

**HOUSE JOURNAL**  
**of the**  
**FIFTY–SIXTH LEGISLATURE**  
**of the**  
**STATE OF UTAH**  
**GENERAL SESSION**  
**FIRST DAY**

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**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 and Mrs. Ferry. Accompanied by Bethany Richards, a cousin.

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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. Buttars
- 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

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| 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         |

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|---|---------------------|
| 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,<br>Summit, Wasatch | David Ure           |
| FIFTY–FOURTH DISTRICT: Counties of Duchesne,<br>Uintah, Wasatch             | Gordon E. Snow      |

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| 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,<br>Sanpete, Utah                                 | Patrick Painter     |
| SIXTY-EIGHTH DISTRICT: Counties of Juab, Millard,<br>Sanpete                                       | Michael R. Styler   |
| SIXTY-NINTH DISTRICT: Counties of Carbon, Emery<br>Garfield, Grand, San Juan, Wayne                | Brad King           |
| SEVENTIETH DISTRICT: Counties of Emery, Sanpete,<br>Sevier   | Bradley T. Johnson  |
| SEVENTY-FIRST DISTRICT: County of Washington   | Bradley G. Last     |
| SEVENTY-SECOND DISTRICT: County of Iron  | DeMar "Bud" Bowman  |
| SEVENTY-THIRD DISTRICT: Counties of Beaver,<br>Garfield, Kane, Piute, Sevier,<br>Washington, Wayne | Michael E. Noel     |

SEVENTY-FOURTH DISTRICT: County Washington

David Clark

SEVENTY-FIFTH DISTRICT: County of Washington

Stephen H. Urquhart

IN WITNESS WHEREOF, I  
have hereunto set my hand and  
caused to be affixed the Great  
Seal of the State of Utah at Salt  
Lake City, this Seventeenth day  
of January, 2005.

GARY R. HERBERT  
LIEUTENANT GOVERNOR

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.

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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 prefiled 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 Dunningan, *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  
*Policy Analyst* – Mark Steinagel

Merlynn T. Newbold  
 Stephen H. Urquhart  
 Duane E. Bourdeaux  
 James R. Gowans  
 Carol Spackman Moss  
 LaWanna “Lou” Shurtliff

#### **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

#### **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

**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  
 Ralph Becker  
 Brent H. Goodfellow  
 Ty McCartney

**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  
 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  
 Ty McCartney  
 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

**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

**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

**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. Wayne A. Harper  
 Rep. Fred R. Hunsaker  
 Rep. Michael T. Morley  
 Rep. Ralph Becker  
 Rep. Brent H. Goodfellow

**Commerce and Revenue**

Rep. 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. Ty McCartney

**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  
Rep. Gregory H. Hughes  
Rep. M. Susan Lawrence  
Rep. Scott L. Wyatt

Rep. Patricia W. Jones  
Rep. Carol Spackman Moss  
Rep. LaWanna "Lou" Shurtliff

**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. Joseph G. Murray  
Rep. Neil A. Hansen  
Rep. Neal B. Hendrickson

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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. Shurtliff), 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. 46, Public Education Capital Outlay Act Amendments** (D. Cox), read the first time by short title and referred to the Rules Committee.

**H.B. 47, New Automobile Franchise Act Amendments** (S. Urquhart), read the first time by short title and referred to the Rules Committee.

**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.

**H.B. 49, Bicycle Safety Provisions** (R. McGee), 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. 57, Alcoholic Beverage Control Task Force** (D. Ure), 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. 2, Joint Rules Resolution – Family Impact Statement on Legislation** (C. Frank), 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. 5, Resolution Clarifying Removal Provisions** (D. Hogue), 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.

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.

- |                  |  |
|------------------|--|
| <b>H.C.R. 5</b>  | Resolution Honoring Utah Military Service Personnel<br>(Rep. F. Hunsaker)            |
| <b>H.J.R. 6</b>  | Resolution Approving Compensation of In-session<br>Employees (M. Newbold)            |
| <b>H.B. 176</b>  | Revisor's Statute (Rep. R. Lockhart)   |
| <b>H.J.R. 8</b>  | Joint Rules Resolution – Use of Legislative Seals<br>(Rep. R. Lockhart)              |
| <b>H.J.R. 9</b>  | Resolution Amending Joint Rules Regarding Conflicts of<br>Interest (Rep. J. Dougall) |
| <b>H.J.R. 10</b> | Joint Rules Resolution – Amendments in Context<br>(Rep. R. Lockhart)                 |
| <b>H.B. 5</b>    | Person with a Disability Motorcycle Parking<br>(Rep. T. Kiser)                       |
| <b>H.B. 6</b>    | Master Highway Designation Amendments<br>(Rep. J. Murray)                            |
| <b>H.B. 8</b>    | Child Protection Team Meetings (Rep. A. Tilton)                                      |
| <b>H.B. 10</b>   | Employment Security Act Amendments (Rep. D. Cox)                                     |
| <b>H.B. 12</b>   | Health Care Assistants (Rep. R. Lockhart)  |
| <b>H.B. 13</b>   | Occupational and Professional Licensing Sunset<br>Amendment (Rep. R. Lockhart)       |
| <b>H.B. 15</b>   | Repeal of State Debt Collection Advisory Board<br>(Rep. D. Aagard)                   |



