painter</td>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
</tr>
<tr>
<td>G. Snow</td>
<td>Tilton</td>
<td>Urquhart</td>
<td>Walker</td>
</tr>
<tr>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wyatt</td>
</tr>
<tr>
<td>Curtis</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Voting in the negative were: Representatives

| Duckworth | J.M. Fisher | Fowlke | Gowans |
| Hansen | Hendrickson | Holdaway | Kiser |
| Newbold | Ure | Wiley | |

Absent or not voting were: Representatives

| Becker | Christensen | Dayton |
H.B. 1009 transmitted to the Senate for its consideration.

***

H.B. 1008, TRANSPORTATION INVESTMENT ACT, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House voted to circle H.B. 1008.

***

H.J.R. 101, JOINT RESOLUTION SUPPORTING EXPANSION OF CORRECTIONAL FACILITIES, read the third time by short title and placed on its final passage.

H.J.R. 101 then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>S. Allen</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
</tr>
<tr>
<td>Bowman</td>
<td>Butters</td>
<td>Buxton</td>
<td>D. Clark</td>
</tr>
<tr>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Daw</td>
</tr>
<tr>
<td>Dee</td>
<td>Donnelson</td>
<td>Duckworth</td>
<td>Dunnigan</td>
</tr>
<tr>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
<td>J.M. Fisher</td>
</tr>
<tr>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
<td>Gowans</td>
</tr>
<tr>
<td>Hansen</td>
<td>Hardy</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
</tr>
<tr>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
<td>Kiser</td>
</tr>
<tr>
<td>Last</td>
<td>Lawrence</td>
<td>Litvack</td>
<td>Mascaro</td>
</tr>
<tr>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
</tr>
<tr>
<td>Moss</td>
<td>Murray</td>
<td>Noel</td>
<td>Oda</td>
</tr>
<tr>
<td>Painter</td>
<td>Romero</td>
<td>Shurtliff</td>
<td>G. Snow</td>
</tr>
<tr>
<td>Tilton</td>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
</tr>
<tr>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
</tr>
<tr>
<td>Wyatt</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Alexander</th>
<th>Dougall</th>
<th>Harper</th>
<th>Lockhart</th>
</tr>
</thead>
<tbody>
<tr>
<td>Morley</td>
<td>Newbold</td>
<td>Ray</td>
<td>Curtis</td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Christensen</th>
<th>Dayton</th>
</tr>
</thead>
</table>
H.J.R. 101 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Lockhart, the House voted to uncircle H.B. 1008.

H.B. 1008, TRANSPORTATION INVESTMENT ACT, was before the House on its final passage.

Representative Lockhart proposed the following amendment:

1. Page 2, Lines 37 through 41

   37 requires the Executive Appropriations Committee to notify the Division of Finance,
   38 the State Tax Commission, and the Department of Transportation when all highway
   39 projects have been completed and all general highway obligation bonds
   40 have been paid off that are intended to be paid from revenues deposited in the
   41 Centennial Highway Fund Restricted Account;

2. Page 2, Lines 45 through 49:

   45 Monies Appropriated in this Bill:
   46 This bill appropriates:
   47...
   48...

3. Page 27, Lines 823 through 832:

   823 To Department of Transportation − Centennial Highway Program
From General Fund  (59,594,700)
From General Fund, One-time  (30,000,000)
From Centennial Highway Fund  (21,013,000)

Schedule of Programs:
Centennial Highway Program  (−89,594,700)
(110,607,700)
To Department of Transportation – Centennial Highway Program
From Centennial Highway Fund       (21,013,000)
From Centennial Highway Fund Restricted Account  80,607,700

Schedule of Programs:
Centennial Highway Program
(−59,594,700)  80,607,700

Representative Snow proposed the following substitute motion to amend:

1. Page 1, Lines 24–26:
   Delete line 24–26

2. Page 13, Line 371:
   Line 371 delete “Subsections (6)(b) and (9)” and insert “Subsection (6)(b)”

3. Page 13, Lines 377–94:
   Delete lines 377–94

4. Page 21, Line 632:
   Line 632 delete “Subsections (6)(b) and (9)” and insert “Subsection (6)(b)”

5. Pages 21–22, Line 638–655:
   Delete lines 638 through 655.

6. Page 26, Line 795:
   After “highways;” insert “and”

7. Page 26, Line 796:
   After “Legislature” delete “; and” and insert a period.

8. Page 26, Line 797:
   Delete line 797.
On motion of Representative Hughes, the House voted on Previous Question on the motion to amend. The motion failed on the following roll call:

**Yeas, 35; Nays, 35; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

- Aagard
- Alexander
- Biskupski
- Buttars
- Buxton
- D. Cox
- Daw
- Dayton
- Donnelson
- Dougall
- Duckworth
- Dunnigan
- Ferrin
- Ferry
- Fowlke
- Frank
- Hansen
- Harper
- Hughes
- E. Hutchings
- King
- Lockhart
- Mascaro
- McGee
- Murray
- Newbold
- Noel
- Painter
- Tilton
- Urquhart
- Walker
- Wallace
- Wheeler
- Wyatt
- Curtis

**Voting in the negative were:** Representatives

- Adams
- S. Allen
- Becker
- Bowman
- D. Clark
- S. Clark
- Cosgrove
- Dee
- Fisher
- J.M. Fisher
- Gibson
- Gowans
- Hardy
- Hendrickson
- Hogue
- Holdaway
- Hunsaker
- B. Johnson
- Jones
- Kiser
- Lawrence
- Litvack
- Mathis
- Menlove
- Morgan
- Morley
- Moss
- Oda
- Ray
- Romero
- Shurtliff
- G. Snow
- Ure
- Wheatley
- Wiley

**Absent or not voting were:** Representatives

- Barrus
- Bigelow
- Bourdeaux
- Christensen
- Last

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

**Yeas, 42; Nays, 31; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

- S. Allen
- Becker
- Bigelow
- Biskupski
- Bourdeaux
- Bowman
- Cosgrove
- Donnelson
- Duckworth
- Dunnigan
- J.M. Fisher
- Fowlke
- Gibson
- Gowans
- Hansen
- Hendrickson
- Hogue
- Holdaway
- Hunsaker
- E. Hutchings
- B. Johnson
- Jones
- King
- Lawrence
Voting in the negative were: Representatives

Aagard  Adams  Alexander  Barrus
Buttars  D. Clark  S. Clark  D. Cox
Daw  Dayton  Dee  Dougall
Ferrin  Ferry  Fisher  Frank
Hardy  Harper  Hughes  Kiser
Last  Lockhart  Morley  Murray
Newbold  Noel  Oda  Painter
Tilton  Urquhart  Curtis

Absent or not voting were: Representatives

Buxton  Christensen

On motion of Representative Dougall, the House voted to circle **H.B. 1008**.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:  
April 19, 2005

The Senate passed, as amended, **S.B. 1001**, AMENDMENTS TO PROPERTY TAX PUBLIC NOTICE AND HEARING PROVISIONS, by Senator C. Bramble, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **S.B. 1001**, under suspension of the rules, read the first time by short title. On motion of Representative Lockhart, the House voted to consider **S.B. 1001** read the second time by short title, under suspension of the rules, and placed on the calendar for third reading.

* * *

Mr. Speaker:  
April 19, 2005

The Senate passed, **H.B. 1001**, IMPLEMENTING FEDERAL EDUCATIONAL PROGRAMS, by Representative M. Dayton, which has been signed by the President and it is transmitted for the signature of the Speaker.

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

**THIRD READING CALENDAR**

**H.B. 1004**, **DISCONNECTING TERRITORY FROM A MUNICIPALITY**, read the third time by short title and placed on its final passage.

Representative Hughes proposed the following amendment:

1. Page 7, Lines 187 through 191

   187    (ii) Each petition under Subsection (6)(d)(i) shall be filed with:

   188    (A) {in a } the commission, if the county
            that has created a commission under Section 10−2−409

   189    commission } ; or

   190    (B) {in a county that has not created a commission, } the
         clerk of the county in which the
         area that is the subject of the proposed boundary adjustment is
         located , if the county has not created a commission .

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

###

Representative Becker proposed the following amendment:

1. Page 1, Lines 15 through 16

   15    • authorizes a municipality seeking to adjust a common
         boundary with another

   16    municipality {in the same county} to request the other
         municipality to adjust the

2. Page 6, Lines 173 through 174:

   173    (6) (a) The legislative body of a municipality that has a common
          boundary with another

   174    municipality {located within the same county} may request
          the legislative body of the other
3. Page 7, Lines 184 through 186:

184 (6)(c), a requesting municipality may file a petition to adjust the common boundary with the boundary commission of the county in which the requesting municipality and the other municipality are located.

186 common boundary.

