

**JOURNAL**  
of the  
**House of Representatives**  
of the  
**State of Utah**

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**FIFTY-EIGHTH LEGISLATURE**  
**2010 GENERAL SESSION**

Commencing January 25, 2010 and  
Ending March 11, 2010

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# **CERTIFICATION**

The undersigned, as the duly appointed committee on the revision of the House Journal of the 2010 General Session of the Fifty–eighth Legislature of the State of Utah, do hereby certify that the contents published herein are a full, true and correct record of the proceedings of the session commencing on Monday, January 25, 2010 and ending Thursday, March 11, 2010.

**COMMITTEE ON REVISION  
OF THE HOUSE JOURNAL**

**SANDY D. TENNEY**  
Chief Clerk

**JANICE A. GADD**  
Journal Clerk



## HOUSE LEADERSHIP



David L. Clark  
*Speaker*

### MAJORITY LEADERSHIP (Republican)



Kevin S. Garn  
*Majority Leader*



Brad L. Dee  
*Majority Whip*

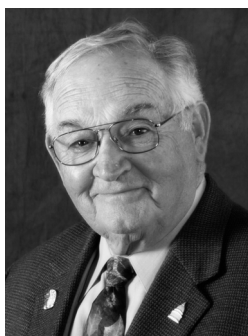


Rebecca Lockhart  
*Asst. Majority Whip*

### MINORITY LEADERSHIP (Democrat)



David L. Litvack  
*Minority Leader*



James R. Gowans  
*Minority Whip*



Carol Spackman Moss  
*Asst. Minority Whip*



## House Full-Time Staff



Chris Bleak  
*Chief of Staff*



Sandy D. Tenney  
*Chief Clerk*



Kathryn Jackson  
*Administrative Assistant*



Emily Bergeson  
*Assistant to Majority  
Leadership*



Rhoda Struhs  
*House Minority Caucus  
Assistant*





## HOUSE LEADERSHIP

Speaker of the House (R) . . . . . David L. Clark  
Majority Leader (R) . . . . . Kevin S. Garn  
Majority Whip (R) . . . . . Brad Dee  
Assistant Majority Whip (R) . . . . . Rebecca Lockhart  
Minority Leader (D) . . . . . David Litvack  
Minority Whip (D) . . . . . James R. Gowans  
Assistant Minority Whip (D) . . . . . Carol Spackman Moss

## SENATE LEADERSHIP

President of the Senate (R) . . . . . Michael G. Waddoups  
Majority Leader (R) . . . . . Scott K. Jenkins  
Majority Whip (R) . . . . . Wayne L. Niederhauser  
Assistant Majority Whip (R) . . . . . Peter C. Knudson  
Minority Leader (D) . . . . . Pat Jones  
Minority Whip (D) . . . . . Ross I. Romero  
Assistant Minority Whip (D) . . . . . Karen Mayne

## STATE OFFICIALS

Governor . . . . . Gary Herbert  
Lieutenant Governor . . . . . Greg Bell  
Attorney General . . . . . Mark Shurtleff  
Auditor . . . . . Auston Johnson  
Treasurer . . . . . Richard K. Ellis

## CONGRESSIONAL DELEGATION

Senator . . . . . Robert F. Bennett  
Senator . . . . . Orrin G. Hatch  
Congressman . . . . . Jim Matheson  
Congressman . . . . . Rob Bishop  
Congressman . . . . . Jason Chaffetz

## UTAH SUPREME COURT

Chief Justice . . . . . Christine M. Durham  
Assoc. Chief Justice . . . . . Matthew B. Durrant  
Justice . . . . . Ronald E. Nehring  
Justice . . . . . Jill N. Parrish  
Justice . . . . . Michael J. Wilkins



# MEMBERS OF THE HOUSE

## Fifty-eighth Legislature

- |   |                                                          |                                                                                                                                 |
|---|----------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| 1 | <b>Ronda Rudd Menlove</b><br>(R)<br>Box Elder,<br>Tooele | 17680 N 5200 W<br>GARLAND UT 84312<br>Home (435) 458-9115<br>Office (435) 797-3728                                              |
| 2 | <b>Ben C Ferry</b><br>(R)<br>Box Elder<br>Cache          | 905 N 6800 W<br>CORINNE UT 84307<br>Home/Office (435) 744-2997<br>Fax (435) 744-2999                                            |
| 3 | <b>Jack R Draxler</b><br>(R)<br>Cache                    | 1946 N 1650 E<br>NORTH LOGAN UT 84341<br>Home (435) 752-2668<br>Office (435) 752-1488                                           |
| 4 | <b>Fred R Hunsaker</b><br>(R)<br>Cache, Rich             | 1190 N 1700 E<br>LOGAN UT 84341<br>Home (435) 753-1850<br>Cell (435) 757-0184                                                   |
| 5 | <b>R Curt Webb</b><br>(R)<br>Cache                       | 233 N MAIN<br>LOGAN UT 84321<br>Home (435) 753-0215<br>Office (435) 753-2467                                                    |
| 6 | <b>Kerry W Gibson</b><br>(R)<br>Weber                    | 5454 W 1150 S<br>OGDEN UT 84404<br>Home (801) 731-8071<br>Office (801) 940-0475<br>Cell (801) 710-5220<br>Fax (801) 731-5471    |
| 7 | <b>Ryan Wilcox</b><br>(R)<br>Weber                       | 1240 DOUGLAS<br>OGDEN UT 84404<br>Home (801) 334-7697                                                                           |
| 8 | <b>Gage Froerer</b><br>(R)<br>Weber                      | P O BOX 379<br>HUNTSVILLE UT 84317<br>Home (801) 745-0505<br>Office (801) 621-0505<br>Cell (801) 391-4233<br>Fax (801) 621-0506 |
| 9 | <b>Neil A Hansen</b><br>(D)<br>Weber                     | 1031 CAPITOL ST<br>OGDEN UT 84401<br>Home (801) 393-1514<br>Cell (801) 564-0862<br>Fax (801) 392-8011                           |



21	<b>James R Gowans</b> (D) <i>Minority Whip</i> Tooele	240 S 200 W TOOELE UT 84074 Home (435) 882-2120
22	<b>Susan Duckworth</b> (D) Salt Lake	2901 MERTON WAY MAGNA UT 84044 Home (801) 250-0728
23	<b>Jennifer M Seelig</b> (D) <i>Minority Caucus Man.</i> Salt Lake	986 W STERLING DR SALT LAKE CITY UT 84116 Home (801) 519-2544 Office (801) 924-9892
24	<b>Rebecca Chavez-Houck</b> (D) Salt Lake	643 E 16TH AVE SALT LAKE CITY UT 84103 Home (801) 466-9292 Cell (801) 891-9292
25	<b>Christine A Johnson</b> (D) Salt Lake, Summit	1508 E 900 S SALT LAKE CITY UT 84105 Cell (801) 661-3489
26	<b>David Litvack</b> (D) <i>Minority Leader</i> Salt Lake	368 E 600 S SALT LAKE CITY UT 84111 Home (801) 596-0187 Cell (801) 792-7172
27	<b>John Dougall</b> (R) Utah	PO BOX 771 AMERICAN FORK 84003 Home/Office (801) 492-1365
28	<b>Brian King</b> (D) Salt Lake	1855 MICHIGAN AVENUE SALT LAKE CITY UT 84108 Home (801) 583-5464 Office (801) 532-1739 Cell (801) 560-0769 Fax (801) 532-1936
29	<b>Janice M Fisher</b> (D) Salt Lake	6411 W 3785 S WEST VALLEY CITY UT 84128 Home (801) 250-2698
30	<b>Jackie Biskupski</b> (D) Salt Lake	1572 S 1400 E SALT LAKE CITY UT 84105 Home (801) 484-8369
31	<b>Larry B Wiley</b> (D) Salt Lake	1450 W 3300 S WEST VALLEY CITY UT 84119 Home (801) 487-8095 Office (801) 520-8051
32	<b>Ron Bigelow</b> (R) Salt Lake	4658 WATER WOOD DR WEST VALLEY CITY UT 84120 Home (801) 968-4188

33	<b>Neal B Hendrickson</b> (D) Salt Lake	3402 W 4100 S WEST VALLEY CITY UT 84119 Home (801) 969-8920
34	<b>Johnny Anderson</b> (R) Salt Lake	4289 S EL CAMINO ST TAYLORSVILLE UT 84119 Home (801) 988-4383 Fax (801) 988-4383
35	<b>Mark A Wheatley</b> (D) Salt Lake	447 E MOSS CREEK DR MURRAY UT 84107 Home (801) 264-8844
36	<b>Phil Riesen</b> (D) Salt Lake	4382 S 2900 E SALT LAKE CITY UT 84124 Home (801) 272-6188 Cell (801) 560-3055
37	<b>Carol Spackman Moss</b> (D) <i>Asst. Minority Whip</i> Salt Lake	2712 E KELLY LANE SALT LAKE CITY UT 84117 Home (801) 272-6507 Cell (801) 647-8764
38	<b>Eric K Hutchings</b> (R) Salt Lake	5438 W STONY RIDGE CIR KEARNS UT 84118 Home (801) 963-2639
39	<b>James A Dunnigan</b> (R) Salt Lake	3105 W 5400 S SUITE 6 TAYLORSVILLE UT 84118 Home (801) 968-8594 Office (801) 840-1800
40	<b>Lynn N Hemingway</b> (D) Salt Lake	1513 ASHFORD DR SALT LAKE CITY UT 84124 Cell (801) 231-2153
41	<b>Todd E Kiser</b> (R) Salt Lake	10702 S 540 E SANDY UT 84070 Home (801) 571-0179 Office (801) 266-6800
42	<b>Jim Bird</b> (R) Salt Lake	5111 WEST WOODWORTH WEST JORDAN UT 84084 Home (801) 280-9056 Office (801) 282-4112
43	<b>Wayne A Harper</b> (R) Salt Lake	6683 S NOTTINGHAM DR WEST JORDAN UT 84084 Home (801) 566-5466
44	<b>Tim M Cosgrove</b> (D) Salt Lake	477 E 6325 S MURRAY UT 84107 Home (801) 685-0673
45	<b>Laura Black</b> (D) Salt Lake	8555 S GRAMBLING WAY SANDY UT 84094 Home (801) 561-8433

46	<b>Marie H Poulson</b> (D) Salt Lake	7037 HORIZON CIRCLE COTTONWOOD HEIGHTS UT 84121 Home (801) 942-5390
47	<b>Steven R Mascaro</b> (R) Salt Lake	3075 W 9050 S WEST JORDAN UT 84088 Home (801) 569-2719 Office (801) 965-8145 Fax (801) 495-3713
48	<b>Trisha Beck</b> (D) Salt Lake	1783 E 9880 S SANDY UT 84092 Home (801) 572-2325 Fax (801) 572-2328
49	<b>Jay Seegmiller</b> (D) Salt Lake	9152 S STERLING DR SANDY UT 84093 (801) 538-1029
50	<b>Merlynn T Newbold</b> (R) Salt Lake	10454 S 1440 W SOUTH JORDAN UT 84095 Home (801) 254-0142
51	<b>Gregory H Hughes</b> (R) Salt Lake	472 MIDLAKE DR DRAPER UT 84020 Home (801) 572-5305 Office (801) 548-2922
52	<b>Carl Wimmer</b> (R) Salt Lake	5526 W 13400 S #108 HERRIMAN UT 84096 Cell (801) 254-5981
53	<b>Melvin R Brown</b> (R) Daggett, Morgan, Rich, Summit, Wasatch	PO BOX 697 COALVILLE UT 84017 Home (435) 336-3309 Cell (435) 901-1729 Fax (435) 722-9111
54	<b>Kraig Powell</b> (R) Duchesne, Uintah, Wasatch	943 E 530 N HEBER CITY UT 84032 Home (435) 654-5986 Office (435) 654-1550
55	<b>John G Mathis</b> (R) Grand, Uintah	384 E 2500 S VERNAL UT 84078 Home (435) 789-7316
56	<b>Kenneth W Sumsion</b> (R) Utah	PO BOX 1475 AMERICAN FORK UT 84003 Cell (801) 404-8225
57	<b>Craig A Frank</b> (R) Utah	10808 N LACOSTA CEDAR HILLS UT 84062 Home (801) 785-6652 Cell (801) 362-3171

58	<b>Stephen E Sandstrom</b> (R) Utah	1775 SKYLINE DR OREM UT 84097 Home (801) 229-2194 Office (801) 229-0088 Cell (801) 592-3502 Fax (801) 229-0089
59	<b>Lorie D Fowlke</b> (R) Utah	596 W 1200 N OREM UT 84057 Home (801) 225-0721 Office (801) 375-5600 Fax (801) 375-5607
60	<b>Bradley M Daw</b> (R) Utah	842 E 280 S OREM UT 84097 Cell (801) 850-3608
61	<b>Keith Grover</b> (R) Utah	1374 W 1940 N PROVO UT 84604 Cell (801) 319-0170 Fax (801) 356-2442
62	<b>Christopher N Herrod</b> (R) Utah	4125 CRESTVIEW AVE PROVO UT 84604 Home (801) 375-9624 Cell (801) 836-1304
63	<b>Stephen D Clark</b> (R) Utah	968 E FIR AVE PROVO UT 84604 Home (801) 374-6927 Office (801) 863-7289 Fax (801) 863-7071
64	<b>Rebecca D Lockhart</b> (R) <i>Asst. Majority Whip</i> Utah	1754 S NEVADA AVE PROVO UT 84606 Home (801) 377-7428 Cell (801) 369-6784
65	<b>Francis Gibson</b> (R) Utah	208 S 680 W MAPLETON UT 84664 Home (801) 491-3763
66	<b>Michael T Morley</b> (R) Utah	678 W 350 N SPANISH FORK UT 84660 Cell (801) 636-0296
67	<b>Patrick L Painter</b> (R) Carbon, Juab, Sanpete, Utah	1100 N MAIN NEPHI UT 84648 Home (435) 623-5139 Office (435) 623-0687 Cell (435) 660-1147 Fax (435) 623-2265
68	<b>Bill Wright</b> (R) Juab, Millard, Sanpete	P O BOX 126 HOLDEN UT 84636 Home (435) 864-4887 Cell (801) 404-7066



69	<b>Christine Watkins</b> (D) Carbon, Emery, Garfield, Grand, San Juan, Wayne	1548 E 5700 S PRICE UT 84501 Cell (435) 650-1969
70	<b>Kay L Mccliff</b> (R) Emery, Sanpete, Sevier	225 N 100 E RICHFIELD UT 84701 Cell (801) 608-4331 Office (435) 896-4461
71	<b>Bradley G Last</b> (R) Washington	640 E 700 S STE 303 ST GEORGE UT 84770 Home (435) 635-7334 Office (435) 673-8666
72	<b>Evan Vickers</b> (R) Iron	2166 N COBBLE CREEK DR CEDAR CITY UT 84721 Home (435) 586-4399 Office (435) 586-9651
73	<b>Michael E Noel</b> (R) Beaver, Garfield, Iron, Kane, Piute, Sevier, Washington, Wayne	PO BOX 301 KANAB UT 84741 Home (435) 644-5603 Office (435) 644-3996 Cell (435) 647-8853 Fax (435) 616-5603
74	<b>David Clark</b> (R) <i>Speaker of the House</i> Washington	1831 RED MOUNTAIN SANTA CLARA UT 84765 Home (435) 628-5108 Office (435) 634-5123
75	<b>Don Ipson</b> (R) Washington	539 DIAGONAL STREET ST GEORGE UT 84770 Home (435) 673-8216 Work (435) 674-6301 Fax (435) 627-1516



**HOUSE JOURNAL**  
**of the**  
**FIFTY-EIGHTH LEGISLATURE**  
**of the**  
**STATE OF UTAH**  
**GENERAL SESSION**  
**FIRST DAY**

\* \* \*

**MORNING SESSION**

House Chamber  
State Capitol  
Salt Lake City, Utah  
January 25, 2010

The House was called to order by Speaker David Clark at 10:00 a.m.

Prayer given by Elder M. Russell Ballard, Quorum of the Twelve, Church of Jesus Christ of Latter-Day Saints.

**PRAYER BY ELDER M. RUSSELL BALLARD**

Our Father in Heaven, gratefully we bow our heads on this important day of the opening of the legislative efforts of these wonderful men and women, who have been elected to a very sacred responsibility of watching over the affairs of the State of Utah. We ask thee to bless them with a rich outpouring of thy spirit, that they may have wisdom beyond their normal capacities, that they may see the future in the decisions that they will be called upon to make, that they will have ever in the back of their minds their children, grandchildren and great grandchildren, not only of theirs but of all of us in this great state of Utah. We ask thee to bless them with protection and safety as they travel to and from their homes. Bless their families while they give this time unselfishly to watch care of this great state of Utah. We need help Heavenly Father from divine sources and it's a privilege to address thee this morning in sacred prayer. And now we ask thee to watch over and bless all the proceedings that will occur during this next 45 days, and ultimately when all is done the State of Utah under their direction will be stronger and more prepared for those things that lie ahead. These blessings we humbly pray for in the name of Jesus Christ, Amen.

### MISCELLANEOUS BUSINESS

The posting of Colors was performed by the Utah National Guard. The Color Guard consisted of the following members: Specialist First Class Todd Perry, Specialist First Class Allen Jackson, Sergeant Joe Samek, and Specialist Kevin Matthews.

The Pledge of Allegiance was led by Colonel Scott Olson, Utah National Guard.

The National Anthem was performed by Vocal Point, Brigham Young University. Members are: Doug Clark, McKay Crockett, Keith Evans, Mike Lemon, Tanner Nilsson, Robert Seely, Tyler Sterling, Grant Zabriskie, and James Stevens, Director.

Vocal Point also performed "Lead, Kindly Light" and "God Bless the U.S.A."

The Chief Clerk, Sandy D. Tenney, read the following:

#### **CERTIFICATE OF MEMBERSHIP OF THE 2010 GENERAL SESSION OF THE UTAH STATE HOUSE OF REPRESENTATIVES**

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 4, 2008, the following named persons were chosen by the electors as members of the Legislature of the State of Utah to serve in the House of Representatives, each for the term of two years, beginning January 1, 2009, to wit:

FIRST DISTRICT: Counties of Box Elder, Tooele	Ronda Rudd Menlove
SECOND DISTRICT: County of Box Elder, Cache	Ben C. Ferry
THIRD DISTRICT: County of Cache	Jack R. Draxler
FOURTH DISTRICT: Counties of Cache, Rich	Fred R. Hunsaker
FIFTH DISTRICT: County of Cache	R. Curt Webb
SIXTH DISTRICT: County of Weber	Kerry W. Gibson
SEVENTH DISTRICT: County of Weber	Ryan D. Wilcox
EIGHTH DISTRICT: County of Weber	Gage Froerer

NINTH DISTRICT: County of Weber	Neil A. Hansen
TENTH DISTRICT: County of Weber	Brent C. Wallis
ELEVENTH DISTRICT: Counties of Davis, Weber	Brad L. Dee
TWELFTH DISTRICT: County of Weber	Richard A. Greenwood
THIRTEENTH DISTRICT: County of Davis	Paul Ray
FOURTEENTH DISTRICT: County of Davis	Curtis Oda
FIFTEENTH DISTRICT: County of Davis	Douglas C. Aagard
SIXTEENTH DISTRICT: County of Davis	Kevin S. Garn
SEVENTEENTH DISTRICT: County of Davis	Julie Fisher
EIGHTEENTH DISTRICT: County of Davis	Roger E. Barrus
NINETEENTH DISTRICT: County of Davis	Sheryl L. Allen
TWENTIETH DISTRICT: Counties of Davis, Salt Lake	Rebecca P. Edwards
TWENTY-FIRST DISTRICT: County of Tooele	James R. Gowans
TWENTY-SECOND DISTRICT: County of Salt Lake	Susan Duckworth
TWENTY-THIRD DISTRICT: County of Salt Lake	Jennifer M. Seelig
TWENTY-FOURTH DISTRICT: County of Salt Lake	Rebecca Chavez-Houck
TWENTY-FIFTH DISTRICT: Counties of Salt Lake, Summit	Christine A. Johnson
TWENTY-SIXTH DISTRICT: County of Salt Lake	David Litvack
TWENTY-SEVENTH DISTRICT: County of Utah	John Dougall
TWENTY-EIGHTH DISTRICT: County of Salt Lake	Brian S. King
TWENTY-NINTH DISTRICT: County of Salt Lake	Janice M. Fisher

THIRTIETH DISTRICT: County of Salt Lake	Jackie Biskupski
THIRTY-FIRST DISTRICT: County of Salt Lake	Larry B. Wiley
THIRTY-SECOND DISTRICT: County of Salt Lake	Ron Bigelow
THIRTY-THIRD DISTRICT: County of Salt Lake	Neal B. Hendrickson
THIRTY-FIFTH DISTRICT: County of Salt Lake	Mark A. Wheatley
THIRTY-SIXTH DISTRICT: County of Salt Lake	Phil Riesen
THIRTY-SEVENTH DISTRICT: County of Salt Lake	Carol Spackman Moss
THIRTY-EIGHTH: County of Salt Lake	Eric K. Hutchings
THIRTY-NINTH DISTRICT: County of Salt Lake	James A. Dunnigan
FORTIETH DISTRICT: County of Salt Lake	Lynn N. Hemingway
FORTY-FIRST DISTRICT: County of Salt Lake	Todd E. Kiser
FORTY-SECOND DISTRICT: County of Salt Lake	Jim Bird
FORTY-THIRD DISTRICT: County of Salt Lake	Wayne A. Harper
FORTY-FOURTH DISTRICT: County of Salt Lake	Tim M. Cosgrove
FORTY-FIFTH DISTRICT: County of Salt Lake	Laura Black
FORTY-SIXTH DISTRICT: County of Salt Lake	Marie H. Poulson
FORTY-SEVENTH DISTRICT: County of Salt Lake	Steven R. Mascaro
FORTY-EIGHTH DISTRICT: County of Salt Lake	Trisha S. Beck
FORTY-NINTH DISTRICT: County of Salt Lake	F. Jay Seegmiller
FIFTIETH DISTRICT: County of Salt Lake	Merlynn T. Newbold
FIFTY-FIRST DISTRICT: County of Salt Lake	Gregory H. Hughes
FIFTY-SECOND DISTRICT: County of Salt Lake	Carl Wimmer

FIFTY–THIRD DISTRICT: Counties of Daggett, Morgan, Rich, Summit, Wasatch Melvin R. Brown

FIFTY–FOURTH DISTRICT: Counties of Duchesne, Uintah, Wasatch Kraig Powell

FIFTY–FIFTH DISTRICT: Counties of Grand, Uintah John G. Mathis

FIFTY–SIXTH DISTRICT: County of Utah Kenneth W. Sumsion

FIFTY–SEVENTH DISTRICT: County of Utah Craig A. Frank

FIFTY–EIGHTH DISTRICT: County of Utah Stephen E. Sandstrom

FIFTY–NINTH DISTRICT: County of Utah Lorie D. Fowlke

SIXTIETH DISTRICT: County of Utah Bradley M. Daw

SIXTY–FIRST DISTRICT: County of Utah Keith Grover

SIXTY–SECOND DISTRICT: County of Utah Christopher N. Herrod

SIXTY–THIRD DISTRICT: County of Utah Stephen D. Clark

SIXTY–FOURTH DISTRICT: County of Utah Rebecca D. Lockhart

SIXTY–FIFTH DISTRICT: County of Utah Francis D. Gibson

SIXTY–SIXTH DISTRICT: County of Utah Michael T. Morley

SIXTY–SEVENTH DISTRICT: Counties of Carbon, Juab, Sanpete, Utah Patrick L. Painter

SIXTY–NINTH DISTRICT: Counties of Carbon, Emery, Garfield, Grand, San Juan, Wayne Christine F. Watkins

SEVENTIETH DISTRICT: Counties of Emery, Sanpete, Sevier Kay L. McIff

SEVENTY–FIRST DISTRICT: County of Washington Bradley G. Last

SEVENTY–SECOND DISTRICT: County of Iron Evan J. Vickers

SEVENTY-THIRD DISTRICT: Counties of Beaver, Michael E. Noel  
Garfield, Kane, Piute, Sevier,  
Washington, Wayne

SEVENTY-FOURTH DISTRICT: County Washington David Clark

SEVENTY-FIFTH DISTRICT: County of Washington Don L. Ipson

I FURTHER CERTIFY that the following names persons have been duly appointed as members of the Legislature of the State of Utah, to serve in the House of Representatives, filling seats vacated in their respective districts, to terms expiring on December 31, 2010, to wit:

THIRTY-FOURTH DISTRICT: County of Salt Lake Johnny Anderson

SIXTY-EIGHTH DISTRICT: Counties of Juab, William "Bill" Wright  
Millard, Sanpete

IN WITNESS WHEREOF, I  
have hereunto set my hand and  
caused to be affixed the Great  
Seal of the State of Utah this  
25th day of January, 2010 at  
Salt Lake City, Utah.

GREG BELL  
LIEUTENANT GOVERNOR

Communication filed.

Roll call showed all members present, except Representatives John Dougall, Lorie Fowlke and Patrick Painter, excused.

### **REMARKS BY SPEAKER DAVID L. CLARK**

Welcome back Representatives, Utahns, family members, and friends to the Utah State House of Representatives. The start of another legislative general session dawns like a bright new day, full of promise and work yet to be done. There are few days like the first day, when we arrive refreshed and filled with hope, excitement, and anticipation. As one who has served in this chamber for several years, I cannot help but recall the words of Robert Frost's famous poem at the start of each session. He reminds me that while my natural inclination might be to pause to absorb the splendor of this first day, I quote him, "I cannot tarry because we have promises to keep, and miles yet to go before we sleep".



While we cannot tarry long in this grand opening moment, I would suggest that it is all together appropriate that we pause for just a few short minutes to remind ourselves why we labor and in whose name our work is done before we begin. We know, of course, that we are here to do the people's work. We toil on behalf of the State of Utah, which is to say our families, our friends, and our neighbors. In this great work, we look to many sources for our inspiration and drive. Sometimes our greatest inspiration comes from the great deeds of our ancestors.

Abraham Lincoln was, I believe, America's greatest president. Our Founders decreed that we are all endowed with an inalienable right to liberty, but they could not reconcile their noble ideals with the ignoble practice of slavery. It was Abraham Lincoln who helped give true meaning to our national creed of "liberty and justice for ALL." He steered America through the most profound moral crisis in our history and it's bloodiest war. His leadership saved the Union and his vision defined what it meant to be an American. He did not equivocate or duck or pass the challenge on to future generations. He did not demonize the fathers or the sons who did battle on the other side, nor seek to diminish the terrible costs of war. In the midst of slavery's dark storm and the complexities of governing a house divided, he kept his moral compass pointed firm and true.

Some of the nation's other great presidents – Washington, Jefferson, Theodore and Franklin Roosevelt, Kennedy, and Reagan – certainly have had their actions recorded, scrutinized and reviewed. Yet no one has ever captured the world's attention as Lincoln has. No one could have imagined that a man who came from such roughhewn beginnings would become such a global figure.

Indeed, the challenges of the 58th Legislature may pale in comparison to those of Lincoln's "house divided." Nevertheless, in the Legislature we are faced with some incredible challenges on issues like retirement, ethics, health care reform, education funding, taxes, balancing the budget and much much more. As we square our shoulders to face the task at hand, I believe it will serve us well to reflect on Lincoln's character and for us to emulate those characteristics as we begin this Legislative session. Let us become, as Lincoln spoke, the "pillars" for the State of Utah by emulating and following Lincoln's ability to (1) make the tough choices, and (2) to speak the truth always, especially when least convenient. I further suggest that to help us maintain our positive decorum we continue to practice the following eight suggestions I presented to you a year ago. They are:

1. Understand limits – Legislative "power" stems from personal influence rather than just the mere office.

2. Consult with as many colleagues as possible. Have genuine respect for differing views.

3. Remember colleagues are people with families, as well.

4. Listen more often than you speak. There are two parts to wisdom it is said. The first part says, “be quiet” and second says “listen.” I’m reminded of Senator Everett Dirksen who once admonished his son-in-law, Senator Howard Baker, in his first year in the U.S. Senate to “occasionally allow yourself the luxury of an unexpressed thought.”

5. No surprises, simply keep colleagues informed.

6. Be honest. Tell the truth— whether you have to or not. Remember that your word is your only currency; devalue it and your effectiveness as a legislator is over. As Marcus Aurelius cautions us, “If it is not right do not do it; if it is not true do not say it.

7. Be patient with colleagues and the process. I have found up here that patience and persistence will always win the day.

8. Be civil and encourage others to do likewise.

Before we look forward, allow me to look back to this time last year. According to Mark Knold, chief economist for the Department of Work Force Services, by nearly every measure, 2009 was a very rough year for the state of Utah. It will be marked as Utah’s worst year of job loss in the post–World War II era. In fact, no other year on record even comes close to matching the –4.9 percent job loss of 2009. Since 1950, Utah has had only three periods prior to 2009 in which jobs were lost. On a calendar year basis, only 1954, 1964, 2002, and now 2009 can join that list. Prior to this current downturn, the worst 12–month period for Utah job loss, and some of you were in this chamber at that time, was from March 2001 to March 2002, in which Utah’s economy shed a then record of 14,900 jobs.

Compare that to our current circumstances where, from March 2008 to March 2009, an astonishing 71,000 jobs were lost – nearly five times the previous all time high from 2002. To underscore how strong the current downturn is, its negative momentum is likely to add 2010 to the list of years with negative job growth.

Someday, Utah school children will encounter in their history books a chapter about the “Great Recession.” The students will analyze the causes and solutions to the recession. They will discuss subprime mortgage loans and bank bailouts set against a backdrop of war on two fronts. History has shown that when the financial

markets suffer severe shocks, it can take years before the system runs smoothly again and resumes its place as the lifeblood of a robust and expanding economy. The immediate repercussions of the downturn are just now beginning to ease, but the longer-term effects will continue to cast a dark shadow, creating a less-than-rosy outlook for this next year. While I do not want to dwell on such negative and depressing financial statistics, it does frame our time and the work we must do this session. Yet by all financial indicators, there is a silver lining to this dark financial cloud we live under.

Utah has escaped the worst of the financial downturn. Our State's current unemployment may be sitting uncomfortably at 6.7%. However, the unemployment for the five states that border Utah is currently averaging close to 9.5%. Currently Nevada exceeds 15%. Unemployment for the three states on the west coast is well over 11% and the nation as a whole is at 10%. If other parts of the country are encountering a financial hurricane, Utah, by contrast, is experiencing only a heavy downpour. Needless to say, even in this downpour it has brought significant consequences for all of us. Some might wonder how we have weathered this storm better than most states. I would suggest it is the result of the people of this state and decades of wise fiscal management. And you don't just have to take my word for it. Utah has been ranked in back-to-back reports by the Pew Center as THE best managed state in the nation. The American Legislative Exchange Council (ALEC) recently ranked Utah number one for the best future economic outlook. The Kauffman State New Economy Index ranked Utah #1 for Inventor Patents, #2 online population, and the #1 Most Dynamic Economy. Forbes magazine says Utah is the "Best State for Business" and #1 Best State to Live in America. Utah is also ranked #1 in Technology Concentration and Dynamism by the Milken Institute. We are the #1 Digital State, determined by the Center for Digital Government. The Beehive state has the 3rd highest in the nation overall breadth in the biotech industry. We have the 5th lowest power costs in the nation. Utah has the highest volunteerism rate in the nation – a designation it has won every year that has been measured! MSNBC ranks Utah as the Happiest State in the Nation. And to top it off, we are one of only six remaining states with a Triple-A bond rating as rated by all three credit agencies. What exactly are these financial policies that have kept us from floundering? To start with, through numerous governors and legislatures, the management style and fiscal principles guiding our State have remained constant. Though the State's budget is more complicated than the average family budget, the same basic principles apply. We don't spend more than we have in the bank. We pay for on-going expenses with on-going revenue sources. One-time money sources are used to fund one-time projects. Our bonding is done prudently and only for infrastructure projects.

Over this past decade the population of Utah has grown by 27%. Over the same decade our public education system has had student growth of 20.8%. Yet for the same ten-year period the public education budget has grown at a much faster rate of 66%. Higher education budgets have increased by 83% when factored to include federal grants and 67% when factored with state money alone. The legislature's actions have spoken clearly. When we have money to spend, we spend it on education. When we do not, as in our current economic downturn, we protect education by holding them the least harmed. And it is my sense that the people of Utah think that is exactly how it should be.

Finally, regarding the budget and perhaps most importantly, we have not spent all of the money collected in the boom times, but have instead saved some for a rainy day. Because of strict adherence to these budget principles, Utah was less susceptible to the crumbling of the global financial markets and is better positioned to recover our economic strength. I also credit some of our financial success to the structure of our government. We have a part-time legislature comprised of people who hold full-time jobs in addition to being a legislator. We are bankers and farmers, realtors and dentists, business men and women who own small businesses or work for large corporations. We aren't insulated from the frontlines of real world living and budgeting. We don't have the luxury of deadlocking on issues like California, New York or even Congress. Our 45-day General Legislative Session requires us to do our homework and come to the capitol prepared to do the work of the people quickly and efficiently. We have robust policy discussions, but know at the end of the 45 days our budget must balance and we must go home to our families and "real" full-time jobs.

As we begin this 2010 Legislative Session, Utahns can be assured that the legislature is up to this challenge. Our budget will balance and we will make wise use of our saving accounts to see us through the end of this recession and beyond.

I would like to talk just for a second about the ethics bills. While one's ethics should always be absolute, the ethics laws that govern Utah's politics in the State continue to evolve and adapt. James Macgregor Burns, an authority on leadership studies from Williams College cautions us that, "divorced from ethics, leadership is reduced to management and politics to mere technique." Last year we passed five bills dealing in the ethics arena including: restrictions on campaign accounts of legislators leaving office, greater disclosure of gifts and meals received, a one-year restriction on former legislators registering as lobbyists, formal annual ethics training and a requirement that campaign donations be reported on a much quicker time line.

I believe the House stands ready to tackle yet another package of ethics bills in an effort ensure that our actions on behalf of the public are above reproach. Our

bipartisan Ethics Interim Committee has recommended several bills, which we will debate in the opening weeks of the session. One of the recommendations is to revamp the conflict of interest forms that all legislators are required to complete and that are posted online for all in the State of Utah to review. These forms will now require much more detailed information that goes beyond a legislator's full-time employment and into other areas like boards and organizations with which a legislator might be involved. Information on the employment of a legislator's spouse would also be captured on the form, and all state officers, as well as cabinets, will now hopefully be required to fill out these forms.

Another landmark bill will address the issue of campaign donation limits. There are currently no donation limits for state level races. The legislation recommended by the Governor's Commission on Strengthening Democracy, which legislates participation both from the House and the Senate, would impose the following limits for various elected positions:

- \$10,000 to one state office candidate,
- \$5,000 to one legislative office candidate,
- \$5,000 to one school board office candidate,
- \$40,000 to one registered political party, and
- \$10,000 to one political action committee (PAC).

All are appropriate limits that fit well within the U.S. Supreme Court's recent ruling.

The bipartisan ethics committee has revamped the process by which the Legislature investigates complaints. It provides for an independent commission made up of three retired judges and two former legislators that will make referrals to either the House or Senate ethics committee.

Finally, the rules governing gift and meals will also be updated. Gifts over \$10 will be banned and any meal over \$10 must be disclosed by name. Some might ask why gifts and meals aren't banned outright given the public perception of gifts and meals given to legislators. These levels are being set to allow various groups to present a legislator with a memento of nominal value, such as a thank you card from school children. As elected representatives, we owe the people of the state of Utah our very best efforts on their behalf. Our actions inside and outside our official duties should never detract from this responsibility.

In closing, I came across this quote by Albert Schweitzer on which I would like to reflect. It reads, "At times our own light goes out and is rekindled by a spark

from another person. Each of us has cause to think with deep gratitude of those who have lighted the flame within us.”

As I think back in time I can recall an occasion or two when I thought “I am not sure I can keep going.” It may have been a time with huge pressure from work, financial setbacks, loss of a loved one or any number of discouragements. I know for me, and perhaps for you, there has always been someone who has kept me going. When light was fading, a friend, a stranger or a colleague has “rekindled” that flame. Sometimes it was with words. Other times it may have been through a helping hand. Whatever it was, it made a difference in my life when they said “You can do this. Don’t give up.” So I ask you, who is your spark? Do they know? If they don’t, here is your challenge: Tell them. Let them know. Write a letter. Send them flowers. Drop them an email. Call them. Let them know that they were, or are, the spark that lights your flame when you feel like you are going to fade.

For me I would like to thank my spark, the same spark that was my high school sweetheart. She (Nanny) still rekindles that spark that lights up my life and fills me full of inspiration. And finally, I want to thank you, the Utah House of Representatives, for your service to this state. You are a true spark. You are a great example of what is right and ethical with this state government.

May God bless the citizens of this great state. Now it’s time for us to be about the people’s work. We have a lot to do and miles to go before we sleep.

### **MISCELLANEOUS BUSINESS**

On motion of Representative Garn, the House voted to continue with the same organization for the 2010 General Session as constituted for the 2009 General Session insofar as it pertains to the Speakership, Majority Leadership and Minority Leadership.

On motion of Representative Litvack, the House voted to print the Majority and Minority caucus leadership and standing and appropriations committees membership upon the pages of the House Journal. They are as follows:

Kevin S. Garn, Majority Leader  
Brad L. Dee, Majority Whip  
Rebecca Lockhart, Assistant Majority Whip

David Litvack, Minority Leader  
James Gowans, Minority Whip  
Carol Spackman Moss, Assistant Minority Whip  
Jennifer Seelig, Caucus Manager

**STANDING COMMITTEES****Business and Labor**

James A. Dunnigan *Chair*  
Patrick P. Painter, *Vice Chair*  
Jackie Biskupski  
Stephen D. Clark  
Susan Duckworth  
Gage Froerer  
Kevin S. Garn  
Francis D. Gibson  
Neil A. Hansen  
Brian S. King  
Todd E. Kiser  
Michael T. Morley  
C. Brent Wallis  
R Curt Webb

**Education**

Greg Hughes, *Chair*  
Kenneth W. Sumsion, *Vice Chair*  
Johnny Anderson  
Laura Black  
Brad L. Dee  
Rebecca P. Edwards  
Craig A. Frank  
Don L. Ipson  
Bradley G. Last  
Carol Spackman Moss  
Merlynn T. Newbold  
Marie H. Poulson  
Kraig Powell  
Mark A. Wheatley  
Carl Wimmer

**Ethics**

John Dougall, *Chair*  
Rebecca Chavez–Houck, *Co–Chair*  
Tim M. Cosgrove  
Brad L. Dee  
Kevin S. Garn  
Brian S. King  
Bradley G. Last  
Carol Spackman Moss

**Government Operations**

Craig A. Frank, *Chair*  
Keith Grover, *Vice Chair*  
Douglas C. Aagard  
Ron Bigelow  
Jim Bird  
Ben C. Ferry  
Neil A. Hansen  
Neal B. Hendrickson  
John G. Mathis  
Larry B. Wiley

**Health and Human Services**

Paul Ray, *Chair*  
Ronda Rudd Menlove, *Vice Chair*  
Trisha S. Beck  
Bradley M. Daw  
Phil Riesen  
Stephen E. Sandstrom  
Evan J. Vickers

**Judiciary**

Lorie Fowlke, *Chair*  
 Jim Bird, *Vice Chair*  
 Sheryl L. Allen  
 Jackie Biskupski  
 Francis D. Gibson  
 Keith Grover  
 Eric K. Hutchings  
 Don L. Ipson  
 Christine A. Johnson  
 Brian S. King  
 Kay L. McIff  
 Kraig Powell  
 Mark A. Wheatley

**Law Enforcement and Criminal Justice**

Douglas C. Aagard, *Chair*  
 Curtis Oda, *Vice Chair*  
 Trisha S. Beck  
 John Dougall  
 Ben C. Ferry  
 Richard A. Greenwood  
 David Litvack  
 Rebecca D. Lockhart  
 Paul Ray  
 Jennifer M. Seelig  
 Larry B. Wiley  
 Carl Wimmer

**Natural Resources, Agriculture, and Environment**

Roger E. Barrus, *Chair*  
 John G. Mathis, *Vice Chair*  
 Melvin R. Brown  
 Brad L. Dee

Jack R. Draxler  
 Kerry W. Gibson  
 James R. Gowans  
 Neal B. Hendrickson  
 Michael E. Noel  
 Patrick Painter  
 Phil Riesen  
 Christine F. Watkins  
 Ryan D. Wilcox  
 Bradley A. Winn

**Political Subdivisions**

Fred R. Hunsaker, *Chair*  
 R Curt Webb, *Vice Chair*  
 Laura Black  
 Rebecca Chavez–Houck  
 Jack R. Draxler  
 James A. Dunnigan  
 Rebecca P. Edwards  
 Janice M. Fisher  
 Kerry W. Gibson  
 Richard A. Greenwood  
 Curtis Oda  
 Marie H. Poulson

**Public Utilities and Technology**

Mike Noel, *Chair*  
 Christopher N. Herrod, *Vice Chair*  
 Roger E. Barrus  
 Melvin R. Brown  
 Rebecca Chavez–Houck  
 Lorie D. Fowlke  
 James R. Gowans  
 Lynn N. Hemingway  
 Fred R. Hunsaker  
 Ryan D. Wilcox  
 Bill Wright



**Retirement and Independent  
Entities**

Don Ipson, *Chair*  
Bradley M. Daw  
Susan Duckworth  
Neil A. Hansen  
Wayne A. Harper  
Bradley G. Last  
Merlynn T. Newbold  
Stephen E. Sandstrom  
Christine F. Watkins

**Revenue and Taxation**

Todd E. Kiser, *Chair*  
Gage Froerer, *Vice Chair*  
Sheryl L. Allen  
Tim M. Cosgrove  
John Dougall  
Susan Duckworth  
Julie Fisher  
Wayne A. Harper  
Gregory H. Hughes  
Eric K. Hutchings  
Christine A. Johnson  
Carol Spackman Moss  
Merlynn T. Newbold  
Stephen E. Sandstrom  
Jennifer M. Seelig  
Evan J. Vickers

**Transportation**

Brad Daw, *Chair*  
Julie Fisher, *Vice Chair*  
Johnny Anderson  
Stephen D. Clark

Tim M. Cosgrove  
Janice M. Fisher  
Wayne A. Harper  
Lynn N. Hemingway  
Bradley G. Last  
Steven R. Mascaro  
Ronda Rudd Menlove  
Michael T. Morley  
F. Jay Seegmiller  
C. Brent Wallis

**Workforce Services and  
Community  
and Economic Development**

Steven R. Mascaro, *Chair*  
Kay L. McIff, *Vice Chair*  
Christopher N. Herrod  
David Litvack  
Rebecca D. Lockhart  
F. Jay Seegmiller  
Kenneth W. Sumsion  
Christine F. Watkins

**House Rules Committee**

Ben C. Ferry, *Chair*  
Gregory H. Hughes, *Vice-Chair*  
Jackie Biskupski  
Neal B. Hendrickson  
Kory M. Holdaway  
Ronda Rudd Menlove  
Michael T. Morley  
Michael E. Noel  
Patrick Painter  
Larry B. Wiley  
Carl Wimmer

## JOINT APPROPRIATIONS SUBCOMMITTEES

### **Executive Appropriations**

Ron Bigelow, *Co-Chair*  
 Bradley G. Last, *Vice-Chair*  
 David Clark, Speaker  
 Brad Dee  
 Kevin Garn  
 James R. Gowans  
 David Litvack  
 Rebecca Lockhart  
 Carol Spackman Moss  
 Jennifer Seelig

### **Capital Facilities and Administrative Services**

Stephen D. Clark, *Co-Chair*  
 Laura Black  
 Brad L. Dee  
 Janice M. Fisher  
 Craig A. Frank  
 Gage Froerer  
 Fred R. Hunsaker  
 Stephen E. Sandstrom

### **Commerce and Workforce Services**

Mike Morley, *Co-Chair*  
 Jim Bird  
 Susan Duckworth  
 James A. Dunnigan  
 Lynn Hemingway  
 Brian S. King  
 Ryan D. Wilcox

### **Economic Development and Revenue**

Sheryl Allen, *Co-Chair*  
 Jackie Biskupski

Julie Fisher  
 Christopher N. Herrod  
 Christine A. Johnson  
 Todd E. Kiser

### **Executive Offices and Criminal Justice**

Eric K. Hutchings, *Co-Chair*  
 Douglas C. Aagard  
 Richard A. Greenwood  
 Steven R. Mascaro  
 Curtis Oda  
 Jennifer Seelig  
 Larry B. Wiley

### **Health and Human Services**

John Dougall, *Co-Chair*  
 Rebecca Chavez-Houck  
 Ben C. Ferry  
 Keith Grover  
 David Litvack  
 Kraig Powell  
 Paul Ray  
 Ronda Rudd Menlove

### **Higher Education**

Melvin R. Brown, *Co-Chair*  
 Johnny Anderson  
 Trisha S. Beck  
 Bradley M. Daw  
 Kay McIff  
 Carol Spackman Moss  
 Evan J. Vickers  
 C. Brent Wallis  
 R Curt Webb  
 Mark A. Wheatley

**Natural Resources**

Kerry Gibson, *Co-Chair*  
 Roger Barrus  
 Jack Draxler  
 James R. Gowans  
 John G. Mathis  
 Michael E. Noel  
 Christine F. Watkins  
 Bill Wright

**Public Education**

Merlynn Newbold, *Co-Chair*  
 Tim M. Cosgrove  
 Lorie Fowlke  
 Kevin S. Garn  
 Francis D. Gibson  
 Gregory H. Hughes  
 Bradley G. Last  
 Rebecca D. Lockhart  
 Ronda Rudd Menlove  
 Marie H. Poulson  
 Phil Reisen

**Transportation, Environmental Quality, National Guard, and Veterans' Affairs**

Wayne Harper, *Co-Chair*  
 Rebecca P. Edwards  
 Neil A. Hansen  
 Neal B. Hendrickson  
 Don L. Ipson  
 Patrick Painter  
 F. Jay Seegmiller  
 Kenneth Sumsion  
 Carl Wimmer

**Retirement and Independent Entities**

Don Ipson, *Co-Chair*  
 Bradley M. Daw  
 Susan Duckworth  
 Neil A. Hansen  
 Wayne Harper  
 Bradley G. Last  
 Merlynn T. Newbold  
 Stephen E. Sandstrom  
 Christine F. Watkins

**MISCELLANEOUS BUSINESS**

On motion of Representative Moss, the House voted to have the prayer given by Elder M. Russell Ballard and the remarks given by Speaker David L. Clark printed upon the pages of the House Journal.

