

HOUSE JOURNAL
SECOND DAY
APRIL 17, 2020
*** * ***

MORNING SESSION

The House was called to order by Speaker Wilson at 9:00 a.m.

Roll call showed all members present except Representative Scott Chew, excused.

Prayer offered by Representative Joel Briscoe.

Pledge of Allegiance led by Jon Hawkins.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

April 17, 2020

The Senate passed, **1st Sub. H.B. 3001**, BOND AMENDMENTS, by Representative B. Last, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 3002**, APPROPRIATIONS REVISIONS, by Representative B. Last, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 3003**, INCOME TAX REVISIONS, by Representative R. Spendlove, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 3006**, ELECTION AMENDMENTS, by Representative J. Moss, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 3007**, COVID-19 WORKERS' COMPENSATION AMENDMENTS FOR FIRST RESPONDERS, by Representative F. Gibson, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.C.R. 301**, CONCURRENT RESOLUTION HONORING HEALTHCARE WORKERS AND OTHERS, by Representative

M.G. Ballard, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.J.R. 301**, JOINT RESOLUTION URGING FISCAL RESPONSIBILITY, by Representative J. Moss, which has been signed by the President and it is transmitted for the signature of the Speaker.

Jennifer Storie

Secretary of the Senate

Communications filed. The bills were signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

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Mr. Speaker:

March 17, 2020

The Senate passed **S.B. 3001**, PANDEMIC RESPONSE APPROPRIATIONS ADJUSTMENTS, by Senator J. Stevenson, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 3002**, EMERGENCY HEALTH CARE ACCESS AND IMMUNITY AMENDMENTS, by Senator E. Vickers, and it is transmitted for consideration; and

The Senate passed **S.B. 3003**, UNEMPLOYMENT BENEFITS AMENDMENTS, by Senator A. Millner, and it is transmitted for consideration; and

The Senate passed, as substituted, **2nd Sub. S.B. 3004**, COVID-19 HEALTH AND ECONOMIC RESPONSE ACT, by Senator D. Hemmert, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 3005**, EDUCATION MODIFICATIONS, by Senator D. Henderson, and it is transmitted for consideration; and

The Senate passed **S.J.R. 301**, JOINT RESOLUTION APPROVING ACCEPTANCE OF FEDERAL FUNDS IN RESPONSE TO COVID-19, by Senator J. Stevenson, and it is transmitted for consideration.

Jennifer Storie

Secretary of the Senate

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

INTRODUCTION OF BILL

H.J.R. 302, Joint Resolution Extending the State of Emergency Due to 5.7 Magnitude Earthquake (S. Duckworth), was read the first time by short title and referred to the Rules Committee.

MISCELLANEOUS BUSINESS

On motion of Representative Spendlove, under suspension of the rules, the House voted, by roll call vote, to lift the following bills from the Rules Committee, read them the second time, and place them on their respective Third Reading Calendars:

- | | |
|---------------------------|---|
| S.J.R. 301 | JOINT RESOLUTION APPROVING ACCEPTANCE OF
FEDERAL FUNDS IN RESPONSE TO COVID-19
<i>(J. Stevenson)</i> |
| S.B. 3001 | PANDEMIC RESPONSE APPROPRIATIONS
ADJUSTMENTS <i>(J. Stevenson)</i> |
| S.B. 3002 | EMERGENCY HEALTH CARE ACCESS AND
IMMUNITY AMENDMENTS <i>(E. Vickers)</i> |
| S.B. 3003 | UNEMPLOYMENT BENEFITS AMENDMENTS
<i>(A. Millner)</i> |
| 1st Sub. S.B. 3005 | EDUCATION MODIFICATIONS <i>(D. Henderson)</i> |
| 2nd Sub. S.B. 3004 | COVID-19 HEALTH AND ECONOMIC RESPONSE
ACT <i>(D. Hemmert)</i> |
| H.J.R. 302 | JOINT RESOLUTION EXTENDING THE STATE OF
EMERGENCY DUE TO 5.7 MAGNITUDE
EARTHQUAKE <i>(S. Duckworth)</i> |

THIRD READING CALENDAR

S.J.R. 301, JOINT RESOLUTION APPROVING ACCEPTANCE OF FEDERAL FUNDS IN RESPONSE TO COVID-19, *Senator Stevenson*, was read the third time by short title and placed on its final passage.

On motion of Representative Gibson, the House voted, by roll call vote, to circle **S.J.R. 301**.