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

H.B. 1004, as amended, then failed to pass on the following roll call:

**Yeas, 14; Nays, 59; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Alexander

D. Clark

S. Clark

Daw

Dayton

Frank

E. Hutchings

B. Johnson

King

Lockhart

Morley

Noel

Urquhart

Curtis

**Voting in the negative were:** Representatives

Aagard

Adams

S. Allen

Barrus

Becker

Bigelow

Biskupski

Bourdeaux

Bowman

Buttars

Buxton

Cosgrove

D. Cox

Dee

Donnellson

Dougall

Dunnigan

Ferrin

Ferry

Fisher

J.M. Fisher

Fowlke

Gibson

Gowans

Hansen

Hardy

Harper

Hendrickson

Hogue

Holdaway

Hughes

Hunsaker

Jones

Kiser

Last

Lawrence

Litvack

Mascaro

Mathis

McGee

Menlove

Morgan

Moss

Murray

Newbold

Oda

Painter

Ray

Romero

Shurtliff

G. Snow

Tilton

Ure

Walker

Wallace

Wheatley

Wheeler

Wiley

Wyatt

**Absent or not voting were:** Representatives

Christensen

Duckworth
H.B. 1004, as amended, was filed.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to adjourn until April 20, 2005, at 1:30 p.m.
SECOND DAY

MORNING SESSION

The House was called to order by Speaker Curtis at 1:30 p.m.

Roll call showed all members present except Representatives LaVar Christensen and Bradley M. Daw, excused.

Pledge of Allegiance and prayer by Representative Joe Murray.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: April 19, 2005

The Senate passed, as amended, S.B. 1003, PROPERTY TAX – COUNTY SERVICE AREAS, by Senator M. Waddoups, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. S.B. 1003, under suspension of the rules, read the first time by short title. On motion of Representative Alexander, the House voted to consider S.B. 1003 read the second time by short title, under suspension of the rules, and placed on the calendar for third reading.

INTRODUCTION OF BILLS

H.B. 1010, Uses of Money in Municipal-type Services Fund (M. Walker), read the first time by short title, under suspension of the rules.
H.B. 1011, Funding for Convention Facilities (D. Clark), read the first time by short title, under suspension of the rules.

On motion of Representative Alexander, the House voted to consider H.B. 1010 and H.B. 1011, read the second time by short title, under suspension of the rules, and placed on the calendar for third reading.

THIRD READING CALENDAR

H.B. 1011, FUNDING FOR CONVENTION FACILITIES, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle H.B. 1011.

* * *

H.B. 1010, USES OF MONEY IN MUNICIPAL−TYPE SERVICES FUND, read the third time by short title and placed on its final passage.

Representative Walker proposed the following amendment:

1. Page 2, Line 42:
   After the word “city” insert “which is incorporated after January 1, 2004.”

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

H.B. 1010, as amended, then passed on the following roll call:

Yeas, 68; Nays, 1; Absent or not voting, 6.

Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttabs</td>
<td>S. Clark</td>
</tr>
<tr>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Dayton</td>
<td>Dee</td>
</tr>
<tr>
<td>Donnelson</td>
<td>Dougall</td>
<td>Duckworth</td>
<td>Dunnigan</td>
</tr>
<tr>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
<td>J.M. Fisher</td>
</tr>
<tr>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
<td>Gowans</td>
</tr>
<tr>
<td>Hansen</td>
<td>Hardy</td>
<td>Harper</td>
<td>Hendrickson</td>
</tr>
<tr>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
</tr>
<tr>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
</tr>
<tr>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
<td>Lockhart</td>
</tr>
<tr>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
</tr>
</tbody>
</table>
Morgan  Morley  Moss  Murray
Newbold  Noel  Oda  Painter
Ray  Romero  Shurtliff  G. Snow
Tilton  Urquhart  Walker  Wallace
Wheatley  Wheeler  Wiley  Curtis

Voting in the negative was: Representative
Ure

Absent or not voting were: Representatives
Buxton  Christensen  D. Clark  Daw
Litvack  Wyatt

H.B. 1010, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

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

THIRD READING CALENDAR

S.B. 1001, AMENDMENTS TO PROPERTY TAX PUBLIC NOTICE AND HEARING PROVISIONS, read the third time by short title and placed on its final passage.

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

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

Voting in the affirmative were: Representatives
Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Bigelow  Biskupski
Bourdeaux  Bowman  Buttars  Buxton
D. Clark  S. Clark  Cosgrove  D. Cox
Dayton  Dee  Donnelson  Dougall
Duckworth  Dunnigan  Ferrin  Ferry
Fisher  J.M. Fisher  Fowlke  Frank
Gibson  Gowans  Hansen  Hardy
Harper  Hendrickson  Hogue  Holdaway
Hughes  Hunsaker  E. Hutchings  B. Johnson
Jones  King  Kiser  Last
Lawrence  Litvack  Lockhart  Mascaro
Mathis  McGee  Menlove  Morgan
S.B. 1001 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 1003, PROPERTY TAX − COUNTY SERVICE AREAS, read the third time by short title and placed on its final passage.

Representative Ferry proposed the following amendment:

1. Page 2, Line 32 (goldenrod copy):
   Delete “.0023” and insert “.0021”

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

S.B. 1003, as amended, then passed on the following roll call:

Yeas, 69; Nays, 1; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard    Adams    Alexander    S. Allen
Barrus    Becker    Bigelow    Biskupski
Bourdeaux Bowman    Buttars    D. Clark
S. Clark  Cosgrove    D. Cox    Dayton
Dee       Donnelson  Dougall    Duckworth
Dunnigan  Ferrin    Ferry    Fisher
J.M. Fisher Fowlke    Frank    Gibson
Gowans    Hansen    Hardy    Harper
Hendrickson Hogue    Holdaway    Hunsaker
E. Hutchings Jones    King    Kiser
Last      Lawrence    Litvack    Lockhart
Mascaro   Mathis    McGee    Menlove
Morgan    Morley    Moss    Murray
Newbold   Noel    Oda    Painter
Voting in the negative was: Representative Tilton

Absent or not voting were: Representatives
Buxton Christensen Daw Hughes B. Johnson

S.B. 1003, as amended, returned to the Senate for further consideration.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: April 20, 2005
The Senate passed S.B. 1004, DRUG OFFENDER REFORM ACT – PILOT PROGRAM, by Senator S. Killpack, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. S.B. 1004, read the first time by short title, under suspension of the rules. On motion of Representative Alexander, the House voted to consider S.B. 1004 read the second time by short title, under suspension of the rules, and placed on the calendar for third reading.

MISCELLANEOUS BUSINESS

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

UNFINISHED BUSINESS

On motion of Representative D. Clark, the House voted to uncircle H.B. 1011.

H.B. 1011, FUNDING FOR CONVENTION FACILITIES, was before the House on its final passage.

Representative D. Clark proposed the following amendment:
1. Page 1, Lines 21 through 22

21 for fiscal year 2004–05 only, $4,000,000 from the General Fund to the Division of

22 Finance to be transferred to Salt Lake County under certain circumstances and provides that the appropriation is nonlapsing .

2. Page 1, Line 24:

24 This bill { takes effect on July 1, 2005 } provides an effective date .

3. Page 6, Lines 166 through 169:

166 (ii) complete the expansion or renovation of the convention facility described in

167 Subsection (2)(c)(i).

(3) It is the intent of the Legislature that the appropriation required by Subsection (1) is nonlapsing.

168 Section 4. Effective date.

169 { This bill takes } (1) Except as provided in Subsection (2), if approved by two-thirds of all the members elected to each house, this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution Article VII, Section 8, without the governor’s signature, or in the case of a veto, the date of veto override.

(2) Sections 59–12–352(Effective 07/01/05) and 59–12–1603(Effective 07/01/05) take effect on July 1, 2005.

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

H.B. 1011, as amended, then passed on the following roll call:

**Yeas, 60; Nays, 13; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Aagard Adams Alexander S. Allen
Becker Bigelow Biskupski Bourdeaux
Bowman Buttars Buxton D. Clark
S. Clark Cosgrove D. Cox Dayton
Dee Duckworth Ferry J.M. Fisher
Fowlke Gowans Hansen Hardy
Harper Hendrickson Hogue Holdaway
Voting in the negative were: Representatives
Barrus                Donnelson        Dougall          Dunnigan
Ferrin                Fisher           Frank            Gibson
Mathis                Morley           Noel             Tilton
Wallace

Absent or not voting were: Representatives
Christensen          Daw

H.B. 1011, as amended, transmitted to the Senate for its consideration.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: April 20, 2005
The Senate substituted and passed, Senate 2nd Sub. H.B. 1009, EXECUTIVE COMPENSATION, by Representative Alexander, and it is transmitted for further consideration; and

The Senate substituted and passed, Senate 1st Sub. H.B. 1006, CHANGES IN TASK FORCE MEMBERSHIP, by Representative J. Alexander, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. 2nd Sub. H.B. 1009 and 1st Sub. H.B. 1006, placed on the calendar for concurrence.

* * *

Mr. Speaker: April 20, 2005
The Senate passed, H.B. 1002, PROVIDER CONTRACTING AMENDMENTS, by Representative R. Lockhart, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, H.B. 1007, VETERANS’ NURSING HOME AUTHORIZATION AND FUNDING, by Representative D. G. Buxton, which
has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. H.B. 1002 and H.B. 1007 were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

UNFINISHED BUSINESS

On motion of Representative Lockhart, the House voted to uncircle H.B. 1008.

H.B. 1008, TRANSPORTATION INVESTMENT ACT, was before the House on its final passage.

