

SENATE JOURNAL
SECOND SPECIAL SESSION
of the
FIFTY–SEVENTH LEGISLATURE
September 25, 2008

Pursuant to the proclamation of His Excellency, Governor Jon M. Huntsman, Jr, the Senate of the Fifty–Seventh Legislature of the State of Utah met in the Senate Chamber of the State Capitol in a Special Session at 9:00 p.m. on Thursday, September 25, 2008.

The Senate was called to order at 9:15 a.m., with President John Valentine presiding.

Prayer – Senator Allen Christensen

Pledge of Allegiance – Senator Fred Fife

Roll Call – All Senators present except Senator Dayton, excused.

Leslie McLean read the following Proclamation and Certification:

PROCLAMATION

WHEREAS, since the adjournment of the 2008 General Session of the Fifty–Seventh Legislature of the State of Utah, matters have arisen that 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, 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–Seventh Legislature of the State of Utah into a Second Special Session at the State Capitol Complex, in Salt Lake City, Utah, on the 25th day of September 2008, at 9:00 a.m., for the following purposes:

1. To make adjustments to the FY2009 budget to conform with the most recent revenue estimates and to make amendments to statutes necessary to implement those budget adjustments.

2. To consider amending state and local sales and use tax provisions to address the transactions eligible for exemption as aircraft parts and equipment and to require the exemption to be claimed by refund under certain circumstances.
3. To consider legislation allowing the State Board of Education to exempt a school district or charter school from testing requirements under the Utah Performance Assessment System for Students (U-PASS).
4. To consider issuance of general obligation bonds for capital facilities and transportation projects.

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 22nd
day of September, 2008.

Jon M. Huntsman, Jr.
Governor
Gary R. Herbert
Lieutenant Governor

CERTIFICATION

I, GARY R. HERBERT, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT the attached copy of a proclamation issued under the date of September 22nd, 2008, and signed by Governor Jon M. Huntsman, Jr., is a true and correct copy of the original Proclamations calling the Fifty-Seventh Legislature of the State of Utah into a Second Special Session at the State Capitol Complex at Salt Lake City, Utah, on the 25th day of September, 2008, at 9:00 a.m., for the purpose named in the Proclamations.

I FURTHER TESTIFY THAT the membership of the Utah State Senate has not changed from that Certification of the 2008 General Session.

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 23rd day of
September, 2008.

Gary R. Herbert
Lieutenant Governor

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On motion of Senator Hickman, the Senate voted to adopt the Senate Rules of the 2008 General Session of the Fifty–Seventh Legislature as the rules for the Second Special Session.

President Valentine appointed a committee comprised of Senators Peter Knudson, Greg Bell, and Brent Goodfellow to notify Governor Jon M. Huntsman, Jr. that the Senate is convened in the Second Special Session in accordance with his proclamation and is organized and ready to receive any communication from him.

President Valentine appointed a committee comprised of Senators Carlene Walker, Dennis Stowell, and Gene Davis to notify the House of Representatives that the Senate is organized and ready to do business.

Senator Knudson reported that the House has been notified.

Senator Walker reported that the Governor has been notified.

On motion of Senator Hickman, and as provided by the Utah State Constitution and the Joint Rules of the Legislature, the Senate voted to suspend the reading of the titles of bills and resolutions on the Senate calendar as they are read for the first time and introduced and considered on Second Reading, Third Reading, and Consent Calendars. This suspension applies to all bills and resolutions introduced during this special legislative session, except that any senator may request the reading of the long title, short title, or both of any House of Senate bill or resolution.

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Senator Hillyard addressed the Senate concerning the budget issues they will be discussing in caucus and appropriation meetings today. Senator Dmitrich commented.

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On motion of Senator Bramble and at 9:55 a.m., the Senate adjourned until 9:00 a.m., Friday, September 26, 2008.