On motion of Representative Ferry, the House voted to adopt the same House Rules, Joint Rules, and Interim Rules as were adopted by the 2009 General Session of the 58th Legislature until such time as new rules may be adopted by the 2010 General Session of the 58th Legislature.

On motion of Representative Dee, the House voted to authorize the Speaker to appoint a committee to meet with a like committee from the Senate to wait upon the Governor to inform him that the Legislature is organized and ready to receive any communication or message he may have to offer. Speaker Clark appointed Representatives Mel Brown, Jack Draxler, and Susan Duckworth.

On motion of Representative Gowans, the House vote to authorize the Speaker to appoint a committee to notify the Senate to inform that Honorable

Body that the House is organized and ready to do business. Speaker Clark appointed Representatives Don Ipson, Kraig Powell, and Carol Moss.

On motion of Representative Lockhart, the House voted to print upon the pages of the House Journal that Representative Julie Fisher has been appointed as Chair of the Third House.

On motion of Representative Garn, the House voted to print upon the pages of the House Journal that Representative Greg Hughes has been appointed as Speaker Pro Tempore.

On motion of Representative Seelig, the House voted to print upon the pages of the House Journal that Representative Mel Brown has been appointed as the House Parliamentarian.

On motion of Representative Ferry, the House voted to allow legislators to be given the opportunity to sign on as co-sponsors on any prefiled bills, if permission is granted to do so by the Chief Sponsor.

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

### INTRODUCTION OF BILLS

**H.B. 10, Court Fees for Inmates** (C. Oda), read the first time by short title and referred to the Rules Committee.

**H.B. 11, Licensing of Elevator Contractors and Elevator Mechanics** (L. Wiley), read the first time by short title and referred to the Rules Committee.

**H.B. 12, Abortion Amendments** (C. Wimmer), read the first time by short title and referred to the Rules Committee.

**H.B. 13, Drug Law Definitions – Amendments** (T. Beck), read the first time by short title and referred to the Rules Committee.

**H.B. 14, Juvenile Transfers from Justice Court** (K. McIff), read the first time by short title and referred to the Rules Committee.

**H.B. 15, Deferred Deposit Lending Amendments** (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

**H.B. 16, Parent–time Amendments** (L. Fowlke), read the first time by short title and referred to the Rules Committee.

**H.B. 17, Amendments to Programs for People with Disabilities** (S. Mascaro), read the first time by short title and referred to the Rules Committee.

**H.B. 18, Unemployment Insurance Amendments** (S. Mascaro), read the first time by short title and referred to the Rules Committee.

**H.B. 19, Post Conviction Remedies Amendments** (K. McIff), read the first time by short title and referred to the Rules Committee.

**H.B. 20, Amendments to Health Insurance Coverage in State Contracts** (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

**H.B. 21, Expungement Revisions** (Julie Fisher), read the first time by short title and referred to the Rules Committee.

**H.B. 22, Inmate Health Insurance Amendments** (P. Ray), read the first time by short title and referred to the Rules Committee.

**H.B. 23, Workplace Drug and Alcohol Testing** (T. Beck), read the first time by short title and referred to the Rules Committee.

**H.B. 24, Economic Development Incentives Act Amendments** (C. B. Wallis), read the first time by short title and referred to the Rules Committee.

**H.B. 25, Health Reform – Administrative Simplification** (M. Newbold), read the first time by short title and referred to the Rules Committee.

**H.B. 26, Brine Shrimp Royalty Act Amendments** (T. Kiser), read the first time by short title and referred to the Rules Committee.

**H.B. 27, Per Diem and Travel Expense Modifications** (C. Frank), read the first time by short title and referred to the Rules Committee.

**H.B. 28, Controlled Substance Database Amendments** (B. Daw), read the first time by short title and referred to the Rules Committee.

**H.B. 29, School District Division Amendments** (L. Black), read the first time by short title and referred to the Rules Committee.

**H.B. 30, Drug Law Amendments** (T. Beck), read the first time by short title and referred to the Rules Committee.

**H.B. 31, Wildlife Licenses, Certificates, or Permit Amendments** (K. Gibson), read the first time by short title and referred to the Rules Committee.

**H.B. 32, Livestock Damage Compensation Amendments** (M. Brown), read the first time by short title and referred to the Rules Committee.

**H.B. 33, Groundwater Recharge and Recovery Act Amendments** (M. Noel), read the first time by short title and referred to the Rules Committee.

**H.B. 34, Water Storage Projects** (M. Noel), read the first time by short title and referred to the Rules Committee.

**H.B. 35, Controlled Substance Database – Reporting for Overdose of a Prescribed Controlled Substance** (B. Daw), read the first time by short title and referred to the Rules Committee.

**H.B. 36, Controlled Substance Database – Reporting Convictions for Driving Under the Influence or Impaired Driving** (B. Daw), read the first time by short title and referred to the Rules Committee.

**H.B. 37, Criminal Background Checks on Motor Vehicle Dealers and Salespersons** (R. Lockhart), read the first time by short title and referred to the Rules Committee.

**H.B. 38, Scheduling of Controlled Substances** (P. Ray), read the first time by short title and referred to the Rules Committee.

**H.B. 39, Insurance Related Amendments** (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

**H.B. 40, Utah Life and Health Insurance Guaranty Association Amendments** (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

**H.B. 41, Constables Amendments** (C. Oda), read the first time by short title and referred to the Rules Committee.

**H.B. 42, School District Employees – Career Status Requirements** (R. Menlove), read the first time by short title and referred to the Rules Committee.

**H.B. 43, Unemployment Compensation Amendments** (S. Mascaro), read the first time by short title and referred to the Rules Committee.

**H.B. 44, Referendum Ballot Proposition Amendments** (F. Hunsaker), read the first time by short title and referred to the Rules Committee.

**H.B. 45, State Construction Code Adoption** (M. Morley), read the first time by short title and referred to the Rules Committee.

**H.B. 46, Motor Vehicle Act Amendments** (Julie Fisher), read the first time by short title and referred to the Rules Committee.

**H.B. 47, Board of Pardons and Parole Technical Amendments** (E. Hutchings), read the first time by short title and referred to the Rules Committee.

**H.B. 48, Amendments to the Tourism, Recreation, Cultural, Convention, and Airport Facilities Tax Act** (C. Frank), read the first time by short title and referred to the Rules Committee.

**H.B. 49, Amendments Related to a Tax, Fee, or Charge Administered by the State Tax Commission** (T. Kiser), read the first time by short title and referred to the Rules Committee.

**H.B. 50, Sales and Use Tax Modifications** (W. Harper), read the first time by short title and referred to the Rules Committee.

**H.B. 51, Family Employment Program – Cash Assistance to Single Minor Parent** (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

**H.B. 52, Health Reform – Uniform Electronic Standards – Insurance Information** (M. Newbold), read the first time by short title and referred to the Rules Committee.

**H.B. 53, Foreclosure Rescue and Loan Modification Amendments** (R. Wilcox), read the first time by short title and referred to the Rules Committee.

**H.B. 54, Property Tax Exemption for Water Facilities** (P. Painter), read the first time by short title and referred to the Rules Committee.

**H.B. 55, Department of Community and Culture Grants Amendments** (Julie Fisher), read the first time by short title and referred to the Rules Committee.

**H.B. 56, Amended Campaign Financial Statements** (S. Allen), read the first time by short title and referred to the Rules Committee.

**H.B. 57, Extension of Sunset for Design–build Contract Award Authorization** (Julie Fisher), read the first time by short title and referred to the Rules Committee.

**H.B. 58, Utah Generated Renewable Energy Electricity Network Authority Board Amendments** (R. Barrus), read the first time by short title and referred to the Rules Committee.

**H.B. 59, Campaign Finance Revisions** (K. Grover), read the first time by short title and referred to the Rules Committee.

**H.B. 60, Water Conveyance Facilities Safety Act** (F. Hunsaker), read the first time by short title and referred to the Rules Committee.

**H.B. 61, Real Property Sales Information Disclosure** (G. Froerer), read the first time by short title and referred to the Rules Committee.

**H.B. 62, Penalties for Violent Crime in Presence of a Child** (Janice Fisher), read the first time by short title and referred to the Rules Committee.

**H.B. 63, Tire Recycling Fee Modification** (N. Hendrickson), read the first time by short title and referred to the Rules Committee.

**H.B. 64, Errors and Omissions Coverage for Insurance Producers** (J. Bird), read the first time by short title and referred to the Rules Committee.

**H.B. 65, Amendments Related to Regulation of Insurance Type Products** (J. Bird), read the first time by short title and referred to the Rules Committee.

**H.B. 66, Prosthetic Limb Health Insurance Parity** (D. Litvack), read the first time by short title and referred to the Rules Committee.

**H.B. 67, Health System Amendments** (C. Wimmer), read the first time by short title and referred to the Rules Committee.

**H.B. 68, Habitual Wanton Destruction of Wildlife** (C. Oda), read the first time by short title and referred to the Rules Committee.

**H.B. 69, State Engineer’s Plugging of Wells Repealer** (J. Gowans), read the first time by short title and referred to the Rules Committee.



**H.B. 70, Certification of Retrofit Compressed Natural Gas Vehicles** (J. Draxler), read the first time by short title and referred to the Rules Committee.

**H.B. 71, Nicotine Product Restrictions** (P. Ray), read the first time by short title and referred to the Rules Committee.

**H.B. 72, Utah School Seismic Hazard Inventory** (L. Wiley), read the first time by short title and referred to the Rules Committee.

**H.B. 73, Utah Construction Trades Continuing Education Amendments** (M. Morley), read the first time by short title and referred to the Rules Committee.

**H.B. 74, Adoption and Child Custody Amendments** (S. Allen), read the first time by short title and referred to the Rules Committee.

**H.B. 75, Assessment Area Amendments** (G. Froerer), read the first time by short title and referred to the Rules Committee.

**H.B. 76, Ticket Scalping** (L. Hemingway), read the first time by short title and referred to the Rules Committee.

**H.B. 77, Seismic Requirements for Condominium Conversion Projects** (L. Wiley), read the first time by short title and referred to the Rules Committee.

**H.B. 78, Weapons Revisions** (S. Sandstrom), read the first time by short title and referred to the Rules Committee.

**H.B. 79, Valid Voter Identification Amendments** (M. Poulson), read the first time by short title and referred to the Rules Committee.

**H.B. 80, Public Access to Private Stream Beds** (L. Fowlke), read the first time by short title and referred to the Rules Committee.

**H.B. 81, School Employee Criminal Background Check** (S. Allen), read the first time by short title and referred to the Rules Committee.

**H.B. 82, Protection of Children Riding in Motor Vehicles** (F.J. Seegmiller), read the first time by short title and referred to the Rules Committee.

**H.B. 83, Public Employees' Retirement – Spousal Election** (C. B. Wallis), read the first time by short title and referred to the Rules Committee.

**H.B. 84, Water Banking** (J. Draxler), read the first time by short title and referred to the Rules Committee.

**H.B. 85, Responsible Development of Nuclear Power Generation** (F.J. Seegmiller), read the first time by short title and referred to the Rules Committee.

**H.B. 86, Department of Human Services – Review and Oversight** (R. Lockhart), read the first time by short title and referred to the Rules Committee.

**H.B. 87, Medical Assistance Asset Test Amendments** (R. Chavez–Houck), read the first time by short title and referred to the Rules Committee.

**H.B. 88, Electronic Cigarette Restrictions** (R. Menlove), read the first time by short title and referred to the Rules Committee.

**H.B. 89, License for Controlled Substances Amendments** (M. Morley), read the first time by short title and referred to the Rules Committee.

**H.B. 90, Income Tax Amendments** (B. King), read the first time by short title and referred to the Rules Committee.

**H.B. 91, Traffic Control Signs for Bicycles** (C. Moss), read the first time by short title and referred to the Rules Committee.

**H.B. 92, Moist Snuff Taxation Revisions** (B. Daw), read the first time by short title and referred to the Rules Committee.

**H.B. 93, Motorcycle and Off–highway Vehicle Amendments** (R. Menlove), read the first time by short title and referred to the Rules Committee.

**H.B. 94, Uniform Fiscal Procedures Act Amendments for Towns, Cities, and Counties Amendments** (F. Hunsaker), read the first time by short title and referred to the Rules Committee.

**H.B. 95, Certification of Voting Equipment Modifications** (D. Aagard), read the first time by short title and referred to the Rules Committee.

**H.B. 96, Libel Amendments** (Julie Fisher), read the first time by short title and referred to the Rules Committee.

**H.B. 97, Amendments Relating to Deceptive Practices Involving Consumers** (M. Poulson), read the first time by short title and referred to the Rules Committee.

**H.B. 98, State Engineer Bonding Requirements** (R. Wilcox), read the first time by short title and referred to the Rules Committee.

**H.B. 99, Background Checks for School Sports Officials** (L. Black), read the first time by short title and referred to the Rules Committee.

**H.B. 100, Heber Valley Historic Railroad Authority** (K. Powell), read the first time by short title and referred to the Rules Committee.

**H.B. 101, Anesthesiologist Assistants** (Julie Fisher), read the first time by short title and referred to the Rules Committee.

**H.B. 191, Reporting by Deferred Deposit Lenders** (L. Black), read the first time by short title and referred to the Rules Committee.

**H.B. 192, Renewable Energy – Methane Gas** (C. Watkins), read the first time by short title and referred to the Rules Committee.

**H.B. 193, Occupations and Professions Amendments** (R. Lockhart), read the first time by short title and referred to the Rules Committee.

**H.B. 194, Grants for Math Teacher Training** (B. Last), read the first time by short title and referred to the Rules Committee.

**H.B. 195, Homicide Penalty Amendment** (C. Wimmer), read the first time by short title and referred to the Rules Committee.

**H.B. 196, Tobacco Tax Revisions** (P. Ray), read the first time by short title and referred to the Rules Committee.

**H.B. 197, Custodial Interference Amendments** (C. Wimmer), read the first time by short title and referred to the Rules Committee.

**H.B. 198, Assertive Community Mental Health Treatment Pilot Program** (C. Moss), read the first time by short title and referred to the Rules Committee.

**H.B. 199, Municipal Clerk and Recorder Responsibilities** (B. Last), read the first time by short title and referred to the Rules Committee.

**H.B. 200, Informed Consent Amendments** (C. Wimmer), read the first time by short title and referred to the Rules Committee.

**H.B. 201, State Fire Marshal Modifications** (R. Menlove), read the first time by short title and referred to the Rules Committee.

**H.B. 202, Fireworks Amendments** (R. Menlove), read the first time by short title and referred to the Rules Committee.

**H.B. 203, Repeal of Sales and Use Tax Exemption Relating to Mining** (C. Watkins), read the first time by short title and referred to the Rules Committee.

**H.B. 204, Jury Trial Amendments** (W. Harper), read the first time by short title and referred to the Rules Committee.

**H.B. 205, Impact Fee Amendments** (S. Sandstrom), read the first time by short title and referred to the Rules Committee.

**H.B. 206, Ban on Sale of Smoking Paraphernalia to Minors** (P. Ray), read the first time by short title and referred to the Rules Committee.

**H.B. 207, Protection of Property Amendment** (C. Wimmer), read the first time by short title and referred to the Rules Committee.

**H.B. 208, Disposition of the Remains of a Deceased Military Service Member** (J. Seelig), read the first time by short title and referred to the Rules Committee.

**H.B. 209, Sex Offender Regulation Amendments** (C. Watkins), read the first time by short title and referred to the Rules Committee.

**H.B. 210, Eminent Domain Modifications** (C. Frank), read the first time by short title and referred to the Rules Committee.

**H.B. 211, Improvement District Board Membership** (K. Powell), read the first time by short title and referred to the Rules Committee.

**H.B. 212, Continuing Education Requirements for Landscape Architects** (R. C. Webb), read the first time by short title and referred to the Rules Committee.

**H.B. 213, Cigarette Tax Exemption Amendments** (E. Vickers), read the first time by short title and referred to the Rules Committee.

**H.B. 214, Concealed Firearm Permit Modifications** (R. Lockhart), read the first time by short title and referred to the Rules Committee.

**H.B. 215, Amendments to Public Employees' Benefit and Insurance Program Act – Risk Pools** (K. Garn), read the first time by short title and referred to the Rules Committee.

**H.B. 216, Incorporation of a Town Amendments** (G. Froerer), read the first time by short title and referred to the Rules Committee.

**H.B. 217, Income Tax Revisions** (C. Wimmer), read the first time by short title and referred to the Rules Committee.

**H.B. 218, Municipal Disincorporation Revisions** (G. Froerer), read the first time by short title and referred to the Rules Committee.

**H.B. 219, Delinquent Property Tax Amendments** (G. Froerer), read the first time by short title and referred to the Rules Committee.

**H.B. 220, Disproportionate Rental Fee Amendments** (G. Froerer), read the first time by short title and referred to the Rules Committee.

**H.B. 221, Sunset Act and Repealers Reauthorization** (K. Garn), read the first time by short title and referred to the Rules Committee.

**H.B. 222, Land Use Meeting Notice** (T. Beck), read the first time by short title and referred to the Rules Committee.

**H.B. 223, Alcoholic Beverage Control Act and Restaurant Licenses** (G. Froerer), read the first time by short title and referred to the Rules Committee.

**H.B. 224, Uniform Real Property Transfer on Death Act** (L. Fowlke), read the first time by short title and referred to the Rules Committee.

**H.B. 225, Counterfeit Substance Amendments** (P. Ray), read the first time by short title and referred to the Rules Committee.

**H.B. 226, Well Driller's License – Pump Installation** (P. Painter), read the first time by short title and referred to the Rules Committee.

**H.B. 227, Licensing Eligibility** (S. Sandstrom), read the first time by short title and referred to the Rules Committee.

**H.B. 228, Renewable Energy Source Amendments** (R. Barrus), read the first time by short title and referred to the Rules Committee.

**H.B. 229, Water Right General Adjudication Amendments** (P. Painter), read the first time by short title and referred to the Rules Committee.

**H.B. 230, Human Trafficking Amendments** (Julie Fisher), read the first time by short title and referred to the Rules Committee.

**H.B. 231, Water Rights Priorities in Times of Shortage** (K. Gibson), read the first time by short title and referred to the Rules Committee.

**H.B. 232, Medical Language Interpreter Amendments** (R. Chavez–Houck), read the first time by short title and referred to the Rules Committee.

**H.B. 233, Retirement Office Amendments** (D. Ipson), read the first time by short title and referred to the Rules Committee.

**H.B. 234, Opting Out of the Real Id Act** (S. Sandstrom), read the first time by short title and referred to the Rules Committee.

**H.B. 235, Child Support for Children in State Custody** (W. Harper), read the first time by short title and referred to the Rules Committee.

**H.B. 236, Statutory Construction Amendments** (R. Lockhart), read the first time by short title and referred to the Rules Committee.

**H.C.R. 1, Concurrent Resolution on International Trade and State Governments** (S. Allen), read the first time by short title and referred to the Rules Committee.

**H.C.R. 2, Concurrent Resolution on States' Rights** (Julie Fisher), read the first time by short title and referred to the Rules Committee.

**H.C.R. 3, Italian–American Heritage Month Concurrent Resolution** (C. Watkins), read the first time by short title and referred to the Rules Committee.

**H.C.R. 5, Concurrent Resolution Recognizing the 100th Anniversary of the Boy Scouts of America** (B. Daw), read the first time by short title and referred to the Rules Committee.

**H.C.R. 6, Stockton Bar Geologic Formation Concurrent Resolution** (R. Menlove), read the first time by short title and referred to the Rules Committee.

**H.J.R. 1, Joint Resolution Amending Provision on Municipal Water Rights** (K. McIff), read the first time by short title and referred to the Rules Committee.

**H.J.R. 2, Joint Resolution on Property Tax Exemption for Water Facilities** (P. Painter), read the first time by short title and referred to the Rules Committee.

**H.J.R. 3, Joint Resolution on Teacher Performance Pay** (M. Poulson), read the first time by short title and referred to the Rules Committee.

**H.J.R. 4, Joint Resolution Urging an End to the U.S. Military's Don't Ask, Don't Tell Policy** (C. Johnson), read the first time by short title and referred to the Rules Committee.

**H.J.R. 7, Joint Resolution Prohibiting Property Transfer Tax** (G. Froerer), read the first time by short title and referred to the Rules Committee.

**H.J.R. 8, Joint Rules Resolution on the Selection of Ethics Committee Members** (N. Hansen), read the first time by short title and referred to the Rules Committee.

**H.J.R. 9, Resolution in Support of Veterans' Nursing Home** (C. Oda), read the first time by short title and referred to the Rules Committee.

**H.J.R. 10, Joint Resolution Opposing the Establishment of a Federal Commission on State Workers' Compensation Laws** (M. Morley), read the first time by short title and referred to the Rules Committee.

**H.R. 1, Healthy Family Partnership House Resolution** (C. Oda), read the first time by short title and referred to the Rules Committee.

**H.R. 2, Resolution Regarding the Tenth Amendment to the United States Constitution** (J. Bird), read the first time by short title and referred to the Rules Committee.

### **MISCELLANEOUS BUSINESS**

Senators Stuart Adams, Ben McAdams, and Dennis Stowell formally notified the House of Representatives that the Senate was organized and ready to do business.

Representative Ipson reported that his committee had waited upon the Senate and formally notified them that the House was organized and ready to do business.

Representative Brown reported that his committee had met with a like committee from the Senate and waited upon the Governor to inform His Excellency that the Legislature was organized and ready for any communication he may have to offer. He will address the citizens of the state and a Joint Convention of the Legislature on Tuesday, January 26, 2010 at 6:30 p.m.

Speaker Clark introduced the following Legislative Interns, fulltime staff, and session employees.

### INTRODUCTION OF INTERNS

#### **Representative**

#### **Intern**

Douglas C. Aagard . . . . .	Derrick Wong
Sheryl L. Allen . . . . .	Adam Pearce
Johnny Anderson . . . . .	Keenan Price
Roger E. Barrus . . . . .	Wiley Wilden
Trisha Beck . . . . .	Audrey Carlston
Ron Bigelow . . . . .	Jared Young
Jim Bird . . . . .	Carrie Gebhard
Jackie Biskupski . . . . .	Derek Hoffman
Laura Black . . . . .	Austin Barnett
Melvin R. Brown . . . . .	Cameron Christensen
Rebecca Chavez–Houck . . . . .	Austin Barnett
David Clark . . . . .	Intern not assigned
Stephen D. Clark . . . . .	McKynzie Bird
Tim M. Cosgrove . . . . .	Lyndsee Halls
Bradley M. Daw . . . . .	Mandy Roth
Brad Dee . . . . .	Matt Holton
John Dougall . . . . .	Derrick Wong
Jack R. Draxler . . . . .	Travis Kotter
Susan Duckworth . . . . .	Derek Hoffman
James Dunnigan . . . . .	Carrie Gebhard
Rebecca Edwards . . . . .	Stephanie Hugie
Ben C. Ferry . . . . .	Jake Adams
Janice Fisher . . . . .	Audrey Carlston
Julie Fisher . . . . .	Seth Larsen
Lorie D. Fowlke . . . . .	Kim Morley
Craig Frank . . . . .	James Egbert
Gage Froerer . . . . .	Trevor Moore
Kevin S. Garn . . . . .	Katrina Cammack



Francis D. Gibson	Mark Evans
Kerry Gibson	Chad Turner
James R. Gowans	Torrie Crapo
Richard Greenwood	Jason Talley
Keith Grover	Jordan Smith
Neil A. Hansen	Gregory Donaldson
Wayne A. Harper	Keenan Price
Lynn N. Hemingway	Parker Smith
Neal B. Hendrickson	Gregory Donaldson
Christopher Herrod	Mandy Roth
Greg Hughes	Jeff Edwards
Fred Hunsaker	Wiley Wilden
Eric Hutchings	Casey Gleave
Don Ipson	Kim Morley
Christine A. Johnson	Lyndsee Halls
Brian King	Danielle Baum
Todd E. Kiser	James Egbert
Bradley G. Last	Logan Nielsen
David Litvack	Jordan Menzel
Becky Lockhart	Rebekah Wightman
Steven R. Mascaro	Adam Pearce
John Mathis	Chad Turner
Kay L. McIff	Cameron Christensen
Ronda Rudd Menlove	Stephanie Hugie
Mike Morley	Trevor Moore
Carol Spackman Moss	Stanley Lloyd
Merlynn T. Newbold	McKynzie Bird
Mike Noel	Legislative Aid
Curtis Oda	Seth Larsen
Patrick Painter	Mark Evans
Marie H. Poulson	Gwendolyn Davis

Kraig Powell ..... Patrick Payne  
Paul Ray ..... Casey Gleave  
Phil Riesen ..... Parker Smith  
Stephen E. Sandstrom ..... Jordan Smith  
F. Jay Seegmiller ..... Danielle Baum  
Jennifer M. Seelig ..... Shayna Zeidner  
Kenneth W. Sumsion ..... Jason Talley  
Evan J. Vickers ..... Craig Belliston  
Brent Wallis ..... Craig Belliston  
Christine F. Watkins ..... Gwendolyn Davis  
R Curt Webb ..... Travis Kotter  
Mark Wheatley ..... Cameron Madsen  
Ryan Wilcox ..... Patrick Payne  
Larry B. Wiley ..... Cameron Madsen  
Carl Wimmer ..... Legislative Aid  
Bill Wright ..... Jeff Edwards

**INTRODUCTION OF HOUSE STAFF**

CHIEF OF STAFF	Chris R. Bleak
CHIEF CLERK	Sandy D. Tenney
ADMINISTRATIVE ASSISTANT	Kathy M. Jackson
ADMINISTRATIVE ASSISTANT TO THE SPEAKER	Emily Bergeson
ADMINISTRATIVE ASSISTANT TO THE MINORITY CAUCUS	Rhoda Struhs
MAJORITY PUBLIC RELATIONS OFFICERS	Lisa Johnson & Barlow Anderson
MINORITY PUBLIC RELATIONS OFFICER	Emily Hollingshead
JOURNAL CLERK	Janice A. Gadd
READING, AMENDING & ENROLLING CLERK	Ann Tillson
VOTING SYSTEM OPERATOR	Barbara Hilbert
RECORDER	Linda McDonald
SUPERVISOR OF SECRETARIES & RULES COMMITTEE SECRETARY	Barbara Bryner
COMMITTEE SECRETARIES	Linda Error Jennifer Eyring Rebecca Lawyer Karen Mitchell Sylvia Newton Linda Service Kathy Sorg Dora Soto Rosemary Young
SUPERVISOR OF PAGES	Audrey Hadley
ASSISTANT SUPERVISOR OF PAGES	Jill Heyborne

## PAGES

Linda Barton  
Rebecca Bateman  
Suzanne Hansen  
Wendy Hill  
Loralei Holt  
Sue Kemp  
Jean Moss  
Jewel Nelson  
Nina Rogers  
JoAnna Thorne  
Judy Soderberg

## THIRD HOUSE STAFF

Cindy Peterson  
Evelyn Luce

## KITCHEN STAFF

Jeannie Nay  
Birgitte Peterson

## SESSION RECEPTIONIST

Judy Nielsen

## TELEPHONE OPERATORS

Betty Bishop  
Linda Grygla  
Dorothy Nielsen

## SERGEANT AT ARMS

Mike Mitchell

## ASSISTANT SERGEANT AT ARMS

Joe Pepper

## SECURITY

Steven Bishop  
Richard Buchi  
Larry Burningham  
Jerry Campbell  
Lynn Cottrell  
Walter Dillman  
Robert Franson  
Eric Gruendell  
Bob Grygla  
Brent McDonald  
Larry Nielsen  
Richard Nielsen  
Keith Olsen  
Arman Peterson  
Gary Service  
Don Strong

Lynn Strong  
Richard Van Wagener

COPY ROOM

Sherle Campbell

CHAMBER VIDEO SPECIALIST

Jan Phillips

HOUSE IT STAFF

Cindy Hardman  
Scott Wunderlich  
Bill Felt

**MISCELLANEOUS BUSINESS**

On motion of Representative Garn, the House voted to saunter.

On motion of Representative Garn, the House voted to cease to saunter.

**RULES COMMITTEE REPORT**

Mr. Speaker:

January 25, 2010

The Rules Committee recommends the following bills and resolutions be assigned to standing committees:

**BUSINESS AND LABOR**

- H.B. 11** Licensing of Elevator Contractors and Elevator Mechanics (Rep. L. Wiley)
- H.B. 45** State Construction Code Adoption (Rep. M. Morley)
- H.B. 65** Amendments Related to Regulation of Insurance Type Products (Rep. J. Bird)
- H.B. 73** Utah Construction Trades Continuing Education Amendments (Rep. M. Morley)

**EDUCATION**

- H.B. 42** School District Employees – Career Status Requirements (Rep. R. Menlove)
- H.B. 72** Utah School Seismic Hazard Inventory (Rep. L. Wiley)
- H.B. 81** School Employee Criminal Background Check (Rep. S. Allen)

**GOVERNMENT OPERATIONS**

- H.B. 56** Amended Campaign Financial Statements (Rep. S. Allen)
- H.B. 79** Valid Voter Identification Amendments (Rep. M. Poulson)

- H.B. 208** Disposition of the Remains of a Deceased Military Service Member (Rep. J. Seelig)  
**H.B. 221** Sunset Act and Repealers Reauthorization (Rep. K. Garn)

**HEALTH AND HUMAN SERVICES**

- H.B. 12** Abortion Amendments (Rep. C. Wimmer)  
**H.B. 74** Adoption and Child Custody Amendments (Rep. S. Allen)  
**H.B. 86** Department of Human Services – Review and Oversight (Rep. R. Lockhart)  
**H.B. 88** Electronic Cigarette Restrictions (Rep. R. Menlove)  
**H.B. 206** Ban on Sale of Smoking Paraphernalia to Minors (Rep. P. Ray)

**JUDICIARY**

- H.B. 10** Court Fees for Inmates (Rep. C. Oda)  
**H.B. 16** Parent–time Amendments (Rep. L. Fowlke)  
**H.B. 21** Expungement Revisions (Rep. Julie Fisher)  
**H.B. 47** Board of Pardons and Parole Technical Amendments (Rep. E. Hutchings)  
**H.B. 195** Homicide Penalty Amendment (Rep. C. Wimmer)

**LAW ENFORCEMENT AND CRIMINAL JUSTICE**

- H.B. 19** Post Conviction Remedies Amendments (Rep. K. McIff)  
**H.B. 22** Inmate Health Insurance Amendments (Rep. P. Ray)  
**H.B. 30** Drug Law Amendments (Rep. T. Beck)  
**H.B. 37** Criminal Background Checks on Motor Vehicle Dealers and Salespersons (Rep. R. Lockhart)  
**H.B. 78** Weapons Revisions (Rep. S. Sandstrom)  
**H.B. 197** Custodial Interference Amendments (Rep. C. Wimmer)  
**H.B. 201** State Fire Marshal Modifications (Rep. R. Menlove)  
**H.B. 202** Fireworks Amendments (Rep. R. Menlove)  
**H.B. 207** Protection of Property Amendment (Rep. C. Wimmer)  
**H.B. 214** Concealed Firearm Permit Modifications (Rep. R. Lockhart)

**NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT**

- H.B. 60** Water Conveyance Facilities Safety Act (Rep. F. Hunsaker)  
**H.B. 63** Tire Recycling Fee Modification (Rep. N. Hendrickson)

- H.B. 68** Habitual Wanton Destruction of Wildlife (Rep. C. Oda)  
**H.B. 69** State Engineer's Plugging of Wells Repealer  
(Rep. J. Gowans)

#### **POLITICAL SUBDIVISIONS**

- H.B. 199** Municipal Clerk and Recorder Responsibilities  
(Rep. B. Last)
- H.B. 205** Impact Fee Amendments (Rep. S. Sandstrom)
- H.B. 211** Improvement District Board Membership  
(Rep. K. Powell)
- H.B. 216** Incorporation of a Town Amendments (Rep. G. Froerer)
- H.B. 220** Disproportionate Rental Fee Amendments  
(Rep. G. Froerer)

#### **RETIREMENT AND INDEPENDENT ENTITIES**

- H.B. 83** Public Employees' Retirement – Spousal Election  
(Rep. C. B. Wallis)
- H.B. 215** Amendments to Public Employees' Benefit and Insurance  
Program Act – Risk Pools (Rep. K. Garn)

#### **REVENUE AND TAXATION**

- H.B. 48** Amendments to the Tourism, Recreation, Cultural,  
Convention, and Airport Facilities Tax Act  
(Rep. C. Frank)
- H.B. 54** Property Tax Exemption for Water Facilities  
(Rep. P. Painter)
- H.B. 61** Real Property Sales Information Disclosure  
(Rep. G. Froerer)
- H.B. 75** Assessment Area Amendments (Rep. G. Froerer)
- H.B. 213** Cigarette Tax Exemption Amendments (Rep. E. Vickers)
- H.B. 219** Delinquent Property Tax Amendments (Rep. G. Froerer)
- H.J.R. 2** Joint Resolution on Property Tax Exemption for Water  
Facilities (Rep. P. Painter)

#### **WORKFORCE SERVICES AND COMMUNITY & ECONOMIC DEVELOPMENT**

- H.B. 17** Amendments to Programs for People with Disabilities  
(Rep. S. Mascaro)
- H.B. 18** Unemployment Insurance Amendments  
(Rep. S. Mascaro)

**H.B. 55** Department of Community and Culture Grants  
Amendments (Rep. Julie Fisher)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

### **RULES COMMITTEE REPORT**

Mr. Speaker: January 25, 2010

The Rules Committee recommends that the following bills and resolutions be considered read for the second time and placed on the Third Reading Calendar.

- H.B. 14** Juvenile Transfers from Justice Court (Rep. K. McIff)
- H.B. 15** Deferred Deposit Lending Amendments  
(Rep. J. Dunnigan)
- H.B. 24** Economic Development Incentives Act Amendments  
(Rep. C. B. Wallis)
- H.B. 26** Brine Shrimp Royalty Act Amendments (Rep. T. Kiser)
- H.B. 27** Per Diem and Travel Expense Modifications  
(Rep. C. Frank)
- H.B. 28** Controlled Substance Database Amendments  
(Rep. B. Daw)
- H.B. 29** School District Division Amendments (Rep. L. Black)
- H.B. 31** Wildlife Licenses, Certificates, or Permit Amendments  
(Rep. K. Gibson)
- H.B. 32** Livestock Damage Compensation Amendments  
(Rep. M. Brown)
- H.B. 35** Controlled Substance Database – Reporting for Overdose  
of a Prescribed Controlled Substance (Rep. B. Daw)
- H.B. 38** Scheduling of Controlled Substances (Rep. P. Ray)
- H.B. 40** Utah Life and Health Insurance Guaranty Association  
Amendments (Rep. J. Dunnigan)
- H.B. 13** Drug Law Definitions – Amendments (Rep. T. Beck)
- H.B. 41** Constables Amendments (Rep. C. Oda)
- H.B. 43** Unemployment Compensation Amendments  
(Rep. S. Mascaro)
- H.B. 36** Controlled Substance Database – Reporting Convictions  
for Driving Under the Influence or Impaired Driving  
(Rep. B. Daw)
- H.B. 44** Referendum Ballot Proposition Amendments  
(Rep. F. Hunsaker)
- H.B. 46** Motor Vehicle Act Amendments (Rep. Julie Fisher)



- H.B. 49** Amendments Related to a Tax, Fee, or Charge Administered by the State Tax Commission (Rep. T. Kiser)
- H.B. 50** Sales and Use Tax Modifications (Rep. W. Harper)
- H.B. 51** Family Employment Program – Cash Assistance to Single Minor Parent (Rep. J. Dunnigan)
- H.B. 33** Groundwater Recharge and Recovery Act Amendments (Rep. M. Noel)
- H.B. 23** Workplace Drug and Alcohol Testing (Rep. T. Beck)
- H.B. 53** Foreclosure Rescue and Loan Modification Amendments (Rep. R. Wilcox)
- H.B. 57** Extension of Sunset for Design–build Contract Award Authorization (Rep. Julie Fisher)
- H.B. 58** Utah Generated Renewable Energy Electricity Network Authority Board Amendments (Rep. R. Barrus)
- H.B. 59** Campaign Finance Revisions (Rep. K. Grover)
- H.C.R. 1** Concurrent Resolution on International Trade and State Governments (Rep. S. Allen)
- H.R. 1** Healthy Family Partnership House Resolution (Rep. C. Oda)
- H.B. 34** Water Storage Projects (Rep. M. Noel)
- H.B. 39** Insurance Related Amendments (Rep. J. Dunnigan)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

### **MISCELLANEOUS BUSINESS**

On motion of Representative Garn, the House voted to recess until 2:00 p.m.

### **JOINT CONVENTION**

The Joint Convention was called to order by Senate President Michael Waddoups at 2:25 p.m.

### **COMMITTEE OF THE WHOLE**

On motion of Senator Jenkins, the Legislature resolved itself into a Committee of the Whole, with the President of the Senate as Chair, for the purpose of hearing from Chief Justice Christine M. Durham, Supreme Court.

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

On motion of Representative Garn, the Joint Convention voted to print the remarks of the the Chief Justice of the Supreme Court on the pages of the House and Senate Journals.

**STATE OF THE JUDICIARY**  
**BY CHIEF JUSTICE CHRISTINE M. DURHAM**

President Waddoups, Speaker Clark, and colleagues from the legislative branch of state government, let me begin by expressing my sincere appreciation for the invitation to address you on the state of Utah's judicial branch. I am pleased to be joined here today by my colleagues from the Supreme Court and from the Utah Judicial Council, the constitutional governing body for the judiciary.

As I have prepared to speak to you today, I have struggled to find language that would accurately describe the "state of the judiciary" – the condition in which we find ourselves at the beginning of 2010. The single word that seems most apt to me is "challenged." Like stress, challenge is very much a part of life. Social science research tells us that stress is, in and of itself, neither necessarily positive or negative; it can threaten well-being and normal functioning when it is overwhelming, but it is also responsible for motivating change and growth. Challenge works the same way for institutions. Significant challenge can put important things at risk, but it can also be a predicate for re-examining and re-evaluating priorities and established ways of doing things. In reporting to you this year on the state of the judiciary, then, I would like to acquaint you with the nature of our challenges and the steps we have taken and are taking to deal with them. Because of our constitutional role in government, our basic priorities do not change. We must protect access to justice and fairness in the courts while dealing with budget realities. Last year I quoted a colleague who described state courts as "the emergency room for society." As the impact of the recession is felt at every level, it is important to remember the human dimensions of access and fairness. Decreases in court services necessitated by shortfalls must inevitably increase backlogs in civil, criminal, juvenile and family cases. The resulting delays may threaten the basic constitutional rights of criminal defendants and civil litigants. They may prevent or delay the necessary adjustments of commercial interests, keep persons abused by domestic partners from prompt court protection, prevent disabled elderly people from receiving state-related benefits, result in delays in the protection of abused and neglected children, and hinder the timely disposition of criminal charges.

At the same time, there are a myriad of ways in which the courts can increase efficiency and effectiveness in times of challenge. Necessity, they say, is the

mother of invention, and I am extremely proud of the way in which Utah's Judicial Council had stepped up to the challenge of re-thinking and re-engineering our work. If you will permit, I would like to share several success stories.

