SENATE JOURNAL
FIFTEENTH DAY
MORNING SESSION
February 10, 2020

The Senate was called to order at 11:03 a.m., with President J. Stuart Adams presiding.

Prayer – Pastor Paul Robie, Lead Pastor, South Mountain Community Church
Pledge of Allegiance – Senator Kirk Cullimore
Roll Call – All Senators present

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

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 7, 2020

The House passed, S.C.R. 2, CONCURRENT RESOLUTION HONORING MICHAEL R. STYLER, by Senator J. Iwamoto, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Megan S. Allen, Chief Clerk

The bill was signed by the President of the Senate in open session. The bills will be enrolled and transmitted to the Governor.

Mr. President: February 7, 2020

The House concurred in the Senate amendments and passed H.B. 49, SALES TAX ON MOTOR VEHICLES, by Representative N. Thurston, and it is transmitted for the signature of the President.

Megan S. Allen, Chief Clerk

The bill was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

Mr. President: February 7, 2020

The House passed H.B. 19, ELECTION AND CAMPAIGN AMENDMENTS, by Representative J. Hawkins, and it is transmitted for consideration; and
The House passed **H.B. 47**, CERTIFIED TAX RATE CALCULATION AMENDMENTS, by Representative S. Eliason, and it is transmitted for consideration; and

The House passed **H.B. 56**, FUEL SALES TAX AMENDMENTS, by Representative R.P. Shipp, and it is transmitted for consideration; and

The House passed **H.B. 57**, TOWING SIGNAGE REVISIONS, by Representative A.C. Maloy, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 74**, NATIONAL GUARD GENERAL OFFICER AMENDMENTS, by Representative P. Ray, and it is transmitted for consideration; and

The House passed **H.B. 164**, PROPERTY TAX NOTIFICATIONS AMENDMENTS, by Representative J. Moss, and it is transmitted for consideration; and

The House passed **H.C.R. 4**, CONCURRENT RESOLUTION ENCOURAGING CULTURAL INTELLIGENCE AND LINGUISTIC COMPETENCE, by Representative V. Potter, and it is transmitted for consideration; and

The House passed **H.C.R. 5**, CONCURRENT RESOLUTION DESIGNATING UTAH EDUCATION SUPPORT PROFESSIONALS DAY, by Representative L. Perry, and it is transmitted for consideration.

Megan S. Allen, Chief Clerk

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

**RULES COMMITTEE REPORTS**

To the Members of the Senate: February 7, 2020

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

**BUSINESS AND LABOR COMMITTEE**

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<tr>
<th>Bill</th>
<th>Description</th>
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<tbody>
<tr>
<td>S.B. 98</td>
<td>Treatment Medication Amendments</td>
<td>Sen. K. Mayne</td>
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<td>S.B. 101</td>
<td>Construction or Demolition Materials Amendments</td>
<td>Sen. L. Escamilla</td>
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ECONOMIC DEVELOPMENT AND WORKFORCE SERVICES COMMITTEE

S.B. 13  Native American Legislative Liaison Committee Amendments  Sen. J. Iwamoto


EDUCATION COMMITTEE

S.B. 99  School Leadership Development Amendments  Sen. A. Millner

S.B. 104  Local Education Levy State Guarantee Amendments  Sen. L. Fillmore

HEALTH AND HUMAN SERVICES COMMITTEE


David G. Buxton
Rules Committee Chair

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

STANDING COMMITTEE REPORTS

Mr. President:  February 7, 2020

The Revenue and Taxation Committee recommends S.B. 69, TAX CREDIT FOR EDUCATOR EXPENSES, by Senator J. L. Anderegg, be replaced and favorably recommends 2nd Sub. S.B. 69, TAX CREDIT FOR EDUCATOR EXPENSES; and

The Revenue and Taxation Committee recommends H.B. 50, TAX EXEMPTION FOR CONSTRUCTION OR UNOCCUPIED PROPERTY, by Representative D. V. Sagers, be replaced and favorably recommends 1st Sub. H.B. 50, TAX EXEMPTION FOR CONSTRUCTION OR UNOCCUPIED PROPERTY.

Lincoln Fillmore, Chair

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

S.B. 109, New State Construction Set Aside for Art Amendments (D. Ipson), was read the first time by short title and referred to the Rules Committee.

S.B. 110, Electronic Driver License Amendments (L. Fillmore), was read the first time by short title and referred to the Rules Committee.

S.B. 111, Higher Education Amendments (A. Millner), was read the first time by short title and referred to the Rules Committee.

S.B. 112, Inland Port Amendments (L. Escamilla), was read the first time by short title and referred to the Rules Committee.

