SENATE JOURNAL
FOURTH DAY
January 30, 2020

The Senate was called to order at 11:08 a.m., with President J. Stuart Adams presiding.

Prayer – Rabbi Sam Spector, Congregation Kol Ami
Pledge of Allegiance – Senator Ralph Okerlund
Roll Call – All Senators present except Senator Buxton, excused.

READING OF TITLES OF BILLS AND RESOLUTIONS
(PLEASE REFER TO DAY 1, PAGE 9)

STANDING COMMITTEE REPORTS

Mr. President: January 29, 2020

The Judiciary, Law Enforcement, and Criminal Justice Committee recommends S.B. 45, UNIFORM FIDUCIARY INCOME AND PRINCIPAL ACT AMENDMENTS, by Senator L. W. Hillyard, be replaced and favorably recommends 1st Sub. S.B. 45, UNIFORM FIDUCIARY INCOME AND PRINCIPAL ACT AMENDMENTS; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on S.B. 66, COURT RESOURCES REALLOCATION AMENDMENTS, by Senator T. Weiler.

Todd Weiler, Chair

Mr. President: January 29, 2020

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on S.B. 26, WATER BANKING AMENDMENTS, by Senator J. Iwamoto, with the following amendments:

1. Page 1, Lines 24 through 26:
   24 • addressing assistance by the Division of Water Resources;
       • addressing fees;
   25 • outlining how statutory water banks are established and amended;
26 outlining how contract water banks are established and amended;

2. Page 2, Lines 54 through 55:

54 73–31–106, Utah Code Annotated 1953
55 73–31–201, Utah Code Annotated 1953

3. Page 13, Line 387:

387 (b) water quality {– standards –} improvement ;

4. Page 14, Lines 399 through 400:

399 the board’s responsibilities under this chapter.
Section 10. Section 73–31–107 is enacted to read:
73–31–107. Fees
(1) The board may charge fees, set pursuant to Section 63J–1–504, to cover the costs of processing and administering:
(a) a statutory water bank application; or
(b) a contract water bank application.
(2) The board shall charge a uniform fee for a statutory water bank application and a uniform fee for a contract water bank application.
(3) The board may charge a different fee for a statutory water bank application than is charged for a contract water bank application.
(4) Fees collected under this section shall be deposited in the General Fund as a dedicated credit to be used by the board to implement this chapter.

400 Section {–10–} 11 . Section 73–31–201 is enacted to read:

Renumber remaining sections accordingly.

5. Page 15, Line 455:

455 (E) the criteria the statutory water bank will use to {– evaluate –} evaluate delivery requests;

6. Page 20, Lines 593 through 604:

593 {– (3) A contract water bank may review public comments and comments from the board

}
before a final decision is made by the board. If the contract water bank desires to make changes to the contract water bank’s application, the contract water bank may notify the board in writing before the board takes action on the application that the contract water bank will submit a revised application following the same process that governs the filing of an original application.

Within 30 days of the date the board determines that an application is complete, the board shall post notice of the application in accordance with Section 73–31–103. The notice required by Subsection (4), shall state:

(a) that an application to approve a contract water bank has been filed with the board; and

(b) where a person may review the application.

an application does not create a right of appeal under Title 63G, Chapter 4, Administrative Procedures Act.

A contract water bank may review public comments and comments from the board before a final decision is made by the board. If the contract water bank desires to make changes to the contract water bank’s application, the contract water bank may notify the board in writing before the board takes action on the application that the contract water bank will submit a revised application following the same process that governs the filing of an original application.

The Natural Resources, Agriculture, and Environment Committee recommends S.B. 63, RECREATIONAL ACTIVITIES RELATED TO PUBLIC WATERS, by Senator S. D. Sandall, be replaced and favorably recommends
2nd Sub. S.B. 63, RECREATIONAL ACTIVITIES RELATED TO PUBLIC WATERS.

Ralph Okerlund, Chair

Mr. President: January 29, 2020

The Transportation, Public Utilities, Energy, and Technology Committee reports a favorable recommendation on S.B. 55, VEHICLE REGISTRATION REVISIONS, by Senator J. L. Anderegg; and


Wayne A. Harper, Chair

On motion of Senator Fillmore, the committee reports were adopted. The bills were placed on Second Reading Calendar.

