

STATE OF UTAH

# **SENATE JOURNAL**

**FOURTH SPECIAL SESSION  
OF THE  
FIFTY-NINTH LEGISLATURE**

Convened and Adjourned on Wednesday, June 20, 2012

## **CERTIFICATION**

The undersigned, as the duly appointed committee on revision of the Senate Journal for the Fourth Special Session of the Fifty–Ninth Legislature of the State of Utah, do hereby certify that herein contained is an accurate record of the proceedings of the Fourth Special Session convening on Wednesday, June 20, 2012, and adjourning sine die the same day.

**Leslie McLean**  
Secretary of the Senate

**Joanna MacKay**  
Manager, Senate Services

**Mary B. Andrus**  
Journal Clerk

**SENATE JOURNAL**

**FOURTH SPECIAL SESSION**  
**of the**  
**FIFTY–NINTH LEGISLATURE**

**June 20, 2012**

*Pursuant to the proclamation of His Excellency, Governor Gary R. Herbert, the Senate of the Fifty–Ninth Legislature of the State of Utah met in the Senate Chamber of the State Capitol in a Fourth Special Session at 3:00 p.m. on Wednesday, June 20, 2012.*

The Senate was called to order at 3:00 p.m., with President Michael Waddoups presiding.

**Prayer** – Senator Jerry Stevenson

**Pledge of Allegiance** – Senator Steve Urquhart

**Roll Call** – All Senators present except Senators Romero and Knudson, excused.

Leslie McLean read the following Proclamation and Certification:

**PROCLAMATION**

WHEREAS, since the adjournment of the 2012 General Session of the Fifty–Ninth 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, Gary R. Herbert, 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, call the Fifty–Ninth Legislature of the State of Utah into a Fourth Special Session at the Utah State Capitol, in Salt Lake City, Utah, on the 20th day of June 2012, at 3:00 p.m. solely for the following purposes:

- (1) to consider modifying the 2012–2013 public education budget and related statutory provisions;

- (2) to consider changes related to retail licenses and enforcement provisions under the Alcohol Beverage Control Act, and to make appropriations related to those changes;
- (3) to consider enacting provisions related to the retention of outside counsel, expert witnesses and litigation support services by the attorney general's office;
- (4) to consider removing the opinion question from the 2012 ballot that the Legislature authorized by passing House Joint Resolution 13 in the 2012 General Session and to make modifications to related statutory provisions;
- (5) to consider modifying the accreditation requirements for nursing education programs; and
- (6) for the Senate to consent to appointments made by the Governor.

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 Utah State Capitol in Salt  
Lake City, Utah, this 18th day  
of June, 2012.

Gary R. Herbert  
Governor

Greg Bell  
Lieutenant Governor

#### **CERTIFICATION**

I, GREG BELL, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT the attached copy of a proclamation issued on the 18th day of June, 2012, and signed by Governor Gary R. Herbert, is a true and correct copy of the original Proclamation calling the Fifty-Ninth Legislature of the State of Utah into a Fourth Special Session at the State Capitol Complex at Salt Lake City, Utah, on the 20th day of June, 2012, at 3:00 p.m., for the purposes named in the Proclamations.

I FURTHER TESTIFY THAT the membership of the Utah State Senate has not changed from that of the 2012 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 19th day of June,  
2012.

Greg Bell  
Lieutenant Governor

\* \* \*

On motion of Senator Dayton, the Senate voted to adopt the Senate Rules of the 2012 General Session of the Fifty–Ninth Legislature as the rules for the Fourth Special Session.

President Waddoups appointed a committee comprised of Senators John Valentine, Stuart Reid, and Gene Davis to join with a like committee from the House in notifying Governor Gary R. Herbert that the Legislature is gathered in the Fourth Special Session in accordance with his proclamation and is organized and ready to receive any communication from him.

President Waddoups appointed a committee comprised of Senators Ralph Okerlund, Allen Christensen, and Luz Robles to notify the House of Representatives that the Senate is organized and ready to do business.

\* \* \*

Representatives Evan Vickers, Val Peterson, and Christine Watkins reported that the House of Representatives is organized and ready to do business.

Senator Valentine reported that the Governor has been notified.

Senator Okerlund reported that the House has been notified.

On motion of Senator Dayton, 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.

### INTRODUCTION OF BILLS

**S.B. 4002, Retention of Outside Counsel, Expert Witnesses, and Litigation Support Services** (J. S. Adams), was read the first time by short title.

**S.B. 4004, Education Requirements for Nursing Licensure Amendments** (G. Davis), was read the first time by short title.

**S.B. 4003, New School Year Supplemental Public Education Budget Adjustments** (A. Osmond), was read the first time by short title.

**S.J.R. 401, Joint Resolution – Repealing Tax Opinion Question** (R. Okerlund), was read the first time by short title.

**S.B. 4001, Alcoholic Beverage Control Act Amendments** (J. Valentine), was read the first time by short title.

\* \* \*

On motion of Senator Jenkins, under suspension of the rules, the Senate voted to consider the following bills read for the first time and placed on the Second Reading Calendar:

<b>S.B. 4002</b>	RETENTION OF OUTSIDE COUNSEL, EXPERT WITNESSES, AND LITIGATION SUPPORT SERVICES
<b>S.B. 4004</b>	EDUCATION REQUIREMENTS FOR NURSING LICENSURE AMENDMENTS
<b>S.B. 4003</b>	NEW SCHOOL YEAR SUPPLEMENTAL PUBLIC EDUCATION BUDGET ADJUSTMENTS
<b>S.J.R. 401</b>	JOINT RESOLUTION – REPEALING TAX OPINION QUESTION
<b>S.B. 4001</b>	ALCOHOLIC BEVERAGE CONTROL ACT AMENDMENTS

### SECOND READING CALENDAR

On motion of Senator Adams, under suspension of the rules, **S.B. 4002, RETENTION OF OUTSIDE COUNSEL, EXPERT WITNESSES, AND LITIGATION SUPPORT SERVICES**, was read the second and third times. Senator Adams explained the bill. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Anderson	Bramble	Christensen
Davis	Dayton	Hillyard	Hinkins
Jenkins	Jones	Madsen	Mayne
McAdams	Niederhauser	Okerlund	Osmond
Reid	Robles	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Weiler	Waddoups		

**Absent or not voting were:** Senators

Knudson	Morgan	Romero
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**S.B. 4002** was transmitted to the House.

\* \* \*

On motion of Senator Davis, under suspension of the rules, **S.B. 4004**, EDUCATION REQUIREMENTS FOR NURSING LICENSURE AMENDMENTS, was read the second and third times. Senator Davis explained the bill. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Anderson	Bramble	Christensen
Davis	Dayton	Hillyard	Hinkins
Jenkins	Jones	Madsen	Mayne
McAdams	Morgan	Niederhauser	Okerlund
Osmond	Reid	Robles	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Weiler	Waddoups	

**Absent or not voting were:** Senators

Knudson	Romero
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**S.B. 4004** was transmitted to the House.

\* \* \*

On motion of Senator Osmond, under suspension of the rules, **S.B. 4003**, NEW SCHOOL YEAR SUPPLEMENTAL PUBLIC EDUCATION BUDGET ADJUSTMENTS, was read the second and third times. Senator Osmond

explained the bill. Senators Hillyard and Stephenson commented. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Anderson	Bramble	Christensen
Davis	Dayton	Hillyard	Hinkins
Jenkins	Jones	Mayne	McAdams
Morgan	Niederhauser	Okerlund	Osmond
Reid	Robles	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Weiler	Waddoups		

**Voting in the negative was:** Senator

Madsen

**Absent or not voting were:** Senators

Knudson                      Romero

**S.B. 4003** was transmitted to the House.

\* \* \*

On motion of Senator Okerlund, under suspension of the rules, **S.J.R. 401**, JOINT RESOLUTION – REPEALING TAX OPINION QUESTION, was read the second and third times. Senator Okerlund explained the bill. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Anderson	Bramble	Christensen
Davis	Dayton	Hillyard	Hinkins
Jenkins	Jones	Madsen	Mayne
McAdams	Morgan	Niederhauser	Okerlund
Osmond	Reid	Robles	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Weiler	Waddoups	

**Absent or not voting were:** Senators

Knudson                      Romero

**S.J.R. 401** was transmitted to the House.



\* \* \*

On motion of Senator Valentine, under suspension of the rules, **S.B. 4001**, ALCOHOLIC BEVERAGE CONTROL ACT AMENDMENTS, was read the second and third times. Senator Valentine explained the bill. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Anderson	Bramble	Christensen
Davis	Hillyard	Hinkins	Jenkins
Jones	Madsen	Mayne	McAdams
Morgan	Niederhauser	Okerlund	Osmond
Reid	Robles	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Weiler	Waddoups		

**Voting in the negative was:** Senator

Dayton

**Absent or not voting were:** Senators

Knudson                      Romero

**S.B. 4001** was transmitted to the House.

**ADVISE AND CONSENT**

Mr. President: June 5, 2012

In accordance with Utah Code Annotated 67-1-1 and 67-1-2, I propose and transmit the following appointments:

**Workers' Compensation Fund Board of Directors:**

Heidi E. C. Leithead is appointed to replace John Eberhardt as a member of the Workers' Compensation Fund Board of Directors, a term to expire June 30, 2016. See Utah Code Annotated 31A-33-106.

Roger A. Livingston is reappointed as a member of the Workers' Compensation Fund Board of Directors, a term to expire June 30, 2016. See Utah Code Annotated 31A-33-106.

**Real Estate Appraiser Licensing and Certification Board:**

Paul W. Throndsen is reappointed as a member of the Real Estate Appraiser Licensing and Certification Board, a term to expire June 30, 2016. See Utah Code Annotated 61-2g-204.

**Health Facility Committee:**

Todd Fairbanks Cope is appointed to replace Paul Fairholm as a member of the Health Facility Committee, a term to expire June 30, 2016. See Utah Code Annotated 26-21-3j.

Rand A. Kerr is appointed to replace Ezra Segura as a member of the Health Facility Committee, with the remaining portion of the term to expire June 30, 2014. See Utah Code Annotated 26-21-3b.

Brent Dean Jones is appointed to replace Denell Bredsguard as a member of the Health Facility Committee, a term to expire June 30, 2016. See Utah Code Annotated 26-21-3l.

Earl K. Leeman is appointed to replace Lynn Dayton as a member of the Health Facility Committee, a term to expire June 30, 2016. See Utah Code Annotated 26-21-3a.

**Health Data Committee:**

Bill Crim is reappointed as a member of the Health Data Committee, a term to expire June 30, 2016. See Utah Code Annotated 26-33a-103.

Sharon Hunter Donnelly is reappointed as a member of the Health Data Committee, a term to expire June 30, 2016. See Utah Code Annotated 26-33a-103.

David Vaughn Holbrook is appointed to replace Russ Elbel as a member of the Health Data Committee, a term to expire June 30, 2015. See Utah Code Annotated 26-33a-103.

James Gregory Tabery is appointed to replace Sally E. Valdez as a member of the Health Data Committee, a term to expire June 30, 2014. See Utah Code Annotated 26-33a-103.

Thank you for your timely consideration and confirmation of the above appointments.

Gary R. Herbert  
Governor

\* \* \*

On motion of Senator Hillyard, the Senate voted to consent to the Governor's appointments on the following roll call vote:

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

**Voting in the affirmative were:** Senators

Adams	Anderson	Bramble	Christensen
Davis	Dayton	Hillyard	Hinkins
Jenkins	Jones	Madsen	Mayne
McAdams	Morgan	Niederhauser	Okerlund
Osmond	Reid	Robles	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Weiler	Waddoups	

**Absent or not voting were:** Senators

Knudson                      Romero

On motion of Senator Jenkins, and at 4:00 p.m., the Senate sauntered.

The Senate was called to order at 4:30 p.m., with President Waddoups presiding.

**COMMUNICATIONS FROM THE HOUSE**

Mr. President:

June 20, 2012

The House passed, **S.B. 4002**, RETENTION OF OUTSIDE COUNSEL, EXPERT WITNESSES, AND LITIGATION SUPPORT SERVICES, by Senator J. S. Adams, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 4003**, NEW SCHOOL YEAR SUPPLEMENTAL PUBLIC EDUCATION BUDGET ADJUSTMENTS, by Senator A. Osmond, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 4004**, EDUCATION REQUIREMENTS FOR NURSING LICENSURE AMENDMENTS, by Senator G. Davis, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

On motion of Senator Jenkins, and at 4:40 p.m., the Senate recessed.

The Senate was called to order at 5:05 p.m., with President Waddoups presiding.

**COMMUNICATIONS FROM THE HOUSE**

Mr. President:

June 20, 2012

The House passed, **S.B. 4001**, ALCOHOLIC BEVERAGE CONTROL ACT AMENDMENTS, by Senator J. Valentine, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.J.R. 401**, JOINT RESOLUTION – REPEALING TAX OPINION QUESTION, by Senator R. Okerlund, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Representatives Brian Doughty, Merlynn Newbold, and Jim Bird reported that the House of Representatives is ready to adjourn sine die.

President Waddoups appointed John Valentine, Stuart Reid, and Gene Davis to join with a like committee from the House to wait upon the Governor and ask if he has any further business to bring before the Senate.

President Waddoups appointed Senators Ralph Okerlund, Allen Christensen and Luz Robles to notify the House of Representatives that the Senate has concluded its business and is ready to adjourn sine die.

Senator Valentine reported that his committee, with a like committee from the House notified the Governor that the Legislature has concluded its business and is ready to adjourn sine die.

Senator Okerlund reported the House has been notified that the Senate has concluded its business and is ready to adjourn sine die.

\* \* \*

On motion of Senator Jenkins and at 5:15 p.m., the Senate adjourned sine die.

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FOURTH SPECIAL SESSION

Convened and Adjourned on  
Wednesday, July 20, 2012

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STATE OF UTAH

# **SENATE JOURNAL**

**SIXTH EXTRAORDINARY SESSION OF  
THE  
FIFTY-NINTH LEGISLATURE**

Convened and Adjourned on  
Wednesday, August 15, 2012

## **CERTIFICATION**

The undersigned, as the duly appointed committee on revision of the Senate Journal for the Sixth Extraordinary Session of the Fifty–Ninth Legislature of the State of Utah, do hereby certify that herein contained is an accurate record of the proceedings of the Sixth Extraordinary Session convening on Wednesday, August 15, 2012, and adjourning sine die on the same day.

**Leslie McLean**  
Secretary of the Senate

**Joanna MacKay**  
Manager, Senate Services

**Mary B. Andrus**  
Journal Clerk



**STATE OF UTAH**

**SENATE JOURNAL**

**SIXTH EXTRAORDINARY SESSION**  
**of the**  
**FIFTY–NINTH LEGISLATURE**

*The Senate of the Fifty–Ninth Legislature of the State of Utah met in the Senate Chamber at the State Capitol Complex in the Sixth Extraordinary Session at 1:30 p.m. on Wednesday, August 15, 2012.*

The Senate was called to order at 2:40 p.m. with President Michael G. Waddoups presiding.

Prayer – Senator Scott Jenkins

Pledge – Senator Karen Mayne

\* \* \*

Leslie McLean, Secretary of the Senate, read the following communication:

**PROCLAMATION**

WHEREAS, since the close of the 2012 General Session of the 59th Legislature of the State of Utah, certain matters have arisen which 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 Senate in Extraordinary Session;

NOW, THEREFORE, I, GARY R. HERBERT, Governor of the State of Utah, by virtue of the authority vested in me by the Constitution and Laws of the State of Utah, do by this Proclamation call the Senate only of the 59th Legislature into the Sixth Extraordinary Session at the State Capitol in Salt Lake City, Utah, on the 15th day of August, 2012 at 1:30 p.m., for the following purpose:

For the Senate to consent to appointments made by the Governor to positions within state government of the State of Utah since the close of the 2012 General Session of the Legislature of the State of Utah.

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 Utah State Capitol  
in Salt Lake City, Utah, this  
13th day of August, 2012.

Gary R. Herbert  
Governor

Greg Bell  
Lieutenant Governor

#### **CERTIFICATION**

I, GREG BELL, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT the attached copy of a Proclamation issued under the date of August 13, 2012, is a true and correct copy of the original Proclamation calling the Senate only into a Sixth Extraordinary Session at the State Capitol Complex, in Salt Lake City, Utah, on the 15th day of August, 2012, at 1:30 p.m., for the purpose named in the Proclamation.

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, Utah, this 14th day  
of August 2012.

Greg Bell  
Lieutenant Governor

Roll call – All Senators present except Senators Valentine and Hinkins, excused.

On motion of Senator Dayton, the Senate voted to adopt the Senate Rules of the 2012 General Session of the Fifty–Ninth Legislature as the rules for the Sixth Extraordinary Session.

President Waddoups appointed a committee comprised of Senators Christensen, Anderson, and Jones to notify the Governor’s representative that the Senate is convened in the Sixth Extraordinary Session in accordance with his proclamation.

Senator Christensen advised the Senate that the Governor’s representative has been notified of the convening of the Sixth Extraordinary Session.

**COMMUNICATIONS FROM THE GOVERNOR**

Mr. President: June 19, 2012

I am pleased to inform you that I have appointed Su J. Chon as a Judge of the Third District Court, pursuant to Article VIII, Section 8 of the Utah Constitution and Utah Code Section 78A–10–101.

Thank you for your timely consideration and confirmation of Ms. Chon.

Gary R. Herbert  
Governor

Mr. President: August 13, 2012

The Senate Judicial Confirmation Committee met on August 13, 2012, and reports an unfavorable recommendation for Ms. Su J. Chon to be confirmed to the position of Judge in the Third District Court.

Scott K. Jenkins, Chair

On motion of Senator Hillyard, the Senate voted to consent to the appointment of Su J. Chon on the following roll call vote:

**Yeas, 17; Nays, 10; Absent or not voting, 2.**

**Voting in the affirmative were:** Senators

- |        |              |          |             |
|--------|--------------|----------|-------------|
| Adams  | Anderson     | Bramble  | Christensen |
| Davis  | Jones        | Mayne    | McAdams     |
| Morgan | Niederhauser | Osmond   | Robles      |
| Romero | Stevenson    | Urquhart | Van Tassell |
| Weiler |              |          |             |

**Voting in the negative were:** Senators

Dayton	Hillyard	Jenkins	Knudson
Madsen	Okerlund	Reid	Stephenson
Thatcher	Waddoups		

**Absent or not voting were:** Senators

Hinkins	Valentine
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\* \* \*

Mr. President: June 19, 2012

I am pleased to inform you that I have appointed James T. Blanch as a Judge of the Third District Court, pursuant to Article VIII, Section 8 of the Utah Constitution and Utah Code Section 78A-10-101.

Thank you for your timely consideration and confirmation of Mr. Blanch.

Gary R. Herbert  
Governor

Mr. President: August 13, 2012

The Senate Judicial Confirmation Committee met on August 13, 2012, and reports a favorable recommendation for Mr. James T. Blanch to be confirmed to the position of Judge in the Third District Court.

Scott K. Jenkins, Chair

On motion of Senator Hillyard, the Senate voted to consent to the appointment of James T. Blanch on the following roll call vote:

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

**Voting in the affirmative were:** Senators

Adams	Anderson	Bramble	Christensen
Davis	Dayton	Hillyard	Jenkins
Jones	Knudson	Madsen	Mayne
McAdams	Morgan	Niederhauser	Okerlund
Osmond	Reid	Robles	Romero
Stephenson	Stevenson	Thatcher	Urquhart
Van Tassell	Weiler	Waddoups	

**Absent or not voting were:** Senators

Hinkins	Valentine
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## COMMITTEE OF THE WHOLE

On motion of Senator Jenkins, Judges Su J. Chon and James T. Blanch spoke in Committee of the Whole.

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

## ADVISE AND CONSENT

Mr. President: July 31, 2012

In accordance with Utah Code Annotated 67-1-1 and 67-1-2, I propose and transmit the following appointments:

### **Real Estate Commission:**

Russell K. Booth is appointed to replace Blaine Walker as a member of the Real Estate Commission, a term to expire June 30, 2016. See Utah Code Annotated 61-2f-103.

Lerron E. Little is appointed to replace Stefanie Tugaw as a member of the Real Estate Commission, a term to expire June 30, 2016. See Utah Code Annotated 61-2f-103.

### **Health Data Committee:**

Lynette G. Hansen is appointed to replace David D. Call as a member of the Health Data Committee, a term to expire June 30, 2016. See Utah Code Annotated 26-33a-103.

### **Commissioner of Higher Education:**

The appointment of David L. Buhler as Commissioner of Higher Education is approved. See Utah Code Annotated 53B-1-105.

### **State Board of Regents:**

Marlin K. Jensen is appointed to replace Meghan Z. Holbrook as a member of the State Board of Regents, a term to expire June 30, 2018. See Utah Code Annotated 53B-1-104.

### **Dixie State College Board Of Trustees:**

Julie Bangerter Beck is appointed to replace Michael Wilstead as a member of the Dixie State College Board of Trustees, the remaining portion of the term to expire June 30, 2013. See Utah Code Annotated 53B-2-104.

### **State Records Committee:**

David M. Fleming is appointed to replace Scott Daniels as a member of the State Records Committee, a term to expire July 1, 2016. See Utah Code Annotated 63-2-501.

**Crime Victim Reparations and Assistance Board:**

Dave Jay Fowers is appointed to replace Brent S. Scharman as a member of the Crime Victim Reparations and Assistance Board, a term to expire April 15, 2016. See Utah Code Annotated 63M-7-504.

**Defined Contribution Risk Adjuster Board of Directors:**

Roland James Murray is appointed to replace Mark A. Brown as a member of the Defined Contribution Risk Adjuster Board of Directors, a term to expire May 20, 2016. See Utah Code Annotated 31A-42-201.

**Radiation Control Board:**

Peter Jenkins is appointed as a health physicist member of the Radiation Control Board, a term to expire July 1, 2016. See Utah Code Annotated 19-3-103.

Jerry Lynn Hurst is appointed as a government representative who does not represent the federal government member of the Radiation Control Board, a term to expire July 1, 2016. See Utah Code Annotated 19-3-103.

Bradon Cutler Bradford is appointed as a government representative who does not represent the federal government member of the Radiation Control Board, a term to expire July 1, 2016. See Utah Code Annotated 19-3-103.

Don Scott Bird is appointed as the uranium milling industry member of the Radiation Control Board, a term to expire July 1, 2016. See Utah Code Annotated 19-3-103.

Richard Blake Codell is appointed as the regulated industry who is knowledgeable about radiation control regulatory issues member of the Radiation Control Board, a term to expire July 1, 2016. See Utah Code Annotated 19-3-103.

Ulrich Andreas Rassner is appointed as the public who is trained and experienced in public health member of the Radiation Control Board, a term to expire July 1, 2016. See Utah Code Annotated 19-3-103.

**Utah Arts Council Board of Directors:**

Victoria Rowe Berry is reappointed as a member of the Utah Arts Council Board of Directors, a term to expire July 1, 2016. See Utah Code Annotated 9-6-204.

Roger A. Carter is appointed to replace Raymond Jones as a member of the Utah Arts Council Board of Directors, a term to expire July 1, 2016. See Utah Code Annotated 9-6-204.

Pierre O. Langué is appointed to replace Anne Mooney as a member of the Utah Arts Council Board of Directors, a term to expire July 1, 2016. See Utah Code Annotated 9-6-204.

Clive J. Romney is appointed to replace the vacant folk arts member of the Utah Arts Council Board of Directors, a term to expire July 1, 2016. See Utah Code Annotated 9–6–204.

**Board Of Business And Economic Development:**

Stefanie Bevans is appointed to replace V. Lowry Snow as a member of the Board Of Business And Economic Development, the remaining portion of the term to expire March 15, 2014. See Utah Code Annotated 63M–1–302.

Lorena Riffo–Jenson is appointed as a member of the Board Of Business And Economic Development, a term to expire March 15, 2016. See Utah Code Annotated 63M–1–302.

Thank you for your timely consideration and confirmation of the above appointments.

Gary R. Herbert  
Governor

Mr. President: August 14, 2012

The Senate Education Confirmation Committee met on this date and reports a favorable recommendation of the appointment of David L. Buhler as Commissioner of Higher Education.

Aaron Osmond, Chair

Mr. President: August 14, 2012

The Senate Education Confirmation Committee met on this date and reports a favorable recommendation of the appointment of Marlin K. Jensen as a member of the State Board of Regents.

Aaron Osmond, Chair

Senator Hillyard moved to consent to the appointments as read by Joanna MacKay. Senators Romero, McAdams, Stephenson, Reid, and Hillyard commented. The motion passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Anderson	Bramble	Davis
Dayton	Hillyard	Jenkins	Jones
Knudson	Madsen	Mayne	McAdams

Morgan	Niederhauser	Okerlund	Osmond
Reid	Robles	Romero	Stephenson
Stevenson	Thatcher	Urquhart	Van Tassell
Weiler	Waddoups		

**Absent or not voting were:** Senators

Christensen	Hinkins	Valentine
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**COMMITTEE OF THE WHOLE**

On motion of Senator Jenkins, David Buhler spoke in Committee of the Whole.

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

**SPECIAL RECOGNITION**

A citation was read honoring Peter J. Stang as the recipient of the Priestly Medal from the American Chemical Society.

\* \* \*

President Waddoups directed the committee to wait upon the Governor's representative to notify him that the Senate has concluded its business.

Senator Anderson reported that the committee had notified the Governor's representative that the Senate had concluded its business, and that the Governor has no further business to bring before the Senate.

On motion of Senator Jenkins, and at 3:20 p.m., the Senate adjourned sine die.



STATE OF UTAH

# **SENATE JOURNAL**

**SEVENTH EXTRAORDINARY SESSION  
OF THE  
FIFTY-NINTH LEGISLATURE**

Convened and Adjourned on  
Wednesday, September 19, 2012

## **CERTIFICATION**

The undersigned, as the duly appointed committee on revision of the Senate Journal for the Seventh Extraordinary Session of the Fifty–Ninth Legislature of the State of Utah, do hereby certify that herein contained is an accurate record of the proceedings of the Seventh Extraordinary Session convening on Wednesday, September 19, 2012, and adjourning sine die on the same day.

**Leslie McLean**  
Secretary of the Senate

**Joanna MacKay**  
Manager, Senate Services

**Mary B. Andrus**  
Journal Clerk

**STATE OF UTAH****SENATE JOURNAL****SEVENTH EXTRAORDINARY SESSION  
of the  
FIFTY–NINTH LEGISLATURE**

*The Senate of the Fifty–Ninth Legislature of the State of Utah met in the Senate Chamber at the State Capitol Complex in the Seventh Extraordinary Session at 1:30 p.m. on Wednesday, September 19, 2012.*

The Senate was called to order at 2:00 p.m. with President Michael G. Waddoups presiding.

Prayer – Senator Todd Weiler

Pledge – Senator Karen Morgan

\* \* \*

Leslie McLean, Secretary of the Senate, read the following communication:

**PROCLAMATION**

WHEREAS, since the close of the 2012 General Session of the 59th Legislature of the State of Utah, certain matters have arisen which 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 Senate in Extraordinary Session;

NOW, THEREFORE, I, GARY R. HERBERT, Governor of the State of Utah, by virtue of the authority vested in me by the Constitution and Laws of the State of Utah, do by this Proclamation call the Senate only of the 59th Legislature into the Seventh Extraordinary Session at the State Capitol in Salt Lake City, Utah, on the 19th day of September, 2012 at 1:30 p.m., for the following purpose:

For the Senate to consent to appointments made by the Governor to positions within state government of the State of Utah since the close of the 2012 General Session of the Legislature of the State of Utah.

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 Utah State Capitol  
in Salt Lake City, Utah, this  
14th day of September, 2012.

Gary R. Herbert  
Governor

Greg Bell  
Lieutenant Governor

#### **CERTIFICATION**

I, GREG BELL, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT the attached copy of a Proclamation issued under the date of September 14, 2012, is a true and correct copy of the original Proclamation calling the Senate only into a Seventh Extraordinary Session at the State Capitol Complex, in Salt Lake City, Utah, on the 19th day of September, 2012, at 1:30 p.m., for the purpose named in the Proclamation.

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, Utah, this 17th day  
of September 2012.

Greg Bell  
Lieutenant Governor

Roll call – All Senators present except Senators Christensen and Romero, excused.

On motion of Senator Dayton, the Senate voted to adopt the Senate Rules of the 2012 General Session of the Fifty–Ninth Legislature as the rules for the Seventh Extraordinary Session.

President Waddoups appointed a committee comprised of Senators Adams, Madsen, and Morgan to notify the Governor’s representative that the Senate is convened in the Seventh Extraordinary Session in accordance with his proclamation.

Senator Adams advised the Senate that the Governor’s representative has been notified of the convening of the Seventh Extraordinary Session.

**COMMUNICATIONS FROM THE GOVERNOR**

Mr. President: July 31, 2012  
In accordance with Utah Code Annotated 67–1–1 and 67–1–2, I propose and transmit the following appointment:

Department of Alcohol Beverage Control:  
Salvador D. Petilos is appointed to replace Francine A. Giani as Director of the Department of Alcohol Beverage Control.

Thank you for you timely consideration and confirmation of the above appointment..

Gary R. Herbert  
Governor

Mr. President: September 19, 2012  
At its meeting today, the Senate Business and Labor Confirmation Committee voted unanimously to recommend that the Utah Senate approve the nomination of Salvador D. Petilos as the Director of the Department of Alcoholic Beverage Control.

John L. Valentine, Chair

\* \* \*

Mr. President: August 7, 2012  
In accordance with Utah Code Annotated 67–1–1 and 67–1–2, I propose and transmit the following appointment:

Harris H. Simmons is appointed to replace David Jordan as a member of the State Board of Regents, a term to expire June 30, 2015.

Thank you for your timely consideration and confirmation of the above appointment

Gary R. Herbert  
Governor

Mr. President: September 18, 2012

The Senate Education Confirmation Committee met on September 18, 2012, and reports a favorable recommendation for Harris H. Simmons as a member of the State Board of Regents.

Aaron Osmond, Chair

### ADVISE AND CONSENT

Mr. President: September 4, 2012

In accordance with Utah Code Annotated 67-1-1 and 67-1-2, I propose and transmit the following appointments:

Real Estate Appraiser Licensing and Certification Board:

John E. Ulibarri II is appointed to replace Craig Morley as a member of the Real Estate Appraiser Licensing and Certification Board, a term to expire June 30, 2016. See Utah Code Annotated 61-2g-204.

Jim Bringhurst is appointed to replace Debra Sjoblom as a member of the Real Estate Appraiser Licensing and Certification Board, a term to expire June 30, 2016. See Utah Code Annotated 61-2g-204.

Permanent Community Impact Fund Board:

Dennis B. Drake is reappointed as a member of the Permanent Community Impact Fund Board, a term to expire June 30, 2016. See Utah Code Annotated 35A-8-304.

Utah Commission on Uniform State Laws:

V. Lowry Snow is appointed to replace Lorie D. Fowlke as the Commissioner who is a member of the House of Representatives at the time of appointment on the Utah Commission on Uniform State Laws, a term to expire four years from the date of confirmation by the Senate. See Utah Code Annotated 68-4-5.

Thank you for your timely consideration and confirmation of the above appointments.

Gary R. Herbert  
Governor

Senator Hillyard moved to consent to the appointments as read by Joanna MacKay. The motion passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Anderson	Bramble	Davis
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	McAdams
Morgan	Niederhauser	Okerlund	Osmond
Reid	Robles	Stephenson	Stevenson
Thatcher	Valentine	Van Tassell	Weiler
Waddoups			

**Absent or not voting were:** Senators

Christensen	Dayton	Romero	Urquhart
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President Waddoups directed the committee to wait upon the Governor's representative to notify him that the Senate has concluded its business.

Senator Adams reported that the committee had notified the Governor's representative that the Senate had concluded its business, and that the Governor has no further business to bring before the Senate.

On motion of Senator Jenkins, and at 2:15 p.m., the Senate adjourned sine die.





STATE OF UTAH

# **SENATE JOURNAL**

**EIGHTH EXTRAORDINARY SESSION  
OF THE  
FIFTY-NINTH LEGISLATURE**

Convened and Adjourned on  
Wednesday, October 17, 2012

## **CERTIFICATION**

The undersigned, as the duly appointed committee on revision of the Senate Journal for the Eighth Extraordinary Session of the Fifty–Ninth Legislature of the State of Utah, do hereby certify that herein contained is an accurate record of the proceedings of the Eighth Extraordinary Session convening on Wednesday, October 17, 2012, and adjourning sine die on the same day.

**Leslie McLean**  
Secretary of the Senate

**Joanna MacKay**  
Manager, Senate Services

**Mary B. Andrus**  
Journal Clerk

**STATE OF UTAH**  
**SENATE JOURNAL**  
**EIGHTH EXTRAORDINARY SESSION**  
**of the**  
**FIFTY–NINTH LEGISLATURE**

*The Senate of the Fifty–Ninth Legislature of the State of Utah met in the Senate Chamber at the State Capitol Complex in the Eighth Extraordinary Session at 1:30 p.m. on Wednesday, October 17, 2012.*

The Senate was called to order at 1:50 p.m. with President Michael G. Waddoups presiding.

Prayer – Senator Aaron Osmond

Pledge – Senator Gene Davis

\* \* \*

Leslie McLean, Secretary of the Senate, read the following communication:

**PROCLAMATION**

WHEREAS, since the close of the 2012 General Session of the 59th Legislature of the State of Utah, certain matters have arisen which 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 Senate in Extraordinary Session;

NOW, THEREFORE, I, GARY R. HERBERT, Governor of the State of Utah, by virtue of the authority vested in me by the Constitution and Laws of the State of Utah, do by this Proclamation call the Senate only of the 59th Legislature into the Eighth Extraordinary Session at the State Capitol in Salt Lake City, Utah, on the 17th day of October, 2012 at 1:30 p.m., for the following purpose:

For the Senate to consent to appointments made by the Governor to positions within state government of the State of Utah since the close of the 2012 General Session of the Legislature of the State of Utah.

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 Utah State Capitol  
in Salt Lake City, Utah, this  
15th day of October, 2012.

Gary R. Herbert  
Governor

Greg Bell  
Lieutenant Governor

#### **CERTIFICATION**

I, GREG BELL, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT the attached copy of a Proclamation issued under the date of October 15, 2012, is a true and correct copy of the original Proclamation calling the Senate only into a Eighth Extraordinary Session at the State Capitol Complex, in Salt Lake City, Utah, on the 17th day of October, 2012, at 1:30 p.m., for the purpose named in the Proclamation.

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, Utah, this 15th day  
of October 2012.

Greg Bell  
Lieutenant Governor

Roll call – All Senators present except Senator Robles, excused.

On motion of Senator Dayton, the Senate voted to adopt the Senate Rules of the 2012 General Session of the Fifty–Ninth Legislature as the rules for the Eighth Extraordinary Session.

President Waddoups appointed a committee comprised of Senators Stevenson, Reid, and McAdams to notify the Governor's representative that the Senate is convened in the Eighth Extraordinary Session in accordance with his proclamation.

Senator Stevenson advised the Senate that the Governor's representative has been notified of the convening of the Eighth Extraordinary Session.

### **COMMUNICATIONS FROM THE GOVERNOR**

Mr. President: September 12, 2012

I am pleased to inform you that I have appointed Barry G. Lawrence as a Judge of the Third District Court, pursuant to Article VIII, Section 8 of the Utah Constitution and the Utah Code Sections 78A-10-101.

Thank you for your timely consideration and confirmation of Mr. Lawrence.

Gary R. Herbert  
Governor

Mr. President: October 8, 2012

The Senate Judicial Confirmation Committee met on October 8, 2012, and reports a favorable recommendation for Mr. Barry G. Lawrence to be confirmed to the position of Judge in the Third District Court.

Scott K. Jenkins, Chair

On motion of Senator Hillyard, the Senate voted to consent to the appointment of Barry G. Lawrence on the following roll call vote:

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

**Voting in the affirmative were:** Senators

Adams	Anderson	Christensen	Davis
Dayton	Hillyard	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
McAdams	Morgan	Niederhauser	Okerlund
Osmond	Reid	Romero	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Weiler	Waddoups	

**Absent or not voting were:** Senators

Bramble	Robles
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### **COMMITTEE OF THE WHOLE**

On motion of Senator Jenkins, Judge Barry G. Lawrence spoke in the Committee of the Whole.

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

### **ADVISE AND CONSENT**

Mr. President:

October 2, 2012

In accordance with Utah Code Annotated 67-1-1 and 67-1-2, I propose and transmit the following appointments:

#### **Alcoholic Beverage Control Commission**

Olivia Vela Agraz is appointed to a newly created position as a member of the Alcoholic Beverage Control Commission, a term to expire July 1, 2016.

#### **Private Activity Bond Review Board:**

K. Wayne Cushing is appointed to replace Steve Rawlings as a member of the Private Activity Bond Review Board, a term to expire October 31, 2016. See Utah Code Annotated 63M-1-3003.

James Paul Davidson is appointed to replace Tom Hardy as a member of the Private Activity Bond Review Board, the remaining portion of the term to expire April 30, 2014. See Utah Code Annotated 63M-1-3003.

#### **State Board of Regents:**

Nina R. Barnes is appointed to replace Katharine B. Garff as a member of the State Board of Regents, the remaining portion of the term to expire June 30, 2015. See Utah Code Annotated 53B-1-104.

#### **Quality Growth Commission:**

Alex Butwinski is appointed to replace Justin Allen as a member of the Quality Growth Commission, a term to expire April 15, 2016. See Utah Code Annotated 11-38-201.

#### **State Records Committee:**

Holly Joy Richardson is appointed to replace Scott Daniels as a member of the State Records Committee, a term to expire July 1, 2016. See Utah Code Annotated 63G-2-501.

#### **Utah Digital Health Service Commission:**

Wesley G. Smith is appointed to replace Natalie Gochnour as a member of the Utah Digital Health Service Commission, a term to expire October 1, 2015. See Utah Code Annotated 26-9f-103.

Scott Douglas Barlow is reappointed as a member of the Utah Digital Health Service Commission, a term to expire October 1, 2014. See Utah Code Annotated 26-9f-103.

Nancy Stagers is reappointed as a member of the Utah Digital Health Service Commission, a term to expire October 1, 2014. See Utah Code Annotated 26-9f-103.

Jan Root is reappointed as a member of the Utah Digital Health Service Commission, a term to expire October 1, 2014. See Utah Code Annotated 26-9f-103.

Marc F. Probst is reappointed as a member of the Utah Digital Health Service Commission, a term to expire October 1, 2014. See Utah Code Annotated 26-9f-103.

Department of Technology Services:

Mark A. VanOrden is appointed to replace Stephen Fletcher as the Executive Director of the Department of Technology Services. See Utah Code Annotated 63F-1-105.

Thank you for your timely consideration and confirmation of the above appointments.

Gary R. Herbert  
Governor

Mr. President: October 2, 2012

The Senate Education Confirmation Committee met on October 15, 2012, and reports a favorable recommendation for Nina R. Barnes as a member of the State Board of Regents,

Aaron Osmond, Chair

Senator Hillyard moved to consent to the appointments as read by Joanna MacKay. The motion passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Anderson	Christensen	Davis
Dayton	Hillyard	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Morgan	Niederhauser	Okerlund	Osmond
Reid	Romero	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Weiler	Waddoups		

**Absent or not voting were:** Senators

Bramble	McAdams	Robles
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President Waddoups directed the committee to wait upon the Governor's representative to notify him that the Senate has concluded its business.

Senator Stevenson reported that the committee had notified the Governor's representative that the Senate had concluded its business, and that the Governor has no further business to bring before the Senate.

On motion of Senator Jenkins, and at 2:10 p.m., the Senate adjourned sine die.



STATE OF UTAH

# **SENATE JOURNAL**

**NINTH EXTRAORDINARY SESSION OF  
THE  
FIFTY-NINTH LEGISLATURE**

Convened and Adjourned on  
Wednesday, November 14, 2012

## **CERTIFICATION**

The undersigned, as the duly appointed committee on revision of the Senate Journal for the Ninth Extraordinary Session of the Fifty–Ninth Legislature of the State of Utah, do hereby certify that herein contained is an accurate record of the proceedings of the Ninth Extraordinary Session convening on Wednesday, November 14, 2012, and adjourning sine die on the same day.

**Leslie McLean**  
Secretary of the Senate

**Joanna MacKay**  
Manager, Senate Services

**Mary B. Andrus**  
Journal Clerk

**STATE OF UTAH**  
**SENATE JOURNAL**  
**NINTH EXTRAORDINARY SESSION**  
**of the**  
**FIFTY–NINTH LEGISLATURE**

*The Senate of the Fifty–Ninth Legislature of the State of Utah met in the Senate Chamber at the State Capitol Complex in the Ninth Extraordinary Session at 1:30 p.m. on Wednesday, November 14, 2012.*

The Senate was called to order at 1:45 p.m. with President Michael G. Waddoups presiding.

Prayer – Senator Stuart Reid

Pledge – Senator Karen Mayne

\* \* \*

Leslie McLean, Secretary of the Senate, read the following communication:

**PROCLAMATION**

WHEREAS, since the close of the 2012 General Session of the 59th Legislature of the State of Utah, certain matters have arisen which 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 Senate in Extraordinary Session;

NOW, THEREFORE, I, GARY R. HERBERT, Governor of the State of Utah, by virtue of the authority vested in me by the Constitution and Laws of the State of Utah, do by this Proclamation call the Senate only of the 59th Legislature into the Ninth Extraordinary Session at the State Capitol in Salt Lake City, Utah, on the 14th day of November, 2012 at 1:30 p.m., for the following purpose:

For the Senate to consent to appointments made by the Governor to positions within state government of the State of Utah since the close of the 2012 General Session of the Legislature of the State of Utah.

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 Utah State Capitol  
in Salt Lake City, Utah, this 9th  
day of November, 2012.

Gary R. Herbert  
Governor

Greg Bell  
Lieutenant Governor

### **CERTIFICATION**

I, GREG BELL, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT the attached copy of a Proclamation issued under the date of November 9, 2012, is a true and correct copy of the original Proclamation calling the Senate only into a Ninth Extraordinary Session at the State Capitol Complex, in Salt Lake City, Utah, on the 14th day of November, 2012, at 1:30 p.m., for the purpose named in the Proclamation.

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, Utah, this 13th day  
of November 2012.

Greg Bell  
Lieutenant Governor

Roll call – All Senators present except Senators Bramble, Okerlund, Niederhauser, and Stevenson, excused.

On motion of Senator Dayton, the Senate voted to adopt the Senate Rules of the 2012 General Session of the Fifty–Ninth Legislature as the rules for the Ninth Extraordinary Session.

President Waddoups appointed a committee comprised of Senators Van Tassell, Weiler, and Morgan to notify the Governor’s representative that the Senate is convened in the Ninth Extraordinary Session in accordance with his proclamation.

Senator Van Tassell advised the Senate that the Governor’s representative has been notified of the convening of the Ninth Extraordinary Session.

## COMMUNICATIONS FROM THE GOVERNOR

### ADVISE AND CONSENT

Mr. President: October 30, 2012

In accordance with Utah Code Annotated 67–1–1 and 67–1–2, I propose and transmit the following appointments:

Health Data Committee:

Kevin Joseph Potts is appointed to replace Scott Eastmond as a member of the Health Data Committee, a term to expire June 30, 2016. See Utah Code Annotated 26–33a–103.

Southern Utah University Board Of Trustees:

Ann Marie Allen is appointed to replace Nina Barnes as a member of the Southern Utah University Board Of Trustees, the remaining portion of the term to expire June 30, 2013. See Utah Code Annotated 53B–2–104.

Career Service Review Office:

Akiko Kawamura is appointed to replace Bob Thompson as the Administrator of the Career Service Review Office. See Utah Code Annotated 67–19a–201(2).

Thank you for your timely consideration and confirmation of the above appointments.

Gary R. Herbert  
Governor

Senator Hillyard moved to consent to the appointments as read by Joanna MacKay. The motion passed on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Anderson	Christensen	Davis
Dayton	Hillyard	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Morgan	Osmond	Reid	Robles
Stephenson	Thatcher	Urquhart	Valentine
Van Tassell	Weiler	Waddoups	

**Absent or not voting were:** Senators

Bramble	McAdams	Niederhauser	Okerlund
Romero	Stevenson		

President Waddoups directed the committee to wait upon the Governor's representative to notify him that the Senate has concluded its business.

Senator Van Tassell reported that the committee had notified the Governor's representative that the Senate had concluded its business, and that the Governor has no further business to bring before the Senate.

On motion of Senator Jenkins, and at 2:00 p.m., the Senate adjourned sine die.

STATE OF UTAH

# **SENATE JOURNAL**

TENTH EXTRAORDINARY SESSION OF  
THE  
FIFTY-NINTH LEGISLATURE

Convened and Adjourned on  
Wednesday, December 19, 2012

## **CERTIFICATION**

The undersigned, as the duly appointed committee on revision of the Senate Journal for the Tenth Extraordinary Session of the Fifty–Ninth Legislature of the State of Utah, do hereby certify that herein contained is an accurate record of the proceedings of the Tenth Extraordinary Session convening on Wednesday, December 19, 2012, and adjourning sine die on the same day.

**Leslie McLean**  
Secretary of the Senate

**Joanna MacKay**  
Manager, Senate Services

**Mary B. Andrus**  
Journal Clerk



**STATE OF UTAH**  
**SENATE JOURNAL**  
**TENTH EXTRAORDINARY SESSION**  
**of the**  
**FIFTY–TENTH LEGISLATURE**

*The Senate of the Fifty–Ninth Legislature of the State of Utah met in the Senate Chamber at the State Capitol Complex in the Tenth Extraordinary Session at 1:00 p.m. on Wednesday, December 19, 2012.*

The Senate was called to order at 1:30 p.m. with President Michael G. Waddoups presiding.

Prayer – Senator Scott Jenkins

Pledge – Senator Ross Romero

\* \* \*

Leslie McLean, Secretary of the Senate, read the following communication:

Dear Senators:

November 28, 2012

The Governor has appointed Franklin Richards Smith III as a judge of the Fourth District Juvenile Court. This appointment was made on November 6, 2012. The Senate Judicial Confirmation Committee will interview Mr. Smith on December 5, 2012.

Article VIII, Section 8 of the Utah Constitution requires the Senate to consider and render a decision on each judicial appointment within 60 days of the date of appointment. This appointment will expire prior to Monday, January 28, 2013, the first day of the upcoming General Session.

Article VIII, Section 8 also provides that “if necessary, the Senate shall convene itself in extraordinary session for the purpose of considering judicial appointments.”

As President of the Senate, and by the authority vested in me in Article VIII, Section 8, of the Utah Constitution, I hereby call the Utah Senate into a Tenth Extraordinary Session on Wednesday, December 19, 2012, at 1:00 p.m. in the

Senate Chamber of the Utah State Capitol, for the purpose of considering the Governor’s appointment of Franklin Richards Smith III.

Michael G. Waddoups  
President, Utah State Senate

Roll call – All Senators present except Senators Bramble, Anderson, Madsen, and Urquhart.

On motion of Senator Dayton, the Senate voted to adopt the Senate Rules of the 2012 General Session of the Fifty–Ninth Legislature as the rules for the Tenth Extraordinary Session.

**COMMUNICATIONS FROM THE GOVERNOR**

Mr. President: November 6, 2012

I am pleased to inform you that I have appointed Franklin Richards Smith III as a Judge of the Fourth District Juvenile court, pursuant to Article VIII, Section 8 of the Utah Constitution and Utah Code Section 78A–10–101.

Thank you for your timely consideration and confirmation of Mr. Smith..

Gary R. Herbert  
Governor

Mr. President: December 5, 2012

The Senate Judicial Confirmation Committee met on December 5, 2012 and reports a favorite recommendation for Franklin Richards Smith III to be confirmed to the position of Judge in the Fourth District Juvenile Court.

Scott K. Jenkins, Chair

Senator Hillyard moved to consent to the appointment as read by Joanna MacKay. Senators Valentine, Christensen, and Davis commented. The motion passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

- |              |             |             |           |
|--------------|-------------|-------------|-----------|
| Adams        | Christensen | Davis       | Dayton    |
| Hillyard     | Hinkins     | Jenkins     | Jones     |
| Knudson      | Mayne       | McAdams     | Morgan    |
| Niederhauser | Okerlund    | Osmond      | Reid      |
| Robles       | Romero      | Stephenson  | Stevenson |
| Thatcher     | Valentine   | Van Tassell | Weiler    |
| Waddoups     |             |             |           |

**Absent or not voting were:** Senators

Anderson

Bramble

Madsen

Urquhart

**COMMITTEE OF THE WHOLE**

On motion of Senator Jenkins, Judge Franklin Richards Smith III, spoke in the Committee of the Whole.

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

On motion of Senator Jenkins, and at 2:00 p.m., the Senate adjourned sine die.



STATE OF UTAH

# **SENATE JOURNAL**

2013 GENERAL SESSION  
OF THE  
SIXTIETH LEGISLATURE

Convened  
Monday, January 28, 2013

Adjourned Sine Die  
Thursday, March 14, 2013

## **CERTIFICATION**

The undersigned, as the duly appointed committee on revision of the Senate Journal for the 2013 General Session of the Sixtieth Legislature of the State of Utah, do hereby certify that herein contained is an accurate record of the proceedings of the General Session convening on Monday, January 27, 2013, and adjourning sine die on Thursday, March 14, 2013.

**Leslie McLean**  
Secretary of the Senate

**Joanna MacKay**  
Manager, Senate Services

**Mary B. Andrus**  
Journal Clerk

**PRESIDENT OF THE SENATE**

**Wayne L. Niederhauser**  
**2013 General Session**  
**Sixtieth Legislature**







## SENATE LEADERSHIP

### MAJORITY LEADERSHIP (Republican)



Ralph Okerlund  
*Majority Leader*



Stuart Adams  
*Majority Whip*



Peter Knudson  
*Asst. Majority Whip*

### MINORITY LEADERSHIP (Democrat)



Gene Davis  
*Minority Leader*



Karen Mayne  
*Minority Whip*



Patricia Jones  
*Asst. Minority Whip*

### SENATE STAFF



Leslie McLean  
*Secretary of  
the Senate*



Joanna MacKay  
*Manager  
Senate Services*



Mary Andrus  
*Journal Clerk*



## SENATE LEADERSHIP

President of the Senate (R) .....	Wayne L. Niederhauser
Majority Leader (R) .....	Ralph Okerlund
Majority Whip (R) .....	Stuart Adams
Assistant Majority Whip (R) .....	Peter C. Knudson
Minority Leader (D) .....	Gene Davis
Minority Whip (D) .....	Karen Mayne
Assistant Minority Whip (D) .....	Patricia Jones
Minority Caucus Manager (D) .....	Luz Robles

## HOUSE LEADERSHIP

Speaker of the House (R) .....	Rebecca Lockhart
Majority Leader (R) .....	Brad L. Dee
Majority Whip (R) .....	Gregory Hughes
Assistant Majority Whip (R) .....	Don Ipson
Minority Leader (D) .....	Jennifer Seelig
Minority Whip (D) .....	Tim Cosgrove
Assistant Minority Whip (D) .....	Rebecca Chavez-Houck
Minority Caucus Manager (D) .....	Joel Briscoe

## STATE OFFICIALS

Governor .....	Gary R. Herbert
Lieutenant Governor .....	Greg Bell
Attorney General .....	John Swallow
Auditor .....	John Dougall
Treasurer .....	Richard Ellis

## CONGRESSIONAL DELEGATION

Senator .....	Mike Lee
Senator .....	Orrin G. Hatch
Congressman .....	Jim Matheson
Congressman .....	Rob Bishop
Congressman .....	Jason Chavetz
Congressman .....	Chris Stewart

## UTAH SUPREME COURT

Chief Justice .....	Matthew B. Durrant
Assoc. Chief Justice .....	Christine M. Durham
Justice .....	Thomas R. Lee
Justice .....	Jill Parrish
Justice .....	Ronald E. Nehring



Thomas A. Stephenson



John L. Williams



Curtis S. Dunshee



Stuart K. Jacobson



Allen M. Christensen



Mark D. Matheson



Karen T. Van Tassel



Lyle W. F. Haggard



Peter C. Koslowski  
Assistant Majority Whip



Stuart Adams  
Majority Whip



Ralph Chishead  
Majority Leader



Wayne L. Nadeau  
President of the Senate



Glenn Davis  
Minority Leader



Kenneth Moore  
Minority Whip



Patricia W. Jones  
Assistant Minority Whip



Lee Koblus  
Minority Caucus Manager

# 60th Legislature - Utah State Senate 2013 Session



Margaret Dayton



David R. Feltus



Stephen T. Dugger



Jerry Stevenson



Stuart C. Kyll



David W. Thacker



Aaron V. Omond



Todd Weber



Wayne A. Harper



Curtis J. Walker



Douglas H. Johnson



Donald L. Stevenson



John Dinkels



Eric Conrad  
Chief of Staff



Linda M. Linn  
Secretary of the Senate



Tom Stansfield  
Speaker

## MEMBERS OF THE SENATE

### Sixtieth Legislature

Senator	District	County(ies)	Party	Address & Telephone No.
<b>Luz Robles</b> <i>Minority Caucus Mgr</i>	1	Salt Lake	(D)	1004 N Morton Dr Salt Lake City Ut 84116 Home/Office (801) 953-0905
<b>Jim Dabakis</b>	2	Salt Lake	(D)	54 B Street Salt Lake City Ut 84103 Phone (801) 815-3533
<b>Gene Davis</b> <i>Minority Leader</i>	3	Salt Lake	(D)	865 Parkway Ave Salt Lake City Ut 84106 Home (801) 484-9428
<b>Patricia Jones</b> <i>Asst. Minority Whip</i>	4	Salt Lake	(D)	4571 Sycamore Dr Holladay Ut 84117 Home (801) 278-7667
<b>Karen Mayne</b> <i>Minority Whip</i>	5	Salt Lake	(D)	5044 W Bannock Cir West Valley City Ut 84120 Home (801) 968-7756
<b>Wayne A Harper</b>	6	Salt Lake	(R)	2094 Surrey Circle Taylorsville Ut 84129 Home (801) 566-5466
<b>Deidre Henderson</b>	7	Utah	(R)	462 W Rivercross Rd Spanish Fork Ut 84660 Phone (801) 787-6197
<b>Brian Shiozawa</b>	8	Salt Lake	(R)	3177 Fort Union Blvd Salt Lake City Ut 84121 Home (801) 942-2958
<b>Wayne L Niederhauser</b> <i>President</i>	9	Salt Lake	(R)	3182 E Granite Woods Lane Sandy Ut 84092 Home (801) 942-3398
<b>Aaron Osmond</b>	10	Salt Lake	(R)	11466 County Knoll Rd South Jordan Ut 84095 Home (801) 253-6853
<b>Howard A Stephenson</b>	11	Salt Lake, Utah	(R)	1038 E 13590 S Draper Ut 84020 Home (801) 572-1038

<b>Daniel Thatcher</b>	<b>12</b>	Salt Lake, Tooele	(R)	6352 City Vistas Way West Valley City, Ut 84128 Cell (801) 759-4746
<b>Mark B Madsen</b>	<b>13</b>	Salt Lake, Utah	(R)	P O Box 572 Lehi Ut 84043 Office (801) 361-4787
<b>John L Valentine</b>	<b>14</b>	Utah	(R)	857 E 970 N Orem Ut 84097 Home (801) 224-1693
<b>Margaret Dayton</b>	<b>15</b>	Utah	(R)	97 W Westview Dr Orem Ut 84058 Home (801) 221-0623
<b>Curtis S Bramble</b>	<b>16</b>	Utah, Wasatch	(R)	3663 N 870 E Provo Ut 84604 Home (801)226-3663
<b>Peter C Knudson</b> <i>Assistant Majority Whip</i>	<b>17</b>	Box Elder, Cache,Tooele	(R)	1209 Michelle Dr Brigham City Ut 84302 Home (435) 723-2035
<b>Stuart C Reid</b>	<b>18</b>	Davis, Morgan, Weber	(R)	2155 Grant Ave #125 Ogden Ut 84401 Cell (801) 686-7944
<b>Allen M Christensen</b>	<b>19</b>	Morgan, Summit, Weber,	(R)	1233 E 2250 N North Ogden Ut 84414 Home (801) 782-5600
<b>Scott K Jenkins</b>	<b>20</b>	Davis, Weber	(R)	4385 W 1975 N Plain City Ut 84404 Home (801) 731-5120
<b>Jerry Stevenson</b>	<b>21</b>	Davis	(R)	466 S 1700 W Layton Ut 84041 Home (801) 455-5172
<b>Stuart Adams</b> <i>Majority Whip</i>	<b>22</b>	Davis	(R)	3271 E 1874 N Layton Ut 84040 Home (801) 593-1776
<b>Todd Weiler</b>	<b>23</b>	Davis Salt Lake	(R)	1248 W 1900 S Woods Cross Ut 84087 Home (801) 294-4811

<b>Ralph Okerlund</b> <i>Majority Leader</i>	<b>24</b>	Beaver, Garfield, Juab, Kane, Millard, Piute, Sanpete, Sevier Utah, Wayne	(R)	248 S 500 W Monroe Ut 84754 Home (435) 527-3370
<b>Lyle W Hillyard</b>	<b>25</b>	Cache, Rich,	(R)	595 S RIVERWOODS PKWY Logan Ut 84321 Home (435) 753-0043
<b>Kevin T Van Tassell</b>	<b>26</b>	Daggett, Duchesne, Summit, Uintah, Wasatch	(R)	3424 W 1500 N Vernal Ut 84078 Home (435) 789-0724
<b>David Hinkins</b>	<b>27</b>	Carbon, Emery, Grand, San Juan, Utah, Wasatch	(R)	P O Box 485 Orangeville Ut 84537 Home (435) 384-5550
<b>Evan Vickers</b>	<b>28</b>	Beaver, Iron, Washington	(R)	2166 N Cobble Creek Dr Cedar City Ut 84721 Home (435) 586-4399
<b>Stephen H Urquhart</b>	<b>29</b>	Washington	(R)	634 E 1100 S St George Ut 84790 Home (435) 668-7759





**STATE OF UTAH**  
**SENATE JOURNAL**  
**2013 GENERAL SESSION**  
**of the**  
**SIXTIETH LEGISLATURE**  
**FIRST DAY**  
**MORNING SESSION**  
**January 28, 2013**

*Pursuant to the provisions of the Constitution of the State of Utah, the Senators of the Sixtieth Legislature of the State of Utah convened in General Session in the Senate Chamber on Monday, January 28, 2013, at ten o'clock a.m.*

The Senate was called to order at 10:35 a.m., by President Michael G. Waddoups, presiding

**POSTING OF COLORS & PLEDGE OF ALLEGIANCE**

**UTAH NATIONAL GUARD**

Members of the Color Guard  
Staff Sergeant Jada Slayton  
Airman First Class James Forbes  
Airman First Class Colton Elliott  
Airman First Class Jaime Phair

Janie Despain, Miss Sandy Utah, performed "The Star Spangled Banner."

Pledge of Allegiance – Christopher McCandless, Sandy City Council

**PRAYER BY LINDA K. BURTON**  
**PRESIDENT OF THE RELIEF SOCIETY OF THE**  
**CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS**

"Our Beloved Father in Heaven, we are grateful to gather in this capacity today. We acknowledge Thy wisdom, Thy power, Thy glory, and realize that compared to Thee, we are very small and dependent upon Thee as Thy children.

But we realize that we are all Thy children and thank Thee for the privilege of meeting together this day. We are grateful for those who are willing to serve in these capacities. We ask Thee to bless them and bless their families who give up much to serve as public servants. Bless them with every possible need, Father.

We're grateful for those who serve behind the scenes to prepare for such a session. We ask Thee to bless them and their families, and pray that we will be grateful for the service rendered the citizens of this great state.

We ask Thy blessings upon all that will transpire in the next several weeks. May there be civility; may there be integrity; may there be magnification through the process of counseling together in seeking solutions. Bless all those who serve with a capacity beyond their own, that they may be wiser and able to be discerning of needs and be able to deal with the difficult issues before them.

We ask a blessing on all who will serve in this house. We thank Thee for the freedoms that we enjoy to make choices, and we pray that we will be better citizens, and be supportive and involved.

We're grateful for the many blessings that we have, and to live in this great nation. We pray for these many blessings and thank Thee for Thy goodness to us, and do it in the name of Jesus Christ, Amen.

### **SPECIAL MUSICAL PRESENTATION**

The American Leadership Academy performed "Oh America" and "Bridge Over Troubled Waters."

\* \* \*

On motion of Senator Ralph Okerlund, the Senate thanked Sister Burton for delivering the invocation and requested her words to be spread upon the pages of the Senate Journal. He also expressed appreciation to the Utah Air National Guard, Christopher McCandless, for leading the Pledge of Allegiance, and to Janie Despain and the American Leadership Academy for their participation in the opening of the Utah State Senate.

\* \* \*

Leslie McLean read the following Certification of Membership of the 2013 General Session of the Sixtieth Legislature.

**CERTIFICATE OF MEMBERSHIP OF THE 2013  
GENERAL SESSION  
OF THE UTAH STATE SENATE**

I, GREG BELL, 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 6, 2012, the following named persons were chosen by the electors as members of the Legislature of the State of Utah, to serve in the Senate, each for a term of four years, beginning the January 1, 2013, to wit:

FIRST DISTRICT: County of Salt Lake

**Luz Robles**

SIXTH DISTRICT: County of Salt Lake

**Wayne A. Harper**

SEVENTH DISTRICT: County of Utah

**Deidre Henderson**

EIGHTH DISTRICT: County of Salt Lake

**Brian E. Shiozawa**

TENTH DISTRICT: County of Salt Lake

**Aaron Osmond**

THIRTEENTH DISTRICT: Counties Salt Lake, Utah

**Mark B. Madsen**

FOURTEENTH DISTRICT: County of Utah

**John L. Valentine**

SIXTEENTH DISTRICT: Counties of Utah, Wasatch

**Curtis S. Bramble**

NINETEENTH DISTRICT: Counties of Morgan, Summit, Weber

**Allen M. Christensen**

TWENTIETH DISTRICT: Counties of Davis, Weber

**Scott K. Jenkins**

TWENTY-THIRD DISTRICT: Counties of Davis, Salt lake

**Todd Weiler**

TWENTY-FOURTH DISTRICT: Counties of Beaver, Garfield, Juab, Kane, Millard, Piute, Sanpete, Sevier, Utah, Wayne

**Ralph Okerlund**

TWENTY-FIFTH DISTRICT: Counties of Cache, Rich

**Lyle W. Hillyard**

TWENTY-SEVENTH DISTRICT: Counties of Carbon, Emery, Grand, San Juan, Utah, Wasatch

**David P. Hinkins**

TWENTY-EIGHTH DISTRICT: Counties of Beaver, Iron, Washington

**Evan J. Vickers**

TWENTY-NINTH DISTRICT: County of Washington

**Stephen H. Urquhart**

I Further Certify, that at a General Election held within and for the State of Utah on Tuesday, November 2, 2010, the following named persons were chosen by the electors as members of the Legislature of the State of Utah, to serve in the Senate, each for a term of four years, beginning January 1, 2011, to wit:

THIRD DISTRICT: County of Salt Lake

**Gene Davis**

FOURTH DISTRICT: County of Salt Lake

**Patricia W. Jones**

FIFTH DISTRICT: County of Salt Lake

**Karen Mayne**

NINTH DISTRICT: County of Salt Lake

**Wayne L. Niederhauser**

ELEVENTH DISTRICT: Counties of Salt Lake, Utah

**Howard A. Stephenson**

TWELTH DISTRICT: County of Salt Lake

**Daniel W. Thatcher**

FIFTEENTH DISTRICT: County of Utah

**Margaret Dayton**

SEVENTEENTH DISTRICT: Counties of Box Elder, Cache, Tooele

**Peter C. Knudson**

EIGHTEENTH DISTRICT: Counties of Davis, Morgan, Weber

**Stuart C. Reid**

TWENTY-FIRST DISTRICT: County of Davis

**Jerry W. Stevenson**

TWENTY-SECOND DISTRICT: County of Davis

**J. Stuart Adams**

TWENTY-SIXTH DISTRICT: Counties of Daggett, Duchesne, Summit, Uintah,  
Wasatch

**Kevin T. Van Tassell**

I Further Certify, that the following named person has been duly appointed as a member of the Legislature of the State of Utah, to serve in the Senate, filling a seat vacated in his respective district, to term expiring on December 31, 2014, to wit:

SECOND DISTRICT: County of Salt Lake

**Jim Dabakis**

IN TESTIMONY WHEREOF,  
I have here unto set my hand,  
and affixed the Great Seal of the  
State of Utah this 23rd day off  
January, 2013 at Salt Lake City,  
Utah  
Greg Bell  
Lieutenant Governor

\* \* \*

Former Senate President Michael G. Waddoups administered the Oath of Office to all newly elected/ appointed, and reelected members.

**Roll Call** – All Senators present.

On motion of Senator Okerlund the Senate voted to proceed with its organization and elect its president.

President Michael G. Waddoups declared nominations for the office of President of the Senate were in order.

On motion of Senator Ralph Okerlund, and seconded by Senator Gene Davis, Senator Wayne L. Niederhauser was nominated to serve as President of the Utah State Senate.

On motion of Senator Stuart Adams, and seconded by Senator Karen Mayne, the nominations were closed and Senator Wayne L. Niederhauser was elected President of the Senate by acclamation. Senators Okerlund and Davis escorted President Niederhauser to the podium.

Former Senate President Michael G. Waddoups administered the Oath of Office to the President of the Senate, Wayne L. Niederhauser.

On motion of Senator Okerlund, the Senate expressed appreciation to former President Michael G. Waddoups for taking time from his busy schedule to participate in the opening of the Utah State Senate.

### **WELCOMING REMARKS BY PRESIDENT NIEDERHAUSER**

I appreciate the last four years serving under President Waddoups and Anna Kaye. No doubt we are going to miss their influence in the Senate and we wish them Godspeed in their new assignment, wherever that may be.

I want to thank the Utah National Guard, Janie Despain, Miss Sandy, my dear friend and business associate Chris McCandless, Sister Linda Burton, General President of the Relief Society of The Church of Jesus Christ of Latter-day Saints and the American Leadership Academy Choir-- Let's see, it was Hannah and Haley and Jimmy-- both, all three were children of Senator Henderson.

Thanks to all of our staff who have spent countless hours preparing for this day and making our session possible. We couldn't do this without you. Thank you very much.

Senators, I would like to thank you for your support and vote of confidence. I am overwhelmed by the trust you have in me. Each one of you have made a significant impact in my life. I feel like I am among friends. What a privilege it is for me to be here before you in my new capacity as Senate President. This old country boy from Northern Utah doesn't necessarily like all the ceremonial attention. I'd rather just start our business and get on with our work.

I even thought of ways to change how this morning takes place. But, then I realized how important it is to be traditional, especially here in the Senate. We could modernize a lot of the process and policies and we often do. But, we shouldn't discard the past completely. Often we need to re-root ourselves in principles and values that have endured the test of time and focus our minds on what is right and good. It is not about me, it's not about us, we are not the cog, we are the teeth on the cog. There is high honor in the offices that we assume. But the people in those offices, they come and they go.

I want to acknowledge my wife, Melissa. Seven years ago at this time we were making an important decision in our life, whether to run for the Senate or not. President Mansell, remember that? The opportunity had presented itself. It seemed pre-mature, but felt like the right thing to do. When I first told her that I wanted to give it try, she thought I was crazy. I have since proved her right. Nevertheless, it has been a wonderful singular experience for both of us. She has been by my side the whole time filling in the gaps and giving me a shoulder to cry on when times seemed tough. As time goes by, I find I appreciate her more and more, her seemingly endless capacity. I love her and thank you for all your support and love.

It is a thrill for me to have my three daughters and daughter-in-law here today as well as my son-in-law. My sons couldn't make it. One has an important school commitment and the other is serving a mission in Wisconsin, the Milwaukee, Wisconsin Mission. Politics in our home has not come easy for them. They have come to hate putting up signs and stuffing envelopes—maybe the Shiozawa family can relate to that. I see one peeking at me and saying yes-- but the exposure

to the process is invaluable. I appreciate all the support they have given me. A special thanks to Melissa's mother, Beverly Barrett. She has loved and lived politics for as long as I can remember. Beverly has played a significant role in the arts and the Miss America Pageant in Sandy City. Through her, we were able to have Miss Sandy perform for us today. And thanks again to Miss Sandy for her wonderful rendition of *The Star-Spangled Banner*.

Friday night, Melissa and I attended the viewing for David Adams, father and friend of Senator Adams. Though he lived a good and long life, 92 years, it doesn't make it easier to lose a parent. You miss them and long for their counsel and companionship. Senator Knudson and I have had a couple of conversations about this over the past year. It seems the older you get, the more longing you have for a parent who has passed. My father died in April of 2003 from pancreatic cancer. He was always proud of me even in those times when it wasn't easy to be proud. I know he would be shocked to see me serving in the legislature. I didn't realize it until recently how much he enjoyed politics. He had earned a Political Science degree from Utah State University. As a kid I wondered, "What's political science?" I remember that he always read the opinion section in the newspaper. As a boy and as a younger man, I always thought how boring, and I didn't appreciate his love for our political system here in America. I recognize that about him now. I wish he could have lived to be here today.

Equally shocked is my mother, Mary Beth Niederhauser and maybe more shocked, my sister Teri Benson. My brother who flew in this morning by surprise—David, I appreciate you being here. All of them are here today. My mother has played a significant role in my life. Never did she imagine that I would be in politics. At times she wondered if I would even survive childhood. Always adventurous, I found myself in life threatening situations on several occasions. I know that she had questions about where I would be and where I would end up. I have a story that illustrates this that leads into my main message today. We have some technology coming here.

In 1967, our family lived in Tremonton, Utah. Dad worked for Mountain Fuel Supply Company. Mom was employed at Bear River State Bank. She worked as a teller. I remember her bringing home counter checks and teaching me how to write out a check. My mind was always financially oriented. Little wonder that I ended up as an accountant. I had a savings account at Bear State Bank and loved to save. In those days, the bank gave you a little book that was a record of your account. It was updated when you went to make a deposit or a withdrawal or when you had earned some interest. I remember getting the book out of my parent's drawers just to look at the balance. I wanted to see that balance grow and get larger. I think I dreamed of having \$100 in my account. I loved it! Money was fascinating to me. I loved coins and paper bills. There were few things greater in life than to look at a

hundred dollar bill. So I thought. Dad usually had one in his wallet. I would ask him occasionally to look at it.

I was in second grade at the time at North Park Elementary School. School lunches were purchased by paying for a 20 day card that was punched every time you went to lunch. The cost was \$5.00. Every so often when needed, Dad would give me a \$5.00 bill to buy a new lunch card. On the evening of March 13th or 14th in 1967, I told Dad that I needed money for lunches. He reached into his wallet and pulled out a beautiful \$5.00 bill and gave it to me as he had done many times before. I walked to my bedroom marveling at the wonder of this extraordinary medium of exchange. President Lincoln was on the front. His memorial was on the back. I read every word, looked at the symbols wondering what they all meant and looked at both the signatures on the front. How I wished that I had one for my very own! Then it hit me, I could write out a check! Yes, I would pay for my lunches with a check and keep the \$5.00 bill. Under my bed was a box where I kept the counter checks. I carefully filled one out. Notice the grown-up writing and the check number, TWA1000. I loved airplanes at the time and had a model TWA Boeing jet. The next morning I left for school. It was about a half a mile walk. The \$5 dollar bill was in one of my front pockets and the check in the other. I didn't know why it was wrong, but I felt that there was something not quite right. Upon arriving at school, I stood in line in the principal's office. Principal Hawks issued the lunch cards. A war was going on in my mind. Should I give him the check or should I give him the money? Then, it was my turn. I reached into my pocket pulled out the check. He took it, stamped it and put it in his drawer and gave me a fresh new lunch card. The shoulder devil had won out, at least temporarily. Eureka, the \$5 was mine. What a great system! This check writing. It was like pulling money out of thin air. After school, the \$5 bill was placed in a special cupboard in my room. Over the next few days, I would pull it out and look at it and marvel that it was mine. Then, the unanticipated day arrived. It took about a week. You can't get that kind of float today! I arrived home. The phone rang and I picked it up. It was Mom. "Wayne", she said in an excited voice. "Do you have \$5?" How did she know? What had happened? One of the bookkeepers at the bank came across the check and took it to my mother. She said, "Mary Beth, someone has forged your name!" When Mom saw the check, she knew immediately what had happened. Well, I gave up the five dollar bill to cover the check. It was gone along with all the counter checks. They didn't even leave me one. I am fairly confident that I was the only seven year-old that understood how our checking system worked. I learned it by experience. It left a deep impression on my mind.

There are people today that think they can create money out of thin air. Adults write checks hoping that somehow money will show up in the checking account magically. The Federal Reserve buys US Treasury Bonds in exchange for money,



which the US Treasurer uses to pay government obligations. One day the checking account has to be covered. Even a second grader knows that! It is natural law. Often legislators and other government officials think that they can somehow legislate over natural law. They think that they have more power than they really do. It is often done in the name of entitlement or compassion or defense. Eventually, natural law wins out, lest we forget. Though forgetting is easy in the heat of the session when our constituents are bearing down upon us.

To help us remember, the pages are passing out some symbols that are familiar to us. Symbols are a visual representations of things simple or complex, principle or experience, but important reminders. When you get your coins, will you pull out the Senate Coin please. The first coin is the Senate Coin. On one side is the State Seal and on the other the Senate Seal.

The state seal was designed by Harry Emmett Edwards in 1896. It contains numerous symbols important to the state of Utah. The Utah Code describes the seal in this way: “The center a shield and perched thereon an American eagle with outstretching wings; the top of the shield pierced by six arrows crosswise; under the arrows the motto ‘Industry’; beneath the motto a beehive, on either side growing sego lilies; below the beehive the figures ‘1847’; and on each side of the shield an American flag; encircling all, near the outer edge of the seal, beginning at the lower left-hand portion, the words ‘The Great Seal of the State of Utah,’ with the figures ‘1896’ at the base.” The shield and the American eagle symbolize protection and the place that Utah has within the United States. The beehive represents hard work, perseverance, self-reliance, and industry. The sego lily symbolizes the state’s aspirations to peace and also reminds us of the sego lily roots that the early settlers ate to avoid starvation. The year 1847 is the year that the hardy pioneer settlers first came to Utah, and 1896 is the year that Utah became a state. The flags on either side of the shield represent Utah’s support for the nation.

The beehive, the state emblem, was chosen as the emblem for the State of Deseret in 1848. The word “deseret” means “honeybee” and was taken from the Book of Mormon. The beehive was meant to symbolize the importance of industry (meaning hard work, from which we are all benefactors today) to the early settlers as they persevered in cultivating the land and making Utah their home.

What a great reminder of our history, the sacrifices and the principles they have made our great State, lest we forget.

The Senate Seal is on the other side. Not a lot is written or recorded about the Senate Seal. This is what we found: A committee of Senators, the Majority and Minority party, and Senate Secretary got together and worked out the seal. The

symbols there mean: the beehive, the same Utah symbol of industry; the quill, representing the signature tool used historically to make many important decisions signed, sealed and delivered; and the gavel representing the work of the Senate. Mainly, the Senate Seal is a symbol of this great Constitutional process, of which I've become very fond of over the six years I've served in the Senate. Our process is wonderful. Any person and any mind can bring an initiative before the Legislature. There's a process to deal with that. And what a great system we have in America.

On the edge, you read the words, "Life, Liberty and the Pursuit of Happiness" and also the word "Unalienable!". These are words from the Declaration of Independence. I quote, "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness."

What is unalienable cannot be denied, dismissed, or transferred. It is akin to natural law and governed by a power much higher than ours, lest we forget.

Lastly, I have handed out a Presidential Coin. On the tail side is the Statue of Liberty.

"The Statue of Liberty stands in Upper New York Bay, a universal symbol of freedom. Originally conceived as an emblem of the friendship between the people of France and the U.S. and a sign of their mutual desire for liberty, over the years the Statue has become much more. It is the Mother of Exiles, greeting millions of immigrants and embodying hope and opportunity for those seeking a better life in America. It stirs the desire for freedom in people all over the world.

It represents the United States itself."  
(<http://edsitement.neh.gov/lesson-plan/statue-liberty-meaning-and-use-national-symbol>)

It is a great visual for my immigrant fore-bearers who came to this land for liberty. Lest we forget.

On the heads side of the coin is the bust of President Abraham Lincoln. Along the bottom of the bust in the fine print are the words, "In God We Trust" and "16th President 1861 -1865".

I chose President Lincoln today for several reasons. One, he is a symbol of liberty and equality. Two, though apparently not disposed toward organized religion, many of his well documented statements give little doubt that he was a very religious person. Quotes like the one found in a farewell address on February

11, 1861. I'm not sure what farewell address that would be, but it's well-documented. It says:

“Trusting in Him, who can go with me, and remain with you and be every where for good, let us confidently hope that all will yet be well. To His care commending you, as I hope in your prayers you will commend me, I bid you an affectionate farewell.”

Farewell Address on February 11, 1861 (CWAL IV:190)  
Too, on July 31 of 1846:

“That I am not a member of any Christian Church, is true; but I have never denied the truth of the Scriptures; and I have never spoken with intentional disrespect of religion in general, or any denomination...”

--July 31, 1846 Handbill Replying to Charges of Infidelity

And, what a great thought this is. It was the National Day of Fasting, and it was given by President Abraham Lincoln. Listen very carefully to this one:

“We have been the recipients of the choicest bounties of heaven. We have been preserved, these many years, in peace and prosperity. We have grown in numbers, wealth and power, as no other nation has ever grown. But we have forgotten God. We have forgotten the gracious hand which preserved us in peace, and multiplied and enriched and strengthened us; and we have vainly imagined, in the deceitfulness of our hearts, that all these blessings were produced by some superior wisdom and virtue of our own. Intoxicated with unbroken success, we have become too self-sufficient to feel the necessity of redeeming and preserving grace, too proud to pray to the God that made us! It behooves us, then to humble ourselves before the offended Power, to confess our national sins, and to pray for clemency and forgiveness.”

Abraham Lincoln - Proclamation for a National Day of Fasting Wow

Though documented, there are some that feel that the following quote is not from Lincoln. If it is not, there is little doubt that he believed it and practiced it based on other well documented statements.

“I have been driven many times upon my knees by the overwhelming conviction that I had nowhere else to go. My own wisdom, and that of all about me, seemed insufficient for the day.”

Reed, James A. (July 1873). "The Later Life and Religious Sentiments of Abraham Lincoln". *Scribner's Monthly* 6 (3): 340.citing Noah Brooks article in *Harper's Monthly*, July 1865

The third reason why I chose Lincoln was that he was President when the words “In God We Trust” were first engraved on the US coin. Lest we forget.

In December of 1863, Lincoln’s Secretary of the Treasury (Salmon P. Chase) decided on a new motto to engrave on U.S. coins. Lincoln’s involvement in this decision is unclear, but it appears quite probable that the expression, “In God We Trust,” was in keeping with Lincoln’s spiritual beliefs at the time.

According to The Congressional Record (1908, House), p. 3387, the motto was adopted “doubtless with his [Lincoln’s] knowledge and approval.”

This is some fascinating history that we talked about today. What some great symbols to think on and remember.

Again, in the fine print barely legible it reads “In God We Trust”. A timeless symbol of infinite meaning. Lest we forget the fine print.

That concludes my remarks. I thank you for your indulgence.

\* \* \*

On motion of Senator Adams, the Senate voted to have President Niederhauser’s remarks spread upon the pages of the 2013 Senate Journal.

President Niederhauser appointed Senators Lyle Hillyard, Scott Jenkins, and Karen Mayne to join with a like committee from the House to notify Governor Herbert that the Legislature is organized for the 2013 General Session of the Sixtieth Legislature and ready to do business.

President Niederhauser appointed Senators Stuart Reid, Kevin Van Tassell, and Luz Robles as a committee to notify the House of Representatives that the Senate is organized and ready to do business.

\* \* \*

President Niederhauser directed that the following be recorded in the Senate Journal as leaders for the 60th Legislature 2013 General Session:

President – Wayne L. Niederhauser  
Majority Leader – Ralph Okerlund  
Majority Whip – Stuart Adams  
Asst. Majority Whip – Peter C. Knudson  
Minority Leader – Gene Davis  
Minority Whip – Karen Mayne  
Asst. Minority Whip – Patricia W. Jones  
Minority Caucus Manager – Luz Robles

\* \* \*

President Niederhauser appointed Senator Lyle Hillyard as Executive Appropriations Senate Chair and Senator Jerry Stevenson as Executive Appropriations Senate Vice Chair, Senator John Valentine as Senate Rules Chair and Senator Allen Christensen as the Committee Chair to serve Patronage and Employees

Senator Hillyard, Chairman of the Committee to Notify the Governor, reported that His Excellency, Governor Gary R. Herbert, has been notified that the Legislature is organized and ready to do business.

Senator Reid, Chairman of the Committee to Notify the House, reported the House has been notified that the Senate is organized and ready to do business.

President Niederhauser appointed a Senate Rules Committee comprised of Senator John Valentine, Chair, Senators Peter Knudson, Mark Madsen, Stuart Reid, Kevin Van Tassell, Todd Weiler, Patricia Jones, and Karen Mayne to formulate the Senate Rules and work with the House of Representatives in formulating Joint Rules.

At the direction of President Niederhauser, senate membership of the following committees are to be officially recorded in the Senate Journal:

## SENATE STANDING COMMITTEES

### **Business and Labor**

Curtis Bramble, *Chair*  
 Gene Davis  
 Deidre Henderson  
 David Hinkins  
 Karen Mayne  
 Kevin Van Tassell  
 John Valentine

### **Education**

Stuart Reid, *Chair*  
 Patricia Jones  
 Mark Madsen  
 Wayne Niederhauser  
 Aaron Osmond  
 Howard Stephenson  
 Jerry Stevenson  
 Steve Urquhart

### **Natural Resources, Agriculture and Environment**

Scott Jenkins, *Chair*  
 Allen Christensen  
 Jim Dabakis  
 David Hinkins  
 Peter Knudson  
 Ralph Okerlund  
 Evan Vickers

### **Health and Human Services**

Evan Vickers, *Chair*  
 Allen Christensen  
 Luz Robles  
 Brian Shiozawa  
 Daniel Thatcher

### **Economic Development and Workforce Services**

Aaron Osmond, *Chair*  
 Patricia Jones  
 Peter Knudson  
 Karen Mayne  
 Ralph Okerlund  
 Stuart Reid  
 Jerry Stevenson

### **Judiciary, Law Enforcement and Criminal Justice**

Mark Madsen, *Chair*  
 Lyle W. Hillyard  
 Patricia Jones  
 Luz Robles  
 Daniel Thatcher  
 Steve Urquhart  
 Todd Weiler

### **Revenue and Taxation**

Deidre Henderson, *Chair*  
 Stuart Adams  
 Curt Bramble  
 Jim Dabakis  
 Gene Davis  
 Wayne Harper  
 Scott Jenkins  
 Howard Stephenson  
 John Valentine

**Government Operations and  
Political Subdivisions**

Margaret Dayton, *Chair*  
Lyle Hillyard  
Wayne Niederhauser  
Luz Robles  
Brian Shiozawa  
Daniel Thatcher  
Kevin Van Tassell

**Ethics**

Peter Knudson, *Chair*  
Gene Davis, *Vice Chair*  
Allen Christensen  
Lyle Hillyard  
Pat Jones  
Karen Mayne  
Stuart Reid  
Luz Robles

**Transportation and Public  
Utilities and Technology**

Kevin Van Tassell, *Chair*  
Stuart Adams  
Margaret Dayton  
Wayne Harper  
Karen Mayne

**Retirement and Independent  
Entities**

Todd Weiler, *Chair*  
Curtis Bramble  
Gene Davis  
Margaret Dayton  
Karen Mayne  
Daniel Thatcher

**Senate Rules**

John Valentine *Chair*  
Patricia Jones  
Peter Knudson  
Mark Madsen  
Karen Mayne  
Stuart Reid  
Kevin Van Tassell  
Todd Weiler

**SENATE MEMBERS JOINT  
APPROPRIATIONS SUBCOMMITTEES  
2013 – 2014**

**EXECUTIVE  
APPROPRIATIONS  
COMMITTEE**

Sen. Lyle Hillyard, *Chair*  
Sen. Jerry Stevenson, *Vice Chair*  
Sen. Wayne Niederhauser  
Sen. Ralph Okerlund  
Sen. Stuart Adams

Sen. Peter Knudson  
Sen. Gene Davis  
Sen. Karen Mayne  
Sen. Patricia Jones  
Sen. Luz Robles

**BUSINESS, ECONOMIC  
DEVELOPMENT & LABOR**

Sen. Brian Shiozawa *Co-Chair*  
Sen. Curtis Bramble  
Sen. Gene Davis  
Sen. Wayne Harper  
Sen. Scott Jenkins  
Sen. Stuart Reid  
Sen. Jerry Stevenson

**EXECUTIVE OFFICES AND  
CRIMINAL JUSTICE**

Sen. Daniel Thatcher, *Co-Chair*  
Sen. Curtis Bramble  
Sen. Jim Dabakis  
Sen. Mark Madsen  
Sen. Ralph Okerlund  
Sen. Stuart Reid

**HIGHER EDUCATION**

Sen. Steve Urquhart, *Co-Chair*  
Sen. Stuart Adams  
Sen. Patricia Jones  
Sen. Aaron Osmond  
Sen. Howard Stephenson  
Sen. Jerry Stevenson  
Sen. John Valentine

**INFRASTRUCTURE &  
GENERAL GOVERNMENT**

Sen. Wayne Harper, *Co-Chair*  
Sen. Lyle Hillyard  
Sen. David Hinkins  
Sen. Scott Jenkins  
Sen. Peter Knudson  
Sen. Karen Mayne  
Sen. Kevin Van Tassell  
Sen. Evan Vickers

**NATURAL RESOURCES,  
AGRICULTURE &  
ENVIRONMENTAL QUALITY**

Sen. David Hinkins, *Co-Chair*  
Sen. Jim Dabakis  
Sen. Margaret Dayton  
Sen. Ralph Okerlund  
Sen. John Valentine  
Sen. Kevin Van Tassell

**PUBLIC EDUCATION**

Sen. Howard Stephenson, *Co-Chair*  
Sen. Stuart Adams  
Sen. Lyle Hillyard  
Sen. Patricia Jones  
Sen. Mark Madsen  
Sen. Aaron Osmond  
Sen. Daniel Thatcher  
Sen. Steve Urquhart

**RETIREMENT &  
INDEPENDENT ENTITIES**

Sen. Todd Weiler, *Co-Chair*  
Sen. Curtis Bramble  
Sen. Stuart Reid  
Sen. Daniel Thatcher  
Sen. Karen Mayne  
Sen. Luz Robles

**SOCIAL SERVICES**

Sen. Allen Christensen, *Co-Chair*  
Sen. Deidre Henderson  
Sen. Peter Knudson  
Sen. Wayne Niederhauser  
Sen. Luz Robles  
Sen. Brian Shiozawa  
Sen. Evan Vickers  
Sen. Todd Weiler



**LEGISLATIVE MANAGEMENT COMMITTEE**

- Sen. Wayne Niederhauser, *Chair*
- Sen. Ralph Okerlund
- Sen. Stuart Adams
- Sen. Peter Knudson
- Sen. Gene Davis
- Sen. Karen Mayne
- Sen. Patricia Jones
- Sen. Luz Robles

\* \* \*

Senators Okerlund and Davis made opening remarks to the Senate.

On motion of Senator John Valentine, the 2012 Senate Rules, Joint Rules and Interim Rules of the Fifty–Ninth Legislature were adopted with the understanding that changes to these rules for the Sixtieth Legislature will be considered and adopted as soon as possible.

On motion of Senator Valentine, as allowed by the Utah Constitution and Joint Rules of the Legislature, the Senate voted to continue its practice of reading only the short title of bills and resolutions as they are introduced or considered on the Senate calendar and not read the long title of the bills and resolutions unless a majority of the Senate directs the reading of the long title, short title, or both of any House or Senate bill or resolution. The motion passed on the following roll call vote:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Madsen	Vickers
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\* \* \*

The Senate voted to adopt the following committee report and employ the persons recommended by Senator Jones.

### EMPLOYEE COMMITTEE REPORT

Senator Jones introduced the Senate Staff.

Leslie McLean	Secretary of the Senate
Ric Cantrell	Chief of Staff
Joanna MacKay	Manager of Senate Services
Dawn Frandsen	Majority Executive Assistant
Janeen M. Halverson	Minority Executive Assistant
Paula Tew	Docket Clerk
Greg Johnson	System Analyst
Mary Andrus	Journal Clerk
Karen C. Allred	Secretarial Supervisor
Cynthia Millar	Rules Secretary/Amending Clerk
Karen Allred	Committee Secretary
Wendy Hill	Committee Secretary
Cami Deavila	Committee Secretary
Nancy Skidmore	Committee Secretary
Lorna Wells	Committee Secretary
Paula Winter	Committee Secretary
Lori Poole	Amending Clerk/Committee Secretary
Thomas R. Shepherd	Sergeant At Arms
Paul Jacobs	Asst. Sergeant At Arms
Neal Barth	Security
Dennis Bird	Security
Frank Christensen	Security
Steve Higham	Security
Glenn Hildebrand	Security
Jason Hildebrand	Security
Tony Mascaro	Security
Darrell Griggs	Security
Scott Lawrence	Security
Karmen Sanone	Security
Gayle C. Petersen	Page Supervisor
Linda Cornaby	Asst. Page Supervisor
Jewel Doxey	Page
Kris Chipman	Page
Claudette Eastman	Page

Deanne Evans	Page
Jill Kennedy	Page
Janet Packham	Page
Dianne Richards	Page
Georgianna Knudson	Docket Clerk Aide
Jodi Cox	Public Address System/Comp Operator
Shelley Robinson	Visitor Services Liaison
Richard Block	Computer Specialist
Michael Bishop	Computer Specialist
Carolyn Buehner	Hostess
Cheryl Ferrin	Public Information Officer
Beth Hansen	Public Information Officer
Kirsten Frank	Legislative Aide
Emily Stephenson	Receptionist/Legislative Aide

### INTRODUCTION OF INTERNS

Senator David Hinkins introduced the Senate Interns for the 2013 General Session.

Sen. Stuart Adams	Matthew Gamett
Sen. Curtis Bramble	Brock Jensen
Sen. Allen Christensen	Kyle B. Perkins
Sen. Jim Dabalis	Ben Alder
Sen. Gene Davis	Liz Stubbs
Sen. Margaret Dayton	Will Kleinman
Sen. Wayne Harper	Nathan Payne
Sen. Deidre Henderson	Emily Marshall
Sen. Lyle Hillyard	Jory Spotts
Sen. David Hinkins	Chris Bjornestad
Sen. Scott Jenkins	Ben Childs
Sen. Patricia Jones	Taylor Bouchard
Sen. Peter Knudson	Mikaela Ferry
Sen. Mark Madsen	Will Kleinman
Sen. Karen Mayne	Keegan Rank
Sen. Ralph Okerlund	Dillon Erickson
Sen. Aaron Osmond	Ryan Davis
Sen. Stuart Reid	Ryan Davis
Sen. Luz Robles	Marlo Organista
Sen. Brian Shiozawa	Kyle B. Perkins
Sen. Howard Stephenson	Michael Melendez
Sen. Jerry Stevenson	Bryan Smith
Sen. Daniel Thatcher	Nathan Payne

Sen. Stephen H. Urquhart  
Sen. John Valentine  
Sen. Kevin Van Tassell  
Sen. Evan Vickers  
Sen. Todd Weiler  
Pres. Wayne Niederhauser

Levi Brewer  
Nicholai Lazarev  
Chris Bjornestad  
Levi Brewer  
Emily Marshall  
Katherine Rhodes

## INTRODUCTION OF BILLS

**S.B. 1, Public Education Base Budget** (H. Stephenson), was read the first time by short title and referred to the Rules Committee.

**S.B. 5, Natural Resources, Agriculture, and Environmental Quality Base Budget** (D. Hinkins), was read the first time by short title and referred to the Rules Committee.

**S.B. 6, Retirement and Independent Entities Base Budget** (T. Weiler), was read the first time by short title and referred to the Rules Committee.

**S.B. 10, Retirement Eligibility Amendments** (T. Weiler), was read the first time by short title and referred to the Rules Committee.

**S.B. 11, Alimony Amendments** (L. Hillyard), was read the first time by short title and referred to the Rules Committee.

**S.B. 12, Public Transit District Customer Information** (K. Van Tassell), was read the first time by short title and referred to the Rules Committee.

**S.B. 13, Amendments to Ignition Interlock Program** (D. Thatcher), was read the first time by short title and referred to the Rules Committee.

**S.B. 14, Research Using Pharmaceuticals** (P. Jones), was read the first time by short title and referred to the Rules Committee.

**S.B. 15, Industrial Accident Restricted Account** (J. Valentine), was read the first time by short title and referred to the Rules Committee.

**S.B. 16, Health Insurance Coverage Restrictions on Retired Governors and Legislators** (T. Weiler), was read the first time by short title and referred to the Rules Committee.

**S.B. 17, Account for People with Disabilities Amendments** (M. Dayton), was read the first time by short title and referred to the Rules Committee.

**S.B. 18, Child Custody Proceedings Amendments** (L. Robles), was read the first time by short title and referred to the Rules Committee.

**S.B. 19, Commercial Driver License Amendments** (K. Van Tassell), was read the first time by short title and referred to the Rules Committee.

**S.B. 20, State Security Standards for Personal Information** (S. Reid), was read the first time by short title and referred to the Rules Committee.

**S.B. 21, Unincorporated Business Entities** (L. Hillyard), was read the first time by short title and referred to the Rules Committee.

**S.B. 22, Worker Classification Coordinated Enforcement Council** (J. Valentine), was read the first time by short title and referred to the Rules Committee.

**S.B. 23, Lieutenant Governor Candidate Amendments** (P. Knudson), was read the first time by short title and referred to the Rules Committee.

**S.B. 24, Absentee Ballot Amendments** (P. Knudson), was read the first time by short title and referred to the Rules Committee.

**S.B. 25, Elections During Declared Emergency** (P. Knudson), was read the first time by short title and referred to the Rules Committee.

**S.B. 26, Risk Management for Independent Entities** (T. Weiler), was read the first time by short title and referred to the Rules Committee.

**S.B. 27, Health Care Provider Immunity Sunset Amendment** (A. Christensen), was read the first time by short title and referred to the Rules Committee.

**S.B. 28, Boards and Commissions Amendments** (P. Knudson), was read the first time by short title and referred to the Rules Committee.

**S.B. 29, State Highway System Modifications** (K. Van Tassell), was read the first time by short title and referred to the Rules Committee.

**S.B. 30, Water and Irrigation Amendments** (M. Dayton), was read the first time by short title and referred to the Rules Committee.

**S.B. 31, Special Needs Adoption Tax Credit** (W. Harper), was read the first time by short title and referred to the Rules Committee.

**S.B. 32, Environmental Health Scientist Act Sunset Reauthorization** (G. Davis), was read the first time by short title and referred to the Rules Committee.

**S.B. 33, Sales and Use Tax Revisions** (H. Stephenson), was read the first time by short title and referred to the Rules Committee.

**S.B. 34, Special Election Date for Ballot Propositions** (H. Stephenson), was read the first time by short title and referred to the Rules Committee.

**S.B. 35, Property Taxation of Business Personal Property** (W. Harper), was read the first time by short title and referred to the Rules Committee.

**S.B. 36, Cigarette and Tobacco Tax and Licensing Amendments** (W. Harper), was read the first time by short title and referred to the Rules Committee.

**S.B. 37, Time Period for Paying a Tax, Interest, or Penalties after a Judicial Decision** (D. Henderson), was read the first time by short title and referred to the Rules Committee.

**S.B. 38, Reauthorization of Veterans Reintegration Task Force** (P. Knudson), was read the first time by short title and referred to the Rules Committee.

**S.B. 39, Parental Responsibility for Sex Education Training** (S. Reid), was read the first time by short title and referred to the Rules Committee.

**S.B. 40, Utah Navajo Royalties Amendments** (K. Van Tassell), was read the first time by short title and referred to the Rules Committee.

**S.B. 41, Uniform Commercial Code Amendments** (L. Hillyard), was read the first time by short title and referred to the Rules Committee.

**S.B. 42, Medical School Admissions Funding** (J. Valentine), was read the first time by short title and referred to the Rules Committee.

**S.B. 43, Financial and Economic Literacy Education Amendments** (P. Jones), was read the first time by short title and referred to the Rules Committee.

**S.B. 44, Construction Trades Licensing Revisions** (K. Mayne), was read the first time by short title and referred to the Rules Committee.

**S.B. 45, Workers' Compensation and Directors or Officers** (E. Vickers), was read the first time by short title and referred to the Rules Committee.

**S.B. 46, Occupational Safety and Health Amendments** (L. Robles), was read the first time by short title and referred to the Rules Committee.

**S.B. 47, Procurement Amendments – Small Purchases** (R. Okerlund), was read the first time by short title and referred to the Rules Committee.

**S.B. 48, Special Group License Plate Revisions** (P. Knudson), was read the first time by short title and referred to the Rules Committee.

**S.B. 49, Child Welfare Modifications** (W. Harper), was read the first time by short title and referred to the Rules Committee.

**S.B. 106, Unemployment Tax Amendment** (C. Bramble), was read the first time by short title and referred to the Rules Committee.

**S.B. 107, Public Shooting Ranges** (A. Christensen), was read the first time by short title and referred to the Rules Committee.

**S.B. 108, Civil Rights Amendments Relating to Persons with a Disability** (P. Jones), was read the first time by short title and referred to the Rules Committee.

**S.B. 109, Change Application Procedure** (R. Okerlund), was read the first time by short title and referred to the Rules Committee.

**S.B. 110, School-based Budgeting Amendments** (H. Stephenson), was read the first time by short title and referred to the Rules Committee.

**S.B. 111, Electronic Filing of Traffic Citations and Accident Reports** (L. Hillyard), was read the first time by short title and referred to the Rules Committee.

**S.B. 112, Work Week Amendments** (A. Osmond), was read the first time by short title and referred to the Rules Committee.

**S.B. 113, Long-term Disability Coverage Amendments** (T. Weiler), was read the first time by short title and referred to the Rules Committee.

**S.B. 114, Safety Belt Amendments** (L. Robles), was read the first time by short title and referred to the Rules Committee.

**S.B. 115, Water Development Commission Amendments** (M. Dayton), was read the first time by short title and referred to the Rules Committee.

**S.B. 116, Garnishment for Debt Collection** (L. Hillyard), was read the first time by short title and referred to the Rules Committee.

**S.B. 117, Legislative Office Definitions** (L. Hillyard), was read the first time by short title and referred to the Rules Committee.

**S.B. 118, Rocky Mountain Center for Occupational and Environmental Health Amendments** (K. Mayne), was read the first time by short title and referred to the Rules Committee.

**S.B. 119, Youth Court Amendments** (J. Stevenson), was read the first time by short title and referred to the Rules Committee.

**S.B. 120, Target Shooting and Wildfire Regulations** (M. Dayton), was read the first time by short title and referred to the Rules Committee.

**S.B. 121, Traffic Regulations Regarding Buses** (K. Mayne), was read the first time by short title and referred to the Rules Committee.

**S.B. 122, Student Leadership Skills Development** (A. Osmond), was read the first time by short title and referred to the Rules Committee.

**S.B. 123, Runaway Vehicle Ramp Requirements** (K. Van Tassell), was read the first time by short title and referred to the Rules Committee.

**S.B. 124, Sales and Use Tax Exemption for Database Access** (W. Harper), was read the first time by short title and referred to the Rules Committee.

**S.B. 125, District Court Judge Amendments** (K. Van Tassell), was read the first time by short title and referred to the Rules Committee.

**S.B. 126, Coordination of Services for Veterans** (P. Knudson), was read the first time by short title and referred to the Rules Committee.

**S.B. 127, Juvenile Court Judge Amendments** (K. Van Tassell), was read the first time by short title and referred to the Rules Committee.

**S.B. 128, Financial Transparency in Education** (D. Thatcher), was read the first time by short title and referred to the Rules Committee.

**S.B. 129, Office of State Debt Collection – Writ of Garnishment** (L. Hillyard), was read the first time by short title and referred to the Rules Committee.



**S.B. 130, Security Personnel Licensing Act Amendments** (M. Dayton), was read the first time by short title and referred to the Rules Committee.

**S.B. 131, Assault Amendments** (A. Osmond), was read the first time by short title and referred to the Rules Committee.

**S.B. 132, Utah Medical Education Council Amendments** (W. Harper), was read the first time by short title and referred to the Rules Committee.

**S.B. 133, School Performance Report Amendments** (H. Stephenson), was read the first time by short title and referred to the Rules Committee.

**S.B. 134, Utah Performance Assessment System for Students (u-pass) Amendments** (M. Dayton), was read the first time by short title and referred to the Rules Committee.

**S.B. 135, Involuntary Commitment Amendments** (T. Weiler), was read the first time by short title and referred to the Rules Committee.

**S.B. 136, Construction Trades Licensing Modifications** (P. Knudson), was read the first time by short title and referred to the Rules Committee.

**S.C.R. 2, Concurrent Resolution Recognizing Workers' Compensation Fund for Workplace Safety** (K. Mayne), was read the first time by short title and referred to the Rules Committee.

**S.C.R. 3, Threatened Species Damage and Management Plan Concurrent Resolution** (E. Vickers), was read the first time by short title and referred to the Rules Committee.

**S.J.R. 1, Joint Rules Resolution on Performance Notes** (J. Stevenson), was read the first time by short title and referred to the Rules Committee.

**S.J.R. 3, Joint Rules Resolution on Submitting and Numbering Legislation** (A. Osmond), was read the first time by short title and referred to the Rules Committee.

**S.J.R. 4, Joint Resolution on Ethics Complaint Procedures** (L. Robles), was read the first time by short title and referred to the Rules Committee.

**S.J.R. 5, Joint Resolution on State Superintendent of Public Instruction** (S. Reid), was read the first time by short title and referred to the Rules Committee.

**S.J.R. 6, Joint Rules Resolution on Circled Bills** (A. Osmond), was read the first time by short title and referred to the Rules Committee.

On motion of Senator Okerlund, and at 12:15 p.m., the Senate recessed.

## **AFTERNOON SESSION**

The Senate was called to order by President Wayne Niederhauser at 2:25 p.m.

### **COMMITTEE OF THE WHOLE**

On motion of Senator Okerlund, the Legislature resolved itself into a Committee of the Whole for the purpose of hearing from Chief Justice Matthew B. Durrant, Utah Supreme Court.

### **STATE OF THE JUDICIARY**

#### **REMARKS BY CHIEF JUSTICE MATTHEW B. DURRANT**

When I was an undergraduate at BYU, I was invited to a gathering at a professor's home. As an icebreaker, he had us sit in a circle and introduce the person to our left. When it got to me, my introducer said, "This is Matt Durrant. He is the son of George Durrant." My father was a BYU professor, and a well-known author and speaker.

Then he continued, "He is the brother of Devin Durrant." Devin was a star player on the BYU basketball team.

He continued, "He is the cousin of Stephen Durrant, a language professor on campus."

He then paused, looked a little embarrassed, and said, "He's never really done much himself, but he is related to a lot of important people"

I think that my chief credential remains the same today. I am related to or now serve with a lot of important people. I am privileged to serve on our Supreme Court with four superb jurists, who are here with us today, each committed to diligently honoring the oaths they have taken. I am also honored to serve with the other members of our state's judiciary, including the members of the Utah Judicial Council, who are also here in the gallery today, as well as our State Court Administrator, Dan Becker.

In Utah, we are fortunate to have judges of an extraordinarily high quality. Utah's judges are selected by a nonpartisan vetting process that may well be more thorough and rigorous than any state in the nation, one designed to ensure that only those applicants who have established a reputation for excellence and integrity are selected.

As Chief Justice I wear two hats: I preside over our Supreme Court and I chair our Judicial Council. The Judicial Council is the constitutional body by which we govern the judiciary and is composed of judges from different court categories who have been elected by their peers to serve. The council makes policy and administrative decisions for the judicial branch.

While as Chief Justice I now have many more administrative responsibilities, above all I am a judge like the other 210 judges in our state. I, like they, feel the weight of the decisions we are called upon to make. People come to us at critical junctures in their lives. Their business, their family, their financial future, even their freedom may be at stake. They deserve a judge who is fair, impartial, and committed to fairly applying the law to the facts. They deserve a judge who is uninfluenced by public opinion, position, power, race, gender, or anything beyond the law and the facts.

A fair judiciary is also critical to our state's economic success. A recent World Bank study indicates that the most important ingredient to the economic success and strength of a country is the presence of a court system that applies the rule of law fairly and impartially. To have a judiciary committed to the rule of law, one dedicated to fair and impartial justice, not only benefits those who now do business in our state, but it plays a key role in decisions being made by those who are considering locating here. In a survey conducted by the US Chamber of Commerce, of the 1500 employer respondents, two-thirds agreed that the litigation environment in a state is an important factor that impacts decisions of where to locate or do business.

In this regard, I can report to you that Utah's court system is held in very high regard. This is something that I hadn't fully appreciated before becoming Chief Justice. Through my involvement with the National Conference of Chief Justices, I have come to see how highly regarded our court system is nationally. Our governance structure, the way in which we select and retain our judiciary, our innovative juvenile courts, our application of alternative dispute resolution, and our use of technology are often cited as models that others should emulate.

But even more important is the opinion of Utah's citizens. I am pleased to tell you that in an independent survey conducted last July and August, 81% of respondents indicated that they had confidence in Utah's courts, with 29% responding that they were very confident. In a separate recent survey given to court users as they were leaving courthouses throughout our state, 96% indicated they had been treated with courtesy and respect by our staff. Notably, this survey was conducted at a time of historically high filings and workload in our courts.

Fortunately, as our Utah economy has improved, our record high civil filings are now returning to more normal levels of growth. We've made the business

adjustments necessary to continue to serve the public with fewer dollars and a downsized workforce and, importantly, we are not asking that any of the staff reductions taken over the past three years be restored. We commit to continue to provide excellent service to litigants, the bar, and the public with our new smaller, more tech-savvy, and better trained and educated staff.

A critical factor in our ability to achieve this success in our courts has been our relationship with this legislature. While there is, and should be, some tension between our branches, we are fortunate to live in a state where our legislators, while firmly committed to fiscal responsibility, are also committed to providing the resources necessary to ensure a fair and impartial judiciary of the highest quality. During these recent years of uncertainty, you have allowed us the flexibility to retool and right-size, and our exemplary performance is the result, and people are noticing – both our performance, and your contribution to it.

At a recent press conference held at the National Press Club in Washington DC, Utah was recognized as one of three states that had most successfully responded to budget reductions by changing its business model. Specifically, Utah was recognized for the positive and productive working relationship between our courts and this legislature. Representative Eric Hutchings, co-chair of our Appropriations Committee, was invited by the organizers of the event to participate in that press conference, which he did, and he represented all of you admirably. The cooperative and effective institutional support we enjoy is unsurpassed anywhere in the country.

We not only weathered the recession, but came out better for it. Though we faced a 10% staff reduction at the same time we were experiencing record high case filings, we were able to improve our efficiency, reducing the age of our pending cases by 34%. In other words, cases moved along faster. In fact, the average age of pending cases has improved over that of 2008 in every case category and in every judicial district. How has this happened? One key factor in our ability to increase productivity during workforce reductions and increased workload has been our unwavering investment in E-solutions.

We are almost to the finish line of operating in a fully electronic environment. We are now paperless statewide for all civil cases filed after July 1, 2012. Shortly after the gavel falls on this legislative session, all civil cases filed by the bar will be done so entirely electronically, and criminal cases are next. The advantages to these electronic solutions are endless.

- Efficiency – we move data, instead of pieces of paper, so everything can be seen and worked on by everyone at once.

- Security – redundant electronic storage means records won't be lost in the case of fire, or, as we saw just a few days ago, a burst water pipe in our Farmington courthouse.

- Transparency – public records are much more accessible to the public. A visit to the courthouse is replaced by a visit to our website. Even court proceedings are more available without a trip to the courtroom, including digital audio recordings of justice court proceedings.

While we are already regarded as one of the most transparent court systems in the country—due both to our open, public governance meetings and to the way in which we report our performance—in detail, on our website—we have recently taken additional steps to enhance our openness and accountability. In November, the Judicial Council enacted a rule that allows the media to cover courtroom proceedings using audio and, now, video. While this represents a big change for our trial courts, the Judicial Council concluded that allowing this change makes Utah's courts even more transparent and accountable.

While we are proud of the success we've had, and always working to improve the quality of our court system, we do face a number of significant challenges. The nature of what I will call our customer base, those using the courts, is changing. Fifty-seven languages had to be interpreted in Utah courts last year. And there are, of course, drug addiction or mental health issues in the vast majority – some estimate over 80% – of our district court criminal cases, as well as in many of our juvenile court referrals.

The number of litigants coming to court without an attorney has also continued to rise. For example, this year, in 56% of domestic cases, neither party had a lawyer. In the public opinion survey I mentioned earlier, 70% of respondents felt that the cost of hiring an attorney would be a barrier if they needed to access their courts. This should be troubling to all of us. And yet for many in today's You Tube society, do-it-yourself is always the first choice, even if cost is not the barrier, and even for something as complex as a court proceeding.

To address this concern a number of resources, programs, and initiatives are in place. The court-run state-wide Self-Help Center you funded this past year is now serving people all across the state, and is on pace to assist 16,000 Utahns this year. Those 16,000 Utahns owe thanks to Senator Urquhart for his sponsorship of that legislation last year, and to all of you for its passage.

In addition to our Self-Help Center, we also have an online court assistance program, or OCAP, that helps self represented parties prepare court documents the way a TurboTax program might help prepare taxes, and our website has a great

deal of information, including many simple, ready to file forms. Half of all divorce petitions last year used this OCAP program. But let me tell you a story of how it was used to bring a family together, as well.

A fatal tragedy took a young mother from her child. The mother's devastated parents, grandparents to the little girl, sought help with how to take care of their granddaughter. They needed to become the legal guardians of their granddaughter, as the father is out of the picture. The grandparents are of meager means and cannot afford a lawyer. Fortunately, they found and called a Self-Help Center staffer, who then walked them, step by step, through the process of finding the correct online tool to help them. In this case they were able to answer questions in the OCAP program, and the result was a ready-to-file petition for guardianship of a minor, as well as instructions for what to expect in the court hearing. Within weeks, the grandparents became the court-appointed guardians of their grandchild and have the legal tools in place to care for that child for years to come.

There are thousands of stories similar to this one, and there are certainly other entities dedicated to assisting those with unmet legal needs. Utah Legal Services, to which you provide modest financial support, works mightily to address the demand for legal services, and the Utah State Bar has begun a state-wide pro bono initiative to provide legal help to those in the greatest need.

All of this and much more will be needed if we are to ensure that our courts are available to those without the financial means to seek representation from an attorney.

Once these court users—represented or not—do make it to court, we need to be sure there is a judge there to help them. In one part in our state that has become a critical issue.

I don't need to tell you about the growth in the Uintah basin in recent years, but you may not be aware that it has resulted in a sustained explosion in the workload for both our juvenile and district courts serving Duchesne, Uintah, and Daggett counties – the Eighth Judicial District. The need for additional judges has actually been apparent for over four years, but because of the recession, we have done what was necessary to delay coming to you for help. We have used judges from neighboring judicial districts, as well as retired senior judges, to fill in, but the citizens of the Eighth Judicial District are entitled to more than a fill-in patchwork of judges.

I wish to give special recognition to the district and juvenile judges from the Seventh District who, for the last three years, have been covering all of their own courts, from Price to Blanding, plus the courts in Duchesne, which has meant

many white knuckle drives between Price and Duchesne over Highway 191 during the winter months. They've done so willingly in order to ensure that the people of the Eighth District have access to court resources and timely justice. I should also note that the electronic record has allowed clerk offices in Price and Moab to provide case processing assistance to their colleagues in the Eighth District without leaving their offices. This is something new – being able to move work, rather than having to move people.

But I regard such assistance as a temporary emergency measure that has gone on too long and now needs to be addressed with permanent judges. The residents of Duchesne are entitled to have judges from their own community for whom they cast their retention vote. And, in juvenile court, the one judge/one family model that is in place everywhere else in the state, has had to be, in significant measure, sacrificed in the Eighth District because of the use of multiple visiting judges. In that district, our one judge juvenile court has the workload of two judges, and our two judge district court has the workload of three.

Senator Van Tassell has filed legislation that will address this long-standing need, and I hope you will give it your support. So please know that the state of the Utah judiciary is strong, efficient, and forward looking. I am fortunate that Justice Durham and the Judicial Council put our courts on a constructive and innovative path. I intend to continue on that path and to explore additional ways to improve our courts. But this can't be our journey alone. We need you to believe in and to continue to support our courts.

And we need the public's support as well. The courts don't belong to judges or to the Judicial Council, they belong to the people. And the people have every right to expect their courts to be fair, independent, timely, and accessible. Our judges and staff by their actions every day show their commitment to these principles, and I can assure you that the Judicial Council is working diligently to ensure that the confidence the public has in our work is not only maintained, but enhanced. Our courts need to be welcoming to all. Legal problems are not limited to the wealthy, yet too often the services of lawyers are. The high cost of legal services has become a barrier not just to the poor, but the middle class as well.

So, I see a critical part of my job as making sure our courts are like a big tent, with its flaps wide open, with room for everyone, not like a walled fortress accessible only to the few. When the good people of Utah need our courts, we don't ask them whether they, like that fellow seemed to think I was, are "related to a lot of important people," we just welcome them and treat them as the important people they themselves are.

Let me conclude by thanking you, as Chief Justice, but more importantly, as a citizen, for your service. I know that you serve at great personal sacrifice and from

a commitment to improve the lives of our state’s citizens. We, as a judiciary, are proud to participate with you and with the governor in this great cause.

Thank you for the opportunity to talk with you today, and good luck with the session.

\* \* \*

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

On motion of Senator Davis, the Senate voted to spread Chief Justice Durrant’s words upon the pages of the Senate Journal.

**COMMUNICATIONS FROM THE GOVERNOR**

To the Members of the Senate: December 21, 2012

I am pleased to inform you that i have appointed Jeffrey C. Wilcox as a Judge of the Fifth District Court, pursuant to article VIII, Section 8 of the Utah Constitution and Utah Code Section 78A–10–101.

Thank you for your timely consideration and confirmation of Mr. Wilcox.

Gary R. Herbert  
Governor

To the Members of the Senate: January 24, 2013

The Senate Judicial Confirmation Committee met on January 24, 2013 and reports a favorable recommendation for Mr. Jeffrey C. Wilcox to be confirmed to the position of Judge in the Fifth District Court.

Scott K. Jenkins, Chair

On motion of Senator Hillyard, the Senate voted to consent to the appointment of Jeffrey C. Wilcox as a Judge of the Fifth District Court on the following roll call vote:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser



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

Senator Reid declared a conflict of interest.

**COMMITTEE OF THE WHOLE**

On motion of Senator Okerlund, Judge Jeffrey C. Wilcox spoke in Committee of the Whole. Senator Hillyard commented.

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

**RULES COMMITTEE REPORTS**

To the Members of the Senate: January 28, 2013

The Rules Committee recommends assignment of the following bills to the Senate Second Reading Calendar:

**Business and Labor Committee**

- S.B. 21**                   Unincorporated Business Entities (Sen. L. Hillyard)
- S.B. 41**                   Uniform Commercial Code Amendments  
(Sen. L. Hillyard)
- S.B. 44**                   Construction Trades Licensing Revisions  
(Sen. K. Mayne)
- S.B. 136**                 Construction Trades Licensing Modifications  
(Sen. P. Knudson)

**Economic Development & Workforce Services**

- S.C.R. 2**                 Concurrent Resolution Recognizing Workers’  
Compensation Fund for Workplace Safety  
(Sen. K. Mayne)
- S.B. 45**                 Workers’ Compensation and Directors or Officers  
(Sen. E. Vickers)
- S.B. 46**                 Occupational Safety and Health Amendments  
(Sen. L. Robles)

**Education Committee**

- S.B. 39**                 Parental Responsibility for Sex Education Training  
(Sen. S. Reid)
- S.B. 42**                 Medical School Admissions Funding (Sen. J. Valentine)
- S.B. 110**                School-based Budgeting Amendments  
(Sen. H. Stephenson)

- S.B. 122** Student Leadership Skills Development  
(Sen. A. Osmond)
- S.B. 128** Financial Transparency in Education (Sen. D. Thatcher)
- S.B. 133** School Performance Report Amendments  
(Sen. H. Stephenson)
- S.B. 134** Utah Performance Assessment System for Students  
(u-pass) Amendments (Sen. M. Dayton)
- S.J.R. 5** Joint Resolution on State Superintendent of Public  
Instruction (Sen. S. Reid)

### **Government Operations and Political Subdivisions Committee**

- S.B. 40** Utah Navajo Royalties Amendments  
(Sen. K. Van Tassell)
- S.B. 47** Procurement Amendments – Small Purchases  
(Sen. R. Okerlund)
- S.B. 112** Work Week Amendments (Sen. A. Osmond)
- S.B. 120** Target Shooting and Wildfire Regulations  
(Sen. M. Dayton)
- S.B. 126** Coordination of Services for Veterans  
(Sen. P. Knudson)
- S.B. 129** Office of State Debt Collection – Writ of Garnishment  
(Sen. L. Hillyard)
- S.B. 130** Security Personnel Licensing Act Amendments  
(Sen. M. Dayton)

### **Health and Human Services Committee**

- S.B. 49** Child Welfare Modifications (Sen. W. Harper)
- S.B. 118** Rocky Mountain Center for Occupational and  
Environmental Health Amendments (Sen. K. Mayne)
- S.B. 132** Utah Medical Education Council Amendments  
(Sen. W. Harper)

### **Judiciary, Law Enforcement, and Criminal Justice Committee**

- S.B. 11** Alimony Amendments (Sen. L. Hillyard)
- S.B. 18** Child Custody Proceedings Amendments (Sen. L. Robles)
- S.B. 107** Public Shooting Ranges (Sen. A. Christensen)
- S.B. 116** Garnishment for Debt Collection (Sen. L. Hillyard)
- S.B. 119** Youth Court Amendments (Sen. J. Stevenson)
- S.B. 125** District Court Judge Amendments (Sen. K. Van Tassell)
- S.B. 127** Juvenile Court Judge Amendments (Sen. K. Van Tassell)

**Natural Resources, Agriculture and Environment Committee**

- S.B. 30** Water and Irrigation Amendments (Sen. M. Dayton)
- S.B. 32** Environmental Health Scientist Act Sunset Reauthorization (Sen. G. Davis)
- S.B. 109** Change Application Procedure (Sen. R. Okerlund)
- S.B. 115** Water Development Commission Amendments (Sen. M. Dayton)
- S.C.R. 3** Threatened Species Damage and Management Plan Concurrent Resolution (Sen. E. Vickers)

**Retirement and Independent Entities Committee**

- S.B. 113** Long-term Disability Coverage Amendments (Sen. T. Weiler)

**Revenue and Taxation Committee**

- S.B. 106** Unemployment Tax Amendment (Sen. C. Bramble)
- S.B. 124** Sales and Use Tax Exemption for Database Access (Sen. W. Harper)

**Transportation, Public Utilities and Technology Committee**

- S.B. 111** Electronic Filing of Traffic Citations and Accident Reports (Sen. L. Hillyard)
- S.B. 121** Traffic Regulations Regarding Buses (Sen. K. Mayne)
- S.B. 123** Runaway Vehicle Ramp Requirements (Sen. K. Van Tassell)

John L. Valentine  
Rules Committee Chair

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

**RULES COMMITTEE REPORTS**

To the Members of the Senate: January 28, 2013

The Rules Committee recommends that the following bills be placed on the Second Reading Calendar:

- S.B. 10** Retirement Eligibility Amendments (Sen. T. Weiler)
- S.B. 12** Public Transit District Customer Information (Sen. K. Van Tassell)
- S.B. 14** Research Using Pharmaceuticals (Sen. P. Jones)
- S.B. 15** Industrial Accident Restricted Account (Sen. J. Valentine)
- S.B. 16** Health Insurance Coverage Restrictions on Retired Governors and Legislators (Sen. T. Weiler)

- S.B. 19** Commercial Driver License Amendments  
(Sen. K. Van Tassell)
- S.B. 20** State Security Standards for Personal Information  
(Sen. S. Reid)
- S.B. 22** Worker Classification Coordinated Enforcement Council  
(Sen. J. Valentine)
- S.B. 23** Lieutenant Governor Candidate Amendments  
(Sen. P. Knudson)
- S.B. 24** Absentee Ballot Amendments (Sen. P. Knudson)
- S.B. 25** Elections During Declared Emergency (Sen. P. Knudson)
- S.B. 26** Risk Management for Independent Entities  
(Sen. T. Weiler)
- S.B. 27** Health Care Provider Immunity Sunset Amendment (Sen. A. Christensen)
- S.B. 28** Boards and Commissions Amendments (Sen. P. Knudson)
- S.B. 29** State Highway System Modifications  
(Sen. K. Van Tassell)
- S.B. 31** Special Needs Adoption Tax Credit (Sen. W. Harper)
- S.B. 33** Sales and Use Tax Revisions (Sen. H. Stephenson)
- S.B. 34** Special Election Date for Ballot Propositions  
(Sen. H. Stephenson)
- S.B. 35** Property Taxation of Business Personal Property  
(Sen. W. Harper)
- S.B. 36** Cigarette and Tobacco Tax and Licensing Amendments  
(Sen. W. Harper)
- S.B. 37** Time Period for Paying a Tax, Interest, or Penalties after a Judicial Decision (Sen. D. Henderson)
- S.B. 38** Reauthorization of Veterans Reintegration Task Force  
(Sen. P. Knudson)
- S.J.R. 1** Joint Rules Resolution on Performance Notes  
(Sen. J. Stevenson)

John L. Valentine  
Rules Committee Chair

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

## INTRODUCTION OF BILLS

**S.B. 137, Motor Vehicle Registration Enforcement Amendments** (D. Thatcher), was read the first time by short title and referred to the Rules Committee.

**S.J.R. 7, Joint Rules Resolution on Revenue Estimates for Federal Funds** (W. Harper), was read the first time by short title and referred to the Rules Committee.

\* \* \*

On motion of Senator Okerlund and at 3:10 p.m., the Senate adjourned until 10:00 a.m., Tuesday, January 29, 2013.

## SECOND DAY

**January 29, 2013**

The Senate was called to order at 10:10 a.m., with President Wayne Niederhauser presiding.

**Prayer** – Pastor Rob Bruendle, Trinity United Methodist Church

**Pledge of Allegiance** – Senator Stuart Adams

**Roll Call** – All Senators present

### READING OF TITLES OF BILLS AND RESOLUTIONS (PLEASE REFER TO DAY 1, PAGE 81)

#### COMMUNICATIONS FROM THE HOUSE

Mr. President: January 28, 2013

The House passed **H.B. 10**, SEX OFFENSE AMENDMENTS, by Representative R. Greenwood, and it is transmitted for consideration; and

The House passed **H.B. 12**, ALARM COMPANY EMPLOYEE LICENSING, by Representative J. Dunnigan, and it is transmitted for consideration; and

The House passed **H.B. 16**, DISPOSAL OF CERTAIN SURPLUS PROPERTY, by Representative S. Barlow, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

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

#### STANDING COMMITTEE REPORTS

Mr. President: January 28, 2013

The Education Committee reports a favorable recommendation on **S.B. 42**, MEDICAL SCHOOL ADMISSIONS FUNDING, by Senator J. Valentine; and

The Education Committee reports a favorable recommendation on **S.B. 128**, FINANCIAL TRANSPARENCY IN EDUCATION, by Senator D. Thatcher.

Stuart C. Reid, Chair

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

**INTRODUCTION OF BILLS**

**S.B. 138, Amendments to Requirements for Governor’s Proposed Budget** (W. Harper), was read the first time by short title and referred to the Rules Committee.

**S.B. 139, Utah Science Center Authority Amendments** (T. Weiler), was read the first time by short title and referred to the Rules Committee.

**S.B. 140, Service Area Board of Trustees** (T. Weiler), was read the first time by short title and referred to the Rules Committee.

**S.B. 141, Education Contribution on Tax Returns** (D. Thatcher), was read the first time by short title and referred to the Rules Committee.

**SECOND READING CALENDAR**

**S.B. 10, RETIREMENT ELIGIBILITY 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Valentine	Van Tassell
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Thatcher	Urquhart	Vickers
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**S.B. 12, PUBLIC TRANSIT DISTRICT CUSTOMER INFORMATION**, was read the second time. Senator Van Tassell explained the bill. The bill passed second reading on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson

Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Valentine	Van Tassell	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Madsen	Thatcher	Urquhart	Vickers
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**S.B. 14, RESEARCH USING PHARMACEUTICALS**, was read the second time. Senator Jones 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Valentine
Van Tassell	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Urquhart	Vickers
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**S.B. 15, INDUSTRIAL ACCIDENT RESTRICTED ACCOUNT**, was read the second time. Senator Valentine 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Valentine
Van Tassell	Weiler	Niederhauser	



**Absent or not voting were:** Senators

Urquhart                      Vickers

\* \* \*

**S.B. 16, HEALTH INSURANCE COVERAGE RESTRICTIONS ON RETIRED GOVERNORS AND LEGISLATORS**, was read the second time. Senator Weiler 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Robles                      Vickers

\* \* \*

On motion of Senator Van Tassell, **S.B. 19, COMMERCIAL DRIVER LICENSE AMENDMENTS**, was read the second time and circled.

\* \* \*

**S.B. 20, STATE SECURITY STANDARDS FOR PERSONAL INFORMATION**, was read the second time. Senator Reid explained the bill. Senator Harper 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Weiler	Niederhauser	

**Absent or not voting were:** Senators  
Hillyard                      Vickers

\* \* \*

**S.B. 22, WORKER CLASSIFICATION COORDINATED ENFORCEMENT COUNCIL**, was read the second time. Senator Valentine 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Weiler	Niederhauser	

**Absent or not voting were:** Senators  
Hillyard                      Vickers

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**S.B. 23, LIEUTENANT GOVERNOR CANDIDATE AMENDMENTS**, was read the second time. Senator Knudson 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Weiler	Niederhauser	

**Absent or not voting were:** Senators  
Robles                      Vickers

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**S.B. 24, ABSENTEE BALLOT AMENDMENTS**, was read the second time. Senator Knudson explained the bill. 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

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting was:** Senator

Adams

\* \* \*

**S.B. 25, ELECTIONS DURING DECLARED EMERGENCY**, was read the second time. Senator Knudson 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

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Adams                      Robles

\* \* \*

**S.B. 26, RISK MANAGEMENT FOR INDEPENDENT ENTITIES**, was read the second time. Senator Weiler explained the bill. Senator Dayton 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

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Adams	Vickers
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**S.B. 27, HEALTH CARE PROVIDER IMMUNITY SUNSET AMENDMENT**, was read the second time. Senator Christensen explained the bill. 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

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting was:** Senator

Adams

\* \* \*

**S.B. 28, BOARDS AND COMMISSIONS AMENDMENTS**, was read the second time. Senator Knudson explained the bill. Senator Reid commented.

On motion of Senator Knudson, the bill was circled.

\* \* \*

**S.B. 29, STATE HIGHWAY SYSTEM MODIFICATIONS**, was read the second time. Senator Van Tassell explained the bill. 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

\* \* \*

**S.B. 31, SPECIAL NEEDS ADOPTION TAX CREDIT**, was read the second time. Senator Harper explained the bill. 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

\* \* \*

**S.B. 33, SALES AND USE TAX REVISIONS**, was read the second time. Senator Stephenson explained the bill. Senators Jenkins, Hillyard, and Mayne commented. Senator Valentine declared a conflict of interest. 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund

Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

\* \* \*

**S.B. 34, SPECIAL ELECTION DATE FOR BALLOT PROPOSITIONS,** was read the second time. Senator Stephenson explained the bill. 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

\* \* \*

**S.B. 35, PROPERTY TAXATION OF BUSINESS PERSONAL PROPERTY,** was read the second time. Senator Harper 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stevenson
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

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

**Absent or not voting were:** Senators

Robles	Stephenson
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\* \* \*

**S.B. 36, CIGARETTE AND TOBACCO TAX AND LICENSING AMENDMENTS**, was read the second time. Senator Harper explained the bill. Senator Christensen commented. The bill passed second reading on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Voting in the negative were:** Senators

Madsen	Thatcher
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\* \* \*

**S.B. 37, TIME PERIOD FOR PAYING A TAX, INTEREST, OR PENALTIES AFTER A JUDICIAL DECISION**, was read the second time. Senator Henderson explained the bill. Senator 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Voting in the negative was:** Senator

Thatcher
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\* \* \*

**S.B. 38, REAUTHORIZATION OF VETERANS REINTEGRATION TASK FORCE**, was read the second time. Senator Knudson explained the bill.

Senator Knudson proposed the following amendment:

1. Page 2, Line 31:  
Delete "\$6,000" and insert "\$4,000"
2. Page 2, Line 34:  
Delete "\$9,000" and insert "\$6,000"

Senator Knudson's motion to amend passed on a voice vote. Senator Mayne commented. The bill, as amended, passed second reading on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Van Tassell	Vickers	Weiler	Niederhauser

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

## INTRODUCTION OF BILLS

**S.B. 142, Repeal of Blacklisting Provisions** (D. Thatcher), was read the first time by short title and referred to the Rules Committee.

**S.B. 143, Mortgage and Financial Affairs Amendments** (W. Harper), was read the first time by short title and referred to the Rules Committee.

**S.B. 144, Reauthorization of Prohibitions on Practicing Law Without a License** (S. Jenkins), was read the first time by short title and referred to the Rules Committee.

\* \* \*

On motion of Senator Okerlund, and at 11:55 a.m., the Senate adjourned until 10:00 a.m., Wednesday, January 30, 2013.



# THIRD DAY

## January 30, 2013

The Senate was called to order at 10:00 a.m., with President Wayne Niederhauser presiding.

**Prayer** – Jacob Law, Smithfield City Youth Council Member

**Pledge of Allegiance** – Senator Mark B. Madsen

**Roll Call** – All Senators present

### READING OF TITLES OF BILLS AND RESOLUTIONS (PLEASE REFER TO DAY 1, PAGE 81)

#### COMMUNICATIONS FROM THE HOUSE

Mr. President: January 29, 2013

The House passed **H.B. 18**, CAMPAIGN FINANCE REPORTING PENALTIES, by Representative K. Grover, and it is transmitted for consideration; and

The House passed **H.J.R. 6**, JOINT RULES RESOLUTION – COMPENSATION AND EXPENSE REIMBURSEMENTS, by Representative B. Dee, and it is transmitted for consideration.

Sandy D. Tenney, 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: January 29, 2011

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

#### **Business and Labor Committee**

**H.B. 12** Alarm Company Employee Licensing (Rep. J. Dunnigan)  
(Sen. J. Valentine)

#### **Government Operations and Political Subdivisions Committee**

**S.B. 140** Service Area Board of Trustees (Sen. T. Weiler)

**S.J.R. 7** Joint Rules Resolution on Revenue Estimates for Federal Funds (Sen. W. Harper)

**H.B. 16** Disposal of Certain Surplus Property (Rep. S. Barlow)  
(Sen. J. S. Adams)

**Judiciary, Law Enforcement, and Criminal Justice Committee**

**S.B. 114** Safety Belt Amendments (Sen. L. Robles)

**H.B. 10** Sex Offense Amendments (Rep. R. Greenwood)  
(Sen. J. Valentine)

**Retirement & Independent Entities**

**S.B. 139** Utah Science Center Authority Amendments  
(Sen. T. Weiler)

**Revenue and Taxation Committee**

**S.B. 141** Education Contribution on Tax Returns  
(Sen. D. Thatcher)

**Transportation, Public Utilities and Technology Committee**

**S.B. 137** Motor Vehicle Registration Enforcement Amendments  
(Sen. D. Thatcher)

John L. Valentine  
Rules Committee Chair

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

**STANDING COMMITTEE REPORTS**

Mr. President: January 29, 2013

The Economic Development and Workforce Services Committee reports a favorable recommendation on **S.B. 45, WORKERS' COMPENSATION AND DIRECTORS OR OFFICERS**, by Senator E. Vickers, with the following amendments:

1. Page 3, Lines 82 through 89:

82 (b) If a corporation makes an election under Subsection (4)(a),  
the corporation shall

83 serve written notice nam~~ing~~ the individuals who are directors or  
officers to be excluded from coverage:

84 (i) upon its insurance carrier [~~nam~~ing~~ the persons to be excluded~~  
~~from coverage.], if~~

85 any; or

86 (ii) upon the commission if the corporation is self insured or has no employee other

87 than the one or more directors or officers being excluded.

88 (c) A corporation may exclude no more than five individuals who are directors or officers under Subsection

89 (4)(b)(ii). ; and

The Economic Development and Workforce Services Committee reports a favorable recommendation on **S.C.R. 2**, CONCURRENT RESOLUTION RECOGNIZING WORKERS' COMPENSATION FUND FOR WORKPLACE SAFETY, by Senator K. Mayne.

Aaron Osmond, Chair

Mr. President:

January 29, 2013

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 40**, UTAH NAVAJO ROYALTIES AMENDMENTS, by Senator K. Van Tassell; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 120**, TARGET SHOOTING AND WILDFIRE REGULATIONS, by Senator M. Dayton; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 129**, OFFICE OF STATE DEBT COLLECTION – WRIT OF GARNISHMENT, by Senator L. Hillyard.

Margaret Dayton, Chair

Mr. President:

January 29, 2013

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 30**, WATER AND IRRIGATION AMENDMENTS, by Senator M. Dayton; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 115**, WATER DEVELOPMENT COMMISSION AMENDMENTS, by Senator M. Dayton; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.C.R. 3**, THREATENED SPECIES DAMAGE

AND MANAGEMENT PLAN CONCURRENT RESOLUTION, by Senator E. Vickers.

Scott K. Jenkins, Chair

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

### INTRODUCTION OF BILLS

**S.B. 50, Department of Transportation Liability Amendments** (L. Hillyard), was read the first time by short title and referred to the Rules Committee.

**S.B. 51, Higher Education Tuition Waivers** (S. Urquhart), was read the first time by short title and referred to the Rules Committee.

**S.B. 52, Game Fowl Fighting Amendments** (G. Davis), was read the first time by short title and referred to the Rules Committee.

**S.B. 145, County Attorney Chapter Recodification** (T. Weiler), was read the first time by short title and referred to the Rules Committee.

**S.B. 146, Driving Under the Influence Amendments** (S. Jenkins), was read the first time by short title and referred to the Rules Committee.

**S.B. 147, Workers' Compensation and Occupational Safety Related Amendments** (K. Mayne), was read the first time by short title and referred to the Rules Committee.

**S.B. 148, Conservation Districts – Closed Meetings Amendments** (D. Hinkins), was read the first time by short title and referred to the Rules Committee.

\* \* \*

On motion of Senator Hillyard, under suspension of the rules, the Senate voted to lift **S.B. 1, PUBLIC EDUCATION BASE BUDGET**, and **S.B. 5, NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENTAL QUALITY BASE BUDGET**, from the Rules Committee and place them at the top of the Second Reading Calendar.

### THIRD READING CALENDAR

**S.B. 10, RETIREMENT ELIGIBILITY AMENDMENTS**, was read the third time, explained by Senator Weiler, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Davis	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Christensen	Dabakis	Vickers
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**S.B. 10** was transmitted to the House for consideration.

\* \* \*

**S.B. 12, PUBLIC TRANSIT DISTRICT CUSTOMER INFORMATION**, was read the third time, explained by Senator Van Tassell, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Davis	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Christensen	Dabakis
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**S.B. 12** was transmitted to the House for consideration.

\* \* \*

**S.B. 14, RESEARCH USING PHARMACEUTICALS**, was read the third time, explained by Senator Jones, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**S.B. 14** was transmitted to the House for consideration.

\* \* \*

**S.B. 15, INDUSTRIAL ACCIDENT RESTRICTED ACCOUNT**, was read the third time, explained by Senator Valentine, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Dayton
Harper	Henderson	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Bramble	Davis	Hillyard	Stephenson
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**S.B. 15** was transmitted to the House for consideration.

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**S.B. 16, HEALTH INSURANCE COVERAGE RESTRICTIONS ON RETIRED GOVERNORS AND LEGISLATORS**, was read the third time, explained by Senator Weiler, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins

Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Bramble	Hillyard	Stephenson
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**S.B. 16** was transmitted to the House for consideration.

\* \* \*

**S.B. 20, STATE SECURITY STANDARDS FOR PERSONAL INFORMATION**, was read the third time, explained by Senator Reid, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Bramble	Hillyard	Stephenson
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**S.B. 20** was transmitted to the House for consideration.

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**S.B. 22, WORKER CLASSIFICATION COORDINATED ENFORCEMENT COUNCIL**, was read the third time, explained by Senator Valentine, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins

Jenkins	Jones	Knudson	Madsen
Okerlund	Osmond	Reid	Robles
Shiozawa	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Bramble	Hillyard	Mayne	Stephenson
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**S.B. 22** was transmitted to the House for consideration.

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**S.B. 23**, LIEUTENANT GOVERNOR CANDIDATE AMENDMENTS, was read the third time, explained by Senator Knudson, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Davis	Dayton
Harper	Henderson	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Adams	Bramble	Hillyard	Stephenson
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**S.B. 23** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Knudson, **S.B. 24**, ABSENTEE BALLOT AMENDMENTS, was read the third time and circled.

\* \* \*

**S.B. 25**, ELECTIONS DURING DECLARED EMERGENCY, was read the third time, explained by Senator Knudson, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**



**Voting in the affirmative were:** Senators

Christensen	Dabakis	Davis	Dayton
Harper	Henderson	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Adams	Bramble	Hillyard	Stephenson
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**S.B. 25** was transmitted to the House for consideration.

\* \* \*

**S.B. 26, RISK MANAGEMENT FOR INDEPENDENT ENTITIES,** was read the third time, explained by Senator Weiler, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Davis	Dayton
Harper	Henderson	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Adams	Bramble	Hillyard
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**S.B. 26** was transmitted to the House for consideration.

\* \* \*

**S.B. 27, HEALTH CARE PROVIDER IMMUNITY SUNSET AMENDMENT,** was read the third time, explained by Senator Christensen, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Adams	Hillyard
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**S.B. 27** was transmitted to the House for consideration.

\* \* \*

**S.B. 29**, STATE HIGHWAY SYSTEM MODIFICATIONS, was read the third time and explained by Senator Van Tassell.

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

**1st Sub. S.B. 29 State Highway System Modifications** (Van Tassell)

The bill, as substituted, passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Davis	Dayton
Harper	Henderson	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Adams	Bramble	Hillyard
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**1st Sub. S.B. 29** was transmitted to the House for consideration.

\* \* \*

**SB. 31**, SPECIAL NEEDS ADOPTION TAX CREDIT, was read the third time, explained by Senator Harper, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Dabakis	Davis	Dayton
Harper	Henderson	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Bramble	Christensen	Hillyard	Stevenson
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**S.B. 31** was transmitted to the House for consideration.

\* \* \*

**S.B. 33, SALES AND USE TAX REVISIONS,** was read the third time, explained by Senator Stephenson, and passed on the following roll call:

**Yeas, 27; Nays, 1; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Voting in the negative was:** Senator

Davis

**Absent or not voting was:** Senator

Hillyard

Senator Valentine declared a conflict of interest.

**S.B. 33** was transmitted to the House for consideration.

\* \* \*

**S.B. 34, SPECIAL ELECTION DATE FOR BALLOT PROPOSITIONS,** was read the third time, explained by Senator Stephenson, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Davis                      Mayne

**Absent or not voting was:** Senator

Hillyard

**S.B. 34** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Harper, **S.B. 35**, PROPERTY TAXATION OF BUSINESS PERSONAL PROPERTY, was read the third time and circled.

\* \* \*

**S.B. 36**, CIGARETTE AND TOBACCO TAX AND LICENSING AMENDMENTS, was read the third time, explained by Senator Harper, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Voting in the negative were:** Senators

Madsen                      Urquhart

**S.B. 36** was transmitted to the House for consideration.

\* \* \*

**S.B. 37, TIME PERIOD FOR PAYING A TAX, INTEREST, OR PENALTIES AFTER A JUDICIAL DECISION**, was read the third time, explained by Senator Henderson, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Christensen      Hillyard

**S.B. 37** was transmitted to the House for consideration.

\* \* \*

**S.B. 38, REAUTHORIZATION OF VETERANS REINTEGRATION TASK FORCE**, was read the third time, explained by Senator Knudson, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Christensen      Hillyard

**S.B. 38** was transmitted to the House for consideration.

### SPECIAL PRESENTATION

A citation was read honoring Aaron Beesley, member of the Utah Highway Patrol who lost his life in the service of others.

### SECOND READING CALENDAR

On motion of Senator Mayne, **S.C.R. 2**, CONCURRENT RESOLUTION RECOGNIZING WORKERS' COMPENSATION FUND FOR WORKPLACE SAFETY, will be considered February 4, 2013 at 10:20 a.m.

\* \* \*

On motion of Senator Van Tassell, the circle was removed from **S.B. 19**, COMMERCIAL DRIVER LICENSE AMENDMENTS, and it was before the Senate. Senator Van Tassell explained the bill. Senators Thatcher, Jenkins, and Henderson 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

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

**Absent or not voting were:** Senators  
Harper                      Hillyard

\* \* \*

On motion of Senator Knudson, the circle was removed from **S.B. 28**, BOARDS AND COMMISSIONS AMENDMENTS, and it was before the Senate. Senator Knudson explained the bill.

Senator Knudson proposed the following amendment:

1. Page 1, Lines 13 through 27

- 13 This bill:
- 14  repeals the:
- 15 • Municipal Government Fiscal Committee;
- 16 • Citizens and County Officials Advisory Committee;
- 17 • Antidiscrimination and Labor Advisory Council;
- 18 • Occupational Safety and Health Advisory Council;
- 19 • advisory committee to the Motorcycle Rider Education Program;
- 20 • Utah Pioneer Communities Advisory Board;
- 21 • Forestry, Fire, and State Lands Advisory Council;
- 22 • Controlled Substance Precursor Advisory Board;
- 23 • Environmental Health Scientist Board;
- 24 • Families, Agencies, and Communities Together (FACT) Steering Committee;
- 25 • Families, Agencies, and Communities Together (FACT) State Council ; and
- 26 • Job Enhancement Committee {~~;~~**and**}<sub>2</sub>
- 27 {~~•—Radiologic Technologist Licensing Board;~~}

2. Page 2, Lines 37 through 57:

- 37 AMENDS:
- 38 10-6-154, as last amended by Laws of Utah 2003, Chapter 292
- 39 17-36-4, as last amended by Laws of Utah 1996, Chapter 212
- 40 34A-1-202, as last amended by Laws of Utah 2009, Chapter 174
- 41 34A-6-103, as last amended by Laws of Utah 2011, Chapter 413
- 42 34A-6-202, as last amended by Laws of Utah 2011, Chapter 297
- 43 35A-3-207, as last amended by Laws of Utah 2008, Chapter 382

- 44 53A-1a-601, as last amended by Laws of Utah 2011, Chapter 342
- 45 58-20a-102, as last amended by Laws of Utah 1997, Chapter 10
- 46 58-20a-302, as last amended by Laws of Utah 2009, Chapter 183
- 47 58-37c-3, as last amended by Laws of Utah 2008, Chapter 382
- 48 58-37c-8, as last amended by Laws of Utah 2010, Chapter 240
- 49 58-37c-11, as last amended by Laws of Utah 1999, Chapter 21
- 50 58-37c-19, as last amended by Laws of Utah 2000, Chapter 1
- 51 58-37c-19.5, as last amended by Laws of Utah 2004, Chapter 280
- 52 58-37c-19.7, as enacted by Laws of Utah 2000, Chapter 272
- 53 58-37c-19.9, as enacted by Laws of Utah 2000, Chapter 272
- 54 58-37c-20, as last amended by Laws of Utah 2007, Chapter 358
- 55 58-37d-3, as last amended by Laws of Utah 2003, Chapter 115
- 56 ~~{58-54-102, as renumbered and amended by Laws of Utah 2011, Chapter 61~~
- 57 ~~58-54-302, as last amended by Laws of Utah 2012, Chapter 369 }~~

3. Page 3, Lines 66 through 75:

- 66 REPEALS:
- 67 10-6-153, as last amended by Laws of Utah 2010, Chapter 286
- 68 17-36-5, as last amended by Laws of Utah 2010, Chapters 286 and 324
- 69 34A-5-105, as last amended by Laws of Utah 2010, Chapter 286
- 70 34A-6-106, as last amended by Laws of Utah 2010, Chapter 286
- 71 53-3-908, as last amended by Laws of Utah 2010, Chapters 286 and 324
- 72 53A-1a-602, as last amended by Laws of Utah 2010, Chapter 286



- 73 58-20a-201, as enacted by Laws of Utah 1995, Chapter 95
- 74 58-37c-4, as last amended by Laws of Utah 1993, Chapter 297
- 75 {58-54-201, as renumbered and amended by Laws of Utah 2011, Chapter 61}

4. Page 30, Line 923 through Page 33, Line 1011:

Delete Lines 923 through 1011

5. Page 43, Lines 1306 through 1320:

- 1306 Section 28. Repealer.
- 1307 This bill repeals:
- 1308 Section 10-6-153, Municipal government fiscal committee created -- Members --
- 1309 Terms -- Vacancies -- Recommendations.
- 1310 Section 17-36-5, Creation of Citizens and County Officials Advisory Committee.
- 1311 Section 34A-5-105, Antidiscrimination and Labor Advisory Council --
- 1312 Membership -- Appointment -- Term -- Powers and duties -- Chair.
- 1313 Section 34A-6-106, Occupational Safety and Health Advisory Council --
- 1314 Appointment.
- 1315 Section 53-3-908, Advisory committee.
- 1316 Section 53A-1a-602, Job Enhancement Committee -- Composition -- Duties --
- 1317 Appropriation.
- 1318 Section 58-20a-201, Board.
- 1319 Section 58-37c-4, Board.
- 1320 --{Section 58-54-201, Board created -- Membership -- Duties.}

Senator Knudson's motion to amend passed on a voice vote.

###

Senator Davis proposed the following amendment:

## 1. Page 1, Lines 13 through 23

13 This bill:

14  repeals the:

- 15 • Municipal Government Fiscal Committee;
- 16 • Citizens and County Officials Advisory Committee;
- 17 • Antidiscrimination and Labor Advisory Council;
- 18 • Occupational Safety and Health Advisory Council;
- 19 • advisory committee to the Motorcycle Rider Education Program;
- 20 • Utah Pioneer Communities Advisory Board;
- 21 • Forestry, Fire, and State Lands Advisory Council;
- 22 • Controlled Substance Precursor Advisory Board;
- 23 {~~• Environmental Health Scientist Board;~~}

## 2. Page 2, Lines 37 through 46:

37 AMENDS:

38 10-6-154, as last amended by Laws of Utah 2003, Chapter 292

39 17-36-4, as last amended by Laws of Utah 1996, Chapter 212

40 34A-1-202, as last amended by Laws of Utah 2009, Chapter 174

41 34A-6-103, as last amended by Laws of Utah 2011, Chapter 413

42 34A-6-202, as last amended by Laws of Utah 2011, Chapter 297

43 35A-3-207, as last amended by Laws of Utah 2008, Chapter 382

44 53A-1a-601, as last amended by Laws of Utah 2011, Chapter 342

45 ~~{58-20a-102, as last amended by Laws of Utah 1997, Chapter-~~

40

46 ~~58-20a-302, as last amended by Laws of Utah 2009, Chapter-183-}~~

3. Page 3, Lines 66 through 73:

66 REPEALS:

67 10-6-153, as last amended by Laws of Utah 2010, Chapter 286

68 17-36-5, as last amended by Laws of Utah 2010, Chapters 286 and 324

69 34A-5-105, as last amended by Laws of Utah 2010, Chapter 286

70 34A-6-106, as last amended by Laws of Utah 2010, Chapter 286

71 53-3-908, as last amended by Laws of Utah 2010, Chapters 286 and 324

72 53A-1a-602, as last amended by Laws of Utah 2010, Chapter 286

73 {~~58-20a-201, as enacted by Laws of Utah 1995, Chapter 95~~}

4. Page 16, Line 482 through Page 18, Line 548:

Delete Lines 482-548

5. Page 43, Lines 1306 through 1318:

1306 Section 28. Repealer.

1307 This bill repeals:

1308 Section 10-6-153, Municipal government fiscal committee created -- Members --

1309 Terms -- Vacancies -- Recommendations.

1310 Section 17-36-5, Creation of Citizens and County Officials Advisory Committee.

1311 Section 34A-5-105, Antidiscrimination and Labor Advisory Council --

1312 Membership -- Appointment -- Term -- Powers and duties -- Chair.

1313 Section 34A-6-106, Occupational Safety and Health Advisory Council --

1314 Appointment.

- 1315 Section 53-3-908, Advisory committee.
- 1316 Section 53A-1a-602, Job Enhancement Committee —  
Composition — Duties —
- 1317 Appropriation.
- 1318 ~~{Section 58-20a-201, Board.}~~

Senator Davis' motion to amend failed on a voice vote.

###

Senator Reid proposed the following amendment:

1. Page 1, Lines 10 through 11
  - 10 General Description:
  - 11 This bill repeals certain boards and commissions and repeals the Utah Commission on Immigration and Migration Act.
2. Page 1, Line 25:
  - 25 • Families, Agencies, and Communities Together (FACT) State Council;
  - Utah Commission on Immigration and Migration Act;
3. Page 3, Line 75:
  - 75 58-54-201, as renumbered and amended by Laws of Utah 2011, Chapter 61
    - 63G-13-101, as enacted by Laws of Utah 2011, Chapter 19
    - 63G-13-102, as enacted by Laws of Utah 2011, Chapter 19
    - 63G-13-201, as last amended by Laws of Utah 2012, Chapter 212
    - 63G-13-202, as enacted by Laws of Utah 2011, Chapter 19
    - 63G-13-203, as enacted by Laws of Utah 2011, Chapter 19
    - 63G-13-301, as enacted by Laws of Utah 2011, Chapter 19
    - 63G-13-302, as enacted by Laws of Utah 2011, Chapter 19
    - 63G-13-303, as enacted by Laws of Utah 2011, Chapter 19
    - 63G-13-304, as enacted by Laws of Utah 2011, Chapter 19
4. Page 43, Lines 1307 through 1320:
  - 1307 This bill repeals:
  - 1308 Section 10-6-153, Municipal government fiscal committee created — Members —

- 1309 Terms -- Vacancies -- Recommendations.
- 1310 Section 17-36-5, Creation of Citizens and County Officials Advisory Committee.
- 1311 Section 34A-5-105, Antidiscrimination and Labor Advisory Council --
- 1312 Membership -- Appointment -- Term -- Powers and duties -- Chair.
- 1313 Section 34A-6-106, Occupational Safety and Health Advisory Council --
- 1314 Appointment.
- 1315 Section 53-3-908, Advisory committee.
- 1316 Section 53A-1a-602, Job Enhancement Committee -- Composition -- Duties --
- 1317 Appropriation.
- 1318 Section 58-20a-201, Board.
- 1319 Section 58-37c-4, Board.
- 1320 Section 58-54-201, Board created -- Membership -- Duties.  
Section 63G-13-101, Title.  
Section 63G-13-102, Definitions.  
Section 63G-13-201, Creation of commission.  
Section 63G-13-202, General powers and duties of the commission.  
Section 63G-13-203, Collaboration on integration of immigrants.  
Section 63G-13-301, Migrant Worker Visa Pilot Project.  
Section 63G-13-302, Requirements for pilot project and pilot project memorandum of understanding.  
Section 63G-13-303, Commission advisory group to conduct study -- Commission to prepare recommendations.  
Section 63G-13-304, Expansion to similar pilot projects.

Senator Reid's motion to amend passed on a voice vote. Senators Dayton, Valentine, Vickers, Okerlund, Madsen, Van Tassell, and Mayne 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

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard

Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Niederhauser	

**Absent or not voting were:** Senators  
Adams                      Weiler

### INTRODUCTION OF BILLS

**S.B. 149, Governmental Immunity Amendments** (J. S. Adams), was read the first time by short title and referred to the Rules Committee.

**S.B. 150, Financial Institution Amendments** (J. S. Adams), was read the first time by short title and referred to the Rules Committee.

**S.B. 151, Authorization of Charter Schools by Higher Education Institutions** (J. S. Adams), was read the first time by short title and referred to the Rules Committee.

**S.B. 152, Alcohol and Drug Related Offense Amendments** (J. S. Adams), was read the first time by short title and referred to the Rules Committee.

\* \* \*

On motion of Senator Okerlund, and at 12:00 p.m., the Senate adjourned until 10:00 a.m., Thursday, January 31, 2013.

### JOINT CONVENTION

President Wayne Niederhauser called the Joint Convention to order at 6:15 p.m. in the Chamber of the Utah House of Representatives and recognized Rebecca Lockhart, Speaker of the House.

President Niederhauser announced that a quorum of the House of Representatives and the Senate was present.

President Niederhauser appointed a Joint Committee comprised of Senators Ralph Okerlund, Stuart Adams and Gene Davis, and Representatives Brad Dee, Greg Hughes, and Jennifer Seelig to notify Governor Gary R. Herbert that the 2013 General Session of the Sixtieth Legislature is in Joint Convention and ready to hear his State-of-the-State address.

President Niederhauser acknowledged special guests and elected and appointed officials in attendance at the Joint Convention.

Senator Ralph Okerlund made a motion that the Legislature resolve into a Joint Convention and Committee of the Whole for the purpose of hearing Governor Herbert's State-of-the-State address.

The Joint Committee escorted Governor Herbert to the House rostrum.

**STATE-OF-THE-STATE ADDRESS  
BY GOVERNOR GARY R. HERBERT**

Speaker Lockhart, President Niederhauser, members of the Utah Legislature, our many special guests here today, Lt. Governor and Mrs. Bell, Utah's First Lady, my wonderful wife, Jeanette, and my fellow Utahns, it is a privilege to address you this evening.

We assemble tonight in our beloved State Capitol, an edifice to the values and liberty Utahns hold dear. That liberty is defended on the front line by the brave men and women of our armed forces, and on the home front by our public safety officers and first responders. They sacrifice time with loved ones, serve with valor, and sometimes give their lives on behalf of others. Last June on Mt. Olympus, the State of Utah lost one of its own noble public servants, State Trooper Aaron Beesley, who gave his life while rescuing stranded hikers. Aaron's family members are here with us tonight. To every first responder, public safety officer, and member of our armed forces, as well as those who wait for them at home, on behalf of the people of the Great State of Utah, we thank you.

In last summer's devastating wildfires, three firefighters were injured battling the Clay Springs Fire. I was grateful for the chance to visit them in the hospital, and I am especially grateful that they are here with us tonight. I would like to ask Clarke Christensen, Ross Anderson, and Camron Nielson, as representatives of all who courageously defended our communities from one of the worst fire seasons in Utah's history, to please stand as we thank them for their service.

My friends, as this legislative session convenes, we are setting the course for the State of Utah in a uniquely challenging time. We face uncertainty throughout our nation, and difficult challenges here at home. But let me be clear: I have never been more optimistic about Utah's future. The state of our State is strong—and continues to grow stronger!

We recognize our strength when we reflect on our accomplishments, the mileposts marking our remarkable progress on the road to economic recovery.

Last year, we united behind a commitment to education. We provided for 12,500 new students, we increased per pupil spending, we covered the increased cost of healthcare for our teachers, we invested millions in enhanced individualized instruction and help for at-risk children, and we put millions more in higher education, including our applied technology colleges.

Education is the largest and most important investment Utah makes. While we recognize that money isn't everything, we should still take note—that while so many states face shrinking budgets and bleak forecasts, Utah has the means, the vision, and the commitment to rank education as its top priority. The proof of that investment is unmistakable. The national average Advanced Placement test score is 2.84. Utah's is 3.1. More than 27,000 students prepare for college through concurrent enrollment, and compared to other states with a high percentage of students taking the ACT, Utah ranks second in our test scores.

Utah's success starts with dedicated teachers, teachers like Maria Contreras of Alta View Elementary, where the dual immersion program boasts 275 students. For Maria, teaching is about more than just helping children learn Spanish, or Chinese, or French. It's about cultural literacy, academic excellence, and preparing for a global economy. Immersion students often perform better on standardized testing, particularly in memory, attention control, and problem-solving. Tomorrow, more than 25,000 dedicated Utah teachers, just like Maria, will open the door to their classroom and start their day. Tonight, for opening young minds to the empowering knowledge and opportunity that awaits them, I thank every single Utah teacher.

Since the day I took office, my number one budget priority has been education—the key to a robust economy. I have invited educators, legislators and business leaders to serve on my Education Excellence Commission. We have a single, bold goal that is not only achievable, but for the sake of Utah's economy and the future of our children, is essential. Our goal is that 66% of our adult population will have a college degree or post-secondary certificate by the year 2020. Right now, just 42.6% of our workforce meets that standard. In the next eight years we must improve that outcome by more than 50 %, and ensure that we are on pace to 66% by 2020.

Tonight, I call upon you, the members of this State Legislature, to unite behind the resolution supporting our 66% by 2020 goal, so we can declare with one voice, with singular focus, Utah WILL achieve education excellence. We must continue to fully invest in our growing schools, and we must also continue to provide our students critical tools, tools like computer adaptive testing and other technologies, across all grade levels and socioeconomic strata.



We must also remain fervently committed to STEM—science, technology, engineering and math education. As we discuss the future of STEM, the watchword is alignment—workforce alignment. Nothing matters more than preparing our children to face the new, interdependent global economy. So this year I propose we invest \$20 million for STEM education. Eight state institutions of higher learning are reprioritizing their budgets to match that funding dollar for dollar. That's a full \$40 million for STEM programs to make Utah's future workforce the smartest, most skilled, and most innovative workforce this nation has ever seen.

Aside from parents, teachers are the greatest influence on a child's academic success. To ensure we have the most skilled educators, we must support continued implementation of teacher evaluation and performance pay. Once the federal fiscal dust settles, whether there is little to spend or a lot, education must continue to be our top priority. We can afford nothing less.

My vision for Utah remains steadfast: Utah will continue to lead the nation as the premier business location that provides opportunity for all Utahns. Thanks to Utah's economic engine, we are well on the road to economic prosperity. While the nation's unemployment rate is 7.8%, Utah's is 5.2%. The U.S. economy is growing at 1.4%, while Utah's economy is more than double that at 2.9%. That means that 35,800 Utahns who were jobless one year ago are working today. More Utahns are now able to pay their bills, buy their groceries, pay for gasoline, cover the mortgage, maybe afford piano lessons or soccer cleats for their children, and even start setting money aside for the future. Hundreds of thousands of Utah families now have the security of economic stability.

Lasting job creation and capital investment hinge on the free flow of commerce, another area where Utah excels. There is no better example than the I-15 CORE project, built faster than any other billion-dollar highway project in America, and \$260 million under budget. UTA's commuter rail now runs from Ogden to Provo, two years ahead of schedule and 15% under budget. We are building the infrastructure that will enable Utah's future economic success.

Now, while I am optimistic about Utah's future, I realize that 71,000 Utahns still seek employment. And I will continue to work tirelessly with you in the legislature to empower the private sector to create job opportunities for every Utahn.

For the third straight year, Forbes ranked Utah number one as the best place for business. That is no accident. Business continues to benefit from Utah's stable environment and educated workforce. For example, homegrown Omniture attracted software giant Adobe to Utah. Adobe just completed its beautiful, new

280,000 square foot Lehi facility, a complex that will house 1,100 employees, and it's just phase one of a three-part project!

With companies like Adobe and Microsoft expanding in northern Utah Valley, and eBay and Oracle in southern Salt Lake Valley, this area is rapidly becoming an IT hub. That is why it's time to get serious about finding a more suitable location for the state prison. We must make this 700 acre parcel available for the continued growth of our IT industry. Sometimes promoting economic development means accepting the herculean task of moving and modernizing a prison.

And sometimes it means removing or simplifying overly oppressive or nonsensical regulation that also presents obstacles to job creation. Last year I told you about the results of our state regulatory reform effort. This year I am pleased to announce that I am partnering with the mayors of Provo, Ogden, Cedar City, and South Jordan on a pilot project to engage in regulatory reform at the local level that I hope could be a model for every city and county. These efforts exemplify the best kind of economic recovery, with government removing the obstacles to innovation and free market growth, creating real opportunity for all Utahns.

We all recognize the benefits of economic growth. But what may be less obvious is how our culture of innovation impacts individual lives, individuals like our own Allyson White Gamble who runs our Capitol Preservation Board Office. She is the remarkable survivor of two heart transplants. We are so grateful Allyson is here today with her husband, Jim, and son, Ben. The very same devices and procedures that saved Allyson's life were created by a global leader in heart surgery, with a facility right here in Utah: Edwards Lifesciences. This company grew from about 200 employees in Utah in 2010, to 550 employees today. And they plan to double that number again in the next few years!—real jobs, with real impact on people's lives.

Of course, I could go on and on about hundreds of companies making a difference in Utah and around the world, companies like BioFire Diagnostics, Boeing, and G-A-F. Whether you started a high tech manufacturing firm out of your garage like the Springville company IMSAR, maker of high performance radar systems now built for the Department of Defense, or whether you are the "Chief Sauce Maker" of the Utah-based BBQ company Snap Daddy's, the Beehive State IS the best place for business and careers. As we look to the future, we shift our focus from economic recovery to economic prosperity. Take a look at our web page [utahjobsplan.com](http://utahjobsplan.com). You'll see that with another 8,800 jobs created just last quarter, Utah is well on its way toward the goal we set last year of 100,000 jobs in 1,000 days.

On Utah's road to recovery, our course is sure, with a steady hand and fixed gaze on prosperity ahead, we are leading this nation out of the Great Recession. We must not waiver; we must remain vigilant, vigilant to maintain low taxes and sensible regulation, anchored in our conviction that in a free market, the private sector, not government, will propel Utah to prosperity.

Utah is also leading out in energy development. The Uintah Basin is booming, with an average unemployment rate of 4.5%. And industry leaders there are developing natural resources in environmentally sensitive ways. Consider Newfield Exploration's efforts to protect the environment and decrease truck traffic with centralized collection points for black wax crude, and recycled water for oil extraction. Newfield is one of many companies proving that private sector innovation, not government regulation, will drive the future of responsible energy development.

That same spirit of innovation is driving Utah State University's Aggie Bus. Created through a public-private partnership between USU and a company called Wave, this electric bus is refueled by recharging on electric pads throughout its route. It is 100% emissions free. I think it's fair to say, this energy innovation at USU is every bit as exciting as the Aggies were on the football field last season.

We're not just talking about emissions; we're also talking about conservation. Last year I signed an agreement with 13 other states, securing bulk purchasing power that allows us to acquire more natural gas vehicles at discounted prices, thereby reducing emissions and our reliance on foreign oil. Add that to increased use of video conferencing to reduce employee travel, more public transit eco-passes, more HOV lanes on I-15, and my executive order to reduce idling for our state fleet, and it's clear that Utah does more than just talk about conservation; we are actually doing it.

I've said it before, and I'll say it again—in fact, I'll keep saying it until it's understood from L.A. to D.C.: Responsible development of Utah's energy resources and the protection of Utah's scenic wonders are not mutually exclusive ideas! Outdoor recreation, with its \$5.8 billion annual economic impact, is fundamental to our culture, our health, our economy and our lifestyle. Some have even said it's in our DNA. And it provides a market for many Utah companies like Salt Lake City's Bluehouse Skis and West Valley City's Petzl. So last week we announced that Utah is doing something no other state is doing: we launched a long-term outdoor recreation vision, which includes the creation of an Office of Outdoor Recreation. With our iconic red rock deserts, and mountain peaks capped with world-class snow, Utah offers unparalleled outdoor recreational experiences, from the backyard to the backcountry.

Whether you're hiking Calf Creek Falls with Representative Brian King, running RAGNAR with Senator Deidre Henderson, mountain biking with President Wayne Niederhauser, deer hunting with Representative Mike McKell, or exploring the wilderness hunting for golf balls in the rough with Senator Curt Bramble, there are countless, wonderful outdoor activities to enjoy in Utah!

To protect this quality of life, and address the seasonal problem of poor air quality, we must all be part of the solution. Tonight, as your Governor, I call upon every Utahn, every public agency and every Utah business to do your part, and to find ways to do even more. For example, fifty two percent of the pollution during inversions comes from tailpipes. Whether it's taking mass transit, idling your vehicle less and carpooling more, unplugging devices, or using energy efficient appliances, each of us individually can do our part. And when we consume less, we pollute less. You can find ideas about how to save more and pollute less at our web page [www.ucair.utah.gov](http://www.ucair.utah.gov). And I urge every Utahn to joinUCAIR, Utah's Clean Air Partnership.

I am not only calling on individuals and public agencies to act, I am calling upon industry and higher education to innovate—innovate ways to make energy more accessible, more reliable, cleaner, and affordable.

In addition to conserving energy, Utah must also conserve our precious water. In the year 2000 we set a target to use 25% less water by the year 2050, and we've already reduced our consumption by 18%. So let's go one step further. Let's cut the time in half, and achieve that goal by the year 2025.

As a state, we continue to strive for better management in all we do. It's called good governance. Because of the economic downturn, every family, every community, and every business was forced to do more with less. Utah government is no exception. Utah now offers more than 1,000 services online and, since 2007, “-government” has saved Utahns about \$46 million! In the year 2000, there was one state employee for every 112 Utahns. Today, that ratio is one employee for every 139 Utahns, a 24% improvement.

While striving to maintain quality services, state agencies have innovated new ways to find efficiencies. For example, the Department of Technology Services installed a more efficient cooling system in our main data center, which now consumes 28% less energy. This saves more than 100,000 taxpayer dollars each year, and reduces carbon emissions equivalent to taking 268 cars off the road. Utah is providing great value to the taxpayer with lower cost, efficient, state government, but I believe there is more we can do.

With the taxpayers in mind, I have re-organized my Office of Planning and Budget to aggressively foster operational excellence across all of state

government. We have introduced legislation, sponsored by Senator Jerry Stevenson and Representative Brad Wilson, to rename GOPB, the Governor's Office of Management and Budget. This change is not just about rhetoric. Tonight I am challenging my cabinet, and all state employee, through improving quality and reducing costs, to improve their operational efficiency by 25% over the next four years—because every dollar we save through efficiencies is another dollar we can invest in our classrooms.

Let me conclude with a brief story. A few months ago I asked a nationally prominent magazine editor why he hadn't written lately about Utah's robust economic recovery. He responded, "Your success isn't news, it's just what we have come to expect from Utah." Others expect it, but we know we have worked hard for that success.

The I-15 CORE completion, the Adobe expansion, the 35,800 new jobs—the list goes on and on. As I said before, those successes did not just happen by accident. They are the result of hard work, fierce determination, and a consistent adherence to sound principles. It's never the effort of just one individual, or one company. It's the effort of all. And I thank each of you here in the legislature for all that you do to play your part in each of these success stories.

A friend of mine once said to his son: "If you stay on this path, you will end up where you're going." Let me tell you: Utah is on the right path—we're on the right road and, together, we're going in the right direction. And our destination is economic prosperity with an unparalleled quality of life.

I ask you to join me tonight with renewed commitment, with clear focus, with a spirit of collaboration and civility; to achieve economic prosperity, to enhance government efficiency, to expand energy innovation, and to ensure educational excellence for our children and their children.

The State of Utah is strong, and I am committed as your Governor to continue working with you to make it even stronger. I pledge to you my very BEST effort. May God bless you, this great nation, and may God continue to bless the Great State of Utah.

\* \* \*

On motion of Representative Dee, the House voted to print the complete text of the Governor's State-of-the-State Address upon the pages of the Senate and House Journals.

On motion of Representative Dee, the Committee of the Whole and Joint Convention were dissolved and the Legislature adjourned until January 31, 2013.

# FOURTH DAY

**January 31, 2013**

The Senate was called to order at 10:00 a.m., with President Wayne Niederhauser presiding.

**Prayer** – Bishop Lee Eschler

**Pledge of Allegiance** – Senator Deidre Henderson

**Roll Call** – All Senators present

## READING OF TITLES OF BILLS AND RESOLUTIONS (PLEASE REFER TO DAY 1, PAGE 81)

### COMMUNICATIONS FROM THE HOUSE

Mr. President: January 30, 2013

The House passed **H.B. 19**, ELECTION CODE CRIMINAL PROVISIONS, by Representative K. Grover, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 22**, UTAH COMMISSION ON SERVICE AND VOLUNTEERISM, by Representative J. Bird, and it is transmitted for consideration; and

The House passed **H.B. 25**, AGENCY REPORTING PROVISIONS, by Representative J. Bird, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 26**, INMATE MEDICAL DONATION ACT, by Representative S. Eliason, and it is transmitted for consideration; and

The House passed **H.B. 31**, ENTICING A MINOR AMENDMENTS, by Representative R. C. Webb, and it is transmitted for consideration; and

The House passed **H.B. 32**, DRIVER LICENSE MOTORCYCLE ENDORSEMENT AMENDMENTS, by Representative V. Peterson, and it is transmitted for consideration; and

The House passed **H.B. 37**, REPEAL OF REPORTING REQUIREMENTS, by Representative J. Dunnigan, and it is transmitted for consideration.

Sandy D. Tenney, 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:

January 30, 2011

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

### **Business and Labor Committee**

**S.B. 142** Repeal of Blacklisting Provisions (Sen. D. Thatcher)

**S.B. 143** Mortgage and Financial Affairs Amendments  
(Sen. W. Harper)

### **Economic Development & Workforce Services Committee**

**S.B. 147** Workers' Compensation and Occupational Safety Related  
Amendments (Sen. K. Mayne)

### **Education Committee**

**S.B. 51** Higher Education Tuition Waivers (Sen. S. Urquhart)

### **Government Operations and Political Subdivisions Committee**

**S.B. 148** Conservation Districts – Closed Meetings Amendments  
(Sen. D. Hinkins)

**H.B. 18** Campaign Finance Reporting Penalties (Rep. K. Grover)  
(Sen. M. Dayton)

### **Judiciary, Law Enforcement, and Criminal Justice Committee**

**S.B. 52** Game Fowl Fighting Amendments (Sen. G. Davis)

**S.B. 131** Assault Amendments (Sen. A. Osmond)

**S.B. 135** Involuntary Commitment Amendments (Sen. T. Weiler)

**S.B. 144** Reauthorization of Prohibitions on Practicing Law  
Without a License (Sen. S. Jenkins)

**S.B. 145** County Attorney Chapter Recodification (Sen. T. Weiler)

**S.B. 146** Driving Under the Influence Amendments  
(Sen. S. Jenkins)

### **Revenue and Taxation Committee**

**S.B. 138** Amendments to Requirements for Governor's Proposed  
Budget (Sen. W. Harper)

### **Transportation, Public Utilities and Technology Committee**

**S.B. 13** Amendments to Ignition Interlock Program  
(Sen. D. Thatcher)

**S.B. 48** Special Group License Plate Revisions (Sen. P. Knudson)

**S.B. 50** Department of Transportation Liability Amendments  
(Sen. L. Hillyard)

John L. Valentine  
Rules Committee Chair

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

### STANDING COMMITTEE REPORTS

Mr. President: January 29, 2013

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 125**, DISTRICT COURT JUDGE AMENDMENTS, by Senator K. Van Tassell; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 127**, JUVENILE COURT JUDGE AMENDMENTS, by Senator K. Van Tassell.

Mark B. Madsen, Chair

Mr. President: January 30, 2013

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 111**, ELECTRONIC FILING OF TRAFFIC CITATIONS AND ACCIDENT REPORTS, by Senator L. Hillyard; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 123**, RUNAWAY VEHICLE RAMP REQUIREMENTS, by Senator K. Van Tassell.

Kevin T. Van Tassell, Chair

\* \* \*

Mr. President: January 30, 2013

The Rules Committee reports a favorable recommendation on **H.J.R. 6**, JOINT RULES RESOLUTION – COMPENSATION AND EXPENSE REIMBURSEMENTS, by Representative B. Dee.

John L. Valentine, Chair

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

### INTRODUCTION OF BILLS

**S.B. 53, Intergenerational Welfare Reform** (S. Reid), was read the first time by short title and referred to the Rules Committee.



**S.B. 54, Licensing of Nursing Care Facility Beds** (C. Bramble), was read the first time by short title and referred to the Rules Committee.

**S.B. 153, Local Government Development Amendments** (J. S. Adams), was read the first time by short title and referred to the Rules Committee.

**S.B. 154, Sales and Use Taxation of Water** (S. Jenkins), was read the first time by short title and referred to the Rules Committee.

**S.B. 155, Open Adoption** (L. Hillyard), was read the first time by short title and referred to the Rules Committee.

**S.B. 156, Jail Release Amendments** (J. S. Adams), was read the first time by short title and referred to the Rules Committee.

**S.C.R. 4, Standing with Israel Concurrent Resolution** (C. Bramble), was read the first time by short title and referred to the Rules Committee.

### THIRD READING CALENDAR

**S.B. 19, COMMERCIAL DRIVER LICENSE AMENDMENTS**, was read the third time and explained by Senator Van Tassell.

Senator Jenkins proposed the following amendment:

1. Page 1, Lines 19 through 20
  - 19 commercial driver license to include   
    - using a handheld wireless communication
  - 20 device for certain purposes while operating a commercial motor vehicle; and
    - using a hand-held mobile telephone in violation of federal law while operating a commercial motor vehicle;
2. Page 14, Lines 415 through 418:
  - 415 (h) operating a commercial motor vehicle without a CDL or CDIP license certificate in
  - 416 the driver's possession in violation of Section 53-3-404[-]; ~~{or}~~
  - 417 (i) using a handheld wireless communication device {as defined in} in violation of Section 41-6a-1716
  - 418 while operating a commercial motor vehicle ; or  
(j) using a hand-held mobile telephone while operating a commercial motor vehicle in violation of 49 C.F.R. Sec. 392.82 .

Senator Jenkins' motion to amend passed on a voice vote.

###

Senator Thatcher proposed the following amendment:

1. Page 14, Lines 417 and 418:  
Delete lines 417 and 418

Senator Thatcher's motion to amend failed on a voice vote. Senators Madsen and Thatcher commented and the bill, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Bramble	Davis	Robles
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**S.B. 19**, as amended was transmitted to the House for consideration.

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**S.B. 28**, BOARDS AND COMMISSIONS AMENDMENTS, was read the third time, explained by Senator Knudson, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators  
Bramble                      Davis

**S.B. 28** was transmitted to the House for consideration.

**SECOND READING CALENDAR**

**H.J.R. 6, JOINT RULES RESOLUTION – COMPENSATION AND EXPENSE REIMBURSEMENTS**, was read the second time. Senator Okerlund explained the bill. Senators Hillyard, Jones, Bramble, Weiler, Dabakis, Valentine, Shiozawa, and Jenkins commented. The bill passed second reading on the following roll call:

**Yeas, 21; Nays, 3; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Harper	Hillyard	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stevenson	Thatcher	Valentine	Vickers
Weiler			

**Voting in the negative were:** Senators

Dayton	Hinkins	Van Tassell
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**Absent or not voting were:** Senators

Bramble	Henderson	Stephenson	Urquhart
Niederhauser			

\* \* \*

On motion of Senator Hillyard, under suspension of the rules, the Senate voted to lift **S.B. 6, RETIREMENT AND INDEPENDENT ENTITIES BASE BUDGET**, from the Rules Committee and place it on the Second Reading Calendar below **S.B. 5**.

\* \* \*

**S.B. 1, PUBLIC EDUCATION BASE BUDGET**, was read the second time. Senator Stephenson 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

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	

**Absent or not voting were:** Senators

Adams	Niederhauser
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\* \* \*

On motion of Senator Okerlund, **S.B. 5**, NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENTAL QUALITY BASE BUDGET, was read the second time and circled.

\* \* \*

On motion of Senator Bramble, the Senate voted to allow Senators Bramble, Urquhart, Henderson, Stephenson, and Niederhauser to be recorded as yea votes on the second reading of **H.J.R. 6**, JOINT RULES RESOLUTION – COMPENSATION AND EXPENSE REIMBURSEMENTS. The corrected vote is:

**Yeas, 26; Nays, 3; Absent or not voting, 0.****Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Hillyard
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Vickers
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Dayton	Hinkins	Van Tassell
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**COMMITTEE OF THE WHOLE**

On motion of Senator Okerlund, U. S. Congressman Jim Matheson spoke in Committee of the Whole. Senators Hillyard, Davis, Shiozawa, and Reid commented.

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

**SECOND READING CALENDAR**

On motion of Senator Hinkins, the circle was removed from **S.B. 5**, NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENTAL QUALITY BASE BUDGET, and it was before the Senate.

Senator Hinkins proposed the following amendment:

- 1. Page 4, Lines 114–117:  
Strike lines 114–117
- 2. Page 13, Line 451:  
Between lines 451 and 452 insert:  
“ITEM 46A To Department of Natural Resources – General Fund Restricted – Wildlife Resources  
From General Fund 74,800  
Schedule of Programs:  
General Fund Restricted – Wildlife Resources 74,800”

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

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Davis	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Adams	Bramble	Knudson	Van Tassell
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\* \* \*

**S.B. 6**, RETIREMENT AND INDEPENDENT ENTITIES BASE BUDGET, was read the second time. Senator Weiler explained the bill. The bill passed second reading on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Dayton
Harper	Henderson	Hillyard	Hinkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Adams	Davis	Jenkins	Van Tassell
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\* \* \*

**S.J.R. 1, JOINT RULES RESOLUTION ON PERFORMANCE NOTES,** was read the second time. Senator Stevenson explained the bill. The bill passed second reading on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Davis	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Knudson	Madsen	Mayne
Okerlund	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Adams	Bramble	Jones	Osmond
Van Tassell			

\* \* \*

On motion of Senator Stephenson, the Senate voted to move to Third Reading Calendar.

### **THIRD READING CALENDAR**

On motion of Senator Stephenson, the Senate voted to lift **S.B. 1, PUBLIC EDUCATION BASE BUDGET,** to the top of the Third Reading Calendar.

**S.B. 1**, PUBLIC EDUCATION BASE BUDGET, under suspension of the rules, was read the third time, explained by Senator Stephenson, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Adams	Van Tassell
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**S.B. 1** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Hinkins, under suspension of the rules, the Senate voted to lift **S.B. 5**, NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENTAL QUALITY BASE BUDGET, and RETIREMENT AND INDEPENDENT ENTITIES BASE BUDGET, to the top of the Third Reading Calendar.

**S.B. 5**, NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENTAL QUALITY BASE BUDGET, under suspension of the rules, was read the third time, explained by Senator Hinkins, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators  
Hillyard                      Jones

**S.B. 5** was transmitted to the House for consideration.

\* \* \*

**S.B. 6, RETIREMENT AND INDEPENDENT ENTITIES BASE BUDGET**, under suspension of the rules, was read the third time, explained by Senator Weiler, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**S.B. 6** was transmitted to the House for consideration.

### INTRODUCTION OF BILLS

**S.B. 157, Daylight Saving Time Amendments** (S. Urquhart), was read the first time by short title and referred to the Rules Committee.

**S.B. 158, Municipal General Fund Amendments** (D. Henderson), was read the first time by short title and referred to the Rules Committee.

\* \* \*

On motion of Senator Okerlund, and at 11:50 a.m., the Senate adjourned until 10:00 a.m., Friday, February 1, 2013.



# FIFTH DAY

**February 1, 2013**

The Senate was called to order at 10:00 a.m., with President Wayne Niederhauser presiding.

**Prayer** – Jeff Alexander, Stake President, Provo Edgemont Stake

**Pledge of Allegiance** – Troop 1251 Eagle Mountain

**Roll Call** – All Senators present except Senator Hillyard, excused.

## READING OF TITLES OF BILLS AND RESOLUTIONS (PLEASE REFER TO DAY 1, PAGE 81)

### COMMUNICATIONS FROM THE HOUSE

Mr. President: January 31, 2013

The House passed **H.B. 1**, HIGHER EDUCATION BASE BUDGET, by Representative K. Grover, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 4**, BUSINESS, ECONOMIC DEVELOPMENT, AND LABOR BASE BUDGET, by Representative J. Bird, and it is transmitted for consideration; and

The House passed **H.B. 5**, EXECUTIVE OFFICES AND CRIMINAL JUSTICE BASE BUDGET, by Representative E. Hutchings, and it is transmitted for consideration; and

The House passed **H.B. 6**, INFRASTRUCTURE AND GENERAL GOVERNMENT BASE BUDGET, by Representative G. Froerer, and it is transmitted for consideration; and

The House passed **H.B. 7**, NATIONAL GUARD, VETERANS' AFFAIRS, AND LEGISLATURE BASE BUDGET, by Representative M. Brown, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 8**, SOCIAL SERVICES BASE BUDGET, by Representative R. Menlove, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 24**, UTAH RETIREMENT SYSTEM AMENDMENTS, by Representative D. Ipson, and it is transmitted for consideration; and

The House passed **H.B. 38**, CAMPAIGN CONTRIBUTION AMENDMENTS, by Representative K. Powell, and it is transmitted for consideration; and

The House passed **H.B. 41**, CAMPAIGN FILING BY MEDIA OWNER, by Representative K. Powell, and it is transmitted for consideration; and

The House passed **H.B. 42**, REPEAL OF HEALTH INSURANCE MANDATE REVIEW, by Representative J. Dunnigan, and it is transmitted for consideration; and

The House passed **H.B. 45**, REAUTHORIZATION OF PROVISIONS FOR INSURANCE COORDINATION WITH OTHER STATES, by Representative J. Dunnigan, and it is transmitted for consideration; and

The House passed **H.B. 46**, HEARING INSTRUMENT SPECIALIST LICENSING ACT, by Representative D. Brown, and it is transmitted for consideration; and

The House passed **H.B. 52**, CONTROLLED SUBSTANCES REVISIONS, by Representative P. Ray, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 54**, PROPERTY TAX AND APPRAISER AMENDMENTS, by Representative G. Froerer, and it is transmitted for consideration.

Sandy D. Tenney, 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:

January 31, 2011

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

#### **Business and Labor Committee**

- S.B. 54** Licensing of Nursing Care Facility Beds  
(Sen. C. Bramble)
- S.B. 150** Financial Institution Amendments (Sen. J. S. Adams)
- H.B. 37** Repeal of Reporting Requirements (Rep. J. Dunnigan)  
(Sen. J. Valentine)

#### **Economic Development and Workforce Services Committee**

- S.B. 53** Intergenerational Welfare Reform (Sen. S. Reid)

- H.B. 22** Utah Commission on Service and Volunteerism  
(Rep. J. Bird) (Sen. A. Osmond)
- H.B. 25** Agency Reporting Provisions (Rep. J. Bird)  
(Sen. A. Osmond)

**Education Committee**

- S.B. 151** Authorization of Charter Schools by Higher Education  
Institutions (Sen. J. S. Adams)

**Government Operations and Political Subdivisions Committee**

- S.B. 149** Governmental Immunity Amendments (Sen. J. S. Adams)
- S.B. 153** Local Government Development Amendments  
(Sen. J. S. Adams)
- H.B. 19** Election Code Criminal Provisions (Rep. K. Grover)  
(Sen. M. Dayton)
- H.B. 26** Inmate Medical Donation Act (Rep. S. Eliason)  
(Sen. M. Dayton)
- S.C.R. 4** Standing with Israel Concurrent Resolution  
(Sen. C. Bramble)

**Judiciary, Law Enforcement, and Criminal Justice Committee**

- S.B. 152** Alcohol and Drug Related Offense Amendments  
(Sen. J. S. Adams)
- S.B. 155** Open Adoption (Sen. L. Hillyard)
- H.B. 31** Enticing a Minor Amendments (Rep. R. C. Webb)  
(Sen. L. Hillyard)

**Revenue and Taxation Committee**

- S.B. 154** Sales and Use Taxation of Water (Sen. S. Jenkins)

**Transportation, Public Utilities and Technology Committee**

- H.B. 32** Driver License Motorcycle Endorsement Amendments  
(Rep. V. Peterson) (Sen. P. Knudson)

John L. Valentine  
Rules Committee Chair

Report filed. On motion of Senator Valentine, the committee report was adopted with the correction that **S.C.R. 4** be assigned to the Business and Labor Committee.

**STANDING COMMITTEE REPORTS**

Mr. President: January 31, 2013

The Business and Labor Committee reports a favorable recommendation on **H.B. 12**, ALARM COMPANY EMPLOYEE LICENSING, by Representative J. Dunnigan; and

The Business and Labor Committee recommends **S.B. 41**, UNIFORM COMMERCIAL CODE AMENDMENTS, by Senator L. Hillyard, be replaced and favorably recommends **1st Sub. S.B. 41**, UNIFORM COMMERCIAL CODE AMENDMENTS; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 44**, CONSTRUCTION TRADES LICENSING REVISIONS, by Senator K. Mayne; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 142**, REPEAL OF BLACKLISTING PROVISIONS, by Senator D. Thatcher.

Curtis S. Bramble

Mr. President: January 31, 2013

The Health and Human Services Committee recommends **S.B. 49**, CHILD WELFARE MODIFICATIONS, by Senator W. Harper, be replaced and favorably recommends **1st Sub. S.B. 49**, CHILD WELFARE MODIFICATIONS; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 118**, ROCKY MOUNTAIN CENTER FOR OCCUPATIONAL AND ENVIRONMENTAL HEALTH AMENDMENTS, by Senator K. Mayne; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 132**, UTAH MEDICAL EDUCATION COUNCIL AMENDMENTS, by Senator W. Harper.

Evan J. Vickers

Mr. President: January 30, 2013

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 119**, YOUTH COURT AMENDMENTS, by Senator J. Stevenson.

Mark B. Madsen, Chair

Mr. President: January 31, 2013

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 16**, DISPOSAL OF CERTAIN SURPLUS PROPERTY, by Representative S. Barlow; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 130**, SECURITY PERSONNEL LICENSING ACT AMENDMENTS, by Senator M. Dayton, with the following amendments:

1. Page 2, Line 31:  
Reinstate “two” and delete “three”
2. Page 2, Line 37:  
Delete “one” and insert “two”
3. Page 3, Line 62:  
After “security company;” reinstate “or”
4. Page 3, Lines 63–65:  
Reinstate lines 63 thru 65  
and renumber accordingly; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.J.R. 7**, JOINT RULES RESOLUTION ON REVENUE ESTIMATES FOR FEDERAL FUNDS, by Senator W. Harper.

Margaret Dayton, Chair

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

\* \* \*

On motion of Senator Valentine, the Senate voted to lift the following bills from the Rules Committee and place them at the top of the Second Reading Calendar:

- H.B. 1** Higher Education Base Budget  
**H.B. 4** Business, Economic Development, And Labor Base Budget  
**H.B. 5** Executive Offices And Criminal Justice Base Budget  
**H.B. 6** Infrastructure And General Government Base Budget  
**H.B. 7** National Guard, Veterans' Affairs And Legislature Base Budget  
**H.B. 8** Social Services Base Budget

### INTRODUCTION OF BILLS

**S.B. 55, Insurance Coverage for Autism Spectrum Disorder** (B. Shiozawa), was read the first time by short title and referred to the Rules Committee.

**S.B. 159, Theft Amendments** (D. Thatcher), was read the first time by short title and referred to the Rules Committee.

**S.B. 160, Patronizing a Prostitute Amendments** (J. Stevenson), was read the first time by short title and referred to the Rules Committee.

**S.C.R. 5, Concurrent Resolution Endorsing the Utah Education Excellence Commission** (J. Stevenson), was read the first time by short title and referred to the Rules Committee.

**S.J.R. 8, Joint Resolution Concerning Railroad and Railroad Crossing Safety** (K. Mayne), was read the first time by short title and referred to the Rules Committee.

### THIRD READING CALENDAR

**H.J.R. 6, JOINT RULES RESOLUTION – COMPENSATION AND EXPENSE REIMBURSEMENTS**, was read the third time, explained by Senator Okerlund, and passed on the following roll call:

**Yeas, 23; Nays, 3; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Jones

Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Valentine
Vickers	Weiler	Niederhauser	

**Voting in the negative were:** Senators

Dayton	Hinkins	Van Tassell
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**Absent or not voting were:** Senators

Hillyard	Jenkins	Urquhart
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**H.J.R. 6** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**S.J.R. 1, JOINT RESOLUTION ON PERFORMANCE NOTES,** was read the third time, explained by Senator Stevenson, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Hillyard	Jenkins	Urquhart
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**S.J.R. 1** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Harper, the circle was removed from **S.B. 35, PROPERTY TAXATION OF BUSINESS PERSONAL PROPERTY,** and it was before the Senate. Senator Harper explained the bill. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Hillyard	Jenkins	Urquhart
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**S.B. 35** was transmitted to the House for consideration.

**SECOND READING CALENDAR**

On motion of Senator Valentine, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. On motion of Senator Valentine, under suspension of the rules, the Senate voted to suspend the rules requiring a committee hearing and the 24-hour requirement.

On motion of Senator Valentine, under suspension of the rules, **H.B. 1**, HIGHER EDUCATION BASE BUDGET, 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Hillyard	Jenkins	Urquhart
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**H.B. 1** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Shiozawa, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. On motion of Senator Shiozawa, under suspension



of the rules, the Senate voted to suspend the rules requiring a committee hearing and the 24-hour requirement.

On motion of Senator Shiozawa, under suspension of the rules, **H.B. 4**, BUSINESS, ECONOMIC DEVELOPMENT AND LABOR BASE BUDGET, 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Hillyard	Jenkins	Urquhart
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**H.B. 4** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Thatcher, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. On motion of Senator Thatcher, under suspension of the rules, the Senate voted to suspend the rules requiring a committee hearing and the 24-hour requirement.

On motion of Senator Thatcher, under suspension of the rules, **H.B. 5**, EXECUTIVE OFFICES AND CRIMINAL JUSTICE BASE BUDGET, 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Hillyard                      Jenkins                      Urquhart

**H.B. 5** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Harper, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. On motion of Senator Harper, under suspension of the rules, the Senate voted to suspend the rules requiring a committee hearing and the 24-hour requirement.

On motion of Senator Harper, under suspension of the rules, **H.B. 6**, INFRASTRUCTURE AND GENERAL GOVERNMENT BASE BUDGET, 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Hillyard                      Jenkins                      Thatcher                      Urquhart

**H.B. 6** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Stevenson, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. On motion of Senator Stevenson, under suspension of the rules, the Senate voted to suspend the rules requiring a committee hearing and the 24-hour requirement.

On motion of Senator Stevenson, under suspension of the rules, **H.B. 7**, NATIONAL GUARD, VETERANS' AFFAIRS, AND LEGISLATURE BASE BUDGET, 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Hillyard	Jenkins	Urquhart
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**H.B. 7** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Christensen, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. On motion of Senator Christensen, under suspension of the rules, the Senate voted to suspend the rules requiring a committee hearing and the 24-hour requirement.

On motion of Senator Christensen, under suspension of the rules, **H.B. 8**, SOCIAL SERVICES BASE BUDGET, 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

Adams	Bramble	Christensen	Dabakis
Dayton	Harper	Henderson	Hinkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Davis	Hillyard	Jenkins	Urquhart
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**H.B. 8** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

### SPECIAL PRESENTATION

A citation was read honoring Kristina and Phil Lowry and their family as he returns from active duty in the Army.

### SECOND READING CALENDAR

On motion of Senator Okerlund, **S.B. 42**, MEDICAL SCHOOL ADMISSIONS FUNDING, was read the second time and circled.

\* \* \*

**S.B. 128**, FINANCIAL TRANSPARENCY IN EDUCATION, was read the second time. Senator Thatcher explained the bill. Senators Mayne, Vickers, and Madsen commented. 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Hillyard	Jenkins	Urquhart
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\* \* \*

On motion of Senator Valentine, the circle was removed from **S.B. 42**, MEDICAL SCHOOL ADMISSIONS FUNDING, and it was before the Senate. Senator Valentine explained the bill. Senators Robles, Henderson, Shiozawa and Vickers commented. The bill passed second reading on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Jenkins	Jones	Knudson	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stevenson	Thatcher	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Hillyard	Hinkins	Madsen	Stephenson
Urquhart			

**COMMITTEE OF THE WHOLE**

On motion of Senator Okerlund, U. S. Congressman Chris Stewart spoke in Committee of the Whole. Senators Dayton, Henderson, Weiler, Valentine, and Bramble commented.

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

**SECOND READING CALENDAR**

**S.B. 45, WORKERS' COMPENSATION AND DIRECTORS OR OFFICERS** was read the second time. Senator Vickers explained the bill. Senator Mayne commented. The bill passed second reading on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stevenson
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Hillyard	Stephenson	Thatcher	Urquhart
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\* \* \*

On motion of Senator Van Tassell, **S.B. 40, UTAH NAVAJO ROYALTIES AMENDMENTS**, was read the second time and circled.

\* \* \*

On motion of Senator Dayton, **S.B. 120, TARGET SHOOTING AND WILDFIRE REGULATIONS**, was read the second time and circled.

**INTRODUCTION OF BILLS**

**S.B. 56, Utah 211 Referral Information Network** (T. Weiler), was read the first time by short title and referred to the Rules Committee.

**S.B. 96, Political Subdivisions Employment Revisions** (T. Weiler), was read the first time by short title and referred to the Rules Committee.

**S.B. 161, Restitution Amendments** (C. Bramble), was read the first time by short title and referred to the Rules Committee.

**S.B. 162, Concurrent Enrollment Amendments** (S. Urquhart), was read the first time by short title and referred to the Rules Committee.

**S.B. 163, Status Verification System Amendments** (K. Mayne), was read the first time by short title and referred to the Rules Committee.

**S.J.R. 2, Joint Resolution Reappointing Legislative Fiscal Analyst** (W. Niederhauser), was read the first time by short title and referred to the Rules Committee.

\* \* \*

On motion of Senator Okerlund, and at 11:50 a.m., the Senate adjourned until 10:00 a.m., Monday, February 4, 2013.

# EIGHTH DAY

## February 4, 2013

The Senate was called to order at 10:00 a.m., with President Wayne Niederhauser presiding.

**Prayer** – Father Michael Kouremetis, Prophet Elias Greek Orthodox Church

**Pledge of Allegiance** – Senator Wayne Harper

**Roll Call** – All Senators present

### READING OF TITLES OF BILLS AND RESOLUTIONS

(PLEASE REFER TO DAY 1, PAGE 81)

### COMMUNICATIONS FROM THE HOUSE

Mr. President: February 1, 2013

The House passed, **S.B. 1**, PUBLIC EDUCATION BASE BUDGET, by Senator H. Stephenson, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 5**, NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENTAL QUALITY BASE BUDGET, by Senator D. Hinkins, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 6**, RETIREMENT AND INDEPENDENT ENTITIES BASE BUDGET, by Senator T. Weiler, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President: February 1, 2013

The House passed **H.B. 14**, REQUIREMENTS TO CHANGE FORM OF COUNTY GOVERNMENT, by Representative K. Grover, and it is transmitted for consideration; and

The House passed, as substituted, **2nd Sub. H.B. 15**, STATE PARK ACCESS AMENDMENTS, by Representative B. Last, and it is transmitted for consideration; and

The House passed **H.B. 35**, RETIREMENT ANALYSIS FOR NEW PUBLIC ENTITIES, by Representative D. Ipson, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 48**, MEDICAL RESERVE CORPS AMENDMENTS, by Representative E. Redd, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 51**, PROFESSIONAL LICENSING REVISIONS, by Representative J. Dunnigan, and it is transmitted for consideration; and

The House passed **H.B. 262**, UNAFFILIATED VOTER AMENDMENTS, by Representative C. Hall, and it is transmitted for consideration; and

The House passed **H.J.R. 7**, JOINT RESOLUTION APPROVING COMPENSATION OF IN-SESSION EMPLOYEES, by Representative B. Dee, and it is transmitted for consideration.

Sandy D. Tenney, 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 1, 2011

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

#### **Business and Labor Committee**

- S.B. 55** Insurance Coverage for Autism Spectrum Disorder  
(Sen. B. Shiozawa)
- H.B. 42** Repeal of Health Insurance Mandate Review  
(Rep. J. Dunnigan) (Sen. J. Valentine)
- H.B. 45** Reauthorization of Provisions for Insurance Coordination  
with Other States (Rep. J. Dunnigan) (Sen. J. Valentine)
- H.B. 46** Hearing Instrument Specialist Licensing Act  
(Rep. D. Brown) (Sen. J. Valentine)

#### **Education Committee**

- S.C.R. 5** Concurrent Resolution Endorsing the Utah Education  
Excellence Commission (Sen. J. Stevenson)



**Government Operations and Political Subdivisions Committee**

- S.B. 158** Municipal General Fund Amendments  
(Sen. D. Henderson)
- H.B. 38** Campaign Contribution Amendments (Rep. K. Powell)  
(Sen. P. Knudson)
- H.B. 41** Campaign Filing by Media Owner (Rep. K. Powell)  
(Sen. P. Knudson)

**Health and Human Services Committee**

- H.B. 52** Controlled Substances Revisions (Rep. P. Ray)  
(Sen. A. Christensen)

**Judiciary, Law Enforcement, and Criminal Justice Committee**

- S.B. 156** Jail Release Amendments (Sen. J. S. Adams)
- S.B. 159** Theft Amendments (Sen. D. Thatcher)
- S.B. 160** Patronizing a Prostitute Amendments (Sen. J. Stevenson)

**Retirement and Independent Entities Committee**

- 1st Sub. H.B. 24** Utah Retirement System Amendments (Rep. D. Ipson)  
(Sen. T. Weiler)

**Revenue and Taxation Committee**

- 1st Sub. H.B. 54** Property Tax and Appraiser Amendments  
(Rep. G. Froerer) (Sen. H. Stephenson)

**Transportation, Public Utilities and Technology Committee**

- S.J.R. 8** Joint Resolution Concerning Railroad and Railroad  
Crossing Safety (Sen. K. Mayne)

John L. Valentine  
Rules Committee Chair

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

**STANDING COMMITTEE REPORTS**

Mr. President:

January 31, 2013

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 138**, AMENDMENTS TO REQUIREMENTS FOR GOVERNOR'S PROPOSED BUDGET, by Senator W. Harper; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 141**, EDUCATION CONTRIBUTION ON TAX RETURNS, by Senator D. Thatcher

Deidre Henderson, Chair

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

### STANDING COMMITTEE REPORTS

Mr. President:

January 31, 2013

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 106**, UNEMPLOYMENT TAX AMENDMENT, by Senator C. Bramble, and recommends it be considered read for the second time and placed on the Consent Calendar

Deidre Henderson, Chair

On motion of Senator Niederhauser, the committee report was adopted. The bill was considered read the second time and placed on the Consent Calendar.