One example illustrates the way in which ideas born of necessity can result in better ways of doing things. During 2009 we moved to nearly exclusive reliance in our trial courts on digital recording for preservation of the court record. The immediate motivation lay in the significant cost savings that we achieved, which helped us deal with the cuts we were asked to take in our ongoing budget last year, and we were quite comfortable with the technology we had been phasing in over several years. We planned carefully for the transition, and as of July 1st we shifted entirely to an electronic method of preserving the record in court. Now, six months later, we are extremely gratified to report that these changes not only saved money but also resulted in greatly reduced transcript preparation times. Whereas the average time to prepare a trial transcript before the shift was 138 days, it now averages 16. This means that parties who used to wait almost five months for a written transcript of their court proceeding now have it in hand in just over two weeks. Litigants and the courts are much better served by this new process – one that grew out of budget necessity.

On another front, we have also accelerated our electronic access plans, moving as quickly as we can to implement statewide e-filing and electronic payment of fees and fines, all of which decreases the volume of work for our clerical staff. A little over a year ago, we also undertook a very significant restructuring of our entire clerical workforce, realigning responsibilities and moving to a team-based approach with significant cross-training. Again, we have seen more efficiency and better service as a result. This is particularly notable because our clerical staff is significantly smaller than it was 18 months ago, while our case filings have increased dramatically. Parenthetically, I also note that, consistent with our "e-everything" approach, this State of the Judiciary address, traditionally printed and distributed to you, is instead available on our website: [www.utcourts.gov](http://www.utcourts.gov).

Our emphasis on electronic solutions to create both cost savings and better public service is attracting national attention. The National Center for State Courts just completed a series of studies of current best practices in electronic court innovation. Let me just read the titles of the four studies: "Study of Electronic Payments in Missouri, Colorado, Utah and Iowa;" "Study of E-Filing in Colorado and Utah;" "Study of E-Citations in Missouri, Iowa and Utah;" and "Study of E-Juror in Iowa and Utah." Not only are we on the cutting edge in the use these technologies, but also, unlike the other states in these studies, the Utah courts have

in every instance developed and implemented them entirely in-house with existing resources. Another area in which innovation has permitted better service is support for self-represented litigants, whose needs always increase in difficult economic times. Two years ago, we began a pilot program with a dedicated telephone help-line in two of our judicial districts. These lines are staffed by an able attorney who provides specific and practical procedural assistance to civil litigants navigating the complexity of the legal system. The users of this service have given it rave reviews and, by identifying grant funding, we have been able this year to expand it to two additional rural districts, so that geographically more than half the state now has access. It may be a reflection of the huge impact of these difficult financial times that more than 2,000 people have used this service in the last year.

One of the areas in which self-represented litigants using the help-lines frequently ask questions involves probate matters. A comprehensive study undertaken by the Judicial Council a year ago underscored the need for changes in the way guardianships and conservatorships are managed in the courts. Protection of the legal rights of people with disabilities, including the elderly, is a core responsibility of any humane government, and the Council brought together members of the bar, the provider community, and social services to look for ways to protect this at-risk population. The proposals resulting from that work will be brought before you during this session. Because some of the changes may require new resources, we understand that you might not be able to address them all this year, but we hope and expect that our work has resulted in a plan for protecting these most vulnerable citizens that can be implemented, perhaps over time.

As my comments about the potential need to postpone important reforms suggest, we do clearly understand the scarcity of public resources at this time. Therefore, like other entities in state government, we have tried to be responsible in seeking budget savings. To that end, we instituted first an employee hiring slowdown and then a complete freeze. At the same time, after consultation with the Governor, as the appointing authority, and with the President of the Senate, which body confirms judicial appointments, we delayed the filling of all judicial vacancies in 2009. These actions generated budget savings, but they also, of course, increased the workload of our existing judges and employees. I would like to note in particular how much I appreciate the willingness of our judges to step up to cover the increased workload created by those nine extended vacancies. I also want to be clear in saying – we need more judges. Our objective measures, including our

judicial weighted caseload data tells us that, and that conclusion is confirmed by our hard working judges and staff every day.

We also realize that you are currently unable to respond to this need – and many others – in the current economic climate, so we are bringing you no new resource requests this session. Instead, we have looked for ways to use existing resources, including judges, more effectively. Several years ago, after Salt Lake City established its own Justice Court, removing tens of thousands of cases from the state docket, we recommended and you decided to move two judicial positions from the District Court in Salt Lake, which had then become over-staffed, to two districts elsewhere in the state, one juvenile and one district, where the need was greater. We now have a similar situation in the Second District (Weber, Davis and Morgan counties), where the creation of the Ogden Justice Court three years ago has resulted in a significant shift of cases out of the Second District Court, leaving its fourteen judges with only thirteen judges' worth of work.

During this same period of time, we have also been struggling with a significant understaffing problem in the Fifth District Juvenile Court (covering Washington, Iron and Beaver counties), where only two judges have been managing a burgeoning caseload resulting from dramatic population growth. While the Council has known for several years that a new judge in that district was a priority, we have been unable to address it – first, because the former courthouse in St. George would not accommodate a third judge and then, after the recession hit, because funding was simply not available. Now, with the forthcoming retirement of Second District Judge Jon Memmott in May, the Council has seen an opportunity to equalize the caseload burden in both districts by asking you to consider moving a judgeship from an overstaffed part of the state to an understaffed one. The decision to make this request to you has not been an easy one for the Council, but we see it as our responsibility to identify for you a way to put scarce judicial resources to the most effective use. Realistically, we do not anticipate that you will be able to provide us with the new judges we need for some time yet, and therefore placing our existing judicial positions where they are most needed was, in the end, a compelling argument for the Council. You of course will decide the policy questions that may attend such a shift.

I have highlighted some of the work the judicial branch is doing to fulfill our obligations to use strained public resources wisely and effectively. As I am sure you know, nearly every state in the country has been dealing with economic challenges, and Utah often receives positive attention for our good management. The judicial branch is no exception, and we have been asked on numerous

occasions over the past years to consult with other state judiciaries on the work we have been doing to re-structure and re-engineer the work of our courts; I am proud not only of the sacrifice and commitment of our staff and our judges, but also of the recognition of our effectiveness by our peers around the country. We are, in the face of serious challenges, doing good work.

Continuing in the spirit of reporting on our challenged condition, I want to assure you that the Judicial Council has already begun planning for anticipated additional cuts in this fiscal year. It would be misleading to suggest that there's any "low hanging fruit" left; we have already eliminated 65 positions, which represents 6 percent of our workforce, implemented another hiring freeze, undertaken significant re-organization of our clerical staff, accelerated technology solutions, and delayed filling judicial vacancies, as described earlier. At a three percent of COLA reduction level, we believe that we can avoid further personnel actions this year. At a level above that, we will not be able to absorb the loss except through furloughs, and the Judicial Council and our presiding judges throughout the state are currently assessing how those could be accomplished in an orderly fashion. Given the personnel-dependent nature of our work, and given that our case filings remain 15 percent higher than their 2008 levels, there is no question that further personnel actions would have an impact on delay and case backlogs, and consequently on people's lives and on the commercial sector.

I have focused so far on the immediate challenges in the courts. I think I would be remiss in not sounding some larger themes within the context of challenges to access to justice. The Judicial Council has undertaken over the last year and a half an extensive exploration of the adequacy of appellate representation in criminal cases in our state. That work has been undertaken by a broad-based task force with representation from the legislature, state and local government, the bar, law enforcement and the judiciary, which will be producing analysis and recommendations for reform in the coming year. At the same time, we are increasingly aware of systemic problems affecting indigent criminal defense at all levels, access to civil justice by the poor, and adequate interpreter services to provide language access to the courts. A number of recent studies have examined these questions on a national and state-by-state level, and it is clear that we in Utah will need to address them sooner rather than later. We hope to be responsible and pro-active in efforts to ensure that our citizens can trust and rely on their courts for civil and criminal justice under the rule of law.

As I conclude these remarks, I express to you my regret that for the second time in my tenure as chief justice I have had to focus relatively more on budget-related

actions than on discussion of the innovations we have made and the services we provide every day to Utah citizens. In particular I would like to have dwelt more on describing the sacrifices and dedication of our hardworking court staff in every courthouse throughout this state. But these are extraordinarily difficult times, and I believed it imperative to share with you the steps we are taking to make it through them. I remain confident, however, that we will emerge from the challenges (soon, I hope) with a better, more streamlined, more efficient and more effective judicial system.

We in the judiciary understand that the economic challenges we face are being felt across all of state government; we acknowledge the daunting nature of your task in this session, and we stand prepared to do our part. We also, like you, are obligated to fulfill our constitutional role – to ensure access to justice – and we hope that you will be able to support us in that obligation. We greatly appreciated the collaborative problem-solving process we experienced in last year’s legislative session, and look forward to continuing the work in the next few months.

Let me leave you with the favorite farewell of my husband’s grandfather from Parowan. His life, like many of his generation, included many difficult times and some heart-breaking challenges. He never failed, however, as you left his presence, to enjoin you to “Keep on keeping on.” Good advice for all of us.

On motion of Representative Garn, the Joint Convention was dissolved.

Speaker Clark called the House to order at 2:55 p.m.

### **INTRODUCTION OF BILLS**

**H.B. 1, Minimum School Program Base Budget** (M. Newbold), read the first time by short title and referred to the Rules Committee.

**H.B. 238, Low Speed Vehicle Amendments** (J. Anderson), read the first time by short title and referred to the Rules Committee.

### **MISCELLANEOUS BUSINESS**

On motion of Representative Garn, and at 3:10 p.m., the House voted to adjourn until January 26, 2010, at 10:00 a.m.

## SECOND DAY

\* \* \*

### MORNING SESSION

The House was called to order by Speaker Clark at 10:00 a.m.

Roll call showed all members present except Representative Ryan Wilcox, excused.

Prayer offered by Representative Susan Duckworth. Pledge of Allegiance led by Jaron Mortensen, Representative Susan Duckworth's grandson.

#### COMMUNICATION FROM THE SENATE

Mr. Speaker: January 25, 2010  
The Senate passed **S.B. 33**, STATE CAPITOL PRESERVATION BOARD FEE AMENDMENTS, by Senator M. Madsen, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. **S.B. 33** read the first time by short title and referred to the Rules Committee.

#### INTRODUCTION OF BILLS

**H.B. 102, Agriculture Sustainability Act** (J. Draxler), read the first time by short title and referred to the Rules Committee.

**H.B. 103, Reduced Speed School Zone Amendments** (S. Sandstrom), read the first time by short title and referred to the Rules Committee.

**H.B. 104, Unlawful Provision of Identifiable Prescription Information** (J. Biskupski), read the first time by short title and referred to the Rules Committee.

**H.B. 105, Public School Employee Auditory Protection Requirements** (L. Black), read the first time by short title and referred to the Rules Committee.

**H.B. 106, Expedited Background Checks for Human Services Providers** (J. Seelig), read the first time by short title and referred to the Rules Committee.



**H.B. 237, Restrictions on Use of Wireless Telephones in Vehicles by Minors** (P. Riesen), read the first time by short title and referred to the Rules Committee.

**H.B. 239, Child Protection Revisions** (W. Harper), read the first time by short title and referred to the Rules Committee.

**H.B. 240, Department of Natural Resources Amendments** (J. Draxler), read the first time by short title and referred to the Rules Committee.

**H.B. 241, Requirements for Check Casher to Cash a Check** (W. Harper), read the first time by short title and referred to the Rules Committee.

**H.B. 242, Marriage License Fee Amendments** (C. Johnson), read the first time by short title and referred to the Rules Committee.

**H.B. 243, Foreclosure Processes on Residential Rental Properties** (W. Harper), read the first time by short title and referred to the Rules Committee.

**H.C.R. 8, Concurrent Resolution on Federal Health Care Reform** (D. Clark), read the first time by short title and referred to the Rules Committee.

**H.J.R. 11, Joint Resolution Regarding Federal Health Insurance Reform** (M. Morley), read the first time by short title and referred to the Rules Committee.

**H.J.R. 12, Climate Change Joint Resolution** (K. Gibson), read the first time by short title and referred to the Rules Committee.

### THIRD READING CALENDAR

**H.B. 14, JUVENILE TRANSFERS FROM JUSTICE COURT**, *McCliff*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

**H.B. 14** passed on the following roll call:

**Yeas, 68; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Agard	Anderson	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Herrod	Hughes	Hunsaker	Hutchings

Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Wallis	Watkins	Webb
Wheatley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Allen	Janice Fisher	Hemingway	Hendrickson
Vickers	Wilcox	Wiley	

**H.B. 14** transmitted to the Senate for its consideration.

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**H.B. 15**, DEFERRED DEPOSIT LENDING AMENDMENTS, *Dunnigan*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing. Representatives Fowlke and Mascaro commented.

**H.B. 15** passed on the following roll call:

**Yeas, 65; Nays, 8; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	McIff	Menlove
Moss	Newbold	Noel	Painter
Poulson	Powell	Ray	Riesen
Seegmiller	Seelig	Vickers	Wallis
Watkins	Webb	Wheatley	Wiley
D. Clark			

**Voting in the negative were:** Representatives

Dougall	Mathis	Morley	Oda
Sandstrom	Sumsion	Wimmer	Wright

**Absent or not voting were:** Representatives

Garn	Wilcox
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**H.B. 15** transmitted to the Senate for its consideration.

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**H.B. 24**, ECONOMIC DEVELOPMENT INCENTIVES ACT AMENDMENTS, *Wallis*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing. Representative Mascaro commented.

**H.B. 24** passed on the following roll call:

**Yeas, 63; Nays, 9; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Froerer
F Gibson	K Gibson	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
McIff	Menlove	Moss	Newbold
Noel	Painter	Poulson	Powell
Ray	Riesen	Seegmiller	Seelig
Vickers	Wallis	Watkins	Webb
Wheatley	Wiley	D. Clark	

**Voting in the negative were:** Representatives

Dougall	Frank	Mathis	Morley
Oda	Sandstrom	Sumsion	Wimmer
Wright			

**Absent or not voting were:** Representatives

Garn	Gowans	Wilcox
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**H.B. 24** transmitted to the Senate for its consideration.

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**H.B. 26**, BRINE SHRIMP ROYALTY ACT AMENDMENTS, *Kiser*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

**H.B. 26** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Gowans	Wilcox
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**H.B. 26** transmitted to the Senate for its consideration.

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**H.B. 27**, PER DIEM AND TRAVEL EXPENSE MODIFICATIONS, *Frank*, read the third time by short title and placed on its final passage.

Representative Frank proposed the following amendment:

1. Page 8, Line 220  
220 {~~77-27-2, as last amended by Laws of Utah 2002, Chapter 176-~~}
2. Page 333, Line 10294 through Page 335, Line 10378:  
Delete lines 10294 – 10378.
3. Renumber remaining sections accordingly.

Representative Frank’s motion to amend passed on a voice vote.

**H.B. 27**, as amended, passed on the following roll call:

**Yeas, 70; Nays, 3; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Harper
Hemingway	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Watkins
Webb	Wheatley	Wiley	Wimmer
Wright	D. Clark		

**Voting in the negative were:** Representatives

S Duckworth	Hansen	Hendrickson
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**Absent or not voting were:** Representatives

Wallis	Wilcox
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**H.B. 27**, as amended, transmitted to the Senate for its consideration.

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**H.B. 28**, CONTROLLED SUBSTANCE DATABASE AMENDMENTS, *Daw*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

On motion of Representative Daw, the House voted to circle **H.B. 28**.

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**H.B. 29**, SCHOOL DISTRICT DIVISION AMENDMENTS, *Black*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

**H.B. 29** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Garn	Johnson	Wilcox
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**H.B. 29** transmitted to the Senate for its consideration.

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**H.B. 31**, WILDLIFE LICENSES, CERTIFICATES, OR PERMIT AMENDMENTS, *Gibson*, read the third time by short title and placed on its final

passage. This bill did not have a House standing committee hearing. Representatives Julie Fisher, Bigelow, King, McIff, Duckworth, and Seegmiller commented.

**H.B. 31** passed on the following roll call:

**Yeas, 58; Nays, 15; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Allen	Anderson	Barrus	Bird
Biskupski	Brown	Chavez–Houck	S. Clark
Cosgrove	Dee	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Noel	Oda
Painter	Powell	Ray	Riesen
Sandstrom	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wimmer
Wright	D. Clark		

**Voting in the negative were:** Representatives

Aagard	Beck	Bigelow	Black
Daw	Dougall	Julie Fisher	Johnson
King	Moss	Newbold	Poulson
Seegmiller	Wheatley	Wiley	

**Absent or not voting were:** Representatives

Gowans	Wilcox
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**H.B. 31** transmitted to the Senate for its consideration.

### UNFINISHED BUSINESS

On motion of Representative Daw, the House voted to uncircle **H.B. 28**.

**H.B. 28, CONTROLLED SUBSTANCE DATABASE AMENDMENTS**, *Daw*, was before the House on its final passage.

Representative Daw proposed the following amendment:

1. Page 1, Lines 12 through 13

12 This bill recodifies and amends provisions relating to the  
Controlled Substance

13 Database and requires an individual other than a veterinarian,  
who is licensed to prescribe a controlled substance,

2. Page 1, Line 24:

24 ► requires an individual other than a veterinarian,  
who is licensed to prescribe a controlled substance, who is

3. Page 15, Lines 435 through 445:

435 { ~~(e)~~ “Database manager” means the person responsible for  
operating the database, or the

436 ~~person’s designee.~~ }

437 { ~~(d)~~ } (c) “Health care facility” is as defined in  
Section 26-21-2.

438 { ~~(e)~~ } (d) “Mental health therapist” is as defined in  
Section 58-60-102.

439 { ~~(f)~~ } (e) “Pharmacy” or “pharmaceutical facility”  
is as defined in Section 58-17b-102.

440 { ~~(g)~~ } (f) “Prospective patient” means an individual  
who:

441 (i) is seeking medical advice, medical treatment, or medical  
services from a

442 practitioner; and

443 (ii) the practitioner described in Subsection  
(2) { ~~(g)~~ } (f) (i) is considering accepting as a

444 patient.

445 { ~~(h)~~ } (g) “Substance abuse treatment program” is  
as defined in Section 62A-2-101.

4. Page 16, Lines 480 through 481:

480 (1) The pharmacist in charge of the drug outlet where a  
controlled substance is

481 dispensed shall submit the data described in this section to the  
{ manager of the database } division :



5. Page 16, Line 487:

487 inpatient at a health care facility, submit to the { manager of the  
database } division the following

6. Page 17, Line 505:

505 required under this section shall be submitted to the { database  
manager } division .

7. Page 17, Line 521:

521 (2) The { database manager } division shall make  
information in the database available only to the

8. Page 20, Line 600:

600 the database, upon providing evidence satisfactory to the  
{ database manager } division that the individual

9. Page 21, Line 638 through Page 22, Line 652:

638 (1) Each individual , other than a veterinarian, who, on  
July 1, 2010, has a license to prescribe a controlled

639 substance under Chapter 37, Utah Controlled Substances Act, but is  
not registered with the

640 division to use the database shall, on or before September 30,  
2010 { ;

641 ~~(a)~~ } ; register with the division to use the  
database ; { and

642 ~~(b) participate in the online tutorial and pass the online test~~  
~~described in Section~~

643 ~~58-37f-402.~~ }

644 (2) Each individual who, on { ~~July~~ } or before  
November 1, 2010, is registered with the division to use the

645 database shall, on or before { ~~September 30,~~  
~~2010~~ } January 1, 2011 , participate in the online tutorial and pass  
the

646 online test described in Section 58-37f-402.

647 (3) { ~~An~~ } Beginning on July 1, 2010, an  
individual who is not a veterinarian may not obtain or renew a  
license to prescribe a controlled substance

648 under Chapter 37, Utah Controlled Substances Act, unless the individual registers with the

649 division to use the database.

650 (4) Beginning on { ~~July~~ } ~~November~~ 1, 2010, in order to register to use the database, the individual

651 registering must participate in the online tutorial and pass the online test described in Section

652 ~~58-37f-402.~~

10. Page 23, Lines 686 through 687:

686 (4) The division shall ensure that the tutorial and test described in this section are fully

687 functional and available for use online on or before { ~~July~~ } ~~November~~ 1, 2010.

11. Page 23, Line 698:

698 (b) fulfill the other duties imposed on the division under this part.

(7) The Department of Health shall assist the division in developing the portion of the test described in Subsection (1)(d).

12. Page 25, Line 768:

768 (d) issue a public { ~~or private~~ } reprimand to the individual;

13. Page 26, Lines 793 through 795:

793 (2) There is established a pilot program for real-time reporting of data to, and access to

794 data from, the database by a pharmacy, a pharmaceutical facility, or a prescribing practitioner

795 beginning on July 1, { ~~2008~~ } 2010 , and ending on July 1, { ~~2010~~ } 2012 .

14. Page 27, Line 833 through Page 28, Line 834:

833 (10) The division shall, on or before July 1, { ~~2010~~ } 2012 , implement the pilot program as a

834 permanent program on a statewide basis.

Representative Daw's motion to amend passed on a voice vote.

Representatives Bigelow, Vickers, Wright, Draxler, Julie Fisher, and Last commented.

**H.B. 28**, as amended, passed on the following roll call:

**Yeas, 66; Nays, 3; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Anderson	Wright	Aagard	Allen
Barrus	Beck	Bigelow	Bird
Biskupski	Black	Brown	Chavez–Houck
S. Clark	Cosgrove	Daw	Dee
Draxler	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Moss
Newbold	Noel	Oda	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wiley	D. Clark		

**Voting in the negative were:** Representatives

Dougall	Hughes	Wimmer
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**Absent or not voting were:** Representatives

S Duckworth	Gowans	Menlove	Morley
Painter	Wilcox		

**H.B. 28**, as amended, transmitted to the Senate for its consideration.

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: January 26, 2010

The Government Operations Committee reports a favorable recommendation on **H.B. 56**, AMENDED CAMPAIGN FINANCIAL STATEMENTS, by Representative S. Allen, with the following amendments:

1. Page 1, Line 22 through Page 2, Line 28:

22      ► provides that an amended financial statement  
 { ~~whether filed separately or with the~~

- 23 ~~next scheduled report~~ } must:
- 24 • include a brief statement summarizing the amendments;
- 25 • explain the reason for filing an amended financial  
statement; and
- 26 • clearly show the amendments being made with the  
amended financial statement;
- 27 { ~~and~~ }
- be filed with the next scheduled report, unless the chief  
election officer requires an earlier filing; and
- 28 ► makes technical changes.
2. Page 2, Line 57 through Page 3, Line 64:
- 57 (3) An amended financial statement filed under this section  
{ whether filed in a separate
- 58 amended report or filed with the next scheduled report } shall:
- 59 (a) include a brief statement summarizing the amendments to  
the original financial
- 60 statement made by the amended financial statement;
- 61 (b) explain in detail the reason for filing an amended financial  
statement; { and }
- 62 (c) clearly show the financial statement as originally submitted  
and the amendments
- 63 made by the amended financial statement { } and  
(d) be filed with the next scheduled report, unless the chief election  
officer requires the filing entity to file an amended financial statement  
before the next scheduled report under this chapter or Section  
20A-12-306.
- 64 (4) This section does not affect a filing entity's responsibility to  
file a timely, completed
3. Page 3, Line 89 through Page 4, Line 90:
- 89 (iii) those omissions, errors, or inaccuracies are corrected in  
accordance with Section
- 90 20A-11-104 { ~~in an amended report or in the next scheduled~~  
~~report~~ } .
4. Page 5, Lines 131 through 132:
- 131 (iii) those omissions, errors, or inaccuracies are corrected in  
accordance with Section

132 20A-11-104 {~~in an amended report or in the next scheduled report~~} .

5. Page 6, Lines 174 through 175:

174 (iii) those omissions, errors, or inaccuracies are corrected in accordance with Section

175 20A-11-104 {~~in an amended report or in the next scheduled report~~} .

6. Page 8, Lines 233 through 234:

233 (iii) those omissions, errors, or inaccuracies are corrected in accordance with Section

234 20A-11-104 {~~in an amended report or in the next scheduled report~~} . ; and

The Government Operations Committee reports a favorable recommendation on **H.B. 79**, VALID VOTER IDENTIFICATION AMENDMENTS, by Representative M. Poulson; and

The Government Operations Committee reports a favorable recommendation on **H.B. 221**, SUNSET ACT AND REPEALERS REAUTHORIZATION, by Representative K. Garn, and recommends it be placed on the Consent Calendar.

Craig A. Frank, Chair

Reports filed. On motion of Representative Grover, the reports of the Government Operations committee were adopted.

**H.B. 56**, as amended, and **H.B. 79** read the second time by short title and placed on the Third Reading Calendar.

**H.B. 221** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker: January 26, 2010

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 199**, MUNICIPAL CLERK AND RECORDER RESPONSIBILITIES, by Representative B. Last; and

The Political Subdivisions Committee recommends **H.B. 216**, INCORPORATION OF A TOWN AMENDMENTS, by Representative

G. Froerer, be replaced and reports a favorable recommendation on **1st Sub. H.B. 216**, INCORPORATION OF A TOWN AMENDMENTS with the following amendments:

1. Page 1, Line 11:

11 This bill:  
 ▶ amends notice requirements:

2. Page 4, Line 88:

88 (III) publishing notice of the public hearing in accordance with  
~~{-Section 45-1-101. }~~ Section 63F-1-701 on the Utah Public  
Notice Website.

3. Page 7, Lines 207 through 210:

207 ~~[(H)]~~ (ii) (A) the results of the financial feasibility study  
described in Subsection (8)(a)(i)

208 show that the average annual amount of revenues described in  
 Subsection (1)(b)(i) ~~{-}-~~ does not

209 exceed ~~{-}-~~ ~~{-exceeds-}~~ the average annual amount of  
 costs described in Subsection (1)(b)(ii) by more

210 than ~~{-10%-}~~ 25% ~~{-}-~~ ; or ~~{-}-~~

(B) the results of the financial feasibility study described  
in Subsection (8)(a)(i) show that the average annual amount of costs  
described in Subsection (1)(b)(ii) does not exceed the average annual  
amount of revenues described in Subsection (1)(b)(i) by more than  
25% .

4. Page 8, Lines 213 through 239:

213 (c) (i) ~~If [the county legislative body commissions a financial~~  
~~feasibility study under~~

214 ~~Subsection (8)(a) and]~~ the results of the financial feasibility study  
described in Subsection

215 (8)(a)(i) show that the average annual amount of revenues  
 described in Subsection (1)(b)(i)

216 ~~{-}-~~ exceeds ~~{-}-~~ ~~{-does not exceed }~~ the  
 average annual amount of costs described in Subsection

217 (1)(b)(ii) by more than ~~{-10%-}~~ 25% , the county  
 legislative body ~~[may]~~ shall:

218 (A) deny the petition, ~~[subject to]~~ in accordance with  
Subsection (8)(c) ~~{-(ii)-}~~ (iii) ~~{-}-~~ , if the

219 results of the financial feasibility study show that the average  
annual amount of revenues

220 described in Subsection (1)(b)(i) exceeds the average annual  
amount of costs described in

221 Subsection (1)(b)(ii) by more than 25% ~~{-or~~  
~~more-}~~ ~~{-}-}~~ ; or

222 ~~[(B) approve the petition and hold an election for town officers,~~  
~~as provided in~~

223 ~~Subsection (9); or]~~

224 ~~[(C)]~~ (B) (I) with the consent of the petition sponsors:

225 (Aa) impose conditions to ~~[mitigate the fiscal inequities~~  
~~identified in the financial~~

226 ~~feasibility study]~~ prevent the average annual amount of ~~{-costs-}~~  
revenues described in Subsection (1)(b) ~~{-(ii)-}~~ (i)

227 from exceeding the average annual amount of  
~~{-revenues-}~~ costs described in Subsection (1)(b)  
~~{-(i)-}~~ (ii) by

228 more than ~~{-10-}~~ 25 %; or

229 (Bb) alter the boundaries of the area proposed to be  
incorporated as a town to

230 approximate the boundaries necessary to prevent the average  
annual amount of ~~{-}-}~~ revenues ~~{-}-}~~ ~~{-costs-}~~

231 described in Subsection (1)(b) ~~{-}-}~~ (i) ~~{-}-}~~ ~~{-(ii)-}~~  
from exceeding the average annual amount of  
~~{-}-}~~ costs ~~{-}-}~~

232 ~~{-revenues-}~~ described in Subsection  
(1)(b) ~~{-}-}~~ (ii) ~~{-}-}~~ ~~{-(i) by more than 10%-}~~ by more  
than 25% ; and

233 (II) approve the incorporation petition and hold an election for  
town officers, as

234 provided in Subsection (9).

(ii) If the results of the financial feasibility study described in

Subsection (8)(a)(i) show that the average annual amount of costs described in Subsection (1)(b)(ii) exceeds the average annual amount of revenues described in Subsection (1)(b)(i) by more than 25%, the county legislative body shall:

(A) deny the petition in accordance with Subsection (8)(c)(iii);

or

(B)(I) with the consent of the petition sponsors:

(Aa) impose conditions to prevent the average annual amount of costs described in Subsection (1)(b)(ii) from exceeding the average annual amount of revenues described in Subsection (1)(b)(i) by more than 25%; or

(Bb) alter the boundaries of the area proposed to be incorporated as a town to approximate the boundaries necessary to prevent the average annual amount of costs described in Subsection (1)(b)(ii) from exceeding the average annual amount of revenues described in Subsection (1)(b)(i) by more than 25%; and

(II) approve the incorporation petition and hold an election for town officers, as provided in Subsection (9)

235        {-(ii)-}        (iii)    A county legislative body intending to deny a petition under Subsection (8)(c)(i)(A)    or (8)(c)(ii)(A)

236 shall deny the petition within 20 days after the feasibility consultant submits the written results

237 of the financial feasibility study.

238        (d) Each town that incorporates pursuant to a petition approved after the county

239 legislative body imposes conditions under Subsection (8)(c)(i)[~~(C)~~](B)(I)(Aa)    or (8)(c)(ii)(B)(I)(Aa) shall comply

5. Page 9, Line 249:

249 results of the financial feasibility study, for an election under Subsection (8)(c)(i)[~~(C)~~](B)(II)    or (8)(c)(ii)(B)(II) .

Fred R Hunsaker, Chair

Reports filed. On motion of Representative Hunsaker, the reports of the Political Subdivisions committee were adopted.

**H.B. 199 and 1st Sub. H.B. 216**, as amended, read the second time by short title and placed on the Third Reading Calendar.



\* \* \*

Mr. Speaker: January 26, 2010  
The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 213**, CIGARETTE TAX EXEMPTION AMENDMENTS, by Representative E. Vickers, and recommends it be placed on the Consent Calendar.

Todd E. Kiser, Chair

Report filed. On motion of Representative Kiser, the report of the Revenue and Taxation committee was adopted.

**H.B. 213** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker: January 26, 2010  
The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.B. 17**, AMENDMENTS TO PROGRAMS FOR PEOPLE WITH DISABILITIES, by Representative S. Mascaro, et al; and

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.B. 55**, DEPARTMENT OF COMMUNITY AND CULTURE GRANTS AMENDMENTS, by Representative Julie Fisher, et al, with the following amendments:

- 1. Page 6, Lines 161 through 164:

161 (2) (a) For a pass-through funding grant of at least \$25,000, the  
{-division-} office shall make  
162 quarterly disbursements to the pass-through funding grant  
recipient, contingent upon the  
163 {-division-} office receiving a quarterly progress report  
from the pass-through grant recipient.  
164 (b) The {-division -} office shall:

Steven R. Mascaro, Chair

Reports filed. On motion of Representative Mascaro, the reports of the Workforce Services and Community and Economic Development committee were adopted.

**H.B. 17** and **H.B. 55** read the second time by short title and placed on the Third Reading Calendar.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: January 26, 2010

The Senate passed **S.B. 12**, INDIVIDUAL INCOME TAX CONTRIBUTION FOR METHAMPHETAMINE HOUSING RECONSTRUCTION AND REHABILITATION FUND, by Senator K. Mayne, and it is transmitted for consideration; and

The Senate passed **S.B. 13**, STATE CONSTRUCTION CONTRACTS AND DRUG AND ALCOHOL TESTING, by Senator K. Mayne, and it is transmitted for consideration; and

The Senate passed **S.B. 14**, BUILDING AND CONSTRUCTION PROJECTS – TECHNICAL CORRECTIONS, by Senator M. Madsen, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **S.B. 12**, **S.B. 13**, and **S.B. 14** read the first time by short title and referred to the Rules Committee.

### THIRD READING CALENDAR

**H.B. 32**, LIVESTOCK DAMAGE COMPENSATION AMENDMENTS, *Brown*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing. Representatives Johnson and Mathis commented.

**H.B. 32** passed on the following roll call:

**Yeas, 69; Nays, 1; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Froerer
Garn	F Gibson	K Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart

Mascaro	Mathis	McIff	Morley
Moss	Newbold	Noel	Oda
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wiley	Wimmer	Wright
D. Clark			

**Voting in the negative was:** Representative  
Dougall

**Absent or not voting were:** Representatives  
Frank                      Gowans                      Menlove                      Painter  
Wilcox

**H.B. 32** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 35**, CONTROLLED SUBSTANCE DATABASE – REPORTING FOR OVERDOSE OF A PRESCRIBED CONTROLLED SUBSTANCE, *Daw*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

On motion of Representative Daw, the House voted to delete **H.B. 35** in title and body and insert **1st Sub. H.B. 35** in lieu thereof.

Representative Vickers commented.

**1st Sub. H.B. 35** passed on the following roll call:

**Yeas, 67; Nays, 3; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hunsaker
Hutchings	Ipson	Johnson	King

Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Morley
Moss	Newbold	Noel	Oda
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Vickers	Wallis
Watkins	Webb	Wheatley	Wiley
Wimmer	Wright	D. Clark	

**Voting in the negative were:** Representatives

Dougall	Hughes	Sumsion
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**Absent or not voting were:** Representatives

Gowans	Menlove	Painter	Seelig
Wilcox			

**1st Sub. H.B. 35** transmitted to the Senate for its consideration.

**RULES COMMITTEE REPORT**

Mr. Speaker: January 26, 2010

The Rules Committee recommends that the following resolution, under suspension of the rules, be considered read for the second time and placed on the Third Reading Calendar for a time certain of February 8, 2010 at 10:30 a.m.

**H.C.R. 5** Concurrent Resolution Recognizing the 100th  
Anniversary of the Boy Scouts of America (Rep. B. Daw)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

**RULES COMMITTEE REPORT**

Mr. Speaker: January 26, 2010

The Rules Committee recommends the following bills and resolutions be assigned to standing committees:

**BUSINESS AND LABOR**

<b>H.B. 70</b>	Certification of Retrofit Compressed Natural Gas Vehicles (Rep. J. Draxler)
<b>H.B. 89</b>	License for Controlled Substances Amendments (Rep. M. Morley)
<b>H.B. 97</b>	Amendments Relating to Deceptive Practices Involving Consumers (Rep. M. Poulson)

- H.B. 193** Occupations and Professions Amendments  
(Rep. R. Lockhart)
- H.B. 212** Continuing Education Requirements for Landscape  
Architects (Rep. R. Webb)
- H.B. 227** Licensing Eligibility (Rep. S. Sandstrom)
- H.J.R. 10** Joint Resolution Opposing the Establishment of a Federal  
Commission on State Workers' Compensation Laws  
(Rep. M. Morley)

#### **GOVERNMENT OPERATIONS**

- H.B. 95** Certification of Voting Equipment Modifications  
(Rep. D. Aagard)

#### **HEALTH AND HUMAN SERVICES**

- H.B. 71** Nicotine Product Restrictions (Rep. P. Ray)
- H.B. 200** Informed Consent Amendments (Rep. C. Wimmer)
- H.B. 225** Counterfeit Substance Amendments (Rep. P. Ray)
- H.B. 232** Medical Language Interpreter Amendments  
(Rep. R. Chavez–Houck)

#### **JUDICIARY**

- H.B. 204** Jury Trial Amendments (Rep. W. Harper)
- H.B. 224** Uniform Real Property Transfer on Death Act  
(Rep. L. Fowlke)

#### **NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT**

- H.B. 98** State Engineer Bonding Requirements (Rep. R. Wilcox)
- H.B. 192** Renewable Energy – Methane Gas (Rep. C. Watkins)
- H.B. 226** Well Driller's License – Pump Installation  
(Rep. P. Painter)
- H.B. 228** Renewable Energy Source Amendments (Rep. R. Barrus)
- H.B. 231** Water Rights Priorities in Times of Shortage  
(Rep. K. Gibson)
- H.C.R. 3** Italian–American Heritage Month Concurrent Resolution  
(Rep. C. Watkins)
- H.C.R. 6** Stockton Bar Geologic Formation Concurrent Resolution  
(Rep. R. Menlove)

**POLITICAL SUBDIVISIONS**

**H.B. 94** Uniform Fiscal Procedures Act Amendments for Towns, Cities, and Counties Amendments (Rep. F. Hunsaker)

**RETIREMENT AND INDEPENDENT ENTITIES**

**H.B. 233** Retirement Office Amendments (Rep. D. Ipson)

**REVENUE AND TAXATION**

**H.J.R. 7** Joint Resolution Prohibiting Property Transfer Tax (Rep. G. Froerer)

**TRANSPORTATION**

**H.B. 91** Traffic Control Signs for Bicycles (Rep. C. Moss)

**H.B. 93** Motorcycle and Off-highway Vehicle Amendments (Rep. R. Menlove)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

**MISCELLANEOUS BUSINESS**

On motion of Representative Dee, and at 12:00 p.m., the House voted to adjourn until January 27, 2010, at 10:00 a.m.

**JOINT CONVENTION**

President Michael Waddoups called the Joint Convention to order at 6:20 p.m., in the Chamber of the Utah House of Representatives and recognized David Clark, Speaker of the House.

President Waddoups announced that a quorum of the House of Representatives and the Senate was present.

President Waddoups appointed a Joint Committee comprised of Senators Scott Jenkins, Wayne Niederhauser, and Pat Jones, and Representatives Kevin Garn, Brad Dee, and David Litvack to notify Governor Gary R. Herbert that the 2010 General Session of the Fifty-eighth Legislature is in Joint Convention and ready to hear his State-of-the-State address.

President Waddoups acknowledged special guests and elected and appointed officials in attendance at the Joint Convention.

Senator Scott Jenkins 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 and First Lady Jeanette Herbert, to the House rostrum.

**STATE OF THE STATE ADDRESS  
GOVERNOR GARY HERBERT**

Lt. Governor Bell; President Waddoups; Speaker Clark; Members of the Utah Legislature and of my Cabinet; Utah's Supreme Court justices; the State's First Lady, my wife Jeanette; my children, my mother and my fellow Utahns; I am humbled and honored to stand before you tonight as Utah's 17th Governor to offer this annual report to our great State.

Tonight, I first pay tribute to the many Utahns who have answered the nation's call to serve. Whether it's as a soldier in Afghanistan, a Utah National Guardsman in Iraq, a humanitarian volunteer in Haiti or Ambassador Jon and Mary Kaye Huntsman in the People's Republic of China, we give them all our heartfelt thanks.

I also recognize those who put their lives on the line every day to protect ours. We suffered a great loss when Millard County Sheriff's Deputy Josie Greathouse Fox of Delta lost her life in the line of duty. Her family is here with us tonight. Please join with me as we remember a life of service and pay tribute to our entire law enforcement community, whose sacrifice helps to keep us free and to keep us safe. In my inaugural address, I spoke about the importance of, and the need for, unprecedented partnerships. This will be a continuing theme for my administration. Our success will be measured by the way we unite stakeholders from across the state, and from across the aisle. We must join together to combat the challenges we face and to seize the opportunities ahead.

Over the past four months, we have formed several such partnerships. Let me highlight two of them.

First, we created the Advisory Commission to Optimize State Government. The goal of this group is to help the state do more with less in order to benefit all. It is headed by former Governor Norm Bangerter. This diverse and bipartisan group of civic and business leaders is taking an inside-out look at all areas of the state. Their efforts will improve our already well-managed state, and, now more than ever, we must achieve new levels of efficiency in state government.

Seated next to Governor Bangerter in the gallery tonight is former Salt Lake City Mayor Ted Wilson. He is leading my Balanced Resource Council. I have charged this group with building consensus on important issues, such as public lands, water, conservation and resource development.

These are matters that have become so polarized that progress has become all but impossible. This unprecedented partnership will provide a much-needed new “state of mind” on environmental issues.

This new mindset was recently successfully demonstrated by conservation groups, the Bureau of Land Management, Indian tribes, local governments and oil drilling companies. These groups came together to protect priceless Indian rock art in Nine Mile Canyon, while still allowing for responsible development of Utah’s natural gas resources. This is a prime example of how partnership, combined with leadership, can achieve measurable results for our state.

Unprecedented partnerships are essential because we are facing unprecedented challenges. Although we continue to undergo tough economic times, our state – at its core – is strong. The economic tide is turning. We are poised for progress, and are, in fact, well ahead of most other states in the nation.

For the first time in three years, we are expecting an increase in revenue for the upcoming fiscal year. Housing is beginning to stabilize, the state’s labor market is resilient and our unemployment rate remains below the national average. I know this is of small consolation to those who are out of work, but we will continue to make sound policy decisions to move this state – and your families – back to solid economic ground and toward a more hopeful future.

We are already taking the steps necessary to keep us in control of our own recovery. At my direction, state agencies have implemented plans to overcome projected budget shortfalls for the current fiscal year. Cabinet leaders are carefully managing reduced budgets while maintaining vital services for Utahns. We are exercising fiscal restraint at all levels, in all branches of government.

We recognize the tough times are not entirely behind us. Indeed, our future success is, in large part, tied to how we respond to these difficulties over the remaining days of this legislative session.

Past sessions may be best remembered for the creation of a university or the implementation of a new program. I think, in these challenging economic times, the 2010 session will primarily be remembered for the adoption of a balanced and responsible state budget.

How we accomplish this in a way that provides adequate funding for education, human services, public health and safety, transportation and other critically important programs will be as challenging as any task faced by a Legislature or Governor in generations.



Tonight, I ask you to join me in this unprecedented partnership. Because, by working together, we can, we must and we will succeed!

First and foremost, we must protect public and higher education.

Utah has long been committed to funding our public schools, our colleges and universities, and our technical institutions. In fact, few states in the country spend as much of their overall budgets on education as we do. Our unique demographics – which is a way of saying we have larger families – mean we must continue to increase funding to maintain and enhance the solid education and training our students receive.

In spite of our difficult budget situation, I call upon you, our great legislators, to maintain our current level of commitment to education!

Secondly, we must balance our budget responsibly, and in a way that does not stifle an economy that is finally beginning to show signs of recovery. We need to support our hard-working citizens and businesses, not stifle them with new tax burdens. We need to help them succeed, not hamper their success. And we need to think toward the future, not just of today.