RULES COMMITTEE REPORTS

To the Members of the Senate: January 29, 2020

The Rules Committee recommends assignment of the following bills to standing committees:

BUSINESS AND LABOR COMMITTEE

S.B. 57 Insurance Revisions Sen. L. Hillyard
S.B. 58 Uniform Athlete Agents Act Amendments Sen. L. Hillyard

ECONOMIC DEVELOPMENT AND WORKFORCE SERVICES COMMITTEE

EDUCATION COMMITTEE
S.B. 21 Education Amendments Sen. K. Riebe
H.B. 16 School Meals Program Amendments Rep. D. Johnson,
Sen. L. Hillyard

GOVERNMENT OPERATIONS AND POLITICAL SUBDIVISIONS
COMMITTEE
S.B. 28 Ballot and Voter Information Amendments
Sen. D. Thatcher,
S.B. 76 Governmental Immunity Revisions Sen. T. Weiler,
H.B. 44 Fort Douglas Military Museum Amendments Rep. P. Ray,
Sen. T. Weiler
H.C.R. 1 Resolution Recognizing the 250th Anniversary
(semiquincentennial) of the United States of America
H.C.R. 2 Concurrent Resolution Creating the Old Iron Town State
H.J.R. 4 Joint Resolution Establishing K9 Veterans Day

HEALTH AND HUMAN SERVICES COMMITTEE
1st Sub. H.B. 24 Health Care Professional Licensing Amendments
Rep. B. Daw, Sen. A. Christensen
H.B. 25 Controlled Substances Revisions Rep. P. Ray,
Sen. A. Christensen

JUDICIARY, LAW ENFORCEMENT, AND CRIMINAL JUSTICE
COMMITTEE
S.B. 48 Corrections Officer Certification Pilot Extension
Sen. J. Iwamoto, Rep. J. Dunnigan
S.J.R. 8 Proposal to Amend Utah Constitution – Judiciary
Selection Amendments Sen. D. McCay

NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT
COMMITTEE
H.B. 27 Waste Tire Recycling Act Amendments Rep. S. Chew,
Sen. S. Sandall
H.B. 39 Agricultural Water Optimization Task Force Amendments
REVENUE AND TAXATION COMMITTEE

H.B. 48  Acquisition Cost Definition Rep. R. Spendlove,  
          Sen. L. Fillmore

H.B. 49  Sales Tax on Motor Vehicles Rep. N. Thurston,  
          Sen. L. Fillmore

H.B. 51  Property Assessment Procedure Amendments  
          Rep. S. Eliason, Sen. C. Bramble

TRANSPORTATION, PUBLIC UTILITIES, ENERGY, AND  
TECHNOLOGY COMMITTEE

S.B. 71  Impound Fees Amendments Sen. D. McCay

S.B. 78  Energy Storage Innovation, Research, and Grant Program  
          Act Sen. L. Fillmore

H.B. 20  Public Service Commission Hearing Amendments  

                                      Lincoln Fillmore
                                      Acting Rules Committee Chair

Report filed. On motion of Senator Fillmore, the committee report was  
adopted.

COMMUNICATIONS FROM THE HOUSE

Mr. President:  January 29, 2020

The House passed H.J.R. 3, PROPOSAL TO AMEND UTAH  
CONSTITUTION — WATER RESOURCES OF MUNICIPALITIES, by  
Representative K. Stratton, and it is transmitted for consideration.

                                      Megan S. Allen, Chief Clerk

Communications filed. The bill was read the first time by short title and  
referred to the Rules Committee.

RULES COMMITTEE REPORTS

To the Members of the Senate:  January 29, 2020

The Senate Rules Committee recommends that the following bills be lifted  
from Rules and placed on the Second Reading Calendar:

S.B. 1  Higher Education Base Budget Sen. K. Grover,  
        Rep. M. McKell

S.B. 4  Business, Economic Development, and Labor Base  
        Budget Sen. S. Sandall, Rep. V. Potter

S.B. 5  Retirement and Independent Entities Base Budget  
S.B. 6  Infrastructure and General Government Base Budget  

S.B. 8  State Agency and Higher Education Compensation Appropriations  

S.B. 72  Revisor’s Technical Corrections to Utah Code  
Sen. E. Vickers,  

S.C.R. 2  Concurrent Resolution Honoring Michael R. Styler  

S.J.R. 7  Joint Resolution Authorizing Pay of In–session Employees  
Sen. E. Vickers  

Lincoln Fillmore  
Acting Rules Committee Chair  

Report filed. On motion of Senator Fillmore, the committee report was adopted.  

INTRODUCTION OF BILLS  

S.B. 87, Firearm Commitment Amendments (D. Thatcher), was read the first time by short title and referred to the Rules Committee.  

S.B. 88, Environmental Quality Revisions (R. Okerlund), was read the first time by short title and referred to the Rules Committee.  

S.B. 89, Mental Health Services Amendments (D. Thatcher), was read the first time by short title and referred to the Rules Committee.  