S.B. 113, Arts Program Funding Amendments (E. Vickers), was read the first time by short title and referred to the Rules Committee.

CONSENT CALENDAR

H.B. 21, INTERGENERATIONAL POVERTY PLAN IMPLEMENTATION PROGRAM EXTENSION, was read the third time, explained by Senator Anderegg, and passed on the following roll call:

Yeas, 29; Nays, 0; Absent or not voting, 0.

Voting in the affirmative were: Senators

Anderegg  Bramble  Buxton  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

H.B. 21 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

***

H.B. 46, ARTS AND MUSEUMS REVISIONS, was read the third time, explained by Senator Hinkins, and passed on the following roll call:
Yeas, 28; Nays, 0; Absent or not voting, 1.

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

Absent or not voting was: Senator
Sandall

H.B. 46 was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

* * *

H.B. 36, ELECTION AMENDMENTS, was read the third time, explained by Senator Weiler, and passed on the following roll call:

Yeas, 29; Nays, 0; Absent or not voting, 0.

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

H.B. 36, as amended, was returned to the House for further consideration.

CONCURRENCE CALENDAR

On motion of Senator Weiler, the Senate voted to concur in the House amendments to 1st Sub. S.B. 27, ATTORNEY GENERAL REPORTING REQUIREMENTS. The bill, as amended, passed on the following roll call:

Yeas, 28; Nays, 0; Absent or not voting, 1.
**Voting in the affirmative were:** Senators

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**Absent or not voting was:** Senator Christensen

* * *

1st Sub. S.B. 27 was returned to the House for the signature of the Speaker.

* * *

On motion of Senator Anderegg, legislative staff was authorized to draft a bill regarding Telecommuting.

* * *

On motion of Senator Weiler, legislative staff was authorized to draft a bill regarding

**SECOND READING CALENDAR**

S.B. 59, DAYLIGHT SAVING TIME AMENDMENTS, was read the second time. Senator Harper explained the bill. Senators Hillyard, Christensen, Winterton, Ipson, Weiler, and Bramble commented. The bill passed second reading on the following roll call:

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

**Voting in the affirmative were:** Senators

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**Voting in the negative was:** Senator Ipson
On motion of Senator Anderegg, **S.B. 62, REAUTHORIZATION OF ADMINISTRATIVE RULES**, was read the second time and circled.

**SPECIAL ORDER OF BUSINESS**

A citation was read honoring Darren Parry for his contribution to memorializing the Bear River Massacre cite.

**COMMITTEE OF THE WHOLE**

On motion of Senator Hillyard, Darren Parry spoke in Committee of the Whole.

On motion of Senator Hillyard, the Committee of the Whole was dissolved.

**SECOND READING CALENDAR**

**S.J.R. 3, PROPOSAL TO AMEND UTAH CONSTITUTION — ANNUAL GENERAL SESSIONS OF THE LEGISLATURE**, was read the second time. Senator Millner explained the bill. Senator Hillyard commented. The bill passed second reading on the following roll call:

**Yeas, 27; Nays, 0; Absent or not voting, 2.**

**Voting in the affirmative were:** Senators

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**Absent or not voting were:** Senators

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**1st Sub. S.J.R. 6, JOINT RULES RESOLUTION – CONFLICT OF INTEREST DISCLOSURE**, was read the second time. Senator Iwamoto explained the bill. The bill passed second reading on the following roll call:
Yeas, 26; Nays, 1; Absent or not voting, 2.

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

Voting in the negative was: Senator
Anderegg

Absent or not voting were: Senators
Sandall  Thatcher

* * *

On motion of Senator Fillmore, S.B. 53, GLOBAL INTANGIBLE LOW TAXED INCOME AMENDMENTS, was read the second time and circled.

* * *

1st Sub. S.B. 44, LIMITED SUPPORT SERVICES WAIVER AMENDMENTS, was read the second time. Senator Hemmert explained the bill. Senators Okerlund and Christensen commented. The bill passed second reading on the following roll call:

Yeas, 29; Nays, 0; Absent or not voting, 0.

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

* * *

On motion of Senator Vickers, the Senate recessed at 12:04 p.m.
AFTERNOON SESSION

The Senate reassembled at 2:15 p.m., with President Adams presiding.

COMMUNICATIONS FROM THE HOUSE

Mr. President: February 10, 2020

The House passed, **S.B. 11**, OFFSET FOR OCCUPATIONAL HEALTH AND SAFETY RELATED DONATIONS SUNSET EXTENSION, by Senator C. Bramble, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Megan S. Allen, Chief Clerk

The bill was signed by the President of the Senate in open session. The bill will be enrolled and transmitted to the Governor.