We can accomplish this, and the budget I have submitted to you offers a framework of how it can be done. At this point in time, I strongly believe the best thing we can do for our State, our citizens, and our economic recovery is to exercise continued fiscal restraint and to not raise taxes!

There are many positive things happening throughout the state. Utah continues to be one of the best states for business.

Whether it's a small, family-owned company like PZ Printing in Carbon County, a cutting edge medical device manufacturer like Edwards Life Sciences, or an international company like Proctor and Gamble in Box Elder County, businesses have confidence in Utah as a safe and dynamic place to grow and invest.

A key area of emphasis for my administration is growing business from within. I am pleased the majority of our economic development efforts over the past two years have been centered on protecting and expanding Utah businesses.

Just last month, MediConnect Global, a homegrown medical record management firm, announced it would expand its operations in Sanpete County. This expansion will add more than 300 full-time positions in Ephraim over the next several years. This is but one example of what is happening right now in Utah.

A healthy economy is critical to Utah's unparalleled quality of life. But another factor that makes living in the Beehive State so rewarding is our access to some of the best health care in the nation. Our medical professionals and hospitals are widely recognized as among the best in the country. We understand public access to these services is critical.

Rather than simply talk – or, more accurately, sometimes fight – about health care reform, Utah has stepped forward with solutions. Thanks to the efforts of medical professionals, citizens, members of the executive branch and Lt. Governor Greg Bell, and legislative leaders like Speaker Dave Clark, the Utah Health Exchange is now open for business.

This Utah-crafted solution is an innovative approach to increase transparency in the health care system, to increase access and to increase choice. Already, hundreds of Utahns have coverage in plans they have chosen for themselves. This is a revolutionary approach to health benefits that will soon be available to even more Utahns.

Our Exchange is one example of how states can – and should – lead the nation on health care reform. We don't want or need a one-size-fits-all program that will balloon our national deficit and provide questionable care to our citizens.

Several weeks ago, I traveled to Washington D.C. and met with top leaders in Congress and at the White House. I strongly emphasized that the federal government should not do what state governments are already doing well in areas such as health care. The continued encroachment of the federal government into our businesses, our lives and our pocketbooks must be challenged.

The voices of fiscal restraint and responsibility on critical issues like healthcare cannot be ignored. We simply can't spend what we don't have, and the tax-and-spend mindset that is so prevalent in Washington is not acceptable here in Utah!

Government closest to the people is the most effective. I have been fortunate to serve at that local level. And, for the past several years, I've had the privilege of serving in state government. Over the years, I have worked with hundreds of hard-working public employees and elected officials who carry out their duties with honesty and integrity. Very seldom have I encountered situations where the ethics of those who hold the public trust has been called into question. Still, breaches do occur and questions do arise. Often, better clarity would have provided better guidance.

To set that standard for the Executive Branch, today I signed an Executive Order that reaffirms and clarifies guidelines about accepting gifts, participating in

lobbying efforts and identifying conflicts of interest. Now is as good a time as any to remind all state employees what constitutes acceptable and unacceptable conduct.

I encourage you, as lawmakers, to remove any perception of possible ethical issues by implementing meaningful and substantive ethics reform. I know that work is already underway on these bills, and I look forward to signing them into law this session.

There is also good news tonight for drivers: congestion will soon be reduced on your daily commute. Construction will begin this year on the expansion of I-15 in Utah County and the Mountain View Corridor in southern Salt Lake County, and road and bridge improvements are taking place from Brigham City to St. George.

Our investment in a solid transportation network will help eliminate congestion on roads and highways, saving time and money for businesses and commuters. It will also improve opportunities for mass transit.

But with a growing population, we must do even more. Thousands of additional cars and trucks on our roads each year leads to higher levels of air pollution – especially here along the Wasatch Front and in beautiful Cache Valley.

Later this week, elected officials from across the state will join Salt Lake City Mayor Ralph Becker and me on these Capitol steps as we address our air quality issues. We're going to ask for your help. Because this isn't a partnership between government and the people – it's between friends and neighbors and co-workers and even strangers. It is a partnership with people who realize we all have a responsibility to reduce pollution and to increase the quality of the air we breathe.

While on the subject of protecting Utah's extraordinary environment and unsurpassed quality of life, let me be clear: I remain opposed to the importation of foreign nuclear waste into Utah.

Certainly, the challenges of being a state with a federally permitted nuclear waste disposal facility are complex and ongoing. My responsibilities on these issues, on the other hand, are quite simple, and they will not be compromised. As Governor, I will use all available state resources within the law to protect the health, safety and welfare of all Utahns, now and for generations to come.

Now, I'd like to expand our focus beyond the legislative session. For certainly, when the budget is adopted, the session has ended and the bills have been signed – or vetoed – other important work will remain.

I cannot say enough about the importance of supporting public education. I am bringing together individuals and groups from across the education community to craft new and innovative solutions to significantly improve the education we provide our children.

Utah teachers work hard, but they face classes that continue to grow in size, complexity and diversity. They need new tools to continue to be successful. While the solution to some problems does, in fact, come down to dollars and cents, there are other solutions that rely on common sense – not just more funding.

I am optimistic the Governor's Educational Excellence Commission, which I will personally chair, will find, develop and implement these solutions. Our state deserves a blueprint for success in education, and I believe this group will get us there.

We owe it to our students, and to the future of our State, to provide an education that prepares our youth to compete in the global marketplace. This will not happen, however, without renewed and sustained emphasis in the areas of science, technology, engineering and math. Indeed, many of the jobs available today – and those our students will seek in the future – already require these skills.

I call upon students, caregivers, parents, educators and business leaders to join me in addressing the critical need to immerse our students in these fields of study. If we all pitch in with the spirit of commitment this state is known for, we can be leaders in providing the most prepared and productive workforce in the nation. This is not just an investment of dollars, but of time, energy and innovation from all of us.

Also tonight, I call on the Utah Board of Regents and the Commissioner of Higher Education, Bill Sederburg, to present me with a report, due this fall, that shows how our colleges and universities plan to meet the growing need for students with associate's and bachelor's degrees to address the workforce demands of Utah employers in the 21st century.

On this front, I'm proud to say tonight that we are taking steps in the right direction. The recently launched Utah Cluster Acceleration Partnership provides a way for critical industry groups to communicate their current and future workforce needs to our educational institutions. This partnership will be the mechanism for education to hear, anticipate and answer industry's needs.

The Utah Cluster Acceleration Partnership is a true collaboration – with leaders from industry, state government, higher education and our research community – all working together to significantly increase the economic impact of our most important industry clusters.

Let me offer just one example. Utah's aerospace and defense-related industries generate billions of dollars in revenue annually and employ tens of thousands of Utahns across the state in high-paying jobs. This is good – but we can do even better. Private and public leaders have teamed up with Weber State University to increase the size of the aerospace industry in Utah. By focusing on workforce needs in this area, we will develop the talent and innovation necessary to become the premier player in the aerospace industry. As this happens, Utah becomes more than a place companies would like to be, it becomes a place they need to be.

Long-term planning is critical to Utah's continued success. I've outlined initiatives for education and economic development, and would like to conclude with my plan for energy.

Tonight, I am announcing what I hope will be one of the most impactful economic initiatives ever undertaken in our state. It is one that we in Utah are uniquely positioned to accomplish – it is the Utah Energy Initiative.

I am assembling the best minds in the state and charging them with creating a 10-year strategic energy plan whose purpose is threefold: to ensure Utah's continued access to our own clean and low-cost energy resources; to be on the cutting edge of new energy technologies; and to foster economic opportunities and create more jobs.

We have a rich abundance of diverse natural resources – everything from traditional fuels such as oil, gas and coal to renewables such as solar, wind and hydroelectric. Two new wind projects north of Milford and in Spanish Fork Canyon are now producing electricity. Geothermal is rapidly coming online. Blending solar and biomass with traditional fuels at existing generation sites shows great potential. Simply put, few other states have the energy resources with which we, in Utah, have been blessed.

But it is the innovation and the entrepreneurial spirit of Utah that truly distinguishes us. We have some of the best research and technology minds in the world. We must further harness and empower them. We must also engage Utah's rural areas in this effort, as there is no one who has more know-how, or more at stake, than those communities in Utah whose lifeblood is – and has historically been – the energy industry.

Just three months ago, Utah State University announced a partnership between the State, the Department of Energy and the Uintah Basin communities to construct a 70,000 square foot Entrepreneurial and Energy Research Center. The project's funding included a \$15 million donation from Vernal resident Marc Bingham.

What a perfect illustration of how government at all levels can work together with universities, industry and the private sector to accomplish together what none could achieve individually.

We are uniquely positioned in the Western Energy Corridor, which stretches from Canada on the north to New Mexico on the south. We have the generation capacity and the transmission systems, and we are at the crossroads of the energy commerce and transportation infrastructure. Billions of dollars of future capital investment will be required to maintain and expand our infrastructure. Regulatory systems must be in sync with our long-term energy vision.

As a state, one of our true economic competitive advantages is our relatively low cost of power. Our energy plan must focus on maintaining affordability, encouraging capital investment and protecting our environment. I will do my part to provide leadership both here in the state and also at the national level, through such alliances as the Western and National governors associations.

Utah can – and must – be at the forefront of solving the world’s energy challenges.

We’ve come a long way since pioneers were required to toil and sweat and sacrifice to build homes and farms and communities in what was then the Utah Territory. Since that time, our people have done much to make us a great and significant state. That work continues today. It continues in this Capitol building and in homes and schools and offices and factories across the state.

Our best days are indeed ahead of us. I am bullish on Utah, and I have high hopes for our economic future. This optimism is based on data, good data, facts which show Utah turning the corner in the very near future. If Utah were a stock, and I were your stockbroker, I’d say buy!

As Governor, I promise that, working with you, Utah will continue along the path of fiscal responsibility for which we are known. Through selflessness and working together in unprecedented partnerships, and in unprecedented ways, we will find renewed hope and also ensure that Utah remains the greatest State in this nation.

Thank you. May God continue to bless the Great State of Utah.

\* \* \*

At the conclusion of Governor Herbert’s address, President Waddoups thanked Governor Herbert and asked that the Joint Committee escort him back to his office.

Representative Garn made a motion that the complete text of the Governor's State-of-the-State address be spread upon the pages of the Senate and House Journals, that the Joint Convention and Committee of the Whole be dissolved, and that the Senate and House adjourn until 10:00 a.m., Wednesday, January 27, 2010.

# THIRD DAY

\* \* \*

## MORNING SESSION

The House was called to order by Speaker Clark at 10:00 a.m.

Roll call showed all members present.

Prayer offered by Dr. Robert Wagner, a constituent of Representative Ronda Menlove. Pledge of Allegiance led by Representative Menlove's constituent, Cambria Deakin.

## INTRODUCTION OF BILLS

**H.B. 107, Animal Shelter Amendments** (J. Seelig), read the first time by short title and referred to the Rules Committee.

**H.B. 108, Meat Inspection Amendments** (J. Mathis), read the first time by short title and referred to the Rules Committee.

**H.B. 109, Volunteer Government Workers Act Definitions** (J. Biskupski), read the first time by short title and referred to the Rules Committee.

**H.B. 110, County Jail Inmate Medical Costs** (B. Daw), read the first time by short title and referred to the Rules Committee.

**H.B. 111, Small Group Health Insurance – Statewide Risk Adjustment** (J. Biskupski), read the first time by short title and referred to the Rules Committee.

**H.B. 112, Supreme Court Review of an Initiative or Referendum** (B. Dee), read the first time by short title and referred to the Rules Committee.

**H.B. 189, Closed Meetings Amendments** (P. Painter), read the first time by short title and referred to the Rules Committee.

**H.B. 190, Disclosure of Methamphetamine Contaminated Property Act Amendments** (S. Mascaro), read the first time by short title and referred to the Rules Committee.

**H.B. 244, Provisional Ballot Amendments for Unregistered Voters** (N. Hansen), read the first time by short title and referred to the Rules Committee.



**H.B. 245, Voter Challenge Amendments** (N. Hansen), read the first time by short title and referred to the Rules Committee.

**H.B. 246, Retirement Benefits for Charter School Employee** (C. Watkins), read the first time by short title and referred to the Rules Committee.

**H.B. 247, Lobbyist Restriction Modifications** (C. Moss), read the first time by short title and referred to the Rules Committee.

**H.B. 248, Government Records Amendments** (J. Dougall), read the first time by short title and referred to the Rules Committee.

**H.B. 249, Emancipation Amendments** (L. Fowlke), read the first time by short title and referred to the Rules Committee.

**H.B. 250, Criminal Penalties Amendments – Leaving the Scene of an Accident** (C. Herrod), read the first time by short title and referred to the Rules Committee.

**H.B. 251, Admission of Affidavits into Evidence** (R. Lockhart), read the first time by short title and referred to the Rules Committee.

**H.B. 252, Workplace Accommodation of Breast Feeding** (C. Johnson), read the first time by short title and referred to the Rules Committee.

**H.J.R. 5, Joint Resolution on Clean Air** (C. Moss), read the first time by short title and referred to the Rules Committee.

**H.R. 3, House Rules Resolution – Recodification and Revisions** (B. Ferry), read the first time by short title and referred to the Rules Committee.

### **THIRD READING CALENDAR**

**H.B. 38, SCHEDULING OF CONTROLLED SUBSTANCES**, *Ray*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing. Representatives Vickers commented.

**H.B. 38** passed on the following roll call:

**Yeas, 67; Nays, 3; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard

Allen

Anderson

Barrus

Beck

Bigelow

Bird

Biskupski

Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McCliff
Menlove	Moss	Newbold	Noel
Poulson	Powell	Ray	Riesen
Seegmiller	Seelig	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	D. Clark	

**Voting in the negative were:** Representatives

Dougall	Morley	Wright
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**Absent or not voting were:** Representatives

Hutchings	Oda	Painter	Sandstrom
Sumsion			

**H.B. 38** transmitted to the Senate for its consideration.

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**H.B. 40**, UTAH LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION AMENDMENTS, *Dunnigan*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

Representative Dunnigan proposed the following amendment:

1. Page 7, Lines 188 through 195

188 (B) not an affiliate of the member insurer; {~~and~~}

189 [~~(xii)~~] (xi) a portion of a policy or contract to the extent it provides for interest or other

190 changes in value:

191 (A) to be determined by the use of an index or other external reference stated in the

192 policy or contract; and

193 (B) (I) that have not been credited to the policy or contract; or

194 (II) as to which the policy or contract owner’s rights are subject  
to forfeiture as of the

195 date the member insurer becomes an impaired or insolvent insurer  
under this part {—} : and

(x) a policy providing hospital, medical, prescription drug, or other  
health care benefit pursuant to United States Code, Title 42, Subchapter  
XVIII, Chapter 7, Part C or D, or federal regulations issued under Part C  
or D.

2. Page 7, Lines 203 through 205:

203 (B) if the insurer received a valid request for cash surrender  
before the coverage date

204 but has not paid the cash surrender value before the coverage date,  
{—} \$200,000 {—} {~~—\$250,000~~} of

205 cash surrender benefits; or

3. Page 10, Line 304 through Page 11, Line 316:

304 [~~(8)~~] (9) (a) “Covered portion” means:

305 (i) for [~~any~~] a covered policy that has a cash surrender value, a  
fraction [~~obtained by~~

306 ~~dividing~~] calculated with:

307 (A) the numerator being the lesser of:

308 (I) (Aa) {—} \$200,000 {—} for a life  
insurance policy; and

(Bb) \$250,000 for a covered policy that is not a life insurance  
policy ; or

309 (II) the cash surrender value of the policy; [~~by~~] and

310 (B) the denominator being the cash surrender value of the  
policy; and

311 (ii) for [~~any~~] a covered policy that does not have a cash  
surrender value, a fraction

312 [~~obtained by dividing~~] calculated with:

313 (A) the numerator being the lesser of:

314 (I) (Aa) {—} \$200,000 {—} for a life insurance policy; or  
(Bb) \$250,000 for a covered policy that is not a life insurance policy ; or

315 (II) the policy’s minimum statutory reserve; [by] and

316 (B) the denominator being the policy’s minimum statutory reserve.

Representative Dunnigan’s motion to amend passed on a voice vote.

**H.B. 40**, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Hutchings	Morley	Sumsion
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**H.B. 40**, as amended, transmitted to the Senate for its consideration.

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**H.B. 13**, DRUG LAW DEFINITIONS – AMENDMENTS, *Beck*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing. Representative Lockhart commented.

On motion of Representative Daw, the House voted to circle **H.B. 13**.

\* \* \*

**H.B. 41**, CONSTABLES AMENDMENTS, *Oda*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing. Representatives Hansen commented.

**H.B. 41** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Morley	Moss
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**H.B. 41** transmitted to the Senate for its consideration.

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**H.B. 43**, UNEMPLOYMENT COMPENSATION AMENDMENTS, *Mascaro*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

On motion of Representative Mascaro, the House voted to circle **H.B. 43**.

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**H.B. 36**, CONTROLLED SUBSTANCE DATABASE – REPORTING CONVICTIONS FOR DRIVING UNDER THE INFLUENCE OR IMPAIRED DRIVING, *Daw*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

On motion of Representative Daw, the House voted to delete **H.B. 36** in title and body and insert **1st Sub. H.B. 36** in lieu thereof.

**1st Sub. H.B. 36** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Morley	Moss
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**1st Sub. H.B. 36** transmitted to the Senate for its consideration.

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**H.B. 44**, REFERENDUM BALLOT PROPOSITION AMENDMENTS, *Hunsaker*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

**H.B. 44** passed on the following roll call:

**Yeas, 70; Nays, 2; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Harper	Hemingway	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Lockhart
Mascaro	Mathis	McIff	Menlove
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Voting in the negative were:** Representatives

Hansen	Hendrickson
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**Absent or not voting were:** Representatives

Litvack	Morley	Seelig
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**H.B. 44** transmitted to the Senate for its consideration.

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**H.B. 46**, MOTOR VEHICLE ACT AMENDMENTS, *Julie Fisher*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

**H.B. 46** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Hutchings                      Seelig

**H.B. 46** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 49, AMENDMENTS RELATED TO A TAX, FEE, OR CHARGE ADMINISTERED BY THE STATE TAX COMMISSION**, *Kiser*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

Representative *Kiser* proposed the following amendment:

1. Page 1, Lines 22 through 25
  - 22 • providing that under certain circumstances interest is allowed after a 45–day



23 period if a return or amended return is with respect to certain  
income taxes and is filed electronically; and

24 • providing that under certain circumstances interest is  
 allowed after a 90-day

25 period if a return or amended return is with respect to a tax, fee, or  
charge except for certain income taxes and is not filed electronically;  
 and

2. Page 3, Lines 78 through 84:

78 (ii) "Tax, fee, or charge" does not include a tax, fee, or charge  
imposed under:

79 (A) Title 41, Chapter 1a, Motor Vehicle Act, except for Section  
41-1a-301;

80 (B) Title 41, Chapter 3, Motor Vehicle Business Regulation  
Act;

81 (C) Chapter 2, Property Tax Act, except for Section 59-2-1309;

82 (D) Chapter 3, Tax Equivalent Property Act; or

83 (E) Chapter 4, Privilege Tax { ~~;~~ or } ;

84 { ~~(F) Chapter 13, Part 5, Interstate Agreements. }~~ }

3. Page 15, Line 439 through Page 16, Line 472:

439 ~~[(4)]~~ (5) (a) Except as provided in Subsection ~~[(4)(e), if any~~  
~~overpayment of tax or fee~~

440 ~~administered by the commission]~~ (5)(c), interest may not be  
allowed on an overpayment of a

441 tax, fee, or charge if the overpayment of the tax, fee, or charge is  
refunded within [90];

442 (i) 45 days after the last date prescribed for filing the return ~~[of~~  
~~such tax or fee, no~~

443 ~~interest shall be allowed on the overpayment.]~~ with respect to  
{ ~~the~~ } a tax { ~~, fee, or charge~~ } under Chapter 7,  
Corporate Franchise and Income Taxes, or Chapter 10, Individual  
Income Tax Act, if the

444 return is filed electronically; or

445 (ii) 90 days after the last date prescribed for filing the return ;  
(A) with respect to { ~~the~~ } a tax, fee.

446 or charge except for a tax under Chapter 7, Corporate Franchise  
and Income Taxes, or Chapter 10, Individual Income Tax Act; or

(B) if the return is not filed electronically.

447 (b) Except as provided in Subsection [(4)] (5)(c), if the return is  
 filed after the last date

448 prescribed for filing the return, [nø] interest [shall] may not be  
 allowed on the overpayment if

449 the overpayment is refunded within [90]:

450 (i) 45 days after the date the return is filed[-] ;

(A) with respect to a tax under Chapter 7, Corporate Franchise and  
Income Taxes, or Chapter 10, Individual Income Tax Act; and

(B) if the return is filed electronically; or

451 (ii) 90 days after the date the return is filed ;

(A) with respect to a tax, fee, or charge except for a tax under  
Chapter 7, Corporate Franchise and Income Taxes, or Chapter 10,  
Individual Income Tax Act; or

(B) if the return is not filed electronically.

452 (c) (i) [~~Notwithstanding Subsection (4)(a) or (b), in~~] In the case  
 of an amended return,

453 interest on an overpayment shall be allowed:

454 (A) for a time period:

455 (I) that begins on the later of:

456 (Aa) the date the original return was filed; or

457 (Bb) the due date for filing the original return not including any  
 extensions for filing

458 the original return; and

459 (II) that ends on the date the commission receives the amended  
 return; and

460 (B) if the commission does not make a refund of an  
 overpayment under this Subsection

461 [(4)] (5)(c) [~~within a 90-day~~]:

462 (I) if the amended return is with respect to a tax under Chapter  
7, Corporate Franchise and Income Taxes, or Chapter 10, Individual  
Income Tax Act, and is filed electronically, within a 45-day period  
 after the date the

463 commission receives the amended return, for a time period:

464 ~~[(4)]~~ (Aa) that begins [91] 46 days after the commission receives the amended return;

465 and

466 ~~[(4)]~~ (Bb) subject to Subsection [(4)] (5)(c)(ii), that ends on the date that the

467 commission completes processing the refund of the overpayment[-]; or

468 (II) if the amended return is with respect to a tax, fee, or charge except for a tax under Chapter 7, Corporate Franchise and Income Taxes, or Chapter 10, Individual Income Tax Act, or is not filed electronically, within a 90-day period after the

469 date the commission receives the amended return, for a time period:

470 (Aa) that begins 91 days after the commission receives the amended return; and

471 (Bb) subject to Subsection (5)(c)(ii), that ends on the date that the commission

472 completes processing the refund of the overpayment.

Representative Kiser’s motion to amend passed on a voice vote.

**H.B. 49**, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Ipson
Johnson	King	Kiser	Last
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold

Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Hutchings	Litvack	Seelig
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**H.B. 49**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.B. 50**, SALES AND USE TAX MODIFICATIONS, *Harper*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

**H.B. 50** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Hutchings	Poulson	Wallis
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**H.B. 50** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 51**, FAMILY EMPLOYMENT PROGRAM – CASH ASSISTANCE TO SINGLE MINOR PARENT, *Dunnigan*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing. Representative Lockhart commented.

**H.B. 51** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Bigelow	Draxler	Frank	Last
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**H.B. 51** transmitted to the Senate for its consideration.

### MISCELLANEOUS BUSINESS

On motion of Representative Oda, the House voted to calendar **H.R. 1** for Time Certain on February 2, 2010 at 11:00 a.m.

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: January 26, 2010

The Business and Labor Committee reports a favorable recommendation on **H.B. 11, LICENSING OF ELEVATOR CONTRACTORS AND ELEVATOR MECHANICS**, by Representative L. Wiley, with the following amendments:

1. Page 4, Lines 114 through 115:

114      (14) "Elevator" has the same meaning as defined in Section 34A-7-202, except that for purposes of this chapter it does not mean a stair chair, a vertical platform lift, or an incline platform lift.

115      (15) "Elevator contractor" means a sole proprietor, firm, or corporation licensed under ; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 45, STATE CONSTRUCTION CODE ADOPTION**, by Representative M. Morley, with the following amendments:

1. Page 16, Lines 475 through 477:

475      Grand County

476      Moab 3965 ft. { 5 }      25 36

477      Iron County

2. Page 27, Lines 834 through 836:

834      Millard County

835              { Millard }      Fillmore 5000 ft. 30 43

836              Delta 4623 ft. 30 43

3. Page 54, Lines 1670 through 1672:

1670      Section 204. Statewide Amendments to the IMC.

1671      The following are adopted as amendments to the IMC to be applicable statewide:

(1) In IMC, Section 403, a new Section 403.8 is added as follows: "Retrospective effect. Removal, alteration, or abandonment shall not be required, and continued use and maintenance shall be allowed, for a ventilation system within an existing installation that complies with the requirements of this Section 403 regardless whether the ventilation system satisfied the minimum ventilation rate requirements of prior law."

1672 { ~~(1)~~ } (2) IMC, Section 1101.10, is deleted. ; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 65**, AMENDMENTS RELATED TO REGULATION OF INSURANCE TYPE PRODUCTS, by Representative J. Bird, with the following amendments:

- 1. Page 2, Lines 29 through 30:

29 61-1-14, as last amended by Laws of Utah 2009, Chapter 351  
Utah Code Sections Affected by Coordination Clause:  
31A-5-217.5, as enacted by Laws of Utah 1992, Chapter 230  
31A-20-106, as enacted by Laws of Utah 1985, Chapter 242  
 30

- 2. Page 25, Lines 747 through 751:

747 Section 5. Coordinating H.B. 65 with H.B. 39 --- Designating  
superseding changes .

748 If this H.B. 65 and H.B. 39, Insurance Related Amendments,  
both pass, it is the intent

749 of the Legislature that the Office of Legislative Research and  
General Counsel in preparing the

750 Utah Code database for publication { ~~1~~ } ;

(1) treat the language in Subsection 31A-5-217.5(3) in H.B. 39, as  
superseding the language in Subsection 31A-5-217.5(3) in this bill; and

(2) treat the language in Subsection 31A-20-106(1)(b) in this

751 bill as superseding the language in Subsection 31A-20-106(1)(b)  
in H.B. 65. ; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 73**, UTAH CONSTRUCTION TRADES CONTINUING EDUCATION AMENDMENTS, by Representative M. Morley.

James A. Dunnigan, Chair

Reports filed. On motion of Representative Painter, the reports of the Business and Labor committee were adopted.

**H.B. 11**, as amended, **H.B. 45**, as amended, **H.B. 65**, as amended, and **H.B. 73** read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker:

January 26, 2010

The Education Committee recommends **H.B. 42**, SCHOOL DISTRICT EMPLOYEES – CAREER STATUS REQUIREMENTS, by Representative

R. Menlove, be replaced and favorably recommends **1st Sub. H.B. 42**, SCHOOL DISTRICT EMPLOYEES – CAREER STATUS REQUIREMENTS; and

The Education Committee reports a favorable recommendation on **H.B. 81**, SCHOOL EMPLOYEE CRIMINAL BACKGROUND CHECK, by Representative S. Allen, with the following amendments:

1. Page 1, Line 18:

18 applicant or employee to pay for the costs of a criminal background check; ~~{-and-}~~

” allows the State Board of Education to require an educator to submit to a criminal background check where reasonable cause exists; and

2. Page 5, Lines 150 through 151:

150 revoked license.

(2) Where reasonable cause exists, the State Board of Education may require an educator to submit to a criminal background check.

151 ~~{-(2)-}~~ (3) (a) The office shall establish a procedure for obtaining and evaluating relevant

3. Page 6, Line 159:

159 separate file of fingerprints submitted under Subsection ~~{-(2)-}~~ (3) (a) and notify the office when a new

4. Page 6, Line 169:

169 ~~{-(3)-}~~ (4) An applicant or educator shall have an opportunity to respond to any information received by the

5. Page 6, Lines 171 through 173:

171 (4) In preparing recommendations concerning licensing for submission to the board,

172 the office shall consider only the following matters obtained through fingerprint checks to the

173 extent that they are relevant to the license sought by the applicant or held by the educator :

6. Page 7, Lines 185 through 188:

185 (5) If a recommendation is made for denial , suspension, or revocation of licensure because of information



186 obtained through a background check, the person shall receive written notice of the reasons for

187 the recommendation and have an opportunity to respond in accordance with procedures set

188 forth under board rules.

7. Page 7, Line 191:

191 (7) The applicant shall pay the costs of conducting the background check required pursuant to Subsection (1) .

Gregory H. Hughes, Chair

Reports filed. On motion of Representative Hughes, the reports of the Education committee were adopted.

**1st Sub. H.B. 42** and **H.B. 81**, as amended, read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker:

January 26, 2010

The Health and Human Services Committee reports a favorable recommendation on **H.B. 12**, ABORTION AMENDMENTS, by Representative C. Wimmer, with the following amendments:

1. Page 1, Lines 1 through 4:

1 ~~{-ABORTION AMENDMENTS-}~~  
CRIMINAL HOMICIDE AND ABORTION AMENDMENTS

2 2010 GENERAL SESSION

3 STATE OF UTAH

4 Chief Sponsor: Carl Wimmer

2. Page 1, Line 18:

18 under the age of 14 years does not apply to the homicide of an unborn child;

▶ provides that a person is not guilty of criminal homicide of an unborn child if the sole reason for the death of the unborn child is that the person refused to consent to medical treatment or a cesarean section or failed to follow medical advice;

3. Page 1, Line 25:

25 committing criminal homicide of an unborn child ~~{-; and-}~~

▶ clarifies that a woman is not criminally liable for seeking to obtain, or obtaining, an abortion that is permitted by law; and

## 4. Page 2, Line 55:

55 homicide, homicide by assault, negligent homicide, or automobile homicide.

(3) A person is not guilty of criminal homicide of an unborn child if the sole reason for the death of the unborn child is that the person:

(a) refused to consent to:

(i) medical treatment; or

(ii) a cesarean section; or

(b) failed to follow medical advice.

## 5. Page 7, Lines 202 through 211:

202 (b) "Abortion" does not include:

203 (i) removal of a dead unborn child[-];

204 { ~~(ii) the killing or attempted killing of an unborn child by a person other than a~~

205 ~~physician;~~

206 ~~(iii) the killing or attempted killing of an unborn child by any person through a~~

207 ~~procedure other than:~~

208 ~~(A) a medical procedure; or~~

209 ~~(B) a substance used under the direction of a physician; or }~~

(ii) removal of an ectopic pregnancy; or

210 { ~~(iv) }~~ (iii) the killing or attempted killing of an unborn child without the consent of the

211 pregnant woman, unless:

## 6. Page 10, Lines 300 through 301:

300 [~~(2) Notwithstanding any other provision of this section, a woman who seeks to have,~~

301 ~~or obtains, an abortion for herself is not criminally liable.]~~

(2) A woman is not criminally liable for seeking to obtain, or obtaining, an abortion that is permitted by this part. ; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 74**, ADOPTION AND CHILD CUSTODY AMENDMENTS, by Representative S. Allen; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 86**, DEPARTMENT OF HUMAN SERVICES – REVIEW AND OVERSIGHT, by Representative R. Lockhart, with the following amendments:

1. Page 2, Line 37:

37 meeting, certain fatality review reports;

▶ prohibits the discovery or admission of documents and testimony related to a fatality review report in a civil, judicial, or administrative proceeding;

2. Page 18, Lines 545 through 549:

545 (6) (a) As used in this Subsection (6), “fatality review document” means any document created in connection with, or as a result of, a fatality review or a decision whether to conduct a fatality review, including:

(i) a report described in Subsection (1);

(ii) a response described in this section;

(iii) a recommendation regarding whether a fatality review should be conducted;

(iv) a decision to conduct a fatality review;

(v) notes of a person who participates in a fatality review;

(vi) notes of a person who reviews a fatality review report;

(vii) an executive summary described in Subsection 62A–16–302(4);

(viii) minutes of a fatality review;

(ix) minutes of a meeting where a fatality review report is reviewed; and

(x) minutes of, documents received in relation to, and documents generated in relation to, the portion of a meeting of the Health and Human Services Interim Committee or the Child Welfare Legislative Oversight Panel that a fatality review report or a document described in this Subsection (6)(a) is reviewed or discussed.

{ A report described in Subsection (1) and each response described in this section }

(b) A fatality review document is

546 not subject to discovery, subpoena, or similar compulsory process in any civil, judicial, or

547 administrative proceeding, nor shall any individual or organization with lawful access to the

548 data be compelled to testify with regard to a report described in Subsection (1) or a response

549 described in this section.

(c) A fatality review document is not admissible as evidence in a civil, judicial, or administrative proceeding. ; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 206**, BAN ON SALE OF SMOKING PARAPHERNALIA TO MINORS, by Representative P. Ray.

Paul Ray, Chair

Reports filed. On motion of Representative Ray, the reports of the Health and Human Services committee were adopted.

**H.B. 12**, as amended, **H.B. 74**, **H.B. 86**, as amended, and **H.B. 206** read the second time by short title and placed on the Third Reading Calendar.

### THIRD READING CALENDAR

**H.B. 33**, GROUNDWATER RECHARGE AND RECOVERY ACT AMENDMENTS, *Noel*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

Representative Noel proposed the following amendment:

1. Page 7, Lines 195 through 197

195 (e) The recharge certificate issued and filed under this section is prima facie evidence

196 of the { recharge } permittee's right to the artificially recharged water for the purpose, at the place,

197 and during the time specified in the recharge certificate.

2. Page 9, Lines 261 through 264:

261 (b) The { recharge } recovery certificate shall include:

262 (i) the name and post office address of the { recharge } recovery permittee:

263 (ii) the works used to recover and deliver recovered water; and

264 (iii) other information that defines the extent and conditions of the recovery permit.

Representative Noel's motion to amend passed on a voice vote.

Representatives Hemingway and Ferry commented.

**H.B. 33**, as amended, passed on the following roll call:

**Yeas, 67; Nays, 0; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Froerer	F Gibson
K Gibson	Gowans	Greenwood	Grover
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Ipson	Johnson
King	Kiser	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Bigelow	Draxler	Frank	Garn
Hansen	Hutchings	Last	Litvack

**H.B. 33**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.B. 23**, WORKPLACE DRUG AND ALCOHOL TESTING, *Beck*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing. Representatives Dee and Anderson commented.

**H.B. 23** passed on the following roll call:

**Yeas, 66; Nays, 0; Absent or not voting, 9.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw

Dee	Dougall	S Duckworth	Dunnigan
Edwards	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Herrod	Hughes
Hunsaker	Ipson	Johnson	King
Kiser	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

Bigelow	Biskupski	Draxler	Ferry
K Gibson	Hendrickson	Hutchings	Last
Vickers			

**H.B. 23** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 53**, FORECLOSURE RESCUE AND LOAN MODIFICATION AMENDMENTS, *Wilcox*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

On motion of Representative Wilcox, the House voted to circle **H.B. 53**.

\* \* \*

**H.B. 57**, EXTENSION OF SUNSET FOR DESIGN-BUILD CONTRACT AWARD AUTHORIZATION, *Julie Fisher*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

**H.B. 57** passed on the following roll call:

**Yeas, 66; Nays, 2; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black

Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seelig	Sumsion
Wallis	Watkins	Webb	Wheatley
Wilcox	Wright		

**Voting in the negative were:** Representatives

Seegmiller            Wiley

**Absent or not voting were:** Representatives

Bigelow            Draxler            Gowans            Last  
Vickers            Wimmer            D. Clark

**H.B. 57** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 58**, UTAH GENERATED RENEWABLE ENERGY ELECTRICITY NETWORK AUTHORITY BOARD AMENDMENTS, *Barrus*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

**H.B. 58** passed on the following roll call:

**Yeas, 66; Nays, 0; Absent or not voting, 9.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer

Garn	F Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Litvack	Lockhart	Mathis	McIff
Menlove	Morley	Moss	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright		

**Absent or not voting were:** Representatives

Bigelow	Draxler	K Gibson	Hughes
Last	Mascaro	Newbold	Vickers
D. Clark			

**H.B. 58** transmitted to the Senate for its consideration.

**RULES COMMITTEE REPORT**

Mr. Speaker: January 27, 2010

The Rules Committee recommends that the following bill, under suspension of the rules, be considered read for the second time and placed on the Third Reading Calendar for Senate bills:

**S.B. 33** State Capitol Preservation Board Fee Amendments  
(Sen. M. Madsen)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

**RULES COMMITTEE REPORT**

Mr. Speaker: January 27, 2010

The Rules Committee recommends the following bills and resolutions be assigned to standing committees:

**BUSINESS AND LABOR**

**H.B. 20** Amendments to Health Insurance Coverage in State Contracts (Rep. J. Dunnigan)

**S.B. 14** Building and Construction Projects – Technical Corrections (Sen. M. Madsen)



**EDUCATION**

**H.B. 99** Background Checks for School Sports Officials  
(Rep. L. Black)

**HEALTH AND HUMAN SERVICES**

**H.B. 25** Health Reform – Administrative Simplification  
(Rep. M. Newbold)

**H.B. 52** Health Reform – Uniform Electronic Standards –  
Insurance Information (Rep. M. Newbold)

**S.B. 12** Individual Income Tax Contribution for  
Methamphetamine Housing Reconstruction and  
Rehabilitation Fund (Sen. K. Mayne)

**LAW ENFORCEMENT AND CRIMINAL JUSTICE**

**H.B. 96** Libel Amendments (Rep. J. Fisher)

**H.B. 230** Human Trafficking Amendments (Rep. J. Fisher)

**NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT**

**H.B. 229** Water Right General Adjudication Amendments  
(Rep. P. Painter)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

**REPORTS OF STANDING COMMITTEES**

Mr. Speaker: January 27, 2010

The Judiciary Committee reports a favorable recommendation on **H.B. 10**, COURT FEES FOR INMATES, by Representative C. Oda; and

The Judiciary Committee reports a favorable recommendation on **H.B. 16**, PARENT-TIME AMENDMENTS, by Representative L. Fowlke, with the following amendments:

1. Page 11, Line 329:

329 (1) For purposes of this section, “relocation” means moving  
{-from the state or-} 150 miles ; and

The Judiciary Committee reports a favorable recommendation on **H.B. 21**, EXPUNGEMENT REVISIONS, by Representative Julie Fisher, with the following amendments:

1. Page 16, Lines 484 through 489:

484 The bureau shall collect fees for the following services:

\* \* \* *Some lines not shown* \* \* \*

488 (4) [~~expungement~~] application for and issuance of a  
 certificate of eligibility for expungement as

489 determined by Section [~~77-18-11~~] 77-40-106;

2. Page 36, Line 1104 through Page 37, Line 1111:

1104 (4) (a) { ~~A petitioner may expunge one felony conviction.~~

1105 (b) A petitioner may expunge three misdemeanor convictions,  
not arising out of a

1106 single criminal episode.

1107 (c) A petitioner may not expunge more than four convictions,  
not arising out of a single

1108 criminal episode. This restriction applies regardless of the  
jurisdiction in which the

1109 expungement was obtained. } A petitioner is not eligible to  
receive a certificate of eligibility from the bureau for any record of  
conviction if the petitioner's criminal history contains:

(i) more than one criminal episode which contains a conviction for a  
crime that would be a felony under Utah law;

(ii) more than two criminal episodes which contain a conviction for a  
crime that would be a class A misdemeanor or felony under Utah law; or

(iii) more than three criminal episodes which contain a conviction for a  
crime that would be a class B or A misdemeanor or felony under Utah  
law.

(b) A petitioner may not expunge more than four criminal episodes  
which contain a conviction for a crime that would be any type of  
misdemeanor or felony under Utah law.

1110 {~~(d)~~} (c) Infractions are not included in  
determining the total number of {~~convictions~~} criminal  
episodes a person

1111 may expunge.

(d) The restrictions in this Subsection (4) apply regardless of  
whether the petitioner has expunged any convictions or any criminal  
episodes and regardless of the jurisdiction in which the expungement  
occurred.

3. Page 37, Lines 1124 through 1132:

1124 (2) (a) The bureau shall perform a check of records of  
governmental agencies.

1125 including national criminal data bases, to determine whether a petitioner is eligible to receive a

1126 certificate of eligibility under this chapter.

(b) For purposes of determining eligibility under this chapter, the bureau may review records of arrest, investigation, detention and conviction that have been previously expunged.

1127 { ~~(b)~~ } (c) If the petitioner meets all of the criteria under Section 77-40-104 or 77-40-105, the

1128 bureau shall issue a certificate of eligibility to the petitioner which shall be valid for a period of

1129 90 days from the date the certificate is issued.

1130 { ~~(c)~~ } (d) If, after reasonable research, a disposition for an arrest on the criminal history file is

1131 unobtainable, the bureau may issue a special certificate giving determination of eligibility to

1132 the court. ; and

The Judiciary Committee reports a favorable recommendation on **H.B. 47**, BOARD OF PARDONS AND PAROLE TECHNICAL AMENDMENTS, by Representative E. Hutchings.

Lorie D. Fowlke, Chair

Reports filed. On motion of Representative Fowlke, the reports of the Judiciary committee were adopted.

**H.B. 10**, **H.B. 16**, as amended, **H.B. 21**, as amended, and **H.B. 47** read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker: January 27, 2010

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 19**, POST CONVICTION REMEDIES AMENDMENTS, by Representative K. McIff; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 22**, INMATE HEALTH INSURANCE AMENDMENTS, by Representative P. Ray, with the following amendments:

1. Page 1, Lines 12 through 14:

12 This bill modifies the Insurance Code by requiring an insurance company providing

13 health or dental policies to coordinate benefits for an insured individual housed in a

14 correctional facility county jail or who is in the custody of the Department of Corrections.

2. Page 1, Lines 17 through 20:

17 ► provides that, if an insured is otherwise eligible for health or dental benefits under a

18 policy, an insurer may not exclude coverage for an insured who:

19 • is an inmate housed in a correctional facility;  
{-or-}

20 • is an offender in the custody of the Department of Corrections; or

• is an inmate housed in a county jail.

3. Page 1, Lines 22 through 23:

22 • an inmate housed in a correctional facility; {-or-}

23 • an offender in the custody of the Department of Corrections; or

• an inmate housed in a county jail.

4. Page 3, Lines 86 through 89:

86 (6) If an insured is otherwise eligible for benefits under a health or dental policy, the

87 insurer may not exclude coverage if the insured is an:

88 (a) inmate housed in a correctional facility as defined in Section 64-13-1; {-or-}

89 (b) offender in the custody of the Department of Corrections {-} ; or

(c) inmate housed in a county jail.