On motion of Representative Walker, the House voted to reconsider its action on Amendment 1 proposed and passed on motion by Representative Snow

The motion failed to pass on the following roll call:

**Yeas, 36; Nays, 37; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buttars</td>
<td>Buxton</td>
<td>D. Clark</td>
<td>S. Clark</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Dougall</td>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
</tr>
<tr>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
<td>Hardy</td>
</tr>
<tr>
<td>Harper</td>
<td>Hughes</td>
<td>Kiser</td>
<td>Last</td>
</tr>
<tr>
<td>Lockhart</td>
<td>Morley</td>
<td>Murray</td>
<td>Newbold</td>
</tr>
<tr>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
<td>Tilton</td>
</tr>
<tr>
<td>Urquhart</td>
<td>Walker</td>
<td>Wallace</td>
<td>Curtis</td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

| S. Allen | Becker | Bigelow | Biskupski |
| Bourdeaux | Bowman | Cosgrove | Duckworth |
| Dunnigan | J.M. Fisher | Gowans | Hansen |
| Hendrickson | Hogue | Holdaway | Hunsaker |
| E. Hutchings | B. Johnson | Jones | King |
| Lawrence | Litvack | Mascaro | Mathis |
| McGee | Menlove | Morgan | Moss |
Ray Romero Shurtliff G. Snow
Ure Wheatley Wheeler Wiley
Wyatt

Absent or not voting were: Representatives
Christensen Daw

# # #

Representative Lockhart proposed the following amendment:

1. Page 2, Lines 37 through 41
   37 requires the Executive Appropriations Committee to notify the Division of Finance,
   38 the State Tax Commission, and the Department of Transportation when all highway
   39 projects have been completed and all general highway
   {general} obligation bonds
   40 have been paid off that are intended to be paid from revenues deposited in the
   41 Centennial Highway Fund Restricted Account;

2. Page 2, Lines 45 through 49:
   45 Monies Appropriated in this Bill:
   46 This bill appropriates:
   47 {($89,594,700)} ($110,607,700) from the General Fund and the Centennial Highway Fund to the Centennial
   Highway Program;
   48 {($59,594,700)} $80,607,700 to the Centennial Highway Program from {the Centennial Highway
   Fund and} the Centennial Highway Fund Restricted Account; and

3. Page 27, Lines 823 through 832:
   823 To Department of Transportation – Centennial Highway Program
   824 From General Fund (59,594,700)
From General Fund, One-time (30,000,000)
From Centennial Highway Fund (21,013,000)

Schedule of Programs:
Centennial Highway Program

\[ (89,594,700) \quad (110,607,700) \]

To Department of Transportation – Centennial Highway Program

\[ (–21,013,000) \]

From Centennial Highway Fund Restricted Account
80,607,700

Schedule of Programs:
Centennial Highway Program

\[ 59,594,700 \quad 80,607,700 \]

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

# # #

Representative Lockhart proposed the following amendment:

1. Page 12, Line 368

\[ \text{the taxes described in Subsections (2)(a)(i) (and) (2)(b)(i) (A), and (2)(b)(ii)(A) into the Centennial Highway Fund} \]

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

H.B. 1008, as amended, then passed on the following roll call:

Yeas, 61; Nays, 12; Absent or not voting, 2.

Voting in the affirmative were: Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Bigelow</td>
<td>Bowman</td>
<td>Buttars</td>
</tr>
<tr>
<td>Buxton</td>
<td>D. Clark</td>
<td>S. Clark</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
</tr>
<tr>
<td>Duckworth</td>
<td>Dunigan</td>
<td>Ferrin</td>
<td>Ferry</td>
</tr>
<tr>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
</tr>
<tr>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
<td>Harper</td>
</tr>
<tr>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hughes</td>
</tr>
<tr>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>Jones</td>
</tr>
</tbody>
</table>
Voting in the negative were: Representatives
Becker    Biskupski    Bourdeaux    Cosgrove
J.M. Fisher  King       Litvack     McGee
Moss       Romero      Wheatley    Wiley

Absent or not voting were: Representatives
Christensen  Daw

H.B. 1008, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to move to the Senate Third Reading Calendar.

THIRD READING CALENDAR

S.B. 1004, DRUG OFFENDER REFORM ACT – PILOT PROGRAM, read the third time by short title and placed on its final passage.

S.B. 1004 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard    Adams       S. Allen     Barrus
Becker    Biskupski   Bourdeaux   Bowman
Buttars   Buxton      D. Clark    S. Clark
Cosgrove  D. Cox      Dayton      Dee
Donnelson Dougall    Duckworth   Dunnigan
Ferry     Fisher      Fowlke      Frank
Gibson    Goodfellow  Gowans      Hansen
Hardy     Harper      Hogue       Holdaway
Hughes    Hunsaker    E. Hutchings B. Johnson
Jones     King        Kiser       Last
Lawrence  Litvack    Lockhart    Mascaro
Voting in the negative were: Representatives
Alexander Bigelow Ferrin Curtis

Absent or not voting were: Representatives
Christensen Daw Hendrickson

S.B. 1004 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

CONCURRENCE CALENDAR

Representative Alexander proposed that the House concur in the Senate amendments to H.B. 1009, EXECUTIVE COMPENSATION. The motion failed on a voice vote.

On motion of Representative Alexander, the House voted to refuse to concur with the Senate Amendments and to request the Senate recede.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

The Senate passed, H.B. 1005, INTEGRITY OF ELECTION RESULTS AMENDMENTS, by Representative J. Dougall, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, H.B. 1011, FUNDING FOR CONVENTION FACILITIES, by Representative D. Clark, et al, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, H.J.R. 101, JOINT RESOLUTION SUPPORTING EXPANSION OF CORRECTIONAL FACILITIES, by Representative D. Hogue, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate
Communications filed. **H.B. 1005, H.B. 1011, and H.J.R. 101** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

***

Mr. Speaker: April 20, 2005

The Senate passed, as amended, **H.B. 1010**, USES OF MONEY IN MUNICIPAL-TYPE SERVICES FUND, by Representative M. Walker, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate  
Communication filed. **H.B. 1010**, placed on the calendar for concurrence.

***

Mr. Speaker: April 20, 2005

The Senate passed, as substituted, and amended **1st Sub. S.B. 1002**, FUNDING FOR TOURISM, by Senator S. Jenkins, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate  

***

Mr. Speaker: April 20, 2005

The Senate refuses to concur with the House Amendments to **S.B. 1003**, PROPERTY TAX − COUNTY SERVICE AREAS, by Senator M. Waddoups, and requests the House recede from its amendments.

Annette B. Moore  
Secretary of the Senate  
Communication filed. On motion of Representative Hutchings, the House voted to refuse to recede from its amendments to **S.B. 1003**. The Speaker was authorized to appoint a conference committee. The Speaker appointed Representatives Hutchings, Ferry, and Litvack.
CONCURRENCE CALENDAR

On motion of Representative Walker, the House voted to concur in the Senate amendments to **H.B. 1010**, USES OF MONEY IN MUNICIPAL–TYPE SERVICES FUND.

**H.B. 1010**, as amended by the Senate, then passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
</tr>
<tr>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
</tr>
<tr>
<td>J.M. Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
</tr>
<tr>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
<td>Harper</td>
</tr>
<tr>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hughes</td>
</tr>
<tr>
<td>Hunsaker</td>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
</tr>
<tr>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
<td>Mascaro</td>
</tr>
<tr>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
</tr>
<tr>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
</tr>
<tr>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
</tr>
<tr>
<td>Romero</td>
<td>Shurtliff</td>
<td>G. Snow</td>
<td>Tilton</td>
</tr>
<tr>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
<td>Wallace</td>
</tr>
<tr>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
</tr>
<tr>
<td>Curtis</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Christensen</th>
<th>Daw</th>
<th>Duckworth</th>
<th>E. Hutchings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Litvack</td>
<td>Lockhart</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**H.B. 1010**, as amended by the Senate, transmitted to the Senate for signature of the president.

***

On motion of Representative Alexander, the House voted to concur in the Senate amendments to **Sub. H.B. 1006**, CHANGES IN TASK FORCE MEMBERSHIP.

**Sub. H.B. 1006**, as amended by the Senate, then passed on the following roll call:
Yeas, 56; Nays, 10; Absent or not voting, 9.

**Voting in the affirmative were:** Representatives

Aagard   Adams   Alexander   S. Allen  
Barrus   Bigelow  Bourdeaux  Bowman  
Buttars  D. Clark S. Clark  D. Cox  
Dayton   Dee     Donnelson  Dougall  
Dunnigan Ferrin  Fisher    Fowlke  
Frank    Gibson  Gowans    Hardy   
Harper   Hendrickson Hogue    Holdaway  
Hughes   Hunsaker B. Johnson King  
Kiser     Last   Lawrence  Mascaro  
Mathis   Menlove Morley     Murray  
Newbold  Noel    Oda      Painter  
Ray      Romero  G. Snow  Tilton  
Ure      Urquhart Walker  Wallace  
Wheatley Wheeler  Wyatt    Curtis  

**Voting in the negative were:** Representatives

Biskupski  Cosgrove  J.M. Fisher Hansen  
Jones     McGee    Morgan    Moss  
Shurtliff Wiley  

**Absent or not voting were:** Representatives

Becker   Buxton  Christensen Daw  
Duckworth Ferry  E. Hutchings Litvack  
Lockhart  

Sub. H.B. 1006, as amended by the Senate, transmitted to the Senate for signature of the president.