Mr. President: February 10, 2020

The House passed, as amended, **H.B. 84**, TRAFFIC CODE AMENDMENTS, by Representative C. Hall, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 113**, CONSUMER SALES PRACTICES AMENDMENTS, by Representative A. Stoddard, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 122**, COUNCIL–MANAGER FORM OF GOVERNMENT AMENDMENTS, by Representative D. Sagers, and it is transmitted for consideration; and

The House passed **H.B. 138**, TRANSPORTATION CORRIDOR PRESERVATION AMENDMENTS, by Representative K. Andersen, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 141**, EDUCATOR SALARY INCENTIVE PROGRAM AMENDMENTS, by Representative V. Potter, and it is transmitted for consideration; and

The House passed **H.B. 199**, INSURED HOMEOWNERS PROTECTION ACT, by Representative R.P. Shipp, and it is transmitted for consideration; and

The House passed **H.B. 237**, CHANGE TO EFFECTIVE DATE OF WATER–RELATED AMENDMENTS, by Representative K. Stratton, and it is transmitted for consideration; and
The House passed **H.J.R. 9**, JOINT RESOLUTION CALLING FOR AN APPLICATION RATINGS BOARD FOR INTERNET READY DEVICES, by Representative S. Pulsipher, and it is transmitted for consideration.

Megan S. Allen, Chief Clerk

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

**RULES COMMITTEE REPORTS**

To the Members of the Senate: February 10, 2020

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

**BUSINESS AND LABOR COMMITTEE**

**S.B. 105** Surgical Smoke Evacuation System Requirements

*Sen. K. Riebe*

**ECONOMIC DEVELOPMENT AND WORKFORCE SERVICES COMMITTEE**

**H.B. 30** Workforce Services Amendments *Rep. C. Pierucci*,

*Sen. T. Weiler*

**EDUCATION COMMITTEE**

**S.B. 111** Higher Education Amendments *Sen. A. Millner*,

*Rep. B. Wilson*

**H.B. 148** Utah Recognizing Inspiring School Employees Award Program *Rep. L. Perry*, *Sen. L. Hillyard*

**GOVERNMENT OPERATIONS AND POLITICAL SUBDIVISIONS COMMITTEE**

**S.B. 108** Parking Structure Revolving Loan Program

*Sen. D. Hemmert*

David G. Buxton

Rules Committee Chair

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

**INTRODUCTION OF BILLS**

**S.B. 114, Sales and Use Tax Exemption Amendments** (K. A. Cullimore), was read the first time by short title and referred to the Rules Committee.
SECOND READING CALENDAR

On motion of Senator Anderegg, the circle was removed from **S.B. 62, REAUTHORIZATION OF ADMINISTRATIVE RULES**, and it was before the Senate. Senator Anderegg explained the bill. The bill passed second reading on the following roll call:

**Yeas, 27; Nays, 0; Absent or not voting, 2.**

**Voting in the affirmative were:** Senators

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**Absent or not voting were:** Senators

| McCay | Riebe |

* * *

**1st Sub. S.B. 65, CHILD WELFARE AMENDMENTS**, was read the second time. Senator Harper explained the bill.

Senator Harper proposed the following amendment #1:

1. Page 39, Lines 1187 through 1192:

1187 proceeding is held.

1188   (c) (A party is not required to provide the information described in Subsection (5)(a)) The division is not required to provide a court report or a child and family plan to each party to the proceeding if:

1189 each party to the proceeding if:

1190 (i) the information is electronically filed with the court; and

1191 (ii) each party to the proceeding has access to the electronically filed information.

1192 [(c)] (d) If a party to a proceeding obtains information after the deadline in Subsection

Senator Harper’s motion to amend passed on a voice vote. 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   Buxton   Christensen
Cullimore  Davis     Escamilla Fillmore
Grover     Harper     Hemmert  Henderson
Hillyard   Hinkins   Ipson    Iwamoto
Kitchen    Mayne     Millner  Okerlund
Riebe      Sandall   Stevenson Thatcher
Vickers    Weiler    Winterton Adams

Absent or not voting was: Senator
McCay

***

On motion of Senator Fillmore, the circle was removed from S.B. 53, GLOBAL INTANGIBLE LOW TAXED INCOME AMENDMENTS, and it was before the Senate. Senator Fillmore explained the bill. Senators Escamilla, Okerlund, Hillyard, Davis, and Riebe commented. The bill passed second reading on the following roll call:

Yeas, 21; Nays, 8; Absent or not voting, 0.