### INTRODUCTION OF BILLS

**S.B. 57, Agriculture Environmental Steward Amendments** (R. Okerlund), was read the first time by short title and referred to the Rules Committee.

**S.B. 58, Amendments to Sales and Use Tax** (W. Harper), was read the first time by short title and referred to the Rules Committee.

**S.B. 97, Propelling a Bodily Substance Amendments** (J. Stevenson), was read the first time by short title and referred to the Rules Committee.

**S.B. 98, Propelling a Bodily Substance Revisions** (J. Stevenson), was read the first time by short title and referred to the Rules Committee.

**S.B. 99, Labor Amendments** (W. Harper), was read the first time by short title and referred to the Rules Committee.

**S.B. 100, Higher Education Scholarship Amendments** (J. Stevenson), was read the first time by short title and referred to the Rules Committee.

**S.B. 101, Division of Water Rights Revisions** (M. Dayton), was read the first time by short title and referred to the Rules Committee.

**S.J.R. 9, Joint Resolution – Jail Contracting** (M. Madsen), was read the first time by short title and referred to the Rules Committee.

**THIRD READING CALENDAR**

**S.B. 128, FINANCIAL TRANSPARENCY IN EDUCATION**, was read the third time, explained by Senator Thatcher, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**S.B. 128** was transmitted to the House for consideration.

\* \* \*

**S.B. 42, MEDICAL SCHOOL ADMISSIONS FUNDING**, was read the third time, explained by Senator Valentine, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

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

**S.B. 42** was transmitted to the House for consideration.

\* \* \*

**S.B. 45, WORKERS' COMPENSATION AND DIRECTORS OR OFFICERS**, was read the third time, explained by Senator Vickers, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**S.B. 45** was transmitted to the House for consideration.

#### TIME CERTAIN CALENDAR

**S.C.R. 2, CONCURRENT RESOLUTION RECOGNIZING WORKERS' COMPENSATION FUND FOR WORKPLACE SAFETY**, was read the second time. Senator Mayne 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators  
Hinkins                      Valentine

#### COMMITTEE OF THE WHOLE

On motion of Senator Davis, Ray Pickup, Director of Worker's Compensation Fund spoke in Committee of the Whole.

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

\* \* \*

Senator Bramble requested to be counted as an aye vote on final passage for **S.B. 128, S.B. 42, and S.B. 45**. The motion passed and the corrected votes are as follows:

**S.B. 128**

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**S.B. 42**

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**S.B. 45**

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson

Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

\* \* \*

On motion of Senator Valentine, the Senate voted to lift **S.B. 114**, SAFETY BELT AMENDMENTS, from the Judiciary, Law Enforcement, and Criminal Justice Committee and assign it to the Health and Human Services Committee

### SECOND READING CALENDAR

**S.B. 129**, OFFICE OF STATE DEBT COLLECTION – WRIT OF GARNISHMENT, was read the second time. Senator Hillyard explained the bill.

Senator Hillyard proposed the following amendment:

1. Page 1, Lines 1 through 2

1 OFFICE OF STATE DEBT COLLECTION – {~~WRIT OF~~  
2 GARNISHMENT} ADMINISTRATIVE GARNISHMENT  
ORDER

2. Page 1, Lines 10 through 11:

10 This bill authorizes the Office of State Debt Collection to issue  
{~~a writ of garnishment~~} an administrative garnishment order

11 for a wage claim debt or criminal restitution debt.

3. Page 1, Lines 14 through 16:

14 ► authorizes the Office of State Debt Collection (the  
office) to issue {~~a writ of~~

15 garnishment} an administrative garnishment order for a wage  
claim debt or criminal restitution debt;

16 ► requires the office to include certain information in the  
{writ} order;

4. Page 2, Lines 31 through 35:

31 63A-3-507. Administrative {writ-of} garnishment order .

32 (1) If a judgment {~~or final administrative order~~} is entered against a debtor, the office

33 may, subject to Subsection (2), issue {a writ of garnishment} an administrative garnishment order against the debtor's personal

34 property and wages in the possession of a third party in the same manner and with the same

35 effect as if the {writ were} order was a writ of garnishment issued {on a judgment of a} in district court.

5. Page 2, Lines 36 through 37:

36 (2) The office may issue the {writ of garnishment} administrative garnishment order if:

37 (a) the {writ} order is:

6. Page 2, Line 45:

45 (3) {A writ of garnishment} An administrative garnishment order issued in accordance with this section is subject to the

7. Page 2, Line 48:

48 (4) An administrative {writ-of} garnishment order issued by the office shall:

8. Page 4, Lines 103 through 105:

103 (7) A person is not liable as a garnishee for drawing, accepting, making, or endorsing a

104 negotiable instrument if the instrument is not in the possession or control of the garnishee at

105 the time of service of the {writ-of} administrative garnishment order .

9. Page 4, Lines 113 through 114:

113 (i) is not required to apply the property to the debt when the office issues the {writ-of}

114 garnishment} administrative garnishment order ; and

10. Page 4, Lines 117 through 118:

117 (b) Notwithstanding Subsection (10)(a)(i):

118 (i) the { ~~writ of garnishment~~ } ~~administrative garnishment order~~  
remains in effect; and

11. Page 5, Line 126:

126 (11) (a) The office may issue a { ~~writ of~~ } ~~continuing~~  
~~garnishment order~~ against a nonexempt

12. Page 5, Line 132:

132 (c) A { ~~writ of~~ } ~~continuing garnishment order~~ issued in  
accordance with this section applies to

13. Page 5, Lines 136 through 138:

136 (ii) the judgment { ~~or administrative order~~ } upon which the  
{ ~~writ of garnishment~~ } ~~administrative garnishment order~~ is issued  
 137 is stayed, vacated, or satisfied in full; or

138 (iii) the office releases the { ~~writ~~ } ~~order~~ .

14. Page 5, Lines 145 through 146:

145 (e) If the office issues a { ~~writ of~~ } ~~continuing garnishment order~~  
during the term of { ~~another~~ } a ~~writ~~  
 146 of continuing garnishment ~~issued by the district court~~ , the  
{ ~~writ~~ } ~~order~~ issued by the office:

15. Page 5, Line 151:

151 disposable earnings described in Subsection (12) and the amount  
being garnished by { ~~the other~~ } an existing

Senator Hillyard's motion to amend passed on a voice vote. The bill, as amended, passed second reading on the following roll call:

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

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser



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

\* \* \*

**S.B. 30, WATER AND IRRIGATION AMENDMENTS**, was read the second time. Senator Dayton explained the bill. 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

\* \* \*

**S.B. 115, WATER DEVELOPMENT COMMISSION AMENDMENTS**, was read the second time. Senator Dayton 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

Bramble	Christensen	Dabakis	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Adams	Davis	Urquhart
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\* \* \*

**S.C.R. 3, THREATENED SPECIES DAMAGE AND MANAGEMENT PLAN CONCURRENT RESOLUTION**, was read the second time. Senator Vickers explained the bill.

Senator Vickers proposed the following amendment:

1. Page 1, Lines 19 through 25

19       ▶       urges that Iron County's five-year opportunity to  
manage the Utah Prairie Dog

20    population include agreements that Iron County shall maintain a  
specific number of

21    Utah Prairie Dogs, that the same amount of funding to the United  
States Fish and

22    Wildlife Service and the Utah Department of Natural Resources'  
Division of

23    Wildlife Resources be provided to Iron County through the  
five-year contract

24    period, and that Iron County claims certain constitutional  
protections from illegal

25    search and seizure of private property without just compensation.

2. Page 3, Line 84 through Page 4, Line 90:

84       BE IT FURTHER RESOLVED that the Legislature and the  
Governor urges that Iron

85    County's five year opportunity to manage the Utah Prairie Dog  
population include agreements

86    that Iron County shall maintain a specific number of Utah Prairie  
Dogs, that the same amount

87    of funding to the United States Fish and Wildlife Service and the  
Utah Department of Natural

88    Resources' Division of Wildlife Resources be provided to Iron  
County through the five-year

89    contract period, and that Iron County claims certain constitutional  
protections from illegal

90    search and seizure of private property without just compensation.

Senator Vickers' motion to amend passed on a voice vote. Senator Robles commented. 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

Adams	Bramble	Christensen	Davis
Dayton	Harper	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Dabakis	Henderson	Urquhart
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\* \* \*

**S.B. 125**, DISTRICT COURT JUDGE AMENDMENTS, was read the second time. Senator Van Tassell explained the bill. The bill passed second reading on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Davis	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Okerlund	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Adams	Dabakis	Mayne	Osmond
Reid	Urquhart		

\* \* \*

**S.B. 127**, JUVENILE COURT JUDGE AMENDMENTS, was read the second time. Senator **S.B. 128** Van Tassell explained the bill. 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

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson

Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

\* \* \*

**S.B. 111**, ELECTRONIC FILING OF TRAFFIC CITATIONS AND ACCIDENT REPORTS, was read the second time. Senator Hillyard explained the bill. Senator Valentine commented. 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

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Mayne	Okerlund	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Adams	Madsen	Osmond
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\* \* \*

**S.B. 123**, RUNAWAY VEHICLE RAMP REQUIREMENTS, was read the second time. Senator Van Tassell 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

Bramble	Christensen	Dabakis	Davis
Dayton	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Niederhauser		

**Absent or not voting were:** Senators

Adams Harper Weiler

\* \* \*

Senator Henderson requested to be recorded as an aye vote on second reading for **S.C.R. 3**. The motion passed and for corrected vote is as follows:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Dabakis Urquhart

\* \* \*

**1st Sub. S.B. 41**, UNIFORM COMMERCIAL CODE AMENDMENTS, was read the second time. Senator Hillyard explained the bill.

Senator Hillyard proposed the following amendment:

- 1. Page 34, Lines 1038 through 1042

1038 (d) subject to Subsection (7), if the debtor is an individual to whom the state Driver License Division of the Department of Public Safety has issued

1039 a driver license that has not expired, or if the debtor does not have an unexpired driver license,

1040 an individual to whom the state Driver License Division of the Department of Public Safety has issued an unexpired identification card, only if the

1041 financing statement provides the name of the individual which is indicated on the driver license

1042 or identification card;

Senator Hillyard's motion to amend passed on a voice vote. 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

\* \* \*

On motion of Senator Mayne, **S.B. 44**, CONSTRUCTION TRADES LICENSING REVISIONS, was read the second time and circled.

\* \* \*

**S.B. 142**, REPEAL OF BLACKLISTING PROVISIONS, was read the second time. Senator Thatcher explained the bill. Senators Davis and Valentine commented. The bill passed second reading on the following roll call:

**Yeas, 20; Nays, 5; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Christensen	Henderson	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Shiozawa
Stephenson	Stevenson	Thatcher	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Voting in the negative were:** Senators

Dabakis	Davis	Dayton	Harper
Robles			

**Absent or not voting were:** Senators

Adams	Bramble	Hillyard	Urquhart
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\* \* \*

**1st Sub. S.B. 49**, CHILD WELFARE MODIFICATIONS, was read the second time. Senator Harper explained the bill. Senator Vickers commented. The bill passed second reading on the following roll call:

**Yeas, 27; Nays, 1; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Niederhauser	

**Voting in the negative was:** Senator

Vickers

**Absent or not voting was:** Senator

Weiler

\* \* \*

**S.B. 118, ROCKY MOUNTAIN CENTER FOR OCCUPATIONAL AND ENVIRONMENTAL HEALTH AMENDMENTS**, was read the second time. Senator Mayne explained the bill. Senators Dayton, Harper, Okerlund, Dabakis, Madsen, Hillyard, and Henderson commented. The bill failed second reading on the following roll call:

**Yeas, 14; Nays, 11; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Dabakis	Davis	Hillyard	Hinkins
Jones	Mayne	Reid	Robles
Shiozawa	Thatcher	Van Tassell	Vickers
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Adams	Christensen	Dayton	Harper
Henderson	Madsen	Okerlund	Osmond
Stephenson	Stevenson	Valentine	

**Absent or not voting were:** Senators

Bramble	Jenkins	Knudson	Urquhart
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**S.B. 118** was filed.

\* \* \*

### INTRODUCTION OF BILLS

**S.B. 102, Contractor Licensing Amendments** (W. Harper), was read the first time by short title and referred to the Rules Committee.

\* \* \*

On motion of Senator Okerlund, and at 12:12 p.m., the Senate adjourned until 10:00 a.m., Tuesday, February 5, 2013.



# NINTH DAY

## February 5, 2013

The Senate was called to order at 10:00 a.m., with President Wayne Niederhauser presiding.

**Prayer** – Pastor David Springer, Church at Liberty Park

**Pledge of Allegiance** – Senator Aaron Osmond

**Roll Call** – All Senators present

### READING OF TITLES OF BILLS AND RESOLUTIONS (PLEASE REFER TO DAY 1, PAGE 81)

#### COMMUNICATIONS FROM THE HOUSE

Mr. President: February 4, 2013

The House passed, as amended, **H.B. 23**, HIGH OCCUPANCY VEHICLE LANE AMENDMENTS, by Representative S. Handy, and it is transmitted for consideration; and

The House passed **H.B. 29**, ADJUDICATION OF WATER RIGHTS, by Representative J. Briscoe, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 33**, EXPUNGEMENT PROCESS AMENDMENTS, by Representative E. Hutchings, and it is transmitted for consideration; and

The House passed **H.B. 34**, SPECIAL GROUP LICENSE PLATE AMENDMENTS, by Representative V. Peterson, and it is transmitted for consideration; and

The House passed **H.B. 36**, STORM WATER CAPTURE AMENDMENTS, by Representative J. Nielson, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 53**, ELECTION LAW AMENDMENTS, by Representative K. Powell, and it is transmitted for consideration; and

The House passed **H.B. 56**, BEHAVIORAL HEALTH CARE WORKFORCE AMENDMENTS, by Representative R. Menlove, and it is transmitted for consideration; and

The House passed **H.B. 57**, MENTAL AND BEHAVIORAL HEALTH AMENDMENTS, by Representative D. Sanpei, and it is transmitted for consideration; and

The House passed **H.B. 249**, REFUGEE SERVICES FUND AMENDMENTS, by Representative J. Peterson, and it is transmitted for consideration; and

The House passed **H.B. 261**, PAYROLL AMENDMENTS – PUBLIC SAFETY, by Representative R. Greenwood, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 272**, TRAFFIC SIGNAL AMENDMENTS, by Representative M. Kennedy, and it is transmitted for consideration.

Sandy D. Tenney, 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 4, 2011

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

#### **Business and Labor Committee**

- H.B. 51** Professional Licensing Revisions (Rep. J. Dunnigan)  
(Sen. J. Valentine)
- S.B. 99** Labor Amendments (Sen. W. Harper)
- S.B. 161** Restitution Amendments (Sen. C. Bramble)

#### **Education Committee**

- S.B. 162** Concurrent Enrollment Amendments (Sen. S. Urquhart)

#### **Government Operations and Political Subdivisions Committee**

- S.B. 96** Political Subdivisions Employment Revisions  
(Sen. T. Weiler)
- S.B. 101** Division of Water Rights Revisions (Sen. M. Dayton)
- S.J.R. 2** Joint Resolution Reappointing Legislative Fiscal Analyst  
(Sen. W. Niederhauser)
- H.B. 14** Requirements to Change Form of County Government  
(Rep. K. Grover) (Sen. M. Dayton)

**H.J.R. 7** Joint Resolution Approving Compensation of In-session Employees (Rep. B. Dee) (Sen. R. Okerlund)

**Health and Human Services Committee**

**S.B. 100** Higher Education Scholarship Amendments (Sen. J. Stevenson)

**H.B. 48** Medical Reserve Corps Amendments (Rep. E. Redd) (Sen. B. Shiozawa)

**Judiciary, Law Enforcement, and Criminal Justice Committee**

**S.B. 97** Propelling a Bodily Substance Amendments (Sen. J. Stevenson)

**S.B. 98** Propelling a Bodily Substance Revisions (Sen. J. Stevenson)

**S.J.R. 9** Joint Resolution – Jail Contracting (Sen. M. Madsen)

**Natural Resources, Agriculture and Environment Committee**

**S.B. 57** Agriculture Environmental Steward Amendments (Sen. R. Okerlund)

**S.B. 157** Daylight Saving Time Amendments (Sen. S. Urquhart)

**Retirement and Independent Entities Committee**

**S.B. 56** Utah 211 Referral Information Network (Sen. T. Weiler)

**H.B. 35** Retirement Analysis for New Public Entities (Rep. D. Ipson) (Sen. T. Weiler)

**Revenue and Taxation Committee**

**S.B. 58** Amendments to Sales and Use Tax (Sen. W. Harper)

**Transportation, Public Utilities and Technology Committee**

**2nd Sub. H.B. 15** State Park Access Amendments (Rep. B. Last) (Sen. D. Hinkins)

John L. Valentine  
Rules Committee Chair

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

**RULES COMMITTEE REPORTS**

To the Members of the Senate:

February 4, 2011

The Rules Committee recommends that, with the written consent of the sponsor, **S.B. 43**, Financial and Economic Literacy Education Amendments

(Sen. P. Jones) be replaced and favorably recommends that **1st Sub. S.B. 43**, Financial and Economic Literacy Education Amendments be adopted and assigned to the Education Committee.

John L. Valentine  
Rules Committee Chair

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

### STANDING COMMITTEE REPORTS

Mr. President: February 4, 2013  
The Business and Labor Committee reports a favorable recommendation on **S.B. 150**, FINANCIAL INSTITUTION AMENDMENTS, by Senator J. S. Adams.

Curtis S. Bramble, Chair

Mr. President: February 4, 2013  
The Economic Development and Workforce Services Committee reports a favorable recommendation on **S.B. 53**, INTERGENERATIONAL WELFARE REFORM, by Senator S. Reid.

Aaron Osmond, Chair

Mr. President: February 4, 2013  
The Education Committee reports a favorable recommendation on **S.B. 51**, HIGHER EDUCATION TUITION WAIVERS, by Senator S. Urquhart; and

The Education Committee reports a favorable recommendation on **S.B. 151**, AUTHORIZATION OF CHARTER SCHOOLS BY HIGHER EDUCATION INSTITUTIONS, by Senator J. S. Adams, with the following amendments:

1. Page 1, Line 20:

20 applications; ~~{-and-}~~

► modifies an annual fee for payment of a board of trustee's costs in providing oversight and technical support to a charter school; and

2. Page 1, Line 25:

25 ~~{-None-}~~ This bill provides an immediate effective date.

3. Page 4, Lines 117 through 120:

117 Subsection (6)(a) may not exceed the product of {—;

118 (i)—} 3% of the revenue the charter school receives from the state in the current fiscal

119 year {—; and

120 (ii) the October 1 enrollment count of the charter school for the current fiscal year—} .

- 4. Page 5, Lines 122 through 125:

122 described in Subsection (6)(a) may not exceed the product of {—;

123 (i)—} 1% of the revenue a charter school receives from the state in the current fiscal year {—;

124 and

125 (ii) the October 1 enrollment count of the charter school for the current fiscal year—} .

- 5. Page 5, Line 151:

151 policy governing the procedures or criteria described in Subsection (8)(a).

Section 3. Effective date.

If approved by two-thirds of all the members elected to each house, this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto, the date of veto override.

- 6. Page 1, Line 17:

17 a charter school; and

- 7. Page 1, Lines 20 through 21:

20 applications {—; and

21 ►— prohibits a higher education institution from operating a charter school—} .

- 8. Page 1, Line 28:

28 {—53A—1a—518, as last amended by Laws of Utah 2010, Chapter 162—}

- 9. Page 2, Line 32 through Page 3, Line 80:

32           { ~~Section 1. Section 53A-1a-518 is amended to read:~~

33           ~~53A-1a-518. Regulated transactions and relationships —~~  
34           ~~Definitions — Entities~~

34           ~~prohibited from operating a charter school.~~

35           (1) ~~As used in this section:~~

36           ~~(a)  “Charter school officer” means:~~

37           ~~(i) a member of a charter school’s governing board;~~

38           ~~(ii) a member of a board or an officer of a nonprofit corporation~~  
39           ~~under which a charter~~  
40           ~~school is organized and managed; or~~

40           ~~(iii) the chief administrative officer of a charter school.~~

41           ~~(b) (i) “Employment” means a position in which a person’s~~  
42           ~~salary, wages, pay, or~~  
43           ~~compensation, whether as an employee or contractor, is paid from~~  
44           ~~charter school funds.~~

43           ~~(ii) “Employment” does not include a charter school volunteer.~~

44           ~~(c) “Relative” means a father, mother, husband, wife, son,~~  
45           ~~daughter, sister, brother,~~  
46           ~~uncle, aunt, nephew, niece, first cousin, mother-in-law,~~  
47           ~~father-in-law, brother-in-law,~~  
48           ~~sister-in-law, son-in-law, or daughter-in-law.~~

47           (2) (a) ~~Except as provided in Subsection (2)(b), a relative of a~~  
48           ~~charter school officer~~  
49           ~~may not be employed at a charter school.~~

49           (b) ~~If a relative of a charter school officer is to be considered for~~  
50           ~~employment in a~~  
51           ~~charter school, the charter school officer shall:~~

51           ~~(i) disclose the relationship, in writing, to the other charter~~  
52           ~~school officers;~~

52           ~~(ii) submit the employment decision to the charter school’s~~  
53           ~~governing board for the~~  
53           ~~approval, by majority vote, of the charter school’s governing board;~~

54 (iii) abstain from voting on the issue; and  
55 (iv) be absent from any meeting when the employment is being  
56 considered and  
57 determined.  
58 (3) (a) Except as provided in Subsections (3)(b) and (3)(c), a  
59 charter school officer or a  
60 relative of a charter school officer may not have a financial interest  
61 in a contract or other  
62 transaction involving a charter school in which the charter school  
63 officer serves as a charter  
64 school officer.  
65 (b) If a charter school's governing board considers entering into  
66 a contract or executing  
67 a transaction in which a charter school officer or a relative of a  
68 charter school officer has a  
69 financial interest, the charter school officer shall:  
70 (i) disclose the financial interest, in writing, to the other charter  
71 school officers;  
72 (ii) submit the contract or transaction decision to the charter  
73 school's governing board  
74 for the approval, by majority vote, of the charter school's governing  
75 board;  
76 (iii) abstain from voting on the issue; and  
77 (iv) be absent from any meeting when the contract or  
78 transaction is being considered  
79 and determined.  
80 (c) The provisions in Subsection (3)(a) do not apply to a  
81 reasonable contract of  
82 employment for:  
83 (i) the chief administrative officer of a charter school; or  
84 (ii) a relative of the chief administrative officer of a charter  
85 school whose employment  
86 is approved in accordance with the provisions in Subsection (2).

75       (4) The ~~[State Board of Education or State Charter School~~  
~~Board]~~ following entities  
76       may not operate a charter school~~[-]~~;  
77       (a) the State Board of Education;  
78       (b) the State Charter School Board; and  
79       (c) a higher education institution listed in Section 53B-2-101,  
80       ~~Section 2-}~~     Section 1 . Section 53A-1a-521 is amended  
to read: ; and

The Education Committee reports a favorable recommendation on **S.C.R. 5**, CONCURRENT RESOLUTION ENDORSING THE UTAH EDUCATION EXCELLENCE COMMISSION, by Senator J. Stevenson.

Stuart C. Reid, Chair

Mr. President: February 4, 2013

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 140**, SERVICE AREA BOARD OF TRUSTEES, by Senator T. Weiler, with the following amendments:

1. Page 8, Lines 229 through 230:

229       (iv) A vote by a member of the board of trustees may be  
weighted or proportional { ~~if the~~  
230 ~~same voting distribution was agreed to in the agreement described~~  
~~in Subsection (3)(a)(iii)~~ } . ; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 148**, CONSERVATION DISTRICTS – CLOSED MEETINGS AMENDMENTS, by Senator D. Hinkins; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 153**, LOCAL GOVERNMENT DEVELOPMENT AMENDMENTS, by Senator J. S. Adams; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 18**, CAMPAIGN FINANCE REPORTING PENALTIES, by Representative K. Grover; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 19**, ELECTION CODE CRIMINAL PROVISIONS, by Representative K. Grover; and



The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 26**, INMATE MEDICAL DONATION ACT, by Representative S. Eliason.

Margaret Dayton, Chair

Mr. President: February 1, 2013

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 18**, CHILD CUSTODY PROCEEDINGS AMENDMENTS, by Senator L. Robles; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 135**, INVOLUNTARY COMMITMENT AMENDMENTS, by Senator T. Weiler.

Mark B. Madsen, Chair

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

#### STANDING COMMITTEE REPORTS

Mr. President: February 4, 2013

The Business and Labor Committee reports a favorable recommendation on **S.B. 54**, LICENSING OF NURSING CARE FACILITY BEDS, by Senator C. Bramble, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 37**, REPEAL OF REPORTING REQUIREMENTS, by Representative J. Dunnigan, and recommends it be considered read for the second time and placed on the Consent Calendar.

Curtis S. Bramble, Chair

Mr. President: February 4, 2013

The Economic Development and Workforce Services Committee reports a favorable recommendation on **H.B. 22**, UTAH COMMISSION ON SERVICE AND VOLUNTEERISM, by Representative J. Bird, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Economic Development and Workforce Services Committee reports a favorable recommendation on **H.B. 25**, AGENCY REPORTING PROVISIONS,

by Representative J. Bird, and recommends it be considered read for the second time and placed on the Consent Calendar.

Aaron Osmond, Chair

On motion of President Niederhauser, the committee reports were adopted. The bills were considered read the second time and placed on the Consent Calendar.

### INTRODUCTION OF BILLS

**S.B. 59, Workers' Compensation Coordination of Benefits Amendments** (K. Mayne), was read the first time by short title and referred to the Rules Committee.

**S.B. 60, Abortion Statistics and Reporting Requirements** (M. Dayton), was read the first time by short title and referred to the Rules Committee.

**S.B. 102, Contractor Licensing Amendments** (W. Harper), was read the first time by short title and referred to the Rules Committee.

**S.B. 103, Carson Smith Scholarship Amendments** (J. S. Adams), was read the first time by short title and referred to the Rules Committee.

**S.B. 104, Vulnerable Users of Highways Amendments** (T. Weiler), was read the first time by short title and referred to the Rules Committee.

**S.B. 105, Board of Pardons and Parole Revisions** (D. Thatcher), was read the first time by short title and referred to the Rules Committee.

**S.B. 164, Parole Violator Centers Allocations** (L. Robles), was read the first time by short title and referred to the Rules Committee.

**S.C.R. 8, Concurrent Resolution for the Provo Reservoir Canal Title Transfer** (M. Dayton), was read the first time by short title and referred to the Rules Committee.

### THIRD READING CALENDAR

**S.C.R. 2, CONCURRENT RESOLUTION RECOGNIZING WORKERS' COMPENSATION FUND FOR WORKPLACE SAFETY**, was read the third time, explained by Senator Mayne, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**S.C.R. 2** was transmitted to the House for consideration.

**COMMITTEE OF THE WHOLE**

On motion of Senator Hillyard, Markaye Hassan, an art student from Utah, spoke in Committee of the Whole.

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

**THIRD READING CALENDAR**

**S.B. 129, OFFICE OF STATE DEBT COLLECTION – WRIT OF GARNISHMENT,** was read the third time, explained by Senator Hillyard, and passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jones	Knudson
Madsen	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Vickers	Niederhauser

**Absent or not voting were:** Senators

Jenkins	Mayne	Robles	Van Tassell
Weiler			

**S.B. 129** was transmitted to the House for consideration.

\* \* \*

**S.B. 30, WATER AND IRRIGATION AMENDMENTS,** was read the third time, explained by Senator Dayton, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**S.B. 30** was transmitted to the House for consideration.

\* \* \*

**S.B. 115**, WATER DEVELOPMENT COMMISSION AMENDMENTS, was read the third time, explained by Senator Dayton, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting was:** Senator

Hinkins

**S.B. 115** was transmitted to the House for consideration.

\* \* \*

**S.C.R. 3**, THREATENED SPECIES DAMAGE AND MANAGEMENT PLAN CONCURRENT RESOLUTION, was read the third time, explained by Senator Vickers, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Hillyard	Hinkins	Osmond
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**S.C.R. 3** was transmitted to the House for consideration.

\* \* \*

**S.B. 125, DISTRICT COURT JUDGE AMENDMENTS,** was read the third time, explained by Senator Van Tassell, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Christensen	Hinkins	Thatcher
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**S.B. 125** was transmitted to the House for consideration.

\* \* \*

Senator Osmond requested leave of the body for permission to cast an aye vote on **S.C.R. 3**. The request was granted and the corrected vote is as follows:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson

Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Hillyard	Hinkins
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\* \* \*

**S.B. 127, JUVENILE COURT JUDGE AMENDMENTS**, was read the third time, explained by Senator Van Tassell, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**S.B. 127** was transmitted to the House for consideration.

\* \* \*

**S.B. 111, ELECTRONIC FILING OF TRAFFIC CITATIONS AND ACCIDENT REPORTS**, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**S.B. 111** was transmitted to the House for consideration.

\* \* \*

**S.B. 123**, RUNAWAY VEHICLE RAMP REQUIREMENTS, was read the third time, explained by Senator Van Tassell, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**S.B. 123** was transmitted to the House for consideration.

\* \* \*

**1st Sub. S.B. 41**, UNIFORM COMMERCIAL CODE AMENDMENTS, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators Christensen Dayton Madsen

**1st Sub. S.B. 41** was transmitted to the House for consideration.

\* \* \*

**S.B. 142, REPEAL OF BLACKLISTING PROVISIONS**, was read the third time, explained by Senator Thatcher, and passed on the following roll call:

**Yeas, 25; Nays, 2; Absent or not voting, 2.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Dayton
Henderson	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Voting in the negative were:** Senators

Davis                      Harper

**Absent or not voting were:** Senators

Christensen              Hillyard

**S.B. 142** was transmitted to the House for consideration.

\* \* \*

**1st Sub. S.B. 49, CHILD WELFARE MODIFICATIONS**, was read the third time, explained by Senator Harper, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Weiler	Niederhauser		

**Voting in the negative was:** Senator

Vickers

**Absent or not voting were:** Senators

Hillyard                      Van Tassell



**1st Sub. S.B. 49** was transmitted to the House for consideration.

**SECOND READING CALENDAR**

On motion of Senator Harper, **S.B. 132**, UTAH MEDICAL EDUCATION COUNCIL AMENDMENTS, was read the second time and circled.

\* \* \*

On motion of Senator Adams, the Senate voted to reconsider its action on **S.B. 118**, ROCKY MOUNTAIN CENTER FOR OCCUPATIONAL AND ENVIRONMENTAL HEALTH AMENDMENTS. Senator Bramble commented.

**S.B. 118**, ROCKY MOUNTAIN CENTER FOR OCCUPATIONAL AND ENVIRONMENTAL HEALTH AMENDMENTS, was before the Senate.

On motion of Senator Mayne, the bill was circled.

\* \* \*

**S.B. 119**, YOUTH COURT AMENDMENTS, was read the second time. Senator Stevenson explained the bill.

Senator Stevenson proposed the following amendment:

- 1. Page 3, Lines 84 through 85

84        (12) Proceedings and dispositions of a youth court may only be shared with the

85        referring agency , juvenile court, and victim.

Senator Stevenson’s motion to amend passed on a voice vote. 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Urquhart	Valentine	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Hillyard                      Thatcher                      Van Tassell

\* \* \*

**S.B. 130, SECURITY PERSONNEL LICENSING ACT AMENDMENTS,** was read the second time. Senator Dayton explained the bill. The bill passed second reading on the following roll call:

**Yeas, 22; Nays, 2; Absent or not voting, 5.****Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Mayne
Okerlund	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Valentine
Vickers	Niederhauser		

**Voting in the negative were:** Senators

Davis                      Madsen

**Absent or not voting were:** Senators

Hillyard                      Osmond                      Urquhart                      Van Tassell  
Weiler

\* \* \*

**S.J.R. 7, JOINT RULES RESOLUTION ON REVENUE ESTIMATES FOR FEDERAL FUNDS,** was read the second time. Senator Harper 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Vickers
Weiler	Niederhauser		

**Voting in the negative was:** Senator

Hillyard

**Absent or not voting were:** Senators  
Urquhart                      Van Tassell

\* \* \*

**S.B. 138, AMENDMENTS TO REQUIREMENTS FOR GOVERNOR’S PROPOSED BUDGET**, was read the second time. Senator Harper explained the bill. Senator Okerlund commented. 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Madsen	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators  
Knudson                      Mayne                      Van Tassell

\* \* \*

**S.B. 141, EDUCATION CONTRIBUTION ON TAX RETURNS**, was read the second time. Senator Thatcher explained the bill. The bill passed second reading on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Weiler	Niederhauser

**Absent or not voting were:** Senators  
Hillyard                      Okerlund                      Osmond                      Van Tassell  
Vickers

\* \* \*

**S.B. 150**, FINANCIAL INSTITUTION AMENDMENTS, was read the second time. Senator Adams 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Hillyard	Okerlund
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\* \* \*

**S.B. 53**, INTERGENERATIONAL WELFARE REFORM, was read the second time. Senator Reid 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Niederhauser	

**Absent or not voting were:** Senators

Hillyard	Weiler
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\* \* \*

On motion of Senator Adams, **S.B. 51**, HIGHER EDUCATION TUITION WAIVERS, was read the second time and circled.

\* \* \*

**S.B. 151, AUTHORIZATION OF CHARTER SCHOOLS BY HIGHER EDUCATION INSTITUTIONS**, was read the second time. Senator Adams 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Hillyard	Urquhart
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\* \* \*

On motion of Senator Stevenson, **S.C.R. 5, CONCURRENT RESOLUTION ENDORSING THE UTAH EDUCATION EXCELLENCE COMMISSION**, was read the second time and circled.

\* \* \*

**S.B. 140, SERVICE AREA BOARD OF TRUSTEES**, was read the second time. Senator Weiler explained the bill. 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

\* \* \*

**S.B. 148, CONSERVATION DISTRICTS – CLOSED MEETINGS AMENDMENTS**, was read the second time. Senator Hinkins explained the bill. 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

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

\* \* \*

**S.B. 153, LOCAL GOVERNMENT DEVELOPMENT AMENDMENTS**, was read the second time. Senator Adams explained the bill. Senator Harper 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

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators Bramble Urquhart

\* \* \*

**S.B. 18, CHILD CUSTODY PROCEEDINGS AMENDMENTS**, was read the second time. Senator Robles explained the bill. Senators Hillyard, Madsen,

Weiler, Jones, Dayton, Reid, Valentine, and Mayne commented. The bill passed second reading on the following roll call:

**Yeas, 21; Nays, 5; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

Dabakis	Davis	Harper	Henderson
Hinkins	Jones	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Voting in the negative were:** Senators

Christensen	Dayton	Hillyard	Jenkins
Knudson			

**Absent or not voting were:** Senators

Adams	Bramble	Stephenson
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**INTRODUCTION OF BILLS**

**S.J.R. 10, Joint Resolution on the Protection of the Greater Canyonlands Region** (J. Dabakis), was read the first time by short title and referred to the Rules Committee.

\* \* \*

On motion of Senator Okerlund, and at 12:00 p.m., the Senate adjourned until 10:00 a.m., Wednesday, February 6, 2013.

# TENTH DAY

**February 6, 2013**

The Senate was called to order at 10:00 a.m., with President Wayne Niederhauser presiding.

**Prayer** – Senator Brian Shiozawa

**Pledge of Allegiance** – Senator Stuart Reid

**Roll Call** – All Senators present

## READING OF TITLES OF BILLS AND RESOLUTIONS (PLEASE REFER TO DAY 1, PAGE 81)

### COMMUNICATIONS FROM THE HOUSE

Mr. President: February 5, 2013

The House passed, as substituted, **1st Sub. H.B. 11**, LOCAL TRANSPORTATION CORRIDOR PRESERVATION FUND AMENDMENTS, by Representative B. Last, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 21**, WORKFORCE SERVICES AMENDMENTS, by Representative J. Bird, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 40**, SCHEDULING OF SPECIAL ELECTIONS, by Representative K. Powell, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 66**, POLITICAL SUBDIVISION AMENDMENTS, by Representative R. C. Webb, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 69**, EXPUNGEMENT OF RECORDS, by Representative R. Greenwood, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 72**, SAFE DRINKING WATER DISCLOSURE ACT, by Representative R. Barrus, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 73**, WATER EASEMENT AMENDMENTS, by Representative J. Mathis, and it is transmitted for consideration; and



The House passed, as substituted, **1st Sub. H.B. 85**, VOTING RECOUNT AMENDMENTS, by Representative C. Hall, and it is transmitted for consideration; and

The House passed **H.B. 243**, OFFENDER REGISTRY REVIEW, by Representative J. Draxler, and it is transmitted for consideration; and

The House passed **H.B. 250**, SUNSET REAUTHORIZATION – ENERGY PRODUCER STATES’ AGREEMENT, by Representative R. Barrus, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 254**, COLLEGE CREDITS FOR VETERANS, by Representative P. Ray, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 274**, TAX CREDITS FOR EMPLOYING A HOMELESS PERSON, by Representative B. King, and it is transmitted for consideration.

Sandy D. Tenney, 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 5, 2011

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

#### **Business and Labor Committee**

**S.B. 102** Contractor Licensing Amendments (Sen. W. Harper)

#### **Economic Development and Workforce Services Committee**

**H.B. 249** Refugee Services Fund Amendments (Rep. J. Peterson)  
(Sen. W. Harper)

#### **Education Committee**

**S.B. 103** Carson Smith Scholarship Amendments  
(Sen. J. S. Adams)

#### **Government Operations and Political Subdivisions Committee**

**S.B. 60** Abortion Statistics and Reporting Requirements  
(Sen. M. Dayton)

- S.C.R. 8** Concurrent Resolution for the Provo Reservoir Canal Title Transfer (Sen. M. Dayton)
- 1st Sub. H.B. 53** Election Law Amendments (Rep. K. Powell)  
(Sen. P. Knudson)
- H.B. 262** Unaffiliated Voter Amendments (Rep. C. Hall)  
(Sen. T. Weiler)

**Health and Human Services Committee**

- H.B. 56** Behavioral Health Care Workforce Amendments  
(Rep. R. Menlove) (Sen. A. Christensen)
- H.B. 57** Mental and Behavioral Health Amendments  
(Rep. D. Sanpei) (Sen. A. Christensen)

**Judiciary, Law Enforcement, and Criminal Justice Committee**

- S.B. 105** Board of Pardons and Parole Revisions (Sen. D. Thatcher)
- S.B. 164** Parole Violator Centers Allocations (Sen. L. Robles)
- H.B. 33** Expungement Process Amendments (Rep. E. Hutchings)  
(Sen. H. Stephenson)

**Natural Resources, Agriculture and Environment Committee**

- H.B. 29** Adjudication of Water Rights (Rep. J. Briscoe)  
(Sen. R. Okerlund)
- H.B. 36** Storm Water Capture Amendments (Rep. J. Nielson)  
(Sen. R. Okerlund)

**Transportation, Public Utilities and Technology Committee**

- S.B. 104** Vulnerable Users of Highways Amendments  
(Sen. T. Weiler)
- H.B. 23** High Occupancy Vehicle Lane Amendments  
(Rep. S. Handy) (Sen. J. S. Adams)
- H.B. 34** Special Group License Plate Amendments  
(Rep. V. Peterson) (Sen. T. Weiler)
- H.B. 261** Payroll Amendments – Public Safety  
(Rep. R. Greenwood) (Sen. T. Weiler)
- H.B. 272** Traffic Signal Amendments (Rep. M. Kennedy)  
(Sen. M. Madsen)

John L. Valentine  
Rules Committee Chair

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

## STANDING COMMITTEE REPORTS

Mr. President:

February 5, 2013

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 96**, POLITICAL SUBDIVISIONS EMPLOYMENT REVISIONS, by Senator T. Weiler; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 101**, DIVISION OF WATER RIGHTS REVISIONS, by Senator M. Dayton; and

The Government Operations and Political Subdivisions Committee recommends **S.B. 126**, COORDINATION OF SERVICES FOR VETERANS, by Senator P. Knudson, be replaced and favorably recommends **1st Sub. S.B. 126**, COORDINATION OF SERVICES FOR VETERANS with the following amendments:

1. Page 4, Lines 94 through 100:

- 94        71-8-6. Government entity participation.
- 95        (1) This section applies to:
- 96        (a) the Department of ~~{Health and}~~ Human Services;
- 97        (b) the institutions of higher education listed in 53B-1-102;
- 98        (c) the Division of Professional and Occupational Licensing;
- 99        (d) the Department of Public Safety; ~~{and}~~
- 100      (e) the Department of Workforce Services ; and
- (f) the Department of Health ; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 158**, MUNICIPAL GENERAL FUND AMENDMENTS, by Senator D. Henderson; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.J.R. 2**, JOINT RESOLUTION REAPPOINTING LEGISLATIVE FISCAL ANALYST, by Senator W. Niederhauser; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.J.R. 7**, JOINT RESOLUTION APPROVING COMPENSATION OF IN-SESSION EMPLOYEES, by Representative B. Dee.

Margaret Dayton, Chair

Mr. President: February 4, 2013

The Health and Human Services Committee reports a favorable recommendation on **H.B. 52**, CONTROLLED SUBSTANCES REVISIONS, by Representative P. Ray.

Evan J. Vickers, Chair

Mr. President: February 5, 2013

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 144**, REAUTHORIZATION OF PROHIBITIONS ON PRACTICING LAW WITHOUT A LICENSE, by Senator S. Jenkins; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 146**, DRIVING UNDER THE INFLUENCE AMENDMENTS, by Senator S. Jenkins.

Mark B. Madsen, Chair

Mr. President: February 5, 2013

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 57**, AGRICULTURE ENVIRONMENTAL STEWARD AMENDMENTS, by Senator R. Okerlund.

Scott K. Jenkins, Chair

Mr. President: February 5, 2013

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 13**, AMENDMENTS TO IGNITION INTERLOCK PROGRAM, by Senator D. Thatcher; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 48**, SPECIAL GROUP LICENSE PLATE REVISIONS, by Senator P. Knudson; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 50**, DEPARTMENT OF TRANSPORTATION LIABILITY AMENDMENTS, by Senator L. Hillyard; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 137, MOTOR VEHICLE REGISTRATION ENFORCEMENT AMENDMENTS**, by Senator D. Thatcher; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 32, DRIVER LICENSE MOTORCYCLE ENDORSEMENT AMENDMENTS**, by Representative V. Peterson.

Kevin T. Van Tassell, Chair

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

### INTRODUCTION OF BILLS

**S.B. 61, Hunting Permit Amendments** (A. Christensen), was read the first time by short title and referred to the Rules Committee.

**S.B. 62, Governor's Fire Suppression Authority** (M. Dayton), was read the first time by short title and referred to the Rules Committee.

**S.B. 63, Transportation Planning and Funding Task Force** (W. Harper), was read the first time by short title and referred to the Rules Committee.

**S.B. 64, Homeowner Association Reserve Account Amendments** (S. Urquhart), was read the first time by short title and referred to the Rules Committee.

**S.B. 165, Physical Therapy Practice Act Amendments** (T. Weiler), was read the first time by short title and referred to the Rules Committee.

**S.B. 166, Hospital Provider Assessment Amendments** (L. Hillyard), was read the first time by short title and referred to the Rules Committee.

**S.B. 167, Alcoholic Beverage Control Amendments** (J. Valentine), was read the first time by short title and referred to the Rules Committee.

**S.B. 168, Certified Public Accountant Licensing Amendments** (C. Bramble), was read the first time by short title and referred to the Rules Committee.

**S.J.R. 11, Joint Resolution on Environmental and Developmental Policies** (T. Weiler), was read the first time by short title and referred to the Rules Committee.

**THIRD READING CALENDAR**

On motion of Senator Stevenson, **S.B. 119**, YOUTH COURT AMENDMENTS, was read the third time and circled.

\* \* \*

**SB. 130**, SECURITY PERSONNEL LICENSING ACT AMENDMENTS, was read the third time, explained by Senator Dayton, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Knudson	Stephenson	Urquhart
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**S.B. 130** was transmitted to the House for consideration.

\* \* \*

**S.J.R. 7**, JOINT RULES RESOLUTION ON REVENUE ESTIMATES FOR FEDERAL FUNDS, was read the third time and explained by Senator Harper. Senator Henderson commented and the bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**S.J.R. 7** was transmitted to the House for consideration.

\* \* \*

**S.B. 138, AMENDMENTS TO REQUIREMENTS FOR GOVERNOR’S PROPOSED BUDGET**, was read the third time, explained by Senator Harper, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Hillyard                      Urquhart

**S.B. 138** was transmitted to the House for consideration.

\* \* \*

**S.B. 141, EDUCATION CONTRIBUTION ON TAX RETURNS**, was read the third time, explained by Senator Thatcher, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Davis                      Hillyard                      Urquhart

**S.B. 141** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Adams, **S.B. 150**, FINANCIAL INSTITUTION AMENDMENTS, was read the third time and circled.

\* \* \*

**S.B. 53**, INTERGENERATIONAL WELFARE REFORM, was read the third time, explained by Senator Reid, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Hillyard                      Thatcher                      Urquhart

**S.B. 53** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Adams, **S.B. 151**, AUTHORIZATION OF CHARTER SCHOOLS BY HIGHER EDUCATION INSTITUTIONS, was read the third time and circled.

\* \* \*

**S.B. 140**, SERVICE AREA BOARD OF TRUSTEES, was read the third time, explained by Senator Weiler, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson



Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Hillyard	Thatcher	Urquhart
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**S.B. 140** was transmitted to the House for consideration.

\* \* \*

**S.B. 148, CONSERVATION DISTRICTS – CLOSED MEETINGS AMENDMENTS,** was read the third time, explained by Senator Hinkins, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Hillyard	Urquhart
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**S.B. 148** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Adams, the circle was removed from **S.B. 150, FINANCIAL INSTITUTION AMENDMENTS,** and it was before the Senate. Senator Adams explained the bill. Senator Jenkins commented. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson

Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators  
Hillyard                      Urquhart

**S.B. 150** was transmitted to the House for consideration.

\* \* \*

**S.B. 153, LOCAL GOVERNMENT DEVELOPMENT AMENDMENTS,** was read the third time, explained by Senator Adams, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**S.B. 153** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Robles, **S.B. 18, CHILD CUSTODY PROCEEDINGS AMENDMENTS,** was read the third time and circled.

\* \* \*

On motion of Senator Stevenson, the circle was removed from **S.B. 119, YOUTH COURT AMENDMENTS,** and it was before the Senate. Senator Stevenson explained the bill. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Knudson	Urquhart
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**S.B. 119** was transmitted to the House for consideration.

**SECOND READING CALENDAR**

On motion of Senator Adams, **H.B. 12**, ALARM COMPANY EMPLOYEE LICENSING, was read the second time and circled.

\* \* \*

**H.B. 16**, DISPOSAL OF CERTAIN SURPLUS PROPERTY, was read the second time. Senator Adams explained the bill. Senator Jenkins 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting was:** Senator

Urquhart
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\* \* \*

**H.B. 18**, CAMPAIGN FINANCE REPORTING PENALTIES, was read the second time. Senator Dayton 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	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Voting in the negative was:** Senator

Reid

**Absent or not voting were:** Senators

Adams                      Urquhart

\* \* \*

**H.B. 19, ELECTION CODE CRIMINAL PROVISIONS,** was read the second time. Senator Dayton explained the bill. 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting was:** Senator

Urquhart

\* \* \*

**H.B. 26, INMATE MEDICAL DONATION ACT,** was read the second time. Senator Dayton 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Robles                      Urquhart

\* \* \*

On motion of Senator Okerlund, **H.J.R. 7**, JOINT RESOLUTION APPROVING COMPENSATION OF IN-SESSION EMPLOYEES, was read the second time and circled.

\* \* \*

**H.B. 52**, CONTROLLED SUBSTANCES REVISIONS, was read the second time. Senator Christensen 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

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

**Absent or not voting were:** Senators

Robles                      Urquhart

\* \* \*

On motion of Senator Knudson, **H.B. 32**, DRIVER LICENSE MOTORCYCLE ENDORSEMENT AMENDMENTS, was read the second time and circled.

\* \* \*

On motion of Senator Adams, under suspension of the rules, the Senate voted to consider Senate Bills today.

\* \* \*

**S.B. 135, INVOLUNTARY COMMITMENT AMENDMENTS**, was read the second time. Senator Weiler explained the bill. Senator Hillyard commented. The bill passed second reading on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Madsen	Mayne
Okerlund	Osmond	Reid	Shiozawa
Stephenson	Stevenson	Thatcher	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Adams	Jones	Knudson	Robles
Urquhart			

\* \* \*

On motion of Senator Okerlund, the circle was removed from **H.J.R. 7, JOINT RESOLUTION APPROVING COMPENSATION OF IN-SESSION EMPLOYEES**, and it was before the Senate. Senator Okerlund explained the bill. The bill passed second reading on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Adams	Jones	Knudson	Urquhart
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\* \* \*

On motion of Senator Valentine, the circle was removed from **H.B. 12**, ALARM COMPANY EMPLOYEE LICENSING, and it was before the Senate. Senator Valentine explained the bill. Senator Osmond commented. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Hillyard	Urquhart
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\* \* \*

**S.B. 96**, POLITICAL SUBDIVISIONS EMPLOYMENT REVISIONS, was read the second time. Senator Weiler explained the bill. The bill passed second reading on the following roll call:

**Yeas, 22; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Senators

Bramble	Dabakis	Davis	Dayton
Harper	Henderson	Hinkins	Jenkins
Jones	Knudson	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Thatcher	Valentine	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Adams	Christensen	Hillyard	Madsen
Stevenson	Urquhart	Van Tassell	

\* \* \*

**S.B. 101**, DIVISION OF WATER RIGHTS REVISIONS, was read the second time. Senator Dayton explained the bill. The bill passed second reading on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Adams	Hillyard	Urquhart	Valentine
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\* \* \*

On motion of Senator Knudson, **1st Sub. S.B. 126**, COORDINATION OF SERVICES FOR VETERANS, was read the second time and circled.

\* \* \*

On motion of Senator Henderson, **S.B. 158**, MUNICIPAL GENERAL FUND AMENDMENTS, was read the second time and circled.

\* \* \*

On motion of Senator Dayton, **S.J.R. 2**, JOINT RESOLUTION REAPPOINTING LEGISLATIVE FISCAL ANALYST, was read the second time and circled.

\* \* \*

On motion of Senator Knudson, **S.B. 144**, REAUTHORIZATION OF PROHIBITIONS ON PRACTICING LAW WITHOUT A LICENSE, was read the second time and circled.

\* \* \*

On motion of Senator Knudson, the circle was removed from **1st Sub. S.B. 126**, COORDINATION OF SERVICES FOR VETERANS, and it was before the Senate. Senator Knudson explained the bill. Senator Mayne 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Niederhauser	

**Absent or not voting were:** Senators

Hillyard                      Weiler

\* \* \*

**S.B. 146, DRIVING UNDER THE INFLUENCE AMENDMENTS,** was read the second time. Senator Jenkins 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

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Adams                      Hillyard

\* \* \*

On motion of Senator Okerlund, **S.B. 57, AGRICULTURE ENVIRONMENTAL STEWARD AMENDMENTS,** was read the second time and circled.

\* \* \*

On motion of Senator Jenkins, the circle was removed from **S.B. 144, REAUTHORIZATION OF PROHIBITIONS ON PRACTICING LAW WITHOUT A LICENSE,** and it was before the Senate. Senator Jenkins explained the bill. Senator Urquhart commented. The bill passed second reading on the following roll call:

**Yeas, 21; Nays, 5; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Jenkins
Jones	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stevenson
Thatcher	Valentine	Van Tassell	Weiler
Niederhauser			

**Voting in the negative were:** Senators

Hinkins	Madsen	Stephenson	Urquhart
Vickers			

**Absent or not voting were:** Senators

Bramble	Hillyard	Knudson
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\* \* \*

**S.B. 13, AMENDMENTS TO IGNITION INTERLOCK PROGRAM**, was read the second time. Senator Thatcher explained the bill. The bill passed second reading on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Dayton
Harper	Henderson	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Bramble	Davis	Hillyard	Urquhart
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\* \* \*

On motion of Senator Niederhauser, the circle was removed from **S.J.R. 2, JOINT RESOLUTION REAPPOINTING LEGISLATIVE FISCAL ANALYST**, and it was before the Senate. Senator Niederhauser explained the bill. Senators Weiler and Knudson commented. The bill passed second reading on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Bramble	Henderson	Hillyard	Urquhart
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\* \* \*

On motion of Senator Knudson, **S.B. 48**, SPECIAL GROUP LICENSE PLATE REVISIONS, was read the second time and circled.

\* \* \*

On motion of Senator Okerlund, **S.B. 50**, DEPARTMENT OF TRANSPORTATION LIABILITY AMENDMENTS, was read the second time and circled.

\* \* \*

**S.B. 137**, MOTOR VEHICLE REGISTRATION ENFORCEMENT AMENDMENTS, was read the second time. Senator Thatcher 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

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Bramble	Hillyard	Urquhart
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\* \* \*

On motion of Senator Okerlund, and at 11:40 a.m., the Senate adjourned until 10:00 a.m., Thursday, February 7, 2013.

# ELEVENTH DAY

**February 7, 2013**

The Senate was called to order at 10:00 a.m., with President Wayne Niederhauser presiding.

**Prayer** – Pastor Curtis Price, Salt Lake First Baptist Church

**Pledge of Allegiance** – Senator Scott Jenkins

**Roll Call** – All Senators present

## READING OF TITLES OF BILLS AND RESOLUTIONS

(PLEASE REFER TO DAY 1, PAGE 81)

## COMMUNICATIONS FROM THE HOUSE

Mr. President:

February 6, 2013

The House passed, as substituted, **1st Sub. H.B. 58**, PROTECTION OF ATHLETES WITH HEAD INJURIES ACT AMENDMENTS, by Representative P. Ray, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 70**, UTAH STATE RAILROAD MUSEUM AUTHORITY AMENDMENTS, by Representative J. Peterson, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 79**, MOTOR VEHICLE REGISTRATION AND INSURANCE AMENDMENTS, by Representative S. Handy, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 83**, SPEED LIMIT AMENDMENTS, by Representative J. Dunnigan, and it is transmitted for consideration; and

The House passed **H.B. 251**, SUNSET REAUTHORIZATION – EMPLOYMENT SERVICES FOR THE DISABLED, by Representative R. Menlove, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 259**, INSURANCE AMENDMENTS, by Representative J. Bird, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 269**, TRAINING OF SCHOOL NURSES, by Representative P. Ray, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 281**, HEALTH DISCOUNT PROGRAM REVISIONS, by Representative J. Dunnigan, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 289**, FIREWORKS AMENDMENTS, by Representative J. Dunnigan, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 290**, DIVISION OF REAL ESTATE AMENDMENTS, by Representative G. Froerer, and it is transmitted for consideration.

Sandy D. Tenney, 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 6, 2011

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

#### **Business and Labor Committee**

- S.B. 64** Homeowner Association Reserve Account Amendments  
(Sen. S. Urquhart)
- S.B. 167** Alcoholic Beverage Control Amendments  
(Sen. J. Valentine)

#### **Economic Development and Workforce Services Committee**

- 1st Sub. H.B. 21** Workforce Services Amendments (Rep. J. Bird)  
(Sen. S. Reid)

#### **Education Committee**

- 1st Sub. H.B. 254** College Credits for Veterans (Rep. P. Ray)  
(Sen. P. Knudson)

#### **Government Operations and Political Subdivisions Committee**

- S.B. 17** Account for People with Disabilities Amendments  
(Sen. M. Dayton)
- S.B. 62** Governor's Fire Suppression Authority (Sen. M. Dayton)
- S.J.R. 11** Joint Resolution on Environmental and Developmental  
Policies (Sen. T. Weiler)
- H.B. 40** Scheduling of Special Elections (Rep. K. Powell)  
(Sen. P. Knudson)
- 1st Sub. H.B. 66** Political Subdivision Amendments (Rep. R. C. Webb)  
(Sen. P. Knudson)
- 1st Sub. H.B. 85** Voting Recount Amendments (Rep. C. Hall)  
(Sen. D. Henderson)

**Health and Human Services Committee**

- S.B. 165** Physical Therapy Practice Act Amendments  
(Sen. T. Weiler)
- S.B. 166** Hospital Provider Assessment Amendments  
(Sen. L. Hillyard)

**Judiciary, Law Enforcement, and Criminal Justice Committee**

- 1st Sub. H.B. 69** Expungement of Records (Rep. R. Greenwood)  
(Sen. S. Reid)
- H.B. 243** Offender Registry Review (Rep. J. Draxler)  
(Sen. L. Hillyard)

**Natural Resources, Agriculture and Environment Committee**

- S.B. 61** Hunting Permit Amendments (Sen. A. Christensen)
- S.J.R. 10** Joint Resolution on the Protection of the Greater  
Canyonlands Region (Sen. J. Dabakis)
- H.B. 72** Safe Drinking Water Disclosure Act (Rep. R. Barrus)  
(Sen. J. Stevenson)
- H.B. 73** Water Easement Amendments (Rep. J. Mathis)  
(Sen. K. Van Tassell)
- H.B. 250** Sunset Reauthorization – Energy Producer States’  
Agreement (Rep. R. Barrus) (Sen. S. Jenkins)

**Revenue and Taxation Committee**

- S.B. 168** Certified Public Accountant Licensing Amendments  
(Sen. C. Bramble)
- H.B. 274** Tax Credits for Employing a Homeless Person  
(Rep. B. King) (Sen. C. Bramble)

**Transportation, Public Utilities and Technology Committee**

- S.B. 63** Transportation Planning and Funding Task Force  
(Sen. W. Harper)
- 1st Sub. H.B. 11** Local Transportation Corridor Preservation Fund  
Amendments (Rep. B. Last) (Sen. E. Vickers)

John L. Valentine  
Rules Committee Chair

Report filed. On motion of Senator Valentine, the committee report was adopted with the exception that **S.B. 168** will be assigned to the Business and Labor Committee.

### STANDING COMMITTEE REPORTS

Mr. President: February 6, 2013

The Business and Labor Committee reports a favorable recommendation on **S.B. 161**, RESTITUTION AMENDMENTS, by Senator C. Bramble, with the following amendments:

1. Page 4, Lines 117 through 119:

117 (7) The fine and bail forfeiture provisions of this section apply  
to all warrants [~~and~~] , fines fees, and surcharges

118 issued in cases charging a taxpayer with a felony, a misdemeanor, or  
an infraction described in

119 this section, which are outstanding on or after February 16, 1984.

2. Page 12, Line 344:

344 (e) (i) "Victim" means any person or entity, including the  
Utah Office for Victims of Crime, who the court determines has  
suffered pecuniary

3. Page 17, Lines 511 through 512:

511 (2) {~~A bail bond~~} Bail may not be accepted without  
receiving in writing at the time the bail is

512 posted the current mailing address and telephone number of the  
surety. ; and

The Business and Labor Committee reports a favorable recommendation on **S.C.R. 4**, STANDING WITH ISRAEL CONCURRENT RESOLUTION, by Senator C. Bramble.

Curtis S. Bramble, Chair

Mr. President: February 6, 2013

The Education Committee reports a favorable recommendation on **1st Sub. S.B. 43**, FINANCIAL AND ECONOMIC LITERACY EDUCATION AMENDMENTS, by Senator P. Jones; and

The Education Committee reports a favorable recommendation on **S.B. 122**, STUDENT LEADERSHIP SKILLS DEVELOPMENT, by Senator A. Osmond, with the following amendments:

1. Page 1, Lines 13 through 14:



13       ▶       requires the State Board of Education to contract with  
           {~~a provider~~}     at least two providers , selected through a  
 14 request for proposals process, for a three-year pilot program to  
 develop students’

2. Page 2, Lines 41 through 42:

41       (1) The State Board of Education shall contract with {~~a~~  
~~provider~~}     at least two providers , selected through a  
 42 request for proposals process, for a three-year pilot program to  
develop student behaviors and ; and

The Education Committee reports a favorable recommendation on **S.B. 162**,  
 CONCURRENT ENROLLMENT AMENDMENTS, by Senator S. Urquhart.

Stuart C. Reid, Chair

Mr. President:

February 6, 2013

The Government Operations and Political Subdivisions Committee reports a  
 favorable recommendation on **H.B. 38**, CAMPAIGN CONTRIBUTION  
 AMENDMENTS, by Representative K. Powell; and

The Government Operations and Political Subdivisions Committee reports a  
 favorable recommendation on **H.B. 41**, CAMPAIGN FILING BY MEDIA  
 OWNER, by Representative K. Powell; and

The Government Operations and Political Subdivisions Committee reports a  
 favorable recommendation on **1st Sub. H.B. 53**, ELECTION LAW  
 AMENDMENTS, by Representative K. Powell; and

The Government Operations and Political Subdivisions Committee reports a  
 favorable recommendation on **H.B. 262**, UNAFFILIATED VOTER  
 AMENDMENTS, by Representative C. Hall; and

The Government Operations and Political Subdivisions Committee reports a  
 favorable recommendation on **S.B. 60**, ABORTION STATISTICS AND  
 REPORTING REQUIREMENTS, by Senator M. Dayton, with the following  
 amendments:

1. Page 1, Lines 15 through 17:

15       •       the number of abortions performed in the state;  
           {~~and~~}

- 16 • at what stage of pregnancy the abortions took place; and  
 • the race and ethnicity of the women on whom the abortions were performed; and
- 17 ► makes technical changes.
2. Page 2, Lines 36 through 44:
- 36 (ii) estimated week of pregnancy;  
(c) the races of the women who obtained the abortions described in  
Subsection (1)(a), including:
- (i) Alaska Native;  
 (ii) American Indian;  
 (iii) Asian;  
 (iv) Black or African American;  
 (v) Hispanic or Latino;  
 (vi) Native Hawaiian or Pacific Islander;  
 (vii) White, not Hispanic or Latino; and  
 (viii) some other race;
- 37 [(a)] {~~(e)~~} (d) the total amount of informed consent  
 material described in this section that
- 38 was distributed or accessed;
- 39 [(b)] {~~(d)~~} (e) the number of women who obtained  
 abortions in this state without receiving
- 40 the informed consent materials described in this section;
- 41 [(e)] {~~(e)~~} (f) the number of statements signed by  
 attending physicians under Subsection
- 42 76-7-305.6(4); and
- 43 [(d)] {~~(f)~~} (g) any other information pertaining to  
 obtaining informed consent from a woman
- 44 who seeks an abortion. ; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.C.R. 8**, CONCURRENT RESOLUTION FOR THE PROVO RESERVOIR CANAL TITLE TRANSFER, by Senator M. Dayton.

Margaret Dayton, Chair

Mr. President:

February 6, 2013

The Health and Human Services Committee reports a favorable recommendation on **H.B. 48**, MEDICAL RESERVE CORPS AMENDMENTS, by Representative E. Redd; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 100**, HIGHER EDUCATION SCHOLARSHIP AMENDMENTS, by Senator J. Stevenson; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 114**, SAFETY BELT AMENDMENTS, by Senator L. Robles, with the following amendments:

1. Page 1, Line 15:

15 limit of less than 55 miles per hour; ~~{and}~~

► provides that a state or local law enforcement officer may not issue a citation to a person 19 years of age or older who has been detained for the first time for a safety belt violation that is enforced as a primary offense but shall issue the person a warning informing the person that wearing a safety belt while operating or a passenger in a motor vehicle is enforced as a primary offense on a highway with a posted speed limit of 55 miles per hour or more; and

2. Page 2, Line 56:

56 operated on a highway with a posted speed limit of less than 55 miles per hour.

(c) A state or local law enforcement officer may not issue a citation to a person 19 years of age or older who has been detained for the first time for a violation of Subsection (1)(a)(i) or (2) that is enforced as a primary offense but shall issue the person a warning informing the person that wearing a safety belt in a motor vehicle is enforced as a primary offense on a highway with a posted speed limit of 55 miles per hour or more.

Evan J. Vickers, Chair

Mr. President:

February 6, 2013

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 97**, PROPELLING A BODILY SUBSTANCE AMENDMENTS, by Senator J. Stevenson; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 98**, PROPELLING A BODILY SUBSTANCE REVISIONS, by Senator J. Stevenson; and

The Judiciary, Law Enforcement, and Criminal Justice Committee recommends **S.B. 152**, ALCOHOL AND DRUG RELATED OFFENSE

AMENDMENTS, by Senator J. Valentine, be replaced and favorably recommends **1st Sub. S.B. 152**, ALCOHOL AND DRUG RELATED OFFENSE AMENDMENTS; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 156**, JAIL RELEASE AMENDMENTS, by Senator J. S. Adams; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 160**, PATRONIZING A PROSTITUTE AMENDMENTS, by Senator J. Stevenson.

Mark B. Madsen, Chair

Mr. President: February 6, 2013

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 29**, ADJUDICATION OF WATER RIGHTS, by Representative J. Briscoe; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 36**, STORM WATER CAPTURE AMENDMENTS, by Representative J. Nielson, with the following amendments:

1. Page 5, Lines 139 through 143:

139 (6) Beneficial use of water under Subsection (2)(b) does not constitute a water right

140 and may not be:

141 (a) changed under Section 73-3-3;

142 (b) assigned: {~~or~~}

143 (c) consolidated with a water right {~~or~~} ; or

(d) used as a basis to establish the availability of water for land use development. ; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 32**, ENVIRONMENTAL HEALTH SCIENTIST ACT SUNSET REAUTHORIZATION, by Senator G. Davis.

Scott K. Jenkins, Chair

Mr. President: February 6, 2013

The Retirement and Independent Entities Committee reports a favorable recommendation on **1st Sub. H.B. 24**, UTAH RETIREMENT SYSTEM AMENDMENTS, by Representative D. Ipson; and

The Retirement and Independent Entities Committee reports a favorable recommendation on **H.B. 35**, RETIREMENT ANALYSIS FOR NEW PUBLIC ENTITIES, by Representative D. Ipson; and

The Retirement and Independent Entities Committee reports a favorable recommendation on **S.B. 56**, UTAH 211 REFERRAL INFORMATION NETWORK, by Senator T. Weiler; and

The Retirement and Independent Entities Committee reports a favorable recommendation on **S.B. 113**, LONG-TERM DISABILITY COVERAGE AMENDMENTS, by Senator T. Weiler.

Todd Weiler, Chair

Mr. President:

February 4, 2013

The Revenue and Taxation Committee reports a favorable recommendation on **1st Sub. H.B. 54**, PROPERTY TAX AND APPRAISER AMENDMENTS, by Representative G. Froerer, with the following amendments:

1. Page 4, Lines 99 through 101:

99 (ii) making an application by telephone or other electronic means within the time

100 period described in Subsection (2) if the county legislative body passes a resolution under

101 Subsection ~~{-(5)-}~~ (7) authorizing applications to be made by telephone or other electronic means.

2. Page 7, Lines 203 through 206:

203 (b) “Opinion of value” means an estimate of fair market value that ~~{-is }~~ :

204 (i) is made by a licensed appraiser; and

205 (ii) complies with the Uniform Standards of Professional Appraisal Practice

206 promulgated by the Appraisal Standards Board as described in 12 U.S.C. Sec. 3339. ; and

The Revenue and Taxation Committee recommends **S.B. 124**, SALES AND USE TAX EXEMPTION FOR DATABASE ACCESS, by Senator W. Harper, be replaced and favorably recommends **1st Sub. S.B. 124**, SALES AND USE TAX EXEMPTION FOR DATABASE ACCESS with the following amendments:

1. Page 35, Lines 1058 through 1059:

1058        {~~-(98)-~~}    (101)    (a) Except as provided in Subsection  
 1059        [~~(98)~~] (101)(b), “repairs or renovations of

1059        tangible personal property” means:

2. Page 122, Lines 3760 through 3766:

3760        (75) amounts paid or charged to access a database:

3761        (a) if the primary purpose for accessing the database is to view  
 or retrieve information

3762        from the database; and

3763        (b) {~~except for~~}    not including    amounts paid or  
 charged for a:

3764        (i) digital audiowork;

3765        (ii) digital audio–visual work; or

3766        (iii) digital book.

Deidre Henderson, Chair

Mr. President:

February 6, 2013

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **2nd Sub. H.B. 15**, STATE PARK ACCESS AMENDMENTS, by Representative B. Last; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 23**, HIGH OCCUPANCY VEHICLE LANE AMENDMENTS, by Representative S. Handy; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 34**, SPECIAL GROUP LICENSE PLATE AMENDMENTS, by Representative V. Peterson; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 261**, PAYROLL AMENDMENTS – PUBLIC SAFETY, by Representative R. Greenwood; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 272**, TRAFFIC SIGNAL AMENDMENTS, by Representative M. Kennedy; and

Kevin T. Van Tassell, Chair

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

### STANDING COMMITTEE REPORTS

Mr. President:

February 6, 2013

The Business and Labor Committee reports a favorable recommendation on **H.B. 42**, REPEAL OF HEALTH INSURANCE MANDATE REVIEW, by Representative J. Dunnigan, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 45**, REAUTHORIZATION OF PROVISIONS FOR INSURANCE COORDINATION WITH OTHER STATES, by Representative J. Dunnigan, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 46**, HEARING INSTRUMENT SPECIALIST LICENSING ACT, by Representative D. Brown, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 51**, PROFESSIONAL LICENSING REVISIONS, by Representative J. Dunnigan, and recommends it be considered read for the second time and placed on the Consent Calendar.

Curtis S. Bramble, Chair

On motion of Senator Valentine, the committee reports were adopted. The bills were considered read the second time and placed on the Consent Calendar.

### INTRODUCTION OF BILLS

**S.B. 65, Election Code – Financial Reporting Requirement Amendments** (J. Valentine), was read the first time by short title and referred to the Rules Committee.

**S.B. 66, Referendum Revisions** (S. Reid), was read the first time by short title and referred to the Rules Committee.

**S.B. 95, Whistleblower Amendments** (S. Reid), was read the first time by short title and referred to the Rules Committee.

**S.B. 169, Education Task Force** (S. Reid), was read the first time by short title and referred to the Rules Committee.

**S.B. 170, Identity Fraud Amendments** (D. Thatcher), was read the first time by short title and referred to the Rules Committee.

**S.B. 171, Sales and Use Tax Exemption for Electronic Financial Payment Services** (H. Stephenson), was read the first time by short title and referred to the Rules Committee.

**S.B. 172, Use of Bond Proceeds by Political Subdivisions** (J. Valentine), was read the first time by short title and referred to the Rules Committee.

\* \* \*

On motion of Senator Bramble, **S.B. 161, RESTITUTION AMENDMENTS**, will be considered Tuesday, February 12, 2013 at 10:45 a.m.

On motion of Senator Bramble, **S.C.R. 4, STANDING WITH ISRAEL CONCURRENT RESOLUTION**, will be considered Thursday, February 14, 2013, at 11:00 a.m.

### CONSENT CALENDAR

**S.B. 106, UNEMPLOYMENT TAX AMENDMENT**, was read the third time, explained by Senator Bramble, and passed on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jones	Knudson
Madsen	Okerlund	Osmond	Reid
Shiozawa	Thatcher	Urquhart	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Jenkins	Mayne	Robles	Stephenson
Stevenson	Valentine		



**S.B. 106** was transmitted to the House for consideration.

**THIRD READING CALENDAR**

**H.B. 16, DISPOSAL OF CERTAIN SURPLUS PROPERTY**, was read the third time, explained by Senator Adams, and passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Henderson	Hinkins
Jenkins	Jones	Madsen	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Harper	Hillyard	Knudson	Mayne
Stevenson			

**H.B. 16** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 18, CAMPAIGN FINANCE REPORTING PENALTIES**, was read the third time, explained by Senator Dayton, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Harper	Hillyard	Mayne	Stevenson
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**H.B. 18** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 19**, ELECTION CODE CRIMINAL PROVISIONS, was read the third time, explained by Senator Dayton, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Harper	Hillyard	Stevenson
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**H.B. 19** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 26**, INMATE MEDICAL DONATION ACT, was read the third time, explained by Senator Dayton, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Hillyard	Thatcher
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**H.B. 26** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

**SPECIAL RECOGNITION**

Senator Davis introduced a group of outstanding youth representing Boys and Girls Clubs of Utah.

**THIRD READING CALENDAR**

**H.B. 52, CONTROLLED SUBSTANCES REVISIONS**, was read the third time, explained by Senator Christensen, and passed on the following roll call:

**Yeas, 24; Nays, 3; Absent or not voting, 2.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Voting in the negative were:** Senators

Madsen	Stephenson	Stevenson
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**Absent or not voting were:** Senators

Hillyard	Thatcher
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**H.B. 52** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Robles, the circle was removed from **S.B. 18, CHILD CUSTODY PROCEEDINGS AMENDMENTS**, and it was before the Senate.

Senator Robles proposed the following amendment:

- 1. Page 3, Lines 60 through 62

60 controlling and the court may determine the children’s custody or parent–time otherwise. The

61 desires of a child [+6] 14 years of age or older shall be given added weight, but is not {+} the

62 single {+} {–a} controlling factor.

Senator Robles' motion to amend passed on a voice vote. Senator Robles explained the bill. Senator Valentine commented. The bill passed on the following roll call:

**Yeas, 23; Nays, 2; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Dabakis	Davis	Harper
Henderson	Hinkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Voting in the negative were:** Senators

Dayton                      Jenkins

**Absent or not voting were:** Senators

Bramble                      Christensen                      Hillyard                      Stephenson

**S.B. 18** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Weiler, **S.B. 135**, INVOLUNTARY COMMITMENT AMENDMENTS, was read the third time and circled.

\* \* \*

**H.J.R. 7**, JOINT RESOLUTION APPROVING COMPENSATION OF IN-SESSION EMPLOYEES, was read the third time, explained by Senator Okerlund, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Dabakis	Davis	Dayton
Harper	Henderson	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Bramble                      Christensen                      Hillyard

**H.J.R. 7** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 12, ALARM COMPANY EMPLOYEE LICENSING**, was read the third time, explained by Senator Valentine, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Hillyard                      Hinkins

**H.B. 12** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Weiler, **S.B. 96, POLITICAL SUBDIVISIONS EMPLOYMENT REVISIONS**, was read the third time and circled.

\* \* \*

On motion of Senator Okerlund, **S.B. 101, DIVISION OF WATER RIGHTS REVISIONS**, was read the third time and circled.

\* \* \*

**1st Sub. S.B. 126, COORDINATION OF SERVICES FOR VETERANS**, was read the third time, explained by Senator Knudson, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Bramble	Dayton	Okerlund
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**1st Sub. S.B. 126** was transmitted to the House for consideration.

\* \* \*

**S.B. 146, DRIVING UNDER THE INFLUENCE AMENDMENTS**, was read the third time, explained by Senator Jenkins, and passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Harper	Henderson	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Davis	Dayton	Hillyard	Okerlund
Urquhart			

**S.B. 146** was transmitted to the House for consideration.

\* \* \*

**S.B. 144, REAUTHORIZATION OF PROHIBITIONS ON PRACTICING LAW WITHOUT A LICENSE**, was read the third time and explained by Senator Jenkins. Senator Weiler commented and the bill passed on the following roll call:

**Yeas, 21; Nays, 4; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Harper	Henderson	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stevenson
Thatcher	Valentine	Van Tassell	Weiler

Niederhauser

**Voting in the negative were:** Senators

Hinkins	Madsen	Stephenson	Vickers
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**Absent or not voting were:** Senators

Davis	Dayton	Hillyard	Urquhart
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**S.B. 144** was transmitted to the House for consideration.

\* \* \*

**S.B. 13, AMENDMENTS TO IGNITION INTERLOCK PROGRAM,** was read the third time, explained by Senator Thatcher, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Valentine	Van Tassell	Vickers	Weiler

Niederhauser

**Voting in the negative was:** Senator

Hinkins

**Absent or not voting were:** Senators

Dayton	Hillyard	Urquhart
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**S.B. 13** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Adams, **S.J.R. 2, JOINT RESOLUTION REAPPOINTING LEGISLATIVE FISCAL ANALYST,** was read the third time and circled.

\* \* \*

**S.B. 137, MOTOR VEHICLE REGISTRATION ENFORCEMENT AMENDMENTS**, was read the third time and explained by Senator Thatcher. Senators Bramble and Weiler commented and the bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Dayton	Hillyard	Urquhart
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**S.B. 137** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Niederhauser, the circle was removed from **S.J.R. 2, JOINT RESOLUTION REAPPOINTING LEGISLATIVE FISCAL ANALYST**, and it was before the Senate. Senator Niederhauser explained the bill. The bill passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Harper	Henderson	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Bramble	Dayton	Hillyard	Urquhart
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**S.J.R. 2** was transmitted to the House for consideration.

**SECOND READING CALENDAR**

On motion of Senator Van Tassell, the circle was removed from **S.B. 40**, UTAH NAVAJO ROYALTIES AMENDMENTS, and it was before the Senate. Senator Van Tassell explained the bill. The bill passed second reading on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Harper	Henderson	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Adams	Dayton	Hillyard	Thatcher
Urquhart			

\* \* \*

On motion of Senator Knudson, the circle was removed from **H.B. 32**, DRIVER LICENSE MOTORCYCLE ENDORSEMENT AMENDMENTS, and it was before the Senate. Senator Knudson explained the bill. Senator Christensen commented. The bill passed second reading on the following roll call:

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

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Davis	Harper
Henderson	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Osmond
Reid	Stephenson	Stevenson	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Adams	Bramble	Dayton	Hillyard
Okerlund	Robles	Shiozawa	Thatcher

\* \* \*

On motion of Senator Knudson, **H.B. 38**, CAMPAIGN CONTRIBUTION AMENDMENTS, was read the second time and circled.

\* \* \*

On motion of Senator Knudson, **H.B. 41**, CAMPAIGN FILING BY MEDIA OWNER, was read the second time and circled.

\* \* \*

On motion of Senator Knudson, **1st Sub. H.B. 53**, ELECTION LAW AMENDMENTS, was read the second time and circled.

\* \* \*

**H.B. 262**, UNAFFILIATED VOTER AMENDMENTS, was read the second time. Senator Weiler explained the bill. Senators Stephenson, Dabakis, Jones, Madsen, Vickers, and Hillyard commented. The bill passed second reading on the following roll call:

**Yeas, 24; Nays, 4; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Harper	Henderson	Hillyard	Jenkins
Jones	Knudson	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Voting in the negative were:** Senators

Christensen	Dayton	Madsen	Stephenson
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**Absent or not voting was:** Senator

Hinkins

\* \* \*

On motion of Senator Okerlund, and at 12:00 p.m., the Senate adjourned until 10:00 a.m., Friday, February 8, 2013.

# TWELFTH DAY

## February 8, 2013

The Senate was called to order at 10:00 a.m., with President Wayne Niederhauser presiding.

**Prayer** – Lieutenant Colonel Kenneth Crooks, U. S. Chaplin

**Pledge of Allegiance** – Senator Jim Dabakis

**Roll Call** – All Senators present

### READING OF TITLES OF BILLS AND RESOLUTIONS (PLEASE REFER TO DAY 1, PAGE 81)

#### COMMUNICATIONS FROM THE HOUSE

Mr. President: February 7, 2013

The House passed, **S.J.R. 1**, JOINT RULES RESOLUTION ON PERFORMANCE NOTES, by Senator J. Stevenson, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Sandy D. Tenney, 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 7, 2013

The House passed, as amended, **H.B. 27**, THREAT OF TERRORISM PENALTY AMENDMENTS, by Representative E. Hutchings, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 44**, ELECTION POLLING, by Representative G. Hughes, and it is transmitted for consideration; and

The House passed **H.B. 49**, VOTED AND BOARD LEVY PROGRAMS AMENDMENTS, by Representative S. Handy, and it is transmitted for consideration; and

The House passed **H.B. 60**, UTILITY FACILITY SITING, by Representative D. Sagers, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 64**, FELON’S RIGHT TO HOLD OFFICE, by Representative C. Moss, and it is transmitted for consideration; and

The House passed **H.B. 87**, ATTEMPTED AGGRAVATED MURDER AMENDMENTS, by Representative L. Perry, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 252**, NATIVE AMERICAN INDIAN RELATED AMENDMENTS, by Representative J. Draxler, and it is transmitted for consideration; and

The House passed, as substituted, **2nd Sub. H.B. 270**, PRESCRIPTION DRUG DATABASE ACCESS AMENDMENTS, by Representative R. Menlove, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 276**, NEWBORN SCREENING FOR CRITICAL CONGENITAL HEART DEFECTS, by Representative P. Ray, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 284**, NET METERING BILLING CYCLES, by Representative K. Stratton, and it is transmitted for consideration.

Sandy D. Tenney, 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, 2011

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

#### **Business and Labor Committee**

**H.B. 259** Insurance Amendments (Rep. J. Bird) (Sen. E. Vickers)

**H.B. 289** Fireworks Amendments (Rep. J. Dunnigan)  
(Sen. J. Valentine)

**1st Sub. H.B. 290** Division of Real Estate Amendments (Rep. G. Froerer)  
(Sen. J. S. Adams)

#### **Economic Development and Workforce Services Committee**

**H.B. 70** Utah State Railroad Museum Authority Amendments  
(Rep. J. Peterson) (Sen. P. Knudson)

#### **Education Committee**

**S.B. 169** Education Task Force (Sen. S. Reid)

**H.B. 269** Training of School Nurses (Rep. P. Ray)  
(Sen. A. Christensen)

**Government Operations and Political Subdivisions Committee**

- S.B. 65** Election Code – Financial Reporting Requirement Amendments (Sen. J. Valentine)
- S.B. 172** Use of Bond Proceeds by Political Subdivisions (Sen. J. Valentine)

**Health and Human Services Committee**

- 1st Sub. H.B. 58** Protection of Athletes with Head Injuries Act Amendments (Rep. P. Ray) (Sen. A. Christensen)
- H.B. 251** Sunset Reauthorization – Employment Services for the Disabled (Rep. R. Menlove) (Sen. A. Christensen)
- H.B. 281** Health Discount Program Revisions (Rep. J. Dunnigan) (Sen. J. S. Adams)

**Judiciary, Law Enforcement, and Criminal Justice Committee**

- S.B. 170** Identity Fraud Amendments (Sen. D. Thatcher)

**Revenue and Taxation Committee**

- S.B. 171** Sales and Use Tax Exemption for Electronic Financial Payment Services (Sen. H. Stephenson)

**Transportation, Public Utilities and Technology Committee**

- H.B. 79** Motor Vehicle Registration and Insurance Amendments (Rep. S. Handy) (Sen. E. Vickers)
- H.B. 83** Speed Limit Amendments (Rep. J. Dunnigan) (Sen. S. Jenkins)

John L. Valentine  
Rules Committee Chair

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

### STANDING COMMITTEE REPORTS

Mr. President: February 6, 2013

The Economic Development and Workforce Services Committee reports a favorable recommendation on **H.B. 249**, REFUGEE SERVICES FUND AMENDMENTS, by Representative J. Peterson.

Aaron Osmond, Chair

Mr. President: February 8, 2013

The Health and Human Services Committee reports a favorable recommendation on **H.B. 56**, BEHAVIORAL HEALTH CARE WORKFORCE AMENDMENTS, by Representative R. Menlove; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 57**, MENTAL AND BEHAVIORAL HEALTH AMENDMENTS, by Representative D. Sanpei; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 165**, PHYSICAL THERAPY PRACTICE ACT AMENDMENTS, by Senator T. Weiler.

Evan J. Vickers, Chair

Mr. President: February 7, 2013

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 73**, WATER EASEMENT AMENDMENTS, by Representative J. Mathis; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 250**, SUNSET REAUTHORIZATION – ENERGY PRODUCER STATES’ AGREEMENT, by Representative R. Barrus; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 61**, HUNTING PERMIT AMENDMENTS, by Senator A. Christensen.

Scott K. Jenkins, Chair

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

### STANDING COMMITTEE REPORTS

The Health and Human Services Committee reports a favorable recommendation on **S.B. 166**, HOSPITAL PROVIDER ASSESSMENT

AMENDMENTS, by Senator L. Hillyard, with the following amendments considers it be considered read for the second time and placed on the Consent Calendar.

1. Page 4, Line 111 through Page 5, Line 121:

111 26-36a-203. Calculation of assessment.

112 ~~[(1) The division shall calculate the inpatient upper payment~~  
113 ~~limit gap for hospitals for~~

113 ~~each state fiscal year.]~~

114 ~~[(2)]~~ (1) (a) An annual assessment is payable on a quarterly  
115 basis for each hospital in

115 an amount calculated at a uniform assessment rate for each hospital  
116 discharge, in accordance

116 with this section.

117 (b) The uniform assessment rate shall be determined using the  
118 total number of hospital

118 discharges for assessed hospitals divided into the total nonfederal  
119 portion ~~[of the upper~~

119 ~~payment limit gap] in an amount~~ { ~~equal to the \$154~~  
120 ~~million~~ } consistent with 26-36a-205 that is needed to support  
121 capitated

120 rates for accountable care organizations for purposes of hospital  
121 services provided to Medicaid

121 enrollees.

2. Page 8, Line 242 through Page 9, Line 245:

242 Quarterly assessments imposed by this chapter shall be paid to  
243 the division within ~~[10]~~

243 15 business days after the ~~[hospital receives its Medicaid inpatient~~  
244 ~~hospital access payment due~~

244 ~~for the applicable quarter under Section 26-36a-205]~~ original  
245 invoice date that appears on the invoice issued by

245 the division.

3. Page 9, Lines 247 through 253:

247 26-36a-205. Medicaid hospital adjustment under accountable  
care organization

248 rates.

249 ~~[(4)]~~ To preserve and improve access to ~~[hospitals]~~ hospital  
services, the division shall

250 ~~[make Medicaid inpatient hospital access payments to hospitals in~~  
~~accordance with this section,~~

251 ~~Section 26-36a-204, and Subsection 26-36a-203(7)],~~ for  
accountable care organization rates

252 effective on or after April 1, 2013, incorporate an  
annualized amount equal to \$154 million into the

253 accountable care organization rate structure calculation  
consistent with the certified actuarial rate range.

4. Page 11, Line 328 through Page 12, Line 340:

328 Section 7. Section 26-36a-207 is amended to read:

329 26-36a-207. Restricted Special Revenue Fund --- Creation ---  
Deposits.

330 (1) There is created a restricted special revenue fund known as  
the "Hospital Provider

331 Assessment Special Revenue Fund."

332 (2) The fund shall consist of:

333 (a) the assessments collected by the department under this  
chapter;

334 (b) any interest and penalties levied with the administration of  
this chapter; and

335 (c) any other funds received as donations for the restricted fund  
and appropriations

336 from other sources.

337 (3) Money in the fund shall be used:

338 ~~[(a) to make inpatient hospital access payments under Section~~  
~~26-36a-205; and]~~

339 (a) to support capitated rates consistent with  
26-36a-203(1)(d) for accountable care organizations { ~~in an~~  
~~amount equal to~~



340 \$154 million } : and

Evan J. Vickers, Chair

On motion of Senator Valentine, the committee reports were adopted. The bills were considered read the second time and placed on the Consent Calendar.

\* \* \*

On motion of Senator Valentine, legislative staff was authorized to draft a resolution regarding government subsidies for hotels.

### INTRODUCTION OF BILLS

**S.B. 67, Consumer Protection Revisions** (C. Bramble), was read the first time by short title and referred to the Rules Committee.

**S.B. 92, Tethering of Animals** (G. Davis), was read the first time by short title and referred to the Rules Committee.

**S.B. 93, Interlocal Cooperation Act Amendments** (J. Valentine), was read the first time by short title and referred to the Rules Committee.

**S.B. 94, Government Records Amendments** (C. Bramble), was read the first time by short title and referred to the Rules Committee.

**S.B. 174, Warrant Collection Amendments** (S. Urquhart), was read the first time by short title and referred to the Rules Committee.

**S.C.R. 1, Concurrent Resolution Approving Solid Waste Facility Landfill Permit** (D. Hinkins), was read the first time by short title and referred to the Rules Committee.

**S.C.R. 6, Concurrent Resolution on Federal Gas Tax** (D. Henderson), was read the first time by short title and referred to the Rules Committee.

### COMMITTEE OF THE WHOLE

On motion of Senator Okerlund, U. S. Congressman Jason Chaffetz spoke in Committee of the Whole. Senators Hillyard, Jones, Jenkins, and Okerlund commented.

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

\* \* \*

On motion of Senator Valentine, the Senate voted to lift **S.B. 166**, HOSPITAL PROVIDER ASSESSMENT AMENDMENTS, from the Consent Calendar and place it at the bottom of the Second Reading Calendar.

### CONSENT CALENDAR

**S.B. 54**, LICENSING OF NURSING CARE FACILITY BEDS, was read the third time, explained by Senator Bramble, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Hillyard
Hinkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Henderson	Jenkins	Vickers
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**S.B. 54** was transmitted to the House for consideration.

\* \* \*

**H.B. 37**, REPEAL OF REPORTING REQUIREMENTS, was read the third time, explained by Senator Valentine, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Henderson	Hillyard
Hinkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Harper	Jenkins	Vickers
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**H.B. 37** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 22**, UTAH COMMISSION ON SERVICE AND VOLUNTEERISM, was read the third time, explained by Senator Osmond, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Harper	Stephenson	Vickers
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**H.B. 22** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 25**, AGENCY REPORTING PROVISIONS, was read the third time, explained by Senator Osmond, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Henderson	Hillyard
Hinkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Harper	Jenkins	Stephenson	Vickers
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**H.B. 25** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

### THIRD READING CALENDAR

**S.B. 40**, UTAH NAVAJO ROYALTIES AMENDMENTS, was read the third time, explained by Senator Van Tassell, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jones	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Davis	Jenkins	Knudson
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**S.B. 40** was transmitted to the House for consideration.

\* \* \*

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

\* \* \*

On motion of Senator Weiler, the circle was removed from **S.B. 135**, INVOLUNTARY COMMITMENT AMENDMENTS, and it was before the Senate. Senator Weiler explained the bill.

Senator Weiler proposed the following amendment:

1. Page 1, Line 14

14 appropriate local mental health authority before the court may issue a judicial order if the local mental health authority appears at the commitment hearing ;

2. Page 2, Line 45:

45 (2) (a) {~~Before~~} Subject to Subsection (2)(b),  
before issuing a judicial order, the court [~~may~~]  
{~~shall~~} may require the applicant to consult

3. Page 2, Lines 47 through 49:

47 professional from that local mental health authority to interview the  
applicant and the proposed

48 patient to determine the existing facts and report them to the court.

(b) The consultation described in Subsection (2)(a):

(i) may take place at or before the hearing; and

(ii) is required if the local mental health authority appears at the  
hearing.

49 (3) If the court finds from the application, from any other  
statements under oath, or

Senator Weiler’s motion to amend passed on a voice vote. The bill passed on  
the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Knudson	Madsen
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**S.B. 135** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Christensen, **H.B. 32**, DRIVER LICENSE  
MOTORCYCLE ENDORSEMENT AMENDMENTS, was read the third time  
and circled.

\* \* \*

On motion of Senator Weiler, **H.B. 262**, UNAFFILIATED VOTER  
AMENDMENTS, was read the third time and circled.

\* \* \*

On motion of Senator Dayton, the circle was removed from **S.B. 101**, DIVISION OF WATER RIGHTS REVISIONS, and it was before the Senate. Senator Dayton explained the bill. The bill passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Dayton	Harper	Henderson	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Davis	Hillyard	Hinkins	Jenkins
Madsen			

**S.B. 101** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Knudson, the circle was removed from **H.B. 32**, DRIVER LICENSE MOTORCYCLE ENDORSEMENT AMENDMENTS, and it was before the Senate. Senator Dayton commented and the bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting was:** Senator

Bramble

**H.B. 32** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Weiler, the circle was removed from **H.B. 262**, UNAFFILIATED VOTER AMENDMENTS, and it was before the Senate. Senators Jenkins, Stephenson, Davis, and Madsen commented and the bill passed on the following roll call:

**Yeas, 23; Nays, 6; Absent or not voting, 0.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Harper
Henderson	Hillyard	Hinkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Voting in the negative were:** Senators

Christensen	Davis	Dayton	Jenkins
Madsen	Stephenson		

**H.B. 262** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

**COMMUNICATIONS FROM THE GOVERNOR**

**ADVISE AND CONSENT**

Mr. President: January 25, 2013

In accordance with Utah Code 67-1-1 and 67-1-2, I propose and transmit the following appointments:

**Utah Insurance Department:**

Todd Evan Kiser is appointed to replace Neal Gooch as the Insurance Commissioner. See Utah Code 31A-2-102.

Thank you for your timely consideration and confirmation of the above appointments.

Gary R. Herbert  
Governor

Mr. President:

January 30, 2013

At its meeting today, the Senate Business and Labor Confirmation Committee voted unanimously to recommend that the Utah Senate approved the nomination of Todd Kiser as Insurance Commissioner.

Curtis S. Bramble, Chair

On motion of Senator Bramble, the Senate voted to approve the appointment by the Governor on the following roll call vote:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

### COMMITTEE OF THE WHOLE

On motion of Senator Okerlund, Commissioner Todd Kiser spoke in Committee of the Whole. Senator Hillyard commented.

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

### INTRODUCTION OF BILLS

**S.B. 175, Assessment of College Readiness** (H. Stephenson), was read the first time by short title and referred to the Rules Committee.

**S.B. 176, Office of Planning and Budget Restructuring Amendments** (J. Stevenson), was read the first time by short title and referred to the Rules Committee.

\* \* \*

On motion of Senator Okerlund, and at 11:45 a.m., the Senate adjourned until 10:00 a.m., Monday, February 11, 2013.



# FIFTEENTH DAY

**February 11, 2013**

The Senate was called to order at 10:00 a.m., with President Wayne Niederhauser presiding.

**Prayer** – Imam Muhammed Mehtar, Islamic Society of Greater Salt Lake City

**Pledge of Allegiance** – Senator Brian Shiozawa

**Roll Call** – All Senators present

## READING OF TITLES OF BILLS AND RESOLUTIONS (PLEASE REFER TO DAY 1, PAGE 81)

### COMMUNICATIONS FROM THE HOUSE

Mr. President:

February 8, 2013

The House passed, as amended, **H.B. 67**, PERSONAL PROPERTY TAXATION REVISIONS, by Representative G. Froerer, and it is transmitted for consideration; and

The House passed **H.B. 71**, MOBILE AND MANUFACTURED HOME AMENDMENTS, by Representative M. Roberts, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 74**, PROPERTY TAX MODIFICATIONS, by Representative J. Mathis, and it is transmitted for consideration; and

The House passed **H.B. 82**, ELECTIONS AND EARLY VOTING DURING A DECLARED EMERGENCY, by Representative R. Chavez–Houck, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 93**, TRAFFIC VIOLATIONS AMENDMENTS, by Representative J. Peterson, and it is transmitted for consideration; and

The House passed **H.B. 257**, STATE TREASURER AMENDMENTS, by Representative J. Bird, and it is transmitted for consideration; and

The House passed **H.B. 282**, SEXUAL EXPLOITATION AMENDMENTS, by Representative R. Greenwood, and it is transmitted for consideration; and

The House passed **H.B. 285**, MODIFICATION OF EDUCATION-RELATED REPORTING REQUIREMENTS, by Representative F. Gibson, and it is transmitted for consideration; and

The House passed **H.B. 291**, MOTOR VEHICLE SAFETY INSPECTION AMENDMENTS, by Representative J. Peterson, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 294**, BICYCLES ON STREETS, by Representative Johnny Anderson, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 297**, BICYCLE AND MOPED AMENDMENTS, by Representative Johnny Anderson, and it is transmitted for consideration; and

The House passed **H.C.R. 1**, CONCURRENT RESOLUTION URGING USE OF ADVANCE SIGNAL WARNING, by Representative J. Draxler, and it is transmitted for consideration.

Sandy D. Tenney, 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 8, 2011

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

#### **Business and Labor Committee**

**S.B. 67** Consumer Protection Revisions (Sen. C. Bramble)  
**S.B. 94** Government Records Amendments (Sen. C. Bramble)

#### **Government Operations and Political Subdivisions Committee**

**1st Sub. H.B. 44** Election Polling (Rep. G. Hughes) (Sen. M. Dayton)  
**H.B. 49** Voted and Board Levy Programs Amendments  
 (Rep. S. Handy) (Sen. H. Stephenson)  
**H.B. 252** Native American Indian Related Amendments  
 (Rep. J. Draxler) (Sen. K. Van Tassell)

#### **Health and Human Services Committee**

**H.B. 276** Newborn Screening for Critical Congenital Heart Defects  
 (Rep. P. Ray) (Sen. R. Okerlund)

**Judiciary, Law Enforcement, and Criminal Justice Committee**

- S.B. 174** Warrant Collection Amendments (Sen. S. Urquhart)
- H.B. 27** Threat of Terrorism Penalty Amendments (Rep. E. Hutchings) (Sen. S. Urquhart)
- H.B. 64** Felon’s Right to Hold Office (Rep. C. Moss) (Sen. P. Jones)
- H.B. 87** Attempted Aggravated Murder Amendments (Rep. L. Perry) (Sen. P. Knudson)
- 2nd Sub. H.B. 270** Prescription Drug Database Access Amendments (Rep. R. Menlove) (Sen. C. Bramble)

**Natural Resources, Agriculture and Environment Committee**

- S.B. 92** Tethering of Animals (Sen. G. Davis)
- S.C.R. 1** Concurrent Resolution Approving Solid Waste Facility Landfill Permit (Sen. D. Hinkins)

**Transportation, Public Utilities and Technology Committee**

- S.C.R. 6** Concurrent Resolution on Federal Gas Tax (Sen. D. Henderson)
- H.B. 60** Utility Facility Siting (Rep. D. Sagers) (Sen. E. Vickers)
- H.B. 284** Net Metering Billing Cycles (Rep. K. Stratton) (Sen. E. Vickers)

John L. Valentine  
Rules Committee Chair

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

**STANDING COMMITTEE REPORTS**

Mr. President: February 7, 2013

The Business and Labor Committee recommends **S.B. 55**, INSURANCE COVERAGE FOR AUTISM SPECTRUM DISORDER, by Senator B. Shiozawa, be replaced and favorably recommends **1st Sub. S.B. 55**, INSURANCE COVERAGE FOR AUTISM SPECTRUM DISORDER; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 167**, ALCOHOLIC BEVERAGE CONTROL AMENDMENTS, by Senator J. Valentine, with the following amendments:

1. Page 1, Lines 12 through 17:

12 This bill:

- 13 ▶ modifies the definition of “retail license”;
- 14 ▶ addresses new master licenses under the law enforcement quota;
- 15 ▶ addresses the powers of the commission;
- 16 { ~~▶ prohibits multiple retail licenses at the same building under certain circumstances; } }~~
- 17 ▶ creates a master full-service restaurant license;
2. Page 2, Lines 33 through 36:
- 33 ENACTS:
- 34 { ~~32B-5-207, Utah Code Annotated 1953- } }~~
- 35 32B-6-206, Utah Code Annotated 1953
- 36 32B-6-306, Utah Code Annotated 1953
3. Page 26, Lines 775 through 797:
- 775 { ~~Section 4. Section 32B-5-207 is enacted to read:~~
- 776 ~~32B-5-207. Multiple retail licenses at same building.~~
- 777 ~~(1) (a) On or after the effective date of this bill, the commission may not issue to a~~
- 778 ~~retail licensee more than one type of retail license for the same building unless the commission~~
- 779 ~~determines that:~~
- 780 ~~(i) (A) the licensed premises for each retail license is in a separate room within the~~
- 781 ~~building; and~~
- 782 ~~(B) the requirements for each retail license are met; or~~
- 783 ~~(ii) (A) the different retail licenses are operational at different days or hours;~~
- 784 ~~(B) the retail licensee posts a notice that is conspicuous and states the days and hours~~
- 785 ~~for each retail license that operates on the premises; and~~
- 786 ~~(C) the requirements for each retail license are met.~~
- 787 ~~(b) The commission may define “separate room” by rule made in accordance with Title~~

788 ~~63G, Chapter 3, Utah Administrative Rulemaking Act.~~

789 ~~(2) (a) Notwithstanding Subsection (1), if on the effective date of this bill a retail~~

790 ~~licensee has more than one type of retail license within a building in a manner that violates~~

791 ~~Subsection (1), the retail licensee may operate under the different types of retail licenses until~~

792 ~~January 1, 2015.~~

793 ~~(b) By no later than January 1, 2015, the retail licensee shall:~~

794 ~~(i) choose which retail license the retail licensee wants to retain, subject to being~~

795 ~~qualified to continue to hold the retail license; and~~

796 ~~(ii) let expire or return to the commission a retail license that the retail licensee has~~

797 ~~chosen not to retain. }~~

4. Page 26, Line 800 through Page 27, Line 807:

800 ~~(1) (a) The commission may issue a master full-service restaurant license that~~

801 ~~authorizes a person to store, sell, offer for sale, furnish, or allow the consumption of an~~

802 ~~alcoholic product on premises at multiple locations as full-service restaurants if the person~~

803 ~~applying for the master full-service restaurant license:~~

804 ~~(i) owns each of the full-service restaurants; { -and }~~

805 ~~(ii) except for the fee requirements, establishes to the satisfaction of the commission~~

806 ~~that each location of a full-service restaurant under the master full-service restaurant license~~

807 ~~separately meets the requirements of this part { -z } ; and (iii) the master full-service restaurant license includes at least five full-service restaurant locations.~~

5. Page 29, Lines 866 through 873:

866 (1) (a) The commission may issue a master limited-service  
restaurant license that  
867 authorizes a person to store, sell, offer for sale, furnish, or allow the  
consumption of an  
868 alcoholic product on premises at multiple locations as  
limited-service restaurants if the person  
869 applying for the master limited-service restaurant license:  
870 (i) owns each of the limited-service restaurants; {~~and~~ }  
871 (ii) except for the fee requirements, establishes to the  
satisfaction of the commission  
872 that each location of a limited-service restaurant under the master  
limited-service restaurant  
873 license separately meets the requirements of this part {~~and~~ } ;  
and  
(iii) the master limited-service restaurant includes at least five  
limited-service restaurant locations. ; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 168**, CERTIFIED PUBLIC ACCOUNTANT LICENSING AMENDMENTS, by Senator C. Bramble.

Curtis S. Bramble, Chair

Mr. President:

February 7, 2013

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 131**, ASSAULT AMENDMENTS, by Senator A. Osmond, with the following amendments:

1. Page 1, Line 14:

14 servicemember in uniform if the offender is a repeat offender  
or causes substantial bodily injury; and

2. Page 2, Line 46:

46 ~~degree felony.]~~ {~~Subsection (2)~~ } a class A or a felony  
violation of this section ; or ; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 145**, COUNTY ATTORNEY CHAPTER RECODIFICATION, by Senator T. Weiler, with the following amendments:

1. Page 11, Lines 327 through 330:

327 (3) A public prosecutor may not after the filing of an indictment or information and without the consent of the court :

328 (a) compromise a prosecution; or

329 (b) enter a plea of nolle prosequi {~~after the filing of an indictment or information~~

330 without the consent of the court } .

2. Page 13, Lines 373 through 378:

373 (2) The attorney:

374 (a) does not represent a county commission, county agency, county board, county

375 council, county officer, or county employee;

376 (b) counsels with the county regarding civil matters; and

377 (c) receives direction from the county through the county elected officers in accordance

378 with the officers' duties and powers in accordance with law.

(3) Notwithstanding Subsection (2)(a), the attorney may represent an employee named as a party in litigation:

(a) with the approval of the county executive; and

(b) if permitted by law and the Rules of Professional Conduct.

; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 164**, PAROLE VIOLATOR CENTERS ALLOCATIONS, by Senator L. Robles.

Mark B. Madsen, Chair

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

### STANDING COMMITTEE REPORTS

Mr. President:

February 8, 2013

The Economic Development and Workforce Services Committee reports a favorable recommendation on **1st Sub. H.B. 21**, WORKFORCE SERVICES AMENDMENTS, by Representative J. Bird, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Economic Development and Workforce Services Committee reports a favorable recommendation on **H.B. 70**, UTAH STATE RAILROAD MUSEUM AUTHORITY AMENDMENTS, by Representative J. Peterson, with the following amendments and recommends it be considered read for the second time and placed on the Consent Calendar.

1. Page 2, Line 31  
House Floor Amendments  
2-6-2013:

31 (2) The authority is composed of ~~{-11-}~~ 12 members as follows:

2. Page 2, Line 40  
House Floor Amendments  
2-6-2013:

40 ~~[(d)] (e)~~ ~~{-seven-}~~ eight public members appointed by the governor, as follows:

3. Page 2, Line 44  
House Floor Amendments  
2-6-2013:

44 (iii) ~~{-four-}~~ five individuals representing railroad historic and heritage preservation

4. Page 2, Line 58 through Page 3, Line 59  
House Floor Amendments  
2-6-2013:

58 (5) Any of the ~~{-seven-}~~ eight public members may be removed from office by the governor or

59 for cause by an affirmative vote of ~~{-six-}~~ seven members of the authority.

5. Page 3, Lines 71 through 72:

71 (12) (a) ~~{-Six-}~~ Seven members constitute a quorum for transaction of authority business.



72 (b) An affirmative vote of at least {~~six~~} seven members is necessary for an action to be taken by

Aaron Osmond, Chair

On motion of Senator Valentine, the committee reports were adopted. The bills were considered read the second time and placed on the Consent Calendar.

**INTRODUCTION OF BILLS**

**S.B. 177, Highway Designation Amendments** (S. Reid), was read the first time by short title and referred to the Rules Committee.

**S.B. 178, Department of Transportation Revisions** (K. Van Tassell), was read the first time by short title and referred to the Rules Committee.

**S.B. 179, Local Government Financial Reporting Revisions** (C. Bramble), was read the first time by short title and referred to the Rules Committee.

**S.B. 180, Public Utilities Amendments** (K. Van Tassell), was read the first time by short title and referred to the Rules Committee.

**S.B. 181, Political Subdivisions Property Amendments** (W. Harper), was read the first time by short title and referred to the Rules Committee.

\* \* \*

On motion of Senator Adams, the Senate voted to lift **1st Sub. H.B. 66, POLITICAL SUBDIVISIONS AMENDMENTS**, from the Government Operations and Political Subdivisions Committee and reassign it to the Revenue and Taxation Committee.

**SECOND READING CALENDAR**

**1st Sub. S.B. 43, FINANCIAL AND ECONOMIC LITERACY EDUCATION AMENDMENTS**, was read the second time. Senator Jones 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

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson

Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Bramble	Urquhart
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\* \* \*

**S.B. 122**, STUDENT LEADERSHIP SKILLS DEVELOPMENT, was read the second time. Senator Osmond explained the bill. 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

\* \* \*

**S.B. 162**, CONCURRENT ENROLLMENT AMENDMENTS, was read the second time. Senator Urquhart explained the bill. Senator Dayton commented. The bill passed second reading on the following roll call:

**Yeas, 27; Nays, 1; Absent or not voting, 1.****Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	

**Voting in the negative was:** Senator

Harper

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

\* \* \*

On motion of Senator Knudson, the circle was removed from **H.B. 38**, CAMPAIGN CONTRIBUTION AMENDMENTS, and it was before the Senate. Senator Knudson explained the bill. Senators Jones and Mayne commented. The bill passed second reading on the following roll call:

**Yeas, 18; Nays, 10; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Davis	Harper
Hillyard	Hinkins	Jenkins	Knudson
Mayne	Okerlund	Osmond	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Van Tassell	Vickers		

**Voting in the negative were:** Senators

Bramble	Dabakis	Dayton	Henderson
Jones	Madsen	Reid	Urquhart
Valentine	Weiler		

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

\* \* \*

On motion of Senator Knudson, the circle was removed from **H.B. 41**, CAMPAIGN FILING BY MEDIA OWNER, and it was before the Senate. Senator Knudson 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

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler		

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

**Absent or not voting were:** Senators  
Hinkins                      Niederhauser

\* \* \*

On motion of Senator Knudson, the circle was removed from **1<sup>st</sup> Sub. H.B. 53, ELECTION LAW AMENDMENTS**, and it was before the Senate. Senator Knudson explained the bill. 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

\* \* \*

On motion of Senator Knudson, the circle was removed from **S.B. 48, SPECIAL GROUP LICENSE PLATE REVISIONS**, and it was before the Senate. Senator Knudson explained the bill. Senator Harper commented. The bill passed second reading on the following roll call:

**Yeas, 24; Nays, 2; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Dayton
Henderson	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Weiler	Niederhauser

**Voting in the negative were:** Senators  
Harper                      Vickers

**Absent or not voting were:** Senators

Adams                      Davis                      Hillyard

**COMMITTEE OF THE WHOLE**

On motion of Senator Okerlund, U. S. Congressman Rob Bishop spoke in Committee of the Whole. Senators Reid, Dabakis, Stevenson, Dayton, and Davis commented.

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

**SECOND READING CALENDAR**

On motion of Senator Urquhart, the circle was removed from **S.B. 51, HIGHER EDUCATION TUITION WAIVERS**, and it was before the Senate.

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

**1st Sub. S.B. 51 Higher Education Tuition Waivers** (S. Urquhart)

Senator Urquhart explained the bill. Senators Valentine, Knudson, and Vickers 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

\* \* \*

On motion of Senator Weiler, the Senate voted to move **S.B. 56, UTAH 211 REFERRAL INFORMATION NETWORK**, to the top of the Second Reading Calendar.

**S.B. 56**, UTAH 211 REFERRAL INFORMATION NETWORK, was read the second time. Senator Weiler explained the bill.

Senator Harper proposed the following amendment:

- 1. Page 3, Line 73

73        (4) The department shall coordinate ;  
           (a) with the approved 211 service provider and other

- 2. Page 3, Line 75:

75    information database for use by the approved 211 service  
provider { - } ; and  
           (b) public transportation providers and human services  
transportation services, and ensure that by 2014, Utah 211 serves as a  
single contact point to coordinate efforts, calls, and dispatch.

Senator Harper’s motion to amend passed on a voice vote. Senator Jones 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

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Adams	Urquhart
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\* \* \*

On motion of Senator Osmond, legislative staff was authorized to draft a resolution allowing the state to secure state lands.

\* \* \*

On motion of Senator Stevenson, the circle was removed from **S.C.R. 5**, CONCURRENT RESOLUTION ENDORSING THE UTAH EDUCATION EXCELLENCE COMMISSION, and it was before the Senate.

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

**2nd Sub. S.C.R. 5 Concurrent Resolution Endorsing the Utah Education Excellence Commission** (J. Stevenson)

On motion of Senator Stevenson, the bill was circled.

\* \* \*

On motion of Senator Okerlund, and at 11:50 a.m., the Senate adjourned until 10:00 a.m., Tuesday, February 12, 2013.

# SIXTEENTH DAY

**February 12, 2013**

The Senate was called to order at 10:00 a.m., with President Wayne Niederhauser presiding.

**Prayer** – Mr. John Moran, Coach at Skaggs Catholic Center

**Pledge of Allegiance** – Senator Jerry Stevenson

**Roll Call** – All Senators present

## READING OF TITLES OF BILLS AND RESOLUTIONS (PLEASE REFER TO DAY 1, PAGE 81)

### COMMUNICATIONS FROM THE HOUSE

Mr. President: February 11, 2013

The House passed, **S.B. 15**, INDUSTRIAL ACCIDENT RESTRICTED ACCOUNT, by Senator J. Valentine, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 22**, WORKER CLASSIFICATION COORDINATED ENFORCEMENT COUNCIL, by Senator J. Valentine, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 27**, HEALTH CARE PROVIDER IMMUNITY SUNSET AMENDMENT, by Senator A. Christensen, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President: February 11, 2013

The House passed, as amended, **H.B. 90**, FISHING LICENSE WAIVER AMENDMENTS, by Representative R. Chavez-Houck, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 298**, PARENT SEMINAR ON YOUTH PROTECTION, by Representative S. Eliason, and it is transmitted for consideration; and



The House passed **H.B. 301**, BAIL BOND RECOVERY LICENSURE AMENDMENTS, by Representative E. Redd, and it is transmitted for consideration; and

The House passed, as amended, **H.C.R. 2**, CONCURRENT RESOLUTION TO REDUCE OBESITY IN UTAH, by Representative S. Barlow, and it is transmitted for consideration.

Sandy D. Tenney, 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 11, 2011

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

#### **Business and Labor Committee**

- S.B. 59** Workers' Compensation Coordination of Benefits Amendments (Sen. K. Mayne)
- S.B. 179** Local Government Financial Reporting Revisions (Sen. C. Bramble)
- H.B. 71** Mobile and Manufactured Home Amendments (Rep. M. Roberts) (Sen. J. Valentine)

#### **Economic Development and Workforce Committee**

- S.B. 66** Referendum Revisions (Sen. S. Reid)

#### **Education Committee**

- S.B. 175** Assessment of College Readiness (Sen. H. Stephenson)
- H.B. 285** Modification of Education-related Reporting Requirements (Rep. F. Gibson) (Sen. A. Osmond)

#### **Government Operations and Political Subdivisions Committee**

- S.B. 176** Office of Planning and Budget Restructuring Amendments (Sen. J. Stevenson)
- H.B. 82** Elections and Early Voting During a Declared Emergency (Rep. R. Chavez-Houck) (Sen. P. Knudson)
- H.B. 257** State Treasurer Amendments (Rep. J. Bird) (Sen. H. Stephenson)

**Judiciary, Law Enforcement, and Criminal Justice Committee**

**H.B. 282** Sexual Exploitation Amendments (Rep. R. Greenwood)  
(Sen. C. Bramble)

**Revenue and Taxation Committee**

**H.B. 67** Personal Property Taxation Revisions (Rep. G. Froerer)  
(Sen. W. Harper)

**1st Sub. H.B. 74** Property Tax Modifications (Rep. J. Mathis)  
(Sen. K. Van Tassell)

**Transportation, Public Utilities and Technology Committee**

**S.B. 178** Department of Transportation Revisions  
(Sen. K. Van Tassell)

**H.B. 93** Traffic Violations Amendments (Rep. J. Peterson)  
(Sen. J. Valentine)

**H.B. 291** Motor Vehicle Safety Inspection Amendments  
(Rep. J. Peterson) (Sen. S. Reid)

**H.B. 294** Bicycles on Streets (Rep. Johnny Anderson)  
(Sen. D. Thatcher)

**H.B. 297** Bicycle and Moped Amendments (Rep. Johnny  
Anderson) (Sen. D. Thatcher)

**H.C.R. 1** Concurrent Resolution Urging Use of Advance Signal  
Warning (Rep. J. Draxler) (Sen. P. Knudson)

John L. Valentine  
Rules Committee Chair

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

**STANDING COMMITTEE REPORTS**

Mr. President: February 11, 2013

The Business and Labor Committee reports a favorable recommendation on **H.B. 289, FIREWORKS AMENDMENTS**, by Representative J. Dunnigan, with the following amendments:

1. Page 3, Line 74  
House Committee Amendments  
2-4-2013:
- 74 matches, and smoking materials {~~—~~} ;  
(i) the ~~[ignition or use of the source in mountainous,~~

- 2. Page 3, Lines 76 through 79  
House Committee Amendments  
2-4-2013:

76 which the hazardous environmental conditions exist may prohibit only the ignition or use of the

77 ignition source in ~~H~~→ mountainous, brush-covered, or forest-covered areas or the wildland

77a urban interface area, which means ~~H~~← the line, area, or zone where structures or other human

77b development meet or

78 intermingle with undeveloped wildland or ~~H~~→ [vegetative fuel, except in approved areas as allowed

79 by the AHJ.] land being used for an agricultural purpose ; and (ii) where the hazardous environmental conditions exist in unincorporated areas that meet the description in Subsection (3)(b)(i), the state forester may prohibit the ignition or use of the ignition source in all or part of these areas, after consulting with the county fire code official having jurisdiction over that area .” ~~H~~← ; and

The Business and Labor Committee reports a favorable recommendation on **1st Sub. H.B. 290**, DIVISION OF REAL ESTATE AMENDMENTS, by Representative G. Froerer.

Curtis S. Bramble, Chair

Mr. President: February 11, 2013

The Education Committee reports a favorable recommendation on **S.B. 39**, PARENTAL RESPONSIBILITY FOR SEX EDUCATION TRAINING, by Senator S. Reid; and

The Education Committee reports a favorable recommendation on **S.B. 169**, EDUCATION TASK FORCE, by Senator S. Reid, with the following amendments:

- 1. Page 3, Lines 60 through 61:

60 (a) identification of long-term education policies necessary to help job creation and education quality to

61 improve the state's economic prosperity;

Stuart C. Reid, Chair

Mr. President: February 11, 2013

The Health and Human Services Committee reports a favorable recommendation on **1st Sub. H.B. 58**, PROTECTION OF ATHLETES WITH HEAD INJURIES ACT AMENDMENTS, by Representative P. Ray; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 251**, SUNSET REAUTHORIZATION – EMPLOYMENT SERVICES FOR THE DISABLED, by Representative R. Menlove.

Evan J. Vickers, Chair

Mr. President: February 11, 2013

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 159**, THEFT AMENDMENTS, by Senator D. Thatcher.

Mark B. Madsen, Chair

Mr. President: February 11, 2013

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **1st Sub. H.B. 11**, LOCAL TRANSPORTATION CORRIDOR PRESERVATION FUND AMENDMENTS, by Representative B. Last; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 79**, MOTOR VEHICLE REGISTRATION AND INSURANCE AMENDMENTS, by Representative S. Handy; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 83**, SPEED LIMIT AMENDMENTS, by Representative J. Dunnigan; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **S.C.R. 6**, CONCURRENT RESOLUTION ON FEDERAL GAS TAX, by Senator D. Henderson.

Kevin T. Van Tassell, Chair

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

**STANDING COMMITTEE REPORTS**

Mr. President: February 11, 2013

The Business and Labor Committee reports a favorable recommendation on **H.B. 259**, INSURANCE AMENDMENTS, by Representative J. Bird, and recommends it be considered read for the second time and placed on the Consent Calendar.

Curtis S. Bramble, Chair

Mr. President: February 11, 2013

The Health and Human Services Committee reports a favorable recommendation on **H.B. 281**, HEALTH DISCOUNT PROGRAM REVISIONS, by Representative J. Dunnigan, with the following amendments and recommends it be considered read for the second time and placed on the Consent Calendar.

- 1. Page 3, Lines 67 through 67b  
House Committee Amendments  
2-4-2013:

67 ~~the health discount program]~~ by entering into a contract or agreement, directly or indirectly.

67a with a person or persons in this state who agree to provide discounts for health care services to

67b enrollees of the health discount program and determines the charge to members. ← H .

- 2. Page 6, Lines 181 through 182:

181 (3) (a) A contract shall be signed by the purchaser acknowledging the terms before any

182 fees are collected and shall include notice of the purchaser's  
{-10-day-} 30-day [recision] {-rescission} free  
look rights.

## 3. Page 7, Lines 195 through 205:

195     31A-8a-205.5. {~~Rescission~~} Free look right.  
 196     (1) Except as provided in Subsection (2), a person that  
purchases a health discount  
 197 program may, with or without cause, within {~~10~~} 30  
days after the day on which the purchase  
 198 contract is signed, cancel the contract without payment, damages,  
penalty, or liability of any  
 199 kind by giving written notice of cancellation to the other party to the  
contract.  
 200     (2) A person may not exercise the right of cancellation  
described in Subsection (1) if  
 201 the person has used the services of the health discount program  
under the contract.  
 202     (3) If a person cancels a contract under Subsection (1), the other  
party to the contract  
 203 shall refund all money and other consideration paid in relation to  
the health discount program. less a maximum of \$25 of  
 204 {~~including~~} any enrollment charge, regardless of whether  
the enrollment charge was designated  
 205 as nonrefundable.

Evan J. Vickers, Chair

Mr. President:

February 11, 2013

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 243**, OFFENDER REGISTRY REVIEW, by Representative J. Draxler, and recommends it be considered read for the second time and placed on the Consent Calendar.

Mark B. Madsen, Chair

Mr. President:

February 11, 2013

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.C.R. 1**, CONCURRENT RESOLUTION APPROVING SOLID WASTE FACILITY LANDFILL PERMIT, by Senator

D. Hinkins, and recommends it be considered read for the second time and placed on the Consent Calendar.

Scott K. Jenkins, Chair

On motion of Senator Valentine, the committee reports were adopted. The bills were considered read the second time and placed on the Consent Calendar.

**INTRODUCTION OF BILLS**

**S.B. 68, State Surplus Property Program Amendments** (T. Weiler), was read the first time by short title and referred to the Rules Committee.

**S.B. 69, Assessment and Reporting of Student Performance** (R. Okerlund), was read the first time by short title and referred to the Rules Committee.

**S.B. 182, Storage Unit Amendments** (J. S. Adams), was read the first time by short title and referred to the Rules Committee.

**S.B. 183, Adoption Agency Modifications** (L. Robles), was read the first time by short title and referred to the Rules Committee.

**S.C.R. 7, Concurrent Resolution to Reduce Utah’s Dependence on Federal Funds** (A. Osmond), was read the first time by short title and referred to the Rules Committee.

**CONSENT CALENDAR**

**H.B. 42, REPEAL OF HEALTH INSURANCE MANDATE REVIEW**, was read the third time, explained by Senator Valentine, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

- |              |             |           |          |
|--------------|-------------|-----------|----------|
| Adams        | Christensen | Dabakis   | Davis    |
| Dayton       | Harper      | Henderson | Hinkins  |
| Jenkins      | Jones       | Knudson   | Madsen   |
| Mayne        | Osmond      | Reid      | Robles   |
| Shiozawa     | Stephenson  | Stevenson | Thatcher |
| Urquhart     | Valentine   | Vickers   | Weiler   |
| Niederhauser |             |           |          |

**Absent or not voting were:** Senators

Bramble                      Hillyard                      Okerlund                      Van Tassell

**H.B. 42** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 45**, REAUTHORIZATION OF PROVISIONS FOR INSURANCE COORDINATION WITH OTHER STATES, was read the third time, explained by Senator Valentine, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Bramble                      Van Tassell

**H.B. 45** 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**, HEARING INSTRUMENT SPECIALIST LICENSING ACT, was read the third time, explained by Senator Valentine, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Weiler	Niederhauser		



**Absent or not voting were:** Senators

Bramble                      Van Tassell                      Vickers

**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. 51, PROFESSIONAL LICENSING REVISIONS,** was read the third time, explained by Senator Valentine, and passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Urquhart	Valentine	Weiler	Niederhauser

**Absent or not voting were:** Senators

Bramble                      Dayton                      Thatcher                      Van Tassell  
Vickers

**H.B. 51** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Urquhart, **2nd Sub. H.B. 61, DIXIE STATE COLLEGE – UNIVERSITY STATUS,** will be considered Wednesday, February 13, 2013 at 11:20 a.m.

\* \* \*

On motion of Senator Bramble, the Senate voted to lift **S.C.R. 4, STANDING WITH ISRAEL CONCURRENT RESOLUTION,** from the Time Certain Calendar and place it at the bottom of the Second Reading Calendar.

**THIRD READING CALENDAR**

**1st Sub. S.B. 43, FINANCIAL AND ECONOMIC LITERACY EDUCATION AMENDMENTS,** was read the third time, explained by Senator Jones, and passed on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Bramble	Dabakis	Davis	Harper
Henderson	Hillyard	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Adams	Christensen	Dayton	Hinkins
Jenkins	Van Tassell		

**1st Sub. S.B. 43** was transmitted to the House for consideration.

\* \* \*

**S.B. 122**, STUDENT LEADERSHIP SKILLS DEVELOPMENT, was read the third time and explained by Senator Osmond. Senator Mayne commented and the bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting was:** Senator

Robles

**S.B. 122** was transmitted to the House for consideration.

\* \* \*

**S.B. 162**, CONCURRENT ENROLLMENT AMENDMENTS, was read the third time and explained by Senator Urquhart. Senator Stephenson commented and the bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Harper	Van Tassell
--------	-------------

**Absent or not voting was:** Senator

Vickers

**S.B. 162** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Knudson, **H.B. 38**, CAMPAIGN CONTRIBUTION AMENDMENTS, was read the third time and circled.

\* \* \*

**H.B. 41**, CAMPAIGN FILING BY MEDIA OWNER, was read the third time, explained by Senator Knudson, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Voting in the negative were:** Senators

Madsen	Stephenson
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**H.B. 41** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**1st Sub. H.B. 53**, ELECTION LAW AMENDMENTS, was read the third time, explained by Senator Knudson, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**1st Sub. H.B. 53** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

#### TIME CERTAIN CALENDAR

**S.B. 161**, RESTITUTION AMENDMENTS, was read the second time. Senator Bramble explained the bill. 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

#### THIRD READING CALENDAR

**S.B. 48**, SPECIAL GROUP LICENSE PLATE REVISIONS, was read the third time, explained by Senator Knudson, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Harper                      Vickers

**Absent or not voting was:** Senator

Adams

**S.B. 48** was transmitted to the House for consideration.

\* \* \*

**1st Sub. S.B. 51**, HIGHER EDUCATION TUITION WAIVERS, was read the third time and explained by Senator Urquhart. Senator Jenkins commented and the bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**1st Sub. S.B. 51** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Knudson, the circle was removed from **H.B. 38**, CAMPAIGN CONTRIBUTION AMENDMENTS, and it was before the Senate.

Senator Valentine proposed an amendment:

Senator Harper proposed the following substitute amendment:

1. Page 1, Lines 16 through 18

16 ► prohibits an anonymous cash contribution over  
 {~~-\$100~~} {~~\$25~~} \$50 ;

17 ► requires a candidate to disburse an anonymous cash  
 contribution or public service

18 assistance over {~~-\$100~~} {~~\$25~~} \$50 to:

2. Page 1, Line 24:

24 ► allows a filing entity to aggregate on a report  
 contributions that do not exceed {~~-\$100~~} {~~\$25~~} \$50 ;

3. Page 3, Lines 73 through 76:

73 (b) "Reporting limit" means for each calendar year:

74 (i) [~~\$50~~] {~~-\$100~~} {~~\$25~~} \$50 ; or

75 (ii) an amount lower than [~~\$50~~] {~~-\$100~~} {~~\$25~~} \$50  
 that is specified in an ordinance of the

76 municipality.

4. Page 5, Lines 129 through 130:

129 (4) (a) A municipality may, by ordinance:

130 (i) provide a reporting limit lower than [~~\$50~~]  
 {~~-\$100~~} {~~\$25~~} \$50 ;

5. Page 7, Lines 197 through 198:

197 (A) for each contribution of more than [~~\$50~~]  
 {~~-\$100~~} {~~\$25~~} \$50 , the name of the donor of the

198 contribution, if known, and the amount of the contribution; and

6. Page 7, Lines 204 through 208:

204 (vi) a requirement that a person who makes a cash contribution  
 that exceeds {~~-\$100~~} {~~\$25~~} \$50

205 disclose the person's name to the candidate who receives the contribution; and

206 (vii) a requirement that a candidate for county office who receives a cash contribution

207 that exceeds {~~-\$100~~} {~~\$25~~} \$50 from a donor whose name is unknown shall, within 30 days after receiving

208 the contribution, disburse the amount of the contribution to:

7. Page 8, Line 236 through Page 9, Line 245:

236 (a) seven days before the date of the regular general election, reporting each

237 contribution of more than [\$50] {~~-\$100~~} {~~\$25~~} \$50 and each expenditure as of 10 days before the date of the

238 regular general election; and

239 (b) no later than 30 days after the date of the regular general election.

240 (5) (a) The statement filed seven days before the regular general election shall include:

241 (i) a list of each contribution of more than [\$50] {~~-\$100~~} {~~\$25~~} \$50 received by the candidate, and

242 the name of the donor, if known;

243 (ii) an aggregate total of all contributions of [\$50] {~~-\$100~~} {~~\$25~~} \$50 or less received by the

244 candidate; and

245 (iii) a list of each expenditure for political purposes made during the campaign period,

8. Page 9, Lines 247 through 251:

247 (b) The statement filed 30 days after the regular general election shall include:

248 (i) a list of each contribution of more than [\$50] {~~-\$100~~} {~~\$25~~} \$50 received after the cutoff date for

249 the statement filed seven days before the election, and the name of the donor;

250 (ii) an aggregate total of all contributions of [\$50] {~~-\$100~~} {~~\$25~~} \$50 or less received by the

251 candidate after the cutoff date for the statement filed seven days before the election; and

9. Page 9, Lines 270 through 272:

270 (7) Within 30 days after receiving a cash contribution that exceeds {~~-\$100~~ } {~~\$25~~} \$50 from a donor

271 whose name is unknown, a county office candidate shall disburse the amount of the

272 contribution to:

10. Page 22, Lines 673 through 674:

673 (7) Within 30 days after receiving a cash contribution that exceeds {~~-\$100~~ } {~~\$25~~} \$50 from an

674 unknown source, a state office candidate shall disburse the amount of the contribution to:

11. Page 23, Lines 708 through 709:

708 (b) (i) For all single contributions or public service assistance of [~~\$50~~] {~~-\$100~~ } {~~\$25~~} \$50 or less, a

709 single aggregate figure may be reported without separate detailed listings.

12. Page 24, Lines 710 through 711:

710 (ii) Two or more contributions from the same source that have an aggregate total of

711 more than [~~\$50~~] {~~-\$100~~ } {~~\$25~~} \$50 may not be reported in the aggregate, but shall be reported separately.

13. Page 25, Lines 758 through 761:

758 (3) (a) For all individual contributions or public service assistance of [~~\$50~~] {~~-\$100~~ } {~~\$25~~} \$50 or

759 less, a single aggregate figure may be reported without separate detailed listings.

760 (b) Two or more contributions from the same source that have an aggregate total of

761 more than [~~\$50~~] {~~-\$100~~ } {~~\$25~~} \$50 may not be reported in the aggregate, but shall be reported separately.



## 14. Page 27, Lines 807 through 808:

807 (6) Within 30 days after receiving a cash contribution that  
exceeds {~~-\$100~~ } {~~\$25~~} \$50 from an  
808 unknown source, a legislative office candidate shall disburse the  
amount of the contribution to:

## 15. Page 28, Lines 857 through 860:

857 (b) (i) For all individual contributions or public service  
assistance of [~~\$50~~] {~~-\$100~~} {~~\$25~~} \$50 or  
858 less, a single aggregate figure may be reported without separate  
detailed listings.

859 (ii) Two or more contributions from the same source that have  
an aggregate total of

860 more than [~~\$50~~] {~~-\$100~~} {~~\$25~~} \$50 may not be reported  
in the aggregate, but shall be reported separately.

## 16. Page 30, Lines 905 through 908:

905 (3) (a) For all individual contributions or public service  
assistance of [~~\$50~~] {~~-\$100~~} {~~\$25~~} \$50 or  
906 less, a single aggregate figure may be reported without separate  
detailed listings.

907 (b) Two or more contributions from the same source that have  
an aggregate total of

908 more than [~~\$50~~] {~~-\$100~~} {~~\$25~~} \$50 may not be reported  
in the aggregate, but shall be reported separately.

## 17. Page 31, Lines 945 through 948:

945 (b) (i) For all individual contributions or public service  
assistance of [~~\$50~~] {~~-\$100~~} {~~\$25~~} \$50 or  
946 less, a single aggregate figure may be reported without separate  
detailed listings.

947 (ii) Two or more contributions from the same source that have  
an aggregate total of

948 more than [~~\$50~~] {~~-\$100~~} {~~\$25~~} \$50 may not be reported  
in the aggregate, but shall be reported separately.

18. Page 32, Lines 960 through 962:

960 (5) Within 30 days after receiving a cash contribution or cash public service assistance

961 that exceeds {~~-\$100~~} {~~\$25~~} \$50 from an unknown source, an officeholder shall disburse the amount of the

962 contribution or public service assistance to:

19. Page 32, Lines 974 through 977:

974 (3) A registered political party or county political party may not expend a cash

975 contribution for political purposes or a political issues expenditure if the cash contribution:

976 (a) exceeds {~~-\$100~~} {~~\$25~~} \$50 ; and

977 (b) is from an unknown source.

20. Page 33, Lines 998 through 1001:

998 (b) (i) For all individual contributions [~~or public service assistance~~] of [~~\$50~~] {~~-\$100~~} {~~\$25~~} \$50 or

999 less, a single aggregate figure may be reported without separate detailed listings.

1000 (ii) Two or more contributions from the same source that have an aggregate total of

1001 more than [~~\$50~~] {~~-\$100~~} {~~\$25~~} \$50 may not be reported in the aggregate, but shall be reported separately.

21. Page 34, Lines 1037 through 1040:

1037 (3) (a) For all individual contributions [~~or public service assistance~~] of [~~\$50~~] {~~-\$100~~} {~~\$25~~} \$50 or

1038 less, a single aggregate figure may be reported without separate detailed listings.

1039 (b) Two or more contributions from the same source that have an aggregate total of

1040 more than [~~\$50~~] {~~-\$100~~} {~~\$25~~} \$50 may not be reported in the aggregate, but shall be reported separately.

22. Page 34, Lines 1046 through 1048:

1046 (1) A county political party officer of a county political party that has received

1047 contributions totaling at least \$750, or disbursed expenditures totaling at least [\$50] {~~-\$100~~} {~~\$25~~} \$50 ,

1048 during a calendar year shall file a summary report by January 10 of the following year.

23. Page 35, Lines 1064 through 1067:

1064 (b) (i) For all individual contributions [~~or public service assistance~~] of [\$50] {~~-\$100~~} {~~\$25~~} \$50 or

1065 less, a single aggregate figure may be reported without separate detailed listings.

1066 (ii) Two or more contributions from the same source that have an aggregate total of

1067 more than [\$50] {~~-\$100~~} {~~\$25~~} \$50 may not be reported in the aggregate, but shall be reported separately.

24. Page 35, Lines 1077 through 1080:

1077 (1) (a) A county political party officer of a county political party that has received

1078 contributions totaling at least \$750, or disbursed expenditures totaling at least [\$50] {~~-\$100~~} {~~\$25~~} \$50 ,

1079 during a calendar year shall file an interim report at the following times in any year in which

1080 there is a regular general election:

25. Page 36, Lines 1108 through 1111:

1108 (3) (a) For all individual contributions [~~or public service assistance~~] of [\$50] {~~-\$100~~} {~~\$25~~} \$50 or

1109 less, a single aggregate figure may be reported without separate detailed listings.

1110 (b) Two or more contributions from the same source that have an aggregate total of

1111 more than [\$50] {~~-\$100~~} {~~\$25~~} \$50 may not be reported in the aggregate, but shall be reported separately.

26. Page 37, Lines 1120 through 1124:

1120 (b) If a political action committee is organized after the January 10 filing date, the

1121 political action committee shall file an initial statement of organization no later than seven days

1122 after:

1123 (i) receiving contributions totaling at least \$750; or

1124 (ii) distributing expenditures for political purposes totaling at least [~~\$50~~] {~~-\$100~~} {~~\$25~~} \$50 .

27. Page 38, Lines 1169 through 1171:

1169 (1) (a) Each registered political action committee that has received contributions

1170 totaling at least \$750, or disbursed expenditures totaling at least [~~\$50~~] {~~-\$100~~} {~~\$25~~} \$50 , during a calendar

1171 year shall file a verified financial statement with the lieutenant governor's office:

27. Page 40, Lines 1209 through 1213:

1209 (b) (i) Contributions received by a political action committee that have a value of [~~\$50~~]

1210 {~~-\$100~~} {~~\$25~~} \$50 or less need not be reported individually, but shall be listed on the report as an aggregate

1211 total.

1212 (ii) Two or more contributions from the same source that have an aggregate total of

1213 more than [~~\$50~~] {~~-\$100~~} {~~\$25~~} \$50 may not be reported in the aggregate, but shall be reported separately.

29. Page 40, Lines 1225 through 1228:

1225 (5) A political action committee may not expend a cash contribution for political

1226 purposes if the cash contribution:

1227 (a) exceeds {~~-\$100~~} {~~\$25~~} \$50 ; and

1228 (b) is from an unknown source.

30. Page 41, Lines 1245 through 1248:

1245 (2) That statement shall include:

1246 (a) the name and address of each individual, entity, or group of individuals or entities

1247 that received a political issues expenditure of more than [~~\$50~~]  
{~~-\$100~~} {~~\$25~~} \$50 from the corporation, and

1248 the amount of each political issues expenditure;

31. Page 41, Lines 1258 through 1262:

1258 (b) If a political issues committee is organized after the January 10 filing date, the

1259 political issues committee shall file an initial statement of organization no later than seven days

1260 after:

1261 (i) receiving political issues contributions totaling at least \$750; or

1262 (ii) disbursing political issues expenditures totaling at least [~~\$50~~]  
{~~-\$100~~} {~~\$25~~} \$50 .

32. Page 43, Lines 1308 through 1311:

1308 (1) (a) Each registered political issues committee that has received political issues

1309 contributions totaling at least \$750, or disbursed political issues expenditures totaling at least

1310 [~~\$50~~] {~~-\$100~~} {~~\$25~~} \$50 , during a calendar year, shall file a verified financial statement with the lieutenant

1311 governor's office:

33. Page 44, Lines 1347 through 1350:

1347 (vi) except as provided in Subsection (2)(c), the name and address of each individual,

1348 entity, or group of individuals or entities that received a political issues expenditure of more

1349 than [~~\$50~~] {~~-\$100~~} {~~\$25~~} \$50 from the reporting political issues committee, and the amount of each political

1350 issues expenditure;

## 34. Page 45, Lines 1362 through 1367:

1362 (b) (i) Political issues contributions received by a political  
 1363 issues committee that have a

1363 value of [~~\$50~~] {~~-\$100~~} {~~\$25~~} \$50 or less need not be  
 1364 reported individually, but shall be listed on the report as

1364 an aggregate total.

1365 (ii) Two or more political issues contributions from the same  
 1366 source that have an

1366 aggregate total of more than [~~\$50~~]  
 1367 {~~-\$100~~} {~~\$25~~} \$50 may not be reported in the aggregate, but  
 shall be

1367 reported separately.

## 35. Page 45, Lines 1380 through 1383:

1380 (4) A political issues committee may not expend a cash  
 1381 contribution for a political

1381 issues expenditure if the cash contribution:

1382 (a) exceeds {~~-\$100~~} {~~\$25~~} \$50 ; and

1383 (b) is from an unknown source.

## 36. Page 45, Line 1391 through Page 46, Line 1392:

1391 (4) make a contribution that exceeds  
 1392 {~~-\$100~~} {~~\$25~~} \$50 without disclosing the person's name.

1392 Section 22. Section 20A-11-1301 is amended to read:

## 37. Page 47, Lines 1436 through 1437:

1436 (7) Within 30 days after receiving a cash contribution that  
 1437 exceeds {~~-\$100~~} {~~\$25~~} \$50 from an

1437 unknown source, a school board office candidate shall disburse  
 the contribution to:

## 38. Page 49, Lines 1486 through 1489:

1486 (b) (i) For all individual contributions or public service  
 1487 assistance of [~~\$50~~] {~~-\$100~~} {~~\$25~~} \$50 or

1487 less, a single aggregate figure may be reported without separate  
 1488 detailed listings.

1488 (ii) Two or more contributions from the same source that have an aggregate total of

1489 more than [\$50] {~~-\$100~~} {~~\$25~~} \$50 may not be reported in the aggregate, but shall be reported separately.

39. Page 50, Lines 1534 through 1537:

1534 (3) (a) For all individual contributions or public service assistance of [\$50] {~~-\$100~~} {~~\$25~~} \$50 or

1535 less, a single aggregate figure may be reported without separate detailed listings.

1536 (b) Two or more contributions from the same source that have an aggregate total of

1537 more than [\$50] {~~-\$100~~} {~~\$25~~} \$50 may not be reported in the aggregate, but shall be reported separately.

40. Page 51, Lines 1562 through 1565:

1562 (2) The financial statement shall include:

1563 (a) the name and address of each reporting entity that received an expenditure or

1564 political issues expenditure of more than [\$50] {~~-\$100~~} {~~\$25~~} \$50 from the labor organization, and the

1565 amount of each expenditure or political issues expenditure;

41. Page 54, Lines 1654 through 1656:

1654 (4) Within 30 days after receiving a cash contribution that exceeds {~~-\$100~~} {~~\$25~~} \$50 from an

1655 unknown source, a judge or the judge's personal campaign committee shall disburse the amount

1656 of the contribution to:

42. Page 55, Lines 1679 through 1682:

1679 (b) (i) For all single contributions of [\$50] {~~-\$100~~} {~~\$25~~} \$50 or less, an aggregate figure may be

1680 reported without a separate detailed listing.

1681 (ii) Two or more contributions from the same source for a total of more than [\$50]

1682 {~~-\$100~~} {~~\$25~~} \$50 may not be reported in the aggregate, but shall be reported in the detailed listing.

43. Page 56, Lines 1703 through 1706:

1703 (3) (a) For all individual contributions of [~~\$50~~]  
{~~-\$100~~} {~~\$25~~} \$50 or less, a single aggregate figure

1704 may be reported without separate detailed listings.

1705 (b) Two or more contributions from the same source that have an aggregate total of

1706 more than [~~\$50~~] {~~-\$100~~} {~~\$25~~} \$50 may not be reported in the aggregate, but shall be reported separately.

Senator Harper’s motion to amend passed on a voice vote.

Senators Jenkins, Madsen, Dayton, Jones, Bramble, Robles, Dabakis, Harper, Okerlund, and Henderson commented and the bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**H.B. 38**, as amended, was returned to the House for further consideration.

\* \* \*

On motion of Senator Weiler, **S.B. 56**, UTAH 211 REFERRAL INFORMATION NETWORK, was read the third time and circled.

**SECOND READING CALENDAR**

On motion of Senator Dayton, **S.B. 60**, ABORTION STATISTICS AND REPORTING REQUIREMENTS, was read the second time and circled.



\* \* \*

On motion of Senator Okerlund, the circle was removed from **S.B. 57, AGRICULTURE ENVIRONMENTAL STEWARD AMENDMENTS**, and it was before the Senate.

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

**1st Sub. S.B. 57 Agriculture Environmental Steward Amendments**  
(R. Okerlund)

On motion of Senator Okerlund, the bill was circled.

\* \* \*

**S.C.R. 8, CONCURRENT RESOLUTION FOR THE PROVO RESERVOIR CANAL TITLE TRANSFER**, was read the second time. Senator Dayton explained the bill. Senator Valentine commented. The bill passed second reading on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stevenson	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Adams	Madsen	Stephenson	Thatcher
Urquhart			

\* \* \*

**S.B. 100, HIGHER EDUCATION SCHOLARSHIP AMENDMENTS**, was read the second time. Senator Stevenson explained the bill.

Senator Dayton proposed the following amendment:

1. Page 1, Lines 12 through 14

12 { ~~→ allows the Board of Regents to assign additional weights to grades earned in~~

13 ~~International Baccalaureate program courses in determining scholarship eligibility~~

14 ~~in the Regents' Scholarship Program; }~~

2. Page 5, Line 143 through Page 7, Line 183:

143 { ~~Section 2. Section 53B-8-109 is amended to read:~~

144 ~~53B-8-109. Regents' Scholarship Program — Base Regents' scholarship —~~

145 ~~Qualifications — Application.~~

146 ~~(1) A student qualifies for a Base Regents' scholarship if the student:~~

147 ~~(a) completes the high school graduation requirements of:~~

148 ~~(i) a public school established by the State Board of Education and the student's school~~

149 ~~district or charter school; or~~

150 ~~(ii) a private high school in the state that is accredited by a regional accrediting body~~

151 ~~approved by the board;~~

152 ~~(b) completes high school with at least a 3.0 cumulative grade point average;~~

153 ~~(c) has at least one reported ACT test score; and~~

154 ~~(d) (i) completes the following high school or college credit in grades 9-12:~~

155 ~~(A) four units of credit of English;~~

156 ~~(B) four units of credit of mathematics;~~

157 ~~(C) three and one-half units of credit of social science;~~

158 ~~(D) three units of credit of lab-based natural science; and~~

159 ~~(E) two units of credit of sequential world or classical language other than English; and~~

160 ~~(ii) except as provided in Subsection (4), earns a course grade on a transcript of "C" or~~

161 above in each individual course listed in Subsection (1)(d)(i).

162 (2) ~~The board shall establish policies to determine specific~~  
163 ~~courses that meet the~~

164 ~~requirements under Subsection (1)(d)(i).~~

164 (3) ~~To be eligible for the scholarship, a student:~~

165 (a) ~~shall submit an application to the board with:~~

166 (i) ~~a copy of the student's official high school transcript and~~  
167 ~~ACT scores; and~~

167 (ii) ~~if applicable, a college transcript showing a college course~~  
168 ~~the student has~~

168 ~~completed to meet the requirements of Subsection (1)(d);~~

169 (b) ~~shall be a citizen of the United States or a noncitizen who is~~  
170 ~~eligible to receive~~

170 ~~federal student aid;~~

171 (c) ~~may not have a criminal record, with the exception of a~~  
172 ~~misdemeanor traffic~~

172 ~~citation; and~~

173 (d) ~~if applicable, shall meet the application deadlines as~~  
174 ~~established by the board under~~

174 ~~Subsection 53B-8-108(9).~~

175 (4) ~~For purposes of determining if a student meets the grade~~  
176 ~~requirements of~~

176 ~~Subsection (1)(d)(ii), the board shall assign additional weights to~~  
177 ~~grades earned in courses~~

177 ~~described in Subsection (1)(d)(i) that are advanced placement [or],~~  
178 ~~concurrent enrollment, or~~

178 ~~International Baccalaureate program courses.~~

179 (5) (a) ~~The amount of the Base Regents' scholarship is \$1,000.~~

180 (b) ~~The board may adjust the amount of the Base Regents'~~  
181 ~~scholarship by up to a~~

181 ~~percentage of the average percentage tuition increase approved by~~  
182 ~~the board for institutions in~~

182 ~~the system of higher education.~~

183 Section 3. Section 53B-8-111 is amended to read:

3. Page 8, Lines 227 through 230:

227 (7) For purposes of determining if a student meets the grade requirements of

228 Subsection (1)(b), the board shall assign additional weights to grades earned in courses

229 described in Subsection 53B-8-109(1)(d)(i) that are advanced placement {~~+~~} or {~~-~~} {~~-~~} concurrent

230 enrollment {~~, or International Baccalaureate program~~} courses.

Senator Dayton's motion to amend failed on a voice vote.

###

Senator Christensen proposed the following amendment:

1. Page 1, Line 18:  
After "register" insert "and maintain"
2. Page 5, Line 123:  
After "register" insert "and maintain"
3. Page 8, Line 222:  
After "register" insert "and maintain"

Senator Christensen's motion to amend failed on a voice vote.

###

Senator Valentine proposed the following amendment:

1. Page 10, Line 294:  
Delete "; and"
2. Page 10, Lines 295 to 297:  
Delete lines 295 to 297

Senator Valentine's motion to amend passed on a voice vote. Senators Jones, Davis, Shiozawa, Valentine, Christensen, Jenkins, Robles, Vickers, Reid, and Madsen commented. The bill passed second reading on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Hillyard
Jenkins	Jones	Knudson	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Dayton                      Madsen

**Absent or not voting was:** Senator

Hinkins

\* \* \*

On motion of Senator Okerlund, and at 12:00 p.m., the Senate adjourned until 10:00 a.m., Wednesday, February 13, 2013.

# SEVENTEENTH DAY

**February 13, 2013**

The Senate was called to order at 10:00 a.m., with President Wayne Niederhauser presiding.

**Prayer** – Seleck Rigby, Canyon View High School

**National Anthem** – Tiara Johnson

**Pledge of Allegiance** – Karlee Hirschi

**Roll Call** – All Senators present except Senator Bramble, excused.

## READING OF TITLES OF BILLS AND RESOLUTIONS (PLEASE REFER TO DAY 1, PAGE 81)

### COMMUNICATIONS FROM THE HOUSE

Mr. President:

February 12, 2013

The House passed, as amended, **H.B. 13**, PROTECTION OF CHILDREN RIDING IN MOTOR VEHICLES, by Representative P. Arent, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 28**, CAMPUS SAFETY AMENDMENTS, by Representative D. Ipson, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 30**, LINE-OF-DUTY DEATH AND DISABILITY AMENDMENTS, by Representative R. Menlove, and it is transmitted for consideration; and

The House passed, as substituted, **2nd Sub. H.B. 47**, INSURANCE LAW AMENDMENTS, by Representative J. Dunnigan, and it is transmitted for consideration; and

The House passed, as substituted and amended, **2nd Sub. H.B. 81**, CYTOMEGALOVIRUS PUBLIC HEALTH INITIATIVE, by Representative R. Menlove, and it is transmitted for consideration; and

The House passed **H.B. 101**, HOMEOWNERS ASSOCIATION AMENDMENTS, by Representative J. Stanard, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 245**, CONSUMER PROTECTION AMENDMENTS, by Representative D. Brown, and it is transmitted for consideration; and

The House passed **H.B. 255**, CLASSIFIED SCHOOL EMPLOYEE AMENDMENTS, by Representative B. Last, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 279**, ADMINISTRATIVE HEARINGS BY COUNTIES, by Representative S. Cox, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 295**, ELECTRONIC PROOF OF OWNER'S OR OPERATOR'S SECURITY, by Representative D. Brown, and it is transmitted for consideration; and

The House passed **H.J.R. 4**, JOINT RESOLUTION ON REMOTE SALES, by Representative S. Eliason, and it is transmitted for consideration.

Sandy D. Tenney, 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 12, 2011

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

#### **Business and Labor Committee**

**S.B. 182** Storage Unit Amendments (Sen. J. S. Adams)

#### **Education Committee**

**S.B. 69** Assessment and Reporting of Student Performance  
(Sen. R. Okerlund)

**H.B. 298** Parent Seminar on Youth Protection (Rep. S. Eliason)  
(Sen. A. Osmond)

#### **Government Operations and Political Subdivisions Committee**

**S.B. 68** State Surplus Property Program Amendments  
(Sen. T. Weiler)

**S.B. 181** Political Subdivisions Property Amendments  
(Sen. W. Harper)

**S.C.R. 7** Concurrent Resolution to Reduce Utah's Dependence on  
Federal Funds (Sen. A. Osmond)

**Health and Human Services Committee**

**H.C.R. 2** Concurrent Resolution to Reduce Obesity in Utah  
(Rep. S. Barlow) (Sen. A. Christensen)

**Judiciary, Law Enforcement, and Criminal Justice Committee**

**S.B. 183** Adoption Agency Modifications (Sen. L. Robles)  
**H.B. 301** Bail Bond Recovery Licensure Amendments  
(Rep. E. Redd) (Sen. L. Hillyard)

**Natural Resources, Agriculture and Environment Committee**

**H.B. 90** Fishing License Waiver Amendments  
(Rep. R. Chavez–Houck) (Sen. R. Okerlund)

**Transportation, Public Utilities and Technology Committee**

**S.B. 180** Public Utilities Amendments (Sen. K. Van Tassel)

John L. Valentine  
Rules Committee Chair

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

**STANDING COMMITTEE REPORTS**

Mr. President: February 12, 2013

The Business and Labor Committee reports a favorable recommendation on **H.B. 71, MOBILE AND MANUFACTURED HOME AMENDMENTS**, by Representative M. Roberts; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 94, GOVERNMENT RECORDS AMENDMENTS**, by Senator C. Bramble.

Curtis S. Bramble, Chair

Mr. President: February 12, 2013

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 62, GOVERNOR'S FIRE SUPPRESSION AUTHORITY**, by Senator M. Dayton; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 65, ELECTION CODE – FINANCIAL REPORTING REQUIREMENT AMENDMENTS**, by Senator J. Valentine; and



The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 172**, USE OF BOND PROCEEDS BY POLITICAL SUBDIVISIONS, by Senator J. Valentine; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.J.R. 11**, JOINT RESOLUTION ON ENVIRONMENTAL AND DEVELOPMENTAL POLICIES, by Senator T. Weiler.

Margaret Dayton, Chair

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

### STANDING COMMITTEE REPORTS

Mr. President:

February 12, 2013

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 14**, REQUIREMENTS TO CHANGE FORM OF COUNTY GOVERNMENT, by Representative K. Grover, and recommends it be considered read for the second time and placed on the Consent Calendar.

Margaret Dayton, Chair

On motion of Senator Valentine, the committee report was adopted. The bill was considered read the second time and placed on the Consent Calendar.

### INTRODUCTION OF BILLS

**S.B. 70, Commission Relating to Federal Issues** (D. Henderson), was read the first time by short title and referred to the Rules Committee.

**S.B. 184, Youth Suicide Prevention Revisions** (L. Robles), was read the first time by short title and referred to the Rules Committee.

**S.B. 185, Division of Oil, Gas, and Mining Amendments** (K. Van Tassell), was read the first time by short title and referred to the Rules Committee.

**S.B. 186, Insurance Transactions Amendments** (L. Robles), was read the first time by short title and referred to the Rules Committee.

**S.B. 187, Food Handler Licensing Amendments** (C. Bramble), was read the first time by short title and referred to the Rules Committee.

**S.B. 188, Amendments to Adoption Requirements** (T. Weiler), was read the first time by short title and referred to the Rules Committee.

**S.B. 189, Oncology Insurance Amendments** (C. Bramble), was read the first time by short title and referred to the Rules Committee.

### THIRD READING CALENDAR

On motion of Senator Okerlund, **S.B. 161, RESTITUTION AMENDMENTS**, was read the third time and circled.

\* \* \*

**S.C.R. 8, CONCURRENT RESOLUTION FOR THE PROVO RESERVOIR CANAL TITLE TRANSFER**, was read the third time, explained by Senator Dayton, and passed on the following roll call:

**Yeas, 22; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Knudson	Mayne
Okerlund	Osmond	Reid	Shiozawa
Stevenson	Urquhart	Valentine	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Bramble	Jones	Madsen	Robles
Stephenson	Thatcher	Van Tassell	

**S.C.R. 8** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Stevenson, **S.B. 100, HIGHER EDUCATION SCHOLARSHIP AMENDMENTS**, was read the third time and circled.

\* \* \*

On motion of Senator Knudson, the circle was removed from **S.B. 24, ABSENTEE BALLOT AMENDMENTS**, and it was before the Senate.

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

**1st Sub. S.B. 24, Absentee Ballot Amendments (P. Knudson)**

On motion of Senator Knudson, the bill was circled.

**SECOND READING CALENDAR**

**H.B. 48, MEDICAL RESERVE CORPS AMENDMENTS**, was read the second time. Senator Shiozawa explained the bill. The bill passed second reading on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stevenson	Thatcher
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Bramble	Robles	Stephenson	Urquhart
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\* \* \*

**H.B. 29, ADJUDICATION OF WATER RIGHTS**, was read the second time. Senator Okerlund explained the bill. The bill passed second reading on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stevenson	Thatcher
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Bramble	Robles	Stephenson	Urquhart
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\* \* \*

On motion of Senator Okerlund, the circle was removed from **1st Sub. S.B. 57, AGRICULTURE ENVIRONMENTAL STEWARD AMENDMENTS**, and it was before the Senate. Senator Okerlund explained the bill. The bill passed second reading on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Bramble	Hillyard	Robles	Urquhart
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\* \* \*

On motion of Senator Okerlund, **H.B. 36, STORM WATER CAPTURE AMENDMENTS**, was read the second time and circled.

\* \* \*

On motion of Senator Weiler, **1st Sub. H.B. 24, UTAH RETIREMENT SYSTEM AMENDMENTS**, was read the second time and circled.

\* \* \*

**H.B. 35, RETIREMENT ANALYSIS FOR NEW PUBLIC ENTITIES**, was read the second time. Senator Weiler explained the bill. The bill passed second reading on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Bramble	Hillyard	Robles	Thatcher
Urquhart			

\* \* \*

**1st Sub. H.B. 54, PROPERTY TAX AND APPRAISER AMENDMENTS,** was read the second time. Senator Stephenson explained the bill. Senator Mayne commented. The bill passed second reading on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Bramble	Robles	Urquhart	Valentine
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\* \* \*

**2nd Sub. H.B. 15, STATE PARK ACCESS AMENDMENTS,** was read the second time. Senator Hinkins explained the bill. The bill passed second reading on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Bramble	Osmond	Robles	Urquhart
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\* \* \*

**H.B. 23, HIGH OCCUPANCY VEHICLE LAND AMENDMENTS**, was read the second time. Senator Adams explained the bill. Senators Dabakis, Madsen, Van Tassell, and Thatcher commented. The bill passed second reading on the following roll call:

**Yeas, 23; Nays, 2; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dayton	Harper
Henderson	Hillyard	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stevenson
Stevenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Voting in the negative were:** Senators

Dabakis	Davis
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**Absent or not voting were:** Senators

Bramble	Hinkins	Robles	Urquhart
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\* \* \*

On motion of Senator Weiler, **H.B. 34, SPECIAL GROUP LICENSE PLATE AMENDMENTS**, was read the second time and circled.

\* \* \*

**H.B. 261, PAYROLL AMENDMENTS – PUBLIC SAFETY**, was read the second time. Senator Weiler explained the bill. The bill passed second reading on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stevenson	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Bramble	Robles	Stephenson	Thatcher
Urquhart			

\* \* \*

**H.B. 272, TRAFFIC SIGNAL AMENDMENTS,** was read the second time. Senator Madsen explained the bill. Senators Jenkins and Adams commented. The bill passed second reading on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stevenson	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Bramble	Robles	Stephenson	Thatcher
Urquhart			

**SPECIAL RECOGNITION**

A citation was read recognizing the Utah Tour Guide Association.

**SECOND READING CALENDAR**

**H.B. 249, REFUGEE SERVICES FUND AMENDMENTS,** was read the second time. Senator Harper explained the bill. The bill passed second reading on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Mayne
Okerlund	Osmond	Reid	Shiozawa
Stephenson	Stevenson	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Bramble	Hillyard	Madsen	Robles
Thatcher	Urquhart		

\* \* \*

**H.B. 56,** BEHAVIORAL HEALTH CARE WORKFORCE AMENDMENTS, was read the second time. Senator Christensen explained the bill. The bill passed second reading on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.****Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Mayne
Okerlund	Osmond	Reid	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Bramble	Hillyard	Madsen	Robles
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\* \* \*

**H.B. 57,** MENTAL AND BEHAVIORAL HEALTH AMENDMENTS, was read the second time. Senator Christensen explained the bill. The bill passed second reading on the following roll call:

**Yeas, 22; Nays, 0; Absent or not voting, 7.****Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Dayton
Harper	Henderson	Hinkins	Jenkins
Jones	Knudson	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Bramble	Davis	Hillyard	Madsen
Mayne	Robles	Thatcher	



## COMMUNICATIONS FROM THE HOUSE

Mr. President:

February 13, 2013

The House passed, as substituted, **2nd Sub. H.B. 61**, DIXIE STATE COLLEGE – UNIVERSITY STATUS, by Representative D. Ipson, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

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

### TIME CERTAIN CALENDAR

On motion of Senator Valentine, the Senate voted to lift **2nd Sub. H.B. 61**, DIXIE STATE COLLEGE – UNIVERSITY STATUS, from Rules and place it at the top of the Second Reading Calendar.

On motion of Senator Urquhart, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Urquhart, under suspension of the rules, the Senate voted to suspend the rules requiring a committee hearing and the 24-hour requirement.

On motion of Senator Urquhart, under suspension of the rules, **2nd Sub. H.B. 61**, DIXIE STATE COLLEGE – UNIVERSITY STATUS, was considered read the second and third times. Senators Vickers, Jones, Okerlund, and Weiler commented and the bill passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Henderson	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Shiozawa
Stephenson	Stevenson	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Bramble	Harper	Hillyard	Robles
Thatcher			

**2nd Sub. H.B. 61** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

## SECOND READING CALENDAR

On motion of Senator Weiler, the circle was removed from **H.B. 34, SPECIAL GROUP LICENSE PLATE AMENDMENTS**, and it was before the Senate.

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

**1st Sub. H.B. 34 Special Group License Plate Amendments**  
(Rep.V. Peterson)

Senator Weiler explained the bill. Senators Dabakis and Harper commented. The bill passed second reading on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Davis	Dayton
Harper	Henderson	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Shiozawa
Stephenson	Stevenson	Thatcher	Valentine
Van Tassell	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Adams	Bramble	Hillyard	Robles
Urquhart	Vickers		

## INTRODUCTION OF BILLS

**S.B. 71, Results-based Financing for Early Childhood Education** (A. Osmond), was read the first time by short title and referred to the Rules Committee.

**S.B. 190, Procurement Revisions** (S. Jenkins), was read the first time by short title and referred to the Rules Committee.

\* \* \*

On motion of Senator Okerlund, and at 11:50 a.m., the Senate adjourned until 10:00 a.m., Thursday, February 14, 2013.

# EIGHTEENTH DAY

**February 14, 2013**

The Senate was called to order at 10:00 a.m., with President Wayne Niederhauser presiding.

**Prayer** – Vanessa Watson, American Heart Association

**Pledge of Allegiance** – Senator Scott Jenkins

**Roll Call** – All Senators present

## READING OF TITLES OF BILLS AND RESOLUTIONS (PLEASE REFER TO DAY 1, PAGE 81)

### COMMUNICATIONS FROM THE HOUSE

Mr. President: February 13, 2013

The House passed, **S.B. 10**, RETIREMENT ELIGIBILITY AMENDMENTS, by Senator T. Weiler, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 12**, PUBLIC TRANSIT DISTRICT CUSTOMER INFORMATION, by Senator K. Van Tassell, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 14**, RESEARCH USING PHARMACEUTICALS, by Senator P. Jones, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 16**, HEALTH INSURANCE COVERAGE RESTRICTIONS ON RETIRED GOVERNORS AND LEGISLATORS, by Senator T. Weiler, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 19**, COMMERCIAL DRIVER LICENSE AMENDMENTS, by Senator K. Van Tassell, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 25**, ELECTIONS DURING DECLARED EMERGENCY, by Senator P. Knudson, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 26**, RISK MANAGEMENT FOR INDEPENDENT ENTITIES, by Senator T. Weiler, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 37**, TIME PERIOD FOR PAYING A TAX, INTEREST, OR PENALTIES AFTER A JUDICIAL DECISION, by Senator D. Henderson, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 142**, REPEAL OF BLACKLISTING PROVISIONS, by Senator D. Thatcher, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President:

February 13, 2013

The House passed, as amended, **H.B. 86**, PROPERTY TAX RATE CERTIFICATION DATE, by Representative M. Nelson, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 309**, JUDICIAL PERFORMANCE EVALUATION AMENDMENTS, by Representative V. L. Snow, and it is transmitted for consideration.

Sandy D. Tenney, 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 13, 2011

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

#### **Business and Labor Committee**

- |                         |   |
|-------------------------|---|
| <b>S.B. 187</b>         | Food Handler Licensing Amendments (Sen. C. Bramble)                       |
| <b>S.B. 189</b>         | Oncology Insurance Amendments (Sen. C. Bramble)                           |
| <b>2nd Sub. H.B. 47</b> | Insurance Law Amendments (Rep. J. Dunnigan)<br>(Sen. J. Valentine)        |
| <b>H.B. 101</b>         | Homeowners Association Amendments (Rep. J. Stanard)<br>(Sen. S. Urquhart) |
| <b>H.J.R. 4</b>         | Joint Resolution on Remote Sales (Rep. S. Eliason)<br>(Sen. W. Harper)    |

**Education Committee**

- S.B. 184** Youth Suicide Prevention Revisions (Sen. L. Robles)
- 1st Sub. H.B. 28** Campus Safety Amendments (Rep. D. Ipson)  
(Sen. J. Valentine)
- H.B. 255** Classified School Employee Amendments  
(Rep. B. Last) (Sen. S. Urquhart)

**Government Operations and Political Subdivisions Committee**

- S.B. 70** Commission Relating to Federal Issues  
(Sen. D. Henderson)
- H.B. 279** Administrative Hearings by Counties (Rep. S. Cox)  
(Sen. E. Vickers)

**Health and Human Services Committee**

- 2nd Sub. H.B. 81** Cytomegalovirus Public Health Initiative  
(Rep. R. Menlove) (Sen. C. Bramble)

**Judiciary, Law Enforcement, and Criminal Justice Committee**

- S.B. 188** Amendments to Adoption Requirements  
(Sen. T. Weiler)

**Natural Resources, Agriculture and Environment Committee**

- S.B. 185** Division of Oil, Gas, and Mining Amendments  
(Sen. K. Van Tassell)

**Retirement and Independent Entities Committee**

- H.B. 30** Line-of-duty Death and Disability Amendments  
(Rep. R. Menlove) (Sen. C. Bramble)

**Transportation, Public Utilities and Technology Committee**

- H.B. 295** Electronic Proof of Owner's or Operator's Security  
(Rep. D. Brown) (Sen. T. Weiler)

John L. Valentine  
Rules Committee Chair

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

### STANDING COMMITTEE REPORTS

Mr. President: February 12, 2013

The Education Committee reports a favorable recommendation on **1st Sub. H.B. 254**, COLLEGE CREDITS FOR VETERANS, by Representative P. Ray, with the following amendments:

1. Page 2, Lines 36 through 41:

36 (2) An institution of higher education listed in Section 53B-2-101 shall award credit for

37 military service and training as recommended by a postsecondary accreditation agency or

38 association designated by the State Board of Regents or the Utah College of Applied Technology Board of Trustees if:

39 (a) requested by the student; and

40 (b) the student has met with an advisor at an institution of higher education listed in

41 Section {~~53B-1-101~~} ~~53B-2-101~~ at which the student intends to enroll to discuss applicability of credit to ; and

The Education Committee reports a favorable recommendation on **H.B. 269**, TRAINING OF SCHOOL NURSES, by Representative P. Ray; and

The Education Committee reports a favorable recommendation on **H.B. 285**, MODIFICATION OF EDUCATION-RELATED REPORTING REQUIREMENTS, by Representative F. Gibson; and

The Education Committee reports a favorable recommendation on **S.B. 175**, ASSESSMENT OF COLLEGE READINESS, by Senator H. Stephenson.

Stuart C. Reid, Chair

Mr. President: February 13, 2013

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 49**, VOTED AND BOARD LEVY PROGRAMS AMENDMENTS, by Representative S. Handy; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **1st Sub. H.B. 85**, VOTING RECOUNT AMENDMENTS, by Representative C. Hall; and

The Government Operations and Political Subdivisions Committee recommends **S.B. 17**, ACCOUNT FOR PEOPLE WITH DISABILITIES AMENDMENTS, by Senator M. Dayton, be replaced and favorably recommends **1st Sub. S.B. 17**, ACCOUNT FOR PEOPLE WITH DISABILITIES AMENDMENTS; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 68**, STATE SURPLUS PROPERTY PROGRAM AMENDMENTS, by Senator T. Weiler.

Margaret Dayton, Chair

Mr. President: February 12, 2013

The Health and Human Services Committee reports a favorable recommendation on **H.B. 276**, NEWBORN SCREENING FOR CRITICAL CONGENITAL HEART DEFECTS, by Representative P. Ray, with the following amendments:

- 1. Page 3, Lines 88a through 88h  
House Committee Amendments  
2-4-2013:

88a ~~H→~~ (6) Prior to implementing the test required by Subsection (1)(d), the department

88b shall conduct a pilot program for testing newborns for critical congenital heart defects using

88c pulse oximetry. The pilot program shall include the development of:

88d (a) appropriate oxygen saturation levels that would indicate a need for further medical

88e follow-up; and

88f (b) the best methods for implementing the pulse oximetry screening in newborn care

88g units { ~~;~~ and

88h (c) electronic reporting mechanisms } . ←H

Evan J. Vickers, Chair

Mr. President: February 11, 2013

The Judiciary, Law Enforcement, and Criminal Justice Committee recommends **H.B. 10**, SEX OFFENSE AMENDMENTS, by Representative

R. Greenwood, be replaced and favorably recommends **1st Sub. H.B. 10**, SEX OFFENSE AMENDMENTS with the following amendments:

1. Page 1, Line 26 through Page 2, Line 26

This bill provides an immediate effective date.

26            {~~None~~}

2. Page 3, Line 85:

85            (5) A violation of Subsection [~~(2)(d)~~] (2)(b)(iv) is a class A misdemeanor.

Section 3. Effective date.

If approved by two-thirds of all the members elected to each house, this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto, the date of veto override. ; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 33**, EXPUNGEMENT PROCESS AMENDMENTS, by Representative E. Hutchings, with the following amendments:

1. Page 4, Lines 110 through 114:

110            (a) Subsection 58-37-8(2), except any offense under Subsection 58-37-8(2)(b)(i) <sup>Δ</sup>

possession of 100 pounds or more of marijuana, any offense enhanced under Subsection

112 58-37-8(2)(e) {~~for~~} <sup>Δ</sup> violation in a correctional facility or Subsection 58-37-8(2)(g), driving with a

113 controlled substance illegally in the person's body and negligently causing serious bodily injury

114 or death of another; ; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 87**, ATTEMPTED AGGRAVATED MURDER AMENDMENTS, by Representative L. Perry, with the following amendments:

1. Page 1, Line 14:



14 years and up to life ; and  
 ► provides that the court may impose a lesser penalty if it finds a lesser sentence to be in the interests of justice and states its reasons on the record .

- 2. Page 1, Line 27 through Page 2, Line 28:

27 (a) (i) a capital felony, or a felony punishable by imprisonment for life without parole, is a

28 first degree felony {~~—except that~~ } ;  
(ii) except as provided in Subsection (2), an attempt to commit aggravated murder, Section 76-5-202,

- 3. Page 2, Line 39:

39 (d) except as provided in Subsection {~~-(2)-~~} (3) , any of the following offenses is a first degree

- 4. Page 2, Line 51:

(2) If, when imposing a sentence under Subsection (1)(a)(ii), a court finds that a lesser term than the term described in Subsection (1)(a)(ii) is in the interests of justice and the court states the reasons for this finding on the record, the court may impose a term of imprisonment of not less than:

- (a) 10 years and which may be for life; or
- (b) six years and which may be for life.

51 {~~-(2)-~~} (3) If, when imposing a sentence under Subsection (1)(d), a court finds that a lesser ; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 105**, BOARD OF PARDONS AND PAROLE REVISIONS, by Senator D. Thatcher, with the following amendments:

- 1. Page 1, Line 16:

16 ► includes {~~the existing~~} a definition of {~~immediate~~} family member .

- 2. Page 2, Line 28:

28 Board of Pardons and Parole or acting against a family member of a judge or a member of the Board of Pardons and Parole .

- 3. Page 2, Line 31:

31 (b) “ { ~~Immediate family~~ } Family member ” means  
parents, spouse, surviving spouse, children, and siblings

4. Page 2, Line 48:

48 assault { ~~or attempted murder~~ } on a judge [ ~~or a member of the Board of Pardons and Parole~~ ], a ; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 170**, IDENTITY FRAUD AMENDMENTS, by Senator D. Thatcher.

Mark B. Madsen, Chair

Mr. President:

February 12, 2013

The Revenue and Taxation Committee recommends **H.B. 67**, PERSONAL PROPERTY TAXATION REVISIONS, by Representative G. Froerer, be replaced and favorably recommends **1st Sub. H.B. 67**, PROPERTY TAXATION REVISIONS and, due to a short title change, recommends that it be read for the first and second time; and

The Revenue and Taxation Committee reports a favorable recommendation on **1st Sub. H.B. 74**, PROPERTY TAX MODIFICATIONS, by Representative J. Mathis, with the following amendments:

1. Page 11, Lines 318 through 327  
 House Floor Amendments  
 2-8-2013:

318  $\hat{H} \rightarrow$  [~~(32)~~] (33)  $\leftarrow \hat{H}$  “Split estate mineral rights owner”  
means a person who:

319 (a) has a legal right to extract a mineral from property;

320 (b) does not hold more than a  $\hat{H} \rightarrow$  [~~1%~~] 25%  $\leftarrow \hat{H}$  interest in:

321 (i) the { ~~property's~~ } land surface rights of the property where the wellhead is located ; or

322 (ii) an entity with an ownership interest in the { ~~property's~~ - } land surface rights of the property where the wellhead is located ;

323 (c) is not an entity in which the owner of the { ~~property's~~ } land surface rights of the property where the wellhead is located holds more

324 ~~than a~~  $\hat{H} \rightarrow$  ~~[1%]~~ 25%  $\leftarrow \hat{H}$  interest; and

325 (d) does not have a relationship with an owner of the  
{-property's } land surface rights of the property where the  
wellhead is located  $\hat{H} \rightarrow$  [ that

326 is a relationship described in Subsection 267(b), Internal Revenue  
Code, except that the term

327 1% shall be substituted for the term 50% in Subsection 267(b),  
Internal Revenue Code]  $\leftarrow \hat{H}$  ; and

The Revenue and Taxation Committee recommends **S.B. 58, AMENDMENTS TO SALES AND USE TAX**, by Senator W. Harper, be replaced and favorably recommends **2nd Sub. S.B. 58, AMENDMENTS TO SALES AND USE TAX** with the following amendments:

- 1. Page 29, Lines 875 through 878:

875 (7) (a) The revenue and interest described in Subsection (6)(a)  
may be ~~{-expended for~~

876 local purposes } used to lower sales tax rates as the  
Legislature may provide by statute.

877 (b) The revenue and interest described in Subsection (6)(b)  
may ~~{- be expended as the~~

878 Legislature } be used to lower sales tax rates as may  
~~{-provide }~~ be provided by statute. ; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 171, SALES AND USE TAX EXEMPTION FOR ELECTRONIC FINANCIAL PAYMENT SERVICES**, by Senator H. Stephenson.

Deidre M. Henderson, Chair

Mr. President:

February 13, 2013

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 63, TRANSPORTATION PLANNING AND FUNDING TASK FORCE**, by Senator W. Harper; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 180, PUBLIC UTILITIES AMENDMENTS**, by Senator K. Van Tassell, with the following amendments:

- 1. Page 6, Lines 175 through 178:

175 (ii) Notwithstanding Subsection (5)(c)(i), if, within six months  
after the date that ~~any~~ oil  
176 filled equipment is transferred, the receiving party discovers that  
{~~the~~ } a transferred oil filled  
177 equipment contains polychlorinated biphenyl, the transferring  
party shall reimburse the  
178 receiving party for the cost of testing and disposal of that oil filled  
equipment.

Kevin T. Van Tassell, Chair

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

### STANDING COMMITTEE REPORTS

Mr. President: February 13, 2013

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 252**, NATIVE AMERICAN INDIAN RELATED AMENDMENTS, by Representative J. Draxler, and recommends it be considered read for the second time and placed on the Consent Calendar

Margaret Dayton, Chair

Mr. President: February 13, 2013

The Judiciary, Law Enforcement, and Criminal Justice Committee recommends **1st Sub. H.B. 69**, EXPUNGEMENT OF RECORDS, by Representative R. Greenwood, be replaced and favorably recommends **2nd Sub. H.B. 69**, EXPUNGEMENT OF RECORDS and that it be considered read for the second time and placed on the Consent Calendar; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **2nd Sub. H.B. 270**, PRESCRIPTION DRUG DATABASE ACCESS AMENDMENTS, by Representative R. Menlove, and recommends it be considered read for the second time and placed on the Consent Calendar.

Mark B. Madsen, Chair

Mr. President: February 13, 2013

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 90**, FISHING LICENSE WAIVER

AMENDMENTS, by Representative R. Chavez–Houck, and recommends it be considered read for the second time and placed on the Consent Calendar.

Scott K. Jenkins, Chair

Mr. President: February 13, 2013

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 60**, UTILITY FACILITY SITING, by Representative D. Sagers, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.C.R. 1**, CONCURRENT RESOLUTION URGING USE OF ADVANCE SIGNAL WARNING, by Representative J. Draxler, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 178**, DEPARTMENT OF TRANSPORTATION REVISIONS, by Senator K. Van Tassell, and recommends it be considered read for the second time and placed on the Consent Calendar.

Kevin T. Van Tassell, Chair

On motion of Senator Valentine, the committee reports were adopted. The bills were considered read the second time and placed on the Consent Calendar.

### INTRODUCTION OF BILLS

**S.B. 72, Prison Relocation and Development Amendments** (S. Jenkins), was read the first time by short title and referred to the Rules Committee.

**S.B. 173, Residential Construction Contract Amendments** (J. S. Adams), was read the first time by short title and referred to the Rules Committee.

**S.B. 191, Administrative Law Judge Amendments** (W. Harper), was read the first time by short title and referred to the Rules Committee.

**S.B. 192, Economic Development Incentives Act Amendments** (R. Okerlund), was read the first time by short title and referred to the Rules Committee.

**S.B. 193, Vehicle Registration Amendments** (S. Jenkins), was read the first time by short title and referred to the Rules Committee.

### COMMITTEE OF THE WHOLE

On motion of Senator Davis, Ms. Rozan Abdulkader Ahmad Dizayee, Ph.D, Member of Iraqi Kurdistan Parliament spoke in Committee of the Whole.

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

### CONSENT CALENDAR

**1st Sub. H.B. 21**, WORKFORCE SERVICES AMENDMENTS, was read the third time, explained by Senator Reid, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Davis	Robles	Stephenson
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**1st Sub. 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. 70**, UTAH STATE RAILROAD MUSEUM AUTHORITY AMENDMENTS, was read the third time, explained by Senator Knudson, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Dabakis                      Davis                      Robles                      Stephenson

**H.B. 70**, as amended, was returned to the House for further consideration.

**THIRD READING CALENDAR**

**H.B. 48**, MEDICAL RESERVE CORPS AMENDMENTS, was read the third time and explained by Senator Shiozawa. Senator Van Tassell commented and the bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**H.B. 48** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Bramble, the circle was removed from **S.B. 161**, RESTITUTION AMENDMENTS, and it was before the Senate.

Senator Bramble proposed the following amendment:

1. Page 1, Lines 19 through 21

19            { ~~→ provides that, before refunding bail that is posted in~~  
 20            ~~cash, by credit card, or by debit~~  
 21            ~~card, the court shall, after applying the amount posted towards any~~  
                  ~~fine ordered by~~  
 22            ~~the court, apply the remaining amount toward restitution; - }~~

2. Page 17, Lines 518 through 520  
Senate Committee Amendments  
2-7-2013:





**H.B. 29** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**1st Sub. S.B. 57**, AGRICULTURE ENVIRONMENTAL STEWARD AMENDMENTS, was read the third time, explained by Senator Okerlund, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Bramble	Jones	Robles
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**1st Sub. S.B. 57** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Valentine, **H.B. 35**, RETIREMENT ANALYSIS FOR NEW PUBLIC ENTITIES, was read the third time and circled.

\* \* \*

On motion of Senator Stevenson, the circle was removed from **S.B. 100**, HIGHER EDUCATION SCHOLARSHIP AMENDMENTS, and it was before the Senate.

Senator Valentine proposed the following amendment:

1. Page 1, Lines 20 through 21

20       ▶       exempts the Board of Regents from verifying lawful presence of certain scholarship

21 applicants under a certain verification program {---} and

requires an applicant for a New Century or Regents' scholarship to certify, under penalty of perjury, that the applicant is a United States citizen or lawfully present in the country.

2. Page 5, Lines 135 through 138:

135 (9) (a) The board shall adopt policies establishing an application process and an appeal

136 process for a New Century scholarship.

137 (b) The board shall disclose on all applications and related materials that the amount of

138 the scholarship is subject to funding and may be reduced, in accordance with Subsection (8)(c).

(c) The board shall require an applicant for a New Century scholarship to certify under penalty of perjury that:

(i) the applicant is a United State citizen; or

(ii) the applicant is a noncitizen who is eligible to receive federal student aid.

(d) The certification under this Subsection (9) shall include a statement advising the signer that providing false information subjects the signer to penalties for perjury.

3. Page 6, Lines 180 through 182:

180 (b) The board may adjust the amount of the Base Regents' scholarship by up to a

181 percentage of the average percentage tuition increase approved by the board for institutions in

182 the system of higher education.

(6)(a) The board shall require an applicant for a Regents' scholarship to certify under penalty of perjury that:

(i) the applicant is a United State citizen; or

(ii) the applicant is a noncitizen who is eligible to receive federal student aid.

(b) The certification under this Subsection (6) shall include a statement advising the signer that providing false information subjects the signer to penalties for perjury.

4. Page 10, Lines 294 through 297  
Senate 2nd Reading Amendments  
2-12-2013:

294 individual’s lawful presence in the United States[-]; **Ŝ→**  
 {-|} and  
 295 (i) an applicant for:  
 296 (i) a Regents’ scholarship described in Section 53B-8-109; or  
 297 (ii) a New Century scholarship described in Section  
53B-8-105. {-|} **←Ŝ**

Senator Valentine’s motion to amend passed on a voice vote.

###

Senator Valentine proposed the following amendment:

1. Page 1, Line 12 to 14:  
Delete lines 12 through 14
2. Page 6, Line 177:  
After “enrollment delete “, or”
3. Page 6, Line 178:  
Delete “International Baccalaureate program”

Senator Valentine’s motion to amend passed on a voice vote. Senator Stevenson explained the bill. Senators Dayton, Valentine, Bramble, Weiler, Osmond, Hillyard, Jones, Reid, and Dabakis commented. The bill passed on the following roll call:

**Yeas, 27; Nays, 1; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

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

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

**S.B. 100** was transmitted to the House for consideration.

\* \* \*

**1st Sub. H.B. 54, PROPERTY TAX AND APPRAISER AMENDMENTS,** was read the third time and explained by Senator Stephenson.

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

**2nd Sub. H.B. 54 Property Tax and Appraiser Amendments**  
(Rep. G. Froerer)

On motion of Senator Stephenson, the bill was circled.

\* \* \*

**2nd Sub. H.B. 15, STATE PARK ACCESS AMENDMENTS,** 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**2nd Sub. H.B. 15** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Knudson, the circle was removed from **1st Sub. S.B. 24, ABSENTEE BALLOT AMENDMENTS,** and it was before the Senate. Senator Knudson explained the bill. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Robles	Van Tassell
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**1st Sub. S.B. 24** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Stephenson, **H.B. 33**, EXPUNGEMENT PROCESS AMENDMENTS, will be considered Friday, February 15, 2013 at 10:30 a.m.

\* \* \*

On motion of Senator Weiler, the circle was removed from **H.B. 35**, RETIREMENT ANALYSIS FOR NEW PUBLIC ENTITIES, and it was before the Senate. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Robles	Van Tassell
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**H.B. 35** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 23**, HIGH OCCUPANCY VEHICLE LAND AMENDMENTS, was read the third time, explained by Senator Adams, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Niederhauser			

**Voting in the negative were:** Senators

Dabakis	Davis	Weiler
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**Absent or not voting was:** Senator

Robles

**H.B. 23** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 261**, PAYROLL AMENDMENTS – PUBLIC SAFETY, was read the third time, explained by Senator Weiler, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Hinkins	Robles
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**H.B. 261** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 272**, TRAFFIC SIGNAL AMENDMENTS, was read the third time, explained by Senator Madsen, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Bramble	Robles
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**H.B. 272** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Stephenson, the circle was removed from **2nd Sub. H.B. 54, PROPERTY TAX AND APPRAISER AMENDMENTS**, and it was before the Senate. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Bramble	Madsen	Robles
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**2nd Sub. H.B. 54** was returned to the House for further consideration.

\* \* \*

On motion of Senator Stevenson, the Senate voted to reconsider its action on **S.B. 100, HIGHER EDUCATION SCHOLARSHIP AMENDMENTS**.

On motion of Senator Stevenson, the bill was placed at the top of the Third Reading Calendar and circled.

\* \* \*

**H.B. 249**, REFUGEE SERVICES FUND AMENDMENTS, was read the third time, explained by Senator Harper, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Jones	Robles
-------	--------

**H.B. 249** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 56**, BEHAVIORAL HEALTH CARE WORKFORCE AMENDMENTS, was read the third time, explained by Senator Christensen, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Jones	Robles
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**H.B. 56** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Harper, legislative staff was authorized to draft a bill regarding capital improvement requirements.

\* \* \*

On motion of Senator Christensen, legislative staff was authorized to draft a bill regarding a code correction on a passed bill.

### **INTRODUCTION OF BILLS**

**S.B. 194, Pharmacy Practice Act Amendments** (E. Vickers), was read the first time by short title and referred to the Rules Committee.

**S.B. 196, License Plate Reader Amendments** (T. Weiler), was read the first time by short title and referred to the Rules Committee.

**S.B. 197, Private Investigators Qualification Amendments** (M. Dayton), was read the first time by short title and referred to the Rules Committee.

\* \* \*

On motion of Senator Okerlund, and at 11:50 a.m., the Senate adjourned until 10:00 a.m., Friday, February 15, 2013.

# NINETEENTH DAY

**February, 15, 2013**

The Senate was called to order at 10:05 a.m., with President Wayne Niederhauser presiding.

**Prayer** – Dr. Charles Clark, Salt Lake Bible Church

**Pledge of Allegiance** – Senator Kevin Van Tassell

**Roll Call** – All Senators present

## **READING OF TITLES OF BILLS AND RESOLUTIONS (PLEASE REFER TO DAY 1, PAGE 81)**

### **COMMUNICATIONS FROM THE HOUSE**

Mr. President:

February 14, 2013

The House passed, **S.B. 18**, CHILD CUSTODY PROCEEDINGS AMENDMENTS, by Senator L. Robles, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 41**, UNIFORM COMMERCIAL CODE AMENDMENTS, by Senator L. Hillyard, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 144**, REAUTHORIZATION OF PROHIBITIONS ON PRACTICING LAW WITHOUT A LICENSE, by Senator S. Jenkins, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.C.R. 2**, CONCURRENT RESOLUTION RECOGNIZING WORKERS' COMPENSATION FUND FOR WORKPLACE SAFETY, by Senator K. Mayne, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President: February 14, 2013

The House passed **H.B. 303**, TRUST DEED ASSIGNMENT AMENDMENTS, by Representative R. C. Webb, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President: February 14, 2013

The House passed, as amended, **S.B. 34**, SPECIAL ELECTION DATE FOR BALLOT PROPOSITIONS, by Senator H. Stephenson, and it is transmitted for further consideration; and

The House substituted and passed, **1st Sub. S.B. 35**, PROPERTY TAXATION OF BUSINESS PERSONAL PROPERTY, by Senator W. Harper, and it is transmitted for further consideration; and

The House passed, as amended, **S.B. 146**, DRIVING UNDER THE INFLUENCE AMENDMENTS, by Senator S. Jenkins, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bills were placed on the Concurrence Calendar.

### RULES COMMITTEE REPORTS

To the Members of the Senate: February 14, 2011

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

#### **Business and Labor Committee**

- S.B. 173** Residential Construction Contract Amendments  
(Sen. J. S. Adams)
- S.B. 186** Insurance Transactions Amendments (Sen. L. Robles)

#### **Economic Development and Workforce Services Committee**

- S.B. 71** Results-based Financing for Early Childhood Education  
(Sen. A. Osmond)

**Government Operations and Political Subdivisions Committee****S.B. 190** Procurement Revisions (Sen. S. Jenkins)**Judiciary, Law Enforcement, and Criminal Justice Committee****S.B. 72** Prison Relocation and Development Amendments  
(Sen. S. Jenkins)**S.B. 191** Administrative Law Judge Amendments (Sen. W. Harper)**1st Sub. H.B. 309** Judicial Performance Evaluation Amendments  
(Rep. V. L. Snow) (Sen. S. Urquhart)**Revenue and Taxation Committee****H.B. 86** Property Tax Rate Certification Date (Rep. M. Nelson)  
(Sen. P. Knudson)**Transportation, Public Utilities and Technology Committee****S.B. 193** Vehicle Registration Amendments (Sen. S. Jenkins)

John L. Valentine

Rules Committee Chair

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

**STANDING COMMITTEE REPORTS**

Mr. President:

February 14, 2013

The Education Committee reports a favorable recommendation on **1st Sub. H.B. 28**, CAMPUS SAFETY AMENDMENTS, by Representative D. Ipson; and

The Education Committee reports a favorable recommendation on **H.B. 298**, PARENT SEMINAR ON YOUTH PROTECTION, by Representative S. Eliason; and

The Education Committee reports a favorable recommendation on **S.B. 110**, SCHOOL-BASED BUDGETING AMENDMENTS, by Senator H. Stephenson.

Stuart C. Reid, Chair

Mr. President: February 14, 2013

The Health and Human Services Committee reports a favorable recommendation on **2nd Sub. H.B. 81**, CYTOMEGALOVIRUS PUBLIC HEALTH INITIATIVE, by Representative R. Menlove.

Evan J. Vickers, Chair

Mr. President: February 14, 2013

The Natural Resources, Agriculture, and Environment Committee recommends **S.B. 109**, CHANGE APPLICATION PROCEDURE, by Senator R. Okerlund, be replaced and favorably recommends **1st Sub. S.B. 109**, CHANGE APPLICATION PROCEDURE.

Scott K. Jenkins, Chair

Mr. President: February 14, 2013

The Transportation and Public Utilities and Technology Committee recommends **H.B. 93**, TRAFFIC VIOLATIONS AMENDMENTS, by Representative J. Peterson, be replaced and favorably recommends **1st Sub. H.B. 93**, TRAFFIC VIOLATIONS AMENDMENTS; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 284**, NET METERING BILLING CYCLES, by Representative K. Stratton; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 295**, ELECTRONIC PROOF OF OWNER'S OR OPERATOR'S SECURITY, by Representative D. Brown; and

The Transportation and Public Utilities and Technology Committee recommends **S.B. 104**, VULNERABLE USERS OF HIGHWAYS AMENDMENTS, by Senator T. Weiler, be replaced and favorably recommends **1st Sub. S.B. 104**, VULNERABLE USERS OF HIGHWAYS AMENDMENTS.

Kevin T. Van Tassell, Chair

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

#### STANDING COMMITTEE REPORTS

Mr. President: February 14, 2013

The Health and Human Services Committee reports a favorable recommendation on **H.C.R. 2**, CONCURRENT RESOLUTION TO REDUCE

OBESITY IN UTAH, by Representative S. Barlow, and recommends it be considered read for the second time and placed on the Consent Calendar.

Evan J. Vickers, Chair

Mr. President: February 14, 2013

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 185, DIVISION OF OIL, GAS, AND MINING AMENDMENTS**, by Senator K. Van Tassell, and recommends it be considered read for the second time and placed on the Consent Calendar.

Scott K. Jenkins, Chair

Mr. President: February 14, 2013

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 291, MOTOR VEHICLE SAFETY INSPECTION AMENDMENTS**, by Representative J. Peterson, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Transportation and Public Utilities and Technology Committee recommends **S.J.R. 8, JOINT RESOLUTION CONCERNING RAILROAD AND RAILROAD CROSSING SAFETY**, by Senator K. Mayne, be replaced and favorably recommends **1st Sub. S.J.R. 8, JOINT RESOLUTION CONCERNING RAILROAD AND RAILROAD CROSSING SAFETY** and that it be considered read for the second time and placed on the Consent Calendar.

Kevin T. Van Tassell, Chair

On motion of Senator Valentine, the committee reports were adopted. The bills were considered read the second time and placed on the Consent Calendar.

### INTRODUCTION OF BILLS

**S.B. 73, Outdoor Recreation Office Act** (J. Stevenson), was read the first time by short title and referred to the Rules Committee.

**S.B. 74, Dignified Burial of Veterans Remains** (E. Vickers), was read the first time by short title and referred to the Rules Committee.

**S.B. 75, Publication of Property Tax Appeals for Nonresidential Property** (K. Van Tassell), was read the first time by short title and referred to the Rules Committee.

**S.B. 195, Utah Charity Care Commission** (J. S. Adams), was read the first time by short title and referred to the Rules Committee.

\* \* \*

On motion of Senator Bramble, legislative staff was authorized to draft a bill regarding immigration statutes.

**CONSENT CALENDAR**

**H.B. 259**, INSURANCE AMENDMENTS, was read the third time, explained by Senator Vickers, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jones	Knudson
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Jenkins	Madsen	Stephenson
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**H.B. 259** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 281**, HEALTH DISCOUNT PROGRAM REVISIONS, was read the third time, explained by Senator Adams, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stevenson
Thatcher	Urquhart	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Madsen	Stephenson	Valentine
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**H.B. 281**, as amended, was returned to the House for further consideration.

\* \* \*

**H.B. 243**, OFFENDER REGISTRY REVIEW, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jones	Knudson
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Jenkins	Madsen	Valentine
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**H.B. 243** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**S.C.R. 1**, CONCURRENT RESOLUTION APPROVING SOLID WASTE FACILITY LANDFILL PERMIT, was read the third time, explained by Senator Hinkins, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Jenkins	Valentine
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**S.C.R. 1** was transmitted to the House for consideration.

**THIRD READING CALENDAR**

**H.B. 57**, MENTAL AND BEHAVIORAL HEALTH AMENDMENTS, was read the third time, explained by Senator Christensen, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**H.B. 57** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Dayton, **1st Sub. S.B. 17**, ACCOUNT FOR PEOPLE WITH DISABILITIES AMENDMENTS, will be considered Tuesday, February 19, 2013 at 11:30 a.m.

\* \* \*

**1st Sub. H.B. 34**, SPECIAL GROUP LICENSE PLATE AMENDMENTS, was read the third time, explained by Senator Weiler, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid

Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Dabakis	Davis
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**1st Sub. H.B. 34**, as amended, was returned to the House for further consideration.

\* \* \*

On motion of Senator Stevenson, the circle was removed from **S.B. 100**, HIGHER EDUCATION SCHOLARSHIP AMENDMENTS, and it was before the Senate. Senators Valentine, Harper, Urquhart, and Davis commented.

On motion of Senator Valentine, the bill was circled.

**TIME CERTAIN CALENDAR**

**H.B. 33**, EXPUNGEMENT PROCESS AMENDMENTS, was read the second time. Senator Stephenson explained the bill. Senator Thatcher 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

\* \* \*

On motion of Senator Stevenson, the Senate voted to move to Third Reading Calendar.

**THIRD READING CALENDAR**

On motion of Senator Stevenson, the circle was removed from **S.B. 100**, HIGHER EDUCATION SCHOLARSHIP AMENDMENTS, and it was before the Senate.

Senator Valentine proposed the following amendment:

1. Page 1, Line 12 to 14:  
Reinstate lines 12 through 14
2. Page 6, Line 177:  
After “enrollment” reinstate “, or”
3. Page 6, Line 178:  
Reinstate “International Baccalaureate program”

Senator Valentine’s motion to amend passed on a voice vote.

###

Senator Valentine proposed Amendment #1 dated February 11, 2013, under Senator Dayton’s name. (See Day 16). Senator Valentine’s motion failed on a voice vote.

Senator Stevenson explained the bill. Senators Valentine, Urquhart, Dayton, Osmond, Madsen, and Jones commented. The bill passed on the following roll call:

**Yeas, 21; Nays, 7; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Harper	Henderson	Hillyard	Jones
Knudson	Mayne	Okerlund	Osmond
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Van Tassell	Vickers
Niederhauser			

**Voting in the negative were:** Senators

Dayton	Hinkins	Jenkins	Madsen
Reid	Valentine	Weiler	

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

**S.B. 100** was transmitted to the House for consideration.

**SECOND READING CALENDAR**

On motion of Senator Hillyard, the circle was removed from **S.B. 50**, DEPARTMENT OF TRANSPORTATION LIABILITY AMENDMENTS, and it was before the Senate. Senator Hillyard explained the bill.

Senator Valentine proposed the following amendment:

1. Page 1, Lines 14 through 20

14           {~~► provides that the Department of Transportation shall exercise reasonable care in~~

15 ~~designing, constructing, and maintaining a state highway in a reasonably safe~~

16 ~~condition for travel;}~~

17           ► provides that nothing in the Department of Transportation's defined responsibilities

18 shall be construed as {~~:-~~

19           •~~———~~ creating a private right of action; or

20 ~~——•——~~ } expanding or changing the department's common law duty for liability purposes;

2. Page 3, Lines 60 through 65:

60           (2) {~~(a) The department shall exercise reasonable care in designing, constructing, and~~

61 ~~maintaining a state highway in a reasonably safe condition for travel.~~

62           ~~(b) Nothing in this section shall be construed as:~~

63           ~~(i) creating a private right of action; or~~

64           ~~(ii) expanding or changing the department's common law duty as described in~~

65           ~~Subsection (2)(a) for liability purposes. } Nothing in this section shall be construed as expanding or changing the department's common law duty of care for liability purposes.~~

Senator Valentine's motion to amend passed on a voice vote. 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

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson

Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Adams                      Robles

\* \* \*

On motion of Senator Mayne, the circle was removed from **S.B. 44, CONSTRUCTION TRADES LICENSING REVISIONS**, and it was before the Senate.

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

**1st Sub. S.B. 44, Construction Trades Licensing Revisions (K. Mayne)**

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

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Thatcher	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Adams                      Hillyard                      Stephenson                      Stevenson  
Urquhart

**COMMUNICATION FROM THE GOVERNOR**

Mr. President: January 25, 2013

In accordance with Utah Code 67-1-1 and 67-1-2, I propose and transmit the following appointment:

**State Tax Commission**

Robert P. Pero is appointed to replace Marc B. Johnson as a member of the State Tax Commission, a term to expire June 30, 2016.