5. Page 4, Lines 107 through 108:

107 (i) inmate housed in a correctional facility as defined in Section 64-13-1; {-or-}

108 (ii) offender in the custody of the Department of Corrections {-} ; or

(iii) inmate housed in a county jail. ; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 30**, DRUG LAW AMENDMENTS, by Representative T. Beck; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 37**, CRIMINAL BACKGROUND CHECKS ON MOTOR VEHICLE DEALERS AND SALESPERSONS, by Representative R. Lockhart, with the following amendments:

1. Page 1, Line 18:

18   ▶ requires every applicant for a motor vehicle   ~~{dealer or}~~  
salesperson license to submit

2. Page 1, Line 20:

20   Division;

      ▶ requires certain persons that renewed a motor vehicle salesperson license to submit fingerprints to the Motor Vehicle Enforcement Division;

3. Page 1, Lines 24 through 27:

24       •     compare motor vehicle   ~~{dealer and}~~   salesperson  
applicant fingerprints with certain

25   criminal databases and inform the Motor Vehicle Enforcement  
Division of its

26   findings; and

27       •     maintain a separate file of motor vehicle   ~~{dealer  
and}~~   salesperson fingerprints and

4. Page 2, Lines 30 through 32:

30   ▶   ~~{provides that}~~   requires   the Motor Vehicle  
Enforcement Division   ~~{shall pay the costs incurred~~

31   by the Bureau of Criminal Identification from fees paid by those  
submitting

32   fingerprints}   to:

      •     impose the fees that the Bureau of Criminal  
Identification is authorized to collect for certain services ; and

      •     remit the fees collected to the Bureau of Criminal  
Identification;

      ▶ requires the Motor Vehicle Enforcement Division to suspend  
the salesperson license of a salesperson who fails to submit the  
fingerprints as required;

5. Page 2, Lines 50 through 51:
- 50 41-3-205.5. Licenses -- Criminal background check required  
on ~~{-dealer's and-}~~
- 51 salesperson's licenses -- Payment of cost.
6. Page 2, Line 52:
- 52 (1) (a) Every applicant for a ~~{-dealer's or-}~~ salesperson's  
license shall submit fingerprints
7. Page 2, Lines 53 through 55:
- 53 with a completed application to the division.  
(b) A person required to renew a salesperson license on or before  
June 30, 2010 shall submit fingerprints to the division on or before  
November 30, 2010.
- 54 ~~{-(b) For purposes of Subsection (1)(a), an applicant for a~~  
~~dealer's license includes every~~
- 55 ~~owner, partner, officer, or director of the dealer.-}~~
8. Page 3, Lines 74 through 76:
- 74 ~~{-(5) The division shall pay the costs incurred by the Bureau~~  
~~of Criminal Identification~~
- 75 ~~under Subsections (3) and (4) from fees charged by the division to~~  
~~those submitting~~
- 76 ~~fingerprints.-}~~
- (5) In addition to any fees imposed under this chapter, the division  
shall:
- (a) impose on individuals submitting fingerprints in accordance  
with this section the fees that the Bureau of Criminal Identification is  
authorized to collect for the services the Bureau of Criminal  
Identification provides under Subsections (3) and (4); and
- (b) remit the fees collected under Subsection (5)(a) to the Bureau of  
Criminal Identification.
9. Page 3, Line 84:
- 84 (2) (a) On December 1, 2010, the administrator shall suspend  
the license of a salesperson who fails to submit to the division  
fingerprints as required under Subsection 41-3-205.5(1)(b) on or before  
November 30, 2010.
- (b) If the administrator finds that there is reasonable cause to  
deny, suspend, or

10. Page 3, Line 87:

87            {-(b)-}    (c)    Reasonable cause for denial, suspension, or revocation of a license includes, in

11. Page 4, Line 106:

106           {-(e)-}    (d)    Any action taken by the administrator under Subsection {-(2)(b)(ix)-}    (2)(c)(ix) shall remain in

12. Page 6, Lines 175 through 179:

175        (14) check certain criminal records databases for information regarding motor vehicle

176        {~~-dealer and-~~}    salesperson applicants, maintain a separate file of fingerprints for motor vehicle

177        {~~-dealers and-~~}    salespersons, and inform the Motor Vehicle Enforcement Division when new

178        entries are made for certain criminal offenses for motor vehicle {~~-dealers and-~~}    salespersons in

179        accordance with the requirements of Section 41-3-205.5.

Douglas C. Aagard, Chair

Reports filed. On motion of Representative Aagard, the reports of the Law Enforcement and Criminal Justice committee were adopted.

**H.B. 19, H.B. 22**, as amended, **H.B. 30**, and **H.B. 37**, as amended, read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker:

January 27, 2010

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 63**, TIRE RECYCLING FEE MODIFICATION, by Representative N. Hendrickson; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 69**, STATE ENGINEER’S PLUGGING OF WELLS REPEALER, by Representative J. Gowans, and recommends it be placed on the Consent Calendar.

Roger E. Barrus, Chair

Reports filed. On motion of Representative Barrus, the reports of the Natural Resources, Agriculture, and Environment committee were adopted.

**H.B. 63** read the second time by short title and placed on the Third Reading Calendar.

**H.B. 69** read the second time by short title and placed on the Consent Calendar.

### **MISCELLANEOUS BUSINESS**

On motion of Representative Garn, and at 11:45 a.m., the House voted to adjourn until January 28, 2010, at 10:00 a.m.



## FOURTH DAY

\* \* \*

### MORNING SESSION

The House was called to order by Speaker Clark at 10:00 a.m.

Roll call showed all members present except Representative Mascaro, excused.

Prayer offered by Dr. Brent Williams, a constituent of Representative Brent Wallis. Pledge of Allegiance led by Representative Wallis' son, Bob Wallis.

#### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: January 27, 2010

The Senate passed, as amended, **S.B. 10, Criminal Offense Penalties Amendments**, by Sen. J. Greiner, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 16, Utah Performance Assessment System for Students (U-PASS) Amendments**, by Sen. H. Stephenson, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 18, Election Modifications**, by Sen. P. Knudson, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 21, Amendments to Social Worker Licensing**, by Sen. D. Chris Buttars, and it is transmitted for consideration; and

The Senate passed **S.B. 23, Corporate Franchise and Income Tax Amendments**, by Sen. J. Valentine, and it is transmitted for consideration; and

The Senate passed **S. B. 25, State Highway System Modifications**, by Sen. K. VanTassell, and it is transmitted for consideration; and

The Senate passed **S. B. 28, Amendments to Individual Income Tax Return Filing Requirements**, by Sen. J. S. Adams, and it is transmitted for consideration; and

The Senate passed **S. B. 30, Local Option Sales and Use Taxes for Transportation Act**, by Sen. W. Niederhauser, and it is transmitted for consideration; and

The Senate passed **S.C.R. 1, Alzheimer's and Dementia Awareness Concurrent Resolution**, by Sen. K. Morgan, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **S.B. 10, S.B. 16, S.B. 18, S.B. 21, S.B. 23, S.B. 25, S.B. 28, S.B. 30, and S.C.R. 1** read the first time by short title and referred to the Rules Committee.

### INTRODUCTION OF BILLS

**H.B. 113, Child Restraint Device Amendments** (C. Herrod), read the first time by short title and referred to the Rules Committee.

**H.B. 114, Disclosure of Donations to Higher Education Institutions** (C. Wimmer), read the first time by short title and referred to the Rules Committee.

**H.B. 253, Transfer of the Bureau of Emergency Medical Services from the Department of Health to the Department of Public Safety** (P. Ray), read the first time by short title and referred to the Rules Committee.

**H.B. 254, Voter Identification Amendments** (B. Daw), read the first time by short title and referred to the Rules Committee.

**H.B. 255, Divorce Orientation Amendments** (L. Fowlke), read the first time by short title and referred to the Rules Committee.

**H.B. 256, Child Abuse Database Amendments** (L. Fowlke), read the first time by short title and referred to the Rules Committee.

**H.B. 257, Dietitian Certification Act Amendments** (M. Newbold), read the first time by short title and referred to the Rules Committee.

**H.B. 258, Voting Precinct Boundaries** (K. Sumsion), read the first time by short title and referred to the Rules Committee.

**H.B. 259, Property Tax Amendments** (W. Harper), read the first time by short title and referred to the Rules Committee.

**H.B. 260, Children's Health Insurance Plan Simplified Renewal** (M. Newbold), read the first time by short title and referred to the Rules Committee.

**H.J.R. 13, Recognition of Community Councils and the Association of Community Councils Together Joint Resolution** (S. Duckworth), read the first time by short title and referred to the Rules Committee.

**THIRD READING CALENDAR**

**S.B. 33, STATE CAPITOL PRESERVATION BOARD FEE AMENDMENTS**, *Dee*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing. Representative McIff commented.

**S.B. 33** passed on the following roll call:

**Yeas, 47; Nays, 19; Absent or not voting, 9.**

**Voting in the affirmative were:** Representatives

Barrus	Beck	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Dee
S Duckworth	Dunnigan	Edwards	Ferry
Froerer	Garn	Greenwood	Grover
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hutchings	Ipson	Johnson
King	Last	McIff	Menlove
Morley	Moss	Noel	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Vickers
Wallis	Watkins	Webb	Wheatley
Wiley	Wright	D. Clark	

**Voting in the negative were:** Representatives

Aagard	Allen	Anderson	Bigelow
Bird	Daw	Dougall	Julie Fisher
Fowlke	Frank	F Gibson	Hansen
Kiser	Lockhart	Mathis	Newbold
Sumsion	Wilcox	Wimmer	

**Absent or not voting were:** Representatives

Biskupski	Draxler	Janice Fisher	K Gibson
Gowans	Hunsaker	Litvack	Mascaro
Oda			

**S.B. 33** held for possible reconsideration.

### THIRD READING CALENDAR

**H.B. 59**, CAMPAIGN FINANCE REVISIONS, *Grover*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

**H.B. 59** passed on the following roll call:

**Yeas, 70; Nays, 1; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bigelow	Bird	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	S Duckworth	Dunnigan
Edwards	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Voting in the negative was:** Representative

Anderson

**Absent or not voting were:** Representatives

Biskupski	Draxler	K Gibson	Mascaro
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**H.B. 59** transmitted to the Senate for its consideration.

### UNFINISHED BUSINESS

On motion of Representative Wilcox, the House voted to uncircle **H.B. 53**.

**H.B. 53**, FORECLOSURE RESCUE AND LOAN MODIFICATION AMENDMENTS, *Wilcox*, was before the House on its final passage.

Representative Wilcox proposed the following amendment:

- 1. Page 12, Lines 357 through 358

357 (c) requesting or requiring a person to pay a fee { ~~before~~  
~~engaging in an act of~~

358 ~~foreclosure rescue~~} if ;

(i) the person is required to pay the fee before entering into a written agreement specifying what one or more acts of foreclosure rescue will be completed if the fee is paid; or

(ii) in a case when the financing that is the subject of the foreclosure rescue is foreclosed within one year from the day on which the person enters into a written agreement, the person is required to forfeit the fee  
 { ~~if the act is unsuccessful;~~ } for any reason.

- 2. Page 22, Lines 649 through 650:

649 (iii) request or require a person to pay a fee { ~~before~~  
~~engaging in an act of loan~~

650 ~~modification assistance~~} if ;

(A) the person is required to pay the fee before entering into a written agreement specifying what one or more acts of loan modification assistance will be completed if the fee is paid; or

(B) in a case when the residential mortgage loan that is the subject of the loan modification assistance is foreclosed within one year of the day on which the person enters into a written agreement, the person is required to forfeit the fee { ~~if the act is unsuccessful;~~ } for any reason.

Representative Wilcox’s motion to amend passed on a voice vote.

**H.B. 53**, as amended, passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Herrod	Hughes	Hunsaker	Ipson

Johnson	King	Kiser	Last
Litvack	Lockhart	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Biskupski	Edwards	Fowlke	Hendrickson
Hutchings	Mascaro		

**H.B. 53**, as amended, transmitted to the Senate for its consideration.

### THIRD READING CALENDAR

**H.C.R. 1**, CONCURRENT RESOLUTION ON INTERNATIONAL TRADE AND STATE GOVERNMENTS, *Allen*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

**H.C.R. 1** passed on the following roll call:

**Yeas, 69; Nays, 2; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dougall	Draxler
S Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion

Vickers	Wallis	Watkins	Webb
Wheatley	Wiley	Wimmer	Wright
D. Clark			

**Voting in the negative were:** Representatives

F Gibson	Wilcox
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**Absent or not voting were:** Representatives

Dee	Edwards	Hutchings	Mascaro
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**H.C.R. 1** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 34**, WATER STORAGE PROJECTS, *Noel*, read the third time by short title and placed on its final passage.

**H.B. 34** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Edwards	Mascaro
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**H.B. 34** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 39**, INSURANCE RELATED AMENDMENTS, *Dunnigan*, read the third time by short title and placed on its final passage.

Representative Dunnigan proposed the following amendment:

1. Page 2, Lines 31 through 32
  - 31       ▶       addresses provisions related to licensure and insurance adjusting;
    - ▶ addresses licensee compensation;
  - 32       ▶       modifies definitions related to life settlements;
2. Page 3, Lines 62 through 63:
  - 62       31A-23a-415, as last amended by Laws of Utah 2007, Chapter 325
    - 31A-23a-501, as last amended by Laws of Utah 2009, Chapters 12 and 274
  - 63       31A-26-201, as last amended by Laws of Utah 2003, Chapter 298
3. Page 79, Line 2422:
  - 2422   assessment imposed under Subsection 59-9-101(3).
    - Section 22. Section 31A-23A-501 is amended to read:
    - 31A-23a-501. Licensee compensation.
      - (1) As used in this section:
        - (a) "Commission compensation" includes funds paid to or credited for the benefit of a licensee from:
          - (i) commission amounts deducted from insurance premiums on insurance sold by or placed through the licensee; or
          - (ii) commission amounts received from an insurer or another licensee as a result of the sale or placement of insurance.
        - (b) (i) "Compensation from an insurer or third party administrator" means commissions, fees, awards, overrides, bonuses, contingent commissions, loans, stock options, gifts, prizes, or any other form of valuable consideration:
          - (A) whether or not payable pursuant to a written agreement; and
          - (B) received from:
            - (I) an insurer; or



(II) a third party to the transaction for the sale or placement of insurance.

(ii) “Compensation from an insurer or third party administrator” does not mean compensation from a customer that is:

(A) a fee or pass-through costs as provided in Subsection (1)(e);

or

(B) a fee or amount collected by or paid to the producer that does not exceed an amount established by the commissioner by administrative rule.

(c) (i) “Customer” means:

(A) the person signing the application or submission for insurance; or

(B) the authorized representative of the insured actually negotiating the placement of insurance with the producer.

(ii) “Customer” does not mean a person who is a participant or beneficiary of:

(A) an employee benefit plan; or

(B) a group or blanket insurance policy or group annuity contract sold, solicited, or negotiated by the producer or affiliate.

(d) (i) “Noncommission compensation” includes all funds paid to or credited for the benefit of a licensee other than commission compensation.

(ii) “Noncommission compensation” does not include charges for pass-through costs incurred by the licensee in connection with obtaining, placing, or servicing an insurance policy.

(e) “Pass-through costs” include:

(i) costs for copying documents to be submitted to the insurer;

and

(ii) bank costs for processing cash or credit card payments.

(2) A licensee may receive from an insured or from a person purchasing an insurance policy, noncommission compensation if the noncommission compensation is stated on a separate, written disclosure.

(a) The disclosure required by this Subsection (2) shall:

(i) include the signature of the insured or prospective insured acknowledging the noncommission compensation;

(ii) clearly specify the amount or extent of the noncommission compensation; and

(iii) be provided to the insured or prospective insured before the performance of the service.

(b) Noncommission compensation shall be:

(i) limited to actual or reasonable expenses incurred for services; and

(ii) uniformly applied to all insureds or prospective insureds in a class or classes of business or for a specific service or services.

(c) A copy of the signed disclosure required by this Subsection (2) must be maintained by any licensee who collects or receives the noncommission compensation or any portion of the noncommission compensation.

(d) All accounting records relating to noncommission compensation shall be maintained by the person described in Subsection (2)(c) in a manner that facilitates an audit.

(3) (a) A licensee may receive noncommission compensation when acting as a producer for the insured in connection with the actual sale or placement of insurance if:

(i) the producer and the insured have agreed on the producer's noncommission compensation; and

(ii) the producer has disclosed to the insured the existence and source of any other compensation that accrues to the producer as a result of the transaction.

(b) The disclosure required by this Subsection (3) shall:

(i) include the signature of the insured or prospective insured acknowledging the noncommission compensation;

(ii) clearly specify the amount or extent of the noncommission compensation and the existence and source of any other compensation; and

(iii) be provided to the insured or prospective insured before the performance of the service.

(c) The following additional noncommission compensation is authorized:

(i) compensation received by a producer of a compensated corporate surety who under procedures approved by a rule or order of the commissioner is paid by surety bond principal debtors for extra services;

(ii) compensation received by an insurance producer who is also licensed as a public adjuster under Section 31A-26-203, for services performed for an insured in connection with a claim adjustment, so long as the producer does not receive or is not promised compensation for aiding in the claim adjustment prior to the occurrence of the claim;

(iii) compensation received by a consultant as a consulting fee, provided the consultant complies with the requirements of Section 31A-23a-401; or

(iv) other compensation arrangements approved by the commissioner after a finding that they do not violate Section 31A-23a-401 and are not harmful to the public.

(4) (a) For purposes of this Subsection (4), “producer” includes:

(i) a producer;

(ii) an affiliate of a producer; or

(iii) a consultant.

(b) Beginning January 1, 2010, in addition to any other disclosures required by this section, a producer may not accept or receive any compensation from an insurer or third party administrator for the placement of a health benefit plan, other than a hospital confinement indemnity policy, unless prior to the customer’s purchase of the health benefit plan the producer:

(i) except as provided in Subsection (4)(c), discloses in writing to the customer that the producer will receive compensation from the insurer or third party administrator for the placement of insurance, including the amount or type of compensation known to the producer at the time of the disclosure; and

(ii) except as provided in Subsection (4)(c):

(A) obtains the customer’s signed acknowledgment that the disclosure under Subsection (4)(b)(i) was made to the customer; or

(B) ~~{certifies to the insurer-}~~ (I) signs a statement that the disclosure required by Subsection (4)(b)(i) was made to the customer ~~{-}~~ ; and

(II) keeps the signed statement on file in the producer’s office while the health benefit plan placed with the customer is in force.

(c) If the compensation to the producer from an insurer or third party administrator is for the renewal of a health benefit plan, once the producer has made an initial disclosure that complies with Subsection (4)(b), the producer does not have to disclose compensation received for the subsequent yearly renewals in accordance with Subsection (4)(b) until the renewal period immediately following 36 months after the initial disclosure.

(d) (i) ~~{A copy of the signed acknowledgment required by Subsection (4)(b) must be maintained by the-}~~ A licensee who collects or receives any part of the compensation from an insurer or third party administrator in a manner that facilitates an audit ~~{-}~~ shall, while the health benefit plan placed with the customer is in force, maintain a copy of:

(A) the signed acknowledgment described in Subsection (4)(b)(i); or

(B) the signed statement described in Subsection (4)(b)(ii).

(ii) The standard application developed in accordance with Section 31A–22–635 shall include a place for a producer to provide the disclosure required by this Subsection (4), and if completed, shall satisfy the requirement of Subsection (4)(d)(i).

(e) Subsection (4)(b)(ii) does not apply to:

(i) a person licensed as a producer who acts only as an intermediary between an insurer and the customer's producer, including a managing general agent; or

(ii) the placement of insurance in a secondary or residual market.

(5) This section does not alter the right of any licensee to recover from an insured the amount of any premium due for insurance effected by or through that licensee or to charge a reasonable rate of interest upon past-due accounts.

(6) This section does not apply to bail bond producers or bail enforcement agents as defined in Section 31A–35–102.

Renumber remaining sections accordingly

Representative Dunnigan's motion to amend passed on a voice vote.

On motion of Representative Dunnigan, the House voted to circle **H.B. 39**.

\* \* \*

**H.B. 56**, AMENDED CAMPAIGN FINANCIAL STATEMENTS, *Allen*, read the third time by short title and placed on its final passage.

On motion of Representative Allen, the House voted to circle **H.B. 56**.

\* \* \*

**H.B. 79**, VALID VOTER IDENTIFICATION AMENDMENTS, *Poulson*, read the third time by short title and placed on its final passage. Representatives Daw, Allen, Litvack, Moss, Herrod, Beck, Frank, King, McIff, Hansen, Aagard, Duckworth, Sumsion, Hemingway, and Lockhart commented.

**H.B. 79** failed to pass on the following roll call:

**Yeas, 27; Nays, 47; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Allen	Beck	Biskupski	Black
Chavez–Houck	Cosgrove	S Duckworth	Edwards
Janice Fisher	Gowans	Hansen	Hemingway
Hendrickson	Hutchings	Johnson	King
Litvack	McIff	Moss	Poulson
Powell	Riesen	Seegmiller	Seelig
Watkins	Wheatley	Wiley	

**Voting in the negative were:** Representatives

Aagard	Anderson	Barrus	Bigelow
Bird	Brown	S. Clark	Daw
Dee	Dougall	Draxler	Dunnigan
Ferry	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Greenwood	Grover	Harper	Herrod
Hughes	Hunsaker	Ipson	Kiser
Last	Lockhart	Mathis	Menlove
Morley	Newbold	Noel	Oda
Painter	Ray	Sandstrom	Sumsion
Vickers	Wallis	Webb	Wilcox
Wimmer	Wright	D. Clark	

**Absent or not voting was:** Representative Mascaro

**H.B. 79** was filed.

**MISCELLANEOUS BUSINESS**

On motion of Representative Garn, the House voted to reconsider its action on **S.B. 33**.

**RECONSIDERATION OF S.B. 33**

**S.B. 33**, STATE CAPITOL PRESERVATION BOARD FEE AMENDMENTS, was before the House for reconsideration. Representatives Bigelow and Anderson commented.

**S.B. 33** passed on the following roll call:

**Yeas, 71; Nays, 2; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bigelow	Bird	Biskupski	Black



\* \* \*

Mr. Speaker: January 28, 2010

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 211**, IMPROVEMENT DISTRICT BOARD MEMBERSHIP, by Representative K. Powell, with the following amendments:

1. Page 4, Lines 94 through 96:

94 (b) Notwithstanding Subsection (7)(a) and subject to Subsection (7)(c) , each remaining area member shall be chosen from the district at large if :

(i) the population of the remaining area is less

95 than ~~{-}~~ 5% ~~{-}~~ { 25% } of the total district population ~~{-, each remaining area member shall be chosen~~

96 ~~from the district at large.-}~~ ; or

(ii)(A) the population of the remaining area is less than 50% of the total district population; and

(B) the majority of the members of the board of trustees are remaining area members.

(c) Application of Subsection (7)(b) may not prematurely shorten the term of any remaining area member serving the remaining area member's elected or appointed term on May 11, 2010. ; and

Fred R Hunsaker, Chair

Report filed. On motion of Representative Hunsaker, the report of the Political Subdivisions committee was adopted.

**H.B. 211**, as amended, read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker: January 28, 2010

The Revenue and Taxation Committee reports a favorable recommendation on **H.J.R. 2**, JOINT RESOLUTION ON PROPERTY TAX EXEMPTION FOR WATER FACILITIES, by Representative P. Painter; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 54**, PROPERTY TAX EXEMPTION FOR WATER FACILITIES, by Representative P. Painter; and

The Revenue and Taxation Committee recommends **H.B. 75**, ASSESSMENT AREA AMENDMENTS, by Representative G. Froerer, be

replaced and reports a favorable recommendation on **1st Sub. H.B. 75**, ASSESSMENT AREA AMENDMENTS with the following amendments:

1. Page 6, Line 177:

177 (b) { ~~The~~ } In addition to the requirements of Subsection (3)(a), the governing body of a local entity shall prepare the assessment list described in

2. Page 7, Line 194:

194 (ii) the { ~~just and equitable~~ } reasonable costs, as determined by the local entity governing body, if the

3. Page 9, Line 257:

257 (i) {~~+~~} need not {~~+~~} { may } describe each tract, block, lot, part of block or lot, or parcel of

4. Page 9, Line 259:

259 (ii) {~~+~~} need not {~~+~~} { may } include the legal description or tax identification number of the

5. Page 10, Line 276:

276 {~~+~~} (b) No other publication or posting of the resolution or ordinance is required. {~~+~~}

6. Page 10, Line 284:

284 assessment interest with the {~~county~~} recorder {~~+~~} of the county {~~+~~} in which the assessed property is ; and

The Revenue and Taxation Committee recommends **H.B. 219**, DELINQUENT PROPERTY TAX AMENDMENTS, by Representative G. Froerer, be replaced and favorably recommends **1st Sub. H.B. 219**, DELINQUENT PROPERTY TAX AMENDMENTS.

Todd E. Kiser, Chair

Reports filed. On motion of Representative Kiser, the reports of the Revenue and Taxation committee were adopted.

**H.J.R. 2, H.B. 54, 1st Sub. H.B. 75**, and **1st Sub. H.B. 219** read the second time by short title and placed on the Third Reading Calendar.

#### COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

January 28, 2010

The Senate passed, as substituted, **2nd Sub. S.B. 22**, NOTARY PUBLIC AMENDMENTS, by Senator P. Knudson, and it is transmitted for consideration; and



The Senate passed **S.B. 78**, CONSTITUTIONAL REVISION COMMISSION DUTIES, by Senator J. Valentine, and it is transmitted for consideration; and

The Senate passed **S.B. 79**, FRAUDULENT TRANSFER AMENDMENTS, by Senator J. Valentine, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **2nd Sub. S.B. 22, S.B. 78, and S.B. 79** read the first time by short title and referred to the Rules Committee.

### UNFINISHED BUSINESS

On motion of Representative Dunnigan, the House voted to uncircle **H.B. 39**.

**H.B. 39**, INSURANCE RELATED AMENDMENTS, *Dunnigan*, was before the House on its final passage.

Representative Dunnigan proposed the following amendment:

1. Page 94, Line 2905:  
Delete "One-half" and insert "A majority"

Representative Dunnigan's motion to amend passed on a voice vote.

**H.B. 39**, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez-Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mathis
McIff	Menlove	Morley	Noel

Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Mascaro	Moss	Newbold
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**H.B. 39**, as amended, transmitted to the Senate for its consideration.

### THIRD READING CALENDAR

**H.B. 199**, MUNICIPAL CLERK AND RECORDER RESPONSIBILITIES, *Last*, read the third time by short title and placed on its final passage.

**H.B. 199** passed on the following roll call:

**Yeas, 67; Nays, 0; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Greenwood	Grover	Hansen
Hemingway	Hendrickson	Herrod	Hunsaker
Hutchings	Ipson	King	Last
Litvack	Lockhart	Mathis	McIff
Menlove	Morley	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	D. Clark	

**Absent or not voting were:** Representatives

Gowans	Harper	Hughes	Johnson
Kiser	Mascaro	Moss	Wright

**H.B. 199** transmitted to the Senate for its consideration.

**RULES COMMITTEE REPORT**

Mr. Speaker:

January 28, 2010

The Rules Committee recommends the following bills and resolutions be assigned to standing committees:

**BUSINESS AND LABOR**

- H.B. 222** Land Use Meeting Notice (Rep. T. Beck)  
**H.B. 241** Requirements for Check Casher to Cash a Check  
(Rep. W. Harper)  
**H.J.R. 11** Joint Resolution Regarding Federal Health Insurance  
Reform (Rep. M. Morley)

**EDUCATION**

- S.B. 16** Utah Performance Assessment System for Students  
(U-PASS) Amendments (Sen. H. Stephenson)

**GOVERNMENT OPERATIONS**

- H.B. 218** Municipal Disincorporation Revisions (Rep. G. Froerer)  
**H.B. 236** Statutory Construction Amendments (Rep. R. Lockhart)  
**H.B. 242** Marriage License Fee Amendments (Rep. C. Johnson)  
**H.B. 248** Government Records Amendments (Rep. J. Dougall)  
**S.B. 18** Election Modifications (Sen. P. Knudson)

**HEALTH AND HUMAN SERVICES**

- H.B. 67** Health System Amendments (Rep. C. Wimmer)  
**H.C.R. 8** Concurrent Resolution on Federal Health Care Reform  
(Rep. D. Clark)  
**H.J.R. 5** Joint Resolution on Clean Air (Rep. C. Moss)  
**S.B. 21** Amendments to Social Worker Licensing  
(Sen. D. Buttars)  
**S.C.R. 1** Alzheimer's and Dementia Awareness Concurrent  
Resolution (Sen. K. Morgan)

**LAW ENFORCEMENT AND CRIMINAL JUSTICE**

- S.B. 10** Criminal Offense Penalties Amendments (Sen. J. Greiner)

**NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT**

- H.J.R. 12** Climate Change Joint Resolution (Rep. K. Gibson)

**REVENUE AND TAXATION**

- H.B. 191** Reporting by Deferred Deposit Lenders (Rep. L. Black)

- S.B. 23** Corporate Franchise and Income Tax Amendments  
(Sen. J. Valentine)
- S.B. 28** Amendments to Individual Income Tax Return Filing  
Requirements (Sen. J. Adams)
- S.B. 30** Local Option Sales and Use Taxes for Transportation Act  
(Sen. W. Niederhauser)

### **TRANSPORTATION**

- S.B. 25** State Highway System Modifications  
(Sen. K. Van Tassell)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

### **MISCELLANEOUS BUSINESS**

On motion of Representative Garn, and at 12:00 p.m., the House voted to adjourn until January 29, 2010, at 10:00 a.m.

# FIFTH DAY

\* \* \*

## MORNING SESSION

The House was called to order by Speaker Pro Tem Hughes at 10:00 a.m.

Roll call showed all members present except Representatives Barrus and Harper, excused.

Prayer offered by Adam Black, Representative Laura Black's son. Pledge of Allegiance led by Representative Black's grandson, Cameron Black.

### COMMUNICATION FROM THE SENATE

Mr. Speaker: January 28, 2010

The Senate passed, as substituted, and amended **1st Sub. S.J.R. 1**, ESCALANTE HERITAGE HOLE-IN-THE-ROCK CENTER JOINT RESOLUTION, by Senator D. Stowell, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. **1st Sub. S.J.R. 1** read the first time by short title and referred to the Rules Committee.

### INTRODUCTION OF BILLS

**H.B. 115, Counsel for Indigents in Juvenile Court Proceedings** (K. Powell), read the first time by short title and referred to the Rules Committee.

**H.B. 116, Political Subdivision Facility Energy Efficiency** (F. Hunsaker), read the first time by short title and referred to the Rules Committee.

**H.B. 117, Public Education Capital Outlay Act** (M. Brown), read the first time by short title and referred to the Rules Committee.

**H.B. 118, Economic Development Incentives Modifications** (W. Harper), read the first time by short title and referred to the Rules Committee.

**H.B. 188, Workers' Compensation Benefits – Social Security Offset** (W. Harper), read the first time by short title and referred to the Rules Committee.

**H.B. 261, Financial Responsibility of Motor Vehicle Owners and Operators Act Amendments** (R. Greenwood), read the first time by short title and referred to the Rules Committee.

**H.B. 262, Reporting to Appropriation Committees** (R. Bigelow), read the first time by short title and referred to the Rules Committee.

**H.B. 263, Technical Cross Reference Revisions** (J. Anderson), read the first time by short title and referred to the Rules Committee.

**H.B. 264, Law Enforcement Amendments** (C. Wimmer), read the first time by short title and referred to the Rules Committee.

**H.B. 265, Real Property Amendments** (G. Froerer), read the first time by short title and referred to the Rules Committee.

**H.B. 266, Government Records Access and Management Act Revisions** (K. Powell), read the first time by short title and referred to the Rules Committee.

**H.B. 267, Lobbyist Disclosure and Regulation Act Amendments** (K. Garn), read the first time by short title and referred to the Rules Committee.

### CONSENT CALENDAR

**H.B. 213, CIGARETTE TAX EXEMPTION AMENDMENTS**, *Vickers*, read the third time by short title and placed on its final passage.

**H.B. 213** passed on the following roll call:

**Yeas, 61; Nays, 0; Absent or not voting, 14.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	Cosgrove	Daw
Dee	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	F Gibson	K Gibson
Greenwood	Grover	Hansen	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
King	Kiser	Last	Litvack
Mascaro	Mathis	McIff	Menlove
Morley	Newbold	Noel	Oda
Painter	Poulson	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright			

**Absent or not voting were:** Representatives

Barrus	S. Clark	Dougall	Draxler
Garn	Gowans	Harper	Hutchings
Ipson	Johnson	Lockhart	Moss
Powell	D. Clark		

**H.B. 213** transmitted to the Senate for its consideration.

**THIRD READING CALENDAR**

**1st Sub. H.B. 216**, INCORPORATION OF A TOWN AMENDMENTS, *Froerer*, read the third time by short title and placed on its final passage.

On motion of Representative Dee, the House voted to circle **1st Sub. H.B. 216**.

\* \* \*

**H.B. 17**, AMENDMENTS TO PROGRAMS FOR PEOPLE WITH DISABILITIES, *Mascaro*, read the third time by short title and placed on its final passage.

**H.B. 17** passed on the following roll call:

**Yeas, 64; Nays, 0; Absent or not voting, 11.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	Cosgrove	Daw
Dee	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Greenwood	Grover	Hansen
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Newbold	Oda	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright

**Absent or not voting were:** Representatives

Barrus	S. Clark	Dougall	Draxler
Gowans	Harper	Ipson	Moss
Noel	Painter	D. Clark	

**H.B. 17** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 55**, DEPARTMENT OF COMMUNITY AND CULTURE GRANTS AMENDMENTS, *Julie Fisher*, read the third time by short title and placed on its final passage.

**H.B. 55**, as amended, passed on the following roll call:

**Yeas, 62; Nays, 0; Absent or not voting, 13.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	Cosgrove	Daw
Dee	Dougall	S Duckworth	Dunnigan
Edwards	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Greenwood	Grover
Hansen	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Litvack	Lockhart
Mathis	McIff	Menlove	Morley
Newbold	Oda	Poulson	Powell
Ray	Riesen	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright		

**Absent or not voting were:** Representatives

Barrus	S. Clark	Draxler	Gowans
Harper	Ipson	Last	Mascaro
Moss	Noel	Painter	Sandstrom
D. Clark			

**H.B. 55**, as amended, transmitted to the Senate for its consideration.



\* \* \*

**H.B. 11, LICENSING OF ELEVATOR CONTRACTORS AND ELEVATOR MECHANICS, Wiley,** read the third time by short title and placed on its final passage.

Representative Wiley proposed the following amendment:

- 1. Page 1, Lines 18 through 20

- 18       ▶ provides qualifications for licensure of an elevator contractor and elevator

- 19 mechanic;

- 20       ▶ provides for an emergency temporary elevator mechanic license ;

- ▶ provides for exemptions ; and

- 2. Page 2, Line 31:

- 31       58-55-303, as last amended by Laws of Utah 2001, Chapter 198

- 58-55-305, as last amended by Laws of Utah 2009, Chapter 228

- 3. Page 21, Line 623:

- 623 Administrative Rulemaking Act.

- Section 5. Section 58-55-305 is amended to read:

- 58-55-305. Exemptions from licensure.

- (1) In addition to the exemptions from licensure in Section 58-1-307, the following persons may engage in acts or practices included within the practice of construction trades, subject to the stated circumstances and limitations, without being licensed under this chapter:

- (a) an authorized representative of the United States government or an authorized employee of the state or any of its political subdivisions when working on construction work of the state or the subdivision, and when acting within the terms of the person’s trust, office, or employment;

- (b) a person engaged in construction or operation incidental to the construction and repair of irrigation and drainage ditches of regularly constituted irrigation districts, reclamation districts, and drainage districts or construction and repair relating to farming, dairying, agriculture, livestock or poultry raising, metal and coal mining, quarries, sand and gravel excavations, well drilling, as defined in Section 73-3-25, hauling to and from construction sites, and lumbering;

(c) public utilities operating under the rules of the Public Service Commission on construction work incidental to their own business;

(d) sole owners of property engaged in building:

(i) no more than one residential structure per year and no more than three residential structures per five years on their property for their own noncommercial, nonpublic use; except, a person other than the property owner or individuals described in Subsection (1)(e), who engages in building the structure must be licensed under this chapter if the person is otherwise required to be licensed under this chapter; or

(ii) structures on their property for their own noncommercial, nonpublic use which are incidental to a residential structure on the property, including sheds, carports, or detached garages;

(e) (i) a person engaged in construction or renovation of a residential building for noncommercial, nonpublic use if that person:

(A) works without compensation other than token compensation that is not considered salary or wages; and

(B) works under the direction of the property owner who engages in building the structure; and

(ii) as used in this Subsection (1)(e), “token compensation” means compensation paid by a sole owner of property exempted from licensure under Subsection (1)(d) to a person exempted from licensure under this Subsection (1)(e), that is:

(A) minimal in value when compared with the fair market value of the services provided by the person;

(B) not related to the fair market value of the services provided by the person; and

(C) is incidental to the providing of services by the person including paying for or providing meals or refreshment while services are being provided, or paying reasonable transportation costs incurred by the person in travel to the site of construction;

(f) a person engaged in the sale or merchandising of personal property that by its design or manufacture may be attached, installed, or otherwise affixed to real property who has contracted with a person, firm, or corporation licensed under this chapter to install, affix, or attach that property;

(g) a contractor submitting a bid on a federal aid highway project, if, before undertaking construction under that bid, the contractor is licensed under this chapter;

(h) (i) a person engaged in the alteration, repair, remodeling, or addition to or improvement of a building with a contracted or agreed value of less than \$3,000, including both labor and materials, and including all changes or additions to the contracted or agreed upon work; and

(ii) notwithstanding Subsection (1)(h)(i) and except as otherwise provided in this section:

(A) work in the plumbing and electrical trades on a Subsection (1)(h)(i) project within any six month period of time:

(I) must be performed by a licensed electrical or plumbing contractor, if the project involves an electrical or plumbing system; and

(II) may be performed by a licensed journeyman electrician or plumber or an individual referred to in Subsection (1)(h)(ii)(A)(I), if the project involves a component of the system such as a faucet, toilet, fixture, device, outlet, or electrical switch;

(B) installation, repair, or replacement of a residential or commercial gas appliance or a combustion system on a Subsection (1)(h)(i) project must be performed by a person who has received certification under Subsection 58-55-308(2) except as otherwise provided in Subsection 58-55-308(2)(d) or 58-55-308(3);

(C) installation, repair, or replacement of water-based fire protection systems on a Subsection (1)(h)(i) project must be performed by a licensed fire suppression systems contractor or a licensed journeyman plumber;

(D) work as an alarm business or company or as an alarm company agent shall be performed by a licensed alarm business or company or a licensed alarm company agent, except as otherwise provided in this chapter;

(E) installation, repair, or replacement of an alarm system on a Subsection (1)(h)(i) project must be performed by a licensed alarm business or company or a licensed alarm company agent;

(F) installation, repair, or replacement of a heating, ventilation, or air conditioning system (HVAC) on a Subsection (1)(h)(i) project must be performed by an HVAC contractor licensed by the division;

(G) installation, repair, or replacement of a radon mitigation system or a soil depressurization system must be performed by a licensed contractor; and

(H) if the total value of the project is greater than \$1,000, the person shall file with the division a one-time affirmation, subject to periodic reaffirmation as established by division rule, that the person has:

(I) public liability insurance in coverage amounts and form established by division rule; and

(II) if applicable, workers compensation insurance which would cover an employee of the person if that employee worked on the construction project;

(i) a person practicing a specialty contractor classification or construction trade which the director does not classify by administrative rule as significantly impacting the public's health, safety, and welfare;

(j) owners and lessees of property and persons regularly employed for wages by owners or lessees of property or their agents for the purpose of maintaining the property, are exempt from this chapter when doing work upon the property;

(k) (i) a person engaged in minor plumbing work incidental to the replacement or repair of a fixture or an appliance in a residential or small commercial building, or structure used for agricultural use, as defined in Section 58-56-4, provided that no modification is made to:

(A) existing culinary water, soil, waste, or vent piping; or

(B) a gas appliance or combustion system; and

(ii) except as provided in Subsection (1)(e), installation for the first time of a fixture or an appliance is not included in the exemption provided under Subsection (1)(k)(i);

(l) a person who ordinarily would be subject to the plumber licensure requirements under this chapter when installing or repairing a water conditioner or other water treatment apparatus if the conditioner or apparatus:

(i) meets the appropriate state construction codes or local plumbing standards; and

(ii) is installed or repaired under the direction of a person authorized to do the work under an appropriate specialty contractor license;

(m) a person who ordinarily would be subject to the electrician licensure requirements under this chapter when employed by:

(i) railroad corporations, telephone corporations or their corporate affiliates, elevator contractors or constructors, or street railway systems; or

(ii) public service corporations, rural electrification associations, or municipal utilities who generate, distribute, or sell electrical energy for light, heat, or power;

(n) a person involved in minor electrical work incidental to a mechanical or service installation;

(o) a student participating in construction trade education and training programs approved by the commission with the concurrence of the director under the condition that:

(i) all work intended as a part of a finished product on which there would normally be an inspection by a building inspector is, in fact, inspected and found acceptable by a licensed building inspector; and

(ii) a licensed contractor obtains the necessary building permits;  
{ -and- }

(p) a delivery person when replacing any of the following existing equipment with a new gas appliance, provided there is an existing gas shutoff valve at the appliance:

- (i) gas range;
- (ii) gas dryer;
- (iii) outdoor gas barbeque; or
- (iv) outdoor gas patio heater { - } ;

(q) a person performing maintenance on an elevator as defined in Subsection 58-55-102(14), if the maintenance is not related to the operating integrity of the elevator; and

(r) an apprentice or helper of an elevator mechanic licensed under this chapter when working under the general direction of the licensed elevator mechanic.

(2) A compliance agency as defined in Subsection 58-56-3(4) that issues a building permit to a person requesting a permit as a sole owner of property referred to in Subsection (1)(d) shall notify the division, in writing or through electronic transmission, of the issuance of the permit.

Representative Wiley’s motion to amend passed on a voice vote.

**H.B. 11**, as amended, failed to pass on the following roll call:

**Yeas, 36; Nays, 37; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Allen	Anderson	Beck	Biskupski
Black	Chavez-Houck	Cosgrove	S Duckworth
Dunnigan	Edwards	Janice Fisher	F Gibson
Gowans	Greenwood	Hansen	Hemingway
Hendrickson	Hunsaker	Hutchings	Ipson
Johnson	King	Mascaro	McIff

Moss	Poulson	Powell	Ray
Riesen	Seegmiller	Seelig	Vickers
Watkins	Webb	Wheatley	Wiley

**Voting in the negative were:** Representatives

Aagard	Bigelow	Bird	Brown
S. Clark	Daw	Dee	Dougall
Draxler	Ferry	Julie Fisher	Fowlke
Frank	Froerer	Garn	K Gibson
Grover	Herrod	Hughes	Kiser
Last	Litvack	Lockhart	Mathis
Menlove	Morley	Newbold	Noel
Oda	Painter	Sandstrom	Sumsion
Wallis	Wilcox	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Barrus	Harper
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**H.B. 11**, as amended, was filed.

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**H.B. 45**, STATE CONSTRUCTION CODE ADOPTION, *Morley*, read the third time by short title and placed on its final passage. Representatives Powell and Bird commented.