**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker: April 20, 2005

The Senate refuses to recede from its amendments to 2nd Sub. H.B. 1009, EXECUTIVE COMPENSATION, by Representative J. Alexander, and has appointed a Conference Committee consisting of Senators D. Eastman, T. Hatch, and Goodfellow to meet with a like committee from the House on this bill.

Annette B. Moore  
Secretary of the Senate  

Communication filed. On motion of Representative Alexander, the House voted to authorize the Speaker to appoint a Conference Committee. The Speaker appointed Representatives Alexander, Shurtliff, and Hughes.
THIRD READING CALENDAR

Sub. S.B. 1002, FUNDING FOR TOURISM, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle Sub. S.B. 1002.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to recess.

Speaker Curtis called the House to order.

COMMUNICATION FROM THE SENATE

Mr. Speaker: April 20, 2005

The President of the Senate has appointed a Conference Committee consisting of Senators M. Waddoups, D. Thomas, and G. Davis to meet with a like committee from the House of Representatives to consider or amend S.B. 1003, PROPERTY TAX − COUNTY SERVICE AREAS, by Senator M. Waddoups.

Annette B. Moore
Secretary of the Senate

Communication filed.

CONFERENCE COMMITTEE REPORT

Mr. Speaker: April 20, 2005

The Joint Conference Committee comprised of Senators Waddoups, Thomas, and Davis, and Representatives Hutchings, Ferry, and Litvack, recommends S.B. 1003, PROPERTY TAX − COUNTY SERVICE AREAS, by Senator M. Waddoups, with the following amendments:

1. Page 2, Line 32:
   House Floor Amendments 4–20–2005:
   Reinstate “.0023” and delete “.0021”

Report filed. On motion of Representative Hutchings, the House voted to adopt the Joint Conference Committee Report.

S.B. 1003 then passed on the following roll call:

Y eas, 66; Nays, 2; Absent or not voting, 7.
Voting in the affirmative were: Representatives
Aagard      Adams      Alexander      S. Allen
Barrus      Becker      Bigelow      Biskupski
Bourdeaux   Bowman      Buttars      Buxton
D. Clark    S. Clark    Cosgrove      D. Cox
Dayton      Dee         Donnelson   Dunnigan
Ferrin      Ferry       Fisher       J.M. Fisher
Fowlke      Frank       Gibson       Gowans
Hansen      Harper      Hendrickson   Hogue
Holdaway    Hunsaker    E. Hutchings   B. Johnson
Jones       King        Lawrence     Litvack
Lockhart    Mascaro     Mathis       McGee
Menlove     Morgan      Morley       Moss
Murray      Newbold     Noel         Oda
Painter     Ray         Romero       Shurtliff
G. Snow     Ure         Urquhart     Walker
Wallace     Wheatley    Wheeler      Wiley
Wyatt       Curtis

Voting in the negative were: Representatives
Hughes      Kiser

Absent or not voting were: Representatives
Christensen  Daw         Dougall      Duckworth
Hardy       Last         Tilton

S.B. 1003, as amended by the Conference Committee Report, transmitted to the Senate for further consideration.

UNFINISHED BUSINESS

On motion of Representative Ferry, the House voted to uncircle Sub. S.B. 1002.

Sub. S.B. 1002, FUNDING FOR TOURISM, was before the House on its final passage.

Sub. S.B. 1002 then passed on the following roll call:

Yeas, 51; Nays, 17; Absent or not voting, 7.

Voting in the affirmative were: Representatives
Aagard       S. Allen      Barrus      Becker
Biskupski    Bourdeaux     Bowman      Buttars
Voting in the negative were: Representatives

Adams     Alexander     Bigelow     Buxton
Dayton    Dee           Donnelson   Dougall
Ferrin    Frank         Gowans      Harper
Kiser     Lawrence      Lockhart    Morley
Oda

Absent or not voting were: Representatives

Christensen Daw Duckworth Hardy
Last Painter    Tilton

Sub. S.B. 1002 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: April 20, 2005

The Senate adopted the Joint Conference Committee Report dated April 20, 2005, and passed H.B. 1009, EXECUTIVE COMPENSATION, by Representative J. Alexander, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed.

CONFERENCE COMMITTEE REPORT

Mr. Speaker: April 20, 2005

The Joint Conference Committee comprised of Senators Eastman, Hatch, and Goodfellow, and Representatives Alexander, Hughes, and Shurtliff, recommends
that the Senate recede from its amendments to 2nd Sub. H.B. 1009, EXECUTIVE COMPENSATION, by Representative J. Alexander, and adopt H.B. 1009, EXECUTIVE COMPENSATION, by Representative J. Alexander.

Senator Dan R. Eastman
Representative Jeff Alexander

Report filed. On motion of Representative Alexander, the House voted to adopt the Conference Committee Report.

H.B. 1009 then passed on the following roll call:

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
</tr>
<tr>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
</tr>
<tr>
<td>Frank</td>
<td>Gibson</td>
<td>Goodfellow</td>
<td>Harper</td>
</tr>
<tr>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hughes</td>
<td>Hunsaker</td>
</tr>
<tr>
<td>E. Hutchings</td>
<td>Jones</td>
<td>King</td>
<td>Lawrence</td>
</tr>
<tr>
<td>Litvack</td>
<td>Lockhart</td>
<td>Mascaro</td>
<td>Mathis</td>
</tr>
<tr>
<td>McGee</td>
<td>Menlove</td>
<td>Morley</td>
<td>Moss</td>
</tr>
<tr>
<td>Murray</td>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
</tr>
<tr>
<td>Ray</td>
<td>Romero</td>
<td>Shurtleff</td>
<td>Urquhart</td>
</tr>
<tr>
<td>Walker</td>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
</tr>
<tr>
<td>Wiley</td>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>Fowlke</th>
<th>Gowans</th>
<th>Hendrickson</th>
<th>Kiser</th>
</tr>
</thead>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Christensen</th>
<th>Daw</th>
<th>Duckworth</th>
<th>Hansen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hardy</td>
<td>B. Johnson</td>
<td>Last</td>
<td>Morgan</td>
</tr>
<tr>
<td>Newbold</td>
<td>G. Snow</td>
<td>Tilton</td>
<td>Ure</td>
</tr>
</tbody>
</table>

**H.B. 1009** transmitted to the Senator for signature of the President.

**INTENT LANGUAGE TO H.B. 1009**

On motion of Representative Alexander, the House voted to print the following intent language to **H.B. 1009** in the House Journal.
It is the intent of the Legislature that staff prepare a letter to the Executive and Judicial Compensation Commission to be signed by the Speaker and President requesting that the Commission review the salary ranges for executive branch officers and consider whether or not all cabinet level officers be assigned to the same salary range.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: April 20, 2005

The Senate adopted the Joint Conference Committee Report dated April 20, 2005, and passed S.B. 1003, PROPERTY TAX − COUNTY SERVICE AREAS, by Senator M. Waddoups, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. S.B. 1003 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

Mr. Speaker: April 20, 2005

The President of the Senate has signed 1st Sub. H.B. 1006, CHANGES IN TASK FORCE MEMBERSHIP, by Representative J. Alexander, and it is transmitted for the signature of the Speaker; and

The Senate passed, H.B. 1008, TRANSPORTATION INVESTMENT ACT, by Representative R. Lockhart, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed H.B. 1009, EXECUTIVE COMPENSATION, by Representative J. Alexander, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed H.B. 1010, USES OF MONEY IN MUNICIPAL−TYPE SERVICES FUND, by Representative M. Walker, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. Sub. H.B. 1006, H.B. 1008, H.B. 1009, and H.B. 1010 were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.
MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House authorized the Speaker to appoint a committee to meet with a like committee from the Senate to wait upon the Governor and inform His Excellency that the Legislature has completed its business and is prepared to adjourn sine die. The Speaker appointed Representatives Aagard, Ferrin, and Biskupski.

On motion of Representative Alexander, the House authorized the Speaker to appoint a committee to wait upon the Senate and inform that Honorable Body that the House was prepared to adjourn sine die. The Speaker appointed Representatives Holdaway, Julie Fisher, and Litvack.

Senators Parley Hellewell, Mark Madsen, and Gene Davis formally notified the House of Representatives that the Senate had completed its business and was prepared to adjourn sine die.

Representative Litvack notified the House that his committee had waited upon the Senate and informed that Honorable Body that the House was ready to adjourn sine die.

Representative Holdaway reported that the Joint Committee had waited upon the Governor and informed him that the Legislature had completed its business and was prepared to adjourn sine die.

On motion of Representative Alexander, and at 7:24 p.m., the House of Representatives of the Fifty–Sixth Legislature of the state of Utah, First Special Session, adjourned sine die.
SECOND DAY
* * *

MORNING SESSION

The House was called to order by Speaker Curtis at 1:30 p.m.

Roll call showed all members present except Representatives LaVar Christensen and Bradley M. Daw, excused.