Voting in the affirmative were: Senators
Anderegg   Bramble   Buxton   Christensen
Cullimore  Fillmore  Grover   Harper
Hemmert    Henderson Hinkins  Ipson
Kitchen    Millner   Okerlund Sandall
Stevenson  Vickers   Weiler   Winterton
Adams

Voting in the negative were: Senators
Davis      Escamilla Fillmore Iwamoto
Mayne      McCay     Riebe    Thatcher

***

1st Sub. S.B. 67, DISPOSITION OF FETAL REMAINS, was read the second time.

On motion of Senator Bramble, the following substitute bill replaced the original bill:
2nd Sub. S.B. 67 Disposition of Fetal Remains (C. Bramble)

Senator Bramble explained the bill. Senators Escamilla and Riebe commented. The bill passed second reading on the following roll call:

Yeas, 21; Nays, 6; Absent or not voting, 2.

Voting in the affirmative were: Senators

Anderegg  Bramble  Buxton  Christensen
Cullimore  Fillmore  Grover  Harper
Hemmert  Hillyard  Hinkins  Ipson
McCay  Millner  Okerlund  Sandall
Stevenson  Vickers  Weiler  Winterton
Adams

Voting in the negative were: Senators

Davis  Escamilla  Iwamoto  Kitchen
Mayne  Riebe

Absent or not voting were: Senators

Henderson  Thatcher

* * *

S.B. 54, MOBILE HOME AMENDMENTS, was read the second time.

Senator Mayne proposed the following amendment #1:

1. Page 1, Lines 15 through 17:

   15 It requires a mobile home park to provide {—each resident—} residents with an annual disclosure

   16 describing how the mobile home park calculated {—the resident’s—} residents’ charges for public

   17 utility services during the previous 12−month billing period; and

2. Page 5, Lines 132 through 142:

   132 before the date is altered.

   133 (5) (a) {—A—} Beginning June 1, 2021, a mobile home park shall {—at least once per calendar year—} provide a

   134 conspicuous disclosure {—to each resident—} describing how the mobile home park calculated {—the
residents’ charges for public utility services during the previous twelve-month billing period:

(i) (A) to each resident; and
(B) at least once each calendar year; or

(ii) (A) in a prominent place on the premises of the mobile home park; and
(B) that is updated when no longer accurate and at least once each calendar year.

(b) The disclosure described in Subsection (5)(a) shall demonstrate how the charges for public utility services relate to:

(i) the mobile home park’s master-metered bill;

(ii) utility infrastructure owned by the mobile home park owner or the owner’s agent;

and

(iii) the applicable public utility’s approved rates and terms of service.

(c) Before June 1, 2021, upon written request from a resident, a mobile home park shall disclose the information described in Subsection (5)(a) for any billing period after May 12, 2020.

[(5)] (6) (a) Except as provided in Subsection (3)(b), a rule or condition of a lease that

Senator Mayne’s motion to amend passed on a voice vote. Senator Mayne explained the bill. The bill passed second reading on the following roll call:

**Yeas, 25; Nays, 1; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

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**Voting in the negative was:** Senator

McCay
Absent or not voting were: Senators
Henderson   Ipson   Stevenson

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S.B. 58, UNIFORM ATHLETE AGENTS 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   Buxton   Christensen
Cullimore   Davis   Escamilla   Fillmore
Grover   Harper   Hemmert   Hillyard
Hinkins   Iwamoto   Kitchen   Mayne
McCay   Millner   Okerlund   Riebe
Sandall   Thatcher   Vickers   Weiler
Winterton   Adams

Absent or not voting were: Senators
Henderson   Ipson   Stevenson

* * *

1st Sub. S.B. 68, MENTAL HEALTH COUNSELOR LICENSING AMENDMENTS, was read the second time.

On motion of Senator Weiler, the following substitute bill replaced the original bill:

2nd Sub. S.B. Mental Health Counselor Licensing Amendments
(T. Weiler)

Senator Weiler proposed the following amendment #1:

1. Page 3, Lines 81 through 82:

   81 (ii) from the National Board for Certified Counselors, certifying that the applicant’s applicant received a passing score on the National Counselor Examination and the National Clinical Mental Health Counseling Examination, and that the scores are valid and in good standing.
Senator Weiler’s motion to amend passed on a voice vote. Senator Weiler explained the bill. Senators Mayne, Anderegg, Iwamoto, Hillyard, Winterton, and Bramble commented. The bill passed second reading on the following roll call:

**Yeas, 26; Nays, 1; Absent or not voting, 2.**

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

**Voting in the negative was:** Senator
Mayne

**Absent or not voting were:** Senators
Ipson          Stevenson

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On motion of Senator Vickers, and at 3:30 p.m., the Senate adjourned until 11:00 a.m., Tuesday, February 11, 2020.

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