**H.B. 45**, as amended, passed on the following roll call:

**Yeas, 67; Nays, 2; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Beck
Bird	Biskupski	Black	Chavez-Houck
S. Clark	Cosgrove	Daw	Dee
Dougall	Draxler	S Duckworth	Dunnigan
Edwards	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell

Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Voting in the negative were:** Representatives

Hansen	King
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**Absent or not voting were:** Representatives

Barrus	Bigelow	Brown	Harper
Johnson	Watkins		

**H.B. 45**, as amended, transmitted to the Senate for its consideration.

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**H.B. 65**, AMENDMENTS RELATED TO REGULATION OF INSURANCE TYPE PRODUCTS, *Bird*, read the third time by short title and placed on its final passage. Representatives Hemingway commented.

**H.B. 65**, as amended, passed on the following roll call:

**Yeas, 64; Nays, 3; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Beck
Bird	Biskupski	Black	Chavez–Houck
S. Clark	Cosgrove	Daw	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wright	D. Clark

**Voting in the negative were:** Representatives

King	Sumsion	Wimmer
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**Absent or not voting were:** Representatives

Barrus	Bigelow	Brown	Dee
Hansen	Harper	Johnson	Newbold

**H.B. 65**, as amended, transmitted to the Senate for its consideration.

**MISCELLANEOUS BUSINESS**

On motion of Representative Garn, the House voted to move from the Third Reading Calendar to the Consent Calendar.

**CONSENT CALENDAR**

**H.B. 221**, SUNSET ACT AND REPEALERS REAUTHORIZATION, *Garn*, read the third time by short title and placed on its final passage.

**H.B. 221** passed on the following roll call:

**Yeas, 56; Nays, 13; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Beck	Bird
Biskupski	Black	Chavez–Houck	S. Clark
Cosgrove	Dee	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Hemingway	Hendrickson
Hughes	Hunsaker	Hutchings	Ipson
Johnson	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Moss	Newbold	Oda
Painter	Poulson	Powell	Ray
Riesen	Seegmiller	Seelig	Vickers
Wallis	Webb	Wheatley	Wiley

**Voting in the negative were:** Representatives

Anderson	Daw	Dougall	Herrod
King	Morley	Noel	Sandstrom
Sumsion	Watkins	Wilcox	Wimmer
Wright			

**Absent or not voting were:** Representatives

Barrus	Bigelow	Brown	Frank
Harper	D. Clark		



**H.B. 221** transmitted to the Senate for its consideration.

### INTRODUCTION OF BILLS

**H.B. 124, Campaign Funds Expenditure Restrictions** (T. Cosgrove), read the first time by short title and referred to the Rules Committee.

**H.B. 270, Financial Disclosure and Conflict of Interest Amendments** (G. Hughes), read the first time by short title and referred to the Rules Committee.

**H.J.R. 14, Joint Rules Resolution on Financial Disclosures** (G. Hughes), read the first time by short title and referred to the Rules Committee.

**H.J.R. 15, Joint Resolution on Legislative Ethics Commission** (D. Clark), read the first time by short title and referred to the Rules Committee.

### THIRD READING CALENDAR

**H.B. 73, UTAH CONSTRUCTION TRADES CONTINUING EDUCATION AMENDMENTS**, *Morley*, read the third time by short title and placed on its final passage. Representatives Allen, Last, and Anderson commented.

**H.B. 73** passed on the following roll call:

**Yeas, 68; Nays, 1; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Beck
Bird	Biskupski	Black	Brown
Chavez–Houck	Cosgrove	Daw	Dee
Dougall	Draxler	S Duckworth	Dunnigan
Edwards	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Noel	Oda	Poulson
Powell	Ray	Riesen	Sandstrom
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Voting in the negative was:** Representative  
Seegmiller

**Absent or not voting were:** Representatives  
Barrus                      Bigelow                      S. Clark                      Harper  
Newbold                      Painter

**H.B. 73** transmitted to the Senate for its consideration.

\* \* \*

**1st Sub. H.B. 42**, SCHOOL DISTRICT EMPLOYEES – CAREER STATUS REQUIREMENTS, *Menlove*, read the third time by short title and placed on its final passage. Representative Wheatley commented.

**1st Sub. H.B. 42** passed on the following roll call:

**Yeas, 48; Nays, 19; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Brown	Daw
Dee	Dougall	Draxler	Dunnigan
Ferry	Julie Fisher	Fowlke	Frank
Froerer	F Gibson	K Gibson	Gowans
Greenwood	Grover	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Noel	Oda
Painter	Powell	Ray	Sandstrom
Sumsion	Vickers	Wallis	Webb
Wiley	Wimmer	Wright	D. Clark

**Voting in the negative were:** Representatives

Anderson	Beck	Biskupski	Black
Chavez–Houck	Cosgrove	S Duckworth	Edwards
Janice Fisher	Hansen	Hemingway	Hendrickson
King	Poulson	Riesen	Seegmiller
Seelig	Watkins	Wheatley	

**Absent or not voting were:** Representatives

Barrus	Bigelow	Bird	S. Clark
Garn	Harper	Newbold	Wilcox

**1st Sub. H.B. 42** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 81, SCHOOL EMPLOYEE CRIMINAL BACKGROUND CHECK,** *Allen*, read the third time by short title and placed on its final passage.

Representative Allen proposed the following amendment:

- 1. Page 2, Line 55:  
Delete "may" and insert "shall"

Representative Allen’s motion to amend passed on a voice vote.

**H.B. 81**, as amended, passed on the following roll call:

**Yeas, 65; Nays, 0; Absent or not voting, 10.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Beck
Bird	Biskupski	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Froerer	F Gibson
Greenwood	Grover	Hansen	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Moss
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Barrus	Bigelow	Frank	Garn
K Gibson	Gowans	Harper	Ipson
Morley	Newbold		

**H.B. 81**, as amended, was held for possible reconsideration.

\* \* \*

**H.B. 12, ABORTION AMENDMENTS**, *Wimmer*, read the third time by short title and placed on its final passage.

Representative Seelig proposed the following amendment:

1. Page 10, Lines 301a through 301b  
House Committee Amendments 1–28–2010  
301a ~~H~~→(2) A woman is not criminally liable for ∴  
(a) seeking to obtain, or obtaining, an abortion  
301b that is permitted by this part { ∴ } ∴ or  
(b) a physician's failure to comply with Subsection 76–7–302(3)(b)(ii)  
or Section 76–7–305. ←H

Representative Seelig's motion to amend passed on a voice vote.

# # #

Representative Riesen proposed the following amendment:

1. Page 1, Line 18c  
House Committee Amendments 1–28–2010  
18c treatment or a cesarean section or failed to follow medical  
advice: ←H  
    ▶ provides that a woman is not guilty of criminal homicide of her  
own unborn child if the death of her unborn child:
  - is caused by a criminally negligent act of the woman; and
  - is not caused by an intentional, knowing, or reckless act of the  
woman;
2. Page 2, Line 48  
House Committee Amendments 1–28–2010:  
48 (1) (a) {–A–} Except as provided in Subsections (3) and  
(4), a person commits criminal homicide if [he] the person  
intentionally,
3. Page 2, Line 55f  
House Committee Amendments 1–28–2010:  
55f (b) failed to follow medical advice. ←H

(4) A woman is not guilty of criminal homicide of her own unborn child if the death of her unborn child:

(a) is caused by a criminally negligent act of the woman; and

(b) is not caused by an intentional, knowing, or reckless act of the woman.

Representative Riesen's motion to amend passed on a voice vote.

Representatives Johnson, K. Gibson, King, and Janice Fisher commented.

On motion of Representative Wimmer, under suspension of the rules, the House voted to consider the bill read the first, second, and third times by short title because of a title change.

**H.B. 12**, as amended, passed on the following roll call:

**Yeas, 59; Nays, 12; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Beck
Bigelow	Bird	Brown	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Greenwood	Grover	Hansen	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Kiser	Last	Lockhart
Mascaro	Mathis	McIff	Menlove
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Sumsion	Vickers
Wallis	Webb	Wheatley	Wilcox
Wimmer	Wright	D. Clark	

**Voting in the negative were:** Representatives

Biskupski	Black	Chavez–Houck	Janice Fisher
Hemingway	Johnson	King	Litvack
Moss	Seelig	Watkins	Wiley

**Absent or not voting were:** Representatives

Barrus	Gowans	Harper	Morley
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**H.B. 12**, as amended, transmitted to the Senate for its consideration.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: January 29, 2010

The Senate passed **S.B. 82**, PASSENGER ROPEWAY SYSTEMS ACT AMENDMENTS, by Senator A. Christensen, and it is transmitted for consideration; and

The Senate passed **S.B. 83**, BAIL BOND RECOVERY AMENDMENTS, by Senator J. Greiner, and it is transmitted for consideration; and

The Senate passed **S.B. 91**, PROSECUTOR APPEALS, by Senator D. Liljenquist, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 95**, UTAH EDUCATIONAL SAVINGS PLAN AMENDMENTS, by Senator W. Niederhauser, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **S.B. 82**, **S.B. 83**, **S.B. 91**, and **1st Sub. S.B. 95** read the first time by short title and referred to the Rules Committee.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: January 29, 2010

The Rules Committee reports a favorable recommendation on **H.R. 3**, HOUSE RULES RESOLUTION – RECODIFICATION AND REVISIONS, by Representative B. Ferry, with the following amendments:

1. Page 14, Lines 414 through 417:

414 ~~(6) supervise all House of Representatives' non-partisan personnel during a session and assign them~~

415 ~~duties and responsibilities;~~

416 ~~(7) keep a record of the attendance of { all House of Representatives' employees } each in-session employee and~~

417 ~~ensure that { any } each in-session employee { who is absent is not paid for the days of absence } is paid only for hours worked ;~~

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules committee was adopted.

**H.R. 3**, as amended, read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker:

January 29, 2010

The Business and Labor Committee reports a favorable recommendation on **H.J.R. 10**, JOINT RESOLUTION OPPOSING THE ESTABLISHMENT OF A FEDERAL COMMISSION ON STATE WORKERS' COMPENSATION LAWS, by Representative M. Morley; and

The Business and Labor Committee recommends **H.B. 70**, CERTIFICATION OF RETROFIT COMPRESSED NATURAL GAS VEHICLES, by Representative J. Draxler, be replaced and favorably recommends **1st Sub. H.B. 70**, CERTIFICATION OF RETROFIT COMPRESSED NATURAL GAS VEHICLES; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 97**, AMENDMENTS RELATING TO DECEPTIVE PRACTICES INVOLVING CONSUMERS, by Representative M. Poulson; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 14**, BUILDING AND CONSTRUCTION PROJECTS – TECHNICAL CORRECTIONS, by Senator M. Madsen; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 20**, AMENDMENTS TO HEALTH INSURANCE COVERAGE IN STATE CONTRACTS, by Representative J. Dunnigan, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 6, Line 174:

174 provided by an ;  
(I) actuary; or  
(II) underwriter who is responsible for developing the employer  
group's premium rates; or

2. Page 11, Line 332:

332 provided by ;  
(I) an actuary; or  
(II) an underwriter who is responsible for developing the employer  
group's premium rates; or

3. Page 17, Line 495:

495 provided by ;  
(I) an actuary; or

(II) an underwriter who is responsible for developing the employer group's premium rates; or

4. Page 21, Line 647:

647 provided by :

(I) an actuary; or

(II) an underwriter who is responsible for developing the employer group's premium rates; or

5. Page 26, Line 790:

790 provided by :

(I) an actuary; or

(II) an underwriter who is responsible for developing the employer group's premium rates; or

6. Page 31, Line 945:

945 provided by :

(I) an actuary; or

(II) an underwriter who is responsible for developing the employer group's premium rates; or ; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 89**, LICENSE FOR CONTROLLED SUBSTANCES AMENDMENTS, by Representative M. Morley, and recommends it be placed on the Consent Calendar.

James A. Dunnigan, Chair

Reports filed. On motion of Representative Painter, the reports of the Business and Labor committee were adopted.

**H.J.R. 10**, 1st Sub. **H.B. 70**, **H.B. 97**, and **S.B. 14** read the second time by short title and placed on the Third Reading Calendar.

**H.B. 20**, as amended, and **H.B. 89** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker:

January 29, 2010

The Health and Human Services Committee reports a favorable recommendation on **H.B. 200**, INFORMED CONSENT AMENDMENTS, by Representative C. Wimmer, with the following amendments:

1. Page 5, Lines 129 through 130:

129 worker, or certified social worker {~~has~~} orally, in a face-to-face consultation, [~~informed~~] informs



130 the pregnant woman that:

2. Page 5, Lines 139 through 141:

139 (ii) the printed material and a viewing of or a copy of the informational video { ~~;~~

140 ~~(A) shall be provided to her free of charge; and~~

141 ~~(B) is also available }~~ shall be made available to her, free of charge, on the Department of Health's website;

3. Page 7, Lines 188 through 189:

188 ~~(ii) if the woman chooses not to [do so,]~~ view the video at a time described in

189 Subsection (4)(a), {give a copy of the video} [shall be provided to her] {to the woman} inform the woman that she can access the video on the Department of Health's website .

4. Page 8, Lines 236 through 238:

236 (10) (a) The Department of Health ~~{and local health departments}~~ shall provide an

237 ultrasound, in accordance with the provisions of Subsection (2)(b), at no expense to the

238 pregnant woman.

(b) A local health department shall refer a person who requests an ultrasound described in Subsection (10)(a) to the Department of Health.

5. Page 13, Lines 370 through 371:

370 (a) the total amount of informed consent material described in this section that was

371 distributed or accessed ; ; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 225**, COUNTERFEIT SUBSTANCE AMENDMENTS, by Representative P. Ray; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 88**, ELECTRONIC CIGARETTE RESTRICTIONS,

by Representative R. Menlove, and recommends it be placed on the Consent Calendar.

Paul Ray, Chair

Reports filed. On motion of Representative Menlove, the reports of the Health and Human Services committee were adopted.

**H.B. 200**, as amended and **H.B. 225** read the second time by short title and placed on the Third Reading Calendar.

**H.B. 88** read the second time by short title and placed on the Consent Calendar.

### **RULES COMMITTEE REPORT**

Mr. Speaker: January 29, 2010

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 64**, Errors and Omissions Coverage for Insurance Producers (Rep. J. Bird) be replaced with **1st Substitute H.B. 64**, Errors and Omissions Coverage for Insurance Producers, and further recommends it be assigned to the House Business and Labor Standing Committee.

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

### **RULES COMMITTEE REPORT**

Mr. Speaker: January 29, 2010

The Rules Committee recommends the following bills and resolutions be assigned to standing committees:

#### **ETHICS**

- |                  |                                                                              |
|------------------|------------------------------------------------------------------------------|
| <b>H.B. 124</b>  | Campaign Funds Expenditure Restrictions<br>(Rep. T. Cosgrove)                |
| <b>H.B. 267</b>  | Lobbyist Disclosure and Regulation Act Amendments<br>(Rep. K. Garn)          |
| <b>H.B. 270</b>  | Financial Disclosure and Conflict of Interest<br>Amendments (Rep. G. Hughes) |
| <b>H.J.R. 14</b> | Joint Rules Resolution on Financial Disclosures<br>(Rep. G. Hughes)          |
| <b>H.J.R. 15</b> | Joint Resolution on Legislative Ethics Commission<br>(Rep. D. Clark)         |

**GOVERNMENT OPERATIONS**

**2nd Sub. S.B. 22** Notary Public Amendments (Sen. P. Knudson)

**HEALTH AND HUMAN SERVICES**

**H.B. 104** Unlawful Provision of Identifiable Prescription Information (Rep. J. Biskupski)

**H.B. 239** Child Protection Revisions (Rep. W. Harper)

**JUDICIARY**

**H.B. 249** Emancipation Amendments (Rep. L. Fowlke)

**S.B. 78** Constitutional Revision Commission Duties (Sen. J. Valentine)

**S.B. 79** Fraudulent Transfer Amendments (Sen. J. Valentine)

**LAW ENFORCEMENT AND CRIMINAL JUSTICE**

**H.B. 103** Reduced Speed School Zone Amendments (Rep. S. Sandstrom)

**NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT**

**1st Sub. S.J.R. 1** Escalante Heritage Hole-in-the-rock Center Joint Resolution (Sen. D. Stowell)

**POLITICAL SUBDIVISIONS**

**H.J.R. 13** Recognition of Community Councils and the Association of Community Councils Together Joint Resolution (Rep. S. Duckworth)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

**MISCELLANEOUS BUSINESS**

On motion of Representative Garn, and at 12:00 p.m., the House voted to adjourn until February 1, 2010, at 10:00 a.m.

# EIGHTH DAY

\* \* \*

## MORNING SESSION

The House was called to order by Speaker Clark at 10:10 a.m.

Roll call showed all members present.

Prayer offered by Chris Davis, Roy City Manager and guest of Representative Richard Greenwood. Pledge of Allegiance led by Mayor Joe Ritchie, Roy City Mayor and guest of Representative Greenwood.

### INTRODUCTION OF BILLS

**H.B. 119, Motor Vehicle Impound Amendments** (C. Oda), read the first time by short title and referred to the Rules Committee.

**H.B. 120, Underground Storage Tank Amendments** (K. McIff), read the first time by short title and referred to the Rules Committee.

**H.B. 121, Emergency Medical Services Act Transport Amendments** (G. Hughes), read the first time by short title and referred to the Rules Committee.

**H.B. 122, Surveyor Amendments** (J. Mathis), read the first time by short title and referred to the Rules Committee.

**H.B. 123, Adoption Tax Credit** (S. Sandstrom), read the first time by short title and referred to the Rules Committee.

**H.B. 125, Kidnapping and Sex Offender Registry Amendments** (R. Bigelow), read the first time by short title and referred to the Rules Committee.

**H.B. 268, Public School Innovations** (K. Grover), read the first time by short title and referred to the Rules Committee.

**H.B. 269, Solemnizing Marriages Amendment** (D. Aagard), read the first time by short title and referred to the Rules Committee.

**H.B. 271, Hunting Guides and Outfitters Licensing Act Amendments** (E. Vickers), read the first time by short title and referred to the Rules Committee.

### CONSENT CALENDAR

**H.B. 69, STATE ENGINEER'S PLUGGING OF WELLS REPEALER**, *Gowans*, read the third time by short title and placed on its final passage.

**H.B. 69** passed on the following roll call:

**Yeas, 74; Nays, 0; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting was:** Representative

Mathis

**H.B. 69** transmitted to the Senate for its consideration.

**THIRD READING CALENDAR**

**H.R. 3, HOUSE RULES RESOLUTION – RECODIFICATION AND REVISIONS**, *Ferry*, read the third time by short title and placed on its final passage.

On motion of Representative *Ferry*, the House voted to circle **H.R. 3**.

\* \* \*

**H.B. 74, ADOPTION AND CHILD CUSTODY AMENDMENTS**, *Allen*, read the third time by short title and placed on its final passage.

On motion of Representative *Allen*, the House voted to circle **H.B. 74**.

\* \* \*

**H.B. 86**, DEPARTMENT OF HUMAN SERVICES – REVIEW AND OVERSIGHT, *Lockhart*, read the third time by short title and placed on its final passage. Representative Litvack commented.

**H.B. 86**, as amended, passed on the following roll call:

**Yeas, 74; Nays, 0; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting was:** Representative Ipson

**H.B. 86**, as amended, transmitted to the Senate for its consideration.

### UNFINISHED BUSINESS

On motion of Representative Mascaro, the House voted to uncircle **H.B. 43**.

**H.B. 43**, UNEMPLOYMENT COMPENSATION AMENDMENTS, *Mascaro*, was before the House on its final passage.

Representative Mascaro proposed the following amendment:

1. Page 1, Lines 15 through 19
  - 15 This bill modifies provisions in the Employment Security Act regarding the
  - 16 computation of individual weekly benefits for those whose benefit year begins after
  - 17 { ~~July 3, 2010,~~ } the termination of Pub. L. No. 111-5, Sec. 2002 as amended and the offset of Social Security benefits against the weekly benefit
  - 18 amount of unemployment compensation an individual is eligible to receive under the
  - 19 Act.
2. Page 1, Lines 21 through 26:
  - 21 This bill:
  - 22 ► provides that Social Security benefits may not be offset against unemployment
  - 23 compensation weekly benefits under the Employment Security Act with respect to
  - 24 an individual whose benefit year begins after { ~~July 3, 2010~~ } the termination of Pub. L. 111-5 Sec. 2002 as amended ;
  - 25 ► provides for the computation of weekly unemployment benefits for those whose
  - 26 benefit year begins after { ~~July 3, 2010~~ } the termination of Pub. L. 111-5 Sec. 2002 as amended ; and
3. Page 2, Lines 49 through 52:
  - 49 (ii) With respect to an individual whose benefit year begins after { ~~July 3, 2010,~~ } the termination of any payable week under Pub. L. No. 111-5, Sec. 2002 as amended, an
  - 50 individual's weekly benefit amount is an amount equal to 1/26th minus { ~~\$3~~ } \$5 , disregarding any
  - 51 fraction of \$1, of the individual's total wages for insured work paid during that quarter of the
  - 52 base period in which the total wages were highest.
4. Page 3, Lines 61 through 63:
  - 61 (ii) With respect to an individual whose benefit year begins after { ~~July 3, 2010~~ } the termination of any payable week under Pub. L. No. 111-5, Sec. 2002 as amended , the

62 weekly benefit amount may not exceed 62.5% of the insured  
average fiscal year weekly wage

63 during the preceding fiscal year minus { ~~\$3~~ } \$5 .  
disregarding any fraction of \$1.

5. Page 3, Lines 71 through 79:

71 (ii) With respect to an individual whose benefit year begins after  
July 1, 2004, and ends

72 on or before { ~~July 1~~ 2, 2011 } the termination of any  
payable week under Pub. L. No. 111-5, Sec. 2002 as amended , the  
“weekly benefit amount” of that individual, who is receiving

73 or who is eligible to receive Social Security benefits based upon the  
individual’s previous

74 employment, is the “weekly benefit amount” which is computed  
under this section less 50% of

75 the individual’s Social Security benefits that are attributable to the  
week, but not below zero.

76 (iii) With respect to an individual whose benefit year begins  
after { ~~July 3, 2010~~ } the termination of any payable week under  
Pub. L. No. 111-5, Sec. 2002 as amended . this

77 Subsection (2)(c) and Subsection (2)(d) do not apply to Social  
Security benefits an individual is

78 receiving or is eligible to receive as they are not considered  
retirement benefits for purposes of

79 those subsections.

6. Page 5, Line 123:

123 the remuneration was earned.

(8)(a) The director of the division or the director’s designee shall  
make an annual report to the Workforce Employment Advisory Council  
and to the Legislature’s Workforce Services and Community and  
Economic Development Interim Committee no later than November 30  
of 2011, and 2012, concerning the impact of individuals applying for  
unemployment compensation and the unemployment trust fund as a  
result of the amendments made to Subsection 35A-4-401(2) during the  
Legislature’s 2010 General Session.

(b) The report shall include a recommendation for a potential  
adjustment in the weekly benefit amounts established in Subsections



35A-4-401(2)(a)(ii) and 35A-4-401(2)(b)(ii), taking into account the unemployment benefit costs associated with the amendments made to Subsection 35A-4-401(2) during the Legislature’s 2010 General Session.

Representative Mascaro’s motion to amend passed on a voice vote.

Representatives Watkins commented.

**H.B. 43**, as amended, passed on the following roll call:

**Yeas, 60; Nays, 15; Absent or not voting, 0.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Dee	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Froerer	K Gibson	Gowans
Greenwood	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Mascaro	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Poulson	Powell
Ray	Riesen	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wiley	D. Clark

**Voting in the negative were:** Representatives

Daw	Dougall	Fowlke	Frank
Garn	F Gibson	Grover	Hughes
Lockhart	Mathis	Painter	Sandstrom
Wilcox	Wimmer	Wright	

**H.B. 43**, as amended, transmitted to the Senate for its consideration.

**MISCELLANEOUS BUSINESS**

On motion of Representative Bigelow, under suspension of the rules, the House voted to lift **H.B. 1**, MINIMUM SCHOOL PROGRAM BASE BUDGET, from Rules, consider it read the second time by short title and placed at the top of the Third Reading Calendar.

### THIRD READING CALENDAR

**H.B. 1**, MINIMUM SCHOOL PROGRAM BASE BUDGET, *Newbold*, read the third time by short title and placed on its final passage.

On motion of Representative Newbold, the House voted to circle **H.B. 1**.

### UNFINISHED BUSINESS

On motion of Representative Froerer, the House voted to uncircle **1st Sub. H.B. 216**.

**1st Sub. H.B. 216**, INCORPORATION OF A TOWN AMENDMENTS, *Froerer*, was before the House on its final passage.

Representative Froerer proposed the following amendment:

1. Page 1, Lines 12 through 13  
House Committee Amendments 1-26-2010  
12           {~~→~~ requires that a county legislative body commission a  
financial feasibility study after  
13   a petition to incorporate is certified;~~→~~}
2. Page 7, Lines 192 through 198  
House Committee Amendments 1-26-2010:  
192       (8) (a) (i) The legislative body of a county with which a petition  
is filed under  
193 Subsection (4)   {~~+~~} may, at its option and {~~+~~}  
   { shall. } upon the petition being certified under Subsection  
194 (6), commission and pay for a financial feasibility study.  
195       (ii) {~~+~~} If the {~~+~~}   { A } county legislative  
body   {~~+~~} chooses to commission {~~+~~} { that  
commissions } a  
196 financial feasibility study {~~+~~} , the county legislative  
body {~~+~~} { described in Subsection (8)(a)(i) } shall:  
197       (A) within 20 days after the incorporation petition is certified,  
select and engage a  
198 feasibility consultant; and
3. Page 7, Line 202  
House Committee Amendments 1-26-2010:  
202       (b)   {~~The~~}   If the county legislative body has  
commissioned a financial feasibility study under Subsection (8)(a)(i),

the county legislative body shall approve a petition proposing the incorporation of

- 4. Page 7, Line 210

House Committee Amendments 1-26-2010:

210 than ~~H~~→ [40%] { ~~25%~~ } 15% [ ] ; or [ ]

- 5. Page 7, Lines 210a through 210d

House Committee Amendments 1-26-2010:

210a (B) the results of the financial feasibility study

210b described in Subsection (8)(a)(i) show that the average annual amount of costs described in

210c Subsection (1)(b)(ii) does not exceed the average annual amount of revenues described in

210d Subsection (1)(b)(i) by more than { ~~25%~~ } 15% ←~~H~~ .

- 6. Page 8, Lines 216 through 218a

House Committee Amendments 1-26-2010:

216 ~~H~~→ [ ] exceeds [ ] [~~does not exceed~~] ←~~H~~ the average annual amount of costs described in

216a Subsection

217 (1)(b)(ii) by more than ~~H~~→ [40%] { ~~25%~~ } 15% ←~~H~~, the county legislative body { ~~-~~ } may { ~~-~~ } { shall } :

218 (A) deny the petition, [subject to] in accordance with Subsection (8)(c) ~~H~~→ [~~(ii)~~] (iii) [ ] ,

218a if the

- 7. Page 8, Lines 219 through 224

House Committee Amendments 1-26-2010:

219 results of the financial feasibility study show that the average annual amount of revenues

220 described in Subsection (1)(b)(i) exceeds the average annual amount of costs described in

221 Subsection (1)(b)(ii) by more than { ~~-25%~~ } 15% [ ~~or more~~ ] [ ] ←~~H~~ ; or

222 [~~(B) approve the petition and hold an election for town officers, as provided in~~

223 Subsection (9); or]

224 [(C)] (B) (I) with the consent of the petition sponsors:

8. Page 8, Lines 226 through 228

House Committee Amendments 1–26–2010:

226 feasibility—study] prevent the average annual amount of ~~H~~→ [costs] revenues ←~~H~~ described in

226a Subsection (1)(b) ~~H~~→ [(ii)] (i) ←~~H~~

227 from exceeding the average annual amount of ~~H~~→ [revenues] costs ←~~H~~ described in Subsection

227a (1)(b) ~~H~~→ [(ii)] (ii) ←~~H~~ by

228 more than ~~H~~→ [10] { 25 } 15 ←~~H~~ %; or

9. Page 8, Lines 231 through 232a

House Committee Amendments 1–26–2010:

231 described in Subsection (1)(b) ~~H~~→ [E] (i) [H] [(iii)] ←~~H~~ from exceeding the average annual

231a amount of ~~H~~→ [E] costs [H]

232 [revenues] ←~~H~~ described in Subsection (1)(b) ~~H~~→ [E] (ii) [H] [(ii)] by more than 10% by

232a more than { 25% } 15% ←~~H~~; and

10. Page 8, Line 234a through Page 8a, Line 234o

House Committee Amendments 1–26–2010:

234a ~~H~~→ (ii) If the results of the financial feasibility study described in Subsection (8)(a)(i) show

234b that the average annual amount of costs described in Subsection (1)(b)(ii) exceeds the average

234c annual amount of revenues described in Subsection (1)(b)(i) by more than { 25% } 15% , the county

234d legislative body shall:

(A) approve the petition;

234e { (A) } (B) deny the petition in accordance with Subsection (8)(c)(iii); or

234f { (B) } (C) (I) with the consent of the petition sponsors { 1 } 1

234g (Aa) impose conditions to prevent the average annual amount of costs

234h described in Subsection (1)(b)(ii) from exceeding the average annual amount of revenues

234i described in Subsection (1)(b)(i) by more than { ~~25%~~ } 15% ; or

234j (Bb) alter the boundaries of the area proposed to be incorporated as a

234k town to approximate the boundaries necessary to prevent the average annual amount of costs

234l described in Subsection (1)(b)(ii) from exceeding the average annual amount of revenues

234m described in Subsection (1)(b)(i) by more than { ~~25%~~ } 15% ; and

234n (II) approve the incorporation petition and hold an election for town officers, as

234o provided in Subsection (9)

11. Page 8a, Line 235a  
House Committee Amendments 1-26-2010:

235a (8)(c)(i)(A) **H→** or (8)(c)(ii) { ~~(A)~~ } (B) **←H**

12. Page 8a, Line 239a  
House Committee Amendments 1-26-2010:

239a (8)(c)(ii) { ~~(B)(I)(Aa)~~ } (C)(I)(Aa) **←H** shall comply

Representative Froerer’s motion to amend passed on a voice vote.

On motion of Representative Vickers, the House voted to circle **1st Sub. H.B. 216.**

**COMMITTEE OF THE WHOLE**

On motion of Representative Garn, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from U.S. Congressman Rob Bishop.

On motion of Representative Garn, the Committee of the Whole was dissolved.

### UNFINISHED BUSINESS

On motion of Representative Froerer, the House voted to uncircle **1st Sub. H.B. 216**.

**1st Sub. H.B. 216**, INCORPORATION OF A TOWN AMENDMENTS, *Froerer*, was before the House on its final passage.

**1st Sub. H.B. 216**, as amended, passed on the following roll call:

**Yeas, 70; Nays, 1; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Poulson	Powell	Ray
Riesen	Sandstrom	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Voting in the negative was:** Representative Seegmiller

**Absent or not voting were:** Representatives

Bigelow	Hughes	Hunsaker	Painter
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**1st Sub. H.B. 216**, as amended, transmitted to the Senate for its consideration.

### THIRD READING CALENDAR

**H.B. 206**, BAN ON SALE OF SMOKING PARAPHERNALIA TO MINORS, *Ray*, read the third time by short title and placed on its final passage.

Representative Ray proposed the following amendment:

- 1. Page 2, Lines 56 through 57

56 misdemeanor on the first offense {    } and a class B  
~~misdemeanor { on the second offense, and a class A~~  
 57 ~~misdemeanor~~ } on subsequent offenses.

Representative Ray’s motion to amend passed on a voice vote.

**H.B. 206**, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Hunsaker	Painter	Wallis
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**H.B. 206**, as amended, transmitted to the Senate for its consideration.

**MISCELLANEOUS BUSINESS**

On motion of Representative Fowlke, under suspension of the rules, the House voted to reconsider its action on **H.B. 11**.

### RECONSIDERATION OF H.B. 11

**H.B. 11**, LICENSING OF ELEVATOR CONTRACTORS AND ELEVATOR MECHANICS, *Wiley*, was before the House for reconsideration.

**H.B. 11** passed on the following roll call:

**Yeas, 48; Nays, 25; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Beck
Bird	Biskupski	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Froerer	F Gibson
Gowans	Greenwood	Hansen	Hemingway
Hendrickson	Hutchings	Ipson	Johnson
King	Litvack	Mascaro	McIff
Menlove	Moss	Noel	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Vickers	Wallis
Watkins	Webb	Wheatley	Wiley

**Voting in the negative were:** Representatives

Barrus	Bigelow	Daw	Dee
Dougall	Draxler	Frank	Garn
K Gibson	Grover	Harper	Herrod
Hughes	Kiser	Last	Lockhart
Mathis	Morley	Newbold	Oda
Sumsion	Wilcox	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Hunsaker	Painter
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**H.B. 11** transmitted to the Senate for its consideration.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker:

January 29, 2010

The Law Enforcement and Criminal Justice Committee recommends **H.B. 78**, WEAPONS REVISIONS, by Representative S. Sandstrom, be replaced and reports a favorable recommendation on **1st Sub. H.B. 78**, WEAPONS REVISIONS with the following amendments:



1. Page 2, Lines 30 through 33:
 

30 (1) (a) A person is justified in threatening or using force against another when and to

31 the extent that ~~[he or she]~~ the person reasonably believes that force or a threat of force is necessary to defend

32 ~~[himself]~~ the person or a third person against ~~[such other's]~~ another person's imminent use of

33 unlawful force. ~~[However, that]~~
2. Page 3, Lines 76 through 78:
 

76 (1) As used in this section, "threatening manner" does not include :

(a) the possession of a dangerous weapon whether visible or concealed without additional behavior which is threatening; or

(b) informing another

77 person of the actor's possession of a dangerous weapon or displaying a dangerous weapon if the

78 actor reasonably believes it to be necessary as provided in Section 76-2-402; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 201**, STATE FIRE MARSHAL MODIFICATIONS, by Representative R. Menlove, with the following amendments:

1. Page 4, Lines 100 through 101:
 

100 (b) The state fire marshal shall make the list available ~~{to the public in electronic form~~

101 ~~or in other forms selected by the state fire marshal;~~ } on the website maintained by the Department of Public Safety. ; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 202**, FIREWORKS AMENDMENTS, by Representative R. Menlove, with the following amendments:

1. Page 2, Line 50:
 

50 (i) a permit to discharge all display fireworks, special effects, and flame effects performances ; and
2. Page 5, Line 126:
 

126 (13) (a) "Flame effects operator" means a person licensed under Section 53-7-223 who.

3. Page 5, Lines 128 through 131:

128 { ~~(a)~~ } (i) storage, setup, operations, teardown,  
devices, equipment, overseeing assistants and

129 support personnel, and preventing accidental discharge; and

130 { ~~(b)~~ } (ii) completion of the sequence of control  
system functions that release the fuel for

131 ignition to cause combustion and create the flame effects.

(b)(i) “Flame effects operator” does not include a person who  
participates in a meeting, as limited under Subsection (13)(b)(ii), with  
other persons solely to receive training, to practice, or provide  
instruction regarding flame effects performance.

(ii) A meeting under Subsection (13)(b)(i) may include a nonpaying  
and unsolicited audience of not more than 25 persons.

4. Page 9, Line 275:

275 (1) (a) A person may not purchase~~;~~ or possess~~;~~~~or~~  
~~discharge~~ display ~~[or]~~ fireworks.

5. Page 10, Line 277:

277 has obtained ~~[a display or special effects operator]~~ the appropriate  
license from the division . except under Subsection (1)(b) .

(b)(i) Subsection (1)(a) does not apply to any person who  
participates in a meeting, as limited under Subsection (1)(b)(ii), with  
other persons solely to receive training, to practice, or provide  
instruction regarding flame effects performance.

(ii) A meeting under Subsection (1)(b)(i) may include a nonpaying  
and unsolicited audience of not more than 25 persons.

Douglas C. Aagard, Chair

Reports filed. On motion of Representative Aagard, the reports of the Law Enforcement and Criminal Justice committee were adopted.

**1st Sub. H.B. 78**, as amended, **H.B. 201**, as amended, and **H.B. 202**, as amended, read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker:

January 29, 2010

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.C.R. 3**, ITALIAN-AMERICAN HERITAGE

MONTH CONCURRENT RESOLUTION, by Representative C. Watkins, with the following amendments:

1. Page 2, Lines 45 through 47:

45 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the

46 Italian–American Lodge of Helper, Utah, ~~{and}~~ the Italian–American Civic League of Salt Lake

47 City, Utah, the Trentini Group of West Weber, Utah, the Italian Consul of Utah, and Joanne Milner . ; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 98**, STATE ENGINEER BONDING REQUIREMENTS, by Representative R. Wilcox; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 226**, WELL DRILLER’S LICENSE – PUMP INSTALLATION, by Representative P. Painter, with the following amendments:

1. Page 1, Lines 14 through 15

14 ► allows pump installation or repair without a license ~~{–, but with registration, in certain~~

15 ~~circumstances–}~~ on a person’s own property;

2. Page 1, Lines 18 through 19:

18 ~~{–► requires the state engineer to create a registration system for well drilling without a~~

19 ~~license;–}~~ and

3. Page 2, Lines 42 through 45

42 well on the person’s own property for the person’s own use ~~{–;–}~~

43 ~~{–(i)–}~~ is not required to obtain a license under this section ~~{–; and~~

44 ~~(ii) shall register with the state engineer in accordance with Subsection (2)(c)}~~ .

45 ~~(b) {–A–}~~ Except as provided in Subsection (2)(c), a person who installs or repairs a pump in a well for compensation:

## 4. Page 2, Lines 48 through 49

48 (c) {~~The state engineer shall establish a process for a person~~  
~~who installs or repairs a~~  
 49 ~~pump in accordance with Subsection (2)(a) to~~  
~~register. }~~ Notwithstanding the requirements of Subsection (2)(b),  
a person who performs electrical repairs on a pump in a well is not  
required to obtain a license as required by Subsection (3). ; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 229**, WATER RIGHT GENERAL ADJUDICATION AMENDMENTS, by Representative P. Painter.

Roger E. Barrus, Chair

Reports filed. On motion of Representative Barrus, the reports of the Natural Resources, and Environment committee were adopted.

**H.C.R. 3**, as amended, **H.B. 98**, **H.B. 226**, as amended, and **H.B. 229** read the second time by short title and placed on the Third Reading Calendar.

### MISCELLANEOUS BUSINESS

On motion of Representative Watkins, the House voted to calendar **H.C.R. 3** for Time Certain on February 4, 2010 at 11:15 a.m.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: January 29, 2010

The Transportation Committee reports a favorable recommendation on **H.B. 93**, MOTORCYCLE AND OFF-HIGHWAY VEHICLE AMENDMENTS, by Representative R. Menlove, with the following amendments:

## 1. Page 1, Lines 15 through 22:

15 ► provides that a court shall waive \$ {~~40~~} 8 of  
 a fine charged to a person operating a  
 16 motorcycle or motor-driven cycle for a moving traffic violation if  
 the person was:  
 17 • 18 years of age or older at the time of operation; and  
 18 • wearing protective headgear at the time of operation;  
 19 ► provides that a court shall waive \$ {~~40~~} 8 of  
 a fine charged for certain violations to a

20 person operating an off-highway vehicle on public land if the  
21 person was:

- 21 • 18 years of age or older at the time of operation; and
  - 22 • wearing protective headgear at the time of operation;
- 23 and

2. Page 2, Lines 46 through 50:

46 (4) A court shall waive \$ {~~10~~} § of a fine charged to  
47 a person operating a motorcycle or

47 motor-driven cycle for a moving traffic violation if the person was:

48 (a) 18 years of age or older at the time of operation; and

49 (b) wearing protective headgear that complies with the  
50 specifications adopted under

50 Subsection (3) at the time of operation.

3. Page 3, Lines 66 through 71:

66 (5) A court shall waive \$ {~~10~~} § of a fine charged for  
67 a violation of Title 41, Chapter 22,

67 Off-Highway Vehicles, to a person operating an off-highway  
68 vehicle on public land if the

68 person was:

69 (a) 18 years of age or older at the time of operation; and

70 (b) wearing protective headgear that complies with the  
71 requirements described under

71 Subsection (1) at the time of operation. ; and

The Transportation Committee reports a favorable recommendation on **S.B. 25**, STATE HIGHWAY SYSTEM MODIFICATIONS, by Senator K. Van Tassell.

Bradley M. Daw, Chair

Reports filed. On motion of Representative Daw, the reports of the Transportation committee were adopted.

**H.B. 93**, as amended, and **S.B. 25** read the second time by short title and placed on the Third Reading Calendar.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 1, 2010

The Senate passed, as amended, **S.B. 37**, IMPACT FEE REVISIONS, by Senator W. Niederhauser, and it is transmitted for consideration; and

The Senate passed **S.B. 84**, SPECIAL SERVICE DISTRICT AMENDMENTS, by Senator D. Hinkins, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 97**, FARMLAND ASSESSMENT ACT AMENDMENTS, by Senator D. Hinkins, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **S.B. 37**, **S.B. 84**, and **1st Sub. S.B. 97** read the first time by short title and referred to the Rules Committee.

### THIRD READING CALENDAR

**H.B. 10**, COURT FEES FOR INMATES, *Oda*, read the third time by short title and placed on its final passage.

On motion of Representative Oda, the House voted to circle **H.B. 10**.

\* \* \*

**H.B. 16**, PARENT-TIME AMENDMENTS, *Fowlke*, read the third time by short title and placed on its final passage.

Representative Fowlke proposed the following amendment:

1. Page 6, Line 160 through Page 7, Line 185

160 (viii) the first portion of the Christmas school vacation as  
defined in Subsection

161 30-3-32(3)(b) including Christmas Eve and Christmas Day,  
continuing until 1 p.m. on the day

162 halfway through the {--} holiday {--}  
{ vacation } period, if there are an odd number of days for the

163 {--} holiday {--} { vacation } period, or until 7  
p.m. if there are an even number of days for the  
{--} holiday {--}

164 vacation period, so long as the entire {--} holiday {--}  
{ vacation } period is equally divided.

165 (g) In years ending in an even number, the noncustodial parent is  
entitled to the

166 following holidays:

\* \* \* *Some lines not shown* \* \* \*

182 (viii) the second portion of the Christmas school vacation as  
defined in Subsection

183 30–3–32(3)(b), beginning 1 p.m. on the day halfway through the  
holiday period , if there are an odd

184 number of days for the holiday period, or at 7 p.m. if there are an  
even number of days for the

185 holiday period, so long as the entire Christmas holiday period is  
equally divided.

2. Page 13, Lines 377 through 380:

377 (c) If a child is out of school for teacher  
{ work } development days {—} or snow  
days after the children begin the school year , or other days not

378 included in the list of holidays in Subsection (5) and those days are  
contiguous with the

379 noncustodial parent’s monthly weekend parent–time, those days  
shall be included in the

380 weekend parent–time.