Pledge of Allegiance and prayer by Representative Joe Murray.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

April 19, 2005

The Senate passed, as amended, S.B. 1003, PROPERTY TAX – COUNTY SERVICE AREAS, by Senator M. Waddoups, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. S.B. 1003, under suspension of the rules, read the first time by short title. On motion of Representative Alexander, the House voted to consider S.B. 1003 read the second time by short title, under suspension of the rules, and placed on the calendar for third reading.

* * *

Mr. Speaker:

April 19, 2005

The Senate passed, H.B. 1003, CIVIL LEGAL AID FOR VICTIMS OF DOMESTIC VIOLENCE, by Representative R. Romero, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. H.B. 1003 were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

INTRODUCTION OF BILLS

H.B. 1010, Uses of Money in Municipal-type Services Fund (M. Walker), read the first time by short title, under suspension of the rules.
H.B. 1011, Funding for Convention Facilities (D. Clark), read the first time by short title, under suspension of the rules.

On motion of Representative Alexander, the House voted to consider H.B. 1010 and H.B. 1011, read the second time by short title, under suspension of the rules, and placed on the calendar for third reading.

THIRD READING CALENDAR

H.B. 1011, FUNDING FOR CONVENTION FACILITIES, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle H.B. 1011.

* * *

H.B. 1010, USES OF MONEY IN MUNICIPAL–TYPE SERVICES FUND, read the third time by short title and placed on its final passage.

Representative Walker proposed the following amendment:

1. Page 2, Line 42:
   After the word “city” insert “which is incorporated after January 1, 2004.”

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

H.B. 1010, as amended, then passed on the following roll call:

Y eas, 68; Nays, 1; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard       Adams       Alexander        S. Allen
Barrus       Becker      Bigelow         Biskupski
Bourdeaux    Bowman      Buttars        S. Clark
Cosgrove     D. Cox      Dayton         Dee
Donnelson    Dougall     Duckworth      Dunnigan
Ferrin       Ferry       Fisher         J.M. Fisher
Fowlke       Frank       Gibson         Gowans
Hansen       Hardy       Harper         Hendrickson
Hogue        Holdaway    Hughes         Hunsaker
E. Hutchings B. Johnson Jones          King
Kiser        Last        Lawrence       Lockhart
Mascaro      Mathis      McGee          Menlove
Morgan  Morley  Moss  Murray
Newbold  Noel  Oda  Painter
Ray  Romero  Shurtliff  G. Snow
Tilton  Urquhart  Walker  Wallace
Wheatley  Wheeler  Wiley  Curtis

Voting in the negative was: Representative
Ure

Absent or not voting were: Representatives
Buxton  Christensen  D. Clark  Daw
Litvack  Wyatt

H.B. 1010, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

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

THIRD READING CALENDAR

S.B. 1001, AMENDMENTS TO PROPERTY TAX PUBLIC NOTICE AND HEARING PROVISIONS, read the third time by short title and placed on its final passage.

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

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

Voting in the affirmative were: Representatives
Aagard  Adams  Alexander  S. Allen
Barrus  Becker  Bigelow  Biskupski
Bourdeaux  Bowman  Buttars  Buxton
D. Clark  S. Clark  Cosgrove  D. Cox
Dayton  Dee  Donnelson  Dougall
Duckworth  Dunnigan  Ferrin  Ferry
Fisher  J.M. Fisher  Fowlke  Frank
Gibson  Gowans  Hansen  Hardy
Harper  Hendrickson  Hogue  Holdaway
Hughes  Hunsaker  E. Hutchings  B. Johnson
Jones  King  Kiser  Last
Lawrence  Litvack  Lockhart  Mascaro
Mathis  McGee  Menlove  Morgan
Absent or not voting were: Representatives
Christensen Daw Walker

S.B. 1001 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

* * *

S.B. 1003, PROPERTY TAX − COUNTY SERVICE AREAS, read the third time by short title and placed on its final passage.

Representative Ferry proposed the following amendment:

1. Page 2, Line 32 (goldenrod copy):
   Delete “.0023” and insert “.0021”

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

S.B. 1003, as amended, then passed on the following roll call:

Yeas, 69; Nays, 1; Absent or not voting, 5.

Voting in the affirmative were: Representatives
Aagard Adams Alexander S. Allen
Barrus Becker Bigelow Biskupski
Bourdeaux Bowman Buttars D. Clark
S. Clark Cosgrove D. Cox Dayton
Dee Donnelson Dougall Duckworth
Dunnigan Ferrin Ferry Fisher
J.M. Fisher Fowlke Frank Gibson
Gowans Hansen Hardy Harper
Hendrickson Hogue Holdaway Hunsaker
E. Hutchings Jones King Kiser
Last Lawrence Litvack Lockhart
Mascaro Mathis McGee Menlove
Morgan Morley Moss Murray
Newbold Noel Oda Painter
Voting in the negative was: Representative
Tilton

Absent or not voting were: Representatives
Buxton Christensen Daw Hughes
B. Johnson

S.B. 1003, as amended, returned to the Senate for further consideration.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: April 20, 2005
The Senate passed S.B. 1004, DRUG OFFENDER REFORM ACT – PILOT PROGRAM, by Senator S. Killpack, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. S.B. 1004, read the first time by short title, under suspension of the rules. On motion of Representative Alexander, the House voted to consider S.B. 1004 read the second time by short title, under suspension of the rules, and placed on the calendar for third reading.

MISCELLANEOUS BUSINESS

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

UNFINISHED BUSINESS

On motion of Representative D. Clark, the House voted to uncircle H.B. 1011.

H.B. 1011, FUNDING FOR CONVENTION FACILITIES, was before the House on its final passage.

Representative D. Clark proposed the following amendment:
1. Page 1, Lines 21 through 22
   21 for fiscal year 2004–05 only, $4,000,000 from the General Fund to the Division of
   22 Finance to be transferred to Salt Lake County under certain circumstances and provides that the appropriation is nonlapsing.

2. Page 1, Line 24:
   24 This bill takes effect on July 1, 2005 provides an effective date.

3. Page 6, Lines 166 through 169:
   166 (ii) complete the expansion or renovation of the convention facility described in
   167 Subsection (2)(c)(i).
   168 (3) It is the intent of the Legislature that the appropriation required by Subsection (1) is nonlapsing.
   169 Section 4. Effective date.

   (1) Except as provided in Subsection (2), if approved by two-thirds of all the members elected to each house, this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution Article VII, Section 8, without the governor’s signature, or in the case of a veto, the date of veto override.
   (2) Sections 59–12–352(Effective 07/01/05) and 59–12–1603(Effective 07/01/05) take effect on July 1, 2005.

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

**H.B. 1011**, as amended, then passed on the following roll call:

**Yeas, 60; Nays, 13; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
<td>Bourdeaux</td>
</tr>
<tr>
<td>Bowman</td>
<td>Butters</td>
<td>Buxton</td>
<td>D. Clark</td>
</tr>
<tr>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
<td>Dayton</td>
</tr>
<tr>
<td>Dee</td>
<td>Duckworth</td>
<td>Ferry</td>
<td>J.M. Fisher</td>
</tr>
<tr>
<td>Fowlke</td>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
</tr>
<tr>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
</tr>
</tbody>
</table>
Voting in the negative were: Representatives
Barrus    Donnelson    Dougall    Dunnigan
Ferrin    Fisher       Frank      Gibson
Mathis    Morley       Noel       Tilton
Wallace

Absent or not voting were: Representatives
Christensen  Daw

H.B. 1011, as amended, transmitted to the Senate for its consideration.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: April 20, 2005

The Senate substituted and passed, Senate 2nd Sub. H.B. 1009, EXECUTIVE COMPENSATION, by Representative Alexander, and it is transmitted for further consideration; and

The Senate substituted and passed, Senate 1st Sub. H.B. 1006, CHANGES IN TASK FORCE MEMBERSHIP, by Representative J. Alexander, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. 2nd Sub. H.B. 1009 and 1st Sub. H.B. 1006, placed on the calendar for concurrence.

***

Mr. Speaker: April 20, 2005

The Senate passed, H.B. 1002, PROVIDER CONTRACTING AMENDMENTS, by Representative R. Lockhart, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, H.B. 1007, VETERANS’ NURSING HOME AUTHORIZATION AND FUNDING, by Representative D. G. Buxton, which
has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. H.B. 1002 and H.B. 1007 were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

UNFINISHED BUSINESS

On motion of Representative Lockhart, the House voted to uncircle H.B. 1008.

H.B. 1008, TRANSPORTATION INVESTMENT ACT, was before the House on its final passage.

On motion of Representative Walker, the House voted to reconsider its action on Amendment 1 proposed and passed on motion by Representative Snow

The motion failed to pass on the following roll call:

Yeas, 36; Nays, 37; Absent or not voting, 2.