Thank you for your timely consideration of the above appointment.

Gary R. Herbert  
Governor

\* \* \*

Mr. President: February 13, 2013

The Senate Revenue and Taxation Confirmation Committee met on February 13, 2013, and reports a favorable recommendation for Mr. Robert P. Pero to be confirmed as the State Tax Commissioner.

John L. Valentine, Chair

On motion of Senator Valentine, the Senate voted to approve the Governor's appointment on the following roll call vote:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

### COMMITTEE OF THE WHOLE

On motion of Senator Valentine, Mr. Robert P. Pero, State Tax Commissioner spoke in Committee of the Whole.

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

\* \* \*

On motion of Senator Okerlund, and at 11:50 a.m., the Senate adjourned until 10:00 a.m., Tuesday, February 19, 2013.

# TWENTY-SECOND DAY

## February 19, 2013

The Senate was called to order at 10:00 a.m., with President Wayne Niederhauser presiding.

**Prayer** – Pastor Dee Cairolì, Roosevelt Christian Assembly

**Pledge of Allegiance** – Senator Margaret Dayton

**Roll Call** – All Senators present

### READING OF TITLES OF BILLS AND RESOLUTIONS

(PLEASE REFER TO DAY 1, PAGE 81)

### COMMUNICATIONS FROM THE HOUSE

Mr. President: February 15, 2013

The House passed, **S.B. 119**, YOUTH COURT AMENDMENTS, by Senator J. Stevenson, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 141**, EDUCATION CONTRIBUTION ON TAX RETURNS, by Senator D. Thatcher, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 148**, CONSERVATION DISTRICTS – CLOSED MEETINGS AMENDMENTS, by Senator D. Hinkins, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President: February 15, 2013

The House concurred in the Senate amendments and passed **2nd Sub. H.B. 54**, PROPERTY TAX AND APPRAISER AMENDMENTS, by Representative G. Froerer, and it is transmitted for the signature of the President.

Sandy D. Tenney, 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 of the House.

\* \* \*

Mr. President: February 15, 2013

The House passed, as amended, **H.B. 50**, DATING VIOLENCE PROTECTION ACT, by Representative J. Seelig, and it is transmitted for consideration; and

The House passed **H.B. 215**, WATER QUALITY AMENDMENTS, by Representative R. Wilcox, and it is transmitted for consideration; and

The House passed **H.B. 216**, WASTING WILDLIFE AMENDMENTS, by Representative R. Wilcox, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 278**, PUBLIC SCHOOL SEISMIC STUDIES, by Representative G. Froerer, and it is transmitted for consideration; and

The House passed **H.B. 304**, ENTERPRISE ZONE AMENDMENTS, by Representative K. Powell, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

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

### STANDING COMMITTEE REPORTS

Mr. President: February 14, 2013

The Business and Labor Committee reports a favorable recommendation on **S.B. 64**, HOMEOWNER ASSOCIATION RESERVE ACCOUNT AMENDMENTS, by Senator S. Urquhart, with the following amendments:

1. Page 7, Lines 201 through 211:

201 (6) ~~{-An-}~~ Each year that a new or updated reserve  
analysis is completed, an association of unit owners shall:

202 (a) ~~{-annually,-}~~ at the annual meeting of unit owners or at  
 a special meeting of unit

203 owners:

204 (i) present the reserve ~~[study]~~ analysis; ~~[and]~~

205 (ii) ~~[provide an opportunity for unit owners to]~~ discuss reserves  
 and ~~[to]~~ the reserve



206 analysis; and

207 (iii) vote [øñ], by a majority of unit owners present at the annual meeting of unit owners . whether to fund a reserve fund [~~and, if~~  
so,

208 ~~how to fund it and in what amount]~~ in the manner and amount suggested in the reserve analysis

209 or in some other manner and amount; and

210 (b) prepare and keep minutes of each meeting held under Subsection (6)(a) and

211 indicate in the minutes any decision relating to funding a reserve fund.

2. Page 11, Line 331 through Page 12, Line 340:

331 (6) ~~{-An-}~~ Each year that a new or updated reserve analysis is completed, an association shall:

332 (a) ~~{-annually,-}~~ at the annual meeting of lot owners or at a special meeting of lot owners:

333 (i) present the reserve [~~study]~~ analysis; [~~and]~~

334 (ii) [~~provide an opportunity for lot owners to]~~ discuss reserves and [~~to]~~ the reserve

335 analysis; and

336 (iii) vote [øñ], by a majority of lot owners present at the annual meeting of lot owners . whether to fund a reserve fund [~~and, if~~  
so,

337 ~~how to fund it and in what amount]~~ in the manner and amount suggested in the reserve analysis

338 or in some other manner and amount; and

339 (b) prepare and keep minutes of each meeting held under Subsection (6)(a) and

340 indicate in the minutes any decision relating to funding a reserve fund. ; and

The Business and Labor Committee recommends **S.B. 182**, STORAGE UNIT AMENDMENTS, by Senator J. S. Adams, be replaced and favorably recommends **1st Sub. S.B. 182**, STORAGE UNIT AMENDMENTS.

Curtis S. Bramble, Chair

Mr. President:

February 15, 2013

The Economic Development and Workforce Services Committee reports a favorable recommendation on **S.B. 66**, REFERENDUM REVISIONS, by Senator S. Reid, with the following amendments:

1. Page 5, Lines 121 through 123:

121 (b) obtain legal signatures of individuals who are registered to vote in the area subject

122 to the jurisdiction of the local government in which the law applies in each voting precinct or subprecinct in an amount equal to or:

123 greater than:

2. Page 5, Lines 142 through 144

142 (3) If the local legislative body repeals a law described in Subsection (1) before the

143 election day on which the law will otherwise be submitted to a vote of the people {~~-~~} ;

(a) the law may

144 not be submitted to a vote of the people {~~-~~} ; and

(b) any votes cast for or against the referendum may not be counted.

3. Page 7, Line 213 through Page 8, Line 214

213 {~~(e) The Supreme Court shall certify to the clerk or recorder of the local government a~~

214 written estimate that complies with the requirements of this section. } ; and

The Economic Development and Workforce Services Committee reports a favorable recommendation on **S.B. 71, RESULTS–BASED FINANCING FOR EARLY CHILDHOOD EDUCATION**, by Senator A. Osmond.

Aaron Osmond, Chair

Mr. President: February 15, 2013

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **1st Sub. H.B. 44, ELECTION POLLING**, by Representative G. Hughes; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 82, ELECTIONS AND EARLY VOTING DURING A DECLARED EMERGENCY**, by Representative R. Chavez–Houck; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 176, OFFICE OF PLANNING AND BUDGET RESTRUCTURING AMENDMENTS**, by Senator J. Stevenson, with the following amendments:

- 1. Page 1, Lines 21 through 22:
  - 21 Other Special Clauses:
  - 22        {–None–} This bill provides revisor instructions.
- 2. Page 121, Lines 3735 through 3743:
  - 3735 (d) for the Commissioner of Public Safety:
  - 3736 (i) an accidental death insurance policy if POST certified; and
  - 3737 (ii) a public safety vehicle for official and personal use;
  - 3738 (e) for the executive director of the Department of Corrections:
  - 3739 (i) an accidental death insurance policy if POST certified; and
  - 3740 (ii) a public safety vehicle for official and personal use;
  - 3741 (f) for the Adjutant General a vehicle for official and personal use; and
  - 3742 (g) for each member of the Board of Pardons and Parole a vehicle for commute and
  - 3743 official use.

Section 75. Revisor instructions.

The Legislature intends that if S.B. 176, Office of Planning and Budget Restructuring Amendments, passes, the Office of Legislative Research and General Counsel in preparing the Utah Code database for publication, change any reference to “Office of Planning and Budget” to “Office of Management and Budget”. ; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 190**, PROCUREMENT REVISIONS, by Senator S. Jenkins.

Margaret Dayton, Chair

Mr. President: February 14, 2013

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 64**, FELON’S RIGHT TO HOLD OFFICE, by Representative C. Moss; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 282**, SEXUAL EXPLOITATION AMENDMENTS, by Representative R. Greenwood; and

The Judiciary, Law Enforcement, and Criminal Justice Committee recommends **S.B. 52**, GAME FOWL FIGHTING AMENDMENTS, by Senator G. Davis, be replaced and favorably recommends **1st Sub. S.B. 52**, GAME FOWL FIGHTING AMENDMENTS; and

The Judiciary, Law Enforcement, and Criminal Justice Committee recommends **S.B. 155**, OPEN ADOPTION, by Senator L. Hillyard, be replaced and favorably recommends **1st Sub. S.B. 155**, POSTADOPTION CONTACT AGREEMENTS.

Mark B. Madsen, Chair

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

### STANDING COMMITTEE REPORTS

Mr. President: February 15, 2013

The Economic Development and Workforce Services Committee recommends **S.B. 147**, WORKERS’ COMPENSATION AND OCCUPATIONAL SAFETY RELATED AMENDMENTS, by Senator K. Mayne, be replaced and favorably recommends **1st Sub. S.B. 147**, WORKERS’ COMPENSATION AND

OCCUPATIONAL SAFETY RELATED AMENDMENTS and that it be considered read for the second time and placed on the Consent Calendar.

Aaron Osmond, Chair

Mr. President: February 14, 2013

The Business and Labor Committee reports a favorable recommendation on **S.B. 179, LOCAL GOVERNMENT FINANCIAL REPORTING REVISIONS**, by Senator C. Bramble, and recommends it be considered read for the second time and placed on the Consent Calendar.

Curtis S. Bramble, Chair

Mr. President: February 15, 2013

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 257, STATE TREASURER AMENDMENTS**, by Representative J. Bird, and recommends it be considered read for the second time and placed on the Consent Calendar.

Margaret Dayton, Chair

On motion of Senator Valentine, the committee reports were adopted. The bills were considered read the second time and placed on the Consent Calendar.

### INTRODUCTION OF BILLS

**S.B. 76, Outdoor Advertising Technology Amendments** (P. Knudson), was read the first time by short title and referred to the Rules Committee.

**S.B. 78, Pharmacy Act Amendments** (J. S. Adams), was read the first time by short title and referred to the Rules Committee.

**S.B. 79, Student-centered Learning Pilot Program** (H. Stephenson), was read the first time by short title and referred to the Rules Committee.

**S.B. 80, Removal from Database Restricting Firearm Purchase** (D. Thatcher), was read the first time by short title and referred to the Rules Committee.

**S.B. 198, Utah Unitrust Act** (L. Hillyard), was read the first time by short title and referred to the Rules Committee.

**S.B. 199, Energy Revisions** (C. Bramble), was read the first time by short title and referred to the Rules Committee.

**S.B. 200, Local and Special Service Districts Amendments** (J. Stevenson), was read the first time by short title and referred to the Rules Committee.

**S.B. 201, Public Use Trails Amendments** (C. Bramble), was read the first time by short title and referred to the Rules Committee.

**S.B. 203, Prescription Label Information and Education Amendments** (P. Jones), was read the first time by short title and referred to the Rules Committee.

**S.B. 204, Judiciary Amendments** (L. Hillyard), was read the first time by short title and referred to the Rules Committee.

**S.B. 205, Campaign Finance Amendments** (L. Robles), was read the first time by short title and referred to the Rules Committee.

**S.B. 206, Office of Medicaid Inspector General Amendments** (A. Christensen), was read the first time by short title and referred to the Rules Committee.

**S.C.R. 9, Concurrent Resolution Designating a Week to Recognize Workplace Safety** (K. Mayne), was read the first time by short title and referred to the Rules Committee.

**S.C.R. 10, Concurrent Resolution Regarding Monticello Mill Tailings Site** (D. Hinkins), was read the first time by short title and referred to the Rules Committee.

**S.J.R. 12, Joint Resolution on Taiwan** (P. Knudson), was read the first time by short title and referred to the Rules Committee.

### **SPECIAL RECOGNITION**

Senator Hillyard requested citations be read recognizing Utah Mother of the Year, Judy Clark and Utah Young Mother of the Year, Michelle Lehnardt.

### **COMMITTEE OF THE WHOLE**

On motion of Senator Hillyard, Judy Cook and Michelle Lehnardt spoke in Committee of the Whole. Senators Dayton, Jones, and Weiler commented.

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

### **SPECIAL RECOGNITION**

Senator Henderson paid special recognition to Utah students who were winners of the Utah High School Arts Competition.

**CONSENT CALENDAR**

**H.B. 14**, REQUIREMENTS TO CHANGE FORM OF COUNTY GOVERNMENT, was read the third time, explained by Senator Dayton, and passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Dabakis	Davis	Dayton	Harper
Henderson	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Adams	Bramble	Christensen	Hillyard
Madsen			

**H.B. 14** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

**CONCURRENCE CALENDAR**

**S.B. 34**, SPECIAL ELECTION DATE FOR BALLOT PROPOSITIONS, was before the Senate.

On motion of Senator Stephenson, the bill was circled.

\* \* \*

On motion of Senator Harper, the Senate voted to concur in the House amendments to **1st Sub. S.B. 35**, PROPERTY TAXATION OF BUSINESS PERSONAL PROPERTY. 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

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**1st Sub. S.B. 35** was returned to the House for the signature of the Speaker.

\* \* \*

**S.B. 146, DRIVING UNDER THE INFLUENCE AMENDMENTS,** was before the Senate.

On motion of Senator Dayton, the bill was circled.

\* \* \*

On motion of Senator Stephenson, the circle was removed from **S.B. 34, SPECIAL ELECTION DATE FOR BALLOT PROPOSITIONS,** and it was before the Senate.

On motion of Senator Stephenson, the Senate voted to concur in the House amendments to **S.B. 34, SPECIAL ELECTION DATE FOR BALLOT PROPOSITIONS.** The bill, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**S.B. 34** was returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Jenkins, the circle was removed from **S.B. 146, DRIVING UNDER THE INFLUENCE AMENDMENTS,** and it was before the Senate.

On motion of Senator Jenkins, the Senate voted to concur in the House amendments to **S.B. 146, DRIVING UNDER THE INFLUENCE**



AMENDMENTS. Senator Valentine commented and the bill, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Bramble	Van Tassell
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**S.B. 146** was returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Adams, the Senate voted to recall **H.B. 23**, HIGH OCCUPANCY VEHICLE LANE AMENDMENTS, from the House for the purpose of making technical amendments.

\* \* \*

On motion of Senator Adams, the Senate voted to recall **H.B. 281**, HEALTH DISCOUNT PROGRAM REVISIONS, from the House for the purpose of making technical amendments.

**THIRD READING CALENDAR**

**H.B. 33**, EXPUNGEMENT PROCESS AMENDMENTS, was read the third time, explained by Senator Stephenson, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**H.B. 33**, as amended, was returned to the House for further consideration.

\* \* \*

**S.B. 50**, DEPARTMENT OF TRANSPORTATION LIABILITY AMENDMENTS, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**S.B. 50** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Osmond, **S.B. 131**, ASSAULT AMENDMENTS, will be considered Thursday, February 21, 2013 at 2:30 p.m.

\* \* \*

**1st Sub. S.B. 44**, CONSTRUCTION TRADES LICENSING REVISIONS, was read the third time, explained by Senator Mayne, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson

Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**1st Sub. S.B. 44** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Weiler, the circle was removed from **S.B. 56**, UTAH 211 REFERRAL INFORMATION NETWORK, and it was before the Senate.

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

**1st Sub. S.B. 56 Utah 211 Referral Information Network** (T. Weiler)

Senator Weiler explained the bill. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**1st Sub. S.B. 56** was transmitted to the House for consideration.

**SECOND READING CALENDAR**

On motion of Senator Stevenson, the circle was removed from **2nd Sub. S.C.R. 5**, CONCURRENT RESOLUTION ENDORSING THE UTAH EDUCATION EXCELLENCE COMMISSION, and it was before the Senate.

Senator Madsen proposed the following amendment:

1. Page 2, Line 27:  
After “families” insert “and individuals”
2. Page 2, Line 38:  
After “K-12” delete “public and”

Senator Madsen’s motion to amend passed on a voice vote. Senator Stevenson 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

Bramble	Christensen	Dabakis	Davis
Harper	Henderson	Hillyard	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Adams	Dayton	Hinkins
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### TIME CERTAIN CALENDAR

**1st Sub. S.B. 17, ACCOUNT FOR PEOPLE WITH DISABILITIES AMENDMENTS**, was read the second time. Senator Dayton explained the bill. Senators Davis, Jones, Christensen, and Valentine commented. The bill passed second reading on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Davis	Dayton
Harper	Hillyard	Hinkins	Jenkins
Jones	Knudson	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Adams                      Bramble                      Henderson                      Madsen

**SECOND READING CALENDAR**

On motion of Senator Harper, the circle was removed from **S.B. 132, UTAH MEDICAL EDUCATION COUNCIL AMENDMENTS**, and it was before the Senate.

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

**1st Sub. S.B. 132 Utah Medical Education Council Amendments**  
(W. Harper)

Senator Harper explained the bill. The bill passed second reading on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Dayton	Harper
Henderson	Hillyard	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Adams                      Bramble                      Davis                      Hinkins  
Jenkins                      Urquhart

\* \* \*

On motion of Senator Henderson, the circle was removed from **S.B. 158, MUNICIPAL GENERAL FUND AMENDMENTS**, and it was before the Senate. Senator Henderson explained the bill. The bill passed second reading on the following roll call:

**Yeas, 22; Nays, 1; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Davis	Dayton
Henderson	Hillyard	Jones	Knudson

Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

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

**Absent or not voting were:** Senators

Adams	Bramble	Harper	Hinkins
Jenkins	Urquhart		

\* \* \*

On motion of Senator Dayton, the circle was removed from **S.B. 60**, ABORTION STATISTICS AND REPORTING REQUIREMENTS, and it was before the Senate.

Senator Dayton proposed the following amendment:

1. Page 2, Line 30:  
Delete “July 1” and insert “December 31”
2. Page 2, Line 31:  
Delete “fiscal” and insert “calendar”

Senator Dayton’s motion to amend passed on a voice vote.

###

Senator Dayton proposed the following amendment:

1. Page 1, Line 15  
Senate Committee Amendments  
2-7-2013:  
15 • the number of abortions performed in the state;  
~~$\hat{S} \rightarrow$  [and]  $\leftarrow \hat{S}$~~
  - the reported reason, if any, why the patient sought the abortion;

2. Page 2, Line 33  
a. Senate Committee Amendments  
b. 2-7-2013:  
(b) the reported reasons, if any, the women sought the abortions described in Subsection (1)(a);

33            {~~(b)~~}    (c)    the stage of pregnancy in which the abortions described in Subsection (1)(a) were

- 3. Page 2, Line 36a  
Senate Committee Amendments  
2-7-2013:

36a        ~~Ŝ~~ → {~~(e)~~}    (d)    the races of the women who obtained the abortions described in Subsection

- 4. Page 2, Line 37  
Senate Committee Amendments  
2-7-2013:

37        [~~(a)~~] ~~Ŝ~~ → [~~(e)~~]    {~~(d)~~}    (e)    ← ~~Ŝ~~ the total amount of informed consent material described in this

- 5. Page 2, Line 39  
Senate Committee Amendments  
2-7-2013:

39        [~~(b)~~] ~~Ŝ~~ → [~~(d)~~]    {~~(e)~~}    (f)    ← ~~Ŝ~~ the number of women who obtained abortions in this state without

- 6. Page 2, Line 41  
Senate Committee Amendments  
2-7-2013:

41        [~~(e)~~] ~~Ŝ~~ → [~~(e)~~]    {~~(f)~~}    (g)    ← ~~Ŝ~~ the number of statements signed by attending physicians under

- 7. Page 2, Line 43  
Senate Committee Amendments  
2-7-2013:

43        [~~(d)~~] ~~Ŝ~~ → [~~(f)~~]    {~~(e)~~}    (h)    ← ~~Ŝ~~ any other information pertaining to obtaining informed consent from a

Senator Dayton’s motion to amend passed on a voice vote. Senator Dayton explained the bill. Senators Robles, Davis, Dabakis, Jones, and Mayne commented. The bill passed second reading on the following roll call:

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

**Voting in the affirmative were:** Senators

Christensen	Davis	Dayton	Harper
Henderson	Hillyard	Hinkins	Jones

Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Thatcher	Valentine	Vickers	Weiler
Niederhauser			

**Voting in the negative were:** Senators

Dabakis                      Robles

**Absent or not voting were:** Senators

Adams                      Bramble                      Jenkins                      Stevenson  
Urquhart                      Van Tassell

**COMMITTEE OF THE WHOLE**

On motion of Senator Okerlund, U. S. Senator Mike Lee spoke in Committee of the Whole. Senators Van Tassell and Hillyard commented.

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

\* \* \*

On motion of Senator Okerlund, and at 12:00 p.m., the Senate adjourned until 10:00 a.m., Wednesday, February 20, 2013.



# TWENTY-THIRD DAY

**February 20, 2013**

The Senate was called to order at 10:00 a.m., with President Wayne Niederhauser presiding.

**Prayer** – Senator Mark B. Madsen

**Pledge of Allegiance** – Senator John Valentine

**Roll Call** – All Senators present

## READING OF TITLES OF BILLS AND RESOLUTIONS (PLEASE REFER TO DAY 1, PAGE 81)

### COMMUNICATIONS FROM THE HOUSE

Mr. President: February 19, 2013

The Speaker of the House has signed **S.B. 34**, SPECIAL ELECTION DATE FOR BALLOT PROPOSITIONS, by Senator H. Stephenson, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **1st Sub. S.B. 35**, PROPERTY TAXATION OF BUSINESS PERSONAL PROPERTY, by Senator W. Harper, and it is transmitted for the signature of the President; and

The House passed, **S.B. 54**, LICENSING OF NURSING CARE FACILITY BEDS, by Senator C. Bramble, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 135**, INVOLUNTARY COMMITMENT AMENDMENTS, by Senator T. Weiler, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **S.B. 146**, DRIVING UNDER THE INFLUENCE AMENDMENTS, by Senator S. Jenkins, and it is transmitted for the signature of the President; and

The House passed, **S.B. 150**, FINANCIAL INSTITUTION AMENDMENTS, by Senator J. S. Adams, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President:

February 19, 2013

The House concurred in the Senate amendments and passed **H.B. 70**, UTAH STATE RAILROAD MUSEUM AUTHORITY AMENDMENTS, by Representative J. Peterson, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President:

February 19, 2013

The House passed, as substituted and amended, **2nd Sub. H.B. 65**, INSURANCE BENEFICIARY CHANGES, by Representative J. Bird, and it is transmitted for consideration; and

The House passed **H.B. 89**, JUDICIAL REVIEW OF PEACE OFFICER STANDARDS AND TRAINING ACTIONS, by Representative M. Nelson, and it is transmitted for consideration; and

The House passed **H.B. 198**, AGING AND ADULT SERVICES AMENDMENTS, by Representative B. Last, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 220**, REPEAL OF STATE AUDITOR RELATED PROVISIONS, by Representative J. Knotwell, and it is transmitted for consideration; and

The House passed **H.B. 226**, BENEFITS WHILE A PRISONER, by Representative B. Wilson, and it is transmitted for consideration; and

The House passed **H.B. 229**, CRIMINAL IDENTITY FRAUD AMENDMENTS, by Representative C. Oda, and it is transmitted for consideration; and

The House passed **H.B. 232**, CRIMINAL PENALTY AMENDMENTS, by Representative C. Hall, and it is transmitted for consideration; and

The House passed, as substituted and amended, **2nd Sub. H.B. 286**, DISPOSITION OF PERSONAL PROPERTY ON VACATED PROPERTY, by Representative G. Froerer, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 302**, EMERGENCY RESPONSE AMENDMENTS, by Representative R. Greenwood, and it is transmitted for consideration.

Sandy D. Tenney, 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 19, 2011

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

#### **Business and Labor Committee**

- S.B. 199** Energy Revisions (Sen. C. Bramble)  
**S.B. 201** Public Use Trails Amendments (Sen. C. Bramble)  
**H.B. 303** Trust Deed Assignment Amendments (Rep. R. C. Webb)  
(Sen. S. Urquhart)

#### **Economic Development and Workforce Committee**

- S.J.R. 12** Joint Resolution on Taiwan (Sen. P. Knudson)  
**H.B. 304** Enterprise Zone Amendments (Rep. K. Powell)  
(Sen. K. Van Tassell)

#### **Education Committee**

- S.B. 79** Student-centered Learning Pilot Program  
(Sen. H. Stephenson)  
**1st Sub. H.B. 278** Public School Seismic Studies (Rep. G. Froerer)  
(Sen. S. Jenkins)

#### **Government Operations and Political Subdivisions Committee**

- S.B. 73** Outdoor Recreation Office Act (Sen. J. Stevenson)  
**S.B. 74** Dignified Burial of Veterans Remains (Sen. E. Vickers)  
**S.B. 200** Local and Special Service Districts Amendments  
(Sen. J. Stevenson)

#### **Health and Human Services Committee**

- S.B. 78** Pharmacy Act Amendments (Sen. J. S. Adams)  
**S.B. 194** Pharmacy Practice Act Amendments (Sen. E. Vickers)  
**S.B. 195** Utah Charity Care Commission (Sen. J. S. Adams)

**S.B. 206** Office of Medicaid Inspector General Amendments  
(Sen. A. Christensen)

**Judiciary, Law Enforcement, and Criminal Justice Committee**

**S.B. 80** Removal from Database Restricting Firearm Purchase  
(Sen. D. Thatcher)

**S.B. 204** Judiciary Amendments (Sen. L. Hillyard)

**H.B. 50** Dating Violence Protection Act (Rep. J. Seelig)  
(Sen. C. Bramble)

**Natural Resources and, Agricultural and Environment Committee**

**H.B. 215** Water Quality Amendments (Rep. R. Wilcox)  
(Sen. R. Okerlund)

**H.B. 216** Wasting Wildlife Amendments (Rep. R. Wilcox)  
(Sen. A. Christensen)

**Revenue and Taxation Committee**

**S.B. 75** Publication of Property Tax Appeals for Nonresidential  
Property (Sen. K. Van Tassell)  
Transportation, Public Utilities and Technology  
Committee

**S.B. 76** Outdoor Advertising Technology Amendments  
(Sen. P. Knudson)

**S.B. 196** License Plate Reader Amendments (Sen. T. Weiler)

John L. Valentine  
Rules Committee Chair

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

**STANDING COMMITTEE REPORTS**

Mr. President: February 19, 2013  
The Education Committee reports a favorable recommendation on **H.B. 255**,  
CLASSIFIED SCHOOL EMPLOYEE AMENDMENTS, by Representative  
B. Last; and

The Education Committee reports a favorable recommendation on **S.B. 103**,  
CARSON SMITH SCHOLARSHIP AMENDMENTS, by Senator J. S. Adams,  
with the following amendments:

1. Page 2, Line 39:

39 (i) the product of the average scholarship amount awarded as of  
{-October-} December 1 in the

2. Page 2, Line 43:

43 statewide who have an IEP on {-October-} December 1 of  
the previous year; and

3. Page 2, Line 45:

45 (e) If the number of scholarship students as of  
{-October-} December 1 in any school year equals or

4. Page 2, Line 47:

47 statewide who have an IEP as of {-October-} December 1  
in the same school year, the Public Education

5. Page 3, Lines 83 through 84:

83 at, a private school, the board shall make scholarship payments  
quarterly in four equal amounts {-no later

84 than September 1, November 1, February 1, and April 15  
of -} in each school year in which a

6. Page 2, Lines 37 through 38:

37 amount of money appropriated under Subsection (1)(b).

(d) For the 2013-14 school year, the amount of the increase shall  
equal:

(i) the product of the average scholarship amount awarded as of  
December 1 in the previous year; and

(ii) the product of:

(A) the number of students in grades kindergarten through 12 in  
public schools statewide who have an IEP on December 1 of the previous  
year; and

(B) 0.0014.

(e) For the 2014-15 school year, the amount of the increase shall  
equal:

(i) the product of the average scholarship amount awarded as of  
December 1 in the previous year; and

(ii) the product of:

(A) the number of students in grades kindergarten through 12 in  
public schools statewide who have an IEP on December 1 of the previous  
year; and

(B) 0.003.

38            {~~(d) The~~} (f) For the 2015–16 school year and thereafter,  
the amount of the increase shall equal:

7. Page 2, Line 45:

45            {~~(e)~~} (g) If the number of scholarship students as of  
October 1 in any school year equals or ; and

The Education Committee reports a favorable recommendation on **S.B. 184**, YOUTH SUICIDE PREVENTION REVISIONS, by Senator L. Robles.

Stuart C. Reid, Chair

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

### STANDING COMMITTEE REPORTS

Mr. President:

February 19, 2013

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 294**, BICYCLES ON STREETS, by Representative Johnny Anderson, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 297**, BICYCLE AND MOPED AMENDMENTS, by Representative Johnny Anderson, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 193**, VEHICLE REGISTRATION AMENDMENTS, by Senator S. Jenkins, and recommends it be considered read for the second time and placed on the Consent Calendar.

Kevin T. Van Tassell, Chair

On motion of Senator Valentine, the committee reports were adopted. The bills were considered read the second time and placed on the Consent Calendar.

### INTRODUCTION OF BILLS

**S.B. 77, Availability of Government Information** (D. Henderson), was read the first time by short title and referred to the Rules Committee.

**S.B. 81, School Property Tax Funding** (A. Osmond), was read the first time by short title and referred to the Rules Committee.

**S.B. 91, State Auditor Amendments** (J. Valentine), was read the first time by short title and referred to the Rules Committee.

**S.B. 202, Extensions of Natural Gas Lines** (R. Okerlund), was read the first time by short title and referred to the Rules Committee.

**S.B. 207, Repeal of Health and Human Services Reports and Expired or Discontinued Programs** (A. Christensen), was read the first time by short title and referred to the Rules Committee.

**S.B. 208, Solar Photovoltaic Contractor License Amendments** (E. Vickers), was read the first time by short title and referred to the Rules Committee.

**S.B. 209, Grants for Personal Mobile Learning Devices** (A. Osmond), was read the first time by short title and referred to the Rules Committee.

**S.B. 210, Amendments Related to Use of Business Names** (T. Weiler), was read the first time by short title and referred to the Rules Committee.

**S.J.R. 13, Joint Resolution Urging Governor and Utah's Congressional Delegation to Secure Utah State Land** (A. Osmond), was read the first time by short title and referred to the Rules Committee.

\* \* \*

On motion of Senator Bramble, the Senate voted to recall **H.B. 33, EXPUNGEMENT PROCESS AMENDMENTS**, from the House for the purpose of an amendment.

### CONSENT CALENDAR

**H.B. 252, NATIVE AMERICAN INDIAN RELATED AMENDMENTS**, was read the third time, explained by Senator Van Tassell, and passed on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins

Jones	Knudson	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Stevenson	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Christensen	Hillyard	Jenkins	Madsen
Robles	Thatcher		

**H.B. 252** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**2nd Sub. H.B. 69**, EXPUNGEMENT OF RECORDS, was read the third time, explained by Senator Reid, and passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Mayne
Okerlund	Osmond	Reid	Shiozawa
Stephenson	Stevenson	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Christensen	Hillyard	Madsen	Robles
Thatcher			

**2nd Sub. H.B. 69**, as amended, was returned to the House for further consideration.

\* \* \*

**2nd Sub. H.B. 270**, PRESCRIPTION DRUG DATABASE ACCESS AMENDMENTS, was read the third time, explained by Senator Bramble, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins



Jenkins	Jones	Knudson	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Christensen	Hillyard	Madsen	Thatcher
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**2nd Sub. H.B. 270** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 90**, FISHING LICENSE WAIVER AMENDMENTS, was read the third time, explained by Senator Okerlund, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Hillyard	Madsen	Thatcher
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**H.B. 90** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 60**, UTILITY FACILITY SITING, was read the third time, explained by Senator Vickers, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson

Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Madsen                      Valentine

**H.B. 60** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.C.R. 1**, CONCURRENT RESOLUTION URGING USE OF ADVANCE SIGNAL WARNING, was read the third time, explained by Senator Knudson, and passed on the following roll call:

**Yeas, 27; Nays, 0; Absent or not voting, 2.****Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Christensen                      Hillyard

**H.C.R. 1** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**S.B. 178**, DEPARTMENT OF TRANSPORTATION REVISIONS, was read the third time, explained by Senator Van Tassell, and passed on the following roll call:

**Yeas, 26; Nays, 0; Absent or not voting, 3.****Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins

Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Christensen	Hillyard	Vickers
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**S.B. 178** was transmitted to the House for consideration.

**THIRD READING CALENDAR**

**2nd Sub. S.C.R. 5**, CONCURRENT RESOLUTION ENDORSING THE UTAH EDUCATION EXCELLENCE COMMISSION, was read the third time and explained by Senator Stevenson.

Senator Madsen proposed the following amendment:

1. Page 2, Line 27:  
After “K-12” delete “public”

Senator Madsen’s motion to amend passed on a voice vote. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting was:** Senator

Dayton

**2nd Sub. S.C.R. 5** was transmitted to the House for consideration.

**COMMUNICATIONS FROM THE HOUSE**

Mr. President: February 19, 2013

The House transmits **H.B. 23**, HIGH OCCUPANCY VEHICLE LANE AMENDMENTS, by Representative S. Handy, for further consideration.

Sandy D. Tenney, Chief Clerk

Communication filed.

On motion of Senator Adams, the Senate voted to place **H.B. 23** at the top of the Third Reading Calendar.

### THIRD READING CALENDAR

On motion of Senator Adams, **H.B. 23**, HIGH OCCUPANCY VEHICLE LANE AMENDMENTS, was considered read for the first, second and third times and passed on the following roll call vote:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Dabakis                      Hillyard

**H.B. 23** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

### COMMITTEE OF THE WHOLE

On motion of Senator Okerlund, U. S. Senator Orrin Hatch spoke in Committee of the Whole. Senators Mayne, Osmond, Jenkins, Valentine, and Jones commented.

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

\* \* \*

On motion of Senator Knudson, **S.J.R. 12**, JOINT RESOLUTION ON TAIWAN, will be considered Monday, February 25, 2013 at 10:30 a.m.

On motion of Senator Knudson, **H.C.R. 3**, CONCURRENT RESOLUTION HONORING MAJOR GENERAL BRIAN L. TARBET, will be considered Wednesday, February 27, 2013 at 10:30 a.m.

\* \* \*

On motion of Senator Hinkins, legislative staff was authorized to draft a bill regarding Green River Energy.

**THIRD READING CALENDAR**

**1st Sub. S.B. 17, ACCOUNT FOR PEOPLE WITH DISABILITIES AMENDMENTS**, was read the third time, explained by Senator Dayton, and passed on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stevenson	Urquhart	Valentine
Van Tassell	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Davis	Hillyard	Madsen	Stephenson
Thatcher	Vickers		

**1st Sub. S.B. 17** was transmitted to the House for consideration.

\* \* \*

**1st Sub. S.B. 132, UTAH MEDICAL EDUCATION COUNCIL AMENDMENTS**, was read the third time.

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

**2nd Sub. S.B. 132 Utah Medical Education Council Amendments**  
(W. Harper)

Senator Valentine proposed the following amendment:

1. Page 2, Line 54 through Page 3, Line 71:

54        [~~63C-8-101~~]. 53B-24-102. Definitions.

55        As used in this chapter:

56        (1) “Accredited clinical education program” means a clinical education program for a

57 health care profession that is accredited by the Accreditation Council on Graduate Medical

58 Education.

59 (2) “Accredited clinical training program” means a clinical  
training program that is

60 accredited by an entity recognized within medical education circles  
as an accrediting body for

61 medical education, advanced practice nursing education, physician  
assistance education, ~~{-or-}~~

62 doctor of pharmacy education ~~{-}~~ , or registered nursing  
education.

63 (3) “Council” means the Medical Education Council created  
under Section

64 ~~[63C-8-103] 53B-24-302.~~

65 (4) “Health Care Financing Administration” means the Health  
Care Financing

66 Administration within the United States Department of Health and  
Human Services.

67 (5) “Health care professionals in training” means medical  
students and residents,

68 advance practice nursing students, physician assistant students,  
~~{-and-}~~ doctor of pharmacy

69 students ~~{-}~~ , and registered nursing students.

70 (6) “Program” means the Medical Education Program created  
under Section

71 ~~[63C-8-102] 53B-24-202.~~

Senator Valentine’s motion to amend passed on a voice vote. The bill and  
passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Hillyard                      Madsen                      Van Tassell

**2nd Sub. S.B. 132** was transmitted to the House for consideration.

\* \* \*

**S.B. 158**, MUNICIPAL GENERAL FUND AMENDMENTS, was read the third time, explained by Senator Henderson, and passed on the following roll call:

**Yeas, 27; Nays, 1; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

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

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

**S.B. 158** was transmitted to the House for consideration.

\* \* \*

**S.B. 60**, ABORTION STATISTICS AND REPORTING REQUIREMENTS, was read the third time, explained by Senator Dayton, and passed on the following roll call:

**Yeas, 23; Nays, 5; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Harper	Henderson	Hinkins	Jenkins
Knudson	Madsen	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Voting in the negative were:** Senators

Dabakis	Davis	Jones	Mayne
Robles			

**Absent or not voting was:** Senator

Hillyard

**S.B. 60** was transmitted to the House for consideration.

**SECOND READING CALENDAR**

**H.B. 73**, WATER EASEMENT AMENDMENTS, was read the second time. Senator Van Tassell 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

Bramble	Dabakis	Davis	Dayton
Harper	Henderson	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Adams	Christensen	Hillyard
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\* \* \*

**H.B. 250**, SUNSET REAUTHORIZATION – ENERGY PRODUCER STATES’ AGREEMENT, was read the second time. Senator Jenkins explained the bill. Senator Mayne commented. The bill passed second reading on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Henderson	Hinkins	Jenkins
Jones	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			



**Absent or not voting were:** Senators

Adams Harper Hillyard Knudson

\* \* \*

**H.B. 289, FIREWORKS AMENDMENTS**, was read the second time. Senator Valentine explained the bill.

Senator Valentine proposed the following amendment:

- 1. Page 4, Line 113c  
House Committee Amendments  
2-4-2013:

113c (a) as provided in Subsection ~~{ 15A-5-202(3)(b) }~~  
15A-5-202.5(1)(c) ; or

Senator Valentine’s motion to amend passed on a voice vote. 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

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Adams Stephenson Urquhart

**COMMUNICATIONS FROM THE HOUSE**

Mr. President: February 20, 2013

The House transmits **H.B. 33, EXPUNGEMENT PROCESS AMENDMENTS**, by Representative E. Hutchings, for further consideration.

Sandy D. Tenney, Chief Clerk

Communication filed.

On motion of Senator Bramble, the Senate voted to place **H.B. 33** at the top of the Third Reading Calendar.

On motion of Senator Bramble, the Senate voted to reconsideration it actions on **H.B. 33, EXPUNGEMENT PROCESS AMENDMENTS.**

Senator Bramble proposed the following amendment:

1. Page 6, Line 174:  
After “(iv)” insert “felony”

Senator Bramble’s motion to amend passed on a voice vote.

**H.B. 33, EXPUNGEMENT PROCESS AMENDMENTS,** under suspension of the rules, was considered read the first, second, and third times and passed on the following roll call vote:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**H.B. 33,** as amended, was returned to the House for further consideration.

\* \* \*

On motion of Senator Adams, the Senate voted to move to Second Reading Calendar.

### COMMUNICATIONS FROM THE HOUSE

The House transmits **H.B. 281, HEALTH DISCOUNT PROGRAM REVISIONS,** by Representative J. Dunnigan, for further consideration.

Sandy D. Tenney, Chief Clerk

Communication filed.

On motion of Senator Adams, the Senate voted to place **H.B. 281** at the top of the Second Reading Calendar.

**SECOND READING CALENDAR**

On motion of Senator Adams, the Senate voted to reconsider its actions on **H.B. 281, HEALTH DISCOUNT PROGRAM REVISIONS.**

On motion of Senator Adams, under suspension of the rules, **H.B. 281, HEALTH DISCOUNT PROGRAM REVISIONS,** was considered read the first, second and third times and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**H.B. 281** was returned to the House for further consideration.

\* \* \*

On motion of Senator Okerlund, and at 11:45 a.m., the Senate adjourned until 10:00 a.m., Thursday, February 21, 2013.

# TWENTY-FOURTH DAY

## MORNING SESSION

**February 21, 2013**

The Senate was called to order at 10:00 a.m., with President Wayne Niederhauser presiding.

**Prayer** – Hunter Ballam, Student Body President, Logan High

**Pledge of Allegiance** – Senator Allen Christensen

**Roll Call** – All Senators present

### READING OF TITLES OF BILLS AND RESOLUTIONS

(PLEASE REFER TO DAY 1, PAGE 81)

### COMMUNICATIONS FROM THE HOUSE

Mr. President:

February 20, 2013

The House passed, **S.B. 13**, AMENDMENTS TO IGNITION INTERLOCK PROGRAM, by Senator D. Thatcher, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 30**, WATER AND IRRIGATION AMENDMENTS, by Senator M. Dayton, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 45**, WORKERS' COMPENSATION AND DIRECTORS OR OFFICERS, by Senator E. Vickers, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 106**, UNEMPLOYMENT TAX AMENDMENT, by Senator C. Bramble, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 115**, WATER DEVELOPMENT COMMISSION AMENDMENTS, by Senator M. Dayton, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 123**, RUNAWAY VEHICLE RAMP REQUIREMENTS, by Senator K. Van Tassell, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 137**, MOTOR VEHICLE REGISTRATION ENFORCEMENT AMENDMENTS, by Senator D. Thatcher, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 140**, SERVICE AREA BOARD OF TRUSTEES, by Senator T. Weiler, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 153**, LOCAL GOVERNMENT DEVELOPMENT AMENDMENTS, by Senator J. S. Adams, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President:

February 20, 2013

The House passed **H.B. 95**, AMORTIZATION RATE CONTRIBUTION FOR REEMPLOYED RETIREES REVISIONS, by Representative D. Sagers, and it is transmitted for consideration; and

The House passed **H.B. 234**, CORPORATE FRANCHISE AND INCOME TAX FINE AND PENALTY AMENDMENTS, by Representative B. Greene, and it is transmitted for consideration; and

The House passed **H.B. 246**, EXPANDED USES OF SCHOOL DISTRICT PROPERTY TAX REVENUE, by Representative K. McIff, and it is transmitted for consideration; and

The House passed, as amended, **H.C.R. 3**, CONCURRENT RESOLUTION HONORING MAJOR GENERAL BRIAN L. TARBET, by Representative V. Peterson, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President:

February 20, 2013

The House passed, as amended, **S.B. 28**, BOARDS AND COMMISSIONS AMENDMENTS, by Senator P. Knudson, and it is transmitted for further consideration; and

The House passed, as amended, **S.B. 111**, ELECTRONIC FILING OF TRAFFIC CITATIONS AND ACCIDENT REPORTS, by Senator L. Hillyard, and it is transmitted for further consideration; and

The House passed, as amended, **S.C.R. 3**, THREATENED SPECIES DAMAGE AND MANAGEMENT PLAN CONCURRENT RESOLUTION, by Senator E. Vickers, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bills were placed on the Concurrence Calendar.

### **RULES COMMITTEE REPORTS**

To the Members of the Senate:

February 20, 2011

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

#### **Business and Labor Committee**

- S.B. 93** Interlocal Cooperation Act Amendments  
(Sen. J. Valentine)
- S.B. 208** Solar Photovoltaic Contractor License Amendments  
(Sen. E. Vickers)
- S.B. 210** Amendments Related to Use of Business Names  
(Sen. T. Weiler)
- 2nd Sub. H.B. 65** Insurance Beneficiary Changes (Rep. J. Bird)  
(Sen. W. Harper)
- 1st Sub. H.B. 245** Consumer Protection Amendments (Rep. D. Brown)  
(Sen. P. Jones)
- 2nd Sub. H.B. 286** Disposition of Personal Property on Vacated Property  
(Rep. G. Froerer) (Sen. C. Bramble)

#### **Economic Development and Workforce Services Committee**

- S.C.R. 9** Concurrent Resolution Designating a Week to Recognize  
Workplace Safety (Sen. K. Mayne)

#### **Education Committee**

- S.B. 81** School Property Tax Funding (Sen. A. Osmond)
- S.B. 209** Grants for Personal Mobile Learning Devices  
(Sen. A. Osmond)

#### **Government Operations and Political Subdivisions Committee**

- S.B. 77** Availability of Government Information  
(Sen. D. Henderson)

- S.B. 91** State Auditor Amendments (Sen. J. Valentine)
- 1st Sub. H.B. 220** Repeal of State Auditor Related Provisions (Rep. J. Knotwell) (Sen. A. Osmond)
- H.B. 302** Emergency Response Amendments (Rep. R. Greenwood) (Sen. J. Valentine)

**Health and Human Services Committee**

- S.B. 207** Repeal of Health and Human Services Reports and Expired or Discontinued Programs (Sen. A. Christensen)
- H.B. 198** Aging and Adult Services Amendments (Rep. B. Last) (Sen. E. Vickers)

**Judiciary, Law Enforcement, and Criminal Justice Committee**

- H.B. 89** Judicial Review of Peace Officer Standards and Training Actions (Rep. M. Nelson) (Sen. D. Thatcher)
- H.B. 226** Benefits While a Prisoner (Rep. B. Wilson) (Sen. T. Weiler)
- H.B. 229** Criminal Identity Fraud Amendments (Rep. C. Oda) (Sen. D. Henderson)
- H.B. 232** Criminal Penalty Amendments (Rep. C. Hall) (Sen. D. Thatcher)

**Natural Resources, Agriculture and Environment Committee**

- S.C.R. 10** Concurrent Resolution Regarding Monticello Mill Tailings Site (Sen. D. Hinkins)
- S.J.R. 13** Joint Resolution Urging Governor and Utah’s Congressional Delegation to Secure Utah State Land (Sen. A. Osmond)

John L. Valentine  
Rules Committee Chair

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

**STANDING COMMITTEE REPORTS**

Mr. President: February 19, 2013

The Business and Labor Committee recommends **S.B. 67, CONSUMER PROTECTION REVISIONS**, by Senator C. Bramble, be replaced and favorably recommends **3rd Sub. S.B. 67, CONSUMER PROTECTION REVISIONS** with the following amendments:

1. Page 1, Lines 9 through 10:

9 This bill prohibits sellers from imposing a surcharge on a transaction paid for with a

10 {~~financial transaction~~} credit card.

2. Page 1, Lines 14 through 16:

14 ► prohibits sellers from imposing a surcharge on a transaction for \$10,000 or less that

15 is paid for with a {~~financial transaction~~} credit card;

16 ► repeals the provisions in this bill related to {~~financial transaction~~} credit card surcharges on

3. Page 2, Lines 47 through 48:

47 [~~13-38-101~~]. 13-38a-102. Definitions { ~~— Financial transaction card receipt~~

48 ~~requirements~~ } .

4. Page 3, Lines 82 through 84:

82 (4) “Surcharge” means an additional charge added to a transaction paid for by using a

83 {~~financial transaction~~} credit card, but not added to a transaction paid for by a means other than a

84 {~~financial transaction~~} credit card.

5. Page 4, Line 111 through Page 5, Line 119:

111 Part 3. {~~Financial Transaction~~} Credit Card Surcharges

112 13-38a-301. Title.

113 This part is known as ” {~~Financial Transaction~~} Credit Card Surcharges.”

114 Section 7. Section 13-38a-302 is enacted to read:

115 13-38a-302. {~~Financial transaction~~} Credit card surcharges prohibited.

116 (1) A seller may not impose a surcharge on a transaction for \$10,000 or less that is paid

117 for by using a {~~financial transaction~~} credit card.



118 (2) A seller may offer a discount on a transaction that is paid for  
by means other than a

119 {~~financial transaction~~} credit card. ; and

The Business and Labor Committee recommends **S.B. 187**, FOOD HANDLER LICENSING AMENDMENTS, by Senator C. Bramble, be replaced and favorably recommends **1st Sub. S.B. 187**, FOOD HANDLER LICENSING AMENDMENTS with the following amendments:

- 1. Page 3, Line 86 through Page 4, Line 95:

86 (7) The department, in consultation with local health  
departments, shall:

87 (a) approve the content of an approved food handler training  
program required under

88 Subsection (3):

89 {~~(b) approve, as qualified, each instructor who will provide~~  
~~classroom based training;~~}

90 {~~(e)~~} (b) approve, as qualified, each provider; and

91 {~~(d)~~} (c) in accordance with applicable rules made  
under Subsection (10), provide a means

92 to authenticate:

93 (i) documents used in an approved food handler training  
program;

94 (ii) the identity of an approved instructor; and

95 (iii) an approved provider. ; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 189**, ONCOLOGY INSURANCE AMENDMENTS, by Senator C. Bramble.

Curtis S. Bramble, Chair

Mr. President: February 20, 2013

The Economic Development and Workforce Services Committee reports a favorable recommendation on **S.J.R. 12**, JOINT RESOLUTION ON TAIWAN, by Senator P. Knudson.

Aaron Osmond, Chair

Mr. President: February 20, 2013

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 279**, ADMINISTRATIVE HEARINGS BY COUNTIES, by Representative S. Cox; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 70**, COMMISSION RELATING TO FEDERAL ISSUES, by Senator D. Henderson; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 73**, OUTDOOR RECREATION OFFICE ACT, by Senator J. Stevenson; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 74**, DIGNIFIED BURIAL OF VETERANS REMAINS, by Senator E. Vickers; and

The Government Operations and Political Subdivisions Committee recommends **S.B. 112**, WORK WEEK AMENDMENTS, by Senator A. Osmond, be replaced and favorably recommends **1st Sub. S.B. 112**, WORK WEEK AMENDMENTS; and

The Government Operations and Political Subdivisions Committee recommends **S.B. 200**, LOCAL AND SPECIAL SERVICE DISTRICTS AMENDMENTS, by Senator J. Stevenson, be replaced and favorably recommends **1st Sub. S.B. 200**, LOCAL AND SPECIAL SERVICE DISTRICTS AMENDMENTS.

Margaret Dayton, Chair

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

## STANDING COMMITTEE REPORTS

The Business and Labor Committee reports a favorable recommendation on **S.B. 21, UNINCORPORATED BUSINESS ENTITIES**, by Senator L. Hillyard, with the following amendments and recommends it be considered read for the second time and placed on the Consent Calendar.

1. Page 45, Lines 1361 through 1363:

1361 (ii) Title 42, Names; or

1362 (iii) on or before {~~June 30, 2014~~} December 31, 2013 ,  
Title 48, Partnership, and on and after {~~July~~} January 1, 2014,

1363 Title 48, Unincorporated Business [~~Entities~~] Entity Act; or

2. Page 47, Lines 1431 through 1433:

1431 Until this chapter is repealed January 1, 2016, this chapter applies only to a partnership

1432 formed on or before {~~June 30, 2014~~} December 31, 2013 , that has not elected to be governed by Chapter 1d, Utah

1433 Uniform Partnership Act, as provided in Section 48-1d-1405.

3. Page 101, Lines 3119 through 3125:

3119 (31) "Protected agreement" means:

3120 (a) a record evidencing indebtedness and any related agreement in effect on {~~July~~} January 1,

3121 2014;

3122 (b) an agreement that is binding on an entity on  
 {~~July~~} January 1, 2014;

3123 (c) the organic rules of an entity in effect on  
 {~~July~~} January 1, 2014; or

3124 (d) an agreement that is binding on any of the governors or interest holders of an entity

3125 on {~~July~~} January 1, 2014.

4. Page 110, Lines 3388 through 3391:

3388 (3) If a protected agreement contains a provision that applies to a merger of a domestic

3389 partnership but does not refer to an interest exchange, the provision applies to an interest

3390 exchange in which the domestic partnership is the acquired entity as if the interest exchange

3391 were a merger until the provision is amended after  
~~{-July-}~~ January 1, 2014.

5. Page 114, Lines 3523 through 3524:

3523 partnership but does not refer to a conversion, the provision applies to a conversion of the

3524 entity as if the conversion were a merger until the provision is amended after ~~{-July-}~~ January 1, 2014.

6. Page 119, Lines 3682 through 3683:

3682 domestication of the limited liability partnership as if the domestication were a merger until the

3683 provision is amended after ~~{-July-}~~ January 1, 2014.

7. Page 144, Lines 4439 through 4443:

4439 (1) Before January 1, 2016, this chapter governs only:

4440 (a) a partnership formed on or after ~~{-July-}~~ January 1, 2014; and

4441 (b) except as otherwise provided in Subsection (3), a partnership formed before ~~{-July-}~~ January 1,

4442 2014, which elects, in the manner provided in its partnership agreement or by law for amending

4443 the partnership agreement, to be subject to this chapter.

8. Page 144, Line 4460 through Page 145, Line 4462:

4460 Until this chapter is repealed January 1, 2016, this chapter applies only to a limited

4461 partnership formed on or before ~~{-June-30, 2014-}~~ December 31, 2013 , that has not elected to be governed by Chapter

4462 2e, Utah Uniform Limited Partnership Act, as provided in Section 48-2e-1205.

## 9. Page 145, Lines 4465 through 4467:

4465 Until this chapter is repealed January 1, 2016, this chapter applies only to a limited

4466 liability company formed on or before {~~June 30, 2014~~} December 31, 2013 , that has not elected to be governed by

4467 Chapter 3a, Utah Revised Uniform Limited Liability Company Act, as provided in Section

## 10. Page 216, Lines 6682 through 6689:

6682 (31) “Protected agreement” means:

6683 (a) a record evidencing indebtedness and any related agreement in effect on {~~July~~} January 1,

6684 2014;

6685 (b) an agreement that is binding on an entity on {~~July~~} January 1, 2014;

6686 (c) the organic rules of an entity in effect on {~~July~~} January 1, 2014; or

6687 (d) an agreement that is binding on any of the governors or interest holders of an entity

6688 on {~~July~~} January 1, 2014.

6689 (32) “Public organic record” means the record, the filing of which by the division is

## 11. Page 225, Lines 6957 through 6960:

6957 interest exchange in which the domestic limited partnership is the acquired entity as if the

6958 interest exchange were a merger until the provision is amended after {~~July~~} January 1, 2014.

6959 Section 255. Section 48-2e-1132 is enacted to read:

6960 48-2e-1132. Plan of interest exchange.

## 12. Page 230, Lines 7099 through 7102:

7099 limited partnership but does not refer to a conversion, the provision applies to a conversion of

7100 the entity as if the conversion were a merger until the provision is amended after {~~July~~} January 1, 2014.

7101 Section 261. Section 48-2e-1142 is enacted to read:

7102 48-2e-1142. Plan of conversion.

13. Page 235, Lines 7257 through 7259:

7257 domestication of the limited partnership as if the domestication were a merger until the

7258 provision is amended after {~~July~~} January 1, 2014.

7259 Section 267. Section 48-2e-1152 is enacted to read:

14. Page 240, Line 7429 through Page 241, Line 7451:

7429 (1) Before January 1, 2016, this chapter governs only:

7430 (a) a limited partnership formed on or after {~~July~~} January 1, 2014; and

7431 (b) except as otherwise provided in Subsections (3) and (4), a limited partnership

7432 formed before {~~July~~} January 1, 2014, which elects, in the manner provided in its partnership agreement

7433 or by law for amending the partnership agreement, to be subject to this chapter.

7434 (2) Except as otherwise provided in Subsection (3), on and after January 1, 2016, this

7435 chapter governs all limited partnerships.

7436 (3) With respect to a limited partnership formed before {~~July~~} January 1, 2014, the following

7437 rules apply except as the partners otherwise elect in the manner provided in the partnership

7438 agreement or by law for amending the partnership agreement:

7439 (a) Subsection 48-2e-104(3) does not apply and the limited partnership has whatever

7440 duration it had under the law applicable immediately before {~~July~~} January 1, 2014.

7441 (b) Sections 48-2e-601 and 48-2e-602 do not apply and a limited partner has the same

7442 right and power to dissociate from the limited partnership, with the same consequences, as

7443 existed immediately before ~~{-July-}~~ January 1, 2014.

7444 (c) Subsection 48-2e-603(4) does not apply and the partners have the same right and

7445 power to expel a general partner as existed immediately before ~~{-July-}~~ January 1, 2014.

7446 (d) Subsection 48-2e-603(5) does not apply and a court has the same power to expel a

7447 general partner as the court had immediately before ~~{-July-}~~ January 1, 2014.

7448 (e) Subsection 48-2e-801(1)(c) does not apply and the connection between a person's

7449 dissociation as a general partner and the dissolution of the limited partnership is the same as

7450 existed immediately before ~~{-July-}~~ January 1, 2014.

7451 (4) With respect to a limited partnership that elects pursuant to Subsection (1)(b) to be

15. Page 308, Lines 9514 through 9521:

9514 (30) "Protected agreement" means:

9515 (a) a record evidencing indebtedness and any related agreement in effect on ~~{-July-}~~ January 1,

9516 2014;

9517 (b) an agreement that is binding on an entity on ~~{-July-}~~ January 1, 2014;

9518 (c) the organic rules of an entity in effect on ~~{-July-}~~ January 1, 2014; or

9519 (d) an agreement that is binding on any of the governors or interest holders of an entity

9520 on ~~{-July-}~~ January 1, 2014.

9521 (31) "Public organic record" means the record the filing of which by the division is

16. Page 316, Lines 9789 through 9791:

9789 interest exchange in which the domestic limited liability company is the acquired entity as if

9790 the interest exchange were a merger until the provision is amended after ~~{-July-}~~ January 1, 2014.

9791 Section 370. Section 48-3a-1032 is enacted to read:

17. Page 321, Lines 9932 through 9935:

9932 limited liability company but does not refer to a conversion, the provision applies to a

9933 conversion of the entity as if the conversion were a merger until the provision is amended after

9934 ~~{-July-}~~ January 1, 2014.

9935 Section 376. Section 48-3a-1042 is enacted to read:

18. Page 326, Lines 10091 through 10094:

10091 limited liability company but does not refer to a domestication, the provision applies to a

10092 domestication of the limited liability company as if the domestication were a merger until the

10093 provision is amended after ~~{-July-}~~ January 1, 2014.

10094 Section 382. Section 48-3a-1052 is enacted to read:

19. Page 350, Lines 10835 through 10839:

10835 (1) Before January 1, 2016, this chapter governs only:

10836 (a) a limited liability company formed on or after ~~{-July-}~~ January 1, 2014; and

10837 (b) except as otherwise provided in Subsection (3), a limited liability company formed

10838 before ~~{-July-}~~ January 1, 2014, which elects, in the manner provided in its operating agreement or by law

10839 for amending the operating agreement, to be subject to this chapter.

20. Page 350, Lines 10842 through 10844:

10842 (3) For the purposes of applying this chapter to a limited liability company formed



10843 before {~~July~~} January 1, 2014:

10844 (a) the limited liability company’s articles of organization are deemed to be the limited

21. Page 371, Lines 11485 through 11487:

11485 (1) The amended sections in this bill take effect on July 1, 2013.

11486 (2) The sections enacted in this bill take effect on {~~July~~} January 1, 2014.

11487 (3) Section 422, Repealer, in this bill of the uncodified repealer Laws of Utah 2011, ; and

The Business and Labor Committee recommends **2nd Sub. H.B. 47, INSURANCE LAW AMENDMENTS**, by Representative J. Dunnigan, be replaced and favorably recommends **3rd Sub. H.B. 47, INSURANCE LAW AMENDMENTS** and that it be considered read for the second time and placed on the Consent Calendar.

Curtis S. Bramble, Chair

Mr. President: February 20, 2013

The Economic Development and Workforce Services Committee reports a favorable recommendation on **H.B. 304, ENTERPRISE ZONE AMENDMENTS**, by Representative K. Powell, and recommends it be considered read for the second time and placed on the Consent Calendar.

Aaron Osmond, Chair

Mr. President: February 19, 2013

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 27, THREAT OF TERRORISM PENALTY AMENDMENTS**, by Representative E. Hutchings, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 301, BAIL BOND RECOVERY LICENSURE AMENDMENTS**, by Representative E. Redd, and recommends it be considered read for the second time and placed on the Consent Calendar.

Mark B. Madsen, Chair

On motion of Senator Valentine, the committee reports were adopted. The bills were considered read the second time and placed on the Consent Calendar.

## INTRODUCTION OF BILLS

**S.B. 82, Student Achievement Backpack** (J. Stevenson), was read the first time by short title and referred to the Rules Committee.

**S.B. 83, Limitations on Outside Employment by Government Employee** (T. Weiler), was read the first time by short title and referred to the Rules Committee.

**S.B. 84, Sales and Use Tax Exemption for Short-term Lodging Consumables** (J. S. Adams), was read the first time by short title and referred to the Rules Committee.

**S.B. 211, Redevelopment Agency Amendments** (J. Stevenson), was read the first time by short title and referred to the Rules Committee.

**S.B. 212, Judicial Code Amendments** (R. Okerlund), was read the first time by short title and referred to the Rules Committee.

**S.B. 213, Employer Association Health Plan Amendments** (P. Knudson), was read the first time by short title and referred to the Rules Committee.

**S.B. 214, Continuing Education for Prescription Drugs** (P. Jones), was read the first time by short title and referred to the Rules Committee.

**S.B. 215, Peace Officer Standards and Training Certification Age Requirement** (L. Hillyard), was read the first time by short title and referred to the Rules Committee.

**S.B. 216, Water Pollution Task Force** (R. Okerlund), was read the first time by short title and referred to the Rules Committee.

**S.B. 217, Utility Liability Limits** (T. Weiler), was read the first time by short title and referred to the Rules Committee.

**S.B. 218, Receiving Centers Funding Amendments** (D. Thatcher), was read the first time by short title and referred to the Rules Committee.

**S.B. 219, Disaster Recovery Liens** (S. Urquhart), was read the first time by short title and referred to the Rules Committee.

**S.J.R. 14, Joint Resolution Amending Civil Procedure Rule 62** (C. Bramble), was read the first time by short title and referred to the Rules Committee.

**S.J.R. 15, Joint Resolution Regarding the Impact of Adult Images on Children’s Development** (T. Weiler), was read the first time by short title and referred to the Rules Committee.

**S.R. 1, Senate Resolution on Government Subsidies of Hotels** (J. Valentine), was read the first time by short title and referred to the Rules Committee.

**CONSENT CALENDAR**

On motion of Senator Hillyard, **H.C.R. 2, CONCURRENT RESOLUTION TO REDUCE OBESITY IN UTAH**, was read the third time and circled.

\* \* \*

**S.B. 185, DIVISION OF OIL, GAS, AND MINING AMENDMENTS**, was read the third time, explained by Senator Van Tassell, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stevenson	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Christensen	Harper	Stephenson	Thatcher
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**S.B. 185** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Christensen, the circle was removed from **H.C.R. 2, CONCURRENT RESOLUTION TO REDUCE OBESITY IN UTAH**, and it was before the Senate. The bill passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard

Hinkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Bramble	Jenkins	Robles	Thatcher
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**H.C.R. 2** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 291**, MOTOR VEHICLE SAFETY INSPECTION AMENDMENTS, was read the third time, explained by Senator Reid, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Bramble	Jenkins	Robles	Thatcher
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**H.B. 291** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**1st Sub. S.J.R. 8**, JOINT RESOLUTION CONCERNING RAILROAD AND RAILROAD CROSSING SAFETY, was read the third time, explained by Senator Mayne, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson

Hinkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Hillyard	Jenkins	Reid	Robles
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**1st Sub. S.J.R. 8** was transmitted to the House for consideration.

**THIRD READING CALENDAR**

**H.B. 73, WATER EASEMENT AMENDMENTS,** was read the third time, explained by Senator Van Tassell, and passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Hillyard	Hinkins	Jenkins	Reid
Robles			

**H.B. 73** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 250, SUNSET REAUTHORIZATION – ENERGY PRODUCER STATES’ AGREEMENT,** was read the third time, explained by Senator Jenkins, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins

Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Christensen	Hillyard	Reid	Robles
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**H.B. 250** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 289**, FIREWORKS AMENDMENTS, was read the third time and explained by Senator Valentine. Senator Jones commented and passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Madsen	Mayne
Okerlund	Osmond	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Christensen	Hillyard	Knudson	Reid
Van Tassell			

**H.B. 289**, as amended, was returned to the House for further consideration.

\* \* \*

On motion of Senator Jenkins, **H.C.R. 6**, CONCURRENT RESOLUTION RECOGNIZING THE 50TH ANNIVERSARY OF THE VIETNAM WAR, will be considered Friday, February 22, 2013 at 11:15 a.m.

**SECOND READING CALENDAR**

On motion of Senator Adams, **1st Sub. H.B. 290**, DIVISION OF REAL ESTATE AMENDMENTS, was read the second time and circled.

\* \* \*

**1st Sub. H.B. 58, PROTECTION OF ATHLETES WITH HEAD INJURIES ACT AMENDMENTS**, was read the second time. Senator Christensen explained the bill. The bill passed second reading on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Jenkins
Jones	Knudson	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Bramble	Hillyard	Hinkins	Madsen
Van Tassell			

\* \* \*

On motion of Senator Weiler, the circle was removed from **1st Sub. H.B. 24, UTAH RETIREMENT SYSTEM AMENDMENTS**, and it was before the Senate. Senator Weiler explained the bill. The bill passed second reading on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Jenkins	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Bramble	Hinkins	Jones	Robles
Van Tassell			

\* \* \*

On motion of Senator Okerlund, **1st Sub. S.B. 109, CHANGE APPLICATION PROCEDURE**, will be considered Monday, February 25, 2013 at 10:45 a.m.

\* \* \*

**H.B. 251, SUNSET REAUTHORIZATION – EMPLOYMENT SERVICES FOR THE DISABLED**, was read the second time. Senator Christensen explained the bill. Senator Weiler commented and the bill passed second reading on the following roll call:

**Yeas, 25; Nays, 2; Absent or not voting, 2.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stevenson	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Voting in the negative were:** Senators

Madsen	Stephenson
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**Absent or not voting were:** Senators

Robles	Thatcher
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\* \* \*

**1st Sub. H.B. 11, LOCAL TRANSPORTATION CORRIDOR PRESERVATION FUND AMENDMENTS**, was read the second time. Senator Vickers 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Stevenson	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Robles	Thatcher
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\* \* \*

**H.B. 79, MOTOR VEHICLE REGISTRATION AND INSURANCE AMENDMENTS**, was read the second time. Senator Vickers 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stevenson
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Robles	Stephenson	Thatcher
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**H.B. 83, SPEED LIMIT AMENDMENTS**, was read the second time. Senator Jenkins explained the bill. The bill passed second reading on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Shiozawa
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Adams	Hillyard	Hinkins	Robles
Stephenson	Stevenson		

\* \* \*

**H.B. 71, MOBILE AND MANUFACTURED HOME AMENDMENTS**, was read the second time. Senator Valentine explained the bill. The bill passed second reading on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Dayton	Harper
Henderson	Hillyard	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Reid	Robles	Shiozawa	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Adams	Bramble	Davis	Hinkins
Osmond	Stephenson		

\* \* \*

**1st Sub. H.B. 254, COLLEGE CREDITS FOR VETERANS**, was read the second time. Senator Knudson explained the bill. The bill passed second reading on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Davis	Dayton
Harper	Henderson	Hillyard	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Reid	Robles	Shiozawa
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Adams	Bramble	Hinkins	Osmond
Stephenson			

\* \* \*

**H.B. 269, TRAINING OF SCHOOL NURSES**, was read the second time. Senator Christensen explained the bill. Senator Mayne commented. The bill passed second reading on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Davis	Dayton
Harper	Henderson	Hillyard	Hinkins

Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Reid	Robles
Shiozawa	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Adams	Bramble	Osmond	Stephenson
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\* \* \*

On motion of Senator Okerlund, **H.B. 285, MODIFICATION OF EDUCATION-RELATED REPORTING REQUIREMENTS**, was read the second time and circled.

\* \* \*

**H.B. 49, VOTED AND BOARD LEVY PROGRAMS AMENDMENTS**, was read the second time. Senator Stephenson explained the bill. Senators Hillyard and Dayton 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Osmond	Valentine
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On motion of Senator Hillyard, **H.B. 49** was placed on Third Reading Table due to fiscal impact.

**SPECIAL RECOGNITION**

A citation was read honoring the Utah Department of Financial Institutions.

**COMMITTEE OF THE WHOLE**

On motion of Senator Hillyard, G. Edward Leary, Department of Financial Institutions spoke in Committee of the Whole.

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

### SECOND READING CALENDAR

**1st Sub. H.B. 85**, VOTING RECOUNT AMENDMENTS, was read the second time. Senator Henderson 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

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Bramble	Stephenson
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\* \* \*

On motion of Senator Okerlund, **H.B. 276**, NEWBORN SCREENING FOR CRITICAL CONGENITAL HEART DEFECTS, was read the second time and circled.

\* \* \*

On motion of Senator Valentine, **1st Sub. H.B. 10**, SEX OFFENSE AMENDMENTS, was read the second time and circled.

\* \* \*

On motion of Senator Dayton, **H.B. 87**, ATTEMPTED AGGRAVATED MURDER AMENDMENTS, was read the second time and circled.

\* \* \*

**1st Sub. H.B. 67**, PERSONAL PROPERTY TAXATION REVISIONS, was read the second time. Senator Harper 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

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Bramble	Robles	Stephenson
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\* \* \*

**1st Sub. H.B. 74, PROPERTY TAX MODIFICATIONS,** was read the second time. Senator Van Tassell 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Henderson	Robles
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\* \* \*

On motion of Senator Knudson, the circle was removed from **H.B. 87, ATTEMPTED AGGRAVATED MURDER AMENDMENTS,** and it was before the Senate. Senator Knudson 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

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard

Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Dabakis	Robles	Van Tassell
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\* \* \*

On motion of Senator Bramble, legislative staff was authorized to draft a bill regarding municipal bonds litigation.

\* \* \*

On motion of Senator Okerlund, and at 11:45 a.m., the Senate recessed.

## AFTERNOON SESSION

The Senate reassembled at 2:30 p.m., with President Niederhauser presiding.

### COMMUNICATIONS FROM THE HOUSE

Mr. President: February 21, 2013

The House passed, **S.B. 40**, UTAH NAVAJO ROYALTIES AMENDMENTS, by Senator K. Van Tassell, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 43**, FINANCIAL AND ECONOMIC LITERACY EDUCATION AMENDMENTS, by Senator P. Jones, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 53**, INTERGENERATIONAL WELFARE REFORM, by Senator S. Reid, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 130**, SECURITY PERSONNEL LICENSING ACT AMENDMENTS, by Senator M. Dayton, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 138**, AMENDMENTS TO REQUIREMENTS FOR GOVERNOR'S PROPOSED BUDGET, by Senator W. Harper, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.J.R. 7**, JOINT RULES RESOLUTION ON REVENUE ESTIMATES FOR FEDERAL FUNDS, by Senator W. Harper, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President: February 21, 2013

The House passed, as amended, **S.B. 101**, DIVISION OF WATER RIGHTS REVISIONS, by Senator M. Dayton, and it is transmitted for further consideration; and

The House passed, as amended, **S.B. 129**, OFFICE OF STATE DEBT COLLECTION – ADMINISTRATIVE GARNISHMENT ORDER, by Senator L. Hillyard, and it is transmitted for further consideration; and

The House passed, as amended, **S.B. 162**, CONCURRENT ENROLLMENT AMENDMENTS, by Senator S. Urquhart, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bills were placed on the Concurrence Calendar.

**RULES COMMITTEE REPORTS**

To the Members of the Senate: February 21, 2011

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

**Business and Labor Committee**

- S.B. 214** Continuing Education for Prescription Drugs (Sen. P. Jones)
- S.B. 219** Disaster Recovery Liens (Sen. S. Urquhart)
- S.J.R. 14** Joint Resolution Amending Civil Procedure Rule 62 (Sen. C. Bramble)

**Economic Development and Workforce Services Committee**

- S.B. 211** Redevelopment Agency Amendments (Sen. J. Stevenson)

**Education Committee**

- S.B. 82** Student Achievement Backpack (Sen. J. Stevenson)

**Government Operations and Political Subdivisions Committee**

- S.B. 83** Limitations on Outside Employment by Government Employee (Sen. T. Weiler)
- S.R. 1** Senate Resolution on Government Subsidies of Hotels (Sen. J. Valentine)
- H.C.R. 3** Concurrent Resolution Honoring Major General Brian L. Tarbet (Rep. V. Peterson) (Sen. P. Knudson)

**Health and Human Services Committee**

- S.B. 213** Employer Association Health Plan Amendments (Sen. P. Knudson)
- S.J.R. 15** Joint Resolution Regarding the Impact of Adult Images on Children's Development (Sen. T. Weiler)

**Judiciary, Law Enforcement, and Criminal Justice Committee**

- S.B. 212** Judicial Code Amendments (Sen. R. Okerlund)
- S.B. 215** Peace Officer Standards and Training Certification Age Requirement (Sen. L. Hillyard)
- S.B. 218** Receiving Centers Funding Amendments (Sen. D. Thatcher)

**Natural Resources, Agriculture and Environment Committee**

- S.B. 216** Water Pollution Task Force (Sen. R. Okerlund)

**Retirement and Independent Entities Committee**

- H.B. 95** Amortization Rate Contribution for Reemployed Retirees Revisions (Rep. D. Sagers) (Sen. T. Weiler)

**Revenue and Taxation Committee**

- H.B. 234** Corporate Franchise and Income Tax Fine and Penalty Amendments (Rep. B. Greene) (Sen. J. Valentine)
- H.B. 246** Expanded Uses of School District Property Tax Revenue (Rep. K. McIff) (Sen. D. Hinkins)

John L. Valentine  
Rules Committee Chair

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



**RULES COMMITTEE REPORTS**

To the Members of the Senate: February 21, 2011

The Rules Committee recommends that, with the written consent of the sponsor, **S.B. 203**, Prescription Label Information and Education Amendments (Sen. P. Jones) be replaced and favorably recommends that **1st Sub.S.B. 203**, Prescription Label Information and Education Amendments (Sen. P. Jones) be adopted and assigned to the Health and Human Services Committee.

John L. Valentine  
Rules Committee Chair

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

**STANDING COMMITTEE REPORTS**

Mr. President: February 20, 2013

The Business and Labor Committee reports a favorable recommendation on **H.J.R. 4**, JOINT RESOLUTION ON REMOTE SALES, by Representative S. Eliason, with the following amendments:

- 1. Page 1, Lines 16 through 19:

16       ▶       urges the United States Congress to act to authorize  
states, subject to the enactment

17       of any necessary state laws, and subject to principles established  
in the resolution. to require all retailers whose sales to consumers in the

18       state exceed a minimum threshold to collect applicable sales taxes  
on the sales in

19       the state. ; and

The Business and Labor Committee recommends **S.B. 59**, WORKERS' COMPENSATION COORDINATION OF BENEFITS AMENDMENTS, by Senator K. Mayne, be replaced and favorably recommends **1st Sub. S.B. 59**, WORKERS' COMPENSATION COORDINATION OF BENEFITS AMENDMENTS; and

The Business and Labor Committee recommends **S.B. 99**, LABOR AMENDMENTS, by Senator W. Harper, be replaced and favorably recommends **1st Sub. S.B. 99**, LABOR AMENDMENTS; and

The Business and Labor Committee recommends **S.B. 102**, CONTRACTOR LICENSING AMENDMENTS, by Senator W. Harper, be replaced and favorably

recommends **1st Sub. S.B. 102**, CONTRACTOR LICENSING AMENDMENTS;  
and

The Business and Labor Committee recommends **S.B. 143**, MORTGAGE AND FINANCIAL AFFAIRS AMENDMENTS, by Senator W. Harper, be replaced and favorably recommends **1st Sub. S.B. 143**, MORTGAGE AND FINANCIAL AFFAIRS AMENDMENTS; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 186**, INSURANCE TRANSACTIONS AMENDMENTS, by Senator L. Robles, with the following amendments:

1. Page 2, Line 39:

39 from an English language policy that complies with this title.

(4) If an insurance policy, endorsement, or rider is provided in a language other than English, it shall be accompanied by:

(a) the corresponding English language version; and

(b) a disclaimer in both English and the other language that states that the foreign language version is provided only as an accommodation or courtesy to the customer and the English language version shall control the resolution of any dispute or complaint. ; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 201**, PUBLIC USE TRAILS AMENDMENTS, by Senator C. Bramble.

Curtis S. Bramble, Chair

Mr. President:

February 20, 2013

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 181**, POLITICAL SUBDIVISIONS PROPERTY AMENDMENTS, by Senator W. Harper, with the following amendments:

1. Page 1, Line 11:

11 {~~—consideration in the form of—~~} fair market value for the property.

2. Page 1, Line 17:

17 {~~—consideration in the form of—~~} fair market value for the property; and

3. Page 6, Lines 165 through 170:

165 (1) “Consideration” means something ;  
 (a) of value given or done in exchange for  
 166 something given or done by another, including money, a service, or  
 labor ~~{-}~~ ; or  
 (b) provided in the public interest supporting health, safety, and  
welfare of the citizens of a political subdivision.

167 (2) “Educational entity” means ~~{-}~~  
 168 (a) a school district or charter school ~~{-}~~ and  
 169 (b) an institution of higher education as described in Section  
53B-2-101.

170 (3) “Fair market value” means the  
~~{-amount-}~~ consideration at which property would change  
hands

4. Page 7, Line 197:

197 dispose of property without receiving ~~{-consideration in the~~  
~~form of }~~ fair market value for the

5. Page 7, Line 204:

204 (i) subject to Subsection (3), a record requested in  
accordance with Title 63G, Chapter 2, Government Records

6. Page 7, Line 206:

206 (ii) is requested for a purpose, including media purposes, other  
than commercial use: ~~{-or-}~~

7. Page 7, Line 208:

208 political subdivision, or the federal government ~~{-}~~ ;  
(f) the acquisition or disposal of property in accordance with  
Section 10-8-2; or  
(g) any transfer of property specifically authorized by law.  
(3)(a) If a records request has apparent significant commercial  
value, the custodian of the property may require the requestor to attest in  
writing, under penalty of perjury, whether the material is to be used for  
commercial resale purposes.

(b) If the request is for commercial resale purposes, the requestor shall pay fair market value for the property as provided in Subsection (1).

Margaret Dayton, Chair

Mr. President:

February 20, 2013

The Health and Human Services Committee reports a favorable recommendation on **S.B. 78**, PHARMACY ACT AMENDMENTS, by Senator J. S. Adams, with the following amendments:

1. Page 17, Lines 501 through 509:

501 (7) A pharmacist or pharmacy intern who substitutes an interchangeable biosimilar

502 product for a prescribed biological product shall communicate the substitution to the purchaser. The interchangeable biosimilar product container shall be labeled with the name of the interchangeable biosimilar product dispensed, and the pharmacist, pharmacy intern, or pharmacy technician shall indicate on the file copy of the prescription both the name of the prescribed biological product and the name of the interchangeable biosimilar product dispensed in its place. {

503 (a) communicate the substitution to the purchaser;

504 (b) ensure that the interchangeable product container is labeled with the name and the

505 manufacturer of the interchangeable biosimilar product dispensed; and

506 (c) indicate on the file copy of the prescription:

507 (i) the name and the manufacturer of the prescribed biological product; and

508 (ii) the name and the manufacturer of the interchangeable biosimilar product dispensed

509 in place of the prescribed biological product. }

2. Page 17, Lines 510 through 516:

510 (8) A pharmacist or pharmacy intern who substitutes an interchangeable biosimilar

511 product for a prescribed biological product shall:

512 (a) notify the prescriber in writing , by fax, telephone, or  
electronic transmission of the substitution, as soon as practicable, but  
not

513 later than three business days after dispensing the interchangeable  
biosimilar product in place

514 of the prescribed biological product; and

515 (b) include the name and manufacturer of the interchangeable  
biosimilar product

516 substituted.

3. Page 17, Lines 517 through 521:

517 ~~{ (9) The pharmacist or pharmacy intern shall:~~

518 ~~(a) retain a written record of the substitution for at least five~~  
~~years; and~~

519 ~~(b) include the name and manufacturer of the interchangeable~~  
~~product substituted. }~~

520 ~~{ (10) }~~ (9) A licensed medical practitioner who fails to  
specify that no substitution is

521 authorized does not constitute evidence of negligence. ; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 194**, PHARMACY PRACTICE ACT AMENDMENTS, by Senator E. Vickers, with the following amendments:

1. Page 1, Line 16:

16 ► amends pharmacy technician licensure qualifications;

► authorizes, under certain circumstances, the dispensing of one or more refills at the time a legend drug prescription is dispensed;

2. Page 2, Line 28:

28 58-17b-612, as last amended by Laws of Utah 2010, Chapter 101

ENACTS:

58-17b-608.1, Utah Code Annotated 1953

3. Page 10, Line 302 through Page 11, Line 313:

302 (b) “Practice as a licensed pharmacy technician” does not include:

303 (i) performing a drug utilization review, prescription drug order clarification from a

304 prescriber, ~~[]~~ ~~{-[-]}~~ final review of the prescription ~~{-[-]}~~ ~~[and prescribed drug prepared for dispensing,]~~ ~~±~~

305 dispensing of the drug, or counseling a patient with respect to a prescription drug;

306 (ii) except as permitted by rules made by the division in consultation with the board ~~{-[-]}~~

307 ~~(A) final review of a prescription; or~~

308 ~~(B)-}~~ ~~±~~ final review of a prescribed drug prepared for dispensing;

309 ~~[(iii)]~~ (iii) counseling regarding nonprescription drugs and dietary supplements unless

310 delegated by the supervising pharmacist; or

311 ~~[(iii)]~~ (iv) receiving new prescription drug orders when communicating telephonically

312 or electronically unless the original information is recorded so the pharmacist may review the

313 prescription drug order as transmitted.

4. Page 14, Line 428:

428 with the division.

Section 4. Section 58-17b-608.1 is enacted to read:

58-17b-608.1. Refills of legend drug prescriptions.

If a prescription for a legend drug includes authorization for one or more refills, a pharmacist or pharmacy intern may dispense one or more of the refills at the time the drug is dispensed, if:

(1) the drug is not a controlled substance;

(2) the prescription does not include “Dispense as Written,” “DAW”, or some other notation having similar meaning;

(3) the total dosage units dispensed, including the units for both the prescription and any refills, do not exceed a 180-day supply; and

(4) in the professional judgment of the pharmacist or pharmacy intern the refill, or refills, should be dispensed at the time the prescription

is dispensed.

Renumber remaining sections accordingly.; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 206**, OFFICE OF MEDICAID INSPECTOR GENERAL AMENDMENTS, by Senator A. Christensen.

Evan J. Vickers, Chair

Mr. President: February 21, 2013

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 72**, SAFE DRINKING WATER DISCLOSURE ACT, by Representative R. Barrus.

Scott K. Jenkins, Chair

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

#### STANDING COMMITTEE REPORTS

Mr. President: February 20, 2013

The Business and Labor Committee recommends **H.B. 101**, HOMEOWNERS ASSOCIATION AMENDMENTS, by Representative J. Stanard, be replaced and favorably recommends **1st Sub. H.B. 101**, HOMEOWNERS ASSOCIATION AMENDMENTS and that it be considered read for the second time and placed on the Consent Calendar; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 173**, RESIDENTIAL CONSTRUCTION CONTRACT AMENDMENTS, by Senator J. S. Adams, and recommends it be considered read for the second time and placed on the Consent Calendar.

Curtis S. Bramble, Chair

Mr. President: February 21, 2013

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 215**, WATER QUALITY AMENDMENTS, by Representative R. Wilcox, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 216**, WASTING WILDLIFE

AMENDMENTS, by Representative R. Wilcox, and recommends it be considered read for the second time and placed on the Consent Calendar.

Scott K. Jenkins, Chair

On motion of Senator Valentine, the committee reports were adopted. The bills were considered read the second time and placed on the Consent Calendar.

### INTRODUCTION OF BILLS

**S.B. 220, Traffic Code Amendments** (P. Knudson), was read the first time by short title and referred to the Rules Committee.

### SECOND READING CALENDAR

On motion of Senator Valentine, **1st Sub. H.B. 28, CAMPUS SAFETY AMENDMENTS**, was read the second time and circled.

\* \* \*

**H.B. 298, PARENT SEMINAR ON YOUTH PROTECTION**, was read the second time. Senator Osmond explained the bill. The bill passed second reading on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Dayton                      Madsen

**Absent or not voting was:** Senator

Stephenson

\* \* \*

On motion of Senator Valentine, the circle was removed from **1st Sub. H.B. 28, CAMPUS SAFETY AMENDMENTS**, and it was before the Senate.



Senator Valentine 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Valentine
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Urquhart	Van Tassell
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\* \* \*

**S.B. 131, ASSAULT AMENDMENTS,** was read the second time. Senator Osmond explained the bill. Senators Madsen, Thatcher, and Mayne 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

Adams	Bramble	Dabakis	Henderson
Hillyard	Jones	Knudson	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Voting in the negative were:** Senators

Christensen	Dayton	Harper	Jenkins
Madsen	Stephenson		

**Absent or not voting were:** Senators

Davis	Hinkins
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\* \* \*

On motion of Senator Valentine, the circle was removed from **1st Sub. H.B. 10, SEX OFFENSE AMENDMENTS,** and it was before the Senate. Senator Valentine explained the bill.

Senator Valentine proposed the following amendment:

- 1. Page 2, Line 55  
Senate Committee Amendments  
2-13-2013:

55 circumstances not amounting to an offense listed under Subsection  
(3), {~~an actor~~} a person who is [10 or

- 2. Page 3, Lines 58 through 59  
Senate Committee Amendments  
2-13-2013:

58 the sexual conduct[?] {~~knowingly, intentionally, or~~  
~~recklessly~~} engages in any conduct listed in

59 Subsection (2)(b) and the person knew or reasonably should  
have known the age of the minor : or

Senator Valentine’s motion to amend passed on a voice vote. Senator Stevenson 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Osmond	Urquhart
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On motion of Senator Valentine, **1st Sub. H.B. 10** was placed on Third Reading Table due to fiscal impact.

\* \* \*

**2nd Sub. H.B. 81**, CYTOMEGALOVIRUS PUBLIC HEALTH INITIATIVE, was read the second time. Senator Bramble explained the bill. 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

On motion of Senator Bramble, **2nd Sub. H.B. 81** was placed on Third Reading Table due to fiscal impact.

\* \* \*

On motion of Senator Okerlund, and at 3:00 p.m., the Senate adjourned until 10:00 a.m., Friday, February 22, 2013.

# TWENTY-FIFTH DAY

**February 22, 2013**

The Senate was called to order at 10:00 a.m., with President Wayne Niederhauser presiding.

**Prayer** – Senator Mark Pendleton, Young Men General Board, LDS Church

**Pledge of Allegiance** – Senator Allen Christensen

**Roll Call** – All Senators present

## READING OF TITLES OF BILLS AND RESOLUTIONS

(PLEASE REFER TO DAY 1, PAGE 81)

## COMMUNICATIONS FROM THE HOUSE

Mr. President: February 21, 2013

The House concurred in the Senate amendments and passed **1st Sub. H.B. 34**, SPECIAL GROUP LICENSE PLATE AMENDMENTS, by Representative V. Peterson, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **2nd Sub. H.B. 69**, EXPUNGEMENT OF RECORDS, by Representative R. Greenwood, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

Communications filed. The bills were signed by the President of the Senate in open session and returned to the House for the signature of the Speaker of the House.

\* \* \*

Mr. President: February 21, 2013

The House passed, as substituted and amended, **1st Sub. H.B. 62**, DISPLAY OF PRISONER OF WAR AND MISSING IN ACTION FLAG, by Representative J. Westwood, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 92**, FACTUAL INNOCENCE ASSISTANCE AMENDMENTS, by Representative G. Froerer, and it is transmitted for consideration; and

The House passed **H.B. 104**, WIRELESS CALL LOCATION INFORMATION, by Representative M. Wheatley, and it is transmitted for consideration; and

The House passed **H.B. 113**, COUNTY GOVERNING BODY AUTHORITY, by Representative S. Handy, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 212**, DISEASE TESTING FOR PUBLIC SAFETY OFFICERS AMENDMENTS, by Representative D. Brown, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

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

**INTRODUCTION OF BILLS**

**S.B. 221, Assessment Area Act Amendments** (K. Van Tassell), was read the first time by short title and referred to the Rules Committee.

**S.B. 222, Transportation Amendments** (W. Harper), was read the first time by short title and referred to the Rules Committee.

**CONSENT CALENDAR**

**1st Sub. S.B. 147, WORKERS' COMPENSATION AND OCCUPATIONAL SAFETY RELATED AMENDMENTS**, was read the third time, explained by Senator Mayne, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Hillyard	Stephenson	Urquhart
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**1st Sub. S.B. 147** was transmitted to the House for consideration.

\* \* \*

**S.B. 179, LOCAL GOVERNMENT FINANCIAL REPORTING REVISIONS**, was read the third time, explained by Senator Bramble, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**S.B. 179** was transmitted to the House for consideration.

\* \* \*

**H.B. 257**, STATE TREASURER AMENDMENTS, was read the third time, explained by Senator Stephenson, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators  
Hillyard                      Madsen

**H.B. 257** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Bramble, the Senate voted to lift **3rd Sub. H.B. 47**, INSURANCE LAW AMENDMENTS, from the Consent Calendar and place it at the top of the Second Reading Calendar.

On motion of Senator Stevenson, the Senate voted to lift **S.B. 212, JUDICIAL CODE AMENDMENTS**, from the Judiciary, Law Enforcement, Criminal Justice Committee and assign it to the Economic Development and Workforce Services Committee.

**CONCURRENCE CALENDAR**

On motion of Senator Knudson, the Senate voted to concur in the House amendments to **S.B. 28, BOARDS AND COMMISSIONS AMENDMENTS**. The bill, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassel
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Hillyard	Jones
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**S.B. 28** was returned to the House for the signature of the Speaker.

\* \* \*

**S.B. 111, ELECTRONIC FILING OF TRAFFIC CITATIONS AND ACCIDENT REPORTS**, was before the Senate.

On motion of Senator Christensen, the bill was circled.

\* \* \*

On motion of Senator Vickers, the Senate voted to concur in the House amendments to **S.C.R. 3, THREATENED SPECIES DAMAGE AND MANAGEMENT PLAN CONCURRENT RESOLUTION**. The bill, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hinkins

Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Dabakis                      Hillyard

**S.C.R. 3** was returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Dayton, the Senate voted to concur in the House amendments to **S.B. 101**, DIVISION OF WATER RIGHTS REVISIONS. 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting was:** Senator

Hillyard

**S.B. 101** was returned to the House for the signature of the Speaker.

\* \* \*

**S.B. 129**, OFFICE OF STATE DEBT COLLECTION – ADMINISTRATIVE GARNISHMENT ORDER, was before the Senate.

On motion of Senator Knudson, the bill was circled.

\* \* \*

On motion of Senator Urquhart, the Senate voted to concur in the House amendments to **S.B. 162**, CONCURRENT ENROLLMENT AMENDMENTS. 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**S.B. 162** was returned to the House for the signature of the Speaker.

**THIRD READING CALENDAR**

**1st Sub. H.B. 58, PROTECTION OF ATHLETES WITH HEAD INJURIES ACT AMENDMENTS**, was read the third time, explained by Senator Christensen, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**1st Sub. H.B. 58** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

**SPECIAL RECOGNITION**

Senator Jones read a citation honoring National Board Certified Teachers from Utah.

**THIRD READING CALENDAR**

On motion of Senator Adams, **1st Sub. H.B. 24**, UTAH RETIREMENT SYSTEM AMENDMENTS, was read the third time and circled.

\* \* \*

**H.B. 251**, SUNSET REAUTHORIZATION – EMPLOYMENT SERVICES FOR THE DISABLED, was read the third time, explained by Senator Christensen, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Vickers
Niederhauser			

**Absent or not voting were:** Senators

Hillyard	Mayne	Van Tassell	Weiler
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**H.B. 251** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**1st Sub. H.B. 11**, LOCAL TRANSPORTATION CORRIDOR PRESERVATION FUND AMENDMENTS, was read the third time, explained by Senator Vickers, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Madsen                      Robles                      Thatcher

**1st Sub. H.B. 11** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 79, MOTOR VEHICLE REGISTRATION AND INSURANCE AMENDMENTS**, was read the third time, explained by Senator Vickers, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting was:** Senator

Davis

**H.B. 79** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 83, SPEED LIMIT AMENDMENTS**, was read the third time and explained by Senator Jenkins. Senator Shiozawa commented and the bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**H.B. 83** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 71**, MOBILE AND MANUFACTURED HOME AMENDMENTS, was read the third time, explained by Senator Valentine, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**H.B. 71** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**1st Sub. H.B. 254**, COLLEGE CREDITS FOR VETERANS, was read the third time, explained by Senator Knudson, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting was:** Senator

Jones

**1st Sub. H.B. 254**, as amended, was returned to the House for further consideration.

\* \* \*

On motion of Senator Weiler, the Senate voted to recall **1st Sub. H.B. 58 PROTECTION OF ATHLETES WITH HEAD INJURIES ACT AMENDMENTS** for a clarification.

\* \* \*

**H.B. 269, TRAINING OF SCHOOL NURSES**, was read the third time, explained by Senator Christensen, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**H.B. 269** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**1st Sub. H.B. 85, VOTING RECOUNT AMENDMENTS**, was read the third time, explained by Senator Henderson, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**1st Sub. H.B. 85** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**1st Sub. H.B. 67, PERSONAL PROPERTY TAXATION REVISION**, was read the third time and explained by Senator Harper.

Senator Harper proposed the following amendment:

1. Page 11, Line 316:  
Delete "and"
2. Page 11, Line 318:  
After "tenant" insert "and"

Senator Harper's motion to amend passed on a voice vote. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**1st Sub. H.B. 67**, as amended, was returned to the House for further consideration.

\* \* \*

**1st Sub. H.B. 74, PROPERTY TAX MODIFICATIONS**, was read the third time, explained by Senator Van Tassell, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson

Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**1st Sub. H.B. 74**, as amended, was returned to the House for further consideration.

\* \* \*

**H.B. 87**, ATTEMPTED AGGRAVATED MURDER AMENDMENTS, was read the third time, explained by Senator Knudson, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Bramble	Henderson
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**H.B. 87**, as amended, was returned to the House for further consideration.

\* \* \*

**H.B. 298**, PARENT SEMINAR ON YOUTH PROTECTION, was read the third time and explained by Senator Osmond. Senator Vickers commented and the bill passed on the following roll call:

**Yeas, 23; Nays, 4; Absent or not voting, 2.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Harper	Henderson	Hillyard	Jones
Knudson	Mayne	Okerlund	Osmond

Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Weiler	Niederhauser	

**Voting in the negative were:** Senators

Dayton	Hinkins	Madsen	Vickers
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**Absent or not voting were:** Senators

Bramble	Jenkins
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**H.B. 298** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Weiler, the circle was removed from **1st Sub. H.B. 24**, UTAH RETIREMENT SYSTEM AMENDMENTS, and it was before the Senate. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting was:** Senator

Jenkins

**1st Sub. H.B. 24** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Valentine, **1st Sub. H.B. 28**, CAMPUS SAFETY AMENDMENTS, was read the third time and circled.

\* \* \*

On motion of Senator Osmond, the Senate voted to recall **H.B. 298**, PARENT SEMINAR ON YOUTH PROTECTION for a revote.



\* \* \*

**S.B. 131, ASSAULT AMENDMENTS**, was read the third time and explained by Senator Osmond. Senator Madsen and Thatcher commented and the bill passed on the following roll call:

**Yeas, 22; Nays, 5; Absent or not voting, 2.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Henderson	Hillyard	Jones	Knudson
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Adams	Dayton	Harper	Madsen
Stephenson			

**Absent or not voting were:** Senators

Hinkins	Jenkins
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**S.B. 131** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Osmond, the Senate voted to reconsider its action on **H.B. 298**.

**H.B. 298, PARENT SEMINAR ON YOUTH PROTECTION**, was before the Senate, explained by Senator Osmond, and passed on the following roll call:

**Yeas, 22; Nays, 4; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

Bramble	Dabakis	Davis	Harper
Henderson	Hillyard	Jones	Knudson
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Adams	Dayton	Jenkins	Madsen
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**Absent or not voting were:** Senators

Christensen                Hinkins                        Stephenson

**H.B. 298** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

### COMMUNICATIONS FROM THE HOUSE

Mr. President: February 22, 2013

The House passed **H.C.R. 6**, CONCURRENT RESOLUTION RECOGNIZING THE 50TH ANNIVERSARY OF THE VIETNAM WAR, by Representative C. Oda, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

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

On motion of Senator Valentine, the Senate voted to lift **H.C.R. 6**, CONCURRENT RESOLUTION RECOGNIZING THE 50TH ANNIVERSARY OF THE VIETNAM WAR, from Rules and placed it on the top of the Second Reading Calendar.

### SECOND READING CALENDAR

On motion of Senator Jenkins, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. On motion of Senator Valentine, under suspension of the rules, the Senate voted to suspend the rules requiring a committee hearing and the 24-hour requirement.

On motion of Senator Jenkins, under suspension of the rules, **H.C.R. 6**, CONCURRENT RESOLUTION RECOGNIZING THE 50TH ANNIVERSARY OF THE VIETNAM WAR, was considered read the second and third times. Senator Jones commented and the bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**H.C.R. 6** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

**SPECIAL RECOGNITION**

Senator Christensen paid tribute to soldiers serving in the Armed Forces from Utah.

\* \* \*

On motion of Senator Okerlund, and at 12:00 p.m., the Senate adjourned until 10:00 a.m., Monday, February 25, 2013.

# TWENTY-EIGHTH DAY

## MORNING SESSION

**February 25, 2013**

The Senate was called to order at 10:00 a.m., with President Wayne Niederhauser presiding.

**Prayer** – Charlie Smith, Bishop, Cedar Pass 2nd Ward, LDS Church

**Pledge of Allegiance** – Senator Luz Robles

**Roll Call** – All Senators present

### READING OF TITLES OF BILLS AND RESOLUTIONS (PLEASE REFER TO DAY 1, PAGE 81)

#### SPECIAL ORDER OF BUSINESS

Senator Hillyard presented budget issues to the Senate. Senator Valentine commented.

#### COMMUNICATIONS FROM THE HOUSE

Mr. President: February 22, 2013

The House passed, **S.B. 161**, RESTITUTION AMENDMENTS, by Senator C. Bramble, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.C.R. 8**, CONCURRENT RESOLUTION FOR THE PROVO RESERVOIR CANAL TITLE TRANSFER, by Senator M. Dayton, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President: February 22, 2013

The House concurred in the Senate amendments and passed **H.B. 33**, EXPUNGEMENT PROCESS AMENDMENTS, by Representative E. Hutchings, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.B. 281**, HEALTH DISCOUNT PROGRAM REVISIONS, by Representative J. Dunnigan, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.B. 289**, FIREWORKS AMENDMENTS, by Representative J. Dunnigan, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

Communications filed. The bills were signed by the President of the Senate in open session and returned to the House for the signature of the Speaker of the House.

\* \* \*

Mr. President: February 22, 2013

The House passed, as substituted, **2nd Sub. H.B. 100**, INTERNET PRIVACY AMENDMENTS, by Representative S. Barlow, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 107**, HOSPITAL LIEN LAW AMENDMENTS, by Representative M. McKell, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 108**, METAL THEFT AMENDMENTS, by Representative J. Draxler, and it is transmitted for consideration; and

The House passed **H.B. 125**, INTERSTATE LOCAL EMERGENCY RESPONSE ACT, by Representative C. Oda, and it is transmitted for consideration; and

The House passed **H.B. 201**, STATE BOARD OF EDUCATION LEADERSHIP AMENDMENTS, by Representative S. Eliason, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 213**, PEACE OFFICER STANDARDS AND TRAINING AMENDMENTS, by Representative R. Greenwood, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 223**, EMERGENCY MANAGEMENT FUNDING AMENDMENTS, by Representative C. Oda, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 230**, EMERGENCY VEHICLE OPERATORS TRAINING REQUIREMENTS, by Representative G. Froerer, and it is transmitted for consideration; and

The House passed, as substituted, **2nd Sub. H.B. 299**, BICYCLE MODIFICATIONS, by Representative Johnny Anderson, and it is transmitted for consideration.

Sandy D. Tenney, 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 22, 2011

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

#### **Government Operations and Political Subdivisions Committee**

- S.B. 221** Assessment Area Act Amendments (Sen. K. Van Tassell)  
**H.B. 113** County Governing Body Authority (Rep. S. Handy)  
 (Sen. K. Van Tassell)

#### **Health and Human Services Committee**

- H.B. 212** Disease Testing for Public Safety Officers Amendments  
 (Rep. D. Brown) (Sen. J. Stevenson)

#### **Judiciary, Law Enforcement, and Criminal Justice Committee**

- H.B. 92** Factual Innocence Assistance Amendments  
 (Rep. G. Froerer) (Sen. E. Vickers)

#### **Revenue and Taxation Committee**

- S.B. 84** Sales and Use Tax Exemption for Short-term Lodging  
 Consumables (Sen. J. S. Adams)  
**1st Sub. H.B. 62** Display of Prisoner of War and Missing in Action Flag  
 (Rep. J. Westwood) (Sen. E. Vickers)

#### **Transportation, Public Utilities and Technology Committee**

- S.B. 220** Traffic Code Amendments (Sen. P. Knudson)  
**S.B. 222** Transportation Amendments (Sen. W. Harper)

**H.B. 104** Wireless Call Location Information (Rep. M. Wheatley)  
(Sen. G. Davis)

John L. Valentine  
Rules Committee Chair

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

### **RULES COMMITTEE REPORTS**

To the Members of the Senate: February 22, 2011

The Rules Committee recommends that, with the written consent of the sponsor, **S.B. 177**, Highway Designation Amendments (Sen. S. Reid) be replaced and favorably recommends that **1st Sub. S.B. 177**, Highway Designation Amendments (Sen. S. Reid), be adopted and assigned to the Economic Development and Workforce Services Committee.

John L. Valentine  
Rules Committee Chair

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

### **STANDING COMMITTEE REPORTS**

Mr. President: February 22, 2013

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 40**, SCHEDULING OF SPECIAL ELECTIONS, by Representative K. Powell, with the following amendments:

1. Page Page 2, Line 36: (ii) in an odd-numbered year {~~—~~}
2. Page Page 2, Line 37: {~~—(A) the second Tuesday following the first Monday in August; or~~}
3. Page Page 2, Line, 38: {~~—(B)—~~} on the first Tuesday after the first Monday in November; or; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 302**, EMERGENCY RESPONSE AMENDMENTS, by Representative R. Greenwood.

Margaret Dayton, Chair

Mr. President: February 22, 2013

The Retirement and Independent Entities Committee reports a favorable recommendation on **H.B. 30**, LINE-OF-DUTY DEATH AND DISABILITY AMENDMENTS, by Representative R. Menlove.

Todd Weiler, Chair

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

### STANDING COMMITTEE REPORTS

Mr. President: February 22, 2013

The Economic Development and Workforce Services Committee reports a favorable recommendation on **S.C.R. 9**, CONCURRENT RESOLUTION DESIGNATING A WEEK TO RECOGNIZE WORKPLACE SAFETY, by Senator K. Mayne, and recommends it be considered read for the second time and placed on the Consent Calendar.

Aaron Osmond, Chair

Mr. President: February 22, 2013

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **1st Sub. H.B. 220**, REPEAL OF STATE AUDITOR RELATED PROVISIONS, by Representative J. Knotwell, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.C.R. 7**, CONCURRENT RESOLUTION TO REDUCE UTAH'S DEPENDENCE ON FEDERAL FUNDS, by Senator A. Osmond, and recommends it be considered read for the second time and placed on the Consent Calendar.

Margaret Dayton, Chair

Mr. President: February 22, 2013

The Retirement and Independent Entities Committee reports a favorable recommendation on **H.B. 95**, AMORTIZATION RATE CONTRIBUTION FOR



REEMPLOYED RETIREES REVISIONS, by Representative D. Sagers, and recommends it be considered read for the second time and placed on the Consent Calendar.

Todd Weiler, Chair

On motion of Senator Valentine, the committee reports were adopted. The bills were considered read the second time and placed on the Consent Calendar.

**INTRODUCTION OF BILLS**

**S.B. 225, Immigration Trigger Dates** (C. Bramble), was read the first time by short title and referred to the Rules Committee.

**S.B. 226, Sales and Use Tax Amendments** (W. Harper), was read the first time by short title and referred to the Rules Committee.

**S.B. 227, Patient Information Protection Amendments** (S. Urquhart), was read the first time by short title and referred to the Rules Committee.

**S.B. 228, Penalties for Specified Juvenile Offenses** (B. Shiozawa), was read the first time by short title and referred to the Rules Committee.

**S.B. 229, Appellate Bond for State Entities** (C. Bramble), was read the first time by short title and referred to the Rules Committee.

**S.B. 230, Miners' Hospital Grants Amendments** (D. Hinkins), was read the first time by short title and referred to the Rules Committee.

**S.B. 231, Political Action Committee Amendments** (E. Vickers), was read the first time by short title and referred to the Rules Committee.

**CONSENT CALENDAR**

**H.B. 294, BICYCLES ON STREETS**, was read the third time, explained by Senator Thatcher, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund

Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**H.B. 294** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 297, BICYCLE AND MOPED AMENDMENTS**, was read the third time, explained by Senator Thatcher, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**H.B. 297** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**S.B. 193, VEHICLE REGISTRATION AMENDMENTS**, was read the third time, explained by Senator Jenkins, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund

Reid	Robles	Shiozawa	Stephenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Osmond                      Stevenson

**S.B. 193** was transmitted to the House for consideration.

**CONCURRENCE CALENDAR**

On motion of Senator Hillyard, the circle was removed from **S.B. 111, ELECTRONIC FILING OF TRAFFIC CITATIONS AND ACCIDENT REPORTS**, and it was before the Senate.

On motion of Senator Hillyard, the Senate voted to concur in the House amendments to **S.B. 111, ELECTRONIC FILING OF TRAFFIC CITATIONS AND ACCIDENT REPORTS**. 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting was:** Senator

Osmond

**S.B. 111** was returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Hillyard, the circle was removed from **S.B. 129, OFFICE OF STATE DEBT COLLECTION – ADMINISTRATIVE GARNISHMENT ORDER**, and it was before the Senate.

On motion of Senator Hillyard, the Senate voted to concur in the House amendments to **S.B. 129, OFFICE OF STATE DEBT COLLECTION –**

ADMINISTRATIVE GARNISHMENT ORDER. 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting was:** Senator

Osmond

**S.B. 129** was returned to the House for the signature of the Speaker.

#### TIME CERTAIN CALENDAR

On motion of Senator Valentine, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Knudson, under suspension of the rules, the Senate voted to suspend the rules requiring a committee hearing and the 24-hour requirement.

On motion of Senator Knudson, under suspension of the rules, **S.J.R. 12**, JOINT RESOLUTION ON TAIWAN, was considered read the second and third times. Senator Knudson explained the bill. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**S.J.R. 12** was transmitted to the House.

**COMMITTEE OF THE WHOLE**

On motion of Senator Knudson, Bruce Fuh, Taipei Economic and Cultural Director General spoke in Committee of the Whole.

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

**THIRD READING CALENDAR**

**1st Sub. H.B. 58, PROTECTION OF ATHLETES WITH HEAD INJURIES ACT AMENDMENTS**, was before the Senate.

On motion of Senator Christensen, the Senate voted to reconsider its action on **1st Sub. H.B. 58**.

The bill was explained by Senator Christensen and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Hillyard	Mayne
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**1st Sub. H.B. 58** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Valentine, the circle was removed from **1st Sub. H.B. 28, CAMPUS SAFETY AMENDMENTS** and, it was before the Senate. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**1st Sub. H.B. 28** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

#### **TIME CERTAIN CALENDAR**

**1st Sub. S.B. 109**, CHANGE APPLICATION PROCEDURE, was read the second time. Senator Okerlund explained the bill. Senators Jones, Bramble, Madsen, Dayton, Valentine, Jenkins, and Stevenson commented. The bill passed second reading on the following roll call:

**Yeas, 21; Nays, 7; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Jenkins
Knudson	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stevenson
Thatcher	Urquhart	Valentine	Vickers
Niederhauser			

**Voting in the negative were:** Senators

Dayton	Hinkins	Jones	Madsen
Stephenson	Van Tassell	Weiler	

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

#### **SECOND READING CALENDAR**

**S.B. 114**, SAFETY BELT AMENDMENTS, was read the second time.

Senator Robles proposed the following amendment:

1. Page 1, Lines 15a through 15f  
Senate Committee Amendments  
2-7-2013:

15a ► provides that until July 1, 2014, a state or local law enforcement officer may not issue a citation to a

15b person 19 years of age or older who has been detained {~~for the first time~~} for a safety belt

15c violation that is enforced as a primary offense but shall issue the person a warning informing

15d the person that wearing a safety belt while operating or a passenger in a motor vehicle is

15e enforced as a primary offense on a highway with a posted speed limit of 55 miles per hour or

15f more; and ←Ŝ

2. Page 2, Lines 56a through 56e
  - a. Senate Committee Amendments
  - b. 2-7-2013:

56a Ŝ → (c) {~~A~~} Until July 1, 2014, a state or local law enforcement officer may not issue a citation to a person 19

56b years of age or older who has been detained {~~for the first time~~} for a violation of Subsection

56c (1)(a)(i) or (2) that is enforced as a primary offense but shall issue the person a warning

56d informing the person that wearing a safety belt in a motor vehicle is enforced as a primary

56e offense on a highway with a posted speed limit of 55 miles per hour or more. ←Ŝ

Senator Robles' motion to amend passed on a voice vote.

###

Senator Vickers proposed the following amendment:

1. Page 1, Line 13  
Senate Committee Amendments  
2-7-2013:

13       ▶ provides that until July 1, 2015, a state or local law enforcement officer may only enforce the safety

2. Page 1, Line 15a
  - c. Senate Committee Amendments
  - d. 2-7-2013:

15a     ▶ provides that until July 1, 2015, a state or local law enforcement officer may not issue a citation to a

3. Page 2, Lines 50 through 56  
Senate Committee Amendments  
2-7-2013:

50       [~~(4)~~] (~~b~~) {~~For~~} (~~i~~) Until July 1, 2015, and for a person 19 years of age or older who violates Subsection (1)(a)(i) or (2),

51 enforcement by a state or local law enforcement officer shall be only as a secondary action

52 [~~when~~] if the person:

53       {~~(i)~~} (~~A~~) has been detained for a suspected violation of Title 41, Motor Vehicles, other than

54 Subsection (1)(a)(i) or (2), or for another offense~~[-]~~; and

55       {~~(ii)~~} (~~B~~) was operating the motor vehicle or was a passenger in a motor vehicle being

56 operated on a highway with a posted speed limit of less than 55 miles per hour.

(ii) Beginning on or after July 1, 2015, and for a person 19 years of age or older who violates Subsection (1)(a)(i) or (2), enforcement by a state or local law enforcement officer shall be only as a secondary action if the person has been detained for a suspected violation of Title 41, Motor Vehicles, other than Subsection (1)(a)(i) or (2), or for another offense.

4. Page 2, Lines 56a through 56c  
Senate Committee Amendments  
2-7-2013:



56a **Ŝ → (c) {-A-} Until July 1, 2015, a state or local law enforcement officer may not issue a citation to a person 19**

56b years of age or older who has been detained for the first time for a violation of Subsection

56c (1)(a)(i) or (2) that is enforced as a primary offense but shall issue the person a warning

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

**Yeas, 15; Nays, 14; Absent or not voting, 0.**

**Voting in the affirmative were:** Senators

Adams	Dabakis	Davis	Hillyard
Jones	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stevenson
Valentine	Van Tassell	Vickers	

**Voting in the negative were:** Senators

Bramble	Christensen	Dayton	Harper
Henderson	Hinkins	Jenkins	Knudson
Madsen	Stephenson	Thatcher	Urquhart
Weiler	Niederhauser		

\* \* \*

**S.B. 97, PROPELLING A BODILY SUBSTANCE AMENDMENTS,** was read the second time. Senator Stevenson explained the bill. 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

\* \* \*

**S.B. 98, PROPELLING A BODILY SUBSTANCE REVISIONS**, was read the second time. Senator Stevenson explained the bill. Senator Thatcher commented. The bill passed second reading on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Voting in the negative were:** Senators

Dabakis	Madsen	Thatcher
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**Absent or not voting was:** Senator

Robles

\* \* \*

**1st Sub. S.B. 152, ALCOHOL AND DRUG RELATED OFFENSE AMENDMENTS**, was read the second time. Senator Valentine explained the bill. Senator Hillyard 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

\* \* \*

On motion of Senator Okerlund, and at 11:45 a.m., the Senate recessed.

## AFTERNOON SESSION

The Senate reassembled at p.m., with President Niederhauser presiding.

### COMMUNICATIONS FROM THE HOUSE

Mr. President: February 25, 2013

The Speaker of the House has signed **S.B. 28**, BOARDS AND COMMISSIONS AMENDMENTS, by Senator P. Knudson, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **S.B. 101**, DIVISION OF WATER RIGHTS REVISIONS, by Senator M. Dayton, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **S.B. 111**, ELECTRONIC FILING OF TRAFFIC CITATIONS AND ACCIDENT REPORTS, by Senator L. Hillyard, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **S.B. 129**, OFFICE OF STATE DEBT COLLECTION – ADMINISTRATIVE GARNISHMENT ORDER, by Senator L. Hillyard, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **S.B. 162**, CONCURRENT ENROLLMENT AMENDMENTS, by Senator S. Urquhart, and it is transmitted for the signature of the President; and

The House passed, **S.C.R. 1**, CONCURRENT RESOLUTION APPROVING SOLID WASTE FACILITY LANDFILL PERMIT, by Senator D. Hinkins, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **S.C.R. 3**, THREATENED SPECIES DAMAGE AND MANAGEMENT PLAN CONCURRENT RESOLUTION, by Senator E. Vickers, and it is transmitted for the signature of the President; and

The House passed, **S.J.R. 12**, JOINT RESOLUTION ON TAIWAN, by Senator P. Knudson, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President:

February 25, 2013

The House concurred in the Senate amendments and passed **H.B. 87**, ATTEMPTED AGGRAVATED MURDER AMENDMENTS, by Representative L. Perry, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **1st Sub. H.B. 254**, COLLEGE CREDITS FOR VETERANS, by Representative P. Ray, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

Communications filed. The bills were signed by the President of the Senate in open session and returned to the House for the signature of the Speaker of the House.

\* \* \*

Mr. President:

February 25, 2013

The House passed, as substituted and amended, **2nd Sub. H.B. 99**, SUBMITTING GOVERNMENTAL REPORTS, by Representative P. Arent, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 112**, ASSESSMENT OF PROPERTY IF THREATENED OR ENDANGERED SPECIES IS PRESENT, by Representative M. Noel, and it is transmitted for consideration; and

The House passed **H.B. 119**, FIRE PREVENTION AMENDMENTS, by Representative J. Seelig, and it is transmitted for consideration; and

The House passed, as substituted, **2nd Sub. H.B. 211**, CONCEALED WEAPON PERMIT FOR SERVICE MEMBERS, by Representative V. Peterson, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 217**, STATE FIRE CODE ACT AMENDMENTS, by Representative J. Dunnigan, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 218**, ALCOHOL AMENDMENTS, by Representative G. Froerer, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 241**, UNDERGROUND PETROLEUM STORAGE TANK FINANCIAL VIABILITY STUDY, by Representative S. Eliason, and it is transmitted for consideration.

Sandy D. Tenney, 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 25, 2011

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

#### **Business and Labor Committee**

- S.B. 225** Immigration Trigger Dates (Sen. C. Bramble)  
**S.B. 229** Appellate Bond for State Entities (Sen. C. Bramble)

#### **Education Committee**

- S.B. 230** Miners' Hospital Grants Amendments (Sen. D. Hinkins)  
**H.B. 201** State Board of Education Leadership Amendments  
 (Rep. S. Eliason) (Sen. A. Osmond)

#### **Government Operations and Political Subdivisions Committee**

- S.B. 197** Private Investigators Qualification Amendments  
 (Sen. M. Dayton)  
**S.B. 231** Political Action Committee Amendments  
 (Sen. E. Vickers)  
**H.B. 125** Interstate Local Emergency Response Act (Rep. C. Oda)  
 (Sen. D. Henderson)  
**H.B. 223** Emergency Management Funding Amendments  
 (Rep. C. Oda) (Sen. D. Henderson)

#### **Health and Human Services Committee**

- S.B. 227** Patient Information Protection Amendments  
 (Sen. S. Urquhart)  
**H.B. 13** Protection of Children Riding in Motor Vehicles  
 (Rep. P. Arent) (Sen. A. Osmond)  
**1st Sub. H.B. 107** Hospital Lien Law Amendments (Rep. M. McKell)  
 (Sen. J. Valentine)  
**1st Sub. H.B. 230** Emergency Vehicle Operators Training Requirements  
 (Rep. G. Froerer) (Sen. D. Thatcher)

**Judiciary, Law Enforcement, and Criminal Justice Committee**

- S.B. 228** Penalties for Specified Juvenile Offenses  
(Sen. B. Shiozawa)
- H.B. 108** Metal Theft Amendments (Rep. J. Draxler)  
(Sen. J. Stevenson)
- 1st Sub. H.B. 213** Peace Officer Standards and Training Amendments  
(Rep. R. Greenwood) (Sen. D. Thatcher)

**Revenue and Taxation Committee**

- S.B. 226** Sales and Use Tax Amendments (Sen. W. Harper)

**Public Utilities and Technology Committee**

- 2nd Sub. H.B. 100** Internet Privacy Amendments (Rep. S. Barlow)  
(Sen. J. S. Adams)
- 2nd Sub. H.B. 299** Bicycle Modifications (Rep. Johnny Anderson)  
(Sen. D. Thatcher)

John L. Valentine  
Rules Committee Chair

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

**STANDING COMMITTEE REPORTS**

Mr. President: February 25, 2013

The Business and Labor Committee reports a favorable recommendation on **2nd Sub. H.B. 65**, INSURANCE BENEFICIARY CHANGES, by Representative J. Bird; and

The Business and Labor Committee reports a favorable recommendation on **1st Sub. H.B. 245**, CONSUMER PROTECTION AMENDMENTS, by Representative D. Brown; and

The Business and Labor Committee reports a favorable recommendation on **2nd Sub. H.B. 286**, DISPOSITION OF PERSONAL PROPERTY ON VACATED PROPERTY, by Representative G. Froerer; and

The Business and Labor Committee recommends **S.B. 214**, CONTINUING EDUCATION FOR PRESCRIPTION DRUGS, by Senator P. Jones, be replaced

and favorably recommends **1st Sub. S.B. 214**, CONTINUING EDUCATION FOR PRESCRIPTION DRUGS.

Curtis S. Bramble, Chair

Mr. President: February 25, 2013

The Education Committee reports a favorable recommendation on **1st Sub. H.B. 278**, PUBLIC SCHOOL SEISMIC STUDIES, by Representative G. Froerer.

Stuart C. Reid, Chair

Mr. President: February 25, 2013

The Health and Human Services Committee reports a favorable recommendation on **1st Sub. S.B. 203**, PRESCRIPTION LABEL INFORMATION AND EDUCATION AMENDMENTS, by Senator P. Jones, with the following amendments:

1. Page 4, Lines 97 through 101:

97 (2) as part of the website information, specify that information described in Subsection

98 (1) should not be included on the label if { ~~—~~

99 (a) the prescription order does not include a refill; or

100 (b) } the prescriber or patient indicates that the information may not be included on the

101 label. ; and

The Health and Human Services Committee reports a favorable recommendation on **S.J.R. 15**, JOINT RESOLUTION REGARDING THE IMPACT OF ADULT IMAGES ON CHILDREN’S DEVELOPMENT, by Senator T. Weiler.

Evan J. Vickers, Chair

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

**STANDING COMMITTEE REPORTS**

Mr. President: February 25, 2013

The Business and Labor Committee reports a favorable recommendation on **H.B. 303**, TRUST DEED ASSIGNMENT AMENDMENTS, by Representative

R. C. Webb, and recommends it be considered read for the second time and placed on the Consent Calendar.

Curtis S. Bramble, Chair

On motion of Senator Valentine, the committee reports were adopted. The bills were considered read the second time and placed on the Consent Calendar.

### INTRODUCTION OF BILLS

**S.B. 232, Adoption Code Revisions** (T. Weiler), was read the first time by short title and referred to the Rules Committee.

**S.B. 233, Request for Emergency Medical Assistance Amendments** (C. Bramble), was read the first time by short title and referred to the Rules Committee.

**S.B. 234, Fire Code Amendments** (C. Bramble), was read the first time by short title and referred to the Rules Committee.

**S.B. 235, Interstate Mining Compact** (D. Hinkins), was read the first time by short title and referred to the Rules Committee.

**S.C.R. 11, Concurrent Resolution on Radon Gas** (J. Valentine), was read the first time by short title and referred to the Rules Committee.

### SPECIAL RECOGNITION

A citation was read honoring Mike Williams and Danny Berger, Utah State University

### SECOND READING CALENDAR

**S.B. 156, JAIL RELEASE AMENDMENTS**, was read the second time. Senator Adams explained the bill. The bill passed second reading on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Mayne
Okerlund	Osmond	Reid	Robles



Shiozawa	Stephenson	Stevenson	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Bramble	Harper	Madsen	Thatcher
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\* \* \*

**S.B. 160, PATRONIZING A PROSTITUTE AMENDMENTS**, was read the second time. Senator Stevenson explained the bill. The bill passed second reading on the following roll call:

**Yeas, 25; Nays, 2; Absent or not voting, 2.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Voting in the negative were:** Senators

Madsen	Thatcher
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**Absent or not voting were:** Senators

Bramble	Harper
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\* \* \*

**S.B. 32, ENVIRONMENTAL HEALTH SCIENTIST ACT SUNSET REAUTHORIZATION**, was read the second time. Senator Davis 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

Adams	Christensen	Dabakis	Davis
Henderson	Hillyard	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

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

**Absent or not voting were:** Senators  
Bramble                      Harper

\* \* \*

**S.B. 113, LONG-TERM DISABILITY COVERAGE 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

Adams	Christensen	Dabakis	Davis
Dayton	Henderson	Hillyard	Hinkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators  
Bramble                      Harper                      Jenkins

\* \* \*

On motion of Senator Henderson, **1st Sub. S.B. 124, SALES AND USE TAX EXEMPTION FOR DATABASE ACCESS,** was read the second time and circled.

\* \* \*

**S.B. 165, PHYSICAL THERAPY PRACTICE ACT AMENDMENTS,** was read the second time. Senator Weiler explained the bill. 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

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond

Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

\* \* \*

**S.B. 61, HUNTING PERMIT AMENDMENTS,** was read the second time.

Senator Christensen proposed the following amendment:

1. Page 3, Line 88 through Page 4, Line 94:

88        (4) A person may transfer a certificate of registration to harvest brine shrimp and brine

89        shrimp eggs if:

90        (a) the person submits to the division an application to transfer the certificate { ~~to the division~~ } on a form

91        provided by the division;

92        (b) the proposed transferee meets all requirements necessary to obtain an original

93        certificate of registration; and

94        (c) the division approves the transfer of the certificate.

Senator Christensen’s motion to amend passed on a voice vote. Senator Christensen explained the bill. 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

\* \* \*

On motion of Senator Harper, the circle was removed from **1st Sub. S.B. 124, SALES AND USE TAX EXEMPTION FOR DATABASE ACCESS**, and it was before the Senate. Senator Harper explained the bill. The bill passed second reading on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Voting in the negative were:** Senators

Dabakis	Robles
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\* \* \*

**S.B. 166, HOSPITAL PROVIDER ASSESSMENT AMENDMENTS**, was read the second time.

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

**2nd Sub. S.B. 166 Hospital Provider Assessment Amendments**  
(L. Hillyard)

Senator Hillyard explained the bill. Senators Reid and Dayton commented. The bill passed second reading on the following roll call:

**Yeas, 24; Nays, 5; Absent or not voting, 0.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Hillyard
Hinkins	Jones	Knudson	Mayne
Okerlund	Osmond	Robles	Shiozawa
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Voting in the negative were:** Senators

Dayton	Jenkins	Madsen	Reid
Stephenson			

\* \* \*

On motion of Senator Shiozawa, **1st Sub. S.B. 55**, INSURANCE COVERAGE FOR AUTISM SPECTRUM DISORDER, was read the second time and circled.

\* \* \*

**S.B. 167**, ALCOHOL BEVERAGE CONTROL AMENDMENTS, was read the second time. Senator Valentine explained the bill. Senators Jones, Hillyard, and Reid commented. The bill passed second reading on the following roll call:

**Yeas, 27; Nays, 1; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Voting in the negative was:** Senator

Dayton

**Absent or not voting was:** Senator

Stephenson

\* \* \*

**S.B. 168**, CERTIFIED PUBLIC ACCOUNTANT LICENSING AMENDMENTS, was read the second time. Senator Bramble explained the bill. 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson

Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

\* \* \*

**S.B. 145, COUNTY ATTORNEY CHAPTER RECODIFICATION,** was read the second time.

Senator Valentine proposed the following amendment:

- Page 6, Line 167:  
After “full-time” insert “at will”

Senator Valentine’s motion to amend passed on a voice vote. Senator Weiler 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

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Bramble                      Van Tassell

\* \* \*

**S.B. 164, PAROLE VIOLATOR CENTERS ALLOCATIONS,** was read the second time. Senator Robles explained the bill. 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

\* \* \*

On motion of Senator Reid, **S.B. 39**, PATERNAL RESPONSIBILITY FOR SEX EDUCATION, was read the second time and circled.

\* \* \*

**S.B. 169**, EDUCATION TASK FORCE, was read the second time. Senator Reid explained the bill. Senators Jones and Urquhart 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

\* \* \*

**S.B. 159**, THEFT AMENDMENTS, was read the second time. Senator Thatcher 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson

Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Madsen	Robles
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\* \* \*

**S.C.R. 6**, CONCURRENT RESOLUTION ON FEDERAL GAS TAX, was read the second time. Senator Henderson 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Stevenson	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Robles	Thatcher
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\* \* \*

**S.C.R. 4**, STANDING WITH ISRAEL CONCURRENT RESOLUTION, was read the second time.

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

**1st Sub. S.C.R. 4 Standing With Israel Concurrent Resolution**  
(C. Bramble)

Senator Bramble 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

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Dabakis	Jenkins	Robles
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\* \* \*

**S.B. 94, GOVERNMENT RECORDS AMENDMENTS,** was read the second time. Senator Bramble 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

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Dabakis	Jenkins
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\* \* \*

**S.B. 62, GOVERNOR’S FIRE SUPPRESSION AUTHORITY,** was read the second time. Senator Dayton 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jones	Knudson

Madsen	Mayne	Okerlund	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Jenkins                      Osmond

\* \* \*

On motion of Senator Dayton, the circle was removed from **S.B. 120**, TARGET SHOOTING AND WILDLIFE REGULATIONS, and it was before the Senate.

Senator Dayton proposed the following amendment:

1. Page 2, Lines 29 through 32:

29            (b) { ~~The closure shall include the prohibition of open fires~~  
for the period of time he

30    finds necessary.

31            ~~(c) The closure may include the restriction or prohibition of the~~  
~~use of firearms in~~

32    ~~target shooting.~~ } The closure shall include, for the period of  
time the state forester considers necessary, the prohibition of open fires,  
and may include restrictions and prohibitions on:

(i) smoking;

(ii) the use of vehicles or equipment;

(iii) welding, cutting, or grinding of metals;

(iv) fireworks;

(v) explosives; or

(vi) the use of firearms for target shooting.

(c) Any restriction or closure relating to firearms use:

(i) shall be done with support of the duly elected county sheriff of  
the affected county or counties;

(ii) shall undergo a formal review by the State Forester and County  
Sheriff every 14 days; and

(iii) may not prohibit a person from legally possessing a firearm or  
lawfully participating in a hunt.

Senator Dayton's motion to amend passed on a voice vote. Senator Dayton explained the bill. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Osmond	Urquhart
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\* \* \*

On motion of Senator Okerlund, and at 4:00 p.m., the Senate adjourned until 10:00 a.m., Tuesday, February 26, 2013.

# TWENTY-NINTH DAY

## MORNING SESSION

**February 26, 2013**

The Senate was called to order at 10:00 a.m., with President Wayne Niederhauser presiding.

**Prayer** – Rabbi Benny Zippel, Chabad Lubavitch of Utah

**Pledge of Allegiance** – Senator Kevin Van Tassell

**Roll Call** – All Senators present

### READING OF TITLES OF BILLS AND RESOLUTIONS (PLEASE REFER TO DAY 1, PAGE 81)

#### COMMUNICATIONS FROM THE HOUSE

Mr. President:

February 25, 2013

The House passed, as substituted, **1st Sub. H.B. 102**, ARSON PENALTIES AMENDMENTS, by Representative L. Wiley, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 103**, WIRELESS TELEPHONE USE RESTRICTIONS, by Representative L. Perry, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 116**, SUDDEN CARDIAC ARREST SURVIVAL ACT AMENDMENTS, by Representative R. Cunningham, and it is transmitted for consideration; and

The House passed, as substituted, **2nd Sub. H.B. 118**, AUTOMATIC EXTERNAL DEFIBRILLATOR RESTRICTED ACCOUNT, by Representative R. Cunningham, and it is transmitted for consideration; and

The House passed **H.B. 195**, BUDGETARY PROCEDURES ACT REVISIONS, by Representative K. Ivory, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 224**, IMPACT FEES AMENDMENTS, by Representative D. McCay, and it is transmitted for consideration; and

The House passed **H.B. 227**, COHABITANT DEFINITION, by Representative B. Wilson, and it is transmitted for consideration; and

The House passed **H.B. 231**, HAZARDOUS WASTE AND MIXED WASTE FEES, by Representative M. Nelson, and it is transmitted for consideration; and

The House passed **H.B. 233**, FUNERAL SERVICES LICENSING ACT AMENDMENTS, by Representative R. Menlove, and it is transmitted for consideration; and

The House passed **H.B. 237**, SURETY BOND PENALTY, by Representative R. Greenwood, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 287**, RETURN OF WEAPONS RECOVERED BY LAW ENFORCEMENT, by Representative K. Stratton, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 292**, PREMIUM ASSISTANCE UNDER MEDICAID AND CHIP, by Representative D. Sanpei, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

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

### STANDING COMMITTEE REPORTS

Mr. President:

February 25, 2013

The Health and Human Services Committee reports a favorable recommendation on **S.B. 207**, REPEAL OF HEALTH AND HUMAN SERVICES REPORTS AND EXPIRED OR DISCONTINUED PROGRAMS, by Senator A. Christensen, with the following amendments:

1. Page 2, Line 35:

35            {~~26-7-2, as last amended by Laws of Utah 2011, Chapter 492-~~}

2. Page 2, Line 49:

49            {~~26-52-202, as last amended by Laws of Utah 2012, Chapters 242 and 402-~~}

3. Page 2, Line 57:

57            {~~59-14-204, as last amended by Laws of Utah 2012, Chapter 341-~~}

## 4. Page 15, Line 451 through Page 16, Line 488:

- 451        { ~~Section 7. Section 26-7-2 is amended to read:~~
- 452        ~~26-7-2. Office of Health Disparities Reduction — Duties.~~
- 453        (1) ~~As used in this section:~~
- 454        (a) ~~“Multicultural or minority health issue” means a health~~  
455        ~~issue, including a mental~~  
456        ~~and oral health issue, of particular interest to cultural, ethnic, racial,~~  
457        ~~or other subpopulations,~~  
458        ~~including:~~
- 459        (i) ~~disparities in:~~
- 460        (A) ~~disease incidence, prevalence, morbidity, mortality,~~  
461        ~~treatment, and treatment~~  
462        ~~response; and~~
- 463        (B) ~~access to care; and~~
- 464        (ii) ~~cultural competency in the delivery of health care.~~
- 465        (b) ~~“Office” means the Office of Health Disparities Reduction~~  
466        ~~created in this section.~~
- 467        (2) ~~There is created within the department the Office of Health~~  
468        ~~Disparities Reduction.~~
- 469        (3) ~~The office shall:~~
- 470        (a) ~~promote and coordinate the research, data production,~~  
471        ~~dissemination, education,~~  
472        ~~and health promotion activities of the following that relate to a~~  
473        ~~multicultural or minority health~~  
474        ~~issue:~~
- 475        (i) ~~the department;~~
- 476        (ii) ~~local health departments;~~
- 477        (iii) ~~local mental health authorities;~~
- 478        (iv) ~~public schools;~~
- 479        (v) ~~community-based organizations; and~~
- 480        (vi) ~~other organizations within the state;~~

474 ~~(b) assist in the development and implementation of one or~~  
~~more programs to address a~~  
475 ~~multicultural or minority health issue;~~  
476 ~~(c) promote the dissemination and use of information on a~~  
~~multicultural or minority~~  
477 ~~health issue by minority populations, health care providers, and~~  
~~others;~~  
478 ~~(d) seek federal funding and other resources to accomplish the~~  
~~office’s mission;~~  
479 ~~(e) provide technical assistance to organizations within the state~~  
~~seeking funding to~~  
480 ~~study or address a multicultural or minority health issue;~~  
481 ~~(f) develop and increase the capacity of the office to:~~  
482 ~~(i) ensure the delivery of qualified timely culturally appropriate~~  
~~translation services~~  
483 ~~across department programs; and~~  
484 ~~(ii) provide, when appropriate, linguistically competent~~  
~~translation and communication~~  
485 ~~services for limited English proficiency individuals; and~~  
486 ~~(g) provide staff assistance to any advisory committee created~~  
~~by the department to~~  
487 ~~study a multicultural or minority health issue[; and].~~  
488 ~~[(h) annually report to the Legislature on its activities and~~  
~~accomplishments.] }~~

5. Page 36, Line 1100 through Page 38, Line 1165:

1100 { ~~Section 21. Section 26-52-202 is amended to read:~~  
1101 ~~26-52-202. Autism Treatment Account Advisory Committee~~  
~~—Membership—~~  
1102 ~~Time limit.~~  
1103 ~~(1)(a) There is created an Autism Treatment Account Advisory~~  
~~Committee consisting~~  
1104 ~~of six members appointed by the governor to two-year terms of~~  
~~office as follows:~~

- 1105 (i) one person holding a doctorate degree who has experience in treating persons with
- 1106 an autism spectrum disorder;
- 1107 (ii) one person who is a board certified behavior analyst;
- 1108 (iii) one person who is a physician licensed under Title 58, Chapter 67, Utah Medical
- 1109 Practice Act, or Title 58, Chapter 68, Utah Osteopathic Medical Practice Act, who has
- 1110 completed a residency program in pediatrics;
- 1111 (iv) one person who is employed in the Department of Health; and
- 1112 (v) two persons from the community who are familiar with autism spectrum disorders
- 1113 and their effects, diagnosis, treatment, rehabilitation, and support needs, including:
- 1114 (A) family members of a person with an autism spectrum disorder;
- 1115 (B) representatives of an association which advocates for persons with an autism
- 1116 spectrum disorder; and
- 1117 (C) specialists or professionals who work with persons with autism spectrum disorders.
- 1118 (b) Notwithstanding the requirements of Subsection (1)(a), the governor shall, at the
- 1119 time of appointment or reappointment, adjust the length of terms to ensure that the terms of
- 1120 committee members are staggered so that approximately half of the committee is appointed
- 1121 every year.
- 1122 (c) If a vacancy occurs in the committee membership for any reason, a replacement
- 1123 may be appointed for the unexpired term.
- 1124 (2) The department shall provide staff support to the committee.



- 1125 ~~(3) (a) The committee shall elect a chair from the membership on an annual basis.~~
- 1126 ~~(b) A majority of the committee constitutes a quorum at any meeting, and, if a quorum~~
- 1127 ~~exists, the action of the majority of members present shall be the action of the committee.~~
- 1128 ~~(c) The executive director may remove a committee member:~~
- 1129 ~~(i) if the member is unable or unwilling to carry out the member's assigned~~
- 1130 ~~responsibilities; or~~
- 1131 ~~(ii) for good cause.~~
- 1132 ~~(4) The committee may, in accordance with Title 63G, Chapter 3, Utah Administrative~~
- 1133 ~~Rulemaking Act, make rules governing the committee's activities, which rules shall:~~
- 1134 ~~(a) comply with the requirements of this title; and~~
- 1135 ~~(b) include:~~
- 1136 ~~(i) qualification criteria and procedures for selecting children who may qualify for~~
- 1137 ~~assistance from the account;~~
- 1138 ~~(ii) qualifications, criteria, and procedures for evaluating the services and providers to~~
- 1139 ~~include in the program, which shall include at least:~~
- 1140 ~~(A) applied behavior analysis provided by or supervised by a board-certified behavior~~
- 1141 ~~analyst or a licensed psychologist with equivalent university training and supervised~~
- 1142 ~~experience;~~
- 1143 ~~(B) collaboration with existing telehealth networks to reach children in rural and~~
- 1144 ~~under-served areas of the state; and~~
- 1145 ~~(C) methods to engage family members in the treatment process; and~~

- 1146 ~~(iii) provisions to address and avoid conflicts of interest that  
may arise in relation to the~~
- 1147 ~~committee's work.~~
- 1148 ~~(5) The committee shall meet as necessary to carry out its duties  
and shall meet upon a~~
- 1149 ~~call of the committee chair or a call of a majority of the  
committee members.~~
- 1150 ~~(6) The committee shall comply with the procedures and  
requirements of:~~
- 1151 ~~(a) Title 52, Chapter 4, Open and Public Meetings Act; and~~
- 1152 ~~(b) Title 63G, Chapter 2, Government Records Access and  
Management Act.~~
- 1153 ~~(7) Committee members shall receive no compensation or per  
diem allowance for their~~
- 1154 ~~services.~~
- 1155 ~~(8) (a) Not later than November 30 of each year, the committee  
shall provide a written~~
- 1156 ~~report summarizing the activities of the committee to[: (i) the  
executive director [of the~~
- 1157 ~~department;],~~
- 1158 ~~[(ii) the Legislature's Health and Human Services Interim  
Committee; and]~~
- 1159 ~~[(iii) the Legislature's Social Services Appropriations  
Subcommittee.]~~
- 1160 ~~(b) The report under Subsection (8)(a) shall include:~~
- 1161 ~~(i) the number of children diagnosed with autism spectrum  
disorder who are receiving~~
- 1162 ~~services under this chapter;~~
- 1163 ~~(ii) the types of services provided to children under this chapter;  
and~~
- 1164 ~~(iii) results of any evaluations on the effectiveness of treatments  
and services provided~~
- 1165 ~~under this chapter.-- }~~

## 6. Page 49, Line 1495 through Page 50, Line 1538:

- { ~~1495~~ — Section 29. Section ~~59-14-204~~ is amended to read:
- 1496 ~~59-14-204. Tax basis — Rate — Future increase — Cigarette Tax Restricted~~
- 1497 ~~Account — Appropriation and expenditure of revenues.~~
- 1498 (1) ~~Except for cigarettes described under Subsection 59-14-210(3), there is levied a tax~~
- 1499 ~~upon the sale, use, storage, or distribution of cigarettes in the state.~~
- 1500 (2) ~~The rates of the tax levied under Subsection (1) are, beginning on July 1, 2010:~~
- 1501 (a) ~~8.5 cents on each cigarette, for all cigarettes weighing not more than three pounds~~
- 1502 ~~per thousand cigarettes; and~~
- 1503 (b) ~~9.963 cents on each cigarette, for all cigarettes weighing in excess of three pounds~~
- 1504 ~~per thousand cigarettes.~~
- 1505 (3) ~~Except as otherwise provided under this chapter, the tax levied under Subsection~~
- 1506 ~~(1) shall be paid by any person who is the manufacturer, jobber, importer, distributor,~~
- 1507 ~~wholesaler, retailer, user, or consumer.~~
- 1508 (4) ~~The tax rates specified in this section shall be increased by the commission by the~~
- 1509 ~~same amount as any future reduction in the federal excise tax on cigarettes.~~
- 1510 (5) (a) ~~There is created within the General Fund a restricted account known as the~~
- 1511 ~~“Cigarette Tax Restricted Account.”~~
- 1512 (b) ~~The Cigarette Tax Restricted Account consists of:~~
- 1513 (i) ~~the first \$7,950,000 of the revenues collected from a tax under this section; and~~

- 1514 ~~(ii) any other appropriations the Legislature makes to the Cigarette Tax Restricted~~
- 1515 ~~Account.~~
- 1516 ~~(c) For each fiscal year beginning with fiscal year 2011-12 and subject to appropriation~~
- 1517 ~~by the Legislature, the Division of Finance shall distribute money from the Cigarette Tax~~
- 1518 ~~Restricted Account as follows:~~
- 1519 ~~(i) \$250,000 to the Department of Health to be expended for a tobacco prevention and~~
- 1520 ~~control media campaign targeted towards children;~~
- 1521 ~~(ii) \$2,900,000 to the Department of Health to be expended for tobacco prevention;~~
- 1522 ~~reduction, cessation, and control programs;~~
- 1523 ~~(iii) \$2,000,000 to the University of Utah Health Sciences Center for the Huntsman~~
- 1524 ~~Cancer Institute to be expended for cancer research; and~~
- 1525 ~~(iv) \$2,800,000 to the University of Utah Health Sciences Center to be expended for~~
- 1526 ~~medical education at the University of Utah School of Medicine.~~
- 1527 ~~(d) In determining how to appropriate revenue deposited into the Cigarette Tax~~
- 1528 ~~Restricted Account that is not otherwise appropriated under Subsection (5)(c), the Legislature~~
- 1529 ~~shall give particular consideration to enhancing Medicaid provider reimbursement rates and~~
- 1530 ~~medical coverage for the uninsured.~~
- 1531 ~~[(c) Any program or entity that receives funding under Subsection (5)(c) shall provide~~
- 1532 ~~an annual report to the Health and Human Services Interim Committee no later than September~~
- 1533 ~~1 of each year. The report shall include:]~~

- 1534 ~~[(i) the amount funded;]~~
- 1535 ~~[(ii) the amount expended;]~~
- 1536 ~~[(iii) a description of the effectiveness of the program; and]~~
- 1537 ~~[(iv) if the program is a tobacco cessation program, the report required in Section~~
- 1538 ~~51-9-203.] ]~~

Evan J. Vickers, Chair

On motion of Senator Valentine, the committee report was adopted. The bill was placed on Second Reading Calendar.

**STANDING COMMITTEE REPORTS**

Mr. President: February 25, 2013

The Health and Human Services Committee reports a favorable recommendation on **H.B. 198**, AGING AND ADULT SERVICES AMENDMENTS, by Representative B. Last, and recommends it be considered read for the second time and placed on the Consent Calendar.

Evan J. Vickers, Chair

Mr. President: February 25, 2013

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 222**, TRANSPORTATION AMENDMENTS, by Senator W. Harper, with the following amendments and recommends it be considered read for the second time and placed on the Consent Calendar:

- 1. Page 1, Lines 12 through 15:

12     ▶     provides that beginning on the date that the Motor Vehicle Division has implemented the Motor Vehicle Division's GenTax system. the requirement to pass a safety inspection annually or obtain a valid

13     annual federal inspection only applies to a motor vehicle with a gross vehicle

14     weight rating of 10,001 pounds or more if the motor vehicle is a commercial

15     vehicle; and

2. Page 3, Lines 60 through 62:

60 (b) {~~A~~} [~~motor vehicle~~] Beginning on the date that  
the Motor Vehicle Division has implemented the Motor Vehicle  
Division's GenTax system, a commercial vehicle as defined in Section  
41-1a-102 with a gross  
 61 vehicle weight rating of 10,001 pounds or more is required to pass a  
 safety inspection annually  
 62 or comply with Subsection (1)(b)(iv)(B).

Kevin T. Van Tassell, Chair

On motion of Senator Valentine, the committee reports were adopted. The bills were considered read the second time and placed on the Consent Calendar.

### INTRODUCTION OF BILLS

**S.B. 85, Community Health Worker Program** (L. Robles), was read the first time by short title and referred to the Rules Committee.

**S.B. 223, State Senate Boundary Amendments** (R. Okerlund), was read the first time by short title and referred to the Rules Committee.

Leslie McLean, Secretary of the Senate, read the following statement:

"I, Leslie McLean, in the presence of the Senate, certify that I have personally verified the electronic file security code on the DVD portion of Senate Bill 223 matches the security code on the printed bill. The printed bill and its associated electronic content is now available on the Legislature's web site."

**S.B. 224, State Board of Education Boundary Amendments** (R. Okerlund), was read the first time by short title and referred to the Rules Committee.

Leslie McLean, Secretary of the Senate, read the following statement:

"I, Leslie McLean, in the presence of the Senate, certify that I have personally verified the electronic file security code on the DVD portion of Senate Bill 224 matches the security code on the printed bill. The printed bill and its associated electronic content is now available on the Legislature's web site."

**S.B. 236, Uninsured and Underinsured Motorist Coverage Amendments** (L. Hillyard), was read the first time by short title and referred to the Rules Committee.

**S.B. 238, Property Tax Amendments** (C. Bramble), was read the first time by short title and referred to the Rules Committee.

**S.B. 239, Alcoholic Beverage Control Act Sampling Amendments** (J. Valentine), was read the first time by short title and referred to the Rules Committee.

**S.B. 241, Disclosure Requirements for Midterm Vacancy Candidates** (T. Weiler), was read the first time by short title and referred to the Rules Committee.

**S.B. 243, Bullying and Hazing Amendments** (L. Robles), was read the first time by short title and referred to the Rules Committee.

\* \* \*

On motion of Senator Bramble, legislative staff was authorized to draft a bill regarding debt collection process.

**CONSENT CALENDAR**

**S.B. 21, UNINCORPORATED BUSINESS ENTITIES**, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Knudson
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Jones	Madsen	Stephenson
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**S.B. 21** was transmitted to the House for consideration.

\* \* \*

**H.B. 304, ENTERPRISE ZONE AMENDMENTS**, was read the third time, explained by Senator Van Tassell, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting was:** Senator

Madsen

**H.B. 304** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Urquhart, **H.B. 27, THREAT OF TERRORISM PENALTY AMENDMENTS**, was read the third time and circled.

\* \* \*

**H.B. 301, BAIL BOND RECOVERY LICENSURE AMENDMENTS**, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting was:** Senator

Madsen

**H.B. 301** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.



\* \* \*

On motion of Senator Urquhart, **1st Sub. H.B. 101, HOMEOWNERS ASSOCIATION AMENDMENTS**, was read the third time and circled.

\* \* \*

**S.B. 173, RESIDENTIAL CONSTRUCTION CONTRACT AMENDMENTS**, was read the third time, explained by Senator Adams, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Madsen	Valentine
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**S.B. 173** was transmitted to the House for consideration.

\* \* \*

**H.B. 215, WATER QUALITY AMENDMENTS**, was read the third time, explained by Senator Okerlund, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Urquhart	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Stevenson	Thatcher	Valentine
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**H.B. 215** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 216**, WASTING WILDLIFE AMENDMENTS, was read the third time, explained by Senator Christensen, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Van Tassell	Vickers	Weiler	Niederhauser

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

**H.B. 216** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Urquhart, the circle was removed from **H.B. 27**, THREAT OF TERRORISM PENALTY AMENDMENTS, and it was before the Senate. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators  
Hillyard                      Jenkins

**H.B. 27** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Urquhart, the circle was removed from **1st Sub. H.B. 101, HOMEOWNER ASSOCIATION AMENDMENTS**, and it was before the Senate. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Hillyard	Valentine
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**1st Sub. H.B. 101** was returned to the House for further consideration.

**THIRD READING CALENDAR**

**1st Sub. S.B. 109, CHANGE APPLICATION PROCEDURE**, was read the third time and explained by Senator Okerlund. Senator Hinkins made the motion to substitute the bill. The motion failed on a voice vote. Senators Reid, Dayton, Madsen, Bramble, Jenkins, and Stephenson commented. The bill passed on the following roll call:

**Yeas, 19; Nays, 9; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Jones	Knudson
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stevenson	Urquhart
Valentine	Vickers	Niederhauser	

**Voting in the negative were:** Senators

Dayton	Henderson	Hillyard	Hinkins
Jenkins	Madsen	Stephenson	Thatcher
Weiler			

**Absent or not voting was:** Senator  
Van Tassell

**1st Sub. S.B. 109** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Robles, **S.B. 114**, SAFETY BELT AMENDMENTS, was read the third time and circled.

\* \* \*

On motion of Senator Reid, **S.B. 97**, PROPELLING A BODILY SUBSTANCE AMENDMENTS, was read the third time and circled.

\* \* \*

On motion of Senator Adams, **S.B. 98**, PROPELLING A BODILY SUBSTANCE REVISIONS, was read the third time and circled.

\* \* \*

**1st Sub. S.B. 152**, ALCOHOL AND DRUG RELATED OFFENSE AMENDMENTS, was read the third time, explained by Senator Valentine, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Hillyard	Stevenson	Urquhart
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**1st Sub. S.B. 152** was transmitted to the House for consideration.

\* \* \*

**S.B. 156**, JAIL RELEASE AMENDMENTS, was read the third time, explained by Senator Adams, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Thatcher
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Hillyard	Robles	Stevenson	Urquhart
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**S.B. 156** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Adams, **S.B. 160**, PATRONIZING A PROSTITUTE AMENDMENTS, was read the third time and circled.

\* \* \*

**S.B. 32**, ENVIRONMENTAL HEALTH SCIENTIST ACT SUNSET REAUTHORIZATION, was read the third time, explained by Senator Davis, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Thatcher
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Hillyard	Robles	Stevenson	Urquhart
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**S.B. 32** was transmitted to the House for consideration.

\* \* \*

**S.B. 113**, LONG-TERM DISABILITY COVERAGE AMENDMENTS, was read the third time, explained by Senator Weiler, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Hillyard	Stevenson	Urquhart
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**S.B. 113** was transmitted to the House for consideration.

\* \* \*

**S.B. 165, PHYSICAL THERAPY PRACTICE ACT AMENDMENTS**, was read the third time, explained by Senator Weiler, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Thatcher
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Hillyard	Madsen	Stevenson	Urquhart
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**S.B. 165** was transmitted to the House for consideration.

\* \* \*

**S.B. 61, HUNTING PERMIT AMENDMENTS**, was read the third time, explained by Senator Christensen, and passed on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Hillyard	Knudson	Madsen	Mayne
Stevenson	Urquhart		

**S.B. 61** was transmitted to the House for consideration.

\* \* \*

**1st Sub. S.B. 124, SALES AND USE TAX EXEMPTION FOR DATABASE ACCESS**, was read the third time, explained by Senator Harper, and passed on the following roll call:

**Yeas, 23; Nays, 2; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Voting in the negative were:** Senators

Dabakis	Robles
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**Absent or not voting were:** Senators

Hillyard	Stephenson	Stevenson	Urquhart
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**1st Sub. S.B. 124** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Christensen, **2nd Sub. S.B. 166, HOSPITAL ASSESSMENT AMENDMENTS**, was read the third time and circled.

\* \* \*

**S.B. 167, ALCOHOLIC BEVERAGE CONTROL AMENDMENTS**, was read the third time, explained by Senator Valentine, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Thatcher
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Voting in the negative was:** Senator

Dayton

**Absent or not voting were:** Senators

Hillyard	Stevenson	Urquhart
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**S.B. 167** was transmitted to the House for consideration.

### SPECIAL RECOGNITION

A citation was read honoring Ann Millner, former President of Weber State University. Senators Adams, Weiler, Dayton, Jenkins, Reid, and Stephenson commented.

\* \* \*

Senator Stephenson asked leave of the body to allow him to cast an aye vote on **1st Sub. S.B. 124**. The corrected vote is as follows:

**Yeas, 24; Nays, 2; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Thatcher	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Voting in the negative were:** Senators

Dabakis	Robles
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**Absent or not voting were:** Senators

Hillyard	Stevenson	Urquhart
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**THIRD READING CALENDAR**

**S.B. 168**, CERTIFIED PUBLIC ACCOUNTANT LICENSING AMENDMENTS, was read the third time, explained by Senator Bramble, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Hinkins
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Thatcher	Valentine	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Henderson	Hillyard	Jenkins	Jones
Knudson	Stevenson	Urquhart	Van Tassell

**S.B. 168** was transmitted to the House for consideration.

\* \* \*

**S.B. 145**, COUNTY ATTORNEY CHAPTER RECODIFICATION, was read the third time, explained by Senator Weiler, and passed on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Thatcher
Valentine	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Bramble	Hillyard	Stevenson	Urquhart
Van Tassell	Vickers		

**S.B. 145** was transmitted to the House for consideration.

\* \* \*

**S.B. 164**, PAROLE VIOLATOR CENTERS ALLOCATIONS, was read the third time, explained by Senator Robles, and passed on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Jenkins	Jones	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Thatcher
Valentine	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Hinkins	Knudson	Stevenson	Urquhart
Van Tassell	Vickers		

**S.B. 164** was transmitted to the House for consideration.

\* \* \*

**S.B. 169**, EDUCATION TASK FORCE, was read the third time, explained by Senator Reid, and passed on the following roll call:

**Yeas, 23; Nays, 2; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Valentine	Weiler	Niederhauser	

**Voting in the negative were:** Senators

Davis	Jones
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**Absent or not voting were:** Senators

Christensen	Urquhart	Van Tassell	Vickers
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**S.B. 169** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Hillyard, the circle was removed from **2nd Sub. S.B. 166**, HOSPITAL ASSESSMENT AMENDMENTS , and it was before the Senate. Senator Hillyard explained the bill. On motion of Senator Hillyard, under

suspension of the rules, the Senate voted to consider the bill read for the first, second, and third time. The bill passed on the following roll call:

**Yeas, 22; Nays, 6; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Hillyard	Hinkins
Jenkins	Jones	Knudson	Mayne
Okerlund	Osmond	Robles	Shiozawa
Stevenson	Thatcher	Urquhart	Vickers
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Dayton	Henderson	Madsen	Reid
Stephenson	Valentine		

**Absent or not voting was:** Senator  
Van Tassell

**2nd Sub. S.B. 166** was transmitted to the House for consideration.

\* \* \*

**S.B. 159**, THEFT AMENDMENTS, was read the third time, explained by Senator Thatcher, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Vickers	Weiler	Niederhauser

**Absent or not voting was:** Senator  
Van Tassell

**S.B. 159** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Okerlund, and at 11:45 p.m., the Senate recessed.

## AFTERNOON SESSION

The Senate reassembled at 2:10 p.m., with President Niederhauser presiding.

### COMMUNICATIONS FROM THE HOUSE

Mr. President: February 26, 2013

The House concurred in the Senate amendments and passed **1st Sub. H.B. 67**, PROPERTY TAXATION REVISIONS, by Representative G. Froerer, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **1st Sub. H.B. 74**, PROPERTY TAX MODIFICATIONS, by Representative J. Mathis, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

Communications filed. The bills were signed by the President of the Senate in open session and returned to the House for the signature of the Speaker of the House.

\* \* \*

Mr. President: February 26, 2013

The House passed, as substituted, **1st Sub. H.B. 43**, CAMPAIGN FINANCE REPORTING BY CORPORATIONS, by Representative G. Hughes, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 117**, REGULATION OF TATTOO INDUSTRY, by Representative J. Stanard, and it is transmitted for consideration; and

The House passed **H.B. 126**, OFF-HIGHWAY VEHICLE USER FEE AMENDMENTS, by Representative S. Cox, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 135**, MEDICAL MALPRACTICE AMENDMENTS, by Representative D. Sanpei, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 194**, STATE EMPLOYEE BENEFITS AMENDMENTS, by Representative J. Dunnigan, and it is transmitted for consideration; and

The House passed **H.B. 206**, INTERNET SAFETY FOR PUBLIC SCHOOLS, by Representative E. Hutchings, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 306**, SCHOOL LAND TRUST PROGRAM AMENDMENTS, by Representative L. Perry, and it is transmitted for consideration.

Sandy D. Tenney, 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 26, 2011

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

#### **Business and Labor Committee**

- S.B. 198** Utah Unitrust Act (Sen. L. Hillyard)  
**S.B. 233** Request for Emergency Medical Assistance Amendments (Sen. C. Bramble)  
**S.B. 234** Fire Code Amendments (Sen. C. Bramble)  
**S.B. 239** Alcoholic Beverage Control Act Sampling Amendments (Sen. J. Valentine)  
**S.C.R. 11** Concurrent Resolution on Radon Gas (Sen. J. Valentine)  
**H.B. 119** Fire Prevention Amendments (Rep. J. Seelig) (Sen. K. Mayne)  
**1st Sub. H.B. 217** State Fire Code Act Amendments (Rep. J. Dunnigan) (Sen. C. Bramble)

#### **Education Committee**

- S.B. 243** Bullying and Hazing Amendments (Sen. L. Robles)

#### **Government Operations and Political Subdivisions Committee**

- S.B. 223** State Senate Boundary Amendments (Sen. R. Okerlund)  
**S.B. 224** State Board of Education Boundary Amendments (Sen. R. Okerlund)  
**S.B. 241** Disclosure Requirements for Midterm Vacancy Candidates (Sen. T. Weiler)  
**2nd Sub. H.B. 99** Submitting Governmental Reports (Rep. P. Arent) (Sen. T. Weiler)  
**H.B. 195** Budgetary Procedures Act Revisions (Rep. K. Ivory) (Sen. S. Urquhart)

#### **Health and Human Services Committee**

- S.B. 232** Adoption Code Revisions (Sen. T. Weiler)

- H.B. 116** Sudden Cardiac Arrest Survival Act Amendments  
(Rep. R. Cunningham) (Sen. C. Bramble)
- 2nd Sub. H.B. 118** Automatic External Defibrillator Restricted Account  
(Rep. R. Cunningham) (Sen. C. Bramble)
- H.B. 233** Funeral Services Licensing Act Amendments  
(Rep. R. Menlove) (Sen. J. Stevenson)
- 1st Sub. H.B. 292** Premium Assistance Under Medicaid and Chip  
(Rep. D. Sanpei) (Sen. E. Vickers)

**Judiciary, Law Enforcement, and Criminal Justice Committee**

- 1st Sub. H.B. 102** Arson Penalties Amendments (Rep. L. Wiley)  
(Sen. G. Davis)
- 2nd Sub. H.B. 211** Concealed Weapon Permit for Service Members  
(Rep. V. Peterson) (Sen. P. Knudson)
- H.B. 227** Cohabitant Definition (Rep. B. Wilson)  
(Sen. J. Stevenson)
- H.B. 237** Surety Bond Penalty (Rep. R. Greenwood)  
(Sen. S. Jenkins)
- 1st Sub. H.B. 287** Return of Weapons Recovered by Law Enforcement  
(Rep. K. Stratton) (Sen. J. Valentine)

**Natural Resources, Agriculture and Environment Committee**

- S.B. 235** Interstate Mining Compact (Sen. D. Hinkins)
- H.B. 112** Assessment of Property If Threatened or Endangered  
Species Is Present (Rep. M. Noel) (Sen. E. Vickers)
- H.B. 224** Impact Fees Amendments (Rep. D. McCay)  
(Sen. J. S. Adams)
- H.B. 231** Hazardous Waste and Mixed Waste Fees  
(Rep. M. Nelson) (Sen. P. Knudson)
- H.B. 241** Underground Petroleum Storage Tank Financial Viability  
Study (Rep. S. Eliason) (Sen. H. Stephenson)

**Revenue and Taxation Committee**

- S.B. 238** Property Tax Amendments (Sen. C. Bramble)

**Transportation, Public Utilities and Technology Committee**

- S.B. 236** Uninsured and Underinsured Motorist Coverage  
Amendments (Sen. L. Hillyard)

**H.B. 103** Wireless Telephone Use Restrictions (Rep. L. Perry)  
(Sen. L. Hillyard)

John L. Valentine  
Rules Committee Chair

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

### STANDING COMMITTEE REPORTS

Mr. President: February 26, 2013

The Economic Development and Workforce Services Committee reports a favorable recommendation on **S.B. 212**, JUDICIAL CODE AMENDMENTS, by Senator R. Okerlund.

Aaron Osmond, Chair

Mr. President: February 26, 2013

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 113**, COUNTY GOVERNING BODY AUTHORITY, by Representative S. Handy; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 83**, LIMITATIONS ON OUTSIDE EMPLOYMENT BY GOVERNMENT EMPLOYEE, by Senator T. Weiler; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 221**, ASSESSMENT AREA ACT AMENDMENTS, by Senator K. Van Tassell, with the following amendments:

1. Page 14, Line 426:

After "person" insert "or institution"; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.R. 1**, SENATE RESOLUTION ON GOVERNMENT SUBSIDIES OF HOTELS, by Senator J. Valentine, with the following amendments:

1. Page 3, Line 74:  
After “the” delete “CVB”

Margaret Dayton, Chair

Mr. President: February 25, 2013  
The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 80**, REMOVAL FROM DATABASE RESTRICTING FIREARM PURCHASE, by Senator D. Thatcher; and

The Judiciary, Law Enforcement, and Criminal Justice Committee recommends **S.B. 191**, ADMINISTRATIVE LAW JUDGE AMENDMENTS, by Senator W. Harper, be replaced and favorably recommends **1st Sub. S.B. 191**, ADMINISTRATIVE LAW JUDGE AMENDMENTS with the following amendments:

1. Page 3, Lines 60 through 61:
  - 60 (b) “Administrative law judge” does not mean :  
(i) an individual who reviews an order or
  - 61 ruling of an administrative law judge ; or  
(ii) the executive director of a state agency.
2. Page 3, Lines 74 through 75:
  - 74 (3) {~~An administrative law judge who~~  
~~destroys}~~ Tampering with or destroying evidence submitted to  
{~~the~~} an administrative
  - 75 law judge is {~~guilty of a class B misdemeanor}~~ a violation of  
Section 76-8-510.5 . This section does not apply to documents
3. Page 5, Lines 127 through 128:
  - 127 (5) If the department provides any information to an  
administrative law judge or the
  - 128 {~~commission}~~ committee , the information shall be  
provided in such a way as to protect the confidentiality of
4. Page 7, Lines 195 through 196:
  - 195 (1) Upon a determination that a complaint requires further  
action, the executive



196 director shall select four executive directors or their designees and convene the committee. The executive

Mark B. Madsen, Chair

Mr. President:

February 25, 2013

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 216**, WATER POLLUTION TASK FORCE, by Senator R. Okerlund; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.C.R. 10**, CONCURRENT RESOLUTION REGARDING MONTICELLO MILL TAILINGS SITE, by Senator D. Hinkins; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.J.R. 13**, JOINT RESOLUTION URGING GOVERNOR AND UTAH'S CONGRESSIONAL DELEGATION TO SECURE UTAH STATE LAND, by Senator A. Osmond.

Scott K. Jenkins, Chair

Mr. President:

February 26, 2013

The Revenue and Taxation Committee reports a favorable recommendation on **1st Sub. H.B. 62**, DISPLAY OF PRISONER OF WAR AND MISSING IN ACTION FLAG, by Representative J. Westwood; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 84**, SALES AND USE TAX EXEMPTION FOR SHORT-TERM LODGING CONSUMABLES, by Senator J. S. Adams, with the following amendments:

1. Page 124, Lines 3814 through 3815:

3814 (75) purchases ~~{-of sales-}~~ of a short-term lodging consumable ~~{-to or-}~~ by a business that

3815 provides accommodations and services described in Subsection 59-12-103(1)(i).; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 226**, SALES AND USE TAX AMENDMENTS, by Senator W. Harper, with the following amendments:

## 1. Page 15, Lines 450 through 460:

450 (d) (i) “Online advertising” ~~{-includes:-}~~ means  
advertising that is anonymous and passive in nature.

(ii) “Online advertising includes:

451 ~~{-(i)-}~~ (A) ~~{-email communication-}~~ advertising  
generated as a result of generic algorithmic functions ~~{-that are~~  
452 anonymous and passive in nature-} ;

453 ~~{-(ii)-}~~ (B) an advertisement tied to an Internet search  
engine;

454 ~~{-(iii)-}~~ (C) a banner advertisement;

455 ~~{-(iv)-}~~ (D) a click-through advertisement;

456 ~~{-(v)-}~~ (E) a cost-per-action advertisement;

457 ~~{-(vi)-}~~ (F) a link to a seller’s website; or

458 ~~{-(vii)-}~~ (G) an online advertising service similar to  
Subsections (1)(d) ~~{-(i)-}~~ (ii)(A) through ~~{-(vi)-}~~ (F) as  
the

459 commission may define by rule made in accordance with Title 63G,  
Chapter 3, Utah

460 Administrative Rulemaking Act.

Deidre M. Henderson, Chair

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

### STANDING COMMITTEE REPORTS

Mr. President: February 25, 2013

The Judiciary, Law Enforcement, and Criminal Justice Committee recommends **S.B. 204, JUDICIARY AMENDMENTS**, by Senator L. Hillyard, be replaced and favorably recommends **1st Sub. S.B. 204, JUDICIARY AMENDMENTS** and that it be considered read for the second time and placed on the Consent Calendar.

Mark B. Madsen, Chair

Mr. President: February 26, 2013

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 234, CORPORATE FRANCHISE AND INCOME TAX FINE AND**

PENALTY AMENDMENTS, by Representative B. Greene, and recommends it be considered read for the second time and placed on the Consent Calendar.

Deidre M. Henderson, Chair

On motion of Senator Valentine, the committee reports were adopted. The bills were considered read the second time and placed on the Consent Calendar.

**INTRODUCTION OF BILLS**

**S.B. 86, Independent Executive Branch Ethics Commission** (J. Valentine), was read the first time by short title and referred to the Rules Committee.

**S.B. 237, Taxation of Short-term Lodging** (J. S. Adams), was read the first time by short title and referred to the Rules Committee.

**S.B. 240, Billboard Amendments** (S. Urquhart), was read the first time by short title and referred to the Rules Committee.

**S.B. 242, Health Insurance Market Amendments** (L. Hillyard), was read the first time by short title and referred to the Rules Committee.

**S.B. 244, Utah Department of Agriculture and Food Amendments** (D. Hinkins), was read the first time by short title and referred to the Rules Committee.

**THIRD READING CALENDAR**

**S.C.R. 6, CONCURRENT RESOLUTION ON FEDERAL GAS TAX**, was read the third time, explained by Senator Henderson, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Reid	Robles	Shiozawa	Stephenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Osmond	Stevenson
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**S.C.R. 6** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Bramble, **1st Sub. S.C.R. 4**, STANDING WITH ISRAEL CONCURRENT RESOLUTION, will be considered Tuesday, March 5, 2013 at 10:45 a.m.

\* \* \*

**S.B. 94**, GOVERNMENT RECORDS AMENDMENTS, was read the third time and explained by Senator Bramble. Senator Weiler commented and the bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**S.B. 94** was transmitted to the House for consideration.

**SPECIAL RECOGNITION**

A citation was read honoring students participating in the culinary arts program at Salt Lake Community College.

\* \* \*

**S.B. 62**, GOVERNOR’S FIRE SUPPRESSION AUTHORITY, was read the third time, explained by Senator Dayton, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson

Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**S.B. 62** was transmitted to the House for consideration.

\* \* \*

**S.B. 120**, TARGET SHOOTING AND WILDFIRE REGULATIONS, was read the third time, explained by Senator Dayton, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**S.B. 120** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Stevenson, the circle was removed from **S.B. 97**, PROPELLING A BODILY SUBSTANCE AMENDMENTS, and it was before the Senate. Senator Stevenson explained the bill. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones

Knudson	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stevenson
Thatcher	Urquhart	Valentine	Vickers
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Madsen                      Stephenson

**Absent or not voting was:** Senator

Van Tassell

**S.B. 97** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Stevenson, the circle was removed from **S.B. 98**, PROPELLING A BODILY SUBSTANCE REVISIONS, and it was before the Senate. Senator Stevenson explained the bill. Senator Harper commented. The bill passed on the following roll call:

**Yeas, 18; Nays, 9; Absent or not voting, 2.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Hillyard	Jones	Knudson	Mayne
Okerlund	Osmond	Reid	Robles
Stevenson	Urquhart	Valentine	Vickers
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Dabakis	Dayton	Harper	Henderson
Jenkins	Madsen	Shiozawa	Stephenson
Thatcher			

**Absent or not voting were:** Senators

Hinkins                      Van Tassell

**S.B. 98** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Stevenson, the circle was removed from **S.B. 160**, PATRONIZING A PROSTITUTE AMENDMENTS, and it was before the Senate. Senator Stevenson explained the bill. Senator Thatcher commented. The bill passed on the following roll call:

**Yeas, 23; Nays, 5; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Harper	Henderson	Hillyard	Jenkins
Jones	Knudson	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stevenson	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Voting in the negative were:** Senators

Dayton	Hinkins	Madsen	Stephenson
Thatcher			

**Absent or not voting was:** Senator

Bramble

**S.B. 160** was transmitted to the House for consideration.

\* \* \*

Senators Stephenson and Madsen asked leave of the body to allow them to cast aye votes on **S.B. 97**. The corrected vote is as follows:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Vickers	Weiler	Niederhauser

**Absent or not voting was:** Senator

Van Tassell

**SECOND READING CALENDAR**

**S.B. 65, ELECTION CODE – FINANCIAL REPORTING REQUIREMENT AMENDMENTS**, was read the second time. Senator Valentine explained the bill. The bill passed second reading on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Bramble	Robles	Stephenson	Stevenson
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\* \* \*

On motion of Senator Osmond, **S.B. 112**, WORK WEEK AMENDMENTS, will be considered Friday, March 1, 2013 at 11:00 a.m.

\* \* \*

**S.B. 172**, USE OF BOND PROCEEDS BY POLITICAL SUBDIVISIONS, was read the second time. Senator Valentine 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

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Bramble	Robles	Stephenson
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\* \* \*

**S.J.R. 11**, JOINT RESOLUTION ON ENVIRONMENTAL AND DEVELOPMENTAL POLICIES, was read the second time. Senator Weiler explained the bill. Senators Niederhauser, Mayne, and Hinkins commented. 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

Adams	Bramble	Davis	Dayton
Harper	Henderson	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Voting in the negative was:** Senator

Dabakis

**Absent or not voting were:** Senators

Christensen	Hillyard	Robles
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\* \* \*

On motion of Senator Reid, the circle was removed from **S.B. 39**, PARENTAL RESPONSIBILITY FOR SEX EDUCATION TRAINING, and it was before the Senate.

Senator Reid proposed the following amendment:

1. Page 1, Lines 10 through 11:

10 This bill requires the State Board of Education to offer  
 {~~training~~} instruction to parents regarding  
 11 health education, including human sexuality, for their children.

2. Page 1, Lines 14 through 18:

14 ► requires the State Board of Education to develop and  
 offer {~~training~~} instruction to parents with  
 15 information on health education and human sexuality; and

16 ► requires the State Board of Education to:  
 17 • develop {~~a training~~} an instructional  
 curriculum, including materials parents may use to educate  
 18 their children; and

3. Page 2, Lines 33 through 42:

33 (b) “Parent health education ~~{-training-}~~ instructional  
program” means the ~~{-training-}~~ instructional program  
described in

34 Subsection (2) developed by the board.

35 (2) The board shall develop a parent health education  
~~{-training-}~~ instructional program for parents of

36 minors, including ~~{-training-}~~ instructional curricula and  
~~{-instructional-}~~ materials, to instruct parents how to

37 educate their children on health education, including instruction on  
human sexuality.

38 (3) The curricula and instructional materials for the parent  
health education ~~{-training-}~~ instructional

39 program shall:

40 (a) include information on health education and human  
sexuality; and

41 (b) be consistent with the instructional requirements of Section  
53A-13-101.

42 (4) The parent health education  
~~{-training-}~~ instructional program shall:

4. Page 3, Lines 63 through 67:

63 November 2013 meeting, on the progress of the development of the  
parent health education

64 ~~{-training-}~~ instructional program.

65 (8) The board shall report to the Legislature’s Education Interim  
Committee by the

66 November 2014 meeting on:

67 (a) the progress of the implementation of the parent health  
education ~~{-training-}~~ instructional program;

Senator Reid’s motion to amend passed on a voice vote. Senator Reid explained the bill. Senators Jones and Shiozawa commented. The bill passed second reading on the following roll call:

**Yeas, 22; Nays, 1; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Mayne
Okerlund	Osmond	Reid	Shiozawa
Thatcher	Urquhart	Van Tassell	Vickers
Weiler	Niederhauser		

**Voting in the negative was:** Senator

Stephenson

**Absent or not voting were:** Senators

Christensen	Hillyard	Madsen	Robles
Stevenson	Valentine		

\* \* \*

**S.B. 175, ASSESSMENT OF COLLEGE READINESS,** was read the second time.

Senator Stephenson proposed the following amendment:

- 1. Page 2, Line 30:

30 This bill provides an effective date.  
This bill provides for retrospective operation.

- 2. Page 13, Line 389:

389 Section 10. Effective date --- Retrospective operation .

- 3. Page 13, Line 394:

394 (2) Uncodified Section 9, Appropriation, takes effect on July 1, 2013.

(3) The amendments to the following sections have retrospective operation to July 1, 2012.

- (a) Section 53A-1-602;
- (b) Section 53A-1-603;
- (c) Section 53A-1-604;
- (d) Section 53A-1-609;
- (e) Section 53A-1-611; and
- (f) Section 53A-3-602.5.

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

**Yeas, 22; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Knudson	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Thatcher	Urquhart	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Christensen	Hillyard	Jones	Madsen
Robles	Stevenson	Valentine	

\* \* \*

**S.B. 68, STATE SURPLUS PROPERTY PROGRAM AMENDMENTS**, was read the second time.

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

**1st Sub. S.B. 68 State Surplus Property Program Amendments (T. Weiler)**

Senator Weiler explained the bill.

On motion of Senator Weiler, the bill was circled.

\* \* \*

**S.B. 105, BOARD OF PARDONS AND PAROLE REVISIONS**, was read the second time. Senator Thatcher explained the bill. The bill passed second reading on the following roll call:

**Yeas, 22; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Knudson	Mayne	Okerlund

Osmond	Reid	Stephenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Christensen	Hillyard	Jones	Madsen
Robles	Shiozawa	Stevenson	

\* \* \*

**S.B. 170, IDENTITY FRAUD AMENDMENTS**, was read the second time. Senator Thatcher explained the bill. The bill passed second reading on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Knudson	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Christensen	Hillyard	Jones	Madsen
Robles	Stevenson		

\* \* \*

**2nd Sub. S.B. 58, AMENDMENTS TO SALES AND USE TAX**, was read the second time. Senator Harper explained the bill.

Senator Valentine proposed the following amendment:

1. Page 29, Lines 875 through 878  
Senate Committee Amendments  
2-13-2013:

875      (7) (a) The revenue and interest described in Subsection (6)(a)  
may be ~~Ŝ~~→ [expended for

876 local purposes] used to lower local sales and use tax rates  
←Ŝ as the Legislature may provide by statute.

877 (b) The revenue and interest described in Subsection (6)(b) may  
~~Ŝ→ [be expended as the~~  
 878 ~~Legislature]~~ be used to lower state sales and use tax rates  
 as ~~←Ŝ~~ the Legislature may ~~Ŝ→~~ [provide] ~~{-be~~  
~~provided-}~~ provide ~~←Ŝ~~ by

Senator Valentine’s motion to amend passed on a voice vote. Senators Dabakis and Davis commented. The bill passed second reading on the following roll call:

**Yeas, 19; Nays, 3; Absent or not voting, 7.**

**Voting in the affirmative were:** Senators

Adams	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Valentine
Van Tassell	Vickers	Niederhauser	

**Voting in the negative were:** Senators

Dabakis	Davis	Urquhart
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**Absent or not voting were:** Senators

Bramble	Christensen	Hillyard	Robles
Stevenson	Thatcher	Weiler	

\* \* \*

**S.B. 171, SALES AND USE TAX EXEMPTION FOR ELECTRONIC FINANCIAL PAYMENT SERVICES,** was read the second time. Senator Stephenson explained the bill. Senators Jones, Hinkins, and Dabakis commented. The bill passed second reading on the following roll call:

**Yeas, 25; Nays, 2; Absent or not voting, 2.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Voting in the negative were:** Senators

Dabakis                      Davis

**Absent or not voting were:** Senators

Robles                      Thatcher

\* \* \*

**S.B. 63, TRANSPORTATION PLANNING AND FUNDING TASK FORCE,** was read the second time. Senator Harper explained the bill. Senators Bramble, Mayne, and Valentine commented. The bill passed second reading on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Dabakis                      Robles                      Stevenson                      Thatcher

\* \* \*

On motion of Senator Hinkins, legislative staff was authorized to draft a bill regarding uniform agriculture cooperative association.

\* \* \*

**S.B. 180, PUBLIC UTILITIES AMENDMENTS,** was read the second time.

Senator Van Tassell proposed the following amendment:

1. Page 3, Line 75:

75        (d)    “Electrical corporation”        {~~has the same~~  
meaning}    means:  
          (i) an entity as defined in Section 54-2-1 ; and  
          (ii) an improvement district system described in Subsection

17B-2a-403(1)(a)(iv) .

Senator Van Tassell's motion to amend passed on a voice vote. Senator Van Tassell explained the bill. Senator Valentine commented. 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

Adams	Christensen	Davis	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Bramble	Dabakis	Stevenson
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\* \* \*

On motion of Senator Stephenson, **S.B. 110**, SCHOOL-BASED BUDGETING AMENDMENTS, was read the second time and circled.

\* \* \*

**1st Sub. S.B. 104**, VULNERABLE USERS OF HIGHWAYS AMENDMENTS, was read the second time.

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

**2nd Sub. S.B. 104 Vulnerable Users of Highways Amendments** (T. Weiler)

Senator Weiler explained the bill. Senators Jenkins, Henderson, Bramble, Hillyard, and Madsen commented. The bill passed second reading on the following roll call:

**Yeas, 20; Nays, 6; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Harper	Hillyard	Hinkins	Jenkins



Jones	Knudson	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stevenson	Valentine	Van Tassell	Weiler

**Voting in the negative were:** Senators

Christensen	Dayton	Henderson	Madsen
Stephenson	Vickers		

**Absent or not voting were:** Senators

Thatcher	Urquhart	Niederhauser
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\* \* \*

On motion of Senator Okerlund, **S.B. 64**, HOMEOWNER ASSOCIATION RESERVE ACCOUNT AMENDMENTS, was read the second time and circled.

\* \* \*

On motion of Senator Okerlund, **1st Sub. S.B. 182**, STORAGE UNIT AMENDMENTS, was read the second time and circled.

\* \* \*

**S.B. 66**, REFERENDUM REVISIONS, was read the second time. Senator Reid explained the bill. Senator Jones commented. The bill passed second reading on the following roll call:

**Yeas, 19; Nays, 5; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Davis	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Knudson	Madsen	Okerlund
Osmond	Reid	Shiozawa	Stevenson
Van Tassell	Vickers	Weiler	

**Voting in the negative were:** Senators

Dabakis	Jones	Mayne	Robles
Stephenson			

**Absent or not voting were:** Senators

Adams	Thatcher	Urquhart	Valentine
Niederhauser			

\* \* \*

On motion of Senator Osmond, **S.B. 71, RESULTS–BASED FINANCING FOR EARLY CHILDHOOD EDUCATION**, was read the second time and circled.

\* \* \*

On motion of Senator Stevenson, **S.B. 176, OFFICE OF PLANNING AND BUDGET RESTRUCTURING AMENDMENTS**, was read the second time and circled.

\* \* \*

**S.B. 190, PROCUREMENT REVISIONS**, was read the second time.

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

**1st Sub. S.B. 190 Procurement Revisions** (S. Jenkins)

On motion of Senator Jenkins, the bill was circled.

\* \* \*

On motion of Senator Weiler, the circle was removed from **1st Sub. S.B. 68, STATE SURPLUS PROPERTY PROGRAM AMENDMENTS**, and it was before the Senate. Senator Weiler explained the bill.

Senator Weiler proposed the following amendment:

1. Page 3, Lines 82 through 86:

82 (b) “Surplus property” does not include:

83 (i) real property; ~~{–or–}~~

(ii) assets of the School and Institutional Trust Lands Administration; or

84 ~~{–(ii)–}~~ (iii) an aluminum can or an item made primarily of paper, plastic, or cardboard that is:

85 (A) discarded; and

86 (B) recyclable.

Senator Weiler’s motion to amend passed on a voice vote. Senator Madsen commented. 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

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Urquhart	Valentine	Van Tassell
Vickers	Weiler		

**Absent or not voting were:** Senators

Adams	Thatcher	Niederhauser
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\* \* \*

On motion of Senator Stevenson, the circle was removed from **S.B. 176, OFFICE OF PLANNING AND BUDGET RESTRUCTURING AMENDMENTS**, and it was before the Senate. Senator Stevenson explained the bill. The bill passed second reading on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stevenson
Urquhart	Valentine	Van Tassell	Vickers
Weiler			

**Absent or not voting were:** Senators

Adams	Stephenson	Thatcher	Niederhauser
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\* \* \*

On motion of Senator Davis, **1st Sub. S.B. 52, GAME FOWL FIGHTING AMENDMENTS**, was read the second time and circled.

\* \* \*

**1st Sub. S.B. 155, POST ADOPTION CONTACT AGREEMENTS**, was read the second time. Senator Hillyard explained the bill. Senators Valentine and Mayne commented. The bill passed second reading on the following roll call:

**Yeas, 24; Nays, 1; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Harper	Henderson	Hillyard	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Urquhart
Valentine	Van Tassell	Vickers	Weiler

**Voting in the negative was:** Senator

Dayton

**Absent or not voting were:** Senators

Adams	Hinkins	Thatcher	Niederhauser
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\* \* \*

On motion of Senator Okerlund, and at 5:00 p.m., the Senate adjourned until 10:00 a.m., Wednesday, February 27, 2013.

# THIRTIETH DAY

**February 27, 2013**

The Senate was called to order at 10:00 a.m., with President Wayne Niederhauser presiding.

**Prayer** – The Most Reverend John C. Wester, Bishop of Salt Lake City

**Pledge of Allegiance** – Senator Patricia Jones

**Roll Call** – All Senators present

**READING OF TITLES OF BILLS AND RESOLUTIONS  
(PLEASE REFER TO DAY 1, PAGE 81)**

**COMMUNICATIONS FROM THE HOUSE**

Mr. President: February 26, 2013

The House passed, as substituted and amended, **1st Sub. H.B. 106**, MEDICAID INSPECTOR GENERAL AMENDMENTS, by Representative R. Wilcox, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 121**, FIREARMS SAFE HARBOR, by Representative D. Pitcher, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 193**, UTAH STATE EMPLOYMENT AMENDMENTS, by Representative B. Dee, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 200**, REVISOR'S STATUTE, by Representative B. Dee, and it is transmitted for consideration; and

The House passed **H.B. 205**, CONTINGENCY PLANS FOR POLITICAL SUBDIVISIONS, by Representative K. Ivory, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 210**, MOTOR VEHICLE EMISSION AMENDMENTS, by Representative E. Redd, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 244**, MENTAL HEALTH PROFESSIONAL PRACTICE ACT AMENDMENTS, by Representative E. Redd, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

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

### INTRODUCTION OF BILLS

**S.B. 245, Court Fees for Political Subdivisions** (D. Thatcher), was read the first time by short title and referred to the Rules Committee.

**S.B. 246, Volunteer Workers Amendments** (S. Jenkins), was read the first time by short title and referred to the Rules Committee.

**S.B. 247, Amendments to Revenue and Taxation** (W. Harper), was read the first time by short title and referred to the Rules Committee.

**S.B. 248, Alcoholic Beverage Control Act and Small Manufacturers** (J. Valentine), was read the first time by short title and referred to the Rules Committee.

**S.B. 249, Salvage and Nonrepairable Vehicle Amendments** (S. Urquhart), was read the first time by short title and referred to the Rules Committee.

### THIRD READING CALENDAR

On motion of Senator Valentine, **S.B. 65, ELECTION CODE – FINANCIAL REPORTING REQUIREMENT AMENDMENTS**, was read the third time and circled.

\* \* \*

**S.B. 172, USE OF BOND PROCEEDS BY POLITICAL SUBDIVISIONS**, was read the third time, explained by Senator Valentine, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**S.B. 172** was transmitted to the House for consideration.

\* \* \*

**S.J.R. 11**, JOINT RESOLUTION ON ENVIRONMENTAL AND DEVELOPMENTAL POLICIES, was read the third time, explained by Senator Weiler, and passed on the following roll call:

**Yeas, 22; Nays, 4; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Harper	Henderson	Hinkins	Jenkins
Jones	Knudson	Madsen	Okerlund
Osmond	Reid	Stephenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Dabakis	Davis	Mayne	Robles
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**Absent or not voting were:** Senators

Hillyard	Shiozawa	Stevenson
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**S.J.R. 11** was transmitted to the House for consideration.

\* \* \*

**S.B. 39**, PARENTAL RESPONSIBILITY FOR SEX EDUCATION TRAINING, was read the third time, explained by Senator Reid, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Stephenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Niederhauser			

**Absent or not voting were:** Senators

Hillyard	Shiozawa	Stevenson	Weiler
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**S.B. 39** was transmitted to the House for consideration.

\* \* \*

**S.B. 175**, ASSESSMENT OF COLLEGE READINESS, was read the third time and explained by Senator Stephenson. Senator Dayton commented and the bill passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Stephenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Davis	Hillyard	Shiozawa	Stevenson
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**S.B. 175** was transmitted to the House for consideration.

\* \* \*

**S.B. 105**, BOARD OF PARDONS AND PAROLE REVISIONS, was read the third time, explained by Senator Thatcher, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Stephenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Hillyard	Shiozawa	Stevenson
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**S.B. 105** was transmitted to the House for consideration.



\* \* \*

**S.B. 170**, IDENTITY FRAUD AMENDMENTS, was read the third time, explained by Senator Thatcher, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Stephenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Hillyard	Shiozawa	Stevenson
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**S.B. 170** was transmitted to the House for consideration.

\* \* \*

**2nd Sub. S.B. 58**, AMENDMENTS TO SALES AND USE TAX, was read the third time, explained by Senator Harper, and passed on the following roll call:

**Yeas, 18; Nays, 8; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Harper
Henderson	Hinkins	Jenkins	Knudson
Madsen	Okerlund	Osmond	Reid
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Dabakis	Davis	Dayton	Jones
Mayne	Robles	Stephenson	Urquhart

**Absent or not voting were:** Senators

Hillyard	Shiozawa	Stevenson
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**2nd Sub. S.B. 58** was transmitted to the House for consideration.

\* \* \*

**S.B. 171**, SALES AND USE TAX EXEMPTION FOR ELECTRONIC FINANCIAL PAYMENT SERVICES, was read the third time, explained by Senator Stephenson, and passed on the following roll call:

**Yeas, 21; Nays, 5; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Harper	Henderson	Hinkins	Jenkins
Knudson	Madsen	Okerlund	Osmond
Reid	Stephenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Voting in the negative were:** Senators

Dabakis	Davis	Jones	Mayne
Robles			

**Absent or not voting were:** Senators

Hillyard	Shiozawa	Stevenson
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**S.B. 171** was transmitted to the House for consideration.

\* \* \*

**S.B. 63**, TRANSPORTATION PLANNING AND FUNDING TASK FORCE, was read the third time, explained by Senator Harper, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Stephenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Hillyard	Shiozawa	Stevenson
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**S.B. 63** was transmitted to the House for consideration.

\* \* \*

**S.B. 180**, PUBLIC UTILITIES AMENDMENTS, was read the third time, explained by Senator Van Tassell, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Stephenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Dabakis	Hillyard	Shiozawa	Stevenson
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**S.B. 180** was transmitted to the House for consideration.

\* \* \*

**2nd Sub. S.B. 104**, VULNERABLE USERS OF HIGHWAYS AMENDMENTS, was read the third time and explained by Senator Weiler.

Senator Madsen proposed the following amendment:

1. Page 1, Lines 20 through 21:
 

20       •       force or attempt to force a vulnerable user of a highway  
off of the roadway for   {—a

21   purpose unrelated to public safety—} the purpose of causing  
violence or injury to the vulnerable user of a highway ;
2. Page 3, Lines 60 through 61:
 

60       (b) distract or attempt to distract a vulnerable user of a highway  
for   {—a purpose unrelated

61   to public safety—} the purpose of causing violence or injury to the  
vulnerable user of a highway ; or

Senator Madsen’s motion to amend passed on a voice vote. The bill passed on the following roll call:

**Yeas, 17; Nays, 8; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Hinkins	Jones	Knudson
Mayne	Okerlund	Osmond	Reid
Robles	Urquhart	Valentine	Weiler
Niederhauser			

**Voting in the negative were:** Senators

Bramble	Harper	Henderson	Jenkins
Madsen	Stephenson	Thatcher	Vickers

**Absent or not voting were:** Senators

Hillyard	Shiozawa	Stevenson	Van Tassell
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**2nd Sub. S.B. 104** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Reid, **S.B. 66**, REFERENDUM REVISIONS, was read the third time and circled.

\* \* \*

**1st Sub. S.B. 68**, STATE SURPLUS PROPERTY PROGRAM AMENDMENTS, was read the third time, explained by Senator Weiler, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Thatcher	Urquhart	Valentine	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Hillyard	Stevenson	Van Tassell
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**1st Sub. S.B. 68** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Okerlund, **S.B. 176**, OFFICE OF PLANNING AND BUDGET RESTRUCTURING AMENDMENTS, was read the third time and circled.

\* \* \*

On motion of Senator Okerlund, **1st Sub. S.B. 155**, POST ADOPTION CONTACT AGREEMENTS, was read the third time and circled.

**SECOND READING CALENDAR**

**3rd Sub. H.B. 47**, INSURANCE LAW AMENDMENTS, was read the second time.

Senator Bramble proposed the following amendment:

- 1. Page 102, Lines 3127 through 3130:

3127 (2) Subsection (1) does not ~~{-apply to-}~~ limit or expand the authority granted to :

3128 (a) a person defined as an escrow agent in Section 7-22-101;  
~~{-or-}~~

3129 (b) a person licensed to practice law in Utah, if that person meets the requirements of

3130 Section 31A-23a-204 ~~{-}-~~ ;

(c) a person licensed under Title 61, Chapter 2f, Real Estate Licensing and Practices Act; or

(d) a person licensed under Title 58, Chapter 55, Utah Construction Trades Licensing Act.

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

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

- |       |         |             |           |
|-------|---------|-------------|-----------|
| Adams | Bramble | Christensen | Dabakis   |
| Davis | Dayton  | Harper      | Henderson |

Hinkins	Jones	Knudson	Madsen
Mayne	Okerlund	Reid	Robles
Shiozawa	Stephenson	Thatcher	Valentine
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Hillyard	Jenkins	Osmond	Stevenson
Urquhart	Van Tassell		

\* \* \*

On motion of Senator Adams, the circle was removed from **1st Sub. H.B. 290**, DIVISION OF REAL ESTATE AMENDMENTS, and it was before the Senate.

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

**2nd Sub. H.B. 290 Division of Real Estate Amendments** (Rep. G. Froerer)

Senator Adams 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Hillyard	Robles	Stevenson
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On motion of Senator Adams, the Senate voted to spread the following intent language upon the pages of the Senate Journal:

**INTENT LANGUAGE**

“The 2013 Legislature intends that the changes in this bill to Utah Code Section 61–2f–409 apply retroactively to May 11, 2010. The 2013 Legislature

applies this law retroactively to remedy a defect in previous legislation that was discovered just before this 2013 General Session. During the 2010 General Session, while attempting to clean-up and clarify the Code sections related to real estate, the 2010 Legislature narrowed the class of persons authorized to maintain a cause of action to collect a commission, collect a fee, or otherwise recover for actions prohibited by Title 61, Chapter 2f. That change resulted primarily from amending the word 'person' to the word 'individual.' The 2013 Legislature believes that the 2010 amendment is problematic from both a legal and a policy standpoint. By passing this bill, the 2013 Legislature intends to enact language that reflects what it believes was the 2010 Legislature's original intent – that either a principal broker or the entity with which the principal broker is affiliated may maintain a cause of action described in Subsection 61–2f–409(1).”

\* \* \*

On motion of Senator Okerlund, the circle was removed from **H.B. 276**, NEWBORN SCREENING FOR CRITICAL CONGENITAL HEART DEFECTS, and it was before the Senate.

Senator Okerlund proposed the following amendment:

1. Page 2, Line 35:  
Delete “for”
2. Page 2, Line 37:  
Delete “for”

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

**Yeas, 18; Nays, 8; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Harper	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Reid
Shiozawa	Thatcher	Urquhart	Valentine
Van Tassell	Vickers		

**Voting in the negative were:** Senators

Christensen	Dayton	Henderson	Madsen
Osmond	Stephenson	Weiler	Niederhauser

**Absent or not voting were:** Senators

Hillyard	Robles	Stevenson
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On motion of Senator Okerlund, **H.B. 276** was placed on Third Reading Table due to fiscal impact.

\* \* \*

On motion of Senator Osmond, the circle was removed from **H.B. 285, MODIFICATION OF EDUCATION-RELATED REPORTING REQUIREMENTS**, and it was before the Senate. Senator Osmond explained the bill. The bill passed second reading on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Dabakis	Hillyard	Hinkins	Jenkins
Robles	Stevenson		

### COMMUNICATIONS FROM THE HOUSE

Mr. President:

February 27, 2013

The House passed, as amended, **H.C.R. 4, CONCURRENT RESOLUTION ON UTAH WILDFIRES**, by Representative J. Briscoe, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

On motion of Senator Valentine, the Senate voted to lift **H.C.R. 4, CONCURRENT RESOLUTION ON UTAH WILDFIRES**, from Rules and place it at the top of the Second Reading Calendar.

### SECOND READING CALENDAR

On motion of Senator Mayne, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.



On motion of Senator Mayne, under suspension of the rules, the Senate voted to suspend the rules requiring a committee hearing and the 24-hour requirement.

On motion of Senator Mayne, under suspension of the rules, **H.C.R. 4, CONCURRENT RESOLUTION ON UTAH WILDFIRES**, was considered read the second and third times. Senators Valentine, Okerlund, and Dayton commented and the bill passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Thatcher
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Hillyard	Hinkins	Stevenson	Urquhart
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**H.C.R. 4** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Valentine, **1st Sub. H.B. 93, TRAFFIC VIOLATIONS AMENDMENTS**, was read the second time and circled.

\* \* \*

**H.B. 284, NET METERING BILLING CYCLES**, was read the second time. Senator Vickers explained the bill. The bill passed second reading on the following roll call:

**Yeas, 20; Nays, 0; Absent or not voting, 9.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Jenkins	Jones	Knudson	Okerlund
Reid	Robles	Thatcher	Urquhart
Valentine	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Adams	Hinkins	Madsen	Mayne
Osmond	Shiozawa	Stephenson	Stevenson
Van Tassell			

\* \* \*

**H.B. 295**, ELECTRONIC PROOF OF OWNER'S OR OPERATOR'S SECURITY, was read the second time. Senator Weiler explained the bill. The bill passed second reading on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.****Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Shiozawa
Stephenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Dayton	Hillyard	Hinkins	Robles
Stevenson			

\* \* \*

On motion of Senator Christensen, **1st Sub. H.B. 44**, ELECTION POLLING, was read the second time and circled.

\* \* \*

**H.B. 82**, ELECTIONS AND EARLY VOTING DURING A DECLARED EMERGENCY, was read the second time. Senator Knudson explained the bill. The bill passed second reading on the following roll call:

**Yeas, 22; Nays, 0; Absent or not voting, 7.****Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Shiozawa
Stephenson	Thatcher	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Dayton	Hillyard	Hinkins	Robles
Stevenson	Urquhart	Valentine	

\* \* \*

**H.B. 64, FELON’S RIGHT TO HOLD OFFICE**, was read the second time. Senator Jones explained the bill. Senators Henderson, Weiler, Thatcher, and Bramble commented. The bill passed second reading on the following roll call:

**Yeas, 22; Nays, 2; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Van Tassell	Vickers
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Madsen	Thatcher
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**Absent or not voting were:** Senators

Adams	Hillyard	Stevenson	Urquhart
Valentine			

**SPECIAL RECOGNITION**

A citation was read honoring Dr. Dan Jones on his retirement from teaching after 52 years.

**COMMITTEE OF THE WHOLE**

On motion of Senator Jones, Dr. Dan Jones spoke in Committee of the Whole. Senators Niederhauser, Jenkins, and Davis commented.

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

\* \* \*

On motion of Senator Valentine, the Senate voted to lift **1st Sub. H.B. 106, MEDICAID INSPECTOR GENERAL AMENDMENTS**, from Rules and assign it to the Revenue and Taxation Committee.

\* \* \*

On motion of Senator Okerlund, and at 11:50 a.m., the Senate adjourned until 10:00 a.m., Thursday, February 28, 2013.

# THIRTY-FIRST DAY

## MORNING SESSION

### February 28, 2013

The Senate was called to order at 10:00 a.m., with President Wayne Niederhauser presiding.