S.C.R. 3, Concurrent Resolution Honoring Wataru Misaka (J. Iwamoto), was read the first time by short title and referred to the Rules Committee.  

SECOND READING CALENDAR  

On motion of Senator Bramble, the circle was removed from S.B. 11, OFFSET FOR OCCUPATIONAL HEALTH AND SAFETY RELATED DONATIONS SUNSET EXTENSION, and it was before the Senate.  

On motion of Senator Bramble, the Senate, by a two-thirds majority, voted to suspend the constitutional three readings requirement.  

On motion of Senator Bramble, under suspension of the rules, S.B. 11, OFFSET FOR OCCUPATIONAL HEALTH AND SAFETY RELATED DONATIONS SUNSET EXTENSION, was considered read the second and third times and passed on the following roll call:
Yeas, 25; Nays, 0; Absent or not voting, 4.

Voting in the affirmative were: Senators
Anderegg Bramble Christensen Cullimore
Davis Escamilla Grover Harper
Hemmert Hillyard Hinkins Ipson
Iwamoto Kitchen Mayne Millner
Okelund Riebe Sandall Stevenson
Thatcher Vickers Weiler Winterton
Adams

Absent or not voting were: Senators
Buxton Fillmore Henderson McCay

S.B. 11 was transmitted to the House.

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On motion of Senator Iwamoto, S.C.R. 2, CONCURRENT RESOLUTION HONORING MICHAEL R. STYLER, will be considered Friday, February 7, 2020 at 11:15 a.m.

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On motion of Senator Bramble, the circle was removed from S.B. 36, NONRESIDENT INCOME AMENDMENTS, and it was before the Senate.

On motion of Senator Bramble, the Senate, by a two-thirds majority, voted to suspend the constitutional three readings requirement.

On motion of Senator Bramble, under suspension of the rules, S.B. 36, NONRESIDENT INCOME AMENDMENTS, was considered read the second and third times and passed on the following roll call:

Yeas, 26; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Senators
Anderegg Bramble Christensen Cullimore
Davis Escamilla Fillmore Grover
Harper Hillyard Hinkins Ipson
Iwamoto Kitchen Mayne Millner
Okelund Riebe Sandall Stevenson
Thatcher Vickers Weiler Winterton
Adams
Absent or not voting were: Senators
Buxton    Henderson    McCay

S.B. 36 was transmitted to the House.

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1st Sub. S.B. 45, UNIFORM FIDUCIARY INCOME AND PRINCIPAL ACT AMENDMENTS, was read the second time. Senator Hillyard explained the bill. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Senators
Anderegg  Bramble  Christensen  Cullimore
Davis     Escamilla Fillmore  Grover
Harper    Hemmert  Hillyard  Hinkins
Ipson     Iwamoto  Kitchen  Mayne
McCay     Millner  Okerlund  Riebe
Sandall   Stevenson  Thatcher  Weiler
Winterton  Adams

Absent or not voting were: Senators
Buxton    Henderson    Vickers

* * *

S.B. 66, COURT RESOURCES REALLOCATION AMENDMENTS, was read the second time. Senator Weiler explained the bill. The bill passed second reading on the following roll call:

Yeas, 26; Nays, 0; Absent or not voting, 3.

Voting in the affirmative were: Senators
Anderegg  Bramble  Christensen  Cullimore
Davis     Escamilla Fillmore  Grover
Harper    Hemmert  Hillyard  Hinkins
Ipson     Iwamoto  Kitchen  Mayne
McCay     Millner  Okerlund  Riebe
Sandall   Stevenson  Thatcher  Weiler
Winterton  Adams

Absent or not voting were: Senators
Buxton    Hemmert    Henderson
SPECIAL RECOGNITION

A citation was read honoring Russ Cowley for his 30 years of service in Six County AOG

SECOND READING CALENDAR

S.B. 26, WATER BANKING AMENDMENTS, was read the second time. Senator Iwamoto explained the bill. Senators Okerlund, Sandall, and Stevenson commented. The bill passed second reading on the following roll call:

Yeas, 28; Nays, 0; Absent or not voting, 1.

Voting in the affirmative were: Senators
Anderegg  Bramble  Christensen  Cullimore
Davis     Escamilla  Fillmore  Grover
Harper    Hemmert   Henderson  Hillyard
Hinkins   Ipson     Iwamoto  Kitchen
Mayne     McCoy     Millner  Okerlund
Riebe     Sandall   Stevenson  Thatcher
Vickers   Weiler    Winterton  Adams

Absent or not voting was: Senator
Buxton

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On motion of Senator Vickers, and at 12:00 p.m., the Senate adjourned until 11:00 a.m., Friday, January 31, 2020.

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