Representative Fowlke’s motion to amend passed on a voice vote.

Representative Harper commented.

**H.B. 16**, as amended, passed on the following roll call:

**Yeas, 58; Nays, 6; Absent or not voting, 11.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Black	Brown
Chavez–Houck	S. Clark	Daw	Dee
Dougall	Draxler	S Duckworth	Dunnigan
Edwards	Janice Fisher	Julie Fisher	Fowlke

Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Hemingway	Herrod	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	McIff
Moss	Newbold	Noel	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Wallis
Watkins	Webb	Wheatley	Wilcox
Wright	D. Clark		

**Voting in the negative were:** Representatives

Bigelow	Cosgrove	Frank	Harper
Mathis	Oda		

**Absent or not voting were:** Representatives

Biskupski	Ferry	Hendrickson	Hughes
Hunsaker	Menlove	Morley	Painter
Vickers	Wiley	Wimmer	

**H.B. 16**, as amended, transmitted to the Senate for its consideration.

**REPORTS OF STANDING COMMITTEES**

Mr. Speaker: February 1, 2010

The Government Operations Committee reports a favorable recommendation on **H.B. 236**, STATUTORY CONSTRUCTION AMENDMENTS, by Representative R. Lockhart, and recommends it be placed on the Consent Calendar; and

The Government Operations Committee reports a favorable recommendation on **H.B. 248**, GOVERNMENT RECORDS AMENDMENTS, by Representative J. Anderson, and recommends it be placed on the Consent Calendar.

Craig A. Frank, Chair

Reports filed. On motion of Representative Frank, the reports of the Government Operations committee were adopted.

**H.B. 236** and **H.B. 248** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker: February 1, 2010

The Political Subdivisions Committee reports a favorable recommendation on **H.J.R. 13**, RECOGNITION OF COMMUNITY COUNCILS AND THE



ASSOCIATION OF COMMUNITY COUNCILS TOGETHER JOINT RESOLUTION, by Representative S. Duckworth, and recommends it be placed on the Consent Calendar.

Fred R Hunsaker, Chair

Report filed. On motion of Representative Webb, the report of the Political Subdivisions committee was adopted.

**H.J.R. 13** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker:

February 1, 2010

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 23**, CORPORATE FRANCHISE AND INCOME TAX AMENDMENTS, by Senator J. Valentine, with the following amendments and, due to fiscal impact, recommends it be referred to the Rules Committee for prioritization:

- 1. Page 12, Lines 348 through 354:

348 ~~[(11)-(a)] (k) subject to Subsection (3), 50% of [the dividends deemed]~~ a dividend

349 ~~considered to be~~ received or received from ~~[subsidiaries which are members of the]~~ a

350 subsidiary that:

351 (i) is a member of ~~{-a-}~~ the unitary group ~~[and are];~~

352 (ii) is organized or incorporated outside of the United States ~~[unless such subsidiaries~~

353 ~~are]; and~~

354 (iii) is not included in a combined report under Section 59-7-402 or 59-7-403~~[-]; [It~~

- 2. Page 14, Lines 423 through 430:

423 (3) (a) For purposes of calculating the subtraction provided for in Subsection (1)(k), a

424 taxpayer shall first subtract from a dividend considered to be received or received an expense

425 directly attributable to that dividend ~~{-as determined under Subsection (3)(b) }~~ .

426 (b) For purposes of Subsection (3)(a), the amount of an  
interest expense that is considered to be directly attributable to

427 a dividend is calculated by multiplying the interest expense by a  
fraction:

428 (i) the numerator of which is the taxpayer's average investment  
in the dividend paying

429 subsidiaries; and

430 (ii) the denominator of which is the taxpayer's average total  
investment in assets. ; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 30**, LOCAL OPTION SALES AND USE TAXES FOR TRANSPORTATION ACT, by Senator W. Niederhauser; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 28**, AMENDMENTS TO INDIVIDUAL INCOME TAX RETURN FILING REQUIREMENTS, by Senator J. S. Adams, recommended it be placed on the Consent Calendar, but, due to fiscal impact, recommends it be referred to the Rules Committee for prioritization.

Todd E. Kiser, Chair

Reports filed. On motion of Representative Froerer, the reports of the Revenue and Taxation committee were adopted.

**S.B. 23**, as amended, and **S.B. 28** read the second time by short title and referred to the Rules Committee due to fiscal impact.

**S.B. 30** read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker:

February 1, 2010

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.B. 18**, UNEMPLOYMENT INSURANCE AMENDMENTS, by Representative S. Mascaro, et al, with the following amendments:

1. Page 6, Line 173: After “2011.” delete “2012, and 2013.” and insert “and annually thereafter.”

Steven R. Mascaro, Chair

Report filed. On motion of Representative Mascaro, the report of the Workforce Services and Community and Economic Development committee was adopted.

**H.B. 18**, as amended, read the second time by short title and placed on the Third Reading Calendar.

**COMMUNICATION FROM THE SENATE**

Mr. Speaker: February 1, 2010  
The Senate passed, as amended, **S.B. 32**, RAINWATER HARVESTING, by Senator S. Jenkins, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. **S.B. 32** read the first time by short title and referred to the Rules Committee.

**RULES COMMITTEE REPORT**

Mr. Speaker: February 1, 2010  
The Rules Committee recommends the following bills and resolutions be assigned to standing committees:

**EDUCATION**

- H.B. 105** Public School Employee Auditory Protection Requirements (Rep. L. Black)
- 1st Sub. S.B. 95** Utah Educational Savings Plan Amendments (Sen. W. Niederhauser)

**GOVERNMENT OPERATIONS**

- H.B. 262** Reporting to Appropriation Committees (Rep. R. Bigelow)

**JUDICIARY**

- H.B. 112** Supreme Court Review of an Initiative or Referendum (Rep. B. Dee)
- H.B. 251** Admission of Affidavits into Evidence (Rep. R. Lockhart)
- S.B. 91** Prosecutor Appeals (Sen. D. Liljenquist)

**LAW ENFORCEMENT AND CRIMINAL JUSTICE**

- H.B. 110** County Jail Inmate Medical Costs (Rep. B. Daw)  
**S.B. 83** Bail Bond Recovery Amendments (Sen. J. Greiner)

**NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT**

- H.B. 108** Meat Inspection Amendments (Rep. J. Mathis)  
**H.B. 240** Department of Natural Resources Amendments  
 (Rep. J. Draxler)

**TRANSPORTATION**

- H.B. 100** Heber Valley Historic Railroad Authority  
 (Rep. K. Powell)  
**H.B. 238** Low Speed Vehicle Amendments (Rep. J. Anderson)  
**S.B. 82** Passenger Ropeway Systems Act Amendments  
 (Sen. A. Christensen)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

**THIRD READING CALENDAR**

**H.B. 21**, EXPUNGEMENT REVISIONS, *Julie Fisher*, read the third time by short title and placed on its final passage. Representative Oda commented.

**H.B. 21**, as amended, passed on the following roll call:

**Yeas, 74; Nays, 0; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Agaard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda

Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wright	D. Clark		

**Absent or not voting was:** Representative  
Wimmer

**H.B. 21**, as amended, transmitted to the Senate for its consideration.

### **MISCELLANEOUS BUSINESS**

**H.B. 81**, previously held for possible reconsideration, was transmitted to the Senate for its consideration.

On motion of Representative Garn, and at 11:50 a.m., the House voted to adjourn until February 2, 2010, at 10:00 a.m.

# NINTH DAY

\* \* \*

## MORNING SESSION

The House was called to order by Speaker Clark at 10:00 a.m.

Roll call showed all members present except Representative Don Ipson, excused.

Prayer offered by John Q. Winder, President of the Utah West Jordan Stake of the L.D.S. Church and Pledge of Allegiance led by Councilman Clive Killpack, West Jordan City Council. Both are guests of Representative Wayne Harper.

### INTRODUCTION OF BILLS

**H.B. 126, State Construction Registry Amendments** (R. C. Webb), read the first time by short title and referred to the Rules Committee.

**H.B. 127, Reproductive Health Education Amendments** (L. Hemingway), read the first time by short title and referred to the Rules Committee.

**H.B. 128, Antidiscrimination Study Related to Employment and Housing** (C. Johnson), read the first time by short title and referred to the Rules Committee.

**H.B. 129, Amendments to Education Financing** (M. Newbold), read the first time by short title and referred to the Rules Committee.

**H.B. 272, Construction Trades Licensing Act Amendments** (B. King), read the first time by short title and referred to the Rules Committee.

**H.B. 273, Utah International Trade Commission Amendments** (E. Hutchings), read the first time by short title and referred to the Rules Committee.

**H.B. 274, Statutory Construction Compliance Amendments** (R. Lockhart), read the first time by short title and referred to the Rules Committee.

**H.B. 275, Division of Real Estate Amendments** (G. Froerer), read the first time by short title and referred to the Rules Committee.

**H.B. 276, Sex Offender Registry Amendment** (P. Ray), read the first time by short title and referred to the Rules Committee.

**H.B. 277, Overdose Reporting Amendments** (C. Johnson), read the first time by short title and referred to the Rules Committee.

**H.B. 278, Government Records Access and Management Act Amendments** (C. Herrod), read the first time by short title and referred to the Rules Committee.

**H.B. 279, County Recorder Amendments** (R. C. Webb), read the first time by short title and referred to the Rules Committee.

**H.B. 280, Real Property – Notice of Transfer Fees** (R. Lockhart), read the first time by short title and referred to the Rules Committee.

**H.B. 281, Medicaid Family Planning Waiver** (J. Seelig), read the first time by short title and referred to the Rules Committee.

**H.B. 282, Local Government Amendments** (S. Sandstrom), read the first time by short title and referred to the Rules Committee.

**H.B. 283, Fees and Assessment Levies in Local and Special Service Districts** (J. Mathis), read the first time by short title and referred to the Rules Committee.

**H.J.R. 6, Strangulation and Domestic Violence Joint Resolution** (J. Seelig), read the first time by short title and referred to the Rules Committee.

**H.J.R. 16, Joint Resolution Supporting Kane County Expansion of Correctional Facilities** (M. Noel), read the first time by short title and referred to the Rules Committee.

**H.J.R. 17, Joint Rules Resolution for Fiscal Notes on Criminal Penalty Bills** (K. Sumsion), read the first time by short title and referred to the Rules Committee.

**H.J.R. 18, Joint Resolution Urging Ratification of the Comprehensive Nuclear Test Ban Treaty** (J. Seelig), read the first time by short title and referred to the Rules Committee.

**H.J.R. 19, Joint Resolution Approving Reappointment of Legislative Auditor General** (D. Clark), read the first time by short title and referred to the Rules Committee.

**H.R. 4, Resolution Urging Ratification of the Comprehensive Nuclear Test Ban Treaty** (J. Seelig), read the first time by short title and referred to the Rules Committee.

**H.R. 5, Strangulation and Domestic Violence Resolution** (J. Seelig), read the first time by short title and referred to the Rules Committee.

### CONSENT CALENDAR

**H.B. 95, CERTIFICATION OF VOTING EQUIPMENT MODIFICATIONS, *Agard***, read the third time by short title and placed on its final passage.

**H.B. 95** passed on the following roll call:

**Yeas, 68; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	F Gibson	K Gibson	Gowans
Greenwood	Grover	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Watkins	Webb	Wheatley
Wilcox	Wiley	Wright	D. Clark

**Absent or not voting were:** Representatives

Dunnigan	Garn	Hansen	Ipson
Johnson	Wallis	Wimmer	

**H.B. 95** transmitted to the Senate for its consideration.

### THIRD READING CALENDAR

**H.B. 47, BOARD OF PARDONS AND PAROLE TECHNICAL AMENDMENTS, *Hutchings***, read the third time by short title and placed on its final passage. Representatives Hemingway commented.

**H.B. 47** passed on the following roll call:



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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wright	D. Clark

**Absent or not voting were:** Representatives

Hansen	Ipson	Wimmer
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**H.B. 47** transmitted to the Senate for its consideration.

**UNFINISHED BUSINESS**

On motion of Representative Allen, the House voted to uncircle **H.B. 74**.

**H.B. 74**, ADOPTION AND CHILD CUSTODY AMENDMENTS, *Allen*, was before the House on its final passage.

Representative Allen proposed the following amendment:

1. Page 1, Lines 10 through 13

10 This bill amends adoption and child custody provisions in the portion of the Utah Code

11 relating to divorce, ~~{the portion of the Utah Code relating to visitation for persons other~~

12 ~~than a parent,}~~ the Utah Human Services Code, the Utah Adoption Act, and the Utah

- 13 Uniform Parentage Act.
2. Page 1, Line 20:  
 20 { ~~→ amends provisions relating to custody and visitation for persons other than a parent; -~~ }
3. Page 2, Lines 45 through 46:  
 45 { ~~30-5a-102, as enacted by Laws of Utah 2008, Chapter 272~~  
 46 ~~30-5a-103, as enacted by Laws of Utah 2008, Chapter 272 -~~ }
4. Page 5, Line 124 through Page 7, Line 208:  
 Delete lines 124 through 208
- Renumber remaining sections accordingly
5. Page 8, Lines 217 through 219:  
 217 (2) { ~~The~~ } Except as required under the Indian Child Welfare Act, 25 U.S.C. Secs. 1901-1963, the division may not base its decision for placement of ~~[those]~~ adoptable children  
 218 ~~[solely]~~ on the race, color, ethnicity, or ~~[cultural heritage]~~ national origin of either the child or  
 219 the prospective adoptive parents.

Representative Allen's motion to amend passed on a voice vote. Representative Fowlke commented.

**H.B. 74**, as amended, passed on the following roll call:

**Yeas, 54; Nays, 18; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bird	Biskupski	Black	Brown
Chavez-Houck	S. Clark	Cosgrove	Daw
Dougall	Draxler	Dunnigan	Edwards
Ferry	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Hansen	Harper
Hemingway	Hendrickson	Hunsaker	Hutchings
Johnson	Kiser	Litvack	Lockhart
Mascaro	McIff	Menlove	Moss
Newbold	Noel	Painter	Poulson

Ray	Riesen	Seegmiller	Seelig
Vickers	Wallis	Webb	Wiley
Wright	D. Clark		

**Voting in the negative were:** Representatives

Anderson	Dee	S Duckworth	Janice Fisher
Grover	Herrod	King	Last
Mathis	Morley	Oda	Powell
Sandstrom	Sumsion	Watkins	Wheatley
Wilcox	Wimmer		

**Absent or not voting were:** Representatives

Bigelow	Hughes	Ipson
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**H.B. 74**, as amended, transmitted to the Senate for its consideration.

**THIRD READING CALENDAR**

**H.B. 19**, POST CONVICTION REMEDIES AMENDMENTS, *McIff*, read the third time by short title and placed on its final passage. Representatives Beck and Allen commented.

**H.B. 19** passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Bigelow	K Gibson	Hughes	Ipson
Mascaro	Sumsion		

**H.B. 19** transmitted to the Senate for its consideration.

**COMMITTEE OF THE WHOLE**

On motion of Representative Garn, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from Reverend France Davis, Calvary Baptist Church.

On motion of Representative Garn, the Committee of the Whole was dissolved.

**SPECIAL ORDER OF BUSINESS**

**H.R. 1**, HEALTHY FAMILY PARTNERSHIP HOUSE RESOLUTION, *Oda*, read the third time by short title and placed on its final passage.

**H.R. 1** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Allen	Anderson	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives  
Aagard Ipson

**H.R. 1** was signed by the Speaker and referred to staff for enrolling and transmission to the Lt. Governor.

**THIRD READING CALENDAR**

**H.B. 22**, INMATE HEALTH INSURANCE AMENDMENTS, *Ray*, read the third time by short title and placed on its final passage. Representatives Draxler, Beck, and Dunnigan commented.

Representative Litvack proposed the following amendment:

- 1. Page 1, Line 23a  
House Committee Amendments 1–28–2010  
23a • an inmate housed in a county jail. ←<sup>^</sup>H  
▶ provides that the insurers may use existing out-of-network rates in making payments;
- 2. Page 4, Line 108a  
House Committee Amendments 1–28–2010:  
108a (iii) inmate housed in a county jail. ←<sup>^</sup>H  
(3) The health or dental insurer under Subsection (2) may use out-of-network rates in existing applicable health plans when paying benefits under this section.

Representative King commented. Representative Litvack’s motion to amend passed on a voice vote.

Representatives Bird, Dougall, Greenwood, Hutchings, King, Kiser, Aagard, Lockhart, and Oda commented.

**H.B. 22**, as amended, failed on the following roll call:

**Yeas, 30; Nays, 44; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Beck	Biskupski
Black	Chavez–Houck	Cosgrove	Daw
Dee	Draxler	Edwards	Julie Fisher
Fowlke	Greenwood	Hemingway	Hutchings
Johnson	King	Litvack	Mascaro

Moss	Noel	Poulson	Ray
Riesen	Seegmiller	Seelig	Vickers
Wheatley	Wiley		

**Voting in the negative were:** Representatives

Anderson	Barrus	Bigelow	Bird
Brown	S. Clark	Dougall	S Duckworth
Dunnigan	Ferry	Janice Fisher	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Grover	Hansen	Harper
Hendrickson	Herrod	Hughes	Hunsaker
Kiser	Last	Lockhart	Mathis
McIff	Menlove	Morley	Newbold
Oda	Painter	Powell	Sandstrom
Sumsion	Wallis	Watkins	Webb
Wilcox	Wimmer	Wright	D. Clark

**Absent or not voting was:** Representative  
Ipson

**H.B. 22** was filed.

**THIRD READING CALENDAR**

**H.B. 30**, DRUG LAW AMENDMENTS, *Beck*, read the third time by short title and placed on its final passage.

**H.B. 30** passed on the following roll call:

**Yeas, 55; Nays, 6; Absent or not voting, 14.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Black	Brown
Chavez-Houck	S. Clark	Cosgrove	Daw
Dee	Draxler	S Duckworth	Dunnigan
Edwards	Janice Fisher	Fowlke	Frank
Froerer	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Herrod	Hunsaker	Hutchings	Johnson
King	Kiser	Litvack	Lockhart
Mascaro	Mathis	McIff	Moss
Oda	Poulson	Powell	Ray

Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wright	

**Voting in the negative were:** Representatives

Bigelow	F Gibson	Last	Newbold
Wilcox	D. Clark		

**Absent or not voting were:** Representatives

Biskupski	Dougall	Ferry	Julie Fisher
Garn	Hendrickson	Hughes	Ipson
Menlove	Morley	Noel	Painter
Wiley	Wimmer		

**H.B. 30** transmitted to the Senate for its consideration.

**REPORTS OF STANDING COMMITTEES**

Mr. Speaker: February 1, 2010

The Ethics Committee reports a favorable recommendation on **H.J.R. 14**, JOINT RULES RESOLUTION ON FINANCIAL DISCLOSURES, by Representative G. Hughes; and

The Ethics Committee reports a favorable recommendation on **H.J.R. 15**, JOINT RESOLUTION ON LEGISLATIVE ETHICS COMMISSION, by Representative D. Clark; and

The Ethics Committee reports a favorable recommendation on **H.B. 267**, LOBBYIST DISCLOSURE AND REGULATION ACT AMENDMENTS, by Representative K. Garn; and

The Ethics Committee reports a favorable recommendation on **H.B. 270**, FINANCIAL DISCLOSURE AND CONFLICT OF INTEREST AMENDMENTS, by Representative G. Hughes; and

The Ethics Committee reports a favorable recommendation on **H.B. 124**, CAMPAIGN FUNDS EXPENDITURE RESTRICTIONS, by Representative T. Cosgrove, with the following amendments:

1. Page 12, Line 341:  
341 (xiv) a charitable donation, except as provided by  
{ Subsection } Subsections (2)(i) or (j)(i) :
2. Page 12, Line 346:

- 346 (xviii) a membership fee for a professional or service organization except as provided by Subsection (2)(k) ; and
3. Page 12, Lines 367 through 368:
- 367 (vii) a gift; {~~or~~ }
- 368 (viii) an office supply or furnishing; or  
(ix) educational material;
4. Page 13, Lines 369 through 371:
- 369 (h) to purchase or mail informational material, a survey, or a greeting card; {~~and~~ }
- 370 (i) for admission to or attendance at an event, the primary purpose of which is
- 371 charitable solicitation, as defined in Section 13-22-2 {~~1~~ } ;  
(j) sponsorship of an event, the primary purpose of which is;  
(i) charitable solicitation, as defined in Section 13-22-2; or  
(ii) to solicit a contribution reportable under:  
(A) Title 20A, Chapter 11, Campaign and Financial Reporting Requirements;  
(B) Title 20A, Chapter 12, Selection and Election of Judges; or  
(C) 2 U.S.C. Sec. 434; and  
(k) to pay membership dues to a national organization of public office holders.
5. Page 13, Lines 372 through 374:
- 372 (3) (a) The lieutenant governor shall enforce this section by:
- 373 (i) {~~inspecting and~~ } evaluating a financial statement to identify a personal use
- 374 expenditure;

John Dougall, Chair

Reports filed. On motion of Representative Litvack, the reports of the Ethics committee were adopted.

**H.J.R. 14, H.J.R. 15, H.B. 267, H.B. 270, and H.B. 124**, as amended, read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker:

February 2, 2010

The Business and Labor Committee reports a favorable recommendation on **H.J.R. 11**, JOINT RESOLUTION REGARDING FEDERAL HEALTH INSURANCE REFORM, by Representative M. Morley; and



The Business and Labor Committee reports a favorable recommendation on **H.B. 193**, OCCUPATIONS AND PROFESSIONS AMENDMENTS, by Representative R. Lockhart, with the following amendments:

1. Page 2, Lines 54 through 56:

54 (b) to all convictions, pleas of nolo contendere, pleas of guilty or  
nolo contendere held

55 in abeyance, all dismissed charges { ~~resulting from~~  
~~completion of a plea in abeyance~~ } and charges

56 without a known disposition.

James A. Dunnigan, Chair

Reports filed. On motion of Representative Painter, the reports of the Business and Labor committee were adopted.

**H.J.R. 11** and **H.B. 193**, as amended, read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker:

February 2, 2010

The Education Committee reports a favorable recommendation on **S.B. 16**, UTAH PERFORMANCE ASSESSMENT SYSTEM FOR STUDENTS (U-PASS) AMENDMENTS, by Senator H. Stephenson, and, due to fiscal impact, recommends it be referred to the Rules Committee for prioritization.

Gregory H. Hughes, Chair

Report filed. On motion of Representative Sumsion, the report of the Education committee was adopted.

**S.B. 16** read the second time by short title and referred to the Rules Committee due to fiscal impact.

\* \* \*

Mr. Speaker:

February 2, 2010

The Health and Human Services Committee recommends **H.B. 67**, HEALTH SYSTEM AMENDMENTS, by Representative C. Wimmer, be replaced and favorably recommends **1st Sub. H.B. 67**, HEALTH SYSTEM AMENDMENTS; and

The Health and Human Services Committee recommends **H.B. 71**, NICOTINE PRODUCT RESTRICTIONS, by Representative P. Ray, be replaced

and favorably recommends **2nd Sub. H.B. 71**, NICOTINE PRODUCT RESTRICTIONS; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 239**, CHILD PROTECTION REVISIONS, by Representative W. Harper, with the following amendments:

1. Page 7, Lines 196 through 198:

196 (ii) {~~—~~} The {~~—~~} {~~Unless the time for the~~  
~~provision of reunification services is extended under~~

197 Subsection 78A-6-314(8), a } permanency hearing shall be  
 held no later than 12 months after the

198 original removal of the minor. ; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 232**, MEDICAL LANGUAGE INTERPRETER AMENDMENTS, by Representative R. Chavez-Houck, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 7, Lines 205 through 207:

205 (10) conviction of a felony or any other crime which is  
considered by the {~~board~~} division to

206 represent activity detrimental to the public interest as that interest is  
reflected in the person

207 continuing to practice as a certified medical language interpreter.

Paul Ray, Chair

Reports filed. On motion of Representative Menlove, the reports of the Health and Human Services committee were adopted.

**1st Sub. H.B. 67**, **2nd Sub. H.B. 71**, and **H.B. 239**, as amended, read the second time by short title and placed on the Third Reading Calendar.

**H.B. 232**, as amended, read the second time by short title and placed on the Consent Calendar.

#### COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

February 2, 2010

The Senate passed **S.B. 1**, STATE AGENCY AND HIGHER EDUCATION BASE BUDGET, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed **S.B. 17**, UNIFORM COMMERCIAL DRIVER LICENSE ACT AMENDMENTS, by Senator K. Van Tassell, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **1st Sub. S.B. 24**, LAND EXCHANGE DISTRIBUTION ACCOUNT AMENDMENTS, by Senator D. Stowell, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 36**, WOLF MANAGEMENT, by Senator A. Christensen, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 93**, GUBERNATORIAL APPOINTMENT POWERS AMENDMENTS, by Senator C. Bramble, and it is transmitted for consideration; and

The Senate passed **S.B. 100**, INCOME TAX CREDIT OR REFUND AMENDMENTS, by Senator C. Bramble, and it is transmitted for consideration.

Annette B. Moore

Secretary of the Senate

Communications filed. **S.B. 1**, **S.B. 17**, **1st Sub. S.B. 24**, **1st Sub. S.B. 36**, **S.B. 93**, and **S.B. 100** read the first time by short title and referred to the Rules Committee.

### MISCELLANEOUS BUSINESS

On motion of Representative Menlove, the House voted to move **H.B. 88** from tomorrow's Consent Calendar to Thursday's Consent Calendar.

### MISCELLANEOUS BUSINESS

On motion of Representative Garn, the House voted to move **H.J.R. 14**, **H.B. 270**, **H.B. 267**, **H.J.R. 15**, and **H.B. 124** to the top of the Third Reading Calendar.

### THIRD READING CALENDAR

**H.J.R. 14**, JOINT RULES RESOLUTION ON FINANCIAL DISCLOSURES, *Hughes*, read the third time by short title and placed on its final passage.

On motion of Representative Hughes, the House voted to circle **H.J.R. 14**.

\* \* \*

**H.B. 270**, FINANCIAL DISCLOSURE AND CONFLICT OF INTEREST AMENDMENTS, *Hughes*, read the third time by short title and placed on its final passage.

On motion of Representative Hughes, the House voted to circle **H.B. 270**.

\* \* \*

**H.B. 267**, LOBBYIST DISCLOSURE AND REGULATION ACT AMENDMENTS, *Garn*, read the third time by short title and placed on its final passage.

On motion of Representative Garn, the House voted to circle **H.B. 267**.

\* \* \*

**H.J.R. 15**, JOINT RESOLUTION ON LEGISLATIVE ETHICS COMMISSION, *D. Clark*, read the third time by short title and placed on its final passage.

On motion of Representative Garn, the House voted to circle **H.J.R. 15**.

\* \* \*

**H.B. 124**, CAMPAIGN FUNDS EXPENDITURE RESTRICTIONS, *Cosgrove*, read the third time by short title and placed on its final passage.

On motion of Representative Cosgrove, the House voted to circle **H.B. 124**.

### **RULES COMMITTEE REPORT**

Mr. Speaker: February 2, 2010  
The Rules Committee recommends that **H.B. 191**, Reporting by Deferred Deposit Lenders (Rep. L. Black), be lifted from the Revenue and Taxation Standing Committee and assigned to the Business and Labor Standing Committee.

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

### **RULES COMMITTEE REPORT**

Mr. Speaker: February 2, 2010  
The Rules Committee recommends the following bills and resolutions be assigned to standing committees:

**BUSINESS AND LABOR**

- H.B. 118** Economic Development Incentives Modifications  
(Rep. W. Harper)
- S.B. 37** Impact Fee Revisions (Sen. W. Niederhauser)
- H.B. 66** Prosthetic Limb Health Insurance Parity  
(Rep. D. Litvack)

**EDUCATION**

- H.B. 246** Retirement Benefits for Charter School Employees  
(Rep. C. Watkins)
- H.J.R. 3** Joint Resolution on Teacher Performance Pay  
(Rep. M. Poulson)

**GOVERNMENT OPERATIONS**

- H.B. 101** Anesthesiologist Assistants (Rep. J. Fisher)
- H.B. 254** Voter Identification Amendments (Rep. B. Daw)
- H.B. 258** Voting Precinct Boundaries (Rep. K. Sumsion)
- H.B. 273** Utah International Trade Commission Amendments  
(Rep. E. Hutchings)
- H.C.R. 2** Concurrent Resolution on States' Rights (Rep. J. Fisher)

**HEALTH AND HUMAN SERVICES**

- H.B. 257** Dietitian Certification Act Amendments  
(Rep. M. Newbold)

**NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT**

- H.B. 102** Agriculture Sustainability Act (Rep. J. Draxler)
- 1st Sub. S.B. 97** Farmland Assessment Act Amendments  
(Sen. D. Hinkins)

**POLITICAL SUBDIVISIONS**

- S.B. 84** Special Service District Amendments (Sen. D. Hinkins)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

**MISCELLANEOUS BUSINESS**

On motion of Representative Garn, and at 12:05 p.m., the House voted to adjourn until February 3, 2010, at 10:00 a.m.



# TENTH DAY

\* \* \*

## MORNING SESSION

The House was called to order by Speaker Pro Tem Hughes at 10:10 a.m.

Roll call showed all members present except Representative Ronda Menlove, excused.

Prayer offered by Stephanie Aagard, Representative Douglas Aagard's daughter. Pledge of Allegiance led by Representative Aagard's son Matt Aagard.

### INTRODUCTION OF BILLS

**H.B. 130, Cancer Research Special Group License Plate** (B. Dee), read the first time by short title and referred to the Rules Committee.

**H.B. 186, Controlled Substance Database Revisions** (R. Menlove), read the first time by short title and referred to the Rules Committee.

**H.B. 187, Peace Officer Standards and Training Amendments** (C. Wimmer), read the first time by short title and referred to the Rules Committee.

**H.B. 284, Uniform Collaborative Law Act** (L. Fowlke), read the first time by short title and referred to the Rules Committee.

**H.B. 285, Practice of Veterinary Medicine** (J. Mathis), read the first time by short title and referred to the Rules Committee.

**H.B. 286, Retirement System Divestment** (Julie Fisher), read the first time by short title and referred to the Rules Committee.

**H.B. 287, Legislator Salary Amendments** (D. Litvack), read the first time by short title and referred to the Rules Committee.

**H.B. 288, Daylight Saving Time** (K. Sumsion), read the first time by short title and referred to the Rules Committee.

**H.B. 289, Judicial Nominating Commission Amendments** (C. Oda), read the first time by short title and referred to the Rules Committee.

**H.J.R. 20, Green Schools Joint Resolution** (M. Wheatley), read the first time by short title and referred to the Rules Committee.

### CONSENT CALENDAR

**H.B. 20, AMENDMENTS TO HEALTH INSURANCE COVERAGE IN STATE CONTRACTS, *Dunnigan***, read the third time by short title and placed on its final passage.

**H.B. 20**, as amended, passed on the following roll call:

**Yeas, 68; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Frank	Froerer
Garn	F Gibson	K Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	King	Kiser
Last	Lockhart	Mascaro	Mathis
McIff	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright

**Absent or not voting were:** Representatives

S. Clark	Fowlke	Gowans	Johnson
Litvack	Menlove	D. Clark	

**H.B. 20**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.B. 89, LICENSE FOR CONTROLLED SUBSTANCES AMENDMENTS, *Morley***, read the third time by short title and placed on its final passage.



**H.B. 89** passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright		

**Absent or not voting were:** Representatives

S. Clark	Garn	Menlove	Sumsion
D. Clark			

**H.B. 89** transmitted to the Senate for its consideration.

**MISCELLANEOUS BUSINESS**

On motion of Representative Newbold, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

**UNFINISHED BUSINESS**

On motion of Representative Newbold, the House voted to uncircle **H.B. 1**.

**H.B. 1**, MINIMUM SCHOOL PROGRAM BASE BUDGET, *Newbold*, was before the House on its final passage.

On motion of Representative Newbold, the House voted to delete **H.B. 1** in title and body and insert **1st Sub. H.B. 1** in lieu thereof.

Representatives Litvack, Allen, Mascaro, King, Moss, and F. Gibson commented.

**1st Sub. H.B. 1** passed on the following roll call:

**Yeas, 55; Nays, 18; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Barrus	Bigelow
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Greenwood
Grover	Harper	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Kiser
Last	Litvack	Lockhart	Mathis
McIff	Morley	Moss	Newbold
Noel	Oda	Painter	Powell
Ray	Sandstrom	Seelig	Sumsion
Vickers	Wallis	Webb	Wilcox
Wimmer	Wright	D. Clark	

**Voting in the negative were:** Representatives

Allen	Beck	Bird	Biskupski
Black	S Duckworth	Hansen	Hemingway
Hendrickson	Johnson	King	Mascaro
Poulson	Riesen	Seegmiller	Watkins
Wheatley	Wiley		

**Absent or not voting were:** Representatives

Gowans	Menlove
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**1st Sub. H.B. 1**, as amended, transmitted to the Senate for its consideration.

### MISCELLANEOUS BUSINESS

On motion of Representative Lockhart, the House voted to move to the Senate Third Reading Calendar.

### THIRD READING CALENDAR

**S.B. 14**, BUILDING AND CONSTRUCTION PROJECTS – TECHNICAL CORRECTIONS, *Herrod*, read the third time by short title and placed on its final passage.

On motion of Representative Morley, the House voted to circle **S.B. 14**.

**MISCELLANEOUS BUSINESS**

On motion of Representative Bigelow, under suspension of the rules, the House voted to lift **S.B. 1, STATE AGENCY AND HIGHER EDUCATION BASE BUDGET**, from the Rules Committee, consider it read the second time by short title and placed at the top of the Third Reading Calendar.

**THIRD READING CALENDAR**

**S.B. 1, STATE AGENCY AND HIGHER EDUCATION BASE BUDGET**, *Bigelow*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

**S.B. 1** passed on the following roll call:

**Yeas, 64; Nays, 5; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	F Gibson	K Gibson	Greenwood
Grover	Harper	Hemingway	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	Kiser	Last	Litvack
Mathis	McIff	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Sandstrom
Seegmiller	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Voting in the negative were:** Representatives

Chavez–Houck	Hansen	Hendrickson	King
Riesen			

**Absent or not voting were:** Representatives

Garn	Gowans	Lockhart	Mascaro
Menlove	Seelig		

**S.B. 1** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 25**, STATE HIGHWAY SYSTEM MODIFICATIONS, *Julie Fisher*, read the third time by short title and placed on its final passage.

**S.B. 25** passed on the following roll call:

**Yeas, 68; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	F Gibson	K Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Last	Litvack	Mascaro	Mathis
McIff	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright

**Absent or not voting were:** Representatives

Dee	Garn	Gowans	Kiser
Lockhart	Menlove	D. Clark	

**S.B. 25** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 30**, LOCAL OPTION SALES AND USE TAXES FOR TRANSPORTATION ACT, *Webb*, read the third time by short title and placed on its final passage.

On motion of Representative Webb, the House voted to circle **S.B. 30**.

**THIRD READING CALENDAR**

**H.B. 37**, CRIMINAL BACKGROUND CHECKS ON MOTOR VEHICLE DEALERS AND SALESPERSONS, *Lockhart*, read the third time by short title and placed on its final passage.

On motion of Representative Morley, the House voted to circle **H.B. 37**.

\* \* \*

**H.B. 63**, TIRE RECYCLING FEE MODIFICATION, *Hendrickson*, read the third time by short title and placed on its final passage.

On motion of Representative Hendrickson, the House voted to circle **H.B. 63**.

\* \* \*

**H.B. 211**, IMPROVEMENT DISTRICT BOARD MEMBERSHIP, *Powell*, read the third time by short title and placed on its final passage.

On motion of Representative Newbold, the House voted to circle **H.B. 211**.

\* \* \*

**H.J.R. 2**, JOINT RESOLUTION ON PROPERTY TAX EXEMPTION FOR WATER FACILITIES, *Painter*, read the third time by short title and placed on its final passage.

On motion of Representative Painter, the House voted to circle **H.J.R. 2**.

\* \* \*

**H.B. 54**, PROPERTY TAX EXEMPTION FOR WATER FACILITIES, *Painter*, read the third time by short title and placed on its final passage.

On motion of Representative Painter, the House voted to circle **H.B. 54**.

**UNFINISHED BUSINESS**

On motion of Representative Powell, the House voted to uncircle **H.B. 211**.

**H.B. 211**, IMPROVEMENT DISTRICT BOARD MEMBERSHIP, *Powell*, was before the House on its final passage.

**H.B. 211**, as amended, passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	F Gibson	K Gibson
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Mascaro	Mathis	McIff	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright		

**Absent or not voting were:** Representatives

Garn	Gowans	Lockhart	Menlove
D. Clark			

**H.B. 211**, as amended, transmitted to the Senate for its consideration.

**THIRD READING CALENDAR**

**1st Sub. H.B. 75**, ASSESSMENT AREA AMENDMENTS, *Froerer*, read the third time by short title and placed on its final passage.

Representative Froerer proposed the following amendment:

1. Page 9, Line 265 through Page 10, Line 275

265 (2) [~~(a) Each~~] (a) A local entity that adopts an assessment resolution or ordinance shall

266 give notice of the adoption by:

267 {~~(a)~~} (i) {~~—~~} (A) {~~—~~} publishing a copy of the resolution or ordinance, or a summary of the

268 resolution or ordinance, once in a newspaper of general circulation within the local entity's

269 jurisdictional boundaries; or

270 {~~+~~} (B) {~~+~~} {~~(ii)~~} if there is no newspaper of general circulation with the local entity's

271 jurisdictional boundaries as described in Subsection (2)(a)(i)[~~(A)~~], posting a copy of the

272 resolution or ordinance in at least three public places within the local entity's jurisdictional

273 boundaries for at least 21 days; and

274 {~~+~~} (ii) {~~+~~} {~~(b)~~} publishing, in accordance with Section 45-1-101, a copy of the resolution or

275 ordinance for at least 21 days.

2. Page 11, Lines 332 through 335:

332 (3) A local entity shall publish a report required in Subsection (2)(c) :

(a) on:

333 {~~(a)~~} (i) if available, the local entity's public web site; and

334 {~~(b)~~} (ii) if the local entity is not a county or municipality, on the public web site of any

335 county or municipality in which the local entity has jurisdiction {~~2~~} ;

(b)(i) within one year after the day on which the local entity adopts a new assessment resolution or ordinance for economic promotion activities; and

(ii) each subsequent year that the economic promotion activities levy is assessed by updating the information described in Subsection (2)(c); and

(c) for six months on a web site described in Subsection (3)(a) after the day on which the report is initially published under Subsection (3)(b) or updated under Subsection (3)(b)(ii).

Representative Froerer's motion to amend passed on a voice vote.

###

Representative Harper proposed the following amendment:

1. Page 7, Lines 202 through 204

202 (7) ~~{-An-}~~ (a) Subject to Subsection (7)(b), an  
assessment levied to pay for operation and maintenance costs may not be  
levied

203 over a period of time exceeding ~~{-the reasonable useful life of~~  
~~the facilities to be maintained by~~

204 ~~the levy-}~~ five years beginning on the day on which the local  
entity adopts the assessment ordinance or assessment resolution for the  
operation and maintenance costs assessment .

(b) A local entity may levy an additional assessment  
described in Subsection (7)(a) in the assessment area designated for the  
assessment described in Subsection (7)(a) if, after the five-year period  
expires, the local entity complies with the provisions of this part.

2. Page 9, Line 254:

254 (I) subject to Section 11-42-401, operation and  
maintenance costs; or

Representative Harper’s motion to amend passed on a voice vote.

**1st Sub. H.B. 75**, as amended, passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez-Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	F Gibson	K Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig



Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright			

**Absent or not voting were:** Representatives

Dunnigan	Garn	Gowans	Menlove
Sumsion	D. Clark		

**1st Sub. H.B. 75**, as amended, transmitted to the Senate for its consideration.

**UNFINISHED BUSINESS**

On motion of Representative Lockhart, the House voted to uncircle **H.B. 37**.

**H.B. 37**, CRIMINAL BACKGROUND CHECKS ON MOTOR VEHICLE DEALERS AND SALESPERSONS, *Lockhart*, was before the House on its final passage. Representatives Dougall and Mascaro commented.

**H.B. 37**, as amended, passed on the following roll call:

**Yeas, 54; Nays, 17; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Draxler	S Duckworth	Dunnigan
Ferry	Janice Fisher	Fowlke	Frank
Froerer	Garn	K Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	Kiser
Last	Litvack	Lockhart	McIff
Moss	Newbold	Noel	Oda
Powell	Ray	Riesen	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wiley		

**Voting in the negative were:** Representatives

Anderson	Dee	Dougall	Edwards
Julie Fisher	F Gibson	King	Mascaro
Mathis	Morley	Painter	Poulson
Sandstrom	Seegmiller	Wheatley	Wilcox
Wright			

**Absent or not voting were:** Representatives

Gowans

Menlove

Wimmer

D. Clark

**H.B. 37**, as amended, transmitted to the Senate for its consideration.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker:

February 2, 2010

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 197**, CUSTODIAL INTERFERENCE AMENDMENTS, by Representative C. Wimmer, with the following amendments:

1. Page 1, Lines 25 through 26:

25       ►       creates                    {~~an~~}                   affirmative  
       {~~defense~~}       defenses       to the crime of custodial interference.

26   Monies Appropriated in this Bill:

2. Page 3, Lines 59 through 61:

59       (4) In addition to the affirmative defenses described in Section 76-5-305, it is an

60 affirmative defense to the crime of custodial interference that ;  
       (a)   the action { was } is consented to by

61 the person whose custody or visitation of the child was interfered with {~~r~~} ; or

      (b) (i) the action is based on a reasonable belief that the action is necessary to protect a child from abuse, including sexual abuse; and  
       (ii) before engaging in the action, the person reports the person's intention to engage in the action, and the basis for the belief described in Subsection (4)(b)(i), to the Division of Child and Family Services or law enforcement. ; and

The Law Enforcement and Criminal Justice Committee recommends **H.B. 207**, PROTECTION OF PROPERTY AMENDMENT, by Representative C. Wimmer, be replaced and favorably recommends **1st Sub. H.B. 207**, PROTECTION OF PROPERTY AMENDMENT; and

The Law Enforcement and Criminal Justice Committee recommends **H.B. 214**, CONCEALED FIREARM PERMIT MODIFICATIONS, by Representative R. Lockhart, be replaced and reports a favorable recommendation on **1st Sub. H.B. 214**, CONCEALED FIREARM PERMIT MODIFICATIONS with the following amendments:

## 1. Page 5, Line 141:

141 (c) The provisions of Subsections 76–10–504(1) and (2), and  
{~~Section 76–10–501~~} Section 76–10–505 do not; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 230**, HUMAN TRAFFICKING AMENDMENTS, by Representative Julie Fisher; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **S.B. 10**, CRIMINAL OFFENSE PENALTIES AMENDMENTS, by Senator J. Greiner, and, due to fiscal impact, recommends it be referred to the Rules Committee for prioritization.