**Prayer** – Mrs. Marilee Stowell, wife of former Senator Dennis Stowell

**Pledge of Allegiance** – Senator Stuart Adams

**Roll Call** – All Senators present

### READING OF TITLES OF BILLS AND RESOLUTIONS

(PLEASE REFER TO DAY 1, PAGE 81)

### COMMUNICATIONS FROM THE HOUSE

Mr. President:

February 27, 2013

The House passed, **1st Sub. S.B. 29**, STATE HIGHWAY SYSTEM MODIFICATIONS, by Senator K. Van Tassell, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 36**, CIGARETTE AND TOBACCO TAX AND LICENSING AMENDMENTS, by Senator W. Harper, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 48**, SPECIAL GROUP LICENSE PLATE REVISIONS, by Senator P. Knudson, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 57**, AGRICULTURE ENVIRONMENTAL STEWARD AMENDMENTS, by Senator R. Okerlund, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 158**, MUNICIPAL GENERAL FUND AMENDMENTS, by Senator D. Henderson, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President:

February 27, 2013

The House concurred in the Senate amendments and passed **1st Sub. H.B. 101**, HOMEOWNERS ASSOCIATION AMENDMENTS, by Representative J. Stanard, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President:

February 27, 2013

The House passed **H.B. 105**, SERIOUS YOUTH OFFENDER AMENDMENTS, by Representative V. L. Snow, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 124**, RADIATION CONTROL AMENDMENTS, by Representative B. Dee, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 128**, DRIVER LICENSE SUSPENSION MODIFICATIONS, by Representative D. Sagers, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 142**, PUBLIC LANDS POLICY COORDINATING OFFICE AMENDMENTS, by Representative R. Barrus, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 238**, COSMETOLOGY AND HAIR BRAIDING, by Representative J. Dunnigan, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 300**, RETENTION OF SALES AND USE TAX COLLECTIONS BY CERTAIN REMOTE SELLERS, by Representative S. Eliason, and it is transmitted for consideration; and

The House passed **H.B. 334**, SPECIAL SERVICE DISTRICT REORGANIZATION, by Representative D. McCay, and it is transmitted for consideration; and

The House passed **H.B. 348**, LOCAL DISTRICT AMENDMENTS, by Representative D. Ipson, and it is transmitted for consideration.

Sandy D. Tenney, 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 27, 2011

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

#### **Business and Labor Committee**

- S.B. 217** Utility Liability Limits (Sen. T. Weiler)  
**S.B. 248** Alcoholic Beverage Control Act and Small Manufacturers (Sen. J. Valentine)  
**S.B. 249** Salvage and Nonrepairable Vehicle Amendments (Sen. S. Urquhart)

#### **Education Committee**

- H.B. 206** Internet Safety for Public Schools (Rep. E. Hutchings) (Sen. K. Mayne)  
**H.B. 306** School Land Trust Program Amendments (Rep. L. Perry) (Sen. A. Osmond)

#### **Government Operations and Political Subdivisions Committee**

- S.B. 246** Volunteer Workers Amendments (Sen. S. Jenkins)  
**H.B. 194** State Employee Benefits Amendments (Rep. J. Dunnigan) (Sen. T. Weiler)  
**1st Sub. H.B. 193** Utah State Employment Amendments (Rep. B. Dee) (Sen. R. Okerlund)  
**1st Sub. H.B. 200** Revisor's Statute (Rep. B. Dee) (Sen. J. Stevenson)  
**H.B. 205** Contingency Plans for Political Subdivisions (Rep. K. Ivory) (Sen. D. Henderson)

#### **Health and Human Services Committee**

- S.B. 85** Community Health Worker Program (Sen. L. Robles)  
**H.B. 117** Regulation of Tattoo Industry (Rep. J. Stanard) (Sen. K. Mayne)  
**1st Sub. H.B. 135** Medical Malpractice Amendments (Rep. D. Sanpei) (Sen. J. Valentine)

**H.B. 244** Mental Health Professional Practice Act Amendments  
(Rep. E. Redd) (Sen. A. Christensen)

**Judiciary, Law Enforcement, and Criminal Justice Committee**

**S.B. 245** Court Fees for Political Subdivisions (Sen. D. Thatcher)

**H.B. 121** Firearms Safe Harbor (Rep. D. Pitcher) (Sen. C. Bramble)

**Natural Resources, Agriculture and Environment Committee**

**S.B. 244** Utah Department of Agriculture and Food Amendments  
(Sen. D. Hinkins)

**Retirement and Independent Entities Committee**

**S.B. 86** Independent Executive Branch Ethics Commission  
(Sen. J. Valentine)

**Revenue and Taxation Committee**

**S.B. 237** Taxation of Short-term Lodging (Sen. J. S. Adams)

**S.B. 247** Amendments to Revenue and Taxation (Sen. W. Harper)

**Transportation, Public Utilities and Technology Committee**

**S.B. 240** Billboard Amendments (Sen. S. Urquhart)

**H.B. 126** Off-highway Vehicle User Fee Amendments  
(Rep. S. Cox) (Sen. R. Okerlund)

**H.B. 210** Motor Vehicle Emission Amendments (Rep. E. Redd)  
(Sen. L. Hillyard)

John L. Valentine

Rules Committee Chair

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

**STANDING COMMITTEE REPORTS**

Mr. President:

February 27, 2013

The Business and Labor Committee reports a favorable recommendation on **S.B. 93, INTERLOCAL COOPERATION ACT AMENDMENTS**, by Senator J. Valentine; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 208, SOLAR PHOTOVOLTAIC CONTRACTOR LICENSE AMENDMENTS**, by Senator E. Vickers; and



The Business and Labor Committee recommends **S.B. 219**, DISASTER RECOVERY LIENS, by Senator S. Urquhart, be replaced and favorably recommends **1st Sub. S.B. 219**, DISASTER RECOVERY LIENS; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 225**, IMMIGRATION TRIGGER DATES, by Senator C. Bramble; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 229**, APPELLATE BOND FOR STATE ENTITIES, by Senator C. Bramble; and

The Business and Labor Committee reports a favorable recommendation on **S.J.R. 14**, JOINT RESOLUTION AMENDING CIVIL PROCEDURE RULE 62, by Senator C. Bramble.

Curtis S. Bramble, Chair

Mr. President:

February 27, 2013

The Education Committee reports a favorable recommendation on **S.B. 79**, STUDENT-CENTERED LEARNING PILOT PROGRAM, by Senator H. Stephenson; and

The Education Committee reports a favorable recommendation on **S.B. 81**, SCHOOL PROPERTY TAX FUNDING, by Senator A. Osmond, with the following amendments:

1. Page 1, Lines 13 through 16:

13       ▶ sets the school minimum basic tax rate at a fixed rate;  
           ▶ provides for certain notification and certification requirements related to the school minimum basic tax rate;

14       ▶ repeals certain public notice requirements related to the school minimum basic tax

15    rate;  
           ▶ requires specified increases in the value of the weighted pupil unit as the minimum basic tax rate generates additional revenue for the basic program;

16       ▶ amends a school board local levy;

2. Page 1, Lines 23 through 24:

23    Other Special Clauses:

24 This bill has retrospective operation to January 1, 2013.

This bill coordinates with S.B. 1, Public Education Base Budget, by providing superseding substantive amendments.

3. Page 2, Line 34:

34 63I-1-253, as last amended by Laws of Utah 2012, Chapter 369  
Utah Code Sections Affected by Coordination Clause:

53A-17a-135, as last amended by Laws of Utah 2012, Chapters 4 and 421

4. Page 9, Lines 266 through 268:

266 [(e)] (3) (a) On or before June 8, the State Tax Commission shall provide the State Board of Education and each school district with an initial estimate of:

(i) the minimum basic tax rate to be imposed under Subsection (2); and

(ii) the basic levy increment rate.

(b) The State Tax Commission shall certify on or before June 22 the [rate that

267 generates \$289,021,900 in revenues statewide] minimum basic tax rate to be imposed under

268 Subsection (2) and the basic levy increment rate .

5. Page 10, Lines 283 through 288:

283 (6) The Legislature shall annually increase the {~~dollar amount appropriated for the basic~~}

284 {~~program~~} the value of the weighted pupil unit, except for the value of add-on weighted pupil units for the special education program described in Section 53A-17a-111 and the career and technical education program described in Section 53A-17a-113, by an amount that fully appropriates an amount equal to any difference between:

285 (a) the amount of revenue generated statewide by the tax rate imposed in accordance

286 with Subsection (2); and

287 (b) the amount of revenue that would be generated statewide by a tax rate equal to the

288 certified revenue levy.

6. Page 23, Line 707:

707 This bill has retrospective operation to January 1, 2013. Section 10. Coordinating S.B. 81 with S.B. 1 -- Superseding substantive amendments.

If this S.B. 81 and S.B. 1, Public Education Base Budget, both pass and become law, the Legislature intends that the amendments to Section 53A-17a-135 in this S.B. 81 supersede the amendments to Section 53A-17a-135 in S.B. 1, when the Office of Legislative Research and General Counsel prepares the Utah Code database for publication.

Stuart C. Reid, Chair

Mr. President:

February 27, 2013

The Health and Human Services Committee reports a favorable recommendation on **H.B. 13**, PROTECTION OF CHILDREN RIDING IN MOTOR VEHICLES, by Representative P. Arent; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 212**, DISEASE TESTING FOR PUBLIC SAFETY OFFICERS AMENDMENTS, by Representative D. Brown; and

The Health and Human Services Committee reports a favorable recommendation on **1st Sub. H.B. 230**, EMERGENCY VEHICLE OPERATORS TRAINING REQUIREMENTS, by Representative G. Froerer.

Evan J. Vickers, Chair

Mr. President:

February 27, 2013

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 50**, DATING VIOLENCE PROTECTION ACT, by Representative J. Seelig; and

The Judiciary, Law Enforcement, and Criminal Justice Committee recommends **S.B. 183**, ADOPTION AGENCY MODIFICATIONS, by Senator L. Robles, be replaced and favorably recommends **2nd Sub. S.B. 183**, ADOPTION AGENCY MODIFICATIONS; and

The Judiciary, Law Enforcement, and Criminal Justice Committee recommends **S.B. 72**, PRISON RELOCATION AND DEVELOPMENT AMENDMENTS, by Senator S. Jenkins, be replaced and favorably recommends **2nd Sub. S.B. 72**, PRISON RELOCATION AND DEVELOPMENT AMENDMENTS with the following amendments:

1. Page 4, Line 102:

102 former prison land, as defined in Section  
~~{-63H-67-102-}~~ 63H-7-102 , shall be distributed to the Prison  
Land

2. Page 19, Line 582:

582 ~~{-63H-7-401-}~~ 63H-7-402 shall identify and quantify  
sources of funds that the proposal relies on for its

3. Page 20, Line 602:

602 (2) (a) In issuing a request for proposals under Section  
~~{-63H-7-401-}~~ 63H-7-402 , the authority shall

4. Page 30, Line 895:

895 Development's Enterprise Zone Act ~~{-, as provided in Section~~  
~~63M-1-416-}~~ .

Mark B. Madsen, Chair

Mr. President:

February 27, 2013

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 241**, UNDERGROUND PETROLEUM STORAGE TANK FINANCIAL VIABILITY STUDY, by Representative S. Eliason; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 224**, IMPACT FEES AMENDMENTS, by Representative D. McCay.

Scott K. Jenkins, Chair

Mr. President:

February 27, 2013

The Transportation and Public Utilities and Technology Committee recommends **S.B. 196**, LICENSE PLATE READER AMENDMENTS, by Senator T. Weiler, be replaced and favorably recommends **2nd Sub. S.B. 196**, LICENSE PLATE READER AMENDMENTS with the following amendments:

1. Page 3, Line 78:

78 (c) may not be preserved for more than ~~{-six~~  
~~months-}~~ seven days for private entities and nine months for public  
entities except pursuant to:

2. Page 5, Line 127:

127 A person who violates a provision under this part is guilty of a  
class {~~C~~} A misdemeanor.

3. Page 3, Lines 64 through 66:

64 (2) An automatic license plate reader system may be used:

65 (a) by a law enforcement agency for the purpose of protecting  
public safety, conducting

66 criminal investigations, or ensuring compliance with  
local {~~s~~} and state {~~, and federal~~} laws; ; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 236**, UNINSURED AND UNDERINSURED MOTORIST COVERAGE AMENDMENTS, by Senator L. Hillyard.

Kevin T. Van Tassell, Chair

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

### STANDING COMMITTEE REPORTS

Mr. President:

February 27, 2013

The Natural Resources, Agriculture, and Environment Committee has tabled **S.B. 92**, TETHERING OF ANIMALS, by Senator G. Davis, with the following amendments and has returned it to the Rules Committee for filing.

1. Page 1, Lines 12 through 13:

12 ► prohibits the {~~tethering~~} restraining of a dog  
by a tether for more than 10 hours in a 24-hour period and applies  
this offense only in a first or second class county ;

13 ► prohibits {~~tethering~~} use of a tether that causes  
harm to the dog and applies this offense only in a first or second class  
county ; and

2. Page 4, Line 94:

94 (f) {~~uses~~} in counties of the first or second class,  
restrains a dog by use of a tether that is not:

3. Page 4, Line 96:

96 (ii) of an appropriate design for the {~~breed, -~~} age, size, and weight of the dog for which

4. Page 4, Line 100:

100 (g) in counties of the first or second class, {~~tethers~~} restrains a dog by means of a tether in any manner that could reasonably be expected to:

5. Page 4, Line 106:

106 (h) {~~tethers~~} in counties of the first or second class, restrains a dog by use of a tether for longer than 10 hours within a 24-hour period.

Scott K. Jenkins, Chair

On motion of Senator Valentine, the committee reports were adopted. The bill was returned to the Rules Committee for filing.

### STANDING COMMITTEE REPORTS

Mr. President: February 27, 2013

The Education Committee reports a favorable recommendation on **S.B. 230**, MINERS' HOSPITAL GRANTS AMENDMENTS, by Senator D. Hinkins, and recommends it be considered read for the second time and placed on the Consent Calendar.

Stuart C. Reid, Chair

Mr. President: February 27, 2013

The Health and Human Services Committee reports a favorable recommendation on **1st Sub. H.B. 107**, HOSPITAL LIEN LAW AMENDMENTS, by Representative M. McKell, and recommends it be considered read for the second time and placed on the Consent Calendar.

Evan J. Vickers, Chair

Mr. President: February 27, 2013

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 215**, PEACE OFFICER STANDARDS AND TRAINING CERTIFICATION AGE REQUIREMENT, by Senator L. Hillyard, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 228**, PENALTIES FOR SPECIFIED JUVENILE OFFENSES, by Senator B. Shiozawa, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **1st Sub. H.B. 309**, JUDICIAL PERFORMANCE EVALUATION AMENDMENTS, by Representative V. L. Snow, and recommends it be considered read for the second time and placed on the Consent Calendar.

Mark B. Madsen, Chair

Mr. President: February 27, 2013

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 231**, HAZARDOUS WASTE AND MIXED WASTE FEES, by Representative M. Nelson, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 112**, ASSESSMENT OF PROPERTY IF THREATENED OR ENDANGERED SPECIES IS PRESENT, by Representative M. Noel, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 235**, INTERSTATE MINING COMPACT, by Senator D. Hinkins, and recommends it be considered read for the second time and placed on the Consent Calendar.

Scott K. Jenkins, Chair

Mr. President: February 27, 2013

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **2nd Sub. H.B. 100**, INTERNET PRIVACY AMENDMENTS, by Representative S. Barlow, with the following amendments and recommends it be considered read for the second time and placed on the Consent Calendar:

1. Page 4, Lines 97 through 102:

97 (d) restricting or prohibiting an employee's access to certain websites while using an

98 electronic communications device ~~supplied by, or~~ paid for in whole or in part by ~~a~~ the employer or while using

99 an employer's network or resources, in accordance with state and federal law; or

100 (e) monitoring, reviewing, accessing, or blocking electronic data stored on an

101 electronic communications device supplied ~~by,~~ or paid for in whole or in part by ~~a~~ the employer, or

102 stored on an employer's network, in accordance with state and federal law.

2. Page 5, Lines 141 through 143:

141 (b) "Personal Internet account" does not include an account created, maintained, used,

142 or accessed by a student or prospective student for education related communications or for {– a

143 education–} an educational purpose of the postsecondary institution.

3. Page 6, Lines 151 through 152:

151 (1) request a student or prospective student to disclose a username and password, or

152 a password that allows access to the student's or prospective student's personal Internet account; ; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **2nd Sub. H.B. 299, BICYCLE MODIFICATIONS**, by Representative Johnny Anderson, and recommends it be considered read for the second time and placed on the Consent Calendar.

Kevin T. Van Tassell, Chair

On motion of Senator Valentine, the committee reports were adopted. The bills were considered read the second time and placed on the Consent Calendar.

### INTRODUCTION OF BILLS

**S.B. 250, Sales and Use Tax Exemption for Sales of a Fuel Cell** (R. Okerlund), was read the first time by short title and referred to the Rules Committee.



**S.B. 251, Truth in Advertising** (B. Shiozawa), was read the first time by short title and referred to the Rules Committee.

**S.B. 252, Hospital Credentialing Amendments** (R. Okerlund), was read the first time by short title and referred to the Rules Committee.

**S.B. 253, Sale of Dogs and Cats** (G. Davis), was read the first time by short title and referred to the Rules Committee.

**S.B. 254, Penalty for Well Drilling Without a License** (W. Harper), was read the first time by short title and referred to the Rules Committee.

**S.B. 255, Human Services Amendments** (W. Harper), was read the first time by short title and referred to the Rules Committee.

**S.B. 256, Preconstruction and Construction Liens Amendments** (S. Jenkins), was read the first time by short title and referred to the Rules Committee.

**CONSENT CALENDAR**

**S.C.R. 9, CONCURRENT RESOLUTION DESIGNATING A WEEK TO RECOGNIZE WORKPLACE SAFETY**, was read the third time, explained by Senator Mayne, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Bramble	Hillyard	Robles
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**S.C.R. 9** was transmitted to the House for consideration.

\* \* \*

**1st Sub. H.B. 220, REPEAL OF STATE AUDITOR RELATED PROVISIONS**, was read the third time, explained by Senator Osmond, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Hillyard                      Robles

**1st Sub. H.B. 220** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**S.C.R. 7, CONCURRENT RESOLUTION TO REDUCE UTAH'S DEPENDENCE ON FEDERAL FUNDS**, was read the third time, explained by Senator Osmond, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Hillyard                      Robles                      Valentine

**S.C.R. 7** was transmitted to the House for consideration.

\* \* \*

**H.B. 95, AMORTIZATION RATE CONTRIBUTION FOR REEMPLOYED RETIREES REVISIONS**, was read the third time, explained by Senator Weiler, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Hillyard	Knudson	Robles	Valentine
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**H.B. 95** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 303, TRUST DEED ASSIGNMENT AMENDMENTS,** was read the third time, explained by Senator Urquhart, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Hillyard	Knudson	Robles
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**H.B. 303** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

**THIRD READING CALENDAR**

**3rd Sub. H.B. 47, INSURANCE LAW AMENDMENTS,** was read the third time, explained by Senator Bramble, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Hillyard	Jenkins	Thatcher
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**3rd Sub. H.B. 47**, as amended, was returned to the House for further consideration.

\* \* \*

**2nd Sub. H.B. 290**, DIVISION OF REAL ESTATE AMENDMENTS, was read the third time, explained by Senator Adams, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Dabakis	Stevenson	Urquhart
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**2nd Sub. H.B. 290**, as amended, was returned to the House for further consideration.

\* \* \*

**H.B. 285**, MODIFICATION OF EDUCATION-RELATED REPORTING REQUIREMENTS, was read the third time, explained by Senator Osmond, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Thatcher
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Dabakis	Robles	Stevenson	Urquhart
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**H.B. 285** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Hillyard, the circle was removed from **1st Sub. S.B. 155, POSTADOPTION CONTACT AGREEMENTS**, and it was before the Senate. Senator Hillyard explained the bill. Senator Mayne commented.

On motion of Senator Hillyard, under suspension of the rules, the Senate voted to consider the bill read for the first, second, and third time and up for final passage. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Reid	Robles
Shiozawa	Stephenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Voting in the negative was:** Senator

Dayton

**Absent or not voting were:** Senators

Dabakis	Osmond	Stevenson
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**1st Sub. S.B. 155** was transmitted to the House for consideration.

\* \* \*

**H.B. 284**, NET METERING BILLING CYCLES, was read the third time, explained by Senator Vickers, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Hillyard	Stevenson
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**H.B. 284** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Valentine, the circle was removed from **S.B. 65**, ELECTION CODE – FINANCIAL REPORTING REQUIREMENT AMENDMENTS, and it was before the Senate.

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

**2nd Sub. S.B. 65 Election Code – Financial Reporting Requirement Amendments** (J. Valentine)

Senator Valentine explained the bill. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen

Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators  
 Harper                      Hillyard                      Stevenson

**2nd Sub. S.B. 65** was transmitted to the House for consideration.

\* \* \*

**H.B. 295**, ELECTRONIC PROOF OF OWNER’S OR OPERATOR’S SECURITY, was read the third time, explained by Senator Weiler, and passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Thatcher	Urquhart
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators  
 Harper                      Hillyard                      Robles                      Stevenson  
 Valentine

**H.B. 295** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 82**, ELECTIONS AND EARLY VOTING DURING A DECLARED EMERGENCY, was read the third time and explained by Senator Knudson.

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

**1st Sub. H.B. 82 Elections and Early Voting During a Declared Emergency** (Rep. R. Chavez–Houck)

The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Harper	Hillyard	Stevenson
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**1st Sub. H.B. 82**, as amended, was returned to the House for further consideration.

\* \* \*

**H.B. 64**, FELON'S RIGHT TO HOLD OFFICE, was read the third time, explained by Senator Jones, and passed on the following roll call:

**Yeas, 19; Nays, 5; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Dayton	Henderson	Hinkins	Jones
Knudson	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Urquhart
Vickers	Weiler	Niederhauser	

**Voting in the negative were:** Senators

Jenkins	Madsen	Thatcher	Valentine
Van Tassell			

**Absent or not voting were:** Senators

Davis	Harper	Hillyard	Mayne
Stevenson			

**H.B. 64** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.



\* \* \*

On motion of Senator Okerlund, the Senate voted to lift **H.B. 108, METAL THEFT AMENDMENTS**, from the Judiciary, Law Enforcement and Criminal Justice and reassign it to the Economic Development and Workforce Services Committee.

**SECOND READING CALENDAR**

**H.B. 282, SEXUAL EXPLOITATION AMENDMENTS**, was read the second time. Senator Bramble explained the bill. The bill passed second reading on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Harper	Hillyard	Stevenson	Thatcher
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\* \* \*

On motion of Senator Dayton, the circle was removed from **1st Sub. H.B. 44, ELECTION POLLING**, and it was before the Senate. Senator Dayton explained the bill.

Senator Jones proposed the following amendment:

1. Page 9, Lines 256 through 263:

256     (36) (a) "Poll" means the survey of a person regarding the person's opinion or  
257 knowledge of {~~a candidate~~} an individual who has filed a declaration of candidacy for public office, or of a ballot proposition that has legally qualified for placement on the ballot . which is conducted in person or by telephone.

258 facsimile, Internet, postal mail, or email.

259 (b) "Poll" does not include:

260 (i) a ballot; or

261 (ii) an interview of a focus group that is conducted, in person, by one individual, if:

262 (A) the focus group consists of more than three, and less than thirteen, individuals; and

263 (B) all individuals in the focus group are present during the interview.

2. Page 12, Line 345:

345 (b) deposit the fine described in Subsection (2)(a) in the General Fund.

(3) A person does not violate Subsection (1) if the person is prevented from making the disclosure at the conclusion of the poll, because the person being surveyed terminates the survey before the survey is completed.

Senator Jones' motion to amend passed on a voice vote. Senators Bramble, Valentine, Dabakis, and Henderson commented. Senator Jones declared a conflict of interest. The bill passed second reading on the following roll call:

**Yeas, 22; Nays, 3; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Urquhart	Vickers
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Hinkins	Robles	Valentine
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**Absent or not voting were:** Senators

Hillyard	Stevenson	Thatcher	Van Tassell
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\* \* \*

On motion of Senator Jenkins, the circle was removed from **1st Sub. S.B. 190, PROCUREMENT REVISIONS**, and it was before the Senate. Senator Jenkins

explained the bill. Senators Osmond and Vickers commented. The bill passed second reading on the following roll call:

**Yeas, 23; Nays, 1; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Shiozawa
Stephenson	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Voting in the negative was:** Senator

Dayton

**Absent or not voting were:** Senators

Hillyard	Hinkins	Robles	Stevenson
Thatcher			

\* \* \*

On motion of Senator Shiozawa, the circle was removed from **1st Sub. S.B. 55, INSURANCE COVERAGE FOR AUTISM SPECTRUM DISORDER**, and it was before the Senate.

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

**4th Sub. S.B. 55 Insurance Coverage for Autism Spectrum Disorder**  
(B. Shiozawa)

On motion of Senator Shiozawa, the bill was circled.

\* \* \*

On motion of Senator Urquhart, the circle was removed from **S.B. 64, HOMEOWNER ASSOCIATION RESERVE ACCOUNT AMENDMENTS**, and it was before the Senate.

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

**1st Sub. S.B. 64 Homeowner Association Reserve Account Amendments**  
(S. Urquhart)

On motion of Senator Urquhart, the bill was circled.

\* \* \*

On motion of Senator Urquhart, **H.B. 255**, CLASSIFIED SCHOOL EMPLOYEE AMENDMENTS, was read the second time and circled.

\* \* \*

**H.B. 279**, ADMINISTRATIVE HEARINGS BY COUNTIES, was read the second time. Senator Vickers explained the bill. Senator Van Tassell commented. The bill passed second reading on the following roll call:

**Yeas, 19; Nays, 6; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Henderson	Hinkins
Jones	Knudson	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Valentine	Vickers	Niederhauser	

**Voting in the negative were:** Senators

Harper	Jenkins	Madsen	Stephenson
Van Tassell	Weiler		

**Absent or not voting were:** Senators

Hillyard	Stevenson	Thatcher	Urquhart
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\* \* \*

**H.J.R. 4**, JOINT RESOLUTION ON REMOTE SALES, was read the second time.

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

**1st Sub. H.J.R. 4 Joint Resolution on Remote Sales** (Rep. S. Eliason)

Senator Harper explained the bill. Senator Bramble commented. The bill passed second reading on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson

Jenkins	Jones	Knudson	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Hillyard	Hinkins	Madsen	Stevenson
Thatcher	Urquhart		

\* \* \*

On motion of Senator Okerlund, **H.B. 72**, SAFE DRINKING WATER DISCLOSURE, was read the second time and circled.

\* \* \*

**H.B. 40**, SCHEDULING OF SPECIAL ELECTIONS, was read the second time. Senator Knudson explained the bill. The bill passed second reading on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Adams	Hillyard	Hinkins	Stevenson
Thatcher	Urquhart		

\* \* \*

On motion of Senator Okerlund, and at 11:45 a.m., the Senate recessed.

## AFTERNOON SESSION

The Senate reassembled at 2:10 p.m., with President Niederhauser presiding.

### COMMUNICATIONS FROM THE GOVERNOR

#### ADVISE AND CONSENT

Mr. President: February 12, 2013

In accordance with Utah Code 67-1-1 and 67-1-2, I propose and transmit the following appointments:

#### **State Engineer:**

Kent LeRoi Jones is reappointed as the State Engineer, a term to expire January 1, 2017. See Utah Code 73-2-1.

#### **Department of Financial Institutions:**

G. Edward Leary is reappointed as the Commissioner of the Department of Financial Institutions, a term to expire January 6, 2017. See Utah Code 7-1-202.

#### **Utah Science Technology and Research Governing Authority:**

Neil H. Ashdown is appointed to replace Hunter Jackson as a member of the Utah Science Technology and Research Governing Authority, a term to expire July 1, 2016. See Utah Code 63M-2-301.

#### **Public Service Commission:**

David R. Clark has been appointed to replace Ric Campbell as a member of the Public Service Commission. Mr. Clark is also appointed to a term to expire March 1, 2019. See Utah Code 54-1-1.5.

#### **Transportation Commission:**

Dan R. McConkie is reappointed as a member of the Transportation Commission, a term to expire April 1, 2019. See Utah Code 72-1-301.

Meghan Z. Holbrook is reappointed as a member of the Transportation Commission, a term to expire April 1, 2019. See Utah Code 72-1-301.

#### **Utah Athletic Foundation Board of Directors:**

John Edwin Bennion is reappointed as a member of the Utah Athletic Foundation Board of Directors, a term to expire August 15, 2015. See SJR 1 Passed February 3, 2007 and Bylaws of Utah Athletic Foundation.

Charles Brett Hopkins is appointed to replace Robert Garff as a member of the Utah Athletic Foundation Board of Directors, a term to expire August 15, 2015. See SJR 1 Passed February 3, 2007 and Bylaws of Utah Athletic Foundation.

Grant Thomas is appointed to replace Gordon Strachan as a member of the Utah Athletic Foundation Board of Directors, a term to expire August 15, 2015. See SJR 1 Passed February 3, 2007 and Bylaws of Utah Athletic Foundation.

**State Money Management Council:**

John B. Bond is appointed to replace Mark Altom as a member of the State Money Management Council, a term to expire March 1, 2017. See Utah Code 51-7-16.

Douglas Lamar DeFries is appointed to replace Richard C. Schwarz as a member of the State Money Management Council, a term to expire March 1, 2017. See Utah Code 51-7-16.

Kirt W. Slauch is appointed to replace William W. Wallace as a member of the State Money Management Council, a term to expire March 1, 2017. See Utah Code 51-7-16.

**Radiation Control Board:**

Matt William Rydalch is appointed to be a member of the Radiation Control Board, a term to expire June 30, 2014. See Utah Code 19-3-103.

Lindsey Christensen Nesbitt is appointed to be a member of the Radiation Control Board, a term to expire June 30, 2014. See Utah Code 19-3-103.

**Board of Water Resources:**

David Scott Humphreys is reappointed as a member of the Board of Water Resources, a term to expire January 1, 2017. See Utah Code 73-10-2.

Joseph Stewart Paulick is reappointed as a member of the Board of Water Resources, a term to expire January 1, 2017. See Utah Code 73-10-2.

Neal Gawain Snow is reappointed as a member of the Board of Water Resources, a term to expire January 1, 2017. See Utah Code 73-10-2.

Charles W. Holmgren is appointed to replace Blair Francis as a member of the Board of Water Resources, a term to expire January 1, 2017. See Utah Code 73-10-2.

**Board of the Utah Geological Survey:**

Marc Turner Eckels is reappointed as a member of the Board of the Utah Geological Survey, a term to expire April 1, 2017. See Utah Code Annotated 79-3-302.

William Dornan Loughlin is reappointed as a member of the Board of the Utah Geological Survey, a term to expire April 1, 2017. See Utah Code Annotated 79-3-302.

Tom Tripp is reappointed as a member of the Board of the Utah Geological Survey, a term to expire April 1, 2017. See Utah Code Annotated 79-3-302.

Peter Marshall Kilbourne is appointed to replace John Hamilton as a member of the Board of the Utah Geological Survey, a term to expire April 1, 2017. See Utah Code Annotated 79-3-302.

**Board of Oil, Gas and Mining:**

James T. Jensen is reappointed as a member of the Board of Oil, Gas and Mining, a term to expire March 1, 2017. See Utah Code 40-6-4.

Kelly Lynn Payne is reappointed as a member of the Board of Oil, Gas and Mining, a term to expire March 1, 2017. See Utah Code 40-6-4.

Michael Rex Brown is appointed to replace Jean Semborski as a member of the Board of Oil, Gas and Mining, a term to expire March 1, 2017. See Utah Code 40-6-4.

Susan Summers Davis is appointed to replace Jake Harouny as a member of the Board of Oil, Gas and Mining, a term to expire March 1, 2017. See Utah Code 40-6-4.

**Utah State Fair Corporation Board of Directors:**

Maura Carabello is reappointed as a member of the Utah State Fair Corporation Board of Directors, a term to expire December 1, 2016. See Utah Code 63H-6-104.

**Utah State Board of Education:**

Heather Groom is appointed to replace Craig Coleman as a member of the Utah State Board of Education, the remaining portion of the term to expire December 31, 2014. See Utah Code 20A-1-507.

**State Council on Military Children:**

Martell Menlove is appointed to replace Larry K. Shumway as a member of the State Council on Military Children. See Utah Code 53A-1-1002.



Thank you for your timely consideration and confirmation of the above appointments.

Gary R. Herbert  
Governor

\* \* \*

Mr. President: February 15, 2013

The Senate Transportation and Public Utilities and Technology Confirmation Committee met on February 15, 2013 and reports a favorable recommendation for the appointment of Mr. David R. Clark to the Public Service Commission.

Kevin T. Van Tassell

\* \* \*

Mr. President: February 20, 2013

The Senate Education Confirmation Committee met on February 20, 2013, and reports a favorable recommendation for Ms. Heather Groom as a member of the Utah State Board of Education.

Stephen H. Urquhart, Chair

On motion of Senator Urquhart, the Senate voted to consent to the Governor's appointments on the following roll call vote:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Knudson                      Robles

**TIME CERTAIN CALENDAR**

On motion of Senator Knudson, the Senate voted to lift **H.C.R. 3, CONCURRENT RESOLUTION HONORING MAJOR GENERAL BRIAN L. TARBET**, from the Government Operations and Political Subdivisions Committee and place it at the top of the Second Reading Calendar.

On motion of Senator Knudson, under suspension of the rules, **H.C.R. 3**, CONCURRENT RESOLUTION HONORING MAJOR GENERAL BRIAN L. TARBET, was considered read the second and third times and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**H.C.R. 3** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

### COMMITTEE OF THE WHOLE

On motion of Senator Knudson, Major General Brian L. Tarbet spoke in Committee of the Whole. Senators Hillyard, Dayton, Stephenson, Valentine, Bramble, Jenkins, and Harper commented.

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

### COMMUNICATIONS FROM THE HOUSE

Mr. President: February 28, 2013

The House passed, **1st Sub. S.B. 56**, UTAH 211 REFERRAL INFORMATION NETWORK, by Senator T. Weiler, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 100**, HIGHER EDUCATION SCHOLARSHIP AMENDMENTS, by Senator J. Stevenson, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.J.R. 8**, JOINT RESOLUTION CONCERNING RAILROAD AND RAILROAD CROSSING SAFETY, by Senator K. Mayne,

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

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President: February 28, 2013

The House passed **H.B. 129**, AMENDMENTS TO POWERS, FUNCTIONS, AND DUTIES OF OFFICE OF LEGISLATIVE FISCAL ANALYST, by Representative B. Wilson, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 202**, ENERGY CONSERVATION CODE AMENDMENTS, by Representative B. Wilson, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 310**, CONSTRUCTION CODE AMENDMENTS, by Representative B. Wilson, and it is transmitted for consideration; and

The House passed **H.C.R. 7**, CONCURRENT RESOLUTION ON FEDERAL DESIGNATION OF CRITICAL HABITAT FOR GUNNISON SAGEGROUSE, by Representative M. Noel, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President: February 28, 2013

The House passed, as amended, **1st Sub. S.B. 51**, HIGHER EDUCATION TUITION WAIVERS, by Senator S. Urquhart, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bill was placed on the Concurrence Calendar.

**RULES COMMITTEE REPORTS**

To the Members of the Senate: February 28, 2011

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

**Business and Labor Committee**

- S.B. 251** Truth in Advertising (Sen. B. Shiozawa)  
**S.B. 256** Preconstruction and Construction Liens Amendments  
(Sen. S. Jenkins)  
**H.B. 238** Cosmetology and Hair Braiding (Rep. J. Dunnigan)  
(Sen. J. Valentine)

**Government Operations and Political Subdivisions Committee**

- H.B. 334** Special Service District Reorganization (Rep. D. McCay)  
(Sen. J. Stevenson)  
**H.B. 348** Local District Amendments (Rep. D. Ipson)  
(Sen. M. Dayton)

**Health and Human Services Committee**

- S.B. 255** Human Services Amendments (Sen. W. Harper)

**Judiciary, Law Enforcement, and Criminal Justice Committee**

- H.B. 105** Serious Youth Offender Amendments (Rep. V. L. Snow)  
(Sen. L. Hillyard)

**Natural Resources, Agriculture and Environment Committee**

- S.B. 242** Health Insurance Market Amendments (Sen. L. Hillyard)  
**S.B. 252** Hospital Credentialing Amendments (Sen. R. Okerlund)  
**S.B. 254** Penalty for Well Drilling Without a License  
(Sen. W. Harper)  
**1st Sub. H.B. 124** Radiation Control Amendments (Rep. B. Dee)  
(Sen. R. Okerlund)  
**H.B. 142** Public Lands Policy Coordinating Office Amendments  
(Rep. R. Barrus) (Sen. R. Okerlund)

**Revenue and Taxation Committee**

- S.B. 250** Sales and Use Tax Exemption for Sales of a Fuel Cell  
(Sen. R. Okerlund)  
**H.B. 300** Retention of Sales and Use Tax Collections by Certain  
Remote Sellers (Rep. S. Eliason) (Sen. W. Harper)

**Transportation, Public Utilities and Technology Committee**

- S.B. 253** Sale of Dogs and Cats (Sen. G. Davis)

**H.B. 128** Driver License Suspension Modifications  
(Rep. D. Sagers) (Sen. E. Vickers)

John L. Valentine  
Rules Committee Chair

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

### STANDING COMMITTEE REPORTS

Mr. President: February 28, 2013

The Economic Development and Workforce Services Committee recommends **S.B. 211**, REDEVELOPMENT AGENCY AMENDMENTS, by Senator J. Stevenson, be replaced and favorably recommends **1st Sub. S.B. 211**, REDEVELOPMENT AGENCY AMENDMENTS.

Aaron Osmond, Chair

Mr. President: February 28, 2013

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **2nd Sub. H.B. 99**, SUBMITTING GOVERNMENTAL REPORTS, by Representative P. Arent; and

The Government Operations and Political Subdivisions Committee recommends **S.B. 77**, AVAILABILITY OF GOVERNMENT INFORMATION, by Senator D. Henderson, be replaced and favorably recommends **1st Sub. S.B. 77**, AVAILABILITY OF GOVERNMENT INFORMATION; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 241**, DISCLOSURE REQUIREMENTS FOR MIDTERM VACANCY CANDIDATES, by Senator T. Weiler.

Margaret Dayton, Chair

Mr. President: February 28, 2013

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 238**, PROPERTY TAX AMENDMENTS, by Senator C. Bramble; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 246**, EXPANDED USES OF SCHOOL DISTRICT PROPERTY TAX REVENUE, by Representative K. McIff.

Deidre Henderson, Chair

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

### STANDING COMMITTEE REPORTS

Mr. President:

February 28, 2013

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 125**, INTERSTATE LOCAL EMERGENCY RESPONSE ACT, by Representative C. Oda, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 195**, BUDGETARY PROCEDURES ACT REVISIONS, by Representative K. Ivory, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 223**, EMERGENCY MANAGEMENT FUNDING AMENDMENTS, by Representative C. Oda, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 223**, STATE SENATE BOUNDARY AMENDMENTS, by Senator R. Okerlund, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 224**, STATE BOARD OF EDUCATION BOUNDARY AMENDMENTS, by Senator R. Okerlund, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 231**, POLITICAL ACTION COMMITTEE

AMENDMENTS, by Senator E. Vickers, and recommends it be considered read for the second time and placed on the Consent Calendar.

Margaret Dayton, Chair

On motion of Senator Valentine, the committee reports were adopted. The bills were considered read the second time and placed on the Consent Calendar.

\* \* \*

On motion of Senator Valentine, the Senate voted to lift **S.B. 232**, ADOPTION CODE REVISIONS, from the Health and Human Services Committee and reassign it to the Judiciary, Law Enforcement, and Criminal Justice Committee.

\* \* \*

On motion of Senator Valentine, legislative staff was authorized to draft a bill regarding property tax exemption amendments.

**INTRODUCTION OF BILLS**

**S.B. 258, Rename Utah State University – College of Eastern Utah** (D. Hinkins), was read the first time by short title and referred to the Rules Committee.

**SECOND READING CALENDAR**

On motion of Senator Valentine, the circle was removed from **1st Sub. H.B. 93, TRAFFIC VIOLATIONS AMENDMENTS**, and it was before the Senate. Senator Valentine 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

- |           |          |              |             |
|-----------|----------|--------------|-------------|
| Adams     | Bramble  | Christensen  | Dabakis     |
| Davis     | Dayton   | Harper       | Henderson   |
| Hillyard  | Hinkins  | Jenkins      | Jones       |
| Knudson   | Madsen   | Mayne        | Okerlund    |
| Osmond    | Reid     | Shiozawa     | Stephenson  |
| Stevenson | Thatcher | Valentine    | Van Tassell |
| Vickers   | Weiler   | Niederhauser |             |

**Absent or not voting were:** Senators  
Robles                      Urquhart

\* \* \*

On motion of Senator Osmond, the circle was removed from **S.B. 71, RESULTS–BASED FINANCING FOR EARLY CHILDHOOD EDUCATION**, and it was before the Senate.

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

**1st Sub. S.B. 71 Results–based Financing for Early Childhood Education**  
(A. Osmond)

On motion of Senator Osmond, the bill was circled.

\* \* \*

On motion of Senator Jenkins, the Senate voted to lift **2nd Sub. S.B. 72, PRISON RELOCATION AND DEVELOPMENT AMENDMENTS**, to the top of the Second Reading Calendar. Senators Weiler and Madsen commented.

**2nd Sub. S.B. 72, PRISON RELOCATION AND DEVELOPMENT AMENDMENTS**, was read the second time. Senator Jenkins explained the bill. Senators Valentine, Hillyard, Davis, Urquhart, Jones, Mayne, Dayton, and Stephenson commented. The bill passed second reading on the following roll call:

**Yeas, 18; Nays, 7; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Henderson	Jenkins	Knudson	Madsen
Okerlund	Osmond	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers		

**Voting in the negative were:** Senators

Dabakis	Davis	Harper	Hillyard
Jones	Mayne	Robles	

**Absent or not voting were:** Senators

Hinkins	Reid	Weiler	Niederhauser
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\* \* \*

**H.B. 302, EMERGENCY RESPONSE AMENDMENTS**, was read the second time. Senator Valentine explained the bill. The bill passed second reading on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Robles	Shiozawa	Stephenson	Thatcher
Valentine	Vickers	Weiler	

**Absent or not voting were:** Senators

Adams	Reid	Stevenson	Urquhart
Van Tassell	Niederhauser		

\* \* \*

**H.B. 30, LINE-OF-DUTY DEATH AND DISABILITY AMENDMENTS**, was read the second time. Senator Bramble explained the bill. Senator Weiler commented. The bill passed second reading on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Thatcher
Valentine	Vickers	Weiler	

**Absent or not voting were:** Senators

Adams	Madsen	Stevenson	Urquhart
Van Tassell	Niederhauser		

On motion of Senator Hillyard, **H.B. 30** was placed on Third Reading Table due to fiscal impact.

\* \* \*

**2nd Sub. H.B. 65, INSURANCE BENEFICIARY CHANGES**, was read the second time.

Senator Weiler proposed the following amendment:

1. Page 2, Lines 50 through 53:

50 (ii) an order requiring the parties to notify respective creditors  
or obligees, regarding

51 the court's division of debts, obligations, or liabilities and regarding  
the parties' separate,

52 current addresses; ~~{-|}~~ and ~~{-|}~~

53 (iii) provisions for the enforcement of these orders;  
~~{-and-}~~

2. Page 2, Line 56 through Page 3, Line 60:

56 (e) if either party owns a life insurance policy or an annuity  
contract, an

57 acknowledgment by the court that the owner ~~{-has-}~~ :

58 (i) has reviewed and updated, where appropriate, the list of  
beneficiaries: ~~{-and-}~~

59 (ii) has affirmed that those listed as beneficiaries are in fact  
the intended beneficiaries after

60 the divorce becomes final ; and

(iii) understands that if no changes are made to the policy or  
contract, the beneficiaries currently listed will receive any funds paid by  
the insurance company under the terms of the policy or contract .

Senator Weiler's motion to amend passed on a voice vote. Senator Harper explained the bill. Senators Bramble and Valentine commented. The bill passed second reading on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Vickers
Weiler			

**Absent or not voting were:** Senators

Madsen                      Urquhart                      Van Tassell                      Niederhauser

**SPECIAL RECOGNITION**

Senator Stephenson paid tribute to teachers and students participating in the China Teachers/Dual Immersion Program.

**COMMITTEE OF THE WHOLE**

On motion of Senator Stephenson, Jane Sandberg and Seth Frandsen, students in the China Teachers/Dual Immersion Program spoke in Committee of the Whole. Senators Dabakis, Bramble, Dayton, Harper, and Osmond commented.

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

**SECOND READING CALENDAR**

**1st Sub. H.B. 245, CONSUMER PROTECTION AMENDMENTS**, was read the second time. Senator Jones explained the bill. The bill passed second reading on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jones	Knudson	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stevenson	Thatcher	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Dabakis	Jenkins	Madsen	Stephenson
Urquhart	Valentine		

\* \* \*

**2nd Sub. H.B. 286, DISPOSITION OF PERSONAL PROPERTY ON VACATED PROPERTY**, was read the second time. Senator Bramble explained the bill. The bill passed second reading on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jones	Knudson	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stevenson	Thatcher	Urquhart
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Dabakis	Jenkins	Madsen	Stephenson
Valentine			

\* \* \*

On motion of Senator Urquhart, the circle was removed from **H.B. 255**, CLASSIFIED SCHOOL EMPLOYEE AMENDMENTS, and it was before the Senate. Senator Urquhart explained the bill. Senator Weiler commented. The bill passed on the following roll call:

**Yeas, 22; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Davis	Dayton
Harper	Henderson	Hillyard	Hinkins
Jones	Knudson	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stevenson
Thatcher	Urquhart	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Adams	Dabakis	Jenkins	Madsen
Robles	Stephenson	Valentine	

\* \* \*

On motion of Senator Okerlund, **1st Sub. H.B. 278**, PUBLIC SCHOOL SEISMIC STUDIES, was read the second time and circled.

\* \* \*

**H.B. 113**, COUNTY GOVERNMENT BODY AUTHORITY, was read the second time. Senator Van Tassell explained the bill. Senator Niederhauser commented. The bill passed second reading on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dayton	Harper
Henderson	Hillyard	Hinkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Adams	Dabakis	Davis	Jenkins
Madsen	Stephenson		

\* \* \*

**1st Sub. H.B. 62, DISPLAY OF PRISONER OR WAR AND MISSING IN ACTION FLAG**, was read the second time. Senator Vickers explained the bill. The bill passed second reading on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Davis	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Adams	Dabakis	Madsen	Stephenson
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\* \* \*

**H.B. 13, PROTECTION OF CHILDREN RIDING IN MOTOR VEHICLES**, was read the second time. Senator Osmond explained the bill. Senators Vickers, Jones, Mayne, Henderson, Harper, Dabakis, Dayton, Bramble, and Shiozawa commented. The bill passed second reading on the following roll call:

**Yeas, 19; Nays, 10; Absent or not voting, 0.**

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Davis	Hillyard
Hinkins	Jones	Knudson	Mayne

Okerlund	Osmond	Robles	Shiozawa
Stevenson	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Voting in the negative were:** Senators

Adams	Bramble	Dayton	Harper
Henderson	Jenkins	Madsen	Reid
Stephenson	Thatcher		

\* \* \*

On motion of Senator Reid, the Senate voted to move to Third Reading Calendar.

**THIRD READING CALENDAR**

On motion of Senator Reid, the circle was removed from **S.B. 66**, REFERENDUM REVISIONS, and it was before the Senate.

On motion of Senator Reid, the bill was circled.

\* \* \*

On motion of Senator Okerlund, and at 5:05 p.m., the Senate adjourned until 10:00 a.m., Friday, March 1, 2013.

# THIRTY-SECOND DAY

## MORNING SESSION

**March 1, 2013**

The Senate was called to order at 10:00 a.m., with President Wayne Niederhauser presiding.

**Prayer** – Pastor France Davis, Calvary Baptist Church

**Pledge of Allegiance** – Senator Lyle Hillyard

**Roll Call** – All Senators present

### READING OF TITLES OF BILLS AND RESOLUTIONS

(PLEASE REFER TO DAY 1, PAGE 81)

### COMMUNICATIONS FROM THE HOUSE

Mr. President:

February 28, 2013

The House passed, as substituted, **1st Sub. H.B. 39**, CANDIDATE AMENDMENTS, by Representative K. Powell, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 96**, CLEANER BURNING FUELS TAX CREDITS AMENDMENTS, by Representative J. Draxler, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 139**, SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS ACTION CENTER, by Representative V. Peterson, and it is transmitted for consideration; and

The House passed **H.B. 145**, YOUTH DEVELOPMENT ORGANIZATION RESTRICTED ACCOUNT AND INCOME TAX CONTRIBUTION, by Representative S. Eliason, and it is transmitted for consideration; and

The House passed, as substituted, **4th Sub. H.B. 204**, ELECTION AMENDMENTS, by Representative S. Eliason, and it is transmitted for consideration; and

The House passed, as substituted, **2nd Sub. H.B. 209**, PUBLIC ASSISTANCE RESTRICTIONS, by Representative D. Brown, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 235**, PROCESS SERVER AMENDMENTS, by Representative L. Perry, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 240**, ALCOHOL SERVICE IN RESTAURANTS, by Representative Janice Fisher, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 268**, DISORDERLY CONDUCT AMENDMENTS, by Representative P. Ray, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 320**, TEMPORARY IDENTIFICATION CARD, by Representative E. Hutchings, and it is transmitted for consideration; and

The House passed **H.B. 332**, ALTERNATE DISPUTE RESOLUTION AMENDMENTS, by Representative R. Edwards, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President:

February 28, 2013

The House passed, as amended, **S.B. 23**, LIEUTENANT GOVERNOR CANDIDATE AMENDMENTS, by Senator P. Knudson, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bill was placed on the Concurrence Calendar.

### INTRODUCTION OF BILLS

**S.B. 257, Personalized Educator Evaluation Technology** (J. S. Adams), was read the first time by short title and referred to the Rules Committee.

**S.B. 259, Amendments to Disability Waiting List** (A. Christensen), was read the first time by short title and referred to the Rules Committee.

**S.B. 260, Reading Assessment Amendments** (S. Urquhart), was read the first time by short title and referred to the Rules Committee.



**S.B. 262, Employment and Housing Antidiscrimination Amendments** (S. Urquhart), was read the first time by short title and referred to the Rules Committee.

**CONSENT CALENDAR**

**H.B. 198, AGING AND ADULT SERVICES AMENDMENTS**, was read the third time, explained by Senator Vickers, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Christensen	Thatcher
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**H.B. 198** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**S.B. 222, TRANSPORTATION AMENDMENTS**, was read the third time, explained by Senator Harper, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Christensen	Madsen	Thatcher
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**S.B. 222** was transmitted to the House for consideration.

\* \* \*

**1st Sub. S.B. 204, JUDICIARY AMENDMENTS**, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Christensen	Jenkins
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**1st Sub. S.B. 204** was transmitted to the House for consideration.

\* \* \*

**H.B. 234, CORPORATE FRANCHISE AND INCOME TAX FINE AND PENALTY AMENDMENTS**, was read the third time, explained by Senator Valentine, and passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jones	Knudson	Madsen	Mayne
Okerlund	Reid	Robles	Shiozawa
Stephenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Christensen	Hillyard	Jenkins	Osmond
Stevenson			

**H.B. 234** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

### CONCURRENCE CALENDAR

On motion of Senator Urquhart, the Senate voted to concur in the House amendments to **1st Sub. S.B. 51**, HIGHER EDUCATION TUITION WAIVERS. The bill, as amended, passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Thatcher
Urquhart	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Christensen	Hillyard	Stevenson	Valentine
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**1st Sub. S.B. 51** was returned to the House for the signature of the Speaker.

### THIRD READING CALENDAR

**H.B. 282**, SEXUAL EXPLOITATION AMENDMENTS, was read the third time, explained by Senator Bramble, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Thatcher
Urquhart	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Christensen	Hillyard	Stevenson	Valentine
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**H.B. 282** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**1st Sub. H.B. 44**, ELECTION POLLING, was read the third time, explained by Senator Dayton, and passed on the following roll call:

**Yeas, 19; Nays, 6; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Davis	Dayton	Harper
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Thatcher	Urquhart
Van Tassell	Vickers	Niederhauser	

**Voting in the negative were:** Senators

Bramble	Dabakis	Henderson	Hinkins
Robles	Weiler		

**Absent or not voting were:** Senators

Christensen	Hillyard	Stevenson	Valentine
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**1st Sub. H.B. 44**, as amended, was returned to the House for further consideration.

\* \* \*

**1st Sub. S.B. 190**, PROCUREMENT REVISIONS, was read the third time and explained by Senator Jenkins.

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

**2nd Sub. S.B. 190 Procurement Revisions** (S. Jenkins)

The bill passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Dayton                      Hillyard                      Madsen                      Stevenson

**2nd Sub. S.B. 190** was transmitted to the House for consideration.

\* \* \*

**H.B. 279**, ADMINISTRATIVE HEARINGS BY COUNTIES, was read the third time and explained by Senator Vickers.

Senator Harper proposed the following amendment:

- 1. Page 2, Lines 39h through 39i  
House Floor Amendments  
2-12-2013:

39h        (b) A county may not impose a civil penalty and adjudication for the violation of a

39i        county moving traffic ordinance. ←<sup>H</sup>

(6) If the county collects funds paid for a fine described in this section, the county shall deposit the funds, less administrative costs, in the Uniform School Fund described in Section 53A-16-101.

Senator Harper’s motion to amend passed on a voice vote. Senators Jenkins and Thatcher commented and the bill failed on the following roll call:

**Yeas, 10; Nays, 17; Absent or not voting, 2.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Davis	Harper
Jones	Mayne	Okerlund	Urquhart
Van Tassell	Vickers		

**Voting in the negative were:** Senators

Bramble	Dabakis	Dayton	Henderson
Hinkins	Jenkins	Knudson	Madsen
Osmond	Reid	Robles	Shiozawa
Stephenson	Thatcher	Valentine	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Hillyard                      Stevenson

**H.B. 279**, as amended, was filed.

\* \* \*

**1st Sub. H.J.R. 4**, JOINT RESOLUTION ON REMOTE SALES, was read the third time, explained by Senator Harper, and passed on the following roll call:

**Yeas, 22; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Harper
Henderson	Hinkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Dabakis	Davis	Dayton	Hillyard
Jenkins	Stevenson	Urquhart	

**1st Sub. H.J.R. 4**, as amended, was returned to the House for further consideration.

\* \* \*

**H.B. 40**, SCHEDULING OF SPECIAL ELECTIONS, was read the third time, explained by Senator Knudson, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Harper
Henderson	Hinkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Dabakis	Davis	Dayton	Hillyard
Jenkins	Stevenson	Thatcher	Urquhart

**H.B. 40**, as amended, was returned to the House for further consideration.

**TIME CERTAIN CALENDAR**

**1st Sub. S.B. 112, WORK WEEK AMENDMENTS,** was read the second time.

Senator Osmond proposed the following amendment:

- 1. Page 2, Lines 29 through 37:

29        67-25-201. State agency work week.

30        (1) [~~Except for a legal holiday established under Section 63G-1-301, a state agency~~

31        ~~shall operate at least one physical location, and as many physical locations necessary,] Except~~

32        as provided in Subsection (2), and subject to Subsection (3) {~~-~~} ;

(a)        a state agency with five or more employees shall, at least {~~-~~} nine {~~-~~}

33        {~~eight~~} hours [~~a~~] per day on Monday, Tuesday, Wednesday, Thursday, and Friday [~~to~~], provide a

34        service required by statute to another entity of the state, a political subdivision, or the public[~~-~~];

35        {~~(a)~~}        (i) in person;

36        {~~(b)~~}        (ii) online; or

37        {~~(c)~~}        (iii) by telephone {~~-~~} ; and

(b) a state agency with less than five employees shall, at least eight hours per day on Monday, Tuesday, Wednesday, Thursday, and Friday, provide a service required by statute to another entity of the state, a political subdivision, or the public;

(i) in person;

(ii) online; or

(iii) by telephone.

- 2. Page 2, Line 41:

41        agencies shall operate at least one physical location, and as many physical locations as necessary.

- 3. Page 3, Line 58:

58 (a) the number of physical locations, if any are required by this section , operating each day;

Senator Osmond's motion to amend passed on a voice vote. Senator Osmond explained the bill. Senator Van Tassell commented. The bill passed second reading on the following roll call:

**Yeas, 23; Nays, 4; Absent or not voting, 2.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Jenkins
Jones	Knudson	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Voting in the negative were:** Senators

Dayton	Hinkins	Madsen	Stephenson
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**Absent or not voting were:** Senators

Hillyard	Stevenson
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### THIRD READING CALENDAR

**1st Sub. H.B. 93**, TRAFFIC VIOLATIONS AMENDMENTS, was read the third time, explained by Senator Valentine, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Hillyard	Stevenson
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**1st Sub. H.B. 93**, as amended, was returned to the House for further consideration.



\* \* \*

On motion of Senator Thatcher, the Senate voted to reconsider its action on **H.B. 279, ADMINISTRATIVE HEARINGS BY COUNTIES.**

On motion of Senator Thatcher, the Senate voted to place the bill at the top of the Third Reading Calendar.

**H.B. 279, ADMINISTRATIVE HEARINGS BY COUNTIES,** was before the Senate and explained by Senator Vickers.

Senator Thatcher proposed the following amendment:

- 1. Page 2, Line 39b:  
After "class" delete "B" and insert "C"
- 2. Page 2, Line 39g:  
After "class" delete "B" and insert "C"

Senator Thatcher’s motion to amend passed on a voice vote. The bill passed on the following roll call:

**Yeas, 18; Nays, 9; Absent or not voting, 2.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Harper	Hinkins	Jones	Knudson
Mayne	Okerlund	Osmond	Reid
Robles	Thatcher	Urquhart	Van Tassell
Vickers	Niederhauser		

**Voting in the negative were:** Senators

Bramble	Dayton	Henderson	Jenkins
Madsen	Shiozawa	Stephenson	Valentine
Weiler			

**Absent or not voting were:** Senators

Hillyard	Stevenson
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**H.B. 279,** as amended, was returned to the House for further consideration.

**COMMITTEE OF THE WHOLE**

On motion of Senator Knudson, Suni Norman performed a violin solo in Committee of the Whole.

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

A citation was read honoring Suni Norman on her accomplishments in violin performance.

### THIRD READING CALENDAR

**2nd Sub. S.B. 72**, PRISON RELOCATION AND DEVELOPMENT AMENDMENTS, was read the third time and explained by Senator Jenkins.

Senator Jenkins proposed the following amendment:

1. Page 15, Line 437:

437 member of the {~~of the~~} State Commission on Criminal and Juvenile Justice;

2. Page 19, Line 577  
Senate Committee Amendments  
2-28-2013:

577 described in this section.

(7) The former prison land may not be sold, exchanged, leased, or made subject to an option without the Legislature's prior approval.

Senator Jenkins's motion to amend passed on a voice vote.

On motion of Senator Jenkins, the bill was circled.

\* \* \*

On motion of Senator Reid, the circle was removed from **S.B. 66**, REFERENDUM REVISIONS, and it was before the Senate.

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

#### **1st Sub. S.B. 66 Referendum Revisions** ( S. Reid)

On motion of Senator Reid, the bill was circled.

\* \* \*

On motion of Senator Valentine, **H.B. 302**, EMERGENCY RESPONSE AMENDMENTS, was read the third time and circled.

\* \* \*

On motion of Senator Knudson, and at 11:45 a.m., the Senate recessed.

## AFTERNOON SESSION

The Senate reassembled at 2:10 p.m., with President Niederhauser presiding.

### COMMUNICATIONS FROM THE HOUSE

Mr. President: March 1, 2013

The Speaker of the House has signed **1st Sub. S.B. 51**, HIGHER EDUCATION TUITION WAIVERS, by Senator S. Urquhart, and it is transmitted for the signature of the President; and

The House passed, **S.B. 185**, DIVISION OF OIL, GAS, AND MINING AMENDMENTS, by Senator K. Van Tassell, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President: March 1, 2013

The House concurred in the Senate amendments and passed **1st Sub. H.B. 82**, ELECTIONS AND EARLY VOTING DURING A DECLARED EMERGENCY, by Representative R. Chavez–Houck, et al, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President: March 1, 2013

The House passed, as substituted, **1st Sub. H.B. 76**, CONCEALED WEAPON CARRY AMENDMENTS, by Representative J. Mathis, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 134**, PARENTAL NOTIFICATION RELATED TO STUDENT SAFETY, by Representative G. Froerer, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 147**, UTAH MARRIAGE COMMISSION, by Representative L. Christensen, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 173**, NECESSARILY EXISTENT SMALL SCHOOLS FUNDING AMENDMENTS, by Representative K. Powell, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 256**, REAUTHORIZATION OF ADMINISTRATIVE RULES, by Representative C. Oda, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 316**, TRAFFIC AMENDMENTS, by Representative Johnny Anderson, and it is transmitted for consideration; and

The House passed **H.B. 325**, MILITARY INSTALLATION DEVELOPMENT AUTHORITY AMENDMENTS, by Representative B. Dee, and it is transmitted for consideration; and

The House passed **H.B. 326**, DIVISION OF WATER RIGHTS AMENDMENTS, by Representative R. C. Webb, and it is transmitted for consideration; and

The House passed **H.B. 329**, MEDICAID VISION AMENDMENTS, by Representative R. Menlove, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 330**, FINANCIAL REPORTING AMENDMENTS, by Representative S. Eliason, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 333**, STATE LANDS AMENDMENTS, by Representative R. Menlove, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 336**, AMENDMENTS TO ECONOMIC DEVELOPMENT, by Representative R. Wilcox, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President: March 1, 2013

The House refused to concur with the Senate Amendments to **2nd Sub. H.B. 290**, DIVISION OF REAL ESTATE AMENDMENTS, by Representative G. Froerer, and requests the Senate recede from its amendments.

Sandy D. Tenney, Chief Clerk

On motion of Senator Adams, the Senate voted to refuse to recede from its amendments to **2nd Sub. H.B. 290**. President Niederhauser appointed a conference committee consisting of Senators Adams, Harper, and Jones to meet with a like committee from the House.

### STANDING COMMITTEE REPORTS

Mr. President: March 1, 2013

The Business and Labor Committee recommends **1st Sub. H.B. 217**, STATE FIRE CODE ACT AMENDMENTS, by Representative J. Dunnigan, be replaced and favorably recommends **2nd Sub. H.B. 217**, STATE FIRE CODE AMENDMENTS; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 239**, ALCOHOLIC BEVERAGE CONTROL ACT SAMPLING AMENDMENTS, by Senator J. Valentine; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 248**, ALCOHOLIC BEVERAGE CONTROL ACT AND SMALL MANUFACTURERS, by Senator J. Valentine.

Curtis S. Bramble, Chair

Mr. President: March 1, 2013

The Education Committee reports a favorable recommendation on **S.B. 133**, SCHOOL PERFORMANCE REPORT AMENDMENTS, by Senator H. Stephenson.

Stuart C. Reid, Chair

Mr. President: March 1, 2013

The Health and Human Services Committee reports a favorable recommendation on **H.B. 116**, SUDDEN CARDIAC ARREST SURVIVAL ACT AMENDMENTS, by Representative R. Cunningham; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 117**, REGULATION OF TATTOO INDUSTRY, by Representative J. Stanard; and

The Health and Human Services Committee reports a favorable recommendation on **2nd Sub. H.B. 118**, AUTOMATIC EXTERNAL DEFIBRILLATOR RESTRICTED ACCOUNT, by Representative R. Cunningham; and

The Health and Human Services Committee reports a favorable recommendation on **1st Sub. H.B. 135**, MEDICAL MALPRACTICE AMENDMENTS, by Representative D. Sanpei; and

The Health and Human Services Committee reports a favorable recommendation on **1st Sub. H.B. 292**, PREMIUM ASSISTANCE UNDER MEDICAID AND CHIP, by Representative D. Sanpei; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 85**, COMMUNITY HEALTH WORKER PROGRAM, by Senator L. Robles, with the following amendments:

1. Page 2, Lines 29 through 33:

29 Money Appropriated in this Bill:

30 This bill appropriates in fiscal year 2014:

31 ► to the Department of Health – Disease Control and  
Prevention – Health Promotion , as an ongoing

32 appropriation:

33 • from the General Fund, \$250,000.

2. Page 4, Line 119 through Page 5, Line 128:

119 Section 2. Appropriation.

120 Under the terms and conditions of Title 63J, Chapter 1,  
Budgetary Procedures Act, for

121 the fiscal year beginning July 1, 2013, and ending June 30, 2014,  
the following sums of money

122 are appropriated from resources not otherwise appropriated, or  
reduced from amounts

123 previously appropriated, out of the funds or accounts indicated.  
These sums of money are in

124 addition to any amounts previously appropriated for fiscal year 2014.

125 To Department of Health – Disease Control and Prevention

126 From General Fund \$250,000

127 Schedules of programs

128 { ~~Department of Health – Disease Control and Prevention~~ } Health Promotion \$250,000

Evan J. Vickers, Chair

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

### STANDING COMMITTEE REPORTS

Mr. President: March 1, 2013

The Business and Labor Committee reports a favorable recommendation on **H.B. 119, FIRE PREVENTION AMENDMENTS**, by Representative J. Seelig, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 198, UTAH UNITRUST ACT**, by Senator L. Hillyard, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 233, REQUEST FOR EMERGENCY MEDICAL ASSISTANCE AMENDMENTS**, by Senator C. Bramble, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 234, FIRE CODE AMENDMENTS**, by Senator C. Bramble, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Business and Labor Committee recommends **S.C.R. 11, CONCURRENT RESOLUTION ON RADON GAS**, by Senator J. Valentine, be replaced and favorably recommends **1st Sub. S.C.R. 11, CONCURRENT RESOLUTION ON RADON GAS** and that it be amended as follows, considered read for the second time, and placed on the Consent Calendar.

1. Page 2, Line 52 through Page 3, Line 57:

52 BE IT FURTHER RESOLVED that the Legislature and the Governor call upon real

53 estate licensees to use their access to buyers and sellers of real estate to inform them, by use of

54 a radon-specific Buyers Disclosure and Acknowledgment form ~~{ approved by the Utah Division~~

55 ~~of Real Estate }~~, of the dangers and risks of radon exposure, encourage testing and remediation,

56 and educate the public about the dangers of radon,

57 BE IT FURTHER RESOLVED that the Legislature and the Governor call upon home

Curtis S. Bramble, Chair

Mr. President:

March 1, 2013

The Health and Human Services Committee reports a favorable recommendation on **H.B. 233**, FUNERAL SERVICES LICENSING ACT AMENDMENTS, by Representative R. Menlove, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 244**, MENTAL HEALTH PROFESSIONAL PRACTICE ACT AMENDMENTS, by Representative E. Redd, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Health and Human Services Committee recommends **S.B. 213**, EMPLOYER ASSOCIATION HEALTH PLAN AMENDMENTS, by Senator P. Knudson, be replaced and favorably recommends **1st Sub. S.B. 213**, EMPLOYER ASSOCIATION HEALTH PLAN AMENDMENTS and that it be considered read for the second time and placed on the Consent Calendar.

Evan J. Vickers, Chair

On motion of Senator Valentine, the committee reports were adopted. The bills were considered read the second time and placed on the Consent Calendar.



## RULES COMMITTEE REPORTS

To the Members of the Senate:

March , 2011

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

### **Business and Labor Committee**

- H.B. 202** Energy Conservation Code Amendments  
(Rep. B. Wilson) (Sen. C. Bramble)
- H.B. 240** Alcohol Service in Restaurants (Rep. Janice Fisher)  
(Sen. J. Valentine)
- H.B. 310** Construction Code Amendments (Rep. B. Wilson)  
(Sen. C. Bramble)

### **Economic Development and Workforce Services Committee**

- S.B. 262** Employment and Housing Antidiscrimination  
Amendments (Sen. S. Urquhart)
- 2nd Sub. H.B. 209** Public Assistance Restrictions (Rep. D. Brown)  
(Sen. J. Stevenson)

### **Education Committee**

- S.B. 257** Personalized Educator Evaluation Technology  
(Sen. J. S. Adams)
- S.B. 258** Rename Utah State University – College of Eastern Utah  
(Sen. D. Hinkins)
- S.B. 260** Reading Assessment Amendments (Sen. S. Urquhart)
- 1st Sub. H.B. 139** Science, Technology, Engineering, and Mathematics  
Action Center (Rep. V. Peterson) (Sen. S. Urquhart)

### **Government Operations and Political Subdivisions Committee**

- 1st Sub. H.B. 39** Candidate Amendments (Rep. K. Powell)  
(Sen. P. Knudson)
- H.B. 129** Amendments to Powers, Functions, and Duties of Office  
of Legislative Fiscal Analyst (Rep. B. Wilson)  
(Sen. J. Stevenson)
- 4th Sub. H.B. 204** Election Amendments (Rep. S. Eliason)  
(Sen. A. Osmond)

### **Health and Human Services Committee**

- S.B. 259** Amendments to Disability Waiting List  
(Sen. A. Christensen)

**Judiciary, Law Enforcement, and Criminal Justice Committee**

- 1st Sub. H.B. 235** Process Server Amendments (Rep. L. Perry)  
(Sen. C. Bramble)
- 1st Sub. H.B. 268** Disorderly Conduct Amendments (Rep. P. Ray)  
(Sen. C. Bramble)
- H.B. 332** Alternate Dispute Resolution Amendments  
(Rep. R. Edwards) (Sen. J. Valentine)

**Natural Resources, Agriculture and Environment Committee**

- H.C.R. 7** Concurrent Resolution on Federal Designation of Critical  
Habitat for Gunnison Sagegrouse (Rep. M. Noel)  
(Sen. D. Hinkins)

**Revenue and Taxation Committee**

- 1st Sub. H.B. 96** Cleaner Burning Fuels Tax Credits Amendments  
(Rep. J. Draxler) (Sen. K. Van Tassell)
- H.B. 145** Youth Development Organization Restricted Account and  
Income Tax Contribution (Rep. S. Eliason)  
(Sen. C. Bramble)

**Transportation, Public Utilities and Technology Committee**

- H.B. 320** Temporary Identification Card (Rep. E. Hutchings)  
(Sen. P. Knudson)

John L. Valentine  
Rules Committee Chair

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

**INTRODUCTION OF BILLS**

**S.B. 261, Amendments Related to Alcoholic Beverage Control** (J. Valentine), was read the first time by short title and referred to the Rules Committee.

**S.B. 263, Child Care Costs Amendments** (T. Weiler), was read the first time by short title and referred to the Rules Committee.

**S.B. 264, Office of Recovery Services Pilot Program** (A. Christensen), was read the first time by short title and referred to the Rules Committee.

**S.B. 265, Referendum Amendments** (J. Valentine), was read the first time by short title and referred to the Rules Committee.

**S.B. 266, Tax Revisions** (J. Valentine), was read the first time by short title and referred to the Rules Committee.

**S.B. 267, New Convention Hotel Development Incentive Act** (J. S. Adams), was read the first time by short title and referred to the Rules Committee.

**S.B. 269, Property Tax Revisions** (J. Valentine), was read the first time by short title and referred to the Rules Committee.

**THIRD READING CALENDAR**

**2nd Sub. H.B. 65, INSURANCE BENEFICIARY CHANGES**, was read the third time, explained by Senator Harper, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**2nd Sub. H.B. 65**, as amended, was returned to the House for further consideration.

\* \* \*

**1st Sub. H.B. 245, CONSUMER PROTECTION AMENDMENTS**, was read the third time, explained by Senator Jones, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**1st Sub. H.B. 245** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**2nd Sub. H.B. 286, DISPOSITION OF PERSONAL PROPERTY ON VACATED PROPERTY**, was read the third time, explained by Senator Bramble, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**2nd Sub. H.B. 286** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 255, CLASSIFIED SCHOOL EMPLOYEE AMENDMENTS**, was read the third time, explained by Senator Urquhart, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Knudson	Madsen
Okerlund	Osmond	Reid	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Voting in the negative were:** Senators

Jones	Mayne	Robles
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**Absent or not voting was:** Senator  
Davis

**H.B. 255** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Reid, the circle was removed from **1st Sub. S.B. 66**, REFERENDUM REVISIONS, and it was before the Senate. Senator Reid explained the bill. Senator Dabakis commented. The bill passed on the following roll call:

**Yeas, 27; Nays, 1; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

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

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

**1st Sub. S.B. 66** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Stevenson, the circle was removed from **S.B. 176**, OFFICE OF PLANNING AND BUDGET RESTRUCTURING AMENDMENTS, and it was before the Senate. Senator Stevenson explained the bill. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson

Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**S.B. 176** was transmitted to the House for consideration.

\* \* \*

**H.B. 113**, COUNTY GOVERNING BODY AUTHORITY, was read the third time, explained by Senator Van Tassell, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Bramble	Urquhart
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**H.B. 113** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Valentine, the Senate voted to lift **S.B. 237**, TAXATION OF SHORT-TERM LODGING, from the Revenue and Taxation Committee and reassign it to the Business and Labor Committee.

\* \* \*

**1st Sub. H.B. 62**, DISPLAY OF PRISONER OF WAR AND MISSING IN ACTION FLAG, was read the third time, explained by Senator Vickers, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Valentine	Vickers	Weiler

Niederhauser

**Absent or not voting were:** Senators

Bramble	Robles	Urquhart	Van Tassell
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**1st Sub. H.B. 62** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 13, PROTECTION OF CHILDREN RIDING IN MOTOR VEHICLES,** was read the third time and explained by Senator Osmond. Senators Madsen, Christensen, Henderson, Dayton, Harper, Vickers, Jenkins, Hillyard, Shiozawa, Dabakis, and Jones commented and the bill passed on the following roll call:

**Yeas, 16; Nays, 13; Absent or not voting, 0.**

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Davis	Hillyard
Jones	Mayne	Okerlund	Osmond
Robles	Shiozawa	Stevenson	Urquhart
Valentine	Vickers	Weiler	Niederhauser

**Voting in the negative were:** Senators

Adams	Bramble	Dayton	Harper
Henderson	Hinkins	Jenkins	Knudson
Madsen	Reid	Stephenson	Thatcher

Van Tassell

**H.B. 13** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Valentine, the circle was removed from **H.B. 302, EMERGENCY RESPONSE AMENDMENTS,** and it was before the Senate. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Weiler	Niederhauser

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

**H.B. 302** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

### SECOND READING CALENDAR

On motion of Senator Bramble, the Senate voted to lift **S.B. 199**, ENERGY REVISIONS, from the Business and Labor Committee and place it on the Second Reading Calendar.

\* \* \*

**S.B. 103**, CARSON SMITH SCHOLARSHIP AMENDMENTS, was read the second time. Senator Adams explained the bill. Senators Christensen, Shiozawa, and Jones 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

\* \* \*

**S.B. 184**, YOUTH SUICIDE PREVENTION REVISIONS, was read the second time. Senator Robles explained the bill. Senators Harper, Henderson, and Madsen commented. The bill passed second reading on the following roll call:



**Yeas, 25; Nays, 2; Absent or not voting, 2.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Harper	Henderson	Hinkins	Jenkins
Jones	Knudson	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Voting in the negative were:** Senators

Dayton                      Madsen

**Absent or not voting were:** Senators

Adams                      Hillyard

\* \* \*

**S.B. 199, ENERGY REVISIONS,** was read the second time. Senator Bramble explained the bill.

On motion of Senator Bramble, the Senate voted to strike the enacting clause on the bill.

On motion of Senator Bramble, the Senate voted to include the following language in the Senate Journal:

“At the commission we are often asked how new resources, including power plants, are selected and if certain types of plant are automatically excluded. The existing Integrated Resource Plan process, the 'IRP', must consider all resource energy development, including nuclear. Regardless of the resource, economic data and expert evidence guide the selection of the most prudent resources.”

\* \* \*

**3rd Sub. S.B. 67, CONSUMER PROTECTION REVISIONS,** was read the second time. Senator Bramble explained the bill.

Senator Bramble proposed the following amendment:

1. Page 3, Lines 80 through 81  
Senate Committee Amendments  
2–20–2013:

80 (3) (a) “Seller” means a person {~~, other than a~~  
government entity, -} that accepts payment by a

81 financial transaction card.

(b) “Seller” does not include:

(i) a government entity; or

(ii) a person acting on behalf of a government entity.

Senator Bramble’s motion to amend passed on a voice vote.

###

Senator Valentine proposed the following amendment:

1. Page 3, Lines 82 through 84  
 Senate Committee Amendments  
 2-20-2013:

82 (4) (a) “Surcharge” means an additional charge added to a  
transaction paid for by using a

83  $\hat{S} \rightarrow$  [financial transaction] credit  $\leftarrow \hat{S}$  card, but not added to a  
transaction paid for by a means other

83a than a

84  $\hat{S} \rightarrow$  [financial transaction] credit  $\leftarrow \hat{S}$  card.

(b) “Surcharge” does not include:

(i) an exclusion from a discount that is offered on  
transactions paid for by means other than a credit card;

(ii) a fee charged by a credit card company for use of a credit  
card; or

(iii) a fee authorized under Section 7-16a-202.

2. Page 4, Line 118 through Page 5, Line 119  
 Senate Committee Amendments  
 2-20-2013:

118 (2) {~~A seller may offer a discount on a transaction that is~~  
paid for by means other than a

119  $\hat{S} \rightarrow$  [financial transaction] credit  $\leftarrow \hat{S}$  card } This section does  
not prohibit a seller from offering a discount on a transaction that is paid  
for with a credit card that:

(a) is issued by the seller or an entity that is affiliated with the seller;

or

(b) bears the seller’s service mark or trademark

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

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Davis	Dayton
Harper	Henderson	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Adams	Dabakis	Hillyard	Robles
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\* \* \*

**1st Sub. S.B. 187, FOOD HANDLER LICENSING AMENDMENTS,** was read the second time.

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

**2nd Sub. S.B. 187 Food Handler Licensing Amendments (C. Bramble)**

Senator Bramble explained the bill. Senators Vickers and Osmond 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Jenkins	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators  
Hinkins                      Jones

\* \* \*

**S.B. 189**, ONCOLOGY INSURANCE AMENDMENTS, was read the second time.

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

**1st Sub. S.B. 189 Oncology Insurance Amendments** (C. Bramble)

On motion of Senator Bramble, the bill was circled.

\* \* \*

On motion of Senator Okerlund, and at 4:00 p.m., the Senate adjourned until 10:00 a.m., Monday, March 4, 2013.

# THIRTY-FIFTH DAY

## MORNING SESSION

### March 4, 2013

The Senate was called to order at 9:40 a.m., with President Wayne Niederhauser presiding.

**Prayer** – Elder Gene R. Chidester, Quorum of Seventy, LDS Church

**Pledge of Allegiance** – Senator Gene Davis

**Roll Call** – All Senators present

### READING OF TITLES OF BILLS AND RESOLUTIONS

(PLEASE REFER TO DAY 1, PAGE 81)

### COMMUNICATIONS FROM THE HOUSE

Mr. President: March 1, 2013

The House concurred in the Senate amendments and passed **3rd Sub. H.B. 47**, INSURANCE LAW AMENDMENTS, by Representative J. Dunnigan, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President: March 1, 2013

The House passed, as substituted, **2nd Sub. H.B. 111**, EMINENT DOMAIN AMENDMENTS, by Representative L. Perry, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 127**, MOTOR VEHICLE EVENT DATA RECORDERS, by Representative D. Lifferth, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 131**, CONSTITUTIONAL AND FEDERALISM DEFENSE ACT, by Representative K. Ivory, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 149**, AMENDMENTS TO UTAH EXEMPTIONS ACT, by Representative E. Tanner, and it is transmitted for consideration; and

The House passed **H.B. 154**, SUICIDE PREVENTION PROGRAMS, by Representative S. Eliason, and it is transmitted for consideration; and

The House passed **H.B. 192**, COUNTY CLERK MISCONDUCT PENALTY, by Representative D. Layton, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 280**, COUNTY GOVERNMENT REFORM, by Representative M. Brown, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 315**, OFFICE OF INSPECTOR GENERAL OF MEDICAID SERVICES AMENDMENTS, by Representative J. Dunnigan, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 352**, COUNTY GOVERNMENT AMENDMENTS, by Representative D. Brown, and it is transmitted for consideration; and

The House passed **H.J.R. 9**, JOINT RESOLUTION RECOMMENDING A NAME FOR NEW FEDERAL COURTHOUSE, by Representative Johnny Anderson, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President:

March 1, 2013

The House requests the return of **S.B. 23**, LIEUTENANT GOVERNOR CANDIDATE AMENDMENTS, by Senator P. Knudson, for correction.

Sandy D. Tenney, Chief Clerk

On motion of Senator Knudson, the bill was returned to the House.

### INTRODUCTION OF BILLS

**S.B. 90, Condominium and Community Association Amendments** (J. S. Adams), was read the first time by short title and referred to the Rules Committee.

**S.B. 268, Human Services Background Checks Amendments** (A. Christensen), was read the first time by short title and referred to the Rules Committee.

**S.B. 270, Controlled Substance Amendments** (E. Vickers), was read the first time by short title and referred to the Rules Committee.

**S.B. 271, School Grading Amendments** (J. S. Adams), was read the first time by short title and referred to the Rules Committee.

**S.B. 272, Public School Funding Amendments** (C. Bramble), was read the first time by short title and referred to the Rules Committee.

**S.B. 273, Declared Emergency Amendments** (M. Madsen), was read the first time by short title and referred to the Rules Committee.

**S.B. 274, Condominium Foreclosure Amendments** (S. Urquhart), was read the first time by short title and referred to the Rules Committee.

**S.B. 275, Energy Amendments** (J. S. Adams), was read the first time by short title and referred to the Rules Committee.

**S.B. 276, Water Conservancy District Capital Assets** (J. Valentine), was read the first time by short title and referred to the Rules Committee.

### THIRD READING CALENDAR

On motion of Senator Valentine, **1st Sub. S.B. 112, WORK WEEK AMENDMENTS**, was read the third time and circled.

\* \* \*

On motion of Senator Weiler, the circle was removed from **S.B. 96, POLITICAL SUBDIVISIONS EMPLOYMENT REVISIONS**, and it was before the Senate.

On motion of Senator Weiler, the Senate voted to strike the enacting clause on the bill.

\* \* \*

On motion of Senator Adams, **S.B. 103, CARSON SMITH SCHOLARSHIP AMENDMENTS**, was read the third time and circled.

\* \* \*

On motion of Senator Robles, **S.B. 184, YOUTH SUICIDE PREVENTION REVISIONS**, was read the third time and circled.

\* \* \*

**3rd Sub. S.B. 67**, CONSUMER PROTECTION REVISIONS, was read the third time, explained by Senator Bramble, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Christensen	Hillyard	Stevenson	Thatcher
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**3rd Sub. S.B. 67** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Bramble, **2nd Sub. S.B. 187**, FOOD HANDLER LICENSING AMENDMENTS, was read the third time and circled.

\* \* \*

On motion of Senator Osmond, the circle was removed from **1st Sub. S.B. 112**, WORK WEEK AMENDMENTS, and it was before the Senate. Senator Osmond explained the bill. Senator Valentine commented. The bill failed on the following roll call:

**Yeas, 14; Nays, 11; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Davis	Henderson
Jones	Mayne	Okerlund	Osmond
Reid	Shiozawa	Urquhart	Van Tassell
Vickers	Niederhauser		

**Voting in the negative were:** Senators

Adams	Bramble	Dayton	Harper
Hinkins	Jenkins	Knudson	Madsen
Stephenson	Stevenson	Valentine	



**Absent or not voting were:** Senators

Hillyard                      Robles                      Thatcher                      Weiler

**1st Sub. S.B. 112** was filed.

**SECOND READING CALENDAR**

On motion of Senator Bramble, the circle was removed from **1st Sub. S.B. 189, ONCOLOGY INSURANCE AMENDMENTS**, and it was before the Senate. Senator Bramble explained the bill. Senator Vickers commented. The bill passed second reading on the following roll call:

**Yeas, 27; Nays, 1; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Voting in the negative was:** Senator

Dayton

**Absent or not voting was:** Senator

Knudson

\* \* \*

On motion of Senator Davis, the circle was removed from **1st Sub. S.B. 52, GAME FOWL FIGHTING AMENDMENTS**, and it was before the Senate. Senator Davis explained the bill. Senators Weiler and Thatcher commented. The bill passed second reading on the following roll call:

**Yeas, 17; Nays, 11; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Bramble	Dabakis	Davis	Henderson
Hillyard	Jones	Mayne	Okerlund
Osmond	Robles	Shiozawa	Thatcher
Urquhart	Van Tassell	Vickers	Weiler
Niederhauser			

**Voting in the negative were:** Senators

Adams	Christensen	Dayton	Harper
Hinkins	Jenkins	Knudson	Reid
Stephenson	Stevenson	Valentine	

**Absent or not voting was:** Senator

Madsen

\* \* \*

**S.B. 70**, COMMISSION RELATING TO FEDERAL ISSUES, was read the second time. Senator Henderson explained the bill. Senator 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

Adams	Bramble	Christensen	Davis
Harper	Henderson	Hillyard	Hinkins
Jenkins	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Voting in the negative was:** Senator

Dabakis

**Absent or not voting were:** Senators

Dayton                      Jones

\* \* \*

On motion of Senator Adams, legislative staff was authorized to draft a concurrent resolution regarding the Huntsman Cancer Institute.

\* \* \*

On motion of Senator Urquhart, the circle was removed from **1st Sub. S.B. 64**, HOMEOWNER ASSOCIATION RESERVE ACCOUNT AMENDMENTS, and it was before the Senate. Senator Urquhart explained the bill. Senators Jenkins, Niederhauser, and Vickers 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Hillyard	Osmond
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\* \* \*

On motion of Senator Shiozawa, the circle was removed from **4th Sub. S.B 55, COVERAGE FOR AUTISM SPECTRUM DISORDER**, and it was before the Senate. Senator Shiozawa explained the bill. Senators Jones, Henderson, and Christensen commented. The bill passed second reading on the following roll call:

**Yeas, 18; Nays, 6; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Harper	Henderson	Hillyard	Hinkins
Jones	Mayne	Okerlund	Robles
Shiozawa	Stevenson	Valentine	Vickers
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Christensen	Dayton	Jenkins	Knudson
Madsen	Reid		

**Absent or not voting were:** Senators

Osmond	Stephenson	Thatcher	Urquhart
Van Tassell			

\* \* \*

**S.B. 73, OUTDOOR RECREATION OFFICE ACT**, was read the second time.

Senator Stevenson proposed the following amendment:

- 1. Page 1, Line 17:

17       ▶       requires the director to submit an annual report to  
 {–a–} legislative {–committee–} committees .

- 2. Page 2, Lines 54 through 55:

54       (a) coordinate outdoor recreation policy, management, and  
 promotion ;

(i) among state and

55       federal agencies and local government entities in the state; and  
 (ii) with the Public Lands Policy Coordinating Office created in  
 Section 63J–4–602, if public land is involved;

- 3. Page 3, Line 82:

82       Economic Development and Workforce Services Interim  
 Committee and the Natural Resources, Agriculture, and Environment  
 Interim Committee .

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

**Yeas, 23; Nays, 2; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Mayne	Okerlund	Reid	Shiozawa
Stevenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Voting in the negative were:** Senators

Dayton	Madsen
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**Absent or not voting were:** Senators

Osmond	Robles	Stephenson	Urquhart
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\* \* \*

**S.B. 74, DIGNIFIED BURIAL OF VETERANS REMAINS**, was read the second time. Senator Vickers explained the bill. The bill passed second reading on the following roll call:

**Yeas, 22; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Reid	Shiozawa
Stevenson	Thatcher	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Bramble	Henderson	Osmond	Robles
Stephenson	Urquhart	Valentine	

\* \* \*

On motion of Senator Stevenson, **1st Sub. S.B. 200**, LOCAL AND SPECIAL SERVICE DISTRICTS AMENDMENTS, was read the second time and circled.

\* \* \*

On motion of Senator Mayne, **1st Sub. S.B. 59**, WORKERS' COMPENSATION COORDINATION OF BENEFITS AMENDMENTS, was read the second time and circled.

\* \* \*

**1st Sub. S.B. 99**, LABOR AMENDMENTS, was read the second time. Senator Harper explained the bill. The bill passed second reading on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Mayne
Okerlund	Reid	Robles	Shiozawa
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Davis	Dayton	Madsen	Osmond
Stephenson			

### SPECIAL RECOGNITION

A citation was read honoring John Njord for his 25 years of service to the Utah Department of Transportation. Senators Adams, Jones, Hillyard, Mayne, Van Tassell, Stevenson, Reid, Harper, Jenkins, Knudson, and Okerlund commented.

### SECOND READING CALENDAR

**1st Sub S.B. 102, CONTRACTOR LICENSING AMENDMENTS**, was read the second time. Senator Harper explained the bill.

Senator Mayne proposed the following amendment:

1. Page 1, Lines 14 through 20:

14       ▶       requires that before a course may be included in the program of approved

15   continuing education for contractors, the Construction Services Commission shall

16   invite and consider written input regarding the proposed course from:

17       •       the Associated General Contractors of Utah;

18       •       the Homebuilders Association of Utah;   {~~and~~}

19       •       the Utah Subcontractors Council;   {~~and~~}

      • the Utah Plumbing & Heating Contractors Association; and

      • the Independent Electrical Contractors of Utah; and

20       ▶       makes technical changes.

2. Page 14, Lines 400 through 407:

400    (b) Before a new course or a course being considered for reapproval may be included

401   in the program of approved continuing education for contractor licensees, the commission and

402   the division shall invite and consider written input, received within 30 days of the invitation,

403   regarding the course from:

404    (i) the Associated General Contractors of Utah;

405    (ii) the Homebuilders Association of Utah;   {~~and~~}

406 (iii) the Utah Subcontractors Council ~~{-}~~ ;  
 (iv) the Utah Plumbing & Heating Contractors Association; and  
 (v) the Independent Electrical Contractors of Utah.

407 (3) The division may contract with a person to establish and maintain a continuing

Senator Mayne’s motion to amend passed on a voice vote.

###

Senator Knudson proposed the following amendment:

1. Page 1, Lines 14 through 20:

14 ► requires that before a course may be included in the program of approved

15 continuing education for contractors, the Construction Services Commission shall

16 invite and consider written input regarding the proposed course from:

- 17 • the Associated General Contractors of Utah;
- 18 • the Homebuilders Association of Utah; ~~{-and-}~~
- 19 • the Utah Subcontractors Council; ~~{-and-}~~
  - the Utah Plumbing & Heating Contractors Association;
  - the Independent Electrical Contractors of Utah; and
  - the Rocky Mountain Gas Association; and

20 ► makes technical changes.

2. Page 14, Lines 400 through 407:

400 (b) Before a new course or a course being considered for reapproval may be included

401 in the program of approved continuing education for contractor licensees, the commission and

402 the division shall invite and consider written input, received within 30 days of the invitation,

403 regarding the course from:

404 (i) the Associated General Contractors of Utah;

405 (ii) the Homebuilders Association of Utah; {~~and~~}

406 (iii) the Utah Subcontractors Council {~~and~~};

(iv) the Utah Plumbing & Heating Contractors Association;

(v) the Independent Electrical Contractors of Utah; and

(vi) the Rocky Mountain Gas Association.

407 (3) The division may contract with a person to establish and maintain a continuing

Senator Knudson’s motion to amend passed on a voice vote. Senator Jenkins commented. 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler		

**Absent or not voting were:** Senators

Osmond	Urquhart	Niederhauser
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\* \* \*

**1st Sub. S.B. 143, MORTGAGE AND FINANCIAL AFFAIRS AMENDMENTS**, was read the second time. Senator Harper explained the bill. Senators Valentine commented. 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

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler		



**Absent or not voting were:** Senators

Dayton                      Urquhart                      Niederhauser

\* \* \*

On motion of Senator Mayne, the circle was removed from **1st Sub S.B. 59, WORKERS' COMPENSATION COORDINATION OF BENEFITS AMENDMENTS**, and it was before the Senate. Senator Mayne explained the bill. Senators Urquhart and Osmond commented. The bill passed second reading on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Harper	Henderson	Hillyard	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler			

**Absent or not voting were:** Senators

Adams                      Dayton                      Hinkins                      Niederhauser

\* \* \*

On motion of Senator Robles, **S.B. 186, INSURANCE TRANSACTIONS AMENDMENTS**, was read the second time and circled.

\* \* \*

**S.B. 201, PUBLIC USE TRAILS AMENDMENTS**, was read the second time.

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

**1st Sub. S.B. 201 Public Use Trails Amendments (C. Bramble)**

Senator Bramble explained the bill. Senators Valentine. Dayton, Jones, Stephenson, Henderson, Okerlund, Vickers, and Dabakis commented.

On motion of Senator Bramble, the bill was circled.

### INTRODUCTION OF BILLS

**S.B. 277, Green River Energy Zone** (D. Hinkins), was read the first time by short title and referred to the Rules Committee.

**S.B. 278, Capital Improvement Amendments** (W. Harper), was read the first time by short title and referred to the Rules Committee.

**S.B. 279, Math Literacy – Stem Initiative** (S. Urquhart), was read the first time by short title and referred to the Rules Committee.

**S.B. 280, Dispensing Medical Practitioner Amendments** (E. Vickers), was read the first time by short title and referred to the Rules Committee.

\* \* \*

On motion of Senator Okerlund, and at 12:00 noon, the Senate recessed.

### AFTERNOON SESSION

The Senate reassembled at 2:10 p.m., with President Niederhauser presiding.

### COMMUNICATIONS FROM THE HOUSE

Mr. President: March 4, 2013

The House passed, **S.B. 32, ENVIRONMENTAL HEALTH SCIENTIST ACT SUNSET REAUTHORIZATION**, by Senator G. Davis, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 147, WORKERS' COMPENSATION AND OCCUPATIONAL SAFETY RELATED AMENDMENTS**, by Senator K. Mayne, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 179, LOCAL GOVERNMENT FINANCIAL REPORTING REVISIONS**, by Senator C. Bramble, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President: March 4, 2013

The House concurred in the Senate amendments and passed **1st Sub. H.B. 44, ELECTION POLLING**, by Representative G. Hughes, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **1st Sub. H.B. 93**, TRAFFIC VIOLATIONS AMENDMENTS, by Representative J. Peterson, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **1st Sub. H.J.R. 4**, JOINT RESOLUTION ON REMOTE SALES, by Representative S. Eliason, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

Communications filed. The bills were signed by the President of the Senate in open session and returned to the House for the signature of the Speaker of the House.

\* \* \*

Mr. President:

March 4, 2013

The House passed, as amended, **H.B. 141**, MEDICAID EMERGENCY ROOM AND PRIMARY CARE AMENDMENTS, by Representative M. Kennedy, and it is transmitted for consideration; and

The House passed **H.B. 219**, AUDIT REVISIONS, by Representative L. Christensen, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 337**, PERMANENT STATE TRUST FUND INVESTMENT AMENDMENTS, by Representative J. Nielson, and it is transmitted for consideration; and

The House passed **H.B. 340**, SNOW COLLEGE ECONOMIC DEVELOPMENT AND WORKFORCE PREPARATION ADVISORY COMMITTEE, by Representative K. McIff, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 350**, AMENDMENTS RELATED TO ALCOHOL, by Representative C. Oda, and it is transmitted for consideration; and

The House passed **H.J.R. 12**, JOINT RESOLUTION DISSOLVING CLARKSTON JUSTICE COURT, by Representative J. Draxler, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President:

March 4, 2013

The House refused to concur with the Senate Amendments to **H.B. 40**, SCHEDULING OF SPECIAL ELECTIONS, by Representative K. Powell, and requests the Senate recede from its amendments.

Sandy D. Tenney, Chief Clerk

On motion of Senator Knudson, the Senate voted to refuse to recede from its amendments to **H.B. 40**. President Niederhauser appointed a conference committee consisting of Senators Knudson, Dayton, and Davis to meet with a like committee from the House.

### **RULES COMMITTEE REPORTS**

To the Members of the Senate:

March 4, 2011

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

#### **Business and Labor Committee**

- S.B. 90** Condominium and Community Association Amendments  
(Sen. J. S. Adams)
- S.B. 261** Amendments Related to Alcoholic Beverage Control  
(Sen. J. Valentine)
- S.B. 272** Public School Funding Amendments (Sen. C. Bramble)
- S.B. 274** Condominium Foreclosure Amendments  
(Sen. S. Urquhart)

#### **Economic Development and Workforce Services Committee**

- S.B. 95** Whistleblower Amendments (Sen. S. Reid)
- S.B. 267** New Convention Hotel Development Incentive Act  
(Sen. J. S. Adams)
- 1st Sub. H.B. 336** Amendments to Economic Development  
(Rep. R. Wilcox) (Sen. J. Stevenson)

#### **Education Committee**

- S.B. 271** School Grading Amendments (Sen. J. S. Adams)
- 1st Sub. H.B. 134** Parental Notification Related to Student Safety  
(Rep. G. Froerer) (Sen. L. Robles)
- H.B. 173** Necessarily Existent Small Schools Funding Amendments  
(Rep. K. Powell) (Sen. K. Van Tassell)

#### **Government Operations and Political Subdivisions Committee**

- S.B. 265** Referendum Amendments (Sen. J. Valentine)

- 2nd Sub. H.B. 111** Eminent Domain Amendments (Rep. L. Perry)  
(Sen. S. Jenkins)
- 1st Sub. H.B. 131** Constitutional and Federalism Defense Act  
(Rep. K. Ivory) (Sen. M. Madsen)
- H.B. 192** County Clerk Misconduct Penalty (Rep. D. Layton)  
(Sen. D. Henderson)
- H.B. 256** Reauthorization of Administrative Rules (Rep. C. Oda)  
(Sen. H. Stephenson)
- 1st Sub. H.B. 280** County Government Reform (Rep. M. Brown)  
(Sen. D. Hinkins)
- H.B. 325** Military Installation Development Authority  
Amendments (Rep. B. Dee) (Sen. J. Stevenson)
- H.B. 330** Financial Reporting Amendments (Rep. S. Eliason)  
(Sen. C. Bramble)
- H.B. 352** County Government Amendments (Rep. D. Brown) (  
Sen. B. Shiozawa)
- H.J.R. 9** Joint Resolution Recommending a Name for New Federal  
Courthouse (Rep. Johnny Anderson)  
(Sen. L. Hillyard)

#### **Health and Human Services Committee**

- S.B. 264** Office of Recovery Services Pilot Program  
(Sen. A. Christensen)
- S.B. 268** Human Services Background Checks Amendments  
(Sen. A. Christensen)
- S.B. 270** Controlled Substance Amendments (Sen. E. Vickers)
- H.B. 147** Utah Marriage Commission (Rep. L. Christensen)  
(Sen. J. Valentine)
- H.B. 154** Suicide Prevention Programs (Rep. S. Eliason)  
(Sen. A. Osmond)
- H.B. 329** Medicaid Vision Amendments (Rep. R. Menlove)  
(Sen. A. Christensen)

#### **Judiciary, Law Enforcement, and Criminal Justice Committee**

- 1st Sub. H.B. 149** Amendments to Utah Exemptions Act (Rep. E. Tanner)  
(Sen. T. Weiler)
- S.B. 263** Child Care Costs Amendments (Sen. T. Weiler)
- S.B. 273** Declared Emergency Amendments (Sen. M. Madsen)

#### **Natural Resources, Agriculture and Environment Committee**

- S.B. 275** Energy Amendments (Sen. J. S. Adams)

- S.B. 276** Water Conservancy District Capital Assets  
(Sen. J. Valentine)
- H.B. 326** Division of Water Rights Amendments (Rep. R. C. Webb)  
(Sen. C. Bramble)
- H.B. 333** State Lands Amendments (Rep. R. Menlove)  
(Sen. L. Hillyard)

**Revenue and Taxation Committee**

- S.B. 266** Tax Revisions (Sen. J. Valentine)
- S.B. 269** Property Tax Revisions (Sen. J. Valentine)

**Transportation, Public Utilities and Technology Committee**

- 1st Sub. H.B. 127** Motor Vehicle Event Data Recorders (Rep. D. Lifferth)  
(Sen. M. Madsen)
- H.B. 316** Traffic Amendments (Rep. Johnny Anderson)  
(Sen. S. Urquhart)

John L. Valentine  
Rules Committee Chair

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

**STANDING COMMITTEE REPORTS**

Mr. President: March 4, 2013  
The Economic Development and Workforce Services Committee reports a favorable recommendation on **H.B. 108**, METAL THEFT AMENDMENTS, by Representative J. Draxler; and

The Economic Development and Workforce Services Committee reports a favorable recommendation on **2nd Sub. H.B. 209**, PUBLIC ASSISTANCE RESTRICTIONS, by Representative D. Brown; and

Aaron Osmond, Chair

Mr. President: March 4, 2013  
The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 129**, AMENDMENTS TO POWERS, FUNCTIONS, AND DUTIES OF OFFICE OF LEGISLATIVE FISCAL ANALYST, by Representative B. Wilson; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 194**, STATE EMPLOYEE BENEFITS AMENDMENTS, by Representative J. Dunnigan; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **4th Sub. H.B. 204**, ELECTION AMENDMENTS, by Representative S. Eliason; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 205**, CONTINGENCY PLANS FOR POLITICAL SUBDIVISIONS, by Representative K. Ivory.

Margaret Dayton, Chair

Mr. President:

March 1, 2013

The Judiciary, Law Enforcement, and Criminal Justice Committee recommends **S.B. 107**, PUBLIC SHOOTING RANGES, by Senator A. Christensen, be replaced and favorably recommends **2nd Sub. S.B. 107**, PUBLIC SHOOTING RANGES with the following amendments:

1. Page 2, Lines 44 through 46:

44       (1) “Air gun” means a .177 or .20 caliber, or equivalent 4.5mm  
or 5.0mm, pellet rifle or pellet pistol

45       whose projectile is pneumatically propelled by compressed air or  
compressed gas such as

46       carbon dioxide.

2. Page 6, Lines 165 through 173:

165       (1) This part does not apply to:

\* \* \* *Some lines not shown* \* \* \*

172       (e) the Department of Public Safety Peace Officer  
Standards and Training indoor tactical firing range on the Salt

173       Lake Community College Miller Campus; and; and

3. Page 6, Lines 174 through 175:

174       (f) ranges owned and operated by municipal public safety agencies  
{if they are available

175       for use by the agencies on a continuous 24 hour basis}.

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 232**, ADOPTION CODE REVISIONS, by Senator T. Weiler, with the following amendments:

1. Page 9, Lines 253 through 254:

253 (b) leaving the adoptee with a third party, without  
providing the third party with ~~{-knowledge of -}~~ the parent's  
~~{-whereabouts-}~~ identification, for 30

254 consecutive days;

Mark. B. Madsen, Chair

Mr. President: March 1, 2013

The Retirement and Independent Entities Committee reports a favorable recommendation on **S.B. 86**, INDEPENDENT EXECUTIVE BRANCH ETHICS COMMISSION, by Senator J. Valentine.

Todd Weiler, Chair

Mr. President: March 4, 2013

The Revenue and Taxation Committee recommends **1st Sub. H.B. 66**, POLITICAL SUBDIVISION AMENDMENTS, by Representative R. C. Webb, be replaced and favorably recommends **5th Sub. H.B. 66**, POLITICAL SUBDIVISION AMENDMENTS; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 300**, RETENTION OF SALES AND USE TAX COLLECTIONS BY CERTAIN REMOTE SELLERS, by Representative S. Eliason; and

The Revenue and Taxation Committee recommends **S.B. 247**, AMENDMENTS TO REVENUE AND TAXATION, by Senator W. Harper, be replaced and favorably recommends **1st Sub. S.B. 247**, AMENDMENTS TO REVENUE AND TAXATION.

Deidre M. Henderson, Chair

Mr. President: March 4, 2013

The Rules Committee recommends **S.J.R. 3**, JOINT RULES RESOLUTION ON SUBMITTING AND NUMBERING LEGISLATION, by Senator A. Osmond, be replaced and favorably recommends **1st Sub. S.J.R. 3**, JOINT



RULES RESOLUTION ON SUBMITTING AND NUMBERING  
LEGISLATION.

John L. Valentine, Chair

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

**STANDING COMMITTEE REPORTS**

Mr. President: March 4, 2013

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **1st Sub. H.B. 39**, CANDIDATE AMENDMENTS, by Representative K. Powell, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 334**, SPECIAL SERVICE DISTRICT REORGANIZATION, by Representative D. McCay, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 348**, LOCAL DISTRICT AMENDMENTS, by Representative D. Ipson, and recommends it be considered read for the second time and placed on the Consent Calendar; and

Margaret Dayton, Chair

Mr. President: March 1, 2013

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **2nd Sub. H.B. 211**, CONCEALED WEAPON PERMIT FOR SERVICE MEMBERS, by Representative V. Peterson, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 226**, BENEFITS WHILE A PRISONER, by Representative B. Wilson, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 229**, CRIMINAL IDENTITY FRAUD AMENDMENTS, by Representative C. Oda, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 218**, RECEIVING CENTERS FUNDING AMENDMENTS, by Senator D. Thatcher, with the following amendments and recommends it be considered read for the second time and placed on the Consent Calendar.

1. Page 1, Lines 12 through 16:

12       ▶ states that funding for receiving centers and youth  
services programs is intended to include federal grant money,  
 13 local government money, and private donations {~~; and~~} ~~and~~  
 14 {~~→ states that money appropriated to receiving centers shall~~  
~~be used to contract with~~  
 15 each public agency designated to oversee the receiving center and  
~~cover~~  
 16 ~~administrative costs.~~}

2. Page 2, Line 28:

28       {~~(1)~~ ~~–~~} Funding for receiving centers and youth  
services programs under this part is intended to be broad based, be

3. Page 2, Lines 31 through 33:

31       {~~(2)~~ ~~The money appropriated shall be used to contract with~~  
~~each public agency~~  
 32 ~~designated to oversee the operation and accountability of a~~  
~~receiving center and to cover~~  
 33 ~~administrative costs of coordination of the receiving centers'~~  
~~operations.~~}

4. Page 2, Lines 28 through 30:

28       (1) Funding for receiving centers under this part is intended to  
be broad based, be  
 29 provided by {~~a line item~~} an appropriation by the  
Legislature to the division, and include federal  
 30 grant money, local government money, and private donations.

Mark B. Madsen, Chair

Mr. President:

March 4, 2013

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 86**, PROPERTY TAX RATE CERTIFICATION DATE, by

Representative M. Nelson, and recommends it be considered read for the second time and placed on the Consent Calendar.

Deidre, M. Henderson, Chair

On motion of Senator Valentine, the committee reports were adopted. The bills were considered read the second time and placed on the Consent Calendar.

### INTRODUCTION OF BILLS

**S.C.R. 12, Children's and Families' Cancer Research Facility Concurrent Resolution** (J. S. Adams), was read the first time by short title and referred to the Rules Committee.

### COMMUNICATIONS FROM THE HOUSE

Mr. President:

March 4, 2013

The Speaker of the House has appointed a Conference Committee consisting of Representatives G. Froerer, R. C. Webb, and L. Wiley to meet with a like committee from the Senate to consider or amend **2nd Sub. H.B. 290, DIVISION OF REAL ESTATE AMENDMENTS**, by Representative G. Froerer.

Sandy D. Tenney, Chief Clerk

### THIRD READING CALENDAR

On motion of Senator Robles, the circle was removed from **S.B. 114, SAFETY BELT AMENDMENTS**, and it was before the Senate.

On motion of Senator Vickers, the Senate voted to delete Amendment #2 under his name that passed on Day 28.

Senator Vickers proposed the following amendment:

1. Page 1, Line 13  
Senate Committee Amendments  
2-7-2013:

13      ►      provides that until July 1, 2015, a state or local law enforcement officer may only enforce the safety

2. Page 2, Lines 50 through 56  
Senate Committee Amendments  
2-7-2013:

50        [44] (b)    {–For–}    (i) Until July 1, 2015, and for a person  
19 years of age or older who violates Subsection (1)(a)(i) or (2),

51 enforcement by a state or local law enforcement officer shall be  
only as a secondary action

52    [~~when~~] if the person;

53        {–(i)–}    (A)    has been detained for a suspected violation  
of Title 41, Motor Vehicles, other than

54 Subsection (1)(a)(i) or (2), or for another offense[-]; and

55        {–(ii)–}    (B)    was operating the motor vehicle or was a  
passenger in a motor vehicle being

56 operated on a highway with a posted speed limit of less than 55  
miles per hour.

(ii) Beginning on or after July 1, 2015, and for a person 19 years  
of age or older who violates Subsection (1)(a)(i) or (2), enforcement by a  
state or local law enforcement officer shall be only as a secondary action  
if the person has been detained for a suspected violation of Title 41,  
Motor Vehicles, other than Subsection (1)(a)(i) or (2), or for another  
offense.

Senator Vickers’ motion to amend passed on a voice vote. Senator Robles explained the bill. Senator Hillyard commented. The bill failed on the following roll call:

**Yeas, 6; Nays, 23; Absent or not voting, 0.**

**Voting in the affirmative were:** Senators

Dabakis	Davis	Jones	Mayne
Robles	Shiozawa		

**Voting in the negative were:** Senators

Adams	Bramble	Christensen	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Knudson	Madsen	Okerlund
Osmond	Reid	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**S.B. 114** was filed.

\* \* \*

On motion of Senator Bramble, the circle was removed from **2nd Sub. S.B. 187, FOOD HANDLER LICENSING AMENDMENTS**, and it was before

the Senate. Senator Bramble explained the bill. Senators Stephenson, Osmond, and Madsen commented. The bill passed on the following roll call:

**Yeas, 16; Nays, 11; Absent or not voting, 2.**

**Voting in the affirmative were:** Senators

Bramble	Dabakis	Davis	Henderson
Jones	Mayne	Okerlund	Reid
Robles	Shiozawa	Stevenson	Thatcher
Valentine	Van Tassell	Vickers	Niederhauser

**Voting in the negative were:** Senators

Adams	Dayton	Harper	Hillyard
Jenkins	Knudson	Madsen	Osmond
Stephenson	Urquhart	Weiler	

**Absent or not voting were:** Senators

Christensen	Hinkins
-------------	---------

**2nd Sub. S.B. 187** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Jenkins, the circle was removed from **2nd Sub. S.B. 72**, PRISON RELOCATION AND DEVELOPMENT AMENDMENTS, and it was before the Senate.

Senator Madsen proposed the following amendment: #6

- Page 1, Line 24 through Page 2, Line 27:

24 development project; and

25 { ~~► provides for a property tax increment to be paid to the authority to be applied to~~

26 ~~specified costs;~~

27 ~~► modifies the distribution of some local option sales tax revenues; and }~~

- Page 2, Line 36:

36 { ~~59-12-205, as last amended by Laws of Utah 2012, Chapter 9~~ }

- Page 2, Line 49:

49           { ~~63H-7-205, Utah Code Annotated 1953~~ }

4. Page 3, Lines 63 through 64:

63           { ~~63H-7-505, Utah Code Annotated 1953~~

64           ~~63H-7-506, Utah Code Annotated 1953~~ }

5. Page 3, Line 77 through Page 7, Line 187:

77           { ~~Section 1. Section 59-12-205 is amended to read:~~

78           ~~59-12-205. Ordinances to conform with statutory amendments~~  
~~—Distribution of~~

79           ~~tax revenues — Determination of population.~~

80           ~~(1) A county, city, or town, in order to maintain in effect sales~~  
~~and use tax ordinances~~

81           ~~adopted pursuant to Section 59-12-204, shall, within 30 days of an~~  
~~amendment to an applicable~~

82           ~~provision of Part 1, Tax Collection, adopt amendments to the~~  
~~county's, city's, or town's sales~~

83           ~~and use tax ordinances as required to conform to the amendments to~~  
~~Part 1, Tax Collection.~~

84           ~~(2) Except as provided in Subsections (3) through (5) and~~  
~~subject to Subsection (6):~~

85           ~~(a) 50% of each dollar collected from the sales and use tax~~  
~~authorized by this part shall~~

86           ~~be distributed to each county, city, and town on the basis of the~~  
~~percentage that the population~~

87           ~~of the county, city, or town bears to the total population of all~~  
~~counties, cities, and towns in the~~

88           ~~state; and~~

89           ~~(b)(i) except as provided in [Subsection] Subsections (2)(b)(ii)~~  
~~and (iii), 50% of each~~

90           ~~dollar collected from the sales and use tax authorized by this part~~  
~~shall be distributed to each~~

91           ~~county, city, and town on the basis of the location of the transaction~~  
~~as determined under~~

92 Sections ~~59-12-211 through 59-12-215~~; [and]

93 (ii) ~~50% of each dollar collected from the sales and use tax authorized by this part~~

94 ~~within a project area described in a project area plan adopted by the military installation~~

95 ~~development authority under Title 63H, Chapter 1, Military Installation Development~~

96 ~~Authority Act, shall be distributed to the military installation development authority created in~~

97 ~~Section 63H-1-201[.]; and~~

98 (iii) ~~beginning the first day of the calendar quarter that is at least 90 days after the~~

99 ~~Prison Land Management Authority, created in Section 63H-7-201, gives notice to the tax~~

100 ~~commission of the Authority's intent to receive sales and use tax revenue under this Subsection~~

101 ~~(2)(b)(iii), 50% of each dollar collected from the sales and use tax authorized by this part on~~

102 ~~former prison land, as defined in Section ~~§~~ [63H-67-102] 63H-7-102 ~~←~~ ~~§~~, shall be distributed to~~

102a ~~the Prison Land~~

103 ~~Management Authority.~~

104 (3) (a) Beginning on July 1, 2011, and ending on June 30, 2016, the commission shall

105 each year distribute to a county, city, or town the distribution required by this Subsection (3) if:

106 (i) the county, city, or town is a:

107 (A) county of the third, fourth, fifth, or sixth class;

108 (B) city of the fifth class; or

109 (C) town;

110 (ii) the county, city, or town received a distribution under this section for the calendar

111 year beginning on January 1, 2008, that was less than the distribution under this section that the

112 county, city, or town received for the calendar year beginning on  
113 January 1, 2007;

114 (iii) (A) for a county described in Subsection (3)(a)(i)(A), the  
115 county had located

116 within the unincorporated area of the county for one or more days  
117 during the calendar year

118 beginning on January 1, 2008, an establishment described in  
119 NAICS Industry Group 2121,

120 Coal Mining, or NAICS Code 213113, Support Activities for Coal  
121 Mining, of the 2002 North

122 American Industry Classification System of the federal Executive  
123 Office of the President,

124 Office of Management and Budget; or

125 (B) for a city described in Subsection (3)(a)(i)(B) or a town  
126 described in Subsection

127 (3)(a)(i)(C), the city or town had located within the city or town for  
128 one or more days during

129 the calendar year beginning on January 1, 2008, an establishment  
130 described in NAICS Industry

131 Group 2121, Coal Mining, or NAICS Code 213113, Support  
132 Activities for Coal Mining, of the

133 2002 North American Industry Classification System of the federal  
134 Executive Office of the

135 President, Office of Management and Budget; and

136 (iv) (A) for a county described in Subsection (3)(a)(i)(A), at  
137 least one establishment

138 described in Subsection (3)(a)(iii)(A) located within the  
139 unincorporated area of the county for

140 one more days during the calendar year beginning on January 1,  
141 2008, was not the holder of a

142 direct payment permit under Section 59-12-107.1; or

143 (B) for a city described in Subsection (3)(a)(i)(B) or a town  
144 described in Subsection

145 (3)(a)(i)(C), at least one establishment described in Subsection  
146 (3)(a)(iii)(B) located within a



~~131 city or town for one or more days during the calendar year beginning on January 1, 2008, was~~

~~132 not the holder of a direct payment permit under Section 59-12-107.1.~~

133 (b) The commission shall make the distribution required by this Subsection (3) to a

134 county, city, or town described in Subsection (3)(a):

135 (i) from the distribution required by Subsection (2)(a); and

136 (ii) before making any other distribution required by this section.

137 (c) (i) For purposes of this Subsection (3), the distribution is the amount calculated by

138 multiplying the fraction calculated under Subsection (3)(c)(ii) by \$333,583.

139 (ii) For purposes of Subsection (3)(c)(i):

140 (A) the numerator of the fraction is the difference calculated by subtracting the

141 distribution a county, city, or town described in Subsection (3)(a) received under this section

142 for the calendar year beginning on January 1, 2008, from the distribution under this section that

143 the county, city, or town received for the calendar year beginning on January 1, 2007; and

144 (B) the denominator of the fraction is \$333,583.

145 (d) A distribution required by this Subsection (3) is in addition to any other distribution

146 required by this section.

147 (4) (a) For fiscal years beginning with fiscal year 1983-84 and ending with fiscal year

148 2005-06, a county, city, or town may not receive a tax revenue distribution less than .75% of

149 the taxable sales within the boundaries of the county, city, or town.

150 (b) The commission shall proportionally reduce monthly distributions to any county,

151 city, or town that, but for the reduction, would receive a distribution  
152 in excess of 1% of the

153 sales and use tax revenue collected within the boundaries of the  
154 county, city, or town.

155 (5) (a) As used in this Subsection (5):

156 (i) "Eligible county, city, or town" means a county, city, or town  
157 that receives \$2,000 or

158 more in tax revenue distributions in accordance with Subsection (4)  
159 for each of the following

160 fiscal years:

161 (A) fiscal year 2002–03;

162 (B) fiscal year 2003–04; and

163 (C) fiscal year 2004–05.

164 (ii) "Minimum tax revenue distribution" means the greater of:

165 (A) the total amount of tax revenue distributions an eligible  
166 county, city, or town

167 receives from a tax imposed in accordance with this part for fiscal  
168 year 2000–01; or

169 (B) the total amount of tax revenue distributions an eligible  
170 county, city, or town

171 receives from a tax imposed in accordance with this part for fiscal  
172 year 2004–05.

173 (b) (i) Except as provided in Subsection (5)(b)(ii), beginning  
174 with fiscal year 2006–07

175 and ending with fiscal year 2012–13, an eligible county, city, or  
176 town shall receive a tax

177 revenue distribution for a tax imposed in accordance with this part  
178 equal to the greater of:

179 (A) the payment required by Subsection (2); or

180 (B) the minimum tax revenue distribution.

181 (ii) If the tax revenue distribution required by Subsection  
182 (5)(b)(i) for an eligible

183 county, city, or town is equal to the amount described in Subsection  
184 (5)(b)(i)(A) for three

172 consecutive fiscal years, for fiscal years beginning with the fiscal  
year immediately following

173 that three consecutive fiscal year period, the eligible county, city, or  
town shall receive the tax

174 revenue distribution equal to the payment required by Subsection  
(2):

175 (c) For a fiscal year beginning with fiscal year 2013–14 and  
ending with fiscal year

176 2015–16, an eligible county, city, or town shall receive the  
minimum tax revenue distribution

177 for that fiscal year if for fiscal year 2012–13 the payment required  
by Subsection (2) to that

178 eligible county, city, or town is less than or equal to the product of:

179 (i) the minimum tax revenue distribution; and

180 (ii) .90.

181 (6) (a) Population figures for purposes of this section shall be  
based on the most recent

182 official census or census estimate of the United States Census  
Bureau.

183 (b) If a needed population estimate is not available from the  
United States Census

184 Bureau, population figures shall be derived from the estimate from  
the Utah Population

185 Estimates Committee created by executive order of the governor.

186 (c) The population of a county for purposes of this section shall  
be determined only

187 from the unincorporated area of the county. }

6. Page 7, Lines 198 through 201:

198 { ~~(2) “Base taxable value” means, for former prison land that~~  
~~is exempt from property tax~~

199 ~~at the time the authority accepts a proposal for a former prison land~~  
~~development project, as~~

200 ~~provided in this chapter, a taxable value of zero. }~~

201        {~~(3)~~}    (2)    “Board” means the authority’s governing body established under Section

7. Page 7, Line 203:

203        {~~(4)~~}    (3)    “Conceptual plan” means a plan that provides the conceptual framework for the

8. Page 7, Line 205:

205        {~~(5)~~}    (4)    “Division” means the Division of Facilities Construction and Management created

9. Page 7, Line 207:

207        {~~(6)~~}    (5)    “Former prison” means the state prison operating as of February 1, 2013 in Salt

10. Page 7, Line 209:

209        {~~(7)~~}    (6)    “Former prison land” means all the land owned or controlled by the state on which

11. Page 8, Line 213:

213        {~~(8)~~}    (7)    “Former prison land development project” means a project to develop the former

12. Page 8, Lines 217 through 219:

217        {~~(9)~~}    (8)    “Host city” means the city in which the former prison land is located.

218        {~~(10)~~}    (9)    “Host county” means the county in which the former prison land is located.

219        {~~(11)~~}    (10)    “Master development project” means a former prison land development project

13. Page 8, Lines 221 through 222:

221        {~~(12)~~}    (11)    “New prison” means a prison to be built to replace the former prison.

222        {~~(13)~~}    (12)    “New prison development project”:

14. Page 8, Lines 226 through 227:

226        {~~(14)~~}    (13)    “New prison land” means land on which a new prison is or is projected to be built.

227        {~~(15)~~} (14) “Prison programming” means a policy,  
228        plan, or program that, if implemented by

15. Page 8, Lines 230 through 237:

230        {~~(16)~~} “Property tax” includes privilege tax and each levy on  
231        an ad valorem basis on

232        tangible or intangible personal or real property.

233        (17) “Public entity” means:

234        (a) the state, including any department, division, agency, or  
235        other instrumentality of the

236        state; or

237        (b) a political subdivision of the state, including a county, city,  
238        town, school district,

239        local district, special service district, or interlocal entity.

240        {~~(18)~~} (15) “Publicly owned infrastructure and  
241        improvements” means water, sewer, storm

16. Page 9, Line 246:

246        {~~(19)~~} (16) “State ownership” means ownership by  
247        the state or any department, division, or

17. Page 9, Lines 248 through 255:

248        {~~(20)~~} “Taxable value” means the value of property as shown  
249        on the last equalized

250        assessment roll as certified by the county assessor.

251        (21) “Tax increment” means the difference between:

252        (a) the amount of property tax revenues generated each tax year  
253        by all taxing entities

254        from the former prison land, using the current assessed value of the  
255        property; and

256        (b) the amount of property tax revenues that would be generated  
257        from that same land,

258        using the base taxable value of the property.

259        (22) “Taxing entity” means a public entity that levies a tax on  
260        former prison land.

18. Page 10, Lines 280 through 281:

280        ~~{(f) receive tax increment and other taxes and fees as provided in this chapter;}~~

281        ~~{(g)}~~ (f) accept financial or other assistance from any public or private source for the

19. Page 10, Line 284:

284        ~~{(h)}~~ (g) borrow money on a short-term basis, contract with, or accept financial or other

20. Page 10, Lines 287 through 290:

287        ~~{(i)}~~ (h) hire employees, including:

288        ~~{(A)}~~ (i) contract employees; and

289        ~~{(B)}~~ (ii) a chief administrative officer;

290        ~~{(j)}~~ (i) transact other business and exercise all other powers provided for in this chapter;

21. Page 10, Line 292:

292        ~~{(k)}~~ (j) exercise powers and perform functions that the authority is authorized by statute to

22. Page 11, Line 315:

315        (1) The authority may use ~~{tax increment and other}~~ funds available to the authority;

23. Page 11, Lines 319 through 320:

319        (c) to pay for all or part of the development of the former prison land ~~{from which the~~

320 tax increment funds or other funds were collected} , including assisting the ongoing operation of

24. Page 11, Lines 323 through 324:

323 infrastructure and improvements on the former prison land ~~{from which the tax increment funds~~

324 were collected} ;

25. Page 11, Line 335 through Page 12, Line 337:

335 ~~{ (3) For purposes of Subsection (1), the authority may use tax revenues received under~~

336 ~~Subsection 59-12-205(2)(b)(iii). }~~

337 ~~{ (4) }~~ (3) The determination of the authority board under Subsection (1)(e) regarding benefit

26. Page 12, Lines 339 through 360:

339 ~~{ (5) }~~ (4) The authority may give to another state or local government entity any of the funds

340 it receives, if the funds are used for a purpose listed in  
~~{ Subsections }~~ Subsection (1) ~~{ through (4) }~~ or (2) .

341 ~~{ Section 7. Section 63H-7-204 is enacted to read:~~

342 ~~63H-7-204. Authority receipt and use of tax increment --- Distribution of tax~~

343 ~~increment.~~

344 ~~(1) (a) The authority may:~~

345 ~~(i) subject to Subsection (1)(b), receive up to 50% of tax increment for up to 25 years;~~

346 ~~as provided in this part; and~~

347 ~~(ii) use tax increment during and after the period described in Subsection (1)(a)(i);~~

348 ~~(b) With respect to a parcel located on former prison land, the 25-year period described~~

349 ~~in Subsection (1)(a)(i) begins on the day on which the authority receives the first tax increment~~

350 ~~from that parcel.~~

351 ~~(2) Improvements on a parcel on former prison land become subject to property tax on~~

352 ~~January 1 immediately following the day on which the authority issues a certificate of~~

353 ~~occupancy with respect to those improvements.~~

354 ~~(3) A county that collects property tax on former prison land shall pay and distribute to~~

355 ~~the authority the tax increment that the authority is entitled to collect under this title, in the~~

356 ~~manner and at the time provided in Section 59-2-1365.~~

357 ~~(4) The board shall determine by resolution when the entire former prison land or an~~

358 ~~individual parcel on former prison land is subject to tax increment.}~~

359 Section 8. Section 63H-7- ~~{-205-}~~ 204 is enacted to read:

360 ~~63H-7- {-205-}~~ 204 . Authority funds nonlapsing.

27. Page 20, Lines 586 through 588  
Senate Committee Amendments  
2-28-2013:

586 ~~{-(b)- tax increment;~~

587 ~~(c) sales tax revenue under Subsection 59-12-205(2)(b)(iii); -}~~

588 ~~{-(d)-}~~ (c) savings realized from funds that had been intended for maintenance and upkeep of

28. Page 20, Line 591  
Senate Committee Amendments  
2-28-2013:

591 ~~{-(e)-}~~ (d) the amount of future construction costs anticipated to be spent for prison facilities

29. Page 20, Line 593  
Senate Committee Amendments  
2-28-2013:

593 ~~{-(f)-}~~ (e) reductions in future years' budgets of the Department of Corrections that equal the

30. Page 20, Lines 596 through 599  
Senate Committee Amendments  
2-28-2013:

596 ~~{-(g)-}~~ (f) proceeds from the issuance of bonds;

597 ~~{-(h)-}~~ (g) legislative appropriations;



598        ~~{(i)}~~ (h) financing provided by the developer; and  
 599        ~~{(j)}~~ (i) any other source of funds that the offeror  
proposes to be made available in order to

31. Page 21, Line 640 through Page 22, Line 646:

640        (6) ~~{(a)}~~ Within 30 days after adopting an annual  
budget, the authority board shall file a  
 641 copy of the annual budget with the auditor of the host county  
~~{in which the authority is located}~~ , the  
 642 State Tax Commission, and the state auditor ~~{the State~~  
Board of Education, and each taxing entity  
 643 that levies a tax on property from which the authority collects tax  
increment} .  
 644        ~~{(b)}~~ The requirement of Subsection (6)(a) to file a copy of  
the annual budget with the  
 645 state as a taxing entity is met if the authority files a copy with the  
State Tax Commission and  
 646 the state auditor.

32. Page 22, Lines 655 through 669:

655        ~~{Section 20. Section 63H-7-503 is enacted to read:~~  
 656        ~~63H-7-503. Authority report.~~  
 657        ~~(1)(a) On or before November 1 of each year, the authority shall~~  
~~prepare and file a~~  
 658 report with the county auditor, the State Tax Commission, the State  
Board of Education, and  
 659 each taxing entity that levies a tax on property from which the  
authority collects tax increment.  
 660        ~~(b) The requirement of Subsection (1)(a) to file a copy of the~~  
~~report with the state as a~~  
 661 taxing entity is met if the authority files a copy with the State Tax  
Commission and the state  
 662 auditor.  
 663        ~~(2) Each report under Subsection (1) shall contain:~~

664 ~~(a) an estimate of the tax increment to be paid to the authority  
for the calendar year~~

665 ~~ending December 31; and~~

666 ~~(b) an estimate of the tax increment to be paid to the authority  
for the calendar year~~

667 ~~beginning the next January 1. }~~

668 Section 21. Section 63H-7- ~~{-504-}~~ 503 is enacted to  
read:

669 ~~63H-7- {-504-}~~ 503 . Audit requirements.

33. Page 22, Line 673 through Page 23, Line 689:

673 ~~{-Section 22. Section 63H-7-505 is enacted to read:~~

674 ~~63H-7-505. Audit report.~~

675 ~~(1) The authority shall, within 180 days after the end of the  
authority's fiscal year, file a~~

676 ~~copy of the audit report with the county auditor, the State Tax  
Commission, the State Board of~~

677 ~~Education, and each taxing entity that levies a tax on property from  
which the authority collects~~

678 ~~tax increment.~~

679 ~~(2) Each audit report under Subsection (1) shall include:~~

680 ~~(a) the tax increment collected by the authority for each project  
area;~~

681 ~~(b) the outstanding principal amount of bonds issued or other  
loans incurred to finance~~

682 ~~the costs associated with the authority's project areas; and~~

683 ~~(c) the actual amount expended for:~~

684 ~~(i) acquisition of property;~~

685 ~~(ii) site improvements or site preparation costs;~~

686 ~~(iii) installation of public utilities or other public  
improvements; and~~

687 ~~(iv) administrative costs of the authority. }~~

688 Section 23. Section 63H-7- ~~{-506-}~~ 504 is enacted to  
read:

689 ~~63H-7- {506-}~~ 504 . Authority chief financial officer is  
a public treasurer — Certain

34. Page 23, Lines 695 through 696:

695 (2) Notwithstanding Subsection 63E-2-110(2)(a), {tax  
increment funds, municipal  
696 services revenue, and-} appropriations that the authority  
receives from the state:

Re-number remaining sections accordingly.

Senator Madsen's motion to amend passed on a voice vote.

###

Senator Madsen proposed the following amendment: #7

1. Page 3, Line 58:

58 ~~{63H-7-403, Utah Code Annotated 1953-}~~

2. Page 17, Line 499 through Page 18, Line 522:

499 ~~{63H-7-401, Formulation and adoption of a conceptual~~  
~~plan.~~

500 (1) The authority shall formulate and adopt a conceptual plan,  
as provided in this

501 section.

502 (2) (a) In a request for proposals under Section 63H-7-402, the  
authority may request

503 offerors to include a proposed conceptual plan.

504 (b) A proposed conceptual plan included in a proposal  
submitted under this part is a

505 public record if it is considered at a public hearing under Subsection  
(4).

506 (3) The authority may incorporate into a conceptual plan some  
or all of the features of a

507 general plan described in Title 10, Chapter 9a, Part 4, General Plan.

508 (4) The authority shall hold at least two public hearings at least  
one week apart on the

509 ~~proposed conceptual plan or plans it is considering adopting.~~

510 ~~(5) Before adopting a conceptual plan, the authority shall consult with and consider the~~

511 ~~suggestions of the host city.~~

512 ~~(6) Following the public hearings required under Subsection (4), the authority may~~

513 ~~adopt a conceptual plan that it formulates or that is proposed in a proposal submitted in~~

514 ~~response to a request for proposals.~~

515 ~~(7) Upon the authority's adoption of a conceptual plan:~~

516 ~~(a) the conceptual plan governs the development of the former prison land; and~~

517 ~~(b) the development of the former prison land shall be consistent with the adopted~~

518 ~~conceptual plan.~~

519 ~~(8) Nothing in this section may be construed to limit the authority from modifying a~~

520 ~~proposed conceptual plan before the authority adopts the conceptual plan. }~~

521 { -Section 16. Section 63H-7-402 is enacted to read: - }

522 ~~63H-7-~~ { ~~402-~~ } 401 . Process relating to proposals on projects.

3. Page 19, Line 560  
Senate 2nd Reading Amendments  
3-2-2013:

560 ~~(ii) the operation of a new prison.~~

(c) A person submitting a proposal for a former prison land development project shall include in the proposal a conceptual plan and an explanation of how the conceptual plan is proposed to be implemented.

4. Page 19, Lines 578 through 579  
Senate 2nd Reading Amendments  
3-2-2013:

578 Section 17. Section 63H-7- { -403- } 402 is enacted to read:

579 63H-7- { -403- } 402 . Sources of funds for master development project -- Additional

- 5. Page 19, Line 582  
Senate 2nd Reading Amendments  
3-2-2013:

582 { ~~§~~→ [63H-7-401] 63H-7-402 ←~~§~~ } 63H-7-401 shall identify and quantify sources of funds that the proposal relies

- 6. Page 20, Line 602  
Senate Committee Amendments  
2-28-2013:

602 (2) (a) In issuing a request for proposals under Section { ~~§~~→ [63H-7-401] 63H-7-402 ←~~§~~ } 63H-7-401 .

Renumber remaining sections accordingly.

Senator Madsen’s motion to amend failed on a voice vote.

###

Senator Urquhart proposed the following amendment:#5

- 1. Page 1, Lines 22 through 24:

22 { → provides for the creation of two subcommittees to advise the authority’s board on

23 matters relating to a former prison land development project and a new prison

24 development project; }

- 2. Page 12, Line 363:

363 Part 3. Authority Board { -and Subcommittees- }

- 3. Page 13, Lines 368 through 370:

368 (3) The board shall appoint a chair from among its members { - } .

369 { -(a) a chair of the board; and

370 ~~(b) a chair of each of the subcommittees under Section~~  
 371 ~~63H-7-303. }~~

4. Page 13, Lines 383 through 396:

383 ~~{ (b) Eight members of the board shall be appointed by the~~  
 384 ~~governor as follows:~~

384 ~~(i) an individual from the Department of Corrections;~~

385 ~~(ii) an individual from the Governor's Office of Economic~~  
 386 ~~Development;~~

386 ~~(iii) four individuals, two with commercial construction~~  
 387 ~~experience and two with~~

387 ~~experience in the real estate industry;~~

388 ~~(iv) a member of the State Commission on Criminal and~~  
 389 ~~Juvenile Justice, created in~~

389 ~~Section 63M-7-201; and~~

390 ~~(v) an individual who would not qualify for appointment under~~  
 391 ~~Subsections (1)(b)(i)~~

391 ~~through (iv).~~

392 ~~(c) The other three members of the board shall be:~~

393 ~~(i) a member of the Senate, appointed by the president of the~~  
 394 ~~Senate;~~

394 ~~(ii) a member of the House of Representatives, appointed by the~~  
 395 ~~speaker of the House~~

395 ~~of Representatives; and~~

396 ~~(iii) an individual appointed by the host city. }~~

(b) Two members of the board shall be appointed by the legislative  
body of the host city.

(c) Four members of the board shall be appointed by the governor.

(d) One member of the board shall be appointed by the Utah  
Association of Counties.

(e) Two members of the board shall be members of the Senate  
appointed by the president of the Senate.

(f) Two members of the board shall be members of the House of  
Representatives appointed by the speaker of the House of  
Representatives.

## 5. Page 14, Line 409 through Page 16, Line 463:

- 409        ~~{ 63H-7-303. Subcommittees.~~
- 410        ~~(1) There are created, to act in an advisory capacity to the board:~~
- 411        ~~(a) the Former Prison Land Development Subcommittee; and~~
- 412        ~~(b) the New Prison Development Subcommittee.~~
- 413        ~~(2) The Former Prison Land Development Subcommittee~~  
~~consists of:~~
- 414        ~~(a) the board member from the Governor's Office of Economic~~  
~~Development appointed~~
- 415        ~~under Subsection 63H-7-302(1)(b)(ii);~~
- 416        ~~(b) one of the board members with commercial construction~~  
~~experience appointed~~
- 417        ~~under Subsection 63H-7-302(1)(b)(iii);~~
- 418        ~~(c) one of the board members with experience in the real estate~~  
~~industry appointed~~
- 419        ~~under Subsection 63H-7-302(1)(b)(iii);~~
- 420        ~~(d) the board member appointed under Subsection~~  
~~63H-7-302(1)(b)(v), if the governor~~
- 421        ~~assigns that board member to serve on the Former Prison Land~~  
~~Development Subcommittee;~~
- 422        ~~(e) the board member who is a member of the House of~~  
~~Representatives appointed~~
- 423        ~~under Subsection 63H-7-302(1)(c)(ii);~~
- 424        ~~(f) the board member appointed by the host city under~~  
~~Subsection 63H-7-302(1)(c)(iii);~~
- 425        ~~(g) a member of the Senate appointed to the subcommittee by~~  
~~the president of the~~
- 426        ~~Senate;~~
- 427        ~~(h) an individual appointed to the subcommittee by the host~~  
~~city; and~~
- 428        ~~(i) an individual appointed to the subcommittee by the host~~  
~~county.~~

- 429 ~~(3) The New Prison Development Subcommittee consists of:~~
- 430 ~~(a) the board member from the Department of Corrections~~  
~~appointed under Subsection~~
- 431 ~~63H-7-302(1)(b)(i);~~
- 432 ~~(b) one of the board members with commercial construction~~  
~~experience appointed~~
- 433 ~~under Subsection 63H-7-302(1)(b)(iii);~~
- 434 ~~(c) one of the board members with experience in the real estate~~  
~~industry appointed~~
- 435 ~~under Subsection 63H-7-302(1)(b)(iii);~~
- 436 ~~(d) the board member, appointed under Subsection~~  
~~63H-7-302(1)(b)(iv), who is a~~
- 437 ~~member of the of the State Commission on Criminal and Juvenile~~  
~~Justice;~~
- 438 ~~(e) the board member appointed under Subsection~~  
~~63H-7-302(1)(b)(v), if the governor~~
- 439 ~~assigns that board member to serve on the New Prison~~  
~~Development Subcommittee;~~
- 440 ~~(f) the board member who is a member of the Senate appointed~~  
~~under Subsection~~
- 441 ~~63H-7-302(1)(c)(i);~~
- 442 ~~(g) a member of the House of Representatives appointed to the~~  
~~subcommittee by the~~
- 443 ~~speaker of the House of Representatives; and~~
- 444 ~~(h) an individual appointed to the subcommittee by the Utah~~  
~~Association of Counties.~~
- 445 ~~(4) The governor may appoint the board member referred to in~~  
~~Subsection~~
- 446 ~~63H-7-302(1)(b)(v) to only one subcommittee.~~
- 447 ~~(5) (a) The Former Prison Land Development Subcommittee~~  
~~shall advise the board~~
- 448 ~~concerning:~~
- 449 ~~(i) the formulation of a conceptual plan for the former prison~~  
~~land;~~



450 ~~(ii) the formulation of a request for proposals under Section 63H-7-402, to the extent~~

451 ~~that the request relates to a former prison land development project; and~~

452 ~~(iii) the board's evaluation of and decision on proposals that the board receives~~

453 ~~pursuant to a request for proposals, to the extent proposals relate to a former prison land~~

454 ~~development project, whether as a separate project or as a part of a master development project.~~

455 (b) The New Prison Development Subcommittee shall advise the board concerning:

456 (i) the formulation of any prison programming proposals;

457 (ii) the formulation of a request for proposals under Section 63H-7-402, to the extent

458 ~~that the request relates to a new prison development project; and~~

459 ~~(iii) the board's evaluation of and decision on proposals that the board receives~~

460 ~~pursuant to a request for proposals, to the extent proposals relate to a new prison development~~

461 ~~project, whether as a separate project or as a part of a master development project.~~

462 Section 12. Section 63H-7-304 is enacted to read: -}

463 63H-7- {~~304~~} 303 . Term of board members.

6. Page 15, Lines 430 through 447:

430 {~~(a) the board member from the Department of Corrections appointed under Subsection~~

431 ~~63H-7-302(1)(b)(i);~~

432 ~~(b) one of the board members with commercial construction experience appointed~~

433 ~~under Subsection 63H-7-302(1)(b)(iii);~~

434 ~~(c) one of the board members with experience in the real estate industry appointed~~

435 ~~under Subsection 63H-7-302(1)(b)(iii);~~

436 ~~(d) the board member, appointed under Subsection 63H-7-302(1)(b)(iv), who is a~~

437 ~~member of the of the State Commission on Criminal and Juvenile Justice;~~

438 ~~(e) the board member appointed under Subsection 63H-7-302(1)(b)(v), if the governor~~

439 ~~assigns that board member to serve on the New Prison Development Subcommittee;~~

440 ~~(f) the board member who is a member of the Senate appointed under Subsection~~

441 ~~63H-7-302(1)(c)(i);~~

442 ~~(g) a member of the House of Representatives appointed to the subcommittee by the~~

443 ~~speaker of the House of Representatives; and~~

444 ~~(h) an individual appointed to the subcommittee by the Utah Association of Counties.~~

445 ~~(4) The governor may appoint the board member referred to in Subsection~~

446 ~~63H-7-302(1)(b)(v) to only one subcommittee.-}~~

~~(a) the board members that the board designates to serve on the subcommittee; and~~

~~(b) up to four other individuals appointed to the subcommittee by the governor.~~

447 ~~{-(5)-}~~ (4) (a) The Former Prison Land Development Subcommittee shall advise the board

7. Page 16, Line 466:

466 Section 13. Section 63H-7- ~~{-305-}~~ 304 is enacted to read:

8. Page 16, Line 468:

468 (1) Salaries and expenses of board members who are legislators shall ~~{-or subcommittee-}~~

9. Page 16, Lines 472 through 474:

472 (2) A board {~~or subcommittee~~} member who is not a legislator may not receive

473 compensation or benefits for the member’s service on the board {~~or subcommittee~~} , but may

474 receive per diem and reimbursement for travel expenses incurred as a board {~~or subcommittee~~}

10. Page 16, Lines 479 through 481:

479 Section 14. Section 63H-7- {~~306~~} 305 is enacted to read:

480 63H-7- {~~306~~} 305 . Board member ethics and conflicts of interest.

481 (1) A board {~~or subcommittee~~} member is subject to Title 67, Chapter 16, Utah Public

11. Page 16, Line 483:

483 (2) An individual may not be appointed to or serve on the board {~~or a subcommittee~~} if

Senator Urquhart’s motion to amend passed on a voice vote.

###

Senator Weiler proposed the following substitute amendment:

1. Page 13, Line 396g:

After Subsection (f) insert (g)

“One legislative member shall be from the minority party”

Senator Weiler’s motion to amend passed on the following roll call vote:

**Yeas, 23; Nays, 6; Absent or not voting, 0.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Okerlund	Osmond	Reid	Shiozawa
Stephenson	Stevenson	Thatcher	Van Tassell
Vickers	Weiler	Niederhauser	

**Voting in the negative were:** Senators

Dabakis

Davis

Mayne

Robles

Urquhart

Valentine

# # #

Senator Madsen proposed the following amendment: #8

1. Page 10, Line 293:

293 exercise or perform.

(4) The Governor's Office of Planning and Budget shall provide any necessary staff support for the authority until the authority hires its own staff.

2. Page 13, Line 379:

379 (b) June 15, 2013, if this section takes effect after March 25, 2013.

(8) Until a request for proposals under Section 63H-7-402 is issued, the board shall meet at least twice per month for the purpose of formulating the request for proposals and, as the board considers appropriate, taking public input relating to the formulation of the request for proposals.

3. Page 13, Line 396:

396 (iii) an individual appointed by the host city.

(d) Appointments of board members shall be made no later than 10 days before the board's first meeting under Subsection 63H-7-301(7).

4. Page 18, Line 526:

526 (b) {~~as soon as reasonably possible~~} within 60 days after the first meeting of the board under Subsection 63H-7-301(7), or within any 30-day extensions of that time that the Legislative Management Committee approves, and with the approval of the director of the Division

5. Page 18, Lines 530 through 531:

530 (c) (i) provide a process for persons to submit proposals and for the authority to receive

531 proposals; and

(ii) require proposals to be submitted within 60 days after the request for proposals is issued;

6. Page 18, Line 536:

536 (f) within 60 days after the deadline for submitting proposals in response to the request for proposals, decide whether to accept one of the proposals or a combination of proposals and

Senator Madsen's motion to amend passed on a voice vote.

Senator Jenkins explained the bill. Senators Stephenson, Reid, Valentine, Davis, and Weiler commented.

On motion of Senator Jenkins, the bill was circled.

\* \* \*

On motion of Senator Stephenson, the Senate voted to reconsider its action on **1st Sub. S.B. 112, WORK WEEK AMENDMENTS.**

**1st Sub. S.B. 112, WORK WEEK AMENDMENTS,** was before the Senate.

On motion of Senator Osmond, the bill was circled.

\* \* \*

On motion of Senator Okerlund, and at 4:05 p.m., the Senate adjourned until 9:30 a.m., Tuesday, March 5, 2013.

# THIRTY-SIXTH DAY

## MORNING SESSION

**March 5, 2013**

The Senate was called to order at 9:35 a.m., with President Wayne Niederhauser presiding.

**Prayer** – Reverend Patty Willis, South Valley Unitarian Universalist Church

**Pledge of Allegiance** – Senator Ralph Okerlund

**Roll Call** – All Senators present

### READING OF TITLES OF BILLS AND RESOLUTIONS

(PLEASE REFER TO DAY 1, PAGE 81)

### COMMUNICATIONS FROM THE HOUSE

Mr. President:

March 4, 2013

The House passed, as substituted and amended, **1st Sub. H.B. 130**, BOUNDARY ADJUSTMENT AMENDMENTS, by Representative M. Brown, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 144**, PUBLIC TRANSIT DISTRICT BOARD AMENDMENTS, by Representative M. Nelson, and it is transmitted for consideration; and

The House passed **H.B. 150**, ANIMAL SHELTER AMENDMENTS, by Representative A. Romero, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 155**, FEDERAL LAW ENFORCEMENT AMENDMENTS, by Representative M. Noel, and it is transmitted for consideration; and

The House passed **H.B. 327**, PROBATE AMENDMENTS, by Representative V. L. Snow, and it is transmitted for consideration; and

The House passed **H.B. 338**, ALIMONY REVISIONS, by Representative K. McIff, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 347**, LANDOWNER LIABILITY AMENDMENTS, by Representative B. Wilson, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

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

## STANDING COMMITTEE REPORTS

Mr. President:

March 4, 2013

The Business and Labor Committee reports a favorable recommendation on **H.B. 310**, CONSTRUCTION CODE AMENDMENTS, by Representative B. Wilson; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 237**, TAXATION OF SHORT-TERM LODGING, by Senator J. S. Adams, with the following amendments:

1. Page 157, Lines 4834 through 4844:

4834 possession, use, or occupancy of the short-term lodging:

4835 (C) remit to the commission by electronic means in a manner prescribed by the commission, the tax {~~described in Subsection (3)(i)(A)~~ } due on the

4836 short-term lodging intermediary charge; and

4837 (D) remit to the short-term lodging operator the tax due on the short-term lodging

4838 operator charge:

4839 (ii) the short-term lodging operator shall by electronic means in a manner prescribed by the commission, remit to the commission the tax due on the

4840 short-term lodging operator charge:

4841 (iii) the commission may not require:

4842 (A) a short-term lodging operator to remit a tax on a short-term lodging intermediary

4843 charge that was not remitted to the {~~short-term lodging operator~~ } commission by the short-term lodging

4844 intermediary; or ; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 249**, SALVAGE AND NONREPAIRABLE VEHICLE AMENDMENTS, by Senator S. Urquhart; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 251**, TRUTH IN ADVERTISING, by Senator B. Shiozawa.

Curtis S. Bramble, Chair

Mr. President:

March 4, 2013

The Health and Human Services Committee reports a favorable recommendation on **S.B. 255**, HUMAN SERVICES AMENDMENTS, by Senator W. Harper.

Evan J. Vickers, Chair

Mr. President:

March 1, 2013

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 142**, PUBLIC LANDS POLICY COORDINATING OFFICE AMENDMENTS, by Representative R. Barrus; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 242**, HEALTH INSURANCE MARKET AMENDMENTS, by Senator L. Hillyard, with the following amendments:

1. Page 2, Lines 43 through 44:

43 participation on an insurer's provider panel ;  
 (A) without first providing the physician with the due  
 44 process protections required by this section ;or  
 (B) in violation of Subsection (3) .

2. Page 3, Lines 59 through 66:

59 (3) (a) { ~~A health insurer shall include a physician on its~~  
~~panel of providers for the~~  
 60 ~~insurer's health benefit plans if the physician meets educational,~~  
~~training, and experience~~  
 61 ~~requirements, and has demonstrated current competence.~~  
 62 (b) } A health insurer shall apply reasonable,  
nondiscriminatory standards for the  
 63 evaluation of a physician's qualifications { ~~under this~~  
~~Subsection (3)~~ } for inclusion on an insurer's provider panel . The  
decision to include a  
 64 physician on an insurer's provider panel shall be based on an  
objective evaluation of the



65 physician's qualifications, training, experience, and  
competency, free of anticompetitive intent or purpose.

66 ~~{-(e)-}~~ (b) A health insurer shall not consider any of the  
following with regard to determining ; and

The Natural Resources, Agriculture, and Environment Committee recommends **S.B. 244**, UTAH DEPARTMENT OF AGRICULTURE AND FOOD AMENDMENTS, by Senator D. Hinkins, be replaced and favorably recommends **1st Sub. S.B. 244**, UTAH DEPARTMENT OF AGRICULTURE AND FOOD AMENDMENTS; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 252**, HOSPITAL CREDENTIALING AMENDMENTS, by Senator R. Okerlund, with the following amendments:

1. Page 4, Lines 115 through 119:

115 (7) A hospital or integrated health system that violates the  
provisions of this section:

116 (a) has violated standards of operation for the hospital; and

117 (b) may be held liable to the physician in a private right of action  
for the violations,

118 including proximately caused damages ~~{-; and~~

119 ~~(c) may be subject to regulatory action by the~~  
~~department.}~~ ;

2. Page 4, Line 119:

119 ~~{-(e)-}~~ (b) may be subject to regulatory action by the  
department.

3. Page 5, Line 123:

123 association with a group holding the contract.

(9) Nothing in this section prohibits a hospital from entering into an  
exclusive contract for services that are performed in the hospital if the  
exclusive contract is between the hospital and a physician or physician  
group that is not employed by:

(i) the hospital; or

(ii) an integrated health system affiliated with the hospital ; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 254**, PENALTY FOR WELL DRILLING WITHOUT A LICENSE, by Senator W. Harper.

Scott K. Jenkins, Chair

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

### STANDING COMMITTEE REPORTS

Mr. President:

March 4, 2013

The Business and Labor Committee reports a favorable recommendation on **H.B. 202**, ENERGY CONSERVATION CODE AMENDMENTS, by Representative B. Wilson, with the following amendments and recommends it be considered read for the second time and placed on the Consent Calendar.

1. Page 1, Lines 17 through 18:

17 Other Special Clauses:

18 This bill ~~{takes effect on July 1, 2013}~~ provides a contingent effective date .

2. Page 3, Lines 70 through 73:

70 (2) In IRC, Section N1101.14 (R303.3), all wording after the first sentence is deleted.

71 (3) In IRC, Table N1102.1.1 ~~{(402.1.1)}~~ (R402.1.1) and Table N1102.1.3 (R402.1.3), the rows for

72 “climate zone 3”, “climate zone 5 and Marine 4”, and “climate zone 6” are deleted and replaced

73 and a new footnote j is added as follows:

3. Page 4, Lines 106 through 108:

106 (11) In IRC, Section N1102.4.4 (R402.4.4), the last sentence is deleted.

107 (12) In IRC, Section N1103.2.2 (R403.2.2), the requirements for ~~{duct tightness}~~ total leakage testing

108 are deleted and replaced with the following:

4. Page 5, Lines 119 through 122:

119 (13) In IRC, Section N1103.2.2 (R403.2.2), the exception for  
120 {-duct tightness-} total leakage testing is  
121 deleted and replaced with the following: “Exception: The total  
122 leakage test is not required for  
systems with all air handlers and at least 50% of all ducts (measured  
by length) located entirely  
within the building thermal envelope.”

5. Page 6, Lines 153 through 155:

153 (19) In Table N1105.5.2(2) (R405.5.2(2)), the number “0.80” is  
154 inserted under “Forced  
air systems” for “Distribution system components located in  
unconditioned space”.

155 (20) In IRC, Section M1307.2, the words “In Seismic Design  
Categories D1 and D2” are deleted.

(21)The RESCheck Software adopted by the United States  
Department of Energy and modified to meet the requirements of this  
section shall be used to verify compliance with this section. The software  
shall address the Total UA alternative approach and account for  
Equipment Efficiency Trade-offs when applicable per the standard  
reference design as amended.

6. Page 10, Lines 267 through 268  
House Committee Amendments  
2-21-2013:

267 (22) In IECC, Table R405.5.2(2), the number “0.80” is inserted  
268 under “Forced air  
systems” for “Distribution system components located in  
unconditioned space”.

(23)The RESCheck Software adopted by the United States  
Department of Energy and modified to meet the requirements of this  
section shall be used to verify compliance with this section. The software  
shall address the Total UA alternative approach and account for  
Equipment Efficiency Trade-offs when applicable per the standard  
reference design as amended.

7. Page 10, Lines 276 through 277  
House Committee Amendments  
2-21-2013:

276 Section 5. Contingent {~~Effective~~} effective date.

277 {~~This bill takes effect on July 1, 2013.~~} This bill takes effect on the first day of the month following the month in which the Uniform Building Code Commission certifies in writing to the Business and Labor Interim Committee that the United States Department of Energy has adopted a version of the RESCheck software that can be used to verify compliance to the requirements of this bill. ; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 238**, COSMETOLOGY AND HAIR BRAIDING, by Representative J. Dunnigan, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 240**, ALCOHOL SERVICE IN RESTAURANTS, by Representative Janice Fisher, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 256**, PRECONSTRUCTION AND CONSTRUCTION LIENS AMENDMENTS, by Senator S. Jenkins, and recommends it be considered read for the second time and placed on the Consent Calendar.

Curtis S. Bramble, Chair

Mr. President:

March 4, 2013

The Health and Human Services Committee reports a favorable recommendation on **S.B. 259**, AMENDMENTS TO DISABILITY WAITING LIST, by Senator A. Christensen, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 268**, HUMAN SERVICES BACKGROUND CHECKS AMENDMENTS, by Senator A. Christensen, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 270**, CONTROLLED SUBSTANCE AMENDMENTS,

by Senator E. Vickers, and recommends it be considered read for the second time and placed on the Consent Calendar.

Evan J. Vickers, Chair

On motion of Senator Valentine, the committee reports were adopted. The bills were considered read the second time and placed on the Consent Calendar.

\* \* \*

On motion of Senator Stevenson, the Senate voted to lift **H.B. 325, MILITARY INSTALLATION DEVELOPMENT AUTHORITY AMENDMENTS**, from the Government Operation and Political Subdivisions Committee and reassign it to the Economic Development and Workforce Services Committee.

**INTRODUCTION OF BILLS**

**S.B. 281, Debt Collection Information Amendments** (C. Bramble), was read the first time by short title and referred to the Rules Committee.

**S.B. 282, Adoption Notification Requirements** (L. Robles), was read the first time by short title and referred to the Rules Committee.

**S.B. 283, Availability of Public Information Amendments** (D. Henderson), was read the first time by short title and referred to the Rules Committee.

**S.B. 284, Educational Technology Amendments** (J. Stevenson), was read the first time by short title and referred to the Rules Committee.

**CONSENT CALENDAR**

**S.B. 230, MINERS' HOSPITAL GRANTS AMENDMENTS**, was read the third time, explained by Senator Hinkins, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stevenson
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Madsen                      Stephenson                      Thatcher

**S.B. 230** was transmitted to the House for consideration.

\* \* \*

**1st Sub. H.B. 107**, HOSPITAL LIEN LAW AMENDMENTSS, was read the third time, explained by Senator Valentine, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Madsen                      Thatcher

**1st Sub. H.B. 107** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**S.B. 215**, PEACE OFFICER STANDARDS AND TRAINING CERTIFICATION AGE REQUIREMENT, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**S.B. 215** was transmitted to the House for consideration.

\* \* \*

**S.B. 228**, PENALTIES FOR SPECIFIED JUVENILE OFFENSES, was read the third time, explained by Senator Shiozawa, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**S.B. 228** was transmitted to the House for consideration.

\* \* \*

**1st Sub. H.B. 309**, JUDICIAL PERFORMANCE EVALUATION AMENDMENTS, was read the third time, explained by Senator Urquhart, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Bramble	Valentine
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**1st Sub. H.B. 309** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 231**, HAZARDOUS WASTE AND MIXED WASTE FEES, was read the third time, explained by Senator Knudson, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting was:** Senator

Valentine

**H.B. 231** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 112**, ASSESSMENT OF PROPERTY IF THREATENED OR ENDANGERED SPECIES IS PRESENT, was read the third time, explained by Senator Vickers, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting was:** Senator

Valentine

**H.B. 112** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.



\* \* \*

**S.B. 235**, INTERSTATE MINING COMPACT, was read the third time, explained by Senator Hinkins, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Hillyard	Valentine
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**S.B. 235** was transmitted to the House for consideration.

\* \* \*

**2nd Sub. H.B. 100**, INTERNET PRIVACY AMENDMENTS, was read the third time, explained by Senator Adams, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting was:** Senator

Valentine
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**2nd Sub. H.B. 100**, as amended, was returned to the House for further consideration.

\* \* \*

**2nd Sub. H.B. 299**, BICYCLE AND BICYCLE LAND MODIFICATIONS, was read the third time, explained by Senator Weiler, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Van Tassell	Vickers	Weiler	Niederhauser

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

**2nd Sub. H.B. 299** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 125**, INTERSTATE LOCAL EMERGENCY RESPONSE ACT, was read the third time, explained by Senator Henderson, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Thatcher	Urquhart	Van Tassell
Vickers	Weiler	Niederhauser	

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

**H.B. 125** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 195**, BUDGETARY PROCEDURES ACT REVISIONS, was read the third time, explained by Senator Urquhart, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting was:** Senator

Dayton

**H.B. 195** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 223, EMERGENCY MANAGEMENT FUNDING AMENDMENTS,** was read the third time, explained by Senator Henderson, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**H.B. 223** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**S.B. 223, STATE SENATE BOUNDARY AMENDMENTS,** was read the third time, explained by Senator Okerlund, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting was:** Senator

Robles

**S.B 223** was transmitted to the House for consideration.

\* \* \*

**S.B. 224, STATE BOARD OF EDUCATION BOUNDARY AMENDMENTS,** was read the third time, explained by Senator Okerlund, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting was:** Senator

Robles

**S.B. 224** was transmitted to the House for consideration.

\* \* \*

**S.B. 231, POLITICAL ACTION COMMITTEE AMENDMENTS,** was read the third time, explained by Senator Vickers, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson

Hillyard	Hinkins	Jenkins	Knudson
Madsen	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Jones	Mayne	Robles
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**S.B. 231** was transmitted to the House for consideration.

**THIRD READING CALENDAR**

**1st Sub. S.B. 189**, ONCOLOGY INSURANCE AMENDMENTS, was read the third time and explained by Senator Bramble.

Senator Bramble proposed a verbal amendment as follows:

1. Page 2, Line 36:  
Delete “\$250” and insert “\$300”

Senator Bramble’s motion to amend passed on a voice vote. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Weiler	Niederhauser		

**Voting in the negative was:** Senator

Dayton

**Absent or not voting were:** Senators

Madsen	Vickers
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**1st Sub. S.B. 189** was transmitted to the House for consideration.

\* \* \*

**1st Sub. S.B. 52**, GAME FOWL FIGHTING AMENDMENTS, was read the third time and explained by Senator Davis.

Senator Christensen proposed a verbal amendment as follows:

1. Page 1, Line 13:  
Delete “third degree felonies” and insert “Class A misdemeanor”
2. Page 6, Line 170:  
Delete “third degree felony” and insert “Class A misdemeanor”

Senator Christensen’s motion to amend failed on a voice vote. Senators Weiler, Christensen, Thatcher, and Dabakis commented and the bill passed on the following roll call:

**Yeas, 19; Nays, 9; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Bramble	Dabakis	Davis	Henderson
Hillyard	Jones	Knudson	Mayne
Okerlund	Osmond	Robles	Shiozawa
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Voting in the negative were:** Senators

Adams	Christensen	Harper	Hinkins
Jenkins	Madsen	Reid	Stephenson
Stevenson			

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

**1st Sub. S.B. 52** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Robles, the circle was removed from **S.B. 184, YOUTH SUICIDE PREVENTION REVISIONS**, and it was before the Senate. Senator Robles explained the bill. Senators Madsen commented.

On motion of Senator Robles, the bill was circled.

\* \* \*

On motion of Senator Osmond, the circle was removed from **1st Sub. S.B. 112, WORK WEEK AMENDMENTS**, and it was before the Senate.

Senator Osmond proposed the following amendment:

- 1. Page 3, Line 69:

69 (d) the hours a state agency employee works per day.

(7) A state agency shall:

(a) provide information, accessible from a conspicuous link on the home page of the state agency’s website, on a method that a person may use to schedule an in-person meeting with an employee of the state agency;

(b) contact a person who makes a request for an in-person meeting, within one business day after the day on which the person makes the request, to schedule an in-person meeting; and

(c) schedule and hold an in-person meeting with the person that requests an in-person meeting as soon as reasonable possible.

Senator Osmond’s motion to amend passed on a voice vote. Senator Osmond explained the bill. Senators Valentine and Stephenson commented. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Voting in the negative was:** Senator

Dayton

**1st Sub. S.B. 112** was transmitted to the House for consideration.

\* \* \*

**S.B. 70, COMMISSION RELATING TO FEDERAL ISSUES**, was read the third time, explained by Senator Henderson, and passed on the following roll call:

**Yeas, 23; Nays, 2; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Harper
Henderson	Hinkins	Jones	Knudson

Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Voting in the negative were:** Senators  
 Dabakis                      Davis

**Absent or not voting were:** Senators  
 Dayton                      Hillyard                      Jenkins                      Stevenson

**S.B. 70** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Robles, the circle was removed from **S.B. 184**, YOUTH SUICIDE PREVENTION REVISIONS, and it was before the Senate.

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

**1st Sub. S.B. 184 Youth Suicide Prevention Revisions** (M. Madsen)

Senator Robles explained the bill. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

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

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

**1st Sub. S.B. 184** was transmitted to the House for consideration.



\* \* \*

On motion of Senator Bramble, the Senate voted to reconsider its action on **1st Sub. S.B. 189, ONCOLOGY INSURANCE AMENDMENTS.**

**1st Sub. S.B. 189, ONCOLOGY INSURANCE AMENDMENTS,** was before the Senate.

Senator Bramble proposed a verbal amendment as follows:

- 1. Page 2, Line 33:

Delete "July 1, 2013" and insert "October 1, 2013"

Senator Bramble’s motion to amend passed on a voice vote. The bill passed on the following roll call vote:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Voting in the negative was:** Senator

Dayton

**Absent or not voting were:** Senators

Hillyard                      Stevenson

**1st Sub. S.B. 189** was transmitted to the House.

\* \* \*

**1st Sub. S.C.R. 4, STANDING WITH ISRAEL CONCURRENT RESOLUTION,** was read the third time, explained by Senator Bramble, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hinkins

Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Dabakis	Hillyard	Robles	Stevenson
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**1st Sub. S.C.R. 4** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Okerlund, **1st Sub. S.B. 64**, HOMEOWNER ASSOCIATION RESERVE ACCOUNT AMENDMENTS, was read the third time and circled.

\* \* \*

**4th Sub. S.B. 55**, INSURANCE COVERAGE FOR AUTISM SPECTRUM DISORDER, was read the third time, explained by Senator Shiozawa, and passed on the following roll call:

**Yeas, 20; Nays, 6; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Harper	Hinkins	Jones	Knudson
Mayne	Okerlund	Osmond	Robles
Shiozawa	Stephenson	Thatcher	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Voting in the negative were:** Senators

Christensen	Dayton	Henderson	Jenkins
Madsen	Reid		

**Absent or not voting were:** Senators

Hillyard	Stevenson	Urquhart
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**4th Sub. S.B. 55** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Okerlund, **S.B. 73**, OUTDOOR RECREATION OFFICE ACT, was read the third time and circled.

\* \* \*

**S.B. 74, DIGNIFIED BURIAL OF VETERANS REMAINS,** was read the third time, explained by Senator Vickers, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Bramble	Hillyard	Stevenson
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**S.B. 74** was transmitted to the House for consideration.

\* \* \*

**1st Sub. S.B. 99, LABOR AMENDMENTS,** was read the third time, explained by Senator Harper, and passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jones	Knudson	Madsen	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Bramble	Hillyard	Jenkins	Mayne
Stevenson			

**1st Sub. S.B. 99** was transmitted to the House for consideration.

\* \* \*

**1st Sub. S.B. 102, CONTRACTOR LICENSING AMENDMENTS,** was read the third time, explained by Senator Harper, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Dayton
Harper	Henderson	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Bramble	Davis	Hillyard	Stevenson
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**1st Sub. S.B. 102** was transmitted to the House for consideration.

\* \* \*

**1st Sub. S.B. 143, MORTGAGE AND FINANCIAL AFFAIRS AMENDMENTS**, was read the third time and explained by Senator Harper. Senator Valentine commented and the bill passed on the following roll call:

**Yeas, 23; Nays, 1; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Voting in the negative was:** Senator

Madsen

**Absent or not voting were:** Senators

Bramble	Hillyard	Knudson	Stevenson
Thatcher			

**1st Sub. S.B. 143** was transmitted to the House for consideration.

\* \* \*

**1st Sub. S.B. 59, WORKER'S COMPENSATION COORDINATION OF BENEFITS AMENDMENTS**, was read the third time, explained by Senator Mayne, and passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Urquhart
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Bramble	Hillyard	Stevenson	Thatcher
Valentine			

**1st Sub. S.B. 59** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Urquhart, the circle was removed from **1st Sub. S.B. 64**, HOMEOWNER ASSOCIATION RESERVE ACCOUNT AMENDMENTS, and it was before the Senate. Senator Urquhart explained the bill. Senators Van Tassell and Mayne commented. The bill passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Adams	Hillyard	Mayne	Stevenson
Thatcher			

**1st Sub. S.B. 64** was transmitted to the House for consideration.

**SECOND READING CALENDAR**

On motion of Senator Harper, **S.B. 181**, POLITICAL SUBDIVISIONS PROPERTY AMENDMENTS, was read the second time and circled.

\* \* \*

On motion of Senator Christensen, **S.B. 78**, PHARMACY ACT AMENDMENTS, was read the second time and circled.

\* \* \*

**S.B. 194**, PHARMACY PRACTICE ACT AMENDMENTS, was read the second time.

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

**1st Sub. S.B. 194 Pharmacy Practice Act Amendments** (E. Vickers)

Senator Vickers proposed the following amendment: #2

1. Page 9, Line 267 through Page 10, Line 275:

267 (iii) the sale, purchase, or trade of a prescription drug or device,  
or an offer to sell,

268 purchase, or trade a prescription drug or device, for emergency  
medical reasons, [~~or to supply~~

269 ~~another~~] including supplying another pharmaceutical facility [~~to~~  
alleviate a temporary shortage;

270 ~~or~~] with a limited quantity of a drug, if:

271 (A) the facility is unable to obtain the drug through a normal  
distribution channel {~~or~~

272 ~~other source~~} in sufficient time to eliminate the risk of harm to a  
patient that would result from a

273 delay in obtaining the drug; and

274 (B) the quantity of the drug does not exceed an amount  
reasonably required for

275 immediate dispensing to eliminate the risk of harm;

Senator Vickers' motion to amend passed on a voice vote.

# # #

Senator Vickers proposed the following amendment: #3

- 1. Page 18, Lines 522 through 523:

522 (iii) recoup funds for refills dispensed in accordance with  
Section 58-17b-608.1 {~~at the~~  
 523 ~~time a prescription is dispensed;~~} unless the health benefit plan  
does not cover the prescription drug dispensed by the pharmacy; or

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

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

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Davis	Harper
Henderson	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Thatcher	Van Tassell	Vickers
Weiler			

**Absent or not voting were:** Senators

Adams	Bramble	Dayton	Hillyard
Stevenson	Urquhart	Valentine	Niederhauser

\* \* \*

On motion of Senator Osmond, the circle was removed from **1st Sub. S.B. 71, RESULTS-BASED FINANCING FOR EARLY CHILDHOOD EDUCATION**, and it was before the Senate.

Senator Osmond proposed the following amendment: #1

- 1. Page 2, Lines 32 through 33:

32 This bill appropriates in fiscal year 2014:  
 33 ► to the {~~General~~} Education Fund Restricted –  
 Results-based Early Education Restricted Account,

- 2. Page 4, Lines 108 through 111:

108 (6) “Eligible student” means a student who:  
 109 (a) lives in the attendance boundaries of an eligible LEA;  
 {~~and~~}

110 (b) (i) is economically disadvantaged; or  
 111 (ii) is classified as an English language learner {~~—~~} ; and  
(c) scores below average on an age-appropriate pre-assessment  
selected by an eligible LEA.

3. Page 5, Line 124:

124 (1) There is created a restricted account in the  
{~~General~~} Education Fund known as the

4. Page 7, Lines 197 through 198:

197 (e) ~~that~~ the private entity is not eligible to receive or view  
any personally-identifiable

198 student data of students funded through a results-based  
contract.

5. Page 7, Lines 199 through 203:

199 (8) The board may not issue a results-based contract if:

200 (a) the total outstanding obligations of results-based contracts  
issued by the board

201 under this part would exceed \$10,000,000; or

202 (b) the total number of {~~at risk~~} students {~~currently~~  
being-} funded {~~under this part~~} by results-based contracts  
would

203 exceed 3% of the state's total enrollment of students in public  
schools.

6. Page 10, Line 300:

300 (b) The board shall determine in {~~the~~} a results-based  
contract the portion of an LEA's

7. Page 14, Lines 418 through 423:

418 To {~~General~~} Education Fund Restricted —  
Results-based Early

419 Education Restricted Account

420 From General Fund \$1,000,000

421 Schedule of Programs:



422	{ <del>General</del> }	<u>Education</u>	<u>Fund Restricted –</u>
		<u>Results-based Early Education</u>	
423		<u>Restricted Account</u>	<u>\$1,000,000</u>

Senator Osmond’s motion to amend passed on a voice vote. Senator Osmond explained the bill. Senators Mayne, Jones, and Okerlund commented.

On motion of Senator Osmond, the bill was circled.

**INTRODUCTION OF BILLS**

**S.B. 87, Impoundment of Vehicles Amendments** (M. Madsen), was read the first time by short title and referred to the Rules Committee.

\* \* \*

On motion of Senator Okerlund, and at 11:50 a.m., the Senate recessed.

**AFTERNOON SESSION**

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

**COMMUNICATIONS FROM THE HOUSE**

Mr. President: March 5, 2013

The House concurred in the Senate amendments and passed **2nd Sub. H.B. 65, INSURANCE BENEFICIARY CHANGES**, by Representative J. Bird, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President: March 5, 2013

The House passed, as substituted and amended, **1st Sub. H.B. 158, CONSUMER CREDIT PROTECTION AMENDMENTS**, by Representative P. Ray, and it is transmitted for consideration; and

The House passed **H.B. 324, PASSING ON THE RIGHT AMENDMENTS**, by Representative L. Christensen, and it is transmitted for consideration; and

The House passed **H.B. 328**, HIGHWAY LITTERING AND FAILING TO SECURE A LOAD AMENDMENTS, by Representative R. Greenwood, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 342**, WILD TURKEY MANAGEMENT, by Representative R. Menlove, and it is transmitted for consideration; and

The House passed **H.B. 357**, WASTE MANAGEMENT FACILITIES SITING AMENDMENTS, by Representative R. Menlove, and it is transmitted for consideration; and

The House passed **H.B. 358**, INSTREAM FLOW AMENDMENTS, by Representative M. Noel, and it is transmitted for consideration; and

The House passed **H.B. 360**, WATER AND IRRIGATION REVISIONS, by Representative R. Wilcox, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President:

March 5, 2013

The House refused to concur with the Senate Amendments to **H.B. 279**, ADMINISTRATIVE HEARINGS BY COUNTIES, by Representative S. Cox, and requests the Senate recede from its amendments.

Sandy D. Tenney, Chief Clerk

On motion of Senator Vickers, the Senate voted to refuse to recede from its amendments to **H.B. 279**. President Niederhauser appointed a conference committee consisting of Senators Vickers, Thatcher, and Mayne to meet with a like committee from the House.

### **RULES COMMITTEE REPORTS**

To the Members of the Senate:

March 5, 2011

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

#### **Business and Labor Committee**

**S.B. 281** Debt Collection Information Amendments  
(Sen. C. Bramble)

**Economic Development and Workforce Services Committee**

- S.C.R. 12** Children's and Families' Cancer Research Facility  
Concurrent Resolution (Sen. J. S. Adams)
- H.B. 340** Snow College Economic Development and Workforce  
Preparation Advisory Committee (Rep. K. McIff)  
(Sen. R. Okerlund)

**Government Operations and Political Subdivisions Committee**

- S.B. 278** Capital Improvement Amendments (Sen. W. Harper)
- S.B. 283** Availability of Public Information Amendments  
(Sen. D. Henderson)
- 1st Sub. H.B. 130** Boundary Adjustment Amendments (Rep. M. Brown)  
(Sen. D. Hinkins)
- 1st Sub. H.B. 337** Permanent State Trust Fund Investment Amendments  
(Rep. J. Nielson) (Sen. W. Harper)
- H.J.R. 12** Joint Resolution Dissolving Clarkston Justice Court  
(Rep. J. Draxler) (Sen. L. Hillyard)

**Health and Human Services Committee**

- S.B. 280** Dispensing Medical Practitioner Amendments  
(Sen. E. Vickers)

**Judiciary, Law Enforcement, and Criminal Justice Committee**

- S.B. 87** Impoundment of Vehicles Amendments (Sen. M. Madsen)
- S.B. 282** Adoption Notification Requirements (Sen. L. Robles)
- H.B. 327** Probate Amendments (Rep. V. L. Snow) (Sen. T. Weiler)
- H.B. 338** Alimony Revisions (Rep. K. McIff) (Sen. L. Hillyard)

**Natural Resources, Agriculture and Environment Committee**

- S.B. 277** Green River Energy Zone (Sen. D. Hinkins)
- H.B. 347** Landowner Liability Amendments (Rep. B. Wilson)  
(Sen. J. S. Adams)

**Revenue and Taxation Committee**

- S.B. 279** Math Literacy – Stem Initiative (Sen. S. Urquhart)
- H.B. 141** Medicaid Emergency Room and Primary Care  
Amendments (Rep. M. Kennedy) (Sen. M. Dayton)

**Transportation, Public Utilities and Technology Committee**

- S.B. 284** Educational Technology Amendments (Sen. J. Stevenson)

**H.B. 144** Public Transit District Board Amendments  
(Rep. M. Nelson) (Sen. C. Bramble)

John L. Valentine  
Rules Committee Chair

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

### STANDING COMMITTEE REPORTS

Mr. President: March 4, 2013

The Education Committee recommends **S.B. 82**, STUDENT ACHIEVEMENT BACKPACK, by Senator J. Stevenson, be replaced and favorably recommends **1st Sub. S.B. 82**, STUDENT ACHIEVEMENT BACKPACK; and

The Education Committee reports a favorable recommendation on **S.B. 257**, PERSONALIZED EDUCATOR EVALUATION TECHNOLOGY, by Senator J. S. Adams; and

The Education Committee recommends **S.B. 260**, READING ASSESSMENT AMENDMENTS, by Senator S. Urquhart, be replaced and favorably recommends **1st Sub. S.B. 260**, READING ASSESSMENT AMENDMENTS.

Stuart C. Reid, Chair

Mr. President: March 5, 2013

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 31**, ENTICING A MINOR AMENDMENTS, by Representative R. C. Webb; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 92**, FACTUAL INNOCENCE ASSISTANCE AMENDMENTS, by Representative G. Froerer; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 105**, SERIOUS YOUTH OFFENDER AMENDMENTS, by Representative V. L. Snow.

Mark B. Madsen, Chair

Mr. President: March 5, 2013

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **1st Sub. H.B. 124**, RADIATION CONTROL AMENDMENTS, by Representative B. Dee; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.C.R. 7**, CONCURRENT RESOLUTION ON FEDERAL DESIGNATION OF CRITICAL HABITAT FOR GUNNISON SAGEGROUSE, by Representative M. Noel.

Scott K. Jenkins, Chair

Mr. President: March 5, 2013

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 104**, WIRELESS CALL LOCATION INFORMATION, by Representative M. Wheatley; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 128**, DRIVER LICENSE SUSPENSION MODIFICATIONS, by Representative D. Sagers; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 210**, MOTOR VEHICLE EMISSION AMENDMENTS, by Representative E. Redd.

Kevin T. Van Tassell, Chair

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

### STANDING COMMITTEE REPORTS

Mr. President: March 4, 2013

The Education Committee reports a favorable recommendation on **H.B. 201**, STATE BOARD OF EDUCATION LEADERSHIP AMENDMENTS, by Representative S. Eliason, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Education Committee reports a favorable recommendation on **S.B. 258**, RENAME UTAH STATE UNIVERSITY – COLLEGE OF EASTERN UTAH, by Senator D. Hinkins, and recommends it be considered read for the second time and placed on the Consent Calendar.

Stuart C. Reid, Chair

Mr. President:

March 5, 2013

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 89**, JUDICIAL REVIEW OF PEACE OFFICER STANDARDS AND TRAINING ACTIONS, by Representative M. Nelson, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **H.B. 232**, CRIMINAL PENALTY AMENDMENTS, by Representative C. Hall, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **1st Sub. H.B. 213**, PEACE OFFICER STANDARDS AND TRAINING AMENDMENTS, by Representative R. Greenwood, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **1st Sub. H.B. 287**, RETURN OF WEAPONS RECOVERED BY LAW ENFORCEMENT, by Representative K. Stratton, with the following amendments and recommends it be considered read for the second time and placed on the Consent Calendar.

1. Page 2, Lines 48 through 53:

48        (iii) the legal owner was convicted of a crime for which the  
weapon was ~~{-used-}~~ held as

49 evidence.

50        (e) (i) Upon proof of ownership and of lawfulness of possession  
satisfactory to the

51 evidence custodian, the custodian shall release the property to the  
owner.

52        (ii) The evidence custodian shall ~~{-accept-}~~ receive and  
consider a sworn declaration of ownership to establish

53 ownership of the property.

Mark B. Madsen, Chair

Mr. President:

March 5, 2013

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 126**, OFF-HIGHWAY VEHICLE USER FEE AMENDMENTS, by Representative S. Cox, and recommends it be considered read for the second time and placed on the Consent Calendar.

Kevin T. Van Tassell, Chair

On motion of Senator Valentine, the committee reports were adopted. The bills were considered read the second time and placed on the Consent Calendar.

**INTRODUCTION OF BILLS**

**S.B. 285, Involuntary Civil Commitment Information Amendments** (D. Thatcher), was read the first time by short title and referred to the Rules Committee.

**SECOND READING CALENDAR**

On motion of Senator Hillyard, the Senate voted to lift **S.B. 242** and **S.B. 252** to the top of the Second Reading Calendar.

**S.B. 242, HEALTH INSURANCE MARKET AMENDMENTS**, was read the second time.

On motion of Senator Hillyard, the enacting clause on the bill was stricken.

\* \* \*

**S.B. 252, HOSPITAL CREDENTIALING AMENDMENTS**, was read the second time.

On motion of Senator Hillyard, the enacting clause on the bill was stricken.

\* \* \*

**S.B. 206, OFFICE OF MEDICAID INSPECTOR GENERAL AMENDMENTS**, was read the second time.

Senator Christensen proposed the following amendment:

1. Page 1, Lines 14 through 23:

14 This bill:

15 ► empowers the Office of Inspector General of Medicaid Services to request

16 eligibility information from a health insurance entity;

17 ► establishes that a health insurance entity may not deny a claim if:

18 • the Office of Inspector General of Medicaid Services is seeking to enforce the

19 rights of the state with respect to the claim; and

20 • the enforcement action is begun not later than  
 {–six–} three years after the day on which

21 the claim is submitted; and

22 ► enables the Office of Inspector General of Medicaid Services to report fraud directly

23 to law enforcement.

2. Page 2, Line 55 through Page 3, Line 63:

55 [~~(4)~~] (d) not deny a claim submitted by the Department of Health or the Office of

56 Inspector General of Medicaid Services solely on the basis of the date of submission of the

57 claim, the type or format of the claim form, lack of prior authorization, or failure to present

58 proper documentation at the point-of-sale that is the basis for the claim, if:

59 [~~(a)~~] (i) the claim is submitted no later than three years after the day on which the item

60 or service is furnished; and

61 [~~(b)~~] (ii) any action by the Department of Health or the Office of Inspector General of

62 Medicaid Services to enforce the rights of the state with respect to the claim is commenced no



63 later than ~~{-six-}~~ three years after the day on which the claim is submitted.

3. Page 4, Line 116 through Page 5, Line 121:

116 ~~{-(11) “Recovery” means the seizure of improperly obtained funds or property.}~~

117 ~~{-[-]}~~ (11) ~~{-[-]}~~ ~~{-(12)-}~~ “Upcoding” means assigning an inaccurate billing code for a service that is

118 payable or reimbursable by Medicaid funds, if the correct billing code for the service, taking

119 into account reasonable opinions derived from official published coding definitions, would

120 result in a lower Medicaid payment or reimbursement.

121 ~~{-[-]}~~ (12) ~~{-[-]}~~ ~~{(13)}~~ “Waste” means overutilization of resources or inappropriate payment.

4. Page 6, Line 156:

156 ~~[(-)]~~ (m) ~~{-seek recovery of-}~~ recover improperly paid Medicaid funds;

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

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Dayton
Harper	Henderson	Hillyard	Jenkins
Jones	Knudson	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Bramble	Davis	Hinkins	Madsen
Urquhart			

\* \* \*

On motion of Senator Osmond, the circle was removed from **1st Sub. S.B. 71, RESULTS-BASED FINANCING FOR EARLY CHILDHOOD EDUCATION,**

and it was before the Senate. Senator Osmond explained the bill. Senators Dayton, Robles, Valentine, Stephenson, and Dabakis commented. The bill failed second reading on the following roll call:

**Yeas, 11; Nays, 18; Absent or not voting, 0.**

**Voting in the affirmative were:** Senators

Dabakis	Davis	Jones	Mayne
Okerlund	Osmond	Robles	Shiozawa
Thatcher	Urquhart	Vickers	

**Voting in the negative were:** Senators

Adams	Bramble	Christensen	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Knudson	Madsen	Reid
Stephenson	Stevenson	Valentine	Van Tassell
Weiler	Niederhauser		

The bill was filed.

\* \* \*

**1st Sub. S.B. 214**, CONTINUING EDUCATION FOR PRESCRIPTION DRUGS, was read the second time.

Senator Knudson proposed the following amendment:

1. Page 3, Lines 58 through 60:

58        (4) A controlled substance prescriber shall complete at least 3.5 hours of continuing

59        education hours in one or more controlled substance prescribing classes except dentists who shall complete at least 2 such hours,  
60        that satisfy the

60        requirements of Subsections (5) and (7).

Senator Knudson's motion to amend passed on a voice vote. Senator Jones explained the bill. Senators Shiozawa and Christensen 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Reid
Robles	Shiozawa	Stephenson	Stevenson
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Voting in the negative was:** Senator

Madsen

**Absent or not voting were:** Senators

Osmond                      Thatcher

\* \* \*

**1st Sub. S.B. 203, PRESCRIPTION LABEL INFORMATION AND EDUCATION AMENDMENTS,** was read the second time. Senator Jones 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

Bramble	Christensen	Dabakis	Davis
Dayton	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Adams                      Harper                      Osmond

\* \* \*

On motion of Senator Stevenson, the circle was removed from **1st Sub. S.B. 200, LOCAL AND SPECIAL SERVICE DISTRICTS AMENDMENTS,** and it was before the Senate.

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

**2nd Sub. S.B. 200 Local and Special Service Districts Amendments**  
(J. Stevenson)

Senator Stevenson explained the bill. Senators Stephenson, Harper, and Niederhauser commented. 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

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Adams	Urquhart	Valentine
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\* \* \*

**S.J.R. 15, JOINT RESOLUTION REGARDING THE IMPACT OF ADULT IMAGES ON CHILDREN’S DEVELOPMENT,** 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

Bramble	Christensen	Davis	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Adams	Dabakis	Valentine
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\* \* \*

On motion of Senator Robles, the circle was removed from **S.B. 186, INSURANCE TRANSACTIONS AMENDMENTS,** and it was before the Senate.

Senator Robles proposed the following amendment:

- 1. Page 1, Lines 21 through 22:

21 Other Special Clauses:

22 {~~None~~} This bill takes effect on January 1, 2014.

- 2. Page 2, Line 39f  
Senate Committee Amendments  
2-21-2013:

39f language version shall control the resolution of any dispute or complaint. ←<sup>§</sup>

Section 2. Effective date.

This bill takes effect on January 1, 2014.

Senator Robles' motion to amend passed on a voice vote. Senator Robles explained the bill. Senator Niederhauser commented. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Davis	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Adams	Bramble	Urquhart
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\* \* \*

**S.B. 207, REPEAL OF HEALTH AND HUMAN SERVICES REPORTS AND EXPIRED OR DISCONTINUED PROGRAMS,** was read the second time.

Senator Christensen proposed the following amendment: #2

- 1. Page 7, Lines 186 through 189:

186 {~~1~~} (7) For {~~2008 and 2009~~} 2014 and 2015 ,  
the Department of Health and the Department of Agriculture

187 and Food shall report on or before November 30th to the Natural Resources, Agriculture, and

188 Environment Interim Committee {—and the Health and Human Services Interim Committee—} on

189 any health problems resulting from the sale of raw whole milk at self-owned retail stores. {—}

Senator Christensen’s motion to amend passed on a voice vote. Senator Christensen 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

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Adams	Jenkins	Robles
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\* \* \*

On motion of Senator Okerlund, **S.B. 212**, JUDICIAL CODE AMENDMENTS, was read the second time and circled.

\* \* \*

**S.B. 83**, LIMITATIONS ON OUTSIDE EMPLOYMENT BY GOVERNMENT EMPLOYEE, was read the second time.

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

**1st Sub. S.B. 83 Limitations on Outside Employment by Government Employee** (T. Weiler)

Senator Weiler explained the bill. Senator Valentine 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

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting was:** Senator

Adams

\* \* \*

On motion of Senator Okerlund, and at 3:55 p.m., the Senate recessed.

## **EVENING SESSION**

The Senate reassembled at 6:10 p.m., with President Niederhauser presiding.

### **COMMUNICATIONS FROM THE HOUSE**

Mr. President: March 5, 2013

The House passed, as substituted and amended, **2nd Sub. H.B. 75**, OCCUPATIONAL AND PROFESSIONAL LICENSING AMENDMENTS, by Representative B. Greene, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 344**, ESTABLISHMENT OF CHARTER SCHOOLS AMENDMENTS, by Representative D. Lifferth, and it is transmitted for consideration; and

The House passed **H.B. 377**, TRANSPORTATION FUNDING MODIFICATIONS, by Representative B. Dee, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 382**, ESCALANTE REGION GRAZING ZONE, by Representative M. Noel, and it is transmitted for consideration; and

The House passed **H.B. 384**, PROPERTY DISPOSITION AMENDMENTS, by Representative B. Dee, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.C.R. 5**, CONCURRENT RESOLUTION ON REGIONAL CORRECTIONAL FACILITIES AND COUNTY JAIL CONTRACTING, by Representative M. Noel, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

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

### THIRD READING CALENDAR

On motion of Senator Jenkins, the circle was removed from **2nd Sub. S.B. 72**, PRISON RELOCATION AND DEVELOPMENT AMENDMENTS, and it was before the Senate.

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

**4th Sub. S.B. 72 Prison Relocation and Development Amendments**  
(S. Jenkins)

Senator Jenkins explained the bill. Senator Weiler commented. The bill passed on the following roll call:

**Yeas, 19; Nays, 7; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Henderson	Jenkins	Knudson	Madsen
Okerlund	Osmond	Reid	Shiozawa
Stephenson	Stevenson	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Voting in the negative were:** Senators

Dabakis	Harper	Hillyard	Hinkins
Jones	Mayne	Robles	

**Absent or not voting were:** Senators

Davis	Thatcher	Urquhart
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**4th Sub. S.B. 72** was transmitted to the House for consideration.

### SECOND READING CALENDAR

**S.B. 221**, ASSESSMENT AREA ACT AMENDMENTS, was read the second time. Senator Van Tassell 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Thatcher	Urquhart
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\* \* \*

On motion of Senator Valentine, **S.R. 1**, SENATE RESOLUTION ON GOVERNMENT SUBSIDIES OF HOTELS, was read the second time and circled.

\* \* \*

On motion of Senator Adams, **S.B. 80**, REMOVAL FROM DATABASE RESTRICTING FIREARM PURCHASE, was read the second time and circled.

\* \* \*

**1st Sub. S.B. 191**, ADMINISTRATIVE LAW JUDGE AMENDMENTS, was read the second time. Senator Harper explained the bill. 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

\* \* \*

On motion of Senator Adams, the circle was removed from **1st Sub. S.B. 182**, STORAGE UNIT AMENDMENTS, and it was before the Senate.

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

**2nd Sub. S.B. 182 Storage Unit Amendments** (S. Adams)

Senator Adams explained the bill. Senators Urquhart and Mayne 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Hillyard	Urquhart
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\* \* \*

On motion of Senator Thatcher, the circle was removed from **S.B. 80, REMOVAL FROM DATABASE RESTRICTING FIREARM PURCHASE**, and it was before the Senate.

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

**1st Sub. S.B. 80 Removal From Database Restricting Firearm Purchase**  
(D. Thatcher)

Senator Thatcher proposed a verbal amendment as follows:

1. Page 2, Line 44:  
After "licensed" delete "psychologist"
2. Page 2, Line 45:  
Before "psychiatrist" delete "or"

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

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Harper	Henderson	Hillyard	Hinkins
Jenkins	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Dabakis                      Dayton

**Absent or not voting was:** Senator

Jones

\* \* \*

On motion of Senator Okerlund, **S.B. 216**, WATER POLLUTION TASK FORCE, was read the second time and circled.

\* \* \*

**S.C.R. 10**, CONCURRENT RESOLUTION REGARDING MONTICELLO MILL TAILINGS SITE, was read the second time. Senator Hinkins 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

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Adams                      Stevenson

\* \* \*

**S.J.R. 13**, JOINT RESOLUTION URGING GOVERNOR AND UTAH'S CONGRESSIONAL DELEGATION TO SECURE UTAH STATE LAND, was

read the second time. Senator Osmond explained the bill. The bill passed second reading on the following roll call:

**Yeas, 25; Nays, 2; Absent or not voting, 2.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Davis	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Voting in the negative were:** Senators

Dabakis	Robles
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**Absent or not voting were:** Senators

Adams	Stevenson
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\* \* \*

On motion of Senator Okerlund, **S.B. 84**, SALES AND USE TAX EXEMPTION FOR SHORT-TERM LODGING CONSUMABLES, was read the second time and circled.

\* \* \*

**S.B. 226**, SALES AND USE TAX AMENDMENTS, was read the second time.

Senator Harper proposed the following amendment:

1. Page 15, Lines 450 through 460  
Senate Committee Amendments  
2-26-2013:

450 (d) ~~S~~ → (i) ← ~~S~~ “Online advertising” ~~S~~ → ~~[includes:]~~ means advertising that is

450a anonymous and passive in nature.

450b (ii) “Online advertising ” includes:

451 ~~[(i)]~~ (A) an ~~{-[-]}~~ email communication~~[ {-[-]} ]~~  
~~{-advertising-}~~ ← ~~S~~ generated as a result of

451a generic algorithmic functions  $\hat{S} \rightarrow$  [that are  
 452 anonymous and passive in nature]  $\leftarrow \hat{S}$  if the email  
communication does not target a specific person ;  
 453  $\hat{S} \rightarrow$  [(ii)] (B)  $\leftarrow \hat{S}$  an advertisement tied to an Internet search  
engine;  
 454  $\hat{S} \rightarrow$  [(iii)] (C)  $\leftarrow \hat{S}$  a banner advertisement;  
 455  $\hat{S} \rightarrow$  [(iv)] (D)  $\leftarrow \hat{S}$  a click-through advertisement;  
 456  $\hat{S} \rightarrow$  [(v)] (E)  $\leftarrow \hat{S}$  a cost-per-action advertisement;  
 457  $\hat{S} \rightarrow$  [(vi)] (F)  $\leftarrow \hat{S}$  a link to a seller’s website; or  
 458  $\hat{S} \rightarrow$  [(vii)] (G)  $\leftarrow \hat{S}$  an online advertising service similar to  
Subsections (1)(d)  $\hat{S} \rightarrow$  [(i)]  
 458a (ii)(A)  $\leftarrow \hat{S}$  through  $\hat{S} \rightarrow$  [(vi)] (F)  $\leftarrow \hat{S}$  as the  
 459 commission may define by rule made in accordance with Title 63G,  
Chapter 3, Utah  
 460 Administrative Rulemaking Act.

Senator Harper’s motion to amend passed on a voice vote. Senator Harper explained the bill. Senators Robles, Urquhart, Weiler, and Stephenson commented. Senator Valentine declared a conflict of interest. The bill passed second reading on the following roll call:

**Yeas, 18; Nays, 10; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Davis	Harper
Henderson	Hillyard	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Stephenson	Thatcher	Valentine	Van Tassell
Vickers	Niederhauser		

**Voting in the negative were:** Senators

Dabakis	Dayton	Hinkins	Osmond
Reid	Robles	Shiozawa	Stevenson
Urquhart	Weiler		

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

\* \* \*

On motion of Senator Adams, the circle was removed from **S.B. 84, SALES AND USE TAX EXEMPTION FOR SHORT-TERM LODGING CONSUMABLES**, and it was before the Senate. Senator Adams explained the bill. The bill passed second reading on the following roll call:

**Yeas, 22; Nays, 5; Absent or not voting, 2.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Davis	Harper
Henderson	Hinkins	Jenkins	Jones
Madsen	Mayne	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Dabakis	Hillyard	Knudson	Okerlund
Robles			

**Absent or not voting were:** Senators

Bramble	Dayton
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\* \* \*

**S.B. 93, INTERLOCAL COOPERATION ACT AMENDMENTS**, was read the second time.

Senator Valentine proposed the following amendment:

1. Page 3, Lines 60 through 62:

60        ~~(6) (a) A taxed project entity is not~~ {~~—~~

61        ~~(i) a participating local entity as defined in Section 63A-3-401;~~

~~or~~

62        ~~(ii)~~ } subject to the provisions of Title 63G, Chapter 6a, Utah Procurement Code.

2. Page 3, Lines 64 through 69:

64        Section 63G-6a-104.

65        ~~(7) (a) {— A taxed project entity's governing body is not a governing board as defined in~~

66 Section 51-2a-102.} A taxed project entity is not a participating local entity as defined in Section 63A-3-401.

(b) For each fiscal year of a taxed project entity, the taxed project entity shall provide:

(i) the taxed project entity's financial statements for and as of the end of the fiscal year and the prior fiscal year, including the taxed project entity's balance sheet as of the end of the fiscal year and the prior fiscal year, and the related statements of revenues and expenses and of cash flows for the fiscal year; and

(ii) the accompanying auditor's report and management's discussion and analysis with respect to the taxed project entity's financial statements for and as of the end of the fiscal year.

(c) The taxed project entity shall provide the information described in Subsections (7)(b)(i) and (b)(ii):

(i) in a manner described in Subsection 63A-3-405(3); and

(ii) within a reasonable time after the taxed project entity's independent auditor delivers to the taxed project entity's governing body the auditor's report with respect to the financial statements for and as of the end of the fiscal year.

(d) Notwithstanding Subsections (7)(b) and (c) or a taxed project entity's compliance with one or more of the requirements of Title 63A, Chapter 3, Division of Finance:

(i) the taxed project entity is not subject to Title 63A, Chapter 3, Division of Finance; and

(ii) the information described in Subsection (7)(b)(i) or (ii) does not constitute public financial information as defined in Section 63A-3-401.

67 (8)(a) A taxed project entity's governing body is not a governing board as defined in Section 51-2a-102.

(b) A taxed project entity is not subject to the provisions of Title 51, Chapter 2a.

68 Accounting Reports from Political Subdivisions, Interlocal Organizations, and Other Local

69 Entities Act.

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

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Reid	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler

**Absent or not voting were:** Senators

Bramble	Dayton	Osmond	Robles
Niederhauser			

\* \* \*

**S.B. 208, SOLAR PHOTOVOLTAIC CONTRACTOR LICENSE AMENDMENTS**, was read the second time. Senator Vickers explained the bill. Senator Jenkins commented. The bill passed second reading on the following roll call:

**Yeas, 23; Nays, 2; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Hillyard
Hinkins	Jones	Knudson	Madsen
Okerlund	Reid	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	

**Voting in the negative were:** Senators

Jenkins	Mayne
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**Absent or not voting were:** Senators

Dayton	Osmond	Robles	Niederhauser
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\* \* \*

On motion of Senator Urquhart, **1st Sub. S.B. 219, DISASTER RECOVERY LIENS**, was read the second time and circled.

\* \* \*

**S.B. 225, IMMIGRATION TRIGGER DATES**, was read the second time. Senator Bramble explained the bill.



Senator Madsen proposed the following amendment:

- 1. Page 2, Lines 33 through 36:

33 (3) The department shall implement the program the  
 {~~sooner~~} later of:

34 (a) 120 days after the day on which the governor finds that the  
 state has the one or

35 more federal waivers, exemptions, or authorizations needed to  
 implement the program; or

36 (b) {~~July 1, [2013]~~ 2015 } 120 days after the day on  
 which the United States Citizenship and Immigration Services certifies  
 that all persons attempting to legally enter this country on May 14, 2013,  
 under federal law have been processed .

- 2. Page 2, Lines 45 through 47:

45 (b) The governor shall:

46 (i) begin implementation of the program by no {~~later than~~  
~~July 1, [2013]~~ 2015 } sooner than the day on which the United States  
 Citizenship and Immigration Services certifies that all persons  
 attempting to legally enter this country on May 14, 2013, under federal  
 law have been processed ; and

47 (ii) end operation of the program {~~on June 30, [2018]~~  
 2020 } five years after the day on which the program begins .

Senator Madsen’s motion to amend failed on a voice vote. Senator Stephenson commented. The bill passed second reading on the following roll call:

**Yeas, 22; Nays, 1; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Henderson	Hillyard	Jenkins
Jones	Knudson	Mayne	Okerlund
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler		

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

**Absent or not voting were:** Senators

Dayton	Harper	Madsen	Osmond
Robles	Niederhauser		

### INTRODUCTION OF BILLS

**S.B. 286, Employee Lunch Break Amendments** (L. Robles), was read the first time by short title and referred to the Rules Committee.