* * *

S.B. 3001, PANDEMIC RESPONSE APPROPRIATIONS ADJUSTMENTS, *Senator Stevenson*, was read the third time by short title and placed on its final passage. Representative Last explained the bill.

S.B. 3001 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Acton	Albrecht	Andersen	Arent
Ballard	Barlow	Birkeland	Brammer
Briscoe	Brooks	Christiansen	Christofferson
Coleman	Dailey–Provost	Daw	Duckworth
Dunnigan	Eliason	Ferry	Gibson
Hall	Handy	Harrison	Hawkins
Hollins	Johnson	Judkins	King
Kwan	Last	Lisonbee	Lyman
Maloy	McKell	Miles	Moss C
Moss J	Musselman	Nelson	Owens
Perry	Peterson	Pierucci	Pitcher
Potter	Poulson	Pulsipher	Quinn
Ray	Roberts	Robertson	Romero
Sagers	Schultz	Seegmiller	Shipp
Shurtliff	Snider	Snow	Spendlove
Stenquist	Stoddard	Stratton	Strong
Thurston	Waldrip	Ward	Watkins
Weight	Wheatley	Winder	Wilson

Absent or not voting were: Representatives

Chew	Hawkes	Hutchings
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S.B. 3001 was signed by the Speaker and returned to the Senate for signature of the President.

UNFINISHED BUSINESS

On motion of Representative Last, the House voted, by roll call vote, to uncircle **S.J.R. 301**.

S.J.R. 301, JOINT RESOLUTION APPROVING ACCEPTANCE OF FEDERAL FUNDS IN RESPONSE TO COVID–19, *Representative Last*, was before the House on its final passage.

S.J.R. 301 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Acton	Albrecht	Andersen	Arent
Ballard	Barlow	Birkeland	Brammer

Briscoe	Brooks	Christiansen	Christofferson
Coleman	Dailey–Provost	Daw	Duckworth
Dunnigan	Eliason	Ferry	Gibson
Hall	Handy	Harrison	Hawkes
Hawkins	Hollins	Johnson	Judkins
King	Kwan	Last	Lisonbee
Lyman	Maloy	McKell	Miles
Moss C	Moss J	Musselman	Nelson
Owens	Perry	Peterson	Pierucci
Pitcher	Potter	Poulson	Pulsipher
Quinn	Ray	Roberts	Robertson
Romero	Sagers	Schultz	Seegmiller
Shipp	Shurtliff	Snider	Snow
Spendlove	Stenquist	Stoddard	Stratton
Strong	Thurston	Waldrip	Ward
Watkins	Weight	Wheatley	Winder
Wilson			

Absent or not voting were: Representatives

Chew Hutchings

S.J.R. 301 was signed by the Speaker and returned to the Senate for signature of the President.

THIRD READING CALENDAR

S.B. 3002, EMERGENCY HEALTH CARE ACCESS AND IMMUNITY AMENDMENTS, *Senator Vickers*, was read the third time by short title and placed on its final passage.

Representative Peterson proposed Amendment 4:

1. Page 3, Lines 83a through 83d:

83a **Ŝ**→ (iii) the health care provider {~~–provides the patient or the patient’s representative with an~~

83b ~~informed consent document that,–~~ }

(A) describes to the patient or the patient’s representative, based on the health care provider’s knowledge of the qualified

83c treatment. {~~–describes–~~} the possible positive and negative outcomes the patient could experience if

83d the health care provider treats the patient with the qualified treatment; and **←Ŝ** (B) documents in the patient’s medical record the

information provided to the patient or the patient's representative under Subsection (3)(a)(iii)(A) and whether the patient or the patient's representative consented to the treatment; and

Representative Peterson's motion to amend passed on a roll call vote.

Representative Peterson explained the bill. Representatives Thurston and Pulsipher commented.

Representative Ward proposed Amendment 3:

1. Page 1, Lines 17 through 18:

{ ~~-17~~ ~~—~~ provides limited immunity for providing assistance to a state agency to provide a
18 — qualified treatment during a major public health emergency; - }

2. Page 4, Lines 91 through 100:

{ ~~-91~~ ~~—~~ (4) (a) A person is immune from civil liability for providing assistance to an agency of
92 the state to manufacture, distribute, dispense, administer, or provide a qualified treatment
93 during a declared major public health emergency if the assistance is provided under contract
94 with and under the direction of the state agency.
95 — (b) Subsection (4)(a) does not apply if:
96 — (i) the harms are the result of:
97 — (A) gross negligence; or
98 — (B) intentional or malicious misconduct; or
99 — (ii) an act or omission by the person caused ~~Ŝ~~→, ←~~Ŝ~~ in whole or in part ~~Ŝ~~→, ←~~Ŝ~~ the
99a ~~Ŝ~~→ declared ←~~Ŝ~~ major public health
100 emergency, and the person would otherwise be liable for the harms. - }

Representatives Peterson and Harrison commented. Representative Ward's motion to amend passed on a roll call vote.