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>Barrus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Butters</td>
<td>Buxton</td>
<td>D. Clark</td>
<td>S. Clark</td>
</tr>
<tr>
<td>D. Cox</td>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
</tr>
<tr>
<td>Dougall</td>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
</tr>
<tr>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
<td>Hardy</td>
</tr>
<tr>
<td>Harper</td>
<td>Hughes</td>
<td>Kiser</td>
<td>Last</td>
</tr>
<tr>
<td>Lockhart</td>
<td>Morley</td>
<td>Murray</td>
<td>Newbold</td>
</tr>
<tr>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
<td>Tilton</td>
</tr>
<tr>
<td>Urquhart</td>
<td>Walker</td>
<td>Wallace</td>
<td>Curtis</td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

<table>
<thead>
<tr>
<th>S. Allen</th>
<th>Becker</th>
<th>Bigelow</th>
<th>Biskupski</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Cosgrove</td>
<td>Duckworth</td>
</tr>
<tr>
<td>Dunnigan</td>
<td>J.M. Fisher</td>
<td>Gowans</td>
<td>Hansen</td>
</tr>
<tr>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hunsaker</td>
</tr>
<tr>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
</tr>
<tr>
<td>Lawrence</td>
<td>Litvack</td>
<td>Mascaro</td>
<td>Mathis</td>
</tr>
<tr>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
<td>Moss</td>
</tr>
</tbody>
</table>
Ray Romero Shurtliff G. Snow
Ure Wheatley Wheeler Wiley
Wyatt

Absent or not voting were: Representatives
Christensen Daw

# # #

Representative Lockhart proposed the following amendment:

1. Page 2, Lines 37 through 41
   37 requires the Executive Appropriations Committee to notify the Division of Finance,
   38 the State Tax Commission, and the Department of Transportation when all highway
   39 projects have been completed and all general highway {general} obligation bonds
   40 have been paid off that are intended to be paid from revenues deposited in the
   41 Centennial Highway Fund Restricted Account;

2. Page 2, Lines 45 through 49:
   45 Monies Appropriated in this Bill:
   46 This bill appropriates:
   47 \[ \begin{array}{l}
   47 \quad \{-(\$89,594,700)\} \quad (\$110,607,700) \\
   48 \quad \{-(\$59,594,700)\} \quad (\$80,607,700) \\
   \end{array} \]
   48 from the General Fund and the Centennial Highway Fund to the Centennial Highway Program;
   49 \[ \begin{array}{l}
   49 \quad \{-(\$59,594,700)\} \quad (\$80,607,700) \\
   \end{array} \]
   49 to the Centennial Highway Program from the Centennial Highway Fund and the Centennial Highway Fund Restricted Account; and

3. Page 27, Lines 823 through 832:
   823 To Department of Transportation − Centennial Highway Program
   824 From General Fund \((59,594,700)\)
Representative Lockhart’s motion to amend passed on a voice vote.

# # #

Representative Lockhart proposed the following amendment:

1. Page 12, Line 368
   the taxes described in Subsections (2)(a)(i) {and } (2)(b)(i) (A), and (2)(b)(ii)(A) into the Centennial Highway Fund

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

**H.B. 1008**, as amended, then passed on the following roll call:

**Yeas, 61; Nays, 12; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Bigelow</td>
<td>Bowman</td>
<td>Buttars</td>
</tr>
<tr>
<td>Buxton</td>
<td>D. Clark</td>
<td>S. Clark</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
</tr>
<tr>
<td>Duckworth</td>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Ferry</td>
</tr>
<tr>
<td>Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
</tr>
<tr>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
<td>Harper</td>
</tr>
<tr>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hughes</td>
</tr>
<tr>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
<td>Jones</td>
</tr>
</tbody>
</table>
Voting in the negative were: Representatives
Becker Biskupski Bourdeaux Cosgrove
J.M. Fisher King Litvack McGee
Moss Romero Wheatley Wiley

Absent or not voting were: Representatives
Christensen Daw

H.B. 1008, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to move to the Senate Third Reading Calendar.

THIRD READING CALENDAR

S.B. 1004, DRUG OFFENDER REFORM ACT – PILOT PROGRAM, read the third time by short title and placed on its final passage.

S.B. 1004 then passed on the following roll call:

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

Voting in the affirmative were: Representatives
Aagard Adams S. Allen Barrus
Becker Biskupski Bourdeaux Bowman
Buttars Buxton D. Clark S. Clark
Cosgrove D. Cox Dayton Dee
Donnelson Dougall Duckworth Dunnigan
Ferry Fisher Fowlke Frank
Gibson Goodfellow Gowans Hansen
Hardy Harper Hogue Holdaway
Hughes Hunsaker E. Hutchings B. Johnson
Jones King Kiser Last
Lawrence Litvack Lockhart Mascaro
Mathis       McGee       Menlove       Morgan
Morley       Moss        Murray       Newbold
Noel         Oda          Painter       Ray
Romero       Shurtliff   G. Snow      Tilton
Ure          Urquhart    Walker       Wallace
Wheatley     Wheeler     Wiley        Wyatt

Voting in the negative were: Representatives
Alexander    Bigelow     Ferrin       Curtis
Absent or not voting were: Representatives
Christensen   Daw         Hendrickson

S.B. 1004 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

CONCURRENCE CALENDAR

Representative Alexander proposed that the House concur in the Senate amendments to H.B. 1009, EXECUTIVE COMPENSATION. The motion failed on a voice vote.

On motion of Representative Alexander, the House voted to refuse to concur with the Senate Amendments and to request the Senate recede.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: April 20, 2005

The Senate passed, H.B. 1005, INTEGRITY OF ELECTION RESULTS AMENDMENTS, by Representative J. Dougall, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, H.B. 1011, FUNDING FOR CONVENTION FACILITIES, by Representative D. Clark, et al, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, H.J.R. 101, JOINT RESOLUTION SUPPORTING EXPANSION OF CORRECTIONAL FACILITIES, by Representative D. Hogue, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate
Communications filed. **H.B. 1005, H.B. 1011, and H.J.R. 101** were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.

***

Mr. Speaker: April 20, 2005

The Senate passed, as amended, **H.B. 1010**, USES OF MONEY IN MUNICIPAL-TYPE SERVICES FUND, by Representative M. Walker, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **H.B. 1010**, placed on the calendar for concurrence.

***

Mr. Speaker: April 20, 2005

The Senate passed, as substituted, and amended **1st Sub. S.B. 1002**, FUNDING FOR TOURISM, by Senator S. Jenkins, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate


***

Mr. Speaker: April 20, 2005

The Senate refuses to concur with the House Amendments to **S.B. 1003**, PROPERTY TAX − COUNTY SERVICE AREAS, by Senator M. Waddoups, and requests the House recede from its amendments.

Annette B. Moore
Secretary of the Senate

Communication filed. On motion of Representative Hutchings, the House voted to refuse to recede from its amendments to **S.B. 1003**. The Speaker was authorized to appoint a conference committee. The Speaker appointed Representatives Hutchings, Ferry, and Litvack.
CONCURRENCE CALENDAR

On motion of Representative Walker, the House voted to concur in the Senate amendments to **H.B. 1010**, USES OF MONEY IN MUNICIPAL–TYPE SERVICES FUND.

**H.B. 1010**, as amended by the Senate, then passed on the following roll call:

**Y** eas, 69; **N** ays, 0; **A** bsent or not voting, 6.

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
<td>Dougall</td>
</tr>
<tr>
<td>Dunnigan</td>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
</tr>
<tr>
<td>J.M. Fisher</td>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
</tr>
<tr>
<td>Gowans</td>
<td>Hansen</td>
<td>Hardy</td>
<td>Harper</td>
</tr>
<tr>
<td>Hendrickson</td>
<td>Hogue</td>
<td>Holdaway</td>
<td>Hughes</td>
</tr>
<tr>
<td>Hunsaker</td>
<td>B. Johnson</td>
<td>Jones</td>
<td>King</td>
</tr>
<tr>
<td>Kiser</td>
<td>Last</td>
<td>Lawrence</td>
<td>Mascaro</td>
</tr>
<tr>
<td>Mathis</td>
<td>McGee</td>
<td>Menlove</td>
<td>Morgan</td>
</tr>
<tr>
<td>Morley</td>
<td>Moss</td>
<td>Murray</td>
<td>Newbold</td>
</tr>
<tr>
<td>Noel</td>
<td>Oda</td>
<td>Painter</td>
<td>Ray</td>
</tr>
<tr>
<td>Romero</td>
<td>Shurtliff</td>
<td>G. Snow</td>
<td>Tilton</td>
</tr>
<tr>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
<td>Wallace</td>
</tr>
<tr>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
<td>Wyatt</td>
</tr>
<tr>
<td>Curtis</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Christensen</th>
<th>Daw</th>
<th>Duckworth</th>
<th>E. Hutchings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Litvack</td>
<td></td>
<td>Lockhart</td>
<td></td>
</tr>
</tbody>
</table>

**H.B. 1010**, as amended by the Senate, transmitted to the Senate for signature of the preside

* * *

On motion of Representative Alexander, the House voted to concur in the Senate amendments to **Sub. H.B. 1006**, CHANGES IN TASK FORCE MEMBERSHIP.