\* \* \*

On motion of Senator Okerlund, and at 7:30 p.m., the Senate adjourned until 9:30 a.m., Wednesday, March 6, 2013.

# THIRTY-SEVENTH DAY

## MORNING SESSION

**March 6, 2013**

The Senate was called to order at 9:40 a.m., with President Wayne Niederhauser presiding.

**Prayer** – Reverend Brian Diggs, Director of UMCOR, Worldwide Relief

**Pledge of Allegiance** – Senator Curtis Bramble

**Roll Call** – All Senators present

### READING OF TITLES OF BILLS AND RESOLUTIONS (PLEASE REFER TO DAY 1, PAGE 81)

#### STANDING COMMITTEE REPORTS

Mr. President:

March 6, 2013

The Economic Development and Workforce Services Committee reports a favorable recommendation on **1st Sub. S.B. 177**, HIGHWAY DESIGNATION AMENDMENTS, by Senator S. Reid; and

The Economic Development and Workforce Services Committee reports a favorable recommendation on **S.B. 267**, NEW CONVENTION HOTEL DEVELOPMENT INCENTIVE ACT, by Senator J. S. Adams, with the following amendments:

1. Page 5, Lines 140 through 143:

140        { ~~(a) includes at least 850 guest rooms:~~ }

141        { ~~(b)~~ } (a) includes at least 85 square feet of convention and meeting space per guest room;

142        and

143        { ~~(c)~~ } (b) is located within 1,000 feet of a convention center that contains at least 500,000

Aaron Osmond, Chair

Mr. President:

March 5, 2013

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **1st Sub. H.B. 131**, CONSTITUTIONAL AND FEDERALISM DEFENSE ACT, by Representative K. Ivory; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 256**, REAUTHORIZATION OF ADMINISTRATIVE RULES, by Representative C. Oda; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **1st Sub. H.B. 280**, COUNTY GOVERNMENT REFORM, by Representative M. Brown; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 352**, COUNTY GOVERNMENT AMENDMENTS, by Representative D. Brown; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.J.R. 9**, JOINT RESOLUTION RECOMMENDING A NAME FOR NEW FEDERAL COURTHOUSE, by Representative Johnny Anderson; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 265**, REFERENDUM AMENDMENTS, by Senator J. Valentine; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 278**, CAPITAL IMPROVEMENT AMENDMENTS, by Senator W. Harper; and

Margaret Dayton, Chair

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

### STANDING COMMITTEE REPORTS

Mr. President: March 5, 2013

The Economic Development and Workforce Services Committee reports a favorable recommendation on **1st Sub. H.B. 336**, AMENDMENTS TO ECONOMIC DEVELOPMENT, by Representative R. Wilcox, and recommends it be considered read for the second time and placed on the Consent Calendar.

Aaron Osmond, Chair

Mr. President: March 5, 2013

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **2nd Sub. H.B. 111**, EMINENT DOMAIN

AMENDMENTS, by Representative L. Perry, and recommends it be considered read for the second time and placed on the Consent Calendar.

Margaret Dayton, Chair

On motion of Senator Valentine, the committee reports were adopted. The bills were considered read the second time and placed on the Consent Calendar.

**CONSENT CALENDAR**

**H.B. 119**, FIRE PREVENTION AMENDMENTS, was read the third time, explained by Senator Mayne, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Henderson	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Adams	Harper	Hillyard	Stevenson
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**H.B. 119** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

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On motion of Senator Okerlund, **S.B. 198**, UTAH UNITRUST ACT, was read the third time and circled.

\* \* \*

**S.B. 233**, REQUEST FOR EMERGENCY MEDICAL ASSISTANCE AMENDMENTS, was read the third time, explained by Senator Bramble, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Henderson	Hinkins	Jenkins

Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Adams	Harper	Hillyard	Stevenson
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**S.B. 233** was transmitted to the House for consideration.

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**S.B. 234**, FIRE CODE AMENDMENTS, was read the third time, explained by Senator Bramble, and passed on the following roll call:

**Yeas, 22; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Henderson	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Niederhauser		

**Absent or not voting were:** Senators

Adams	Harper	Hillyard	Hinkins
Madsen	Stevenson	Weiler	

**S.B. 234** was transmitted to the House for consideration.

\* \* \*

**1st Sub. S.C.R. 11**, CONCURRENT RESOLUTION ON RADON GAS, was read the third time, explained by Senator Valentine, and passed on the following roll call:

**Yeas, 22; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Henderson	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund

Osmond	Reid	Robles	Shiozawa
Stephenson	Urquhart	Valentine	Van Tassell
Vickers	Niederhauser		

**Absent or not voting were:** Senators

Adams	Harper	Hillyard	Hinkins
Stevenson	Thatcher	Weiler	

**1st Sub. S.C.R. 11** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Christensen, **H.B. 233**, FUNERAL SERVICES LICENSING ACT AMENDMENTS, was read the third time and circled.

\* \* \*

**H.B. 244**, MENTAL HEALTH PROFESSIONAL PRACTICE ACT AMENDMENTS, was read the third time, explained by Senator Christensen, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Thatcher
Urquhart	Valentine	Van Tassell	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Adams	Hillyard	Stevenson	Vickers
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**H.B. 244** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**1st Sub. S.B. 213**, EMPLOYER ASSOCIATION HEALTH PLAN AMENDMENTS, was read the third time, explained by Senator Knudson, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Christensen	Hillyard	Stevenson
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**1st Sub. S.B. 213** was transmitted to the House for consideration.

**THIRD READING CALENDAR**

**1st Sub. S.B. 194, PHARMACY PRACTICE ACT AMENDMENTS,** was read the third time, explained by Senator Vickers, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Hillyard	Stevenson
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**1st Sub. S.B. 194** was transmitted to the House for consideration.

\* \* \*

**S.B. 206, OFFICE OF MEDICAID INSPECTOR GENERAL AMENDMENTS,** was read the third time, explained by Senator Christensen, and passed on the following roll call:



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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Hillyard	Stevenson
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**S.B. 206** was transmitted to the House for consideration.

\* \* \*

**1st Sub. S.B. 214, CONTINUING EDUCATION FOR PRESCRIPTION DRUGS,** was read the third time, explained by Senator Jones, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Voting in the negative was:** Senator

Henderson

**Absent or not voting were:** Senators

Hillyard	Stevenson
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**1st Sub. S.B. 214** was transmitted to the House for consideration.

\* \* \*

**1st Sub. S.B. 203, PRESCRIPTION LABEL INFORMATION AND EDUCATION AMENDMENTS,** was read the third time, explained by Senator Jones, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Hillyard	Stevenson
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**1st Sub. S.B. 203** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Okerlund, **2nd Sub. S.B. 200**, LOCAL AND SPECIAL SERVICE DISTRICTS AMENDMENTS, was read the third time and circled.

\* \* \*

**S.J.R. 15**, JOINT RESOLUTION REGARDING THE IMPACT OF ADULT IMAGES ON CHILDREN'S DEVELOPMENT, was read the third time and explained by Senator Weiler. Senator Christensen commented and the bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Hillyard	Stevenson
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**S.J.R. 15** was transmitted to the House for consideration.

\* \* \*

**S.B. 186**, INSURANCE TRANSACTIONS AMENDMENTS, was read the third time, explained by Senator Robles, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Reid	Robles
Shiozawa	Stephenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Adams	Hillyard	Osmond	Stevenson
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**S.B. 186** was transmitted to the House for consideration.

\* \* \*

**S.B. 207**, REPEAL OF HEALTH AND HUMAN SERVICES REPORTS AND EXPIRED OR DISCONTINUED PROGRAMS, was read the third time, explained by Senator Christensen, and passed on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Davis	Dayton
Harper	Henderson	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Shiozawa
Stephenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Adams	Dabakis	Hillyard	Robles
Stevenson	Urquhart		

**S.B. 207** was transmitted to the House for consideration.

\* \* \*

**1st Sub. S.B. 83**, LIMITATIONS ON OUTSIDE EMPLOYMENT BY GOVERNMENT EMPLOYEE, was read the third time, explained by Senator Weiler, and passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Davis	Dayton
Harper	Henderson	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Thatcher	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Adams	Dabakis	Hillyard	Stevenson
Urquhart			

**1st Sub. S.B. 83** was transmitted to the House for consideration.

\* \* \*

**S.B. 221**, ASSESSMENT AREA ACT AMENDMENTS, was read the third time, explained by Senator Van Tassell, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Thatcher
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Adams	Hillyard	Stevenson	Urquhart
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**S.B. 221** was transmitted to the House for consideration.

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**1st Sub. S.B. 191**, ADMINISTRATIVE LAW JUDGE AMENDMENTS, was read the third time and explained by Senator Harper.

Senator Harper proposed the following amendment: #2

- 1. Page 3, Lines 74 through 75a  
Senate Committee Amendments  
2-26-2013:

74 (3) ~~Ŝ~~→ {[-]} An administrative law judge who tampers with or destroys {[-]} {~~Tampering with or destroying~~}  
←~~Ŝ~~

74a evidence submitted to ~~Ŝ~~→ {[-]} the {[-]} {~~an~~}  
←~~Ŝ~~ administrative

75 law judge is ~~Ŝ~~→ [~~guilty of a class B misdemeanor~~] {~~a violation of~~} subject to the provisions of Section 76-8-510.5 ←~~Ŝ~~ . This section does not apply to documents

Senator Harper’s motion to amend passed on a voice vote. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Adams	Jones
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**1st Sub. S.B. 191** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Valentine, the Senate voted to lift **S.B. 283**, AVAILABILITY OF PUBLIC INFORMATION AMENDMENTS, from the Government Operation and Political Subdivisions Committee and reassign it to the Revenue and Taxation Committee.

\* \* \*

On motion of Senator Okerlund, **2nd Sub. S.B. 182**, STORAGE UNIT AMENDMENTS, was read the third time and circled.

\* \* \*

**1st Sub. S.B. 80**, REMOVAL FROM DATABASE RESTRICTING FIREARM PURCHASE, was read the third time, explained by Senator Thatcher, and passed on the following roll call:

**Yeas, 23; Nays, 3; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Davis	Henderson
Hillyard	Hinkins	Jenkins	Knudson
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Voting in the negative were:** Senators

Dabakis	Dayton	Harper
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**Absent or not voting were:** Senators

Adams	Jones	Madsen
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**1st Sub. S.B. 80** was transmitted to the House for consideration.

\* \* \*

**S.C.R. 10**, CONCURRENT RESOLUTION REGARDING MONTICELLO MILL TAILINGS SITE, was read the third time, explained by Senator Hinkins, and passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Davis	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Knudson	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Adams	Bramble	Jones	Madsen
Stephenson			

**S.C.R. 10** was transmitted to the House for consideration.

\* \* \*

**S.J.R. 13, JOINT RESOLUTION URGING GOVERNOR AND UTAH'S CONGRESSIONAL DELEGATION TO SECURE UTAH STATE LAND**, was read the third time, explained by Senator Osmond, and passed on the following roll call:

**Yeas, 24; Nays, 2; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Knudson	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Voting in the negative were:** Senators

Dabakis                      Robles

**Absent or not voting were:** Senators

Hillyard                      Jones                      Madsen

**S.J.R. 13** was transmitted to the House for consideration.

\* \* \*

**S.B. 226, SALES AND USE TAX AMENDMENTS**, was read the third time and explained by Senator Harper. Senators Urquhart, Weiler, Bramble, Vickers, Stephenson, and Hinkins commented. Senators Vickers and Stephenson declared conflicts of interest. The bill passed on the following roll call:

**Yeas, 15; Nays, 12; Absent or not voting, 2.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Davis	Harper
Henderson	Hinkins	Jenkins	Jones
Okerlund	Osmond	Shiozawa	Thatcher
Van Tassell	Vickers	Niederhauser	

**Voting in the negative were:** Senators

Christensen	Dabakis	Dayton	Knudson
Mayne	Reid	Robles	Stephenson
Stevenson	Urquhart	Valentine	Weiler

**Absent or not voting were:** Senators

Hillyard                      Madsen

**S.B. 226** was transmitted to the House for consideration.

\* \* \*

**S.B. 84, SALES AND USE TAX EXEMPTION FOR SHORT-TERM LODGING CONSUMABLES**, was read the third time and explained by Senator Adams. Senator Dabakis commented and the bill passed on the following roll call:

**Yeas, 19; Nays, 7; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dayton	Harper
Henderson	Hinkins	Jenkins	Knudson
Osmond	Reid	Shiozawa	Stephenson
Stevenson	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Voting in the negative were:** Senators

Christensen	Dabakis	Davis	Jones
Mayne	Okerlund	Robles	

**Absent or not voting were:** Senators

Hillyard                      Madsen                      Thatcher

**S.B. 84** was transmitted to the House for consideration.

\* \* \*

**S.B. 93, INTERLOCAL COOPERATION ACT AMENDMENTS**, was read the third time, explained by Senator Valentine, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		



**Absent or not voting were:** Senators

Hillyard                      Madsen                      Thatcher

**S.B. 93** was transmitted to the House for consideration.

\* \* \*

**S.B. 208, SOLAR PHOTOVOLTAIC CONTRACTOR LICENSE AMENDMENTS**, was read the third time, explained by Senator Vickers, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Hillyard                      Madsen                      Valentine

**S.B. 208** was transmitted to the House for consideration.

\* \* \*

**S.B. 225, IMMIGRATION TRIGGER DATES**, was read the third time and explained by Senator Bramble. Senators Stephenson and Robles commented and the bill passed on the following roll call:

**Yeas, 22; Nays, 3; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Henderson	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Van Tassell
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Dayton                      Harper                      Hinkins

**Absent or not voting were:** Senators

Hillyard                      Madsen                      Valentine                      Vickers

**S.B. 225** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Stephenson, the Senate voted to lift **H.B. 49**, VOTED AND BOARD LEVY PROGRAMS AMENDMENTS, from the Third Reading Table for the purpose of substitution.

**H.B. 49**, VOTED AND BOARD LEVY PROGRAMS AMENDMENTS, was before the Senate.

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

**1st Sub. H.B. 49 Voted and Board Levy Programs Amendments**  
(Rep. S. Handy)

On motion of Senator Stephenson, the bill was placed on the Third Reading Table.

\* \* \*

On motion of Senator Stevenson, the circle was removed from **S.B. 73**, OUTDOOR RECREATION OFFICE ACT, and it was before the Senate. Senator Stevenson explained the bill. The bill passed on the following roll call:

**Yeas, 23; Nays, 1; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Harper	Henderson	Hinkins	Jenkins
Jones	Knudson	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Van Tassell	Weiler	Niederhauser	

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

**Absent or not voting were:** Senators

Bramble                      Hillyard                      Madsen                      Valentine  
Vickers

**S.B. 73** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Stevenson, the circle was removed from **2nd Sub. S.B. 200, LOCAL AND SPECIAL SERVICE DISTRICTS AMENDMENTS**, and it was before the Senate.

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

**3rd Sub. S.B. 200 Local and Special Service Districts Amendments**  
(J. Stevenson)

Senator Stevenson explained the bill. Senator Dayton commented. The bill passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Bramble	Hillyard	Madsen	Valentine
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**3rd Sub. S.B. 200** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Adams, the circle was removed from **S.B. 103, CARSON SMITH SCHOLARSHIP AMENDMENTS**, and it was before the Senate. Senator Adams explained the bill. The bill passed on the following roll call:

**Yeas, 23; Nays, 4; Absent or not voting, 2.**

**Voting in the affirmative were:** Senators

Adams	Dabakis	Dayton	Harper
Henderson	Hillyard	Jenkins	Jones

Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Stephenson
Stevenson	Thatcher	Urquhart	Van Tassell
Vickers	Weiler	Niederhauser	

**Voting in the negative were:** Senators

Christensen	Davis	Hinkins	Shiozawa
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**Absent or not voting were:** Senators

Bramble	Valentine
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**S.B. 103** was transmitted to the House for consideration.

**JOINT CONFERENCE COMMITTEE REPORT**

Mr. President:

March 5, 2013

The Joint Conference Committee comprised of Senators J. S. Adams, W. Harper, and P. Jones, and Representatives G. Froerer, R. C. Webb, and L. Wiley, recommends **1st Sub. H.B. 290**, DIVISION OF REAL ESTATE AMENDMENTS, by Representative G. Froerer, be replaced and favorably recommends **2nd Sub. H.B. 290**, DIVISION OF REAL ESTATE with the following amendments:

- Page 19, Line 577 through Page 20, Line 587:

577 (1) (a) A person may not bring or maintain an action in any court of this state for the

578 recovery of a commission ~~{-[-]}~~ , ~~{-[-]}~~ ~~{-or-}~~ fee, or ~~{-for-}~~ compensation ± for any act done or service rendered

579 [which] ~~{-that-}~~ if the act or service is prohibited under this chapter [to other than principal brokers, unless the person

580 was licensed as a principal broker at the time of the doing of the act or rendering the service.] ~~{-}~~

581 except, if the cause of action accrues on or after May 11, 2010 and the person bringing the

582 action is:-} ±

(b) Except as provided in Subsection (1)(a), a person may bring or maintain an action in any court of this state for the recovery of a commission, fee, or compensation if the person is:

583 ~~{-(a)-}~~ (i) a principal broker:

584        {~~(b)~~}    (ii)    an individual that was licensed as a principal  
broker at the time the act or service  
585    that is the subject of the lawsuit was performed: or  
586        {~~(e)~~}    (iii)    an entity that, under the records of the  
Division of Real Estate, is affiliated with a  
587    principal broker.

Sen. J. S. Adams and  
Rep. G. Froerer, Chairs

On motion of Senator Adams, the Senate voted to adopt the Joint Conference Committee report. The bill passed on the following roll call vote:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**2nd Sub. H.B. 290** was returned to the House for further consideration.

**CONSENT CALENDAR**

On motion of Senator Hillyard, the circle was removed from **S.B. 198**, UTAH UNITRUST ACT, and it was before the Senate. Senator Hillyard explained the bill. The bill passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Reid	Robles
Shiozawa	Stephenson	Stevenson	Urquhart
Valentine	Van Tassell	Weiler	Niederhauser

**Absent or not voting were:** Senators

Bramble	Hinkins	Osmond	Thatcher
Vickers			

**S.B. 198** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Stevenson, the circle was removed from **H.B. 233**, FUNERAL SERVICES LICENSING ACT AMENDMENTS, and it was before the Senate. The bill passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Reid	Robles
Shiozawa	Stephenson	Stevenson	Urquhart
Valentine	Van Tassell	Weiler	Niederhauser

**Absent or not voting were:** Senators

Bramble	Hinkins	Osmond	Thatcher
Vickers			

**H.B. 233** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

### COMMUNICATIONS FROM THE HOUSE

Mr. President:

March 6, 2013

The House passed **H.J.R. 13**, JOINT RESOLUTION HONORING AMBASSADOR JOHN PRICE, by Representative B. Wilson, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

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

On motion of Senator Valentine, the Senate voted to lift **H.J.R. 13** from the Rules committee and place it at the top of the Second Reading Calendar.

### SECOND READING CALENDAR

On motion of Senator Stevenson, under suspension of the rules, **H.J.R. 13**, JOINT RESOLUTION HONORING AMBASSADOR JOHN PRICE, 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

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Adams	Osmond	Robles	Urquhart
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**H.J.R. 13** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Okerlund, and at 11:50 a.m., the Senate recessed.

### **AFTERNOON SESSION**

The Senate reassembled at 2:20 p.m., with President Niederhauser presiding.

#### **COMMUNICATIONS FROM THE HOUSE**

Mr. President: March 6, 2013

The House passed, **S.B. 61**, HUNTING PERMIT AMENDMENTS, by Senator A. Christensen, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 97**, PROPELLING A BODILY SUBSTANCE AMENDMENTS, by Senator J. Stevenson, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 98**, PROPELLING A BODILY SUBSTANCE REVISIONS, by Senator J. Stevenson, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 113**, LONG-TERM DISABILITY COVERAGE AMENDMENTS, by Senator T. Weiler, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 156**, JAIL RELEASE AMENDMENTS, by Senator J. S. Adams, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 164**, PAROLE VIOLATOR CENTERS ALLOCATIONS, by Senator L. Robles, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 168**, CERTIFIED PUBLIC ACCOUNTANT LICENSING AMENDMENTS, by Senator C. Bramble, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 170**, IDENTITY FRAUD AMENDMENTS, by Senator D. Thatcher, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 173**, RESIDENTIAL CONSTRUCTION CONTRACT AMENDMENTS, by Senator J. S. Adams, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 178**, DEPARTMENT OF TRANSPORTATION REVISIONS, by Senator K. Van Tassell, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President: March 6, 2013

The House concurred in the Senate amendments and passed **2nd Sub. H.B. 100**, INTERNET PRIVACY AMENDMENTS, by Representative S. Barlow, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President: March 6, 2013

The House passed, as substituted, **2nd Sub. H.B. 115**, TOWING AMENDMENTS, by Representative K. Stratton, and it is transmitted for consideration; and



The House passed **H.B. 345**, EXPANDING ACCESS FOR SIXTH GRADERS TO SECONDARY EDUCATION, by Representative D. Brown, and it is transmitted for consideration; and

The House passed **H.B. 355**, UNCLAIMED PROPERTY AMENDMENTS, by Representative D. Lifferth, and it is transmitted for consideration; and

The House passed **H.B. 379**, RENTAL COMPANY REGISTRATION AMENDMENTS, by Representative D. McCay, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President:

March 6, 2013

The House substituted and passed, **1st Sub. S.B. 23**, LIEUTENANT GOVERNOR CANDIDATE AMENDMENTS, by Senator P. Knudson, and it is transmitted for further consideration; and

The House substituted and passed, **2nd Sub. S.B. 44**, CONSTRUCTION TRADES LICENSING REVISIONS, by Senator K. Mayne, et al, and it is transmitted for further consideration; and

The House passed, as amended, **S.B. 50**, DEPARTMENT OF TRANSPORTATION LIABILITY AMENDMENTS, by Senator L. Hillyard, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bills were placed on the Concurrence Calendar.

\* \* \*

Mr. President:

March 6, 2013

The House has rejected **S.B. 39**, PARENTAL RESPONSIBILITY FOR SEX EDUCATION TRAINING, by Senator S. Reid, and it is transmitted for filing.

Sandy D. Tenney, Chief Clerk

The bill was filed.

**RULES COMMITTEE REPORTS**

To the Members of the Senate:

March 6, 2011

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

**Economic Development and Workforce Services Committee**

- H.B. 324** Passing on the Right Amendments (Rep. L. Christensen)  
(Sen. T. Weiler)
- H.B. 328** Highway Littering and Failing to Secure a Load  
Amendments (Rep. R. Greenwood) (Sen. P. Jones)
- H.B. 344** Establishment of Charter Schools Amendments  
(Rep. D. Lifferth) (Sen. H. Stephenson)
- H.B. 357** Waste Management Facilities Siting Amendments  
(Rep. R. Menlove) (Sen. C. Bramble)

**Government Operations and Political Subdivisions Committee**

- S.B. 286** Employee Lunch Break Amendments (Sen. L. Robles)
- H.B. 384** Property Disposition Amendments (Rep. B. Dee)  
(Sen. C. Bramble)
- 1st Sub. H.C.R. 5** Concurrent Resolution on Regional Correctional  
Facilities and County Jail Contracting (Rep. M. Noel)  
(Sen. S. Jenkins)

**Natural Resources, Agriculture and Environment Committee**

- 1st Sub. H.B. 342** Wild Turkey Management (Rep. R. Menlove)  
(Sen. S. Jenkins)

**Revenue and Taxation Committee**

- S.B. 285** Involuntary Civil Commitment Information Amendments  
(Sen. D. Thatcher)
- 1st Sub. H.B. 158** Consumer Credit Protection Amendments (Rep. P. Ray)  
(Sen. P. Jones)
- H.B. 358** Instream Flow Amendments (Rep. M. Noel)  
(Sen. P. Knudson)
- H.B. 360** Water and Irrigation Revisions (Rep. R. Wilcox)  
(Sen. A. Christensen)
- H.B. 377** Transportation Funding Modifications (Rep. B. Dee)  
(Sen. J. S. Adams)

**H.B. 382** Escalante Region Grazing Zone (Rep. M. Noel)  
(Sen. R. Okerlund)

John L. Valentine  
Rules Committee Chair

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

### STANDING COMMITTEE REPORTS

Mr. President: March 6, 2013

The Business and Labor Committee recommends **S.B. 90**, CONDOMINIUM AND COMMUNITY ASSOCIATION AMENDMENTS, by Senator J. S. Adams, be replaced and favorably recommends **1st Sub. S.B. 90**, CONDOMINIUM AND COMMUNITY ASSOCIATION AMENDMENTS; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 261**, AMENDMENTS RELATED TO ALCOHOLIC BEVERAGE CONTROL, by Senator J. Valentine, with the following amendments:

1. Page 38, Lines 1165 through 1167:

1165 (11) (a) The commission shall impose, at a minimum, the following penalties for a

1166 violation related to service of an alcoholic product to a minor:

1167 (i) for a first violation {~~—~~} :

(A) a mandatory minimum fine of {~~-\$3,000-~~} \$2,500 ;  
and

(B) mandatory training under Chapter 5, Part 4, Alcohol Training and Education Act, of anyone who is required to be trained under Chapter 5, Part 4, but who has completed the training more than 11 months before the day on which the fine described in Subsection (11)(a)(i)(A) is imposed;

2. Page 25, Lines 762 through 763:

762 (b) on or before May 4, 2008, the premises was licensed  
{~~—and had a variance from the~~

763 requirements of Subsection (2)(b)-} :

3. Page 38, Lines 1165 through 1166:

1165 (11) (a) The commission shall impose, at a minimum, the following penalties for a

1166 violation related to service of an alcoholic product to a minor that occurs during an operation under Title 77, Chapter 39, Sale of Tobacco or Alcohol to Under Age Persons, or similar operation by a peace officer, as defined by Title 53, Chapter 13, Peace Officer Classifications :

4. Page 38, Lines 1168 through 1169:

1168 (ii) for a second violation that occurs within ~~{-three years-}~~ 18 months of the day on which the penalty

1169 is imposed for the first violation:

5. Page 39, Lines 1179 through 1181:

1179 (12) (a) For a violation of Section 32B-1-407 or admitting a minor to a place where an

1180 alcoholic product is sold or consumed, but where under this title a minor is not permitted, that occurs during an operation under Title 77, Chapter 39, Sale of Tobacco or Alcohol to Under Age Persons, or similar operation by a peace officer, as defined by Title 53, Chapter 13, Peace Officer Classifications, the

1181 commission shall impose, at a minimum, a suspension of five days or a fine of \$1,000.

6. Page 40, Lines 1233 through 1234:

1233 (2) Notwithstanding Subsection (1), the commission may issue more than one type of

1234 retail license for the same ~~{-building-}~~ room if:

7. Page 41, Line 1244:

1244 (B) an on-premise banquet ~~{-catering-}~~ license.

8. Page 48, Lines 1475 through 1476:

1475 (d) The commission may not issue a single full-service restaurant license to a

1476 full-service restaurant that would have licensed premises in more than one building unless there is continuity in the premises between the multiple buildings after considering one or more of the following:

(i) whether a patron would go through an unlicensed area to move from

one part of the licensed premises to a different part of the licensed premises;

(ii) whether the buildings share common food preparation facilities;

(iii) whether there is a common entrance to the licensed premises with multiple buildings; and

(iv) any other factor the commission considers relevant .

9. Page 50, Line 1539 through Page 51, Line 1548:

1539 (10) ~~{(a)}~~ A patron may consume an alcoholic product only:

1540 ~~{(i)}~~ (a) ~~{(i)}~~ ~~{(i) while seated}~~ at:

1541 ~~{(A)}~~ (i) ~~{(A)}~~ ~~{(A)}~~ the patron's table;

1542 ~~{(B)}~~ (ii) ~~{(B)}~~ ~~{(B)}~~ a counter; or

1543 ~~{(C)}~~ (iii) ~~{(C)}~~ ~~{(C)}~~ a seating grandfathered bar structure; and

1544 ~~{(ii)}~~ (b) ~~{(ii)}~~ ~~{(ii)}~~ where food is served.

1545 ~~{(b) A patron may not be served or consume an alcoholic product anywhere on the~~

1546 ~~licensed premises other than at a location described in Subsection (10)(a) regardless of its~~

1547 ~~proximity to a location described in Subsection (10)(a).}~~

1548 (11) (a) A full-service restaurant licensee may not sell, offer for sale, or furnish an

10. Page 53, Lines 1638 through 1639:

1638 (d) The commission may not issue a single limited-service restaurant license to a

1639 limited-service restaurant that would have licensed premises in more than one building unless there is continuity in the premises between the multiple buildings after considering one or more of the following:

(i) whether a patron would go through an unlicensed area to move from one part of the licensed premises to a different part of the licensed premises;

(ii) whether the buildings share common food preparation facilities;

(iii) whether there is a common entrance to the licensed premises with multiple buildings; and

(iv) any other factor the commission considers relevant.

## 11. Page 56, Lines 1703 through 1711:

1703 (10) ~~{(a)}~~ A patron may consume an alcoholic product only:

1704 ~~{-}~~ (a) ~~{-}~~ ~~{(i) while seated}~~ at:

1705 ~~{-}~~ (i) ~~{-}~~ ~~{(A)}~~ the patron's table;

1706 ~~{-}~~ (ii) ~~{-}~~ ~~{(B)}~~ a counter; or

1707 ~~{-}~~ (iii) ~~{-}~~ ~~{(C)}~~ a seating grandfathered bar structure; and

1708 ~~{-}~~ (b) ~~{-}~~ ~~{(ii)}~~ where food is served.

1709 ~~{(b) A patron may not be served or consume an alcoholic product anywhere on the~~

1710 ~~licensed premises other than at a location described in Subsection (10)(a) regardless of its~~

1711 ~~proximity to a location described in Subsection (10)(a).}~~

## 12. Page 58, Lines 1787 through 1789:

1787 (c) Except as provided in Subsections (3)(a) and (b), the commission may not issue a

1788 single beer-only restaurant license to a beer-only restaurant that would have licensed premises

1789 in more than one building unless there is continuity in the premises between the multiple buildings after considering one or more of the following:

(i) whether a patron would go through an unlicensed area to move from one part of the licensed premises to a different part of the licensed premises;

(ii) whether the buildings share common food preparation facilities;

(iii) whether there is a common entrance to the licensed premises with multiple buildings; and

(iv) any other factor the commission considers relevant .

## 13. Page 60, Lines 1845 through 1853:

1845 (10) ~~{(a)}~~ A patron may consume a beer only:

1846 ~~{-}~~ (a) ~~{-}~~ ~~{(i) while seated}~~ at:

1847 ~~{-}~~ (i) ~~{-}~~ ~~{(A)}~~ the patron's table;

1848 {~~+~~} (ii) {~~+~~} {~~(B)~~} a grandfathered bar structure; or

1849 {~~+~~} (iii) {~~+~~} {~~(C)~~} a counter; and

1850 {~~+~~} (b) {~~+~~} {~~(ii)~~} where food is served.

1851 {~~(b) A patron may not be served or consume an alcoholic product anywhere on the~~

1852 licensed premises other than at a location described in Subsection (10)(a) regardless of its

1853 proximity to a location described in Subsection (10)(a).-

14. Page 64, Lines 1951 through 1954:

1951 (7) (a) An alcoholic product may only be consumed {~~while sitting~~} at a table or counter.

1952 {~~----- A patron may not consume an alcoholic product anywhere on the sublicensed premises other~~

1953 than at a location described in this Subsection (7)(a) regardless of its proximity to a location

1954 described in this Subsection (7)(a).-

15. Page 47, Lines 1434 through 1448:

1434 32B-5-311. Private events at retail licensee premises.

1435 (1) Subject \_\_\_\_\_ to {~~Section~~} Sections 32B-5-309 and 32B-6-505 , a retail licensee may temporarily rent or otherwise

1436 temporarily lease its premises to a person after the hours the retail licensee may sell, offer for

1437 sale, or furnish an alcoholic product if:

1438 {~~(1)~~} (a) the person who temporarily rents or leases the licensed premises obtains an event

1439 permit under Chapter 9, Event Permit Act, for the time period that the retail licensee rents or

1440 otherwise leases its licensed premises:

1441 {~~(2)~~} (b) the event for which the licensed premises are leased is not open to the public;

1442        ~~{-(3)-}~~ (c) the person to whom the retail licensee rents or leases the premises agrees in writing

1443        to comply with this title as if the person is the retail licensee, except for:

1444        ~~{-(a)-}~~ (i) a requirement related to making or maintaining a record; and

1445        ~~{-(b)-}~~ (ii) the hours during which an alcoholic product may be sold, offered for sale, or

1446        furnished; and

1447        ~~{-(4)-}~~ (d) the retail licensee takes reasonable steps to ensure that the person complies with

1448        this section.

(2) Subject to Sections 32B-5-309 and 32-6-505, a retail licensee may temporarily rent or otherwise temporarily lease its premises for a private event during the hours the retail licensee may sell, offer for sale, or furnish an alcoholic product if:

(a) the person to whom the retail licensee rents or leases the premises agrees in writing to comply with this title as if the person is the retail licensee, except for a requirement related to making or maintaining a record; and

(b) the retail licensee takes reasonable steps to ensure that the person complies with this section as provided in Subsection (2)(a). ; and

The Business and Labor Committee recommends **S.B. 272, PUBLIC SCHOOL FUNDING AMENDMENTS**, by Senator C. Bramble, be replaced and favorably recommends **1st Sub. S.B. 272, PUBLIC SCHOOL FUNDING AMENDMENTS**; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 274, CONDOMINIUM FORECLOSURE AMENDMENTS**, by Senator S. Urquhart; and



The Business and Labor Committee reports a favorable recommendation on **S.B. 281**, DEBT COLLECTION INFORMATION AMENDMENTS, by Senator C. Bramble.

Curtis S. Bramble, Chair

Mr. President:

March 6, 2013

The Education Committee reports a favorable recommendation on **H.B. 173**, NECESSARILY EXISTENT SMALL SCHOOLS FUNDING AMENDMENTS, by Representative K. Powell; and

The Education Committee reports a favorable recommendation on **H.B. 306**, SCHOOL LAND TRUST PROGRAM AMENDMENTS, by Representative L. Perry, with the following amendments:

1. Page 5, Line 134:

134 (iv) [~~An~~] (A) Subject to {~~Subsection~~} Subsections  
(5)(b)(iv)(B) and (5)(b)(iv)(C) , a timeline for the election [~~for the~~]  
of

2. Page 5, Line 138:

138 shall be held near the beginning of the school year and completed  
before October 15 or held in the spring and completed before the last  
week of school .

(C) Each school shall establish a time period for the election of  
parent or guardian members of a school community council under  
Subsection (5)(b)(iv)(B) that is consistent for at least a four-year period.  
; and

The Education Committee reports a favorable recommendation on **S.B. 209**, GRANTS FOR PERSONAL MOBILE LEARNING DEVICES, by Senator A. Osmond, with the following amendments:

1. Page 3, Lines 81 through 82:

81 device; {~~and~~}

82 (g) relating to the ownership of a personal mobile learning  
device {~~z~~} ; and

(h) requiring an applicant for grant money to submit the following  
with the grant application:

(i) a comprehensive instructional plan that articulates how  
technology purchased with the grant money will be used in the classroom

to teach the core curriculum; and

(ii) evidence of successfully using technology for instruction on the core curriculum ; and

The Education Committee reports a favorable recommendation on **S.B. 271**, SCHOOL GRADING AMENDMENTS, by Senator J. S. Adams, with the following amendments:

1. Page 2, Lines 55 through 56:

55       (4) “Sufficient growth” means growth greater than or equal to growth at the 60th

56   percentile in the {~~–prior year–~~} 2011–12 school year ; and

The Education Committee reports a favorable recommendation on **S.J.R. 5**, JOINT RESOLUTION ON STATE SUPERINTENDENT OF PUBLIC INSTRUCTION, by Senator S. Reid.

Stuart C. Reid, Chair

Mr. President:

March 6, 2013

The Health and Human Services Committee reports a favorable recommendation on **H.B. 147**, UTAH MARRIAGE COMMISSION, by Representative L. Christensen; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 154**, SUICIDE PREVENTION PROGRAMS, by Representative S. Eliason; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 329**, MEDICAID VISION AMENDMENTS, by Representative R. Menlove, with the following amendments:

1. Page 1, Lines 25 through 27:

25       The department may select {~~–a contractor–~~} one or more  
26   contractors in accordance with Title 63G, Chapter 6, Utah

26   Procurement Code, to provide vision services to all Medicaid  
populations without restricting provider participation, and within  
existing

27 appropriations from the Legislature.

Evan J. Vickers, Chair

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

### STANDING COMMITTEE REPORTS

Mr. President:

March 6, 2013

The Health and Human Services Committee deleted **S.B. 227**, PATIENT INFORMATION PROTECTION AMENDMENTS, by Senator S. Urquhart, and replaced it with **1st Sub. S.B. 227**, PATIENT INFORMATION PROTECTION AMENDMENTS, and has returned it to the Rules Committee with a recommendation that it be placed on interim study; and

The Health and Human Services Committee has returned **S.B. 280**, DISPENSING MEDICAL PRACTITIONER AMENDMENTS, by Senator E. Vickers, to the Rules Committee with a recommendation that it be place on interim study.

Evan J. Vickers, Chair

On motion of Senator Valentine, the committee reports were adopted. The bills were returned to the Rules Committee.

### INTRODUCTION OF BILLS

**S.B. 287, Elementary Education Coteaching** (J. Valentine), was read the first time by short title and referred to the Rules Committee.

### SECOND READING CALENDAR

On motion of Senator Vickers, the Senate voted to recall **S.B. 231**, POLITICAL ACTION COMMITTEE AMENDMENTS, from the House for the purpose of striking the enacting clause.

\* \* \*

On motion of Senator Jenkins, the circle was removed from **1st Sub. H.B. 278**, PUBLIC SCHOOL SEISMIC STUDIES, and it was before the Senate. Senator Jenkins explained the bill. The bill passed second reading on the following roll call:

**Yeas, 22; Nays, 1; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stevenson	Thatcher	Valentine
Van Tassell	Weiler		

**Voting in the negative was:** Senator

Dayton

**Absent or not voting were:** Senators

Davis	Madsen	Stephenson	Urquhart
Vickers	Niederhauser		

\* \* \*

On motion of Senator Stevenson, the circle was removed from **H.B. 72**, SAFE DRINKING WATER DISCLOSURE ACT, and it was before the Senate. Senator Stevenson explained the bill. Senators Jenkins and Knudson commented. The bill passed second reading on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Harper	Henderson	Hinkins	Jenkins
Jones	Mayne	Okerlund	Reid
Robles	Shiozawa	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler			

**Voting in the negative were:** Senators

Dabakis                      Knudson

**Absent or not voting were:** Senators

Dayton	Hillyard	Madsen	Osmond
Stephenson	Niederhauser		

\* \* \*

**1st Sub. H.B. 230**, EMERGENCY VEHICLE OPERATORS TRAINING REQUIREMENTS, was read the second time.

Senator Thatcher proposed the following amendment:

- 1. Page 2, Lines 41 through 42:
  - 41 (b) permit ambulances and emergency medical response vehicles, including approving an
  - 42 emergency vehicle operator’s course in accordance with Section 26-8a-304;
- 2. Page 2, Line 53:
  - 53 [~~(b)~~] (ii) emergency medical response vehicle.
- 3. Page 2, Line 54 through Page 3, Line 58:
  - 54 (b) The permit requirements under this Subsection (1) shall include a requirement that
  - 55 beginning on or after January 31, 2014, every operator of an ambulance or emergency medical response
  - 56 vehicle annually provide proof of the successful completion of an emergency vehicle operator’s
  - 57 course approved by the department for all ambulances and emergency medical response vehicle
  - 58 operators.

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

**Yeas, 19; Nays, 2; Absent or not voting, 8.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Henderson	Hillyard	Hinkins	Jones
Knudson	Mayne	Osmond	Reid
Robles	Shiozawa	Stevenson	Thatcher
Valentine	Van Tassell	Weiler	

**Voting in the negative were:** Senators

Jenkins                      Vickers

**Absent or not voting were:** Senators

Bramble	Dayton	Harper	Madsen
Okerlund	Stephenson	Urquhart	Niederhauser

\* \* \*

**H.B. 212, DISEASE TESTING FOR PUBLIC SAFETY OFFICERS AMENDMENTS**, was read the second time. Senator Stevenson explained the bill. The bill passed second reading on the following roll call:

**Yeas, 19; Nays, 2; Absent or not voting, 8.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Harper	Henderson	Hillyard	Jones
Knudson	Madsen	Mayne	Osmond
Reid	Shiozawa	Stevenson	Thatcher
Urquhart	Valentine	Vickers	

**Voting in the negative were:** Senators

Jenkins	Van Tassell
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**Absent or not voting were:** Senators

Adams	Dayton	Hinkins	Okerlund
Robles	Stephenson	Weiler	Niederhauser

\* \* \*

**H.B. 50, DATING VIOLENCE PROTECTION ACT**, was read the second time. Senator Bramble explained the bill. The bill passed second reading on the following roll call:

**Yeas, 23; Nays, 1; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Harper	Henderson	Hillyard	Hinkins
Jones	Knudson	Mayne	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	

**Voting in the negative was:** Senator

Dayton

**Absent or not voting were:** Senators

Adams	Jenkins	Madsen	Okerlund
Niederhauser			

On motion of Senator Bramble, **H.B. 50** was placed on Third Reading Table due to fiscal impact.

\* \* \*

**H.B. 241, UNDERGROUND PETROLEUM STORAGE TANK FINANCIAL VIABILITY STUDY,** was read the second time. Senator Stephenson explained the bill. The bill passed second reading on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Jones	Knudson	Madsen
Mayne	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler			

**Absent or not voting were:** Senators

Hinkins	Jenkins	Okerlund	Niederhauser
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\* \* \*

**H.B. 224, IMPACT FEE AMENDMENTS,** was read the second time. Senator Adams explained the bill. The bill passed second reading on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Jones	Knudson	Madsen
Mayne	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Van Tassell	Vickers
Weiler			

**Absent or not voting were:** Senators

Hinkins	Jenkins	Okerlund	Osmond
Reid	Urquhart	Valentine	Niederhauser

\* \* \*

**2nd Sub. H.B. 99**, SUBMITTING GOVERNMENTAL REPORTS, was read the second time. Senator Weiler explained the bill. The bill passed second reading on the following roll call:

**Yeas, 19; Nays, 0; Absent or not voting, 10.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Mayne	Shiozawa	Stephenson	Stevenson
Van Tassell	Vickers	Weiler	

**Absent or not voting were:** Senators

Adams	Madsen	Okerlund	Osmond
Reid	Robles	Thatcher	Urquhart
Valentine	Niederhauser		

\* \* \*

**H.B. 246**, EXPANDED USES OF SCHOOL DISTRICT PROPERTY TAX REVENUE, was read the second time. Senator Hinkins explained the bill. The bill passed second reading on the following roll call:

**Yeas, 17; Nays, 6; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Harper	Hillyard	Hinkins	Jones
Knudson	Mayne	Okerlund	Osmond
Shiozawa	Stevenson	Thatcher	Van Tassell
Vickers			

**Voting in the negative were:** Senators

Dayton	Henderson	Jenkins	Madsen
Stephenson	Weiler		

**Absent or not voting were:** Senators

Adams	Reid	Robles	Urquhart
Valentine	Niederhauser		



\* \* \*

**2nd Sub. H.B. 217**, STATE FIRE CODE ACT AMENDMENTS, was read the second time. Senator Bramble explained the bill. The bill passed second reading on the following roll call:

**Yeas, 22; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Shiozawa	Stevenson	Urquhart	Van Tassell
Vickers	Weiler		

**Absent or not voting were:** Senators

Madsen	Reid	Robles	Stephenson
Thatcher	Valentine	Niederhauser	

\* \* \*

**H.B. 116**, SUDDEN CARDIAC ARREST SURVIVAL ACT AMENDMENTS, was read the second time. Senator Bramble explained the bill. Senator Stevenson commented. The bill passed second reading on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Shiozawa	Stevenson	Urquhart	Valentine
Van Tassell	Vickers	Weiler	

**Absent or not voting were:** Senators

Madsen	Reid	Robles	Stephenson
Thatcher	Niederhauser		

\* \* \*

**H.B. 117**, REGULATION ON TATTOO INDUSTRY, was read the second time. Senator Mayne explained the bill. The bill passed second reading on the following roll call:

**Yeas, 22; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Dayton	Harper	Henderson	Jenkins
Jones	Knudson	Mayne	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler		

**Absent or not voting were:** Senators

Davis	Hillyard	Hinkins	Madsen
Okerlund	Robles	Niederhauser	

\* \* \*

**2nd Sub. H.B. 118, AUTOMATIC EXTERNAL DEFIBRILLATOR RESTRICTED ACCOUNT**, was read the second time. Senator Bramble explained the bill. The bill passed second reading on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Mayne
Osmond	Reid	Robles	Shiozawa
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	

**Absent or not voting were:** Senators

Adams	Davis	Madsen	Okerlund
Stephenson	Niederhauser		

On motion of Senator Stevenson, **2nd Sub. H.B. 118** was placed on Third Reading Table due to fiscal impact.

\* \* \*

**1st Sub. H.B. 135, MEDICAL MALPRACTICE AMENDMENTS**, was read the second time. Senator Valentine explained the bill. The bill passed second reading on the following roll call:

**Yeas, 20; Nays, 0; Absent or not voting, 9.**

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Dayton	Harper
Henderson	Hillyard	Hinkins	Jenkins
Jones	Knudson	Mayne	Osmond
Reid	Robles	Shiozawa	Stevenson
Urquhart	Valentine	Van Tassell	Vickers

**Absent or not voting were:** Senators

Adams	Bramble	Davis	Madsen
Okerlund	Stephenson	Thatcher	Weiler
Niederhauser			

\* \* \*

**1st Sub. H.B. 292**, PREMIUM ASSISTANCE UNDER MEDICAID AND CHIP, was read the second time. Senator Vickers explained the bill. The bill passed second reading on the following roll call:

**Yeas, 21; Nays, 1; Absent or not voting, 7.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Harper
Henderson	Hillyard	Hinkins	Jenkins
Jones	Knudson	Mayne	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Van Tassell
Vickers			

**Voting in the negative was:** Senator

Dayton

**Absent or not voting were:** Senators

Bramble	Davis	Madsen	Okerlund
Urquhart	Weiler	Niederhauser	

\* \* \*

**H.B. 108**, METAL THEFT AMENDMENTS, was read the second time. Senator Stevenson explained the bill. The bill passed second reading on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Dayton	Harper	Henderson	Hillyard

Hinkins	Jenkins	Jones	Knudson
Mayne	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Valentine	Van Tassell	Vickers	

**Absent or not voting were:** Senators

Davis	Madsen	Okerlund	Urquhart
Weiler	Niederhauser		

\* \* \*

On motion of Senator Stevenson, **2nd Sub. H.B. 209**, PUBLIC ASSISTANCE RESTRICTIONS, was read the second time and circled.

\* \* \*

**H.B. 129**, AMENDMENTS TO POWERS, FUNCTIONS, AND DUTIES OF OFFICE OF LEGISLATIVE FISCAL ANALYST, was read the second time. Senator Stevenson explained the bill. Senator Dayton commented. The bill passed second reading on the following roll call:

**Yeas, 19; Nays, 0; Absent or not voting, 10.**

**Voting in the affirmative were:** Senators

Christensen	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Valentine	Van Tassell	Vickers	

**Absent or not voting were:** Senators

Adams	Bramble	Dabakis	Davis
Madsen	Okerlund	Robles	Urquhart
Weiler	Niederhauser		

\* \* \*

On motion of Senator Harper, **H.B. 194**, STATE EMPLOYEE BENEFIT AMENDMENTS, was read the second time and circled.

\* \* \*

**4th Sub. H.B. 204**, ELECTION AMENDMENTS, was read the second time.

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

**5th Sub. H.B. 204 Election Amendments** (Rep. S. Eliason)

On motion of Senator Osmond, the bill was circled.

\* \* \*

**H.B. 205**, CONTINGENCY PLANS FOR POLITICAL SUBDIVISIONS, was read the second time. Senator Henderson explained the bill. The bill passed second reading on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Harper	Henderson	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Van Tassell
Vickers			

**Absent or not voting were:** Senators

Bramble	Dayton	Hillyard	Hinkins
Robles	Urquhart	Weiler	Niederhauser

\* \* \*

On motion of Senator Knudson, **5th Sub. H.B. 66**, POLITICAL SUBDIVISION AMENDMENTS, was read the second time and circled.

\* \* \*

**H.B. 300**, RETENTION OF SALES AND USE TAX COLLECTIONS BY CERTAIN REMOTE SELLERS, was read the second time. Senator Harper explained the bill. The bill passed second reading on the following roll call:

**Yeas, 19; Nays, 0; Absent or not voting, 10.**

**Voting in the affirmative were:** Senators

Christensen	Davis	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Valentine	Van Tassell	

**Absent or not voting were:** Senators

Adams	Bramble	Dabakis	Dayton
Hillyard	Madsen	Urquhart	Vickers
Weiler	Niederhauser		

\* \* \*

On motion of Senator Okerlund, **H.B. 310**, CONSTRUCTION CODE AMENDMENTS, was read the second time and circled.

\* \* \*

**H.B. 142**, PUBLIC LANDS POLICY COORDINATING OFFICE AMENDMENTS, was read the second time. Senator Okerlund explained the bill. The bill passed second reading on the following roll call:

**Yeas, 18; Nays, 0; Absent or not voting, 11.**

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Davis	Harper
Hinkins	Jenkins	Knudson	Mayne
Okerlund	Osmond	Reid	Shiozawa
Stephenson	Stevenson	Thatcher	Valentine
Van Tassell	Weiler		

**Absent or not voting were:** Senators

Adams	Bramble	Dayton	Henderson
Hillyard	Jones	Madsen	Robles
Urquhart	Vickers	Niederhauser	

\* \* \*

On motion of Senator Osmond, **H.B. 31**, ENTICING A MINOR AMENDMENTS, was read the second time and circled.

\* \* \*

On motion of Senator Osmond, the circle was removed from **5th Sub. H.B. 204**, ELECTION AMENDMENTS, and it was before the Senate. Senator Osmond explained the bill. The bill passed second reading on the following roll call:

**Yeas, 20; Nays, 0; Absent or not voting, 9.**

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Harper	Jenkins
Jones	Knudson	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler

**Absent or not voting were:** Senators

Adams	Bramble	Davis	Dayton
Henderson	Hillyard	Hinkins	Madsen
Niederhauser			

\* \* \*

**H.B. 92, FACTUAL INNOCENCE ASSISTANCE AMENDMENTS**, was read the second time. Senator Weiler explained the bill. Senator Stephenson commented. The bill passed second reading on the following roll call:

**Yeas, 22; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Davis	Harper
Henderson	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler		

**Absent or not voting were:** Senators

Adams	Bramble	Dayton	Hillyard
Madsen	Robles	Niederhauser	

\* \* \*

On motion of Senator Weiler, the circle was removed from **2nd Sub. H.B. 209, PUBLIC ASSISTANCE RESTRICTIONS**, and it was before the Senate. Senator Weiler explained the bill. The bill passed second reading on the following roll call:

**Yeas, 20; Nays, 0; Absent or not voting, 9.**

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Davis	Dayton
Harper	Henderson	Hinkins	Jenkins

Jones	Mayne	Okerlund	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Valentine	Van Tassell	Vickers	Weiler

**Absent or not voting were:** Senators

Adams	Bramble	Hillyard	Knudson
Madsen	Osmond	Robles	Urquhart
Niederhauser			

\* \* \*

On motion of Senator Weiler, the circle was removed from **H.B. 194**, STATE EMPLOYEE BENEFITS AMENDMENTS, and it was before the Senate. Senator Weiler explained the bill. The bill passed second reading on the following roll call:

**Yeas, 19; Nays, 1; Absent or not voting, 9.****Voting in the affirmative were:** Senators

Christensen	Dayton	Harper	Henderson
Hinkins	Jones	Knudson	Mayne
Okerlund	Reid	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	

**Voting in the negative was:** Senator

Dabakis

**Absent or not voting were:** Senators

Adams	Bramble	Davis	Hillyard
Jenkins	Madsen	Osmond	Robles
Niederhauser			

**INTRODUCTION OF BILLS**

**S.B. 288, Uniform Agriculture Cooperative Association Act Amendments** (D. Hinkins), was read the first time by short title and referred to the Rules Committee.

\* \* \*

On motion of Senator Okerlund, and at 4:00 p.m., the Senate adjourned until 8:00 a.m., Thursday, March 7, 2013.



# THIRTY-EIGHTH DAY

## MORNING SESSION

**March 7, 2013**

The Senate was called to order at 8:10 a.m., with President Pro Tem Ralph Okerlund presiding.

**Prayer** – Senator Curtis Bramble

**Pledge of Allegiance** – Senator Scott Jenkins

**Roll Call** – All Senators present

### READING OF TITLES OF BILLS AND RESOLUTIONS

(PLEASE REFER TO DAY 1, PAGE 81)

### COMMUNICATIONS FROM THE HOUSE

Mr. President:

March 6, 2013

The House passed, **1st Sub. S.B. 17**, ACCOUNT FOR PEOPLE WITH DISABILITIES AMENDMENTS, by Senator M. Dayton, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **2nd Sub. S.B. 58**, AMENDMENTS TO SALES AND USE TAX, by Senator W. Harper, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **2nd Sub. S.B. 104**, VULNERABLE USERS OF HIGHWAYS AMENDMENTS, by Senator T. Weiler, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **2nd Sub. S.B. 132**, UTAH MEDICAL EDUCATION COUNCIL AMENDMENTS, by Senator W. Harper, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 160**, PATRONIZING A PROSTITUTE AMENDMENTS, by Senator J. Stevenson, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 180**, PUBLIC UTILITIES AMENDMENTS, by Senator K. Van Tassell, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.C.R. 7**, CONCURRENT RESOLUTION TO REDUCE UTAH'S DEPENDENCE ON FEDERAL FUNDS, by Senator A. Osmond, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.C.R. 9**, CONCURRENT RESOLUTION DESIGNATING A WEEK TO RECOGNIZE WORKPLACE SAFETY, by Senator K. Mayne, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President:

March 6, 2013

The House adopted the Joint Conference Committee Report dated March 6, 2013, and passed **2nd Sub. H.B. 290**, DIVISION OF REAL ESTATE AMENDMENTS, by Representative G. Froerer, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President:

March 6, 2013

The House substituted and passed, **2nd Sub. S.B. 24**, ABSENTEE BALLOT AMENDMENTS, by Senator P. Knudson, and it is transmitted for further consideration; and

The House passed, as amended, **S.B. 120**, TARGET SHOOTING AND WILDFIRE REGULATIONS, by Senator M. Dayton, and it is transmitted for further consideration; and

The House passed, as amended, **S.B. 145**, COUNTY ATTORNEY CHAPTER RECODIFICATION, by Senator T. Weiler, and it is transmitted for further consideration; and

The House substituted, amended, and passed, **1st Sub. S.J.R. 11**, JOINT RESOLUTION ON ENVIRONMENTAL AND DEVELOPMENTAL POLICIES, by Senator T. Weiler, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bills were placed on the Concurrence Calendar.

\* \* \*

### STANDING COMMITTEE REPORTS

Mr. President: March 5, 2013

The Revenue and Taxation Committee reports a favorable recommendation on **1st Sub. H.B. 96**, CLEANER BURNING FUELS TAX CREDITS AMENDMENTS, by Representative J. Draxler; and

The Revenue and Taxation Committee recommends **S.B. 269**, PROPERTY TAX REVISIONS, by Senator J. Valentine, be replaced and favorably recommends **1st Sub. S.B. 269**, PROPERTY TAX REVISIONS; and

The Revenue and Taxation Committee recommends **S.B. 250**, SALES AND USE TAX EXEMPTION FOR SALES OF A FUEL CELL, by Senator R. Okerlund, be replaced and favorably recommends **1st Sub. S.B. 250**, SALES AND USE TAX EXEMPTION FOR SALES OF A FUEL CELL.

Deidre Henderson, Chair

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

\* \* \*

On motion of Senator Valentine, the Senate voted to lift **S.B. 288**, UNIFORM AGRICULTURE COOPERATIVE ASSOCIATION ACT AMENDMENTS, from Rules and assign it to the Economic Development and Workforce Services.

### CONCURRENCE CALENDAR

On motion of Senator Knudson, the Senate voted to concur in the House amendments to **1st Sub. S.B. 23**, LIEUTENANT GOVERNOR CANDIDATE AMENDMENTS. The bill, as amended, passed on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Van Tassell	Vickers	Weiler	

**Absent or not voting were:** Senators

Madsen	Robles	Thatcher	Urquhart
Valentine	Niederhauser		

**1st Sub. S.B. 23** was returned to the House for the signature of the Speaker.

\* \* \*

**2nd Sub. S.B. 44**, CONSTRUCTION TRADES LICENSING REVISIONS, was before the Senate.

On motion of Senator Mayne, the Senate refused to concur in the House amendments. **2nd Sub. S.B. 44** was returned to the House.

\* \* \*

On motion of Senator Hillyard, the Senate voted to concur in the House amendments to **S.B. 50**, DEPARTMENT OF TRANSPORTATION LIABILITY AMENDMENTS. The bill, as amended, passed on the following roll call:

**Yeas, 22; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jones	Knudson
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Van Tassell
Vickers	Weiler		

**Absent or not voting were:** Senators

Jenkins	Madsen	Robles	Thatcher
Urquhart	Valentine	Niederhauser	

**S.B. 50** was returned to the House for the signature of the Speaker.

**CONSENT CALENDAR**

**1st Sub. H.B. 39**, CANDIDATE AMENDMENTS, was read the third time, explained by Senator Knudson, and passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Valentine	Van Tassell	Vickers	Weiler

**Absent or not voting were:** Senators

Madsen	Robles	Thatcher	Urquhart
Niederhauser			

**1st Sub. H.B. 39** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 334**, SPECIAL SERVICE DISTRICT REORGANIZATION, was read the third time, explained by Senator Stevenson, and passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Valentine	Van Tassell	Vickers	Weiler

**Absent or not voting were:** Senators

Madsen	Robles	Thatcher	Urquhart
Niederhauser			

**H.B. 334** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 348**, LOCAL DISTRICT AMENDMENTS, was read the third time, explained by Senator Dayton, and passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Valentine	Van Tassell	Vickers	Weiler

**Absent or not voting were:** Senators

Dabakis	Madsen	Robles	Urquhart
Niederhauser			

**H.B. 348** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**2nd Sub. H.B. 211**, CONCEALED WEAPON PERMIT FOR SERVICE MEMBERS, was read the third time, explained by Senator Knudson, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler			

**Absent or not voting were:** Senators

Dabakis	Madsen	Robles	Niederhauser
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**2nd Sub. H.B. 211** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 226, BENEFITS WHILE A PRISONER**, was read the third time, explained by Senator Weiler, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler		

**Absent or not voting were:** Senators

Dabakis	Robles	Niederhauser
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**H.B. 226** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 229, CRIMINAL IDENTIFY FRAUD AMENDMENTS**, was read the third time, explained by Senator Henderson, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler		

**Absent or not voting were:** Senators

Dabakis	Robles	Niederhauser
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**H.B. 229** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**S.B. 218**, RECEIVING CENTERS FUNDING AMENDMENTS, was read the third time, explained by Senator Thatcher, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler		

**Absent or not voting were:** Senators

Dabakis	Robles	Niederhauser
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**S.B. 218** was transmitted to the House for consideration.

\* \* \*

**H.B. 86**, PROPERTY TAX RATE CERTIFICATION DATE, was read the third time, explained by Senator Knudson, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler		

**Absent or not voting were:** Senators

Dabakis	Robles	Niederhauser
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**H.B. 86** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.



**THIRD READING CALENDAR**

**1st Sub. H.B. 278**, PUBLIC SCHOOL SEISMIC STUDIES, was read the third time, explained by Senator Jenkins, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Vickers
Weiler			

**Voting in the negative was:** Senator

Dayton

**Absent or not voting were:** Senators

Robles	Van Tassell	Niederhauser
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**1st Sub. H.B. 278** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 72**, SAFE DRINKING WATER DISCLOSURE ACT, was read the third time, explained by Senator Stevenson, and passed on the following roll call:

**Yeas, 23; Nays, 2; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Harper	Henderson	Hillyard	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Vickers	Weiler	

**Voting in the negative were:** Senators

Davis	Hinkins
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**Absent or not voting were:** Senators

Dabakis	Robles	Van Tassell	Niederhauser
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**H.B. 72** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**1st Sub. H.B. 230, EMERGENCY VEHICLE OPERATORS TRAINING REQUIREMENTS**, was read the third time, explained by Senator Thatcher, and passed on the following roll call:

**Yeas, 22; Nays, 5; Absent or not voting, 2.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Jones	Knudson	Mayne
Okerlund	Osmond	Shiozawa	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler		

**Voting in the negative were:** Senators

Hinkins	Jenkins	Madsen	Reid
Stephenson			

**Absent or not voting were:** Senators

Robles	Niederhauser
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**1st Sub. H.B. 230**, as amended, was returned to the House for further consideration.

\* \* \*

**H.B. 212, DISEASE TESTING FOR PUBLIC SAFETY OFFICERS AMENDMENTS**, was read the third time, explained by Senator Stevenson, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler		

**Absent or not voting were:** Senators

Dabakis                      Robles                      Niederhauser

**H.B. 212** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 241**, UNDERGROUND PETROLEUM STORAGE TANK FINANCIAL VIABILITY STUDY, was read the third time, explained by Senator Stephenson, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Davis	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Bramble                      Dabakis                      Robles

**H.B. 241** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 224**, IMPACT FEE AMENDMENTS, was read the third time, explained by Senator Adams, and passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Madsen	Mayne
Okerlund	Osmond	Reid	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler

**Absent or not voting were:** Senators

Bramble	Hillyard	Knudson	Robles
Niederhauser			

**H.B. 224** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**2nd Sub. H.B. 99**, SUBMITTING GOVERNMENTAL REPORTS, was read the third time, explained by Senator Weiler, and passed on the following roll call:

**Yeas, 19; Nays, 0; Absent or not voting, 10.**

**Voting in the affirmative were:** Senators

Bramble	Davis	Dayton	Harper
Henderson	Hinkins	Jenkins	Jones
Madsen	Mayne	Osmond	Reid
Shiozawa	Stephenson	Thatcher	Urquhart
Van Tassell	Vickers	Weiler	

**Absent or not voting were:** Senators

Adams	Christensen	Dabakis	Hillyard
Knudson	Okerlund	Robles	Stevenson
Valentine	Niederhauser		

**2nd Sub. H.B. 99** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 246**, EXPANDED USES OF SCHOOL DISTRICT PROPERTY TAX REVENUE, was read the third time and explained by Senator Hinkins.

Senator Bramble proposed a verbal amendment as follows:

- Page 2, Line 57:  
After “fiscal” delete “years 2013–14 and 2014–15” and insert “year 2013–14”

Senator Bramble’s motion to amend passed on a voice vote. Senators Jenkins, Stephenson, and Bramble commented and the bill passed on the following roll call:

**Yeas, 16; Nays, 5; Absent or not voting, 8.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Harper	Henderson	Hinkins	Jones
Mayne	Osmond	Reid	Shiozawa
Thatcher	Urquhart	Van Tassell	Vickers

**Voting in the negative were:** Senators

Dayton	Jenkins	Madsen	Stephenson
Weiler			

**Absent or not voting were:** Senators

Adams	Hillyard	Knudson	Okerlund
Robles	Stevenson	Valentine	Niederhauser

**H.B. 246**, as amended, was returned to the House for further consideration.

\* \* \*

**2nd Sub. H.B. 217**, STATE FIRE CODE ACT AMENDMENTS, was read the third time, explained by Senator Bramble, and passed on the following roll call:

**Yeas, 19; Nays, 0; Absent or not voting, 10.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Jenkins
Jones	Madsen	Mayne	Osmond
Reid	Robles	Shiozawa	Stephenson
Van Tassell	Vickers	Weiler	

**Absent or not voting were:** Senators

Adams	Hillyard	Hinkins	Knudson
Okerlund	Stevenson	Thatcher	Urquhart
Valentine	Niederhauser		

**2nd Sub. H.B. 217**, as amended, was returned to the House for further consideration.

\* \* \*

**H.B. 116**, SUDDEN CARDIAC ARREST SURVIVAL ACT AMENDMENTS, was read the third time, explained by Senator Bramble, and passed on the following roll call:

**Yeas, 20; Nays, 0; Absent or not voting, 9.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Madsen	Mayne
Osmond	Reid	Robles	Shiozawa
Stephenson	Van Tassell	Vickers	Weiler

**Absent or not voting were:** Senators

Adams	Hillyard	Knudson	Okerlund
Stevenson	Thatcher	Urquhart	Valentine
Niederhauser			

**H.B. 116** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Bramble, the Senate voted to reconsider its action on **H.B. 246, EXPANDED USES OF SCHOOL DISTRICT PROPERTY TAX REVENUE.**

**H.B. 246, EXPANDED USES OF SCHOOL DISTRICT PROPERTY TAX REVENUE,** was before the Senate.

Senator Bramble proposed a verbal amendment as follows:

1. Page 1, Line 15:  
After “fiscal” delete “years 2013–14 and 2014–15” and insert “year 2013–14”

Senator Bramble’s motion to amend passed on a voice vote. The bill passed on the following roll call:

**Yeas, 16; Nays, 4; Absent or not voting, 9.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Harper	Henderson	Hinkins	Jones
Mayne	Osmond	Reid	Robles
Shiozawa	Van Tassell	Vickers	Weiler

**Voting in the negative were:** Senators

Dayton	Jenkins	Madsen	Stephenson
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**Absent or not voting were:** Senators

Adams	Hillyard	Knudson	Okerlund
Stevenson	Thatcher	Urquhart	Valentine
Niederhauser			

**H.B. 246**, as amended, was returned to the House for further consideration.

\* \* \*

**H.B. 117**, REGULATION OF TATTOO INDUSTRY, was read the third time, explained by Senator Mayne, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Madsen	Mayne
Osmond	Reid	Robles	Shiozawa
Stephenson	Urquhart	Van Tassell	Vickers
Weiler			

**Absent or not voting were:** Senators

Adams	Hillyard	Knudson	Okerlund
Stevenson	Thatcher	Valentine	Niederhauser

**H.B. 117** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Davis, **1st Sub. H.B. 135**, MEDICAL MALPRACTICE AMENDMENTS, was read the third time and circled.

\* \* \*

**1st Sub. H.B. 292**, PREMIUM ASSISTANCE UNDER MEDICAID AND CHIP, was read the third time, explained by Senator Vickers, and passed on the following roll call:

**Yeas, 20; Nays, 1; Absent or not voting, 8.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Harper	Henderson	Hinkins	Jenkins

Jones	Madsen	Osmond	Reid
Robles	Shiozawa	Stephenson	Thatcher
Urquhart	Van Tassell	Vickers	Weiler

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

**Absent or not voting were:** Senators

Adams	Hillyard	Knudson	Mayne
Okerlund	Stevenson	Valentine	Niederhauser

**1st Sub. H.B. 292** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Bramble, **H.B. 108**, METAL THEFT AMENDMENTS, was read the third time and circled.

\* \* \*

On motion of Senator Bramble, **H.B. 129**, AMENDMENTS TO POWERS, FUNCTIONS, AND DUTIES OF OFFICE OF LEGISLATIVE FISCAL ANALYST, was read the third time and circled.

\* \* \*

**H.B. 205**, CONTINGENCY PLANS FOR POLITICAL SUBDIVISIONS, was read the third time, explained by Senator Henderson, and passed on the following roll call:

**Yeas, 18; Nays, 0; Absent or not voting, 11.**

**Voting in the affirmative were:** Senators

Bramble	Dabakis	Dayton	Harper
Henderson	Hinkins	Jenkins	Jones
Osmond	Reid	Robles	Shiozawa
Stephenson	Thatcher	Urquhart	Van Tassell
Vickers	Weiler		

**Absent or not voting were:** Senators

Adams	Christensen	Davis	Hillyard
Knudson	Madsen	Mayne	Okerlund
Stevenson	Valentine	Niederhauser	



**H.B. 205** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 300**, RETENTION OF SALES AND USE TAX COLLECTIONS BY CERTAIN REMOTE SELLERS, was read the third time and explained by Senator Harper. Senator Bramble commented and the bill passed on the following roll call:

**Yeas, 19; Nays, 0; Absent or not voting, 10.**

**Voting in the affirmative were:** Senators

Bramble	Dabakis	Davis	Dayton
Harper	Henderson	Hinkins	Jenkins
Jones	Mayne	Osmond	Reid
Shiozawa	Stephenson	Thatcher	Urquhart
Van Tassell	Vickers	Weiler	

**Absent or not voting were:** Senators

Adams	Christensen	Hillyard	Knudson
Madsen	Okerlund	Robles	Stevenson
Valentine	Niederhauser		

**H.B. 300** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Vickers, **H.B. 142**, PUBLIC LANDS POLICY COORDINATING OFFICE AMENDMENTS, was read the third time and circled.

\* \* \*

**5th Sub. H.B. 204**, ELECTION AMENDMENTS, was read the third time.

Senator Osmond proposed the following amendment:

1. Page 1, Lines 18 through 20:
  - 18 Other Special Clauses:
  - 19 This bill coordinates with H.B. 53, Election Law Amendments, by providing

20 substantive amendments.

This bill coordinates with S.B. 24, Absentee Ballot Amendments, by providing substantive amendments.

2. Page 2, Line 30:

30 Utah Code Sections Affected by Coordination Clause:

20A-3-304, as last amended by Laws of Utah 2011, Chapter 17

3. Insert the following on Page 8, immediately after Line 223:

Section 9. Coordinating H.B. 204 with S.B. 24 -- Substantive amendments.

If this H.B. 204 and S.B. 24, Absentee Ballot Amendments, both pass and become law, it is the intent of the Legislature that the Office of Legislative Research and General Counsel, in preparing the Utah Code database for publication, do the following:

(1) the changes in Subsection 20A-3-304(3) in H.B. 204 do not take effect; and

(2) modify Subsection 20A-3-304(5) in S.B. 24 to read as follows:

“(5) Except as provided in Subsection 20A-3-306(2)(a), a voter who wishes to vote by absentee ballot shall file the application for an absentee ballot with the lieutenant governor or appropriate election officer no later than the [~~Friday~~] Thursday before election day.”.

Senator Osmond’s motion to amend passed on a voice vote. The bill passed on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Mayne	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	

**Absent or not voting were:** Senators

Christensen	Jones	Knudson	Madsen
Okerlund	Niederhauser		

**5th Sub. H.B. 204**, as amended, was returned to the House for further consideration.

\* \* \*

**H.B. 92, FACTUAL INNOCENCE ASSISTANCE AMENDMENTS**, was read the third time, explained by Senator Weiler, and passed on the following roll call:

**Yeas, 19; Nays, 0; Absent or not voting, 10.**

**Voting in the affirmative were:** Senators

Dabakis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Madsen
Mayne	Osmond	Reid	Robles
Shiozawa	Stephenson	Thatcher	Urquhart
Van Tassell	Vickers	Weiler	

**Absent or not voting were:** Senators

Adams	Bramble	Christensen	Davis
Hillyard	Knudson	Okerlund	Stevenson
Valentine	Niederhauser		

**H.B. 92** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**2nd Sub. H.B. 209, PUBLIC ASSISTANCE RESTRICTIONS**, was read the third time and explained by Senator Weiler. Senator Dayton, Dabakis, Robles, and Reid commented and the bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

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

**Absent or not voting were:** Senators

Madsen	Urquhart
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**2nd Sub. H.B. 209** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Okerlund, the circle was removed from **H.B. 142, PUBLIC LANDS POLICY COORDINATING OFFICE AMENDMENTS**, and it was before the Senate. The bill passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Knudson	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Christensen	Jones	Madsen	Thatcher
Urquhart			

**H.B. 142** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Stevenson, the circle was removed from **H.B. 108, METAL THEFT AMENDMENTS**, and it was before the Senate. The bill passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Davis	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Knudson	Mayne	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Adams	Dabakis	Jones	Madsen
Okerlund			

**H.B. 108** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Valentine, the circle was removed from **1st Sub. H.B. 135, MEDICAL MALPRACTICE AMENDMENTS**, and it was before the Senate. Senators Dayton, Shiozawa, and Valentine declared conflicts of interest. The bill passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Davis	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Knudson	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Bramble	Dabakis	Jones	Madsen
Van Tassell			

**1st Sub. H.B. 135** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

On motion of Senator Okerlund, and at 10:00 a.m., the Senate sauntered.

The Senate was called to order at 11:25 a.m., with President Niederhauser presiding.

**COMMUNICATIONS FROM THE HOUSE**

Mr. President: March 7, 2013

The House passed, **S.B. 21, UNINCORPORATED BUSINESS ENTITIES**, by Senator L. Hillyard, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **1st Sub. S.B. 23, LIEUTENANT GOVERNOR CANDIDATE AMENDMENTS**, by Senator P. Knudson, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **S.B. 50, DEPARTMENT OF TRANSPORTATION LIABILITY AMENDMENTS**, by Senator L. Hillyard, and it is transmitted for the signature of the President; and

The House passed, **S.B. 62**, GOVERNOR'S FIRE SUPPRESSION AUTHORITY, by Senator M. Dayton, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 94**, GOVERNMENT RECORDS AMENDMENTS, by Senator C. Bramble, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 124**, SALES AND USE TAX EXEMPTION FOR DATABASE ACCESS, by Senator W. Harper, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President:

March 7, 2013

The House passed, as substituted and amended, **2nd Sub. H.B. 120**, INFORMATION ON PHARMACEUTICAL PRODUCTS, by Representative P. Ray, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 318**, CLASSROOM SIZE REVISIONS, by Representative R. Edwards, and it is transmitted for consideration; and

The House passed **H.B. 366**, STATE HOUSE BOUNDARY AMENDMENTS, by Representative B. Dee, and it is transmitted for consideration; and

Leslie McLean, Secretary of the Senate, read the following statement:

“I, Leslie McLean, in the presence of the Senate, certify that I have personally verified the electronic file security code on the DVD portion of House Bill 366 matches the security code on the printed bill. The printed bill and its associated electronic content is now available on the Legislature’s web site.”

The House passed **H.B. 367**, CONGRESSIONAL BOUNDARY AMENDMENTS, by Representative B. Dee, and it is transmitted for consideration; and

Leslie McLean, Secretary of the Senate, read the following statement:

“I, Leslie McLean, in the presence of the Senate, certify that I have personally verified the electronic file security code on the DVD portion of House Bill 367 matches the security code on the printed bill. The printed bill and its associated electronic content is now available on the Legislature’s web site.”

The House passed **H.B. 369**, STATE AUDITOR REVISIONS, by Representative C. Hall, and it is transmitted for consideration; and

The House passed **H.B. 371**, INTERPRETER SERVICES FOR THE HEARING IMPAIRED AMENDMENTS, by Representative R. Menlove, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 376**, PUBLIC FUNDS AND ACCOUNTS AMENDMENTS, by Representative E. Hutchings, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 388**, GOVERNMENT COMMUNICATIONS TASK FORCE, by Representative B. Dee, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

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

**STANDING COMMITTEE REPORTS**

Mr. President: March 6, 2013

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **1st Sub. H.B. 149**, AMENDMENTS TO UTAH EXEMPTIONS ACT, by Representative E. Tanner, with the following amendments:

- 1. Page 2, Lines 52 through 53  
House Committee Amendments  
2-26-2013:

52 (ii) [~~\$20,000~~] ~~H~~→ {~~-~~} \$30,000 {~~-~~} {~~-~~  
~~\$40,000~~ } ←~~H~~ in value if the property claimed is the primary

52a personal

53 residence of the individual.

- 2. Page 3, Lines 58 through 59  
House Committee Amendments  
2-26-2013:

58 (ii) for property exempt under Subsection (2)(a)(ii), the maximum exemption may not

59 exceed ~~[\$40,000]~~  $\hat{H} \rightarrow$  ~~{-[-]} \$60,000 {-[-]}~~  
~~{-\$80,000-}~~  $\leftarrow \hat{H}$  per household.

3. Page 6, Lines 173 through 174  
House Committee Amendments  
2-26-2013:

173 (1) An individual is entitled to exemption of the following property up to an aggregate

174 value of items in each subsection of ~~[\$500]~~  $\hat{H} \rightarrow$   
~~{-[-]} \$1,000 {-[-]}~~ ~~{-\$2,500-}~~  $\leftarrow \hat{H}$  :

4. Page 7, Lines 192 through 193  
House Committee Amendments  
2-26-2013:

192 (b) An individual is entitled to an exemption, not exceeding ~~[\$2,500]~~

192a  $\hat{H} \rightarrow$  ~~{-[-]} \$3,000 {-[-]}~~ ~~{-\$5,000-}~~  $\leftarrow \hat{H}$  in value,  
193 of one motor vehicle. ; and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 263**, CHILD CARE COSTS AMENDMENTS, by Senator T. Weiler, with the following amendments:

1. Page 2, Lines 28 through 29:

28 (b) If income has been imputed to a custodial parent. ~~{-the need to include-}~~ child care

29 costs ~~{-is presumed to cover the costs of child care-}~~ that would accrue if the parent was working shall be included in the computation and deducted from any income imputed to the parent . ;  
and

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 282**, ADOPTION NOTIFICATION REQUIREMENTS, by Senator L. Robles.

Mark B. Madsen, Chair

Mr. President:

March 6, 2013

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **1st Sub. H.B. 342**, WILD TURKEY



MANAGEMENT, by Representative R. Menlove, with the following amendments:

1. Page 1, Lines 12 through 13:

12     ▶     requires the Division of Wildlife Resources to investigate and mitigate ~~{-substantial-}~~ material

13     damage to private property by a wild turkey;

2. Page 1, Line 16:

16     ▶     ~~{-requires-}~~ directs the Division of Wildlife Resources to establish two general season turkey

3. Page 2, Line 32

House Floor Amendments

3-5-2013:

32     (2) (a) If a turkey ~~is~~ <sup>is</sup> [substantially] ~~is~~ <sup>is</sup> materially damages private property, the landowner

4. Page 2, Lines 38 through 39

House Floor Amendments

3-5-2013:

38     (3) (a) Within ~~{-48-}~~ 72 hours after receiving a request for action under Subsection (2)(a)(ii).

39     the division shall investigate the damaged property and, if it appears that ~~{-substantial-}~~ material damage by

5. Page 3, Line 69:

69     The Wildlife Board ~~{-shall-}~~ may establish two general season turkey hunts per year. ; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 275**, ENERGY AMENDMENTS, by Senator J. S. Adams, with the following amendments:

1. Page 2, Line 52:

52     state: and

2. Page 2, Lines 54 through 55:

54     governor ~~{-and-}~~ .

55            {~~-(i) an individual employed by an electrical corporation,  
appointed by the governor.-~~}

3. Page 3, Line 67:

67            (a) consideration of the role that {~~-public utilities-~~} gas  
corporations    should play in the enhancement and ; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 276**, WATER CONSERVANCY DISTRICT CAPITAL ASSETS, by Senator J. Valentine.

Scott K. Jenkins, Chair

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

### STANDING COMMITTEE REPORTS

Mr. President:

March 6, 2013

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **1st Sub. H.B. 102**, ARSON PENALTIES AMENDMENTS, by Representative L. Wiley, and recommends it be considered read for the second time and placed on the Consent Calendar.

Mark B. Madsen, Chair

Mr. President:

March 6, 2013

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 326**, DIVISION OF WATER RIGHTS AMENDMENTS, by Representative R. C. Webb, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Natural Resources, Agriculture, and Environment Committee recommends **H.B. 333**, STATE LANDS AMENDMENTS, by Representative R. Menlove, be replaced and favorably recommends **1st Sub. H.B. 333**, STATE LANDS AMENDMENTS and that it be considered read for the second time and placed on the Consent Calendar; and

The Natural Resources, Agriculture, and Environment Committee recommends **S.B. 277**, GREEN RIVER ENERGY ZONE, by Senator D. Hinkins, be replaced and favorably recommends **1st Sub. S.B. 277**, GREEN RIVER

ENERGY ZONE and that it be considered read for the second time and placed on the Consent Calendar.

Scott K. Jenkins, Chair

On motion of Senator Valentine, the committee reports were adopted. The bills were considered read the second time and placed on the Consent Calendar.

**THIRD READING CALENDAR**

**H.B. 194**, STATE EMPLOYEE BENEFITS AMENDMENTS, was read the third time, explained by Senator Weiler, and passed on the following roll call:

**Yeas, 22; Nays, 1; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Christensen	Davis	Dayton	Henderson
Hinkins	Jenkins	Jones	Knudson
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Voting in the negative was:** Senator

Dabakis

**Absent or not voting were:** Senators

Adams	Bramble	Harper	Hillyard
Madsen	Urquhart		

**H.B. 194** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Stevenson, the circle was removed from **H.B. 129**, AMENDMENTS TO POWERS, FUNCTIONS, AND DUTIES OF OFFICE OF LEGISLATIVE FISCAL ANALYST, and it was before the Senate. The bill passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Henderson	Hinkins	Jenkins

Jones	Knudson	Madsen	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Adams	Harper	Hillyard	Mayne
Urquhart			

**H.B. 129** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Okerlund, **H.B. 105, SERIOUS YOUTH OFFENDER AMENDMENTS**, was read the second time and circled.

\* \* \*

On motion of Senator Okerlund and at 11:45 a.m., the Senate recessed.

## AFTERNOON SESSION

The Senate reassembled at 2:45 p.m., with President Niederhauser presiding.

### COMMUNICATIONS FROM THE HOUSE

Mr. President: March 7, 2013

The House passed, as substituted, **1st Sub. H.B. 157, CHILDREN'S HEARING AID PILOT PROGRAM**, by Representative R. Edwards, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 228, ALCOHOLIC BEVERAGE CONTROL ACT AMENDMENTS**, by Representative R. Wilcox, and it is transmitted for consideration; and

The House passed **H.B. 321, TECHNICAL AMENDMENTS—WEAPONS**, by Representative K. Ivory, and it is transmitted for consideration; and

The House passed **H.B. 361, DOMESTIC VIOLENCE STATISTICS REPORTING**, by Representative L. Perry, and it is transmitted for consideration; and

The House passed **H.C.R. 8**, CONCURRENT RESOLUTION ON PARKINSON’S DISEASE, by Representative S. Barlow, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President:

March 7, 2013

The House refuses to recede from its amendments to **1st Sub. S.B. 44**, CONSTRUCTION TRADES LICENSING REVISIONS, by Senator K. Mayne, et al, and has appointed a Conference Committee consisting of Representatives J. Dunnigan, J. Bird, and S. Duckworth to meet with a like committee from the Senate on this bill.

Sandy D. Tenney, Chief Clerk

On motion of Senator Mayne, the Senate voted to refuse to recede from its amendments to **1st Sub. S.B. 44**. President Niederhauser appointed a conference committee consisting of Senators Mayne, Van Tassell, and Hinkins to meet with a like committee from the House.

**STANDING COMMITTEE REPORTS**

Mr. President:

March 6, 2013

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **1st Sub. H.B. 127**, MOTOR VEHICLE EVENT DATA RECORDERS, by Representative D. Lifferth, with the following amendments:

- 1. Page 3, Lines 59 through 67:

59 (1) (a) “Event data” means records of one or more of the following categories of

60 information regarding a motor vehicle that are captured by an event data recorder:

61 (i) whether the vehicle’s air bag deployed;

62 (ii) vehicle speed;

63 {~~(iii) vehicle direction;~~

64 ~~(iv) vehicle location;~~

- 65            {~~(v)~~}    (iii)    vehicle steering performance;  
 66            {~~(vi)~~}    (iv)    vehicle brake performance or use; or  
 67            {~~(vii)~~}    (v)    vehicle seatbelt status or use.

2. Page 3, Lines 69 through 72:

- 69            (2) “Event data recorder” {~~means a device or function in a~~  
~~vehicle that records the~~  
 70            ~~vehicle’s dynamic, time series data during the time period just~~  
~~prior to a crash event, including~~  
 71            ~~vehicle speed versus time, or during a crash event, including~~  
~~delta V versus time, intended for~~  
 72            ~~retrieval after the crash event.~~}    has the same meaning as defined  
in 49 C.F.R. Sec. 563.5.    ; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 316**, TRAFFIC AMENDMENTS, by Representative Johnny Anderson; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 284**, EDUCATIONAL TECHNOLOGY AMENDMENTS, by Senator J. Stevenson.

Kevin T. Van Tassell, Chair

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

### STANDING COMMITTEE REPORTS

Mr. President:

March 6, 2013

The Transportation and Public Utilities and Technology Committee recommends **H.B. 144**, PUBLIC TRANSIT DISTRICT BOARD AMENDMENTS, by Representative M. Nelson, be replaced and favorably recommends **1st Sub. H.B. 144**, PUBLIC TRANSIT DISTRICT BOARD AMENDMENTS and that it be considered read for the second time and placed on the Consent Calendar; and

The Transportation and Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 320**, TEMPORARY IDENTIFICATION

CARD, by Representative E. Hutchings, and recommends it be considered read for the second time and placed on the Consent Calendar.

Kevin T. Van Tassell, Chair

On motion of Senator Valentine, the committee reports were adopted. The bills were considered read the second time and placed on the Consent Calendar.

### STANDING COMMITTEE REPORTS

Mr. President: March 7, 2013

Without committee review, the Health and Human Services Committee has returned **S.B. 195**, UTAH CHARITY CARE COMMISSION, by Senator J. S. Adams, to the Rules Committee; and

Without committee review, the Health and Human Services Committee has returned **S.B. 264**, OFFICE OF RECOVERY SERVICES PILOT PROGRAM, by Senator A. Christensen, to the Rules Committee.

Evan J. Vickers, Chair

Mr. President: March 7, 2013

Without committee review, the Natural Resources, Agriculture, and Environment Committee has returned **H.B. 347**, LANDOWNER LIABILITY AMENDMENTS, by Representative B. Wilson, to the Rules Committee; and

With committee review, the Natural Resources, Agriculture, and Environment Committee has returned **S.B. 157**, DAYLIGHT SAVING TIME AMENDMENTS, by Senator S. Urquhart, to the Rules Committee; and

With committee review, the Natural Resources, Agriculture, and Environment Committee has returned **S.J.R. 10**, JOINT RESOLUTION ON THE PROTECTION OF THE GREATER CANYONLANDS REGION, by Senator J. Dabakis, to the Rules Committee.

Scott K. Jenkins, Chair

On motion of Senator Valentine, the committee reports were adopted. The bills were returned to the Rules Committee.

### SECOND READING CALENDAR

On motion of Senator Van Tassell, **1st Sub. H.B. 124**, RADIATION CONTROL AMENDMENTS, was read the second time and circled.

\* \* \*

**H.C.R. 7, CONCURRENT RESOLUTION ON FEDERAL DESIGNATION OF CRITICAL HABITAT FOR GUNNISON SAGEGROUSE**, was read the second time. Senator Hinkins explained the bill. The bill passed second reading on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Davis	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Bramble	Christensen	Dabakis	Dayton
Okerlund	Urquhart		

\* \* \*

On motion of Senator Hillyard, the circle was removed from **H.B. 31, ENTICING A MINOR AMENDMENTS**, and it was before the Senate. Senator Hillyard explained the bill. The bill passed on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Osmond	Reid	Shiozawa
Stephenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Bramble	Dayton	Okerlund	Robles
Stevenson	Urquhart		

\* \* \*

On motion of Senator Hillyard, the circle was removed from **H.B. 105, SERIOUS YOUTH OFFENDER AMENDMENTS**, and it was before the Senate. Senator Hillyard explained the bill. The bill passed on the following roll call:



**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Bramble	Okerlund	Robles	Urquhart
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\* \* \*

**H.B. 104, WIRELESS CALL LOCATION INFORMATION,** was read the second time. Senator Davis explained the bill. Senators Henderson, Harper, and Madsen commented. The bill passed second reading on the following roll call:

**Yeas, 17; Nays, 5; Absent or not voting, 7.**

**Voting in the affirmative were:** Senators

Dabakis	Davis	Dayton	Hillyard
Jenkins	Jones	Knudson	Osmond
Reid	Robles	Shiozawa	Thatcher
Urquhart	Valentine	Vickers	Weiler
Niederhauser			

**Voting in the negative were:** Senators

Christensen	Harper	Henderson	Madsen
Stephenson			

**Absent or not voting were:** Senators

Adams	Bramble	Hinkins	Mayne
Okerlund	Stevenson	Van Tassell	

\* \* \*

**H.B. 128, DRIVER LICENSE SUSPENSION MODIFICATIONS,** was read the second time. Senator Vickers explained the bill. The bill passed second reading on the following roll call:

**Yeas, 19; Nays, 0; Absent or not voting, 10.**

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Davis	Dayton
Harper	Henderson	Jones	Knudson
Madsen	Reid	Robles	Shiozawa
Stephenson	Thatcher	Urquhart	Valentine
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Adams	Bramble	Hillyard	Hinkins
Jenkins	Mayne	Okerlund	Osmond
Stevenson	Van Tassell		

\* \* \*

On motion of Senator Van Tassell, **H.B. 210**, MOTOR VEHICLE EMISSION AMENDMENTS, was read the second time and circled.

\* \* \*

On motion of Senator Madsen, **1st Sub. H.B. 131**, CONSTITUTIONAL AND FEDERALISM DEFENSE ACT, was read the second time and circled.

\* \* \*

**H.B. 256**, REAUTHORIZATION OF ADMINISTRATIVE RULES, was read the second time. Senator Stephenson explained the bill. The bill passed second reading on the following roll call:

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

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Davis	Dayton
Harper	Henderson	Hinkins	Jones
Knudson	Madsen	Mayne	Reid
Robles	Shiozawa	Stephenson	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Adams	Bramble	Hillyard	Jenkins
Okerlund	Osmond	Stevenson	Thatcher

\* \* \*

**1st Sub. H.B. 280**, COUNTY GOVERNMENT REFORM, was read the second time. Senator Hinkins explained the bill. The bill passed second reading on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Davis	Dayton
Harper	Henderson	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Osmond	Reid	Robles	Shiozawa
Stephenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Adams	Bramble	Hillyard	Okerlund
Stevenson			

\* \* \*

**H.B. 352, COUNTY GOVERNMENT AMENDMENTS**, was read the second time. Senator Shiozawa explained the bill. The bill passed second reading on the following roll call:

**Yeas, 22; Nays, 1; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Davis	Dayton
Harper	Henderson	Jenkins	Jones
Knudson	Madsen	Mayne	Osmond
Reid	Robles	Shiozawa	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Voting in the negative was:** Senator

Stephenson

**Absent or not voting were:** Senators

Adams	Bramble	Hillyard	Hinkins
Okerlund	Stevenson		

\* \* \*

On motion of Senator Van Tassell, **H.J.R. 9, JOINT RESOLUTION RECOMMENDING A NAME FOR NEW FEDERAL COURTHOUSE** , was read the second time and circled.

\* \* \*

**H.B. 173**, NECESSARILY EXISTENT SMALL SCHOOLS FUNDING AMENDMENTS, was read the second time. Senator Van Tassell explained the bill. The bill passed second reading on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Davis	Dayton
Harper	Henderson	Jenkins	Jones
Knudson	Madsen	Mayne	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Adams	Bramble	Hillyard	Hinkins
Okerlund			

\* \* \*

On motion of Senator Reid, **H.B. 306**, SCHOOL LAND TRUST PROGRAM AMENDMENTS, was read the second time and circled.

\* \* \*

**H.B. 147**, UTAH MARRIAGE COMMISSION, was read the second time. Senator Valentine explained the bill. Senator Jones commented. The bill passed second reading on the following roll call:

**Yeas, 17; Nays, 7; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dayton	Harper
Henderson	Jenkins	Knudson	Osmond
Reid	Shiozawa	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Voting in the negative were:** Senators

Davis	Jones	Madsen	Mayne
Robles	Stephenson	Stevenson	

**Absent or not voting were:** Senators

Bramble	Dabakis	Hillyard	Hinkins
Okerlund			

On motion of Senator Valentine, **H.B. 147** was placed on Third Reading Table due to fiscal impact.

\* \* \*

**H.B. 154**, SUICIDE PREVENTION PROGRAMS, was read the second time. Senator Reid explained the bill. The bill passed second reading on the following roll call:

**Yeas, 22; Nays, 2; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Harper	Henderson	Jenkins	Jones
Knudson	Mayne	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Dayton	Vickers
--------	---------

**Absent or not voting were:** Senators

Bramble	Hillyard	Hinkins	Madsen
Okerlund			

On motion of Senator Reid, **H.B. 154** was placed on Third Reading Table due to fiscal impact.

\* \* \*

On motion of Senator Stevenson, **H.B. 105**, SERIOUS YOUTH OFFENDER AMENDMENTS, was placed on Third Reading Table due to fiscal impact.

\* \* \*

On motion of Senator Okerlund, and at 3:50 p.m., the Senate adjourned until 8:00 a.m., Friday, March 8, 2013.

# THIRTY-NINTH DAY

## MORNING SESSION

**March 8, 2013**

The Senate was called to order at 8:20 a.m., with President Wayne Niederhauser presiding.

**Prayer** – Mayor Nina Laycook, Kanab, Utah

**Pledge of Allegiance** – Senator Stuart Adams

**Roll Call** – All Senators present

### READING OF TITLES OF BILLS AND RESOLUTIONS (PLEASE REFER TO DAY 1, PAGE 81)

#### COMMUNICATIONS FROM THE HOUSE

Mr. President: March 7, 2013

The House passed, **S.J.R. 2**, JOINT RESOLUTION REAPPOINTING LEGISLATIVE FISCAL ANALYST, by Senator W. Niederhauser, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Sandy D. Tenney, 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: March 7, 2013

The House passed, as amended, **H.B. 156**, RESTORATION OF TERMINATED PARENTAL RIGHTS, by Representative L. Christensen, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 331**, PROPERTY DAMAGE CLAIMS, by Representative V. L. Snow, and it is transmitted for consideration; and

The House passed **H.B. 375**, RADIOLOGIST ASSISTANT PROVISIONS, by Representative E. Redd, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 393**, COMPETENCY-BASED EDUCATION AMENDMENTS, by Representative G. Hughes, and it is transmitted for consideration; and

The House passed, as amended, **H.C.R. 10**, CONCURRENT RESOLUTION ON THE PATIENT PROTECTION AND AFFORDABLE CARE ACT AND STATE HEALTH CARE REFORM, by Representative K. Ivory, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

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

### STANDING COMMITTEE REPORTS

Mr. President:

March 7, 2013

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.B. 330**, FINANCIAL REPORTING AMENDMENTS, by Representative S. Eliason; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 246**, VOLUNTEER WORKERS AMENDMENTS, by Senator S. Jenkins, with the following amendments:

1. Page 1, Line 13:

13            {→ addresses liability of certain volunteers;—}

2. Page 2, Lines 44 through 49:

44        [~~Any~~] (1) A person performing services on a voluntary basis,  
without compensation,

45    under the general supervision of, and on behalf of any public entity,  
[~~shall be~~] is immune from

46    liability with respect to any decisions or actions, other than in  
connection with the operation of

47    a motor vehicle, taken during the course of those services, unless it  
is established that    {~~—~~} such

48    decisions or actions were grossly negligent, not made in good faith,  
or were made maliciously    {~~—~~}

49    {~~the volunteer willfully and knowingly caused harm to a person  
or property~~} .

3. Page 4, Line 119 through Page 5, Line 127:

119        (4) A volunteer facilitator is immune from liability for damages  
or injuries arising out

120 of or related to the volunteer service of a volunteer provided by the  
volunteer facilitator to an

121 agency, unless:

122 (a) an action or omission of the volunteer facilitator  
~~{ willfully and knowingly caused }~~ is grossly negligent, not made  
in good faith, or made maliciously, and causes

123 harm to a person or property; or

124 (b) the volunteer facilitator fails to exercise due diligence in  
determining the fitness of

125 a volunteer to provide voluntary service to the agency under  
circumstances that make the

126 volunteer facilitator's failure to exercise due diligence ~~{ a~~  
~~willful and knowing violation of the~~

127 ~~volunteer facilitator's duty }~~ grossly negligent, not in good faith,  
or malicious .

Margaret Dayton, Chair

Mr. President:

March 7, 2013

The Revenue and Taxation Committee recommends **1st Sub. H.B. 106**, MEDICAID INSPECTOR GENERAL AMENDMENTS, by Representative R. Wilcox, be replaced and favorably recommends **2nd Sub. H.B. 106**, MEDICAID INSPECTOR GENERAL AMENDMENTS; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 141**, MEDICAID EMERGENCY ROOM AND PRIMARY CARE AMENDMENTS, by Representative M. Kennedy; and

The Revenue and Taxation Committee recommends **H.B. 145**, YOUTH DEVELOPMENT ORGANIZATION RESTRICTED ACCOUNT AND INCOME TAX CONTRIBUTION, by Representative S. Eliason, be replaced and favorably recommends **1st Sub. H.B. 145**, YOUTH ORGANIZATION RESTRICTED ACCOUNTS AND INCOME TAX CONTRIBUTIONS; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 360**, WATER AND IRRIGATION REVISIONS, by Representative R. Wilcox; and



The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 283**, AVAILABILITY OF PUBLIC INFORMATION AMENDMENTS, by Senator D. Henderson, with the following amendments:

1. Page 3, Lines 74 through 75:

74 63G-2-501, appointed by the governor: {~~and~~}  
(i) an individual representing counties, appointed by the governor;  
(j) an individual representing municipalities, appointed by the  
governor; and

75 {~~(i)~~} (k) two individuals who are members of the  
public and who have knowledge, expertise.

2. Page 3, Line 77:

77 board members identified in Subsections (2)(a) through  
{~~(h)~~} (j) ; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 285**, INVOLUNTARY CIVIL COMMITMENT INFORMATION AMENDMENTS, by Senator D. Thatcher, with the following amendments:

1. Page 1, Lines 13 through 16:

13 This bill:

14 ► adds a requirement that an application for an individual  
to be involuntarily civilly

15 committed contain , if reasonably available, the individual's  
name, date of birth, and {~~, if available,~~ the

16 individual's-} Social Security number.

2. Page 2, Lines 33 through 41:

33 individual has a mental illness and should be involuntarily  
committed. {~~That~~} The application shall

34 [be accompanied by] include:

35 (a) unless the court finds that the information is not  
reasonably available, the individual's:

36 (i) name;

37 (ii) date of birth; and

38 (iii) Social Security number; and

39 (b) either:

40 [(a)] (i) a certificate of a licensed physician or a designated  
examiner stating that within

41 a seven-day period immediately preceding the certification the  
physician or designated ; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 279**, MATH LITERACY – STEM INITIATIVE, by Senator S. Urquhart.

Deidre M. Henderson, Chair

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

### STANDING COMMITTEE REPORTS

Mr. President:

March 7, 2013

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **1st Sub. H.B. 337**, PERMANENT STATE TRUST FUND INVESTMENT AMENDMENTS, by Representative J. Nielson, and recommends it be considered read for the second time and placed on the Consent Calendar; and

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.C.R. 5**, CONCURRENT RESOLUTION ON REGIONAL CORRECTIONAL FACILITIES AND COUNTY JAIL CONTRACTING, by Representative M. Noel, and recommends it be considered read for the second time and placed on the Consent Calendar.

Margaret Dayton, Chair

Mr. President:

March 7, 2013

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 358**, INSTREAM FLOW AMENDMENTS, by Representative M. Noel, and recommends it be considered read for the second time and placed on the Consent Calendar.

Deidre M. Henderson, Chair

On motion of Senator Valentine, the committee reports were adopted. The bills were considered read the second time and placed on the Consent Calendar.

## STANDING COMMITTEE REPORTS

Mr. President:

March 6, 2013

Without committee review, the Judiciary, Law Enforcement, and Criminal Justice Committee has returned **H.B. 121**, FIREARMS SAFE HARBOR, by Representative D. Pitcher, to the Rules Committee; and

Without committee review, the Judiciary, Law Enforcement, and Criminal Justice Committee has returned **H.B. 227**, COHABITANT DEFINITION, by Representative B. Wilson, to the Rules Committee; and

Without committee review, the Judiciary, Law Enforcement, and Criminal Justice Committee has returned **1st Sub. H.B. 235**, PROCESS SERVER AMENDMENTS, by Representative L. Perry, to the Rules Committee; and

Without committee review, the Judiciary, Law Enforcement, and Criminal Justice Committee has returned **H.B. 237**, SURETY BOND PENALTY, by Representative R. Greenwood, to the Rules Committee; and

Without committee review, the Judiciary, Law Enforcement, and Criminal Justice Committee has returned **1st Sub. H.B. 268**, DISORDERLY CONDUCT AMENDMENTS, by Representative P. Ray, to the Rules Committee; and

Without committee review, the Judiciary, Law Enforcement, and Criminal Justice Committee has returned **H.B. 332**, ALTERNATE DISPUTE RESOLUTION AMENDMENTS, by Representative R. Edwards, to the Rules Committee; and

Without committee review, the Judiciary, Law Enforcement, and Criminal Justice Committee has returned **H.B. 338**, ALIMONY REVISIONS, by Representative K. McIff, to the Rules Committee; and

Without committee review, the Judiciary, Law Enforcement, and Criminal Justice Committee has returned **H.B. 327**, PROBATE AMENDMENTS, by Representative V. L. Snow, to the Rules Committee; and

The Judiciary, Law Enforcement, and Criminal Justice Committee has returned **S.B. 11**, ALIMONY AMENDMENTS, by Senator L. Hillyard, to the Rules Committee without recommendation; and

Without committee review, the Judiciary, Law Enforcement, and Criminal Justice Committee has returned **S.B. 87**, IMPOUNDMENT OF VEHICLES AMENDMENTS, by Senator M. Madsen, to the Rules Committee; and

The Judiciary, Law Enforcement, and Criminal Justice Committee has returned **S.B. 116**, GARNISHMENT FOR DEBT COLLECTION, by Senator L. Hillyard, to the Rules Committee without recommendation; and

Without committee review, the Judiciary, Law Enforcement, and Criminal Justice Committee has returned **S.B. 174**, WARRANT COLLECTION AMENDMENTS, by Senator S. Urquhart, to the Rules Committee; and

Without committee review, the Judiciary, Law Enforcement, and Criminal Justice Committee has returned **S.B. 188**, AMENDMENTS TO ADOPTION REQUIREMENTS, by Senator T. Weiler, to the Rules Committee; and

The Judiciary, Law Enforcement, and Criminal Justice Committee has returned **S.B. 245**, COURT FEES FOR POLITICAL SUBDIVISIONS, by Senator D. Thatcher, to the Rules Committee without recommendation; and

With committee review, the Judiciary, Law Enforcement, and Criminal Justice Committee has returned **S.B. 273**, DECLARED EMERGENCY AMENDMENTS, by Senator M. Madsen, to the Rules Committee without recommendation; and

Without committee review, the Judiciary, Law Enforcement, and Criminal Justice Committee has returned **S.J.R. 9**, JOINT RESOLUTION – JAIL CONTRACTING, by Senator M. Madsen, to the Rules Committee.

Mark B. Madsen, Chair

Mr. President:

March 7, 2013

The Revenue and Taxation Committee has returned **1st Sub. H.B. 158**, CONSUMER CREDIT PROTECTION AMENDMENTS, by Representative P. Ray, to the Rules Committee

Deidre M. Henderson, Chair

On motion of Senator Valentine, the committee reports were adopted. The bills were returned to the Rules Committee.

### CONCURRENCE CALENDAR

**2nd Sub. S.B. 24**, ABSENTEE BALLOT AMENDMENTS, was before the Senate.

On motion of Senator Knudson, the bill was circled.

\* \* \*

On motion of Senator Dayton, the Senate voted to concur in the House amendments to **S.B. 120, TARGET SHOOTING AND WILDFIRE REGULATIONS**. The bill, as amended, passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Okerlund	Osmond	Reid	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Hillyard	Madsen	Mayne	Robles
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**S.B. 120** was returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Weiler, the Senate voted to concur in the House amendments to **S.B. 145, COUNTY ATTORNEY CHAPTER RECODIFICATION**. The bill, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Hillyard	Madsen	Robles
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**S.B. 145** was returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Weiler, the Senate voted to concur in the House amendments to **1st Sub. S.J.R. 11**, JOINT RESOLUTION ON ENVIRONMENTAL AND DEVELOPMENTAL POLICIES. The bill, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

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

**Absent or not voting were:** Senators  
Hillyard                      Robles

**1st Sub. S.J.R. 11** was returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Knudson, the circle was removed from **2nd Sub. S.B. 24**, ABSENTEE BALLOT AMENDMENTS, and it was before the Senate.

On motion of Senator Knudson, the Senate voted to concur in the House amendments to **2nd Sub. S.B. 24**, ABSENTEE BALLOT AMENDMENTS. The bill, as amended, passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Mayne
Okerlund	Osmond	Reid	Shiozawa
Stephenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Dabakis	Hillyard	Madsen	Robles
Stevenson			

**2nd Sub. S.B. 24** was returned to the House for the signature of the Speaker.

**CONSENT CALENDAR**

**H.B. 202**, ENERGY CONSERVATION CODE AMENDMENTS, was read the third time, explained by Senator Bramble, and passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Mayne
Okerlund	Osmond	Reid	Shiozawa
Stephenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Hillyard	Knudson	Madsen	Robles
Stevenson			

**H.B. 202**, as amended, was returned to the House for further consideration.

\* \* \*

**H.B. 238**, COSMETOLOGY AND HAIR BRAIDING, was read the third time, explained by Senator Valentine, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Osmond	Reid
Shiozawa	Stephenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Hillyard                      Okerlund                      Robles                      Stevenson

Senator Weiler declared a conflict of interest.

**H.B. 238** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 240**, ALCOHOL SERVICE IN RESTAURANTS, was read the third time, explained by Senator Valentine, and passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Mayne	Osmond	Reid	Shiozawa
Stephenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Hillyard                      Madsen                      Okerlund                      Robles  
Stevenson

**H.B. 240** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

On motion of Senator Valentine, the Senate voted to include the following intent language be spread upon the pages of the Senate Journal:

**INTENT LANGUAGE**

It is the intent of the Legislature that provisions of H.B. 240 concerning a patron’s intent to order food at a restaurant licensed under Title 32B, Alcoholic Beverage Control Act, when purchasing an alcoholic product, is intended to merely clarify the current standard and is not intended to change the requirement of a patron’s intent to dine when ordering an alcoholic product.

\* \* \*

**S.B. 256**, PRECONSTRUCTION AND CONSTRUCTION LIENS AMENDMENTS, was read the third time, explained by Senator Jenkins, and passed on the following roll call:



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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Hillyard	Knudson	Robles
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**S.B. 256** was transmitted to the House for consideration.

\* \* \*

**S.B. 259**, AMENDMENTS TO DISABILITY WAITING LIST, was read the third time, explained by Senator Christensen, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Mayne
Okerlund	Osmond	Reid	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Hillyard	Knudson	Madsen	Robles
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**S.B. 259** was transmitted to the House for consideration.

\* \* \*

**S.B. 268**, HUMAN SERVICES BACKGROUND CHECKS AMENDMENTS, was read the third time, explained by Senator Christensen, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jones	Madsen	Mayne
Okerlund	Osmond	Reid	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Hillyard	Jenkins	Knudson	Robles
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**S.B. 268** was transmitted to the House for consideration.

\* \* \*

**S.B. 270, CONTROLLED SUBSTANCE AMENDMENTS**, was read the third time, explained by Senator Vickers, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Niederhauser			

**Absent or not voting were:** Senators

Hillyard	Knudson	Robles	Weiler
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**S.B. 270** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Madsen, the Senate voted to allow him to cast an aye vote on S.B. 120. The correct vote is as follows:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Hillyard	Mayne	Robles
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\* \* \*

**H.B. 201**, STATE BOARD OF EDUCATION LEADERSHIP AMENDMENTS, was read the third time, explained by Senator Osmond, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Hillyard	Knudson	Robles
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**H.B. 201** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**S.B. 258**, RENAME UTAH STATE UNIVERSITY – COLLEGE OF EASTERN UTAH, was read the third time, explained by Senator Hinkins, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson

Hinkins	Jenkins	Jones	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Hillyard	Knudson
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**S.B. 258** was transmitted to the House for consideration.

\* \* \*

**H.B. 89, JUDICIAL REVIEW OF PEACE OFFICER STANDARDS AND TRAINING ACTIONS**, was read the third time, explained by Senator Thatcher, and passed on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jones	Mayne	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Adams	Hillyard	Jenkins	Knudson
Madsen	Okerlund		

**H.B. 89** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 232, CRIMINAL PENALTY AMENDMENTS**, was read the third time, explained by Senator Thatcher, and passed on the following roll call:

**Yeas, 22; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins

Jenkins	Jones	Mayne	Osmond
Reid	Robles	Shiozawa	Stephenson
Thatcher	Urquhart	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Adams	Hillyard	Knudson	Madsen
Okerlund	Stevenson	Valentine	

**H.B. 232** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**1st Sub. H.B. 213**, PEACH OFFICER STANDARDS AND TRAINING AMENDMENTS, was read the third time, explained by Senator Thatcher, and passed on the following roll call:

**Yeas, 22; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Mayne	Osmond
Reid	Robles	Shiozawa	Stephenson
Thatcher	Urquhart	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Adams	Hillyard	Knudson	Madsen
Okerlund	Stevenson	Valentine	

**1st Sub. H.B. 213** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Okerlund, **1st Sub. H.B. 287**, RETURN OF WEAPONS RECOVERED BY LAW ENFORCEMENT, was read the third time and circled.

\* \* \*

**H.B. 126**, OFF-HIGHWAY VEHICLE USER FEE AMENDMENTS, was read the third time, explained by Senator Okerlund, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Hinkins	Jenkins
Jones	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Thatcher	Urquhart	Van Tassell	Vickers
Niederhauser			

**Absent or not voting were:** Senators

Adams	Henderson	Hillyard	Knudson
Madsen	Stevenson	Valentine	Weiler

**H.B. 126** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

### THIRD READING CALENDAR

**H.C.R. 7, CONCURRENT RESOLUTION ON FEDERAL DESIGNATION OF CRITICAL HABITAT FOR GUNNISON SAGEGROUSE**, was read the third time, explained by Senator Hinkins, and passed on the following roll call:

**Yeas, 20; Nays, 2; Absent or not voting, 7.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dayton	Harper
Henderson	Hinkins	Jenkins	Jones
Madsen	Mayne	Osmond	Reid
Robles	Shiozawa	Stephenson	Thatcher
Urquhart	Van Tassell	Vickers	Weiler

**Voting in the negative were:** Senators

Dabakis	Davis
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**Absent or not voting were:** Senators

Adams	Hillyard	Knudson	Okerlund
Stevenson	Valentine	Niederhauser	

**H.C.R. 7** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Davis, **H.B. 31, ENTICING A MINOR AMENDMENTS**, was read the third time and circled.

\* \* \*

On motion of Senator Davis, **H.B. 104**, WIRELESS CALL LOCATION INFORMATION, was read the third time and circled.

\* \* \*

**H.B. 128**, DRIVER LICENSE SUSPENSION MODIFICATIONS, was read the third time, explained by Senator Vickers, and passed on the following roll call:

**Yeas, 22; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Madsen	Mayne
Osmond	Reid	Robles	Shiozawa
Stephenson	Thatcher	Urquhart	Van Tassell
Vickers	Weiler		

**Absent or not voting were:** Senators

Adams	Hillyard	Knudson	Okerlund
Stevenson	Valentine	Niederhauser	

**H.B. 128** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Stephenson, **H.B. 256**, REAUTHORIZATION OF ADMINISTRATIVE RULES, was read the third time and circled.

\* \* \*

**1st Sub. H.B. 280**, COUNTY GOVERNMENT REFORM, was read the third time, explained by Senator Hinkins, and passed on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Madsen	Mayne
Osmond	Reid	Robles	Shiozawa
Stephenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	

**Absent or not voting were:** Senators

Adams	Hillyard	Knudson	Okerlund
Stevenson	Niederhauser		

**1st Sub. H.B. 280** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 352, COUNTY GOVERNMENT AMENDMENTS**, was read the third time, explained by Senator Shiozawa, and passed on the following roll call:

**Yeas, 22; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Madsen	Mayne
Osmond	Reid	Robles	Shiozawa
Stephenson	Thatcher	Urquhart	Van Tassell
Vickers	Weiler		

**Absent or not voting were:** Senators

Adams	Hillyard	Knudson	Okerlund
Stevenson	Valentine	Niederhauser	

**H.B. 352** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 173, NECESSARILY EXISTENT SMALL SCHOOL FUNDING AMENDMENTS**, was read the third time, explained by Senator Van Tassell, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Bramble	Dabakis	Davis	Dayton
Harper	Henderson	Hinkins	Jenkins
Jones	Madsen	Mayne	Osmond
Reid	Robles	Shiozawa	Stephenson
Thatcher	Urquhart	Van Tassell	Vickers
Weiler			



**Absent or not voting were:** Senators

Adams	Christensen	Hillyard	Knudson
Okerlund	Stevenson	Valentine	Niederhauser

**H.B. 173** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

**SECOND READING CALENDAR**

**S.B. 229**, APPELLATE BOND FOR STATE ENTITIES, was read the second time.

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

**1st Sub. S.B. 229 Appellate Bond for State Entities (C. Bramble)**

Senator Bramble explained the bill. The bill passed second reading on the following roll call:

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

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Jenkins
Jones	Madsen	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler			

**Absent or not voting were:** Senators

Adams	Hillyard	Hinkins	Knudson
Mayne	Okerlund	Urquhart	Niederhauser

\* \* \*

**S.J.R. 14**, JOINT RESOLUTION AMENDING CIVIL PROCEDURE RULE, was read the second time.

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

**1st Sub. S.J.R. 14 Joint Resolution Amending Civil Procedure Rule (C. Bramble)**

Senator Bramble explained the bill. The bill passed second reading on the following roll call:

**Yeas, 20; Nays, 0; Absent or not voting, 9.**

**Voting in the affirmative were:** Senators

Bramble	Dabakis	Davis	Dayton
Harper	Henderson	Jenkins	Jones
Madsen	Osmond	Reid	Robles
Shiozawa	Stephenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler

**Absent or not voting were:** Senators

Adams	Christensen	Hillyard	Hinkins
Knudson	Mayne	Okerlund	Stevenson
Niederhauser			

\* \* \*

**S.B. 79, STUDENT-CENTERED LEARNING PILOT PROGRAM,** was read the second time. Senator Stephenson explained the bill.

Senator Stephenson proposed the following amendment:

1. Page 3, Line 61:

61 (i) allows a student to advance and earn credit upon mastery of a competency; and

Senator Stephenson’s motion to amend passed on a voice vote.

On motion of Senator Stephenson, the bill was circled.

\* \* \*

**S.B. 81, SCHOOL PROPERTY TAX FUNDING,** was read the second time. Senator Osmond explained the bill. Senators Dabakis, Jones, Jenkins, Stephenson, Van Tassell, Davis, Urquhart, Henderson, Valentine, and Hinkins commented.

On motion of Senator Osmond, the bill was circled.

\* \* \*

**2nd Sub. S.B. 183, ADOPTION AGENCY MODIFICATIONS,** was read the second time. Senator Robles explained the bill. The bill passed second reading on the following roll call:

**Yeas, 19; Nays, 0; Absent or not voting, 10.**

**Voting in the affirmative were:** Senators

Bramble	Dabakis	Davis	Dayton
Henderson	Hinkins	Jones	Madsen
Osmond	Reid	Robles	Shiozawa
Stephenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	

**Absent or not voting were:** Senators

Adams	Christensen	Harper	Hillyard
Jenkins	Knudson	Mayne	Okerlund
Stevenson	Niederhauser		

\* \* \*

**2nd Sub. S.B. 196**, LICENSE PLATE READER AMENDMENTS, was read the second time. Senator Weiler explained the bill.

Senator Weiler proposed the following amendment:

- 1. Page 1, Lines 17 through 18:

17       ▶ provides that captured plate data is a protected record under the Government

18       Records Access and Management Act .if the captured plate data is maintained by a governmental entity ;

- 2. Page 3, Lines 65 through 66a  
Senate Committee Amendments  
2-28-2013:

65       (a) by a law enforcement agency for the purpose of protecting public safety, conducting

66       criminal investigations, or ensuring compliance with local  $\hat{S} \rightarrow$   
{-+} . {-+}    {-and-}    $\leftarrow \hat{S}$  state

66a    $\hat{S} \rightarrow$  {-+} . and federal {-+}    $\leftarrow \hat{S}$  laws;

- 3. Page 3, Line 75
  - a. Senate Committee Amendments
  - b. 2-28-2013:

75       Chapter 2, Government Records Access and Management Act .if the captured plate data is maintained by a governmental entity ;

- 4. Page 3, Lines 78 through 78a  
Senate Committee Amendments  
2-28-2013:

78 (c) may not be preserved for more than ~~7~~ **6** ~~months~~  
 {~~seven days for~~} 30 days by a private {~~entities~~  
 78a ~~and~~} entity or nine months {~~for public entities~~} by a  
governmental entity ~~except pursuant to:~~

- 5. Page 3, Line 84  
Senate Committee Amendments  
2-28-2013:

84 (i) in accordance with the disclosure requirements for a  
 {~~private~~} protected record under Section

- 6. Page 5, Line 127  
Senate Committee Amendments  
2-28-2013:

127 A person who violates a provision under this part is guilty of a  
class ~~A~~ **C** {~~A~~} B ~~except pursuant to:~~

Senator Weiler’s motion to amend passed on a voice vote.

###

Senator Van Tassell proposed a verbal amendment as follows:

- 1. Page 3, Line 78a:  
Delete “nine months”and insert “twelve months”

Senator Van Tassell’s motion to amend failed on a voice vote. Senators Van Tassell, Harper, Stephenson, and Madsen 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

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Okerlund	Osmond	Reid

Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

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

**Absent or not voting were:** Senators Mayne Urquhart

\* \* \*

**S.B. 236, UNINSURED AND UNDERINSURED MOTORIST COVERAGE AMENDMENTS,** was read the second time.

Senator Hillyard proposed the following amendment:

- 1. Page 3, Lines 87 through 88:

87 (v) discloses the {~~premium required to purchase the statutory minimum uninsured~~  
 88 ~~motorist coverage and~~} additional premiums required to purchase uninsured motorist coverage

- 2. Page 17, Lines 499 through 500:

499 (v) discloses the {~~premium required to purchase the statutory minimum underinsured~~  
 500 ~~motorist coverage and~~} additional premiums required to purchase underinsured motorist

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

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

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Dayton	Harper
Henderson	Hillyard	Hinkins	Jenkins
Jones	Knudson	Mayne	Okerlund
Reid	Robles	Shiozawa	Stephenson
Thatcher	Valentine	Van Tassell	Vickers
Niederhauser			

**Absent or not voting were:** Senators

Adams	Bramble	Davis	Madsen
Osmond	Stevenson	Urquhart	Weiler

\* \* \*

On motion of Senator Okerlund, and at 11:00 a.m., the Senate sauntered.

The Senate was called to order at 11:20 a.m., with President Niederhauser presiding.

**CORRECTED COMMITTEE REPORT**

Mr. President: March 7, 2013

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **1st Sub. H.C.R. 5**, CONCURRENT RESOLUTION ON REGIONAL CORRECTIONAL FACILITIES AND COUNTY JAIL CONTRACTING, by Representative M. Noel, and recommends it be considered read for the second time and placed on the Consent Calendar.

Margaret Dayton, Chair

On motion of Senator Valentine, the committee report was adopted and the bill was considered read for the second time and placed on the Consent Calendar.

**SECOND READING CALENDAR**

On motion of Senator Osmond, the circle was removed from **H.B. 306**, SCHOOL LAND TRUST PROGRAM AMENDMENTS, and it was before the Senate. Senator Osmond explained the bill. The bill passed second reading on the following roll call:

**Yeas, 22; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Davis	Dayton
Harper	Henderson	Hinkins	Jenkins
Jones	Madsen	Mayne	Osmond
Reid	Robles	Shiozawa	Stephenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler		

**Absent or not voting were:** Senators

Adams	Bramble	Hillyard	Knudson
Okerlund	Stevenson	Niederhauser	

\* \* \*

On motion of Senator Valentine, **1st Sub. S.B. 211**, REDEVELOPMENT AGENCY AMENDMENTS, was read the second time and circled.

\* \* \*

**1st Sub. S.B. 77**, AVAILABILITY OF GOVERNMENT INFORMATION, was read the second time.

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

**2nd Sub. S.B. 77 Availability of Government Information** (D. Henderson)

Senator Henderson explained the bill. Senators Valentine and Jones commented. The bill passed second reading on the following roll call:

**Yeas, 22; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Madsen	Osmond
Reid	Robles	Shiozawa	Stephenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler		

**Absent or not voting were:** Senators

Adams	Hillyard	Knudson	Mayne
Okerlund	Stevenson	Niederhauser	

\* \* \*

**S.B. 241**, DISCLOSURE REQUIREMENTS FOR MIDTERM VACANCY CANDIDATES, was read the second time. Senator Weiler explained the bill. The bill passed second reading on the following roll call:

**Yeas, 19; Nays, 0; Absent or not voting, 10.**

**Voting in the affirmative were:** Senators

Bramble	Dabakis	Davis	Harper
Henderson	Hinkins	Jenkins	Jones
Madsen	Mayne	Osmond	Reid
Robles	Shiozawa	Thatcher	Urquhart
Van Tassell	Vickers	Weiler	

**Absent or not voting were:** Senators

Adams	Christensen	Dayton	Hillyard
Knudson	Okerlund	Stephenson	Stevenson
Valentine	Niederhauser		

**SPECIAL RECOGNITION**

Senator Dayton paid special recognition the Lone Peak High School Basketball team and State 5A Champions and as High School National Champions.

**COMMITTEE OF THE WHOLE**

On motion of Senator Valentine, Coach Quincy Lewis, and members of the Lone Peak High School team spoke in Committee of the Whole. Senator Valentine commented.

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

**SECOND READING CALENDAR**

On motion of Senator Henderson, **S.B. 238**, PROPERTY TAX AMENDMENTS, was read the second time and circled.

\* \* \*

On motion of Senator Bramble, **S.B. 239**, ALCOHOLIC BEVERAGE CONTROL ACT SAMPLING AMENDMENTS, was read the second time and circled.

\* \* \*

On motion of Senator Bramble, the circle was removed from **S.B. 238**, PROPERTY TAX AMENDMENTS, and it was before the Senate. Senator Bramble explained the bill.

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

**1st Sub. S.B. 238 Property Tax Amendments** (C. Bramble)

Senator Bramble proposed the following amendment:

1. Page 4, Lines 115 through 116:



115 (ii) the property is assessed in the next calendar year at a value that is at least five times

116 greater {~~that~~} than the value established at the time of the valuation reduction; and

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

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Madsen	Mayne
Osmond	Reid	Robles	Shiozawa
Stephenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	

**Absent or not voting were:** Senators

Adams	Hillyard	Knudson	Okerlund
Stevenson	Niederhauser		

\* \* \*

On motion of Senator Valentine, the circle was removed from **S.B. 239**, ALCOHOLIC BEVERAGE CONTROL ACT SAMPLING AMENDMENTS, and it was before the Senate. Senator Valentine explained the bill. The bill passed second reading on the following roll call:

**Yeas, 22; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Henderson	Hinkins	Jenkins
Jones	Madsen	Mayne	Osmond
Reid	Robles	Shiozawa	Stephenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler		

**Absent or not voting were:** Senators

Adams	Harper	Hillyard	Knudson
Okerlund	Stevenson	Niederhauser	

\* \* \*

**S.B. 248**, ALCOHOLIC BEVERAGE CONTROL ACT AND SMALL MANUFACTURERS, was read the second time.

Senator Valentine proposed the following amendment:

- 1. Page 18, Lines 543 through 545:

543 (100) “Small brewer” means a brewer who manufactures less  
 than [60,000] {~~100,000~~} 70,000

544 barrels of beer, heavy beer, and flavored malt beverages per year.

545 (101) “Social club license” means a license issued in  
 accordance with Chapter 5, Retail

- 2. Page 22, Lines 665 through 666:

665 (i) the spirituous liquor is manufactured by a manufacturer  
 producing less than

666 [30,000] {~~60,000~~} 45,000 proof gallons of spirituous  
 liquor in a calendar year; and

- 3. Page 22, Lines 671 through 672:

671 (i) the wine is manufactured by a manufacturer producing less  
 than [20,000] {~~40,000~~} 30,000

672 gallons of wine in a calendar year; and

Senator Valentine’s motion to amend passed on a voice vote. Senator Valentine explained the bill. Senators Davis and Van Tassell commented. The bill passed second reading on the following roll call:

**Yeas, 20; Nays, 0; Absent or not voting, 9.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dayton	Harper
Henderson	Hinkins	Jenkins	Jones
Madsen	Mayne	Osmond	Reid
Shiozawa	Stephenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler

**Absent or not voting were:** Senators

Adams	Dabakis	Davis	Hillyard
Knudson	Okerlund	Robles	Stevenson
Niederhauser			

\* \* \*

On motion of Senator Stephenson, **S.B. 133**, SCHOOL PERFORMANCE REPORT AMENDMENTS, was read the second time and circled.

\* \* \*

On motion of Senator Robles, **S.B. 85**, COMMUNITY HEALTH WORKER PROGRAM, was read the second time and circled.

\* \* \*

**2nd Sub. S.B. 107**, PUBLIC SHOOTING RANGES, was read the second time. Senator Christensen explained the bill. Senator Davis commented. The bill passed second reading on the following roll call:

**Yeas, 19; Nays, 2; Absent or not voting, 8.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Jenkins	Jones
Madsen	Mayne	Osmond	Reid
Robles	Shiozawa	Stephenson	Thatcher
Valentine	Van Tassell	Weiler	

**Voting in the negative were:** Senators

Henderson            Vickers

**Absent or not voting were:** Senators

Adams	Hillyard	Hinkins	Knudson
Okerlund	Stevenson	Urquhart	Niederhauser

\* \* \*

**S.B. 232**, ADOPTION CODE REVISIONS, was read the second time. Senator Weiler explained the bill.

Senator Weiler proposed the following amendment:

1. Page 9, Line 247  
Senate Committee Amendments  
3-4-2013:

247      (b) A court    {~~shall~~}    may    not determine that a father  
abandoned the birth mother if the father

- 2. Page 9, Line 249  
Senate Committee Amendments  
3-4-2013:

249 support.

(2)(a) As used in this section, “emotional support” means a pattern of statements or actions that indicate to a reasonable person that a father intends to provide for the physical and emotional well-being of an unborn child.

(b) A court may not find that a father failed to provide emotional support if the father’s failure was due to impossibility of performance.

- 3. Page 9, Line 250  
Senate Committee Amendments  
3-4-2013:

250        {~~(2)~~} (3) Consent or relinquishment, as required by Subsection 78B-6-120(1), may be

- 4. Page 9, Lines 261 through 262  
Senate Committee Amendments  
3-4-2013:

261        {~~(3)~~} (4) Implied consent under Subsection {~~(2)~~} (3) (a) may not be withdrawn.

262        {~~(4)~~} (5) Nothing in this section negates the requirements of Section 78B-6-121 or

Senator Weiler’s motion to amend passed on a voice vote. Senators Valentine and Robles commented. The bill passed second reading on the following roll call:

**Yeas, 19; Nays, 0; Absent or not voting, 10.**

**Voting in the affirmative were:** Senators

Dabakis	Davis	Dayton	Harper
Henderson	Jenkins	Jones	Madsen
Mayne	Osmond	Reid	Robles
Shiozawa	Stephenson	Thatcher	Valentine
Van Tassell	Vickers	Weiler	

**Absent or not voting were:** Senators

Adams	Bramble	Christensen	Hillyard
Hinkins	Knudson	Okerlund	Stevenson
Urquhart	Niederhauser		

\* \* \*

On motion of Senator Madsen, the circle was removed from **1st Sub. H.B. 131**, CONSTITUTIONAL AND FEDERALISM DEFENSE ACT, and it was before the Senate. Senator Madsen explained the bill. Senator Shiozawa commented.

On motion of Senator Madsen, the bill was circled.

### COMMUNICATIONS FROM THE HOUSE

Mr. President:

March 8, 2013

The House passed, as substituted and amended, **2nd Sub. H.B. 114**, SECOND AMENDMENT PRESERVATION ACT, by Representative B. Greene, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 146**, HEALTH CARE PROVIDER AMENDMENTS, by Representative F. Gibson, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 222**, DOMESTIC ASSET PROTECTION TRUST AMENDMENTS, by Representative D. Brown, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 317**, PROTECTION OF CONCEALED FIREARM PERMIT INFORMATION, by Representative J. Anderegg, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.C.R. 11**, CONCURRENT RESOLUTION SUPPORTING THE TRANSFER OF ADMINISTRATION OF THE UTAH NAVAJO OIL AND GAS ROYALTIES TO THE UTAH DINEH CORP, by Representative M. Noel, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

On motion of Senator Okerlund, and at 12:30 p.m., the Senate recessed.

## AFTERNOON SESSION

The Senate reassembled at 2:20 p.m., with President Niederhauser presiding.

### COMMUNICATIONS FROM THE HOUSE

Mr. President: March 8, 2013

The Speaker of the House has signed **2nd Sub. S.B. 24**, ABSENTEE BALLOT AMENDMENTS, by Senator P. Knudson, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **S.B. 120**, TARGET SHOOTING AND WILDFIRE REGULATIONS, by Senator M. Dayton, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **S.B. 145**, COUNTY ATTORNEY CHAPTER RECODIFICATION, by Senator T. Weiler, and it is transmitted for the signature of the President; and

The House passed, **S.C.R. 6**, CONCURRENT RESOLUTION ON FEDERAL GAS TAX, by Senator D. Henderson, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **1st Sub. S.J.R. 11**, JOINT RESOLUTION ON ENVIRONMENTAL AND DEVELOPMENTAL POLICIES, by Senator T. Weiler, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President: March 8, 2013

The House concurred in the Senate amendments and passed **5th Sub. H.B. 204**, ELECTION AMENDMENTS, by Representative S. Eliason, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **2nd Sub. H.B. 217**, STATE FIRE CODE ACT AMENDMENTS, by Representative J. Dunnigan, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **1st Sub. H.B. 230**, EMERGENCY VEHICLE OPERATORS TRAINING

REQUIREMENTS, by Representative G. Froerer, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.B. 246, EXPANDED USES OF SCHOOL DISTRICT PROPERTY TAX REVENUE**, by Representative K. McIff, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

Communications filed. The bills were signed by the President of the Senate in open session and returned to the House for the signature of the Speaker of the House.

\* \* \*

Mr. President: March 7, 2013

The House adopted the Joint Conference Committee Report dated March 8, 2013, and passed **2nd Sub. S.B. 44, CONSTRUCTION TRADES LICENSING REVISIONS**, by Senator K. Mayne, et al, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bill was placed on the top of the Third Reading Calendar.

### STANDING COMMITTEE REPORTS

Mr. President: March 8, 2013

The Economic Development and Workforce Services Committee reports a favorable recommendation on **H.B. 325, MILITARY INSTALLATION DEVELOPMENT AUTHORITY AMENDMENTS**, by Representative B. Dee; and

The Economic Development and Workforce Services Committee recommends **H.B. 328, HIGHWAY LITTERING AND FAILING TO SECURE A LOAD AMENDMENTS**, by Representative R. Greenwood, be replaced and favorably recommends **1st Sub. H.B. 328, HIGHWAY LITTERING AND FAILING TO SECURE A LOAD AMENDMENTS**; and

The Economic Development and Workforce Services Committee reports a favorable recommendation on **H.B. 340, SNOW COLLEGE ECONOMIC DEVELOPMENT AND WORKFORCE PREPARATION ADVISORY COMMITTEE**, by Representative K. McIff; and

The Economic Development and Workforce Services Committee reports a favorable recommendation on **H.B. 344, ESTABLISHMENT OF CHARTER SCHOOLS AMENDMENTS**, by Representative D. Lifferth; and

The Economic Development and Workforce Services Committee reports a favorable recommendation on **H.B. 357**, WASTE MANAGEMENT FACILITIES SITING AMENDMENTS, by Representative R. Menlove, with the following amendments:

1. Page 7, Lines 198 through 201:

198 (g) for a proposed operation plan submitted on or after July 1, 2013, for a new solid or

199 hazardous waste facility other than a water treatment facility that treats, stores, or disposes site-generated solid or hazardous waste onsite , a traffic impact study that:

200 (i) takes into consideration the safety, operation, and condition of roadways serving the

201 proposed facility; and ; and

The Economic Development and Workforce Services Committee recommends **S.B. 95**, WHISTLEBLOWER AMENDMENTS, by Senator S. Reid, be replaced and favorably recommends **2nd Sub. S.B. 95**, WHISTLEBLOWER AMENDMENTS; and

The Economic Development and Workforce Services Committee reports a favorable recommendation on **S.B. 262**, EMPLOYMENT AND HOUSING ANTIDISCRIMINATION, by Senator S. Urquhart; and

The Economic Development and Workforce Services Committee reports a favorable recommendation on **S.C.R 12**, CHILDREN'S AND FAMILIES' CANCER RESEARCH FACILITY CONCURRENT RESOLUTION by Senator J. S. Adams.

Aaron Osmond, Chair

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

### STANDING COMMITTEE REPORTS

Mr. President:

March 7, 2013

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **H.J.R. 12**, JOINT RESOLUTION DISSOLVING



CLARKSTON JUSTICE COURT, by Representative J. Draxler, and recommends it be considered read for the second time and placed on the Consent Calendar.

Margaret Dayton, Chair

On motion of Senator Valentine, the committee reports were adopted. The bills were considered read the second time and placed on the Consent Calendar.

**STANDING COMMITTEE REPORTS**

Mr. President: March 7, 2013

The Business and Labor Committee deleted **S.B. 136, CONSTRUCTION TRADES LICENSING MODIFICATIONS**, by Senator P. Knudson, and replaced it with **1st Sub. S.B. 136, CONSTRUCTION TRADES LICENSING MODIFICATIONS**, and has returned it to the Rules Committee without recommendation; and

With committee review, the Business and Labor Committee has returned **S.B. 210, AMENDMENTS RELATED TO USE OF BUSINESS NAMES**, by Senator T. Weiler, to the Rules Committee without recommendation; and

With committee review, the Business and Labor Committee has returned **S.B. 217, UTILITY LIABILITY LIMITS**, by Senator T. Weiler, to the Rules Committee without recommendation; and

Curtis S. Bramble, Chair

Mr. President: March 8, 2013

Without committee review, the Economic Development and Workforce Services Committee has returned **H.B. 324, PASSING ON THE RIGHT AMENDMENTS**, by Representative L. Christensen, to the Rules Committee without recommendation; and

The Economic Development and Workforce Services Committee has returned **S.B. 46, OCCUPATIONAL SAFETY AND HEALTH AMENDMENTS**, by Senator L. Robles, to the Rules Committee without recommendation but with the following amendments:

1. Page 1, Lines 15 through 16:
  - 15       ▶       creates the Occupational Safety and Health Restricted Account;   {~~and~~}
  - ▶ requires reporting; and

- 16       ▶       makes technical and conforming amendments.
2. Page 8, Lines 231 through 233:
- 231       (3) Subject to appropriation by the Legislature, the division shall use the money in the
- 232       Occupational Safety and Health Restricted Account to ;  
(a) fund the program of investigations
- 233       established under Subsection 34A-6-301(1)(b) {~~z~~} ; and  
(b) with the money remaining in the Occupational Safety and Health Restricted Account after funding the program described in Subsection (3)(a), fund activities of the division that are authorized under this chapter and address occupational health and safety.  
(4) The division shall annually report to the Business, Economic Development, and Labor Appropriations Subcommittee regarding the programs and services funded by the Occupational Safety and Health Restricted Account. ; and

The Economic Development and Workforce Services Committee has returned **S.B. 288**, UNIFORM AGRICULTURE COOPERATIVE ASSOCIATION ACT AMENDMENTS, by Senator D. Hinkins, to the Rules Committee.

Aaron Osmond, Chair

Mr. President: March 7, 2013

Without committee review, the Education Committee has returned **1st Sub. H.B. 134**, PARENTAL NOTIFICATION RELATED TO STUDENT SAFETY, by Representative G. Froerer, to the Rules Committee; and

Without committee review, the Education Committee has returned **1st Sub. H.B. 139**, SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS ACTION CENTER, by Representative V. Peterson, to the Rules Committee; and

Without committee review, the Education Committee has returned **H.B. 206**, INTERNET SAFETY FOR PUBLIC SCHOOLS, by Representative E. Hutchings, to the Rules Committee; and

The Education Committee has returned **S.B. 69**, ASSESSMENT AND REPORTING OF STUDENT PERFORMANCE, by Senator R. Okerlund, to the Rules Committee without recommendation with the following amendments:

- 1. Page 2, Line 45:

45 53A-3-602.5, as last amended by Laws of Utah 2011, Chapter  
321

ENACTS:

53A-1-607.5, Utah Code Annotated 1953

- 2. Page 7, Lines 190 through 191:

190 assessment results.

Section 4. Section 53A-1-607.5 is enacted to read:

53A-1-607.5. Release of class level test scores to a parent or guardian -- Exception.

(1) Except as provided in Subsection (2), a school principal shall release U-PASS test scores aggregated at a class level to the parent or guardian of a student enrolled in the school upon the request of the student's parent or guardian.

(2) Test scores aggregated at the class level may not be revealed if fewer than 10 test scores are in the group of aggregated test scores.

191 Section {4} 5 . Section 53A-3-602.5 is amended to read:

- 3. Page 11, Lines 317 through 318:

317 shall ;

(a) protect each student's privacy by not revealing personally identifiable information about a

318 student {~~1~~} ; and

(b) prohibit the reporting of student test scores aggregated by teacher or by class to assure that student test score data that may constitute a portion of a teacher's performance evaluation is not revealed. ; and

Without committee review, the Education Committee has returned **S.B. 134, UTAH PERFORMANCE ASSESSMENT SYSTEM FOR STUDENTS (U-PASS) AMENDMENTS**, by Senator M. Dayton, to the Rules Committee; and

With committee review, the Education Committee has returned **S.B. 243**, BULLYING AND HAZING AMENDMENTS, by Senator L. Robles, to the Rules Committee without recommendation.

Stuart C. Reid, Chair

Mr. President:

March 7, 2013

Without committee review, the Government Operations and Political Subdivisions Committee has returned **1st Sub. H.B. 130**, BOUNDARY ADJUSTMENT AMENDMENTS, by Representative M. Brown, to the Rules Committee; and

Without committee review, the Government Operations and Political Subdivisions Committee has returned **H.B. 192**, COUNTY CLERK MISCONDUCT PENALTY, by Representative D. Layton, to the Rules Committee; and

Without committee review, the Government Operations and Political Subdivisions Committee has returned **1st Sub. H.B. 193**, UTAH STATE EMPLOYMENT AMENDMENTS, by Representative B. Dee, to the Rules Committee; and

Without committee review, the Government Operations and Political Subdivisions Committee has returned **1st Sub. H.B. 200**, REVISOR'S STATUTE, by Representative B. Dee, to the Rules Committee; and

Without committee review, the Government Operations and Political Subdivisions Committee has returned **H.B. 384**, PROPERTY DISPOSITION AMENDMENTS, by Representative B. Dee, to the Rules Committee; and

Without committee review, the Government Operations and Political Subdivisions Committee has returned **S.B. 47**, PROCUREMENT AMENDMENTS – SMALL PURCHASES, by Senator R. Okerlund, to the Rules Committee; and

Without committee review, the Government Operations and Political Subdivisions Committee has returned **S.B. 91**, STATE AUDITOR AMENDMENTS, by Senator J. Valentine, to the Rules Committee; and

Without committee review, the Government Operations and Political Subdivisions Committee has returned **S.B. 149**, GOVERNMENTAL IMMUNITY AMENDMENTS, by Senator J. S. Adams, to the Rules Committee; and

Without committee review, the Government Operations and Political Subdivisions Committee has returned **S.B. 197**, PRIVATE INVESTIGATORS QUALIFICATION AMENDMENTS, by Senator M. Dayton, to the Rules Committee; and

Without committee review, the Government Operations and Political Subdivisions Committee has returned **S.B. 286**, EMPLOYEE LUNCH BREAK AMENDMENTS, by Senator L. Robles, to the Rules Committee.

Margaret Dayton, Chair

Mr. President: March 8, 2013

Without review, the Retirement and Independent Entities Committee has returned **S.B. 139**, UTAH SCIENCE CENTER AUTHORITY AMENDMENTS, by Senator T. Weiler, to the Rules Committee without recommendation.

Todd Weiler, Chair

Mr. President: March 8, 2013

Without committee review, the Revenue and Taxation Committee has returned **H.B. 274**, TAX CREDITS FOR EMPLOYING A HOMELESS PERSON, by Representative B. King, to the Rules Committee; and

Without committee review, the Revenue and Taxation Committee has returned **H.B. 377**, TRANSPORTATION FUNDING MODIFICATIONS, by Representative B. Dee, to the Rules Committee without recommendation; and

Without committee review, the Revenue and Taxation Committee has returned **H.B. 382**, ESCALANTE REGION GRAZING ZONE, by Representative M. Noel, to the Rules Committee; and

Without committee review, the Revenue and Taxation Committee has returned **S.B. 75**, PUBLICATION OF PROPERTY TAX APPEALS FOR NONRESIDENTIAL PROPERTY, by Senator K. Van Tassell, to the Rules Committee; and

The Revenue and Taxation Committee has returned **S.B. 154**, SALES AND USE TAXATION OF WATER, by Senator S. Jenkins, to the Rules Committee without recommendation with the following amendments:

1. Page 103, Lines 3165 through 3167:

3165 (4) (a) Notwithstanding Subsection (3)(a), for a fiscal year beginning on or after July 1,

3166 2003, the lesser of the following amounts shall be  
{-used-} expended as provided in Subsections (4)(b)

3167 through (g):

2. Page 109, Lines 3346 through 3350:

3346 (13) The Division of Finance shall annually deposit into the  
Water Resources

3347 Conservation and Development Fund created in Section  
73-10-24 an amount equal to the

3348 amount of state sales and use tax revenues collected under this  
section on amounts paid or

3349 charged under Subsection (1)(n).

(14) Notwithstanding Subsections (4) through (12), an amount  
required to be expended or deposited in accordance with Subsections (4)  
through (12) may not include an amount the Division of Finance deposits  
in accordance with Subsection (13).

3350 Section 4. Section 59-12-103 (Effective 07/01/14) is amended  
to read:

3. Page 116, Lines 3562 through 3564:

3562 (4) (a) Notwithstanding Subsection (3)(a), for a fiscal year  
beginning on or after July 1,

3563 2003, the lesser of the following amounts shall be  
{-used-} expended as provided in Subsections (4)(b)

3564 through (g):

4. Page 121, Lines 3742 through 3747:

3742 described in Subsection (2)(d).

3743 (13) The Division of Finance shall annually deposit into the  
Water Resources

3744 Conservation and Development Fund created in Section  
73-10-24 an amount equal to the

3745 amount of state sales and use tax revenues collected under this  
section on amounts paid or

3746 charged under Subsection (1)(n).

(14) Notwithstanding Subsections (4) through (12), an amount

required to be expended or deposited in accordance with Subsections (4) through (12) may not include an amount the Division of Finance deposits in accordance with Subsection (13).

3747 Section 5. Section 59–12–104 is amended to read: ; and

Without committee review, the Revenue and Taxation Committee has returned **S.B. 266**, TAX REVISIONS, by Senator J. Valentine, to the Rules Committee.

Deidre M. Henderson, Chair

Mr. President:

March 6, 2013

Without committee review, the Transportation and Public Utilities and Technology Committee has returned **H.B. 103**, WIRELESS TELEPHONE USE RESTRICTIONS, by Representative L. Perry, to the Rules Committee; and

With committee review, the Transportation and Public Utilities and Technology Committee has returned **S.B. 76**, OUTDOOR ADVERTISING TECHNOLOGY AMENDMENTS, by Senator P. Knudson, to the Rules Committee without recommendation; and

Without committee review, the Transportation and Public Utilities and Technology Committee has returned **S.B. 121**, TRAFFIC REGULATIONS REGARDING BUSES, by Senator K. Mayne, to the Rules Committee; and

Without committee review, the Transportation and Public Utilities and Technology Committee has returned **S.B. 220**, TRAFFIC CODE AMENDMENTS, by Senator P. Knudson, to the Rules Committee; and

Without committee review, the Transportation and Public Utilities and Technology Committee has returned **S.B. 240**, BILLBOARD AMENDMENTS, by Senator S. Urquhart, to the Rules Committee; and

With committee review, the Transportation and Public Utilities and Technology Committee has returned **S.B. 253**, SALE OF DOGS AND CATS, by Senator G. Davis, to the Rules Committee without recommendation.

Kevin T. Van Tassell, Chair

On motion of Senator Valentine, the committee reports were adopted. The bills were returned to the Rules Committee.

### CONSENT CALENDAR

On motion of Senator Valentine, the circle was removed from **1st Sub. H.B. 287**, RETURN OF WEAPONS RECOVERED BY LAW

ENFORCEMENT, and it was before the Senate. The bill passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dayton	Harper
Henderson	Hillyard	Hinkins	Jenkins
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Bramble	Dabakis	Davis	Jones
Robles			

**1st Sub. H.B. 287**, as amended, was returned to the House for further consideration.

### THIRD READING CALENDAR

On motion of Senator Hillyard, the circle was removed from **H.B. 31**, ENTICING A MINOR AMENDMENTS, and it was before the Senate. The bill passed on the following roll call:

**Yeas, 22; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dayton	Harper
Henderson	Hillyard	Hinkins	Knudson
Madsen	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Bramble	Dabakis	Davis	Jenkins
Jones	Mayne	Robles	

**H.B. 31** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Okerlund, and at 2:35 p.m., the Senate sauntered.



The Senate was called to order at 2:55 p.m., with President Niederhauser presiding.

**THIRD READING CALENDAR**

On motion of Senator Davis, the circle was removed from **H.B. 104**, WIRELESS CALL LOCATION INFORMATION, and it was before the Senate.

Senator Madsen proposed the following amendment:

- 1. Page 2, Line 39:

39 regarding a telecommunication device user whom a law enforcement agency has reason to believe is in need of services under Subsection (2)(a) or (b), upon the request of a law enforcement agency or a

- 2. Page 2, Lines 42 through 43:

42 (a) a call for emergency response services; or

43 (b) an emergency situation that involves the imminent risk of death or serious bodily injury as

- 3. Page 2, Line 51:

51 {~~telecommunications~~} telecommunication service providers that provide services in this state to facilitate communicating location

Senator Madsen’s motion to amend passed on a voice vote. The bill passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Davis	Dayton
Harper	Henderson	Hinkins	Jones
Knudson	Madsen	Mayne	Okerlund
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Bramble	Dabakis	Hillyard	Jenkins
Osmond			

**H.B. 104**, as amended, was returned to the House for further consideration.

### SECOND READING CALENDAR

**S.B. 86**, INDEPENDENT EXECUTIVE BRANCH ETHICS COMMISSION, was read the second time.

Senator Valentine proposed the following amendment:

1. Page 28, Lines 843 through 848:

843 (1) Subject to the requirements of this chapter, the commission  
may review an ethics

844 complaint against an executive branch elected official if the  
complaint alleges that the

845 executive branch elected official has committed {~~—~~}

846 (a) a high crime;

847 (b) a misdemeanor; or

848 (c) malfeasance in office—} a violation .

2. Page 39, Lines 1186 through 1188:

1186 (iv) for each allegation that was found to {~~—be—~~} have  
merit:

1187 (A) describes the high crime, misdemeanor, or malfeasance  
 {~~—of—~~} in office allegedly

1188 committed by the respondent;

3. Page 45, Line 1370:

1370 (c) decline to hear or call a witness {~~—that—~~} who is  
requested by a complainant or a respondent;

Senator Valentine's motion to amend passed on a voice vote. Senator Valentine 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

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard

Hinkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Bramble                      Jenkins

\* \* \*

**1st Sub. S.B. 247**, AMENDMENTS TO REVENUE AND TAXATION, was read the second time.

Senator Harper proposed the following amendment:

1. Page 11, Lines 309 through 310:

309        (b) the report of an audit or investigation made with respect  
 [theretø]    to a tax return or

310 report, a related schedule, or a document described in Subsection  
(2)(a).

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

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Dabakis	Davis	Dayton	Harper
Henderson	Hillyard	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Adams                      Bramble                      Christensen                      Urquhart

\* \* \*

**1st Sub. S.J.R. 3**, JOINT RULES RESOLUTION ON REQUESTS FOR LEGISLATION, was read the second time. Senator Osmond explained the bill.

Senators Valentine, Madsen, Stephenson, and Hillyard commented. The bill passed second reading on the following roll call:

**Yeas, 17; Nays, 10; Absent or not voting, 2.**

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Dayton	Harper
Henderson	Jones	Madsen	Mayne
Osmond	Reid	Robles	Shiozawa
Stephenson	Valentine	Vickers	Weiler
Niederhauser			

**Voting in the negative were:** Senators

Adams	Davis	Hillyard	Hinkins
Jenkins	Knudson	Okerlund	Stevenson
Thatcher	Van Tassell		

**Absent or not voting were:** Senators

Bramble	Urquhart
---------	----------

\* \* \*

On motion of Senator Osmond, the Senate voted to allow him to cast an aye vote on **H.B. 104**. The corrected vote is as follows:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Davis	Dayton
Harper	Henderson	Hinkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Bramble	Dabakis	Hillyard	Jenkins
---------	---------	----------	---------

\* \* \*

On motion of Senator Okerlund, **S.B. 237**, TAXATION OF SHORT-TERM LODGING, was read the second time and circled.

\* \* \*

On motion of Senator Okerlund, **S.B. 249**, SALVAGE AND NONREPAIRABLE VEHICLE AMENDMENTS, was read the second time and circled.

\* \* \*

On motion of Senator Hinkins, **S.B. 251**, TRUTH IN ADVERTISING, was read the second time and circled.

\* \* \*

On motion of Senator Harper, **S.B. 255**, HUMAN SERVICES AMENDMENTS, was read the second time and circled.

\* \* \*

**1st Sub. S.B. 244**, UTAH DEPARTMENT OF AGRICULTURE AND FOOD AMENDMENTS, was read the second time.

Senator Hinkins proposed the following amendment:

- 1. Page 8, Lines 232 through 236:

232 (f) refrains from offering the raw milk for sale until:

233 (i) the department or a third party certified by the department  
tests each batch of raw milk ~~{-is tested-}~~ for standard plate count  
and coliform count ~~{-from an~~

234 ~~official sample taken-}~~ [at the self-owned retail store and  
tested] ~~{-by the department or a third~~

235 ~~party certified by the department-}~~ ; and

236 (ii) the test results meet the minimum standards established for  
those tests;

Senator Hinkins' motion to amend passed on a voice vote. Senator Hinkins 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

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard

Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Bramble                      Van Tassell

\* \* \*

**S.B. 254, PENALTY FOR WELL DRILLING WITHOUT A LICENSE,** was read the second time.

Senator Vickers proposed a verbal amendment as follows:

1. Page 1, Line 27:

After "engineer" delete "shall" and insert "may"

Senator Vickers' motion to amend passed on a voice vote. Senator Harper explained the bill. The bill passed second reading on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Dayton	Harper
Henderson	Hillyard	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Vickers	Weiler	

**Absent or not voting were:** Senators

Adams                      Bramble                      Davis                      Hinkins  
Van Tassell                      Niederhauser

\* \* \*

On motion of Senator Valentine, **1st Sub. S.B. 82, STUDENT ACHIEVEMENT BACKPACK,** was read the second time and circled.

\* \* \*

On motion of Senator Harper, the circle was removed from **S.B. 255, HUMAN SERVICES AMENDMENTS,** and it was before the Senate.

Senator Harper proposed the following amendment:

- 1. Page 6, Line 158:

158 Subsection (1), shall be trained on and implement into practice the following items, in order of preference and priority :

- 2. Page 6, Line 173:

173 (2) A guardian ad litem shall be trained ~~{-in-}~~ on and implement into practice :

- 3. Page 7, Lines 190 through 191:

190 terminated and no appropriate adoption placement is available; and

191 (i) the use of an individualized permanency plan, only as a last resort.

(3) The Office of the Guardian ad Litem shall implement policies and practice guidelines that reflect the priorities described in Subsections (2)(e) through (i) for the placement of children.

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

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Vickers	Weiler

**Absent or not voting were:** Senators

Bramble	Davis	Robles	Van Tassell
Niederhauser			

\* \* \*

**S.B. 257, PERSONALIZED EDUCATOR EVALUATION TECHNOLOGY,** was read the second time. Senator Adams explained the bill. Senators Jones and Osmond commented. The bill passed second reading on the following roll call:

**Yeas, 17; Nays, 7; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Harper	Henderson	Jenkins
Knudson	Madsen	Okerlund	Osmond
Reid	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler			

**Voting in the negative were:** Senators

Christensen	Dabakis	Hillyard	Hinkins
Jones	Mayne	Shiozawa	

**Absent or not voting were:** Senators

Bramble	Davis	Dayton	Robles
Niederhauser			

\* \* \*

**1st Sub. S.B. 260, READING ASSESSMENT AMENDMENTS,** was read the second time.

Senator Urquhart proposed the following amendment:

1. Page 1, Line 21 through Page 2, Line 27:

21 interactive software program shall include instruction for grades 2 and 3; and

22 ► provides that a school district or charter school that received a license during the

23 prior year for the early intervention interactive computer software program shall be

24 given first priority to receive a license during the current year {—; and—} =

25 {—► requires the Education Interim Committee to study the reading performance of

26 students enrolled in a half-day kindergarten program as compared to the reading performance

27 of students enrolled in an all-day kindergarten program.—}

2. Page 2, Lines 28 through 38:



28 Money Appropriated in this Bill:

29 This bill appropriates in fiscal year 2014:

30 ► to the State Board of Education – State Office of Education – Contracts and Grants –

31 K–3 Reading Diagnostic Assessment System, as an ongoing appropriation:

32 • from the Education Fund, (\$2,200,000); and

33 ► to the State Board of Education – State Office of Education – Contracts and Grants –

34 Early Intervention, as an ongoing appropriation:

35 • from the Education Fund, {–\$2,500,000; and–} \$4,700,000.

36 {–► to the State Board of Education – State Office of Education – Contracts and Grants –

37 ~~Early Intervention, as a one-time appropriation:~~

38 • ~~from the Education Fund, \$5,000,000.—}~~

3. Page 2, Lines 47 through 49:

47 53A–17a–167, as enacted by Laws of Utah 2012, Chapter 420

48 {–Uncodified Material Affected:

49 ENACTS UNCODIFIED MATERIAL–}

4. Page 11, Lines 329 through 333:

329 (6) ~~[The]~~ (a) Subject to legislative appropriations, by June 30 of each year, the State

330 Board of Education shall select one or more technology providers, through a request for

331 proposals process, to provide an interactive computer software program for literacy {–or

332 numeracy–} instruction {–, or both,–} and assessments for students in kindergarten ~~[and]~~ through

333 grade ~~[1]~~ 3.

5. Page 12, Lines 346 through 351:

346 {~~Section 5. Interim study of kindergarten programs.~~  
 347 The Education Interim Committee shall study a comparison of  
 348 the student reading  
 348 performance of students enrolled in a half-day kindergarten  
 348 program to the student reading  
 349 performance of students enrolled in an all-day kindergarten  
 349 program, as measured by the  
 350 benchmark assessments of kindergarten students reading at grade  
 350 level required in Section  
 351 53A-17a-150.}

6. Page 12, Line 358 through Page 13, Line 367:

358 To State Board of Education – State Office of Education  
 359 From Education Fund (\$2,200,000)  
 360 Schedule of Programs:  
 361 Contracts and Grants – K-3 Reading Program –  
 362 Diagnostic Assessment System (\$2,200,000)  
 363 To State Board of Education – State Office of Education  
 364 From Education Fund {~~\$2,500,000~~} \$4,700,000  
 365 {~~From Education Fund, one-time~~ \$5,000,000}  
 366 Schedule of Programs:  
 367 Contracts and Grants –  
 367 Early Intervention {~~\$7,500,000~~} \$4,700,000

7. Page 13, Lines 368 through 372:

368 The Legislature intends that:  
 369 (1) the appropriation for Contracts and Grants –  
 369 Early Intervention be used by the State  
 370 Board of Education to select one or more technology providers to  
 370 provide an interactive  
 371 computer software program for literacy {~~or numeracy~~}  
 371 instruction {~~, or both,~~} and assessments for  
 372 students {~~in kindergarten and grade 1~~} as described in  
 372 Subsection 53A-17a-167(6);  
 Renumber remaining sections accordingly.

Senator Urquhart’s motion to amend passed on a voice vote. Senator Urquhart explained the bill. Senators Jones and Jenkins commented.

On motion of Senator Urquhart, the bill was circled.

\* \* \*

On motion of Senator Reid, **1st Sub. S.B. 177**, HIGHWAY DESIGNATION AMENDMENTS, was read the second time and circled.

\* \* \*

On motion of Senator Adams, **S.B. 267**, NEW CONVENTION HOTEL DEVELOPMENT INCENTIVE ACT, was read the second time and circled.

\* \* \*

**S.B. 265**, REFERENDUM AMENDMENTS, was read the second time.

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

**1st Sub. S.B. 265 Referendum Amendments (J. Valentine)**

Senator Valentine explained the bill. The bill passed second reading on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Bramble	Dabakis	Davis	Dayton
Henderson	Hillyard	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler

**Absent or not voting were:** Senators

Adams	Christensen	Harper	Reid
Niederhauser			

\* \* \*

On motion of Senator Okerlund, the circle was removed from **S.B. 212**, JUDICIAL CODE AMENDMENTS, and it was before the Senate. Senator

Okerlund explained the bill. Senators Valentine, Osmond, Urquhart, Hillyard, Weiler, and Knudson commented.

On motion of Senator Okerlund, the bill was circled.

\* \* \*

On motion of Senator Hillyard, the circle was removed from **H.B. 210, MOTOR VEHICLE EMISSION AMENDMENTS**, and it was before the Senate. Senator Hillyard explained the bill.

On motion of Senator Hillyard, under suspension of the rules, **H.B. 210, MOTOR VEHICLE EMISSION AMENDMENTS**, was considered read the second and third times and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Vickers	Weiler	

**Absent or not voting were:** Senators

Van Tassell	Niederhauser
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**H.B. 210** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Urquhart, the circle was removed from **1st Sub. S.B. 260, READING ASSESSMENT AMENDMENTS**, and it was before the Senate. Senator Urquhart explained the bill. Senators Jones and Stephenson 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

Adams	Bramble	Christensen	Dayton
Harper	Henderson	Hinkins	Jenkins

Knudson	Madsen	Okerlund	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler			

**Voting in the negative were:** Senators

Dabakis	Davis	Hillyard	Jones
Mayne	Robles		

**Absent or not voting were:** Senators

Osmond	Niederhauser
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\* \* \*

On motion of Senator Madsen, the circle was removed from **1st Sub. H.B. 131, CONSTITUTIONAL AND FEDERALISM DEFENSE ACT**, and it was before the Senate. Senator Madsen explained the bill. Senators Davis and Thatcher commented. The bill passed second reading on the following roll call:

**Yeas, 21; Nays, 5; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Harper
Henderson	Hillyard	Hinkins	Jenkins
Knudson	Madsen	Okerlund	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler			

**Voting in the negative were:** Senators

Dabakis	Davis	Jones	Mayne
Robles			

**Absent or not voting were:** Senators

Dayton	Osmond	Niederhauser
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\* \* \*

On motion of Senator Harper, the circle was removed from **S.B. 181, POLITICAL SUBDIVISIONS PROPERTY AMENDMENTS**, and it was before the Senate.

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

**1st Sub. S.B. 181 Political Subdivisions Property Amendments**  
(W. Harper)

Senator Harper proposed the following amendment:

1. Page 3, Lines 72 through 74:

72        (1) A political subdivision or educational entity { - : }  
 73        (a) shall hold property in trust for the public's interest; and  
 74        (b)- }    except as provided in Subsection (2), may not sell,  
alienate, give away, or otherwise

2. Page 3, Lines 76 through 87:

76        (2) Subsection (1) does not apply to:  
(a) property that is made available at a reduced or no cost to a  
member of the public, the media, a business, or other entity as part of a  
regular government program, practice, or system at a reduced or no  
cost;

77        { -(a)- } (b) property conveyed in accordance with  
Section 11-13-214;

78        { -(b)- } (c) property described in Section 11-13-215;

79        { -(e)- } (d) a service or assistance provided by a county  
in accordance with Section 17-50-303;

80        { -(d)- } (e) property that is:

81        (i) subject to Subsection (3), a record requested in accordance  
with Title 63G, Chapter

82        2. Government Records Access and Management Act; and

83        (ii) is requested for a purpose, including media purposes, other  
than commercial use;

84        { -(e)- } (f) property requested by, conveyed to, or  
otherwise disposed to the state, another

85        political subdivision, or the federal government;

86        { -(f)- } (g) the acquisition or disposal of property in  
accordance with Section 10-8-2; or

87        { -(g)- } (h) any transfer of property specifically  
authorized by law.

Senator Harper’s motion to amend passed on a voice vote. Senator Harper explained the bill. Senators Valentine and Weiler commented. The bill passed second reading on the following roll call:

**Yeas, 22; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jones	Knudson	Mayne
Okerlund	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler		

**Absent or not voting were:** Senators

Davis	Jenkins	Madsen	Osmond
Reid	Robles	Niederhauser	

**JOINT CONFERENCE COMMITTEE REPORT**

Mr. President: March 7, 2013

The Joint Conference Committee comprised of Senators K. Mayne, K. Van Tassell, and D. Hinkins, and Representatives J. Dunnigan, J. Bird, and S. Duckworth, recommends **2nd Sub. S.B. 44, CONSTRUCTION TRADES LICENSING REVISIONS**, by Senator K. Mayne, with the following amendments:

1. Page 17, Lines 505 through 506:

505 a bond that is in a form determined by the commission with the concurrence of the director and in an amount that is :

506 (A) {~~in an amount and form~~} determined by the commission with the concurrence of the

2. Page 17, Line 508:

508 (B) {~~in an amount not less than~~} 20% of the annual gross distributions from the

Sen. Karen Mayne and  
Rep. Jim Dunnigan, Chairs

\* \* \*

On motion of Senator Mayne, the Senate voted to move to Third Reading Calendar.

**THIRD READING CALENDAR**

**2nd Sub. S.B. 44**, CONSTRUCTION TRADES LICENSING REVISIONS, was before the Senate.

On motion of Senator Mayne, the Senate voted to adopt the Joint Conference Committee report on **2nd Sub. S.B. 44**. The bill passed on the following roll call vote:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jones	Knudson	Mayne
Okerlund	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	

**Absent or not voting were:** Senators

Davis	Jenkins	Madsen	Osmond
Reid	Niederhauser		

**2nd Sub. S.B. 44** was transmitted to the House.

**COMMUNICATIONS FROM THE HOUSE**

Mr. President: March 8, 2013

The House passed, as amended, **H.B. 166**, WATER RIGHTS AMENDMENTS, by Representative K. Ivory, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 387**, VITAL STATISTICS ACT AMENDMENTS, by Representative J. Nielson, and it is transmitted for consideration; and

The House passed **H.J.R. 14**, JOINT RESOLUTION ON WATER RIGHTS, by Representative K. Ivory, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President: March 8, 2013

The Speaker of the House has appointed a Conference Committee consisting of Representatives S. Cox, D. Brown, and B. King to meet with a like committee



from the Senate to consider or amend **H.B. 279**, ADMINISTRATIVE HEARINGS BY COUNTIES, by Representative S. Cox.

Sandy D. Tenney, Chief Clerk

\* \* \*

On motion of Senator Okerlund, and at 5:05 p.m., the Senate adjourned until 8:00 a.m., Monday, March 11, 2013.

# FORTY-SECOND DAY

## MORNING SESSION

**March 11, 2013**

The Senate was called to order at 8:10 a.m., with President Wayne Niederhauser presiding.

**Prayer** – Ben Ader, Senator Dabakis' intern

**Pledge of Allegiance** – Hailey Melton

**Roll Call** – All Senators present

### READING OF TITLES OF BILLS AND RESOLUTIONS

(PLEASE REFER TO DAY 1, PAGE 81)

### COMMUNICATIONS FROM THE HOUSE

Mr. President:

March 8, 2013

The House passed, as substituted, **2nd Sub. H.B. 91**, VOTER REGISTRATION – ELECTION DAY VOTER REGISTRATION, by Representative R. Chavez-Houck, et al, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 164**, STATE AND POLITICAL SUBDIVISION JURISDICTIONAL AMENDMENTS, by Representative M. Roberts, et al, and it is transmitted for consideration; and

The House passed **H.B. 172**, PUBLIC SAFETY RADIO COMMUNICATION AMENDMENTS, by Representative B. Dee, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 236**, LAND DEVELOPMENT REVISIONS, by Representative M. Brown, and it is transmitted for consideration; and

The House passed **H.B. 373**, SMALL SCHOOL FUNDING, by Representative K. McIff, and it is transmitted for consideration; and

The House passed **H.J.R. 15**, JOINT RESOLUTION ON STATE AND POLITICAL SUBDIVISIONS JURISDICTION, by Representative M. Roberts, and it is transmitted for consideration; and

The House passed **H.J.R. 16**, JOINT RULES RESOLUTION ON CAMPAIGN CONTRIBUTIONS, by Representative G. Hughes, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

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

### STANDING COMMITTEE REPORTS

Mr. President:

March 7, 2013

Without committee review, the Government Operations and Political Subdivisions Committee has returned **1st Sub. H.B. 337**, PERMANENT STATE TRUST FUND INVESTMENT AMENDMENTS, by Representative J. Nielson, to the Rules Committee.

Margaret Dayton, Chair

On motion of Senator Valentine, the committee report was adopted. The bill was returned to the Rules Committee.

### INTRODUCTION OF BILLS

**S.B. 2, New Fiscal Year Supplemental Appropriations Act** (L. Hillyard), was read the first time by short title and referred to the Rules Committee.

**S.B. 7, State Agency and Higher Education Compensation Appropriations** (L. Hillyard), was read the first time by short title and referred to the Rules Committee.

### CONSENT CALENDAR

**1st Sub. H.B. 336**, AMENDMENTS TO ECONOMIC DEVELOPMENT, was read the third time, explained by Senator Stevenson, and passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Valentine	Van Tassell	Weiler	Niederhauser

**Absent or not voting were:** Senators

Madsen	Robles	Thatcher	Urquhart
Vickers			

**1st Sub. H.B. 336** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**2nd Sub. H.B. 111**, EMINENT DOMAIN AMENDMENTS, was read the third time, explained by Senator Jenkins, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Madsen	Robles	Thatcher	Urquhart
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**2nd Sub. H.B. 111** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Hinkins, under suspension of the rules, the Senate voted to lift **1st Sub. S.B. 277**, GREEN RIVER ENERGY ZONE, from the Consent Calendar and place it at the bottom of the Second Reading Calendar

**THIRD READING CALENDAR**

**1st Sub. S.B. 229**, APPELLATE BOND FOR STATE ENTITIES, was read the third time, explained by Senator Bramble, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson

Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Niederhauser			

**Absent or not voting were:** Senators

Madsen	Robles	Urquhart	Weiler
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**1st Sub. S.B. 229** was transmitted to the House for consideration.

\* \* \*

**1st Sub. S.J.R. 14**, JOINT RESOLUTION AMENDMENT CIVIL PROCEDURE RULE 62, was read the third time, explained by Senator Bramble, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Knudson
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Voting in the negative was:** Senator

Jones

**Absent or not voting were:** Senators

Madsen	Robles	Urquhart
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**1st Sub. S.J.R. 14** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Davis, **2nd Sub. S.B. 183**, ADOPTION AGENCY MODIFICATIONS, was read the third time and circled.

\* \* \*

**2nd Sub. S.B. 196**, LICENSE PLATE READER AMENDMENTS, was read the third time and explained by Senator Weiler. Senator Hillyard commented.

On motion of Senator Weiler, the bill was circled.

\* \* \*

On motion of Senator Weiler, the Senate voted to allow him to be counted as an aye for to **1st Sub. S.B 229**. The corrected vote is as follows:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Madsen	Robles	Urquhart
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\* \* \*

**S.B. 236, UNINSURED AND UNDERINSURED MOTORIST COVERAGE AMENDMENTS**, was read the third time and explained by Senator Hillyard.

Senator Hillyard proposed a verbal amendment as follows:

1. Page 10, Line 280:  
After “apply to” insert “arbitration”
2. Page 23, Line 680  
After “apply to” insert “arbitration”

Senator Hillyard’s motion to amend passed on a voice vote and the bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson

Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Bramble                      Urquhart

**S.B. 236** was transmitted to the House for consideration.

On motion of Senator Hillyard, the Senate voted to include the following intent language in the Senate Journal:

**INTENT LANGUAGE**

With respect to 31A-22-305 (4) (a) (iv) & 31a-22-305 (3) (a) (iv): The intent is that the language in the selection/rejection form does not have to mirror this language, but can be substantially similar.

\* \* \*

On motion of Senator Weiler, the circle was removed from **2nd Sub. S.B. 196, LICENSE PLATE READER AMENDMENTS**, and it was before the Senate. Senator Weiler explained the bill. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting was:** Senator

Urquhart

**2nd Sub. S.B. 196** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Adams, the circle was removed from **S.B. 151, AUTHORIZATION OF CHARTER SCHOOLS BY HIGHER EDUCATION INSTITUTIONS**, and it was before the Senate.

Senator Adams proposed the following amendment:

1. Page 1, Lines 13 through 18  
Senate Committee Amendments  
2-5-2013:
 

13 This bill:

14 {~~→~~ removes the requirement to obtain the approval of the  
Utah College of Applied

15 Technology Board of Trustees before a campus board of directors  
enters into an

16 agreement authorizing an individual or not-for-profit entity to  
establish and operate

17 a charter school; ~~→~~

▶ establishes procedures and criteria for the approval of a charter  
school application by the Utah College of Applied Technology Board of  
Trustees;

▶ provides that a charter school application may not be denied due  
to certain impacts to a public school;

18 ▶ allows a campus board of directors of a college campus  
within the Utah College of
2. Page 3, Lines 83 through 85  
Senate Committee Amendments  
2-5-2013:
 

83 (1) Subject to the approval of the State Board of Education  
{~~→~~} and except as provided in

84 Subsection (8) {~~→~~} , an individual or entity identified in  
Section 53A-1a-504 may enter into an

85 agreement with a board of trustees of a higher education institution  
authorizing the individual
3. Page 5, Lines 135 through 151  
Senate Committee Amendments  
2-5-2013:
 

135 assist them in understanding and performing their charter  
obligations.

136 {~~→~~} (8) (a) In addition to complying with the  
requirements of this section, a campus board



137 of directors of a college campus within the Utah College of Applied Technology shall obtain

138 the approval of the Utah College of Applied Technology Board of Trustees before entering into

139 an agreement to establish and operate a charter school. {--}

(b) If a campus board of directors of a college campus with the Utah College of Applied Technology approves an application to establish and operate a charter school, the campus board of directors of the college campus shall submit the application to the Utah College of Applied Technology Board of Trustees.

(c) The Utah College of Applied Technology Board of Trustees shall, by majority vote, within 60 days or receipt of the application, approve or deny the application approved by the campus board of directors.

(d) The Utah College of Applied Technology Board of Trustees may deny an application approved by a campus board of directors if the proposed charter school does not accomplish a purpose of charter schools as provided in Section 53A-1a-503.

(e) A charter school application may not be denied on the basis that the establishment of the charter school will have any or all of the following impacts on a public school, including another charter school:

- (i) an enrollment decline;
- (ii) a decrease in funding; or
- (iii) a modification of programs or services.

140 [(b) The Utah College of Applied Technology Board of Trustees shall establish a

141 policy for granting approval to a campus board of directors to enter into an agreement to

142 establish and operate a charter school.]

143 {-(8)-} (9) (a) Subject to the requirements of this part, a campus board of directors of a college

144 campus within the Utah College of Applied Technology may establish:

145 (i) procedures for submitting applications to establish and operate a charter school to a

146 campus board of directors of a college campus within the Utah College of Applied Technology;

147 and

148 (ii) criteria for a campus board of directors' approval of an application to establish and

149 operate a charter school.

150 (b) The Utah College of Applied Technology Board of Trustees may not establish

151 policy governing the procedures or criteria described in Subsection  
{-~~(8)~~-} (9) (a).

Senator Adams' motion to amend passed on a voice vote. Senator Adams explained the bill. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Okerlund	Urquhart
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**S.B. 151** was transmitted to the House for consideration.

\* \* \*

**H.B. 306, SCHOOL LAND TRUST PROGRAM AMENDMENTS**, was read the third time, explained by Senator Osmond, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund

Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**H.B. 306**, as amended, was returned to the House for further consideration.

\* \* \*

**2nd Sub. S.B. 77**, AVAILABILITY OF GOVERNMENT INFORMATION, was read the third time, explained by Senator Henderson, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators Okerlund Urquhart

**2nd Sub. S.B. 77** was transmitted to the House for consideration.

\* \* \*

**S.B. 241**, DISCLOSURE REQUIREMENTS FOR MIDTERM VACANCY CANDIDATES, was read the third time, explained by Senator Weiler, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Osmond

Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Okerlund	Urquhart
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**S.B. 241** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Robles, the circle was removed from **2nd Sub. S.B. 183**, ADOPTION AGENCY MODIFICATIONS, and it was before the Senate. Senator explained the bill. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting was:** Senator

Urquhart

**2nd Sub. S.B. 183** was transmitted to the House for consideration.

\* \* \*

**1st Sub. S.B. 238**, PROPERTY TAX AMENDMENTS, was read the third time, explained by Senator Bramble, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**1st Sub. S.B. 238** was transmitted to the House for consideration.

\* \* \*

**S.B. 239**, ALCOHOLIC BEVERAGE CONTROL ACT SAMPLING AMENDMENTS, was read the third time, explained by Senator Valentine, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

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

**S.B. 239** was transmitted to the House for consideration.

\* \* \*

**S.B. 248**, ALCOHOLIC BEVERAGE CONTROL ACT AND SMALL MANUFACTURERS, was read the third time and explained by Senator Valentine. Senator Hillyard commented and the bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Voting in the negative were:** Senators  
Dayton                      Hillyard                      Reid

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

**S.B. 248** was transmitted to the House for consideration.

\* \* \*

**2nd Sub. S.B. 107**, PUBLIC SHOOTING RANGES, was read the third time and explained by Senator Christensen.

Senator Vickers proposed a verbal amendment as follows:

- 1. Page 6 , Line 174:  
After "municipal" insert "or county"

Senator Vickers' motion to amend failed on a voice vote. Senators Hillyard and Madsen commented and the bill passed on the following roll call:

**Yeas, 27; Nays, 1; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

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

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

**2nd Sub. S.B. 107** was transmitted to the House for consideration.

\* \* \*

**S.B. 232**, ADOPTION CODE REVISION, was read the third time, explained by Senator Weiler, and passed on the following roll call:

**Yeas, 25; Nays, 2; Absent or not voting, 2.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Mayne	Osmond	Reid	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Voting in the negative were:** Senators

Madsen                      Robles

**Absent or not voting were:** Senators

Hillyard                      Okerlund

**S.B. 232** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Adams, the circle was removed from **2nd Sub. S.B. 182, STORAGE UNIT AMENDMENTS**, and it was before the Senate.

Senator Adams proposed the following amendment:

1. Page 7, Lines 199 through 203:

199            ~~{-(c) A fee charged by a newspaper for the one-time~~  
~~advertisement described in~~  
200 ~~Subsection (6)(a) may not exceed:~~  
201            ~~(i) \$15 for the first unit in the advertisement;~~  
202            ~~(ii) \$5 for each additional unit in the advertisement; and~~  
203            ~~(iii) a total of \$30.-}~~

2. Page 7, Lines 206 through 208:

206            [(7)] (8) [Any] A sale [or other disposition] of the personal  
property shall be held at the  
207 self-service storage facility {~~or~~} at at the nearest suitable  
place to where the personal property is  
208 held or stored or online .

Senator Adams' motion to amend passed on a voice vote. Senator Adams explained the bill. Senators Urquhart, Stephenson, Weiler and Jones commented. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Okerlund	Van Tassell
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**2nd Sub. S.B. 182** was transmitted to the House for consideration.

\* \* \*

**S.B. 86, INDEPENDENT EXECUTIVE BRANCH ETHICS COMMISSION,** was read the third time and explained by Senator Valentine. Senator Dabakis commented and the bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Davis	Dayton
Harper	Henderson	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Voting in the negative was:** Senator

Dabakis

**Absent or not voting were:** Senators

Bramble	Hillyard	Okerlund
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**S.B. 86** was transmitted to the House for consideration.



\* \* \*

**1st Sub. S.B. 247**, AMENDMENTS TO REVENUE AND TAXATION, was read the third time, explained by Senator Harper, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Bramble	Hillyard	Okerlund
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**1st Sub. S.B. 247** was transmitted to the House for consideration.

\* \* \*

**1st Sub. S.J.R. 3**, JOINT RULES RESOLUTION ON REQUESTS FOR LEGISLATION, was read the third time, explained by Senator Osmond, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Osmond	Reid	Robles
Shiozawa	Stephenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Bramble	Hillyard	Okerlund	Stevenson
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**1st Sub. S.J.R. 3** was transmitted to the House for consideration.

\* \* \*

**1st Sub. S.B. 244**, UTAH DEPARTMENT OF AGRICULTURE AND FOOD AMENDMENTS, was read the third time, explained by Senator Hinkins, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Osmond	Reid	Robles
Shiozawa	Stephenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Bramble	Hillyard	Okerlund	Stevenson
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**1st Sub. S.B. 244** was transmitted to the House for consideration.

\* \* \*

**S.B. 254**, PENALTY FOR WELL DRILLING WITHOUT A LICENSE, was read the third time, explained by Senator Harper, and passed on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Dayton
Harper	Henderson	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Osmond	Reid	Shiozawa	Stephenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Bramble	Davis	Hillyard	Okerlund
Robles	Stevenson		

**S.B. 254** was transmitted to the House for consideration.

\* \* \*

**S.B. 255**, HUMAN SERVICES AMENDMENTS, was read the third time, explained by Senator Harper, and passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Jenkins	Jones	Knudson	Madsen
Mayne	Osmond	Reid	Shiozawa
Stephenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Bramble	Hinkins	Okerlund	Robles
Stevenson			

**S.B. 255** was transmitted to the House for consideration.

\* \* \*

**S.B. 257**, PERSONALIZED EDUCATOR EVALUATION, was read the third time and explained by Senator Adams.

Senator Adams proposed the following amendment:

1. Page 1, Lines 16 through 17:

16       •       select   ~~{a single provider}~~ multiple providers ,  
 through a request for proposals process, to provide  
 17   software to implement educator evaluations; and

2. Page 2, Lines 50 through 52:

50       (2) The State Board of Education shall:  
 51       (a) select   ~~{a single provider}~~ multiple providers ,  
through a request for proposals process, to provide  
 52   software to implement educator evaluations; and

3. Page 2, Lines 55 through 56:

55       (3) In selecting a provider of educator evaluation software, the  
State Board of

56 Education shall consider the following criteria with additional consideration given to providing a free observation tool or providing a free online library of professional development :

Senator Adams’ motion to amend passed on a voice vote. Senators Jones and Osmond commented and the bill passed on the following roll call:

**Yeas, 18; Nays, 8; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dayton	Harper
Henderson	Hillyard	Jenkins	Knudson
Madsen	Osmond	Reid	Stephenson
Thatcher	Urquhart	Valentine	Van Tassell
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Dabakis	Davis	Hinkins	Jones
Mayne	Robles	Shiozawa	Vickers

**Absent or not voting were:** Senators

Bramble	Okerlund	Stevenson
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**S.B. 257** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Valentine, **1st Sub. S.B. 265**, REFERENDUM AMENDMENTS, was read the third time and circled.

\* \* \*

**1st Sub. S.B. 260**, READING ASSESSMENT AMENDMENTS, was read the third time and explained by Senator Urquhart. Senators Jones, Weiler, Stephenson, Davis, and Hillyard commented and the bill passed on the following roll call:

**Yeas, 19; Nays, 8; Absent or not voting, 2.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Harper	Henderson	Hinkins	Jenkins
Madsen	Osmond	Reid	Stephenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Voting in the negative were:** Senators

Dabakis	Davis	Hillyard	Jones
Knudson	Mayne	Robles	Shiozawa

**Absent or not voting were:** Senators

Okerlund	Stevenson
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**1st Sub. S.B. 260** was transmitted to the House for consideration.

\* \* \*

**1st Sub. H.B. 131**, CONSTITUTIONAL AND FEDERALISM DEFENSE ACT, was read the third time, explained by Senator Madsen, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Osmond	Reid
Shiozawa	Stephenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Voting in the negative was:** Senator

Dabakis

**Absent or not voting were:** Senators

Okerlund	Robles	Stevenson
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**1st Sub. H.B. 131** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**1st Sub. S.B. 181**, POLITICAL SUBDIVISIONS PROPERTY AMENDMENTS, was read the third time and explained by Senator Harper.

Senator Harper proposed the following amendment:

1. Page 3, Line 85  
Senate 2nd Reading Amendments  
3-8-2013:

85 political subdivision, an agency as defined in Section 17C-1-102, or the federal government:

Senator Harper's motion to amend passed on a voice vote. Senator Stephenson commented and the bill passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Osmond	Reid	Shiozawa
Stephenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Bramble	Mayne	Okerlund	Robles
Stevenson			

**1st Sub. S.B. 181** was transmitted to the House for consideration.

### JOINT CONFERENCE COMMITTEE REPORT

Mr. President:

March 11, 2013

The Joint Conference Committee comprised of Senators E. Vickers, D. Thatcher, and K. Mayne, and Representatives S. Cox, D. Brown, and B. King, recommends **H.B. 279**, ADMINISTRATIVE HEARINGS BY COUNTIES, by Representative S. Cox, with the following amendments:

1. Go back to the original H.B. 279 without any amendments; and
2. Page 2, Line 36 through Page 2, Line 39:

36 (2) An ordinance adopted in accordance with Subsection (1) shall provide appropriate

37 due process protections for a party participating in an administrative hearing.

38 (3) An administrative hearing held in accordance with an ordinance described in

39 Subsection (1) may be conducted by an administrative law judge.  
(4) A county may not impose a civil penalty and adjudication for  
the violation of a county moving traffic ordinance.

Sen. Evan Vickers and  
Rep. Spencer Cox, Chairs

On motion of Senator Vickers, the Senate voted to adopt the Joint Conference Committee report.

On motion of Senator Vickers, the Senate voted to place **H.B. 279** at the top of the Third Reading Calendar.

**H.B. 279**, ADMINISTRATIVE HEARINGS BY COUNTIES, was before the Senate. Senator Stephenson commented.

On motion of Senator Vickers, the bill was circled.

\* \* \*

On motion of Senator Okerlund, and at 10:10 a.m., the Senate sauntered.

The Senate was called to order at 10:40 a.m., with President Niederhauser presiding.

**SECOND READING CALENDAR**

On motion of Senator Valentine, under suspension of the rules, the Senate voted to consider Senate bills read for the second and third time for the remainder of the day.

\* \* \*

On motion of Senator Bramble, the Senate voted to lift **2nd Sub. H.B. 106**, MEDICAID INSPECTOR GENERAL AMENDMENTS, to the top of the Second Reading Calendar.

**2nd Sub. H.B. 106**, MEDICAID INSPECTOR GENERAL AMENDMENTS, was read the second time.

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

**3rd Sub. H.B. 106 Medicaid Inspector General Amendments**  
(Rep. R. Wilcox)

On motion of Senator Bramble, the bill was circled.

\* \* \*

On motion of Senator Hinkins, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Hinkins, under suspension of the rules, **1st Sub. S.B. 277**, GREEN RIVER ENERGY ZONE, was considered read the second and third times. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	

**Absent or not voting were:** Senators

Okerlund	Niederhauser
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**1st Sub. S.B. 277** was transmitted to the House.

\* \* \*

**S.B. 278**, CAPITAL IMPROVEMENT AMENDMENTS, was read the second time.

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

**1st Sub. S.B. 278 Capital Improvement Amendments** (W. Harper)

Senator Harper explained the bill. Senator Hillyard commented.

On motion of Senator Harper, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Harper, under suspension of the rules, **1st Sub. S.B. 278**, CAPITAL IMPROVEMENT AMENDMENTS, was considered read the second and third times. The bill passed on the following roll call:



**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler			

**Absent or not voting were:** Senators

Bramble	Okerlund	Robles	Niederhauser
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**1st Sub. S.B. 278** was transmitted to the House.

\* \* \*

On motion of Senator Adams, under suspension of the rules, **1st Sub. S.B. 90**, CONDOMINIUM AND COMMUNITY ASSOCIATION AMENDMENTS, was considered read the second and third times.

Senator Adams proposed the following amendment: #1

- 1. Page 1, Line 16:

16       ▶       enacts provisions relating to making changes to adjoining units or lots acquired by the

- 2. Page 14, Lines 409 through 412:

409 permitted by the chapter under which the association is organized  
for] for :

410       {-(a) for- }

411       {-(i)- } (a) board members, directors, and officers[-]; or

412       {-(ii)- } (b) similar persons in a position of control {[-] } . {[-] } {and- }

- 3. Page 19, Line 562:

562       (B) Notwithstanding Subsection (9)(i) {-(i)- } (ii) (A), an association of unit owners that

- 4. Page 19, Line 570:

570 deductible of the association of unit owners and until  
 {~~if~~} it becomes apparent the covered loss

5. Page 21, Line 629:

629 (i) the unit owner's ownership interest in the common areas and  
 facilities [~~or from~~] {~~is~~} ;

6. Page 24, Line 732:

732 (12) "Mixed- {~~used~~} use project" means a project  
under this chapter that has both residential

7. Page 27, Line 801:

801 require an amount higher than the amount determined under  
Subsection (6)(a) {~~(i)~~} .

8. Page 37, Line 1125:

1125 appurtenant to a commercial lot in a  
mixed- {~~used~~} use project.

9. Page 37, Line 1128:

1128 mixed- {~~used~~} use project if allowed or required in  
the declaration.

10. Page 40, Lines 1231 through 1233:

1231 (5) Unless otherwise provided in the declaration of  
consolidation {~~is~~} ;

(a) the consolidated

1232 association resulting from a consolidation under this  
section {~~is~~}

1233 {~~(a)~~} is the legal successor for all purposes of all of the  
consolidating associations;

Senator Adams' motion to amend passed on a voice vote.

###

Senator Adams proposed the following amendment: #2

1. Page 3, Line 58:

58        57-8-4.5, Utah Code Annotated 1953  
57-8-6.7, Utah Code Annotated 1953

2. Page 3, Line 63:

63        57-8a-108, Utah Code Annotated 1953  
57-8a-109, Utah Code Annotated 1953

3. Page 9, Line 243:

243 otherwise.

Section 3. Section 57-8-6.7 is enacted to read:  
57-8-6.7. Limit on fee for approval of plans.

(1) As used in this section:

(a) "Plan fee" means a fee that an association of unit owners charges  
for review and approval of unit plans.

(b) "Unit plans" means plans:

(i) for the construction or improvement of a unit; and

(ii) that are required to be approved by the association of unit  
owners before the unit construction or improvement may occur.

(2) An association of unit owners may not charge a plan fee that  
exceeds the actual cost of reviewing and approving the unit plans.

4. Page 25, Line 761:

761        (b) This chapter does not affect whether a substantial failure  
impairs marketability.

Section 15. Section 57-8a-109 is enacted to read:  
57-8a-109. Limit on fee for approval of plans.

(1) As used in this section:

(a) "Lot plans" means plans:

(i) for the construction or improvement of a lot; and

(ii) that are required to be approved by the association before the lot  
construction or improvement may occur.

(b)"Plan fee" means a fee that an association charges for review and  
approval of lot plans.

(2) An association may not charge a plan fee that exceeds the actual  
cost of reviewing and approving the lot plans.

Renumber remaining sections accordingly.

Senator Adams' motion to amend passed on a voice vote. Senator Adams explained the bill.

On motion of Senator Adams, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. The bill passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler			

**Absent or not voting were:** Senators

Bramble	Davis	Okerlund	Niederhauser
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**1st Sub. S.B. 90** was transmitted to the House.

\* \* \*

On motion of Senator Valentine, under suspension of the rules, **S.B. 261**, AMENDMENTS RELATED TO ALCOHOLIC BEVERAGE CONTROL, was considered read the second and third times.

Senator Weiler proposed the following amendment: #4

- 1. Page 47, Line 1434 through Page 47a, Line 1448h
  - a. Senate Committee Amendments
  - b. 3-6-2013:

1434 32B-5-311. Private events at retail licensee premises.

1435 ~~Ŝ~~ {-(1)-} ~~←Ŝ~~ Subject to ~~Ŝ~~ ~~→~~ [Section] Sections ~~←Ŝ~~ 32B-5-309 ~~Ŝ~~ ~~→~~ and 32B-6-505 ~~←Ŝ~~ .a

1435a retail licensee may temporarily rent or otherwise

1436 temporarily lease its premises to a person after the hours the retail licensee may sell, offer for

1437 sale, or furnish an alcoholic product if:

1438 ~~Ŝ~~ {[-]} (1) {[-]} {-(a)-} ~~←Ŝ~~ the person who temporarily rents or leases the licensed premises obtains an

1438a event

1439 permit under Chapter 9, Event Permit Act, for the time period that the retail licensee rents or

1440 otherwise leases its licensed premises:

1441 ~~Ŝ~~ → {~~+~~} (2) {~~+~~} {~~(b)~~} ← ~~Ŝ~~ the event for which the licensed premises are leased is not open to the

1441a public;

1442 ~~Ŝ~~ → {~~+~~} (3) {~~+~~} {~~(e)~~} ← ~~Ŝ~~ the person to whom the retail licensee rents or leases the premises agrees in

1442a writing

1443 to comply with this title as if the person is the retail licensee, except for:

1444 ~~Ŝ~~ → {~~+~~} (a) {~~+~~} {~~(i)~~} ← ~~Ŝ~~ a requirement related to making or maintaining a record; and

1445 ~~Ŝ~~ → {~~+~~} (b) {~~+~~} {~~(ii)~~} ← ~~Ŝ~~ the hours during which an alcoholic product may be sold, offered for sale,

1445a or

1446 furnished; and

1447 ~~Ŝ~~ → {~~+~~} (4) {~~+~~} {~~(d)~~} ← ~~Ŝ~~ the retail licensee takes reasonable steps to ensure that the person complies

1447a with

1448 this section.

1448a ~~Ŝ~~ → {~~(2) Subject to Sections 32B-5-309 and 32-6-505, a retail licensee may temporarily rent or~~

1448b otherwise temporarily lease its premises for a private event during the hours the retail ← ~~Ŝ~~

1448c ~~Ŝ~~ → licensee may sell, offer for sale, or furnish an alcoholic product if:

1448d (a) the person to whom the retail licensee rents or leases the premises agrees in writing to

1448e comply with this title as if the person is the retail licensee, except for a requirement related to

1448f ~~making or maintaining a record; and~~

1448g ~~(b) the retail licensee takes reasonable steps to ensure that the person complies with this~~

1448h ~~section as provided in Subsection (2)(a).-~~ } ←Ŝ

2. Page 52, Line 1605:

1605 ~~alcoholic product.~~

~~(15) Subject to Section 32B-5-309, a full-service restaurant licensee may not temporarily rent or otherwise temporarily lease its premises to a person unless:~~

~~(a) the person to whom the full-service restaurant licensee rents or leases the premises agrees in writing to comply with this title as if the person is the full-service restaurant licensee, except for a requirement related to making or maintaining a record; and~~

~~(b) the full-service restaurant licensee takes reasonable steps to ensure that the person complies with this title as provided in Subsection (15)(a).~~

3. Page 58, Line 1770

Senate Committee Amendments

3-6-2013:

1770 ~~containers of an alcoholic product.~~

~~(15) Subject to Section 32B-5-309, a limited-service restaurant licensee may not temporarily rent or otherwise temporarily lease its premises to a person unless:~~

~~(a) the person to whom the limited-service restaurant licensee rents or leases the premises agrees in writing to comply with this title as if the person is the limited-service restaurant licensee, except for a requirement related to making or maintaining a record; and~~

~~(b) the limited-service restaurant licensee takes reasonable steps to ensure that the person complies with this title as provided in Subsection (15)(a).~~

4. Page 62, Line 1893:

1893 ~~containers of beer.~~

~~(14) Subject to Section 32B-5-309, a beer-only restaurant licensee may not temporarily rent or otherwise temporarily lease its premises to a person unless:~~

(a) the person to whom the beer-only restaurant licensee rents or leases the premises agrees in writing to comply with this title as if the person is the beer-only restaurant licensee, except for a requirement related to making or maintaining a record; and

(b) the beer-only restaurant licensee takes reasonable steps to ensure that the person complies with this title as provided in Subsection (14)(a).

Senator Weiler’s motion to amend passed on a voice vote. Senator Valentine explained the bill. Senator Jenkins, Hillyard, and Weiler commented.

On motion of Senator Valentine, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. The bill passed on the following roll call:

**Yeas, 24; Nays, 1; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Mayne	Osmond	Reid	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler

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

**Absent or not voting were:** Senators

Madsen	Okerlund	Robles	Niederhauser
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**S.B. 261** was transmitted to the House.

\* \* \*

On motion of Senator Bramble, **1st Sub. S.B. 272, PUBLIC SCHOOL FUNDING AMENDMENTS**, was read the second time and circled.

\* \* \*

On motion of Senator Urquhart, **S.B. 274, CONDOMINIUM FORECLOSURE AMENDMENTS**, was read the second time and circled.

\* \* \*

On motion of Senator Bramble, **S.B. 281, DEBT COLLECTION INFORMATION AMENDMENTS**, was read the second time and circled.

\* \* \*

**S.B. 209**, GRANTS FOR PERSONAL MOBILE LEARNING DEVICES, was read the second time. Senator Osmond explained the bill. Senator Stephenson commented.

On motion of Senator Osmond, the bill was circled.

\* \* \*

On motion of Senator Adams, **S.B. 271**, SCHOOL GRADING AMENDMENTS, was read the second time and circled.

\* \* \*

On motion of Senator Adams, the circle was removed from **S.B. 78**, PHARMACY ACT AMENDMENTS, and it was before the Senate.

Senator Vickers proposed the following amendment:

1. Page 2, Line 45:

45           58-17b-605, as last amended by Laws of Utah 2008, Chapter  
205  
631-2-258, as last amended by Laws of Utah 2012, Chapters 88 and  
369

2. Page 17, Lines 510 through 516  
Senate Committee Amendments  
2-21-2013:

510       (8) (a) A pharmacist or pharmacy intern who substitutes an  
interchangeable biosimilar

511 product for a prescribed biological product shall:

512       {-(a)-} (i) notify the prescriber in writing  $\hat{S} \rightarrow$  .by fax,  
telephone, or electronic transmission  $\leftarrow \hat{S}$

512a of the substitution, as soon as practicable, but not

513 later than three business days after dispensing the interchangeable  
biosimilar product in place

514 of the prescribed biological product; and

515       {-(b)-} (ii) include the name and manufacturer of the  
interchangeable biosimilar product



516 substituted.

(b) This subsection is repealed on March 31, 2016.

- 3. Page 17, Line 521  
Senate Committee Amendments  
2-21-2013:

521 authorized does not constitute evidence of negligence.

Section 4. Section 63I-2-258 is amended to read:

63I-2-258. Repeal dates — Title 58.

(1) Subsection 58-72-201(1)(b) is repealed July 1, 2014.

(2) Subsection 58-17b-606.5(8) is repealed on March 31, 2016.

Renumber remaining sections accordingly.

Senator Vickers’ motion to amend passed on a voice vote. Senator Adams explained the bill. Senators Mayne, Shiozawa, and Dayton commented.

On motion of Senator Adams, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Adams, under suspension of the rules, **S.B. 78, PHARMACY ACT AMENDMENTS**, was considered read the second and third times. The bill passed on the following roll call:

**Yeas, 27; Nays, 1; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

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

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

**S.B. 78** was transmitted to the House for consideration.

\* \* \*

On motion of Senator Bramble, the circle was removed from **3rd Sub. H.B. 106**, MEDICAID INSPECTOR GENERAL AMENDMENTS, and it was before the Senate. Senator Bramble explained the bill. Senators Valentine and Christensen commented.

On motion of Senator Bramble, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Bramble, under suspension of the rules, **3rd Sub. H.B. 106**, MEDICAID INSPECTOR GENERAL AMENDMENTS, was considered read the second and third times. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**3rd Sub. H.B. 106**, as amended, was returned to the House for further consideration.

\* \* \*

**S.J.R. 5**, JOINT RESOLUTION ON STATE SUPERINTENDENT OF PUBLIC INSTRUCTION, was read the second time. Senator Reid explained the bill.

On motion of Senator Reid, the Senate voted to strike the enacting clause on the bill.

\* \* \*

On motion of Senator Valentine, under suspension of the rules, **1st Sub. S.B. 269**, PROPERTY TAX REVISIONS, was considered read the second and third times. Senator Valentine explained the bill.

On motion of Senator Valentine, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Dabakis	Okerlund
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**1st Sub. S.B. 269** was transmitted to the House.