Representatives Stratton and King commented.

S.B. 3002, as amended, passed on the following roll call:

Yeas, 65; Nays, 7; Absent or not voting, 3.

Voting in the affirmative were: Representatives

Acton	Albrecht	Andersen	Arent
Ballard	Barlow	Birkeland	Brammer
Briscoe	Brooks	Christiansen	Christofferson
Coleman	Dailey–Provost	Duckworth	Dunnigan
Eliason	Ferry	Gibson	Hall
Handy	Harrison	Hawkes	Hawkins
Johnson	Judkins	Kwan	Last
Lisonbee	Lyman	Maloy	McKell
Moss C	Moss J	Musselman	Nelson
Owens	Perry	Peterson	Pierucci
Potter	Poulson	Pulsipher	Quinn
Ray	Roberts	Robertson	Sagers
Schultz	Seegmiller	Shipp	Snider
Snow	Spendlove	Stenquist	Stoddard
Stratton	Strong	Thurston	Waldrip
Ward	Watkins	Weight	Winder
Wilson			

Voting in the negative were: Representatives

Hollins	King	Miles	Pitcher
Romero	Shurtliff	Wheatley	

Absent or not voting were: Representatives

Chew	Daw	Hutchings
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S.B. 3002, as amended, was returned to the Senate for further consideration.

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S.B. 3003, UNEMPLOYMENT BENEFITS AMENDMENTS, *Senator Millner*, was read the third time by short title and placed on its final passage. Representative Peterson explained the bill.

S.B. 3003 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Acton	Albrecht	Andersen	Arent
Ballard	Barlow	Birkeland	Brammer
Briscoe	Brooks	Christiansen	Christofferson
Coleman	Dailey—Provost	Daw	Duckworth
Dunnigan	Eliason	Ferry	Gibson
Hall	Handy	Harrison	Hawkes
Hawkins	Hollins	Johnson	Judkins
King	Kwan	Last	Lisonbee
Lyman	Maloy	McKell	Miles
Moss C	Moss J	Musselman	Nelson
Owens	Perry	Peterson	Pierucci
Pitcher	Potter	Poulson	Pulsipher
Quinn	Ray	Roberts	Robertson
Romero	Sagers	Schultz	Seegmiller
Shipp	Shurtliff	Snider	Snow
Spendlove	Stenquist	Stoddard	Stratton
Strong	Thurston	Waldrip	Ward
Watkins	Weight	Wheatley	Winder
Wilson			

Absent or not voting were: Representatives

Chew Hutchings

S.B. 3003 was signed by the Speaker and returned to the Senate for signature of the President.

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1st Sub. S.B. 3005, EDUCATION MODIFICATIONS, *Senator Henderson*, was read the third time by short title and placed on its final passage. Representative Snow explained the bill.

1st Sub. S.B. 3005 passed on the following roll call:

Yeas, 72; Nays, 1; Absent or not voting, 2.

Voting in the affirmative were: Representatives

Acton	Albrecht	Andersen	Arent
Ballard	Barlow	Birkeland	Brammer
Briscoe	Brooks	Christiansen	Christofferson
Coleman	Dailey—Provost	Daw	Duckworth
Dunnigan	Eliason	Ferry	Gibson

Hall	Handy	Harrison	Hawkes
Hawkins	Hollins	Johnson	Judkins
King	Kwan	Last	Lisonbee
Lyman	Maloy	McKell	Miles
Moss C	Moss J	Musselman	Nelson
Owens	Perry	Peterson	Pierucci
Pitcher	Potter	Poulson	Pulsipher
Quinn	Ray	Roberts	Robertson
Romero	Sagers	Schultz	Shipp
Shurtliff	Snider	Snow	Spendlove
Stenquist	Stoddard	Stratton	Strong
Thurston	Waldrip	Ward	Watkins
Weight	Wheatley	Winder	Wilson

Voting in the negative was: Representative Seegmiller

Absent or not voting were: Representatives Chew Hutchings

1st Sub. S.B. 3005 was signed by the Speaker and returned to the Senate for signature of the President.