**Sub. H.B. 1006**, as amended by the Senate, then passed on the following roll call:
Yeas, 56; Nays, 10; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Aagard  Adams  Alexander  S. Allen
Barrus  Bigelow  Bourdeaux  Bowman
Buttars  D. Clark  S. Clark  D. Cox
Dayton  Dee  Donnelson  Dougall
Dunnigan  Ferrin  Fisher  Fowlke
Frank  Gibson  Gowans  Hardy
Harper  Hendrickson  Hogue  Holdaway
Hughes  Hunsaker  B. Johnson  King
Kiser  Last  Lawrence  Mascaro
Mathis  Menlove  Morley  Murray
Newbold  Noel  Oda  Painter
Ray  Romero  G. Snow  Tilton
Ure  Urquhart  Walker  Wallace
Wheatley  Wheeler  Wyatt  Curtis

Voting in the negative were: Representatives

Biskupski  Cosgrove  J.M. Fisher  Hansen
Jones  McGee  Morgan  Moss
Shurtleff  Wiley

Absent or not voting were: Representatives

Becker  Buxton  Christensen  Daw
Duckworth  Ferry  E. Hutchings  Litvack
Lockhart

Sub. H.B. 1006, as amended by the Senate, transmitted to the Senate for signature of the president.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

April 20, 2005

The Senate refuses to recede from its amendments to 2nd Sub. H.B. 1009, EXECUTIVE COMPENSATION, by Representative J. Alexander, and has appointed a Conference Committee consisting of Senators D. Eastman, T. Hatch, and Goodfellow to meet with a like committee from the House on this bill.

Annette B. Moore
Secretary of the Senate

Communication filed. On motion of Representative Alexander, the House voted to authorize the Speaker to appoint a Conference Committee. The Speaker appointed Representatives Alexander, Shurtleff, and Hughes.
THIRD READING CALENDAR

Sub. S.B. 1002, FUNDING FOR TOURISM, read the third time by short title and placed on its final passage.

On motion of Representative Alexander, the House voted to circle Sub. S.B. 1002.

MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House voted to recess.

Speaker Curtis called the House to order.

COMMUNICATION FROM THE SENATE

Mr. Speaker: April 20, 2005

The President of the Senate has appointed a Conference Committee consisting of Senators M. Waddoups, D. Thomas, and G. Davis to meet with a like committee from the House of Representatives to consider or amend S.B. 1003, PROPERTY TAX − COUNTY SERVICE AREAS, by Senator M. Waddoups.

Annette B. Moore
Secretary of the Senate

Communication filed.

CONFERENCE COMMITTEE REPORT

Mr. Speaker: April 20, 2005

The Joint Conference Committee comprised of Senators Waddoups, Thomas, and Davis, and Representatives Hutchings, Ferry, and Litvack, recommends S.B. 1003, PROPERTY TAX − COUNTY SERVICE AREAS, by Senator M. Waddoups, with the following amendments:

1. Page 2, Line 32:
   House Floor Amendments 4–20–2005:
   Reinstate “.0023” and delete “.0021”

   Report filed. On motion of Representative Hutchings, the House voted to adopt the Joint Conference Committee Report.

   S.B. 1003 then passed on the following roll call:

   Yeas, 66; Nays, 2; Absent or not voting, 7.
**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>Adams</th>
<th>Alexander</th>
<th>S. Allen</th>
</tr>
</thead>
<tbody>
<tr>
<td>Barrus</td>
<td>Becker</td>
<td>Bigelow</td>
<td>Biskupski</td>
</tr>
<tr>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
<td>Buxton</td>
</tr>
<tr>
<td>D. Clark</td>
<td>S. Clark</td>
<td>Cosgrove</td>
<td>D. Cox</td>
</tr>
<tr>
<td>Dayton</td>
<td>Dee</td>
<td>Donnelson</td>
<td>Dunnigan</td>
</tr>
<tr>
<td>Ferrin</td>
<td>Ferry</td>
<td>Fisher</td>
<td>J.M. Fisher</td>
</tr>
<tr>
<td>Fowlke</td>
<td>Frank</td>
<td>Gibson</td>
<td>Gowans</td>
</tr>
<tr>
<td>Hansen</td>
<td>Harper</td>
<td>Hendrickson</td>
<td>Hogue</td>
</tr>
<tr>
<td>Holdaway</td>
<td>Hunsaker</td>
<td>E. Hutchings</td>
<td>B. Johnson</td>
</tr>
<tr>
<td>Jones</td>
<td>King</td>
<td>Lawrence</td>
<td>Litvack</td>
</tr>
<tr>
<td>Lockhart</td>
<td>Mascaro</td>
<td>Mathis</td>
<td>McGee</td>
</tr>
<tr>
<td>Menlove</td>
<td>Morgan</td>
<td>Morley</td>
<td>Moss</td>
</tr>
<tr>
<td>Murray</td>
<td>Newbold</td>
<td>Noel</td>
<td>Oda</td>
</tr>
<tr>
<td>Painter</td>
<td>Ray</td>
<td>Romero</td>
<td>Shurtliff</td>
</tr>
<tr>
<td>G. Snow</td>
<td>Ure</td>
<td>Urquhart</td>
<td>Walker</td>
</tr>
<tr>
<td>Wallace</td>
<td>Wheatley</td>
<td>Wheeler</td>
<td>Wiley</td>
</tr>
<tr>
<td>Wyatt</td>
<td>Curtis</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Voting in the negative were:** Representatives

| Hughes  | Kiser  |

**Absent or not voting were:** Representatives

<table>
<thead>
<tr>
<th>Christensen</th>
<th>Daw</th>
<th>Dougall</th>
<th>Duckworth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hardy</td>
<td>Last</td>
<td>Tilton</td>
<td></td>
</tr>
</tbody>
</table>

**S.B. 1003**, as amended by the Conference Committee Report, transmitted to the Senate for further consideration.

**UNFINISHED BUSINESS**

On motion of Representative Ferry, the House voted to uncircle **Sub. S.B. 1002**.

**Sub. S.B. 1002**, FUNDING FOR TOURISM, was before the House on its final passage.

**Sub. S.B. 1002** then passed on the following roll call:

**Yeas, 51; Nays, 17; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

<table>
<thead>
<tr>
<th>Aagard</th>
<th>S. Allen</th>
<th>Barrus</th>
<th>Becker</th>
</tr>
</thead>
<tbody>
<tr>
<td>Biskupski</td>
<td>Bourdeaux</td>
<td>Bowman</td>
<td>Buttars</td>
</tr>
</tbody>
</table>


Voting in the negative were: Representatives
Adams  Alexander  Bigelow  Buxton
Dayton  Dee  Donnelson  Dougall
Ferrin  Frank  Gowans  Harper
Kiser  Lawrence  Lockhart  Morley
Oda

Absent or not voting were: Representatives
Christensen  Daw  Duckworth  Hardy
Last  Painter  Tilton

Sub. S.B. 1002 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:  
April 20, 2005

The Senate adopted the Joint Conference Committee Report dated April 20, 2005, and passed H.B. 1009, EXECUTIVE COMPENSATION, by Representative J. Alexander, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed.

CONFERENCE COMMITTEE REPORT

Mr. Speaker:  
April 20, 2005

The Joint Conference Committee comprised of Senators Eastman, Hatch, and Goodfellow, and Representatives Alexander, Hughes, and Shurtliff, recommends
that the Senate recede from its amendments to 2nd Sub. H.B. 1009, EXECUTIVE COMPENSATION, by Representative J. Alexander, and adopt H.B. 1009, EXECUTIVE COMPENSATION, by Representative J. Alexander.

Senator Dan R. Eastman
Representative Jeff Alexander

Report filed. On motion of Representative Alexander, the House voted to adopt the Conference Committee Report.

H.B. 1009 then passed on the following roll call:

**Yeas, 59; Nays, 4; Absent or not voting, 12.**

**Voting in the affirmative were:** Representatives

- Aagard
- Barrus
- Bourdeaux
- D. Clark
- Dayton
- Dunnigan
- Frank
- Hogue
- E. Hutchings
- Litvack
- McGee
- Murray
- Ray
- Walker
- Wiley

- Adams
- Becker
- Bowman
- S. Clark
- Dee
- Ferrin
- Gibson
- Holdaway
- Jones
- Lockhart
- Menlove
- Noel
- Romero
- Wallace
- Wyatt

- Alexander
- Bigelow
- Buttars
- Cosgrove
- Donnelson
- Ferry
- Goodfellow
- Hughes
- King
- Mascaro
- Morley
- Oda
- Shurtliff
- Wheatley

- S. Allen
- Biskupski
- Buxton
- D. Cox
- Dougall
- Fisher
- Harper
- Hunsaker
- Lawrence
- Mathis
- Moss
- Painter
- Urquhart
- Wheeler

**Voting in the negative were:** Representatives

- Fowlke
- Gowans
- McGee
- Menlove
- Murray
- Newbold

- Hendrickson
- Kiser
- Duckworth
- Hansen
- Last
- Tilton

**Absent or not voting were:** Representatives

- Christensen
- Hardy
- Newbold

- Daw
- B. Johnson
- G. Snow

- Duckworth
- Morgan
- Ure

H.B. 1009 transmitted to the Senator for signature of the President.

**INTENT LANGUAGE TO H.B. 1009**

On motion of Representative Alexander, the House voted to print the following intent language to H.B. 1009 in the House Journal.
It is the intent of the Legislature that staff prepare a letter to the Executive and Judicial Compensation Commission to be signed by the Speaker and President requesting that the Commission review the salary ranges for executive branch officers and consider whether or not all cabinet level officers be assigned to the same salary range.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: April 20, 2005

The Senate adopted the Joint Conference Committee Report dated April 20, 2005, and passed S.B. 1003, PROPERTY TAX − COUNTY SERVICE AREAS, by Senator M. Waddoups, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. S.B. 1003 was signed by the Speaker in open session, in the presence of the House, and returned to the Senate for signature of the President, enrolling and transmission to the Governor.