### COMMUNICATIONS FROM THE HOUSE

Mr. President:

March 11, 2013

The Speaker of the House has signed **2nd Sub. S.B. 44**, CONSTRUCTION TRADES LICENSING REVISIONS, by Senator K. Mayne, and it is transmitted for the signature of the President; and

The House passed, **3rd Sub. S.B. 67**, CONSUMER PROTECTION REVISIONS, by Senator C. Bramble, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 105**, BOARD OF PARDONS AND PAROLE REVISIONS, by Senator D. Thatcher, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 165**, PHYSICAL THERAPY PRACTICE ACT AMENDMENTS, by Senator T. Weiler, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **2nd Sub. S.B. 166**, HOSPITAL ASSESSMENT AMENDMENTS, by Senator L. Hillyard, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 204**, JUDICIARY AMENDMENTS, by Senator L. Hillyard, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 222**, TRANSPORTATION AMENDMENTS, by Senator W. Harper, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.C.R. 4**, STANDING WITH ISRAEL CONCURRENT RESOLUTION, by Senator C. Bramble, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President: March 11, 2013

The House concurred in the Senate amendments and passed **H.B. 104**, WIRELESS CALL LOCATION INFORMATION, by Representative M. Wheatley, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.B. 202**, ENERGY CONSERVATION CODE AMENDMENTS, by Representative B. Wilson, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **1st Sub. H.B. 287**, RETURN OF WEAPONS RECOVERED BY LAW ENFORCEMENT, by Representative K. Stratton, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

Communications filed. The bills were signed by the President of the Senate in open session and returned to the House for the signature of the Speaker of the House.

\* \* \*

Mr. President: March 11, 2013

The House passed, as substituted and amended, **4th Sub. H.B. 94**, FREE MARKET PROTECTION AND PRIVATIZATION BOARD ACT AMENDMENTS, by Representative K. Stratton, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 160**, HEALTH SYSTEM REFORM AMENDMENTS, by Representative J. Dunnigan, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 175**, LOCAL POLITICAL SUBDIVISION BONDING NOTICE REQUIREMENTS, by Representative J. Knotwell, and it is transmitted for consideration; and

The House passed **H.B. 380**, ECONOMIC DEVELOPMENT REVISIONS, by Representative V. L. Snow, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 385**, DUTIES AND WITHDRAWAL OF TRUSTEE, by Representative V. L. Snow, and it is transmitted for consideration; and

The House passed **H.B. 399**, NAME AMENDMENTS TO FUNDS AND ACCOUNTS, by Representative S. Eliason, and it is transmitted for consideration; and

The House passed **H.B. 403**, MUNICIPAL ELECTION AMENDMENTS, by Representative R. C. Webb, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 404**, SHORT SALE AMENDMENTS, by Representative M. Roberts, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President:

March 11, 2013

The House passed, as amended, **2nd Sub. S.B. 187**, FOOD HANDLER LICENSING AMENDMENTS, by Senator C. Bramble, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bill was placed on the Concurrence Calendar.

\* \* \*

On motion of Senator Adams, and at 11:50 a.m., the Senate recessed.

## AFTERNOON SESSION

The Senate reassembled at 2:10 p.m., with President Niederhauser presiding.

### COMMUNICATIONS FROM THE HOUSE

Mr. President:

March 11, 2013

The House passed, as substituted, **1st Sub. H.B. 140**, CONSUMER-FOCUSED HEALTH DELIVERY AND PAYMENT DEMONSTRATION PROJECT, by Representative S. Barlow, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 152**, PARENT-TIME RESTRICTION AMENDMENTS, by Representative C. Hall, and it is transmitted for consideration; and

The House passed, as substituted, **2nd Sub. H.B. 323**, HEALTH INSURANCE PRIOR AUTHORIZATION, by Representative B. Last, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 396**, MODULAR HOME AMENDMENTS, by Representative G. Froerer, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

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

### THIRD READING CALENDAR

On motion of Senator Vickers, the circle was removed from **H.B. 279**, ADMINISTRATIVE HEARINGS BY COUNTIES, and it was before the Senate. On motion of Senator Vickers, the Senate vote to adopt the Joint Conference committee report. The bill passed on the following roll call:

**Yeas, 24; Nays, 1; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Jenkins	Jones	Knudson
Madsen	Mayne	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Van Tassell	Vickers	Weiler	Niederhauser

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

**Absent or not voting were:** Senators Hinkins Okerlund Robles Urquhart

**H.B. 279**, as amended, was returned to the House for further consideration.

**SECOND READING CALENDAR**

On motion of Senator Adams, **1st Sub. S.B. 250**, SALES AND USE TAX EXEMPTION FOR SALES OF A FUEL CELL, was read the second time and circled.

\* \* \*

**S.B. 263**, CHILD CARE COSTS AMENDMENTS, was read the second time.

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

**1st Sub. S.B. 263 Child Care Costs Amendments** (T. Weiler)

On motion of Senator Weiler, under suspension of the rules, **1st Sub. S.B. 263**, CHILD CARE COST AMENDMENTS, was considered read the second and third times. Senator Weiler explained the bill. Senators Knudson and Jones commented.

On motion of Senator Weiler, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators Okerlund Urquhart

**1st Sub. S.B. 263** was transmitted to the House.

\* \* \*

On motion of Senator Bramble, the circle was removed from **1st Sub. S.B. 272**, PUBLIC SCHOOL FUNDING AMENDMENTS, and it was before the Senate.

Senator Bramble proposed the following amendment:

1. Page 1, Lines 12 through 16:

12       ▶       provides that for the 2013–14 and 2014–15 school  
years, the number of weighted pupil units assigned to a charter school  
for the

13   kindergarten and grades 1 through 12 programs of the Basic School  
Program shall

14   be based on the greater of the school's:

15       •       October 1 enrollment in the current school year; or

16       •       average daily membership in the prior school year plus  
growth.

2. Page 3, Lines 79 through 85:

79       (b) ~~{The}~~ For the 2013–14 and 2014–15 school years,  
the number of weighted pupil units assigned to a charter school for the  
80 kindergarten and grades 1 through 12 programs of the Basic School  
Program shall be:

81       (i) based on the higher of:

82       (A) October 1 enrollment in the current school year; or

83       (B) average daily membership in the prior school year plus  
growth as determined under

84       Section 53A–17a–106; and

85       (ii) weighted as provided in Subsection (3)(c).

Senator Bramble's motion to amend passed on a voice vote.

On motion of Senator Bramble, under suspension of the rules, **1st Sub. S.B. 272**, PUBLIC SCHOOL FUNDING AMENDMENTS, was considered read the second and third times. Senator Bramble explained the bill. Senators Stephenson and Osmond commented.



On motion of Senator Bramble, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Jenkins	Jones	Knudson	Madsen
Mayne	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Dabakis                      Hinkins

**Absent or not voting was:** Senator

Okerlund

**1st Sub. S.B. 272** was transmitted to the House.

\* \* \*

On motion of Senator Robles, under suspension of the rules, **S.B. 282**, ADOPTION NOTIFICATION REQUIREMENTS, was considered read the second and third times. Senator Robles explained the bill. Senator Hillyard commented.

On motion of Senator Robles, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting was:** Senator

Stevenson

**S.B. 282** was transmitted to the House.

\* \* \*

On motion of Senator Bramble, the circle was removed from **S.B. 281**, DEBT COLLECTION INFORMATION AMENDMENTS, and it was before the Senate.

On motion of Senator Bramble, under suspension of the rules, **S.B. 281**, DEBT COLLECTION INFORMATION AMENDMENTS, was considered read the second and third times.

Senator Bramble proposed the following amendment:

- 1. Page 6, Lines 176 through 179:

176 (7) If a judgment creditor or other party fails to comply with the data safeguard and

177 security measures under 20 C.F.R. Sec. 603.9, the judgment creditor or other party is subject to

178 a civil penalty of no more than \$10,000 enforceable by the Utah Office of the Attorney

179 General {—} as follows:

(a) the attorney general, on the attorney general’s own behalf or on behalf of the division, may file an action in district court to enforce the civil penalty; and

(b) if the attorney general prevails in enforcing the civil penalty against the judgment creditor or other party:

(i) the attorney general is entitled to an award for reasonable attorney fees, court costs, and investigative expenses; and

(ii) the civil penalty shall be deposited into the special administrative expense account described in Subsection 35A-4-506(1).

Senator Bramble’s motion to amend passed on a voice vote. Senator Bramble explained the bill.

On motion of Senator Bramble, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson

Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**S.B. 281** was transmitted to the House.

### COMMUNICATIONS FROM THE HOUSE

Mr. President: March 11, 2013

The House concurred in the Senate amendments and passed **3rd Sub. H.B. 106**, MEDICAID INSPECTOR GENERAL AMENDMENTS, by Representative R. Wilcox, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

### SECOND READING CALENDAR

On motion of Senator Adams, under suspension of the rules, **S.B. 275**, ENERGY AMENDMENTS, was considered read the second and third times. Senator Adams explained the bill. Senators Jenkins, Jones, Valentine, Hinkins and Van Tassell commented.

Senator Adams proposed the following amendment:

- Page 3, Lines 82 through 85  
Senate Committee Amendments  
3-7-2013:

82       (3)    ~~{ The commission shall report the results of its~~  
~~proceedings under Subsection (1).~~

83    ~~including any conclusions and recommendations, to the governor,~~  
~~the Legislative Management~~

84    ~~Committee, and the Public Utilities and Technology Interim~~  
~~Committee by September 30.~~

85 ~~2013-~~ } By September 30, 2013, the commission and the interlocal entity described in Subsection 11-13-224(2) shall report to the governor, the Legislative Management Committee, and the Public Utilities and Technology Interim Committee:

- (a) the results of the commission proceedings under Subsection (1);
- and
- (b) recommendations for specific actions to implement mechanisms to provide funding for the enhancement and expansion of the infrastructure and facilities for alternative fuel vehicles .

Senator Adams’ motion to amend passed on a voice vote.

On motion of Senator Adams, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. Senator Hinkins declared a conflict of interest. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Christensen	Robles
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**S.B. 275** was transmitted to the House.

\* \* \*

On motion of Senator Valentine, under suspension of the rules, **S. B. 276, WATER CONSERVANCY DISTRICT CAPITAL ASSETS**, was considered read the second and third times. Senator Valentine explained the bill.

On motion of Senator Valentine, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Christensen	Robles
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**S.B. 276** was transmitted to the House.

\* \* \*

On motion of Senator Stevenson, **S.B. 284**, EDUCATIONAL TECHNOLOGY AMENDMENTS, was read the second time and circled.

\* \* \*

On motion of Senator Okerlund, the circle was removed from **1<sup>st</sup> Sub. S.B. 250**, SALES AND USE TAX EXEMPTION FOR SALES OF A FUEL CELL, and it was before the Senate.

On motion of Senator Okerlund, under suspension of the rules, **1<sup>st</sup> Sub. S.B. 250**, SALES AND USE TAX EXEMPTION FOR SALES OF A FUEL CELL, was considered read the second and third times. Senator Okerlund explained the bill.

On motion of Senator Okerlund, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. The bill passed on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Davis	Dayton
Henderson	Hillyard	Hinkins	Jenkins
Jones	Knudson	Madsen	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	

**Absent or not voting were:** Senators

Christensen	Dabakis	Harper	Mayne
Robles	Niederhauser		

1<sup>st</sup> Sub. S.B. 250 was transmitted to the House.

\* \* \*

On motion of Senator Osmond, the circle was removed from **S.B. 209**, GRANTS FOR PERSONAL MOBILE LEARNING DEVICES, and it was before the Senate.

Senator Osmond proposed the following amendment:

1. Page 2, Lines 42 through 43:

42 individual student.

(b) "Property tax base per student" means a school district's total taxable property value divided by the school district's student enrollment, based on the October enrollment counts.

43 {~~(b)~~} (c) "Technology protection device" means a technology that blocks or filters Internet

2. Page 4, Line 90:

90 purpose of generating revenue to provide matching funds for a grant under this section.

(8) In awarding grants under this section, the State Board of Education shall give preference to a school district with a property tax base per student that is less than the average of the school districts' property tax base per student.

Senator Osmond's motion to amend passed on a voice vote.

On motion of Senator Osmond, under suspension of the rules, **S.B. 209**, GRANTS FOR PERSONAL MOBILE LEARNING DEVICES, was considered read the second and third times. Senator Osmond explained the bill. Senator Van Tassell commented.

On motion of Senator Osmond, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. The bill passed on the following roll call:

**Yeas, 22; Nays, 4; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard

Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Valentine	Weiler		

**Voting in the negative were:** Senators

Hinkins	Urquhart	Van Tassell	Vickers
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**Absent or not voting were:** Senators

Dabakis	Robles	Niederhauser
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**S.B. 209** was transmitted to the House.

\* \* \*

On motion of Senator Jenkins, under suspension of the rules, **S.B. 246**, VOLUNTEER WORKERS AMENDMENTS, was considered read the second and third times. Senator Jenkins explained the bill.

On motion of Senator Jenkins, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler		

**Absent or not voting were:** Senators

Dabakis	Robles	Niederhauser
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**S.B. 246** was transmitted to the House.

\* \* \*

On motion of Senator Stevenson, the circle was removed from **1st Sub. S.B. 211**, REDEVELOPMENT AGENCY AMENDMENTS, and it was before the Senate.

Senator Stevenson proposed the following amendment:

1. Page 11, Lines 305 through 310:

305 attributable to the tax rate increase in the same manner as other property taxes.

306 ~~{-(c) Notwithstanding any other provision of law, if increased taxes are paid to an agency~~

307 ~~without the approval of the taxing entity committee as required by Subsection (2)(a), the~~

308 ~~increased taxes may not be recovered from the agency by the State Tax Commission, the~~

309 ~~county as the collector of the taxes, a taxing entity, or any other person or entity.}~~

(c) Notwithstanding any other provision of this section, if, prior to tax year 2013, increased taxes are paid to an agency without the approval of the taxing entity committee, and notwithstanding the law at the time that the tax was collected or increased:

(i) the State Tax Commission, the county as the collector of the taxes, a taxing entity, or any other person or entity may not recover, directly or indirectly, the increased taxes from the agency by adjustment of a tax rate used to calculate tax increment or otherwise;

(ii) the county is not liable to a taxing entity or any other person or entity for the increased taxes that were paid to the agency; and

(iii) tax increment, including the increased taxes, shall continue to be paid to the agency subject to the same number of tax years, percentage of tax increment, and cumulative dollar amount of tax increment as approved in the project area budget and previously paid to the agency.

310 (3) Except as the taxing entity committee otherwise agrees, an agency may not receive

Senator Stevenson's motion to amend passed on a voice vote.

On motion of Senator Stevenson, under suspension of the rules, **1st Sub. S.B. 211**, REDEVELOPMENT AGENCY AMENDMENTS, was considered read the second and third times. Senator Stevenson explained the bill.

On motion of Senator Stevenson, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. The bill passed on the following roll call:



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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	

**Absent or not voting were:** Senators

Robles                      Niederhauser

**1st Sub. S.B. 211** was transmitted to the House.

\* \* \*

On motion of Senator Urquhart, the circle was removed from **S.B. 249**, SALVAGE AND NONREPAIRABLE VEHICLE AMENDMENTS, and it was before the Senate.

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

**1st Sub. S.B. 249 Salvage and Nonrepairable Vehicle Amendments**  
(S. Urquhart)

Senator Urquhart proposed the following amendment:

1. Page 1, Line 23:

23           ▶           provides that ~~{-a person or purchaser-}~~ certain  
in-state purchasers who ~~{-is-}~~ are not licensed as a salvage  
vehicle buyer:

2. Page 6, Lines 166 through 169:

166       (2) ~~{-An-}~~ Any owner is who is not a manufacturer,  
dealer, motor vehicle auction, or consignee to  
167 a motor vehicle auction not licensed under Section 41-3-201 ~~{-~~  
~~and-}~~ is who knowingly or  
168 intentionally conceals, removes, destroys, or alters a disclosure  
statement or of a certificate of

169 title branded under Section 41-3-201 or Sections 41-1a-1004 through 41-1a-1005.3 is guilty of a:

Senator Urquhart’s motion to amend passed on a voice vote.

On motion of Senator Urquhart, under suspension of the rules, **1st Sub. S.B. 249, SALVAGE AND NONREPAIRABLE VEHICLE AMENDMENTS**, was considered read the second and third times. Senator Urquhart explained the bill.

On motion of Senator Urquhart, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. The bill passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Reid	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler

**Absent or not voting were:** Senators

Bramble	Hillyard	Osmond	Robles
Niederhauser			

**1st Sub. S.B. 249** was transmitted to the House.

\* \* \*

On motion of Senator Henderson, under suspension of the rules, **S.B. 283, AVAILABILITY OF PUBLIC INFORMATION AMENDMENTS**, was considered read the second and third times. Senator Henderson explained the bill.

On motion of Senator Henderson, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. The bill passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins

Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler			

**Absent or not voting were:** Senators

Bramble	Hillyard	Robles	Niederhauser
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**S.B. 283** was transmitted to the House.

\* \* \*

On motion of Senator Thatcher, under suspension of the rules, **S.B. 285**, INVOLUNTARY CIVIL COMMITMENT INFORMATION AMENDMENTS, was considered read the second and third times. Senator Thatcher explained the bill.

On motion of Senator Thatcher, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. The bill passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Osmond	Reid	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler

**Absent or not voting were:** Senators

Bramble	Hillyard	Okerlund	Robles
Niederhauser			

**S.B. 285** was transmitted to the House.

\* \* \*

On motion of Senator Urquhart, under suspension of the rules, **S.B. 279**, MATH LITERACY – STEM INITIATIVE, was considered read the second and third times. Senator Urquhart explained the bill.

On motion of Senator Urquhart, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler		

**Absent or not voting were:** Senators

Okerlund	Robles	Niederhauser
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**S.B. 279** was transmitted to the House.

\* \* \*

On motion of Senator Reid, under suspension of the rules, **2nd Sub. S.B. 95, WHISTLEBLOWER AMENDMENTS**, was considered read the second and third times.

Senator Reid proposed the following amendment:

1. Page 1, Line 21:

21       ▶       requires a public entity employee who brings a claim of retaliatory ~~{-acton-}~~ action to choose

2. Page 7, Line 193:

193       (1) A reporting employee who desires to assert  
~~{-on-}~~ an administrative grievance of

Senator Reid’s motion to amend passed on a voice vote. Senator Reid explained the bill.

On motion of Senator Reid, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson

Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler		

**Absent or not voting were:** Senators

Hillyard	Robles	Niederhauser
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**2nd Sub. S.B. 95** was transmitted to the House.

\* \* \*

On motion of Senator Stevenson, **S.B. 262**, EMPLOYMENT AND HOUSING ANTIDISCRIMINATION AMENDMENTS, was read the second time and circled.

\* \* \*

On motion of Senator Adams, under suspension of the rules, **S.C.R. 12**, CHILDREN’S AND FAMILIES’ CANCER RESEARCH FACILITY CONCURRENT RESOLUTION, was considered read the second and third times. Senator Adams explained the bill.

On motion of Senator Adams, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. The bill passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Valentine	Van Tassell	Vickers	Weiler

**Absent or not voting were:** Senators

Dayton	Osmond	Robles	Urquhart
Niederhauser			

**S.C.R. 12** was transmitted to the House.

**CONCURRENCE CALENDAR**

On motion of Senator Bramble, under suspension of the rules, the Senate voted to concur in the House amendments to **2nd Sub. S.B. 187**, FOOD

HANDLER LICENSING AMENDMENTS. The bill, as amended, passed on the following roll call:

**Yeas, 24; Nays, 5; Absent or not voting, 0.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Hillyard
Hinkins	Jones	Knudson	Mayne
Okerlund	Reid	Robles	Shiozawa
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Voting in the negative were:** Senators

Dayton	Jenkins	Madsen	Osmond
Stephenson			

**2nd Sub. S.B. 187** was returned to the House for the signature of the Speaker.

**SECOND READING CALENDAR**

On motion of Senator Adams, the circle was removed from **S.B. 271, SCHOOL GRADING AMENDMENTS**, and it was before the Senate.

On motion of Senator Adams, under suspension of the rules, **S.B. 271, SCHOOL GRADING AMENDMENTS**, was considered read the second and third times.

Senator Adams proposed the following amendment:

1. Page 1, Lines 15 through 17:
  - 15       ▶       modifies the criteria and procedures for determining school grades, including:
  - 16       •       the calculation of learning growth; and
  - 17               { ~~• the calculation of a high school's graduation rate; and~~ }
2. Page 2, Line 31  
 Senate Committee Amendments  
 3-6-2013:
  - 31       53A-1-1105, as enacted by Laws of Utah 2011, Chapter 417  
53A-1-1106, as enacted by Laws of Utah 2011, Chapter 417

- 3. Page 2, Lines 47 through 51  
Senate Committee Amendments  
3-6-2013:

47 (2) “Statewide assessment” means ~~{-any of the following assessments that are~~

48 ~~administered statewide under Part 6, Achievement Tests-}~~ :

49 (a) a criterion-referenced test of student achievement in language arts, mathematics, or

50 science, including a test administered in a computer adaptive format; ~~{-or-}~~ and

51 (b) ~~{-an online writing assessment-}~~ which is administered statewide under Part 6, Achievement Tests .

- 4. Page 2, Lines 55 through 56  
Senate Committee Amendments  
3-6-2013:

55 (4) “Sufficient growth” means a measurement of growth greater than or equal to growth at ~~{-the 60th-}~~ a specific

56 percentile in the ~~Ŝ~~ → [prior year] 2011-12 school year ~~←Ŝ~~ adopted by the State Board of Education in rule .

- 5. Page 3, Lines 79 through 81:

79 A school’s grade shall be based on:

80 (1) the proficiency of a school’s students in language arts, mathematics, and science ~~{-,and~~

81 ~~writing-}~~ as measured by statewide assessments;

- 6. Page 3, Line 87:

87 career readiness.

Section 4. Section 53A-1-1106 is amended to read:

53A-1-1106. Calculation of points earned for students’ proficiency in language arts, mathematics, and science ~~{-,and writing-}~~ .

(1) A school shall receive points for the proficiency of a school’s students in language arts, mathematics, and science ~~{-,and writing-}~~ as follows:

(a) A school shall receive one point for each percent of the

school's students who take a statewide assessment of language arts achievement and score at or above the proficient level.

(b) A school shall receive one point for each percent of the school's students who take a statewide assessment of mathematics achievement and score at or above the proficient level.

(c) A school shall receive one point for each percent of the school's students who take a statewide assessment of science achievement and score at or above the proficient level.

~~{(d) A school shall receive 0.5 points for each percent of the school's students who take a statewide assessment of writing achievement and score at or above the proficient level.}~~

(2) ~~{(a)-}~~ A school may earn a maximum of 100 points for each of the criteria listed in Subsections (1)(a), (b), and (c).

~~{(b) A school may earn a maximum of 50 points for the criteria listed in Subsection (1)(d).}~~

7. Page 5, Lines 125 through 130:

125 (3) (a) [A] Except as provided in Subsection (3)(b), a school  
may earn a maximum of

126 [200] ~~{350}~~ 300 points for the criteria described in  
Subsection (1) with ~~{two-thirds}~~ one-half of the maximum  
127 number of points allotted to high school graduation and  
~~{one-third}~~ one-half allotted to indicators of

128 college and career readiness.

129 (b) For the 2012-13 school year, a school may earn a maximum  
of ~~{233}~~ 150 points for the

130 percentage of students who graduate from high school.

8. Page 5, Lines 133 through 142:

133 (1) Except as provided in ~~{Subsection}~~ Subsections  
134 (2) and (3), a school shall receive a letter grade based on

134 the ~~[percent]~~ percentage of the maximum number of points the  
school may earn as calculated

135 under Section 53A-1-1109 as follows:

136 (a) A, 100% - ~~{90%}~~ 80% ;

137 (b) B, ~~{89%-80%}~~ 79% - 70% ;

138 (c) C, ~~{79%-70%}~~ 69% - 60% ;



139 (d) D, ~~{69%–50%}~~ 59%–50% ; and

140 (e) F, 49% or less.

(2) When 85% of schools receive an A or B, the State Board of Education shall increase the endpoints of the ranges listed in Subsections (1)(a) through (1)(e) by five percentage points, except the lower endpoint of the A range may not be greater than 90%.

141 ~~{(2)}~~ (3) [If student participation in a statewide assessment is fewer than 95%, the] A school

142 shall receive an F if:

9. Page 6, Line 164:

164 ~~[(3)]~~ (5) On or before ~~{August 15}~~ September 1 , the State Board of Education shall annually publish,

10. Page 6, Line 167:

167 ~~[(4)]~~ (6) On or before ~~{August 15}~~ September 1 , a school district shall annually publish on the school

11. Page 6, Line 171:

171 ~~[(5)]~~ (7) On or before ~~{August 15}~~ September 1 , a charter school shall annually publish on the charter

12. Page 7, Lines 194 through 198:

194 “(3) (a) [A] Except as provided in Subsection (3)(b), a school may earn a maximum of

195 [200] ~~{350}~~ 300 points for the criteria described in Subsection (1) with ~~{two-thirds}~~ one-half of the maximum

196 number of points allotted to high school graduation and ~~{one-third}~~ one-half allotted to [indicators of

197 ~~college and career readiness] the percentage of students who are considered college ready as~~

198 measured by a college admissions test administered pursuant to Section 53A-1-611.”

Renumber remaining sections accordingly.

Senator Adams’ motion to amend passed on a voice vote. Senator Adams explained the bill. Senators Jones, Dabakis, Mayne, Hillyard, Osmond, and Niederhauser commented.

On motion of Senator Adams, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. The bill passed on the following roll call:

**Yeas, 16; Nays, 10; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Dayton	Henderson	Hillyard	Jenkins
Knudson	Madsen	Okerlund	Reid
Stephenson	Stevenson	Urquhart	Niederhauser

**Voting in the negative were:** Senators

Davis	Harper	Jones	Mayne
Osmond	Robles	Shiozawa	Van Tassell
Vickers	Weiler		

**Absent or not voting were:** Senators

Hinkins	Thatcher	Valentine
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**S.B. 271** was transmitted to the House.

\* \* \*

On motion of Senator Okerlund, and at 4:10 p.m., the Senate recessed.

### EVENING SESSION

The Senate reassembled at 6:00 p.m., with President Niederhauser presiding.

#### COMMUNICATIONS FROM THE HOUSE

Mr. President: March 11, 2013

The House passed **H.B. 163**, HUMAN TRAFFICKING AMENDMENTS, by Representative J. Seelig, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 168**, AIR QUALITY MITIGATION BY GOVERNMENT ENTITIES, by Representative P. Arent, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 170**, DEOXYRIBONUCLEIC ACID COLLECTION AND RETENTION AMENDMENTS, by Representative S. Eliason, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 176**, UTAH INDUSTRIAL FACILITIES AND DEVELOPMENT ACT AMENDMENTS, by Representative D. Brown, and it is transmitted for consideration; and

The House passed, as substituted and amended, **2nd Sub. H.B. 239**, JURY SERVICE AMENDMENTS, by Representative C. Hall, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 363**, PUBLIC EDUCATION STATE CAPITOL VISIT FUNDING, by Representative S. Eliason, and it is transmitted for consideration; and

The House passed, as substituted, **1st Sub. H.B. 378**, ELECTION REVISIONS, by Representative C. Hall, and it is transmitted for consideration; and

The House passed, as substituted, **2nd Sub. H.B. 391**, PROHIBITION OF MEDICAID EXPANSION, by Representative J. Anderegg, and it is transmitted for consideration; and

The House passed **H.B. 394**, OUTDOOR WOOD BOILERS, by Representative M. Noel, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 395**, VETERANS' AFFAIRS AMENDMENTS, by Representative G. Hughes, and it is transmitted for consideration; and

The House passed, as substituted, **2nd Sub. H.B. 401**, STATUTE OF LIMITATIONS ON TRESPASS, by Representative G. Froerer, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

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

## SECOND READING CALENDAR

On motion of Senator Adams, the circle was removed from **S.B. 267**, NEW CONVENTION HOTEL DEVELOPMENT INCENTIVE ACT, and it was before the Senate.

On motion of Senator Adams, under suspension of the rules, **S.B. 267**, NEW CONVENTION HOTEL DEVELOPMENT INCENTIVE ACT, was considered read the second and third times.

Senator Adams proposed the following amendment:

1. Page 8, Line 240:

240 to any of the uses described in Subsections (1) {~~1~~} and (2) {~~1~~, and (3)} :

Senator Adams’ motion to amend passed on a voice vote. Senator Adams explained the bill. Senators Valentine, Urquhart, Dabakis, Mayne, Reid, Bramble, and Knudson commented.

On motion of Senator Adams, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. The bill passed on the following roll call:

**Yeas, 15; Nays, 13; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Jones	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stevenson	Urquhart	Weiler	

**Voting in the negative were:** Senators

Dayton	Harper	Henderson	Hillyard
Jenkins	Knudson	Madsen	Stephenson
Thatcher	Valentine	Van Tassell	Vickers
Niederhauser			

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

**S.B. 267** was transmitted to the House.

\* \* \*

On motion of Senator Urquhart, the circle was removed from **1st Sub. S.B. 219**, DISASTER RECOVERY LIENS, and it was before the Senate.

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

**2nd Sub. S.B. 219 Payment of Insurance Proceeds** (S. Urquhart)

Senator Urquhart proposed the following amendment:

1. Page 1, Lines 14 through 16:

14 insured {~~—~~}

15       •—— for \$2,500 or more; and  
 16       •——} that are intended to pay for the mitigation service.

2. Page 2, Lines 29 through 31:

29       (a) “Certificate of satisfactory completion” means a document signed by a provider and at least one named  
 30 insured in which :  
       (i) the provider warrants that the provider performed the mitigation service provided under the service agreement in accordance with the generally accepted industry standards applicable to the mitigation service provided; and  
       (ii) the named insured {~~certifies~~} verifies that the provider satisfactorily completed the  
 31 mitigation service provided under the service agreement.

3. Page 2, Lines 37 through 39:

37       (e) (i) “Mitigation service” means labor, equipment, or material provided on damaged  
 38 property for the purpose of performing repairs necessary to prevent further damage caused by  
 39 the covered peril {~~including cleanup~~} :  
       (ii) “Mitigation service” includes:  
       (A) drying interior elements, including drywall, flooring, wall studs, and seal plates;  
       (B) cleaning a sewer overflow; and  
       (C) cleaning fire damage.  
       (iii) “Mitigation service” does not include labor, equipment, or material provided for the purpose of restoring the damaged property to its pre-loss condition.

4. Page 2, Line 42:

42       (g) “Service agreement” means a written  
       {~~agreement~~} work authorization between an owner of property

5. Page 2, Lines 45 through 47:

45       (2) (a) Within 10 business days after the day on which a provider completes a

46 mitigation service governed by a service agreement, the provider shall if payment for the mitigation service is still owing, send to the insurer of the

47 damaged property:

6. Page 2, Lines 51 through 56:

51 (i) that the provider claims {~~money~~} insurance proceeds owed for a mitigation service provided under a

52 service agreement;

53 (ii) the name, address, and telephone number of the insured; and

54 (iii) the date of the service agreement {~~and~~

55 (iv) the amount still owed to the provider for the mitigation service provided under the

56 service agreement, if any-} .

7. Page 3, Lines 60 through 63:

60 an additional payee on each check issued to the insured that is {~~;~~

61 (a) for \$2,500 or more; and

62 (b)-} intended to pay for the mitigation service described in the provider's notice of

63 completion and certificate of satisfactory completion.

Senator Urquhart's motion to amend passed on a voice vote.

On motion of Senator Urquhart, the bill was circled.

\* \* \*

On motion of Senator Okerlund, the circle was removed from **S.B. 212**, JUDICIAL CODE AMENDMENTS, and it was before the Senate.

On motion of Senator Okerlund, the bill was circled.

\* \* \*

On motion of Senator Stevenson, the circle was removed from **1st Sub. S.B. 82**, STUDENT ACHIEVEMENT BACKPACK, and it was before the Senate.

Senator Stevenson proposed the following amendment:

1. Page 2, Lines 47 through 51:

47 (e) “Utah Student Record Store” means a repository of student data collected from

48 LEAs as part of the state’s longitudinal data system that is:

49 (i) ~~{-hosted-at-}~~ managed by the Utah State Office of Education;

50 (ii) cloud-based ~~{-i-}~~ and

51 (iii) accessible via a web browser to authorized LEA users ~~{-using role-based security-}~~ .

2. Page 3, Lines 69 through 70:

69 (vi) serves as additional disaster mitigation for LEAs by using a cloud-based data storage and

70 collection system.

3. Page 4, Lines 88 through 95:

88 (a) student demographics;

89 (b) course grades;

90 (c) course history; and

91 (d) results for an assessment administered under U-PASS ~~{-i-}~~ and-} .

92 (7) No later than June 30, 2015, an authorized LEA user shall be able to access student

93 data in a Student Achievement Backpack, which shall include the data listed in Subsections

94 (6)(a) ~~{-(i)-}~~ through ~~{-(iv)-}~~ (d) and the following data, or request the data be transferred from one LEA to

95 another:

Senator Stevenson’s motion to amend passed on a voice vote.

On motion of Senator Stevenson, under suspension of the rules, **1st Sub. S.B. 82, STUDENT ACHIEVEMENT BACKPACK**, was considered read the

second and third times. Senator Stevenson explained the bill. Senators Jones and Jenkins commented.

On motion of Senator Stevenson, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. The bill passed on the following roll call:

**Yeas, 18; Nays, 10; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Hillyard	Jenkins	Knudson	Madsen
Okerlund	Osmond	Reid	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Dabakis	Davis	Harper	Henderson
Jones	Mayne	Robles	Shiozawa
Van Tassell	Vickers		

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

**1st Sub. S.B. 82** was transmitted to the House.

\* \* \*

On motion of Senator Osmond, the circle was removed from **S.B. 81**, SCHOOL PROPERTY TAX FUNDING, and it was before the Senate.

Senator Weiler proposed the following amendment:

1. Page 10, Lines 289 through 292  
Senate Committee Amendments  
2-27-2013:

289 (7) {~~A~~} (a) Except as provided in Subsection (7)(b), a school district is subject to the notice and hearing requirements of Section

290 59-2-919 if the school district imposes a combined tax rate for board-authorized discretionary

291 local taxes that exceeds the adjusted certified tax rate for board-authorized discretionary local



292 taxes.

(b)(i) A school district that has not previously notified the commission under Subsection (7)(b)(ii) is exempt from the notice and hearing requirements of Subsection (7)(a) if the school district notifies the commission in accordance with Subsection (7)(b)(ii).

(ii) For purposes of Subsection (7)(b)(i), a school district shall notify the State Tax Commission, in the form required by the State Tax Commission, no later than June 8 of the year the school district elects to receive the exemption under Subsection (7)(b)(i).

Senator Weiler’s motion to amend passed on a voice vote.

On motion of Senator Osmond, under suspension of the rules, **S.B. 81, SCHOOL PROPERTY TAX FUNDING**, was considered read the second and third times. Senator Osmond explained the bill. Senators Jones, Hillyard, Van Tassell, and Davis commented.

On motion of Senator Osmond, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. The bill passed on the following roll call:

**Yeas, 16; Nays, 12; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Harper	Henderson
Knudson	Madsen	Okerlund	Osmond
Reid	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Weiler	Niederhauser

**Voting in the negative were:** Senators

Christensen	Dabakis	Davis	Dayton
Hillyard	Jenkins	Jones	Mayne
Robles	Shiozawa	Van Tassell	Vickers

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

**S.B. 81** was transmitted to the House.

**COMMUNICATIONS FROM THE HOUSE**

Mr. President: March 11, 2013

The House requests the return of **H.B. 202, ENERGY CONSERVATION CODE AMENDMENTS**, by Representative B. Wilson, for correction.

Sandy D. Tenney, Chief Clerk

The bill was returned to the House.

**SECOND READING CALENDAR**

On motion of Senator Urquhart, the circle was removed from **2nd Sub. S.B. 219, DISCOVERY RECOVERY LIENS**, and it was before the Senate.

On motion of Senator Urquhart, under suspension of the rules, **2nd Sub. S.B. 219, PAYMENT OF INSURANCE PROCEEDS**, was considered read the second and third times. Senator Urquhart explained the bill.

On motion of Senator Urquhart, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Jenkins	Jones	Knudson
Madsen	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Hinkins	Mayne
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**2nd Sub. S.B. 219** was transmitted to the House.

\* \* \*

On motion of Senator Stephenson, the circle was removed from **S.B. 79, STUDENT-CENTERED LEARNING PILOT PROGRAM**, and it was before the Senate.

Senator Stephenson proposed the following amendment:

1. Page 2, Line 32:

32        •        from                    the                    Education                    Fund,  
               {-\$275,000-}    \$75,000        .

2. Page 8, Lines 218 through 219:

218        (3)    {~~Of the \$275,000 appropriated to the -~~}    The State  
Board of Education in fiscal year 2014 shall use the appropriation

219 for the Student-Centered Learning Pilot Program { ~~, the board~~  
220 may use up to \$75,000 } to contract

3. Page 8, Line 231 through Page 9, Line 245:

231 {~~(5) A school district or charter school awarded a grant shall~~  
232 use the grant money to

233 contract with the consultant selected by the board under Subsection  
234 (1) to:

235 (a) design and implement blended learning at a pilot school,  
236 including:

237 (i) designing the instructional model;

238 (ii) selecting digital content;

239 (iii) cocreating a plan for hardware and facility readiness;

240 (iv) providing professional development; and

241 (v) developing professional learning communities;

242 (b) provide support to a pilot school through the first year of  
243 operation, including:

244 (i) ongoing professional development;

245 (ii) access to online professional learning communities and  
246 resources;

247 (iii) technical assistance; and

248 (iv) assistance in modifying and improving a pilot school's  
249 educational model; and

250 (c) develop a community of practice among pilot schools for  
251 sharing practices;

252 collaborating, problem solving, refining, and enhancing  
253 student-centered learning models. }

4. Page 11, Lines 315 through 320:

315 (1) In the 2014 General Session, the board shall submit  
316 recommendations to the

317 Legislature for funding the implementation of the pilot program in  
318 the selected pilot schools,

319 including the cost of:

- 318 (a) a consultant selected by the board, who:
- 319 (i) in the first year of operations, assists pilot schools in the final design and
- 320 implementation of the pilot program: {~~and~~} including:  
(A) designing the instructional model;  
(B) selecting digital content;  
(C) cocreating a plan for hardware and facility readiness;  
(D) providing professional development;  
(E) developing professional learning communities;  
(F) providing access to online professional learning communities  
and resources;  
(G) providing technical assistance;  
(H) providing assistance in modifying and improving a pilot  
school's educational model; and  
(I) developing a community of practice among pilot schools for  
sharing practices, collaborating, problem solving, refining, and  
enhancing student-centered learning models;

5. Page 13, Lines 395 through 398:

395 To State Board of Education – USOE Initiatives  
 396 From Education Fund {~~\$275,000~~} \$75,000  
 397 Schedule of Programs:  
 398 {~~Student-Centered Learning Pilot Program~~  
~~\$275,000~~}  
USOE Initiatives – Contracts and Grants \$75,000  
The Legislature intends that the appropriation provided in this  
section be used for the Student-Centered Learning Pilot Program created  
in Title 53A, Chapter 15, Part 13, Student-Centered Learning Pilot  
Program.

Senator Stephenson's motion to amend passed on a voice vote.

On motion of Senator Stephenson, under suspension of the rules, **S.B. 79**, STUDENT-CENTERED LEARNING PILOT PROGRAM, was considered read the second and third times. Senator Stephenson explained the bill.

On motion of Senator Stephenson, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. The bill passed on the following roll call:

**Yeas, 17; Nays, 9; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dayton	Henderson
Jenkins	Madsen	Okerlund	Osmond
Reid	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Vickers	Weiler
Niederhauser			

**Voting in the negative were:** Senators

Christensen	Dabakis	Davis	Harper
Jones	Mayne	Robles	Shiozawa
Van Tassell			

**Absent or not voting were:** Senators

Hillyard	Hinkins	Knudson
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**S.B. 79** was transmitted to the House.

\* \* \*

On motion of Senator Robles, the circle was removed from **S.B. 85**, COMMUNITY HEALTH WORKER PROGRAM, and it was before the Senate.

On motion of Senator Robles, under suspension of the rules, **S.B. 85**, COMMUNITY HEALTH WORKER PROGRAM, was considered read the second and third times. Senator Robles explained the bill. Senator Dabakis commented.

On motion of Senator Robles, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. The bill failed on the following roll call:

**Yeas, 13; Nays, 15; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Dabakis	Davis	Hillyard	Jones
Knudson	Mayne	Osmond	Reid
Robles	Shiozawa	Thatcher	Urquhart
Weiler			

**Voting in the negative were:** Senators

Adams	Bramble	Christensen	Dayton
Harper	Henderson	Jenkins	Madsen
Okerlund	Stephenson	Stevenson	Valentine
Van Tassell	Vickers	Niederhauser	

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

**S.B. 85** was filed.

\* \* \*

On motion of Senator Stevenson, the circle was removed from **S.B. 284**, EDUCATIONAL TECHNOLOGY AMENDMENTS, and it was before the Senate.

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

**1st Sub. S.B. 284 Education Technology Amendments (J. Stevenson)**

On motion of Senator Stevenson, under suspension of the rules, **1st Sub. S.B. 284**, EDUCATION TECHNOLOGY AMENDMENTS, was considered read the second and third times. Senator Stevenson explained the bill. Senators Jones and Robles commented.

On motion of Senator Stevenson, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Adams                      Hinkins

**1st Sub. S.B. 284** was transmitted to the House.

\* \* \*

On motion of Senator Stephenson, the circle was removed from **S.B. 110**, SCHOOL-BASED BUDGETING AMENDMENTS, and it was before the Senate. Senators Bramble, Hillyard, Jones, and Weiler commented.

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

**1st Sub. S.B. 110 School-based Budgeting Amendments** (H. Stephenson)

On motion of Senator Stephenson, under suspension of the rules, **1st Sub. S.B. 110, SCHOOL-BASED BUDGETING AMENDMENTS**, was considered read the second and third times. Senator Stephenson explained the bill.

On motion of Senator Stephenson, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. The bill failed on the following roll call:

**Yeas, 12; Nays, 16; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dayton	Henderson
Jenkins	Madsen	Osmond	Stephenson
Stevenson	Urquhart	Weiler	Niederhauser

**Voting in the negative were:** Senators

Christensen	Dabakis	Davis	Harper
Hillyard	Jones	Knudson	Mayne
Okerlund	Reid	Robles	Shiozawa
Thatcher	Valentine	Van Tassell	Vickers

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

**1st Sub. S.B. 110** was filed.

\* \* \*

On motion of Senator Okerlund, the circle was removed from **S.B. 212, JUDICIAL CODE AMENDMENTS**, and it was before the Senate.

Senator Urquhart proposed the following amendment:

1. Page 2, Lines 30 through 41:
  - 30 (2) It is the duty of the court, in entering judgment for plaintiff in that action, to add to
  - 31 the amount of special damages actually incurred that are assessed by the verdict of the jury, or

32 found by the court, prejudgment interest on that amount [ealculated  
at 7.5% simple interest per

33 annum, from the date of the occurrence of the act giving rise to the  
cause of action to the date

34 of entering the judgment,] and to include it in that judgment. The  
court shall calculate

35 prejudgement interest using a per annum rate, which is  
{-one-} two percentage {-point-} points above the prime

36 rate, as published by the board of governors of the federal reserve  
system on the first business

37 day in January of the calendar year in which the plaintiff is first  
treated. { in which the judgment is entered,

-} {-and-} The prejudgment interest rate applied may not be  
above 10 percent nor below 5 percent. The prejudgment interest shall  
be computed as

38 simple interest accruing during the period from the date {-90  
days after commencement of the

39 lawsuit-} the plaintiff is first treated to the date  
{-entering-} on which the judgment is entered .

40 (3) As used in this section, “special damages actually incurred”  
does not include

41 damages for future medical expenses, loss of future wages, or loss  
of future earning capacity.

(4) This section applies to injuries that occur after May 14,  
2013.

Senator Urquhart’s motion to amend passed on a voice vote.

The bill passed second reading on the following roll call vote.

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Dayton
Harper	Henderson	Hillyard	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		



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

**Absent or not voting were:** Senators Christensen Hinkins

\* \* \*

On motion of Senator Urquhart, the Senate voted to reconsider its action on **2nd Sub. S.B. 219, PAYMENT OF INSURANCE PROCEEDS.**

On motion of Senator Urquhart, the Senate voted to place the bill at the top of the Second Reading Calendar.

On motion of Senator Urquhart, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Urquhart, under suspension of the rules, **2nd Sub. S.B. 219, PAYMENT OF INSURANCE PROCEEDS,** was considered read the second and third times. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators Christensen Hinkins

**2nd Sub. S.B. 219** was transmitted to the House.

\* \* \*

On motion of Senator Adams, the Senate voted to lift **H.B. 377, TRANSPORTATION FUNDING MODIFICATIONS,** from Rules and place it on the top of the Second Reading Calendar.

**H.B. 377, TRANSPORTATION FUNDING MODIFICATIONS,** was read the second time. Senators Hillyard, Jenkins, Mayne, and Jones commented.

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

**1st Sub. H.B. 377 Transportation Funding Modifications** (Rep. B. Dee)

On motion of Senator Adams, under suspension of the rules, **1st Sub. H.B. 377, TRANSPORTATION FUNDING MODIFICATIONS**, was considered read the second and third times.

On motion of Senator Adams, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Adams, under suspension of the rules, the Senate voted to suspend the rules requiring a committee hearing and the 24-hour requirement. The bill passed on the following roll call:

**Yeas, 18; Nays, 9; Absent or not voting, 2.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Harper	Jones	Knudson	Mayne
Okerlund	Osmond	Reid	Shiozawa
Stephenson	Stevenson	Valentine	Van Tassell
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Christensen	Dayton	Henderson	Hillyard
Jenkins	Madsen	Robles	Thatcher
Vickers			

**Absent or not voting were:** Senators

Hinkins	Urquhart
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**1st Sub. H.B. 377** was returned to the House for further consideration.

## INTRODUCTION OF BILLS

**S.B. 4, Current School Year Supplemental Public Education Budget Amendments** (L. Hillyard), was read the first time by short title and referred to the Rules Committee.

## THIRD READING CALENDAR

On motion of Senator Valentine, the circle was removed from **1st Sub. S.B. 265, REFERENDUM AMENDMENTS**, and it was before the Senate.

On motion of Senator Valentine, the Senate voted to strike the enacting clause on the bill.

\* \* \*

On motion of Senator Valentine, the Senate voted to return all bills on the Second Reading Calendar back to rules for the purpose of reprioritization except for **1<sup>st</sup> Sub. H.B. 124** and **H.B. 310**.

\* \* \*

On motion of Senator Knudson, the Senate voted to place the following bills at the bottom of the Second Reading Calendar:

- 1H.B. 76**                    Concealed Weapon Carry Amendments (Rep. J. Mathis)  
(Sen. A. Christensen)
- H.B. 141**                    Medicaid Emergency Room and Primary Care  
Amendments (Rep. M. Kennedy) (Sen. M. Dayton)
- H.B. 146**                    Health Care Provider Amendments (Rep. F. Gibson)  
(Sen. G. Davis)
- H.B. 163**                    Human Trafficking Amendments (Rep. J. Seelig)  
(Sen. C. Bramble)
- H.B. 316**                    Traffic Amendments (Rep. Johnny Anderson)  
(Sen. S. Urquhart)
- H.B. 172**                    Public Safety Radio Communication Amendments  
(Rep. B. Dee) (Sen. E. Vickers)
- 1H.B. 152**                    Parent–time Restriction Amendments (Rep. C. Hall)  
(Sen. D. Henderson)
- H.B. 192**                    County Clerk Misconduct Penalty (Rep. D. Layton)  
(Sen. D. Henderson)
- H.B. 166**                    Water Rights Amendments (Rep. K. Ivory)  
(Sen. E. Vickers)
- H.B. 155**                    Federal Law Enforcement Amendments (Rep. M. Noel)  
(Sen. D. Hinkins)
- 2H.B. 120**                    Information on Pharmaceutical Products (Rep. P. Ray)  
(Sen. B. Shiozawa)
- H.B. 168**                    Air Quality Mitigation by Government Entities  
(Rep. P. Arent) (Sen. M. Madsen)
- 1H.B. 164**                    State and Political Subdivision Jurisdictional  
Amendments (Rep. M. Roberts) (Sen. D. Hinkins)
- H.J.R. 15**                    Joint Resolution on State and Political Subdivisions  
Jurisdiction (Rep. M. Roberts) (Sen. D. Hinkins)
- H.B. 347**                    Landowner Liability Amendments (Rep. B. Wilson)  
(Sen. J. S. Adams)

- 1H.B. 127** Motor Vehicle Event Data Recorders (Rep. D. Lifferth)  
(Sen. M. Madsen)
- 1H.B. 228** Alcoholic Beverage Control Act Amendments  
(Rep. R. Wilcox) (Sen. J. Valentine)
- H.B. 327** Probate Amendments (Rep. V. L. Snow) (Sen. T. Weiler)
- 1H.B. 385** Duties and Withdrawal of Trustee (Rep. V. L. Snow)  
(Sen. J. Valentine)
- 1H.B. 140** Consumer–focused Health Delivery and Payment  
Demonstration Project (Rep. S. Barlow) |  
(Sen. P. Knudson)
- H.B. 237** Surety Bond Penalty (Rep. R. Greenwood)  
(Sen. S. Jenkins)
- 1H.B. 222** Domestic Asset Protection Trust Amendments  
(Rep. D. Brown) (Sen. J. Valentine)
- H.B. 324** Passing on the Right Amendments (Rep. L. Christensen)  
(Sen. T. Weiler)
- 1H.B. 134** Parental Notification Related to Student Safety  
(Rep. G. Froerer) (Sen. L. Robles)
- 1H.B. 318** Classroom Size Revisions (Rep. R. Edwards)  
(Sen. H. Stephenson)
- 5H.B. 66** Political Subdivision Amendments (Rep. R. C. Webb)  
(Sen. P. Knudson)
- H.B. 103** Wireless Telephone Use Restrictions (Rep. L. Perry)  
(Sen. L. Hillyard)
- H.B. 379** Rental Company Registration Amendments  
(Rep. D. McCay) (Sen. D. Henderson)
- H.B. 371** Interpreter Services for the Hearing Impaired  
Amendments (Rep. R. Menlove) (Sen. A. Osmond)
- 4H.B. 94** Free Market Protection and Privatization Board Act  
Amendments (Rep. K. Stratton) (Sen. C. Bramble)
- 1H.B. 145** Youth Organization Restricted Accounts and Income Tax  
Contributions (Rep. S. Eliason) (Sen. C. Bramble)
- 1H.B. 337** Permanent State Trust Fund Investment Amendments  
(Rep. J. Nielson) (Sen. W. Harper)
- H.B. 375** Radiologist Assistant Provisions (Rep. E. Redd)  
(Sen. A. Christensen)
- 1H.B. 193** Utah State Employment Amendments (Rep. B. Dee)  
(Sen. J. Stevenson)
- H.B. 175** Local Political Subdivision Bonding Notice Requirements  
(Rep. J. Knotwell) (Sen. D. Henderson)
- H.B. 121** Firearms Safe Harbor (Rep. D. Pitcher) (Sen. C. Bramble)

- 1H.B. 315** Office of Inspector General of Medicaid Services Amendments (Rep. J. Dunnigan) (Sen. S. Urquhart)
- 1H.B. 49** Voted and Board Levy Programs Amendments (Rep. S. Handy) (Sen. H. Stephenson)
- 1H.B. 376** Public Funds and Accounts Amendments (Rep. E. Hutchings) (Sen. M. Madsen)
- H.B. 340** Snow College Economic Development and Workforce Preparation Advisory Committee (Rep. K. McIff) (Sen. R. Okerlund)
- 2H.B. 91** Voter Registration – Election Day Voter Registration (Rep. R. Chavez–Houck) (Sen. S. Jenkins)
- 1H.B. 149** Amendments to Utah Exemptions Act (Rep. E. Tanner) (Sen. T. Weiler)
- 1H.B. 317** Protection of Concealed Firearm Permit Information (Rep. J. Anderegg) (Sen. M. Dayton)

\* \* \*

On motion of Senator Okerlund, and at 8:40 p.m., the Senate adjourned until 8:30 a.m., Tuesday, March 12, 2013.

# FORTY-THIRD DAY

## MORNING SESSION

**March 12, 2013**

The Senate was called to order at 8:50 a.m., with President Wayne Niederhauser presiding.

**Prayer** – Senator Stuart Reid

**Pledge of Allegiance** – Senator Lyle Hillyard

**Roll Call** – All Senators present

### READING OF TITLES OF BILLS AND RESOLUTIONS

(PLEASE REFER TO DAY 1, PAGE 81)

### COMMUNICATIONS FROM THE HOUSE

Mr. President: March 11, 2013

The Speaker of the House has signed **2nd Sub. S.B. 187**, FOOD HANDLER LICENSING AMENDMENTS, by Senator C. Bramble, and it is transmitted for the signature of the President.

Sandy D. Tenney, 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: March 11, 2013

The House concurred in the Senate amendments and passed **H.B. 202**, ENERGY CONSERVATION CODE AMENDMENTS, by Representative B. Wilson, and it is transmitted for the signature of the President; and

The House adopted the Joint Conference Committee Report dated March 11, 2013, and passed **H.B. 279**, ADMINISTRATIVE HEARINGS BY COUNTIES, by Representative S. Cox, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

Communications filed. The bills were signed by the President of the Senate in open session and returned to the House for the signature of the Speaker of the House.

\* \* \*

Mr. President: March 11, 2013

The House passed, as substituted and amended, **1st Sub. H.B. 88**, LAND USE AMENDMENTS, by Representative M. Brown, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 165**, BACKGROUND CHECKS FOR CHILD CARE WORKERS, by Representative T. Cosgrove, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 197**, EARNED INCOME TAX CREDIT AND RELATED FUNDING, by Representative E. Hutchings, and it is transmitted for consideration; and

The House passed, as substituted and amended, **3rd Sub. H.B. 322**, LOCAL GOVERNMENT CLEAN-UP FEES, by Representative E. Hutchings, and it is transmitted for consideration; and

The House passed **H.B. 381**, ARBITRATION AMENDMENTS FOR DOG BITES, by Representative L. Christensen, and it is transmitted for consideration; and

The House passed, as substituted and amended, **1st Sub. H.B. 386**, BAIL BOND AMENDMENTS, by Representative C. Oda, and it is transmitted for consideration; and

The House passed **H.B. 408**, CRIMINAL SUSPECT PHOTOGRAPHS, by Representative P. Ray, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

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

**CONSENT CALENDAR**

**1st Sub. H.B. 102**, ARSON PENALTIES AMENDMENTS, was read the third time, explained by Senator Davis, and passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson

Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Mayne	Okerlund	Robles	Thatcher
Urquhart			

**1st Sub. H.B. 102** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 326**, DIVISION OF WATER RIGHTS AMENDMENTS, was read the third time, explained by Senator Bramble, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Osmond
Reid	Shiozawa	Stephenson	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Okerlund	Robles	Stevenson	Thatcher
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**H.B. 326** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**1st Sub. H.B. 333**, STATE LANDS AMENDMENTS, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson



Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Urquhart	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Robles	Stevenson	Thatcher	Valentine
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**1st Sub. H.B. 333**, as amended, was returned to the House for further consideration.

\* \* \*

**1st Sub. H.B. 144**, PUBLIC TRANSIT DISTRICT BOARD AMENDMENTS, was read the third time, explained by Senator Bramble, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Urquhart	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Robles	Stevenson	Thatcher	Valentine
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**1st Sub. H.B. 144**, as amended, was returned to the House for further consideration.

\* \* \*

**H.B. 320**, TEMPORARY IDENTIFICATION CARD, was read the third time, explained by Senator Knudson, and passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard

Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Stephenson	Stevenson	Urquhart
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Dabakis	Robles	Shiozawa	Thatcher
Valentine			

**H.B. 320** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

**THIRD READING CALENDAR**

**S.B. 212**, JUDICIAL CODE AMENDMENTS, was read the third time and explained by Senator Okerlund. Senators Hillyard, Valentine, Weiler, Henderson, Adams,

Senator Okerlund proposed the following amendment: #7

1. Page 2, Lines 30 through 35a  
Senate 2nd Reading Amendments  
3-11-2013:

30 (2) ~~{-It-}~~ The plaintiff is entitled to recover any claimed  
interest on special damages actually incurred only if, no later than 30  
days prior to the commencement of trial, the plaintiff extends to the  
defendant a written offer of settlement and that offer is within 20% of the  
total amount of damages awarded at trial against that defendant.

(3) If the conditions in Subsection (2) are satisfied, it is the duty  
of the court, in entering judgment for plaintiff in that action, to add to  
31 the amount of special damages actually incurred that are assessed  
by the verdict of the jury, or  
32 found by the court, prejudgment interest on that amount [ealeulated  
at ~~7.5%~~ simple interest per  
33 annum, from the date of the occurrence of the act giving rise to the  
cause of action to the date  
34 of entering the judgment,] and to include it in that judgment. The  
court shall calculate

35 prejudgement interest using a per annum rate, which is ~~Ŝ~~→  
~~{-}-~~ one ~~{-}-~~ ~~{-two-}~~ ←~~Ŝ~~ percentage ~~Ŝ~~→  
~~{-}-~~ point ~~{-}-~~

35a    {~~points~~}    ← **S** above the prime

Renumber the remaining subsections accordingly.

Senator Okerlund’s motion to amend failed on a voice vote. The bill passed, under suspension of the rules, on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Jenkins	Jones	Madsen	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Voting in the negative were:** Senators

Dabakis	Davis	Harper	Henderson
Hillyard	Hinkins	Knudson	Mayne

**S.B. 212** was transmitted to the House for consideration.

**SECOND READING CALENDAR**

**1st Sub. H.B. 76, CONCEALED WEAPON CARRY AMENDMENTS,** was read the second time. Senator Christensen explained the bill. Senators Hinkins, Shiozawa, Hillyard, Mayne, Jones, Robles, and Vickers commented. The bill passed second reading on the following roll call:

**Yeas, 19; Nays, 6; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Harper	Henderson	Hinkins	Jenkins
Knudson	Madsen	Okerlund	Osmond
Reid	Stephenson	Thatcher	Urquhart
Van Tassell	Vickers	Niederhauser	

**Voting in the negative were:** Senators

Dabakis	Davis	Hillyard	Jones
Mayne	Robles		

**Absent or not voting were:** Senators

Shiozawa	Stevenson	Valentine	Weiler
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\* \* \*

**H.B. 141, MEDICAID EMERGENCY ROOM AND PRIMARY CARE AMENDMENTS**, was read the second time. Senator Dayton explained the bill.

Senator Shiozawa proposed a verbal amendment as follows:

- 1. Page 3, Line 67:  
Delete “2014” and insert “2015”

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

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Van Tassell	Vickers
Niederhauser			

**Absent or not voting were:** Senators

Christensen	Hinkins	Valentine	Weiler
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\* \* \*

**H.B. 146, HEALTH CARE PROVIDER AMENDMENTS**, was read the second time. Senator Davis 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Van Tassell
Vickers	Niederhauser		

**Absent or not voting were:** Senators

Hinkins                      Valentine                      Weiler

\* \* \*

**H.B. 163, HUMAN TRAFFICKING AMENDMENTS**, was read the second time. Senator Bramble explained the bill. The bill passed second reading on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Dayton
Harper	Henderson	Hillyard	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Niederhauser			

**Absent or not voting were:** Senators

Christensen              Davis                      Hinkins                      Weiler

\* \* \*

On motion of Senator Shiozawa, **H.B. 316, TRAFFIC AMENDMENTS**, was read the second time and circled.

\* \* \*

On motion of Senator Vickers, **H.B. 172, PUBLIC SAFETY RADIO COMMUNICATION AMENDMENTS**, was read the second time and circled.

\* \* \*

**1st Sub. H.B. 152, PARENT–TIME RESTRICTION AMENDMENTS**, was read the second time. Senator Henderson explained the bill. Senator Stephenson commented. The bill passed second reading on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Dayton
Harper	Henderson	Hillyard	Jenkins

Jones	Knudson	Madsen	Mayne
Osmond	Reid	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Niederhauser	

**Absent or not voting were:** Senators

Adams	Davis	Hinkins	Okerlund
Robles	Weiler		

\* \* \*

**H.B. 192, COUNTY CLERK MISCONDUCT PENALTY**, was read the second time. Senator Henderson 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

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Niederhauser			

**Voting in the negative was:** Senator

Dabakis

**Absent or not voting were:** Senators

Hinkins	Robles	Weiler
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\* \* \*

**H.B. 166, WATER RIGHTS AMENDMENTS**, was read the second time. Senator Vickers explained the bill. The bill passed second reading on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.****Voting in the affirmative were:** Senators

Davis	Dayton	Harper	Henderson
Hillyard	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond

Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Adams	Bramble	Christensen	Dabakis
Hinkins	Robles		

\* \* \*

On motion of Senator Urquhart, the circle was removed from **H.B. 316**, TRAFFIC AMENDMENTS, and it was before the Senate.

Senator Dayton proposed the following amendment:

1. Page 1, Lines 22 through 23:

22           ▶           until July 1, 2014, and for an operator of a motorcycle, moped, or bicycle who is 16 years of age or older, establishes an affirmative defense to a red light or red arrow violation for  
 {~~an~~} the

23 operator of a motorcycle, moped, or bicycle in certain circumstances; and

2. Page 7, Lines 211 through 212:

211       (7) (a)   {~~It~~}   Until July 1, 2014, and for an operator of a motorcycle, moped, or bicycle who is 16 years of age or older, it is an affirmative defense to a violation of Subsection (4)(a) if  
 {~~an~~} the operator of a

212 motorcycle, moped, or bicycle facing a steady circular red signal or red arrow:

Senator Dayton’s motion to amend passed on a voice vote.

###

Senator Harper proposed the following amendment:

1. Page 1, Lines 12 through 14:

12           ▶           provides that a governing body of a city or town may not prohibit or regulate certain

13 conduct { ~~in the streets~~ } on a highway if the prohibition or regulation is inconsistent with or conflicts

14 with any provision in Title 41, Chapter 6a, Traffic Code;

2. Page 2, Line 37:

37 10-8-69. { ~~Annoying pastimes in streets~~ } Conduct that interferes with or impedes traffic .

3. Page 2, Lines 38 through 40:

38 [They] (1) Except as provided in Subsection (2), the governing body of a city or town

39 may prohibit or regulate [the] conduct { ~~in the streets that annoys a person passing in the streets~~

40 ~~or on sidewalks,~~ } on a highway or sidewalk if the conduct interferes with or impedes traffic { ~~or frightens horses~~ } .  
including:

4. Page 2, Lines 45 through 47:

45 (e) any other [amusements or practices having a tendency to annoy persons passing in

46 the streets or on sidewalks, or to frighten teams of horses, or to interfere with traffic]

47 { ~~amusement or practice~~ } conduct or activity that interferes with traffic .

Senator Harper’s motion to amend passed on a voice vote. Senator Urquhart 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

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Weiler	Niederhauser		





\* \* \*

On motion of Senator Okerlund, and at 10:20 a.m., the Senate sauntered.

The Senate was called to order at 10:45 a.m., with President Niederhauser presiding.

\* \* \*

On motion of Senator Okerlund, **H.B. 168**, AIR QUALITY MITIGATION BY GOVERNMENT ENTITIES, was read the second time and circled.

\* \* \*

On motion of Senator Hinkins, **1st Sub. H.B. 164**, STATE AND POLITICAL SUBDIVISION JURISDICTIONAL AMENDMENTS, was read the second time and circled.

\* \* \*

**H.J.R. 15**, JOINT RESOLUTION ON STATE AND POLITICAL SUBDIVISIONS JURISDICTION, was read the second time. Senator Hinkins explained the bill. Senators Dabakis and Dayton commented. The bill passed second reading on the following roll call:

**Yeas, 20; Nays, 4; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Harper	Hinkins	Jenkins	Knudson
Madsen	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Thatcher	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Voting in the negative were:** Senators

Dabakis	Davis	Jones	Robles
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**Absent or not voting were:** Senators

Henderson	Hillyard	Mayne	Stevenson
Urquhart			

\* \* \*

On motion of Senator Madsen, the circle was removed from **H.B. 168**, AIR QUALITY MITIGATION BY GOVERNMENT ENTITIES, and it was before the

Senate. Senator Madsen 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Henderson	Hillyard	Urquhart
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\* \* \*

On motion of Senator Hinkins, the circle was removed from **1st Sub. H.B. 164, STATE AND POLITICAL SUBDIVISION JURISDICTIONAL AMENDMENTS**, and it was before the Senate. Senator Hinkins explained the bill. The bill passed second reading on the following roll call:

**Yeas, 21; Nays, 5; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Harper	Hinkins	Jenkins	Knudson
Madsen	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Voting in the negative were:** Senators

Dabakis	Davis	Jones	Mayne
Robles			

**Absent or not voting were:** Senators

Henderson	Hillyard	Urquhart
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\* \* \*

**H.B. 347, LANDOWNER LIABILITY AMENDMENTS**, was read the second time.

Senator Adams proposed the following amendment:

1. Page 4, Lines 112 through 118:

112 ~~[57-14-3]. 57-14-201.~~ Owner owes no duty of care or duty to give warning --

113 Exceptions.

114 Except as provided in Subsections ~~[57-14-6]~~ 57-14-204(1) and (2) ~~{-and Part 3, Liability~~

115 ~~Relating to Trespassers-}~~ , an owner of land owes no duty of care to keep the ~~[premises]~~ land safe

116 for entry or use by any person entering or using the ~~[premises]~~ land for any recreational

117 purpose or to give ~~[any]~~ warning of a dangerous condition, use, structure, or activity on ~~[those~~

118 ~~premises to that person]~~ the land.

2. Page 8, Lines 226 through 230

House Floor Amendments

3-4-2013:

226 (1) Notwithstanding Section 57-14-202 to the contrary, a person may not make a claim

227 against or recover from an owner of ~~H~~→ any ←~~H~~ land , as defined in this chapter, including land ~~H~~→ {-+} in developed or improved, urban or

227a semi-rural areas {-+} ←~~H~~

228 opened to the general public without charge, such as a lake, pond, park, trail, waterway, or

229 other recreation site, for personal injury or property damage caused by the inherent risks of

230 participating in an activity with a recreational purpose on the land.

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

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Dayton
Harper	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Bramble	Davis	Henderson	Hillyard
Urquhart			

\* \* \*

**1st Sub. H.B. 127, MOTOR VEHICLE EVENT DATA RECORDERS,** was read the second time.

Senator Madsen proposed the following amendment:

1. Page 3, Lines 69 through 72  
Senate Committee Amendments  
3-7-2013:

69       (2) “Event data recorder” ~~is~~ <sup>Œ</sup> ~~means a device or function in a~~  
vehicle that records the  
70 vehicle’s dynamic, time-series data during the time period just  
prior to a crash event, including  
71 vehicle speed versus time, or during a crash event, including  
delta V versus time, intended for  
72 retrieval after the crash event. ~~]~~ has the same meaning as defined in  
49 C.F.R. Sec. 563.5 as in effect on May 14, 2013 . ~~Œ~~ <sup>Œ</sup>

2. Page 4, Lines 99 through 100:

99       (c) the data is subject to discovery in a criminal prosecution  
or pursuant to the rules of civil procedure in a claim  
100 arising out of a motor vehicle accident;

3. Page 4, Lines 116 through 117:

116       (b) the data is subject to discovery in a criminal prosecution  
or pursuant to the rules of civil procedure in a claim

117 arising out of a motor vehicle accident:

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

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Reid	Robles	Shiozawa
Stephenson	Thatcher	Valentine	Vickers
Weiler			

**Absent or not voting were:** Senators

Bramble	Hillyard	Hinkins	Osmond
Stevenson	Urquhart	Van Tassell	Niederhauser

\* \* \*

On motion of Senator Valentine, **1st Sub. H.B. 228, ALCOHOLIC BEVERAGE CONTROL ACT AMENDMENTS**, was read the second time and circled.

\* \* \*

**H.B. 327, PROBATE AMENDMENTS**, was read the second time. Senator Weiler explained the bill. The bill passed second reading on the following roll call:

**Yeas, 22; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Mayne
Okerlund	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Valentine
Vickers	Weiler		

**Absent or not voting were:** Senators

Bramble	Hillyard	Madsen	Osmond
Urquhart	Van Tassell	Niederhauser	

\* \* \*

**1st Sub. H.B. 385, DUTIES AND WITHDRAWAL OF TRUSTEE**, was read the second time. Senator Valentine explained the bill. The bill passed second reading on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler			

**Absent or not voting were:** Senators

Christensen	Hillyard	Urquhart	Niederhauser
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\* \* \*

**1st Sub. H.B. 140, CONSUMER-FOCUSED HEALTH DELIVERY AND PAYMENT DEMONSTRATION PROJECT**, was read the second time. Senator Knudson explained the bill. Senator Shiozawa commented. The bill passed second reading on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler

**Absent or not voting were:** Senators

Christensen	Henderson	Hillyard	Hinkins
Niederhauser			

## COMMUNICATIONS FROM THE HOUSE

Mr. President:

March 12, 2013

The House passed **H.C.R. 9**, CONCURRENT RESOLUTION HONORING THE COMMUNITY COVENANT PROGRAM, by Representative S. Eliason, and it is transmitted for consideration

Sandy D. Tenney, Chief Clerk

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

## SECOND READING CALENDAR

On motion of Senator Valentine, the Senate voted to lift **H.C.R. 9**, CONCURRENT RESOLUTION HONORING THE COMMUNITY COVENANT PROGRAM, from the Rules Committee and place it at the top of the Second Reading Calendar.

On motion of Senator Knudson, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Knudson, under suspension of the rules, **H.C.R. 9**, CONCURRENT RESOLUTION HONORING THE COMMUNITY COVENANT PROGRAM, was considered read the second and third times and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	

**Absent or not voting were:** Senators

Dabakis	Niederhauser
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**H.C.R. 9** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.



\* \* \*

**H.B. 237, SURETY BOND PENALTY**, was read the second time. Senator Jenkins explained the bill. 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler

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

\* \* \*

On motion of Senator Valentine, the circle was removed from **1st Sub. H.B. 228, ALCOHOLIC BEVERAGE CONTROL ACT AMENDMENTS**, and it was before the Senate.

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

**3rd Sub. H.B. 228 Alcoholic Beverage Control Act Amendments**  
(Rep. B. Wilcox)

Senator Valentine explained the bill. Senator Weiler commented.

On motion of Senator Valentine, the bill was circled.

\* \* \*

**1st Sub. H.B. 222, DOMESTIC ASSET PROTECTION TRUST AMENDMENTS**, was read the second time. Senator Valentine 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

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	

**Absent or not voting were:** Senators

Adams                      Niederhauser

\* \* \*

On motion of Senator Okerlund, and at 11:50 a.m., the Senate recessed.

**AFTERNOON SESSION**

The Senate reassembled at 2:20 p.m., with President Niederhauser presiding.

**COMMUNICATIONS FROM THE HOUSE**

Mr. President: March 12, 2013

The House passed, **1st Sub. S.B. 99**, LABOR AMENDMENTS, by Senator W. Harper, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 176**, OFFICE OF PLANNING AND BUDGET RESTRUCTURING AMENDMENTS, by Senator J. Stevenson, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **2nd Sub. S.B. 182**, STORAGE UNIT AMENDMENTS, by Senator J. S. Adams, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 198**, UTAH UNITRUST ACT, by Senator L. Hillyard, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 213**, EMPLOYER ASSOCIATION HEALTH PLAN AMENDMENTS, by Senator P. Knudson, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 228**, PENALTIES FOR SPECIFIED JUVENILE OFFENSES, by Senator B. Shiozawa, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 277**, GREEN RIVER ENERGY ZONE, by Senator D. Hinkins, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 283**, AVAILABILITY OF PUBLIC INFORMATION AMENDMENTS, by Senator D. Henderson, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President: March 12, 2013

The House concurred in the Senate amendments and passed **H.B. 306**, SCHOOL LAND TRUST PROGRAM AMENDMENTS, by Representative L. Perry, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President: March 12, 2013

The House passed **H.B. 3**, CURRENT FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS, by Representative M. Brown, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President: March 12, 2013

The House passed, as amended, **S.B. 20**, STATE SECURITY STANDARDS FOR PERSONAL INFORMATION, by Senator S. Reid, and it is transmitted for further consideration; and

The House passed, as amended, **1st Sub. S.B. 64**, HOMEOWNER ASSOCIATION RESERVE ACCOUNT AMENDMENTS, by Senator S. Urquhart, and it is transmitted for further consideration; and

The House substituted, amended, and passed, **2nd Sub. S.B. 59**, WORKERS' COMPENSATION COORDINATION OF BENEFITS AMENDMENTS, by Senator K. Mayne, and it is transmitted for further consideration; and

The House passed, as amended, **1st Sub. S.B. 83**, LIMITATIONS ON OUTSIDE EMPLOYMENT BY GOVERNMENT EMPLOYEE, by Senator T. Weiler, and it is transmitted for further consideration; and

The House substituted and passed, **2nd Sub. S.B. 189**, ONCOLOGY INSURANCE AMENDMENTS, by Senator C. Bramble, and it is transmitted for further consideration; and

The House passed, as amended, **S.B. 259**, AMENDMENTS TO DISABILITY WAITING LIST, by Senator A. Christensen, and it is transmitted for further consideration; and

The House substituted and passed, **3rd Sub. S.C.R. 5**, CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR ACHIEVING 66% BY 2020 GOAL, by Senator J. Stevenson, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bills were placed on the Concurrence Calendar.

### SECOND READING CALENDAR

On motion of Senator Bramble, the circle was removed from **H.B. 310**, CONSTRUCTION CODE AMENDMENTS, and it was before the Senate.

On motion of Senator Bramble, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Bramble, under suspension of the rules, **H.B. 310**, CONSTRUCTION CODE AMENDMENTS, was considered read the second and third times and passed on the following roll call:

**Yeas, 23; Nays, 1; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Hillyard	Hinkins
Jenkins	Jones	Knudson	Mayne
Okerlund	Reid	Shiozawa	Stephenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

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

**Absent or not voting were:** Senators Henderson Madsen Osmond Robles Stevenson

**H.B. 310** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Okerlund, the circle was removed from **1st Sub. H.B. 124, RADIATION CONTROL AMENDMENTS**, and it was before the Senate. Senator Okerlund explained the bill. Senators Bramble commented. The bill passed second reading on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators Adams Bramble Christensen Dabakis Davis Dayton Harper Hillyard Hinkins Jenkins Jones Knudson Mayne Okerlund Reid Robles Shiozawa Stephenson Thatcher Urquhart Valentine Van Tassell Vickers Weiler Niederhauser

**Absent or not voting were:** Senators Henderson Madsen Osmond Stevenson

\* \* \*

On motion of Senator Hillyard, the Senate voted to lift the following bills from Rules and place them on the Second Reading Calendar:

- S.B. 2** New Fiscal Year Supplemental Appropriations Act
- S.B. 4** Current School Year Supplemental Public Education Budget Amendments
- S.B. 7** State Agency And Higher Education Compensation Appropriations

\* \* \*

On motion of Senator Weiler, under suspension of the rules, the Senate voted to suspend the rules requiring a committee hearing for House bill heard today.

\* \* \*

On motion of Senator Weiler, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Weiler, under suspension of the rules, **H.B. 324**, PASSING ON THE RIGHT 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Reid
Robles	Shiozawa	Stephenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Madsen	Osmond	Stevenson
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**H.B. 324** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Vickers, the circle was removed from **H.B. 172**, PUBLIC SAFETY RADIO COMMUNICATION AMENDMENTS, and it was before the Senate.

Senator Vickers proposed the following amendment:

1. Page 1, Lines 15 through 18:

15       ▶ provides that UCAN provide the public safety network  
for all state and local

16 governmental agencies:

17       • that currently subscribe to UCAN; and

18       • that currently do not subscribe to UCAN;

          ▶ directs that UCAN work with the private sector to deliver  
high-quality, cost-effective services;

2. Page 3, Line 74:

74 {~~and~~}

3. Page 3, Line 77:

77 Network: and  
(c) by working with the private sector to deliver high-quality,  
cost-effective services:

Senator Vickers' motion to amend passed on a voice vote.

On motion of Senator Vickers, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Vickers, under suspension of the rules, **H.B. 172, PUBLIC SAFETY RADIO COMMUNICATION AMENDMENTS**, 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

Adams	Bramble	Christensen	Dabakis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Mayne	Okerlund	Reid	Robles
Shiozawa	Stephenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Davis	Madsen	Osmond	Stevenson
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**H.B. 172**, as amended, was returned to the House for further consideration.

\* \* \*

**1st Sub. H.B. 134, PARENTAL NOTIFICATION RELATED TO STUDENT SAFETY**, was read the second time.

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

**2nd Sub. H.B. 134 Parental Notification Related to Student Safety**  
(Rep. G. Froerer)

Senator Robles explained the bill. Senators Dayton and Dabakis commented. The bill passed second reading on the following roll call:

**Yeas, 27; Nays, 1; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Vickers	Weiler	Niederhauser	

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

**Absent or not voting was:** Senator Van Tassell

\* \* \*

**1st Sub. H.B. 318, CLASSROOM SIZE REVISIONS,** was read the second time.

Senator Stephenson proposed the following amendment:

1. Page 1, Line 16:

16 size reduction money; {—and—}

    ▶ requires a school district or charter school to submit information on the use of K–3 Reading Improvement Program money and Title I money to employ teachers; and

2. Page 3, Lines 78 through 80  
House Floor Amendments  
3–7–2013:

78 (iii) the amount of class size reduction money expended for capital facilities.

(c) In addition to submitting a plan and report on the use of class size reduction money, a school district or charter school shall annually submit a report to the State Board of Education that includes the following



information:

(i) the number of teachers employed using K-3 Reading Improvement Program money received pursuant to Sections 53A-17a-150 and 53A-17a-151;

(ii) the amount of K-3 Reading Improvement Program money expended for teachers;

(iii) the number of teachers employed in kindergarten through grade 8 using Title I money; and

(iv) the amount of Title I money expended for teachers in kindergarten through grade 8; and

(v) a comparison of actual average class size by grade in grades kindergarten through 8 in the school district or charter school with what the average class size would be without the expenditure of class size reduction, K-3 Reading Improvement Program, and Title I money.

79            ~~{-(e)-}~~ (d) The information required to be reported in Subsections (8)(b)(i)(A) through (C) ~~{-and-}~~ ;

80 (8)(b)(ii)(A) through (C) and (8)(c) shall be categorized by a teacher's or paraprofessional's teaching

3. Page 3, Lines 81a through 81c:

81a        ~~H~~→ ~~{-(d)-}~~ (e) The State Board of Education may make rules specifying procedures and

81b standards for the submission of ;

(i) a plan and report on the use of class size reduction money as

81c required by this section ~~{-;-}~~ ; and

(ii) a report required under Subsection (8)(c).

4. Page 3, Lines 82 through 85:

82        ~~{(d)}~~ ~~{-(e)-}~~ (f) ←~~H~~ Based on the data contained in the class size reduction plans and reports

82a submitted

83 by school districts and charter schools, and data on average class size, the State Board of

84 Education shall annually report to the Education Interim Committee on the impact of class size

85 reduction, K-3 Reading Improvement Program, and Title I money on class size.

Senator Stephenson's motion to amend passed on a voice vote. Senator Stephenson explained the bill. Senator Mayne 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

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Christensen	Jenkins
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\* \* \*

On motion of Senator Bramble, **5th Sub. H.B. 66**, POLITICAL SUBDIVISION AMENDMENTS, was read the second time and circled.

\* \* \*

On motion of Senator Hillyard, **H.B. 103**, WIRELESS TELEPHONE USE RESTRICTIONS, was read the second time and circled.

\* \* \*

**S.B. 2**, NEW FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS ACT, was read the second time. Senator Hillyard explained the bill. Senator Harper commented.

On motion of Senator Hillyard, the bill was circled.

\* \* \*

On motion of Senator Hillyard, under suspension of the rules, **S.B. 4**, CURRENT SCHOOL YEAR SUPPLEMENTAL PUBLIC EDUCATION BUDGET AMENDMENTS, was considered read the second and third times. Senator Hillyard explained the bill.

On motion of Senator Hillyard, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Van Tassell	Vickers	Weiler	Niederhauser

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

**S.B. 4** was transmitted to the House.

\* \* \*

On motion of Senator Hillyard, under suspension of the rules, **S.B. 7, STATE AGENCY AND HIGHER EDUCATION COMPENSATION APPROPRIATIONS**, was considered read the second and third times. Senator Hillyard explained the bill. Senator Urquhart commented.

On motion of Senator Hillyard, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Dabakis	Robles	Van Tassell
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**S.B. 7** was transmitted to the House.

\* \* \*

On motion of Senator Hillyard, the circle was removed from **S.B. 2, NEW FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS ACT**, and it was before the Senate.

Senator Harper proposed the following amendment: #4

1. Page 16, Line 576:

Delete lines 576 through 590 and insert:

“The Legislature intends that the Department of Administrative Services and the Division of Facilities Construction and Management propose a prioritized scoring process for capital improvements similar to what the Transportation Commission uses to prioritize highway capacity projects, and that the proposal be provided to the Legislative Fiscal Analyst by July 1, 2013, with copies provided to the members of the Infrastructure and General Government Subcommittee. The Legislature also intends that the Department of Administrative Services and the Division of Facilities Construction and Management provide the State Building Board’s prioritized list for distribution of Capital Improvement Funds to the members of the Infrastructure and General Government Subcommittee before the State Building Board gives final approval to that list.”

Senator Harper’s motion to amend passed on a voice vote.

###

Senator Harper proposed the following amendment: #5

1. Page 15, Line 562:

Delete lines 562 through 567 and insert:

“The Legislature intends that before bids are issued and a contract awarded on the Ogden Courts Building, that the Department of Environmental Quality shall certify that the site is remediated to state and federal standards. The Legislature further intends that the total amount appropriated to this building and site is \$29,300,000. Any additional costs due to site or environmental remediation will come from these project funds, which may include downsizing of the building to cover remediation requirements and construction costs and change orders.”

Senator Harper’s motion to amend passed on a voice vote.

On motion of Senator Hillyard, under suspension of the rules, **S.B. 2, NEW FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS ACT**, was considered read the second and third times. Senator Hillyard explained the bill.

On motion of Senator Hillyard, the Senate, by a 2/3 vote, voted to suspend the three readings requirement. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Robles	Van Tassell
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**S.B. 2** was transmitted to the House.

\* \* \*

On motion of Senator Hillyard, the circle was removed from **H.B. 103, WIRELESS TELEPHONE USE RESTRICTIONS**, and it was before the Senate. Senator Hillyard explained the bill. Senator Thatcher commented. The bill failed second reading on the following roll call:

**Yeas, 11; Nays, 13; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Dabakis	Davis	Jones	Knudson
Mayne	Okerlund	Osmond	Shiozawa
Vickers	Weiler	Niederhauser	

**Voting in the negative were:** Senators

Adams	Bramble	Dayton	Harper
Henderson	Hillyard	Hinkins	Madsen
Reid	Stephenson	Thatcher	Urquhart
Valentine			

**Absent or not voting were:** Senators

Christensen	Jenkins	Robles	Stevenson
Van Tassell			

The bill was filed.

\* \* \*

On motion of Senator Valentine, the circle was removed from **3rd Sub. H.B. 228, ALCOHOLIC BEVERAGE CONTROL ACT AMENDMENTS**, and it was before the Senate.

Senator Valentine proposed the following amendment:

1. Page 2, Line 36:

36       ▶       imposes a fee for applying to the commission for a  
           {~~change~~} certain changes in location;

2. Page 3, Line 72:

72       {~~32B-9-204, as last amended by Laws of Utah 2012,  
 Chapter 365~~}

3. Page 56, Lines 1719 through 1724:

1719   (14) Except as provided in Subsection 32B-5-307(3)(d) and  
 notwithstanding

1720   Subsection 32B-6-706(4), a full-service restaurant licensee  
 may not allow a patron to remove a

1721   container containing an alcoholic product from the licensed  
 premises of the full-service

1722   restaurant unless the full-service restaurant licensee  
 {~~holds~~} enters into a package agency contract under  
 which the

1723   full-service restaurant licensee may sell, offer for sale, or  
 furnish sealed containers of an

1724   alcoholic product other than beer, and obtains permission  
 from the local authority to sell, offer for sale, or furnish sealed containers  
 of beer for off-premise consumption .

4. Page 64, Lines 1964 through 1969:

1964   (14) Except as provided in Subsection 32B-5-307(3)(d) and  
 notwithstanding

1965   Subsection 32B-6-706(4), a limited-service restaurant  
 licensee may not allow a patron to

1966   remove a container containing an alcoholic product from the  
 licensed premises of the

1967   limited-service restaurant unless the limited-service restaurant  
 licensee {~~holds~~} enters into a package agency contract

1968   under which the limited-service restaurant licensee may sell,  
 offer for sale, or furnish sealed

1969 containers of an alcoholic product other than beer, and  
obtains permission from the local authority under which the  
limited-service restaurant licensee may sell, offer for sale, or furnish  
sealed containers of beer for off-premise consumption .

5. Page 71, Lines 2170 through 2174:

2170 (13) Notwithstanding Subsection 32B-6-706(4), a beer-only  
restaurant licensee may

2171 not allow a patron to remove a container containing an alcoholic  
product from the licensed

2172 premises of the beer-only restaurant unless the beer-only  
restaurant licensee {~~holds a package~~

2173 agency} obtains permission from the local authority  
under which the beer-only restaurant licensee may sell, offer for sale, or  
furnish sealed

2174 containers of beer for off premise consumption .

6. Page 72, Line 2212 through Page 76, Line 2349:

2212 {~~Section 26. Section 32B-9-204 is amended to read:~~

2213 ~~32B-9-204. General operational requirements for an event~~  
~~permit.~~

2214 ~~(1) (a) An event permittee and a person involved in the storage,~~  
~~sale, offer for sale, or~~

2215 ~~furnishing of an alcoholic product at an event for which an event~~  
~~permit is issued, shall comply~~

2216 ~~with this title and rules of the commission.~~

2217 ~~(b) Failure to comply as provided in Subsection (1)(a):~~

2218 ~~(i) may result in:~~

2219 ~~(A) disciplinary action in accordance with Chapter 3,~~  
~~Disciplinary Actions and~~

2220 ~~Enforcement Act, against:~~

2221 ~~(I) an event permittee;~~

2222 ~~(II) a person involved in the storage, sale, offer for sale, or~~  
~~furnishing of an alcoholic~~

2223 ~~product at the event; or~~

- 2224 ~~(III) any combination of the persons listed in this Subsection (1)(b);~~
- 2225 ~~(B) immediate revocation of the event permit;~~
- 2226 ~~(C) forfeiture of a bond; or~~
- 2227 ~~(D) immediate seizure of an alcoholic product present at the event; and~~
- 2228 ~~(ii) if the event permit is revoked, disqualifies the event permittee from applying for an~~
- 2229 ~~event permit for a period of three years from the date of revocation of the event permit.~~
- 2230 ~~(c) An alcoholic product seized under this Subsection (1) shall be returned to the event~~
- 2231 ~~permittee after an event if forfeiture proceedings are not instituted under Section 32B-4-206.~~
- 2232 ~~(2) (a) If there is a conflict between this part and the relevant part under this chapter for~~
- 2233 ~~the specific type of special use permit held by the special use permittee, the relevant part~~
- 2234 ~~governs.~~
- 2235 ~~(b) Notwithstanding that this part may refer to “liquor” or an “alcoholic product,” an~~
- 2236 ~~event permittee may only sell, offer for sale, or furnish an alcoholic product specified in the~~
- 2237 ~~relevant part under this chapter for the type of event permit that is held by the event permittee.~~
- 2238 ~~(c) Notwithstanding that this part or the relevant part under this chapter for the type of~~
- 2239 ~~event permit held by an event permittee refers to “event permittee,” a person involved in the~~
- 2240 ~~storage, sale, offer for sale, or furnishing of an alcoholic product at the event for which the~~
- 2241 ~~event permit is issued is subject to the same requirement or prohibition.~~
- 2242 ~~(3) An event permittee shall display a copy of the event permit in a prominent place in~~



- 2243 the area in which an alcoholic product is sold, offered for sale, furnished, and consumed.
- 2244 (4) An event permittee may not on the premises of the event:
- 2245 (a) engage in or allow any form of gambling, as defined and proscribed in Title 76,
- 2246 Chapter 10, Part 11, Gambling;
- 2247 (b) have any video gaming device, as defined and proscribed by Title 76, Chapter 10,
- 2248 Part 11, Gambling; or
- 2249 (c) engage in or permit a contest, game, gaming scheme, or gaming device that requires
- 2250 the risking of something of value for a return or for an outcome when the return or outcome is
- 2251 based upon an element of chance, excluding the playing of an amusement device that confers
- 2252 only an immediate and unrecorded right of replay not exchangeable for value.
- 2253 (5) An event permittee may not knowingly allow a person at an event to, in violation of
- 2254 Title 58, Chapter 37, Utah Controlled Substances Act, or Chapter 37a, Utah Drug
- 2255 Paraphernalia Act:
- 2256 (a) sell, distribute, possess, or use a controlled substance, as defined in Section
- 2257 58-37-2; or
- 2258 (b) use, deliver, or possess with the intent to deliver drug paraphernalia, as defined in
- 2259 Section 58-37a-3.
- 2260 (6) An event permittee may not sell, offer for sale, or furnish beer except beer
- 2261 purchases from:
- 2262 (a) a beer wholesaler licensee;
- 2263 (b) a beer retailer; or

- 2264 (c) a small brewer.
- 2265 (7) An event permittee may not store, sell, offer for sale, furnish, or allow the
- 2266 consumption of an alcoholic product purchased for an event in a location other than that
- 2267 described in the application and designated on the event permit unless the event permittee first
- 2268 applies for and receives approval from the director, with the approval of the Compliance,
- 2269 Licensing, and Enforcement Subcommittee, for a change of location.
- 2270 (8) (a) Subject to Subsection (8)(b), an event permittee may sell, offer for sale, or
- 2271 furnish beer for on-premise consumption:
- 2272 (i) in an open original container; and
- 2273 (ii) in a container on draft.
- 2274 (b) An event permittee may not sell, offer for sale, or furnish beer sold pursuant to
- 2275 Subsection (8)(a):
- 2276 (i) in a size of container that exceeds two liters; or
- 2277 (ii) to an individual patron in a size of container that exceeds one liter.
- 2278 (9) (a) An event permittee may not sell or offer for sale an alcoholic product at less
- 2279 than the cost of the alcoholic product to the event permittee.
- 2280 (b) An event permittee may not sell an alcoholic product at a discount price on any date
- 2281 or at any time.
- 2282 (c) An event permittee may not sell or offer for sale an alcoholic product at a price that
- 2283 encourages over consumption or intoxication.
- 2284 (d) An event permittee may not sell or offer for sale an alcoholic product at a special or

- 2285 ~~reduced price for only certain hours of the day of an event.~~
- 2286 ~~(e) An event permittee may not sell, offer for sale, or furnish more than one alcoholic~~
- 2287 ~~product at the price of a single alcoholic product.~~
- 2288 ~~(f) An event permittee, or a person operating, selling, offering, or furnishing an~~
- 2289 ~~alcoholic product under an event permit, may not sell, offer for sale, or furnish an indefinite or~~
- 2290 ~~unlimited number of alcoholic products during a set period for a fixed price, unless:~~
- 2291 ~~(i) the alcoholic product is served to a patron at a seated event;~~
- 2292 ~~(ii) food is available whenever the alcoholic product is sold, offered for sale, or~~
- 2293 ~~furnished; and~~
- 2294 ~~(iii) no person advertises that at the event a person may be sold or furnished an~~
- 2295 ~~indefinite or unlimited number of alcoholic products during a set period for a fixed price.~~
- 2296 ~~(g) An event permittee may not engage in a public promotion involving or offering a~~
- 2297 ~~free alcoholic product to the general public.~~
- 2298 ~~(10) An event permittee may not sell, offer for sale, or furnish an alcoholic product to:~~
- 2299 ~~(a) a minor;~~
- 2300 ~~(b) a person actually, apparently, or obviously intoxicated;~~
- 2301 ~~(c) a known interdicted person; or~~
- 2302 ~~(d) a known habitual drunkard.~~
- 2303 ~~(11) (a) An alcoholic product is considered under the control of the event permittee~~
- 2304 ~~during an event.~~
- 2305 ~~(b) A patron at an event may not bring an alcoholic product onto the premises of the~~

- 2306 event.
- 2307 (12) An event permittee may not permit a patron to carry from the premises an open
- 2308 container that:
- 2309 (a) is used primarily for drinking purposes; and
- 2310 (b) contains an alcoholic product.
- 2311 (13) (a) A person involved in the storage, sale, or furnishing of an alcoholic product at
- 2312 an event is considered under the supervision and direction of the event permittee.
- 2313 (b) A person involved in the sale, offer for sale, or furnishing of an alcoholic product at
- 2314 an event may not, while on duty:
- 2315 (i) consume an alcoholic product; or
- 2316 (ii) be intoxicated.
- 2317 (14) A minor may not handle, sell, offer for sale, or furnish an alcoholic product at an
- 2318 event.
- 2319 (15) The location specified in an event permit may not be changed without prior
- 2320 written approval of the commission. An event permittee shall pay an application fee of \$300 to
- 2321 apply for the written approval of the commission under this Subsection (15).
- 2322 (16) An event permittee may not sell, transfer, assign, exchange, barter, give, or
- 2323 attempt in any way to dispose of the event permit to another person whether for monetary gain
- 2324 or not.
- 2325 (17) (a) An event permittee may not sell, offer for sale, furnish, or allow the
- 2326 consumption of an alcoholic product during a period that:

- 2327 (i) begins at 1 a.m.; and
- 2328 (ii) ends at 9:59 a.m.
- 2329 (b) ~~This Subsection (17) does not preclude a local authority from being more restrictive~~
- 2330 ~~with respect to the hours of sale, offer for sale, furnishing, or consumption of an alcoholic~~
- 2331 ~~product at an event.~~
- 2332 (18) ~~A patron may have no more than one alcoholic product of any kind at a time~~
- 2333 ~~before the patron.~~
- 2334 (19) (a) ~~An event permittee shall display, in a prominent place, a sign in large letters~~
- 2335 ~~that consists of text in the following order:~~
- 2336 (i) ~~a header that reads: "WARNING";~~
- 2337 (ii) ~~a warning statement that reads: "Drinking alcoholic beverages during pregnancy~~
- 2338 ~~can cause birth defects and permanent brain damage for the child.";~~
- 2339 (iii) ~~a statement in smaller font that reads: "Call the Utah Department of Health at~~
- 2340 ~~[insert most current toll free number] with questions or for more information.";~~
- 2341 (iv) ~~a header that reads: "WARNING"; and~~
- 2342 (v) ~~a warning statement that reads: "Driving under the influence of alcohol or drugs is a~~
- 2343 ~~serious crime that is prosecuted aggressively in Utah."~~
- 2344 (b) (i) ~~The text described in Subsections (19)(a)(i) through (iii) shall be in a different~~
- 2345 ~~font style than the text described in Subsections (19)(a)(iv) and (v).~~
- 2346 (ii) ~~The warning statements in the sign described in Subsection (19)(a) shall be in the~~
- 2347 ~~same font size.~~

2348 (c) ~~The Department of Health shall work with the commission and department to~~

2349 ~~facilitate consistency in the format of a sign required under this section.—}~~

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

**Yeas, 24; Nays, 2; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Hillyard
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Voting in the negative were:** Senators

Dayton	Stephenson
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**Absent or not voting were:** Senators

Hinkins	Robles	Stevenson
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\* \* \*

On motion of Senator Knudson, the circle was removed from **5th Sub. H.B. 66, POLITICAL SUBDIVISION AMENDMENTS**, and it was before the Senate.

On motion of Senator Knudson, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Knudson, under suspension of the rules, **5th Sub. H.B. 66, POLITICAL SUBDIVISION 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

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Jenkins	Jones	Knudson	Madsen

Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Dabakis	Hinkins	Stevenson
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**5th Sub. H.B. 66**, as amended, was returned to the House for further consideration.

\* \* \*

On motion of Senator Knudson, the Senate voted to place **H.J.R. 14**, JOINT RESOLUTION ON WATER RIGHTS, and **H.B. 325**, MILITARY INSTALLATION DEVELOPMENT AUTHORITY AMENDMENTS, at the top of the Second Reading Calendar.

\* \* \*

On motion of Senator Knudson, the Senate voted to lift the following bills from the Third Reading Table and place them on the Third Reading Calendar:

- 1st Sub. H.B. 10** Sex Offense Amendments
- H.B. 30** Line-of-Duty Death and Disability Amendments
- H.B. 50** Dating Violence Protection Act
- 2nd Sub. H.B. 81** Cytomegalovirus Public Health Initiative
- H.B. 105** Serious Youth Offender Amendments
- 2nd Sub. H.B. 118** Automatic External Defibrillator Restricted Account
- H.B. 147** Utah Marriage Commission
- H.B. 154** Suicide Prevention Programs
- H.B. 276** Newborn Screening for Critical Congenital Heart Defects
- 1st Sub H.B. 49** Voted and Board Levy Programs Amendments

\* \* \*

On motion of Senator Knudson, the Senate voted place the following bills at the top of the Second Reading Calendar:

- 1st Sub. H.B. 43** Campaign Finance Reporting by Corporations
- 1st Sub. H.B. 96** Cleaner Burning Fuels Tax Credits
- 1st Sub. H.B. 139** Science, Technology, Engineering, and Mathematics Action Center
- H.B. 156** Restoration of Terminated Parental Rights
- 1st Sub. H.B. 157** Children’s Hearing Aid Pilot Program

- 1st Sub. H.B. 160** Health System Reform Amendments
- H.B. 165** Background Checks for Child Care Workers
- 2nd Sub. H.B. 239** Jury Service Amendments
- H.B. 338** Alimony Revisions
- H.B. 361** Domestic Violence Statistics Reporting
- H.B. 373** Small School Funding
- 1st Sub. H.B. 388** Government Communications Task Force
- H.B. 395** Veterans' Affairs Amendments

\* \* \*

On motion of Senator Okerlund, and at 3:50 p.m., the Senate recessed.

### EVENING SESSION

The Senate reassembled at 5:10 p.m., with President Niederhauser presiding.

#### COMMUNICATIONS FROM THE HOUSE

Mr. President: March 12, 2013

The House passed, **1st Sub. S.B. 194**, PHARMACY PRACTICE ACT AMENDMENTS, by Senator E. Vickers, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 221**, ASSESSMENT AREA ACT AMENDMENTS, by Senator K. Van Tassell, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 250**, SALES AND USE TAX EXEMPTION FOR SALES OF A FUEL CELL, by Senator R. Okerlund, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 285**, INVOLUNTARY CIVIL COMMITMENT INFORMATION AMENDMENTS, by Senator D. Thatcher, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President: March 12, 2013

The House passed, as amended, **S.B. 60**, ABORTION STATISTICS AND REPORTING REQUIREMENTS, by Senator M. Dayton, and it is transmitted for further consideration; and



The House substituted and passed, **3rd Sub. S.B. 190**, PROCUREMENT REVISIONS, by Senator S. Jenkins, and it is transmitted for further consideration; and

The House substituted and passed, **3rd Sub. S.B. 112**, WORK WEEK AMENDMENTS, by Senator A. Osmond, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bills were placed on the Concurrence Calendar.

### CONCURRENCE CALENDAR

On motion of Senator Okerlund, under suspension of the rules, the Senate voted to consider bills on the Concurrence Calendar.

\* \* \*

On motion of Senator Reid, the Senate voted to concur in the House amendments to **S.B. 20**, STATE SECURITY STANDARDS FOR PERSONAL INFORMATION. The bill, as amended, passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Jenkins	Jones	Knudson	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Niederhauser			

**Absent or not voting were:** Senators

Adams	Hinkins	Madsen	Weiler
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**S.B. 20** was returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Urquhart, the Senate voted to concur in the House amendments to **1st Sub. S.B. 64**, HOMEOWNER ASSOCIATION RESERVE ACCOUNT AMENDMENTS. The bill, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Jenkins	Jones	Knudson
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Hinkins	Madsen
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**1st Sub. S.B. 64** was returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Mayne, the Senate voted to concur in the House amendments to **2nd Sub. S.B. 59, WORKER'S COMPENSATION COORDINATION OF BENEFITS AMENDMENTS**. The bill, as amended, passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Bramble	Dabakis	Davis	Dayton
Harper	Henderson	Hillyard	Jenkins
Jones	Knudson	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Adams	Christensen	Hinkins	Madsen
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**2nd Sub. S.B. 59** was returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Stevenson, the Senate voted to concur in the House amendments to **3rd Sub. S.C.R. 5, CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR ACHIEVING 66% BY 2020 GOAL**. The bill, as amended, passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Harper	Henderson	Hillyard	Jenkins
Jones	Knudson	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Adams	Dayton	Hinkins	Madsen
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**3rd Sub. S.C.R. 5** was returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Weiler, the Senate voted to concur in the House amendments to **1st Sub. S.B. 83, LIMITATIONS ON OUTSIDE EMPLOYMENT BY GOVERNMENT EMPLOYEE.** The bill, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Jenkins	Jones	Knudson	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Adams	Hinkins	Madsen
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**1st Sub. S.B. 83** was returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Bramble, the Senate refused to concur in the House amendments. **2nd Sub. S.B. 189, ONCOLOGY INSURANCE AMENDMENTS,** was returned to the House.

\* \* \*

On motion of Senator Christensen, the Senate voted to concur in the House amendments to **S.B. 259**, AMENDMENTS TO DISABILITY WAITING LIST. The bill, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Jenkins	Jones	Knudson	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Adams	Hinkins	Madsen
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**S.B. 259** was returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Stevenson, the Senate voted to reconsider its action on **3rd Sub. S.C.R. 5**.

**3rd Sub. S.C.R. 5**, CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR ACHIEVING 66% BY 2020 GOAL, was before the Senate.

On motion of Senator Stevenson, the Senate voted to consider the bill read for the first, second, and third time. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Hillyard
Jenkins	Jones	Knudson	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Dayton                      Hinkins                      Madsen

**3rd Sub. S.C.R. 5** was returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Dayton, the Senate voted to concur in the House amendments to **S.B. 60**, ABORTION STATISTICS AND REPORTING REQUIREMENTS. The bill, as amended, passed on the following roll call:

**Yeas, 23; Nays, 4; Absent or not voting, 2.****Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Harper	Henderson	Hillyard	Jenkins
Knudson	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Voting in the negative were:** Senators

Dabakis                      Davis                      Jones                      Robles

**Absent or not voting were:** Senators

Hinkins                      Madsen

**S.B. 60** was returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Jenkins, the Senate voted to concur in the House amendments to **3rd Sub. S.B. 190**, PROCUREMENT REVISIONS. Senators Reid and Van Tassell commented and the bill, as amended, passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.****Voting in the affirmative were:** Senators

Bramble	Christensen	Davis	Dayton
Harper	Henderson	Hillyard	Jenkins
Jones	Knudson	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Adams	Dabakis	Hinkins	Madsen
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**3rd Sub. S.B. 190** was returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Osmond, the Senate voted to concur in the House amendments to **3rd Sub. S.B. 112**, WORK WEEK AMENDMENTS. The bill, as amended, passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Christensen	Davis	Dayton	Harper
Henderson	Hillyard	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Adams	Bramble	Dabakis	Hinkins
Madsen			

**3rd Sub. S.B. 112** was returned to the House for the signature of the Speaker.

**THIRD READING CALENDAR**

On motion of Senator Hillyard, under suspension of the rules, the Senate voted to suspend the 24-hour requirement on bills on the Third Reading Calendar.

**1st Sub. H.B. 10**, SEX OFFENSE AMENDMENTS, was read the third time, explained by Senator Valentine, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Dabakis                      Hinkins

**1st Sub. H.B. 10**, as amended, was returned to the House for further consideration.

\* \* \*

**H.B. 30**, LINE-OF-DUTY DEATH AND DISABILITY AMENDMENTS, was read the third time, explained by Senator Bramble, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting was:** Senator

Dabakis

**H.B. 30** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 50**, DATING VIOLENCE PROTECTION ACT, was read the third time and explained by Senator Bramble. Senators Van Tassell, Dayton, Madsen, Thatcher, Jenkins, Hillyard, Valentine, and Urquhart commented and the bill passed on the following roll call:

**Yeas, 23; Nays, 4; Absent or not voting, 2.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Harper
Henderson	Hillyard	Hinkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Voting in the negative were:** Senators

Dayton	Jenkins	Madsen	Stephenson
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**Absent or not voting were:** Senators

Adams	Davis
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**H.B. 50** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**2nd Sub. H.B. 81**, CYTOMEGALOVIRUS PUBLIC HEALTH INITIATIVE, was read the third time, explained by Senator Bramble, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Adams	Robles
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**2nd Sub. H.B. 81** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Davis, the Senate voted to allow him to cast an aye vote on **H.B. 50**. The corrected vote is as follows:

**Yeas, 24; Nays, 4; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Harper	Henderson	Hillyard	Hinkins
Jones	Knudson	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser



**Voting in the negative were:** Senators

Dayton                      Jenkins                      Madsen                      Stephenson

**Absent or not voting was:** Senator

Adams

\* \* \*

**H.B. 105**, SERIOUS YOUTH OFFENDER AMENDMENTS, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Knudson
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler			

**Absent or not voting were:** Senators

Jones                      Madsen                      Robles                      Niederhauser

**H.B. 105** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Okerlund, **2nd Sub. H.B. 118**, AUTOMATIC EXTERNAL DEFIBRILLATOR RESTRICTED ACCOUNT, was read the third time and circled.

\* \* \*

**H.B. 147**, UTAH MARRIAGE COMMISSION, was read the third time, explained by Senator Valentine, and passed on the following roll call:

**Yeas, 22; Nays, 2; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Harper	Henderson	Hillyard	Hinkins

Jenkins	Knudson	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Weiler		

**Voting in the negative were:** Senators  
 Dabakis                      Davis

**Absent or not voting were:** Senators  
 Jones                      Madsen                      Robles                      Vickers  
 Niederhauser

**H.B. 147** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 154, SUICIDE PREVENTION PROGRAMS,** was read the third time and explained by Senator Reid.

Senator Reid proposed the following amendment:

1. Page 2, Lines 35 through 42:
  - 35            This bill appropriates in fiscal year 2014:
  - 36            ►            to the State Board of Education – State Office of Education, as an ongoing
  - 37            appropriation:
  - 38            •            from the General Fund,    {~~-\$150,000-~~}    \$100,000    ;
  - 39            ►            to the Department of Human Services – Division of Substance Abuse and Mental
  - 40            Health, as an ongoing appropriation:
  - 41            •            from the General Fund,    {~~-\$100,000-~~}    \$78,000    .
  - 42            Other Special Clauses:
2. Page 5, Lines 128 through 137:
  - 128            To State Board of Education – State Office of Education
  - 129            From General Fund    {~~-\$150,000-~~}    \$100,000

- 130 Schedule of Programs:
- 131 Teaching and Learning {~~-\$150,000-~~} \$100,000
- 132 To Department of Human Services –
- 133 State Division of Substance Abuse and Mental Health
- 134 From General Fund {~~-\$100,000-~~} \$78,000
- 135 Schedule of Programs:
- 136 Administration {~~-\$100,000-~~} \$78,000
- 137 The Legislature intends that:

Senator Reid’s motion to amend passed on a voice vote and the bill passed on the following roll call:

**Yeas, 22; Nays, 2; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Harper	Henderson	Hillyard	Hinkins
Jenkins	Knudson	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Weiler		

**Voting in the negative were:** Senators

Dayton                      Vickers

**Absent or not voting were:** Senators

Adams	Jones	Madsen	Robles
Niederhauser			

**H.B. 154**, as amended, was returned to the House for further consideration.

\* \* \*

**H.B. 276**, NEWBORN SCREENING FOR CRITICAL CONGENITAL HEART DEFECTS, was read the third time, explained by Senator Okerlund, and passed on the following roll call:

**Yeas, 16; Nays, 10; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

Bramble	Dabakis	Davis	Hillyard
Jenkins	Jones	Knudson	Mayne
Okerlund	Reid	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers

**Voting in the negative were:** Senators

Christensen	Dayton	Harper	Henderson
Hinkins	Madsen	Osmond	Shiozawa
Stephenson	Weiler		

**Absent or not voting were:** Senators

Adams	Robles	Niederhauser
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**H.B. 276**, as amended, was returned to the House for further consideration.

\* \* \*

On motion of Senator Reid, the circle was removed from **2nd Sub. H.B. 118**, AUTOMATIC EXTERNAL DEFIBRILLATOR RESTRICTED ACCOUNT, and it was before the Senate.

Senator Bramble proposed the following amendment:

1. Page 1, Line 18 through Page 2, Line 26:

18 Money Appropriated in this Bill:

19 This bill appropriates in fiscal year 2014:

20 ► to the General Fund Restricted – Automatic External Defibrillator Restricted

21 Account, as ~~{an ongoing}~~ a one-time appropriation:

22 • from the General Fund, ~~{- \$300,000-}~~ \$150,000 .

23 ► to the Department of Health – Family Health and Preparedness – Bureau of

24 Emergency Medical Services, as ~~{an ongoing}~~ a one-time appropriation:

25 • from the General Fund Restricted – Automatic External Defibrillator Restricted

26 Account, ~~{- \$300,000-}~~ \$150,000 .

2. Page 4, Line 108 through Page 5, Line 129:

108 Section 4. Appropriation.

109 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for

110 the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following sums of money

111 are appropriated from resources not otherwise appropriated, or reduced from amounts

112 previously appropriated, out of the funds or accounts indicated. These sums of money are in

113 addition to any amounts previously appropriated for fiscal year 2014.

114 To General Fund Restricted – Automatic External Defibrillator Restricted Account

115 From General  
Fund One-time {~~-\$300,000-~~} \$150,000

116 Schedule of Programs:

117 General Fund Restricted – Automatic External

118 Defibrillator Restricted Account  
{~~-\$300,000-~~} \$150,000

119 To Department of Health – Family Health and Preparedness –

120 Bureau of Emergency Medical Services

121 From General Fund Restricted – Automatic

122 External Defibrillator Restricted Account One-time  
{~~-\$300,000-~~} \$150,000

123 Schedule of Programs:

124 Bureau of Emergency Medical Services  
{~~-\$300,000-~~} \$150,000

125 The Legislature intends that {~~∴~~}

126 {~~(1)~~ -} the Bureau of Emergency Services use appropriations under this section to provide

127 automatic external defibrillators to eligible entities under Section 26-8a-601 {~~∴ and~~} ∴

128 {~~(2)~~ the appropriations under this section be ongoing in fiscal years 2014, 2015, and

129 2016 only. }

Senator Bramble's motion to amend passed on a voice vote. Senators Valentine and Christensen commented and the bill passed on the following roll call:

**Yeas, 22; Nays, 4; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Henderson	Hillyard	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Shiozawa
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Weiler		

**Voting in the negative were:** Senators

Christensen	Dayton	Stephenson	Vickers
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**Absent or not voting were:** Senators

Harper	Robles	Niederhauser
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**2nd Sub. H.B. 118**, as amended, was returned to the House for further consideration.

\* \* \*

**1st Sub. H.B. 49**, VOTED AND BOARD LEVY PROGRAMS AMENDMENTS, was read the third time, explained by Senator Stephenson, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Van Tassell
Vickers	Weiler		

**Absent or not voting were:** Senators

Harper	Valentine	Niederhauser
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**1st Sub. H.B. 49**, as amended, was returned to the House for further consideration.

**SECOND READING CALENDAR**

On motion of Senator Hillyard, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Hillyard, under suspension of the rules, **1st Sub. H.B. 43, CAMPAIGN FINANCE REPORTING BY CORPORATIONS**, was considered read the second and third times.

Senator Hillyard proposed the following amendment:

1. Page 4, Line 108:

108 (11) (a) “Donor” means a person {~~who~~} that gives  
money, including a fee, due, or assessment

2. Page 4, Line 111:

111 (b) “Donor” does not include a person {~~who~~} that  
signs a statement that the corporation may

3. Page 13, Line 382:

382 a donor {~~who~~} that :

4. Page 13, Line 389:

389 on a proration basis between all donors {~~who~~} that :

5. Page 13, Line 395:

395 statement that the corporation has reported all donors  
{~~who~~} that gave money, and all money received

6. Page 14, Line 405:

405 (B) shall separately report donations described in Subsection  
(3) {~~(d)~~ (e) (ii)(A).

7. Page 15, Line 450:

450 {~~who~~} that :

8. Page 15, Line 458:

458 under Subsection (3)(b)(i) on a proration basis between all donors  
{~~who~~} that :

9. Page 16, Line 464:

464 shall contain a statement that the corporation has reported all donors {~~who~~} that gave money, and all

10. Page 16, Line 474:

474 (B) shall separately report donations described in Subsection (3) {~~(d)~~} (e) (ii)(A).

Senator Hillyard’s motion to amend passed on a voice vote. Senators Dabakis, Henderson, Valentine, and Robles commented and the bill passed on the following roll call:

**Yeas, 20; Nays, 8; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Harper	Hillyard	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Stevenson	Thatcher	Vickers	Niederhauser

**Voting in the negative were:** Senators

Dabakis	Davis	Henderson	Robles
Urquhart	Valentine	Van Tassell	Weiler

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

**1st Sub. H.B. 43**, as amended, was returned to the House for the signature of the Speaker.

\* \* \*

**1st Sub. H.B. 96**, CLEANER BURNING FUELS TAX CREDITS AMENDMENTS, was read the second time.

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

**2nd Sub. H.B. 96 Clean Burning Fuels Tax Credits Amendments and Related Funding** (Rep. J. Draxler)



Senator Van Tassell proposed the following amendment:

- 1. Page 1, Lines 17 through 18:

17       ▶       extends corporate and individual income tax credits for  
 cleaner burning fuels until  
 18   the end of taxable year   {~~2019~~}   2014   ;

- 2. Page 5, Lines 126 through 129:

126   (2) For the taxable {~~years~~} year beginning on or  
 after January 1, [~~2009~~] 2014, but beginning on or  
 127 before December 31, [~~2013~~] {~~2019~~} 2014 , a taxpayer  
 may claim a tax credit against tax otherwise due  
 128 under this chapter or Chapter 8, Gross Receipts Tax on Certain  
 Corporations Not Required to  
 129 Pay Corporate Franchise or Income Tax Act, in an amount equal to:

- 3. Page 10, Lines 276 through 278:

276   (2) For the taxable {~~years~~} year beginning on or  
 after January 1, [~~2009~~] 2014, but beginning on or  
 277 before December 31, [~~2013~~] {~~2019~~} 2014 , a claimant,  
 estate, or trust may claim a nonrefundable tax  
 278 credit against tax otherwise due under this chapter in an amount  
 equal to:

Senator Van Tassell’s motion to amend passed on a voice vote. Senator Van Tassell explained the bill. Senator Henderson declared a conflict of interest.

On motion of Senator Van Tassell, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Van Tassell, under suspension of the rules, **2nd Sub. H.B. 96, CLEANER BURNING FUELS TAX CREDITS AMENDMENTS AND RELATED FUNDING**, was considered read the first, second and third times and passed on the following roll call:

**Yeas, 18; Nays, 11; Absent or not voting, 0.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Hillyard	Hinkins	Jones	Knudson

Mayne	Okerlund	Robles	Stevenson
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Christensen	Dayton	Harper	Henderson
Jenkins	Madsen	Osmond	Reid
Shiozawa	Stephenson	Thatcher	

**2nd Sub. H.B. 96**, as amended, was returned to the House for further consideration.

\* \* \*

On motion of Senator Knudson, the Senate voted to lift the following bills from Rules and place them on the Second Reading Calendar:

<b>H.B. 403</b>	Municipal Election Amendments (Rep. R. C. Webb)
<b>H.B. 345</b>	Expanding Access for Sixth Graders to Secondary Education (Rep. D. Brown)
<b>H.B. 384</b>	Property Disposition Amendments (Rep. B. Dee)
<b>1st Sub. H.B. 386</b>	Bail Bond Amendments (Rep. C. Oda)
<b>1st Sub. H.B. 88</b>	Land Use Amendments (Rep. M. Brown)
<b>H.C.R. 8</b>	Concurrent Resolution on Parkinson's Disease (Rep. S. Barlow)
<b>H.J.R. 9</b>	Joint Resolution Recommending a Name for New Federal Courthouse (Rep. Johnny Anderson)
<b>1st Sub. H.C.R. 11</b>	Concurrent Resolution Supporting the Transfer of Administration of the Utah Navajo Oil and Gas Royalties to the Utah Dineh Corporation (Rep. M. Noel)
<b>H.B. 393</b>	Competency-based Education Amendments (Rep. G. Hughes)
<b>2nd Sub. H.B. 115</b>	Towing Amendments (Rep. K. Stratton)
<b>2nd Sub. H.B. 323</b>	Health Insurance Prior Authorization (Rep. B. Last)
<b>H.B. 360</b>	Water and Irrigation Revisions (Rep. R. Wilcox)
<b>H.B. 150</b>	Animal Shelter Amendments (Rep. A. Romero)
<b>H.B. 227</b>	Cohabitant Definition (Rep. B. Wilson)
<b>H.B. 329</b>	Medicaid Vision Amendments (Rep. R. Menlove)
<b>1st Sub. H.B. 268</b>	Disorderly Conduct Amendments (Rep. P. Ray)
<b>1st Sub. H.B. 378</b>	Election Revisions (Rep. C. Hall)
<b>2nd Sub. H.B. 401</b>	Statute of Limitations on Trespass (Rep. G. Froerer)
<b>1st Sub. H.B. 130</b>	Boundary Adjustment Amendments (Rep. M. Brown)

- 2nd Sub. H.B. 75** Occupational and Professional Licensing Amendments (Rep. B. Greene)
- H.B. 170** Deoxyribonucleic Acid Collection and Retention Amendments (Rep. S. Eliason)
- H.B. 355** Unclaimed Property Amendments (Rep. D. Lifferth)
- H.C.R. 10** Concurrent Resolution on the Patient Protection and Affordable Care Act and State Health Care Reform (Rep. K. Ivory)
- H.B. 387** Vital Statistics Act Amendments (Rep. J. Nielson)
- 1st Sub. H.B. 235** Process Server Amendments (Rep. L. Perry)
- H.B. 176** Utah Industrial Facilities and Development Act Amendments (Rep. D. Brown)
- H.B. 382** Escalante Region Grazing Zone (Rep. M. Noel)
- H.B. 331** Property Damage Claims (Rep. V. L. Snow)
- 1st Sub. H.B. 404** Short Sale Amendments (Rep. M. Roberts)

#### COMMUNICATIONS FROM THE HOUSE

Mr. President: March 12, 2013

The House passed, **S.B. 2**, NEW FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS ACT, by Senator L. Hillyard, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 4**, CURRENT SCHOOL YEAR SUPPLEMENTAL PUBLIC EDUCATION BUDGET AMENDMENTS, by Senator L. Hillyard, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **S.B. 20**, STATE SECURITY STANDARDS FOR PERSONAL INFORMATION, by Senator S. Reid, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **2nd Sub. S.B. 59**, WORKERS' COMPENSATION COORDINATION OF BENEFITS AMENDMENTS, by Senator K. Mayne, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **S.B. 60**, ABORTION STATISTICS AND REPORTING REQUIREMENTS, by Senator M. Dayton, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **1st Sub. S.B. 64**, HOMEOWNER ASSOCIATION RESERVE ACCOUNT AMENDMENTS, by Senator S. Urquhart, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **1st Sub. S.B. 83**, LIMITATIONS ON OUTSIDE EMPLOYMENT BY GOVERNMENT EMPLOYEE, by Senator T. Weiler, and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 203**, PRESCRIPTION LABEL INFORMATION AND EDUCATION AMENDMENTS, by Senator P. Jones, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 215**, PEACE OFFICER STANDARDS AND TRAINING CERTIFICATION AGE REQUIREMENT, by Senator L. Hillyard, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **S.B. 259**, AMENDMENTS TO DISABILITY WAITING LIST, by Senator A. Christensen, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

On motion of Senator Hillyard, the Senate voted to place **H.B. 3**, CURRENT FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS, at the top of the Second Reading Calendar.

\* \* \*

On motion of Senator Okerlund, and at 7:10 p.m., the Senate adjourned until 8:00 a.m., Wednesday, March 13, 2013.

# FORTY-FOURTH DAY

## MORNING SESSION

### March 13, 2013

The Senate was called to order at 8:15 a.m., with President Wayne Niederhauser presiding.

**Prayer** – Senator Todd Weiler

**Pledge of Allegiance** – Senator Peter Knudson

**Roll Call** – All Senators present

### READING OF TITLES OF BILLS AND RESOLUTIONS (PLEASE REFER TO DAY 1, PAGE 81)

#### CONSENT CALENDAR

**1st Sub. H.C.R. 5**, CONCURRENT RESOLUTION ON REGIONAL CORRECTIONAL FACILITIES AND COUNTY JAIL CONTRACTING, was read the third time, explained by Senator Jenkins, and passed on the following roll call:

**Yeas, 22; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Jenkins	Jones	Knudson	Mayne
Okerlund	Osmond	Reid	Stephenson
Stevenson	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Hillyard	Hinkins	Madsen	Robles
Shiozawa	Thatcher	Urquhart	

**1st Sub. H.C.R. 5** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 358**, INSTREAM FLOW AMENDMENTS, was read the third time, explained by Senator Knudson, and passed on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Reid
Stephenson	Stevenson	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Madsen	Osmond	Robles	Shiozawa
Thatcher	Urquhart		

**H.B. 358** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.J.R. 12**, JOINT RESOLUTION DISSOLVING CLARKSTON JUSTICE COURT, was read the third time, explained by Senator Hillyard, and passed on the following roll call:

**Yeas, 22; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Okerlund	Reid	Stephenson
Stevenson	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Madsen	Mayne	Osmond	Robles
Shiozawa	Thatcher	Urquhart	

**H.J.R. 12** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

### **THIRD READING CALENDAR**

On motion of Senator Christensen, **1st Sub. H.B. 76**, CONCEALED WEAPON CARRY AMENDMENTS, was read the third time and circled.

\* \* \*

**H.B. 141**, MEDICAID EMERGENCY ROOM AND PRIMARY CARE AMENDMENTS, was read the third time, explained by Senator Dayton, and passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Davis	Madsen	Robles	Thatcher
Urquhart			

**H.B. 141**, as amended, was returned to the House for further consideration.

\* \* \*

On motion of Senator Okerlund, **H.B. 146**, HEALTH CARE PROVIDER AMENDMENTS, was read the third time and circled.

\* \* \*

**H.B. 163**, HUMAN TRAFFICKING AMENDMENTS, was read the third time, explained by Senator Bramble, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Knudson
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Jones	Madsen	Robles	Thatcher
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**H.B. 163** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Valentine, the Senate voted to suspend the rules requiring a committee hearing on bills considered for the remainder of the day.

\* \* \*

**1st Sub. H.B. 152**, PARENT–TIME RESTRICTION AMENDMENTS, was read the third time and explained by Senator Henderson. Senator Dayton commented and the bill passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Knudson
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Jones	Madsen	Robles	Stevenson
Thatcher			

**1st Sub. H.B. 152** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 192**, COUNTY CLERK MISCONDUCT PENALTY, was read the third time, explained by Senator Henderson, and passed on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Knudson	Mayne
Okerlund	Osmond	Reid	Shiozawa
Stephenson	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	



**Absent or not voting were:** Senators

Dabakis	Jones	Madsen	Robles
Stevenson	Thatcher		

**H.B. 192** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 166**, WATER RIGHTS AMENDMENTS, was read the third time, explained by Senator Vickers, and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Jones	Robles	Thatcher	Urquhart
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**H.B. 166** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Davis, the circle was removed from **H.B. 146**, HEALTH CARE PROVIDER AMENDMENTS, and it was before the Senate. Senator Weiler commented and the bill passed on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hinkins
Jenkins	Knudson	Madsen	Mayne
Osmond	Reid	Shiozawa	Stephenson
Stevenson	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Bramble	Hillyard	Jones	Okerlund
Robles	Thatcher		

**H.B. 146** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 316**, TRAFFIC AMENDMENTS, was read the third time, explained by Senator Urquhart, and passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Knudson	Madsen
Mayne	Osmond	Reid	Shiozawa
Stephenson	Stevenson	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Bramble	Jones	Okerlund	Robles
Thatcher			

**H.B. 316**, as amended, was returned to the House for further consideration.

\* \* \*

**H.B. 155**, FEDERAL LAW ENFORCEMENT AMENDMENTS, was read the third time, explained by Senator Hinkins, and passed on the following roll call:

**Yeas, 23; Nays, 4; Absent or not voting, 2.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Knudson	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Stevenson	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Voting in the negative were:** Senators

Dabakis	Davis	Jones	Robles
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**Absent or not voting were:** Senators

Madsen                      Thatcher

**H.B. 155** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**2nd Sub. H.B. 120**, INFORMATION ON PHARMACEUTICAL PRODUCTS, was read the third time, explained by Senator Shiozawa, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stevenson	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Stephenson              Thatcher                      Urquhart

**2nd Sub. H.B. 120** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.J.R. 15**, JOINT RESOLUTION ON STATE AND POLITICAL SUBDIVISIONS JURISDICTION, was read the third time, explained by Senator Hinkins, and passed on the following roll call:

**Yeas, 23; Nays, 4; Absent or not voting, 2.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Knudson	Madsen	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Stevenson	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Voting in the negative were:** Senators

Dabakis	Davis	Jones	Robles
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**Absent or not voting were:** Senators

Mayne	Thatcher
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**H.J.R. 15** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 168, AIR QUALITY MITIGATION BY GOVERNMENT ENTITIES,** was read the third time, explained by Senator Madsen, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Davis	Thatcher
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**H.B. 168** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Christensen, the circle was removed from **1st Sub. H.B. 76, CONCEALED WEAPON CARRY AMENDMENTS,** and it was before the Senate. Senators Bramble, Jones, and Dabakis commented and the bill passed on the following roll call:

**Yeas, 21; Nays, 7; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Harper	Henderson	Hinkins	Jenkins

Knudson	Madsen	Okerlund	Osmond
Reid	Stephenson	Stevenson	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Voting in the negative were:** Senators

Dabakis	Davis	Hillyard	Jones
Mayne	Robles	Shiozawa	

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

**1st Sub. H.B. 76** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Hinkins, **1st Sub. H.B. 164**, STATE AND POLITICAL SUBDIVISION JURISDICTIONAL AMENDMENTS, was read the third time and circled.

\* \* \*

**H.B. 347**, LANDOWNER LIABILITY AMENDMENTS, was read the third time, explained by Senator Adams, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**H.B. 347**, as amended, was returned to the House for further consideration.

\* \* \*

**1st Sub. H.B. 127**, MOTOR VEHICLE EVENT DATA RECORDERS, was read the third time, explained by Senator Madsen, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting was:** Senator

Hillyard	Thatcher
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**1st Sub. H.B. 127**, as amended, was returned to the House for further consideration.

\* \* \*

**H.B. 327**, PROBATE AMENDMENTS, was read the third time, explained by Senator Weiler, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Mayne	Thatcher
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**H.B. 327** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**1st Sub. H.B. 385**, DUTIES AND WITHDRAWAL OF TRUSTEE, was read the third time and explained by Senator Valentine.

Senator Valentine proposed the following amendment:

- 1. Page 3, Line 87 through Page 4, Line 88:

87 (1) (a) {~~—~~} The {~~—~~} {~~A~~} beneficiary may  
 appoint a successor trustee at any time by filing for

88 record in the office of the county recorder of each county in which  
 the trust property or some

- 2. Page 6, Lines 156 through 157:

156 (e) (i) The withdrawal of a trustee of a trust deed under this  
section does not affect the

157 validity or the priority of the trust deed.

(ii) After a trustee withdraws under this part, only a qualified  
successor trustee appointed by the beneficiary under Section 57-1-22  
may exercise trustee powers, including the power of sale.

Senator Valentine’s motion to amend passed on a voice vote and the bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**1st Sub. H.B. 385**, as amended, was returned to the House for further consideration.

\* \* \*

**1st Sub. H.B. 140**, CONSUMER-FOCUSED HEALTH DELIVERY AND PAYMENT DEMONSTRATION PROJECT, was read the third time, explained by Senator Knudson, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Stephenson
Stevenson	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Shiozawa                      Thatcher

**1st Sub. H.B. 140** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 237, SURETY BOND PENALTY**, was read the third time, explained by Senator Jenkins, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**H.B. 237** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**1st Sub. H.B. 222, DOMESTIC ASSET PROTECTION TRUST AMENDMENTS**, was read the third time, explained by Senator Valentine, and passed on the following roll call:

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



**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**1st Sub. H.B. 222** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Thatcher, the Senate voted to allow him to be cast as an aye for to **1st Sub. H.B. 76**. The corrected vote is as follows:

**Yeas, 22; Nays, 7; Absent or not voting, 0.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Harper	Henderson	Hinkins	Jenkins
Knudson	Madsen	Okerlund	Osmond
Reid	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Dabakis	Davis	Hillyard	Jones
Mayne	Robles	Shiozawa	

\* \* \*

**1st Sub. H.B. 124, RADIATION CONTROL AMENDMENTS**, was read the third time, explained by Senator Okerlund, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson

Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**1st Sub. H.B. 124** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**2nd Sub. H.B. 134**, PARENTAL NOTIFICATION RELATED TO STUDENT SAFETY, was read the third time and explained by Senator Robles.

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

**3rd Sub. H.B. 134 Parental Notification Related to Student Safety**  
(Rep. G. Froerer)

Senators Hillyard and Madsen commented and the bill passed on the following roll call:

**Yeas, 27; Nays, 1; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

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

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

**3rd Sub. H.B. 134**, as amended, was returned to the House for further consideration.

\* \* \*

**1st Sub. H.B. 318, CLASSROOM SIZE REVISIONS,** was read the third time, explained by Senator Stephenson, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Henderson	Hillyard	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Bramble	Harper	Hinkins
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**1st Sub. H.B. 318,** as amended, was returned to the House for further consideration.

\* \* \*

**3rd Sub. H.B. 228, ALCOHOLIC BEVERAGE CONTROL ACT AMENDMENTS,** was read the third time, explained by Senator Valentine, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Henderson	Hillyard	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Voting in the negative was:** Senator

Dayton

**Absent or not voting were:** Senators

Bramble	Harper	Hinkins
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**3rd Sub. H.B. 228**, as amended, was returned to the House for further consideration.

### SECOND READING CALENDAR

On motion of Senator Knudson, the Senate voted to lift **H.B. 366** and **H.B. 367** from Rules and placed them on the top of the Second Reading Calendar.

\* \* \*

On motion of Senator Hillyard, **H.B. 3**, CURRENT FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS, was read the second time and circled.

\* \* \*

On motion of Senator Hillyard, the Senate voted to reconsider its action on **H.B. 103**, WIRELESS TELEPHONE USE RESTRICTIONS.

On motion of Senator Hillyard, the bill was placed at the top of the Second Reading Calendar.

On motion of Senator Hillyard, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Hillyard, under suspension of the rules, **H.B. 103**, WIRELESS TELEPHONE USE RESTRICTIONS, was considered read the second and third times. Senators Thatcher, Mayne, Henderson, and Weiler commented and passed on the following roll call:

**Yeas, 17; Nays, 12; Absent or not voting, 0.**

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Davis	Hillyard
Hinkins	Jones	Knudson	Mayne
Okerlund	Osmond	Robles	Shiozawa
Stevenson	Valentine	Vickers	Weiler
Niederhauser			

**Voting in the negative were:** Senators

Adams	Bramble	Dayton	Harper
Henderson	Jenkins	Madsen	Reid
Stephenson	Thatcher	Urquhart	Van Tassell

**H.B. 103** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Valentine, under suspension of the rules, the Senate voted to consider bills read for the second and third time for the remainder of the day.

\* \* \*

On motion of Senator Okerlund, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Okerlund, under suspension of the rules, **H.B. 366**, STATE HOUSE BOUNDARY 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Harper	Hillyard	Urquhart
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**H.B. 366** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Okerlund, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Okerlund, under suspension of the rules, **H.B. 367**, CONGRESSIONAL BOUNDARY AMENDMENTS, 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Hinkins

Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Henderson	Hillyard	Urquhart	Valentine
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**H.B. 367** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Okerlund, and at 10:00 a.m., the Senate sauntered.

The Senate was called to order at 10:20 a.m., with President Niederhauser presiding.

### COMMUNICATIONS FROM THE HOUSE

Mr. President: March 13, 2013

The Speaker of the House has signed **3rd Sub. S.B. 112**, WORK WEEK AMENDMENTS, by Senator A. Osmond, and it is transmitted for the signature of the President; and

The House passed, **S.B. 151**, AUTHORIZATION OF CHARTER SCHOOLS BY HIGHER EDUCATION INSTITUTIONS, by Senator J. S. Adams, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **3rd Sub. S.B. 190**, PROCUREMENT REVISIONS, by Senator S. Jenkins, and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 229**, APPELLATE BOND FOR STATE ENTITIES, by Senator C. Bramble, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 255**, HUMAN SERVICES AMENDMENTS, by Senator W. Harper, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **3rd Sub. S.C.R. 5**, CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR ACHIEVING 66% BY 2020

GOAL, by Senator J. Stevenson, and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.J.R. 14**, JOINT RESOLUTION AMENDING CIVIL PROCEDURE RULE 62, by Senator C. Bramble, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President:

March 13, 2013

The House substituted and passed, **2nd Sub. S.B. 7**, STATE AGENCY AND HIGHER EDUCATION COMPENSATION APPROPRIATIONS, by Senator L. Hillyard, and it is transmitted for further consideration

Sandy D. Tenney, Chief Clerk

The bill was placed on the Concurrence Calendar.

**CONCURRENCE CALENDAR**

On motion of Senator Hillyard, the Senate voted to suspend the rules and allow bills to be heard on the Concurrence Calendar without the 24-hour requirement.

On motion of Senator Hillyard, the Senate voted to concur in the House amendments to **2nd Sub. S.B. 7**, STATE AGENCY AND HIGHER EDUCATION COMPENSATION APPROPRIATIONS. The bill, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Urquhart	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Jenkins                      Thatcher                      Valentine

**2nd Sub. S.B. 7** was returned to the House for the signature of the Speaker.

**SECOND READING CALENDAR**

On motion of Senator Hinkins, the circle was removed from **H.B. 3, CURRENT FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS**, and it was before the Senate.

On motion of Senator Hinkins, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Hinkins, under suspension of the rules, **H.B. 3, CURRENT FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS**, 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Urquhart	Van Tassell	Vickers
Weiler			

**Absent or not voting were:** Senators

Jenkins                      Thatcher                      Valentine                      Niederhauser

**H.B. 3** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Hillyard, **1st Sub. H.B. 139, SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS ACTION CENTER**, was read the second time and circled.

\* \* \*

On motion of Senator Dayton, **H.B. 156, RESTORATION OF TERMINATED PARENTAL RIGHTS**, was read the second time and circled.



\* \* \*

**1st Sub. H.B. 157, CHILDREN’S HEARING AID PILOT PROGRAM**, was read the second time. Senator Osmond explained the bill. Senators Stephenson, Christensen, Jones, Robles, and Knudson commented. The bill passed second reading on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Harper
Henderson	Hillyard	Hinkins	Jenkins
Jones	Knudson	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Voting in the negative were:** Senators

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

Davis

\* \* \*

**1st Sub. H.B. 160, HEALTH SYSTEM REFORM AMENDMENTS**, was read the second time.

Senator Vickers proposed the following amendment:

1. Page 6, Line 171:

171 (iii) the conduct of navigators, producers, and in-person  
assistors operating in the state.

(d) If the state enters into an agreement with the United States’  
Department of Health and Human Services in which the state operates  
health insurance plan management, the commissioner may:

(i) for fiscal year 2014, hire one temporary and two permanent  
full-time employees to be funded through the department’s existing  
budget; and

(ii) for fiscal year 2015, hire two permanent full-time employees  
funded through the Insurance Department Restricted Account, subject to  
appropriations from the Legislature and approval by the governor.

2. Page 46, Lines 1417a through 1418  
House Committee Amendments  
3-7-2013:

1417a administrative rule {~~-.The~~  
1418 ~~disclosure shall clearly describe~~} which shall include at least  
the following information :

3. Page 47, Lines 1422 through 1423  
House Committee Amendments  
3-7-2013:

1422 (3) the aggregate attachment point and the specific attachment  
point: {~~-and-~~}

1423 (4) any limitations on coverage ;  
(5) an explanation of monthly accommodation and disclosure about  
any monthly accommodation features included in the stop-loss contract;  
and

(6) a description of terminal liability funding, including:  
(a) cost of processing claims before and after the termination of the  
contract; and  
(b) maximum claims liability to the employer .

Senator Vickers' motion to amend passed on a voice vote.

On motion of Senator Vickers, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Vickers, under suspension of the rules, **1st Sub. H.B. 160**, HEALTH SYSTEM REFORM AMENDMENTS, was considered read the second and third times and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Dayton	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Harper                      Madsen

**Absent or not voting was:** Senator

Davis

**1st Sub. H.B. 160**, as amended, was returned to the House for further consideration.

\* \* \*

On motion of Senator Knudson, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Knudson, under suspension of the rules, **H.B. 165**, BACKGROUND CHECKS FOR CHILD CARE WORKERS, 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

Adams	Bramble	Christensen	Dabakis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Davis                      Jenkins                      Van Tassell

**H.B. 165** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**2nd Sub. H.B. 239**, JURY SERVICE AMENDMENTS, was read the second time.

Senator Osmond proposed a verbal amendment as follows:

1. Page 2, Line 31:  
Delete "one month" and insert "six months"

Senator Osmond's motion to amend passed on a voice vote. Senator Osmond explained the bill. Senators Jones, Hillyard, and Christensen commented.

On motion of Senator Osmond, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Osmond, under suspension of the rules, **2nd Sub. H.B. 239, JURY SERVICE 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

Christensen	Dabakis	Dayton	Harper
Henderson	Hillyard	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Adams	Bramble	Davis
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**2nd Sub. H.B. 239**, as amended, was returned to the House for further consideration.

\* \* \*

**H.B. 338, ALIMONY REVISIONS**, was read the second time.

Senator Valentine proposed the following amendment:

1. Page 4, Lines 94 through 98:

94 (c) "Fault" means any of the following wrongful conduct  
during the marriage that substantially contributed

95 to the breakup of the marriage relationship {~~including~~} :

96 (i) engaging in sexual relations with a person other than the  
party's spouse:

97 (ii) knowingly and intentionally causing or attempting to cause  
physical harm to the

98 other party or minor children:

Senator Valentine’s motion to amend passed on a voice vote.

On motion of Senator Hillyard, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Hillyard, under suspension of the rules, **H.B. 338**, ALIMONY REVISIONS, was considered read the second and third times and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Bramble	Davis
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**H.B. 338**, as amended, was returned to the House for further consideration.

\* \* \*

On motion of Senator Knudson, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Knudson, under suspension of the rules, **H.B. 361**, DOMESTIC VIOLENCE STATISTICS REPORTING, was considered read the second and third times. Senator Dayton commented and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Dayton
Harper	Henderson	Hinkins	Jones
Knudson	Madsen	Okerlund	Osmond

Reid	Shiozawa	Stephenson	Thatcher
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Bramble	Davis	Hillyard	Jenkins
Mayne	Robles	Stevenson	Urquhart

**H.B. 361** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 373**, SMALL SCHOOL FUNDING, was read the second time. Senator Okerlund explained the bill.

Senator Okerlund proposed the following amendment:

1. Page 1, Line 12:

12       ▶       appropriates additional WPU's to necessarily existent  
 small schools {~~---~~} and  
           ▶ makes technical and conforming amendments.

2. Page 1, Lines 15 through 16:

15       ▶       to the {~~Basic School Program~~} State Board of  
Education , as an ongoing appropriation:  
 16       •       from               the               Education               Fund,  
           {~~-\$3,000,000~~} \$2,191,700 .

3. Page 2, Lines 29 through 32:

29       To Basic School Program  
 30       From Education Fund {~~-\$3,000,000~~} \$2,069,800  
 31       Schedule of Programs:  
 32       Necessarily       Existent       Small       Schools  
 ( {~~1.055~~} 655 WPU's) {~~-\$3,000,000~~} \$1,898,800  
           Professional Staff (59 WPU's)                       \$171,000  
           To Voted and Board Leeway Programs – Voted and Board Local  
Levy Programs  
           From Education Fund                                       \$121,900  
           Schedule of Programs:

<u>Voted Local Levy Program</u>	<u>\$84,800</u>
<u>Board Local Levy Program</u>	<u>\$37,100</u>

Senator Okerlund’s motion to amend passed on a voice vote. Senators Jones, Jenkins, and Osmond commented.

On motion of Senator Okerlund, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Okerlund, under suspension of the rules, **H.B. 373**, SMALL SCHOOL FUNDING, 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

Adams	Christensen	Davis	Dayton
Harper	Henderson	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Bramble	Dabakis	Hillyard	Stevenson
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**H.B. 373**, as amended, was returned to the House for further consideration.

\* \* \*

On motion of Senator Okerlund, **1st Sub. H.B. 388**, GOVERNMENT COMMUNICATIONS TASK FORCE, was read the third time and circled.

\* \* \*

On motion of Senator Knudson, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Knudson, under suspension of the rules, **H.B. 395**, VETERANS’ AFFAIRS AMENDMENTS, was considered read the second and third times and passed on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Harper	Henderson	Hinkins	Jenkins
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Thatcher	Urquhart	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Dabakis	Davis	Hillyard	Jones
Stevenson	Valentine		

**H.B. 395** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Vickers, **H.J.R. 14**, JOINT RESOLUTION ON WATER RIGHTS, was read the second time and circled.

\* \* \*

On motion of Senator Okerlund, **H.B. 325**, MILITARY INSTALLATION DEVELOPMENT AUTHORITY AMENDMENTS, was read the second time and circled.

\* \* \*

On motion of Senator Henderson, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Henderson, under suspension of the rules, **H.B. 379**, RENTAL COMPANY REGISTRATION AMENDMENTS, was considered read the second and third times. Senator Madsen commented and the bill passed on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dayton	Harper
Henderson	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	



**Absent or not voting were:** Senators

Bramble	Dabakis	Davis	Hillyard
Stevenson	Thatcher		

**H.B. 379** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Vickers, the circle was removed from **H.J.R. 14**, JOINT RESOLUTION ON WATER RIGHTS, and it was before the Senate.

On motion of Senator Vickers, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Vickers, under suspension of the rules, **H.J.R. 14**, JOINT RESOLUTION ON WATER RIGHTS, was considered read the second and third times and passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Dayton
Harper	Henderson	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Thatcher	Urquhart
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Bramble	Davis	Hillyard	Stevenson
Valentine			

**H.J.R. 14** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Okerlund, and at 11:45 p.m., the Senate recessed.

## AFTERNOON SESSION

The Senate reassembled at 2:30 p.m., with President Niederhauser presiding.

### COMMUNICATIONS FROM THE HOUSE

Mr. President: March 13, 2013

The House passed, **S.B. 38**, REAUTHORIZATION OF VETERANS REINTEGRATION TASK FORCE, by Senator P. Knudson, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 70**, COMMISSION RELATING TO FEDERAL ISSUES, by Senator D. Henderson, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 73**, OUTDOOR RECREATION OFFICE ACT, by Senator J. Stevenson, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **2nd Sub. S.B. 77**, AVAILABILITY OF GOVERNMENT INFORMATION, by Senator D. Henderson, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 82**, STUDENT ACHIEVEMENT BACKPACK, by Senator J. Stevenson, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 84**, SALES AND USE TAX EXEMPTION FOR SHORT-TERM LODGING CONSUMABLES, by Senator J. S. Adams, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President: March 13, 2013

The House passed, as amended, **S.B. 31**, SPECIAL NEEDS ADOPTION TAX CREDIT, by Senator W. Harper, and it is transmitted for further consideration; and

The House substituted and passed, **1st Sub. S.B. 33**, SALES AND USE TAX REVISIONS, by Senator H. Stephenson, and it is transmitted for further consideration; and

The House substituted, amended, and passed, **1st Sub. S.B. 42**, MEDICAL SCHOOL ADMISSIONS FUNDING, by Senator J. Valentine, and it is transmitted for further consideration; and

The House passed, as amended, **1st Sub. S.B. 49**, CHILD WELFARE MODIFICATIONS, by Senator W. Harper, and it is transmitted for further consideration; and

The House substituted, amended, and passed, **6th Sub. S.B. 72**, PRISON RELOCATION AND DEVELOPMENT AMENDMENTS, by Senator S. Jenkins, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bills were placed on the Concurrence Calendar.

\* \* \*

Mr. President:

March 13, 2013

The House passed **H.B. 2**, PUBLIC EDUCATION BUDGET AMENDMENTS, by Representative M. Brown, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

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

## COMMUNICATIONS FROM THE GOVERNOR

### ADVISE AND CONSENT

Mr. President:

February 27, 2013

In accordance with Utah Code 67-1-1 and 67-1-2, I propose and transmit the following appointments:

#### **Salt Lake Community College Board of Trustees:**

David W. Lang is appointed to replace Anna Kay Waddoups as a member of the Salt Lake Community College Board of Trustees. Mr. Lang is also appointed to a term to expire June 30, 2017. See Utah Code 53B-2-104.

#### **Weber State University Board of Trustees:**

Karen White Fairbanks is appointed to replace Camille Cain as a member of the Weber State University Board of Trustees, the remaining portion of the term to expire July 1, 2015. See Utah Code 53B-2-104.

Jeff M. Stephens is appointed to replace Bryan Bowles as a member of the Weber State University Board of Trustees, the remaining portion of the term to expire July 1, 2015. See Utah Code 53B-2-104.

**Transportation Commission:**

Naghi Zeenati is appointed to replace Jerry Lewis as a member of the Transportation Commission, a term to expire April 1, 2019. See Utah Code 72-1-301.

**Board of Business and Economic Development:**

Winston Wilkinson is appointed to replace Jack Brittain as a member of the Board of Business and Economic Development, a term to expire March 13, 2017. See Utah Code 63M-1-302.

**Alcohol Beverage Control Commission:**

John T. Nielsen is appointed as a member of the Alcohol Beverage Control Commission, a term to expire March 1, 2017. See Utah Code 32B-2-201.

**Political Subdivisions Ethics Review Commission:**

Glenn K. Iwazaki is appointed as a member Political Subdivisions Ethics Review Commission, a term to expire March 1, 2017. See Utah Code 11-49-201(a).

Paul R Warner is appointed as a member Political Subdivisions Ethics Review Commission, a term to expire March 1, 2015. See Utah Code 11-49-201(b).

Bonnie J. Palmer is appointed as a member Political Subdivisions Ethics Review Commission, a term to expire March 1, 2015. See Utah Code 11-49-201(c).

Bette O. Arial is appointed as a member Political Subdivisions Ethics Review Commission, a term to expire March 1, 2015. See Utah Code 11-49-201(d).

Sara Nitta is appointed as a member Political Subdivisions Ethics Review Commission, a term to expire March 1, 2015. See Utah Code 11-49-201(d).

Gene Moser is appointed as a member Political Subdivisions Ethics Review Commission, a term to expire March 1, 2017. See Utah Code 11-49-201(e-ii).

**Board of Pardons and Parole:**

Jesse Gallegos is reappointed as a member of the Board of Pardons and Parole, a term to expire February 28, 2018. See Utah Code 77-27-2.

**Air Quality Board:**

Kerry Elizabeth Kelly is appointed as a member of the Air Quality Board, a term to expire March 1, 2017. See Utah Code 19-2-103(1)(b)(i)(A).

H. Craig Peterson is appointed as a member of the Air Quality Board, a term to expire March 1, 2015. See Utah Code 19-2-103(1)(b)(ii).

Tammie G. Lucero is appointed as a member of the Air Quality Board, a term to expire March 1, 2017. See Utah Code 19-2-103(1)(b)(ii).

Stephen Clare Sands II is appointed as a member of the Air Quality Board, a term to expire March 1, 2017. See Utah Code 19-2-103(1)(b)(iii).

Karma M. Thomson is appointed as a member of the Air Quality Board, a term to expire March 1, 2017. See Utah Code 19-2-103(1)(b)(iv).

Michael William Smith is appointed as a member of the Air Quality Board, a term to expire March 1, 2015. See Utah Code 19-2-103(1)(b)(v).

Kathy Van Dame is appointed as a member of the Air Quality Board, a term to expire March 1, 2015. See Utah Code 19-2-103(1)(b)(vi)(A).

Robert Paine is appointed as a member of the Air Quality Board, a term to expire March 1, 2017. See Utah Code 19-2-103(1)(b)(vii).

**Solid and Hazardous Waste Control Board:**

Brett Douglas Mickelson is appointed as a member of the Solid and Hazardous Waste Control Board, a term to expire March 1, 2015. See Utah Code 19-6-103(1)(b)(i).

Dwayne J. Woolley is appointed as a member of the Solid and Hazardous Waste Control Board, a term to expire March 1, 2015. See Utah Code 19-6-103(1)(b)(ii).

Jeffrey Ricky Coombs is appointed as a member of the Solid and Hazardous Waste Control Board, a term to expire March 1, 2015. See Utah Code 19-6-103(1)(b)(ii).

Dennis Russell Riding is appointed as a member of the Solid and Hazardous Waste Control Board, a term to expire March 1, 2017. See Utah Code 19-6-103(1)(b)(iii).

Marc W. Franc is appointed as a member of the Solid and Hazardous Waste Control Board, a term to expire March 1, 2017. See Utah Code 19-6-103(1)(b)(iv).

Shane B. Whitney is appointed as a member of the Solid and Hazardous Waste Control Board, a term to expire March 1, 2017. See Utah Code 19-6-103(1)(b)(v).

Kevin Reid Murray is appointed as a member of the Solid and Hazardous Waste Control Board, a term to expire March 1, 2017. See Utah Code 19-6-103(1)(b)(vi)(B).

Eugene Charles Cole is appointed as a member of the Solid and Hazardous Waste Control Board, a term to expire March 1, 2017. See Utah Code 19-6-103(1)(b)(vii).

**Water Quality Board:**

Leland Myers is appointed as a member of the Water Quality Board, a term to expire March 1, 2015. See Utah Code 19-5-103(1)(b)(i).

Shane Emerson Pace is appointed as a member of the Water Quality Board, a term to expire March 1, 2017. See Utah Code 19-5-103(1)(b)(ii).

Myron E. Bateman is appointed as a member of the Water Quality Board, a term to expire March 1, 2015. See Utah Code 19-5-103(1)(b)(ii).

Gregg Alan Galecki is appointed as a member of the Water Quality Board, a term to expire March 1, 2017. See Utah Code 19-5-103(1)(b)(iii).

Jennifer Marie Grant is appointed as a member of the Water Quality Board, a term to expire March 1, 2017. See Utah Code 19-5-103(1)(b)(iv).

Clyde Bunker is appointed as a member of the Water Quality Board, a term to expire March 1, 2015. See Utah Code 19-5-103(1)(b)(v).

Merritt Karen Frey is appointed as a member of the Water Quality Board, a term to expire March 1, 2015. See Utah Code 19-5-103(1)(b)(vi).

Hugo E. Rodier is appointed as a member of the Water Quality Board, a term to expire March 1, 2017. See Utah Code 19-5-103(1)(b)(vii).

**Utah State Fair Corporation Board of Directors:**

Senator Gary Arrington is reappointed as a member of the Utah State Fair Corporation Board of Directors, a term to expire December 1, 2016. See Utah Code 63H-6-104.

Thank you for your timely consideration and confirmation of the above appointments.

Gary R. Herbert  
Governor

On motion of Senator Okerlund, the Senate voted to confirm the Governor's appointees on the following roll call vote:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Hillyard                      Urquhart

### COMMUNICATIONS FROM THE HOUSE

Mr. President:

March 13, 2013

The House refuses to recede from its amendments to **1st Sub. S.B. 189**, ONCOLOGY INSURANCE AMENDMENTS, by Senator C. Bramble, and has appointed a Conference Committee consisting of Representatives B. Wilson, D. Sanpei, and S. Duckworth to meet with a like committee from the Senate on this bill; and

Sandy D. Tenney, Chief Clerk

On motion of Senator Bramble, the Senate voted to refuse to recede from its amendments to **1st Sub. S.B. 189**. President Niederhauser appointed a conference committee consisting of Senators Bramble, Henderson, and Mayne to meet with a like committee from the House.

### CONCURRENCE CALENDAR

On motion of Senator Harper, the Senate voted to concur in the House amendments to **S.B. 31**, SPECIAL NEEDS ADOPTION TAX CREDIT. 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting was:** Senator

Urquhart

**S.B. 31** was returned to the House for the signature of the Speaker.

\* \* \*

**1st Sub. S.B. 33, SALES AND USE TAX REVISIONS**, was before the Senate.

On motion of Senator Stephenson, the bill was circled.

\* \* \*

On motion of Senator Valentine, the Senate voted to concur in the House amendments to **1st Sub. S.B. 42, MEDICAL SCHOOL ADMISSIONS FUNDING**. The bill, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Adams                      Jones                      Urquhart

**1st Sub. S.B. 42** was returned to the House for the signature of the Speaker.



\* \* \*

On motion of Senator Harper, the Senate voted to concur in the House amendments to **1st Sub. S.B. 49**, CHILD WELFARE MODIFICATIONS. The bill, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Davis	Madsen	Urquhart
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**1st Sub. S.B. 49** was returned to the House for the signature of the Speaker.

\* \* \*

**6th Sub. S.B. 72**, PRISON RELOCATION AND DEVELOPMENT AMENDMENTS, was before the Senate.

On motion of Senator Jenkins, the bill was circled.

**SECOND READING CALENDAR**

On motion of Senator Hillyard, the Senate voted to lift **H.B. 2**, PUBLIC EDUCATION BUDGET AMENDMENTS, from Rules and placed it at the top of the Second Reading Calendar.

On motion of Senator Okerlund, **H.B. 2**, PUBLIC EDUCATION BUDGET AMENDMENTS, was read the second time and circled.

\* \* \*

On motion of Senator Dayton, the circle was removed from **H.B. 156**, RESTORATION OF TERMINATED PARENTAL RIGHTS, and it was before the Senate. Senators Hillyard, Harper, Christensen, and Davis commented.

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

**4th Sub. H.B. 156 Restoration of Terminated Parental Rights**  
(Rep. L. Christensen)

Senator Weiler proposed the following amendment:

- 1. Page 3, Line 70:

70 should only transfer custody of a child ~~{-away-}~~ from the child's natural parent ~~{- for the gravest of reasons -}~~ when there is a jurisdictional basis to do so .

- 2. Page 5, Lines 132 through 134:

132 (3) The petition described in Subsection (1) shall be  
{-filed-} :

133 (a) filed in the juvenile court that previously terminated the  
parent-child relationship; and

134 (b) served on the division.

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

**Yeas, 20; Nays, 1; Absent or not voting, 8.**

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Harper	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Okerlund	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Valentine	Van Tassell	Vickers	Weiler

**Voting in the negative was:** Senator

Dayton

**Absent or not voting were:** Senators

Adams	Bramble	Davis	Henderson
Mayne	Osmond	Urquhart	Niederhauser

\* \* \*

On motion of Senator Okerlund, the circle was removed from **1st Sub. H.B. 388, GOVERNMENTAL COMMUNICATIONS TASK FORCE**, and it was before the Senate.

Senator Okerlund proposed the following amendment: #4

- 1. Page 1, Lines 17 through 19:

17           {~~This bill appropriates:~~  
 18    →      \$16,000 to the Senate; and  
 19    →      \$24,000 to the House of Representatives. }

None

- 2. Page 2, Line 36  
 House Floor Amendments  
 3-7-2013:

36       (f) the Salt Lake City Police Chief or designee :

- 3. Page 3, Line 73 through Page 4, Line 88:

73           {~~Section 3. Appropriation.~~  
 74       ~~Under the terms and conditions of Title 63J, Chapter 1,~~  
~~Budgetary Procedures Act, for~~  
 75       ~~the fiscal year beginning July 1, 2013, and ending June 30, 2014,~~  
~~the following sums of money~~  
 76       ~~are appropriated from resources not otherwise appropriated, or~~  
~~reduced from amounts~~  
 77       ~~previously appropriated, out of the funds or accounts indicated.~~  
~~These sums of money are in~~  
 78       ~~addition to any amounts previously appropriated for fiscal year~~  
~~2014.~~  
 79       ~~To Legislature— Senate~~  
 80           ~~From General Fund, One-time~~                       \$16,000  
 81           ~~Schedule of Programs~~  
 82           ~~Administration~~                                       \$16,000  
 83       ~~To Legislature— House of Representatives~~  
 84           ~~From General Fund, One-time~~                       \$24,000  
 85           ~~Schedule of Programs~~  
 86           ~~Administration~~                                       \$24,000 }

87       Section {~~4~~} 3 . Repeal date.

88      This bill is repealed December 31, 2014.

Senator Okerlund's motion to amend passed on a voice vote. Senator Okerlund explained the bill.

On motion of Senator Okerlund, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Okerlund, under suspension of the rules, **1st Sub. H.B. 388**, GOVERNMENT COMMUNICATIONS TASK FORCE, was considered read the second and third times and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Osmond	Urquhart
--------	----------

**1st Sub. H.B. 388**, as amended, was returned to the House for further consideration.

\* \* \*

On motion of Senator Stevenson, the circle was removed from **H.B. 325**, MILITARY INSTALLATION DEVELOPMENT AUTHORITY AMENDMENTS, and it was before the Senate. Senator Stevenson explained the bill. Senators Davis, Jenkins, Adams, and Reid commented.

On motion of Senator Stevenson, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Stevenson, under suspension of the rules, **H.B. 325**, MILITARY INSTALLATION DEVELOPMENT AUTHORITY AMENDMENTS, was considered read the second and third times and passed on the following roll call:

**Yeas, 23; Nays, 3; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dayton	Harper
Henderson	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Vickers	Weiler	Niederhauser	

**Voting in the negative were:** Senators

Dabakis	Davis	Hillyard
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**Absent or not voting were:** Senators

Bramble	Hinkins	Van Tassell
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**H.B. 325** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Harper, the Senate voted to recall **1st Sub. S.B. 247**, AMENDMENTS TO REVENUE AND TAXATION, from the House for the purpose of reading it under a new title.

\* \* \*

On motion of Senator Hillyard, the circle was removed from **H.B. 2**, PUBLIC EDUCATION BUDGET AMENDMENTS, and it was before the Senate.

On motion of Senator Hillyard, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Hillyard, under suspension of the rules, **H.B. 2**, PUBLIC EDUCATION BUDGET 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Reid

Robles	Shiozawa	Stephenson	Stevenson
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Harper	Osmond	Thatcher
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**H.B. 2** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Reid, **H.B. 371**, INTERPRETER SERVICES FOR THE HEARING IMPAIRED AMENDMENTS, was read the second time and circled.

\* \* \*

On motion of Senator Bramble, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Bramble, under suspension of the rules, **4th Sub. H.B. 94**, FREE MARKET PROTECTION AND PRIVATIZATION BOARD ACT AMENDMENTS, was considered read the second and third times. Senators Mayne and Jenkins commented and the bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting was:** Senator

Osmond

**4th Sub. H.B. 94** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

### CONCURRENCE CALENDAR

On motion of Senator Stephenson, the circle was removed from **1st Sub. S.B. 33**, SALES AND USE TAX REVISIONS, and it was before the Senate. Senator Robles commented.

On motion of Senator Stephenson, the Senate voted to concur in the House amendments to **1st Sub. S.B. 33**, SALES AND USE TAX REVISIONS. The bill, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**1st Sub. S.B. 33** was returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Jenkins, the circle was removed from **6th Sub. S.B. 72**, PRISON RELOCATION AND DEVELOPMENT AMENDMENTS, and it was before the Senate.

On motion of Senator Jenkins, the Senate refused to concur in the House amendments. **6th Sub. S.B. 72** was returned to the House.

### COMMUNICATIONS FROM THE HOUSE

Mr. President: March 13, 2013

The House concurred in the Senate amendments and passed **1st Sub. H.B. 10**, SEX OFFENSE AMENDMENTS, by Representative R. Greenwood, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **1st Sub. H.B. 43**, CAMPAIGN FINANCE REPORTING BY CORPORATIONS, by Representative G. Hughes, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **1st Sub. H.B. 49**, VOTED AND BOARD LEVY PROGRAMS AMENDMENTS, by Representative S. Handy, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **5th Sub. H.B. 66**, POLITICAL SUBDIVISION AMENDMENTS, by Representative R. C. Webb, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **2nd Sub. H.B. 96**, CLEANER BURNING FUELS TAX CREDITS AMENDMENTS AND RELATED FUNDING, by Representative J. Draxler, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **2nd Sub. H.B. 118**, AUTOMATIC EXTERNAL DEFIBRILLATOR RESTRICTED ACCOUNT, by Representative R. Cunningham, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **1st Sub. H.B. 127**, MOTOR VEHICLE EVENT DATA RECORDERS, by Representative D. Lifferth, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.B. 141**, MEDICAID EMERGENCY ROOM AND PRIMARY CARE AMENDMENTS, by Representative M. Kennedy, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **1st Sub. H.B. 144**, PUBLIC TRANSIT DISTRICT BOARD AMENDMENTS, by Representative M. Nelson, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.B. 154**, SUICIDE PREVENTION PROGRAMS, by Representative S. Eliason, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.B. 276**, NEWBORN SCREENING FOR CRITICAL CONGENITAL HEART DEFECTS, by Representative P. Ray, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.B. 316**, TRAFFIC AMENDMENTS, by Representative Johnny Anderson, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **1st Sub. H.B. 318**, CLASSROOM SIZE REVISIONS, by Representative R. Edwards, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.B. 347**, LANDOWNER LIABILITY AMENDMENTS, by Representative B. Wilson, and it is transmitted for the signature of the President; and



The House concurred in the Senate amendments and passed **1st Sub. H.B. 377**, TRANSPORTATION FUNDING MODIFICATIONS, by Representative B. Dee, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **1st Sub. H.B. 385**, DUTIES AND WITHDRAWAL OF TRUSTEE, by Representative V. L. Snow, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

Communications filed. The bills were signed by the President of the Senate in open session and returned to the House for the signature of the Speaker of the House.

\* \* \*

Mr. President:

March 13, 2013

The House passed, as amended, **2nd Sub. S.B. 95**, WHISTLEBLOWER AMENDMENTS, by Senator S. Reid, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bill was placed on the Concurrence Calendar.

\* \* \*

Mr. President:

March 13, 2013

The House refused to concur with the Senate Amendments to **3rd Sub. H.B. 228**, ALCOHOLIC BEVERAGE CONTROL ACT AMENDMENTS, by Representative R. Wilcox, and requests the Senate recede from its amendments.

Sandy D. Tenney, Chief Clerk

On motion of Senator Valentine, the Senate voted to refuse to recede from its amendments to **3rd Sub. H.B. 228**. President Niederhauser appointed a conference committee consisting of Senators Valentine, Bramble, and Jones to meet with a like committee from the House.

\* \* \*

Mr. President:

March 13, 2013

The House refused to concur with the Senate Amendments to **H.B. 172**, PUBLIC SAFETY RADIO COMMUNICATION AMENDMENTS, by Representative B. Dee, and requests the Senate recede from its amendments.

Sandy D. Tenney, Chief Clerk

On motion of Senator Vickers, the Senate voted to recede from their amendments to **H.B. 172**. The bill passed on the following roll call vote:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**H.B. 172** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker of the House.

\* \* \*

Mr. President:

March 13, 2013

The House passed, as amended, **S.B. 103**, CARSON SMITH SCHOLARSHIP AMENDMENTS, by Senator J. S. Adams, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bill was placed on the Concurrence Calendar.

### INTRODUCTION OF BILLS

**S.B. 9, Revenue Bond and Capital Facilities Amendments** (W. Harper), was read the first time by short title and referred to the Rules Committee.

\* \* \*

On motion of Senator Okerlund, and at 4:15 p.m., the Senate recessed.

### EVENING SESSION

The Senate reassembled at 6:05 p.m., with President Niederhauser presiding.

### COMMUNICATIONS FROM THE HOUSE

Mr. President:

March 13, 2013

The House refuses to recede from its amendments to **6th Sub. S.B. 72**, PRISON RELOCATION AND DEVELOPMENT AMENDMENTS, by Senator

S. Jenkins, and has appointed a Conference Committee consisting of Representatives B. Wilson, G. Hughes, and L. Hemingway to meet with a like committee from the Senate on this bill.

Sandy D. Tenney, Chief Clerk

On motion of Senator Jenkins, the Senate voted to refuse to recede from its amendments to **6th Sub. S.B. 72**. President Niederhauser appointed a conference committee consisting of Senators Jenkins, Urquhart, and Davis to meet with a like committee from the House.

\* \* \*

Mr. President:

March 13, 2013

The House transmits **1st Sub. S.B. 247**, AMENDMENTS TO REVENUE AND TAXATION, by Senator W. Harper, for further consideration.

Sandy D. Tenney, Chief Clerk

\* \* \*

On motion of Senator Harper, the Senate voted to reconsider its action on **1st Sub. S.B. 247**, AMENDMENTS TO REVENUE AND TAXATION.

On motion of Senator Harper, the Senate voted to place the bill at the top of the Third Reading Calendar.

**THIRD READING CALENDAR**

**1st Sub. S.B. 247**, AMENDMENTS TO REVENUE AND TAXATION, was before the Senate.

On motion of Senator Harper, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Harper, under suspension of the rules, **1st Sub. S.B. 247**, AMENDMENTS TO REVENUE AND TAXATION, was considered read the first, second and third times. The bill passed on the following roll call:

**Yeas, 22; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Davis	Harper
Henderson	Hillyard	Hinkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Adams	Dabakis	Dayton	Jenkins
Madsen	Stephenson	Urquhart	

**1st Sub. S.B. 247** was transmitted to the House.

\* \* \*

Mr. President: March 13, 2013

The House refuses to recede from its amendments to **3rd Sub. H.B. 228**, ALCOHOLIC BEVERAGE CONTROL ACT AMENDMENTS, by Representative R. Wilcox, and has appointed a Conference Committee consisting of Representatives R. Wilcox, G. Froerer, and B. King to meet with a like committee from the Senate on this bill.

Sandy D. Tenney, Chief Clerk

\* \* \*

Mr. President: March 13, 2013

The House adopted the Joint Conference Committee Report dated March 13, 2013, and passed **2nd Sub. S.B. 189**, ONCOLOGY INSURANCE AMENDMENTS, by Senator C. Bramble, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

Mr. President: March 13, 2013

The Joint Conference Committee comprised of Senators C. Bramble, D. Henderson, and K. Mayne, and Representatives B. Wilson, D. Sanpei, and S. Duckworth, recommends **2nd Sub. S.B. 189**, ONCOLOGY INSURANCE AMENDMENTS, by Senator C. Bramble, with the following amendments:

1. Page Page 3, Lines 65 through 67;,  
Delete Lines 65 through 67

Sen. Curtis Bramble and  
Rep. Brad Wilson, Chairs

On motion of Senator Bramble, the bill was placed on the top of the Third Reading Calendar.

### THIRD READING CALENDAR

**2nd Sub. S.B. 189**, ONCOLOGY INSURANCE AMENDMENTS, was before the Senate and up for final passage. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Thatcher
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Voting in the negative was:** Senator

Dayton

**Absent or not voting were:** Senators

Adams	Stevenson	Urquhart
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**2nd Sub. S.B. 189** was returned to the House.

\* \* \*

**1st Sub. H.B. 157**, CHILDREN'S HEARING AID PILOT PROGRAM, under suspension of the rules, was read the third time, explained by Senator Osmond, and passed on the following roll call:

**Yeas, 22; Nays, 4; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

Bramble	Dabakis	Davis	Harper
Henderson	Hillyard	Hinkins	Jenkins
Jones	Knudson	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Christensen	Dayton	Madsen	Stephenson
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**Absent or not voting were:** Senators

Adams                      Stevenson                      Urquhart

**1st Sub. H.B. 157**, was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Stephenson, the circle was removed from **H.B. 256**, REAUTHORIZATION OF ADMINISTRATIVE RULES, and it was before the Senate.

Senator Stephenson proposed the following amendment:

- 1. Page 1, Lines 23 through 25c  
House Committee Amendments  
2-8-2013:

23        Section 1. Rules reauthorized.

24        All rules of Utah state agencies are reauthorized except for  
{ - the following:

25        ~~H→ (1) ←H R277-445-3(B), Education, Administration,~~  
~~Classifying Small Schools as~~

25a      Necessarily Existent ~~H→~~ [.] ; and

25b      ~~(2)-~~ } R592-2-7(2), Insurance, Title and Escrow  
Commission, Title Insurance

25c      Administrative Hearings and Penalty Imposition, Imposition of  
Penalties. ←H

Senator Stephenson’s motion to amend passed on a voice vote. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Adams

Mayne

Urquhart

**H.B. 256**, as amended, was returned to the House for further consideration.

## SECOND READING CALENDAR

On motion of Senator Weiler, the Senate voted to lift **2nd Sub. H.B. 391**, PROHIBITION OF MEDICAID EXPANSION, from Rules and place it on the top of the Second Reading Calendar.

**2nd Sub. H.B. 391**, PROHIBITION OF MEDICAID EXPANSION, was read the second time.

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

### **5th Sub. H.B. 391 Prohibition of Medicaid Expansion** (Rep. J. Anderegg)

Senator Weiler proposed the following amendment: #3

1. Page 2, Line 34:

34            {~~None~~}    This bill has an immediate effective date.

2. Page 2, Line 51:

51            (c) the    {~~department~~}    governor or the governor's designee has reported {~~its~~}    the intention to expand the state Medicaid program

3. Page 2, Line 54:

54            (d) notwithstanding Subsection 63 I -5-103(2), the governor submits the request for

4. Page 3, Line 57:

57            approval of certain federal funds request.

Section 2. Effective date.

If approved by two-thirds of all the members elected to each house, this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution Article VII, Section 8, without the governor's signature, or in the case of veto, the date of veto override.

Senator Weiler's motion to amend passed on a voice vote. Senator Weiler explained the bill. Senators Davis, Adams, Dabakis, Bramble, Robles, Shiozawa, and Niederhauser commented.

On motion of Senator Adams, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Adams, under suspension of the rules, **5th Sub. H.B. 391, PROHIBITION OF MEDICAID EXPANSION**, was considered read the second and third times and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Hillyard	Stevenson
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**5th Sub. H.B. 391**, as amended, was returned to the House for further consideration.

\* \* \*

On motion of Senator Harper, the Senate voted to lift **S.B. 9, REVENUE BOND AND CAPITAL FACILITIES AMENDMENTS**, from Rules and place it at the top of the Second Reading Calendar.

On motion of Senator Harper, the Senate, by a 2/3 vote, voted to suspend the three readings requirement and the rules requiring a committee hearing and the 24-hour requirement.

On motion of Senator Harper, under suspension of the rules, **S.B. 9, REVENUE BOND AND CAPITAL FACILITIES AMENDMENTS**, was considered read the second and third times and passed on the following roll call:

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



**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Hillyard	Stevenson
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**S.B. 9** was transmitted to the House.

\* \* \*

On motion of Senator Osmond, the circle was removed from **H.B. 371**, INTERPRETER SERVICES FOR THE HEARING IMPAIRED AMENDMENTS, and it was before the Senate.

On motion of Senator Osmond, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Osmond, under suspension of the rules, **H.B. 371**, INTERPRETER SERVICES FOR THE HEARING IMPAIRED AMENDMENTS, was considered read the second and third times and passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Thatcher
Urquhart	Van Tassell	Vickers	Weiler

**Absent or not voting were:** Senators

Hillyard	Knudson	Stevenson	Valentine
Niederhauser			

**H.B. 371** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Urquhart, the circle was removed from **1st Sub. H.B. 139, SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS ACTION CENTER**, and it was before the Senate.

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

**5th Sub. H.B. 139 Science, Technology, Engineering, and Mathematics Action Center** (Rep. V. Peterson)

On motion of Senator Urquhart, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Urquhart, under suspension of the rules, **5th Sub. H.B. 139, SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS ACTION CENTER**, was considered read the second and third times and passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Mayne	Okerlund	Osmond	Reid
Robles	Stephenson	Stevenson	Thatcher
Urquhart	Van Tassell	Vickers	Weiler

**Absent or not voting were:** Senators

Knudson	Madsen	Shiozawa	Valentine
Niederhauser			

**5th Sub. H.B. 139**, as amended, was returned to the House for further consideration.

\* \* \*

**1st Sub. H.B. 145, YOUTH ORGANIZATION RESTRICTED ACCOUNTS AND INCOME TAX CONTRIBUTIONS**, was read the second time.

Senator Bramble proposed the following amendment:

1. Page 5, Lines 133 through 138:

133 (b) the division shall, for each qualified youth development organization council,

134 calculate an amount by multiplying the percentage the division calculates under Subsection

135 (5)(a) by the lesser of:

(i) the amount the Legislature appropriates to the division from the account for the fiscal

136 year; or

(ii) the balance in the account as of June 1 of that year; and

137 (c) the division shall distribute the amount the division calculates under Subsection (5)(b) to each

138 qualified youth development organization council.

2. Page 6, Lines 151 through 152:

151 (3) "Youth character organization" means an organization that is chartered under 36

152 U.S.C. {~~§~~} Sec. 80301.

3. Page 7, Lines 182 through 184:

182 (2) A qualified youth character organization that receives a distribution from the

183 division under this section shall expend the distribution only to accomplish the purposes

184 described in 36 U.S.C. {~~§~~} Sec. 80302.

4. Page 7, Lines 205 through 206:

205 (i) the numerator of which is the youth membership of the qualified youth character

206 organization council ; and

5. Page 7, Line 209 through Page 8, Line 213:

209 (b) the division shall, for each qualified youth character organization council, calculate

210 an amount by multiplying the percentage the division calculates under Subsection (5)(a) by the lesser of:

(i) the

211 amount the Legislature appropriates to the division from the account for the fiscal year: or

(ii) the balance in the account as of June 1 of that year; and

212 (c) the division shall distribute the amount the division calculates under Subsection (5)(b) to each

213 qualified youth character organization council.

Senator Bramble’s motion to amend passed on a voice vote.

On motion of Senator Bramble, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Bramble, under suspension of the rules, **1st Sub. H.B. 145, YOUTH ORGANIZATION RESTRICTED ACCOUNTS AND INCOME TAX CONTRIBUTIONS**, was considered read the first, second, and third times and passed on the following roll call:

**Yeas, 23; Nays, 2; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Hillyard
Hinkins	Jones	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Van Tassell	Vickers	Weiler	

**Voting in the negative were:** Senators

Dayton                      Jenkins

**Absent or not voting were:** Senators

Knudson                      Urquhart                      Valentine                      Niederhauser

**1st Sub. H.B. 145**, as amended, was returned to the House for further consideration.

\* \* \*

On motion of Senator Harper, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Harper, under suspension of the rules, **1st Sub. H.B. 337, PERMANENT STATE TRUST FUND INVESTMENT**

AMENDMENTS, 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

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Van Tassell	Vickers
Weiler			

**Absent or not voting were:** Senators

Bramble	Knudson	Valentine	Niederhauser
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**1st Sub. H.B. 337** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Christensen, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Christensen, under suspension of the rules, **H.B. 375**, RADIOLOGIST ASSISTANT PROVISIONS, 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

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Van Tassell	Vickers
Weiler			

**Absent or not voting were:** Senators

Bramble	Knudson	Valentine	Niederhauser
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**H.B. 375** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Stevenson, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Stevenson, under suspension of the rules, **1st Sub. H.B. 193**, UTAH STATE EMPLOYMENT AMENDMENTS, was considered read the second and third times and passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Vickers	Weiler

**Absent or not voting were:** Senators

Bramble	Knudson	Valentine	Van Tassell
Niederhauser			

**1st Sub. H.B. 193** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Henderson, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Henderson, under suspension of the rules, **H.B. 175**, LOCAL POLITICAL SUBDIVISION BONDING NOTICE REQUIREMENTS, 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

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Van Tassell	Vickers
Weiler			

**Absent or not voting were:** Senators

Bramble                      Knudson                      Valentine                      Niederhauser

**H.B. 175** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

**COMMUNICATIONS FROM THE HOUSE**

Mr. President: March 13, 2013

The House passed, as amended, **S.B. 169**, EDUCATION TASK FORCE, by Senator S. Reid, and it is transmitted for further consideration; and

The House passed, as amended, **S.B. 175**, ASSESSMENT OF COLLEGE READINESS, by Senator H. Stephenson, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bills were placed on the Concurrence Calendar.

**CONCURRENCE CALENDAR**

On motion of Senator Reid, the Senate refused to concur in the House amendments. **2nd Sub. S.B. 95** was returned to the House.

\* \* \*

On motion of Senator Hillyard, the Senate voted to concur in the House amendments to **S.B. 103**, CARSON SMITH SCHOLARSHIP AMENDMENTS. The bill, as amended, passed on the following roll call:

**Yeas, 22; Nays, 2; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Dabakis	Davis	Dayton
Harper	Henderson	Hillyard	Jenkins
Jones	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Thatcher	Urquhart	Van Tassell
Vickers	Weiler		

**Voting in the negative were:** Senators

Christensen                      Hinkins

**Absent or not voting were:** Senators

Bramble	Knudson	Stevenson	Valentine
Niederhauser			

**S.B. 103** was returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Reid, the Senate voted to concur in the House amendments to **S.B. 169**, EDUCATION TASK FORCE. The bill, as amended, passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Thatcher	Urquhart	Van Tassell	Vickers
Weiler			

**Absent or not voting were:** Senators

Knudson	Stevenson	Valentine	Niederhauser
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**S.B. 169** was returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Stephenson, the Senate voted to concur in the House amendments to **S.B. 175**, ASSESSMENT OF COLLEGE READINESS. Senators Dayton and Robles commented and the bill, as amended, passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Madsen
Mayne	Okerlund	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Van Tassell	Vickers	Weiler



**Absent or not voting were:** Senators

Davis

Knudson

Osmond

Valentine

Niederhauser

**S.B. 175** was returned to the House for the signature of the Speaker.

**SECOND READING CALENDAR**

On motion of Senator Hillyard, the Senate voted to lift **H.B. 384, PROPERTY DISPOSITION AMENDMENTS**, to the top of the Second Reading Calendar.

**H.B. 384, PROPERTY DISPOSITION AMENDMENTS**, was read the second time.

Senator Bramble proposed the following amendment:

1. Page 1, Line 20:

20 Grant Program;

▶ provides that the Commission on Criminal and Juvenile Justice may retain up to 3% of the State Asset Forfeiture Grant Program appropriated funds to pay for administrative costs;

2. Page 1, Line 22:

22 those sections into Title 24, Forfeiture of Property Act;

▶ repeals the State Law Enforcement Forfeiture Account and addresses distribution of money in the account;

3. Page 1, Line 36:

36 This bill takes effect on July 1, 2013.

This bill coordinates with H.B. 287, Return of Weapons Recovered by Law Enforcement, by providing for a July 1, 2013 effective date.

This bill coordinates with H.B. 355, Unclaimed Property Amendments, by providing superceding amendments.

4. Page 4, Line 112:

112 77-24-5, as last amended by Laws of Utah 2005, Chapter 126

Utah Code Sections Affected by Coordination Clause:

77-24-2, as last amended by Laws of Utah 2012, Chapters 47 and 284

77-24a-5, as last amended by Laws of Utah 2009, Chapter 388

Uncodified Material Affected:

ENACTS UNCODIFIED MATERIAL

5. Page 6, Line 158:

158 TITLE 24. FORFEITURE AND DISPOSITION OF  
PROPERTY ACT

6. Page 6, Line 161:

161 (1) This title is known as the “Forfeiture and Disposition of  
Property Act.”

7. Page 6, Line 167:

167 ~~24-4-~~ ~~{-115-}~~ 116 .

8. Page 8, Line 236:

236 commission of an offense that gives rise to forfeiture:  
~~{-and-}~~ or

9. Page 12, Lines 363 through 365:

363 (3) (a) Before the agency may release property to a person  
claiming ownership of the

364 property, the person shall establish to the agency pursuant to  
Subsection (3)(b) that the person:

365 ~~{-(a)-}~~ (i) is the rightful owner; and

10. Page 12, Line 366:

366 ~~{-(b)-}~~ (ii) may lawfully possess the property.

(b) The person shall establish ownership under Subsection (3)(a)  
by providing to the agency:

(i) identifying proof or documentation of ownership of the  
property; or

(ii) a notarized statement, if proof or documentation is not  
available.

11. Page 20, Line 596:

596 claimant’s ~~{-last-}~~ known address.

12. Page 30, Lines 910 through 911:

910 (3) (a) When property is forfeited under this chapter and  
transferred to the account, upon appropriation the  
911 commission shall allocate and administer grants {~~from the~~  
~~account~~} to state, local, or

13. Page 32, Line 987:

987 32B-4-206. Searches, seizures, {~~forfeitures,—~~} and  
fines.

14. Page 43, Line 1313:

1313 Utah's Public Legal Notice Website established in Subsection  
45-1-101(2)(b); {~~and~~}

15. Page 43, Line 1315:

1315 [(B) ~~as required in Section 45-1-101;~~ and]  
(ii) post a similar notice on the public website of the political  
subdivision within which the law enforcement agency is located; and

16. Page 43, Line 1316:

1316 {~~(ii)~~} (iii) post a similar notice in a public place  
designated for notice within the law

17. Page 45, Lines 1381 through 1382:

1381 Section 77-24-5, Property seized from person -- Duplicate  
receipts.

Section 41. Transfer of funding from repealed account to enacted  
account.

On July 1, 2013, all money in the Criminal Forfeiture Restricted  
Account created in Section 24-1-18, which is repealed by this bill on  
July 1, 2013, shall be transferred by the Division of Finance to the  
Criminal Forfeiture Restricted Account created in this bill by Section  
24-4-116 and which has the same purpose as the repealed account.

Section 42. Transfer of any remaining funds in repealed account.

On July 1, 2013, the Division of Finance is authorized to distribute  
appropriations for FY 2013 and 2014 from the State Law Enforcement  
Forfeiture Account, which is repealed by this bill. The Division of  
Finance shall transfer any money that remains in this account after these

distributions to the Criminal Forfeiture Restricted Account created in this bill by Section 24-4-116.

Section 43. Coordinating H.B. 384 with H.B. 287 — Providing an effective date.

If this H.B. 384 and H.B. 287, Return of Weapons Recovered by Law Enforcement, both pass and become law, it is the intent of the Legislature that the Office of Legislative Research and General Counsel, in preparing the Utah Code database for publication, provide that H.B. 287 takes effect on July 1, 2013.

Section 44. Coordinating H.B. 384 with H.B. 355 — Providing an effective date and superseding amendments.

If this H.B. 384 and H.B. 355, Unclaimed Property Amendments, both pass and become law, it is the intent of the Legislature that the Office of Legislative Research and General Counsel, in preparing the Utah Code database for publication, provide that H.B. 355 takes effect on July 1, 2013, and provide that Section 77-24a-5 in this H.B. 384 supersedes Section 77-24a-5 in H.B. 355.

1382 Section { -41- } 44 . Effective date.

Senator Bramble’s motion to amend passed on a voice vote.

On motion of Senator Bramble, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Bramble, under suspension of the rules, **H.B. 384, PROPERTY DISPOSITION AMENDMENTS**, was considered read the second and third times and passed on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Madsen	Mayne
Okerlund	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Van Tassell	Vickers	Weiler	

**Absent or not voting were:** Senators

Davis	Dayton	Knudson	Osmond
Valentine	Niederhauser		

**H.B. 384**, as amended, was returned to the House for further consideration.

\* \* \*

On motion of Senator Bramble, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Bramble, under suspension of the rules, **H.B. 121**, FIREARMS SAFE HARBOR, was considered read the second and third times. Senators Hillyard and Mayne commented and the bill passed on the following roll call:

**Yeas, 21; Nays, 4; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Hillyard	Hinkins
Jenkins	Jones	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stevenson	Thatcher	Urquhart	Van Tassell
Weiler			

**Voting in the negative were:** Senators

Henderson	Madsen	Stephenson	Vickers
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**Absent or not voting were:** Senators

Dayton	Knudson	Valentine	Niederhauser
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**H.B. 121** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**1st Sub. H.B. 315**, OFFICE OF INSPECTOR GENERAL OF MEDICAID SERVICES AMENDMENTS, was read the second time.

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

**2nd Sub. H.B. 315 Office of Inspector General of Medicaid Services Amendments** (Rep. J. Dunnigan)

On motion of Senator Urquhart, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Urquhart, under suspension of the rules, **2nd Sub. H.B. 315, OFFICE OF INSPECTOR GENERAL OF MEDICAID SERVICES AMENDMENTS**, was considered read the second and third times. Senators Robles, Henderson, and Christensen commented and the bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Dayton	Knudson	Valentine
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**2nd Sub. H.B. 315**, as amended, was returned to the House for further consideration.

### COMMUNICATIONS FROM THE HOUSE

Mr. President: March 13, 2013

The Speaker of the House has signed **2nd Sub. S.B. 7, STATE AGENCY AND HIGHER EDUCATION COMPENSATION APPROPRIATIONS**, by Senator L. Hillyard, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **S.B. 31, SPECIAL NEEDS ADOPTION TAX CREDIT**, by Senator W. Harper, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **1st Sub. S.B. 33, SALES AND USE TAX REVISIONS**, by Senator H. Stephenson, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **1st Sub. S.B. 42, MEDICAL SCHOOL ADMISSIONS FUNDING**, by Senator J. Valentine, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **1st Sub. S.B. 49**, CHILD WELFARE MODIFICATIONS, by Senator W. Harper, and it is transmitted for the signature of the President; and

The House passed, **S.B. 125**, DISTRICT COURT JUDGE AMENDMENTS, by Senator K. Van Tassell, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 127**, JUVENILE COURT JUDGE AMENDMENTS, by Senator K. Van Tassell, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 128**, FINANCIAL TRANSPARENCY IN EDUCATION, by Senator D. Thatcher, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 131**, ASSAULT AMENDMENTS, by Senator A. Osmond, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 171**, SALES AND USE TAX EXEMPTION FOR ELECTRONIC FINANCIAL PAYMENT SERVICES, by Senator H. Stephenson, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 191**, ADMINISTRATIVE LAW JUDGE AMENDMENTS, by Senator W. Harper, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 241**, DISCLOSURE REQUIREMENTS FOR MIDTERM VACANCY CANDIDATES, by Senator T. Weiler, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President:

March 13, 2013

The House concurred in the Senate amendments and passed **3rd Sub. H.B. 134**, PARENTAL NOTIFICATION RELATED TO STUDENT SAFETY, by Representative G. Froerer, et al, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **1st Sub. H.B. 160**, HEALTH SYSTEM REFORM AMENDMENTS, by Representative J. Dunnigan, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **2nd Sub. H.B. 239**, JURY SERVICE AMENDMENTS, by Representative C. Hall, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **1st Sub. H.B. 333**, STATE LANDS AMENDMENTS, by Representative R. Menlove, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.B. 338**, ALIMONY REVISIONS, by Representative K. McIff, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.B. 373**, SMALL SCHOOL FUNDING, by Representative K. McIff, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **1st Sub. H.B. 388**, GOVERNMENT COMMUNICATIONS TASK FORCE, by Representative B. Dee, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

Communications filed. The bills were signed by the President of the Senate in open session and returned to the House for the signature of the Speaker of the House.

\* \* \*

On motion of Senator Okerlund, and at 8:05 p.m., the Senate recessed.

The Senate reassembled at 9:05 p.m., with President Niederhauser presiding.

### SECOND READING CALENDAR

On motion of Senator Madsen, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Madsen, under suspension of the rules, **1st Sub. H.B. 376**, PUBLIC FUNDS AND ACCOUNTS 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

Bramble	Christensen	Davis	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Adams	Dabakis	Vickers
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**1st Sub. H.B. 376** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Okerlund, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Okerlund, under suspension of the rules, **H.B. 340**, SNOW COLLEGE ECONOMIC DEVELOPMENT AND WORKFORCE PREPARATION ADVISORY COMMITTEE, was considered read the second and third times and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Madsen	Vickers
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**H.B. 340** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**2nd Sub. H.B. 91**, VOTER REGISTRATION – ELECTION DAY VOTER REGISTRATION, was read the second time. Senator Jenkins explained the bill. Senators Van Tassell, Robles, Madsen, Jones, and Henderson commented. The bill passed second reading on the following roll call:

**Yeas, 18; Nays, 10; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Christensen	Dabakis	Davis	Hillyard
Jenkins	Jones	Knudson	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stevenson	Urquhart	Van Tassell
Vickers	Niederhauser		

**Voting in the negative were:** Senators

Bramble	Dayton	Harper	Henderson
Hinkins	Madsen	Stephenson	Thatcher
Valentine	Weiler		

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

\* \* \*

**1st Sub. H.B. 149**, AMENDMENTS TO UTAH EXEMPTIONS ACT, was read the second time.

Senator Weiler proposed the following amendment:

1. Page 1, Lines 21 through 22:

21 Other Special Clauses:

22        {~~None~~} This bill provides an immediate effective date.

2. Page 7, Line 201  
Senate Committee Amendments  
3-7-2013:

201 bankruptcy.

Section 5. Effective date.

If approved by two-thirds of all the members elected to each house.

this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto, the date of veto override.

Senator Weiler's motion to amend failed on a voice vote. Senator Weiler explained the bill. Senators Urquhart, Hillyard, and Valentine commented. The bill passed second reading on the following roll call:

**Yeas, 22; Nays, 2; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Harper	Henderson	Hillyard	Hinkins
Jones	Knudson	Madsen	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Urquhart	Valentine
Vickers	Weiler		

**Voting in the negative were:** Senators

Dayton	Jenkins
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**Absent or not voting were:** Senators

Bramble	Mayne	Thatcher	Van Tassell
Niederhauser			

## COMMUNICATIONS FROM THE HOUSE

Mr. President:

March 13, 2013

The House refuses to recede from its amendments to **2nd Sub. S.B. 95**, WHISTLEBLOWER AMENDMENTS, by Senator S. Reid, and has appointed a Conference Committee consisting of Representatives R. Cunningham, D. Brown, and B. King to meet with a like committee from the Senate on this bill.

Sandy D. Tenney, Chief Clerk

On motion of Senator Reid, the Senate voted to refuse to recede from its amendments to **2nd Sub. S.B. 95**. President Niederhauser appointed a conference committee consisting of Senators Reid, Weiler, and Mayne to meet with a like committee from the House.

## SECOND READING CALENDAR

On motion of Senator Dayton, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Dayton, under suspension of the rules, **1st Sub. H.B. 317**, PROTECTION OF CONCEALED FIREARM PERMIT INFORMATION, was considered read the second and third times and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Voting in the negative was:** Senator

Davis

**1st Sub. H.B. 317** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Okerlund, **H.B. 403**, MUNICIPAL ELECTION AMENDMENTS, was read the second time and circled.

\* \* \*

On motion of Senator Shiozawa, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Shiozawa, under suspension of the rules, **H.B. 345**, EXPANDING ACCESS FOR SIXTH GRADERS TO SECONDARY EDUCATION, was considered read the second and third times and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond

Reid	Robles	Shiozawa	Stephenson
Stevenson	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators  
Adams                      Thatcher

**H.B. 345** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Okerlund, **1st Sub. H.B. 386**, BAIL BOND AMENDMENTS, was read the second time and circled.

\* \* \*

**1st Sub. H.B. 88**, LAND USE AMENDMENTS, was read the second time. Senator Hinkins explained the bill.

Senator Hinkins proposed the following amendment:

1. Page 2, Lines 44 through 45:

44            (1) “Adequate protests” means protests that are:

45            (a) filed with a planning commission no later than  
{-60-} 10 days after the day of the public

2. Page 13, Line 386:

386 commission shall send a written courtesy notice to each  
owner of private real property whose property is

3. Page 13, Line 393 through Page 14, Line 409:

393            (2) The written notice shall:

394            (a) identify, with specificity, the owner’s real property that will  
be affected by the

395 proposed zoning map or map amendment;

396            (b) state the current zone in which the real property is located;

397            (c) state the proposed new zone for the real property, including  
proposed regulations.

398 prohibitions, and permitted uses, that the property will be subject to  
 399 if the zoning map or map

400 amendment is adopted:

401 (d) (i) state that the owner of real property may no later than  
 402 {-60-} 10 days after the day of

403 the public hearing described in Section 10-9a-502 file a protest to  
 404 the inclusion of the owner's

405 property in the proposed zoning map or map amendment; and

406 (ii) state the date of the protest filing deadline:

407 (e) state the address of where the protest should be filed with the  
 408 planning commission; and

409 {- (f) notify the property owner that if adequate protests are  
 410 filed with the planning

411 commission, the commission may not recommend and the  
 412 legislative ~~H~~ body ~~H~~ may

413 not adopt the zoning

414 map or map amendment; and

415 {- (g) -} (f) state the location, date, and time of the public  
 416 hearing described in Section

417 10-9a-502.

4. Page 14, Line 427 through Page 15, Line 432  
 House Floor Amendments  
 3-11-2013:

427 (2) If adequate protests are filed in accordance with Section  
 428 10-9a-502.5 to a zoning

429 map or map amendment proposed by the municipality, the  
 430 planning commission shall :

431 (a) { -the planning commission may not recommend to the  
 432 legislative body the zoning

433 map or map amendment -} consider the protests when making a  
 434 final decision on whether to propose a zoning map or map amendment to  
 435 the legislative body ; and

436 (b) { -the legislative body may not consider or adopt the  
 437 proposed zoning map or map

432 ~~amendment under Subsection (3) -~~ forward a summary of the  
protests for the legislative body for consideration when the legislative  
body makes a final decision on the proposed zoning map or map  
amendment .

5. Page 15, Line 450:

450 (3) An owner may withdraw a protest at any time before the  
expiration of the {~~60~~} 10 -day

6. Page 15, Line 455:

455 (b) the inclusion {~~on~~} of the owner's property within  
the zone.

7. Page 16, Lines 484 through 485:

484 (1) "Adequate protests" means protests that are:

485 (a) filed with a planning commission no later than  
{~~60~~} 10 days after the day of the public

8. Page 28, Line 847:

847 commission shall send a written courtesy notice to each  
owner of private real property whose property is

9. Page 28, Line 853 through Page 29, Line 869:

853 (2) The written notice shall:

854 (a) identify, with specificity, the owner's real property that will  
be affected by the

855 proposed zoning map or map amendment;

856 (b) state the current zone in which the real property is located;

857 (c) state the proposed new zone for the real property, including  
proposed regulations,

858 prohibitions, and permitted uses, that the property will be subject to  
if the zoning map or map

859 amendment is adopted;

860 (d) (i) state that the owner of real property may no later than  
{~~60~~} 10 days after the day of

861 the public hearing described in Section 17-27a-502 file a protest to  
the inclusion of the owner's

862 property in the proposed zoning map or map amendment; and  
 863 (ii) state the date of the protest filing deadline;  
 864 (e) state the address of where the protest should be filed with the  
planning commission; and  
 865 ~~{ (f) notify the property owner that if adequate protests are~~  
~~filed with the planning~~  
 866 ~~commission, the commission may not recommend and the~~  
~~legislative~~ ~~H~~ ~~→~~ ~~body~~ ~~←~~ ~~H~~ ~~may~~  
 866a not adopt the zoning  
 867 ~~map or map amendment; and~~  
 868 ~~(g)}~~ (f) state the location, date, and time of the public  
hearing described in Section  
 869 17-27a-502.

10. Page 29, Lines 887 through 892  
 House Floor Amendments  
 3-11-2013:

887 (2) If adequate protests are filed in accordance with Section  
17-27a-502.5 to a zoning  
 888 map or map amendment proposed by the county, the planning  
commission shall :  
 889 ~~(a) { the planning commission may not recommend to the~~  
~~legislative body the zoning~~  
 890 ~~map or map amendment }~~ consider the protests when making a  
final decision on whether to propose a zoning map or map amendment to  
the legislative body ; and  
 891 ~~(b) { the legislative body may not consider or adopt the~~  
~~proposed zoning map or map~~  
 892 ~~amendment under Subsection (3) }~~ forward a summary of the  
protests to the legislative body for consideration when the legislative  
body makes a final decision on the proposed zoning map or map  
amendment .

11. Page 30, Line 909:

909 (3) An owner may withdraw a protest at any time before the  
expiration of the { -60- } 10 -day



12. Page 30, Line 914:

914 (b) the inclusion {~~on~~} of the owner's property within the zone.

Senator Hinkins' motion to amend passed on a voice vote. Senator Hillyard commented.

On motion of Senator Hinkins, the bill was circled.

\* \* \*

On motion of Senator Okerlund, **H.C.R. 8**, CONCURRENT RESOLUTION ON PARKINSON'S DISEASE, was read the second time and circled.

\* \* \*

On motion of Senator Hillyard, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Hillyard, under suspension of the rules, **H.J.R. 9**, JOINT RESOLUTION RECOMMENDING A NAME FOR NEW FEDERAL COURTHOUSE, was considered read the second and third times and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Christensen      Thatcher

**H.J.R. 9** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Hinkins, under suspension of the rules, **1st Sub. H.C.R. 11**, CONCURRENT RESOLUTION SUPPORTING THE TRANSFER

OF ADMINISTRATION OF THE UTAH NAVAJO OIL AND GAS ROYALTIES TO THE UTAH DINEH CORPORATION, was considered read the second and third times. Senators Van Tassell and Robles commented and the bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Jones                      Robles

**Absent or not voting was:** Senator

Urquhart

**1st Sub. H.C.R. 11** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Adams, **H.B. 393**, COMPETENCY-BASED EDUCATION AMENDMENTS, was read the second time and circled.