|                |   |
|----------------|---|
| <b>H.B. 16</b> | Repeal of Vehicle Equipment Safety Commission<br>(Rep. N. Hendrickson)            |
| <b>H.B. 19</b> | Procurement Code Renumbering (Rep. R. Bigelow)                                    |
| <b>H.B. 20</b> | Calling Local Special Elections for Sales and Use Tax<br>Purposes (Rep. S. Clark) |
| <b>H.B. 26</b> | Conveyances of Property (Rep. J. S. Adams)  |
| <b>H.B. 28</b> | Juvenile Justice Recodification (Rep. D. Aagard)                                  |
| <b>H.B. 30</b> | Consumer Sales Practices Act Amendments<br>(Rep. T. Kiser)                        |
| <b>H.B. 34</b> | Emergency Related Amendments (Rep. S. Allen)                                      |
| <b>H.B. 36</b> | Charter School Construction Amendments (Rep. J. Ferrin)                           |
| <b>H.B. 37</b> | Administrative Rules Reauthorization (Rep. D. Ure)                                |
| <b>H.B. 24</b> | Traffic Code Amendments (Rep. J. Dunnigan)  |

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**

|                 |  |
|-----------------|--|
| <b>H.B. 45</b>  | Assessment of Property Affected by Business Interruption<br>(Rep. G. Hughes) |
| <b>H.B. 52</b>  | Fire Prevention Amendments (Rep. J. Murray)                                  |
| <b>H.B. 172</b> | Notary Public Amendments (Rep. L. Shurtliff)                                 |
| <b>H.J.R. 1</b> | Joint Resolution Related to Financial Institutions<br>(Rep. J. Alexander)    |

#### **EDUCATION**

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

**H.C.R. 6** Resolution Recognizing Utah's Legislators Back to School Program (Rep. M. Dayton)

#### **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. 25** Direct-entry Midwife Act (Rep. J. Biskupski)

**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. 185** Utah Computer Crimes Act Amendments (Rep. B. Daw)

**H.B. 186** Consumer Protection Amendments (Rep. S. Allen)

#### **RETIREMENT 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.B. 179** Utah Venture Capital Enhancement Act Amendments  
(Rep. P. Wallace)

**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  |
| Hunsaker | B. Johnson  | Jones     | Kiser   |
| Last     | Lockhart    | McCartney | Menlove |
| Morley   | Newbold     | Noel      | Oda     |

|          |        |          |        |
|----------|--------|----------|--------|
| Painter  | Romero | G. Snow  | Tilton |
| Urquhart | Walker | Wheatley | Wyatt  |
| Curtis   |        |          |        |

**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    |
| 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    | 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      | Shurtliff    | G. Snow    |
| Tilton   | Ure         | Urquhart     | Walker     |
| Wallace  | Wheatley    | Wyatt        | Curtis     |

**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 you 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 gave Richard Wheeler the oath of office.

### 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

|          |           |           |             |
|----------|-----------|-----------|-------------|
| Agard    | 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 |
| 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     |
| Walker   | Wallace    | Wheatley    | Wyatt        |
| Curtis   |            |             |              |

**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.

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**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. .... 22

**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. .... 23

**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. .... 23

**H.J.R. 5 RESOLUTION CLARIFYING REMOVAL PROVISIONS (D. Hogue)**  
 Read the first time by short title and referred to the Rules Committee. .... 23

**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. .... 23  
 Read the second time ..... 24

**H.J.R. 7 RESOLUTION AMENDING STATE AUDITOR QUALIFICATIONS (R. Romero)**  
 Read the first time by short title and referred to the Rules Committee. .... 23

**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. .... 23  
 Read the second time ..... 24

**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. .... 23  
 Read the second time ..... 24

**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. .... 23  
 Read the second time ..... 24

**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. .... 23

**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. .... 23

**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. .... 23

**S.C.R. 3 RESOLUTION HONORING SEARCHERS (L. Hilyard)**  
 Read the first time by short title ..... 30  
 Read the second time ..... 30  
 Read the third time ..... 30  
 Signed by the Speaker and transmitted to the Governor ..... 31