***

Mr. Speaker: April 20, 2005

The President of the Senate has signed 1st Sub. H.B. 1006, CHANGES IN TASK FORCE MEMBERSHIP, by Representative J. Alexander, and it is transmitted for the signature of the Speaker; and

The Senate passed, H.B. 1008, TRANSPORTATION INVESTMENT ACT, by Representative R. Lockhart, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed H.B. 1009, EXECUTIVE COMPENSATION, by Representative J. Alexander, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed H.B. 1010, USES OF MONEY IN MUNICIPAL−TYPE SERVICES FUND, by Representative M. Walker, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. Sub. H.B. 1006, H.B. 1008, H.B. 1009, and H.B. 1010 were signed by the Speaker in open session, in the presence of the House, and referred to the Rules Committee to be enrolled and transmitted to the Governor.
MISCELLANEOUS BUSINESS

On motion of Representative Alexander, the House authorized the Speaker to appoint a committee to meet with a like committee from the Senate to wait upon the Governor and inform His Excellency that the Legislature has completed its business and is prepared to adjourn sine die. The Speaker appointed Representatives Aagard, Ferrin, and Biskupski.

On motion of Representative Alexander, the House authorized the Speaker to appoint a committee to wait upon the Senate and inform that Honorable Body that the House was prepared to adjourn sine die. The Speaker appointed Representatives Holdaway, Julie Fisher, and Litvack.

Senators Parley Hellewell, Mark Madsen, and Gene Davis formally notified the House of Representatives that the Senate had completed its business and was prepared to adjourn sine die.

Representative Litvack notified the House that his committee had waited upon the Senate and informed that Honorable Body that the House was ready to adjourn sine die.

Representative Holdaway reported that the Joint Committee had waited upon the Governor and informed him that the Legislature had completed its business and was prepared to adjourn sine die.

On motion of Representative Alexander, and at 7:24 p.m., the House of Representatives of the Fifty–Sixth Legislature of the state of Utah, First Special Session, adjourned sine die.
PAGE
INDEX
HOUSE BILLS
2005 FIRST SPECIAL SESSION
H.B. 1001 — IMPLEMENTING FEDERAL EDUCATIONAL PROGRAMS (M. Dayton)
Read the first time by short title. ............................... 1382
Read the second time .............................................. 1382
Read the third time .............................................. 1383
Amendments ......................................................... 1383
Transmitted to the Senate ....................................... 1384
Signed by the Speaker and transmitted to the Governor .... 1395

H.B. 1002 — PROVIDER CONTRACTING AMENDMENTS (R. Lockhart)
Read the first time by short title. ............................... 1382
Read the second time .............................................. 1382
Read the third time .............................................. 1385
Transmitted to the Senate ....................................... 1385
Signed by the Speaker and transmitted to the Governor .... 1405

H.B. 1003 — CIVIL LEGAL AID FOR VICTIMS OF DOMESTIC VIOLENCE (R. Romero)
Read the first time by short title. ............................... 1382
Read the second time .............................................. 1382
Read the third time .............................................. 1385
Transmitted to the Senate ....................................... 1386
Signed by the Speaker and transmitted to the Governor .... 1398, 1419

H.B. 1004 — DISCONNECTING TERRITORY FROM A MUNICIPALITY (C. Frank)
Read the first time by short title. ............................... 1382
Read the second time .............................................. 1382
Read the third time .............................................. 1395
Amendments ......................................................... 1395
Failed ................................................................. 1397

H.B. 1005 — INTEGRITY OF ELECTION RESULTS AMENDMENTS (J. Dougall)
Read the first time by short title. ............................... 1382
Read the second time .............................................. 1382
Read the third time .............................................. 1386
Amendments ......................................................... 1386
Transmitted to the Senate ....................................... 1387
Signed by the Speaker and transmitted to the Governor .... 1410, 1431

H.B. 1006 — CHANGES IN TASK FORCE MEMBERSHIP (J. Alexander)
Read the first time by short title. ............................... 1382
Read the second time .............................................. 1382
Read the third time .............................................. 1388
Amendments ......................................................... 1388
Transmitted to the Senate ....................................... 1388
Placed on Concurrence Calendar .............................. 1404
1st Sub. H.B. 1006 — CHANGES IN TASK FORCE MEMBERSHIP (J. Alexander)
Concurrence .................................................. 1411, 1432
Signed by the Speaker and transmitted to the Governor .......... 1417, 1438

H.B. 1007 — VETERANS’ NURSING HOME AUTHORIZATION AND FUNDING (D. G. Buxton)
Read the first time by short title. .................................. 1382
Read the second time ............................................. 1382
Read the third time .............................................. 1384
Transmitted to the Senate ....................................... 1385
Signed by the Speaker and transmitted to the Governor .......... 1405

H.B. 1008 — TRANSPORTATION INVESTMENT ACT (R. Lockhart)
Read the first time by short title. .................................. 1382
Read the second time ............................................. 1382
Read the third time .............................................. 1390
Circled .......................................................... 1390, 1394
Uncircled ...................................................... 1391, 1405, 1426
Amendments .................................................. 1391, 1405, 1426
Transmitted to the Senate ....................................... 1408, 1429
Signed by the Speaker and transmitted to the Governor .......... 1417, 1438

H.B. 1009 — EXECUTIVE COMPENSATION (J. Alexander)
Read the first time by short title. .................................. 1382
Read the second time ............................................. 1382
Read the third time .............................................. 1389
Amendments .................................................. 1389
Transmitted to the Senate ....................................... 1390
Placed on Concurrence Calendar .................................. 1404
Refuse to Concur ............................................... 1409, 1430
Conference Committee Appointed .................................. 1412
Conference Committee Report ................................... 1416, 1437
Intent Language .............................................. 1416, 1437
Signed by the Speaker and transmitted to the Governor .......... 1417, 1438

H.B. 1010 — USES OF MONEY IN MUNICIPAL−TYPE SERVICES FUND (M. Walker)
Read the first time by short title. .................................. 1398, 1419
Read the second time ............................................. 1399, 1420
Read the third time .............................................. 1399, 1420
Amendments .................................................. 1399, 1420
Transmitted to the Senate ....................................... 1400, 1421
Placed on Concurrence Calendar .................................. 1410, 1431
Concurrence .................................................. 1411, 1432
Signed by the Speaker and transmitted to the Governor .......... 1417, 1438
H.B. 1011 — FUNDING FOR CONVENTION FACILITIES (D. Clark)

Read the first time by short title. ................................. 1399, 1420
Read the second time ................................. 1399, 1420
Read the third time ......................................................... 1399, 1420
Circled .......................................................... 1399, 1420
Uncircled .......................................................... 1402, 1423
Amendments ......................................................... 1402, 1423
Transmitted to the Senate ................................. 1404, 1425
Signed by the Speaker and transmitted to the Governor ......... 1410, 1431
H.J.R. 101 — JOINT RESOLUTION SUPPORTING EXPANSION OF CORRECTIONAL FACILITIES (D. Hogue)

Read the first time by short title. .................................................. 1382
Read the second time ................................................................. 1382
Read the third time ................................................................. 1390
Transmitted to the Senate ......................................................... 1391
Signed by the Speaker and transmitted to the Governor .......... 1410, 1431
S.B. 1001 — AMENDMENTS TO PROPERTY TAX PUBLIC NOTICE AND HEARING PROVISIONS (C. Bramble)
Read the first time by short title and referred to Rules Committee ............... 1394
Read the second time .................................................. 1394
Read the third time .................................................... 1400, 1421
Signed by the Speaker and returned to the Senate ......................... 1401, 1422

1st Sub. S.B. 1002 — FUNDING FOR TOURISM (J. Jenkins)
Read the first time by short title ........................................ 1410, 1431
Read the second time .................................................. 1410, 1431
Read the third time .................................................... 1413, 1434
Circled ................................................................. 1413, 1434
Uncircled ............................................................... 1414, 1435
Signed by the Speaker and returned to the Senate ......................... 1415, 1436

S.B. 1003 — PROPERTY TAX – COUNTY SERVICE AREAS (M. Waddoups)
Read the first time by short title ........................................ 1398, 1419
Read the second time .................................................. 1398, 1419
Read the third time .................................................... 1401, 1422
Returned to the Senate ................................................... 1402, 1423
Appoint Conference Committee ........................................ 1410, 1431
Conference Committee Report .......................................... 1413, 1434
Amendments ............................................................. 1401, 1413, 1422, 1434
Signed by the Speaker and returned to the Senate ......................... 1417, 1438

S.B. 1004 — DRUG OFFENDER REFORM ACT – PILOT PROGRAM (S. Killpack)
Read the first time by short title ........................................ 1402, 1423
Read the second time .................................................. 1402, 1423
Read the third time .................................................... 1408, 1429
Signed by the Speaker and returned to the Senate ......................... 1409, 1430