\* \* \*

On motion of Senator Adams, the circle was removed from **H.C.R. 8**, CONCURRENT RESOLUTION ON PARKINSON'S DISEASE, and it was before the Senate.

On motion of Senator Adams, under suspension of the rules, **H.C.R. 8**, CONCURRENT RESOLUTION ON PARKINSON'S DISEASE, was considered read the second and third times and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson

Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**H.C.R. 8** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Osmond, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Osmond, under suspension of the rules, **2nd Sub. H.B. 115**, TOWING AMENDMENTS, was considered read the second and third times and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**2nd Sub. H.B. 115** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Madsen, the circle was removed from **1st Sub. H.B. 386**, BAIL BOND AMENDMENTS, and it was before the Senate.

Senator Madsen proposed the following amendment:

1. Page 6, Line 169  
House Floor Amendments  
3-11-2013:

169       (3)    ~~{(a)}~~    The licensee shall wear the badge under Subsection (2) in a manner that

2. Page 6, Lines 172 through 173  
House Floor Amendments  
3-11-2013:

172       ~~{(b)}~~    (4)    The licensee may ~~[wear or]~~ display the badge under Subsection (2)~~[(a)]~~ only if:

173       ~~{(i)}~~    (a)    the licensee is also at the same time wearing an article of clothing that

3. Page 6, Line 176  
House Floor Amendments  
3-11-2013:

176       ~~{(ii)}~~   (b)    the licensee also displays the licensee's identification card described in Section

4. Page 6, Line 178 through Page 7, Line 181  
House Floor Amendments  
3-11-2013:

178       ~~{(A)}~~    (i)    upon request, while acting as a bail enforcement agent; or

179       ~~{(B)}~~    (ii)   as necessary for the licensee to demonstrate authority while acting as a bail

180 enforcement agent ~~→~~ ~~[ ]~~   ~~{ or }~~

180a      ~~{(iii)}~~   (c)    the licensee is making a planned apprehension of a defendant, and the licensee ~~{ in which case the~~

180b      ~~licensee shall also wear }~~ is also wearing an article of clothing described in Subsection ~~{(3)(b)(i)}~~ (4)(a) or Subsection ~~{(4)}~~ (5)

180c      ~~{ and shall wear the clothing in the manner under Subsection (3)(a) }~~   ~~←~~ ~~→~~ :

(d) the licensee is making an apprehension that is unplanned and under exigent circumstances, and the licensee is not wearing clothing

described in Subsection (4)(a) or Subsection (5); or

(e) the licensee is acting as a bail enforcement agent but is not engaged in a planned apprehension or in another situation that does not require that the agent be wearing clothing as described in Subsection (4)(a) or (5) in order to display the badge.

181    ~~[(3)]~~    ~~{-(4)-}~~    (5)    A licensee may wear a jacket of a distinctive design or style that bears a

- 5. Page 7, Lines 184a through 184c  
House Floor Amendments  
3-11-2013:

184a   ~~H~~→    ~~{-(5)-}~~    (6)    When a licensee is acting as a bail enforcement agent and interacts with a law

184b   enforcement officer, the   ~~{-agent-}~~   licensee shall, at the first opportunity, identify him or herself to the law

184c   enforcement officer and shall provide identification as a bail enforcement agent.   ←~~H~~

Senator Madsen’s motion to amend passed on a voice vote.

On motion of Senator Madsen, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Madsen, under suspension of the rules, **1st Sub. H.B. 386**, BAIL BOND AMENDMENTS, was considered read the second and third times and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**1st Sub. H.B. 386**, as amended, was returned to the House for further consideration.

\* \* \*

On motion of Senator Adams, the circle was removed from **H.B. 403**, MUNICIPAL ELECTION AMENDMENTS, and it was before the Senate.

On motion of Senator Adams, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Adams, under suspension of the rules, **H.B. 403**, MUNICIPAL ELECTION AMENDMENTS, was considered read the second and third times and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Osmond	Robles
--------	--------

**H.B. 403** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

**COMMUNICATIONS FROM THE HOUSE**

Mr. President: March 13, 2013

The Speaker of the House has signed **S.B. 103**, CARSON SMITH SCHOLARSHIP AMENDMENTS, by Senator J. S. Adams, and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 155**, POSTADOPTION CONTACT AGREEMENTS, by Senator L. Hillyard, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **S.B. 169**, EDUCATION TASK FORCE, by Senator S. Reid, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **S.B. 175**, ASSESSMENT OF COLLEGE READINESS, by Senator H. Stephenson, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **2nd Sub. S.B. 189**, ONCOLOGY INSURANCE AMENDMENTS, by Senator C. Bramble, and it is transmitted for the signature of the President; and

The House passed, **S.B. 223**, STATE SENATE BOUNDARY AMENDMENTS, by Senator R. Okerlund, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 224**, STATE BOARD OF EDUCATION BOUNDARY AMENDMENTS, by Senator R. Okerlund, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 236**, UNINSURED AND UNDERINSURED MOTORIST COVERAGE AMENDMENTS, by Senator L. Hillyard, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 246**, VOLUNTEER WORKERS AMENDMENTS, by Senator S. Jenkins, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 270**, CONTROLLED SUBSTANCE AMENDMENTS, by Senator E. Vickers, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.J.R. 3**, JOINT RULES RESOLUTION ON REQUESTS FOR LEGISLATION, by Senator A. Osmond, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President:

March 13, 2013

The House concurred in the Senate amendments and passed **5th Sub. H.B. 139**, SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS ACTION CENTER, by Representative V. Peterson, et al, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.B. 256**, REAUTHORIZATION OF ADMINISTRATIVE RULES, by Representative C. Oda, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

Communications filed. The bills were signed by the President of the Senate in open session and returned to the House for the signature of the Speaker of the House.

\* \* \*

Mr. President:

March 13, 2013

The House passed, as amended, **1st Sub. S.B. 126**, COORDINATION OF SERVICES FOR VETERANS, by Senator P. Knudson, and it is transmitted for further consideration; and

The House substituted and passed, **3rd Sub. S.B. 196**, LICENSE PLATE READER AMENDMENTS, by Senator T. Weiler, and it is transmitted for further consideration; and

The House substituted and passed, **3rd Sub. S.B. 260**, EARLY CHILDHOOD EDUCATION PROGRAMS AMENDMENTS, by Senator S. Urquhart, and it is transmitted for further consideration; and

The House passed, as amended, **S.B. 275**, ENERGY AMENDMENTS, by Senator J. S. Adams, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bills were placed on the Concurrence Calendar.

### INTRODUCTION OF BILLS

**S.B. 289, Election Offense Amendments** (P. Knudson), was read the first time by short title and referred to the Rules Committee.

\* \* \*

On motion of Senator Valentine, the Senate voted to lift **S.B. 289**, ELECTION OFFENSE AMENDMENTS, from Rules and assign it to the Government Operations and Political Subdivisions Committee.

\* \* \*

On motion of Senator Okerlund, and at 10:30 p.m., the Senate adjourned until 8:30 a.m., Thursday, March 14, 2013.



# FORTY-FIFTH DAY

## MORNING SESSION

**March 14, 2013**

The Senate was called to order at 9:10 a.m., with President Wayne Niederhauser presiding.

**Prayer** – John Fellows, Legislative General Counsel

**Pledge of Allegiance** – Senator Howard Stephenson

**Roll Call** – All Senators present

### READING OF TITLES OF BILLS AND RESOLUTIONS

(PLEASE REFER TO DAY 1, PAGE 81)

### COMMUNICATIONS FROM THE HOUSE

Mr. President: March 13, 2013

The House passed, **1st Sub. S.B. 284**, EDUCATIONAL TECHNOLOGY AMENDMENTS, by Senator J. Stevenson, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Sandy D. Tenney, 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: March 13, 2013

The House concurred in the Senate amendments and passed **1st Sub. H.B. 145**, YOUTH ORGANIZATION RESTRICTED ACCOUNTS AND INCOME TAX CONTRIBUTIONS, by Representative S. Eliason, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **2nd Sub. H.B. 315**, OFFICE OF INSPECTOR GENERAL OF MEDICAID SERVICES AMENDMENTS, by Representative J. Dunnigan, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.B. 384**, PROPERTY DISPOSITION AMENDMENTS, by Representative B. Dee, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **5th Sub. H.B. 391, PROHIBITION OF MEDICAID EXPANSION**, by Representative J. Anderegg, et al, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

Communications filed. The bills were signed by the President of the Senate in open session and returned to the House for the signature of the Speaker of the House.

\* \* \*

Mr. President:

March 13, 2013

The House passed, as amended, **S.B. 122, STUDENT LEADERSHIP SKILLS DEVELOPMENT**, by Senator A. Osmond, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bill was placed on the Concurrence Calendar.

**CONCURRENCE CALENDAR**

On motion of Senator Knudson, the Senate voted to concur in the House amendments to **1st Sub. S.B. 126, COORDINATION OF SERVICES FOR VETERANS**. The bill, as amended, passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Knudson	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Bramble	Jones	Madsen	Urquhart
Valentine			

**1st Sub. S.B. 126** was returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Weiler, the Senate voted to concur in the House amendments to **3rd Sub. S.B. 196, LICENSE PLATE READER AMENDMENTS**. The bill, as amended, passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Knudson	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Bramble	Jones	Madsen	Urquhart
Valentine			

**3rd Sub. S.B. 196** was returned to the House for the signature of the Speaker.

\* \* \*

**3rd Sub. S.B. 260, EARLY CHILDHOOD EDUCATION PROGRAMS AMENDMENTS,** was before the Senate.

On motion of Senator Adams, the bill was circled.

\* \* \*

**S.B. 275, ENERGY AMENDMENTS,** was before the Senate.

On motion of Senator Adams, the bill was circled.

\* \* \*

On motion of Senator Osmond, the Senate refused to concur in the House amendments. **S.B. 122, STUDENT LEADERSHIP SKILLS DEVELOPMENT,** was returned to the House.

\* \* \*

On motion of Senator Knudson, the Senate voted to lift the following bills from Rules and place them on the bottom of the Second Reading Calendar:

- 1st Sub. H.B. 328** Highway Littering and Failing to Secure a Load Amendments (Rep. R. Greenwood)
- 1st Sub. H.B. 236** Land Development Revisions (Rep. M. Brown)
- H.J.R. 16** Joint Rules Resolution on Campaign Contributions (Rep. G. Hughes)

<b>H.B. 380</b>	Economic Development Revisions (Rep. V. L. Snow)
<b>H.B. 399</b>	Name Amendments to Funds and Accounts (Rep. S. Eliason)
<b>H.B. 321</b>	Technical Amendments—weapons (Rep. K. Ivory)
<b>H.B. 369</b>	State Auditor Revisions (Rep. C. Hall)
<b>H.B. 219</b>	Audit Revisions (Rep. L. Christensen)
<b>1st Sub. H.B. 342</b>	Wild Turkey Management (Rep. R. Menlove)
<b>H.B. 408</b>	Criminal Suspect Photographs (Rep. P. Ray)
<b>H.B. 332</b>	Alternate Dispute Resolution Amendments (Rep. R. Edwards)
<b>1st Sub. H.B. 396</b>	Modular Home Amendments (Rep. G. Froerer)
<b>H.B. 344</b>	Establishment of Charter Schools Amendments (Rep. D. Lifferth)
<b>H.B. 36</b>	Storm Water Capture Amendments (Rep. J. Nielson)
<b>H.B. 363</b>	Public Education State Capitol Visit Funding (Rep. S. Eliason)
<b>H.B. 357</b>	Waste Management Facilities Siting Amendments (Rep. R. Menlove)

\* \* \*

On motion of Senator Okerlund, and at 9:30 a.m., the Senate sauntered.

The Senate was called to order at 10:40 a.m., with President Niederhauser presiding.

### COMMUNICATIONS FROM THE HOUSE

Mr. President: March 14, 2013

The House passed, **1st Sub. S.B. 68**, STATE SURPLUS PROPERTY PROGRAM AMENDMENTS, by Senator T. Weiler, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 208**, SOLAR PHOTOVOLTAIC CONTRACTOR LICENSE AMENDMENTS, by Senator E. Vickers, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 225**, IMMIGRATION TRIGGER DATES, by Senator C. Bramble, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 235**, INTERSTATE MINING COMPACT, by Senator D. Hinkins, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 249**, SALVAGE AND NONREPAIRABLE VEHICLE AMENDMENTS, by Senator S. Urquhart, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President:

March 14, 2013

The House substituted and passed, **3rd Sub. S.B. 65**, ELECTION CODE – FINANCIAL REPORTING REQUIREMENT AMENDMENTS, by Senator J. Valentine, and it is transmitted for further consideration; and

The House passed, as amended, **S.B. 78**, PHARMACY ACT AMENDMENTS, by Senator J. S. Adams, and it is transmitted for further consideration; and

The House passed, as amended, **S.B. 86**, INDEPENDENT EXECUTIVE BRANCH ETHICS COMMISSION, by Senator J. Valentine, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bills were placed on the Concurrence Calendar.

\* \* \*

Mr. President:

March 14, 2013

The House has rejected **S.B. 52**, GAME FOWL FIGHTING AMENDMENTS, by Senator G. Davis, and it is transmitted for filing.

Sandy D. Tenney, Chief Clerk

The bill was filed.

### CONCURRENCE CALENDAR

On motion of Senator Urquhart, the circle was removed from **3rd Sub. S.B. 260**, EARLY CHILDHOOD EDUCATION PROGRAMS AMENDMENTS, and it was before the Senate.

On motion of Senator Urquhart, the Senate voted to concur in the House amendments to **3rd Sub. S.B. 260**, EARLY CHILDHOOD EDUCATION PROGRAMS. The bill, as amended, passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Bramble	Dabakis	Davis	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler			

**Absent or not voting were:** Senators

Adams	Christensen	Shiozawa	Niederhauser
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**3rd Sub. S.B. 260** was returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Valentine, the Senate voted to concur in the House amendments to **3rd Sub. S.B. 65**, ELECTION CODE – FINANCIAL REPORTING REQUIREMENT AMENDMENTS. The bill, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	

**Absent or not voting were:** Senators

Adams	Niederhauser
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**3rd Sub. S.B. 65** was returned to the House for the signature of the Speaker.

\* \* \*

**S.B. 78**, PHARMACY ACT AMENDMENTS, was before the Senate

On motion of Senator Robles, the bill was circled.

\* \* \*

On motion of Senator Valentine, the Senate voted to concur in the House amendments to **S.B. 86, INDEPENDENT EXECUTIVE BRANCH ETHICS COMMISSION**. The bill, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Bramble	Christensen	Davis	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler		

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

**Absent or not voting were:** Senators

Adams                      Niederhauser

**S.B. 86** was returned to the House for the signature of the Speaker.

**COMMUNICATIONS FROM THE HOUSE**

Mr. President: March 14, 2013

The House passed, as amended, **1st Sub. S.B. 80, REMOVAL FROM DATABASE RESTRICTING FIREARM PURCHASE**, by Senator D. Thatcher, and it is transmitted for further consideration; and

The House substituted and passed, **3rd Sub. S.B. 271, SCHOOL GRADING AMENDMENTS**, by Senator J. S. Adams, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bills were placed on the Concurrence Calendar.

**CONCURRENCE CALENDAR**

On motion of Senator Thatcher, the Senate voted to concur in the House amendments to **1st Sub. S.B. 80, REMOVAL FROM DATABASE**

RESTRICTING FIREARM PURCHASE. The bill, as amended, passed on the following roll call:

**Yeas, 22; Nays, 3; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Davis	Henderson
Hillyard	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler		

**Voting in the negative were:** Senators

Dabakis	Dayton	Harper
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**Absent or not voting were:** Senators

Adams	Hinkins	Jenkins	Niederhauser
-------	---------	---------	--------------

**1st Sub. S.B. 80** was returned to the House for the signature of the Speaker.

\* \* \*

**3rd Sub. S.B. 271**, SCHOOL GRADING AMENDMENTS, was before the Senate.

On motion of Senator Adams, the bill was circled.

**COMMUNICATIONS FROM THE HOUSE**

Mr. President: March 14, 2013

The House requests the return of **1st Sub. S.B. 191**, ADMINISTRATIVE LAW JUDGE AMENDMENTS, by Senator W. Harper, for reconsideration.

Sandy D. Tenney, Chief Clerk

The bill was returned to the House.

**THIRD READING CALENDAR**

**4th Sub. H.B. 156**, RESTORATION OF TERMINATED PARENTAL RIGHTS, was read the third time and explained by Senator Dayton.

Senator Harper proposed the following amendment:



- 1. Page 3, Lines 69 through 70a  
Senate 2nd Reading Amendments  
3-13-2013:

69 conceive and raise their children are constitutionally protected. For these reasons, the court

70 should only transfer  $\hat{S} \rightarrow$  custody of  $\leftarrow \hat{S}$  a child  $\hat{S} \rightarrow$  [away]  
 $\leftarrow \hat{S}$  from the child's natural parent

70a  $\hat{S} \rightarrow$  [for the gravest of reasons] for compelling reasons  
and when there is a jurisdictional basis to do so  $\leftarrow \hat{S}$  .

- 2. Page 5, Line 135  
Senate 2nd Reading Amendments  
3-13-2013:

135 (4) The division shall notify and inform a child who qualifies for restoration of parental rights

Senator Harper's motion to amend passed on a voice vote. The bill passed on the following roll call:

**Yeas, 22; Nays, 3; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Christensen	Dayton	Harper	Henderson
Hillyard	Hinkins	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler		

**Voting in the negative were:** Senators

Dabakis                      Davis                      Jones

**Absent or not voting were:** Senators

Adams                      Bramble                      Jenkins                      Niederhauser

**4th Sub. H.B. 156**, as amended, was returned to the House for further consideration.

\* \* \*

On motion of Senator Henderson, **2nd Sub. H.B. 91**, VOTER REGISTRATION – ELECTION DAY VOTER REGISTRATION, was read the third time and circled.

\* \* \*

**1st Sub. H.B. 149**, AMENDMENTS TO UTAH EXEMPTIONS ACT, was read the third time, explained by Senator Weiler, and passed on the following roll call:

**Yeas, 23; Nays, 1; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Harper	Henderson	Hillyard	Hinkins
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	

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

**Absent or not voting were:** Senators

Davis	Jenkins	Jones	Stevenson
Niederhauser			

**1st Sub. H.B. 149**, as amended, was returned to the House for further consideration.

## SECOND READING CALENDAR

On motion of Senator Vickers, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Vickers, under suspension of the rules, **2nd Sub. H.B. 323**, HEALTH INSURANCE PRIOR AUTHORIZATION, was considered read the second and third times and passed on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Dayton	Harper	Henderson	Hinkins
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Valentine
Van Tassell	Vickers	Weiler	

**Absent or not voting were:** Senators

Davis	Hillyard	Jenkins	Jones
Urquhart	Niederhauser		

**2nd Sub. H.B. 323** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**H.B. 360**, WATER AND IRRIGATION REVISIONS, was read the second time and explained by Senator Christensen. Senators Dayton, Henderson, Madsen, Hillyard, and Davis commented.

Senator Madsen proposed the following amendment: #2

1. Page 3, Lines 77 through 85:

77 (iii) Beginning on May 5, 2008, if a person described in  
 78 Subsection (2)(b)(i) files and

78 receives approval on successive, overlapping nonuse applications,  
 79 nonuse of the water right

79 subject to the applications is not counted toward a seven-year  
 80 period described in Subsection

80 (2)(a) during the period of time beginning on the day on which the  
 81 person files the first

81 application and ending on the day on which the last application  
 82 expires without being renewed.

82 {-(iv) Approval of a nonuse application does not protect a  
 83 water right that is already

83 subject to forfeiture under Subsection (2)(a) for full or partial  
 84 nonuse of the water right.}

(iv) (A) If a nonuse application is filed, a person may not file an action  
alleging abandonment or forfeiture of a water right subject to the  
application unless the state engineer denies the nonuse application.

(B) A water right under an approved nonuse application is not subject to a  
claim of abandonment or forfeiture for a period of nonuse that occurred  
before the day on which the applicant filed the nonuse application.

84 [(b)-(i)] (v) A nonuse application may be filed on all or a portion  
 of the water right,

85 including water rights held by a water company.

Senator Madsen's motion to amend failed on a voice vote.

###

Senator Weiler proposed the following amendment: #1

1. Page 3, Lines 70 through 83:

70 (b) (i) An appropriator or the appropriator's successor in interest  
71 may file an

72 application for nonuse with the state engineer.

73 (ii) {~~Beginning on May 5, 2008, if~~} If a person  
74 described in Subsection (2)(b)(i) files and

75 receives approval on a nonuse application, nonuse of the water right  
76 subject to the application

77 is not counted toward a seven-year period described in Subsection  
78 (2)(a) during the period of

79 time beginning on the day on which the person files the application  
80 and ending on the day on

81 which the application expires without being renewed.

82 (iii) {~~Beginning on May 5, 2008, if~~} If a person  
83 described in Subsection (2)(b)(i) files and

84 receives approval on successive, overlapping nonuse applications,  
85 nonuse of the water right

86 subject to the applications is not counted toward a seven-year  
87 period described in Subsection

88 (2)(a) during the period of time beginning on the day on which the  
89 person files the first

90 application and ending on the day on which the last application  
91 expires without being renewed.

92 (iv) Approval of a nonuse application does not protect a water  
93 right that is already

94 subject to forfeiture under Subsection (2)(a) for full or partial  
95 nonuse of the water right.

Senator Weiler’s motion to amend passed on a voice vote.

On motion of Senator Christensen, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Christensen, under suspension of the rules, **H.B. 360**, PARTY AFFILIATION AMENDMENTS, was considered read the second and third times and passed on the following roll call:

**Yeas, 15; Nays, 12; Absent or not voting, 2.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Dayton
Henderson	Jenkins	Okerlund	Osmond
Reid	Shiozawa	Stevenson	Valentine
Van Tassell	Vickers	Weiler	

**Voting in the negative were:** Senators

Davis	Harper	Hillyard	Hinkins
Jones	Knudson	Madsen	Mayne
Robles	Stephenson	Thatcher	Urquhart

**Absent or not voting were:** Senators

Bramble	Niederhauser
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**H.B. 360**, as amended, was returned to the House for further consideration.

\* \* \*

On motion of Senator Valentine, under suspension of the rules, the Senate voted to suspend the rules and consider bills today read for the second and third time and they suspended the requirement of a committee hearing.

\* \* \*

On motion of Senator Shiozawa, **H.B. 150**, ANIMAL SHELTER AMENDMENTS, was read the second time and circled.

\* \* \*

On motion of Senator Stevenson, **H.B. 227**, COHABITANT DEFINITION, was read the second time and circled.

\* \* \*

On motion of Senator Bramble, **H.B. 329**, MEDICAID VISION AMENDMENTS, was read the second time and circled.

\* \* \*

On motion of Senator Bramble, **1st Sub. H.B. 268**, DISORDERLY CONDUCT AMENDMENTS, was read the second time and circled.

\* \* \*

On motion of Senator Bramble, **1st Sub H.B. 378**, ELECTION REVISIONS, was read the second time and circled.

\* \* \*

**2nd Sub. H.B. 401**, STATUTE OF LIMITATIONS ON TRESPASS, was read the second time.

Senator Urquhart proposed a verbal amendment as follows:

- 1. Page 2, Line 28:  
After “years” insert “of discovery”

Senator Urquhart’s motion to amend passed on a voice vote.

On motion of Senator Urquhart, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Urquhart, under suspension of the rules, **2nd Sub. H.B. 401**, STATUTE OF LIMITATIONS ON TRESPASS, was considered read the second and third times and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**2nd Sub. H.B. 401**, as amended, was returned to the House for further consideration

\* \* \*

On motion of Senator Christensen, the circle was removed from **H.B. 329**, MEDICAID VISION AMENDMENTS, and it was before the Senate.

On motion of Senator Christensen, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Christensen, under suspension of the rules, **H.B. 329**, MEDICAID VISION AMENDMENTS, was considered read the second and third times and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**H.B. 329** was returned to the House for further consideration.

\* \* \*

On motion of Senator Harper, the circle was removed from **1st Sub. H.B. 378**, ELECTION REVISIONS, and it was before the Senate. Senators Hillyard, Henderson, Vickers, Shiozawa, Dabakis commented.

On motion of Senator Harper, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Harper, under suspension of the rules, **1st Sub. H.B. 378**, ELECTION REVISIONS, 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

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard

Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Adams	Hinkins	Osmond
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**1st Sub. H.B. 378** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

### COMMUNICATIONS FROM THE HOUSE

The House passed, **S.B. 9**, REVENUE BOND AND CAPITAL FACILITIES AMENDMENTS, by Senator W. Harper, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 193**, VEHICLE REGISTRATION AMENDMENTS, by Senator S. Jenkins, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **3rd Sub. S.B. 200**, LOCAL AND SPECIAL SERVICE DISTRICTS AMENDMENTS, by Senator J. Stevenson, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 230**, MINERS' HOSPITAL GRANTS AMENDMENTS, by Senator D. Hinkins, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 233**, REQUEST FOR EMERGENCY MEDICAL ASSISTANCE AMENDMENTS, by Senator C. Bramble, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 268**, HUMAN SERVICES BACKGROUND CHECKS AMENDMENTS, by Senator A. Christensen, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 276**, WATER CONSERVANCY DISTRICT CAPITAL ASSETS, by Senator J. Valentine, which has been signed by the Speaker, and it is transmitted for the signature of the President; and



The House passed, **S.B. 281**, DEBT COLLECTION INFORMATION AMENDMENTS, by Senator C. Bramble, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President:

March 14, 2013

The House substituted and passed, **4th Sub. S.B. 109**, CHANGE APPLICATION PROCEDURE, by Senator R. Okerlund, and it is transmitted for further consideration; and

The House passed, as amended, **1st Sub. S.B. 211**, REDEVELOPMENT AGENCY AMENDMENTS, by Senator J. Stevenson, and it is transmitted for further consideration; and

Sandy D. Tenney, Chief Clerk

The bills were placed on the Concurrence Calendar.

\* \* \*

On motion of Senator Okerlund, and at 12:00 noon, the Senate recessed.

## **AFTERNOON SESSION**

The Senate reassembled at 2:20 p.m., with President Niederhauser presiding.

### **COMMUNICATIONS FROM THE HOUSE**

Mr. President:

March 14, 2013

The House passed, **1st Sub. S.B. 191**, ADMINISTRATIVE LAW JUDGE AMENDMENTS, by Senator W. Harper, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Sandy D. Tenney, 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: March 14, 2013

The House adopted the Joint Conference Committee Report dated March 14, 2013, and passed **2nd Sub. S.B. 95**, WHISTLEBLOWER AMENDMENTS, by Senator S. Reid, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bill was placed on the Concurrence Calendar.

### STANDING COMMITTEE REPORTS

Mr. President: March 14, 2013

The Government Operations and Political Subdivisions Committee reports a favorable recommendation on **S.B. 289**, ELECTION OFFENSE AMENDMENTS, by Senator P. Knudson, with the following amendments:

1. Page 5, Line 144:

144 Section 5. Coordinating S.B. 289 with S.B. {~~90~~} 190  
— Technical changes.

Margaret Dayton, Chair

On motion of Senator Valentine, the committee report was adopted. He moved that the rule to have no new bills introduced on the last 3 days of session, be suspended. The bill was placed on Second Reading Calendar.

### CONCURRENCE CALENDAR

**4th Sub. S.B. 109**, CHANGE APPLICATION PROCEDURE, was before the Senate.

On motion of Senator Okerlund, the bill was circled.

\* \* \*

On motion of Senator Stevenson, the Senate refused to concur in the House amendments. **1st Sub. S.B. 211**, REDEVELOPMENT AGENCY AMENDMENTS, was returned to the House.

### CONFERENCE COMMITTEE REPORT

The Joint Conference Committee comprised of Senators S. Reid, T. Weiler, and K. Mayne, and Representatives R. Cunningham, D. Brown, and B. King,

recommends **2nd Sub. S.B. 95**, WHISTLEBLOWER AMENDMENTS, by Senator S. Reid, as last amended by the House and Senate, with the following amendments:

1. Page 12, Lines 365 through 366

House Floor Amendments 3–13–2013:

365 (3) A public entity employer has the burden to prove by  $\hat{H} \rightarrow$   
~~{-[-]}~~ substantial ~~{-[-]}~~ ~~{-a preponderance}~~

365a ~~of the-~~  $\leftarrow \hat{H}$  evidence that the

366 public entity employer's action was justified.

2. Page 13, Lines 375 through 377

House Floor Amendments 3–13–2013:

375 (ii) a burden of proof on the employer to establish by  $\hat{H} \rightarrow$   
~~{-[-]}~~ substantial ~~{-[-]}~~ ~~{-a preponderance}~~

375a ~~of the-~~  $\leftarrow \hat{H}$  evidence that the

376 employer's action was justified by reasons unrelated to the  
employee's good faith actions under

377 Section 67–21–3.

3. Page 13, Line 397 through Page 14, Line 399

House Floor Amendments

3–13–2013:

397 (ii) a burden of proof on the employer to establish by  $\hat{H} \rightarrow$   
~~{-[-]}~~ substantial ~~{-[-]}~~ ~~{-a preponderance}~~

397a ~~of the-~~  $\leftarrow \hat{H}$  evidence that the

398 employer's action was justified by reasons unrelated to the  
employee's good faith actions under

399 Section 67–21–3.

4. Page 15, Lines 456 through 457

House Floor Amendments 3–13–2013:

456 (3) To prevail in an action brought under this section, the  
employer shall prove by

457 ~~H~~→ {~~-~~} substantial {~~-~~} {~~a preponderance of~~  
~~the~~} ←~~H~~ evidence that the employer's action was justified.

Sen. Stuart Reid and  
Rep. Rich Cunningham, Chairs

On motion of Senator Reid, the Senate vote to adopt the Conference Committee report. The bill was placed on the top of the Third Reading Calendar.

**CONCURRENCE CALENDAR**

On motion of Senator Okerlund, the circle was removed from **4th Sub. S.B. 109**, CHANGE APPLICATION PROCEDURE, and it was before the Senate.

On motion of Senator Okerlund, the Senate refused to concur in the House amendments. **4th Sub. S.B. 109** was returned to the House.

**THIRD READING CALENDAR**

**2nd Sub. S.B. 95**, WHISTLEBLOWER AMENDMENTS, was before the Senate, explained by Senator Reid, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Adams	Jenkins	Valentine
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**2nd Sub. S.B. 95** was transmitted to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Hinkins, the circle was removed from **1st Sub. H.B. 164**, STATE AND POLITICAL SUBDIVISION JURISDICTIONAL AMENDMENTS, and it was before the Senate.

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

**2nd Sub. H.B. 164 State and Political Subdivision Jurisdictional Amendments** (Rep. M. Roberts)

Senator Hillyard commented and the bill passed on the following roll call:

**Yeas, 22; Nays, 5; Absent or not voting, 2.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dayton	Harper
Henderson	Hillyard	Hinkins	Jenkins
Knudson	Madsen	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Van Tassell	Vickers
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Dabakis	Davis	Jones	Mayne
Robles			

**Absent or not voting were:** Senators

Adams	Valentine
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**2nd Sub. H.B. 164**, as amended, was returned to the House for further consideration.

### CONCURRENCE CALENDAR

On motion of Senator Adams, the circle was removed from **3rd Sub. S.B. 271, SCHOOL GRADING AMENDMENTS** and it was before the Senate.

On motion of Senator Adams, the Senate voted to concur in the House amendments to **3rd Sub. S.B. 271**. The bill, as amended, passed on the following roll call:

**Yeas, 18; Nays, 8; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Henderson	Hillyard	Jenkins	Knudson
Madsen	Okerlund	Osmond	Reid
Stephenson	Stevenson	Thatcher	Urquhart
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Dabakis	Davis	Jones	Mayne
Robles	Shiozawa	Van Tassell	Vickers

**Absent or not voting were:** Senators

Harper	Hinkins	Valentine
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**3rd Sub. S.B. 271** was returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Adams, the circle was removed from **S.B. 78**, PHARMACY ACT AMENDMENTS, and it was before the Senate.

On motion of Senator Adams, the Senate voted to concur in the House amendments to **S.B. 78**, PHARMACY ACT AMENDMENTS. The bill, as amended, passed on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Henderson
Hillyard	Hinkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Christensen	Davis	Dayton	Harper
Jenkins	Valentine		

**S.B. 78** was returned to the House for the signature of the Speaker.

## SECOND READING CALENDAR

On motion of Senator Knudson, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Knudson, under suspension of the rules, **S.B. 289**, ELECTION OFFENSE AMENDMENTS, was considered read the second and third times. Senator Knudson explained the bill. Senators Weiler, Robles, Dabakis, Urquhart, and Hillyard commented.

Senator Dabakis proposed a verbal amendment as follows:

1. Page 1, Line 15:  
Delete "lieutenant governor" and insert "Chief Justice of the Utah Supreme Court"
2. Page 2, Line 44:  
Delete "lieutenant governor" and insert "Chief Justice of the Utah Supreme Court"
3. Page 2, Line 46:  
Delete "lieutenant governor" and insert "Chief Justice of the Utah Supreme Court"
4. Page 2, Line 47:  
Delete "lieutenant governor" and insert "Chief Justice of the Utah Supreme Court"

Senator Dabakis' motion to amend failed on a voice vote. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Christensen	Harper
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**S.B. 289** was transmitted to the House.

\* \* \*

On motion of Senator Knudson, the Senate voted to place the following bills on the Second Reading Calendar below **1st Sub. H.B. 130:**

- H.B. 408** Criminal Suspect Photographs (Rep. P. Ray)
- 1st Sub. H.B. 404** Short Sale Amendments (Rep. M. Roberts)

- 1st Sub. H.B. 328** Highway Littering and Failing to Secure a Load Amendments (Rep. R. Greenwood)
- H.B. 380** Economic Development Revisions (Rep. V. L. Snow)
- H.B. 399** Name Amendments to Funds and Accounts (Rep. S. Eliason)
- H.B. 321** Technical Amendments—weapons (Rep. K. Ivory)

On motion of Senator Knudson, the Senate voted to lift **H.B. 394**, Outdoor Wood Boilers, from Senate Rules and placed it on the Second Reading Calendar after H.B. 321.

\* \* \*

On motion of Senator Urquhart, the circle was removed from **H.B. 393**, COMPETENCY–BASED EDUCATION AMENDMENTS, and it was before the Senate.

On motion of Senator Urquhart, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Urquhart, under suspension of the rules, **H.B. 393**, COMPETENCY–BASED EDUCATION AMENDMENTS, was considered read the second and third times and passed on the following roll call:

**Yeas, 22; Nays, 1; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Davis	Dayton
Henderson	Hillyard	Hinkins	Jones
Knudson	Madsen	Okerlund	Osmond
Reid	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

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

**Absent or not voting were:** Senators

Christensen	Dabakis	Harper	Jenkins
Mayne	Robles		

**H.B. 393** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.



## CONFERENCE COMMITTEE REPORT

Mr. President:

March 14, 2013

The Joint Conference Committee comprised of Senators J. Valentine, P. Jones, and C. Bramble, and Representatives R. Wilcox, G. Froerer, and B. King, recommends **3rd Sub. H.B. 228**, ALCOHOLIC BEVERAGE CONTROL ACT AMENDMENTS, by Representative R. Wilcox, be replaced and favorably recommends **4th Sub. H.B. 228**, ALCOHOLIC BEVERAGE CONTROL ACT AMENDMENTS.

The Joint Conference Committee further recommends that the following issues be referred to interim study and given a high priority for interim study: 2013 General Session **H.B. 218**, **1st Sub. H.B. 228**, **H.B. 350**, **S.B. 261** and the issues related to the postponement of the effective date for authorizing the transfer of certain retail licenses issued under Title 32B, Alcoholic Beverage Control Act.

Sen. John Valentine and  
Rep. Ryan Wilcox. Chairs

On motion of Senator Valentine, the Senate voted to adopt the Conference Committee report and to place the bill at the top of the Third Reading Calendar.

### THIRD READING CALENDAR

**4th Sub. H.B. 228**, ALCOHOLIC BEVERAGE CONTROL ACT AMENDMENTS, was before the Senate, explained by Senator Valentine, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Harper	Henderson	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Dayton	Hillyard
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**Absent or not voting was:** Senator

Robles

**4th Sub. H.B. 228** was transmitted to the House for consideration.

### COMMUNICATIONS FROM THE HOUSE

Mr. President:

March 14, 2013

The House refuses to recede from its amendments to **S.B. 122**, STUDENT LEADERSHIP SKILLS DEVELOPMENT, by Senator A. Osmond, and has appointed a Conference Committee consisting of Representatives G. Hughes, K. Ivory, and M. Poulson to meet with a like committee from the Senate on this bill.

Sandy D. Tenney, Chief Clerk

On motion of Senator Osmond, the Senate voted to refuse to recede from its amendments to **S.B. 122**. President Niederhauser appointed a conference committee consisting of Senators Osmond, Reid, and Jones to meet with a like committee from the House.

### SECOND READING CALENDAR

On motion of Senator Hinkins, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Hinkins, under suspension of the rules, **1st Sub. H.B. 130**, BOUNDARY ADJUSTMENT AMENDMENTS, was considered read the second and third times and passed on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Hillyard	Hinkins
Jenkins	Knudson	Madsen	Mayne
Okerlund	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Harper	Henderson	Jones	Osmond
Reid	Robles		

**1st Sub. H.B. 130** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**2nd Sub. H.B. 75**, OCCUPATIONAL AND PROFESSIONAL LICENSING AMENDMENTS, was read the second time.

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

**3rd Sub. H.B. 75 Occupational and Professional Licensing Amendments**  
(Rep. Brian Green)

On motion of Senator Stephenson, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Stephenson, under suspension of the rules, **3rd Sub. H.B. 75, OCCUPATIONAL AND PROFESSIONAL LICENSING AMENDMENTS**, was considered read the second and third times. Senator Vickers, Jenkins commented and passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Hinkins	Urquhart	Van Tassell	Vickers
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**3rd Sub. H.B. 75**, as amended, was returned to the House for further consideration.

\* \* \*

On motion of Senator Thatcher, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Thatcher, under suspension of the rules, **H.B. 408, CRIMINAL SUSPECT PHOTOGRAPHS**, was considered read the second and third time and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson

Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Valentine
Niederhauser			

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

**Absent or not voting were:** Senators Urquhart Van Tassell Vickers

**H.B. 408** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

**1st Sub. H.B. 404, SHORT SALE AMENDMENTS**, was read the second time.

Senator Bramble proposed the following amendment:

1. Page 1, Lines 12 through 16:

12 This bill:

13 ► ~~{-modifies provisions related to the reconveyance of a trust deed or release of a~~

14 ~~mortgage to include satisfaction-}~~ provides that a title insurer or a title agent may reconvey a trust deed or release a mortgage if the beneficiary, mortgagee, or servicer agrees that partial payment of the obligation secured by the trust deed or by the

15 mortgage ~~{-makes a trust deed eligible for reconveyance or a~~

16 ~~mortgage eligible for release-}~~ is sufficient to reconvey the trust deed or to release the mortgage ; and

2. Page 2, Lines 38 through 39:

38 sufficient to ~~{-satisfy the obligation and obtain a -}~~ release  
 {~~-of-~~} the mortgage or ~~{-reconveyance of-}~~ reconvey the

39 trust deed; or

3. Page 3, Lines 74 through 75:

74 amount agreed to by the beneficiary, mortgagee, or servicer as sufficient to {~~satisfy the~~

75 ~~obligation and obtain a~~ release {~~of~~} the mortgage or  
{~~reconveyance of~~} reconvey the trust deed.

4. Page 3, Lines 79 through 80:

79 mortgage has not been paid in full [~~or that you otherwise object~~],  
that {~~satisfaction in~~} payment of an amount

80 less than the whole obligation was not agreed to or was not received  
by the beneficiary.

5. Page 4, Lines 91 through 92:

91 {~~satisfaction in~~} payment of an amount less than the  
whole obligation was not agreed to or was not received

92 by the beneficiary, mortgagee, or servicer, or that the beneficiary,  
mortgagee, or servicer

6. Page 4, Line 109:

109 the beneficiary or servicer as sufficient to {~~satisfy the~~  
obligation} reconvey the trust deed :

7. Page 4, Lines 113 through 114:

113 trust deed in an amount agreed to by the beneficiary or servicer as  
sufficient to {~~satisfy the~~

114 ~~obligation~~} reconvey the trust deed .

8. Page 5, Lines 121 through 122:

121 that the obligation secured by the trust deed has not been paid in  
full, that {~~satisfaction in~~} payment of an

122 amount less than the whole obligation secured by the trust deed was  
not agreed to or was not

9. Page 5, Line 140:

140 the mortgagee or servicer as sufficient to {~~satisfy the~~  
obligation} release the mortgage :

10. Page 5, Lines 144 through 145:

144 mortgage in an amount agreed to by the mortgagee or servicer as  
sufficient to {~~satisfy the~~

145 ~~obligation~~ } release the mortgage .

11. Page 6, Lines 152 through 153:

152 that the obligation secured by the mortgage has not been paid in full, that {~~satisfaction in~~} payment of an

153 amount less than the whole obligation secured by the mortgage was not agreed to or was not

12. Page 6, Lines 178 through 179:

178 (2) {~~satisfaction in~~} payment of an amount less than the whole obligation was not agreed to or was

179 not received by the beneficiary, mortgagee, or servicer; or

13. Page 7, Lines 187 through 188:

187 (1) the obligation secured by the trust deed or mortgage {~~has~~} ;

188 (a) has not been fully paid; [~~and~~] or

14. Page 7, Line 190:

190 servicer as sufficient to {~~satisfy the obligation~~} release the mortgage or reconvey the trust deed ; and

Senator Bramble's motion to amend passed on a voice vote.

On motion of Senator Bramble, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Bramble, under suspension of the rules, **1st Sub. H.B. 404**, SHORT SALE AMENDMENTS, 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Valentine
Niederhauser			

**Absent or not voting were:** Senators

Urquhart                      Van Tassell                      Vickers                      Weiler

**1st Sub. H.B. 404**, as amended, was returned to the House for further consideration.

\* \* \*

On motion of Senator Jones, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Jones, under suspension of the rules, **1st Sub. H.B. 328**, HIGHWAY LITTERING AND FAILING TO SECURE A LOAD AMENDMENTS, was considered read the second and third times. Senator Valentine, Harper, Stephenson, Mayne, Robles, and Jenkins commented and the bill passed on the following roll call:

**Yeas, 19; Nays, 8; Absent or not voting, 2.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Henderson	Hillyard	Jones
Knudson	Mayne	Okerlund	Osmond
Robles	Shiozawa	Thatcher	Urquhart
Valentine	Vickers	Weiler	

**Voting in the negative were:** Senators

Christensen	Jenkins	Madsen	Reid
Stephenson	Stevenson	Van Tassell	Niederhauser

**Absent or not voting were:** Senators

Harper                      Hinkins

**1st Sub. H.B. 328** was returned to the House for further consideration.

**COMMUNICATIONS FROM THE HOUSE**

Mr. President: March 14, 2013

The House refuses to recede from its amendments to **1st Sub. S.B. 211**, REDEVELOPMENT AGENCY AMENDMENTS, by Senator J. Stevenson, and has appointed a Conference Committee consisting of Representatives B. Wilson, J. Knotwell, and Janice Fisher to meet with a like committee from the Senate on this bill.

Sandy D. Tenney, Chief Clerk

On motion of Senator Stevenson, the Senate voted to refuse to recede from its amendments to **1st Sub. S.B. 211**. President Niederhauser appointed a conference

committee consisting of Senators Stevenson, Adams, and Mayne to meet with a like committee from the House.

\* \* \*

Mr. President: March 14, 2013

The House adopted the Joint Conference Committee Report dated March 14, 2013, and passed **8th Sub. S.B. 72**, PRISON RELOCATION AND DEVELOPMENT AMENDMENTS, by Senator S. Jenkins, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

Mr. President: March 14, 2013

The House passed, as amended, **2nd Sub. S.B. 107**, PUBLIC SHOOTING RANGES, by Senator A. Christensen, and it is transmitted for further consideration

Sandy D. Tenney, Chief Clerk

The bills were placed on the Concurrence Calendar.

\* \* \*

On motion of Senator Okerlund, and at 4:00 p.m., the Senate sauntered.

The Senate was called to order at 4:30 p.m., with President Niederhauser presiding.

### COMMUNICATIONS FROM THE HOUSE

Mr. President: March 14, 2013

The Speaker of the House has signed **3rd Sub. S.B. 65**, ELECTION CODE – FINANCIAL REPORTING REQUIREMENT AMENDMENTS, by Senator J. Valentine, and it is transmitted for the signature of the President; and

The House passed, **S.B. 74**, DIGNIFIED BURIAL OF VETERANS REMAINS, by Senator E. Vickers, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **S.B. 78**, PHARMACY ACT AMENDMENTS, by Senator J. S. Adams, and it is transmitted for the signature of the President; and



The Speaker of the House has signed **1st Sub. S.B. 80**, REMOVAL FROM DATABASE RESTRICTING FIREARM PURCHASE, by Senator D. Thatcher, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **S.B. 86**, INDEPENDENT EXECUTIVE BRANCH ETHICS COMMISSION, by Senator J. Valentine, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **2nd Sub. S.B. 95**, WHISTLEBLOWER AMENDMENTS, by Senator S. Reid, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **1st Sub. S.B. 126**, COORDINATION OF SERVICES FOR VETERANS, by Senator P. Knudson, and it is transmitted for the signature of the President; and

The House passed, **2nd Sub. S.B. 183**, ADOPTION AGENCY MODIFICATIONS, by Senator L. Robles, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **3rd Sub. S.B. 196**, LICENSE PLATE READER AMENDMENTS, by Senator T. Weiler, and it is transmitted for the signature of the President; and

The House passed, **S.B. 232**, ADOPTION CODE REVISIONS, by Senator T. Weiler, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 258**, RENAME UTAH STATE UNIVERSITY – COLLEGE OF EASTERN UTAH, by Senator D. Hinkins, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **3rd Sub. S.B. 260**, EARLY CHILDHOOD EDUCATION PROGRAMS AMENDMENTS, by Senator S. Urquhart, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **3rd Sub. S.B. 271**, SCHOOL GRADING AMENDMENTS, by Senator J. S. Adams, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President: March 14, 2013

The House concurred in the Senate amendments and passed **1st Sub. H.B. 386**, BAIL BOND AMENDMENTS, by Representative C. Oda, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President: March 14, 2013

The House passed, as amended, **S.B. 172**, USE OF BOND PROCEEDS BY POLITICAL SUBDIVISIONS, by Senator J. Valentine, and it is transmitted for further consideration; and

The House passed, as amended, **1st Sub. S.B. 278**, CAPITAL IMPROVEMENT AMENDMENTS, by Senator W. Harper, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bills were placed on the Concurrence Calendar.

\* \* \*

Mr. President: March 14, 2013

The House passed **H.J.R. 20**, MASTER STUDY RESOLUTION, by Representative B. Dee, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

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

## CONCURRENCE CALENDAR

### JOINT CONFERENCE COMMITTEE REPORT

The Joint Conference Committee comprised of Senators S. Jenkins, G. Davis, and S. Urquhart, and Representatives B. Wilson, G. Hughes, and L. Hemingway, recommends **6th Sub. S.B. 72**, PRISON RELOCATION AND DEVELOPMENT

AMENDMENTS, by Senator S. Jenkins, be replaced and favorably recommends **8th Sub. S.B. 72**, PRISON RELOCATION AND DEVELOPMENT AMENDMENTS.

Sen. Scott Jenkins and  
Rep. Brad Wilson, Chairs

On motion of Senator Jenkins, the Senate voted to adopt the Conference Committee report and placed the bill at the top of the Third Reading Calendar.

### THIRD READING CALENDAR

**8th Sub. S.B. 72**, PRISON RELOCATION AND DEVELOPMENT AMENDMENTS, was before the Senate, explained by Senator Jenkins, and passed on the following roll call:

**Yeas, 20; Nays, 8; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Hinkins	Jenkins	Madsen
Okerlund	Osmond	Reid	Shiozawa
Stephenson	Stevenson	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Voting in the negative were:** Senators

Dabakis	Harper	Henderson	Hillyard
Jones	Knudson	Mayne	Robles

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

**8th Sub. S.B. 72** was transmitted to the House for the signature of the Speaker.

### CONCURRENCE CALENDAR

On motion of Senator Christensen, the Senate voted to concur in the House amendments to **2nd Sub. S.B. 107**, PUBLIC SHOOTING RANGES. Senators Jones and Hillyard commented and the bill, as amended, passed on the following roll call:

**Yeas, 18; Nays, 8; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dayton	Henderson
Hinkins	Jenkins	Madsen	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Stevenson	Urquhart	Valentine	Van Tassell
Weiler	Niederhauser		

**Voting in the negative were:** Senators

Dabakis	Davis	Hillyard	Jones
Knudson	Mayne	Robles	Vickers

**Absent or not voting were:** Senators

Adams	Harper	Thatcher
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**2nd Sub. S.B. 107** was returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Valentine, the Senate voted to concur in the House amendments to **S.B. 172, USE OF BOND PROCEEDS BY POLITICAL SUBDIVISIONS**. The bill, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dabakis	Davis
Dayton	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Adams	Harper	Thatcher
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**S.B. 172** was returned to the House for the signature of the Speaker.

\* \* \*

**1st Sub. S.B. 278, CAPITAL IMPROVEMENT AMENDMENTS**, was before the Senate.

On motion of Senator Okerlund, the bill was circled.

## SECOND READING CALENDAR

On motion of Senator Stevenson, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Stevenson, under suspension of the rules, **H.B. 380**, ECONOMIC DEVELOPMENT REVISIONS, was considered read the second and third times. Senator Hillyard commented and the bill passed on the following roll call:

**Yeas, 25; Nays, 2; Absent or not voting, 2.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Henderson	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Voting in the negative were:** Senators

Dayton	Hillyard
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**Absent or not voting were:** Senators

Harper	Thatcher
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**H.B. 380** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Stevenson, the circle was removed from **H.B. 227**, COHABITANT DEFINITION, and it was before the Senate.

On motion of Senator Stevenson, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Stevenson, under suspension of the rules, **H.B. 227**, COHABITANT DEFINITION, 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Henderson	Hillyard
Hinkins	Jenkins	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Niederhauser		

**Absent or not voting were:** Senators

Harper	Jones	Weiler
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**H.B. 227** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

### INTRODUCTION OF BILLS

**S.B. 3, Appropriations Adjustments** (L. Hillyard), was read the first time by short title and referred to the Rules Committee.

On motion of Senator Hillyard, the Senate voted to lift **S.B. 3, APPROPRIATIONS ADJUSTMENTS**, from Rules and placed it on the top of the Second Reading Calendar.

On motion of Senator Hillyard, **S.B. 3, APPROPRIATIONS ADJUSTMENTS**, was read the second time and circled.

\* \* \*

**H.J.R. 16, JOINT RULES RESOLUTION ON CAMPAIGN CONTRIBUTIONS**, was read the second time.

Senator Valentine proposed the following amendment:

1. Page 2, Lines 29 through 36:

29        (1) As used in this section:

30        (a) "Campaign contribution" { ~~has the same meaning as~~  
"contribution" as defined in

31        Section 20A-11-101.

32        (b)-} means cash or a negotiable instrument contributed for a  
political purpose to a campaigner.

(b) “Campaigner” means:

(i) a legislative office candidate;

(ii) an individual who holds a legislative office;

(iii) a personal campaign committee of a person described in Subsection (1)(b)(i) or (ii);

(iv) a political action committee controlled by a person described in Subsection (1)(b)(i) or (ii); or

(v) a person acting on behalf of a person described in Subsections (1)(b)(i) through (iv).

(c) “Capitol hill” is as defined in Section 36–5–1.

33        ~~{(e)}~~ (d) “Indirect campaign contribution” means a campaign contribution that is delivered to

34        a ~~{legislator}~~ campaigner :

35        (i) when the ~~{legislator}~~ campaigner is not present; or

36        (ii) via a third party or delivery service.

(e) “Political purpose” has the same meaning as “political purposes” as defined in Section 20A–11–101.

2. Page 2, Lines 37 through 42:

37        (2) ~~{It is an ethical violation for a legislator to}~~ (a) A campaigner may not accept receipt of a campaign contribution

38        on capitol hill.

(b) A legislator who is in violation of this section is subject to an ethics complaint regardless of whether the violation occurred while the legislator was a legislative office holder or a legislative office candidate.

39        (3) Notwithstanding Subsection (2), ~~a~~ {legislator} campaigner shall not be considered to have

40        accepted receipt of a campaign contribution if:

41        (a) the campaign contribution is an indirect campaign contribution; and

42        (b) the ~~{legislator}~~ campaigner promptly:

Senator Valentine’s motion to amend passed on a voice vote.

On motion of Senator Valentine, under suspension of the rules, **H.J.R. 16**, JOINT RULES RESOLUTION ON CAMPAIGN CONTRIBUTIONS, was considered read the second and third times and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Urquhart	Valentine
Van Tassell	Vickers	Niederhauser	

**Absent or not voting were:** Senators

Thatcher	Weiler
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**H.J.R. 16**, as amended, was returned to the House for further consideration.

\* \* \*

On motion of Senator Bramble, under suspension of the rules, the Senate voted to reconsider its action on **1st Sub. H.B. 404, SHORT SALE AMENDMENTS**. The bill was placed at the top of the Third Reading Calendar.

### **THIRD READING CALENDAR**

**1st Sub. H.B. 404, SHORT SALE AMENDMENTS**, was before the Senate, explained by Senator Bramble.

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

**2nd Sub. H.B. 404 Short Sale Amendments** (Rep. M. Roberts)

On motion of Senator Bramble, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund



Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Urquhart	Valentine
Van Tassell	Vickers	Niederhauser	

**Absent or not voting were:** Senators

Thatcher	Weiler
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**2nd Sub. H.B. 404**, as amended, was returned to the House for further consideration..

\* \* \*

On motion of Senators Adams and Harper, the Senate allowed them to be counted as aye votes to **2nd Sub. S.B. 107**. The corrected vote is as follows:

**Yeas, 20; Nays, 8; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Harper	Henderson	Hinkins	Jenkins
Madsen	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Urquhart
Valentine	Van Tassell	Weiler	Niederhauser

**Voting in the negative were:** Senators

Dabakis	Davis	Hillyard	Jones
Knudson	Mayne	Robles	Vickers

**Absent or not voting was:** Senator

Thatcher

\* \* \*

On motion of Senator Okerlund, the Senate voted to lift **H.J.R. 20**, MASTER STUDY RESOLUTION, from Rules and place it at the top of the Second Reading Calendar.

**H.J.R. 20**, MASTER STUDY RESOLUTION, was read the second time.

On motion of Senator Okerlund, the bill was circled.

\* \* \*

On motion of Senator Bramble, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Bramble, under suspension of the rules, **H.B. 399**, NAME AMENDMENTS TO FUNDS AND ACCOUNTS, 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

Adams	Bramble	Christensen	Dabakis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Urquhart	Valentine	Van Tassell	Vickers
Niederhauser			

**Absent or not voting were:** Senators

Davis	Robles	Thatcher	Weiler
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**H.B. 399** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

#### COMMUNICATIONS FROM THE HOUSE

Mr. President: March 114, 2013

The House adopted the Joint Conference Committee Report dated March 14, 2013, and passed **1st Sub. S.B. 122**, STUDENT LEADERSHIP SKILLS DEVELOPMENT, by Senator A. Osmond, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bill was placed on the Concurrence Calendar.

The Joint Conference Committee comprised of Senators A. Osmond, S. Reid, and P. Jones, and Representatives G. Hughes, K. Ivory, and M. Poulson, recommends **S.B. 122**, STUDENT LEADERSHIP SKILLS DEVELOPMENT, by Senator A. Osmond, be replaced and favorably recommends **1st Sub. S.B. 122**, STUDENT LEADERSHIP SKILLS DEVELOPMENT.

Sen. Aaron Osmond and  
Rep. Greg Hughes, Chairs

On motion of Senator Osmond, the Senate voted to adopt the Conference Committee report and place the bill on the Third Reading Calendar.

**THIRD READING CALENDAR**

**1st Sub. S.B. 122**, STUDENT LEADERSHIP SKILLS DEVELOPMENT, was before the Senate, explained by Senator Osmond, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Madsen	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Dabakis	Davis	Knudson
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**1st Sub. S.B. 122** was transmitted to the House for the signature of the Speaker.

\* \* \*

Senator Jenkins made the motion to uncircle **2nd Sub. H.B. 91**. The motion failed on a voice vote.

\* \* \*

On motion of Senator Madsen, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Madsen, under suspension of the rules, **H.B. 321**, TECHNICAL AMENDMENTS – WEAPONS, was considered read the second and third times and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Reid

Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

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

**Absent or not voting were:** Senators  
Osmond                      Robles

**H.B. 321** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Bramble, **H.B. 394**, OUTDOOR WOOD BOILERS, was read the second time and circled.

\* \* \*

On motion of Senator Weiler, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Weiler, under suspension of the rules, **H.B. 170**, DEOXYRIBONUCLEIC ACID COLLECTION AND RETENTION AMENDMENTS, was considered read the second and third times and passed on the following roll call:

**Yeas, 24; Nays, 1; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Knudson	Mayne
Okerlund	Reid	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**Absent or not voting were:** Senators  
Christensen                      Jones                      Osmond                      Robles

**H.B. 170** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Henderson, **H.B. 355, UNCLAIMED PROPERTY AMENDMENTS**, was read the second time and circled.

\* \* \*

On motion of Senator Okerlund, the Senate voted to lift **1<sup>st</sup> Sub. H.B. 200, REVISOR’S STATUTE**, from Rules and place it at the top of the Second Reading Calendar.

On motion of Senator Okerlund, **1<sup>st</sup> Sub. H.B. 200, REVISOR’S STATUTE**, was read the second time and circled.

\* \* \*

On motion of Senator Adams, under suspension of the rules, **H.C.R. 10, CONCURRENT RESOLUTION ON THE PATIENT PROTECTION AND AFFORDABLE CARE ACT AND STATE HEALTH CARE REFORM**, was considered read the second and third times. Senators Davis, Shiozawa, and Dabakis commented and the bill passed on the following roll call:

**Yeas, 19; Nays, 4; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Knudson	Madsen	Okerlund
Osmond	Reid	Stephenson	Thatcher
Urquhart	Vickers	Weiler	

**Voting in the negative were:** Senators

Dabakis	Davis	Jones	Shiozawa
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**Absent or not voting were:** Senators

Mayne	Robles	Stevenson	Valentine
Van Tassell	Niederhauser		

**H.C.R. 10** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Weiler, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Weiler, under suspension of the rules, **H.B. 387**, VITAL STATISTICS ACT AMENDMENTS, was considered read the second and third times and passed on the following roll call:

**Yeas, 24; Nays, 2; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Thatcher
Urquhart	Van Tassell	Vickers	Weiler

**Voting in the negative were:** Senators

Dabakis	Davis
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**Absent or not voting were:** Senators

Stevenson	Valentine	Niederhauser
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**H.B. 387** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Bramble, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Bramble, under suspension of the rules, **1st Sub. H.B. 235**, PROCESS SERVER AMENDMENTS, was considered read the second and third times and passed on the following roll call:

**Yeas, 23; Nays, 3; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Van Tassell	Vickers	

**Voting in the negative were:** Senators

Osmond                      Reid                      Weiler

**Absent or not voting were:** Senators

Madsen                      Valentine                      Niederhauser

**1st Sub. H.B. 235** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Robles, the Senate voted to allow her to be counted as a nay vote to **H.C.R. 10** and they allowed Senator Weiler to be counted as an aye vote on the same bill. The corrected vote is as follows:

**Yeas, 19; Nays, 5; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Knudson	Madsen	Okerlund
Osmond	Reid	Stephenson	Thatcher
Urquhart	Vickers	Weiler	

**Voting in the negative were:** Senators

Dabakis	Davis	Jones	Robles
Shiozawa			

**Absent or not voting were:** Senators

Mayne	Stevenson	Valentine	Van Tassell
Niederhauser			

\* \* \*

On motion of Senator Van Tassell, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator VanTassell, under suspension of the rules, **H.B. 176, UTAH INDUSTRIAL FACILITIES AND DEVELOPMENT ACT AMENDMENTS**, was considered read the second and third times and passed on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Hillyard	Jenkins
Jones	Knudson	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Urquhart	Valentine
Van Tassell	Vickers	Weiler	

**Absent or not voting were:** Senators

Bramble	Henderson	Hinkins	Madsen
Thatcher	Niederhauser		

**H.B. 176** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Okerlund, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Okerlund, under suspension of the rules, **H.B. 382**, ESCALANTE REGION GRAZING ZONE, was considered read the second and third times and passed on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Davis	Dayton
Henderson	Hillyard	Hinkins	Jenkins
Jones	Knudson	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Urquhart	Valentine
Van Tassell	Vickers	Weiler	

**Absent or not voting were:** Senators

Bramble	Dabakis	Harper	Madsen
Thatcher	Niederhauser		

**H.B. 382** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Bramble, **H.B. 331**, PROPERTY DAMAGE CLAIMS, was read the second time and circled.



\* \* \*

**1st Sub. H.B. 236**, LAND DEVELOPMENT REVISIONS, was read the second time.

Senator Dayton proposed the following amendment:

- 1. Page 13, Lines 368 through 371  
House Committee Amendments  
3-5-2013:

368 (d) A county may not adopt a land use ordinance requiring a property owner to

369 revegetate or landscape a single family dwelling disturbance area unless the property is located in a flood zone or geologic hazard except

370 as required in Title 19, Chapter 5, Water Quality Act, to comply with federal law related to

371 water pollution { ~~←H→~~ applicable to single family dwelling disturbance area ~~←H→~~ }

Senator Dayton’s motion to amend passed on a voice vote.

On motion of Senator Dayton, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Dayton, under suspension of the rules, **1st Sub. H.B. 236**, LAND DEVELOPMENT REVISIONS, was considered read the second and third times and passed on the following roll call:

**Yeas, 21; Nays, 5; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Knudson	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler			

**Voting in the negative were:** Senators

Dabakis	Davis	Jones	Mayne
Robles			

**Absent or not voting were:** Senators

Madsen                      Okerlund                      Niederhauser

**1st Sub. H.B. 236**, as amended, was returned to the House for further consideration.

### COMMUNICATIONS FROM THE HOUSE

Mr. President: March 14, 2013

The House refuses to recede from its amendments to **4th Sub. S.B. 109**, CHANGE APPLICATION PROCEDURE, by Senator R. Okerlund, and has appointed a Conference Committee consisting of Representatives V. L. Snow, M. Brown, and T. Cosgrove to meet with a like committee from the Senate on this bill.

Sandy D. Tenney, Chief Clerk

On motion of Senator Okerlund, the Senate voted to refuse to recede from its amendments to **4th Sub. S.B. 109**. President Niederhauser appointed a conference committee consisting of Senators Okerlund, Dayton, and Davis to meet with a like committee from the House.

\* \* \*

Mr. President: March 14, 2013

The House refused to concur with the Senate Amendments to **4th Sub. H.B. 156**, RESTORATION OF TERMINATED PARENTAL RIGHTS, by Representative L. Christensen, and requests the Senate recede from its amendments.

Sandy D. Tenney, Chief Clerk

On motion of Senator Dayton, the Senate voted to refuse to recede from its amendments to **4th Sub. H.B. 156**. President Niederhauser appointed a conference committee consisting of Senators Harper, Weiler, and Robles to meet with a like committee from the House.

\* \* \*

On motion of Senator Okerlund, and at 6:00 p.m., the Senate recessed.

### EVENING SESSION

The Senate reassembled at 7:30 p.m., with President Niederhauser presiding.

### COMMUNICATIONS FROM THE HOUSE

Mr. President: March 14, 2013

The House adopted the Joint Conference Committee Report dated March 14, 2013, and passed **1st Sub. S.B. 211**, REDEVELOPMENT AGENCY

AMENDMENTS, by Senator J. Stevenson, and it is transmitted for further consideration; and

Sandy D. Tenney, Chief Clerk

The bill was placed on the Concurrence Calendar.

\* \* \*

On motion of Senator Knudson, the Senate voted to place **1st Sub. H.B. 342** at the top of the Second Reading Calendar.

On motion of Senator Knudson, the Senate lift to **H.B. 330** from Rules and place it on the Second Reading Calendar.

**SECOND READING CALENDAR**

On motion of Senator Hillyard, the circle was removed from **S.B. 3, APPROPRIATIONS ADJUSTMENTS**, and it was before the Senate.

On motion of Senator Hillyard, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Hillyard, under suspension of the rules, **S.B. 3, APPROPRIATIONS ADJUSTMENTS**, was considered read the second and third times. Senator Hillyard explained the bill. The bill passed on the following roll call:

**Yeas, 22; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Harper	Henderson	Hillyard	Jenkins
Jones	Madsen	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Dabakis	Davis	Hinkins	Knudson
Mayne	Robles	Thatcher	

**S.B. 3** was transmitted to the House.

### CONCURRENCE CALENDAR

On motion of Senator Adams, the circle was removed from **S.B. 275**, ENERGY AMENDMENTS, and it was before the Senate.

On motion of Senator Adams, the Senate refused to concur in the House amendments. **S.B. 275** was returned to the House.

\* \* \*

Mr. President: March 14, 2013

The Joint Conference Committee comprised of Senators J. Stevenson, J. S. Adams, and K. Mayne, and Representatives B. Wilson, J. Knotwell, and Janice Fisher, recommends **1st Sub. S.B. 211**, REDEVELOPMENT AGENCY AMENDMENTS, by Senator J. Stevenson, with the following amendments:

1. Include the Senate amendments on Page 11, Lines 306 through 309L, of the Goldenrod copy dated 3-11-2013.
2. Include the House amendments on Page 10, Lines 299 through 299a, of the Lilac copy dated 3-14-2013.
3. Do NOT include the following House amendments:  
 Page 1, Line 18a;  
 Page 2, Line 31a;  
 Page 2, Line 32a;  
 Page 12, Line 366a through Page 12b, Line 366ay; and  
 Page 14, Line 417a through Page 14a, Line 417ax

Sen. Jerry Stevenson, and  
 Rep. Brad Wilson, Chairs

On motion of Senator Stevenson, the Senate voted to adopt the Conference Committee report and place the bill on the top of the Third Reading Calendar.

### THIRD READING CALENDAR

**1st Sub. S.B. 211**, REDEVELOPMENT AGENCY AMENDMENTS, was before the Senate. The bill passed on the following roll call vote:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dayton	Harper
Henderson	Hillyard	Hinkins	Jenkins

Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Shiozawa
Stephenson	Stevenson	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Bramble	Dabakis	Davis	Robles
Thatcher			

**1st Sub. S.B. 211** was transmitted to the House for the signature of the Speaker.

\* \* \*

On motion of Senators Mayne and Hinkins, the Senate allowed them to cast aye votes on **S.B. 3**. The corrected vote is as follows:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Madsen	Mayne
Okerlund	Osmond	Reid	Shiozawa
Stephenson	Stevenson	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Dabakis	Davis	Knudson	Robles
Thatcher			

**SECOND READING CALENDAR**

On motion of Senator Jenkins, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Jenkins, under suspension of the rules, **1st Sub. H.B. 342, WILD TURKEY MANAGEMENT**, was considered read the second and third times. Senators Dabakis and Christensen commented and the bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard

Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**1st Sub. H.B. 342** was returned to the House for further consideration.

\* \* \*

On motion of Senator Valentine, **H.B. 330**, INDIGENT DEFENSE IN JUSTICE COURTS, was read the second time and circled.

\* \* \*

On motion of Senator Okerlund, the circle was removed from **1st Sub. H.B. 200**, REVISORS STATUTES, and it was before the Senate.

On motion of Senator Okerlund, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Okerlund, under suspension of the rules, **1st Sub. H.B. 200**, REDEVELOPMENT AGENCY 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

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Bramble	Robles	Thatcher
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**1st Sub. H.B. 200** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Okerlund, the circle was removed from **H.J.R. 20**, MASTER STUDY RESOLUTION, and it was before the Senate.

Senator Jenkins proposed the following amendment:

- 1. Page 19, Line 562:  
 After line 562, insert:  
 Procurement Code Applicability to Special Districts -- to study whether, and how, to make Title 63G, Chapter 6a, Part 23, Unlawful Conduct and Penalties, applicable to special districts.

Senator Jenkins' motion to amend passed on a voice vote.

# # #

Senator Harper proposed the following amendment:

- 1. Page 19, line 562:  
 After line 562, insert:  
 Multi-state Tax Compact -- to study the multi-state tax compact to identify its costs and benefits to the state of Utah and to the State Tax Commission regarding income tax nexus studies, multi-state audits, and other issues related to the compact agreement.  
 Sales Tax Nexus Issues -- to study sales tax nexus issues, including online and other retailers who do not have a physical presence in Utah or enter into agreements for delivery, installation, repair, or services to customers in Utah.

Senator Harper's motion to amend passed on a voice vote. Senator Hillyard commented.

On motion of Senator Okerlund, under suspension of the rules, **H.J.R. 20**, MASTER STUDY RESOLUTION, 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

Adams	Bramble	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond

Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler		

**Absent or not voting were:** Senators

Christensen	Robles	Niederhauser
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**H.J.R. 20**, as amended, was returned to the House for further consideration.

\* \* \*

On motion of Senator Adams, **H.B. 369**, STATE AUDITOR REVISIONS, was read the second time and circled.

\* \* \*

On motion of Senator Dayton, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Dayton, under suspension of the rules, **H.B. 219**, AUDIT REVISIONS, was considered read the second and third times and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Stevenson	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Robles	Thatcher
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**H.B. 219** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Harper, the circle was removed from **H.B. 369**, STATE AUDITOR REVISIONS, and it was before the Senate.



On motion of Senator Harper, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Harper, under suspension of the rules, **H.B. 369**, STATE AUDITOR REVISIONS, was considered read the second and third times. Senator Hillyard commented and the bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**H.B. 369** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Hinkins, the circle was removed from **1st Sub. H.B. 88**, LAND USE AMENDMENTS, and it was before the Senate.

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

**2nd Sub. H.B. 88 Land Use Amendments** (Rep. M. Brown)

On motion of Senator Hinkins, the bill was circled.

**COMMUNICATIONS FROM THE HOUSE**

Mr. President: March 14, 2013

The House substituted, amended, and passed, **2nd Sub. S.B. 90**, CONDOMINIUM AND COMMUNITY ASSOCIATION AMENDMENTS, by Senator J. S. Adams, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bill was placed on the Concurrence Calendar.

## SECOND READING CALENDAR

On motion of Senator Valentine, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Valentine, under suspension of the rules, **H.B. 332**, ALTERNATE DISPUTE RESOLUTION AMENDMENTS, was considered read the second and third times and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting was:** Senator

Davis

**H.B. 332** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Bramble, the circle was removed from **H.B. 330**, FINANCIAL REPORTING AMENDMENTS, and it was before the Senate.

On motion of Senator Bramble, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Bramble, under suspension of the rules, **H.B. 330**, FINANCIAL REPORTING AMENDMENTS, was considered read the second and third times and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Dayton	Harper	Henderson	Hillyard
Jenkins	Jones	Knudson	Madsen

Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Davis                      Hinkins

**H.B. 330** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Bramble, the circle was removed from **H.B. 331**, PROPERTY DAMAGE CLAIMS, and it was before the Senate.

Senator Bramble proposed the following amendment:

1. Page 2, Lines 54 through 55  
House Floor Amendments 3–7–2013:

54        (a) any liability decision in ~~H→~~ [the] ~~an~~ ~~←H~~ original small claims

54a    ~~H→~~ [court] action or appeal thereof ~~←H~~ is ~~H→~~ [nonbinding] not binding {~~-, not admissible in~~

54a 1 evidence, and may not be referred to} ~~←H~~ in any

55    ~~H→~~ [subsequent] separate ~~←H~~ legal action for bodily injury; and

Senator Bramble’s motion to amend passed on a voice vote. Senators Jenkins, Adams, Hillyard, and Valentine commented.

On motion of Senator Bramble, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Bramble, under suspension of the rules, **H.B. 331**, PROPERTY DAMAGE CLAIMS, was considered read the second and third times and passed on the following roll call:

**Yeas, 19; Nays, 7; Absent or not voting, 3.**

**Voting in the affirmative were:** Senators

Bramble	Dabakis	Dayton	Hillyard
Jenkins	Jones	Knudson	Madsen

Mayne	Osmond	Reid	Robles
Stephenson	Thatcher	Urquhart	Valentine
Van Tassell	Weiler	Niederhauser	

**Voting in the negative were:** Senators

Adams	Davis	Harper	Okerlund
Shiozawa	Stevenson	Vickers	

**Absent or not voting were:** Senators

Christensen	Henderson	Hinkins
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**H.B. 331**, as amended, was returned to the House for further consideration

**COMMUNICATIONS FROM THE HOUSE**

Mr. President: March 14, 2013

The House substituted and passed, **2nd Sub. S.B. 102**, CONTRACTOR LICENSING AMENDMENTS, by Senator W. Harper, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bill was placed on the Concurrence Calendar.

**CONCURRENCE CALENDAR**

On motion of Senator Adams, the Senate voted to concur in the House amendments to **2nd Sub. S.B. 90**, CONDOMINIUM AND COMMUNITY ASSOCIATION AMENDMENTS. The bill, as amended, passed on the following roll call:

**Yeas, 23; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Harper	Hillyard	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Bramble	Dayton	Henderson	Hinkins
Jenkins	Robles		

**2nd Sub. S.B. 90** was returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Harper, the Senate voted to concur in the House amendments to **2nd Sub. S.B. 102**, CONTRACTOR LICENSING AMENDMENTS. The bill, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Bramble	Hinkins	Robles
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**2nd Sub. S.B. 102** was returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Harper, the circle was removed from **1st Sub. S.B. 278**, CAPITAL IMPROVEMENT AMENDMENTS, and it was before the Senate.

On motion of Senator Harper, the Senate voted to concur in the House amendments to **1st Sub. S.B. 278**, CAPITAL IMPROVEMENT AMENDMENTS. The bill, as amended, passed on the following roll call:

**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Dabakis	Dayton	Harper
Henderson	Hillyard	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Bramble	Christensen	Davis	Hinkins
Robles			

**1st Sub. S.B. 278** was returned to the House for the signature of the Speaker.

### SECOND READING CALENDAR

**1st Sub. H.B. 396**, MODULAR HOME AMENDMENTS, was read the second time.

Senator Vickers proposed the following amendment:

1. Page 6, Lines 163 through 164:

163 (1) Except as provided in this section, for purposes of this  
chapter, a modular home is

164 considered to be personal property.

2. Page 6, Lines 170 through 171:

170 (a) considered to be an improvement to real property; and

171 (b) considered {~~as~~} to be real property.

3. Page 6, Line 178:

178 (ii) {~~owns~~} controls the use and possession of the  
modular home;

4. Page 7, Lines 181 through 182:

181 (d) the modular home is assessed {~~or is intended to be~~  
assessed} as real property for

182 purposes of property taxes.

5. Page 7, Lines 183 through 184:

183 (5) (a) The person seeking to have a modular home considered  
to be an improvement

184 to real property and considered to be real property shall  
complete an affidavit of real property.

Senator Vickers' motion to amend passed on a voice vote. Senators Van Tassell and Valentine commented.

On motion of Senator Vickers, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Vickers, under suspension of the rules, **1st Sub. H.B. 396**, MODULAR HOME AMENDMENTS, was considered read the second and third times and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**1st Sub. H.B. 396**, as amended, was returned to the House for further consideration.

**COMMUNICATIONS FROM THE HOUSE**

Mr. President: March '4, 2013

The House refuses to recede from its amendments to **S.B. 275**, ENERGY AMENDMENTS, by Senator J. S. Adams, and has appointed a Conference Committee consisting of Representatives J. Draxler, G. Hughes, and P. Arent to meet with a like committee from the Senate on this bill.

Sandy D. Tenney, Chief Clerk

On motion of Senator Adams, the Senate voted to refuse to recede from its amendments to **S.B. 275**. President Niederhauser appointed a conference committee consisting of Senators Adams, Stevenson, and Davis to meet with a like committee from the House.

\* \* \*

Mr. President: March 14, 2013

The House passed, as amended, **S.B. 3**, APPROPRIATIONS ADJUSTMENTS, by Senator L. Hillyard, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bill was placed on the Concurrence Calendar.

### CONCURRENCE CALENDAR

On motion of Senator Hillyard, the Senate voted to concur in the House amendments to **S.B. 3, APPROPRIATIONS ADJUSTMENTS**. The bill, as amended, passed on the following roll call:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Thatcher	Urquhart	Valentine	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Harper	Stevenson	Van Tassell	Vickers
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**S.B. 3** was returned to the House for the signature of the Speaker.

### SECOND READING CALENDAR

On motion of Senator Hinkins, the circle was removed from **2nd Sub. H.B. 88, LAND USE AMENDMENTS**, and it was before the Senate.

On motion of Senator Hinkins, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Hinkins, under suspension of the rules, **2nd Sub. H.B. 88, LAND USE AMENDMENTS**, was considered read the second and third times. Senators Hillyard and Stevenson commented and the bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Weiler	Niederhauser



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

**2nd Sub. H.B. 88**, as amended, was returned to the House for further consideration.

**COMMUNICATIONS FROM THE HOUSE**

Mr. President: March 14, 2013

The Joint Conference Committee comprised of Senators Weiler, Harper, and Robles, and Representatives Christensen, Menlove, and Cosgrove, recommends **4<sup>th</sup> Sub. H.B. 156**, RESTORATION OF TERMINATED PARENTAL RIGHTS, by Representative L. Christensen, be replaced and favorably recommends **6<sup>TH</sup> Sub. H.B. 156**, RESTORATION OF TERMINATED PARENTAL RIGHTS.

Sen. Todd Weiler and  
Rep. LaVar Christensen, Chairs

On motion of Senator Dayton, the Senate voted to adopt the Conference Committee report and placed the bill at the top of the Third Reading Calendar.

**THIRD READING CALENDAR**

**6<sup>th</sup> Sub. H.B. 156**, RESTORATION OF TERMINATED PARENTAL RIGHTS, was before the Senate, explained by Senator Dayton, and passed on the following roll call:

**Yeas, 23; Nays, 1; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dayton	Harper
Henderson	Hillyard	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Thatcher	Urquhart	Valentine
Van Tassell	Weiler	Niederhauser	

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

**Absent or not voting were:** Senators

Adams	Davis	Hinkins	Stevenson
Vickers			

**6th Sub. H.B. 156** was transmitted to the House for further consideration.

### COMMUNICATIONS FROM THE HOUSE

Mr. President: March 14, 2013

The House adopted the Joint Conference Committee Report dated March 14, 2013, and passed **4th Sub. H.B. 228**, ALCOHOLIC BEVERAGE CONTROL ACT AMENDMENTS, by Representative R. Wilcox, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **1st Sub. H.B. 149**, AMENDMENTS TO UTAH EXEMPTIONS ACT, by Representative E. Tanner, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **2nd Sub. H.B. 164**, STATE AND POLITICAL SUBDIVISION JURISDICTIONAL AMENDMENTS, by Representative M. Roberts, et al, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.B. 329**, MEDICAID VISION AMENDMENTS, by Representative R. Menlove, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.B. 360**, WATER AND IRRIGATION REVISIONS, by Representative R. Wilcox, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **2nd Sub. H.B. 401**, STATUTE OF LIMITATIONS ON TRESPASS, by Representative G. Froerer, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

Communications filed. The bills were signed by the President of the Senate in open session and returned to the House for the signature of the Speaker of the House.

\* \* \*

On motion of Senator Okerlund, and at 9:10 p.m., the Senate sauntered.

The Senate was called to order at 9:30 p.m., with President Niederhauser presiding.

**COMMUNICATIONS FROM THE HOUSE**

Mr. President:

March 14, 2013

The Speaker of the House has signed **8th Sub. S.B. 72**, PRISON RELOCATION AND DEVELOPMENT AMENDMENTS, by Senator S. Jenkins, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **2nd Sub. S.B. 107**, PUBLIC SHOOTING RANGES, by Senator A. Christensen, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **1st Sub. S.B. 122**, STUDENT LEADERSHIP SKILLS DEVELOPMENT, by Senator A. Osmond, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **S.B. 172**, USE OF BOND PROCEEDS BY POLITICAL SUBDIVISIONS, by Senator J. Valentine, and it is transmitted for the signature of the President; and

The House passed, **S.B. 207**, REPEAL OF HEALTH AND HUMAN SERVICES REPORTS AND EXPIRED OR DISCONTINUED PROGRAMS, by Senator A. Christensen, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 211**, REDEVELOPMENT AGENCY AMENDMENTS, by Senator J. Stevenson, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 218**, RECEIVING CENTERS FUNDING AMENDMENTS, by Senator D. Thatcher, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 234**, FIRE CODE AMENDMENTS, by Senator C. Bramble, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 238**, PROPERTY TAX AMENDMENTS, by Senator C. Bramble, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 244**, UTAH DEPARTMENT OF AGRICULTURE AND FOOD AMENDMENTS, by Senator D. Hinkins, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 247**, AMENDMENTS TO REVENUE AND TAXATION, by Senator W. Harper, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 272**, PUBLIC SCHOOL FUNDING AMENDMENTS, by Senator C. Bramble, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **1st Sub. S.B. 278**, CAPITAL IMPROVEMENT AMENDMENTS, by Senator W. Harper, and it is transmitted for the signature of the President; and

The House passed, **S.B. 282**, ADOPTION NOTIFICATION REQUIREMENTS, by Senator L. Robles, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 289**, ELECTION OFFENSE AMENDMENTS, by Senator P. Knudson, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.C.R. 10**, CONCURRENT RESOLUTION REGARDING MONTICELLO MILL TAILINGS SITE, by Senator D. Hinkins, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.C.R. 11**, CONCURRENT RESOLUTION ON RADON GAS, by Senator J. Valentine, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.C.R. 12**, CHILDREN'S AND FAMILIES' CANCER RESEARCH FACILITY CONCURRENT RESOLUTION, by Senator J. S. Adams, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.J.R. 13**, JOINT RESOLUTION URGING GOVERNOR AND UTAH'S CONGRESSIONAL DELEGATION TO SECURE UTAH STATE LAND, by Senator A. Osmond, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President:

March 14, 2013

The House concurred in the Senate amendments and passed **3rd Sub. H.B. 75**, OCCUPATIONAL AND PROFESSIONAL LICENSING AMENDMENTS, by Representative B. Greene, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **1st Sub. H.B. 328**, HIGHWAY LITTERING AND FAILING TO SECURE A LOAD AMENDMENTS, by Representative R. Greenwood, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **2nd Sub. H.B. 404**, SHORT SALE AMENDMENTS, by Representative M. Roberts, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.J.R. 16**, JOINT RULES RESOLUTION ON CAMPAIGN CONTRIBUTIONS, by Representative G. Hughes, and it is transmitted for the signature of the President; and

Sandy D. Tenney, Chief Clerk

Communications filed. The bills were signed by the President of the Senate in open session and returned to the House for the signature of the Speaker of the House.

\* \* \*

Mr. President:

March 14, 2013

The House has rejected **S.B. 79**, STUDENT-CENTERED LEARNING PILOT PROGRAM, by Senator H. Stephenson, and it is transmitted for filing; and

The House has rejected **S.B. 257**, PERSONALIZED EDUCATOR EVALUATION TECHNOLOGY, by Senator J. S. Adams, and it is transmitted for filing

Sandy D. Tenney, Chief Clerk

### THIRD READING CALENDAR

On motion of Senator Jenkins, the circle was removed from **2nd Sub. H.B. 91**, VOTER REGISTRATION – ELECTION DAY VOTER REGISTRATION, and it was before the Senate.

Senator Jenkins proposed the following amendment:

1. Page 1, Lines 23 through 24:
  - 23 Other Special Clauses:
  - 24       {~~None~~} This bill takes effect on July 1, 2015.
2. Page 13, Line 372:
  - 372 [~~(b) register the person.~~]
  - Section 10. Effective date.
  - This bill takes effect on July 1, 2015.

Senator Jenkins' motion to amend passed on a voice vote. Senators Dabakis, Hillyard, Thatcher, Robles, Stephenson, Davis, Henderson, Valentine, Knudson, and Harper commented.

###

Senator Madsen proposed the following amendment: #1

1. Page 1, Line 19:
  - 19 worker; {~~and~~}
  - ▶ subject to sunset review, repeals election day voter registration on July 1, 2017; and
2. Page 2, Lines 35 through 36:
  - 35       20A-4-107, as last amended by Laws of Utah 2011, Chapters 291, 335 and last
  - 36 amended by Coordination Clause, Laws of Utah 2011, Chapter 291
  - 63I-1-220, as renumbered and amended by Laws of Utah 2008, Chapter 382
3. Page 13, Line 372:
  - 372 [~~(b) register the person.~~]
  - Section 10. Section 63I-1-220 is amended to read:
  - 63I-1-220. Repeal dates, Title 20A.
  - Subsections 20A-4-107(2)(b) through (e) are repealed on July 1, 2017.
  - Renumber remaining sections accordingly.

Senator Madsen's motion to amend passed on a voice vote. The bill failed on the following roll call vote:

**Yeas, 10; Nays, 18; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Dabakis	Davis	Hillyard	Jenkins
Jones	Knudson	Mayne	Robles
Shiozawa	Urquhart		

**Voting in the negative were:** Senators

Adams	Bramble	Christensen	Dayton
Harper	Henderson	Madsen	Okerlund
Osmond	Reid	Stephenson	Stevenson
Thatcher	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting was:** Senator

Hinkins

**2nd Sub. H.B. 91**, as amended, was filed.

## SECOND READING CALENDAR

On motion of Senator Stephenson, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Stephenson, under suspension of the rules, **H.B. 344**, ESTABLISHMENT OF CHARTER SCHOOLS AMENDMENTS, was considered read the second and third times. Senator Hillyard commented and the bill passed on the following roll call:

**Yeas, 24; Nays, 4; Absent or not voting, 1.**

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dayton	Harper
Henderson	Hillyard	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Voting in the negative were:** Senators

Dabakis	Davis	Robles	Shiozawa
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**Absent or not voting was:** Senator  
Adams

**H.B. 344** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Okerlund, the circle was removed from **H.B. 36**, STORM WATER CAPTURE AMENDMENTS, and it was before the Senate.

Senator Okerlund proposed the following amendment:

1. Page 5, Lines 139 through 143a  
Senate Committee Amendments  
2-7-2013:

139 (6) Beneficial use of water under Subsection (2)(b) does not constitute a water right

140 and may not be:

141 (a) changed under Section 73-3-3;

142 { ~~(b) assigned;~~ ~~§~~ → [or] ← ~~§~~ }

143 (c) consolidated with a water right ~~§~~ → [.] ; or

143a (d) used as a basis to establish the availability of water for land use development. ← ~~§~~ }

(b) assigned; or

(c) consolidated with a water right.

(7) A person who beneficially uses water under Subsection (2)(b) shall comply with:

(a) state law; and

(b) local health and safety rules and regulations.

Senator Okerlund's motion to amend passed on a voice vote.

On motion of Senator Okerlund, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Okerlund, under suspension of the rules, **H.B. 36**, STORM WATER CAPTURE AMENDMENTS, was considered read the second and third times and passed on the following roll call:



**Yeas, 24; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Henderson	Hinkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Shiozawa
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting were:** Senators

Harper	Hillyard	Jenkins	Robles
Stephenson			

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

\* \* \*

On motion of Senator Osmond, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Osmond, under suspension of the rules, **H.B. 363**, PUBLIC EDUCATION STATE CAPITOL VISIT FUNDING, was considered read the second and third times and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Voting in the negative were:** Senators

Hillyard	Urquhart
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**H.B. 363** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Bramble, the Senate, by a 2/3 vote, voted to suspend the three readings requirement.

On motion of Senator Bramble, under suspension of the rules, **H.B. 357**, WASTE MANAGEMENT FACILITIES SITING AMENDMENTS, was considered read the second and third times. Senators Jenkins and Hillyard commented and the bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Niederhauser

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

**H.B. 357**, as amended, was returned to the House for further consideration.

\* \* \*

On motion of Senator Shiozawa, the Senate voted to allow him to cast an aye vote on **H.B. 344**. The corrected vote is as follows:

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

**Voting in the affirmative were:** Senators

Bramble	Christensen	Dayton	Harper
Henderson	Hillyard	Hinkins	Jenkins
Jones	Knudson	Madsen	Mayne
Okerlund	Osmond	Reid	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Weiler
Niederhauser			

**Voting in the negative were:** Senators

Dabakis	Davis	Robles
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**Absent or not voting was:** Senator  
Adams

## COMMUNICATIONS FROM THE HOUSE

Mr. President:

March 14, 2013

The Joint Conference Committee comprised of Senators J. Adams, J. Stevenson, and G. Davis, and Representatives J. Draxler, G. Hughes, and

P. Arent, recommends **S.B. 275**, ENERGY AMENDMENTS, by Senator J. S. Adams, be replaced and favorably recommends **1st Sub. S.B. 275**, ENERGY AMENDMENTS.

Sen. Stuart Adams and  
Rep. Jack Draxler, Chairs

On motion of Senator Adams, the Senate voted to adopt the Conference Committee report and placed the bill at the top of the Third Reading Calendar.

**THIRD READING CALENDAR**

**1st Sub. S.B. 275**, ENERGY AMENDMENTS, was before the Senate, explained by Senator Adams, and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Madsen	Mayne	Okerlund
Osmond	Reid	Robles	Shiozawa
Stephenson	Stevenson	Thatcher	Urquhart
Valentine	Van Tassell	Vickers	Niederhauser

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

**1st Sub. S.B 275** was transmitted to the House .

**COMMUNICATIONS FROM THE HOUSE**

Mr. President: March 14, 2013

The House has rejected **S.B. 267**, NEW CONVENTION HOTEL DEVELOPMENT INCENTIVE ACT, by Senator J. S. Adams, and it is transmitted for filing.

Sandy D. Tenney, Chief Clerk

The bill was filed.

\* \* \*

Mr. President: March 14, 2013

The Speaker of the House has signed **S.B. 3**, APPROPRIATIONS ADJUSTMENTS, by Senator L. Hillyard, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **2nd Sub. S.B. 90**, CONDOMINIUM AND COMMUNITY ASSOCIATION AMENDMENTS, by Senator J. S. Adams, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **1st Sub. S.B. 93**, INTERLOCAL COOPERATION ACT AMENDMENTS, by Senator J. Valentine, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **2nd Sub. S.B. 102**, CONTRACTOR LICENSING AMENDMENTS, by Senator W. Harper, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President:

March 14, 2013

The House adopted the Joint Conference Committee Report dated March 14, 2013, and passed **6th Sub. H.B. 156**, RESTORATION OF TERMINATED PARENTAL RIGHTS, by Representative L. Christensen, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

Communications filed. The bills were signed by the President of the Senate in open session and returned to the House for the signature of the Speaker of the House.

On motion of Senator Okerlund, and at 10:45 p.m., the Senate sauntered.

The Senate was called to order at 11:40 p.m., with President Niederhauser presiding.

#### COMMUNICATIONS FROM THE HOUSE

Mr. President:

March 14, 2013

The House substituted and passed, **1st Sub. S.B. 93**, INTERLOCAL COOPERATION ACT AMENDMENTS, by Senator J. Valentine, and it is transmitted for further consideration.

Sandy D. Tenney, Chief Clerk

The bill was placed on the Concurrence Calendar.

### CONCURRENCE CALENDAR

On motion of Senator Valentine, the Senate voted to concur in the House amendments to **1st Sub. S.B. 93**, INTERLOCAL COOPERATION ACT AMENDMENTS. 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

Adams	Bramble	Christensen	Dabakis
Davis	Dayton	Harper	Henderson
Hillyard	Hinkins	Jenkins	Jones
Knudson	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

**Absent or not voting was:** Senator

Madsen

**1st Sub. S.B. 93** was returned to the House for the signature of the Speaker.

### COMMUNICATIONS FROM THE HOUSE

Mr. President:

March 14, 2013

The House passed, **S.B. 186**, INSURANCE TRANSACTIONS AMENDMENTS, by Senator L. Robles, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 214**, CONTINUING EDUCATION FOR PRESCRIPTION DRUGS, by Senator P. Jones, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.B. 256**, PRECONSTRUCTION AND CONSTRUCTION LIENS AMENDMENTS, by Senator S. Jenkins, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 263**, CHILD CARE COSTS AMENDMENTS, by Senator T. Weiler, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **1st Sub. S.B. 269**, PROPERTY TAX REVISIONS, by Senator J. Valentine, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The Speaker of the House has signed **1st Sub. S.B. 275**, ENERGY AMENDMENTS, by Senator J. S. Adams, and it is transmitted for the signature of the President; and

The House passed, **S.J.R. 15**, JOINT RESOLUTION REGARDING THE IMPACT OF ADULT IMAGES ON CHILDREN'S DEVELOPMENT, by Senator T. Weiler, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President: March 14, 2013

The House concurred in the Senate amendments and passed **H.B. 36**, STORM WATER CAPTURE AMENDMENTS, by Representative J. Nielson, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **2nd Sub. H.B. 88**, LAND USE AMENDMENTS, by Representative M. Brown, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **1st Sub. H.B. 236**, LAND DEVELOPMENT REVISIONS, by Representative M. Brown, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.B. 331**, PROPERTY DAMAGE CLAIMS, by Representative V. L. Snow, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **1st Sub. H.B. 342**, WILD TURKEY MANAGEMENT, by Representative R. Menlove, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.B. 357**, WASTE MANAGEMENT FACILITIES SITING AMENDMENTS, by Representative R. Menlove, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **1st Sub. H.B. 396**, MODULAR HOME AMENDMENTS, by Representative G. Froerer, and it is transmitted for the signature of the President; and

The House concurred in the Senate amendments and passed **H.J.R. 20, MASTER STUDY RESOLUTION**, by Representative B. Dee, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

Communications filed. The bills were signed by the President of the Senate in open session and returned to the House for the signature of the Speaker of the House.

\* \* \*

On motion of Senator Okerlund, the Senate struck the enacting clause on all House bills and Senate bills and resolutions on the Senate calendar and with the Rules Committee and ordered them filed.

President Wayne Niederhauser directed Leslie McLean and Joanna MacKay to read, revise, and make minor corrections to the Daily Senate Journals and be responsible for certifying the indexed and bound copy as the accurate record of the proceedings of the 2013 General Session of the Sixtieth Legislature.

President Niederhauser appointed Senators Curtis Bramble, Evan Vickers, and Jim Dabakis to wait upon the Governor and ask if he has any further business to bring before the Senate.

President Niederhauser appointed Senators Stephen Urquhart, Wayne Harper, and Luz Robles, to notify the House of Representatives that the Senate has concluded its business and is ready to adjourn sine die.

Senator Ralph Okerlund and Senator Gene Davis expressed appreciation to the opposite party.

Senator Allen Christensen, Chairman of the Employee Committee, expressed thanks to all the legislature employees serving in the Office of Legislative Research and General Counsel, Fiscal Analyst, Auditor General, and to the employees in Legislative Printing.

Senator Jones expressed appreciation to all Senate Staff and Session Staff.

Senator Osmond expressed appreciation to the Senate interns for the exceptional work they have done throughout the session.

President Niederhauser expressed appreciation to Senator Lyle Hillyard for his excellent service as Appropriations Chair, to Senator Jerry Stevenson and Appropriations Vice–Chair and to John Valentine as Rules Chair.

Senator Urquhart reported the House has been notified that the business of the Senate has concluded and the Senate is ready to adjourn sine die.

Senator Bramble reported that his committee, with a like committee from the House of Representatives had notified the Governor. The Governor asked that he convey to the Senate that he has no further business to bring before the legislature but that he would like to speak to the Senate body prior to its adjournment.



### COMMITTEE OF THE WHOLE

On motion of Senator Okerlund, Governor Gary R. Herbert spoke in Committee of the Whole.

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

On motion of Senator Okerlund, and at 12:00 a.m., the Senate adjourned sine die.

### SENATE STUCK ENACTING CLAUSE (HOUSE BILLS AND RESOLUTIONS)

Mr. President: March 18, 2013

I am directed to inform the Utah House of Representatives that the Senate on this day struck the enacting clause on the following House Bills and Resolutions:

- 2nd Sub. H.B. 114** Second Amendment Preservation Act (Rep. B. Greene)
- H.B. 150** Animal Shelter Amendments (Rep. A. Romero)
- 1st Sub. H.B. 158** Consumer Credit Protection Amendments (Rep. P. Ray)
- H.B. 197** Earned Income Tax Credit and Related Funding  
(Rep. E. Hutchings)
- H.B. 206** Internet Safety for Public Schools (Rep. E. Hutchings)
- 1st Sub. H.B. 218** Alcohol Amendments (Rep. G. Froerer)
- 1st Sub. H.B. 268** Disorderly Conduct Amendments (Rep. P. Ray)
- H.B. 274** Tax Credits for Employing a Homeless Person  
(Rep. B. King)
- 3rd Sub. H.B. 322** Local Government Clean-up Fees (Rep. E. Hutchings)
- H.B. 350** Amendments Related to Alcohol (Rep. C. Oda)
- H.B. 355** Unclaimed Property Amendments (Rep. D. Lifferth)
- H.B. 381** Arbitration Amendments for Dog Bites  
(Rep. L. Christensen)
- H.B. 394** Outdoor Wood Boilers (Rep. M. Noel)

Leslie McLean  
Secretary of the Senate

### HOUSE STRUCK ENACTING CLAUSE (SENATE BILLS AND RESOLUTIONS)

Mr. President: March 18, 2013

I am directed to inform the Utah State Senate that the House Committee on Rules has struck the enacting clause on the following Senate Bills and Resolutions:

<b>4<sup>th</sup> Sub. S.B. 55</b>	Coverage for Autism Spectrum Disorder (Sen. B. Shiozawa)
<b>S.B. 63</b>	Transportation Planning and Funding Task Force (Sen. W. Harper)
<b>1<sup>st</sup> Sub. S.B. 66</b>	Referendum Revisions (Sen. S. Reid)
<b>S.B. 81</b>	School Property Tax Funding (Sen. A. Osmond)
<b>4<sup>th</sup> Sub. S.B. 109</b>	Change Application Procedure (Sen. R. Okerlund)
<b>1<sup>st</sup> Sub. S.B. 143</b>	Mortgage and Financial Affairs Amendments (Sen. W. Harper)
<b>1<sup>st</sup> Sub. S.B. 152</b>	Alcohol and Drug Related Offense Amendments (Sen. J. Valentine)
<b>S.B. 159</b>	Theft Amendments (Sen. D. Thatcher)
<b>S.B. 167</b>	Alcoholic Beverage Control Amendments (Sen. J. Valentine)
<b>1<sup>st</sup> Sub. S.B. 181</b>	Political Subdivisions Property Amendments (Sen. W. Harper)
<b>1<sup>st</sup> Sub. S.B. 184</b>	Youth Suicide Prevention Revisions (Sen. L. Robles)
<b>S.B. 206</b>	Office of Medicaid Inspector General Amendments (Sen. A. Christensen)
<b>S.B. 209</b>	Grants for Personal Mobile Learning Devices (Sen. A. Osmond)
<b>S.B. 212</b>	Judicial Code Amendments (Sen. R. Okerlund)
<b>2<sup>nd</sup> Sub. S.B. 219</b>	Payment of Insurance Proceeds (Sen. S. Urquhart)
<b>S.B. 226</b>	Sales and Use Tax Amendments (Sen. W. Harper)
<b>S.B. 231</b>	Political Action Committee Amendments (Sen. E. Vickers)
<b>S.B. 239</b>	Alcoholic Beverage Control Act Sampling Amendments (Sen. J. Valentine)
<b>S.B. 248</b>	Alcoholic Beverage Control Act and Small Manufacturers (Sen. J. Valentine)
<b>S.B. 254</b>	Penalty for Well Drilling Without a License (Sen. W. Harper)
<b>S.B. 261</b>	Amendments Related to Alcoholic Beverage Control (Sen. J. Valentine)
<b>S.B. 279</b>	Math Literacy – Stem Initiative (Sen. S. Urquhart)

Sandy D. Tenney, Chief Clerk

\* \* \*

Mr. President:

March 14, 2013

The Rules Committee recommends the enacting clause be stricken on the following Senate Bills and Resolutions and they be filed:

- S.B. 11** Alimony Amendments (Sen. L. Hillyard)  
**S.B. 46** Occupational Safety and Health Amendments  
(Sen. L. Robles)  
**S.B. 47** Procurement Amendments – Small Purchases  
(Sen. R. Okerlund)  
**S.B. 69** Assessment and Reporting of Student Performance  
(Sen. R. Okerlund)  
**S.B. 75** Publication of Property Tax Appeals for Nonresidential  
Property (Sen. K. Van Tassell)  
**S.B. 76** Outdoor Advertising Technology Amendments  
(Sen. P. Knudson)  
**S.B. 87** Impoundment of Vehicles Amendments (Sen. M. Madsen)  
**S.B. 91** State Auditor Amendments (Sen. J. Valentine)  
**S.B. 92** Tethering of Animals (Sen. G. Davis)  
**S.B. 108** Civil Rights Amendments Relating to Persons with a  
Disability (Sen. P. Jones)  
**S.B. 116** Garnishment for Debt Collection (Sen. L. Hillyard)  
**S.B. 117** Legislative Office Definitions (Sen. L. Hillyard)  
**S.B. 118** Rocky Mountain Center for Occupational and  
Environmental Health Amendments (Sen. K. Mayne)  
**S.B. 121** Traffic Regulations Regarding Buses (Sen. K. Mayne)  
**S.B. 133** School Performance Report Amendments  
(Sen. H. Stephenson)  
**S.B. 134** Utah Performance Assessment System for Students  
(u-pass) Amendments (Sen. M. Dayton)  
**1st Sub. S.B. 136** Construction Trades Licensing Modifications  
(Sen. P. Knudson)  
**S.B. 139** Utah Science Center Authority Amendments  
(Sen. T. Weiler)  
**S.B. 149** Governmental Immunity Amendments (Sen. J. S. Adams)  
**S.B. 154** Sales and Use Taxation of Water (Sen. S. Jenkins)  
**S.B. 157** Daylight Saving Time Amendments (Sen. S. Urquhart)  
**S.B. 163** Status Verification System Amendments (Sen. K. Mayne)  
**S.B. 174** Warrant Collection Amendments (Sen. S. Urquhart)  
**1st Sub. S.B. 177** Highway Designation Amendments (Sen. S. Reid)  
**S.B. 188** Amendments to Adoption Requirements (Sen. T. Weiler)  
**S.B. 192** Economic Development Incentives Act Amendments  
(Sen. R. Okerlund)  
**S.B. 195** Utah Charity Care Commission (Sen. J. S. Adams)  
**S.B. 197** Private Investigators Qualification Amendments  
(Sen. M. Dayton)

- 1st Sub. S.B. 201** Public Use Trails Amendments (Sen. C. Bramble)  
**S.B. 202** Extensions of Natural Gas Lines (Sen. R. Okerlund)  
**S.B. 205** Campaign Finance Amendments (Sen. L. Robles)  
**S.B. 210** Amendments Related to Use of Business Names  
 (Sen. T. Weiler)  
**S.B. 216** Water Pollution Task Force (Sen. R. Okerlund)  
**S.B. 217** Utility Liability Limits (Sen. T. Weiler)  
**S.B. 220** Traffic Code Amendments (Sen. P. Knudson)  
**1st Sub. S.B. 227** Patient Information Protection Amendments  
 (Sen. S. Urquhart)  
**S.B. 237** Taxation of Short-term Lodging (Sen. J. S. Adams)  
**S.B. 240** Billboard Amendments (Sen. S. Urquhart)  
**S.B. 243** Bullying and Hazing Amendments (Sen. L. Robles)  
**S.B. 245** Court Fees for Political Subdivisions (Sen. D. Thatcher)  
**S.B. 251** Truth in Advertising (Sen. B. Shiozawa)  
**S.B. 253** Sale of Dogs and Cats (Sen. G. Davis)  
**S.B. 262** Employment and Housing Antidiscrimination  
 Amendments (Sen. S. Urquhart)  
**S.B. 264** Office of Recovery Services Pilot Program  
 (Sen. A. Christensen)  
**S.B. 266** Tax Revisions (Sen. J. Valentine)  
**S.B. 273** Declared Emergency Amendments (Sen. M. Madsen)  
**S.B. 274** Condominium Foreclosure Amendments  
 (Sen. S. Urquhart)  
**S.B. 280** Dispensing Medical Practitioner Amendments  
 (Sen. E. Vickers)  
**S.B. 286** Employee Lunch Break Amendments (Sen. L. Robles)  
**S.B. 287** Elementary Education Coteaching (Sen. J. Valentine)  
**S.B. 288** Uniform Agriculture Cooperative Association Act  
 Amendments (Sen. D. Hinkins)  
**S.J.R. 4** Joint Resolution on Ethics Complaint Procedures  
 (Sen. L. Robles)  
**S.J.R. 6** Joint Rules Resolution on Circled Bills (Sen. A. Osmond)  
**S.J.R. 9** Joint Resolution – Jail Contracting (Sen. M. Madsen)  
**S.J.R. 10** Joint Resolution on the Protection of the Greater  
 Canyonlands Region (Sen. J. Dabakis)  
**S.R. 1** Senate Resolution on Government Subsidies of Hotels  
 (Sen. J. Valentine)

John L. Valentine  
 Rules Committee Chair

**SUMMARY OF LEGISLATION  
2013 GENERAL SESSION**

	<b>House</b>	<b>Senate</b>	<b>Total</b>
Bills Introduced	399	286	685
Bills Passed	280	199	479
Bills Vetoed	1	0	0
Line Items Vetoed	0	0	0
<b><i>Total Bills Enacted</i></b>	<b><i>279</i></b>	<b><i>199</i></b>	<b><i>478</i></b>
Concurrent Resolutions Introduced	11	12	23
Joint Resolutions Introduced	20	15	35
House & Senate Resolutions Introduced	4	1	5
<b><i>Total Resolutions Introduced</i></b>	<b><i>35</i></b>	<b><i>28</i></b>	<b><i>63</i></b>
Concurrent Resolutions Passed	11	12	23
Joint Resolutions Passed	10	10	20
House & Senate Resolutions Passed	2	0	2
<b><i>Total Resolutions Passed</i></b>	<b><i>23</i></b>	<b><i>22</i></b>	<b><i>45</i></b>

**STATISTICAL SUMMARY OF GENERAL SESSIONS  
2006-2012**

	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
Bills Introduced	663	685	694	630	626	782	764
Bills Passed	371	392	400	400	418	504	477
Bills Vetoed	4	0	1	2	3	4	2
Vetos Overridden	0	0	0	0	0	0	0
Joint Resolutions Introduced	38	29	26	50	48	97	43
Joint Resolutions Passed	17	15	16	31	34	60	22
Concurrent Resolutions Introduced	11	12	14	14	29	32	26
Concurrent Resolutions Passed	5	12	13	12	24	27	19
House & Senate Resolutions Introduced	7	5	10	10	10	3	8
House & Senate Resolutions Passed	6	4	7	8	5	3	6



# **SUBJECT INDEX**

ALL SENATE AND HOUSE BILLS  
AND RESOLUTIONS

(P) – Passed & (F) – Failed

2013 GENERAL SESSION  
SIXTIETH LEGISLATURE

**January 27, 2013 through March 14, 2013**





**ABORTION**

Abortion Statistics and Reporting Requirements, Dayton, M. . . . . SB 60 (P)

**ABUSE**

Bullying and Hazing Amendments, Robles, L. . . . . SB 243 (F)

Dating Violence Protection Act, Seelig, J. . . . . HB 50 (P)

**ADMINISTRATIVE LAW**

Administrative Law Judge Amendments, Harper, W. . . . . SB 191 (P)

Reauthorization of Administrative Rules, Oda, C. . . . . HB 256 (P)

**ADMINISTRATIVE SERVICES**

Availability of Public Information Amendments, Henderson, D. . . . SB 283 (P)

Office of State Debt Collection – Administrative

Garnishment Order, Hillyard, L. . . . . SB 129 (P)

Procurement Amendments – Small Purchases, Okerlund, R. . . . . SB 47 (F)

Procurement Revisions, Jenkins, S. . . . . SB 190 (P)

State Surplus Property Program Amendments, Weiler, T. . . . . SB 68 (P)

**ADOPTION**

Adoption Agency Modifications, Robles, L. . . . . SB 183 (P)

Adoption Code Revisions, Weiler, T. . . . . SB 232 (P)

Adoption Modifications, Chavez–Houck, R. . . . . HB 214 (F)

Adoption Notification Requirements, Robles, L. . . . . SB 282 (P)

Adoption Records Access Amendments, Nielson, J. . . . . HB 148 (F)

Amendments to Adoption Requirements, Weiler, T. . . . . SB 188 (F)

Postadoption Contact Agreements, Hillyard, L. . . . . SB 155 (P)

Special Needs Adoption Tax Credit, Harper, W. . . . . SB 31 (P)

**AGRICULTURE**

Agriculture Environmental Steward Amendments, Okerlund, R. . . . SB 57 (P)

Escalante Region Grazing Zone, Noel, M. . . . . HB 382 (P)

Metal Theft Amendments, Draxler, J. . . . . HB 108 (P)

Natural Resources, Agriculture, and Environmental Quality

Base Budget, Hinkins, D. . . . . SB 5 (P)

Swine Amendments, Mathis, J. . . . . HB 365 (F)

Uniform Agriculture Cooperative Association

Act Amendments, Hinkins, D. . . . . SB 288 (F)

Utah Department of Agriculture and

Food Amendments, Hinkins, D. . . . . SB 244 (P)

Water Pollution Task Force, Okerlund, R. . . . . SB 216 (F)

**AIR**

Air Quality Amendments, Chavez–Houck, R. . . . . HB 346 (F)  
 Air Quality Mitigation by Government Entities, Arent, P. . . . . HB 168 (P)  
 Clean Air Public Transit Pilot Program, Briscoe, J. . . . . HB 405 (F)  
 Indoor Clean Air Act Amendments, Perry, L. . . . . HB 308 (F)  
 Motor Vehicle Emission Amendments, Redd, E. . . . . HB 210 (P)  
 Outdoor Wood Boilers, Noel, M. . . . . HB 394 (F)  
 Public Transit Funding Amendments, Briscoe, J. . . . . HB 411 (F)

**ALCOHOLIC BEVERAGE CONTROL**

Alcohol Amendments, Froerer, G. . . . . HB 218 (F)  
 Alcohol Service in Restaurants, Fisher, Janice . . . . . HB 240 (P)  
 Alcoholic Beverage Control Act Amendments, Wilcox, R. . . . . HB 228 (P)  
 Alcoholic Beverage Control Act and  
     Small Manufacturers, Valentine, J. . . . . SB 248 (F)  
 Alcoholic Beverage Control Act  
     Sampling Amendments, Valentine, J. . . . . SB 239 (F)  
 Alcoholic Beverage Control Amendments, Valentine, J. . . . . SB 167 (F)  
 Alcoholic Beverage Control Related Amendments, Draxler, J. . . . . HB 136 (F)  
 Amendments Related to Alcohol, Oda, C. . . . . HB 350 (F)  
 Amendments Related to Alcoholic Beverage  
     Control, Valentine, J. . . . . SB 261 (F)  
 Funding for Public Education, Bird, J. . . . . HB 271 (F)  
 State Auditor Amendments, Valentine, J. . . . . SB 91 (F)

**ALCOHOLIC BEVERAGE CONTROL COMMISSION**

Alcoholic Beverage Control Act Sampling  
     Amendments, Valentine, J. . . . . SB 239 (F)

**ALCOHOLIC BEVERAGES**

Alcohol Service in Restaurants, Fisher, Janice . . . . . HB 240 (P)  
 Alcoholic Beverage Control Act Amendments, Wilcox, R. . . . . HB 228 (P)  
 Alcoholic Beverage Control Act and  
     Small Manufacturers, Valentine, J. . . . . SB 248 (F)  
 Alcoholic Beverage Control Amendments, Valentine, J. . . . . SB 167 (F)  
 Amendments Related to Alcohol, Oda, C. . . . . HB 350 (F)  
 Amendments Related to Alcoholic  
     Beverage Control, Valentine, J. . . . . SB 261 (F)

Request for Emergency Medical Assistance  
Amendments, Bramble, C. . . . . SB 233 (P)

**ALTERNATIVE DISPUTE RESOLUTION**

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Arbitration Amendments for Dog Bites, Christensen, L. . . . . HB 381 (F)  
Medical Malpractice Amendments, Sanpei, D. . . . . HB 135 (P)

**ANIMAL HEALTH**

Animal Shelter Amendments, Romero, A. . . . . HB 150 (F)  
Sale of Dogs and Cats, Davis, G. . . . . SB 253 (F)  
Tethering of Animals, Davis, G. . . . . SB 92 (F)

**ANTIDISCRIMINATION**

Antidiscrimination Amendments, Wiley, L. . . . . HB 132 (F)  
Employment and Housing Antidiscrimination  
Amendments, Urquhart, S. . . . . SB 262 (F)

**APPLIED TECHNOLOGY EDUCATION**

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Institutions, Adams, J. S. . . . . SB 151 (P)

**APPRAISALS**

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**APPROPRIATIONS**

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CPR Training in Schools, Moss, C. . . . . HB 307 (F)  
Current Fiscal Year Supplemental Appropriations, Brown, M. . . . . HB 3 (P)  
Current School Year Supplemental Public Education  
Budget Amendments, Hillyard, L. . . . . SB 4 (P)  
Executive Offices and Criminal Justice Base Budget, Hutchings, E. . . . . HB 5 (P)  
Higher Education Base Budget, Grover, K. . . . . HB 1 (P)  
Infrastructure and General Government Base Budget, Froerer, G. . . . . HB 6 (P)  
Medical School Admissions Funding, Valentine, J. . . . . SB 42 (P)  
National Guard, Veterans' Affairs, and  
Legislature Base Budget, Brown, M. . . . . HB 7 (P)  
Natural Resources, Agriculture, and  
Environmental Quality Base Budget, Hinkins, D. . . . . SB 5 (P)

- New Fiscal Year Supplemental Appropriations Act, Hillyard, L. . . . . SB 2 (P)  
 Public Education Base Budget, Stephenson, H. . . . . SB 1 (P)  
 Public Education Budget Amendments, Brown, M. . . . . HB 2 (P)  
 Retirement and Independent Entities Base Budget, Weiler, T. . . . . SB 6 (P)  
 Revenue Bond and Capital Facilities Amendments, Harper, W. . . . . SB 9 (P)  
 Science, Technology, Engineering, and Mathematics  
     Action Center, Peterson, V. . . . . HB 139 (P)  
 Social Services Base Budget, Menlove, R. . . . . HB 8 (P)  
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     Appropriations, Hillyard, L. . . . . SB 7 (P)

### **ARBITRATION/MEDIATION**

- Alternate Dispute Resolution Amendments, Edwards, R. . . . . HB 332 (P)  
 Arbitration Amendments for Dog Bites, Christensen, L. . . . . HB 381 (F)  
 Medical Malpractice Amendments, Sanpei, D. . . . . HB 135 (P)

### **ARTS**

- Utah Commission on Service and Volunteerism, Bird, J. . . . . HB 22 (P)

### **ASSESSMENT AREA**

- Assessment Area Act Amendments, Van Tassell, K. . . . . SB 221 (P)

### **BANKRUPTCY**

- Amendments to Utah Exemptions Act, Tanner, E. . . . . HB 149 (P)

### **BENEFITS/CLAIMS, HEALTH**

- Long-term Disability Coverage Amendments, Weiler, T. . . . . SB 113 (P)  
 State Employee Benefits Amendments, Dunnigan, J. . . . . HB 194 (P)  
 Workers' Compensation Coordination of  
     Benefits Amendments, Mayne, K. . . . . SB 59 (P)

### **BICYCLES**

- Bicycle and Moped Amendments, Anderson, Johnny . . . . . HB 297 (P)  
 Bicycle Modifications, Anderson, Johnny . . . . . HB 299 (P)  
 Bicycles on Streets, Anderson, Johnny . . . . . HB 294 (P)  
 Passing on the Right Amendments, Christensen, L. . . . . HB 324 (P)  
 Traffic Amendments, Anderson, Johnny . . . . . HB 316 (P)  
 Vulnerable Users of Highways Amendments, Weiler, T. . . . . SB 104 (P)

### **BOARD OF PARDONS AND PAROLE**

- Board of Pardons and Parole Revisions, Thatcher, D. . . . . SB 105 (P)

**BONDS**

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Requirements, Knotwell, J. . . . .	HB 175 (P)
Public School Seismic Studies, Froerer, G. . . . .	HB 278 (P)
Revenue Bond and Capital Facilities Amendments, Harper, W. . . . .	SB 9 (P)
Revenue Streams as Bond Collateral, Grover, K. . . . .	HB 203 (F)
Special Election Date for Ballot Propositions, Stephenson, H. . . . .	SB 34 (P)
Transportation Funding Modifications, Dee, B. . . . .	HB 377 (P)
Uniform Language for Bond Election Ballots, Peterson, J. . . . .	HB 353 (F)
Use of Bond Proceeds by Political Subdivisions, Valentine, J. . . . .	SB 172 (P)

**BUDGETING**

Amendments to Requirements for Governor's	
Proposed Budget, Harper, W. . . . .	SB 138 (P)
Budgetary Procedures Act Revisions, Ivory, K. . . . .	HB 195 (P)
Joint Resolution on State Budget Accessibility and	
Transparency, Eliason, S. . . . .	HJR 5 (F)
Joint Resolution on Use of State Tax Revenue, Hughes, G. . . . .	HJR 18 (F)
Public Education Base Budget, Stephenson, H. . . . .	SB 1 (P)

**BUILDING CODES**

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Construction Code Amendments, Wilson, B. . . . .	HB 310 (P)
Energy Conservation Code Amendments, Wilson, B. . . . .	HB 202 (P)
State Fire Code Act Amendments, Dunnigan, J. . . . .	HB 217 (P)

**BUSINESS**

Alcohol Amendments, Froerer, G. . . . .	HB 218 (F)
Alcohol Service in Restaurants, Fisher, Janice . . . . .	HB 240 (P)
Alcoholic Beverage Control Act Amendments, Wilcox, R. . . . .	HB 228 (P)
Alcoholic Beverage Control Act and	
Small Manufacturers, Valentine, J. . . . .	SB 248 (F)
Alcoholic Beverage Control Act Sampling	
Amendments, Valentine, J. . . . .	SB 239 (F)
Alcoholic Beverage Control Amendments, Valentine, J. . . . .	SB 167 (F)
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Amendments Related to	
Alcoholic Beverage Control, Valentine, J. . . . .	SB 261 (F)
Amendments Related to Use of Business Names, Weiler, T. . . . .	SB 210 (F)

- Amendments to Utah Exemptions Act, Tanner, E. . . . . HB 149 (P)
- Antidiscrimination Amendments, Wiley, L. . . . . HB 132 (F)
- Building Code Amendments, Wiley, L. . . . . HB 277 (F)
- Business, Economic Development, and  
    Labor Base Budget, Bird, J. . . . . HB 4 (P)
- Car Wash Billing Restrictions, Hutchings, E. . . . . HB 221 (F)
- Civil Rights Amendments Relating to  
    Persons with a Disability, Jones, P. . . . . SB 108 (F)
- Condominium and Community Association  
    Amendments, Adams, J. S. . . . . SB 90 (P)
- Condominium Owner Rental Amendments, Tanner, E. . . . . HB 335 (F)
- Construction Code Amendments, Wilson, B. . . . . HB 310 (P)
- Construction Trades Licensing Modifications, Knudson, P. . . . . SB 136 (F)
- Construction Trades Licensing Revisions, Mayne, K. . . . . SB 44 (P)
- Consumer Credit Protection Amendments, Ray, P. . . . . HB 158 (F)
- Consumer Protection Amendments, Brown, D. . . . . HB 245 (P)
- Consumer Protection Revisions, Bramble, C. . . . . SB 67 (P)
- Contractor Licensing Amendments, Harper, W. . . . . SB 102 (P)
- Credit Service Organizations Act Revisions, Stanard, J. . . . . HB 137 (F)
- Division of Corporations and Commercial  
    Code Reporting Requirements, McCay, D. . . . . HB 319 (F)
- Division of Real Estate Amendments, Froerer, G. . . . . HB 290 (P)
- Division of Securities Amendments, Bird, J. . . . . HB 248 (F)
- Duties and Withdrawal of Trustee, Snow, V. L. . . . . HB 385 (P)
- Employment and Housing Antidiscrimination  
    Amendments, Urquhart, S. . . . . SB 262 (F)
- Employment Verification Amendments, Pitcher, D. . . . . HB 253 (F)
- Energy Conservation Code Amendments, Wilson, B. . . . . HB 202 (P)
- Enterprise Zone Amendments, Powell, K. . . . . HB 304 (P)
- Fees on Gift Cards or Certificates, Brown, M. . . . . HB 398 (F)
- Financial Institution Amendments, Adams, J. S. . . . . SB 150 (P)
- Fire Code Amendments, Bramble, C. . . . . SB 234 (P)
- Funeral Services Licensing Act Amendments, Menlove, R. . . . . HB 233 (P)
- Hearing Instrument Specialist Licensing Act, Brown, D. . . . . HB 46 (P)
- Homeowner Association Reserve Account  
    Amendments, Urquhart, S. . . . . SB 64 (P)
- Homeowners Association Amendments, Stanard, J. . . . . HB 101 (P)
- Hospital Lien Law Amendments, McKell, M. . . . . HB 107 (P)
- Insurance Amendments, Bird, J. . . . . HB 259 (P)
- Insurance Law Amendments, Dunnigan, J. . . . . HB 47 (P)
- Insurance Transactions Amendments, Robles, L. . . . . SB 186 (P)

Internet Privacy Amendments, Barlow, S. . . . .	HB 100 (P)
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     Budget Amendments, Hillyard, L. . . . . SB 4 (P)
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- Educational Technology Amendments, Stevenson, J. . . . . SB 284 (P)
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- Elementary Education Coteaching Pilot Program, Bird, J. . . . . HB 341 (F)
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- Parental Responsibility for Sex Education Training, Reid, S. . . . . SB 39 (F)
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- Public Education Budget Amendments, Brown, M. . . . . HB 2 (P)
- Public Education State Capitol Visit Funding, Eliason, S. . . . . HB 363 (P)
- Public School Funding Amendments, Bramble, C. . . . . SB 272 (P)
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Transmitted to the House	117
Signed by the President and transmitted to the Governor	323
<b>S.B. 11</b> — ALIMONY AMENDMENTS ( <i>L. Hillyard</i> )	
Read the first time by short title and referred to the Rules Committee	84
Assigned to standing committee	98
Returned to Rules	811
Enacting Clause Stricken	1171
<b>S.B. 12</b> — PUBLIC TRANSIT DISTRICT CUSTOMER INFORMATION ( <i>K. Van Tassell</i> )	
Read the first time by short title and referred to the Rules Committee	84
Placed on calendar	99
Read the second time	103
Read the third time	117
Transmitted to the House	117
Signed by the President and transmitted to the Governor	323
<b>S.B. 13</b> — AMENDMENTS TO IGNITION INTERLOCK PROGRAM ( <i>D. Thatcher</i> )	
Read the first time by short title and referred to the Rules Committee	84
Assigned to standing committee	143
Committee report adopted and placed on calendar	212
Read the second time	226
Read the third time	247
Transmitted to the House	247
Signed by the President and transmitted to the Governor	396
<b>S.B. 14</b> — RESEARCH USING PHARMACEUTICALS ( <i>P. Jones</i> )	
Read the first time by short title and referred to the Rules Committee	84
Placed on calendar	99
Read the second time	104
Read the third time	117
Transmitted to the House	118
Signed by the President and transmitted to the Governor	323
<b>S.B. 15</b> — INDUSTRIAL ACCIDENT RESTRICTED ACCOUNT ( <i>J. Valentine</i> )	
Read the first time by short title and referred to the Rules Committee	84
Placed on calendar	99
Read the second time	104
Read the third time	118
Transmitted to the House	118
Signed by the President and transmitted to the Governor	280
<b>S.B. 16</b> — HEALTH INSURANCE COVERAGE RESTRICTIONS ON RETIRED GOVERNORS AND LEGISLATORS ( <i>T. Weiler</i> )	
Read the first time by short title and referred to the Rules Committee	84
Placed on calendar	99
Read the second time	105
Read the third time	118
Transmitted to the House	119
Signed by the President and transmitted to the Governor	323
<b>S.B. 17</b> — ACCOUNT FOR PEOPLE WITH DISABILITIES AMENDMENTS ( <i>M. Dayton</i> )	
Read the first time by short title and referred to the Rules Committee	84
Assigned to standing committee	230
Substituted	327
Committee report adopted and placed on calendar	327
Placed on Time Certain Calendar	353
Read the second time	372
Read the third time	389
Transmitted to the House	389
Signed by the President and transmitted to the Governor	769
<b>S.B. 18</b> — CHILD CUSTODY PROCEEDINGS AMENDMENTS ( <i>L. Robles</i> )	
Read the first time by short title and referred to the Rules Committee	85
Assigned to standing committee	98
Committee report adopted and placed on calendar	193
Read the second time	206
Read the third time	218
Circled	218
Uncircled	243
Amendments	243
Transmitted to the House	244
Signed by the President and transmitted to the Governor	346
<b>S.B. 19</b> — COMMERCIAL DRIVER LICENSE AMENDMENTS ( <i>K. Van Tassell</i> )	
Read the first time by short title and referred to the Rules Committee	85
Placed on calendar	100
Read the second time	105
Circled	105
Uncircled	126
Read the third time	145

Amendments	145
Transmitted to the House	146
Signed by the President and transmitted to the Governor	323
<b>S.B. 20 — STATE SECURITY STANDARDS FOR PERSONAL INFORMATION (<i>S. Reid</i>)</b>	
Read the first time by short title and referred to the Rules Committee	85
Placed on calendar	100
Read the second time	105
Read the third time	119
Transmitted to the House	119
Placed on Concurrence Calendar	963
Concurrence	985
Returned to the House	985
Signed by the President and transmitted to the Governor	1003
<b>S.B. 21 — UNINCORPORATED BUSINESS ENTITIES (<i>L. Hillyard</i>)</b>	
Read the first time by short title and referred to the Rules Committee	85
Assigned to standing committee	97
Amendments	403
Read the second time and placed on Consent Calendar	403
Read the third time	495
Transmitted to the House	495
Signed by the President and transmitted to the Governor	789
<b>S.B. 22 — WORKER CLASSIFICATION COORDINATED ENFORCEMENT COUNCIL (<i>J. Valentine</i>)</b>	
Read the first time by short title and referred to the Rules Committee	85
Placed on calendar	100
Read the second time	106
Read the third time	119
Transmitted to the House	120
Signed by the President and transmitted to the Governor	280
<b>S.B. 23 — LIEUTENANT GOVERNOR CANDIDATE AMENDMENTS (<i>P. Knudson</i>)</b>	
Read the first time by short title and referred to the Rules Committee	85
Placed on calendar	100
Read the second time	106
Read the third time	120
Transmitted to the House	120
Placed on Concurrence Calendar	592
Returned to the House	622
Placed on Concurrence Calendar	745
Concurrence	771
Returned to the House	772
Signed by the President and transmitted to the Governor	789
<b>S.B. 24 — ABSENTEE BALLOT AMENDMENTS (<i>P. Knudson</i>)</b>	
Read the first time by short title and referred to the Rules Committee	85
Placed on calendar	100
Read the second time	107
Read the third time	120
Circled	120, 315, 812
Uncircled	314, 340, 814
Substituted	314
Transmitted to the House	341
Placed on Concurrence Calendar	770
Before the Senate	812
Concurrence	814
Returned to the House	815
Signed by the President and transmitted to the Governor	838
<b>S.B. 25 — ELECTIONS DURING DECLARED EMERGENCY (<i>P. Knudson</i>)</b>	
Read the first time by short title and referred to the Rules Committee	85
Placed on calendar	100
Read the second time	107
Read the third time	120
Transmitted to the House	121
Signed by the President and transmitted to the Governor	323
<b>S.B. 26 — RISK MANAGEMENT FOR INDEPENDENT ENTITIES (<i>T. Weiler</i>)</b>	
Read the first time by short title and referred to the Rules Committee	85
Placed on calendar	100
Read the second time	107
Read the third time	121
Transmitted to the House	121
Signed by the President and transmitted to the Governor	323
<b>S.B. 27 — HEALTH CARE PROVIDER IMMUNITY SUNSET AMENDMENT (<i>A. Christensen</i>)</b>	
Read the first time by short title and referred to the Rules Committee	85
Placed on calendar	100
Read the second time	108

Read the third time	121
Transmitted to the House	122
Signed by the President and transmitted to the Governor	280
<b>S.B. 28</b> — BOARDS AND COMMISSIONS AMENDMENTS ( <i>P. Knudson</i> )	
Read the first time by short title and referred to the Rules Committee	85
Placed on calendar	100
Read the second time	108
Circled	108
Uncircled	126
Amendments	126
Read the third time	146
Transmitted to the House	147
Placed on Concurrence Calendar	397
Concurrence	439
Returned to the House	439
Signed by the President and transmitted to the Governor	467
<b>S.B. 29</b> — STATE HIGHWAY SYSTEM MODIFICATIONS ( <i>K. Van Tassell</i> )	
Read the first time by short title and referred to the Rules Committee	85
Placed on calendar	100
Read the second time	108
Read the third time	122
Substituted	122
Transmitted to the House	122
Signed by the President and transmitted to the Governor	549
<b>S.B. 30</b> — WATER AND IRRIGATION AMENDMENTS ( <i>M. Dayton</i> )	
Read the first time by short title and referred to the Rules Committee	85
Assigned to standing committee	99
Committee report adopted and placed on calendar	115
Read the second time	177
Read the third time	195
Transmitted to the House	196
Signed by the President and transmitted to the Governor	396
<b>S.B. 31</b> — SPECIAL NEEDS ADOPTION TAX CREDIT ( <i>W. Harper</i> )	
Read the first time by short title and referred to the Rules Committee	85
Placed on calendar	100
Read the second time	109
Read the third time	122
Transmitted to the House	123
Placed on Concurrence Calendar	1034
Concurrence	1039
Returned to the House	1040
Signed by the President and transmitted to the Governor	1070
<b>S.B. 32</b> — ENVIRONMENTAL HEALTH SCIENTIST ACT SUNSET REAUTHORIZATION ( <i>G. Davis</i> )	
Read the first time by short title and referred to the Rules Committee	86
Assigned to standing committee	99
Committee report adopted and placed on calendar	236
Read the second time	473
Read the third time	501
Transmitted to the House	501
Signed by the President and transmitted to the Governor	634
<b>S.B. 33</b> — SALES AND USE TAX REVISIONS ( <i>H. Stephenson</i> )	
Read the first time by short title and referred to the Rules Committee	86
Placed on calendar	100
Read the second time	109
Read the third time	123
Transmitted to the House	123
Placed on Concurrence Calendar	1034
Before the Senate	1040
Circled	1040
Uncircled	1046
Concurrence	1047
Returned to the House	1047
Signed by the President and transmitted to the Governor	1070
<b>S.B. 34</b> — SPECIAL ELECTION DATE FOR BALLOT PROPOSITIONS ( <i>H. Stephenson</i> )	
Read the first time by short title and referred to the Rules Committee	86
Placed on calendar	100
Read the second time	110
Read the third time	123
Transmitted to the House	124
Placed on Concurrence Calendar	347
Before the Senate	367
Circled	367
Uncircled	368



Concurrence	368
Returned to the House	368
Signed by the President and transmitted to the Governor	377
<b>S.B. 35</b> — PROPERTY TAXATION OF BUSINESS PERSONAL PROPERTY ( <i>W. Harper</i> )	
Read the first time by short title and referred to the Rules Committee	86
Placed on calendar	100
Read the second time	110
Read the third time	124
Circled	124
Uncircled	159
Transmitted to the House	160
Placed on Concurrence Calendar	347
Concurrence	367
Returned to the House	368
Signed by the President and transmitted to the Governor	377
<b>S.B. 36</b> — CIGARETTE AND TOBACCO TAX AND LICENSING AMENDMENTS ( <i>W. Harper</i> )	
Read the first time by short title and referred to the Rules Committee	86
Placed on calendar	100
Read the second time	111
Read the third time	124
Transmitted to the House	125
Signed by the President and transmitted to the Governor	549
<b>S.B. 37</b> — TIME PERIOD FOR PAYING A TAX, INTEREST, OR PENALTIES AFTER A JUDICIAL DECISION ( <i>D. Henderson</i> )	
Read the first time by short title and referred to the Rules Committee	86
Placed on calendar	100
Read the second time	111
Read the third time	125
Transmitted to the House	125
Signed by the President and transmitted to the Governor	324
<b>S.B. 38</b> — REAUTHORIZATION OF VETERANS REINTEGRATION TASK FORCE ( <i>P. Knudson</i> )	
Read the first time by short title and referred to the Rules Committee	86
Placed on calendar	100
Read the second time	111
Amendments	112
Read the third time	125
Transmitted to the House	126
Signed by the President and transmitted to the Governor	1034
<b>S.B. 39</b> — PARENTAL RESPONSIBILITY FOR SEX EDUCATION TRAINING ( <i>S. Reid</i> )	
Read the first time by short title and referred to the Rules Committee	86
Assigned to standing committee	97
Committee report adopted and placed on calendar	283
Read the second time	479
Circled	479
Uncircled	521
Amendments	521
Read the third time	535
Transmitted to the House	536
Filed	745
<b>S.B. 40</b> — UTAH NAVAJO ROYALTIES AMENDMENTS ( <i>K. Van Tassel</i> )	
Read the first time by short title and referred to the Rules Committee	86
Assigned to standing committee	98
Committee report adopted and placed on calendar	115
Read the second time	165
Circled	165
Uncircled	249
Read the third time	260
Transmitted to the House	260
Signed by the President and transmitted to the Governor	422
<b>S.B. 41</b> — UNIFORM COMMERCIAL CODE AMENDMENTS ( <i>L. Hillyard</i> )	
Read the first time by short title and referred to the Rules Committee	86
Assigned to standing committee	97
Substituted	156
Committee report adopted and placed on calendar	156
Read the second time	181
Amendments	181
Read the third time	199
Transmitted to the House	199
Signed by the President and transmitted to the Governor	346
<b>S.B. 42</b> — MEDICAL SCHOOL ADMISSIONS FUNDING ( <i>J. Valentine</i> )	
Read the first time by short title and referred to the Rules Committee	86
Assigned to standing committee	97
Committee report adopted and placed on calendar	102

Read the second time	164
Circled	164
Uncircled	164
Read the third time	171
Transmitted to the House	171
Placed on Concurrence Calendar	1035
Concurrence	1040
Returned to the House	1040
Signed by the President and transmitted to the Governor	1070
<b>S.B. 43</b> — FINANCIAL AND ECONOMIC LITERACY EDUCATION AMENDMENTS ( <i>P. Jones</i> )	
Read the first time by short title and referred to the Rules Committee.	86
Substituted	187
Assigned to standing committee	188
Committee report adopted and placed on calendar	232
Read the second time	273
Read the third time	289
Transmitted to the House	290
Signed by the President and transmitted to the Governor	422
<b>S.B. 44</b> — CONSTRUCTION TRADES LICENSING REVISIONS ( <i>K. Mayne</i> )	
Read the first time by short title and referred to the Rules Committee.	86
Assigned to standing committee	97
Committee report adopted and placed on calendar	156
Read the second time	182
Circled	182
Uncircled	357
Substituted	357
Read the third time	370
Transmitted to the House	371
Placed on Concurrence Calendar	745
Before the Senate	772
Refuse to Recede	772
Returned to the House	772
Refuse to Recede	797
Placed on calendar	839
Joint Conference Committee Report	863
Amendments	863
Before the Senate	864
Transmitted to the House	864
Signed by the President and transmitted to the Governor	899
<b>S.B. 45</b> — WORKERS' COMPENSATION AND DIRECTORS OR OFFICERS ( <i>E. Vickers</i> )	
Read the first time by short title and referred to the Rules Committee.	87
Assigned to standing committee	97
Amendments	114
Committee report adopted and placed on calendar	114
Read the second time	165
Read the third time	172
Transmitted to the House	172
Signed by the President and transmitted to the Governor	396
<b>S.B. 46</b> — OCCUPATIONAL SAFETY AND HEALTH AMENDMENTS ( <i>L. Robles</i> )	
Read the first time by short title and referred to the Rules Committee.	87
Assigned to standing committee	97
Amendments	841
Returned to Rules	841
Enacting Clause Stricken	1171
<b>S.B. 47</b> — PROCUREMENT AMENDMENTS – SMALL PURCHASES ( <i>R. Okerlund</i> )	
Read the first time by short title and referred to the Rules Committee.	87
Assigned to standing committee	98
Returned to Rules	844
Enacting Clause Stricken	1171
<b>S.B. 48</b> — SPECIAL GROUP LICENSE PLATE REVISIONS ( <i>P. Knudson</i> )	
Read the first time by short title and referred to the Rules Committee.	87
Assigned to standing committee	143
Committee report adopted and placed on calendar	212
Read the second time	227
Circled	227
Uncircled	276
Read the third time	292
Transmitted to the House	293
Signed by the President and transmitted to the Governor	549
<b>S.B. 49</b> — CHILD WELFARE MODIFICATIONS ( <i>W. Harper</i> )	
Read the first time by short title and referred to the Rules Committee.	87
Assigned to standing committee	98
Substituted	156

Committee report adopted and placed on calendar	156
Read the second time	182
Read the third time	200
Transmitted to the House	201
Placed on Concurrence Calendar	1035
Concurrence	1041
Returned to the House	1041
Signed by the President and transmitted to the Governor	1071
<b>S.B. 50 — DEPARTMENT OF TRANSPORTATION LIABILITY AMENDMENTS (<i>L. Hillyard</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	116
Assigned to standing committee	144
Committee report adopted and placed on calendar	212
Read the second time	227
Circled	227
Uncircled	355
Amendments	356
Read the third time	370
Transmitted to the House	370
Placed on Concurrence Calendar	745
Concurrence	772
Returned to the House	772
Signed by the President and transmitted to the Governor	789
<b>S.B. 51 — HIGHER EDUCATION TUITION WAIVERS (<i>S. Urquhart</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	116
Assigned to standing committee	143
Committee report adopted and placed on calendar	188
Read the second time	204
Circled	204
Uncircled	277
Substituted	277
Read the third time	293
Transmitted to the House	293
Placed on Concurrence Calendar	579
Concurrence	595
Returned to the House	595
Signed by the President and transmitted to the Governor	603
<b>S.B. 52 — GAME FOWL FIGHTING AMENDMENTS (<i>G. Davis</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	116
Assigned to standing committee	143
Substituted	364
Committee report adopted and placed on calendar	364
Read the second time	531
Circled	531
Uncircled	625
Read the third time	685
Amendments	686
Transmitted to the House	686
Filed	1093
<b>S.B. 53 — INTERGENERATIONAL WELFARE REFORM (<i>S. Reid</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	144
Assigned to standing committee	154
Committee report adopted and placed on calendar	188
Read the second time	204
Read the third time	216
Transmitted to the House	216
Signed by the President and transmitted to the Governor	422
<b>S.B. 54 — LICENSING OF NURSING CARE FACILITY BEDS (<i>C. Bramble</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	145
Assigned to standing committee	154
Read the second time and placed on Consent Calendar	193
Read the third time	258
Transmitted to the House	258
Signed by the President and transmitted to the Governor	377
<b>S.B. 55 — INSURANCE COVERAGE FOR AUTISM SPECTRUM DISORDER (<i>B. Shiozawa</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	158
Assigned to standing committee	168
Substituted	267, 571
Committee report adopted and placed on calendar	267
Read the second time	477
Circled	477, 571
Uncircled	571, 627
Read the third time	690
Transmitted to the House	690
Enacting Clause Stricken	1170

<b>S.B. 56</b> — UTAH 211 REFERRAL INFORMATION NETWORK ( <i>T. Weiler</i> )	
Read the first time by short title and referred to the Rules Committee.	165
Assigned to standing committee	187
Committee report adopted and placed on calendar	237
Read the second time	278
Amendments	278
Read the third time	304
Circled	304
Uncircled	371
Substituted	371
Transmitted to the House	371
Signed by the President and transmitted to the Governor	578
<b>S.B. 57</b> — AGRICULTURE ENVIRONMENTAL STEWARD AMENDMENTS ( <i>R. Okerlund</i> )	
Read the first time by short title and referred to the Rules Committee.	170
Assigned to standing committee	187
Committee report adopted and placed on calendar	212
Read the second time	225
Circled	225, 305
Uncircled	305, 316
Substituted	305
Read the third time	337
Transmitted to the House	337
Signed by the President and transmitted to the Governor	549
<b>S.B. 58</b> — AMENDMENTS TO SALES AND USE TAX ( <i>W. Harper</i> )	
Read the first time by short title and referred to the Rules Committee.	170
Assigned to standing committee	187
Substituted	331
Amendments	331, 525
Committee report adopted and placed on calendar	331
Read the second time	525
Read the third time	537
Transmitted to the House	537
Signed by the President and transmitted to the Governor	769
<b>S.B. 59</b> — WORKERS' COMPENSATION COORDINATION OF BENEFITS AMENDMENTS ( <i>K. Mayne</i> )	
Read the first time by short title and referred to the Rules Committee.	194
Assigned to standing committee	281
Substituted	425
Committee report adopted and placed on calendar	425
Read the second time	629
Circled	629
Uncircled	633
Read the third time	692
Transmitted to the House	693
Placed on Concurrence Calendar	964
Concurrence	986
Returned to the House	986
Signed by the President and transmitted to the Governor	1003
<b>S.B. 60</b> — ABORTION STATISTICS AND REPORTING REQUIREMENTS ( <i>M. Dayton</i> )	
Read the first time by short title and referred to the Rules Committee.	194
Assigned to standing committee	209
Amendments	233, 374
Committee report adopted and placed on calendar	233
Read the second time	304
Circled	304
Uncircled	374
Read the third time	391
Transmitted to the House	392
Placed on Concurrence Calendar	984
Concurrence	989
Returned to the House	989
Signed by the President and transmitted to the Governor	1003
<b>S.B. 61</b> — HUNTING PERMIT AMENDMENTS ( <i>A. Christensen</i> )	
Read the first time by short title and referred to the Rules Committee.	213
Assigned to standing committee	231
Committee report adopted and placed on calendar	254
Read the second time	475
Amendments	475
Read the third time	502
Transmitted to the House	503
Signed by the President and transmitted to the Governor	743
<b>S.B. 62</b> — GOVERNOR'S FIRE SUPPRESSION AUTHORITY ( <i>M. Dayton</i> )	
Read the first time by short title and referred to the Rules Committee.	213
Assigned to standing committee	230
Committee report adopted and placed on calendar	312

Read the second time ..... 481  
 Read the third time ..... 516  
 Transmitted to the House ..... 517  
 Signed by the President and transmitted to the Governor ..... 790

**S.B. 63** — TRANSPORTATION PLANNING AND FUNDING TASK FORCE (*W. Harper*)  
 Read the first time by short title and referred to the Rules Committee. .... 213  
 Assigned to standing committee ..... 231  
 Committee report adopted and placed on calendar ..... 331  
 Read the second time ..... 527  
 Read the third time ..... 538  
 Transmitted to the House ..... 539  
 Enacting Clause Stricken ..... 1170

**S.B. 64** — HOMEOWNER ASSOCIATION RESERVE ACCOUNT AMENDMENTS (*S. Urquhart*)  
 Read the first time by short title and referred to the Rules Committee. .... 213  
 Assigned to standing committee ..... 230  
 Amendments ..... 360  
 Committee report adopted and placed on calendar ..... 360  
 Read the second time ..... 529  
 Circled ..... 529, 572, 690  
 Uncircled ..... 571, 626, 693  
 Substituted ..... 571  
 Read the third time ..... 690  
 Transmitted to the House ..... 693  
 Placed on Concurrence Calendar ..... 963  
 Concurrence ..... 985  
 Returned to the House ..... 986  
 Signed by the President and transmitted to the Governor ..... 1003

**S.B. 65** — ELECTION CODE – FINANCIAL REPORTING REQUIREMENT AMENDMENTS (*J. Valentine*)  
 Read the first time by short title and referred to the Rules Committee. .... 239  
 Assigned to standing committee ..... 253  
 Committee report adopted and placed on calendar ..... 312  
 Read the second time ..... 519  
 Read the third time ..... 534  
 Circled ..... 534  
 Uncircled ..... 566  
 Substituted ..... 566  
 Transmitted to the House ..... 567  
 Placed on Concurrence Calendar ..... 1093  
 Concurrence ..... 1094  
 Returned to the House ..... 1094  
 Signed by the President and transmitted to the Governor ..... 1120

**S.B. 66** — REFERENDUM REVISIONS (*S. Reid*)  
 Read the first time by short title and referred to the Rules Committee. .... 240  
 Assigned to standing committee ..... 281  
 Amendments ..... 362  
 Committee report adopted and placed on calendar ..... 362  
 Read the second time ..... 529  
 Read the third time ..... 540  
 Circled ..... 540, 590, 602  
 Uncircled ..... 590, 602, 613  
 Substituted ..... 602  
 Transmitted to the House ..... 613  
 Enacting Clause Stricken ..... 1170

**S.B. 67** — CONSUMER PROTECTION REVISIONS (*C. Bramble*)  
 Read the first time by short title and referred to the Rules Committee. .... 257  
 Assigned to standing committee ..... 266  
 Substituted ..... 399  
 Amendments ..... 399, 617  
 Committee report adopted and placed on calendar ..... 399  
 Read the second time ..... 617  
 Read the third time ..... 624  
 Transmitted to the House ..... 624  
 Signed by the President and transmitted to the Governor ..... 899

**S.B. 68** — STATE SURPLUS PROPERTY PROGRAM AMENDMENTS (*T. Weiler*)  
 Read the first time by short title and referred to the Rules Committee. .... 287  
 Assigned to standing committee ..... 311  
 Committee report adopted and placed on calendar ..... 327  
 Read the second time ..... 524  
 Substituted ..... 524  
 Circled ..... 524  
 Uncircled ..... 530  
 Amendments ..... 530

Read the third time	540
Transmitted to the House	541
Signed by the President and transmitted to the Governor	1092
<b>S.B. 69</b> — ASSESSMENT AND REPORTING OF STUDENT PERFORMANCE ( <i>R. Okerlund</i> )	
Read the first time by short title and referred to the Rules Committee	287
Assigned to standing committee	311
Amendments	842
Returned to Rules	842
Enacting Clause Stricken	1171
<b>S.B. 70</b> — COMMISSION RELATING TO FEDERAL ISSUES ( <i>D. Henderson</i> )	
Read the first time by short title and referred to the Rules Committee	313
Assigned to standing committee	325
Committee report adopted and placed on calendar	402
Read the second time	626
Read the third time	687
Transmitted to the House	688
Signed by the President and transmitted to the Governor	1034
<b>S.B. 71</b> — RESULTS-BASED FINANCING FOR EARLY CHILDHOOD EDUCATION ( <i>A. Osmond</i> )	
Read the first time by short title and referred to the Rules Committee	322
Assigned to standing committee	347
Committee report adopted and placed on calendar	363
Read the second time	530
Circled	530, 584, 697
Uncircled	584, 695, 705
Substituted	584
Amendments	695
Failed	706
Filed	706
<b>S.B. 72</b> — PRISON RELOCATION AND DEVELOPMENT AMENDMENTS ( <i>S. Jenkins</i> )	
Read the first time by short title and referred to the Rules Committee	333
Assigned to standing committee	348
Substituted	555, 712, 1122
Amendments	555, 602, 645
Committee report adopted and placed on calendar	555
Read the second time	584
Read the third time	602
Circled	602, 669, 1041
Uncircled	645, 712, 1047
Transmitted to the House	712
Placed on Concurrence Calendar	1035
Before the Senate	1041
Refuse to Concur	1047
Returned to the House	1047
Refuse to Recede	1051
Placed on Concurrence Calendar	1120
Transmitted to the House	1123
Before the Senate	1123
Signed by the President and transmitted to the Governor	1155
<b>S.B. 73</b> — OUTDOOR RECREATION OFFICE ACT ( <i>J. Stevenson</i> )	
Read the first time by short title and referred to the Rules Committee	350
Assigned to standing committee	379
Committee report adopted and placed on calendar	402
Read the second time	627
Amendments	627
Read the third time	690
Circled	690
Uncircled	738
Transmitted to the House	739
Signed by the President and transmitted to the Governor	1034
<b>S.B. 74</b> — DIGNIFIED BURIAL OF VETERANS REMAINS ( <i>E. Vickers</i> )	
Read the first time by short title and referred to the Rules Committee	350
Assigned to standing committee	379
Committee report adopted and placed on calendar	402
Read the second time	628
Read the third time	691
Transmitted to the House	691
Signed by the President and transmitted to the Governor	1120
<b>S.B. 75</b> — PUBLICATION OF PROPERTY TAX APPEALS FOR NONRESIDENTIAL PROPERTY ( <i>K. Van Tassell</i> )	
Read the first time by short title and referred to the Rules Committee	350
Assigned to standing committee	380
Returned to Rules	845
Enacting Clause Stricken	1171
<b>S.B. 76</b> — OUTDOOR ADVERTISING TECHNOLOGY AMENDMENTS ( <i>P. Knudson</i> )	

	Read the first time by short title and referred to the Rules Committee.	365
	Assigned to standing committee	380
	Returned to Rules	847
	Enacting Clause Stricken	1171
<b>S.B. 77</b>	— AVAILABILITY OF GOVERNMENT INFORMATION ( <i>D. Henderson</i> )	
	Read the first time by short title and referred to the Rules Committee.	382
	Assigned to standing committee	398
	Substituted	581, 831
	Committee report adopted and placed on calendar	581
	Read the second time	831
	Read the third time	875
	Transmitted to the House	875
	Signed by the President and transmitted to the Governor	1034
<b>S.B. 78</b>	— PHARMACY ACT AMENDMENTS ( <i>J. S. Adams</i> )	
	Read the first time by short title and referred to the Rules Committee.	365
	Assigned to standing committee	379
	Amendments	428, 896
	Committee report adopted and placed on calendar	428
	Read the second time	694
	Circled	694, 1094
	Uncircled	896, 1110
	Read the second and third times	897
	Transmitted to the House	897
	Before the Senate	1094
	Placed on Concurrence Calendar	1093
	Concurrence	1110
	Returned to the House	1110
	Signed by the President and transmitted to the Governor	1120
<b>S.B. 79</b>	— STUDENT-CENTERED LEARNING PILOT PROGRAM ( <i>H. Stephenson</i> )	
	Read the first time by short title and referred to the Rules Committee.	365
	Assigned to standing committee	379
	Committee report adopted and placed on calendar	553
	Read the second time	826
	Amendments	826, 930
	Circled	826
	Uncircled	930
	Read the second and third times	932
	Transmitted to the House	933
	Filed	1157
<b>S.B. 80</b>	— REMOVAL FROM DATABASE RESTRICTING FIREARM PURCHASE ( <i>D. Thatcher</i> )	
	Read the first time by short title and referred to the Rules Committee.	365
	Assigned to standing committee	380
	Committee report adopted and placed on calendar	512
	Read the second time	713
	Circled	713
	Uncircled	714
	Substituted	714
	Amendments	714
	Read the third time	734
	Transmitted to the House	734
	Placed on Concurrence Calendar	1095
	Concurrence	1095
	Returned to the House	1096
	Signed by the President and transmitted to the Governor	1121
<b>S.B. 81</b>	— SCHOOL PROPERTY TAX FUNDING ( <i>A. Osmond</i> )	
	Read the first time by short title and referred to the Rules Committee.	383
	Assigned to standing committee	398
	Amendments	553, 928
	Committee report adopted and placed on calendar	553
	Read the second time	826
	Circled	826
	Uncircled	928
	Read the second and third times	929
	Transmitted to the House	929
	Enacting Clause Stricken	1170
<b>S.B. 82</b>	— STUDENT ACHIEVEMENT BACKPACK ( <i>J. Stevenson</i> )	
	Read the first time by short title and referred to the Rules Committee.	410
	Assigned to standing committee	423
	Substituted	700
	Committee report adopted and placed on calendar	700
	Read the second time	854
	Circled	854
	Uncircled	926
	Amendments	927

	Read the second and third times	927
	Transmitted to the House	928
	Signed by the President and transmitted to the Governor	1034
<b>S.B. 83</b>	— LIMITATIONS ON OUTSIDE EMPLOYMENT BY GOVERNMENT EMPLOYEE ( <i>T. Weiler</i> )	
	Read the first time by short title and referred to the Rules Committee	410
	Assigned to standing committee	424
	Committee report adopted and placed on calendar	511
	Read the second time	710
	Substituted	710
	Read the third time	731
	Transmitted to the House	732
	Placed on Concurrence Calendar	964
	Concurrence	987
	Returned to the House	987
	Signed by the President and transmitted to the Governor	1004
<b>S.B. 84</b>	— SALES AND USE TAX EXEMPTION FOR SHORT-TERM LODGING CONSUMABLES ( <i>J. S. Adams</i> )	
	Read the first time by short title and referred to the Rules Committee	410
	Assigned to standing committee	454
	Amendments	513
	Committee report adopted and placed on calendar	513
	Read the second time	716
	Circled	716
	Uncircled	718
	Read the third time	736
	Transmitted to the House	736
	Signed by the President and transmitted to the Governor	1034
<b>S.B. 85</b>	— COMMUNITY HEALTH WORKER PROGRAM ( <i>L. Robles</i> )	
	Read the first time by short title and referred to the Rules Committee	494
	Assigned to standing committee	551
	Amendments	606
	Committee report adopted and placed on calendar	606
	Read the second time	835
	Circled	835
	Uncircled	933
	Read the second and third times	933
	Failed	933
	Filed	934
<b>S.B. 86</b>	— INDEPENDENT EXECUTIVE BRANCH ETHICS COMMISSION ( <i>J. Valentine</i> )	
	Read the first time by short title and referred to the Rules Committee	515
	Assigned to standing committee	552
	Committee report adopted and placed on calendar	640
	Read the second time	850
	Amendments	850
	Read the third time	880
	Transmitted to the House	880
	Placed on Concurrence Calendar	1093
	Concurrence	1095
	Returned to the House	1095
	Signed by the President and transmitted to the Governor	1121
<b>S.B. 87</b>	— IMPOUNDMENT OF VEHICLES AMENDMENTS ( <i>M. Madsen</i> )	
	Read the first time by short title and referred to the Rules Committee	697
	Assigned to standing committee	699
	Returned to Rules	811
	Enacting Clause Stricken	1171
<b>S.B. 90</b>	— CONDOMINIUM AND COMMUNITY ASSOCIATION AMENDMENTS ( <i>J. S. Adams</i> )	
	Read the first time by short title and referred to the Rules Committee	622
	Assigned to standing committee	636
	Substituted	747
	Committee report adopted and placed on calendar	747
	Read the second and third times	889
	Amendments	889
	Transmitted to the House	892
	Placed on Concurrence Calendar	1145
	Concurrence	1148
	Returned to the House	1149
	Signed by the President and transmitted to the Governor	1164
<b>S.B. 91</b>	— STATE AUDITOR AMENDMENTS ( <i>J. Valentine</i> )	
	Read the first time by short title and referred to the Rules Committee	383
	Assigned to standing committee	399
	Returned to Rules	844
	Enacting Clause Stricken	1171



**S.B. 92** — TETHERING OF ANIMALS (*G. Davis*)

    Read the first time by short title and referred to the Rules Committee. . . . . 257

    Assigned to standing committee . . . . . 267

    Amendments . . . . . 557

    Returned to Rules Committee . . . . . 557

    Enacting Clause Stricken . . . . . 1171

**S.B. 93** — INTERLOCAL COOPERATION ACT AMENDMENTS (*J. Valentine*)

    Read the first time by short title and referred to the Rules Committee. . . . . 257

    Assigned to standing committee . . . . . 398

    Committee report adopted and placed on calendar . . . . . 552

    Read the second time . . . . . 718

    Amendments . . . . . 718

    Read the third time . . . . . 736

    Transmitted to the House . . . . . 737

    Concurrence . . . . . 1165

    Returned to the House . . . . . 1165

    Signed by the President and transmitted to the Governor . . . . . 1164

**S.B. 94** — GOVERNMENT RECORDS AMENDMENTS (*C. Bramble*)

    Read the first time by short title and referred to the Rules Committee. . . . . 257

    Assigned to standing committee . . . . . 266

    Committee report adopted and placed on calendar . . . . . 312

    Read the second time . . . . . 481

    Read the third time . . . . . 516

    Transmitted to the House . . . . . 516

    Signed by the President and transmitted to the Governor . . . . . 790

**S.B. 95** — WHISTLEBLOWER AMENDMENTS (*S. Reid*)

    Read the first time by short title and referred to the Rules Committee. . . . . 240

    Assigned to standing committee . . . . . 636

    Substituted . . . . . 840

    Committee report adopted and placed on calendar . . . . . 840

    Read the second and third times . . . . . 916

    Amendments . . . . . 916

    Transmitted to the House . . . . . 917

    Placed on Concurrence Calendar . . . . . 1049, 1106

    Refuse to Concur . . . . . 1063

    Refuse to Recede . . . . . 1075

    Before the Senate . . . . . 1108

    Returned to the House . . . . . 1108

    Signed by the President and transmitted to the Governor . . . . . 1121

**S.B. 96** — POLITICAL SUBDIVISIONS EMPLOYMENT REVISIONS (*T. Weiler*)

    Read the first time by short title and referred to the Rules Committee. . . . . 166

    Assigned to standing committee . . . . . 186

    Committee report adopted and placed on calendar . . . . . 211

    Read the second time . . . . . 223

    Read the third time . . . . . 245

    Circled . . . . . 245

    Uncircled . . . . . 623

    Enacting Clause Stricken . . . . . 623

**S.B. 97** — PROPELLING A BODILY SUBSTANCE AMENDMENTS (*J. Stevenson*)

    Read the first time by short title and referred to the Rules Committee. . . . . 170

    Assigned to standing committee . . . . . 187

    Committee report adopted and placed on calendar . . . . . 235

    Read the second time . . . . . 465

    Read the third time . . . . . 500

    Circled . . . . . 500

    Uncircled . . . . . 517

    Transmitted to the House . . . . . 518

    Signed by the President and transmitted to the Governor . . . . . 743

**S.B. 98** — PROPELLING A BODILY SUBSTANCE REVISIONS (*J. Stevenson*)

    Read the first time by short title and referred to the Rules Committee. . . . . 170

    Assigned to standing committee . . . . . 187

    Committee report adopted and placed on calendar . . . . . 235

    Read the second time . . . . . 466

    Read the third time . . . . . 500

    Circled . . . . . 500

    Uncircled . . . . . 518

    Transmitted to the House . . . . . 518

    Signed by the President and transmitted to the Governor . . . . . 743

**S.B. 99** — LABOR AMENDMENTS (*W. Harper*)

    Read the first time by short title and referred to the Rules Committee. . . . . 170

    Assigned to standing committee . . . . . 186

    Substituted . . . . . 425

    Committee report adopted and placed on calendar . . . . . 425

    Read the second time . . . . . 629

Read the third time .....	691
Transmitted to the House .....	691
Signed by the President and transmitted to the Governor .....	962
<b>S.B. 100 — HIGHER EDUCATION SCHOLARSHIP AMENDMENTS (<i>J. Stevenson</i>)</b>	
Read the first time by short title and referred to the Rules Committee .....	170
Assigned to standing committee .....	187
Committee report adopted and placed on calendar .....	235
Read the second time .....	305
Amendments .....	305, 337, 355
Read the third time .....	314
Circled .....	314, 344, 354
Uncircled .....	337, 354
Transmitted to the House .....	340
Reconsidered .....	343
Placed on calendar .....	344
Transmitted to the House .....	355
Signed by the President and transmitted to the Governor .....	578
<b>S.B. 101 — DIVISION OF WATER RIGHTS REVISIONS (<i>M. Dayton</i>)</b>	
Read the first time by short title and referred to the Rules Committee .....	170
Assigned to standing committee .....	186
Committee report adopted and placed on calendar .....	211
Read the second time .....	223
Read the third time .....	245
Circled .....	245
Uncircled .....	262
Transmitted to the House .....	262
Placed on Concurrence Calendar .....	423
Concurrence .....	440
Returned to the House .....	440
Signed by the President and transmitted to the Governor .....	467
<b>S.B. 102 — CONTRACTOR LICENSING AMENDMENTS (<i>W. Harper</i>)</b>	
Read the first time by short title and referred to the Rules Committee .....	184, 194
Assigned to standing committee .....	209
Substituted .....	425
Committee report adopted and placed on calendar .....	426
Read the second time .....	630
Amendments .....	630
Read the third time .....	691
Transmitted to the House .....	692
Placed on Concurrence Calendar .....	1148
Concurrence .....	1149
Returned to the House .....	1149
Signed by the President and transmitted to the Governor .....	1164
<b>S.B. 103 — CARSON SMITH SCHOLARSHIP AMENDMENTS (<i>J. S. Adams</i>)</b>	
Read the first time by short title and referred to the Rules Committee .....	194
Assigned to standing committee .....	209
Amendments .....	380
Committee report adopted and placed on calendar .....	380
Read the second time .....	616
Read the third time .....	623
Circled .....	623
Uncircled .....	739
Transmitted to the House .....	740
Placed on Concurrence Calendar .....	1050
Concurrence .....	1063
Returned to the House .....	1064
Signed by the President and transmitted to the Governor .....	1086
<b>S.B. 104 — VULNERABLE USERS OF HIGHWAYS AMENDMENTS (<i>T. Weiler</i>)</b>	
Read the first time by short title and referred to the Rules Committee .....	194
Assigned to standing committee .....	210
Substituted .....	349
Committee report adopted and placed on calendar .....	349
Read the second time .....	528
Substituted .....	528
Read the third time .....	539
Amendments .....	539
Transmitted to the House .....	540
Signed by the President and transmitted to the Governor .....	769
<b>S.B. 105 — BOARD OF PARDONS AND PAROLE REVISIONS (<i>D. Thatcher</i>)</b>	
Read the first time by short title and referred to the Rules Committee .....	194
Assigned to standing committee .....	210
Amendments .....	329
Committee report adopted and placed on calendar .....	329
Read the second time .....	524

Read the third time .....	536
Transmitted to the House .....	536
Signed by the President and transmitted to the Governor .....	899
<b>S.B. 106 — UNEMPLOYMENT TAX AMENDMENT (C. Bramble)</b>	
Read the first time by short title and referred to the Rules Committee .....	87
Assigned to standing committee .....	99
Read the second time and placed on Consent Calendar .....	170
Read the third time .....	240
Transmitted to the House .....	241
Signed by the President and transmitted to the Governor .....	396
<b>S.B. 107 — PUBLIC SHOOTING RANGES (A. Christensen)</b>	
Read the first time by short title and referred to the Rules Committee .....	87
Assigned to standing committee .....	98
Substituted .....	639
Amendments .....	639, 878
Committee report adopted and placed on calendar .....	639
Read the second time .....	835
Read the third time .....	878
Transmitted to the House .....	878
Placed on Concurrence Calendar .....	1120
Concurrence .....	1123
Returned to the House .....	1124
Signed by the President and transmitted to the Governor .....	1155
<b>S.B. 108 — CIVIL RIGHTS AMENDMENTS RELATING TO PERSONS WITH A DISABILITY (P. Jones)</b>	
Read the first time by short title and referred to the Rules Committee .....	87
Enacting Clause Stricken .....	1171
<b>S.B. 109 — CHANGE APPLICATION PROCEDURE (R. Okerlund)</b>	
Read the first time by short title and referred to the Rules Committee .....	87
Assigned to standing committee .....	99
Substituted .....	349
Committee report adopted and placed on calendar .....	349
Placed on Time Certain Calendar .....	415
Read the second time .....	462
Read the third time .....	499
Transmitted to the House .....	500
Placed on Concurrence Calendar .....	1105
Before the Senate .....	1106
Circled .....	1106
Uncircled .....	1108
Refuse to Recede .....	1108, 1138
Returned to the House .....	1108
Enacting Clause Stricken .....	1170
<b>S.B. 110 — SCHOOL-BASED BUDGETING AMENDMENTS (H. Stephenson)</b>	
Read the first time by short title and referred to the Rules Committee .....	87
Assigned to standing committee .....	97
Committee report adopted and placed on calendar .....	348
Read the second time .....	528
Circled .....	528
Uncircled .....	934
Substituted .....	935
Read the second and third times .....	935
Failed .....	935
Filed .....	935
<b>S.B. 111 — ELECTRONIC FILING OF TRAFFIC CITATIONS AND ACCIDENT REPORTS (L. Hillyard)</b>	
Read the first time by short title and referred to the Rules Committee .....	87
Assigned to standing committee .....	99
Committee report adopted and placed on calendar .....	144
Read the second time .....	180
Read the third time .....	198
Transmitted to the House .....	199
Placed on Concurrence Calendar .....	398
Before the Senate .....	439
Circled .....	439
Uncircled .....	459
Concurrence .....	459
Returned to the House .....	459
Signed by the President and transmitted to the Governor .....	467
<b>S.B. 112 — WORK WEEK AMENDMENTS (A. Osmond)</b>	
Read the first time by short title and referred to the Rules Committee .....	87
Assigned to standing committee .....	98
Substituted .....	402
Committee report adopted and placed on calendar .....	402
Placed on Time Certain Calendar .....	520

Read the second time	599
Amendments	599, 687
Read the third time	623
Circled	623, 669
Uncircled	624, 686
Transmitted to the House	687
Failed	624
Filed	625
Reconsidered	669
Before the Senate	669
Placed on Concurrence Calendar	985
Concurrence	990
Returned to the House	990
Signed by the President and transmitted to the Governor	1022
<b>S.B. 113 — LONG-TERM DISABILITY COVERAGE AMENDMENTS (<i>T. Weiler</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	87
Assigned to standing committee	99
Committee report adopted and placed on calendar	237
Read the second time	474
Read the third time	501
Transmitted to the House	502
Signed by the President and transmitted to the Governor	743
<b>S.B. 114 — SAFETY BELT AMENDMENTS (<i>L. Robles</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	87
Assigned to standing committee	114
Amendments	235, 463, 643
Committee report adopted and placed on calendar	235
Read the second time	462
Read the third time	500
Circled	500
Uncircled	643
Failed	644
Filed	644
<b>S.B. 115 — WATER DEVELOPMENT COMMISSION AMENDMENTS (<i>M. Dayton</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	88
Assigned to standing committee	99, 115
Read the second time	177
Read the third time	196
Transmitted to the House	196
Signed by the President and transmitted to the Governor	396
<b>S.B. 116 — GARNISHMENT FOR DEBT COLLECTION (<i>L. Hillyard</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	88
Assigned to standing committee	98
Returned to Rules	812
Enacting Clause Stricken	1171
<b>S.B. 117 — LEGISLATIVE OFFICE DEFINITIONS (<i>L. Hillyard</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	88
Enacting Clause Stricken	1171
<b>S.B. 118 — ROCKY MOUNTAIN CENTER FOR OCCUPATIONAL AND ENVIRONMENTAL HEALTH AMENDMENTS (<i>K. Mayne</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	88
Assigned to standing committee	98
Committee report adopted and placed on calendar	156
Read the second time	183
Failed	183
Filed	183
Reconsidered	201
Before the Senate	201
Circled	201
Enacting Clause Stricken	1171
<b>S.B. 119 — YOUTH COURT AMENDMENTS (<i>J. Stevenson</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	88
Assigned to standing committee	98
Committee report adopted and placed on calendar	157
Read the second time	201
Amendments	201
Read the third time	214
Circled	214
Uncircled	218
Transmitted to the House	219
Signed by the President and transmitted to the Governor	359

**S.B. 120 — TARGET SHOOTING AND WILDFIRE REGULATIONS (*M. Dayton*)**  
 Read the first time by short title and referred to the Rules Committee. . . . . 88  
 Assigned to standing committee . . . . . 98  
 Committee report adopted and placed on calendar . . . . . 115  
 Read the second time . . . . . 165  
 Circled . . . . . 165  
 Uncircled . . . . . 482  
 Amendments . . . . . 482  
 Read the third time . . . . . 517  
 Transmitted to the House . . . . . 517  
 Placed on Concurrence Calendar . . . . . 770  
 Concurrence . . . . . 813  
 Returned to the House . . . . . 813  
 Signed by the President and transmitted to the Governor . . . . . 838

**S.B. 121 — TRAFFIC REGULATIONS REGARDING BUSES (*K. Mayne*)**  
 Read the first time by short title and referred to the Rules Committee. . . . . 88  
 Assigned to standing committee . . . . . 99  
 Returned to Rules . . . . . 847  
 Enacting Clause Stricken . . . . . 1171

**S.B. 122 — STUDENT LEADERSHIP SKILLS DEVELOPMENT (*A. Osmond*)**  
 Read the first time by short title and referred to the Rules Committee. . . . . 88  
 Assigned to standing committee . . . . . 98  
 Amendments . . . . . 232  
 Committee report adopted and placed on calendar . . . . . 232  
 Read the second time . . . . . 274  
 Read the third time . . . . . 290  
 Transmitted to the House . . . . . 290  
 Placed on Concurrence Calendar . . . . . 1090  
 Refuse to Concur . . . . . 1091  
 Returned to the House . . . . . 1091  
 Refuse to Recede . . . . . 1114  
 Placed on Concurrence Calendar . . . . . 1130  
 Substituted . . . . . 1130  
 Before the Senate . . . . . 1131  
 Returned to the House . . . . . 1131  
 Signed by the President and transmitted to the Governor . . . . . 1155

**S.B. 123 — RUNAWAY VEHICLE RAMP REQUIREMENTS (*K. Van Tassell*)**  
 Read the first time by short title and referred to the Rules Committee. . . . . 88  
 Assigned to standing committee . . . . . 99  
 Committee report adopted and placed on calendar . . . . . 144  
 Read the second time . . . . . 180  
 Read the third time . . . . . 199  
 Transmitted to the House . . . . . 199  
 Signed by the President and transmitted to the Governor . . . . . 396

**S.B. 124 — SALES AND USE TAX EXEMPTION FOR DATABASE ACCESS (*W. Harper*)**  
 Read the first time by short title and referred to the Rules Committee. . . . . 88  
 Assigned to standing committee . . . . . 99  
 Substituted . . . . . 237  
 Amendments . . . . . 237  
 Committee report adopted and placed on calendar . . . . . 237  
 Read the second time . . . . . 474  
 Circled . . . . . 474  
 Uncircled . . . . . 476  
 Read the third time . . . . . 503  
 Transmitted to the House . . . . . 503  
 Signed by the President and transmitted to the Governor . . . . . 790

**S.B. 125 — DISTRICT COURT JUDGE AMENDMENTS (*K. Van Tassell*)**  
 Read the first time by short title and referred to the Rules Committee. . . . . 88  
 Assigned to standing committee . . . . . 98  
 Committee report adopted and placed on calendar . . . . . 144  
 Read the second time . . . . . 179  
 Read the third time . . . . . 197  
 Transmitted to the House . . . . . 197  
 Signed by the President and transmitted to the Governor . . . . . 1071

**S.B. 126 — COORDINATION OF SERVICES FOR VETERANS (*P. Knudson*)**  
 Read the first time by short title and referred to the Rules Committee. . . . . 88  
 Assigned to standing committee . . . . . 98  
 Substituted . . . . . 211  
 Amendments . . . . . 211  
 Committee report adopted and placed on calendar . . . . . 211  
 Read the second time . . . . . 224  
 Circled . . . . . 224  
 Uncircled . . . . . 224  
 Read the third time . . . . . 245

Transmitted to the House	246
Placed on Concurrence Calendar	1088
Concurrence	1090
Returned to the House	1090
Signed by the President and transmitted to the Governor	1121
<b>S.B. 127 — JUVENILE COURT JUDGE AMENDMENTS (<i>K. Van Tassell</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	88
Assigned to standing committee	98
Committee report adopted and placed on calendar	144
Read the second time	179
Read the third time	198
Transmitted to the House	198
Signed by the President and transmitted to the Governor	1071
<b>S.B. 128 — FINANCIAL TRANSPARENCY IN EDUCATION (<i>D. Thatcher</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	88
Assigned to standing committee	98
Committee report adopted and placed on calendar	102
Read the second time	164
Read the third time	171
Transmitted to the House	171
Signed by the President and transmitted to the Governor	1071
<b>S.B. 129 — OFFICE OF STATE DEBT COLLECTION – ADMINISTRATIVE GARNISHMENT ORDER (<i>L. Hillyard</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	88
Assigned to standing committee	98
Committee report adopted and placed on calendar	115
Read the second time	174
Amendments	174
Read the third time	195
Transmitted to the House	195
Placed on Concurrence Calendar	423
Before the Senate	440
Circled	440
Uncircled	459
Concurrence	459
Returned to the House	460
Signed by the President and transmitted to the Governor	467
<b>S.B. 130 — SECURITY PERSONNEL LICENSING ACT AMENDMENTS (<i>M. Dayton</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	89
Assigned to standing committee	98
Amendments	157
Committee report adopted and placed on calendar	157
Read the second time	202
Read the third time	214
Transmitted to the House	214
Signed by the President and transmitted to the Governor	422
<b>S.B. 131 — ASSAULT AMENDMENTS (<i>A. Osmond</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	89
Assigned to standing committee	143
Amendments	270
Committee report adopted and placed on calendar	270
Placed on Time Certain Calendar	370
Read the second time	433
Read the third time	449
Transmitted to the House	449
Signed by the President and transmitted to the Governor	1071
<b>S.B. 132 — UTAH MEDICAL EDUCATION COUNCIL AMENDMENTS (<i>W. Harper</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	89
Assigned to standing committee	98
Committee report adopted and placed on calendar	157
Read the second time	201
Circled	201
Uncircled	373
Substituted	373, 389
Read the third time	389
Amendments	389
Transmitted to the House	391
Signed by the President and transmitted to the Governor	769
<b>S.B. 133 — SCHOOL PERFORMANCE REPORT AMENDMENTS (<i>H. Stephenson</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	89
Assigned to standing committee	98
Committee report adopted and placed on calendar	605
Read the second time	835
Circled	835
Enacting Clause Stricken	1171

<b>S.B. 134</b> — UTAH PERFORMANCE ASSESSMENT SYSTEM FOR STUDENTS (U-PASS) AMENDMENTS ( <i>M. Dayton</i> )	
Read the first time by short title and referred to the Rules Committee . . . . .	89
Assigned to standing committee . . . . .	98
Returned to Rules . . . . .	843
Enacting Clause Stricken . . . . .	1171
<b>S.B. 135</b> — INVOLUNTARY COMMITMENT AMENDMENTS ( <i>T. Weiler</i> )	
Read the first time by short title and referred to the Rules Committee . . . . .	89
Assigned to standing committee . . . . .	143
Committee report adopted and placed on calendar . . . . .	193
Read the second time . . . . .	222
Read the third time . . . . .	244
Circled . . . . .	244
Uncircled . . . . .	260
Amendments . . . . .	260
Transmitted to the House . . . . .	261
Signed by the President and transmitted to the Governor . . . . .	377
<b>S.B. 136</b> — CONSTRUCTION TRADES LICENSING MODIFICATIONS ( <i>P. Knudson</i> )	
Read the first time by short title and referred to the Rules Committee . . . . .	89
Assigned to standing committee . . . . .	97
Substituted . . . . .	841
Returned to Rules . . . . .	841
Enacting Clause Stricken . . . . .	1171
<b>S.B. 137</b> — MOTOR VEHICLE REGISTRATION ENFORCEMENT AMENDMENTS ( <i>D. Thatcher</i> )	
Read the first time by short title and referred to the Rules Committee . . . . .	100
Assigned to standing committee . . . . .	114
Committee report adopted and placed on calendar . . . . .	213
Read the second time . . . . .	227
Read the third time . . . . .	248
Transmitted to the House . . . . .	248
Signed by the President and transmitted to the Governor . . . . .	397
<b>S.B. 138</b> — AMENDMENTS TO REQUIREMENTS FOR GOVERNOR'S PROPOSED BUDGET ( <i>W. Harper</i> )	
Read the first time by short title and referred to the Rules Committee . . . . .	103
Assigned to standing committee . . . . .	143
Committee report adopted and placed on calendar . . . . .	169
Read the second time . . . . .	203
Read the third time . . . . .	215
Transmitted to the House . . . . .	215
Signed by the President and transmitted to the Governor . . . . .	422
<b>S.B. 139</b> — UTAH SCIENCE CENTER AUTHORITY AMENDMENTS ( <i>T. Weiler</i> )	
Read the first time by short title and referred to the Rules Committee . . . . .	103
Assigned to standing committee . . . . .	114
Returned to Rules . . . . .	845
Enacting Clause Stricken . . . . .	1171
<b>S.B. 140</b> — SERVICE AREA BOARD OF TRUSTEES ( <i>T. Weiler</i> )	
Read the first time by short title and referred to the Rules Committee . . . . .	103
Assigned to standing committee . . . . .	113
Amendments . . . . .	192
Committee report adopted and placed on calendar . . . . .	192
Read the second time . . . . .	205
Read the third time . . . . .	216
Transmitted to the House . . . . .	217
Signed by the President and transmitted to the Governor . . . . .	397
<b>S.B. 141</b> — EDUCATION CONTRIBUTION ON TAX RETURNS ( <i>D. Thatcher</i> )	
Read the first time by short title and referred to the Rules Committee . . . . .	103
Assigned to standing committee . . . . .	114
Committee report adopted and placed on calendar . . . . .	170
Read the second time . . . . .	203
Read the third time . . . . .	215
Transmitted to the House . . . . .	216
Signed by the President and transmitted to the Governor . . . . .	359
<b>S.B. 142</b> — REPEAL OF BLACKLISTING PROVISIONS ( <i>D. Thatcher</i> )	
Read the first time by short title and referred to the Rules Committee . . . . .	112
Assigned to standing committee . . . . .	143
Committee report adopted and placed on calendar . . . . .	156
Read the second time . . . . .	182
Read the third time . . . . .	200
Transmitted to the House . . . . .	200
Signed by the President and transmitted to the Governor . . . . .	324
<b>S.B. 143</b> — MORTGAGE AND FINANCIAL AFFAIRS AMENDMENTS ( <i>W. Harper</i> )	
Read the first time by short title and referred to the Rules Committee . . . . .	112
Assigned to standing committee . . . . .	143
Substituted . . . . .	426

Committee report adopted and placed on calendar	426
Read the second time	632
Read the third time	692
Transmitted to the House	692
Enacting Clause Stricken	1170
<b>S.B. 144</b> — REAUTHORIZATION OF PROHIBITIONS ON PRACTICING LAW WITHOUT A LICENSE ( <i>S. Jenkins</i> )	
Read the first time by short title and referred to the Rules Committee	112
Assigned to standing committee	143
Committee report adopted and placed on calendar	212
Read the second time	224
Circled	224
Uncircled	225
Read the third time	246
Transmitted to the House	247
Signed by the President and transmitted to the Governor	346
<b>S.B. 145</b> — COUNTY ATTORNEY CHAPTER RECODIFICATION ( <i>T. Weiler</i> )	
Read the first time by short title and referred to the Rules Committee	116
Assigned to standing committee	143
Amendments	270, 478
Committee report adopted and placed on calendar	270
Read the second time	478
Read the third time	505
Transmitted to the House	505
Placed on Concurrence Calendar	770
Concurrence	813
Returned to the House	813
Signed by the President and transmitted to the Governor	838
<b>S.B. 146</b> — DRIVING UNDER THE INFLUENCE AMENDMENTS ( <i>S. Jenkins</i> )	
Read the first time by short title and referred to the Rules Committee	116
Assigned to standing committee	143
Committee report adopted and placed on calendar	212
Read the second time	225
Read the third time	246
Transmitted to the House	246
Placed on Concurrence Calendar	347
Before the Senate	368
Circled	368
Uncircled	368
Concurrence	368
Returned to the House	369
Signed by the President and transmitted to the Governor	377
<b>S.B. 147</b> — WORKERS' COMPENSATION AND OCCUPATIONAL SAFETY RELATED AMENDMENTS ( <i>K. Mayne</i> )	
Read the first time by short title and referred to the Rules Committee	116
Assigned to standing committee	143
Substituted	364
Read the second time and placed on Consent Calendar	364
Read the third time	437
Transmitted to the House	437
Signed by the President and transmitted to the Governor	634
<b>S.B. 148</b> — CONSERVATION DISTRICTS – CLOSED MEETINGS AMENDMENTS ( <i>D. Hinkins</i> )	
Read the first time by short title and referred to the Rules Committee	116
Assigned to standing committee	143
Committee report adopted and placed on calendar	192
Read the second time	206
Read the third time	217
Transmitted to the House	217
Signed by the President and transmitted to the Governor	359
<b>S.B. 149</b> — GOVERNMENTAL IMMUNITY AMENDMENTS ( <i>J. S. Adams</i> )	
Read the first time by short title and referred to the Rules Committee	134
Assigned to standing committee	155
Returned to Rules	844
Enacting Clause Stricken	1171
<b>S.B. 150</b> — FINANCIAL INSTITUTION AMENDMENTS ( <i>J. S. Adams</i> )	
Read the first time by short title and referred to the Rules Committee	134
Assigned to standing committee	154
Committee report adopted and placed on calendar	188
Read the second time	204
Read the third time	216
Circled	216
Uncircled	217
Transmitted to the House	218
Signed by the President and transmitted to the Governor	377



**S.B. 151 — AUTHORIZATION OF CHARTER SCHOOLS BY HIGHER EDUCATION INSTITUTIONS (*J. S. Adams*)**

Read the first time by short title and referred to the Rules Committee. . . . . 134

Assigned to standing committee . . . . . 155

Amendments . . . . . 188, 872

Committee report adopted and placed on calendar . . . . . 188

Read the second time . . . . . 205

Read the third time . . . . . 216

    Circled . . . . . 216

    Uncircled . . . . . 871

Transmitted to the House . . . . . 874

Signed by the President and transmitted to the Governor . . . . . 1022

**S.B. 152 — ALCOHOL AND DRUG RELATED OFFENSE AMENDMENTS (*J. S. Adams*)**

Read the first time by short title and referred to the Rules Committee. . . . . 134

Assigned to standing committee . . . . . 155

Substituted . . . . . 235

Committee report adopted and placed on calendar . . . . . 236

Read the second time . . . . . 466

Read the third time . . . . . 500

Transmitted to the House . . . . . 500

Enacting Clause Stricken . . . . . 1170

**S.B. 153 — LOCAL GOVERNMENT DEVELOPMENT AMENDMENTS (*J. S. Adams*)**

Read the first time by short title and referred to the Rules Committee. . . . . 145

Assigned to standing committee . . . . . 155

Committee report adopted and placed on calendar . . . . . 192

Read the second time . . . . . 206

Read the third time . . . . . 218

Transmitted to the House . . . . . 218

Signed by the President and transmitted to the Governor . . . . . 397

**S.B. 154 — SALES AND USE TAXATION OF WATER (*S. Jenkins*)**

Read the first time by short title and referred to the Rules Committee. . . . . 145

Assigned to standing committee . . . . . 155

Amendments . . . . . 845

Returned to Rules . . . . . 845

Enacting Clause Stricken . . . . . 1171

**S.B. 155 — POSTADOPTION CONTRACT AGREEMENTS (*L. Hillyard*)**

Read the first time by short title and referred to the Rules Committee. . . . . 145

Assigned to standing committee . . . . . 155

Substituted . . . . . 364

Committee report adopted and placed on calendar . . . . . 364

Read the second time . . . . . 531

Read the third time . . . . . 541

    Circled . . . . . 541

    Uncircled . . . . . 565

Read the first, second, and third time . . . . . 565

Transmitted to the House . . . . . 566

Signed by the President and transmitted to the Governor . . . . . 1086

**S.B. 156 — JAIL RELEASE AMENDMENTS (*J. S. Adams*)**

Read the first time by short title and referred to the Rules Committee. . . . . 145

Assigned to standing committee . . . . . 169

Committee report adopted and placed on calendar . . . . . 236

Read the second time . . . . . 472

Read the third time . . . . . 500

Transmitted to the House . . . . . 501

Signed by the President and transmitted to the Governor . . . . . 744

**S.B. 157 — DAYLIGHT SAVING TIME AMENDMENTS (*S. Urquhart*)**

Read the first time by short title and referred to the Rules Committee. . . . . 152

Assigned to standing committee . . . . . 187

Returned to Rules . . . . . 799

Enacting Clause Stricken . . . . . 1171

**S.B. 158 — MUNICIPAL GENERAL FUND AMENDMENTS (*D. Henderson*)**

Read the first time by short title and referred to the Rules Committee. . . . . 152

Assigned to standing committee . . . . . 169

Committee report adopted and placed on calendar . . . . . 211

Read the second time . . . . . 224

    Circled . . . . . 224

    Uncircled . . . . . 373

Read the third time . . . . . 391

Transmitted to the House . . . . . 391

Signed by the President and transmitted to the Governor . . . . . 549

**S.B. 159 — THEFT AMENDMENTS (*D. Thatcher*)**

Read the first time by short title and referred to the Rules Committee. . . . . 158

Assigned to standing committee . . . . . 169

Committee report adopted and placed on calendar	284
Read the second time	479
Read the third time	507
Transmitted to the House	507
Enacting Clause Stricken	1170
<b>S.B. 160 — PATRONIZING A PROSTITUTE AMENDMENTS (<i>J. Stevenson</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	158
Assigned to standing committee	169
Committee report adopted and placed on calendar	236
Read the second time	473
Read the third time	501
Circled	501
Uncircled	518
Transmitted to the House	519
Signed by the President and transmitted to the Governor	769
<b>S.B. 161 — RESTITUTION AMENDMENTS (<i>C. Bramble</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	166
Assigned to standing committee	186
Amendments	232, 335
Committee report adopted and placed on calendar	232
Placed on Time Certain Calendar	240
Read the second time	292
Read the third time	314
Circled	314
Uncircled	335
Transmitted to the House	336
Signed by the President and transmitted to the Governor	452
<b>S.B. 162 — CONCURRENT ENROLLMENT AMENDMENTS (<i>S. Urquhart</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	166
Assigned to standing committee	186
Committee report adopted and placed on calendar	233
Read the second time	274
Read the third time	290
Transmitted to the House	291
Placed on Concurrence Calendar	423
Concurrence	440
Returned to the House	441
Signed by the President and transmitted to the Governor	467
<b>S.B. 163 — STATUS VERIFICATION SYSTEM AMENDMENTS (<i>K. Mayne</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	166
Enacting Clause Stricken	1171
<b>S.B. 164 — PAROLE VIOLATOR CENTERS ALLOCATIONS (<i>L. Robles</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	194
Assigned to standing committee	210
Committee report adopted and placed on calendar	271
Read the second time	478
Read the third time	505
Transmitted to the House	506
Signed by the President and transmitted to the Governor	744
<b>S.B. 165 — PHYSICAL THERAPY PRACTICE ACT AMENDMENTS (<i>T. Weiler</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	213
Assigned to standing committee	231
Committee report adopted and placed on calendar	254
Read the second time	474
Read the third time	502
Transmitted to the House	502
Signed by the President and transmitted to the Governor	899
<b>S.B. 166 — HOSPITAL ASSESSMENT AMENDMENTS (<i>L. Hillyard</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	213
Assigned to standing committee	231
Read the second time and placed on Consent Calendar	254
Amendments	255
Placed on Second Reading Calendar	258
Read the second time	476
Substituted	476
Read the third time	503
Circled	503
Uncircled	506
Read the first, second, and third time	507
Transmitted to the House	507
Signed by the President and transmitted to the Governor	899

**S.B. 167 — ALCOHOLIC BEVERAGE CONTROL AMENDMENTS (*J. Valentine*)**  
 Read the first time by short title and referred to the Rules Committee. . . . . 213  
 Assigned to standing committee . . . . . 230  
 Amendments . . . . . 267  
 Committee report adopted and placed on calendar . . . . . 267  
 Read the second time . . . . . 477  
 Read the third time . . . . . 503  
 Transmitted to the House . . . . . 504  
 Enacting Clause Stricken . . . . . 1170

**S.B. 168 — CERTIFIED PUBLIC ACCOUNTANT LICENSING AMENDMENTS (*C. Bramble*)**  
 Read the first time by short title and referred to the Rules Committee. . . . . 213  
 Assigned to standing committee . . . . . 231  
 Committee report adopted and placed on calendar . . . . . 270  
 Read the second time . . . . . 477  
 Read the third time . . . . . 505  
 Transmitted to the House . . . . . 505  
 Signed by the President and transmitted to the Governor . . . . . 744

**S.B. 169 — EDUCATION TASK FORCE (*S. Reid*)**  
 Read the first time by short title and referred to the Rules Committee. . . . . 240  
 Assigned to standing committee . . . . . 252  
 Amendments . . . . . 283  
 Committee report adopted and placed on calendar . . . . . 283  
 Read the second time . . . . . 479  
 Read the third time . . . . . 506  
 Transmitted to the House . . . . . 506  
 Placed on Concurrence Calendar . . . . . 1063  
 Concurrence . . . . . 1064  
 Returned to the House . . . . . 1064  
 Signed by the President and transmitted to the Governor . . . . . 1086

**S.B. 170 — IDENTITY FRAUD AMENDMENTS (*D. Thatcher*)**  
 Read the first time by short title and referred to the Rules Committee. . . . . 240  
 Assigned to standing committee . . . . . 253  
 Committee report adopted and placed on calendar . . . . . 330  
 Read the second time . . . . . 525  
 Read the third time . . . . . 537  
 Transmitted to the House . . . . . 537  
 Signed by the President and transmitted to the Governor . . . . . 744

**S.B. 171 — SALES AND USE TAX EXEMPTION FOR ELECTRONIC FINANCIAL PAYMENT SERVICES (*H. Stephenson*)**  
 Read the first time by short title and referred to the Rules Committee. . . . . 240  
 Assigned to standing committee . . . . . 253  
 Committee report adopted and placed on calendar . . . . . 331  
 Read the second time . . . . . 526  
 Read the third time . . . . . 538  
 Transmitted to the House . . . . . 538  
 Signed by the President and transmitted to the Governor . . . . . 1071

**S.B. 172 — USE OF BOND PROCEEDS BY POLITICAL SUBDIVISIONS (*J. Valentine*)**  
 Read the first time by short title and referred to the Rules Committee. . . . . 240  
 Assigned to standing committee . . . . . 253  
 Committee report adopted and placed on calendar . . . . . 313  
 Read the second time . . . . . 520  
 Read the third time . . . . . 534  
 Transmitted to the House . . . . . 535  
 Placed on Concurrence Calendar . . . . . 1122  
 Concurrence . . . . . 1124  
 Returned to the House . . . . . 1124  
 Signed by the President and transmitted to the Governor . . . . . 1155

**S.B. 173 — RESIDENTIAL CONSTRUCTION CONTRACT AMENDMENTS (*J. S. Adams*)**  
 Read the first time by short title and referred to the Rules Committee. . . . . 333  
 Assigned to standing committee . . . . . 347  
 Read the second time and placed on Consent Calendar . . . . . 431  
 Read the third time . . . . . 497  
 Transmitted to the House . . . . . 497  
 Signed by the President and transmitted to the Governor . . . . . 744

**S.B. 174 — WARRANT COLLECTION AMENDMENTS (*S. Urquhart*)**  
 Read the first time by short title and referred to the Rules Committee. . . . . 257  
 Assigned to standing committee . . . . . 267  
 Returned to Rules . . . . . 812  
 Enacting Clause Stricken . . . . . 1171

**S.B. 175 — ASSESSMENT OF COLLEGE READINESS (*H. Stephenson*)**  
 Read the first time by short title and referred to the Rules Committee. . . . . 264  
 Assigned to standing committee . . . . . 281  
 Committee report adopted and placed on calendar . . . . . 326

Read the second time	523
Amendments	523
Read the third time	536
Transmitted to the House	536
Placed on Concurrence Calendar	1063
Concurrence	1064
Returned to the House	1065
Signed by the President and transmitted to the Governor	1087
<b>S.B. 176 — OFFICE OF PLANNING AND BUDGET RESTRUCTURING AMENDMENTS (<i>J. Stevenson</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	264
Assigned to standing committee	281
Amendments	363
Committee report adopted and placed on calendar	363
Read the second time	530
Circled	530, 541
Uncircled	531, 613
Read the third time	541
Transmitted to the House	614
Signed by the President and transmitted to the Governor	962
<b>S.B. 177 — HIGHWAY DESIGNATION AMENDMENTS (<i>S. Reid</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	273
Substituted	455
Assigned to standing committee	455
Committee report adopted and placed on calendar	723
Read the second time	859
Circled	859
Enacting Clause Stricken	1171
<b>S.B. 178 — DEPARTMENT OF TRANSPORTATION REVISIONS (<i>K. Van Tassell</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	273
Assigned to standing committee	282
Read the second time and placed on Consent Calendar	333
Read the third time	386
Transmitted to the House	387
Signed by the President and transmitted to the Governor	744
<b>S.B. 179 — LOCAL GOVERNMENT FINANCIAL REPORTING REVISIONS (<i>C. Bramble</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	273
Assigned to standing committee	281
Read the second time and placed on Consent Calendar	365
Read the third time	437
Transmitted to the House	438
Signed by the President and transmitted to the Governor	634
<b>S.B. 180 — PUBLIC UTILITIES AMENDMENTS (<i>K. Van Tassell</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	273
Assigned to standing committee	312
Amendments	331, 527
Committee report adopted and placed on calendar	331
Read the second time	527
Read the third time	539
Transmitted to the House	539
Signed by the President and transmitted to the Governor	769
<b>S.B. 181 — POLITICAL SUBDIVISIONS PROPERTY AMENDMENTS (<i>W. Harper</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	273
Assigned to standing committee	311
Amendments	426, 862, 885
Committee report adopted and placed on calendar	426
Read the second time	693
Circled	693
Uncircled	861
Substituted	861
Read the third time	885
Transmitted to the House	886
Enacting Clause Stricken	1170
<b>S.B. 182 — STORAGE UNIT AMENDMENTS (<i>J. S. Adams</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	287
Assigned to standing committee	311
Substituted	362, 714
Committee report adopted and placed on calendar	362
Read the second time	529
Circled	529, 733
Uncircled	713, 879
Read the third time	733
Amendments	879
Transmitted to the House	880
Signed by the President and transmitted to the Governor	962

<b>S.B. 183 — ADOPTION AGENCY MODIFICATIONS (<i>L. Robles</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	287
Assigned to standing committee	312
Substituted	555
Committee report adopted and placed on calendar	555
Read the second time	826
Read the third time	869
Circled	869
Uncircled	876
Transmitted to the House	876
Signed by the President and transmitted to the Governor	1121
<b>S.B. 184 — YOUTH SUICIDE PREVENTION REVISIONS (<i>L. Robles</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	313
Assigned to standing committee	325
Committee report adopted and placed on calendar	382
Read the second time	616
Read the third time	623
Circled	623, 686
Uncircled	686, 688
Substituted	688
Transmitted to the House	688
Enacting Clause Stricken	1170
<b>S.B. 185 — DIVISION OF OIL, GAS, AND MINING AMENDMENTS (<i>K. Van Tassell</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	313
Assigned to standing committee	325
Read the second time and placed on Consent Calendar	350
Read the third time	411
Transmitted to the House	411
Signed by the President and transmitted to the Governor	603
<b>S.B. 186 — INSURANCE TRANSACTIONS AMENDMENTS (<i>L. Robles</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	313
Assigned to standing committee	347
Amendments	426, 709
Committee report adopted and placed on calendar	426
Read the second time	633
Circled	633
Uncircled	708
Read the third time	731
Transmitted to the House	731
Signed by the President and transmitted to the Governor	1165
<b>S.B. 187 — FOOD HANDLER LICENSING AMENDMENTS (<i>C. Bramble</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	313
Assigned to standing committee	324
Substituted	401, 619
Amendments	401
Committee report adopted and placed on calendar	401
Read the second time	619
Read the third time	624
Circled	624
Uncircled	644
Transmitted to the House	645
Placed on Concurrence Calendar	901
Concurrence	917
Returned to the House	918
Signed by the President and transmitted to the Governor	942
<b>S.B. 188 — AMENDMENTS TO ADOPTION REQUIREMENTS (<i>T. Weiler</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	314
Assigned to standing committee	325
Returned to Rules	812
Enacting Clause Stricken	1171
<b>S.B. 189 — ONCOLOGY INSURANCE AMENDMENTS (<i>C. Bramble</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	314
Assigned to standing committee	324
Committee report adopted and placed on calendar	402
Read the second time	620
Substituted	620
Circled	620
Uncircled	625
Read the third time	685
Amendments	685, 689, 1052
Reconsidered	689
Before the Senate	689
Transmitted to the House	685, 689