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2nd Sub. S.B. 3004, COVID-19 HEALTH AND ECONOMIC RESPONSE ACT, *Senator Hemmert*, was read the third time by short title and placed on its final passage. Representative Schultz explained the bill.

Representatives Stratton, Arent, Dailey-Provost, Thurston, Albrecht, Pulsipher, Roberts, C. Moss, Lyman, Gibson, Handy, Shipp, Quinn, Nelson, Judkins, Dunnigan, Christofferson, Seegmiller, Ray, Robertson, Snow, Coleman, and Perry commented.

2nd Sub. S.B. 3004 passed on the following roll call:

Yeas, 59; Nays, 15; Absent or not voting, 1.

Voting in the affirmative were: Representatives

Acton	Albrecht	Andersen	Ballard
Barlow	Birkeland	Brammer	Brooks
Christiansen	Christofferson	Coleman	Daw
Duckworth	Dunnigan	Eliason	Ferry
Gibson	Hall	Handy	Hawkes

Hawkins	Hutchings	Johnson	Judkins
Last	Lisonbee	Lyman	Maloy
McKell	Miles	Moss J	Musselman
Nelson	Owens	Perry	Peterson
Pierucci	Potter	Pulsipher	Quinn
Ray	Roberts	Robertson	Sagers
Schultz	Seegmiller	Shipp	Snider
Snow	Spendlove	Stenquist	Stratton
Strong	Thurston	Waldrip	Ward
Watkins	Winder	Wilson	

Voting in the negative were: Representatives

Arent	Briscoe	Dailey–Provost	Harrison
Hollins	King	Kwan	Moss C
Pitcher	Poulson	Romero	Shurtliff
Stoddard	Weight	Wheatley	

Absent or not voting was: Representative

Chew

2nd Sub. S.B. 3004 was signed by the Speaker and returned to the Senate for signature of the President.

INTENT LANGUAGE FOR 2ND SUB. S.B. 3004

On motion of Representative Christiansen, the House voted, by roll call vote, to print the following intent language upon the pages of the House Journal.

“The 2020 Legislature recognizes that Utah government efforts thus far expended in the management of the COVID–19 crisis have focused primarily on mitigating the impact on our healthcare system and reducing the number of lives lost. While that intent is most laudable, the 2020 Legislature intends to convey through S.B. 3004, COVID–19 Health and Economic Response Act, the need now to increase the priority placed on expansion of economic activity in the state of Utah. This does not suggest in any way that the needs of the most vulnerable are to be ignored. However, when the commission created by S.B. 3004 develops their recommended plans, the importance of reenergizing the economy must be of at least equal priority to those that have prevailed heretofore.”

THIRD READING CALENDAR

H.J.R. 302, JOINT RESOLUTION EXTENDING THE STATE OF EMERGENCY DUE TO 5.7 MAGNITUDE EARTHQUAKE, *Representative Duckworth*, was read the third time by short title and placed on its final passage.

Representatives Maloy, Judkins, Brammer, Weight, Hutchings, Briscoe, and Dailey–Provost commented.

H.J.R. 302 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Acton	Albrecht	Andersen	Arent
Ballard	Barlow	Birkeland	Brammer
Briscoe	Brooks	Christiansen	Christofferson
Coleman	Dailey–Provost	Daw	Duckworth
Dunnigan	Eliason	Ferry	Gibson
Hall	Handy	Harrison	Hawkes
Hawkins	Hollins	Hutchings	Johnson
Judkins	King	Kwan	Last
Lisonbee	Lyman	McKell	Miles
Moss C	Moss J	Musselman	Nelson
Owens	Perry	Peterson	Pierucci
Pitcher	Potter	Poulson	Pulsipher
Quinn	Ray	Robertson	Romero
Sagers	Schultz	Seegmiller	Shipp
Shurtliff	Snider	Snow	Spendlove
Stenquist	Stoddard	Stratton	Thurston
Waldrip	Ward	Watkins	Weight
Wheatley	Winder	Wilson	

Voting in the negative were: Representatives

Maloy	Roberts	Strong
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Absent or not voting was: Representative

Chew

H.J.R. 302 was transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Gibson, the House voted, by roll call vote, to consent to the Senate adjourning for more than 3 days under Article 6, Section 15 of the Utah Constitution and request that the Senate consent for the House to do the same, and at 11:10 a.m., to adjourn until April 23, 2020, at 9:00 a.m.

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