Placed on Concurrence Calendar	964
Refuse to Concur	987
Refuse to Recede	1039
Joint Conference Committee Report	1052
Before the Senate	1053
Returned to the House	1053
Signed by the President and transmitted to the Governor	1087
<b>S.B. 190 — PROCUREMENT REVISIONS (<i>S. Jenkins</i>)</b>	
Read the first time by short title and referred to the Rules Committee	322
Assigned to standing committee	348
Committee report adopted and placed on calendar	364
Read the second time	530
Substituted	530, 596
Circled	530
Uncircled	570
Read the third time	596
Transmitted to the House	597
Placed on Concurrence Calendar	985
Concurrence	989
Returned to the House	990
Signed by the President and transmitted to the Governor	1022
<b>S.B. 191 — ADMINISTRATIVE LAW JUDGE AMENDMENTS (<i>W. Harper</i>)</b>	
Read the first time by short title and referred to the Rules Committee	333
Assigned to standing committee	348
Substituted	512
Amendments	512
Committee report adopted and placed on calendar	512
Read the second time	713
Read the third time	732
Amendments	732
Transmitted to the House	733
Signed by the President and transmitted to the Governor	1071, 1105
Returned to the House	1096
<b>S.B. 192 — ECONOMIC DEVELOPMENT INCENTIVES ACT AMENDMENTS (<i>R. Okerlund</i>)</b>	
Read the first time by short title and referred to the Rules Committee	333
Enacting Clause Stricken	1171
<b>S.B. 193 — VEHICLE REGISTRATION AMENDMENTS (<i>S. Jenkins</i>)</b>	
Read the first time by short title and referred to the Rules Committee	333
Assigned to standing committee	348
Read the second time and placed on Consent Calendar	382
Read the third time	458
Transmitted to the House	459
Signed by the President and transmitted to the Governor	1104
<b>S.B. 194 — PHARMACY PRACTICE ACT AMENDMENTS (<i>E. Vickers</i>)</b>	
Read the first time by short title and referred to the Rules Committee	345
Assigned to standing committee	379
Amendments	429, 694
Committee report adopted and placed on calendar	429
Read the second time	694
Substituted	694
Read the third time	728
Transmitted to the House	728
Signed by the President and transmitted to the Governor	984
<b>S.B. 195 — UTAH CHARITY CARE COMMISSION (<i>J. S. Adams</i>)</b>	
Read the first time by short title and referred to the Rules Committee	350
Assigned to standing committee	379
Returned to Rules	799
Enacting Clause Stricken	1171
<b>S.B. 196 — LICENSE PLATE READER AMENDMENTS (<i>T. Weiler</i>)</b>	
Read the first time by short title and referred to the Rules Committee	345
Assigned to standing committee	380
Substituted	556
Amendments	556, 827
Committee report adopted and placed on calendar	556
Read the second time	827
Read the third time	869
Circled	870
Uncircled	871
Transmitted to the House	871
Placed on Concurrence Calendar	1088
Concurrence	1090
Returned to the House	1091
Signed by the President and transmitted to the Governor	1121

**S.B. 197** — PRIVATE INVESTIGATORS QUALIFICATION AMENDMENTS (*M. Dayton*)

    Read the first time by short title and referred to the Rules Committee. . . . . 345

    Assigned to standing committee . . . . . 469

    Returned to Rules . . . . . 845

    Enacting Clause Stricken . . . . . 1171

**S.B. 198** — UTAH UNITRUST ACT (*L. Hillyard*)

    Read the first time by short title and referred to the Rules Committee. . . . . 365

    Assigned to standing committee . . . . . 509

    Read the second time and placed on Consent Calendar . . . . . 607

    Read the third time . . . . . 725

    Circled . . . . . 725

    Uncircled . . . . . 741

    Transmitted to the House . . . . . 742

    Signed by the President and transmitted to the Governor . . . . . 962

**S.B. 199** — ENERGY REVISIONS (*C. Bramble*)

    Read the first time by short title and referred to the Rules Committee. . . . . 365

    Assigned to standing committee . . . . . 379

    Placed on calendar . . . . . 616

    Read the second time . . . . . 617

    Intent Language . . . . . 617

    Enacting Clause Stricken . . . . . 617

**S.B. 200** — LOCAL AND SPECIAL SERVICE DISTRICTS AMENDMENTS (*J. Stevenson*)

    Read the first time by short title and referred to the Rules Committee. . . . . 366

    Assigned to standing committee . . . . . 379

    Substituted . . . . . 402, 708, 739

    Committee report adopted and placed on calendar . . . . . 402

    Read the second time . . . . . 629

    Circled . . . . . 629, 730

    Uncircled . . . . . 707, 739

    Read the third time . . . . . 730

    Transmitted to the House . . . . . 739

    Signed by the President and transmitted to the Governor . . . . . 1104

**S.B. 201** — PUBLIC USE TRAILS AMENDMENTS (*C. Bramble*)

    Read the first time by short title and referred to the Rules Committee. . . . . 366

    Assigned to standing committee . . . . . 379

    Committee report adopted and placed on calendar . . . . . 426

    Read the second time . . . . . 633

    Circled . . . . . 633

    Enacting Clause Stricken . . . . . 1172

**S.B. 202** — EXTENSIONS OF NATURAL GAS LINES (*R. Okertlund*)

    Read the first time by short title and referred to the Rules Committee. . . . . 383

    Enacting Clause Stricken . . . . . 1172

**S.B. 203** — PRESCRIPTION LABEL INFORMATION AND EDUCATION AMENDMENTS (*P. Jones*)

    Read the first time by short title and referred to the Rules Committee. . . . . 366

    Substituted . . . . . 425

    Assigned to standing committee . . . . . 425

    Amendments . . . . . 471

    Committee report adopted and placed on calendar . . . . . 471

    Read the second time . . . . . 707

    Read the third time . . . . . 729

    Transmitted to the House . . . . . 730

    Signed by the President and transmitted to the Governor . . . . . 1004

**S.B. 204** — JUDICIARY AMENDMENTS (*L. Hillyard*)

    Read the first time by short title and referred to the Rules Committee. . . . . 366

    Assigned to standing committee . . . . . 380

    Substituted . . . . . 514

    Read the second time and placed on Consent Calendar . . . . . 514

    Read the third time . . . . . 594

    Transmitted to the House . . . . . 594

    Signed by the President and transmitted to the Governor . . . . . 899

**S.B. 205** — CAMPAIGN FINANCE AMENDMENTS (*L. Robles*)

    Read the first time by short title and referred to the Rules Committee. . . . . 366

    Enacting Clause Stricken . . . . . 1172

**S.B. 206** — OFFICE OF MEDICAID INSPECTOR GENERAL AMENDMENTS (*A. Christensen*)

    Read the first time by short title and referred to the Rules Committee. . . . . 366

    Assigned to standing committee . . . . . 380

    Committee report adopted and placed on calendar . . . . . 431

    Read the second time . . . . . 703

    Amendments . . . . . 703

    Read the third time . . . . . 728

    Transmitted to the House . . . . . 729

    Enacting Clause Stricken . . . . . 1170

<b>S.B. 207 — REPEAL OF HEALTH AND HUMAN SERVICES REPORTS AND EXPIRED OR DISCONTINUED PROGRAMS (A. Christensen)</b>	
Read the first time by short title and referred to the Rules Committee.	383
Assigned to standing committee	399
Amendments	485, 709
Committee report adopted and placed on calendar	485
Read the second time	709
Read the third time	731
Transmitted to the House	731
Signed by the President and transmitted to the Governor	1155
<b>S.B. 208 — SOLAR PHOTOVOLTAIC CONTRACTOR LICENSE AMENDMENTS (E. Vickers)</b>	
Read the first time by short title and referred to the Rules Committee.	383
Assigned to standing committee	398
Committee report adopted and placed on calendar	552
Read the second time	720
Read the third time	737
Transmitted to the House	737
Signed by the President and transmitted to the Governor	1092
<b>S.B. 209 — GRANTS FOR PERSONAL MOBILE LEARNING DEVICES (A. Osmond)</b>	
Read the first time by short title and referred to the Rules Committee.	383
Assigned to standing committee	398
Amendments	753, 910
Committee report adopted and placed on calendar	753
Read the second time	896
Circled	896
Uncircled	910
Read the second and third times	910
Transmitted to the House	911
Enacting Clause Stricken	1170
<b>S.B. 210 — AMENDMENTS RELATED TO USE OF BUSINESS NAMES (T. Weiler)</b>	
Read the first time by short title and referred to the Rules Committee.	383
Assigned to standing committee	398
Returned to Rules	841
Enacting Clause Stricken	1172
<b>S.B. 211 — REDEVELOPMENT AGENCY AMENDMENTS (J. Stevenson)</b>	
Read the first time by short title and referred to the Rules Committee.	410
Assigned to standing committee	423
Substituted	581
Committee report adopted and placed on calendar	581
Read the second time	831
Circled	831
Uncircled	911
Amendments	912, 1140
Read the second and third times	912
Transmitted to the House	913
Placed on Concurrence Calendar	1105, 1138
Refuse to Concur	1106
Returned to the House	1106, 1141
Before the Senate	1140
Refuse to Recede	1119
Signed by the President and transmitted to the Governor	1155
<b>S.B. 212 — JUDICIAL CODE AMENDMENTS (R. Okerlund)</b>	
Read the first time by short title and referred to the Rules Committee.	410
Assigned to standing committee	424
Committee report adopted and placed on calendar	511
Read the second time	710
Circled	710, 860, 926
Uncircled	859, 926, 935
Amendments	935, 946
Read the third time	946
Transmitted to the House	947
Enacting Clause Stricken	1170
<b>S.B. 213 — EMPLOYER ASSOCIATION HEALTH PLAN AMENDMENTS (P. Knudson)</b>	
Read the first time by short title and referred to the Rules Committee.	410
Assigned to standing committee	424
Substituted	608
Read the second time and placed on Consent Calendar	608
Read the third time	727
Transmitted to the House	728
Signed by the President and transmitted to the Governor	962
<b>S.B. 214 — CONTINUING EDUCATION FOR PRESCRIPTION DRUGS (P. Jones)</b>	
Read the first time by short title and referred to the Rules Committee.	410
Assigned to standing committee	423



Substituted .....	470
Committee report adopted and placed on calendar .....	471
Read the second time .....	706
Amendments .....	706
Read the third time .....	729
Transmitted to the House .....	729
Signed by the President and transmitted to the Governor .....	1165
<b>S.B. 215 — PEACE OFFICER STANDARDS AND TRAINING CERTIFICATION AGE REQUIREMENT (L. Hillyard)</b>	
Read the first time by short title and referred to the Rules Committee .....	410
Assigned to standing committee .....	424
Read the second time and placed on Consent Calendar .....	558
Read the third time .....	678
Transmitted to the House .....	679
Signed by the President and transmitted to the Governor .....	1004
<b>S.B. 216 — WATER POLLUTION TASK FORCE (R. Okerlund)</b>	
Read the first time by short title and referred to the Rules Committee .....	410
Assigned to standing committee .....	424
Committee report adopted and placed on calendar .....	513
Read the second time .....	715
Circled .....	715
Enacting Clause Stricken .....	1172
<b>S.B. 217 — UTILITY LIABILITY LIMITS (T. Weiler)</b>	
Read the first time by short title and referred to the Rules Committee .....	410
Assigned to standing committee .....	551
Returned to Rules .....	841
Enacting Clause Stricken .....	1172
<b>S.B. 218 — RECEIVING CENTERS FUNDING AMENDMENTS (D. Thatcher)</b>	
Read the first time by short title and referred to the Rules Committee .....	410
Assigned to standing committee .....	424
Amendments .....	642
Read the second time and placed on Consent Calendar .....	642
Read the third time .....	776
Transmitted to the House .....	776
Signed by the President and transmitted to the Governor .....	1155
<b>S.B. 219 — DISASTER RECOVERY LIENS (S. Urquhart)</b>	
Read the first time by short title and referred to the Rules Committee .....	410
Assigned to standing committee .....	423
Substituted .....	553, 924
Committee report adopted and placed on calendar .....	553
Read the second time .....	720
Circled .....	720, 926
Uncircled .....	924, 930
Amendments .....	924
Read the second and third times .....	930, 937
Transmitted to the House .....	930, 937
Reconsidered .....	937
Enacting Clause Stricken .....	1170
<b>S.B. 220 — TRAFFIC CODE AMENDMENTS (P. Knudson)</b>	
Read the first time by short title and referred to the Rules Committee .....	432
Assigned to standing committee .....	454
Returned to Rules .....	847
Enacting Clause Stricken .....	1172
<b>S.B. 221 — ASSESSMENT AREA ACT AMENDMENTS (K. Van Tassel)</b>	
Read the first time by short title and referred to the Rules Committee .....	437
Assigned to standing committee .....	454
Amendments .....	511
Committee report adopted and placed on calendar .....	511
Read the second time .....	712
Read the third time .....	732
Transmitted to the House .....	732
Signed by the President and transmitted to the Governor .....	984
<b>S.B. 222 — TRANSPORTATION AMENDMENTS (W. Harper)</b>	
Read the first time by short title and referred to the Rules Committee .....	437
Assigned to standing committee .....	454
Read the second time and placed on Consent Calendar .....	493
Amendments .....	493
Read the third time .....	593
Transmitted to the House .....	594
Signed by the President and transmitted to the Governor .....	900
<b>S.B. 223 — STATE SENATE BOUNDARY AMENDMENTS (R. Okerlund)</b>	
Read the first time by short title and referred to the Rules Committee .....	494
Assigned to standing committee .....	509

	Read the second time and placed on Consent Calendar . . . . .	582
	Read the third time . . . . .	683
	Transmitted to the House . . . . .	684
	Signed by the President and transmitted to the Governor . . . . .	1087
<b>S.B. 224</b> — STATE BOARD OF EDUCATION BOUNDARY AMENDMENTS ( <i>R. Okerlund</i> )		
	Read the first time by short title and referred to the Rules Committee. . . . .	494
	Assigned to standing committee . . . . .	509
	Read the second time and placed on Consent Calendar . . . . .	582
	Read the third time . . . . .	684
	Transmitted to the House . . . . .	684
	Signed by the President and transmitted to the Governor . . . . .	1087
<b>S.B. 225</b> — IMMIGRATION TRIGGER DATES ( <i>C. Bramble</i> )		
	Read the first time by short title and referred to the Rules Committee. . . . .	457
	Assigned to standing committee . . . . .	469
	Committee report adopted and placed on calendar . . . . .	553
	Read the second time . . . . .	720
	Amendments . . . . .	721
	Read the third time . . . . .	737
	Transmitted to the House . . . . .	738
	Signed by the President and transmitted to the Governor . . . . .	1092
<b>S.B. 226</b> — SALES AND USE TAX AMENDMENTS ( <i>W. Harper</i> )		
	Read the first time by short title and referred to the Rules Committee. . . . .	457
	Assigned to standing committee . . . . .	470
	Amendments . . . . .	513
	Committee report adopted and placed on calendar . . . . .	513
	Read the second time . . . . .	716
	Amendments . . . . .	716
	Read the third time . . . . .	735
	Transmitted to the House . . . . .	736
	Enacting Clause Stricken . . . . .	1170
<b>S.B. 227</b> — PATIENT INFORMATION PROTECTION AMENDMENTS ( <i>S. Urquhart</i> )		
	Read the first time by short title and referred to the Rules Committee. . . . .	457
	Assigned to standing committee . . . . .	469
	Substituted . . . . .	755
	Referred to Rules for interim study . . . . .	755
	Enacting Clause Stricken . . . . .	1172
<b>S.B. 228</b> — PENALTIES FOR SPECIFIED JUVENILE OFFENSES ( <i>B. Shiozawa</i> )		
	Read the first time by short title and referred to the Rules Committee. . . . .	457
	Assigned to standing committee . . . . .	470
	Read the second time and placed on Consent Calendar . . . . .	559
	Read the third time . . . . .	679
	Transmitted to the House . . . . .	679
	Signed by the President and transmitted to the Governor . . . . .	962
<b>S.B. 229</b> — APPELLATE BOND FOR STATE ENTITIES ( <i>C. Bramble</i> )		
	Read the first time by short title and referred to the Rules Committee. . . . .	457
	Assigned to standing committee . . . . .	469
	Committee report adopted and placed on calendar . . . . .	553
	Read the second time . . . . .	825
	Substituted . . . . .	825
	Read the third time . . . . .	868
	Transmitted to the House . . . . .	869
	Signed by the President and transmitted to the Governor . . . . .	1022
<b>S.B. 230</b> — MINERS' HOSPITAL GRANTS AMENDMENTS ( <i>D. Hinkins</i> )		
	Read the first time by short title and referred to the Rules Committee. . . . .	457
	Assigned to standing committee . . . . .	469
	Read the second time and placed on Consent Calendar . . . . .	558
	Read the third time . . . . .	677
	Transmitted to the House . . . . .	678
	Signed by the President and transmitted to the Governor . . . . .	1104
<b>S.B. 231</b> — POLITICAL ACTION COMMITTEE AMENDMENTS ( <i>E. Vickers</i> )		
	Read the first time by short title and referred to the Rules Committee. . . . .	457
	Assigned to standing committee . . . . .	469
	Read the second time and placed on Consent Calendar . . . . .	582
	Read the third time . . . . .	684
	Transmitted to the House . . . . .	685
	Recalled . . . . .	755
	Enacting Clause Stricken . . . . .	1170
<b>S.B. 232</b> — ADOPTION CODE REVISIONS ( <i>T. Weiler</i> )		
	Read the first time by short title and referred to the Rules Committee. . . . .	472
	Assigned to standing committee . . . . .	509
	Amendments . . . . .	640, 835
	Committee report adopted and placed on calendar . . . . .	640

Read the second time	835
Read the third time	878
Transmitted to the House	879
Signed by the President and transmitted to the Governor	1121
<b>S.B. 233</b> — REQUEST FOR EMERGENCY MEDICAL ASSISTANCE AMENDMENTS ( <i>C. Bramble</i> )	
Read the first time by short title and referred to the Rules Committee.	472
Assigned to standing committee	509
Read the second time and placed on Consent Calendar	607
Read the third time	725
Transmitted to the House	726
Signed by the President and transmitted to the Governor	1104
<b>S.B. 234</b> — FIRE CODE AMENDMENTS ( <i>C. Bramble</i> )	
Read the first time by short title and referred to the Rules Committee.	472
Assigned to standing committee	509
Read the second time and placed on Consent Calendar	607
Read the third time	726
Transmitted to the House	726
Signed by the President and transmitted to the Governor	1155
<b>S.B. 235</b> — INTERSTATE MINING COMPACT ( <i>D. Hinkins</i> )	
Read the first time by short title and referred to the Rules Committee.	472
Assigned to standing committee	510
Read the second time and placed on Consent Calendar	559
Read the third time	681
Transmitted to the House	681
Signed by the President and transmitted to the Governor	1092
<b>S.B. 236</b> — UNINSURED AND UNDERINSURED MOTORIST COVERAGE AMENDMENTS ( <i>L. Hillyard</i> )	
Read the first time by short title and referred to the Rules Committee.	494
Assigned to standing committee	510
Committee report adopted and placed on calendar	557
Read the second time	829
Amendments	829, 870
Read the third time	870
Transmitted to the House	871
Intent language	871
Signed by the President and transmitted to the Governor	1087
<b>S.B. 237</b> — TAXATION OF SHORT-TERM LODGING ( <i>J. S. Adams</i> )	
Read the first time by short title and referred to the Rules Committee.	515
Assigned to standing committee	552
Amendments	671
Committee report adopted and placed on calendar	671
Read the second time	852
Circled	852
Enacting Clause Stricken	1172
<b>S.B. 238</b> — PROPERTY TAX AMENDMENTS ( <i>C. Bramble</i> )	
Read the first time by short title and referred to the Rules Committee.	495
Assigned to standing committee	510
Committee report adopted and placed on calendar	581
Read the second time	832
Circled	832
Uncircled	832
Substituted	832
Amendments	832
Read the third time	876
Transmitted to the House	877
Signed by the President and transmitted to the Governor	1155
<b>S.B. 239</b> — ALCOHOLIC BEVERAGE CONTROL ACT SAMPLING AMENDMENTS ( <i>J. Valentine</i> )	
Read the first time by short title and referred to the Rules Committee.	495
Assigned to standing committee	509
Committee report adopted and placed on calendar	605
Read the second time	832
Circled	832
Uncircled	833
Read the third time	877
Transmitted to the House	877
Enacting Clause Stricken	1170
<b>S.B. 240</b> — BILLBOARD AMENDMENTS ( <i>S. Urquhart</i> )	
Read the first time by short title and referred to the Rules Committee.	515
Assigned to standing committee	552
Returned to Rules	847
Enacting Clause Stricken	1172
<b>S.B. 241</b> — DISCLOSURE REQUIREMENTS FOR MIDTERM VACANCY CANDIDATES ( <i>T. Weiler</i> )	
Read the first time by short title and referred to the Rules Committee.	495
Assigned to standing committee	509

	Committee report adopted and placed on calendar	581
	Read the second time	831
	Read the third time	875
	Transmitted to the House	876
	Signed by the President and transmitted to the Governor	1071
<b>S.B. 242</b>	— HEALTH INSURANCE MARKET AMENDMENTS ( <i>L. Hillyard</i> )	
	Read the first time by short title and referred to the Rules Committee.	515
	Assigned to standing committee	580
	Amendments	672
	Committee report adopted and placed on calendar	672
	Read the second time	703
	Enacting Clause Stricken	703
<b>S.B. 243</b>	— BULLYING AND HAZING AMENDMENTS ( <i>L. Robles</i> )	
	Read the first time by short title and referred to the Rules Committee.	495
	Assigned to standing committee	509
	Returned to Rules	844
	Enacting Clause Stricken	1172
<b>S.B. 244</b>	— UTAH DEPARTMENT OF AGRICULTURE AND FOOD AMENDMENTS ( <i>D. Hinkins</i> )	
	Read the first time by short title and referred to the Rules Committee.	515
	Assigned to standing committee	552
	Substituted	673
	Committee report adopted and placed on calendar	673
	Read the second time	853
	Amendments	853
	Read the third time	882
	Transmitted to the House	882
	Signed by the President and transmitted to the Governor	1155
<b>S.B. 245</b>	— COURT FEES FOR POLITICAL SUBDIVISIONS ( <i>D. Thatcher</i> )	
	Read the first time by short title and referred to the Rules Committee.	534
	Assigned to standing committee	552
	Returned to Rules	812
	Enacting Clause Stricken	1172
<b>S.B. 246</b>	— VOLUNTEER WORKERS AMENDMENTS ( <i>S. Jenkins</i> )	
	Read the first time by short title and referred to the Rules Committee.	534
	Assigned to standing committee	551
	Amendments	807
	Committee report adopted and placed on calendar	807
	Read the second and third times	911
	Transmitted to the House	911
	Signed by the President and transmitted to the Governor	1087
<b>S.B. 247</b>	— AMENDMENTS TO REVENUE AND TAXATION ( <i>W. Harper</i> )	
	Read the first time by short title and referred to the Rules Committee.	534
	Assigned to standing committee	552
	Substituted	640
	Committee report adopted and placed on calendar	640
	Read the second time	851
	Amendments	851
	Read the third time	881
	Transmitted to the House	881
	Recalled	1045
	Reconsidered	1051
	Placed on calendar	1051
	Before the Senate	1051
	Read the first, second and third times	1051
	Transmitted to the House	1052
	Signed by the President and transmitted to the Governor	1156
<b>S.B. 248</b>	— ALCOHOLIC BEVERAGE CONTROL ACT AND SMALL MANUFACTURERS ( <i>J. Valentine</i> )	
	Read the first time by short title and referred to the Rules Committee.	534
	Assigned to standing committee	551
	Committee report adopted and placed on calendar	605
	Read the second time	834
	Amendments	834
	Read the third time	877
	Transmitted to the House	878
	Enacting Clause Stricken	1170
<b>S.B. 249</b>	— SALVAGE AND NONREPAIRABLE VEHICLE AMENDMENTS ( <i>S. Urquhart</i> )	
	Read the first time by short title and referred to the Rules Committee.	534
	Assigned to standing committee	551
	Committee report adopted and placed on calendar	671
	Read the second time	853
	Circled	853
	Uncircled	913

Substituted .....	913
Amendments .....	913
Read the second and third times .....	914
Transmitted to the House .....	914
Signed by the President and transmitted to the Governor .....	1093
<b>S.B. 250 — SALES AND USE TAX EXEMPTION FOR SALES OF A FUEL CELL (R. Okerlund)</b>	
Read the first time by short title and referred to the Rules Committee .....	560
Assigned to standing committee .....	580
Substituted .....	771
Committee report adopted and placed on calendar .....	771
Read the second time .....	903
Circled .....	903
Uncircled .....	909
Read the second and third times .....	909
Transmitted to the House .....	910
Signed by the President and transmitted to the Governor .....	984
<b>S.B. 251 — TRUTH IN ADVERTISING (B. Shiozawa)</b>	
Read the first time by short title and referred to the Rules Committee .....	561
Assigned to standing committee .....	580
Committee report adopted and placed on calendar .....	672
Read the second time .....	853
Circled .....	853
Enacting Clause Stricken .....	1172
<b>S.B. 252 — HOSPITAL CREDENTIALING AMENDMENTS (R. Okerlund)</b>	
Read the first time by short title and referred to the Rules Committee .....	561
Assigned to standing committee .....	580
Amendments .....	673
Committee report adopted and placed on calendar .....	673
Read the second time .....	703
Enacting Clause Stricken .....	703
<b>S.B. 253 — SALE OF DOGS AND CATS (G. Davis)</b>	
Read the first time by short title and referred to the Rules Committee .....	561
Assigned to standing committee .....	580
Returned to Rules .....	847
Enacting Clause Stricken .....	1172
<b>S.B. 254 — PENALTY FOR WELL DRILLING WITHOUT A LICENSE (W. Harper)</b>	
Read the first time by short title and referred to the Rules Committee .....	561
Assigned to standing committee .....	580
Committee report adopted and placed on calendar .....	674
Read the second time .....	854
Amendments .....	854
Read the third time .....	882
Transmitted to the House .....	882
Enacting Clause Stricken .....	1170
<b>S.B. 255 — HUMAN SERVICES AMENDMENTS (W. Harper)</b>	
Read the first time by short title and referred to the Rules Committee .....	561
Assigned to standing committee .....	580
Committee report adopted and placed on calendar .....	672
Read the second time .....	853
Circled .....	853
Uncircled .....	854
Amendments .....	855
Read the third time .....	883
Transmitted to the House .....	883
Signed by the President and transmitted to the Governor .....	1022
<b>S.B. 256 — PRECONSTRUCTION AND CONSTRUCTION LIENS AMENDMENTS (S. Jenkins)</b>	
Read the first time by short title and referred to the Rules Committee .....	561
Assigned to standing committee .....	580
Read the second time and placed on Consent Calendar .....	676
Read the third time .....	816
Transmitted to the House .....	817
Signed by the President and transmitted to the Governor .....	1165
<b>S.B. 257 — PERSONALIZED EDUCATOR EVALUATION TECHNOLOGY (J. S. Adams)</b>	
Read the first time by short title and referred to the Rules Committee .....	592
Assigned to standing committee .....	609
Committee report adopted and placed on calendar .....	700
Read the second time .....	855
Read the third time .....	883
Amendments .....	883
Transmitted to the House .....	884
Filed .....	1157

<b>S.B. 258</b> — RENAME UTAH STATE UNIVERSITY – COLLEGE OF EASTERN UTAH ( <i>D. Hinkins</i> )	
Read the first time by short title and referred to the Rules Committee.	583
Assigned to standing committee	609
Read the second time and placed on Consent Calendar	702
Read the third time	819
Transmitted to the House	820
Signed by the President and transmitted to the Governor	1121
<b>S.B. 259</b> — AMENDMENTS TO DISABILITY WAITING LIST ( <i>A. Christensen</i> )	
Read the first time by short title and referred to the Rules Committee.	592
Assigned to standing committee	609
Read the second time and placed on Consent Calendar	676
Read the third time	817
Transmitted to the House	817
Placed on Concurrence Calendar	964
Concurrence	988
Returned to the House	988
Signed by the President and transmitted to the Governor	1004
<b>S.B. 260</b> — EARLY CHILDHOOD EDUCATION PROGRAMS AMENDMENTS ( <i>S. Urquhart</i> )	
Read the first time by short title and referred to the Rules Committee.	592
Assigned to standing committee	609
Substituted	700
Committee report adopted and placed on calendar	700
Read the second time	856
Amendments	856
Circled	859, 1091
Uncircled	860, 1093
Read the third time	884
Transmitted to the House	885
Placed on Concurrence Calendar	1088
Before the Senate	1091
Placed on Concurrence Calendar	1093
Returned to the House	1094
Signed by the President and transmitted to the Governor	1121
<b>S.B. 261</b> — AMENDMENTS RELATED TO ALCOHOLIC BEVERAGE CONTROL ( <i>J. Valentine</i> )	
Read the first time by short title and referred to the Rules Committee.	610
Assigned to standing committee	636
Amendments	747, 892
Committee report adopted and placed on calendar	747
Read the second and third times	892
Transmitted to the House	895
Enacting Clause Stricken	1170
<b>S.B. 262</b> — EMPLOYMENT AND HOUSING ANTIDISCRIMINATION AMENDMENTS ( <i>S. Urquhart</i> )	
Read the first time by short title and referred to the Rules Committee.	593
Assigned to standing committee	609
Committee report adopted and placed on calendar	840
Read the second time	917
Circled	917
Enacting Clause Stricken	1172
<b>S.B. 263</b> — CHILD CARE COSTS AMENDMENTS ( <i>T. Weiler</i> )	
Read the first time by short title and referred to the Rules Committee.	610
Assigned to standing committee	637
Amendments	792
Committee report adopted and placed on calendar	792
Read the second time	903
Substituted	903
Read the second and third times	903
Transmitted to the House	904
Signed by the President and transmitted to the Governor	1165
<b>S.B. 264</b> — OFFICE OF RECOVERY SERVICES PILOT PROGRAM ( <i>A. Christensen</i> )	
Read the first time by short title and referred to the Rules Committee.	610
Assigned to standing committee	637
Returned to Rules	799
Enacting Clause Stricken	1172
<b>S.B. 265</b> — REFERENDUM AMENDMENTS ( <i>J. Valentine</i> )	
Read the first time by short title and referred to the Rules Committee.	610
Assigned to standing committee	636
Committee report adopted and placed on calendar	724
Read the second time	859
Substituted	859
Read the third time	884
Circled	884
Uncircled	938
Enacting Clause Stricken	938

**S.B. 266 — TAX REVISIONS (*J. Valentine*)**  
 Read the first time by short title and referred to the Rules Committee. . . . . 611  
 Assigned to standing committee . . . . . 638  
 Amendments . . . . . 847  
 Enacting Clause Stricken . . . . . 1172

**S.B. 267 — NEW CONVENTION HOTEL DEVELOPMENT INCENTIVE ACT (*J. S. Adams*)**  
 Read the first time by short title and referred to the Rules Committee. . . . . 611  
 Assigned to standing committee . . . . . 636  
 Amendments . . . . . 723  
 Committee report adopted and placed on calendar . . . . . 723  
 Read the second time . . . . . 859  
 Circled . . . . . 859  
 Uncircled . . . . . 923  
 Read the second and third times . . . . . 923  
 Amendments . . . . . 923  
 Transmitted to the House . . . . . 924  
 Filed . . . . . 1163

**S.B. 268 — HUMAN SERVICES BACKGROUND CHECKS AMENDMENTS (*A. Christensen*)**  
 Read the first time by short title and referred to the Rules Committee. . . . . 623  
 Assigned to standing committee . . . . . 637  
 Read the second time and placed on Consent Calendar . . . . . 676  
 Read the third time . . . . . 817  
 Transmitted to the House . . . . . 818  
 Signed by the President and transmitted to the Governor . . . . . 1104

**S.B. 269 — PROPERTY TAX REVISIONS (*J. Valentine*)**  
 Read the first time by short title and referred to the Rules Committee. . . . . 611  
 Assigned to standing committee . . . . . 638  
 Substituted . . . . . 771  
 Committee report adopted and placed on calendar . . . . . 771  
 Read the second and third times . . . . . 898  
 Transmitted to the House . . . . . 899  
 Signed by the President and transmitted to the Governor . . . . . 1165

**S.B. 270 — CONTROLLED SUBSTANCE AMENDMENTS (*E. Vickers*)**  
 Read the first time by short title and referred to the Rules Committee. . . . . 623  
 Assigned to standing committee . . . . . 637  
 Read the second time and placed on Consent Calendar . . . . . 676  
 Read the third time . . . . . 818  
 Transmitted to the House . . . . . 818  
 Signed by the President and transmitted to the Governor . . . . . 1087

**S.B. 271 — SCHOOL GRADING AMENDMENTS (*J. S. Adams*)**  
 Read the first time by short title and referred to the Rules Committee. . . . . 623  
 Assigned to standing committee . . . . . 636  
 Amendments . . . . . 754, 918  
 Committee report adopted and placed on calendar . . . . . 754  
 Read the second time . . . . . 896  
 Circled . . . . . 896, 1096  
 Uncircled . . . . . 918, 1109  
 Transmitted to the House . . . . . 922  
 Placed on Concurrence Calendar . . . . . 1095  
 Before the Senate . . . . . 1096  
 Concurrence . . . . . 1109  
 Returned to the House . . . . . 1110  
 Signed by the President and transmitted to the Governor . . . . . 1121

**S.B. 272 — PUBLIC SCHOOL FUNDING AMENDMENTS (*C. Bramble*)**  
 Read the first time by short title and referred to the Rules Committee. . . . . 623  
 Assigned to standing committee . . . . . 636  
 Substituted . . . . . 752  
 Committee report adopted and placed on calendar . . . . . 752  
 Read the second time . . . . . 895  
 Circled . . . . . 895  
 Uncircled . . . . . 904  
 Amendments . . . . . 904  
 Read the second and third times . . . . . 904  
 Transmitted to the House . . . . . 905  
 Signed by the President and transmitted to the Governor . . . . . 1156

**S.B. 273 — DECLARED EMERGENCY AMENDMENTS (*M. Madsen*)**  
 Read the first time by short title and referred to the Rules Committee. . . . . 623  
 Assigned to standing committee . . . . . 637  
 Returned to Rules . . . . . 812  
 Enacting Clause Stricken . . . . . 1172

**S.B. 274 — CONDOMINIUM FORECLOSURE AMENDMENTS (*S. Urquhart*)**  
 Read the first time by short title and referred to the Rules Committee. . . . . 623  
 Assigned to standing committee . . . . . 636

Committee report adopted and placed on calendar	752
Read the second time	895
Circled	895
Enacting Clause Stricken	1172
<b>S.B. 275 — ENERGY AMENDMENTS (<i>J. S. Adams</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	623
Assigned to standing committee	637
Amendments	793, 907
Committee report adopted and placed on calendar	793
Read the second and third times	907
Transmitted to the House	908
Placed on Concurrence Calendar	1088
Before the Senate	1091
Circled	1091
Uncircled	1140
Refuse to Concur	1140
Refuse to Recede	1151
Substituted	1163
Conference committee report adopted	1163
Before the Senate	1163
Returned to the House	1163
Signed by the President and transmitted to the Governor	1166
<b>S.B. 276 — WATER CONSERVANCY DISTRICT CAPITAL ASSETS (<i>J. Valentine</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	623
Assigned to standing committee	638
Committee report adopted and placed on calendar	794
Read the second and third times	908
Transmitted to the House	909
Signed by the President and transmitted to the Governor	1104
<b>S.B. 277 — GREEN RIVER ENERGY ZONE (<i>D. Hinkins</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	634
Assigned to standing committee	699
Substituted	794
Read the second time and placed on Consent Calendar	794
Placed on calendar	868
Read the second and third times	888
Transmitted to the House	888
Signed by the President and transmitted to the Governor	963
<b>S.B. 278 — CAPITAL IMPROVEMENT AMENDMENTS (<i>W. Harper</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	634
Assigned to standing committee	699
Committee report adopted and placed on calendar	724
Read the second time	888
Substituted	888
Read the second and third times	888
Transmitted to the House	889
Placed on Concurrence Calendar	1122, 1149
Before the Senate	1124
Circled	1124
Uncircled	1149
Returned to the House	1150
Signed by the President and transmitted to the Governor	1156
<b>S.B. 279 — MATH LITERACY – STEM INITIATIVE (<i>S. Urquhart</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	634
Assigned to standing committee	699
Committee report adopted and placed on calendar	810
Read the second and third times	915
Transmitted to the House	916
Enacting Clause Stricken	1170
<b>S.B. 280 — DISPENSING MEDICAL PRACTITIONER AMENDMENTS (<i>E. Vickers</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	634
Assigned to standing committee	699
Referred to Rules for interim study	755
Enacting Clause Stricken	1172
<b>S.B. 281 — DEBT COLLECTION INFORMATION AMENDMENTS (<i>C. Bramble</i>)</b>	
Read the first time by short title and referred to the Rules Committee.	677
Assigned to standing committee	698
Committee report adopted and placed on calendar	753
Read the second time	895
Circled	895
Uncircled	906
Read the second and third times	906
Amendments	906



Transmitted to the House .....	907
Signed by the President and transmitted to the Governor .....	1105
<b>S.B. 282 — ADOPTION NOTIFICATION REQUIREMENTS (<i>L. Robles</i>)</b>	
Read the first time by short title and referred to the Rules Committee. ....	677
Assigned to standing committee .....	699
Committee report adopted and placed on calendar .....	792
Read the second and third times .....	905
Transmitted to the House .....	906
Signed by the President and transmitted to the Governor .....	1156
<b>S.B. 283 — AVAILABILITY OF PUBLIC INFORMATION AMENDMENTS (<i>D. Henderson</i>)</b>	
Read the first time by short title and referred to the Rules Committee. ....	677
Assigned to standing committee .....	699
Amendments .....	809
Committee report adopted and placed on calendar .....	809
Read the second and third times .....	914
Transmitted to the House .....	915
Signed by the President and transmitted to the Governor .....	963
<b>S.B. 284 — EDUCATIONAL TECHNOLOGY AMENDMENTS (<i>J. Stevenson</i>)</b>	
Read the first time by short title and referred to the Rules Committee. ....	677
Assigned to standing committee .....	699
Committee report adopted and placed on calendar .....	798
Read the second time .....	909
Circled .....	909
Uncircled .....	934
Substituted .....	934
Read the second and third times .....	934
Transmitted to the House .....	934
Signed by the President and transmitted to the Governor .....	1089
<b>S.B. 285 — INVOLUNTARY CIVIL COMMITMENT INFORMATION AMENDMENTS (<i>D. Thatcher</i>)</b>	
Read the first time by short title and referred to the Rules Committee. ....	703
Assigned to standing committee .....	746
Amendments .....	809
Committee report adopted and placed on calendar .....	809
Read the second and third times .....	915
Transmitted to the House .....	915
Signed by the President and transmitted to the Governor .....	984
<b>S.B. 286 — EMPLOYEE LUNCH BREAK AMENDMENTS (<i>L. Robles</i>)</b>	
Read the first time by short title and referred to the Rules Committee. ....	722
Assigned to standing committee .....	746
Returned to Rules .....	845
Enacting Clause Stricken .....	1172
<b>S.B. 287 — ELEMENTARY EDUCATION COTEACHING (<i>J. Valentine</i>)</b>	
Read the first time by short title and referred to the Rules Committee. ....	755
Enacting Clause Stricken .....	1172
<b>S.B. 288 — UNIFORM AGRICULTURE COOPERATIVE ASSOCIATION ACT AMENDMENTS (<i>D. Hinkins</i>)</b>	
Read the first time by short title and referred to the Rules Committee. ....	768
Assigned to standing committee .....	771
Returned to Rules .....	842
Enacting Clause Stricken .....	1172
<b>S.B. 289 — ELECTION OFFENSE AMENDMENTS (<i>P. Knudson</i>)</b>	
Read the first time by short title and referred to the Rules Committee. ....	1088
Assigned to standing committee .....	1088
Committee report adopted and placed on calendar .....	1106
Read the second and third times .....	1110
Amendments .....	1106, 1111
Transmitted to the House .....	1111
Signed by the President and transmitted to the Governor .....	1156

<b>S.C.R. 1</b> — CONCURRENT RESOLUTION APPROVING SOLID WASTE FACILITY LANDFILL PERMIT ( <i>D. Hinkins</i> )	
Read the first time by short title and referred to the Rules Committee	257
Assigned to standing committee	267
Read the second time and placed on Consent Calendar	286
Read the third time	352
Transmitted to the House	353
Signed by the President and transmitted to the Governor	467
<b>S.C.R. 2</b> — CONCURRENT RESOLUTION RECOGNIZING WORKERS' COMPENSATION FUND FOR WORKPLACE SAFETY ( <i>K. Mayne</i> )	
Read the first time by short title and referred to the Rules Committee	89
Assigned to standing committee	97
Placed on Time Certain Calendar	126
Committee report adopted and placed on calendar	115
Read the second time	172
Read the third time	194
Transmitted to the House	195
Signed by the President and transmitted to the Governor	346
<b>S.C.R. 3</b> — THREATENED SPECIES DAMAGE AND MANAGEMENT PLAN CONCURRENT RESOLUTION ( <i>E. Vickers</i> )	
Read the first time by short title and referred to the Rules Committee	89
Assigned to standing committee	99
Committee report adopted and placed on calendar	115
Read the second time	177
Amendments	178
Read the third time	196
Transmitted to the House	197
Placed on Concurrence Calendar	398
Concurrence	439
Returned to the House	440
Signed by the President and transmitted to the Governor	467
<b>S.C.R. 4</b> — STANDING WITH ISRAEL CONCURRENT RESOLUTION ( <i>C. Bramble</i> )	
Read the first time by short title and referred to the Rules Committee	145
Assigned to standing committee	155
Committee report adopted and placed on calendar	232
Placed on Second Reading Calendar	289
Placed on Time Certain Calendar	240
Read the second time	480
Substituted	480
Placed on Time Certain Calendar	516
Read the third time	689
Transmitted to the House	690
Signed by the President and transmitted to the Governor	900
<b>S.C.R. 5</b> — CONCURRENT RESOLUTION EXPRESSING SUPPORT FOR ACHIEVING 66% BY 2020 GOAL ( <i>J. Stevenson</i> )	
Read the first time by short title and referred to the Rules Committee	158
Assigned to standing committee	168
Committee report adopted and placed on calendar	192
Read the second time	205
Circled	205, 279
Uncircled	278, 371
Substituted	279
Amendments	372, 387
Read the third time	387
Transmitted to the House	387
Placed on Concurrence Calendar	964
Concurrence	986
Reconsidered	988
Before the Senate	988
Read the first, second, and third time	988
Returned to the House	987, 989
Signed by the President and transmitted to the Governor	1022
<b>S.C.R. 6</b> — CONCURRENT RESOLUTION ON FEDERAL GAS TAX ( <i>D. Henderson</i> )	
Read the first time by short title and referred to the Rules Committee	257
Assigned to standing committee	267
Committee report adopted and placed on calendar	285
Read the second time	480
Read the third time	515
Transmitted to the House	516
Signed by the President and transmitted to the Governor	838
<b>S.C.R. 7</b> — CONCURRENT RESOLUTION TO REDUCE UTAH'S DEPENDENCE ON FEDERAL FUNDS ( <i>A. Osmond</i> )	
Read the first time by short title and referred to the Rules Committee	287
Assigned to standing committee	311
Read the second time and placed on Consent Calendar	456
Read the third time	562
Transmitted to the House	562
Signed by the President and transmitted to the Governor	770

**S.C.R. 8** — CONCURRENT RESOLUTION FOR THE PROVO RESERVOIR CANAL TITLE TRANSFER (*M. Dayton*)

Read the first time by short title and referred to the Rules Committee. . . . . 194

Assigned to standing committee . . . . . 210

Committee report adopted and placed on calendar . . . . . 234

Read the second time . . . . . 305

Read the third time . . . . . 314

Transmitted to the House . . . . . 314

Signed by the President and transmitted to the Governor . . . . . 452

**S.C.R. 9** — CONCURRENT RESOLUTION DESIGNATING A WEEK TO RECOGNIZE WORKPLACE SAFETY (*K. Mayne*)

Read the first time by short title and referred to the Rules Committee. . . . . 366

Assigned to standing committee . . . . . 398

Read the second time and placed on Consent Calendar . . . . . 456

Read the third time . . . . . 561

Transmitted to the House . . . . . 561

Signed by the President and transmitted to the Governor . . . . . 770

**S.C.R. 10** — CONCURRENT RESOLUTION REGARDING MONTICELLO MILL TAILINGS SITE (*D. Hinkins*)

Read the first time by short title and referred to the Rules Committee. . . . . 366

Assigned to standing committee . . . . . 399

Committee report adopted and placed on calendar . . . . . 513

Read the second time . . . . . 715

Read the third time . . . . . 734

Transmitted to the House . . . . . 735

Signed by the President and transmitted to the Governor . . . . . 1156

**S.C.R. 11** — CONCURRENT RESOLUTION ON RADON GAS (*J. Valentine*)

Read the first time by short title and referred to the Rules Committee. . . . . 472

Assigned to standing committee . . . . . 509

Substituted . . . . . 607

Amendments . . . . . 607

Read the second time and placed on Consent Calendar . . . . . 607

Read the third time . . . . . 726

Transmitted to the House . . . . . 727

Signed by the President and transmitted to the Governor . . . . . 1156

**S.C.R. 12** — CHILDREN'S AND FAMILIES' CANCER RESEARCH FACILITY CONCURRENT RESOLUTION (*J. S. Adams*)

Read the first time by short title and referred to the Rules Committee. . . . . 643

Assigned to standing committee . . . . . 699

Committee report adopted and placed on calendar . . . . . 840

Read the second and third times . . . . . 917

Transmitted to the House . . . . . 917

Signed by the President and transmitted to the Governor . . . . . 1156

<b>S.J.R. 1</b> — JOINT RULES RESOLUTION ON PERFORMANCE NOTES ( <i>J. Stevenson</i> )	
Read the first time by short title and referred to the Rules Committee.	89
Placed on calendar	100
Read the second time	150
Read the third time	159
Transmitted to the House	159
Signed by the President and transmitted to the Governor	251
<b>S.J.R. 2</b> — JOINT RESOLUTION REAPPOINTING LEGISLATIVE FISCAL ANALYST ( <i>W. Niederhauser</i> )	
Read the first time by short title and referred to the Rules Committee.	166
Assigned to standing committee	186
Committee report adopted and placed on calendar	211
Read the second time	224
Circled	224, 247
Uncircled	226, 248
Read the third time	247
Transmitted to the House	249
Signed by the President and transmitted to the Governor	806
<b>S.J.R. 3</b> — JOINT RULES RESOLUTION ON REQUESTS FOR LEGISLATION ( <i>A. Osmond</i> )	
Read the first time by short title and referred to the Rules Committee.	89
Substituted	640
Committee report adopted and placed on calendar	640
Read the second time	851
Read the third time	881
Transmitted to the House	881
Signed by the President and transmitted to the Governor	1087
<b>S.J.R. 4</b> — JOINT RESOLUTION ON ETHICS COMPLAINT PROCEDURES ( <i>L. Robles</i> )	
Read the first time by short title and referred to the Rules Committee.	89
Enacting Clause Stricken	1172
<b>S.J.R. 5</b> — JOINT RESOLUTION ON STATE SUPERINTENDENT OF PUBLIC INSTRUCTION ( <i>S. Reid</i> )	
Read the first time by short title and referred to the Rules Committee.	89
Assigned to standing committee	98
Committee report adopted and placed on calendar	754
Read the second time	898
Enacting Clause Stricken	898
<b>S.J.R. 6</b> — JOINT RULES RESOLUTION ON CIRCLED BILLS ( <i>A. Osmond</i> )	
Read the first time by short title and referred to the Rules Committee.	89
Enacting Clause Stricken	1172
<b>S.J.R. 7</b> — JOINT RULES RESOLUTION ON REVENUE ESTIMATES FOR FEDERAL FUNDS ( <i>W. Harper</i> )	
Read the first time by short title and referred to the Rules Committee.	101
Assigned to standing committee	113
Committee report adopted and placed on calendar	157
Read the second time	202
Read the third time	214
Transmitted to the House	215
Signed by the President and transmitted to the Governor	423
<b>S.J.R. 8</b> — JOINT RESOLUTION CONCERNING RAILROAD AND RAILROAD CROSSING SAFETY ( <i>K. Mayne</i> )	
Read the first time by short title and referred to the Rules Committee.	158
Assigned to standing committee	169
Substituted	350
Read the second time and placed on Consent Calendar	350
Read the third time	412
Transmitted to the House	413
Signed by the President and transmitted to the Governor	578
<b>S.J.R. 9</b> — JOINT RESOLUTION – JAIL CONTRACTING ( <i>M. Madsen</i> )	
Read the first time by short title and referred to the Rules Committee.	171
Assigned to standing committee	187
Returned to Rules	812
Enacting Clause Stricken	1172
<b>S.J.R. 10</b> — JOINT RESOLUTION ON THE PROTECTION OF THE GREATER CANYONLANDS REGION ( <i>J. Dabakis</i> )	
Read the first time by short title and referred to the Rules Committee.	207
Assigned to standing committee	231
Returned to Rules	799
Enacting Clause Stricken	1172
<b>S.J.R. 11</b> — JOINT RESOLUTION ON ENVIRONMENTAL AND DEVELOPMENTAL POLICIES ( <i>T. Weiler</i> )	
Read the first time by short title and referred to the Rules Committee.	213
Assigned to standing committee	230
Committee report adopted and placed on calendar	313
Read the second time	520
Read the third time	535
Transmitted to the House	535
Placed on Concurrence Calendar	771
Concurrence	814

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2013 GENERAL SESSION

SIXTIETH LEGISLATURE

**January 27 through March 14, 2013**





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Returned to the House	384
Signed by the President and returned to the House	436
<b>H.B. 70 — UTAH STATE RAILROAD MUSEUM AUTHORITY AMENDMENTS (J. Peterson)</b>	
Read the first time by short title and referred to Rules Committee	229
Assigned to standing committee	252
Amendments	272
Read the second time and placed on Consent Calendar	272
Read the third time	334
Returned to the House	335
Signed by the President and returned to the House	378
<b>H.B. 71 — MOBILE AND MANUFACTURED HOME AMENDMENTS (M. Roberts)</b>	
Read the first time by short title and referred to Rules Committee	265
Assigned to standing committee	281
Committee report adopted and placed on calendar	312
Read the second time	417
Read the third time	444
Signed by the President and returned to the House	444
<b>H.B. 72 — SAFE DRINKING WATER DISCLOSURE ACT (R. Barrus)</b>	
Read the first time by short title and referred to Rules Committee	208
Assigned to standing committee	231
Committee report adopted and placed on calendar	431
Read the second time	573
Circled	573
Uncircled	756
Read the third time	777
Signed by the President and returned to the House	778
<b>H.B. 73 — WATER EASEMENT AMENDMENTS (J. Mathis)</b>	
Read the first time by short title and referred to Rules Committee	208
Assigned to standing committee	231
Committee report adopted and placed on calendar	254
Read the second time	392
Read the third time	413
Signed by the President and returned to the House	413
<b>H.B. 74 — PROPERTY TAX MODIFICATIONS (J. Mathis)</b>	
Read the first time by short title and referred to Rules Committee	265
Assigned to standing committee	282
Amendments	330
Committee report adopted and placed on calendar	330
Read the second time	421
Read the third time	446
Returned to the House	447
Signed by the President and returned to the House	508

<b>H.B. 75</b> — OCCUPATIONAL AND PROFESSIONAL LICENSING AMENDMENTS ( <i>B. Greene</i> )	
Read the first time by short title and referred to Rules Committee	711
Placed on calendar	1003
Read the second time	1114
Substituted	1115
Read the second and third times	1115
Returned to the House	1115
Signed by the President and returned to the House	1157
<b>H.B. 76</b> — CONCEALED WEAPON CARRY AMENDMENTS ( <i>J. Mathis</i> )	
Read the first time by short title and referred to Rules Committee	603
Placed on calendar	939
Read the second time	947
Read the third time	1006
Circled	1006
Uncircled	1012
Signed by the President and returned to the House	1013
<b>H.B. 79</b> — MOTOR VEHICLE REGISTRATION AND INSURANCE AMENDMENTS ( <i>S. Handy</i> )	
Read the first time by short title and referred to Rules Committee	229
Assigned to standing committee	253
Committee report adopted and placed on calendar	284
Read the second time	417
Read the third time	443
Signed by the President and returned to the House	443
<b>H.B. 81</b> — CYTOMEGALOVIRUS PUBLIC HEALTH INITIATIVE ( <i>R. Menlove</i> )	
Read the first time by short title and referred to Rules Committee	310
Assigned to standing committee	325
Committee report adopted and placed on calendar	349
Read the second time	434
Tabled	435
Placed on calendar	983
Read the third time	992
Signed by the President and returned to the House	992
<b>H.B. 82</b> — ELECTIONS AND EARLY VOTING DURING A DECLARED EMERGENCY ( <i>R. Chavez–Houck</i> )	
Read the first time by short title and referred to Rules Committee	265
Assigned to standing committee	281
Committee report adopted and placed on calendar	363
Read the second time	546
Read the third time	567
Substituted	567
Returned to the House	568
Signed by the President and returned to the House	603
<b>H.B. 83</b> — SPEED LIMIT AMENDMENTS ( <i>J. Dunnigan</i> )	
Read the first time by short title and referred to Rules Committee	229
Assigned to standing committee	253
Committee report adopted and placed on calendar	284
Read the second time	417
Read the third time	443
Signed by the President and returned to the House	444
<b>H.B. 85</b> — VOTING RECOUNT AMENDMENTS ( <i>C. Hall</i> )	
Read the first time by short title and referred to Rules Committee	209
Assigned to standing committee	230
Committee report adopted and placed on calendar	326
Read the second time	420
Read the third time	445
Signed by the President and returned to the House	446
<b>H.B. 86</b> — PROPERTY TAX RATE CERTIFICATION DATE ( <i>M. Nelson</i> )	
Read the first time by short title and referred to Rules Committee	324
Assigned to standing committee	348
Read the second time and placed on Consent Calendar	642
Read the third time	776
Signed by the President and returned to the House	776
<b>H.B. 87</b> — ATTEMPTED AGGRAVATED MURDER AMENDMENTS ( <i>L. Perry</i> )	
Read the first time by short title and referred to Rules Committee	252
Assigned to standing committee	267
Amendments	328
Committee report adopted and placed on calendar	328
Read the second time	420
Circled	420
Uncircled	421
Read the third time	447
Returned to the House	447
Signed by the President and returned to the House	468
<b>H.B. 88</b> — LAND USE AMENDMENTS ( <i>M. Brown</i> )	
Read the first time by short title and referred to Rules Committee	943
Placed on calendar	1002
Read the second time	1077
Amendments	1077
Circled	1081, 1145



Uncircled .....	1145, 1152
Substituted .....	1145
Read the second and third times .....	1152
Returned to the House .....	1153
Signed by the President and returned to the House .....	1166
<b>H.B. 89 — JUDICIAL REVIEW OF PEACE OFFICER STANDARDS AND TRAINING ACTIONS (<i>M. Nelson</i>)</b>	
Read the first time by short title and referred to Rules Committee .....	378
Assigned to standing committee .....	399
Read the second time and placed on Consent Calendar .....	702
Read the third time .....	820
Signed by the President and returned to the House .....	820
<b>H.B. 90 — FISHING LICENSE WAIVER AMENDMENTS (<i>R. Chavez–Houck</i>)</b>	
Read the first time by short title and referred to Rules Committee .....	280
Assigned to standing committee .....	312
Read the second time and placed on Consent Calendar .....	332
Read the third time .....	385
Signed by the President and returned to the House .....	385
<b>H.B. 91 — VOTER REGISTRATION – ELECTION DAY VOTER REGISTRATION (<i>R. Chavez–Houck</i>)</b>	
Read the first time by short title and referred to Rules Committee .....	866
Placed on calendar .....	941
Read the second time .....	1074
Read the third time .....	1097
Circled .....	1097
Uncircled .....	1157
Amendments .....	1158
Failed .....	1159
Filed .....	1159
<b>H.B. 92 — FACTUAL INNOCENCE ASSISTANCE AMENDMENTS (<i>G. Froerer</i>)</b>	
Read the first time by short title and referred to Rules Committee .....	436
Assigned to standing committee .....	454
Committee report adopted and placed on calendar .....	700
Read the second time .....	767
Read the third time .....	787
Signed by the President and returned to the House .....	787
<b>H.B. 93 — TRAFFIC VIOLATIONS AMENDMENTS (<i>J. Peterson</i>)</b>	
Read the first time by short title and referred to Rules Committee .....	265
Assigned to standing committee .....	282
Substituted .....	349
Committee report adopted and placed on calendar .....	349
Read the second time .....	545
Circled .....	545
Uncircled .....	583
Read the third time .....	600
Returned to the House .....	600
Signed by the President and returned to the House .....	635
<b>H.B. 94 — FREE MARKET PROTECTION AND PRIVATIZATION BOARD ACT AMENDMENTS (<i>K. Stratton</i>)</b>	
Read the first time by short title and referred to Rules Committee .....	900
Placed on calendar .....	940
Read the second and third times .....	1046
Signed by the President and returned to the House .....	1046
<b>H.B. 95 — AMORTIZATION RATE CONTRIBUTION FOR REEMPLOYED RETIREES REVISIONS (<i>D. Sagers</i>)</b>	
Read the first time by short title and referred to Rules Committee .....	397
Assigned to standing committee .....	424
Read the second time and placed on Consent Calendar .....	456
Read the third time .....	562
Signed by the President and returned to the House .....	563
<b>H.B. 96 — CLEANER BURNING FUELS TAX CREDITS AMENDMENTS AND RELATED FUNDING (<i>J. Draxler</i>)</b>	
Read the first time by short title and referred to Rules Committee .....	591
Assigned to standing committee .....	610
Committee report adopted and placed on calendar .....	771
Placed on calendar .....	983
Read the second time .....	1000
Substituted .....	1000
Amendments .....	1001
Returned to the House .....	1002
Signed by the President and returned to the House .....	1048
<b>H.B. 99 — SUBMITTING GOVERNMENTAL REPORTS (<i>P. Arent</i>)</b>	
Read the first time by short title and referred to Rules Committee .....	468
Assigned to standing committee .....	509
Committee report adopted and placed on calendar .....	581
Read the second time .....	760
Read the third time .....	780
Signed by the President and returned to the House .....	780
<b>H.B. 100 — INTERNET PRIVACY AMENDMENTS (<i>S. Barlow</i>)</b>	
Read the first time by short title and referred to Rules Committee .....	453
Assigned to standing committee .....	470
Amendments .....	559
Read the second time and placed on Consent Calendar .....	559

	Read the third time	681
	Returned to the House	681
	Signed by the President and returned to the House	744
<b>H.B. 101</b>	— HOMEOWNERS ASSOCIATION AMENDMENTS ( <i>J. Stansard</i> )	
	Read the first time by short title and referred to Rules Committee	310
	Assigned to standing committee	324
	Substituted	431
	Read the second time and placed on Consent Calendar	431
	Read the third time	497
	Circled	497
	Uncircled	499
	Returned to the House	499
	Signed by the President and returned to the House	550
<b>H.B. 102</b>	— ARSON PENALTIES AMENDMENTS ( <i>L. Wiley</i> )	
	Read the first time by short title and referred to Rules Committee	484
	Assigned to standing committee	510
	Read the second time and placed on Consent Calendar	794
	Read the third time	943
	Signed by the President and returned to the House	944
<b>H.B. 103</b>	— WIRELESS TELEPHONE USE RESTRICTIONS ( <i>L. Perry</i> )	
	Read the first time by short title and referred to Rules Committee	484
	Assigned to standing committee	511
	Returned to Rules	847
	Placed on calendar	940
	Read the second time	970
	Circled	970
	Uncircled	973
	Failed	973
	Filed	973
	Reconsidered	1020
	Read the second and third times	1020
	Signed by the President and returned to the House	1020
<b>H.B. 104</b>	— WIRELESS CALL LOCATION INFORMATION ( <i>M. Wheatley</i> )	
	Read the first time by short title and referred to Rules Committee	436
	Assigned to standing committee	455
	Committee report adopted and placed on calendar	701
	Read the second time	801
	Amendments	849
	Read the third time	823
	Circled	823
	Uncircled	849
	Returned to the House	850
	Signed by the President and returned to the House	900
<b>H.B. 105</b>	— SERIOUS YOUTH OFFENDER AMENDMENTS ( <i>V. L. Snow</i> )	
	Read the first time by short title and referred to Rules Committee	550
	Assigned to standing committee	580
	Committee report adopted and placed on calendar	701
	Read the second time	796
	Circled	796
	Uncircled	800
	Tabled	805
	Placed on calendar	983
	Read the third time	993
	Signed by the President and returned to the House	993
<b>H.B. 106</b>	— MEDICAID INSPECTOR GENERAL AMENDMENTS ( <i>R. Wilcox</i> )	
	Read the first time by short title and referred to Rules Committee	533
	Assigned to standing committee	547
	Substituted	808, 887
	Committee report adopted and placed on calendar	808
	Read the second time	887
	Circled	888
	Uncircled	898
	Read the second and third time	898
	Returned to the House	898
	Signed by the President and returned to the House	907
<b>H.B. 107</b>	— HOSPITAL LIEN LAW AMENDMENTS ( <i>M. McKell</i> )	
	Read the first time by short title and referred to Rules Committee	453
	Assigned to standing committee	469
	Read the second time and placed on Consent Calendar	558
	Read the third time	678
	Signed by the President and returned to the House	678
<b>H.B. 108</b>	— METAL THEFT AMENDMENTS ( <i>J. Draxler</i> )	
	Read the first time by short title and referred to Rules Committee	453
	Assigned to standing committee	470
	Committee report adopted and placed on calendar	638
	Read the second time	763
	Read the third time	784
	Circled	784
	Uncircled	788
	Signed by the President and returned to the House	789

<b>H.B. 111</b> — EMINENT DOMAIN AMENDMENTS ( <i>L. Perry</i> )	
Read the first time by short title and referred to Rules Committee	621
Assigned to standing committee	637
Read the second time and placed on Consent Calendar	724
Read the third time	868
Signed by the President and returned to the House	868
<b>H.B. 112</b> — ASSESSMENT OF PROPERTY IF THREATENED OR ENDANGERED SPECIES IS PRESENT ( <i>M. Noel</i> )	
Read the first time by short title and referred to Rules Committee	468
Assigned to standing committee	510
Read the second time and placed on Consent Calendar	559
Read the third time	680
Signed by the President and returned to the House	680
<b>H.B. 113</b> — COUNTY GOVERNING BODY AUTHORITY ( <i>S. Handy</i> )	
Read the first time by short title and referred to Rules Committee	437
Assigned to standing committee	454
Committee report adopted and placed on calendar	511
Read the second time	588
Read the third time	614
Signed by the President and returned to the House	614
<b>H.B. 114</b> — SECOND AMENDMENT PRESERVATION ACT ( <i>B. Greene</i> )	
Read the first time by short title and referred to Rules Committee	837
Enacting Clause Stricken	1169
<b>H.B. 115</b> — TOWING AMENDMENTS ( <i>K. Stratton</i> )	
Read the first time by short title and referred to Rules Committee	744
Placed on calendar	1002
Read the second and third times	1083
Signed by the President and returned to the House	1083
<b>H.B. 116</b> — SUDDEN CARDIAC ARREST SURVIVAL ACT AMENDMENTS ( <i>R. Cunningham</i> )	
Read the first time by short title and referred to Rules Committee	484
Assigned to standing committee	510
Committee report adopted and placed on calendar	605
Read the second time	761
Read the third time	781
Signed by the President and returned to the House	782
<b>H.B. 117</b> — REGULATION OF TATTOO INDUSTRY ( <i>J. Stanard</i> )	
Read the first time by short title and referred to Rules Committee	508
Assigned to standing committee	551
Committee report adopted and placed on calendar	606
Read the second time	761
Read the third time	783
Signed by the President and returned to the House	783
<b>H.B. 118</b> — AUTOMATIC EXTERNAL DEFIBRILLATOR RESTRICTED ACCOUNT ( <i>R. Cunningham</i> )	
Read the first time by short title and referred to Rules Committee	484
Assigned to standing committee	510
Committee report adopted and placed on calendar	606
Read the second time	762
Tabled	762
Placed on calendar	983
Read the third time	993
Circled	993
Uncircled	996
Amendments	996
Returned to the House	998
Signed by the President and returned to the House	1048
<b>H.B. 119</b> — FIRE PREVENTION AMENDMENTS ( <i>J. Seelig</i> )	
Read the first time by short title and referred to Rules Committee	468
Assigned to standing committee	509
Read the second time and placed on Consent Calendar	607
Read the third time	725
Signed by the President and returned to the House	725
<b>H.B. 120</b> — INFORMATION ON PHARMACEUTICAL PRODUCTS ( <i>P. Ray</i> )	
Read the first time by short title and referred to Rules Committee	790
Placed on calendar	939
Read the second time	953
Read the third time	1011
Signed by the President and returned to the House	1011
<b>H.B. 121</b> — FIREARMS SAFE HARBOR ( <i>D. Pitcher</i> )	
Read the first time by short title and referred to Rules Committee	533
Assigned to standing committee	552
Returned to Rules	811
Placed on calendar	940
Read the second and third times	1069
Signed by the President and returned to the House	1069
<b>H.B. 124</b> — RADIATION CONTROL AMENDMENTS ( <i>B. Dee</i> )	
Read the first time by short title and referred to Rules Committee	550
Assigned to standing committee	580
Committee report adopted and placed on calendar	701

Read the second time	799
Circled	799
Uncircled	965
Read the third time	1017
Signed by the President and returned to the House	1018
<b>H.B. 125 — INTERSTATE LOCAL EMERGENCY RESPONSE ACT (C. Oda)</b>	
Read the first time by short title and referred to Rules Committee	453
Assigned to standing committee	469
Read the second time and placed on Consent Calendar	582
Read the third time	682
Signed by the President and returned to the House	682
<b>H.B. 126 — OFF-HIGHWAY VEHICLE USER FEE AMENDMENTS (S. Cox)</b>	
Read the first time by short title and referred to Rules Committee	508
Assigned to standing committee	552
Read the second time and placed on Consent Calendar	703
Read the third time	821
Signed by the President and returned to the House	822
<b>H.B. 127 — MOTOR VEHICLE EVENT DATA RECORDERS (D. Lifferth)</b>	
Read the first time by short title and referred to Rules Committee	621
Assigned to standing committee	638
Amendments	797, 957
Committee report adopted and placed on calendar	940
Placed on calendar	957
Read the second time	957
Read the third time	1013
Returned to the House	1014
Signed by the President and returned to the House	1048
<b>H.B. 128 — DRIVER LICENSE SUSPENSION MODIFICATIONS (D. Sagers)</b>	
Read the first time by short title and referred to Rules Committee	550
Assigned to standing committee	581
Committee report adopted and placed on calendar	701
Read the second time	801
Read the third time	823
Signed by the President and returned to the House	823
<b>H.B. 129 — AMENDMENTS TO POWERS, FUNCTIONS, AND DUTIES OF OFFICE OF LEGISLATIVE FISCAL ANALYST (B. Wilson)</b>	
Read the first time by short title and referred to Rules Committee	579
Assigned to standing committee	609
Committee report adopted and placed on calendar	638
Read the second time	764
Read the third time	784
Circled	784
Uncircled	795
Signed by the President and returned to the House	796
<b>H.B. 130 — BOUNDARY ADJUSTMENT AMENDMENTS (M. Brown)</b>	
Read the first time by short title and referred to Rules Committee	670
Assigned to standing committee	699
Returned to Rules	844
Placed on calendar	1002
Read the second and third times	1114
Signed by the President and returned to the House	1114
<b>H.B. 131 — CONSTITUTIONAL AND FEDERALISM DEFENSE ACT (K. Ivory)</b>	
Read the first time by short title and referred to Rules Committee	621
Assigned to standing committee	637
Committee report adopted and placed on calendar	723
Read the second time	802
Circled	802, 837
Uncircled	837, 861
Read the third time	885
Signed by the President and returned to the House	885
<b>H.B. 134 — PARENTAL NOTIFICATION RELATED TO STUDENT SAFETY (G. Froerer)</b>	
Read the first time by short title and referred to Rules Committee	603
Assigned to standing committee	636
Returned to Rules	842
Placed on calendar	940
Read the second time	967
Substituted	967, 1018
Read the third time	1018
Returned to the House	1018
Signed by the President and returned to the House	1071
<b>H.B. 135 — MEDICAL MALPRACTICE AMENDMENTS (D. Sanpei)</b>	
Read the first time by short title and referred to Rules Committee	508
Assigned to standing committee	551
Committee report adopted and placed on calendar	606
Read the second time	762
Read the third time	783
Circled	783
Uncircled	789
Signed by the President and returned to the House	789

**H.B. 139** — SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS ACTION CENTER (*V. Peterson*)

Read the first time by short title and referred to Rules Committee . . . . . 591

Assigned to standing committee . . . . . 609

Returned to Rules . . . . . 842

Placed on calendar . . . . . 983

Read the second time . . . . . 1024

Circled . . . . . 1024

Uncircled . . . . . 1058

Substituted . . . . . 1058

Read the second and third times . . . . . 1058

Returned to the House . . . . . 1058

Signed by the President and returned to the House . . . . . 1087

**H.B. 140** — CONSUMER–FOCUSED HEALTH DELIVERY AND PAYMENT DEMONSTRATION PROJECT (*S. Barlow*)

Read the first time by short title and referred to Rules Committee . . . . . 902

Placed on calendar . . . . . 940

Read the second time . . . . . 959

Read the third time . . . . . 1015

Signed by the President and returned to the House . . . . . 1016

**H.B. 141** — MEDICAID EMERGENCY ROOM AND PRIMARY CARE AMENDMENTS (*M. Kennedy*)

Read the first time by short title and referred to Rules Committee . . . . . 635

Assigned to standing committee . . . . . 699

Committee report adopted and placed on calendar . . . . . 808

Placed on calendar . . . . . 939

Read the second time . . . . . 948

Amendments . . . . . 948

Read the third time . . . . . 1007

Returned to the House . . . . . 1007

Signed by the President and returned to the House . . . . . 1048

**H.B. 142** — PUBLIC LANDS POLICY COORDINATING OFFICE AMENDMENTS (*R. Barrus*)

Read the first time by short title and referred to Rules Committee . . . . . 550

Assigned to standing committee . . . . . 580

Committee report adopted and placed on calendar . . . . . 672

Read the second time . . . . . 766

Read the third time . . . . . 785

Circled . . . . . 785

Uncircled . . . . . 788

Signed by the President and returned to the House . . . . . 788

**H.B. 144** — PUBLIC TRANSIT DISTRICT BOARD AMENDMENTS (*M. Nelson*)

Read the first time by short title and referred to Rules Committee . . . . . 670

Assigned to standing committee . . . . . 700

Substituted . . . . . 798

Read the second time and placed on Consent Calendar . . . . . 798

Read the third time . . . . . 945

Returned to the House . . . . . 945

Signed by the President and returned to the House . . . . . 1048

**H.B. 145** — YOUTH DEVELOPMENT ORGANIZATION RESTRICTED ACCOUNT AND INCOME TAX CONTRIBUTION (*S. Eliason*)

Read the first time by short title and referred to Rules Committee . . . . . 591

Assigned to standing committee . . . . . 610

Substituted . . . . . 808

Committee report adopted and placed on calendar . . . . . 808

Placed on calendar . . . . . 940

Read the second time . . . . . 1058

Amendments . . . . . 1058

Read the first, second and third times . . . . . 1060

Returned to the House . . . . . 1060

Signed by the President and returned to the House . . . . . 1089

**H.B. 146** — HEALTH CARE PROVIDER AMENDMENTS (*F. Gibson*)

Read the first time by short title and referred to Rules Committee . . . . . 837

Placed on calendar . . . . . 939

Read the second time . . . . . 948

Read the third time . . . . . 1007

Circled . . . . . 1007

Uncircled . . . . . 1009

Signed by the President and returned to the House . . . . . 1010

**H.B. 147** — UTAH MARRIAGE COMMISSION (*L. Christensen*)

Read the first time by short title and referred to Rules Committee . . . . . 604

Assigned to standing committee . . . . . 637

Committee report adopted and placed on calendar . . . . . 754

Read the second time . . . . . 804

Tabled . . . . . 805

Placed on calendar . . . . . 983

Read the third time . . . . . 993

Signed by the President and returned to the House . . . . . 994

**H.B. 149** — AMENDMENTS TO UTAH EXEMPTIONS ACT (*E. Tanner*)

Read the first time by short title and referred to Rules Committee . . . . . 622

Assigned to standing committee . . . . . 637

Amendments . . . . . 791, 1074

Committee report adopted and placed on calendar . . . . . 791

Placed on calendar	941
Read the second time	1074
Read the third time	1098
Returned to the House	1098
Signed by the President and returned to the House	1154
<b>H.B. 150 — ANIMAL SHELTER AMENDMENTS (<i>A. Romero</i>)</b>	
Read the first time by short title and referred to Rules Committee	670
Placed on calendar	1002
Read the second time	1101
Circled	1101
Enacting Clause Stricken	1169
<b>H.B. 152 — PARENT-TIME RESTRICTION AMENDMENTS (<i>C. Hall</i>)</b>	
Read the first time by short title and referred to Rules Committee	902
Placed on calendar	939
Read the second time	949
Read the third time	1008
Signed by the President and returned to the House	1008
<b>H.B. 154 — SUICIDE PREVENTION PROGRAMS (<i>S. Eliason</i>)</b>	
Read the first time by short title and referred to Rules Committee	622
Assigned to standing committee	637
Committee report adopted and placed on calendar	754
Read the second time	805
Tabled	805
Placed on calendar	983
Read the third time	994
Amendments	994
Returned to the House	995
Signed by the President and returned to the House	1048
<b>H.B. 155 — FEDERAL LAW ENFORCEMENT AMENDMENTS (<i>M. Noel</i>)</b>	
Read the first time by short title and referred to Rules Committee	670
Placed on calendar	939
Read the second time	953
Read the third time	1010
Signed by the President and returned to the House	1011
<b>H.B. 156 — RESTORATION OF TERMINATED PARENTAL RIGHTS (<i>L. Christensen</i>)</b>	
Read the first time by short title and referred to Rules Committee	806
Placed on calendar	983
Read the second time	1024
Circled	1024
Uncircled	1041
Substituted	1042, 1153
Amendments	1042
Read the third time	1096
Amendments	1096
Returned to the House	1097
Refuse to Recede	1138
Before the Senate	1153
Returned to the House	1154
Signed by the President and returned to the House	1164
<b>H.B. 157 — CHILDREN'S HEARING AID PILOT PROGRAM (<i>R. Edwards</i>)</b>	
Read the first time by short title and referred to Rules Committee	796
Placed on calendar	983
Read the second time	1025
Read the third time	1053
Signed by the President and returned to the House	1054
<b>H.B. 158 — CONSUMER CREDIT PROTECTION AMENDMENTS (<i>P. Ray</i>)</b>	
Read the first time by short title and referred to Rules Committee	697
Assigned to standing committee	746
Returned to Rules	812
Enacting Clause Stricken	1169
<b>H.B. 160 — HEALTH SYSTEM REFORM AMENDMENTS (<i>J. Dumnigan</i>)</b>	
Read the first time by short title and referred to Rules Committee	900
Placed on calendar	984
Read the second time	1025
Amendments	1025
Read the second and third times	1026
Returned to the House	1027
Signed by the President and returned to the House	1072
<b>H.B. 163 — HUMAN TRAFFICKING AMENDMENTS (<i>J. Seelig</i>)</b>	
Read the first time by short title and referred to Rules Committee	922
Placed on calendar	939
Read the second time	949
Read the third time	1007
Signed by the President and returned to the House	1008
<b>H.B. 164 — STATE AND POLITICAL SUBDIVISION JURISDICTIONAL AMENDMENTS (<i>M. Roberts</i>)</b>	
Read the first time by short title and referred to Rules Committee	866
Placed on calendar	939
Read the second time	954

Circled .....	954, 1013
Uncircled .....	955, 1108
Read the third time .....	1013
Substituted .....	1109
Returned to the House .....	1109
Signed by the President and returned to the House .....	1154
<b>H.B. 165 — BACKGROUND CHECKS FOR CHILD CARE WORKERS (<i>T. Cosgrove</i>)</b>	
Read the first time by short title and referred to Rules Committee .....	943
Placed on calendar .....	984
Read the second and third times .....	1027
Signed by the President and returned to the House .....	1027
<b>H.B. 166 — WATER RIGHTS AMENDMENTS (<i>K. Ivory</i>)</b>	
Read the first time by short title and referred to Rules Committee .....	864
Placed on calendar .....	939
Read the second time .....	950
Read the third time .....	1009
Signed by the President and returned to the House .....	1009
<b>H.B. 168 — AIR QUALITY MITIGATION BY GOVERNMENT ENTITIES (<i>P. Arent</i>)</b>	
Read the first time by short title and referred to Rules Committee .....	922
Placed on calendar .....	939
Read the second time .....	954
Circled .....	954
Uncircled .....	954
Read the third time .....	1012
Signed by the President and returned to the House .....	1012
<b>H.B. 170 — DEOXYRIBONUCLEIC ACID COLLECTION AND RETENTION AMENDMENTS (<i>S. Eliason</i>)</b>	
Read the first time by short title and referred to Rules Committee .....	922
Placed on calendar .....	1003
Read the second and third times .....	1132
Signed by the President and returned to the House .....	1133
<b>H.B. 172 — PUBLIC SAFETY RADIO COMMUNICATION AMENDMENTS (<i>B. Dee</i>)</b>	
Read the first time by short title and referred to Rules Committee .....	866
Placed on calendar .....	939
Read the second time .....	949
Circled .....	949
Uncircled .....	966
Amendments .....	966
Read the second and third times .....	967
Returned to the House .....	967
Senate Receded .....	1049
Signed by the President and returned to the House .....	1050
<b>H.B. 173 — NECESSARILY EXISTENT SMALL SCHOOLS FUNDING AMENDMENTS (<i>K. Powell</i>)</b>	
Read the first time by short title and referred to Rules Committee .....	604
Assigned to standing committee .....	636
Committee report adopted and placed on calendar .....	753
Read the second time .....	804
Read the third time .....	824
Signed by the President and returned to the House .....	825
<b>H.B. 175 — LOCAL POLITICAL SUBDIVISION BONDING NOTICE REQUIREMENTS (<i>J. Knotwell</i>)</b>	
Read the first time by short title and referred to Rules Committee .....	901
Placed on calendar .....	940
Read the second and third times .....	1062
Signed by the President and returned to the House .....	1063
<b>H.B. 176 — UTAH INDUSTRIAL FACILITIES AND DEVELOPMENT ACT AMENDMENTS (<i>D. Brown</i>)</b>	
Read the first time by short title and referred to Rules Committee .....	922
Placed on calendar .....	1003
Read the second and third times .....	1135
Signed by the President and returned to the House .....	1136
<b>H.B. 192 — COUNTY CLERK MISCONDUCT PENALTY (<i>D. Layton</i>)</b>	
Read the first time by short title and referred to Rules Committee .....	622
Assigned to standing committee .....	637
Returned to Rules .....	844
Placed on calendar .....	939
Read the second time .....	950
Read the third time .....	1008
Signed by the President and returned to the House .....	1009
<b>H.B. 193 — UTAH STATE EMPLOYMENT AMENDMENTS (<i>B. Dee</i>)</b>	
Read the first time by short title and referred to Rules Committee .....	533
Assigned to standing committee .....	551
Returned to Rules .....	844
Placed on calendar .....	940
Read the second and third times .....	1062
Signed by the President and returned to the House .....	1062
<b>H.B. 194 — STATE EMPLOYEE BENEFITS AMENDMENTS (<i>J. Dunnigan</i>)</b>	
Read the first time by short title and referred to Rules Committee .....	508
Assigned to standing committee .....	551
Committee report adopted and placed on calendar .....	639

Read the second time	764
Circled	764
Uncircled	768
Read the third time	795
Signed by the President and returned to the House	795
<b>H.B. 195</b> — BUDGETARY PROCEDURES ACT REVISIONS ( <i>K. Ivory</i> )	
Read the first time by short title and referred to Rules Committee	484
Assigned to standing committee	509
Read the second time and placed on Consent Calendar	582
Read the third time	682
Signed by the President and returned to the House	683
<b>H.B. 197</b> — EARNED INCOME TAX CREDIT AND RELATED FUNDING ( <i>E. Hutchings</i> )	
Read the first time by short title and referred to Rules Committee	943
Enacting Clause Stricken	1169
<b>H.B. 198</b> — AGING AND ADULT SERVICES AMENDMENTS ( <i>B. Last</i> )	
Read the first time by short title and referred to Rules Committee	378
Assigned to standing committee	399
Read the second time and placed on Consent Calendar	493
Read the third time	593
Signed by the President and returned to the House	593
<b>H.B. 200</b> — REVISOR'S STATUTE ( <i>B. Dee</i> )	
Read the first time by short title and referred to Rules Committee	533
Assigned to standing committee	551
Returned to Rules	844
Placed on calendar	1133
Read the second time	1133
Circled	1133
Uncircled	1142
Read the second and third times	1142
Signed by the President and returned to the House	1142
<b>H.B. 201</b> — STATE BOARD OF EDUCATION LEADERSHIP AMENDMENTS ( <i>S. Eliason</i> )	
Read the first time by short title and referred to Rules Committee	453
Assigned to standing committee	469
Read the second time and placed on Consent Calendar	701
Read the third time	819
Signed by the President and returned to the House	819
<b>H.B. 202</b> — ENERGY CONSERVATION CODE AMENDMENTS ( <i>B. Wilson</i> )	
Read the first time by short title and referred to Rules Committee	579
Assigned to standing committee	609
Amendments	674
Read the second time and placed on Consent Calendar	674
Read the third time	815
Returned to the House	815, 929
Signed by the President and returned to the House	900, 942
<b>H.B. 204</b> — ELECTION AMENDMENTS ( <i>S. Eliason</i> )	
Read the first time by short title and referred to Rules Committee	591
Assigned to standing committee	609
Committee report adopted and placed on calendar	639
Read the second time	764
Substituted	765
Circled	765
Uncircled	766
Read the third time	785
Amendments	785
Returned to the House	786
Signed by the President and returned to the House	838
<b>H.B. 205</b> — CONTINGENCY PLANS FOR POLITICAL SUBDIVISIONS ( <i>K. Ivory</i> )	
Read the first time by short title and referred to Rules Committee	533
Assigned to standing committee	551
Committee report adopted and placed on calendar	639
Read the second time	765
Read the third time	784
Signed by the President and returned to the House	785
<b>H.B. 206</b> — INTERNET SAFETY FOR PUBLIC SCHOOLS ( <i>E. Hutchings</i> )	
Read the first time by short title and referred to Rules Committee	508
Assigned to standing committee	551
Returned to Rules	842
Enacting Clause Stricken	1169
<b>H.B. 209</b> — PUBLIC ASSISTANCE RESTRICTIONS ( <i>D. Brown</i> )	
Read the first time by short title and referred to Rules Committee	591
Assigned to standing committee	609
Committee report adopted and placed on calendar	638
Read the second time	764
Circled	764
Uncircled	767
Read the third time	787
Signed by the President and returned to the House	788



<b>H.B. 210</b> — MOTOR VEHICLE EMISSION AMENDMENTS ( <i>E. Redd</i> )	
Read the first time by short title and referred to Rules Committee	533
Assigned to standing committee	552
Committee report adopted and placed on calendar	701
Read the second time	802
Circled	802
Uncircled	860
Read the second and third times	860
Signed by the President and returned to the House	860
<b>H.B. 211</b> — CONCEALED WEAPON PERMIT FOR SERVICE MEMBERS ( <i>V. Peterson</i> )	
Read the first time by short title and referred to Rules Committee	468
Assigned to standing committee	510
Read the second time and placed on Consent Calendar	641
Read the third time	774
Signed by the President and returned to the House	774
<b>H.B. 212</b> — DISEASE TESTING FOR PUBLIC SAFETY OFFICERS AMENDMENTS ( <i>D. Brown</i> )	
Read the first time by short title and referred to Rules Committee	437
Assigned to standing committee	454
Committee report adopted and placed on calendar	555
Read the second time	758
Read the third time	778
Signed by the President and returned to the House	779
<b>H.B. 213</b> — PEACE OFFICER STANDARDS AND TRAINING AMENDMENTS ( <i>R. Greenwood</i> )	
Read the first time by short title and referred to Rules Committee	453
Read the second time and placed on Consent Calendar	702
Read the third time	821
Signed by the President and returned to the House	821
<b>H.B. 215</b> — WATER QUALITY AMENDMENTS ( <i>R. Wilcox</i> )	
Read the first time by short title and referred to Rules Committee	360
Assigned to standing committee	380
Read the second time and placed on Consent Calendar	431
Read the third time	497
Signed by the President and returned to the House	498
<b>H.B. 216</b> — WASTING WILDLIFE AMENDMENTS ( <i>R. Wilcox</i> )	
Read the first time by short title and referred to Rules Committee	360
Assigned to standing committee	380
Read the second time and placed on Consent Calendar	431
Read the third time	498
Signed by the President and returned to the House	498
<b>H.B. 217</b> — STATE FIRE CODE ACT AMENDMENTS ( <i>J. Dunnigan</i> )	
Read the first time by short title and referred to Rules Committee	468
Assigned to standing committee	509
Substituted	605
Committee report adopted and placed on calendar	605
Read the second time	761
Read the third time	781
Returned to the House	781
Signed by the President and returned to the House	838
<b>H.B. 218</b> — ALCOHOL AMENDMENTS ( <i>G. Froerer</i> )	
Read the first time by short title and referred to Rules Committee	468
Enacting Clause Stricken	1169
<b>H.B. 219</b> — AUDIT REVISIONS ( <i>L. Christensen</i> )	
Read the first time by short title and referred to Rules Committee	635
Placed on calendar	1092
Read the second and third times	1144
Signed by the President and returned to the House	1144
<b>H.B. 220</b> — REPEAL OF STATE AUDITOR RELATED PROVISIONS ( <i>J. Knowell</i> )	
Read the first time by short title and referred to Rules Committee	378
Assigned to standing committee	399
Read the second time and placed on Consent Calendar	456
Read the third time	561
Signed by the President and returned to the House	562
<b>H.B. 222</b> — DOMESTIC ASSET PROTECTION TRUST AMENDMENTS ( <i>D. Brown</i> )	
Read the first time by short title and referred to Rules Committee	837
Placed on calendar	940
Read the second time	961
Read the third time	1016
Signed by the President and returned to the House	1017
<b>H.B. 223</b> — EMERGENCY MANAGEMENT FUNDING AMENDMENTS ( <i>C. Oda</i> )	
Read the first time by short title and referred to Rules Committee	453
Assigned to standing committee	469
Read the second time and placed on Consent Calendar	582
Read the third time	683
Signed by the President and returned to the House	683
<b>H.B. 224</b> — IMPACT FEES AMENDMENTS ( <i>D. McCay</i> )	
Read the first time by short title and referred to Rules Committee	484

Assigned to standing committee	510
Committee report adopted and placed on calendar	556
Read the second time	759
Read the third time	779
Signed by the President and returned to the House	780
<b>H.B. 226 — BENEFITS WHILE A PRISONER (<i>B. Wilson</i>)</b>	
Read the first time by short title and referred to Rules Committee	378
Assigned to standing committee	399
Read the second time and placed on Consent Calendar	641
Read the third time	775
Signed by the President and returned to the House	775
<b>H.B. 227 — COHABITANT DEFINITION (<i>B. Wilson</i>)</b>	
Read the first time by short title and referred to Rules Committee	484
Assigned to standing committee	510
Returned to Rules	811
Placed on calendar	1002
Read the second time	1101
Circled	1101
Uncircled	1125
Read the second and third times	1125
Signed by the President and returned to the House	1126
<b>H.B. 228 — ALCOHOLIC BEVERAGE CONTROL ACT AMENDMENTS (<i>R. Wilcox</i>)</b>	
Read the first time by short title and referred to Rules Committee	796
Placed on calendar	940
Read the second time	958
Circled	958, 961
Uncircled	961, 973
Substituted	961, 1113
Amendments	974
Read the third time	1019
Returned to the House	1020
Refuse to Recede	1049
Before the Senate	1113
Transmitted to the House	1114
Signed by the President and returned to the House	1154
<b>H.B. 229 — CRIMINAL IDENTITY FRAUD AMENDMENTS (<i>C. Oda</i>)</b>	
Read the first time by short title and referred to Rules Committee	378
Assigned to standing committee	399
Read the second time and placed on Consent Calendar	641
Read the third time	775
Signed by the President and returned to the House	775
<b>H.B. 230 — EMERGENCY VEHICLE OPERATORS TRAINING REQUIREMENTS (<i>G. Froerer</i>)</b>	
Read the first time by short title and referred to Rules Committee	454
Assigned to standing committee	469
Committee report adopted and placed on calendar	555
Read the second time	756
Amendments	757
Read the third time	778
Returned to the House	778
Signed by the President and returned to the House	838
<b>H.B. 231 — HAZARDOUS WASTE AND MIXED WASTE FEES (<i>M. Nelson</i>)</b>	
Read the first time by short title and referred to Rules Committee	485
Assigned to standing committee	510
Read the second time and placed on Consent Calendar	559
Read the third time	680
Signed by the President and returned to the House	680
<b>H.B. 232 — CRIMINAL PENALTY AMENDMENTS (<i>C. Hall</i>)</b>	
Read the first time by short title and referred to Rules Committee	378
Assigned to standing committee	399
Read the second time and placed on Consent Calendar	702
Read the third time	820
Signed by the President and returned to the House	821
<b>H.B. 233 — FUNERAL SERVICES LICENSING ACT AMENDMENTS (<i>R. Menlove</i>)</b>	
Read the first time by short title and referred to Rules Committee	485
Assigned to standing committee	510
Read the second time and placed on Consent Calendar	608
Read the third time	727
Circled	727
Uncircled	742
Signed by the President and returned to the House	742
<b>H.B. 234 — CORPORATE FRANCHISE AND INCOME TAX FINE AND PENALTY AMENDMENTS (<i>B. Greene</i>)</b>	
Read the first time by short title and referred to Rules Committee	397
Assigned to standing committee	424
Read the second time and placed on Consent Calendar	514
Read the third time	594
Signed by the President and returned to the House	594
<b>H.B. 235 — PROCESS SERVER AMENDMENTS (<i>L. Perry</i>)</b>	
Read the first time by short title and referred to Rules Committee	592

	Assigned to standing committee	610
	Returned to Rules	811
	Placed on calendar	1003
	Read the second and third times	1134
	Signed by the President and returned to the House	1135
<b>H.B. 236</b>	— LAND DEVELOPMENT REVISIONS ( <i>M. Brown</i> )	
	Read the first time by short title and referred to Rules Committee	866
	Placed on calendar	1091
	Read the second time	1137
	Read the second and third times	1137
	Amendments	1137
	Returned to the House	1138
	Signed by the President and returned to the House	1166
<b>H.B. 237</b>	— SURETY BOND PENALTY ( <i>R. Greenwood</i> )	
	Read the first time by short title and referred to Rules Committee	485
	Assigned to standing committee	510
	Returned to Rules	811
	Placed on calendar	940
	Read the second time	961
	Read the third time	1016
	Signed by the President and returned to the House	1016
<b>H.B. 238</b>	— COSMETOLOGY AND HAIR BRAIDING ( <i>J. Dunnigan</i> )	
	Read the first time by short title and referred to Rules Committee	550
	Assigned to standing committee	580
	Read the second time and placed on Consent Calendar	676
	Read the third time	815
	Signed by the President and returned to the House	816
<b>H.B. 239</b>	— JURY SERVICE AMENDMENTS ( <i>C. Hall</i> )	
	Read the first time by short title and referred to Rules Committee	923
	Placed on calendar	984
	Read the second time	1027
	Amendments	1027
	Read the second and third times	1028
	Returned to the House	1028
	Signed by the President and returned to the House	1072
<b>H.B. 240</b>	— ALCOHOL SERVICE IN RESTAURANTS ( <i>Janice Fisher</i> )	
	Read the first time by short title and referred to Rules Committee	592
	Assigned to standing committee	609
	Read the second time and placed on Consent Calendar	676
	Read the third time	816
	Intent Language	816
	Signed by the President and returned to the House	816
<b>H.B. 241</b>	— UNDERGROUND PETROLEUM STORAGE TANK FINANCIAL VIABILITY STUDY ( <i>S. Eliason</i> )	
	Read the first time by short title and referred to Rules Committee	469
	Assigned to standing committee	510
	Committee report adopted and placed on calendar	556
	Read the second time	759
	Read the third time	779
	Signed by the President and returned to the House	779
<b>H.B. 243</b>	— OFFENDER REGISTRY REVIEW ( <i>J. Draxler</i> )	
	Read the first time by short title and referred to Rules Committee	209
	Assigned to standing committee	231
	Read the second time and placed on Consent Calendar	286
	Read the third time	352
	Signed by the President and returned to the House	352
<b>H.B. 244</b>	— MENTAL HEALTH PROFESSIONAL PRACTICE ACT AMENDMENTS ( <i>E. Redd</i> )	
	Read the first time by short title and referred to Rules Committee	533
	Assigned to standing committee	552
	Read the second time and placed on Consent Calendar	608
	Read the third time	727
	Signed by the President and returned to the House	727
<b>H.B. 245</b>	— CONSUMER PROTECTION AMENDMENTS ( <i>D. Brown</i> )	
	Read the first time by short title and referred to Rules Committee	310
	Assigned to standing committee	398
	Committee report adopted and placed on calendar	470
	Read the second time	587
	Read the third time	611
	Signed by the President and returned to the House	612
<b>H.B. 246</b>	— EXPANDED USES OF SCHOOL DISTRICT PROPERTY TAX REVENUE ( <i>K. McIff</i> )	
	Read the first time by short title and referred to Rules Committee	397
	Assigned to standing committee	424
	Committee report adopted and placed on calendar	582
	Read the second time	760
	Read the third time	780
	Amendments	780, 782
	Returned to the House	781, 783
	Reconsidered	782
	Before the Senate	782
	Signed by the President and returned to the House	839

<b>H.B. 249</b> — REFUGEE SERVICES FUND AMENDMENTS ( <i>J. Peterson</i> )	
Read the first time by short title and referred to Rules Committee	186
Assigned to standing committee	209
Committee report adopted and placed on calendar	254
Read the second time	319
Read the third time	344
Signed by the President and returned to the House	344
<b>H.B. 250</b> — SUNSET REAUTHORIZATION – ENERGY PRODUCER STATES’ AGREEMENT ( <i>R. Barrus</i> )	
Read the first time by short title and referred to Rules Committee	209
Assigned to standing committee	231
Committee report adopted and placed on calendar	254
Read the second time	392
Read the third time	413
Signed by the President and returned to the House	414
<b>H.B. 251</b> — SUNSET REAUTHORIZATION – EMPLOYMENT SERVICES FOR THE DISABLED ( <i>R. Menlove</i> )	
Read the first time by short title and referred to Rules Committee	229
Assigned to standing committee	253
Committee report adopted and placed on calendar	284
Read the second time	416
Read the third time	442
Signed by the President and returned to the House	442
<b>H.B. 252</b> — NATIVE AMERICAN INDIAN RELATED AMENDMENTS ( <i>J. Draxler</i> )	
Read the first time by short title and referred to Rules Committee	252
Assigned to standing committee	266
Read the second time and placed on Consent Calendar	332
Read the third time	383
Signed by the President and returned to the House	384
<b>H.B. 254</b> — COLLEGE CREDITS FOR VETERANS ( <i>P. Ray</i> )	
Read the first time by short title and referred to Rules Committee	209
Assigned to standing committee	230
Amendments	326
Committee report adopted and placed on calendar	326
Read the second time	418
Read the third time	444
Returned to the House	444
Signed by the President and returned to the House	468
<b>H.B. 255</b> — CLASSIFIED SCHOOL EMPLOYEE AMENDMENTS ( <i>B. Last</i> )	
Read the first time by short title and referred to Rules Committee	311
Assigned to standing committee	325
Committee report adopted and placed on calendar	380
Read the second time	572
Circled	572
Uncircled	588
Read the third time	612
Signed by the President and returned to the House	613
<b>H.B. 256</b> — REAUTHORIZATION OF ADMINISTRATIVE RULES ( <i>C. Oda</i> )	
Read the first time by short title and referred to Rules Committee	604
Assigned to standing committee	637
Committee report adopted and placed on calendar	724
Read the second time	802
Read the third time	823
Circled	823
Uncircled	1054
Amendments	1054
Returned to the House	1055
Signed by the President and returned to the House	1088
<b>H.B. 257</b> — STATE TREASURER AMENDMENTS ( <i>J. Bird</i> )	
Read the first time by short title and referred to Rules Committee	265
Assigned to standing committee	281
Read the second time and placed on Consent Calendar	365
Read the third time	438
Signed by the President and returned to the House	438
<b>H.B. 259</b> — INSURANCE AMENDMENTS ( <i>J. Bird</i> )	
Read the first time by short title and referred to Rules Committee	229
Assigned to standing committee	252
Read the second time and placed on Consent Calendar	285
Read the third time	351
Signed by the President and returned to the House	351
<b>H.B. 261</b> — PAYROLL AMENDMENTS – PUBLIC SAFETY ( <i>R. Greenwood</i> )	
Read the first time by short title and referred to Rules Committee	186
Assigned to standing committee	210
Committee report adopted and placed on calendar	238
Read the second time	318
Read the third time	342
Signed by the President and returned to the House	342
<b>H.B. 262</b> — UNAFFILIATED VOTER AMENDMENTS ( <i>C. Hall</i> )	
Read the first time by short title and referred to Rules Committee	168
Assigned to standing committee	210

Committee report adopted and placed on calendar	233
Read the second time	250
Read the third time	261
Circled	261
Uncircled	263
Signed by the President and returned to the House	263
<b>H.B. 268 — DISORDERLY CONDUCT AMENDMENTS (P. Ray)</b>	
Read the first time by short title and referred to Rules Committee	592
Assigned to standing committee	610
Returned to Rules	811
Placed on calendar	1002
Read the second time	1102
Circled	1102
Enacting Clause Stricken	1169
<b>H.B. 269 — TRAINING OF SCHOOL NURSES (P. Ray)</b>	
Read the first time by short title and referred to Rules Committee	229
Assigned to standing committee	252
Committee report adopted and placed on calendar	326
Read the second time	418
Read the third time	445
Signed by the President and returned to the House	445
<b>H.B. 270 — PRESCRIPTION DRUG DATABASE ACCESS AMENDMENTS (R. Menlove)</b>	
Read the first time by short title and referred to Rules Committee	252
Assigned to standing committee	267
Read the second time and placed on Consent Calendar	332
Read the third time	384
Signed by the President and returned to the House	385
<b>H.B. 272 — TRAFFIC SIGNAL AMENDMENTS (M. Kennedy)</b>	
Read the first time by short title and referred to Rules Committee	186
Assigned to standing committee	210
Committee report adopted and placed on calendar	239
Read the second time	319
Read the third time	342
Signed by the President and returned to the House	343
<b>H.B. 274 — TAX CREDITS FOR EMPLOYING A HOMELESS PERSON (B. King)</b>	
Read the first time by short title and referred to Rules Committee	209
Assigned to standing committee	231
Returned to Rules	845
Enacting Clause Stricken	1169
<b>H.B. 276 — NEWBORN SCREENING FOR CRITICAL CONGENITAL HEART DEFECTS (P. Ray)</b>	
Read the first time by short title and referred to Rules Committee	252
Assigned to standing committee	266
Amendments	327, 543
Committee report adopted and placed on calendar	327
Read the second time	420
Circled	420
Uncircled	543
Tabled	544
Placed on calendar	983
Read the third time	995
Returned to the House	996
Signed by the President and returned to the House	1048
<b>H.B. 278 — PUBLIC SCHOOL SEISMIC STUDIES (G. Froerer)</b>	
Read the first time by short title and referred to Rules Committee	360
Assigned to standing committee	379
Committee report adopted and placed on calendar	471
Read the second time	588
Circled	588
Uncircled	755
Read the third time	777
Signed by the President and returned to the House	777
<b>H.B. 279 — ADMINISTRATIVE HEARINGS BY COUNTIES (S. Cox)</b>	
Read the first time by short title and referred to Rules Committee	311
Assigned to standing committee	325
Committee report adopted and placed on calendar	402
Read the second time	572
Read the third time	597
Amendments	597, 601, 886
Failed	597
Filed	598
Reconsidered	601
Before the Senate	601
Returned to the House	601
Refuse to Recede	698
Joint Conference Committee appointed	698
Adopt Joint Conference Committee Report	887
Placed on calendar	887
Before the Senate	887
Circled	887

Uncircled .....	902
Returned to the House .....	903
Signed by the President and returned to the House .....	942
<b>H.B. 280</b> — COUNTY GOVERNMENT REFORM ( <i>M. Brown</i> )	
Read the first time by short title and referred to Rules Committee .....	622
Assigned to standing committee .....	637
Committee report adopted and placed on calendar .....	724
Read the second time .....	802
Read the third time .....	823
Signed by the President and returned to the House .....	824
<b>H.B. 281</b> — HEALTH DISCOUNT PROGRAM REVISIONS ( <i>J. Dunnigan</i> )	
Read the first time by short title and referred to Rules Committee .....	229
Assigned to standing committee .....	253
Amendments .....	285
Read the second time and placed on Consent Calendar .....	285
Read the third time .....	351
Returned to the House .....	352
Recalled .....	369
Reconsidered .....	394
Placed on calendar .....	394
Read the first, second and third times .....	395
Returned to the House .....	395
Signed by the President and returned to the House .....	453
<b>H.B. 282</b> — SEXUAL EXPLOITATION AMENDMENTS ( <i>R. Greenwood</i> )	
Read the first time by short title and referred to Rules Committee .....	265
Assigned to standing committee .....	282
Committee report adopted and placed on calendar .....	364
Read the second time .....	569
Read the third time .....	595
Signed by the President and returned to the House .....	595
<b>H.B. 284</b> — NET METERING BILLING CYCLES ( <i>K. Stratton</i> )	
Read the first time by short title and referred to Rules Committee .....	252
Assigned to standing committee .....	267
Committee report adopted and placed on calendar .....	349
Read the second time .....	545
Read the third time .....	566
Signed by the President and returned to the House .....	566
<b>H.B. 285</b> — MODIFICATION OF EDUCATION-RELATED REPORTING REQUIREMENTS ( <i>F. Gibson</i> )	
Read the first time by short title and referred to Rules Committee .....	266
Assigned to standing committee .....	281
Committee report adopted and placed on calendar .....	326
Read the second time .....	419
Circled .....	419
Uncircled .....	544
Read the third time .....	564
Signed by the President and returned to the House .....	565
<b>H.B. 286</b> — DISPOSITION OF PERSONAL PROPERTY ON VACATED PROPERTY ( <i>G. Froerer</i> )	
Read the first time by short title and referred to Rules Committee .....	378
Assigned to standing committee .....	398
Committee report adopted and placed on calendar .....	470
Read the second time .....	587
Read the third time .....	612
Signed by the President and returned to the House .....	612
<b>H.B. 287</b> — RETURN OF WEAPONS RECOVERED BY LAW ENFORCEMENT ( <i>K. Stratton</i> )	
Read the first time by short title and referred to Rules Committee .....	485
Assigned to standing committee .....	510
Amendments .....	702
Read the second time and placed on Consent Calendar .....	702
Read the third time .....	821
Circled .....	821
Uncircled .....	847
Returned to the House .....	848
Signed by the President and returned to the House .....	900
<b>H.B. 289</b> — FIREWORKS AMENDMENTS ( <i>J. Dunnigan</i> )	
Read the first time by short title and referred to Rules Committee .....	230
Assigned to standing committee .....	252
Amendments .....	282, 393
Committee report adopted and placed on calendar .....	282
Read the second time .....	393
Read the third time .....	414
Returned to the House .....	414
Signed by the President and returned to the House .....	453
<b>H.B. 290</b> — DIVISION OF REAL ESTATE AMENDMENTS ( <i>G. Froerer</i> )	
Read the first time by short title and referred to Rules Committee .....	230
Assigned to standing committee .....	252
Committee report adopted and placed on calendar .....	283
Read the second time .....	414
Circled .....	414

Uncircled .....	542
Substituted .....	542, 740
Intent Language .....	542
Read the third time .....	564
Returned to the House .....	564
Refuse to Concur .....	605
Refuse to Recede .....	605
Conference committee appointed .....	605
Amendments .....	740
Joint Conference Committee Report adopted .....	741
Returned to the House .....	741
Signed by the President and returned to the House .....	770
<b>H.B. 291 — MOTOR VEHICLE SAFETY INSPECTION AMENDMENTS (<i>J. Peterson</i>)</b>	
Read the first time by short title and referred to Rules Committee .....	266
Assigned to standing committee .....	282
Read the second time and placed on Consent Calendar .....	350
Read the third time .....	412
Signed by the President and returned to the House .....	412
<b>H.B. 292 — PREMIUM ASSISTANCE UNDER MEDICAID AND CHIP (<i>D. Sanpei</i>)</b>	
Read the first time by short title and referred to Rules Committee .....	485
Assigned to standing committee .....	510
Committee report adopted and placed on calendar .....	606
Read the second time .....	763
Read the third time .....	783
Signed by the President and returned to the House .....	784
<b>H.B. 294 — BICYCLES ON STREETS (<i>Johnny Anderson</i>)</b>	
Read the first time by short title and referred to Rules Committee .....	266
Assigned to standing committee .....	282
Read the second time and placed on Consent Calendar .....	382
Read the third time .....	457
Signed by the President and returned to the House .....	458
<b>H.B. 295 — ELECTRONIC PROOF OF OWNER'S OR OPERATOR'S SECURITY (<i>D. Brown</i>)</b>	
Read the first time by short title and referred to Rules Committee .....	311
Assigned to standing committee .....	325
Committee report adopted and placed on calendar .....	349
Read the second time .....	546
Read the third time .....	567
Signed by the President and returned to the House .....	567
<b>H.B. 297 — BICYCLE AND MOPED AMENDMENTS (<i>Johnny Anderson</i>)</b>	
Read the first time by short title and referred to Rules Committee .....	266
Assigned to standing committee .....	282
Read the second time and placed on Consent Calendar .....	382
Read the third time .....	458
Signed by the President and returned to the House .....	458
<b>H.B. 298 — PARENT SEMINAR ON YOUTH PROTECTION (<i>S. Eliason</i>)</b>	
Read the first time by short title and referred to Rules Committee .....	280
Assigned to standing committee .....	311
Committee report adopted and placed on calendar .....	348
Read the second time .....	432
Read the third time .....	447
Recalled .....	448
Reconsidered .....	449
Before the Senate .....	449
Signed by the President and returned to the House .....	448, 450
<b>H.B. 299 — BICYCLE MODIFICATIONS (<i>Johnny Anderson</i>)</b>	
Read the first time by short title and referred to Rules Committee .....	454
Assigned to standing committee .....	470
Read the second time and placed on Consent Calendar .....	560
Read the third time .....	681
Signed by the President and returned to the House .....	682
<b>H.B. 300 — RETENTION OF SALES AND USE TAX COLLECTIONS BY CERTAIN REMOTE SELLERS (<i>S. Eliason</i>)</b>	
Read the first time by short title and referred to Rules Committee .....	550
Assigned to standing committee .....	580
Committee report adopted and placed on calendar .....	640
Read the second time .....	765
Read the third time .....	785
Signed by the President and returned to the House .....	785
<b>H.B. 301 — BAIL BOND RECOVERY LICENSURE AMENDMENTS (<i>E. Redd</i>)</b>	
Read the first time by short title and referred to Rules Committee .....	281
Assigned to standing committee .....	312
Read the second time and placed on Consent Calendar .....	409
Read the third time .....	496
Signed by the President and returned to the House .....	496
<b>H.B. 302 — EMERGENCY RESPONSE AMENDMENTS (<i>R. Greenwood</i>)</b>	
Read the first time by short title and referred to Rules Committee .....	379
Assigned to standing committee .....	399
Committee report adopted and placed on calendar .....	456
Read the second time .....	585

Read the third time	602
Circled	602
Uncircled	615
Signed by the President and returned to the House	616
<b>H.B. 303 — TRUST DEED ASSIGNMENT AMENDMENTS (R. C. Webb)</b>	
Read the first time by short title and referred to Rules Committee	347
Assigned to standing committee	379
Read the second time and placed on Consent Calendar	471
Read the third time	563
Signed by the President and returned to the House	563
<b>H.B. 304 — ENTERPRISE ZONE AMENDMENTS (K. Powell)</b>	
Read the first time by short title and referred to Rules Committee	360
Assigned to standing committee	379
Read the second time and placed on Consent Calendar	409
Read the third time	495
Signed by the President and returned to the House	496
<b>H.B. 306 — SCHOOL LAND TRUST PROGRAM AMENDMENTS (L. Perry)</b>	
Read the first time by short title and referred to Rules Committee	509
Assigned to standing committee	551
Amendments	753
Committee report adopted and placed on calendar	753
Read the second time	804
Circled	804
Uncircled	830
Read the third time	874
Returned to the House	875
Signed by the President and returned to the House	963
<b>H.B. 309 — JUDICIAL PERFORMANCE EVALUATION AMENDMENTS (V. L. Snow)</b>	
Read the first time by short title and referred to Rules Committee	324
Assigned to standing committee	348
Read the second time and placed on Consent Calendar	559
Read the third time	679
Signed by the President and returned to the House	679
<b>H.B. 310 — CONSTRUCTION CODE AMENDMENTS (B. Wilson)</b>	
Read the first time by short title and referred to Rules Committee	579
Assigned to standing committee	609
Committee report adopted and placed on calendar	671
Read the second time	766
Circled	766
Uncircled	964
Read the second and third times	964
Signed by the President and returned to the House	965
<b>H.B. 315 — OFFICE OF INSPECTOR GENERAL OF MEDICAID SERVICES AMENDMENTS (J. Dunnigan)</b>	
Read the first time by short title and referred to Rules Committee	622
Placed on calendar	941
Read the second time	1069
Substituted	1069
Read the second and third times	1070
Returned to the House	1070
Signed by the President and returned to the House	1089
<b>H.B. 316 — TRAFFIC AMENDMENTS (Johnny Anderson)</b>	
Read the first time by short title and referred to Rules Committee	604
Assigned to standing committee	638
Committee report adopted and placed on calendar	798
Placed on calendar	939
Read the second time	949
Circled	949
Uncircled	951
Amendments	951
Read the third time	1010
Returned to the House	1010
Signed by the President and returned to the House	1048
<b>H.B. 317 — PROTECTION OF CONCEALED FIREARM PERMIT INFORMATION (J. Anderegg)</b>	
Read the first time by short title and referred to Rules Committee	837
Placed on calendar	941
Read the second and third times	1076
Signed by the President and returned to the House	1076
<b>H.B. 318 — CLASSROOM SIZE REVISIONS (R. Edwards)</b>	
Read the first time by short title and referred to Rules Committee	790
Placed on calendar	940
Read the second time	968
Amendments	968
Read the third time	1019
Returned to the House	1019
Signed by the President and returned to the House	1048
<b>H.B. 320 — TEMPORARY IDENTIFICATION CARD (E. Hutchings)</b>	
Read the first time by short title and referred to Rules Committee	592
Assigned to standing committee	610



	Read the second time and placed on Consent Calendar . . . . .	798
	Read the third time . . . . .	945
	Signed by the President and returned to the House . . . . .	946
<b>H.B. 321</b>	— TECHNICAL AMENDMENTS—WEAPONS ( <i>K. Ivory</i> )	
	Read the first time by short title and referred to Rules Committee . . . . .	796
	Placed on calendar . . . . .	1092, 1112
	Read the second and third times . . . . .	1131
	Signed by the President and returned to the House . . . . .	1132
<b>H.B. 322</b>	— LOCAL GOVERNMENT CLEAN-UP FEES ( <i>E. Hutchings</i> )	
	Read the first time by short title and referred to Rules Committee . . . . .	943
	Enacting Clause Stricken . . . . .	1169
<b>H.B. 323</b>	— HEALTH INSURANCE PRIOR AUTHORIZATION ( <i>B. Last</i> )	
	Read the first time by short title and referred to Rules Committee . . . . .	902
	Placed on calendar . . . . .	1002
	Read the second and third times . . . . .	1098
	Signed by the President and returned to the House . . . . .	1099
<b>H.B. 324</b>	— PASSING ON THE RIGHT AMENDMENTS ( <i>L. Christensen</i> )	
	Read the first time by short title and referred to Rules Committee . . . . .	697
	Assigned to standing committee . . . . .	746
	Returned to Rules . . . . .	841
	Placed on calendar . . . . .	940
	Read the second and third times . . . . .	966
	Signed by the President and returned to the House . . . . .	966
<b>H.B. 325</b>	— MILITARY INSTALLATION DEVELOPMENT AUTHORITY AMENDMENTS ( <i>B. Dee</i> )	
	Read the first time by short title and referred to Rules Committee . . . . .	604
	Assigned to standing committee . . . . .	637
	Committee report adopted and placed on calendar . . . . .	839
	Placed on calendar . . . . .	983
	Read the second time . . . . .	1032
	Circled . . . . .	1032
	Uncircled . . . . .	1044
	Read the second and third times . . . . .	1044
	Signed by the President and returned to the House . . . . .	1045
<b>H.B. 326</b>	— DIVISION OF WATER RIGHTS AMENDMENTS ( <i>R. C. Webb</i> )	
	Read the first time by short title and referred to Rules Committee . . . . .	604
	Assigned to standing committee . . . . .	638
	Read the second time and placed on Consent Calendar . . . . .	794
	Read the third time . . . . .	944
	Signed by the President and returned to the House . . . . .	944
<b>H.B. 327</b>	— PROBATE AMENDMENTS ( <i>V. L. Snow</i> )	
	Read the first time by short title and referred to Rules Committee . . . . .	670
	Assigned to standing committee . . . . .	699
	Returned to Rules . . . . .	811
	Placed on calendar . . . . .	940
	Read the second time . . . . .	958
	Read the third time . . . . .	1014
	Signed by the President and returned to the House . . . . .	1014
<b>H.B. 328</b>	— HIGHWAY LITTERING AND FAILING TO SECURE A LOAD AMENDMENTS ( <i>R. Greenwood</i> )	
	Read the first time by short title and referred to Rules Committee . . . . .	698
	Assigned to standing committee . . . . .	746
	Substituted . . . . .	839
	Committee report adopted and placed on calendar . . . . .	839
	Placed on calendar . . . . .	1091, 1112
	Read the second and third times . . . . .	1119
	Returned to the House . . . . .	1119
	Signed by the President and returned to the House . . . . .	1157
<b>H.B. 329</b>	— MEDICAID VISION AMENDMENTS ( <i>R. Menlove</i> )	
	Read the first time by short title and referred to Rules Committee . . . . .	604
	Assigned to standing committee . . . . .	637
	Placed on calendar . . . . .	1002
	Amendments . . . . .	754
	Committee report adopted and placed on calendar . . . . .	754
	Read the second time . . . . .	1101
	Circled . . . . .	1101
	Uncircled . . . . .	1103
	Read the second and third times . . . . .	1103
	Returned to the House . . . . .	1103
	Signed by the President and returned to the House . . . . .	1154
<b>H.B. 330</b>	— FINANCIAL REPORTING AMENDMENTS ( <i>S. Eliason</i> )	
	Read the first time by short title and referred to Rules Committee . . . . .	604
	Assigned to standing committee . . . . .	637
	Committee report adopted and placed on calendar . . . . .	807
	Placed on calendar . . . . .	1139
	Read the second time . . . . .	1142
	Circled . . . . .	1142
	Uncircled . . . . .	1146
	Read the second and third times . . . . .	1146
	Signed by the President and returned to the House . . . . .	1147

<b>H.B. 331</b> — PROPERTY DAMAGE CLAIMS ( <i>V. L. Snow</i> )	
Read the first time by short title and referred to Rules Committee	806
Placed on calendar	1003
Read the second time	1136
Circled	1136
Uncircled	1147
Read the second and third times	1147
Amendments	1147
Returned to the House	1148
Signed by the President and returned to the House	1166
<b>H.B. 332</b> — ALTERNATE DISPUTE RESOLUTION AMENDMENTS ( <i>R. Edwards</i> )	
Read the first time by short title and referred to Rules Committee	592
Assigned to standing committee	610
Returned to Rules	811
Placed on calendar	1092
Read the second and third times	1146
Signed by the President and returned to the House	1146
<b>H.B. 333</b> — STATE LANDS AMENDMENTS ( <i>R. Menlove</i> )	
Read the first time by short title and referred to Rules Committee	604
Assigned to standing committee	638
Substituted	794
Read the second time and placed on Consent Calendar	794
Read the third time	944
Returned to the House	945
Signed by the President and returned to the House	1072
<b>H.B. 334</b> — SPECIAL SERVICE DISTRICT REORGANIZATION ( <i>D. McCay</i> )	
Read the first time by short title and referred to Rules Committee	550
Assigned to standing committee	580
Read the second time and placed on Consent Calendar	641
Read the third time	773
Signed by the President and returned to the House	773
<b>H.B. 336</b> — AMENDMENTS TO ECONOMIC DEVELOPMENT ( <i>R. Wilcox</i> )	
Read the first time by short title and referred to Rules Committee	604
Assigned to standing committee	636
Read the second time and placed on Consent Calendar	724
Read the third time	867
Signed by the President and returned to the House	868
<b>H.B. 337</b> — PERMANENT STATE TRUST FUND INVESTMENT AMENDMENTS ( <i>J. Nielson</i> )	
Read the first time by short title and referred to Rules Committee	635
Assigned to standing committee	699
Read the second time and placed on Consent Calendar	810
Returned to Rules	867
Placed on calendar	940
Read the second and third times	1060
Signed by the President and returned to the House	1061
<b>H.B. 338</b> — ALIMONY REVISIONS ( <i>K. McIff</i> )	
Read the first time by short title and referred to Rules Committee	670
Assigned to standing committee	699
Returned to Rules	811
Placed on calendar	984
Read the second time	1028
Amendments	1028
Read the second and third times	1029
Returned to the House	1029
Signed by the President and returned to the House	1072
<b>H.B. 340</b> — SNOW COLLEGE ECONOMIC DEVELOPMENT AND WORKFORCE PREPARATION ADVISORY COMMITTEE ( <i>K. McIff</i> )	
Read the first time by short title and referred to Rules Committee	635
Assigned to standing committee	699
Placed on calendar	941
Committee report adopted and placed on calendar	839
Read the second and third times	1073
Signed by the President and returned to the House	1073
<b>H.B. 342</b> — WILD TURKEY MANAGEMENT ( <i>R. Menlove</i> )	
Read the first time by short title and referred to Rules Committee	698
Assigned to standing committee	746
Placed on calendar	1092
Amendments	793
Committee report adopted and placed on calendar	792
Read the second and third times	1141
Returned to the House	1142
Signed by the President and returned to the House	1166
<b>H.B. 344</b> — ESTABLISHMENT OF CHARTER SCHOOLS AMENDMENTS ( <i>D. Lifferth</i> )	
Read the first time by short title and referred to Rules Committee	711
Assigned to standing committee	746
Committee report adopted and placed on calendar	839
Placed on calendar	1092
Read the second and third times	1159
Signed by the President and returned to the House	1160

**H.B. 345** — EXPANDING ACCESS FOR SIXTH GRADERS TO SECONDARY EDUCATION (*D. Brown*)

Read the first time by short title and referred to Rules Committee . . . . . 745

Placed on calendar . . . . . 1002

Read the second and third times . . . . . 1076

Signed by the President and returned to the House . . . . . 1077

**H.B. 347** — LANDOWNER LIABILITY AMENDMENTS (*B. Wilson*)

Read the first time by short title and referred to Rules Committee . . . . . 670

Assigned to standing committee . . . . . 699

Returned to Rules . . . . . 799

Placed on calendar . . . . . 939

Read the second time . . . . . 955

Amendments . . . . . 956

Read the third time . . . . . 1013

Returned to the House . . . . . 1013

Signed by the President and returned to the House . . . . . 1048

**H.B. 348** — LOCAL DISTRICT AMENDMENTS (*D. Ipson*)

Read the first time by short title and referred to Rules Committee . . . . . 551

Assigned to standing committee . . . . . 580

Read the second time and placed on Consent Calendar . . . . . 641

Read the third time . . . . . 774

Signed by the President and returned to the House . . . . . 774

**H.B. 350** — AMENDMENTS RELATED TO ALCOHOL (*C. Oda*)

Read the first time by short title and referred to Rules Committee . . . . . 635

Enacting Clause Stricken . . . . . 1169

**H.B. 352** — COUNTY GOVERNMENT AMENDMENTS (*D. Brown*)

Read the first time by short title and referred to Rules Committee . . . . . 622

Assigned to standing committee . . . . . 637

Committee report adopted and placed on calendar . . . . . 724

Read the second time . . . . . 803

Read the third time . . . . . 824

Signed by the President and returned to the House . . . . . 824

**H.B. 355** — UNCLAIMED PROPERTY AMENDMENTS (*D. Liffirth*)

Read the first time by short title and referred to Rules Committee . . . . . 745

Placed on calendar . . . . . 1003

Read the second time . . . . . 1133

Circled . . . . . 1133

Enacting Clause Stricken . . . . . 1169

**H.B. 357** — WASTE MANAGEMENT FACILITIES SITING AMENDMENTS (*R. Menlove*)

Read the first time by short title and referred to Rules Committee . . . . . 698

Assigned to standing committee . . . . . 746

Placed on calendar . . . . . 1092

Amendments . . . . . 840

Committee report adopted and placed on calendar . . . . . 840

Read the second and third times . . . . . 1162

Returned to the House . . . . . 1162

Signed by the President and returned to the House . . . . . 1166

**H.B. 358** — INSTREAM FLOW AMENDMENTS (*M. Noel*)

Read the first time by short title and referred to Rules Committee . . . . . 698

Assigned to standing committee . . . . . 746

Read the second time and placed on Consent Calendar . . . . . 810

Read the third time . . . . . 1005

Signed by the President and returned to the House . . . . . 1006

**H.B. 360** — WATER AND IRRIGATION REVISIONS (*R. Wilcox*)

Read the first time by short title and referred to Rules Committee . . . . . 698

Assigned to standing committee . . . . . 746

Committee report adopted and placed on calendar . . . . . 808

Placed on calendar . . . . . 1002

Read the second time . . . . . 1099

Amendments . . . . . 1099

Read the second and third times . . . . . 1101

Returned to the House . . . . . 1101

Signed by the President and returned to the House . . . . . 1154

**H.B. 361** — DOMESTIC VIOLENCE STATISTICS REPORTING (*L. Perry*)

Read the first time by short title and referred to Rules Committee . . . . . 796

Placed on calendar . . . . . 984

Read the second and third times . . . . . 1029

Signed by the President and returned to the House . . . . . 1030

**H.B. 363** — PUBLIC EDUCATION STATE CAPITOL VISIT FUNDING (*S. Eliason*)

Read the first time by short title and referred to Rules Committee . . . . . 923

Placed on calendar . . . . . 1092

Read the second and third times . . . . . 1161

Signed by the President and returned to the House . . . . . 1161

**H.B. 366** — STATE HOUSE BOUNDARY AMENDMENTS (*B. Dee*)

Read the first time by short title and referred to Rules Committee . . . . . 790

Placed on calendar . . . . . 1020

Read the second and third times . . . . . 1021

Signed by the President and returned to the House . . . . . 1021

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- S.B. 72 **Prison Relocation and Development Amendments** S. Jenkins  
Governor Signed on 3/27/2013  
Effective Date: 3/27/2013
- S.B. 73 **Outdoor Recreation Office Act** J. Stevenson  
Governor Signed on 3/21/2013  
Effective Date: 3/21/2013
- S.B. 74 **Dignified Burial of Veterans Remains** E. Vickers  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 75 **Publication of Property Tax Appeals for  
Nonresidential Property** K. Van Tassell  
Senate/ filed on 3/14/2013
- S.B. 76 **Outdoor Advertising Technology Amendments** P. Knudson  
Senate/ filed on 3/14/2013
- S.B. 77 **Availability of Government Information** D. Henderson  
Governor Signed on 3/22/2013  
Effective Date: 5/14/2013
- S.B. 78 **Pharmacy Act Amendments** J. Adams  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 79 **Student-centered Learning Pilot Program** H. Stephenson  
Senate/ filed on 3/14/2013
- S.B. 80 **Removal from Database Restricting Firearm  
Purchase** D. Thatcher  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 81 **School Property Tax Funding** A. Osmond  
Senate/ filed on 3/14/2013

- S.B. 82 **Student Achievement Backpack** J. Stevenson  
Governor Signed on 3/28/2013  
Effective Date: 5/14/2013
- S.B. 83 **Limitations on Outside Employment by Government Employee** T. Weiler  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 84 **Sales and Use Tax Exemption for Short-term Lodging Consumables** J. Adams  
Governor Signed on 3/27/2013  
Effective Date: 7/1/2013
- S.B. 85 **Community Health Worker Program** L. Robles  
Senate/ filed on 3/11/2013
- S.B. 86 **Independent Executive Branch Ethics Commission** J. Valentine  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 87 **Impoundment of Vehicles Amendments** M. Madsen  
Senate/ filed on 3/14/2013
- S.B. 90 **Condominium and Community Association Amendments** J. Adams  
Governor Signed on 3/26/2013  
Effective Date: 5/14/2013
- S.B. 91 **State Auditor Amendments** J. Valentine  
Senate/ filed on 3/14/2013
- S.B. 92 **Tethering of Animals** G. Davis  
Senate/ filed on 3/14/2013
- S.B. 93 **Interlocal Cooperation Act Amendments** J. Valentine  
Governor Signed on 3/27/2013  
Effective Date: 5/14/2013

- S.B. 94 **Government Records Amendments** C. Bramble  
Governor Signed on 3/27/2013  
Effective Date: 5/14/2013
- S.B. 95 **Whistleblower Amendments** S. Reid  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 96 **Political Subdivisions Employment Revisions** T. Weiler  
Senate/ filed on 3/4/2013
- S.B. 97 **Propelling a Bodily Substance Amendments** J. Stevenson  
Governor Signed on 3/28/2013  
Effective Date: 5/14/2013
- S.B. 98 **Propelling a Bodily Substance Revisions** J. Stevenson  
Governor Signed on 3/26/2013  
Effective Date: 5/14/2013
- S.B. 99 **Labor Amendments** W. Harper  
Governor Signed on 4/1/2013  
Effective Date: 7/1/2013
- S.B. 100 **Higher Education Scholarship Amendments** J. Stevenson  
Governor Signed on 3/22/2013  
Effective Date: 5/14/2013
- S.B. 101 **Division of Water Rights Revisions** M. Dayton  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 102 **Contractor Licensing Amendments** W. Harper  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 103 **Carson Smith Scholarship Amendments** J. Adams  
Governor Signed on 3/26/2013  
Effective Date: 7/1/2013
- S.B. 104 **Vulnerable Users of Highways Amendments** T. Weiler  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013

- S.B. 105 **Board of Pardons and Parole Revisions** D. Thatcher  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 106 **Unemployment Tax Amendment** C. Bramble  
Governor Signed on 3/21/2013  
Effective Date: 5/14/2013
- S.B. 107 **Public Shooting Ranges** A. Christensen  
Governor Signed on 3/26/2013  
Effective Date: 3/26/2013
- S.B. 108 **Civil Rights Amendments Relating to Persons  
with a Disability** P. Jones  
Senate/ filed on 3/14/2013
- S.B. 109 **Change Application Procedure** R. Okerlund  
Senate/ filed on 3/14/2013
- S.B. 110 **School-based Budgeting Amendments** H. Stephenson  
LFA/ fiscal note publicly available on 3/12/2013
- S.B. 111 **Electronic Filing of Traffic Citations and  
Accident Reports** L. Hillyard  
Governor Signed on 3/22/2013  
Effective Date: 7/1/2013
- S.B. 112 **Work Week Amendments** A. Osmond  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 113 **Long-term Disability Coverage Amendments** T. Weiler  
Governor Signed on 3/22/2013  
Effective Date: 5/14/2013
- S.B. 114 **Safety Belt Amendments** L. Robles  
Senate/ filed on 3/4/2013

- S.B. 115 **Water Development Commission Amendments** M. Dayton  
Governor Signed on 3/27/2013  
Effective Date: 5/14/2013
- S.B. 116 **Garnishment for Debt Collection** L. Hillyard  
Senate/ filed on 3/14/2013
- S.B. 117 **Legislative Office Definitions** L. Hillyard  
Senate/ filed on 3/14/2013
- S.B. 118 **Rocky Mountain Center for Occupational and Environmental Health Amendments** K. Mayne  
Senate/ filed on 3/14/2013
- S.B. 119 **Youth Court Amendments** J. Stevenson  
Governor Signed on 3/21/2013  
Effective Date: 5/14/2013
- S.B. 120 **Target Shooting and Wildfire Regulations** M. Dayton  
Governor Signed on 3/28/2013  
Effective Date: 5/14/2013
- S.B. 121 **Traffic Regulations Regarding Buses** K. Mayne  
Senate/ filed on 3/14/2013
- S.B. 122 **Student Leadership Skills Development** A. Osmond  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 123 **Runaway Vehicle Ramp Requirements** K. Van Tassell  
Governor Signed on 3/27/2013  
Effective Date: 5/14/2013
- S.B. 124 **Sales and Use Tax Exemption for Database Access** W. Harper  
Governor Signed on 3/27/2013  
Effective Date: 7/1/2013
- S.B. 125 **District Court Judge Amendments** K. Van Tassell  
Governor Signed on 3/22/2013  
Effective Date: 5/14/2013

- S.B. 126 **Coordination of Services for Veterans** P. Knudson  
Governor Signed on 3/28/2013  
Effective Date: 5/14/2013
- S.B. 127 **Juvenile Court Judge Amendments** K. Van Tassell  
Governor Signed on 3/22/2013  
Effective Date: 5/14/2013
- S.B. 128 **Financial Transparency in Education** D. Thatcher  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 129 **Office of State Debt Collection – Administrative  
Garnishment Order** L. Hillyard  
Governor Signed on 3/22/2013  
Effective Date: 5/14/2013
- S.B. 130 **Security Personnel Licensing Act Amendments** M. Dayton  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 131 **Assault Amendments** A. Osmond  
Governor Signed on 3/26/2013  
Effective Date: 5/14/2013
- S.B. 132 **Utah Medical Education Council Amendments** W. Harper  
Governor Signed on 3/21/2013  
Effective Date: 5/14/2013
- S.B. 133 **School Performance Report Amendments** H. Stephenson  
Senate/ filed on 3/14/2013
- S.B. 134 **Utah Performance Assessment System for  
Students (u-pass) Amendments** M. Dayton  
Senate/ filed on 3/14/2013
- S.B. 135 **Involuntary Commitment Amendments** T. Weiler  
Governor Signed on 3/21/2013  
Effective Date: 5/14/2013

- S.B. 136 **Construction Trades Licensing Modifications** P. Knudson  
Senate/ filed on 3/14/2013
- S.B. 137 **Motor Vehicle Registration Enforcement Amendments** D. Thatcher  
Governor Signed on 3/26/2013  
Effective Date: 5/14/2013
- S.B. 138 **Amendments to Requirements for Governor's Proposed Budget** W. Harper  
Governor Signed on 3/26/2013  
Effective Date: 5/14/2013
- S.B. 139 **Utah Science Center Authority Amendments** T. Weiler  
Senate/ filed on 3/14/2013
- S.B. 140 **Service Area Board of Trustees** T. Weiler  
Governor Signed on 3/22/2013  
Effective Date: 5/14/2013
- S.B. 141 **Education Contribution on Tax Returns** D. Thatcher  
Governor Signed on 3/27/2013  
Effective Date: 5/14/2013
- S.B. 142 **Repeal of Blacklisting Provisions** D. Thatcher  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 143 **Mortgage and Financial Affairs Amendments** W. Harper  
Senate/ filed on 3/14/2013
- S.B. 144 **Reauthorization of Prohibitions on Practicing Law Without a License** S. Jenkins  
Governor Signed on 3/27/2013  
Effective Date: 5/14/2013
- S.B. 145 **County Attorney Chapter Recodification** T. Weiler  
Governor Signed on 3/27/2013  
Effective Date: 5/14/2013



- S.B. 146 **Driving Under the Influence Amendments** S. Jenkins  
Governor Signed on 3/22/2013  
Effective Date: 5/14/2013
- S.B. 147 **Workers' Compensation and Occupational Safety Related Amendments** K. Mayne  
Governor Signed on 3/22/2013  
Effective Date: 7/1/2013
- S.B. 148 **Conservation Districts – Closed Meetings Amendments** D. Hinkins  
Governor Signed on 3/27/2013  
Effective Date: 5/14/2013
- S.B. 149 **Governmental Immunity Amendments** J. Adams  
Senate/ filed on 3/14/2013
- S.B. 150 **Financial Institution Amendments** J. Adams  
Governor Signed on 3/22/2013  
Effective Date: 5/14/2013
- S.B. 151 **Authorization of Charter Schools by Higher Education Institutions** J. Adams  
Governor Signed on 3/27/2013  
Effective Date: 3/27/2013
- S.B. 152 **Alcohol and Drug Related Offense Amendments** J. Valentine  
Senate/ filed on 3/14/2013
- S.B. 153 **Local Government Development Amendments** J. Adams  
Governor Signed on 3/28/2013  
Effective Date: 5/14/2013
- S.B. 154 **Sales and Use Taxation of Water** S. Jenkins  
Senate/ filed on 3/14/2013
- S.B. 155 **Postadoption Contact Agreements** L. Hillyard  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013

- S.B. 156 **Jail Release Amendments** J. Adams  
Governor Signed on 3/27/2013  
Effective Date: 5/14/2013
- S.B. 157 **Daylight Saving Time Amendments** S. Urquhart  
Senate/ filed on 3/14/2013
- S.B. 158 **Municipal General Fund Amendments** D. Henderson  
Governor Signed on 3/27/2013  
Effective Date: 5/14/2013
- S.B. 159 **Theft Amendments** D. Thatcher  
Senate/ filed on 3/14/2013
- S.B. 160 **Patronizing a Prostitute Amendments** J. Stevenson  
Governor Signed on 3/21/2013  
Effective Date: 5/14/2013
- S.B. 161 **Restitution Amendments** C. Bramble  
Governor Signed on 3/22/2013  
Effective Date: 5/14/2013
- S.B. 162 **Concurrent Enrollment Amendments** S. Urquhart  
Governor Signed on 3/22/2013  
Effective Date: 5/14/2013
- S.B. 163 **Status Verification System Amendments** K. Mayne  
Senate/ filed on 3/14/2013
- S.B. 164 **Parole Violator Centers Allocations** L. Robles  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 165 **Physical Therapy Practice Act Amendments** T. Weiler  
Governor Signed on 3/21/2013  
Effective Date: 5/14/2013
- S.B. 166 **Hospital Assessment Amendments** L. Hillyard  
Governor Signed on 3/21/2013  
Effective Date: 4/1/2013

- S.B. 167 **Alcoholic Beverage Control Amendments** J. Valentine  
Senate/ filed on 3/14/2013
- S.B. 168 **Certified Public Accountant Licensing Amendments** C. Bramble  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 169 **Education Task Force** S. Reid  
Governor Signed on 3/22/2013  
Effective Date: 5/14/2013
- S.B. 170 **Identity Fraud Amendments** D. Thatcher  
Governor Signed on 3/22/2013  
Effective Date: 5/14/2013
- S.B. 171 **Sales and Use Tax Exemption for Electronic Financial Payment Services** H. Stephenson  
Governor Signed on 4/1/2013  
Effective Date: 7/1/2013
- S.B. 172 **Use of Bond Proceeds by Political Subdivisions** J. Valentine  
Governor Signed on 3/26/2013  
Effective Date: 5/14/2013
- S.B. 173 **Residential Construction Contract Amendments** J. Adams  
Governor Signed on 3/26/2013  
Effective Date: 5/14/2013
- S.B. 174 **Warrant Collection Amendments** S. Urquhart  
Senate/ filed on 3/14/2013
- S.B. 175 **Assessment of College Readiness** H. Stephenson  
Governor Signed on 3/26/2013  
Effective Date: 3/26/2013
- S.B. 176 **Office of Planning and Budget Restructuring Amendments** J. Stevenson  
Governor Signed on 3/28/2013  
Effective Date: 5/14/2013

- S.B. 177 **Highway Designation Amendments** S. Reid  
Senate/ filed on 3/14/2013
- S.B. 178 **Department of Transportation Revisions** K. Van Tassell  
Governor Signed on 3/22/2013  
Effective Date: 5/14/2013
- S.B. 179 **Local Government Financial Reporting Revisions** C. Bramble  
Governor Signed on 3/26/2013  
Effective Date: 5/14/2013
- S.B. 180 **Public Utilities Amendments** K. Van Tassell  
Governor Signed on 3/27/2013  
Effective Date: 5/14/2013
- S.B. 181 **Political Subdivisions Property Amendments** W. Harper  
Senate/ filed on 3/14/2013
- S.B. 182 **Storage Unit Amendments** J. Adams  
Governor Signed on 3/26/2013  
Effective Date: 5/14/2013
- S.B. 183 **Adoption Agency Modifications** L. Robles  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 184 **Youth Suicide Prevention Revisions** L. Robles  
Senate/ filed on 3/14/2013
- S.B. 185 **Division of Oil, Gas, and Mining Amendments** K. Van Tassell  
Governor Signed on 3/27/2013  
Effective Date: 5/14/2013
- S.B. 186 **Insurance Transactions Amendments** L. Robles  
Governor Signed on 4/1/2013  
Effective Date: 1/1/2014
- S.B. 187 **Food Handler Licensing Amendments** C. Bramble  
Governor Signed on 4/1/2013  
Effective Date: 7/1/2013

- S.B. 188 **Amendments to Adoption Requirements** T. Weiler  
Senate/ filed on 3/14/2013
- S.B. 189 **Oncology Insurance Amendments** C. Bramble  
Governor Signed on 3/26/2013  
Effective Date: 5/14/2013
- S.B. 190 **Procurement Revisions** S. Jenkins  
Governor Signed on 4/1/2013  
Effective Date: 5/1/2013
- S.B. 191 **Administrative Law Judge Amendments** W. Harper  
Governor Signed on 3/26/2013  
Effective Date: 5/14/2013
- S.B. 192 **Economic Development Incentives Act Amendments** R. Okerlund  
Senate/ filed on 3/14/2013
- S.B. 193 **Vehicle Registration Amendments** S. Jenkins  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 194 **Pharmacy Practice Act Amendments** E. Vickers  
Governor Signed on 3/26/2013  
Effective Date: 5/14/2013
- S.B. 195 **Utah Charity Care Commission** J. Adams  
Senate/ filed on 3/14/2013
- S.B. 196 **License Plate Reader Amendments** T. Weiler  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 197 **Private Investigators Qualification Amendments** M. Dayton  
Senate/ filed on 3/14/2013
- S.B. 198 **Utah Unitrust Act** L. Hillyard  
Governor Signed on 3/27/2013  
Effective Date: 5/14/2013

- S.B. 199 **Energy Revisions** C. Bramble  
Senate/ filed on 3/14/2013
- S.B. 200 **Local and Special Service Districts Amendments** J. Stevenson  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 201 **Public Use Trails Amendments** C. Bramble  
Senate/ filed on 3/14/2013
- S.B. 202 **Extensions of Natural Gas Lines** R. Okerlund  
Senate/ filed on 3/14/2013
- S.B. 203 **PreS.C.R. iption Label Information and Education Amendments** P. Jones  
Governor Signed on 3/22/2013  
Effective Date: 5/14/2013
- S.B. 204 **Judiciary Amendments** L. Hillyard  
Governor Signed on 3/27/2013  
Effective Date: 7/1/2013
- S.B. 205 **Campaign Finance Amendments** L. Robles  
Senate/ filed on 3/14/2013
- S.B. 206 **Office of Medicaid Inspector General Amendments**A. Christensen  
Senate/ filed on 3/14/2013
- S.B. 207 **Repeal of Health and Human Services Reports and Expired or Discontinued Programs** A. Christensen  
Governor Signed on 3/26/2013  
Effective Date: 5/14/2013
- S.B. 208 **Solar Photovoltaic Contractor License Amendments** E. Vickers  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013

- S.B. 209 **Grants for Personal Mobile Learning Devices** A. Osmond  
Senate/ filed on 3/14/2013
- S.B. 210 **Amendments Related to Use of Business Names** T. Weiler  
Senate/ filed on 3/14/2013
- S.B. 211 **Redevelopment Agency Amendments** J. Stevenson  
Governor Signed on 3/22/2013  
Effective Date: 5/14/2013
- S.B. 212 **Judicial Code Amendments** R. Okerlund  
Senate/ filed on 3/14/2013
- S.B. 213 **Employer Association Health Plan Amendments** P. Knudson  
Governor Signed on 3/26/2013  
Effective Date: 5/14/2013
- S.B. 214 **Continuing Education for PreS.C.R. iption Drugs** P. Jones  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 215 **Peace Officer Standards and Training  
Certification Age Requirement** L. Hillyard  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 216 **Water Pollution Task Force** R. Okerlund  
Senate/ filed on 3/14/2013
- S.B. 217 **Utility Liability Limits** T. Weiler  
Senate/ filed on 3/14/2013
- S.B. 218 **Receiving Centers Funding Amendments** D. Thatcher  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 219 **Payment of Insurance Proceeds** S. Urquhart  
Senate/ filed on 3/14/2013

- S.B. 220 **Traffic Code Amendments** P. Knudson  
Senate/ filed on 3/14/2013
- S.B. 221 **Assessment Area Act Amendments** K. Van Tassell  
Governor Signed on 3/27/2013  
Effective Date: 5/14/2013
- S.B. 222 **Transportation Amendments** W. Harper  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 223 **State Senate Boundary Amendments** R. Okerlund  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 224 **State Board of Education Boundary Amendments** R. Okerlund  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 225 **Immigration Trigger Dates** C. Bramble  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 226 **Sales and Use Tax Amendments** W. Harper  
Senate/ filed on 3/14/2013
- S.B. 227 **Patient Information Protection Amendments** S. Urquhart  
Senate/ filed on 3/14/2013
- S.B. 228 **Penalties for Specified Juvenile Offenses** B. Shiozawa  
Governor Signed on 3/22/2013  
Effective Date: 5/14/2013
- S.B. 229 **Appellate Bond for State Entities** C. Bramble  
Governor Signed on 3/21/2013  
Effective Date: 3/21/2013
- S.B. 230 **Miners' Hospital Grants Amendments** D. Hinkins  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013



- S.B. 231 **Political Action Committee Amendments** E. Vickers  
Senate/ filed on 3/14/2013
- S.B. 232 **Adoption Code Revisions** T. Weiler  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 233 **Request for Emergency Medical Assistance Amendments** C. Bramble  
Governor Signed on 3/26/2013  
Effective Date: 5/14/2013
- S.B. 234 **Fire Code Amendments** C. Bramble  
Governor Signed on 3/27/2013  
Effective Date: 5/14/2013
- S.B. 235 **Interstate Mining Compact** D. Hinkins  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 236 **Uninsured and Underinsured Motorist Coverage Amendments** L. Hillyard  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 237 **Taxation of Short-term Lodging** J. Adams  
Senate/ filed on 3/14/2013
- S.B. 238 **Property Tax Amendments** C. Bramble  
Governor Signed on 3/27/2013  
Effective Date: 1/1/2014
- S.B. 239 **Alcoholic Beverage Control Act Sampling Amendments** J. Valentine  
Senate/ filed on 3/14/2013
- S.B. 240 **Billboard Amendments** S. Urquhart  
Senate/ filed on 3/14/2013

- S.B. 241 **Disclosure Requirements for Midterm Vacancy Candidates** T. Weiler  
Governor Signed on 3/26/2013  
Effective Date: 5/14/2013
- S.B. 242 **Health Insurance Market Amendments** L. Hillyard  
Senate/ filed on 3/5/2013
- S.B. 243 **Bullying and Hazing Amendments** L. Robles  
Senate/ filed on 3/14/2013
- S.B. 244 **Utah Department of Agriculture and Food Amendments** D. Hinkins  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 245 **Court Fees for Political Subdivisions** D. Thatcher  
Senate/ filed on 3/14/2013
- S.B. 246 **Volunteer Workers Amendments** S. Jenkins  
Governor Signed on 3/27/2013  
Effective Date: 5/14/2013
- S.B. 247 **Amendments to Revenue and Taxation** W. Harper  
Governor Signed on 4/1/2013  
Effective Date: 7/1/2013
- S.B. 248 **Alcoholic Beverage Control Act and Small Manufacturers** J. Valentine  
Senate/ filed on 3/14/2013
- S.B. 249 **Salvage and Nonrepairable Vehicle Amendments** S. Urquhart  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 250 **Sales and Use Tax Exemption for Sales of a Fuel Cell** R. Okerlund  
Governor Signed on 3/22/2013  
Effective Date: 3/22/2013

- S.B. 251 **Truth in Advertising** B. Shiozawa  
Senate/ filed on 3/14/2013
- S.B. 252 **Hospital Credentialing Amendments** R. Okerlund  
Senate/ filed on 3/5/2013
- S.B. 253 **Sale of Dogs and Cats** G. Davis  
Senate/ filed on 3/14/2013
- S.B. 254 **Penalty for Well Drilling Without a License** W. Harper  
Senate/ filed on 3/14/2013
- S.B. 255 **Human Services Amendments** W. Harper  
Governor Signed on 3/26/2013  
Effective Date: 5/14/2013
- S.B. 256 **Preconstruction and Construction Liens  
Amendments** S. Jenkins  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 257 **Personalized Educator Evaluation Technology** J. Adams  
Senate/ filed on 3/14/2013
- S.B. 258 **Rename Utah State University – College of  
Eastern Utah** D. Hinkins  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 259 **Amendments to Disability Waiting List** A. Christensen  
Governor Signed on 3/26/2013  
Effective Date: 5/14/2013
- S.B. 260 **Early Childhood Education Programs  
Amendments** S. Urquhart  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013

- S.B. 261 **Amendments Related to Alcoholic Beverage Control** J. Valentine  
Senate/ filed on 3/14/2013
- S.B. 262 **Employment and Housing Antidiscrimination Amendments** S. Urquhart  
Senate/ filed on 3/14/2013
- S.B. 263 **Child Care Costs Amendments** T. Weiler  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 264 **Office of Recovery Services Pilot Program** A. Christensen  
Senate/ filed on 3/14/2013
- S.B. 265 **Referendum Amendments** J. Valentine  
Senate/ filed on 3/11/2013
- S.B. 266 **Tax Revisions** J. Valentine  
Senate/ filed on 3/14/2013
- S.B. 267 **New Convention Hotel Development Incentive Act** J. Adams  
Senate/ filed on 3/14/2013
- S.B. 268 **Human Services Background Checks Amendments** A. Christensen  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 269 **Property Tax Revisions** J. Valentine  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 270 **Controlled Substance Amendments** E. Vickers  
Governor Signed on 3/22/2013  
Effective Date: 5/14/2013

- S.B. 271 **School Grading Amendments** J. Adams  
Governor Signed on 4/3/2013  
Effective Date: 5/14/2013
- S.B. 272 **Public School Funding Amendments** C. Bramble  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 273 **Declared Emergency Amendments** M. Madsen  
Senate/ filed on 3/14/2013
- S.B. 274 **Condominium Foreclosure Amendments** S. Urquhart  
Senate/ filed on 3/14/2013
- S.B. 275 **Energy Amendments** J. Adams  
Governor Signed on 3/28/2013  
Effective Date: 3/28/2013
- S.B. 276 **Water Conservancy District Capital Assets** J. Valentine  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 277 **Green River Energy Zone** D. Hinkins  
Governor Signed on 4/1/2013  
Effective Date: 4/1/2013
- S.B. 278 **Capital Improvement Amendments** W. Harper  
Governor Signed on 3/27/2013  
Effective Date: 5/14/2013
- S.B. 279 **Math Literacy – Stem Initiative** S. Urquhart  
Senate/ filed on 3/14/2013
- S.B. 280 **Dispensing Medical Practitioner Amendments** E. Vickers  
Senate/ filed on 3/14/2013
- S.B. 281 **Debt Collection Information Amendments** C. Bramble  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013

- S.B. 282 **Adoption Notification Requirements** L. Robles  
Governor Signed on 4/1/2013  
Effective Date: 5/14/2013
- S.B. 283 **Availability of Public Information Amendments** D. Henderson  
Governor Signed on 3/22/2013  
Effective Date: 5/14/2013
- S.B. 284 **Educational Technology Amendments** J. Stevenson  
Governor Signed on 3/26/2013  
Effective Date: 5/14/2013
- S.B. 285 **Involuntary Civil Commitment Information Amendments** D. Thatcher  
Governor Signed on 3/28/2013  
Effective Date: 5/14/2013
- S.B. 286 **Employee Lunch Break Amendments** L. Robles  
Senate/ filed on 3/14/2013
- S.B. 287 **Elementary Education Coteaching** J. Valentine  
Senate/ filed on 3/14/2013
- S.B. 288 **Uniform Agriculture Cooperative Association Act Amendments** D. Hinkins  
Senate/ filed on 3/14/2013
- S.B. 289 **Election Offense Amendments** P. Knudson  
Governor Signed on 3/26/2013  
Effective Date: 3/26/2013
- S.C.R. 1 **Concurrent Resolution Approving Solid Waste Facility Landfill Permit** D. Hinkins  
Governor Signed on 3/21/2013  
Effective Date: 3/21/2013
- S.C.R. 2 **Concurrent Resolution Recognizing Workers' Compensation Fund for Workplace Safety** K. Mayne  
Governor Signed on 3/4/2013  
Effective Date: 3/4/2013

- S.C.R. 3 **Threatened Species Damage and Management Plan Concurrent Resolution** E. Vickers  
Governor Signed on 3/22/2013  
Effective Date: 3/22/2013
- S.C.R. 4 **Standing with Israel Concurrent Resolution** C. Bramble  
Governor Signed on 3/22/2013  
Effective Date: 3/22/2013
- S.C.R. 5 **Concurrent Resolution Expressing Support for Achieving 66% by 2020 Goal** J. Stevenson  
Governor Signed on 3/22/2013  
Effective Date: 3/22/2013
- S.C.R. 6 **Concurrent Resolution on Federal Gas Tax** D. Henderson  
Governor Signed on 3/21/2013  
Effective Date: 3/21/2013
- S.C.R. 7 **Concurrent Resolution to Reduce Utah's Dependence on Federal Funds** A. Osmond  
Governor Signed on 3/26/2013  
Effective Date: 3/26/2013
- S.C.R. 8 **Concurrent Resolution for the Provo Reservoir Canal Title Transfer** M. Dayton  
Governor Signed on 3/12/2013  
Effective Date: 3/12/2013
- S.C.R. 9 **Concurrent Resolution Designating a Week to Recognize Workplace Safety** K. Mayne  
Governor Signed on 3/21/2013  
Effective Date: 3/21/2013
- S.C.R. 10 **Concurrent Resolution Regarding Monticello Mill Tailings Site** D. Hinkins  
Governor Signed on 4/1/2013  
Effective Date: 4/1/2013
- S.C.R. 11 **Concurrent Resolution on Radon Gas** J. Valentine  
Governor Signed on 4/1/2013  
Effective Date: 4/1/2013

- S.C.R. 12 **Children’s and Families’ Cancer Research Facility Concurrent Resolution** J. Adams  
Governor Signed on 3/28/2013  
Effective Date: 3/28/2013
- S.J.R. 1 **Joint Rules Resolution on Performance Notes** J. Stevenson  
Senate/ to Lieutenant Governor on 2/12/2013  
Effective Date: 2/7/2013
- S.J.R. 2 **Joint Resolution Reappointing Legislative Fiscal Analyst** W. Niederhauser  
Senate/ to Lieutenant Governor on 3/20/2013  
Effective Date: 3/7/2013
- S.J.R. 3 **Joint Rules Resolution on Requests for Legislation** A. Osmond  
Senate/ to Lieutenant Governor on 3/18/2013  
Effective Date: 3/13/2013
- S.J.R. 4 **Joint Resolution on Ethics Complaint Procedures** L. Robles  
Senate/ filed on 3/14/2013
- S.J.R. 5 **Joint Resolution on State Superintendent of Public Instruction** S. Reid  
Senate/ filed on 3/11/2013
- S.J.R. 6 **Joint Rules Resolution on Circled Bills** A. Osmond  
Senate/ filed on 3/14/2013
- S.J.R. 7 **Joint Rules Resolution on Revenue Estimates for Federal Funds** W. Harper  
Senate/ to Lieutenant Governor on 2/27/2013  
Effective Date: 2/21/2013
- S.J.R. 8 **Joint Resolution Concerning Railroad and Railroad Crossing Safety** K. Mayne  
Senate/ to Lieutenant Governor on 3/5/2013  
Effective Date: 2/28/2013



- S.J.R. 9 **Joint Resolution – Jail Contracting** M. Madsen  
Senate/ filed on 3/14/2013
- S.J.R. 10 **Joint Resolution on the Protection of the  
Greater Canyonlands Region** J. Dabakis  
Senate/ filed on 3/14/2013
- S.J.R. 11 **Joint Resolution on Environmental and  
Developmental Policies** T. Weiler  
Senate/ to Lieutenant Governor on 3/12/2013  
Effective Date: 3/8/2013
- S.J.R. 12 **Joint Resolution on Taiwan** P. Knudson  
Senate/ to Lieutenant Governor on 3/6/2013  
Effective Date: 2/25/2013
- S.J.R. 13 **Joint Resolution Urging Governor and Utah’s  
Congressional Delegation to Secure  
Utah State Land** A. Osmond  
Senate/ to Lieutenant Governor on 3/25/2013  
Effective Date: 3/14/2013
- S.J.R. 14 **Joint Resolution Amending Civil  
Procedure Rule 62** C. Bramble  
Senate/ to Lieutenant Governor on 3/18/2013  
Effective Date: 3/12/2013
- S.J.R. 15 **Joint Resolution Regarding the Impact of Adult  
Images on Children’s Development** T. Weiler  
Senate/ to Lieutenant Governor on 3/25/2013  
Effective Date: 3/14/2013
- S.R. 1 **Senate Resolution on Government Subsidies  
of Hotels** J. Valentine  
Senate/ filed on 3/14/2013

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STATE OF UTAH

# **SENATE JOURNAL**

FIRST EXTRAORDINARY SESSION OF  
THE  
SIXTIETH LEGISLATURE

Convened and Adjourned on  
Wednesday, May 15, 2013

## **CERTIFICATION**

The undersigned, as the duly appointed committee on revision of the Senate Journal for the First Extraordinary Session of the Sixtieth Legislature of the State of Utah, do hereby certify that herein contained is an accurate record of the proceedings of the First Extraordinary Session convening on Wednesday, May 15, 2013, and adjourning sine die on the same day.

**Leslie McLean**  
Secretary of the Senate

**Joanna MacKay**  
Manager, Senate Services

**Mary B. Andrus**  
Journal Clerk

**STATE OF UTAH**

**SENATE JOURNAL**

**FIRST EXTRAORDINARY SESSION**  
**of the**  
**SIXTIETH LEGISLATURE**

*The Senate of the Sixtieth Legislature of the State of Utah met in the Senate Chamber at the State Capitol Complex in the First Extraordinary Session at 1:30 p.m. on Wednesday, May 15, 2013.*

The Senate was called to order at 2:00 p.m. with President Wayne L. Niederhauser presiding.

**Prayer** – Ralph Okerlund

**Pledge of Allegiance** – Gene Davis

\* \* \*

Leslie McLean, Secretary of the Senate, read the following communication:

**PROCLAMATION**

WHEREAS, since the close of the 2013 General Session of the 60th Legislature of the State of Utah, certain matters have arisen which 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 Senate in Extraordinary Session;

NOW, THEREFORE, I, GARY R. HERBERT, Governor of the State of Utah, by virtue of the authority vested in me by the Constitution and Laws of the State of Utah, do by this Proclamation call the Senate only of the 60th Legislature into the First Extraordinary Session at the State Capitol in Salt Lake City, Utah, on the 15th day of May 2013, at 1:30 p.m., for the following purpose:

For the Senate to consent to appointments made by the Governor to positions within state government of the State of Utah since the close of the 2013 General Session of the Legislature of the State of Utah.

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 Utah State Capitol in Salt  
Lake City, Utah, this 10th day  
of May 2013.

Gary R. Herbert  
Governor

Greg Bell  
Lieutenant Governor

#### **CERTIFICATION**

I, GREG BELL, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT the attached copy of the Proclamation issued on the 13th day of May, 2013, and signed by Governor Gary R. Herbert, is a true and correct copy of the original Proclamation calling the Sixtieth Legislature of the State of Utah into a First Extraordinary Session at the Capitol Complex at Salt Lake City, Utah, on the 15th day of May, 2013, at 1:30 p.m., for the purpose named in the Proclamation.

I further certify that the membership of the Utah State Senate has not changed from that of the 2013 General Legislative Session.

In testimony whereof, I have  
hereunto set my hand and  
affixed the Great Seal of the  
State of Utah, at Salt Lake City,  
this 13th day of May, 2013.

Greg Bell  
Lieutenant Governor

Roll call – All Senators present except Senators Bramble, Harper, Reid, and Vickers, excused.

On motion of Senator Valentine, the Senate voted to adopt the Senate Rules of the 2013 General Session of the Sixtieth Legislature as the rules for the First Extraordinary Session.

President Niederhauser appointed a committee comprised of Senators Stevenson, Urquhart, and Dabakis to notify the Governor's representative that the Senate is convened in the First Extraordinary Session in accordance with his proclamation.

Senator Stevenson advised the Senate that the Governor's representative has been notified of the convening of the First Extraordinary Session.

### **COMMUNICATIONS FROM THE GOVERNOR**

Mr. President: April 2, 2013

In accordance with Utah Code 67-1-1 and 67-1-2, I propose and transmit the following appointment:

#### **Department of Workforce Services**

Jon S. Pierpont is appointed to replace Kristen Cox as Executive Director of the Department of Workforce Services. See Utah Code 35A-1-201.

Thank you for your timely consideration and confirmation of the above appointments.

Gary R. Herbert  
Governor

Mr. President: May 10, 2013

The Senate Economic Development and Workforce Services Confirmation Committee met on the 14th day of May 2013, and recommends Senate confirmation of Jon S. Pierpont as Executive Director of the Department of Workforce Services.

Aaron Osmond, Chair

\* \* \*

Mr. President: April 30, 2013

In accordance with Utah Code 67-1-1 and 67-1-2, I propose and transmit the following appointments:

#### **Department of Corrections:**

Rollin E. Cook is appointed to replace Thomas Patterson as the Executive Director of the Department of Corrections. See Utah Code 64-13-3.

**Securities Commission:**

David A. Russon is appointed to replace Jane Cameron as a member of the Securities Commission, a term to expire May 12, 2017. See Utah Code 61-1-18.5.

Gary Cornia is appointed to replace Laura Polacheck as a member of the Securities Commission, a term to expire May 12, 2017. See Utah Code 61-1-18.5.

Erik A. Christiansen is reappointed as a member of the Securities Commission, a term to expire May 12, 2017. See Utah Code 61-1-18.5.

**Permanent Community Impact Fund Board:**

James Jae Potter is appointed to replace Michael Milovich as a member of the Permanent Community Impact Fund Board, a term to expire July 1, 2013. Mr. Potter is also appointed to a term to expire July 1, 2017. See Utah Code 35A-8-304.

**Labor Commission Appeals Board:**

Patricia Smith Drawe is reappointed as a member of the Labor Commission Appeals Board, a term to expire March 1, 2019. See Utah Code 34A-1-205.

**Drinking Water Board:**

Paul Gailey Hansen is reappointed as a member of the Drinking Water Board, a term to expire May 8, 2017. See Utah Code 19-4-103.

Heather Anne Jackson is reappointed as a member of the Drinking Water Board, a term to expire May 8, 2017. See Utah Code 19-4-103.

Tage Ivan Flint is reappointed is reappointed as a member of the Drinking Water Board, a term to expire May 8, 2015. See Utah Code 19-4-103.

David King Stevens is reappointed as a member of the Drinking Water Board, a term to expire May 8, 2015. See Utah Code 19-4-103.

Betty G. Naylor is reappointed as a member of the Drinking Water Board, a term to expire May 8, 2015. See Utah Code 19-4-103.

Mark Howard Stevens is appointed to replace Terry Beebe as a member of the Drinking Water Board, a term to expire May 8, 2017. See Utah Code 19-4-103.

Brett Harvey Chynoweth is appointed to replace Daniel Fleming as a member of the Drinking Water Board, a term to expire May 8, 2015. See Utah Code 19-4-103.

Natasha R. Madsen is appointed to replace Kenneth Bassett as a member of the Drinking Water Board, a term to expire May 8, 2017. See Utah Code 19-4-103.



**Board of Business and Economic Development:**

Mel S. Lavitt is reappointed as a member of the Board of Business and Economic Development, a term to expire March 15, 2017. See Utah Code 63M-1-302.

Peter Mouskondis is reappointed as a member of the Board of Business and Economic Development, a term to expire March 15, 2017. See Utah Code 63M-1-302.

Thank you for your timely consideration and confirmation of the above appointments.

Gary R. Herbert  
Governor

\* \* \*

Mr. President:

May 10, 2013

At its meeting today, the Senate Law Enforcement and Criminal Justice Confirmation Committee voted unanimously to recommend that the Utah Senate approve the nomination of Mr. Rollin E. Cook as Executive Director of the Department of Corrections.

Mark B. Madsen, Chair

\* \* \*

Senator Hillyard moved to consent to the appointments as read by Joanna MacKay. Senators Osmond and Madsen commented. The motion passed on the following roll call vote:

**Yeas, 25; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Weiler
Niederhauser			

**Absent or not voting were:** Senators

Bramble	Harper	Reid	Vickers
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**COMMITTEE OF THE WHOLE**

On motion of Senator Okerlund, Jon S. Pierpont and Rollin E. Cook spoke in Committee of the Whole.

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

President Niederhauser directed the committee to wait upon the Governor's representative to notify him that the Senate has concluded its business.

Senator Stevenson reported that the committee had notified the Governor's representative that the Senate has concluded its business, and that the Governor has no further business to bring before the Senate.

On motion of Senator Okerlund, and at 2:20 p.m., the Senate adjourned sine die.

STATE OF UTAH

# **SENATE JOURNAL**

**SECOND EXTRAORDINARY SESSION  
OF THE  
SIXTIETH LEGISLATURE**

Convened and Adjourned on  
Wednesday, June 19, 2013

## **CERTIFICATION**

The undersigned, as the duly appointed committee on revision of the Senate Journal for the Second Extraordinary Session of the Sixtieth Legislature of the State of Utah, do hereby certify that herein contained is an accurate record of the proceedings of the Second Extraordinary Session convening on Wednesday, June 19, 2013, and adjourning sine die on the same day.

**Leslie McLean**  
Secretary of the Senate

**Joanna MacKay**  
Manager, Senate Services

**Mary B. Andrus**  
Journal Clerk

**STATE OF UTAH**  
**SENATE JOURNAL**

**SECOND EXTRAORDINARY SESSION**  
**of the**  
**SIXTIETH LEGISLATURE**

*The Senate of the Sixtieth Legislature of the State of Utah met in the Senate Chamber at the State Capital Complex in the Second Extraordinary Session at 1:30 p.m. on Wednesday, June 19, 2013.*

The Senate was called to order at 2:30 p.m. with President Wayne L. Niederhauser presiding.

**Prayer** – Senator Evan Vickers

**Pledge of Allegiance** – Senator Allen Christensen

\* \* \*

Leslie McLean, Secretary of the Senate, read the following communication:

**PROCLAMATION**

WHEREAS, since the close of the 2013 General Session of the 60th Legislature of the State of Utah, certain matters have arisen which 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 Senate in Extraordinary Session;

NOW, THEREFORE, I, GARY R. HERBERT, Governor of the State of Utah, by virtue of the authority vested in me by the Constitution and Laws of the State of Utah, do by this Proclamation call the Senate only of the 60th Legislature into the Second Extraordinary Session at the State Capitol in Salt Lake City, Utah, on the 19th day of June 2013, at 1:30 p.m., for the following purpose:

For the Senate to consent to appointments made by the Governor to positions within state government of the State of Utah since the close of the 2013 General Session of the Legislature of the State of Utah.

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 Utah State Capitol in Salt  
Lake City, Utah, this 17th day  
of June 2013.

Gary R. Herbert

Governor

Greg Bell

Lieutenant Governor

#### **CERTIFICATION**

I, GREG BELL, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT the attached copy of the Proclamation issued on the 17th day of June, 2013, and signed by Governor Gary R. Herbert, is a true and correct copy of the original Proclamation calling the Sixtieth Legislature of the State of Utah into a Second Extraordinary Session at the Capitol Complex at Salt Lake City, Utah, on the 19th day of June, 2013, at 1:30 p.m., for the purpose named in the Proclamation.

I further certify that the membership of the Utah State Senate has not changed from that of the 2013 General Legislative Session.

In testimony whereof, I have  
hereunto set my hand and  
affixed the Great Seal of the  
State of Utah, at Salt Lake City,  
this 17th day of June, 2013.

Greg Bell

Lieutenant Governor

Roll call – All Senators present except Senators Harper and Davis, excused.

On motion of Senator Valentine, the Senate voted to adopt the Senate Rules of the 2013 General Session of the Sixtieth Legislature as the rules for the Second Extraordinary Session.

President Niederhauser appointed a committee comprised of Senators Weiler, Osmond, and Mayne to notify the Governor’s representative that the Senate is convened in the Second Extraordinary Session in accordance with his proclamation.

Senator Weiler advised the Senate that the Governor’s representative has been notified of the convening of the Second Extraordinary Session.

**COMMUNICATIONS FROM THE GOVERNOR**

Mr. President: April 22, 2013

I am pleased to inform you that I have appointed Renee M. Jimenez as a Judge of the third District Juvenile Court, pursuant to Article VII, Section 8 of the Utah Constitution and Utah Code Section 78A–10–101.

Thank you for your timely consideration and confirmation of Ms. Jimenez.

Gary R. Herbert  
Governor

Mr. President: June 11, 2013

The Senate Judicial Confirmation Committee met on June 11, 2013, and reports a favorable recommendation for Ms. Renee M. Jimenez to be confirmed to the position of Judge in the Third District Juvenile Court.

Scott K. Jenkins, Chair

Senator Hillyard moved to consent to the appointment of Renee M. Jimenez. The motion passed on the following roll call vote:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Dayton	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Davis	Harper	Robles
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**COMMITTEE OF THE WHOLE**

On motion of Senator Okerlund, Judge Renee M. Jimenez spoke in Committee of the Whole.

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

### **COMMUNICATIONS FROM THE GOVERNOR**

Mr. President: June 3, 2013

In accordance with Utah Code 67-1-1 and 67-1-2, I propose and transmit the following appointment:

#### **Quality Growth Commission:**

Scott Dallas Sandall is appointed to replace Flint Richards as a member of the Quality Growth Commission, a term to expire April 15, 2017. See Utah Code 11-38-201.

Jae Potter is appointed to replace Sally Elliot as a member of the Quality Growth Commission, the remaining portion of the term to expire April 15, 2015. See Utah Code 11-38-201.

David Mansell is reappointed as a member of the Quality Growth Commission, a term to expire April 15, 2017. See Utah Code 11-38-201.

Soren Simonsen is reappointed as a member of the Quality Growth Commission, a term to expire April 15, 2017. See Utah Code 11-38-201.

#### **Utah Housing Corporation Board of Trustees:**

Lerron E. Little is appointed to replace Bruce Tucker as a member of the Utah Housing Corporation Board of Trustees, a term to expire May 30, 2017. See Utah Code 35A-8-704.

Lucy M. Delgadillo is reappointed as a member of the Utah Housing Corporation Board of Trustees, a term to expire May 30, 2017. See Utah Code 35A-8-704.

Kay R. Ashton is reappointed as a member of the Utah Housing Corporation Board of Trustees, a term to expire May 30, 2017. See Utah Code 35A-8-704.

#### **Board of Tourism Development:**

Kym Buttshardt is appointed to replace Georgianna Knudson as a member of the Board of Tourism Development, a term to expire June 30, 2017. See Utah Code 63M-1-1402.

Kathy Marie Hanna-Smith is appointed to replace Colin Fryer as a member of the Board of Tourism Development, a term to expire June 30, 2017. See Utah Code 63M-1-1402.



Gordon W. Topham is appointed to replace Peter Corroon as a member of the Board of Tourism Development, a term to expire June 30, 2017. See Utah Code 63M-1-1402.

**Utah State Fair Corporation Board of Directors:**

Ted D. Lewis is appointed to replace Steve Barth as a member of the Utah State Fair Corporation Board of Directors, a term to expire December 1, 2017. See Utah Code 63H-6-104.

Paula H. Martin is appointed to replace Steve Frischnecht as a member of the Utah State Fair Corporation Board of Directors, a term to expire December 1, 2017. See Utah Code 63H-6-104.

LouAnn Newell Christensen is appointed to replace Kent Buttars as a member of the Utah State Fair Corporation Board of Directors, a term to expire December 1, 2017. See Utah Code 63H-6-104.

**Youth Parole Authority:**

Margaret A. Jackson is appointed to replace Jennifer Yim as a member of the Youth Parole Authority, a term to expire April 1, 2017. See Utah Code 62A-7-501.

Athelia Tanner Woolley is appointed to replace Deween Durrant as a member of the Youth Parole Authority, a term to expire April 1, 2017. See Utah Code 62A-7-501.

Pamela Eileen Beatse is appointed to replace Olga Castaneda as a member of the Youth Parole Authority, the remaining portion of the term to expire April 1, 2015. See Utah Code 62A-7-501.

Simon Daniel Nicolía is appointed to replace Rodney Fakato as a member of the Youth Parole Authority, the remaining portion of the term to expire April 1, 2015. See Utah Code 62A-7-501.

Sharlene Christensen is appointed to replace Margaret Jackson as a member of the Youth Parole Authority, the remaining portion of the term to expire April 1, 2015. See Utah Code 62A-7-501.

Rick T. Westoreland is appointed to replace a vacant Pro Tempore member of the Youth Parole Authority, a term to expire April 1, 2017. See Utah Code 62A-7-501.

Myron Thomas Benson is reappointed as a member of the Youth Parole Authority, a term to expire April 1, 2017. See Utah Code 62A-7-501.

Lynn Jay Stewart is reappointed as a member of the Youth Parole Authority, a term to expire April 1, 2017. See Utah Code 62A-7-501.

**Digital Health Data Service Commission:**

Sarah Lynn Woolsey is appointed to replace Doug Hasbrouck as a member of the Digital Health Data Commission, the remaining portion of the term to expire October 1, 2013. Ms. Woolsey is also appointed to a term to expire October 1, 2016. See Utah Code 26-9f-103.

Mark F. Dalley is appointed to replace Bradley LeBaron as a member of the Digital Health Data Commission, a term to expire October 1, 2016. See Utah Code 26-9f-103.

Craig C. Herzog is appointed to replace Mark Munger as a member of the Digital Health Data Commission, a term to expire October 1, 2016. See Utah Code 26-9f-103.

**Board of Aging And Adult Services:**

Martha E. Autrey is appointed to replace Darnel Haney as a member of the Board of Aging and Adult Services, a term to expire April 1, 2017. See Utah Code 62A-1-107.

Eric Michael Allen is appointed to replace Joseph Miner as a member of the Board of Aging and Adult Services, a term to expire April 1, 2017. See Utah Code 62A-1-107.

Neil G. Anderton is appointed to replace James Winder as a member of the Board of Aging and Adult Services, a term to expire April 1, 2017. See Utah Code 62A-1-107.

Barbara Anne Heise is appointed to replace Hilary Gordon as a member of the Board of Aging and Adult Services, a term to expire April 1, 2017. See Utah Code 62A-1-107.

**Wildlife Board:**

Kirk J. Woodward is appointed to replace Del Brady as a member of the Wildlife Board, a term to expire August 15, 2019. See Utah Code 23-14-2.

Steve C. Dalton is appointed to replace Ernie Perkins as a member of the Wildlife Board, a term to expire August 15, 2019. See Utah Code 23-14-2.

**Real Estate Commission:**

Lori Chapman is appointed to replace H. Thayne Houston as a member of the Real Estate Commission, a term to expire June 30, 2017. See Utah Code 61-2F-103.

**Title and Escrow Commission:**

Jeffrey Donald Wiener is appointed to replace Cortlund Ashton as a member of the Title and Escrow Commission, a term to expire June 30, 2017. See Utah Code 31A-2-403.

Matthew Blaine Sager is appointed to replace Jerry Houghton as a member of the Title and Escrow Commission, a term to expire June 30, 2017. See Utah Code 31A-2-403.

Sylvia Skinner Andersen is appointed to replace Dirk Keyes as a member of the Title and Escrow Commission, a term to expire June 30, 2017. See Utah Code 31A-2-403.

**Alcoholic Beverage Control Commission:**

Dennis J. Nordfeldt is appointed to replace Richard Sperry as a member of the Alcoholic Beverage Control Commission, a term to expire July 1, 2017. See Utah Code 32B-2-201.

Jeffrey Wright is reappointed as a member of the Alcoholic Beverage Control Commission, a term to expire July 1, 2017. See Utah Code 32B-2-201.

**Political Subdivisions Ethics Review Commission:**

Roger Thompson is appointed as a member of the Political Subdivisions Ethics Review Commission, a term to expire March 1, 2017. See Utah Code 11-49-201.

**University Of Utah Board Of Trustees:**

Lisa Eccles is reappointed as a member of the University Of Utah Board Of Trustees, a term to expire June 30, 2017. See Utah Code 53B-2-104.

Taft E. Price is reappointed as a member of the University Of Utah Board Of Trustees, a term to expire June 30, 2017. See Utah Code 53B-2-104.

Joyce P. Valdez is reappointed as a member of the University Of Utah Board Of Trustees, a term to expire June 30, 2017. See Utah Code 53B-2-104.

**Salt Lake Community College Board Of Trustees:**

Sanchita Datta is appointed to replace Jesselie Anderson as a member of the Salt Lake Community College Board of Trustees, a term to expire June 30, 2017. See Utah Code 53B-2-104.

**Utah State University Board of Trustees:**

Jody K. Burnett is appointed to replace Douglas Foxley as a member of the Utah State University Board of Trustees, a term to expire June 30, 2017. See Utah Code 53B-2-104.

Ronald W. Jibson is reappointed as a member of the Utah State University Board of Trustees, a term to expire June 30, 2017. See Utah Code 53B-2-104.

Susan D. Johnson is reappointed as a member of the Utah State University Board of Trustees, a term to expire June 30, 2017. See Utah Code 53B-2-104.

**Southern Utah University Board of Trustees:**

Matthew M. Cannon is appointed to replace Gayle Pollock as a member of the Southern Utah University Board of Trustees, a term to expire June 30, 2017. See Utah Code 53B-2-104.

Anne Marie McIff Allen is reappointed as a member of the Southern Utah University Board of Trustees, a term to expire June 30, 2017. See Utah Code 53B-2-104.

Carolyn Carter Higbee is reappointed as a member of the Southern Utah University Board of Trustees, a term to expire June 30, 2017. See Utah Code 53B-2-104.

**Dixie State University Board of Trustees:**

Chris Durham is appointed to replace Lon Henderson as a member of the Dixie State College Board of Trustees, a term to expire June 30, 2017. See Utah Code 53B-2-104.

Elizabeth Rhodes Bingham is reappointed as a member of the Dixie State College Board of Trustees, a term to expire June 30, 2017. See Utah Code 53B-2-104.

Jon Pike is reappointed as a member of the Dixie State College Board of Trustees, a term to expire June 30, 2017. See Utah Code 53B-2-104.

David Clark is reappointed as a member of the Dixie State College Board of Trustees, a term to expire June 30, 2017. See Utah Code 53B-2-104.

**Utah Department of Transportation:**

Carlos M. Braceras is appointed to replace John Njord as the Executive Director of the Utah Department of Transportation. See Utah Code 72-1-202.

Thank you for your timely consideration and confirmation of the above appointments.

Gary R. Herbert  
Governor

\* \* \*

Mr. President: June 18, 2013

At its meeting today, the Senate Business and Labor Confirmation Committee voted unanimously to recommend that the Utah Senate approve the nomination of Dennis Nordfelt to the Alcoholic Beverage Control Commission.

Curtis S. Bramble, Chair

\* \* \*

Mr. President: June 18, 2013

The Senate Transportation and Public Utilities and Technology Confirmation Committee met on the 19th day of June 2013, and recommends Senate confirmation of Carlos M. Braceras as Executive Director of the Utah Department of Transportation.

Kevin T. Van Tassell, Chair

Senator Hillyard moved to consent to the appointments as read by Joanna MacKay. Senators Bramble, Christensen, Van Tassell, and Adams commented. The motion passed on the following roll call vote:

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

**Voting in the affirmative were:** Senators

Adams	Bramble	Christensen	Dabakis
Dayton	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Shiozawa	Stephenson	Stevenson	Thatcher
Urquhart	Valentine	Van Tassell	Vickers
Weiler	Niederhauser		

**Absent or not voting were:** Senators

Davis	Harper	Robles
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**COMMITTEE OF THE WHOLE**

On motion of Senator Okerlund, Carlos M Braceras spoke in Committee of the Whole.

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

### **SPECIAL RECOGNITION**

Vismaya Kharkar, Utah representative at the Scripps national spelling bee was recognized by the Senate.

### **COMMITTEE OF THE WHOLE**

On motion of Senator Weiler, Vismaya Kharkar, Scripps spelling bee competitor from Utah spoke in Committee of the Whole.

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

\* \* \*

President Niederhauser directed the committee to wait upon the Governor's representative to notify him that the Senate has concluded its business.

Senator Weiler reported that the committee had notified the Governor's representative that the Senate has concluded its business, and that the Governor has no further business to bring before the Senate.

On motion of Senator Okerlund, and at 3:05 p.m., the Senate adjourned sine die.

STATE OF UTAH

# **SENATE JOURNAL**

**FIRST SPECIAL SESSION  
OF THE  
SIXTIETH LEGISLATURE**

Convened and Adjourned on Wednesday, July 17, 2013

## **CERTIFICATION**

The undersigned, as the duly appointed committee on revision of the Senate Journal for the Fourth Special Session of the Fifty–Ninth Legislature of the State of Utah, do hereby certify that herein contained is an accurate record of the proceedings of the Fourth Special Session convening on Wednesday, June 20, 2012, and adjourning sine die the same day.

**Leslie McLean**  
Secretary of the Senate

**Joanna MacKay**  
Manager, Senate Services

**Mary B. Andrus**  
Journal Clerk



**SENATE JOURNAL**

**FIRST SPECIAL SESSION**  
**of the**  
**SIXTIETH LEGISLATURE**

**July 17, 2013**

*Pursuant to the proclamation of His Excellency, Governor Gary R. Herbert, the Senate of the Sixtieth Legislature of the State of Utah met in the Senate Chamber of the State Capitol in a Special Session at 12:30 p.m. on Wednesday, July 17, 2013.*

The Senate was called to order at 1:30 p.m., with President Wayne Niederhauser presiding.

**Prayer** – Senator Patricia Jones

**Pledge of Allegiance** – Senator Wayne Harper

**Roll Call** – All Senators present, except Senator Bramble, excused.

Leslie McLean read the following Proclamation and Certification.

**PROCLAMATION**

WHEREAS, since the adjournment of the 2013 General Session of the Sixtieth Legislature of the State of Utah, matters have arisen that require immediate legislative attention;

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; and

NOW, THEREFORE, I, Gary R. Herbert, 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, call the Sixtieth Legislature of the State of Utah into a First Special Session at the Utah State Capitol, in Salt Lake City, Utah, on the 17th day of July 2013, at 12:30 p.m., solely for the following purposes:

1. To consider changes relating to legislative subpoenas, the provision of testimony and evidence to the legislative branch, including the grant of immunity to a witness, and

enacting provisions relating to the work of legislative investigative committees, including the circumstances under which certain records received by, or generated by or for, a special legislative committee may be classified as protected and the circumstances under which a legislative investigative committee meeting may be closed;

2. To consider modifying provisions relating to the unauthorized practice of law;
3. To consider a joint resolution approving a settlement pursuant to the State Settlement Agreements Act and a related appropriation;
4. To consider amendments to private investigator licensing statutes to allow out-of-state private investigators to obtain a Utah license if hired to assist a legislative special investigative committee investigating an elected official or to assist the Legislature with an impeachment inquiry;
5. To consider the repeal of Utah Code Section 53-13-106.5 and other related sections; and
6. For the Senate to consent to appointments made by the Governor.

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 Utah State Capitol in Salt  
Lake City, Utah, this 15th day  
of July, 2013.

Gary R. Herbert  
Governor  
Greg Bell  
Lieutenant Governor

#### **SUPPLEMENTAL PROCLAMATION**

WHEREAS, the undersigned issued a Proclamation on July 15, 2013, calling the Sixtieth Legislature of the State of Utah into a First Special Session beginning on the 17th day of July 2013; and

WHEREAS, the undersigned has since been informed of the need to include an additional item of business for consideration in this First Special Session;

NOW, THEREFORE, I, Gary R. Herbert, 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 include the following item for Legislative action:

7. To consider modifying all code sections amended by H.B. 155, Federal Law Enforcement Amendments (2013 General Session), in order to reverse all changes made by that H.B. 155.

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 Utah State Capitol in Salt  
Lake City, Utah, this 16th day  
of July, 2013.

Gary R. Herbert  
Governor  
Greg Bell  
Lieutenant Governor

#### **CERTIFICATION**

I, Greg Bell, Lieutenant Governor of the State of Utah, do hereby certify that the attached copies of the Proclamation issued on the 15th day of July, 2013, and the Supplemental Proclamation issued on the 16th day of July, 2013, signed by Governor Gary R. Herbert, are true and correct copies of the original Proclamation and Supplemental Proclamation calling the Sixtieth Legislature of the State of Utah into the First Special Session at the Capitol Complex at Salt Lake City, Utah, on the 17th day of July, 2013, at 12:30 p.m., for the purposes named in the Proclamation and the Supplemental Proclamation.

I further certify that the membership of the Utah State Senate has not changed from that Certification of the 2013 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, Utah, this 17th day  
of July, 2013

Greg Bell  
Lieutenant Governor

\* \* \*

On motion of Senator Valentine, the Senate voted to adopt the Senate Rules of the 2013 General Session of the Sixtieth Legislature as the rules for the First Special Session.

President Niederhauser appointed a committee comprised of Senators Harper, Reid, and Jones to notify Governor Gary R. Herbert's representative that the Senate is convened in the First Special Session in accordance with his proclamation and is organized and ready to receive any communication from him.

President Niederhauser appointed a committee comprised of Senators Jenkins, Christensen, and Robles to notify the House of Representatives that the Senate is organized and ready to do business.

Representatives Grover, Snow and Romero reported that the House of Representatives is organized and ready to do business.

Senator Harper reported that the Governor's representative has been notified.

Senator Jenkins reported that the House has been notified.

On motion of Senator Valentine, 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 applied 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 or Senate bill or resolution.

**INTRODUCTION OF BILLS**

**S.B. 1001, Deep Creek Case Appropriation** (L. Hillyard), was read the first time by short title.

**S.J.R. 101, Joint Resolution Approving the Deep Creek Case Settlement Agreement** (L. Hillyard), was read the first time by short title.

On motion of Senator Okerlund, the Senate voted to suspend the rules and place **S.B. 1001** and **S.J.R. 101** on the Second Reading Calendar.

**SECOND READING CALENDAR**

On motion of Senator Hillyard, the Senate, by a 2/3 vote, voted to suspend the three readings requirement and the requirement that the bill have a Senate standing committee hearing.

On motion of Senator Hillyard, under suspension of the rules, **S.B. 1001, DEEP CREEK CASE APPROPRIATION**, was considered read the second and third times. Senator Hillyard explained the bill. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**S.B. 1001** was transmitted to the House.

\* \* \*

On motion of Senator Hillyard, under suspension of the rules, **S.J.R. 101, JOINT RESOLUTION APPROVING THE DEEP CREEK CASE SETTLEMENT AGREEMENT**, was considered read the second and third times. Senator Hillyard explained the bill. The bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**S.J.R. 101** was transmitted to the House.

### COMMUNICATIONS FROM THE GOVERNOR

Mr. President: June 7, 2013

I am pleased to inform you that I have appointed Paul Parker as a Judge of the Third District Court, pursuant to Article VIII, Section 8 of the Utah Constitution and Utah Code Section 78A-10-101.

Thank you for your timely consideration and confirmation of Mr. Parker.

Gary R. Herbert  
Governor

Mr. President: July 12, 2013

The Senate Judicial Confirmation Committee met on July 12, 2013, and reports a favorable recommendation for Mr. Paul Parker to be confirmed to the position of Judge in the Third District Court.

Scott K. Jenkins, Chair

On motion of Senator Hillyard, the Senate voted to consent to the appointment of Paul Parker as a Judge of the Third District Court on the following roll call vote:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson

Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**COMMITTEE OF THE WHOLE**

On motion of Senator Okerlund, Judge Paul Parker spoke in Committee of the Whole. Senator Jenkins commented.

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

**COMMUNICATIONS FROM THE GOVERNOR**

Mr. President: July 2, 2013

In accordance with Utah Code 67-1-1 and 67-1-2, I propose and transmit the following appointments:

**Crime Victims Reparation and Assistance Board:**

Shane Minor is appointed to replace Gretchen McNees as a member of the Crime Victim Reparations and Assistance Board, a term to expire April 15, 2017. See Utah Code 63M-7-504.

**State Board of Regents:**

Jessalie Barlow Anderson is appointed to replace Nolan Karras as a member of the State Board of Regents, a term to expire June 30, 2019. See Utah Code 53B-1-104.

Joyce P. Valdez is appointed to replace Marlon O. Snow as a member of the State Board of Regents, a term to expire June 30, 2019. See Utah Code 53B-1-104.

Daniel Wayne Campbell is reappointed as a member of the State Board of Regents, a term to expire June 30, 2019. See Utah Code 53B-1-104.

Robert Scott Marquardt is reappointed as a member of the State Board of Regents, a term to expire June 30, 2019. See Utah Code 53B-1-104.

Teresa L. Theurer is reappointed as a member of the State Board of Regents, a term to expire June 30, 2019. See Utah Code 53B-1-104.

**Salt Lake Community College Board of Trustees:**

Patricia Rae Richards is appointed to replace Larry Hancock as a member of the Salt Lake Community College Board of Trustees, a term to expire June 30, 2017. See Utah Code 53B-2-104.

Karen Gail Saxton Miller is reappointed as a member of the Salt Lake Community College Board of Trustees, a term to expire June 30, 2017. See Utah Code 53B-2-104.

**University of Utah Board of Trustees:**

H. David Burton is appointed to replace Timothy Anderson as a member of the University Of Utah Board Of Trustees, a term to expire June 30, 2017. See Utah Code 53B-2-104.

**Weber State University Board of Trustees:**

Bonnie Clark is appointed to replace Kathryn Lindquist as a member of the Weber State University Board of Trustees, a term to expire June 30, 2017. See Utah Code 53B-2-104.

Nolan Karras is appointed to replace James C. Beardall as a member of the Weber State University Board of Trustees, a term to expire June 30, 2017. See Utah Code 53B-2-104.

Steve Starks is reappointed as a member of the Weber State University Board of Trustees, a term to expire July 1, 2015. See Utah Code 53B-2-104.

Kevin John Sullivan is reappointed as a member of the Weber State University Board of Trustees, a term to expire July 1, 2015. See Utah Code 53B-2-104.

**Utah State University Board of Trustees:**

Linda Clark Gillmor is appointed to replace Robert Foley as a member of the Utah State University Board of Trustees, a term to expire June 30, 2017. See Utah Code 53B-2-104.

**Dixie State University Board of Trustees:**

Julie Bangerter Beck is reappointed as a member of Dixie State University Board of Trustees, a term to expire June 30, 2017. See Utah Code 53B-2-104.

**Snow College Board Of Trustees:**

W. Brent Davis is appointed to replace Eddie Cox as a member of the Snow College Board of Trustees, a term to expire June 30, 2017. See Utah Code 53B-2-104.



Regan H. Bolli is appointed to replace Mary Greathouse as a member of the Snow College Board of Trustees, a term to expire June 30, 2017. See Utah Code 53B-2-104.

Michael McLean is appointed to replace Sam Cardon as a member of the Snow College Board of Trustees, a term to expire June 30, 2017. See Utah Code 53B-2-104.

Leslie C. Keisel is appointed to replace Jim Shank as a member of the Snow College Board of Trustees, a term to expire June 30, 2017. See Utah Code 53B-2-104.

Theresa L. Alder is reappointed as a member of the Snow College Board of Trustees, a term to expire June 30, 2017. See Utah Code 53B-2-104.

Douglas L. Barton is reappointed as a member of the Snow College Board of Trustees, a term to expire June 30, 2017. See Utah Code 53B-2-104.

#### **Utah Valley University Board of Trustees:**

Elaine S. Dalton is appointed to replace Carolyn Merrill as a member of the Utah Valley University Board of Trustees, a term to expire June 30, 2017. See Utah Code 53B-2-104.

Fidel A. Montero is appointed to replace Doyle Mortimer as a member of the Utah Valley University Board of Trustees, a term to expire June 30, 2017. See Utah Code 53B-2-104.

R. Duff Thompson is appointed to replace Rebecca Marriott Champion as a member of the Utah Valley University Board of Trustees, a term to expire June 30, 2017. See Utah Code 53B-2-104.

#### **State Tax Commission:**

Michael Cragun is reappointed as a member of the State Tax Commission, a term to expire June 30, 2017. See Utah Code 59-1-201.

#### **Utah Department of Public Safety:**

Keith D. Squires is appointed to replace Lance Davenport as the Commissioner of the Utah Department of Public Safety. See Utah Code 53-1-107.

#### **Utah Department of Veterans Affairs**

Gary R. Harter is appointed to replace Terry Schow as the Executive Director of the Utah Department of Veterans Affairs. See Utah Code 71-8-2.

**School and Institutional Trust Lands Board Of Trustees:**

At the request of the nominee, please withdraw Warren H. Peterson's name from consideration as a member of the School and Institutional Trust Lands Board of Trustees.

**Department of Human Resource Management**

Debbie Cragun is appointed to replace Jeff Herring as the Executive Director of the Department of Human Resource Management.

Thank you for your timely consideration and confirmation of the above appointments.

Gary R. Herbert  
Governor

\* \* \*

Mr. President: July 16, 2013

The Senate Education Confirmation Committee met on July 16, 2013, and reports a favorable recommendation for Jesselie Barlow Anderson as a member of the State Board of Regents; and

The Senate Education Confirmation Committee met on July 16, 2013, and reports a favorable recommendation for Joyce P. Valdez as a member of the State Board of Regents.

Stephen H. Urquhart, Chair

Mr. President: July 17, 2013

The Senate Revenue and Taxation Confirmation Committee met on July 16, 2013, and unanimously reports a favorable recommendation for Mr. Michael J. Cragun to be confirmed as the State Tax Commissioner.

John L. Valentine, Chair

Mr. President: July 11, 2013

At its meeting today, the Senate Law Enforcement and Criminal Justice Confirmation Committee voted unanimously to recommend that the Utah Senate approve the nomination of the following as the Commissioner of the Utah Department of Public Safety:

Mr. Keith Squires

Mark B. Madsen, Chair

Mr. President: July 17, 2013

At its meeting today, the Senate Government Operations Confirmation Committee voted unanimously to recommend that the Utah Senate approve the

nomination of Mr. Gary R. Harter as Executive Director of the Utah Department of Veterans' and Military Affairs; and

At its meeting today, the Senate Government Operations Confirmation Committee voted unanimously to recommend that the Utah Senate approve the nomination of Ms. Debbie Cragun as Executive Director of Human Resource Management.

Wayne A. Harper, Chair

On motion of Senator Hillyard, the Senate voted to consent to the Governor's appointments as read by Joanna MacKay. Senators Valentine, Urquhart, Madsen, and Weiler commented. The motion passed on the following roll call vote:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**COMMITTEE OF THE WHOLE**

On motion of Senator Okerlund, Commissioner Keith Squires spoke in Committee of the Whole. Senators commented.

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

\* \* \*

On motion of Senator Okerlund, and at 2:20 p.m., the Senate sauntered.

The Senate was called to order at 3:00 p.m., with President Niederhauser presiding.

### COMMUNICATIONS FROM THE HOUSE

Mr. President:

July 17, 2013

The House passed **H.B. 1001**, LEGISLATIVE INVESTIGATIVE COMMITTEE AMENDMENTS, by Representative B. Dee, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk

Communication filed. The bill was read the first time.

On motion of Senator Valentine, the Senate voted to place **H.B. 1001** on the Second Reading Calendar.

### SECOND READING CALENDAR

On motion of Senator Adams, the Senate, by a 2/3 vote, voted to suspend the three readings requirement and the requirement that the bill have a Senate standing committee hearing.

On motion of Senator Adams, under suspension of the rules, **H.B. 1001**, LEGISLATIVE INVESTIGATIVE COMMITTEE AMENDMENTS, was considered read the second and third times. Senators Hillyard, Stephenson, Valentine, and Mayne commented and the bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**H.B. 1001** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

### COMMUNICATIONS FROM THE HOUSE

Mr. President:

July 17, 2013

The House passed **H.B. 1002**, PRACTICING LAW WITHOUT A LICENSE AMENDMENTS, by Representative B. Dee, and it is transmitted for consideration; and

The House passed **H.B. 1003**, PRIVATE INVESTIGATOR REGULATION ACT AMENDMENTS, by Representative B. Dee, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk  
Communications filed. The bills were read the first time by short title.

\* \* \*

On motion of Senator Okerlund, the Senate voted to suspend the rules and place **H.B. 1002** and **H.B. 1003** on the Second Reading Calendar.

### SECOND READING CALENDAR

On motion of Senator Okerlund, the Senate, by a 2/3 vote, voted to suspend the three readings requirement and the requirement that the bill have a Senate standing committee hearing.

On motion of Senator Okerlund, under suspension of the rules, **H.B. 1002**, PRACTICING LAW WITHOUT A LICENSE AMENDMENTS, was considered read the second and third times. Senator Jones, Hillyard, and Adams commented and the bill passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Dabakis	Davis	Dayton
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Madsen
Mayne	Okerlund	Osmond	Reid
Robles	Shiozawa	Stephenson	Stevenson
Thatcher	Urquhart	Valentine	Van Tassell
Vickers	Weiler	Niederhauser	

**Absent or not voting were:** Senators

Bramble	Christensen
---------	-------------

**H.B. 1002** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Knudson, the Senate, by a 2/3 vote, voted to suspend the three readings requirement and the requirement that the bill have a Senate standing committee hearing.

On motion of Senator Knudson, under suspension of the rules, **H.B. 1003**, PRIVATE INVESTIGATOR REGULATION ACT AMENDMENTS, was considered read the second and third times and passed on the following roll call:

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

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Dayton	Harper	Henderson	Hillyard
Hinkins	Jenkins	Jones	Knudson
Madsen	Mayne	Okerlund	Osmond
Reid	Robles	Shiozawa	Stephenson
Stevenson	Thatcher	Urquhart	Valentine
Van Tassell	Vickers	Weiler	Niederhauser

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

**H.B. 1003** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

On motion of Senator Okerlund, and at 3:25 p.m., the Senate sauntered.

The Senate was called to order at 3:45 p.m., with President Niederhauser presiding.

### COMMUNICATIONS FROM THE HOUSE

Mr. President: July 17, 2013

The House passed, **S.B. 1001**, DEEP CREEK CASE APPROPRIATION, by Senator L. Hillyard, which has been signed by the Speaker, and it is transmitted for the signature of the President; and

The House passed, **S.J.R. 101**, JOINT RESOLUTION APPROVING THE DEEP CREEK CASE SETTLEMENT AGREEMENT, by Senator L. Hillyard, which has been signed by the Speaker, and it is transmitted for the signature of the President.

Sandy D. Tenney, Chief Clerk

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

\* \* \*

Mr. President:

July 17, 2013

The House passed, as substituted, **1st Sub. H.B. 1004**, LAW ENFORCEMENT MODIFICATIONS, by Representative M. Noel, and it is transmitted for consideration.

Sandy D. Tenney, Chief Clerk  
Communication filed. The bill was read the first time by short title.

\* \* \*

On motion of Senator Okerlund, the Senate voted to suspend the rules and place **1st Sub. H.B. 1004** on the Second Reading Calendar.

Senator Valentine made the following motion: "Pursuant to Article VII, Section 6, of the Utah Constitution, we agree to consider items that were submitted in the Governor's revised and supplemental calls with less than 48 hours notice." The motion passed by a 2/3 vote.

**SECOND READING CALENDAR**

On motion of Senator Hinkins, the Senate, by a 2/3 vote, voted to suspend the three readings requirement and the requirement that the bill have a Senate standing committee hearing.

On motion of Senator Hinkins, under suspension of the rules, **1st Sub. H.B. 1004**, LAW ENFORCEMENT MODIFICATIONS, was considered read the second and third times. Senator Jones and Robles commented and the bill passed on the following roll call:

**Yeas, 24; Nays, 3; Absent or not voting, 2.**

**Voting in the affirmative were:** Senators

Adams	Christensen	Dabakis	Davis
Harper	Henderson	Hillyard	Hinkins
Jenkins	Jones	Knudson	Mayne
Okerlund	Osmond	Reid	Robles
Shiozawa	Stephenson	Stevenson	Thatcher
Valentine	Van Tassell	Vickers	Niederhauser

**Voting in the negative were:** Senators

Dayton	Madsen	Weiler
--------	--------	--------

**Absent or not voting were:** Senators  
Bramble                      Urquhart

**1st Sub. H.B. 1004** was signed by the President of the Senate in open session and returned to the House for the signature of the Speaker.

\* \* \*

President Niederhauser appointed Senators Harper, Reid, and Jones to join with a like committee from the House to wait upon the Governor's representative and ask if he has any further business to bring before the Senate.

President Niederhauser appointed Senators Jenkins, Christensen, and Robles to notify the House of Representatives that the Senate has concluded its business and is ready to adjourn sine die.

Senator Harper reported that his committee, with a like committee from the House, notified the Governor's representative that the Legislature has concluded its business and is ready to adjourn sine die.

Senator Jenkins reported that the House has been notified that the Senate has concluded its business and is ready to adjourn sine die.

On motion of Senator Okerlund, and at 4:10 p.m., the Senate adjourned sine die.



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SIXTIETH LEGISLATURE  
FIRST SPECIAL SESSION

Convened and Adjourned on  
Wednesday, July 17, 2013

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