Douglas C. Aagard, Chair

Reports filed. On motion of Representative Aagard, the reports of the Law Enforcement and Criminal Justice committee were adopted.

**H.B. 197**, as amended, **1st Sub. H.B. 207**, **1st Sub. H.B. 214**, as amended, and **H.B. 230** read the second time by short title and placed on the Third Reading Calendar.

**S.B. 10** read the second time by short title and returned to the Rules Committee due to fiscal impact.

\* \* \*

Mr. Speaker:

February 2, 2010

The Judiciary Committee reports a favorable recommendation on **H.B. 195**, HOMICIDE PENALTY AMENDMENT, by Representative C. Wimmer; and

The Judiciary Committee reports a favorable recommendation on **S.B. 78**, CONSTITUTIONAL REVISION COMMISSION DUTIES, by Senator J. Valentine; and

The Judiciary Committee reports a favorable recommendation on **S.B. 91**, PROSECUTOR APPEALS, by Senator D. Liljenquist, and, due to fiscal impact, recommends it be referred to the Rules Committee for prioritization; and

The Judiciary Committee reports a favorable recommendation on **H.B. 249**, EMANCIPATION AMENDMENTS, by Representative L. Fowlke, and recommends it be placed on the Consent Calendar; and

The Judiciary Committee reports a favorable recommendation on **S.B. 79**, FRAUDULENT TRANSFER AMENDMENTS, by Senator J. Valentine, and recommends it be placed on the Consent Calendar.

Lorie D. Fowlke, Chair

Reports filed. On motion of Representative Fowlke, the reports of the Judiciary committee were adopted.

**H.B. 195** and **S.B. 78** read the second time by short title and placed on the Third Reading Calendar.

**S.B. 91** read the second time by short title and returned to the Rules Committee due to fiscal impact.

**H.B. 249** and **S.B. 79** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker:

February 2, 2010

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 192**, RENEWABLE ENERGY – METHANE GAS, by Representative C. Watkins; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **1st Sub. S.J.R. 1**, ESCALANTE HERITAGE HOLE-IN-THE-ROCK CENTER JOINT RESOLUTION, by Senator D. Stowell.

Roger E. Barrus, Chair

Reports filed. On motion of Representative Noel, the reports of the Natural Resources, Agriculture, and Environment committee were adopted.

**H.B. 192** and **1st Sub. S.J.R. 1** read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker:

February 2, 2010

The Transportation Committee recommends **H.B. 100**, HEBER VALLEY HISTORIC RAILROAD AUTHORITY, by Representative K. Powell, be replaced and reports a favorable recommendation on **2nd Sub. H.B. 100**, HEBER VALLEY HISTORIC RAILROAD AUTHORITY with the following amendments:

- 1. Page 3, Lines 62 through 63:

62 (e) { ~~one member from the Board of Parks and Recreation,~~  
~~appointed by the Board of~~  
 63 ~~Parks and Recreation~~ } the executive director of Parks and  
Recreation, or the executive director's designee ; and

The Transportation Committee reports a favorable recommendation on **S.B. 82**, PASSENGER ROPEWAY SYSTEMS ACT AMENDMENTS, by Senator A. Christensen.

Bradley M. Daw, Chair

Reports filed. On motion of Representative Daw, the reports of the Transportation committee were adopted.

**2nd Sub. H.B. 100**, as amended, and **S.B. 82** read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker: February 2, 2010

The Government Operations Committee reports a favorable recommendation on **H.B. 262**, REPORTING TO APPROPRIATION COMMITTEES, by Representative R. Bigelow, and recommends it be placed on the Consent Calendar; and

The Government Operations Committee reports a favorable recommendation on **S.B. 18**, ELECTION MODIFICATIONS, by Senator P. Knudson, with the following amendments:

- 1. Page 2, Lines 28 through 31:

28 ► amends the provisions for being “legally entitled to  
 vote” by amending the time  
 29 period from “five business days” to { ~~“five days”~~ } the  
close of normal office hours on Monday for a voter to present valid  
 voter  
 30 identification to the county clerk after the election if the voter  
 presented  
 31 unsatisfactory voter identification to a poll worker when voting;

- 2. Page 25, Lines 754 through 755:

754 (iii) notify the voter that the voter will have { ~~five~~  
~~days~~ } until the close of normal office hours on Monday after the  
 day of the election to

755 present valid voter identification;

3. Page 26, Lines 800 through 801:

800 (ii) The poll worker shall notify a voter casting a provisional ballot under Section

801 20A-3-105.5 because of failure to present valid voter identification that the voter has {~~five days~~} until the close of normal office hours on Monday

4. Page 31, Lines 933 through 935:

933 (B) the voter provides valid voter identification to the county clerk [~~within five~~

934 ~~business~~] or an election officer who is administering the election {~~within five days~~} by the close of normal office hours on Monday after the date

935 of the election.

Craig A. Frank, Chair

Reports filed. On motion of Representative Frank, the reports of the Government Operations committee were adopted.

**S.B. 18**, as amended, read the second time by short title and placed on the Third Reading Calendar.

**H.B. 262** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker:

February 2, 2010

The Political Subdivisions Committee recommends **H.B. 94**, UNIFORM FISCAL PROCEDURES ACT AMENDMENTS FOR TOWNS, CITIES, AND COUNTIES AMENDMENTS, by Representative F. Hunsaker, be replaced and reports a favorable recommendation on **1st Sub. H.B. 94**, UNIFORM FISCAL PROCEDURES ACT AMENDMENTS FOR TOWNS, CITIES, AND COUNTIES AMENDMENTS with the following amendments:

1. Page 1, Line 16 through Page 2, Line 26:

16 ► requires a town council to give public notice and hold a hearing before amending a

17 budget or allocating or transferring funds between {~~an~~} a utility enterprise fund and another

18 fund;

19 ► requires the governing body of a city to give public notice and hold a hearing before

20 allocating or transferring funds between ~~{an}~~ a utility enterprise fund and another fund;

21 ► requires the governing body of a county to give public notice and hold a hearing

22 before amending a budgetary fund or increasing a budget appropriation of any

23 budgetary fund;

24 ► requires the governing body of a county to give public notice and hold a hearing

25 before allocating or transferring funds between ~~{an}~~ a utility enterprise fund and another fund;

26 and

2. Page 2, Lines 33 through 36:

33 AMENDS:

34 10-5-107, as last amended by Laws of Utah 2006, Chapter 178

35 10-5-108, as last amended by Laws of Utah 2009, Chapter 388

36 ~~{10-5-117, as last amended by Laws of Utah 1986, Chapter 481}~~

3. Page 3, Lines 72 through 76:

72 (4) (a) [~~If within any enterprise utility fund, allocations or transfers~~] { If } Except as provided in Subsection (4)(d), if a town council

73 includes in a tentative budget, or an amendment to a budget, allocations or transfers from { an } a utility

74 enterprise fund to another fund that are not reasonable allocations of costs between [~~funds are~~

75 ~~included in a tentative budget,~~] the utility enterprise fund and the other fund, the governing body

76 shall:

4. Page 3, Lines 80 through 87:

80 (iii) subject to Subsection (4)(c), mail the notice to each utility enterprise fund customer at

81 least seven days before the day of the hearing.

82 (b) The purpose portion of the written notice shall identify:

83 (i) the utility enterprise [~~utility~~] fund from which money is being allocated or transferred;

84 (ii) the amount being allocated or transferred; and

85 (iii) the fund to which the money is being allocated or transferred.

86 (c) The town council:

87 (i) may print the written notice required under Subsection (4)(a)(ii) on the utility enterprise

5. Page 4, Lines 89 through 90:

89 (ii) shall include the written notice required under Subsection (4)(a)(ii) as separate

90 notification mailed or transmitted with the utility enterprise fund customer's bill.

(d) The notice and hearing requirements in this Subsection (4) are not required for an allocation or a transfer included in an original budget or in a subsequent budget amendment previously approved by the town council for the current fiscal year.

6. Page 4, Lines 104 through 109:

104 { ~~Section 3. Section 10-5-117 is amended to read:~~

105 ~~10-5-117. Increasing budget total of fund.~~

106 [~~Except for enterprise funds, which may be increased without a public hearing, the~~] A

107 ~~town council may not increase the budget total of one or more funds or enterprise funds unless~~

108 the town council [may increase the budget total of one or more of these funds by following]

109 follows the procedures set forth in Section 10-5-108. }

7. Page 6, Lines 168 through 170:

168 (e) (i) {~~If~~} Except as provided in Subsection (3)(e)(iv), if the governing body includes in a tentative budget or an amendment to a budget



- 169 allocations or transfers from { ~~an~~ } a utility enterprise fund to another fund that are not reasonable
- 170 allocations of costs between [~~funds are included in a tentative budget,~~] the utility enterprise fund and
8. Page 6, Line 175:  
175 (C) subject to Subsection (3)(e)(iii), mail the written notice to each utility enterprise fund
9. Page 6, Line 179:  
179 (A) the utility enterprise [~~utility~~] fund from which money is being transferred;
10. Page 7, Line 183:  
183 (A) may print the written notice required under Subsection (3)(e)(i) on the utility enterprise
11. Page 7, Lines 185 through 186:  
185 (B) shall include the written notice required under Subsection (3)(e)(i) as a separate  
186 notification mailed or transmitted with the utility enterprise fund customer's bill.  
(iv) The notice and hearing requirements in this Subsection (3)(e) are not required for an allocation or a transfer included in an original budget or in a subsequent budget amendment previously approved by the governing body for the current fiscal year.
12. Page 9, Lines 266 through 268:  
266 (e) (i) { If } Except as provided in Subsection (3)(e)(iv), if a governing body includes in a tentative budget, or an amendment to a budget,  
267 allocations or transfers between { ~~an~~ } a utility enterprise fund and another fund that are not reasonable  
268 allocations of costs between [~~funds are included in a tentative budget,~~] the utility enterprise fund and
13. Page 9, Line 273:  
273 (C) subject to Subsection (3)(e)(iii), mail the notice to each utility enterprise fund customer at
14. Page 10, Line 277:  
277 (A) the utility enterprise [~~utility~~] fund from which money is being transferred;

15. Page 10, Line 281:

281 (A) may print the written notice required under Subsection  
 (3)(e)(i) on the utility enterprise

16. Page 10, Lines 283 through 284:

283 (B) shall include the written notice required under Subsection  
 (3)(e)(i) as a separate

284 notification mailed or transmitted with the utility enterprise  
 fund customer's bill.

(iv) The notice and hearing requirements in this Subsection  
 (3)(e) are not required for an allocation or a transfer included in an  
 original budget or in a subsequent budget amendment previously  
 approved by the governing body for the current fiscal year.

Fred R Hunsaker, Chair

Report filed. On motion of Representative Dee, the report of the Political Subdivisions committee was adopted.

**1st Sub. H.B. 94**, as amended, read the second time by short title and placed on the Third Reading Calendar.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

February 3, 2010

The Senate passed **S.B. 11**, UTAH STATE-MADE FIREARMS PROTECTION ACT, by Senator M. Dayton, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 41**, DRUG UTILIZATION REVIEW BOARD AMENDMENTS, by Senator P. Knudson, and it is transmitted for consideration; and

The Senate passed **S.B. 111**, REPEAL OF SEVERANCE TAX HOLDING ACCOUNT, by Senator L. Hillyard, and it is transmitted for consideration.

Annette B. Moore

Secretary of the Senate

Communications filed. **S.B. 11**, **1st Sub. S.B. 41**, and **S.B. 111** read the first time by short title and referred to the Rules Committee.

### THIRD READING CALENDAR

**1st Sub. H.B. 219**, DELINQUENT PROPERTY TAX AMENDMENTS, *Froerer*, read the third time by short title and placed on its final passage.

Representative Froerer proposed the following amendment:

- 1. Page 1, Line 23

23 This bill {~~has retrospective operation to January 1~~} takes effect July 1, 2010.

- 2. Page 3, Lines 75 through 76:

75 Section 2. {~~Retrospective operation~~} Effective date .

76 This bill {has retrospective operation to January 1} takes effect July 1, 2010.

Representative Froerer’s motion to amend passed on a voice vote.

**1st Sub. H.B. 219**, as amended, passed on the following roll call:

**Yeas, 66; Nays, 3; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Barrus	Beck
Bigelow	Biskupski	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Moss	Newbold
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	D. Clark		

**Voting in the negative were:** Representatives

Anderson	Bird	Wright
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**Absent or not voting were:** Representatives

Gowans	Hughes	Menlove	Morley
Noel	Wimmer		

**1st Sub. H.B. 219**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.J.R. 10**, JOINT RESOLUTION OPPOSING THE ESTABLISHMENT OF A FEDERAL COMMISSION ON STATE WORKERS' COMPENSATION LAWS, *Morley*, read the third time by short title and placed on its final passage.

**H.J.R. 10** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Greenwood	Grover	Hansen
Harper	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Gowans	Hemingway	Menlove
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**H.J.R. 10** transmitted to the Senate for its consideration.

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 3, 2010

The Education Committee reports a favorable recommendation on **1st Sub. S.B. 95**, UTAH EDUCATIONAL SAVINGS PLAN AMENDMENTS, by Senator W. Niederhauser.

Gregory H. Hughes, Chair

Report filed. On motion of Representative Sumsion, the report of the Education committee was adopted.

**1st Sub. S.B. 95** read the second time by short title and returned to the Rules Committee due to fiscal impact.

\* \* \*

Mr. Speaker: February 3, 2010

The Health and Human Services Committee reports a favorable recommendation on **H.J.R. 5**, JOINT RESOLUTION ON CLEAN AIR, by Representative C. Moss; and

The Health and Human Services Committee reports a favorable recommendation on **S.C.R. 1**, ALZHEIMER'S AND DEMENTIA AWARENESS CONCURRENT RESOLUTION, by Senator K. Morgan; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 12**, INDIVIDUAL INCOME TAX CONTRIBUTION FOR METHAMPHETAMINE HOUSING RECONSTRUCTION AND REHABILITATION FUND, by Senator K. Mayne, with the following amendments and, due to fiscal impact, recommends it be referred to the Rules Committee for prioritization.

1. Page 1, Lines 23 through 25:

23       ▶       enacts an individual income tax contribution for the  
Methamphetamine Housing

24 Reconstruction and Rehabilitation Fund for a taxable year  
beginning on or after

25 January 1, 2010, but beginning on or before December 31,  
{-2011-}     2012 ;

2. Page 7, Lines 189 through 195:

189       (1) For a taxable year beginning on or after January 1, 2010, but  
beginning on or before

190 December 31, { 2011-} 2012 only, a resident or  
nonresident individual that files an individual income

191 tax return under this chapter may designate on the resident or  
nonresident individual's

192 individual income tax return a contribution as provided in this  
section to be:

193 (a) deposited into the Methamphetamine Housing  
Reconstruction and Rehabilitation

194 Fund created in Section 9-4-1503; and


195 (b) expended for the purposes described in Section 9-4-1503. ; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 21**, AMENDMENTS TO SOCIAL WORKER LICENSING, by Senator D. C. Buttars, with the following amendments:

1. Page 3, Lines 72 through 73a

Senate 3rd Reading Amendments 1-27-2010:

72 (b) was in candidacy for accreditation by the Council on Social  
Work Education on the

73 day on which the applicant for licensure satisfactorily completed  
the program { ~~§~~  and is

73a subsequently approved ~~←§~~ } .

Paul Ray, Chair

Reports filed. On motion of Representative Ray, the reports of the Health and Human Services committee were adopted.

**H.J.R. 5**, **S.C.R. 1**, and **S.B. 21**, as amended, read the second time by short title and placed on the Third Reading Calendar.

**S.B. 12**, as amended, read the second time by short title and returned to the Rules Committee due to fiscal impact.

### **RULES COMMITTEE REPORT**

Mr. Speaker:

February 3, 2010

The Rules Committee recommends that the following resolution, under suspension of the rules, be considered read for the second time and placed on the Third Reading Calendar:

**H.J.R. 19** Joint Resolution Approving Reappointment of Legislative Auditor General (Rep. D. Clark)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

**RULES COMMITTEE REPORT**

Mr. Speaker: February 3, 2010

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 235**, Child Support for Children in State Custody (Rep. W. Harper) be replaced with **1st Substitute H.B. 235**, Child Support for Children in State Custody, and further recommends it be assigned to the House Judiciary Standing Committee.

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

**RULES COMMITTEE REPORT**

Mr. Speaker: February 3, 2010

The Rules Committee recommends the following bills and resolutions be assigned to standing committees:

**BUSINESS AND LABOR**

**H.B. 188** Workers' Compensation Benefits – Social Security Offset (Rep. W. Harper)

**GOVERNMENT OPERATIONS**

**H.B. 116** Political Subdivision Facility Energy Efficiency (Rep. F. Hunsaker)

**H.B. 263** Technical Cross Reference Revisions (Rep. J. Anderson)

**S.B. 93** Gubernatorial Appointment Powers Amendments (Sen. C. Bramble)

**JUDICIARY**

**H.B. 109** Volunteer Government Workers Act Definitions (Rep. J. Biskupski)

**H.B. 278** Government Records Access and Management Act Amendments (Rep. C. Herrod)

**LAW ENFORCEMENT AND CRIMINAL JUSTICE**

- H.B. 113** Child Restraint Device Amendments (Rep. C. Herrod)  
**H.B. 114** Disclosure of Donations to Higher Education Institutions  
 (Rep. C. Wimmer)  
**H.B. 250** Criminal Penalties Amendments – Leaving the Scene of  
 an Accident (Rep. C. Herrod)  
**H.B. 264** Law Enforcement Amendments (Rep. C. Wimmer)  
**H.J.R. 6** Strangulation and Domestic Violence Joint Resolution  
 (Rep. J. Seelig)

**NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT**

- H.B. 107** Animal Shelter Amendments (Rep. J. Seelig)  
**1st Sub. S.B. 24** Land Exchange Distribution Account Amendments  
 (Sen. D. Stowell)

**REVENUE AND TAXATION**

- S.B. 100** Income Tax Credit or Refund Amendments  
 (Sen. C. Bramble)

**TRANSPORTATION**

- H.B. 261** Financial Responsibility of Motor Vehicle Owners and  
 Operators Act Amendments (Rep. R. Greenwood)  
**S.B. 17** Uniform Commercial Driver License Act Amendments  
 (Sen. K. Van Tassell)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

**MISCELLANEOUS BUSINESS**

On motion of Representative Ferry, the House voted to lift **1st Sub. H.B. 67** from the Third Reading Calendar and return it to the Rules Committee.

\* \* \*

On motion of Representative Garn, and at 12:05 p.m., the House voted to adjourn until February 4, 2010, at 10:00 a.m.



# ELEVENTH DAY

\* \* \*

## MORNING SESSION

The House was called to order by Speaker Clark at 10:05 a.m.

Roll call showed all members present except Representative Francis Gibson, excused.

Prayer offered by Jean Nielsen, directory of Salt Lake County Department of Human Services, and friend of Representative Carol Spackman Moss. Pledge of Allegiance led by Representative Moss' intern, Stanley Lloyd.

### INTRODUCTION OF BILLS

**H.B. 131, B and C Road Construction Amendments** (M. Noel), read the first time by short title and referred to the Rules Committee.

**H.B. 132, Pioneer Trail Memorial Highway** (R. Menlove), read the first time by short title and referred to the Rules Committee.

**H.B. 133, Release of Court Documents and Child Interviews** (L. Fowlke), read the first time by short title and referred to the Rules Committee.

**H.B. 134, Education Donation Tax Credit** (E. Vickers), read the first time by short title and referred to the Rules Committee.

**H.B. 184, Medicaid Autism Waiver** (P. Ray), read the first time by short title and referred to the Rules Committee.

**H.B. 185, Animal Euthanasia Standards** (F.J. Seegmiller), read the first time by short title and referred to the Rules Committee.

**H.B. 290, Recreational Use of Privately Owned Stream Beds** (R. C. Webb), read the first time by short title and referred to the Rules Committee.

**H.B. 291, Applicability of Land Use Provisions to Federal Government** (K. Grover), read the first time by short title and referred to the Rules Committee.

**H.B. 292, Equalization of Funding for Divided School Districts** (J. Bird), read the first time by short title and referred to the Rules Committee.

**H.B. 293, Victims' Rights Amendments** (R. C. Webb), read the first time by short title and referred to the Rules Committee.

**H.B. 294, Health System Reform Amendments** (D. Clark), read the first time by short title and referred to the Rules Committee.

**H.C.R. 7, Credit Scores Concurrent Resolution** (D. Aagard), read the first time by short title and referred to the Rules Committee.

### CONSENT CALENDAR

**H.B. 88, ELECTRONIC CIGARETTE RESTRICTIONS**, *Menlove*, read the third time by short title and placed on its final passage.

**H.B. 88** passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	D. Clark		

**Absent or not voting were:** Representatives

Dunnigan	F Gibson	Hughes	Noel
Wright			

**H.B. 88** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 236**, STATUTORY CONSTRUCTION AMENDMENTS, *Lockhart*, read the third time by short title and placed on its final passage.

**H.B. 236** passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Fowlke	Frank
Froerer	Garn	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	Menlove	Morley
Moss	Newbold	Oda	Painter
Poulson	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Julie Fisher	F Gibson	Hutchings	McIff
Noel	Powell		

**H.B. 236** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 248**, GOVERNMENT RECORDS AMENDMENTS, *Anderson*, read the third time by short title and placed on its final passage.

**H.B. 248** passed on the following roll call:

**Yeas, 67; Nays, 0; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	K Gibson	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	King	Kiser	Last
Litvack	Lockhart	Mathis	Menlove
Morley	Moss	Newbold	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Black	Brown	F Gibson	Gowans
Johnson	Mascaro	McIff	Noel

**H.B. 248** transmitted to the Senate for its consideration.

**MISCELLANEOUS BUSINESS**

On motion of Representative Duckworth, the House voted to calendar **H.J.R. 13** for Time Certain on February 18, 2010 at 3:30 p.m.

**SPECIAL INTRODUCTION**

Representative Draxler introduced members of the Native American tribes of Utah. The Ute Tribe representatives were: Curtis Cesspooch, Chairman; Amy Cesspooch, staff, and Carlene Kurip, staff. The Navajo representatives were: Cheron Watchman; Kenneth Maryboy, council member; Clarence Rockwell, Director, Navajo Utah Commission; Marth Saboy; Cassandra Beletso; and Davis Filfred, all from the Mexican Water Chapter; Herman Farley, Red Mesa Chapter President; Charles Long; John Billie, Aneth Chapter President. Rupert Steele, Chairman of the Goshute Tribe. The Shoshone Tribe representatives were: Gwen Davis, Chairperson; Jason Walker, Council Member; George Gover, Tribal Administration. The Paiute Tribe Representatives were: Jeanine Borchardt, Chairperson; Lora A. Tom, council member. Leona Eyetoo, council member and

community representative of the White Mesa tribe. Forrest Cuch, Director and Rebecca Nelson and Amanda Rock from the Division of Indian Affairs. Palmer DePaulis, Executive Director, Michael Hansen, Deputy Director, and Claudia Nakano, PIO, from the Department of Community and Culture.

### MISCELLANEOUS BUSINESS

On motion of Representative Garn, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

### UNFINISHED BUSINESS

On motion of Representative Hughes, the House voted to uncircle **H.J.R. 14**.

**H.J.R. 14**, JOINT RULES RESOLUTION ON FINANCIAL DISCLOSURES, *Hughes*, was before the House on its final passage.

**H.J.R. 14** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

F Gibson	K Gibson	Gowans	McIff
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**H.J.R. 14** transmitted to the Senate for its consideration.

### UNFINISHED BUSINESS

On motion of Representative Hughes, the House voted to uncircle **H.B. 270**.

**H.B. 270**, FINANCIAL DISCLOSURE AND CONFLICT OF INTEREST AMENDMENTS, *Hughes*, was before the House on its final passage.

Representative Allen proposed the following amendment:

1. Page 2, Lines 35 through 39

35       ▶ provides a criminal penalty if a regulated officeholder engages in an official action

36       that constitutes a conflict of interest if:

37       • the conflict of interest has not been provided on the financial disclosure; and

38       • the officeholder fails to publicly declare a conflict of interest at the time of the

39       action;

          ▶ provides a criminal penalty if a regulated officeholder fails to timely file a financial disclosure on the yearly due date and then fails to timely file the disclosure after receiving personal notice of the delinquency;

2. Page 2, Lines 40 through 41:

40       ▶ requires conflicts of interest that are declared at the time of the action to be recorded

41       on official records;

          ▶ requires the lieutenant governor, the secretary of the Senate, and the chief clerk of the House of Representatives to provide personal notice of potential criminal penalties to regulated officeholders who fail to timely file a yearly financial disclosure;

3. Page 11, Lines 323 through 332:

323       (4) (a) The following individuals shall file a financial disclosure form:

324       (i) a state constitutional officer, to be due on the tenth day of January of each year, or

325 the following business day if the due date falls on a weekend or holiday:

326 (ii) a legislator, at the following times:

327 (A) on the first day of each general session of the Legislature;  
 { ~~and~~ }

328 (B) each time the legislator changes employment; and  
(C) any other time that there is a material change in circumstances  
which are required to be disclosed;

329 (iii) a member of the State Board of Education, at the following times:

330 (A) on the tenth day of January of each year, or the following business day if the due

331 date falls on a weekend or holiday; { ~~and~~ }

332 (B) each time the member changes employment {~~—~~} ;  
and

(C) any other time that there is a material change in circumstances  
which are required to be disclosed.

4. Page 12, Lines 359 through 361:

359 (ix) the name of the filer's spouse or domestic partner , as  
applicable;

360 (x) a brief description of the employment of the filer's  
spouse or domestic partner , as applicable, including

361 the spouse's occupation;

5. Page 13, Lines 373 through 375:

373 (ii) The lieutenant governor, the secretary of the Senate, and the  
chief clerk of the

374 House of Representatives shall ensure that blank financial  
disclosure forms are available on the

375 Internet and at their offices.

(iii) The lieutenant governor, within three working days after the  
due date provided in Subsections (4)(a)(i) and (4)(a)(iii)(A), and the  
secretary of the Senate and chief clerk of the House of Representatives,  
within three working days after the due date provided in Subsection  
(4)(a)(ii)(A), shall:

(A) review the financial disclosures to determine which regulated  
officeholders have failed to timely file the financial disclosure form by

the required due date; and

(B) provide personal notice to each regulated officeholder that has failed to timely file the financial disclosure that:

(I) the financial disclosure was not timely filed; and

(II) failure to file the disclosure form within 3 working days after the date of the personal notice is a class B misdemeanor.

6. Page 13, Lines 376 through 379:

376 (d) Financial disclosure forms that are filed under the  
procedures and requirements of

377 this section shall be made available to the public:

378 (i) on the Internet , within three working days after the date  
the form is filed ; and

379 (ii) at the office where the form was filed , no later than the  
next working day after the date the form is filed .

7. Page 13, Lines 386 through 387:

386 (5) (a) A regulated officeholder who violates the  
requirements of Subsection (2) is guilty

387 of a class B misdemeanor.

(b) A regulated officeholder who fails to timely file a financial  
disclosure on the yearly due date provided in Subsection (4)(a)(i),  
(4)(a)(ii)(A), or (4)(a)(iii)(A) and subsequently fails to file that financial  
disclosure within three working days after the date of receiving personal  
notice of the failure to file is guilty of a class B misdemeanor.

Representative Dougall commented. Representative Allen's motion to amend passed on a voice vote.

**H.B. 270**, as amended, passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez-Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Frank
Froerer	Garn	K Gibson	Greenwood



Grover	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

Fowlke	F Gibson	Gowans	Hansen
McIff			

**H.B. 270**, as amended, transmitted to the Senate for its consideration.

**UNFINISHED BUSINESS**

On motion of Representative Garn, the House voted to uncircle **H.B. 267**.

**H.B. 267**, LOBBYIST DISCLOSURE AND REGULATION ACT AMENDMENTS, *Garn*, was before the House on its final passage. Representatives Hansen commented.

**H.B. 267** passed on the following roll call:

**Yeas, 69; Nays, 1; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Frank	Froerer
Garn	K Gibson	Gowans	Greenwood
Grover	Harper	Hemingway	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
Menlove	Morley	Moss	Newbold

Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Voting in the negative was:** Representative Hansen

**Absent or not voting were:** Representatives Black Fowlke F Gibson Hendrickson McIff

**H.B. 267** transmitted to the Senate for its consideration.

### UNFINISHED BUSINESS

On motion of Representative D. Clark, the House voted to uncircle **H.J.R. 15**.

**H.J.R. 15**, JOINT RESOLUTION ON LEGISLATIVE ETHICS COMMISSION, *D. Clark*, was before the House on its final passage. Representatives Dougall, King, and Allen commented.

Representative Brown proposed the following amendment:

1. Page 2, Line 34:  
After "review of" delete the rest of line 34, all of line 35, all of line 36, and insert "legislative behavior."
2. Page 2, Lines 41 and 42:  
Delete lines 41 and 42.

Representative Brown's motion to amend failed on a voice vote.

Representatives Litvack and Herrod commented.

**H.J.R. 15** passed on the following roll call:

**Yeas, 70; Nays, 3; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez-Houck	S. Clark	Cosgrove

Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	K Gibson	Gowans
Greenwood	Grover	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Voting in the negative were:** Representatives

Allen	Hansen	Riesen
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**Absent or not voting were:** Representatives

F Gibson	Mathis
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**H.J.R. 15** transmitted to the Senate for its consideration.

**SPECIAL ORDER OF BUSINESS**

**H.C.R. 3**, ITALIAN-AMERICAN HERITAGE MONTH CONCURRENT RESOLUTION, *Watkins*, read the third time by short title and placed on its final passage. Representatives K. Gibson, Mascaro, and Painter commented.

**H.C.R. 3**, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez-Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	K Gibson
Gowans	Greenwood	Grover	Hansen

Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

F Gibson                      Mathis

**H.C.R. 3**, as amended, transmitted to the Senate for its consideration.

### UNFINISHED BUSINESS

On motion of Representative Cosgrove, the House voted to uncircle **H.B. 124**.

**H.B. 124**, CAMPAIGN FUNDS EXPENDITURE RESTRICTIONS, *Cosgrove*, was before the House on its final passage.

On motion of Representative Cosgrove, the House voted to delete **H.B. 124** in title and body and insert **1st Sub. H.B. 124** in lieu thereof.

Representative Anderson commented.

**1st Sub. H.B. 124** passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Herrod	Hughes

Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	McIff	Menlove
Morley	Moss	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

F Gibson	Hendrickson	Mathis	Newbold
Noel			

**1st Sub. H.B. 124** transmitted to the Senate for its consideration.

**COMMITTEE OF THE WHOLE**

On motion of Representative Garn, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from U.S. Senator Bob Bennett.

On motion of Representative Garn, the Committee of the Whole was dissolved.

**REPORTS OF STANDING COMMITTEES**

Mr. Speaker: February 4, 2010

The Judiciary Committee reports a favorable recommendation on **H.B. 112**, SUPREME COURT REVIEW OF AN INITIATIVE OR REFERENDUM, by Representative B. Dee.

Lorie D. Fowlke, Chair

Report filed. On motion of Representative Fowlke, the report of the Judiciary committee was adopted.

**H.B. 112** read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker: February 4, 2010

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 96**, LIBEL AMENDMENTS, by Representative Julie Fisher; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 103**, REDUCED SPEED SCHOOL ZONE AMENDMENTS, by Representative S. Sandstrom; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 110**, COUNTY JAIL INMATE MEDICAL COSTS, by Representative B. Daw, with the following amendments:

1. Page 1, Lines 20 through 26:

20 • deducting the costs from the inmate's cash account on  
 deposit with the jail during the inmate's incarceration or during a  
subsequent incarceration if the subsequent incarceration occurs within  
the same county and the incarceration is within three years of the date of  
the expense in behalf of the inmate ; or

21 • placing a lien against the inmate's personal  
 property {~~-, to provide payment in the~~  
 22 event funds become available at a later time-} held by the  
jail ;

23 {~~-> provides that an existing lien may be carried over to a~~  
 subsequent incarceration of

24 the same inmate if the subsequent incarceration takes place within  
 the county

25 originating the lien and the future incarceration takes place within  
 three years of the

26 date the lien was placed against the prisoner's personal  
 property;} and

2. Page 3, Lines 82 through 83:

82 (ii) placing a lien for the amount of the expense against the  
inmate's personal property {~~-;~~

83 to provide reimbursement in the event funds become available at a  
later time.-} held by the jail.

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 251**, ADMISSION OF AFFIDAVITS INTO EVIDENCE, by Representative R. Lockhart.

Douglas C. Aagard, Chair

Reports filed. On motion of Representative Aagard, the reports of the Law Enforcement and Criminal Justice committee were adopted.

**H.B. 96, H.B. 103, H.B. 110**, as amended, and **H.B. 251** read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker: February 4, 2010

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.J.R. 12**, CLIMATE CHANGE JOINT RESOLUTION, by Representative K. Gibson; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 108**, MEAT INSPECTION AMENDMENTS, by Representative J. Mathis; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 228**, RENEWABLE ENERGY SOURCE AMENDMENTS, by Representative R. Barrus.

Roger E. Barrus, Chair

Reports filed. On motion of Representative Barrus, the reports of the Natural Resources, Agriculture, and Environment committee were adopted.

**H.J.R. 12, H.B. 108**, and **H.B. 228** read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker: February 4, 2010

The Retirement and Independent Entities Committee recommends **H.B. 83**, PUBLIC EMPLOYEES' RETIREMENT – SPOUSAL ELECTION, by Representative C. B. Wallis, be replaced and favorably recommends **1st Sub. H.B. 83**, PUBLIC EMPLOYEES' RETIREMENT – SPOUSAL ELECTION; and

The Retirement and Independent Entities Committee reports a favorable recommendation on **H.B. 215**, AMENDMENTS TO PUBLIC EMPLOYEES' BENEFIT AND INSURANCE PROGRAM ACT – RISK POOLS, by Representative K. Garn; and

The Retirement and Independent Entities Committee reports a favorable recommendation on **H.B. 233**, RETIREMENT OFFICE AMENDMENTS, by Representative D. Ipson, with the following amendments:

## 1. Page 1, Line 16:

16       ▶       provides that any {~~retirement benefit~~} defined contribution balance based on employer contributions not just service credit must be forfeited when

## 2. Page 6, Line 176:

176       (b) [~~forfeited~~] forfeit service credit and {~~other retirement benefits~~} any defined contribution balance based on employer contributions under any other

Don L. Ipson, Chair

Reports filed. On motion of Representative Ipson, the reports of the Retirement and Independent Entities committee were adopted.

**1st Sub. H.B. 83, H.B. 215, and H.B. 233**, as amended, read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker:

February 4, 2010

The Transportation Committee reports a favorable recommendation on **H.B. 238, LOW SPEED VEHICLE AMENDMENTS**, by Representative J. Anderson, with the following amendments:

## 1. Page 1, Line 27 through Page 2, Line 34:

27       (1) Except as otherwise provided in this section, a low-speed vehicle is considered a

28 motor vehicle for purposes of the Utah Code including requirements for:

29       (a) traffic rules under Title 41, Chapter 6a, Traffic Code;

30       (b) driver licensing under Title 53, Chapter 3, Uniform Driver License Act;

31       (c) motor vehicle insurance under Title 41, Chapter 12a, Financial Responsibility of

32 Motor Vehicle Owners and Operators Act;

33       (d) vehicle registration, titling, {~~odometer statements,~~} vehicle identification numbers,



34 license plates, and registration fees under Title 41, Chapter 1a, Motor Vehicle Act;

Bradley M. Daw, Chair

Report filed. On motion of Representative Daw, the report of the Transportation committee was adopted.

**H.B. 238**, as amended, read the second time by short title and placed on the Third Reading Calendar.

### **RULES COMMITTEE REPORT**

Mr. Speaker: February 4, 2010

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 277**, Overdose Reporting Amendments (Rep. C. Johnson), be assigned to the House Judiciary Standing Committee with the following amendments:

1.. Page 1, Line 13:

13 ► provides that a person {~~21 years of age or~~} younger than 21 years of age who is in violation of an alcohol

2. Page 2, Line 37:

37 (b) the actor was younger than 21 years of age {~~or younger~~} at the time of the offense;

Ben C. Ferry, Chair

Report filed. On motion of Representative Hughes, the report of the Rules Committee was adopted.

### **RULES COMMITTEE REPORT**

Mr. Speaker: February 4, 2010

The Rules Committee recommends the following bills and resolutions be assigned to standing committees:

#### **BUSINESS AND LABOR**

**H.B. 260** Children's Health Insurance Plan Simplified Renewal  
(Rep. M. Newbold)

#### **EDUCATION**

**H.B. 268** Public School Innovations (Rep. K. Grover)

#### **GOVERNMENT OPERATIONS**

**H.B. 122** Surveyor Amendments (Rep. J. Mathis)

- H.B. 253** Transfer of the Bureau of Emergency Medical Services from the Department of Health to the Department of Public Safety (Rep. P. Ray)
- H.B. 269** Solemnizing Marriages Amendment (Rep. D. Aagard)
- H.J.R. 20** Green Schools Joint Resolution (Rep. M. Wheatley)

#### **HEALTH AND HUMAN SERVICES**

- H.B. 294** Health System Reform Amendments (Rep. D. Clark)

#### **JUDICIARY**

- H.B. 115** Counsel for Indigents in Juvenile Court Proceedings (Rep. K. Powell)

#### **LAW ENFORCEMENT AND CRIMINAL JUSTICE**

- H.B. 82** Protection of Children Riding in Motor Vehicles (Rep. F. Seegmiller)
- H.B. 125** Kidnapping and Sex Offender Registry Amendments (Rep. R. Bigelow)
- H.B. 190** Disclosure of Methamphetamine Contaminated Property Act Amendments (Rep. S. Mascaro)

#### **NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT**

- H.B. 271** Hunting Guides and Outfitters Licensing Act Amendments (Rep. E. Vickers)
- S.B. 11** Utah State-made Firearms Protection Act (Sen. M. Dayton)
- 1st Sub. S.B. 36** Wolf Management (Sen. A. Christensen)

#### **PUBLIC UTILITIES AND TECHNOLOGY**

- H.B. 121** Emergency Medical Services Act Transport Amendments (Rep. G. Hughes)

#### **REVENUE AND TAXATION**

- S.B. 111** Repeal of Severance Tax Holding Account (Sen. L. Hillyard)

Ben C. Ferry, Chair

Report filed. On motion of Representative Hughes, the report of the Rules Committee was adopted.

**MISCELLANEOUS BUSINESS**

On motion of Representative Garn, and at 12:10 p.m., the House voted to adjourn until February 5, 2010, at 10:00 a.m.

# TWELFTH DAY

\* \* \*

## MORNING SESSION

The House was called to order by Speaker Pro Tem Hughes at 10:10 a.m.

Roll call showed all members present.

Prayer offered by Representative Sheryl Allen. Pledge of Allegiance led by Representative Allen's grandchildren, Caleb, Aubrey, Trevan, and Tate Leonhardt.

### COMMITTEE OF THE WHOLE

On motion of Representative Julie Fisher, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from Leigh von der Esch from the Utah Office of Tourism in the Governor's Office of Economic Development.

On motion of Representative Julie Fisher, the Committee of the Whole was dissolved.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 4, 2010

The Senate passed, as amended, **S.B. 20**, LOCAL DISTRICT AMENDMENTS, by Senator D. Stowell, and it is transmitted for consideration; and

The Senate passed **S.B. 96**, UINTAH BASIN REVITALIZATION FUND AMENDMENTS, by Senator K. Van Tassell, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **S.B. 20** and **S.B. 96** read the first time by short title and referred to the Rules Committee.

\* \* \*

Mr. Speaker: February 5, 2010

The Senate passed, as amended, **H.B. 40**, UTAH LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION AMENDMENTS, by Representative J. Dunnigan, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. **H.B. 40** placed on the Concurrence Calendar.

\* \* \*

Mr. Speaker: February 4, 2010

The Senate passed, **H.B. 15**, DEFERRED DEPOSIT LENDING AMENDMENTS, by Representative J. Dunnigan, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 26**, BRINE SHRIMP ROYALTY ACT AMENDMENTS, by Representative T. Kiser, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 29**, SCHOOL DISTRICT DIVISION AMENDMENTS, by Representative L. Black, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 31**, WILDLIFE LICENSES, CERTIFICATES, OR PERMIT AMENDMENTS, by Representative K. Gibson, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 49**, AMENDMENTS RELATED TO A TAX, FEE, OR CHARGE ADMINISTERED BY THE STATE TAX COMMISSION, by Representative T. Kiser, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 15**, **H.B. 26**, **H.B. 29**, **H.B. 31**, and **H.B. 49** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

## INTRODUCTION OF BILLS

**H.B. 135, Pharmacy Benefit Managers Act** (E. Vickers), read the first time by short title and referred to the Rules Committee.

**H.B. 136, Jail Contracting and Reimbursement** (M. Noel), read the first time by short title and referred to the Rules Committee.

**H.B. 137, Public School Funding** (W. Harper), read the first time by short title and referred to the Rules Committee.

**H.B. 175, Amendments to Light Requirements on Motor Vehicles** (K. Powell), read the first time by short title and referred to the Rules Committee.

**H.B. 176, Continuing Education Requirements for Electricians and Plumbers** (W. Harper), read the first time by short title and referred to the Rules Committee.

**H.B. 177, Public Employees' Health Care** (D. Litvack), read the first time by short title and referred to the Rules Committee.

**H.B. 179, Off-highway Vehicle and Street-legal All-terrain Vehicle Revisions** (M. Noel), read the first time by short title and referred to the Rules Committee.

**H.B. 180, Outdoor Advertising Amendments** (C. Frank), read the first time by short title and referred to the Rules Committee.

**H.B. 181, Condominium Association Common Expenses** (C. Moss), read the first time by short title and referred to the Rules Committee.

**H.B. 182, Property Tax – Home Owner Exemption Modification** (G. Froerer), read the first time by short title and referred to the Rules Committee.

**H.B. 183, Construction and Fire Code Related Amendments** (M. Morley), read the first time by short title and referred to the Rules Committee.

**H.B. 295, Expanded Uses of School District Property Tax Revenue** (P. Painter), read the first time by short title and referred to the Rules Committee.

**H.B. 296, Choice of Law in Utah Courts** (C. Wimmer), read the first time by short title and referred to the Rules Committee.

**H.B. 297, Compact Agreement among the States to Elect the President by National Popular Vote** (N. Hansen), read the first time by short title and referred to the Rules Committee.

**H.B. 298, Land Use Authority Notification of Canal Development** (B. Ferry), read the first time by short title and referred to the Rules Committee.

**H.B. 299, Amendments Related to Substances Harmful to Pregnancy** (R. Menlove), read the first time by short title and referred to the Rules Committee.

**H.B. 300, Adoption Revisions** (R. Chavez–Houck), read the first time by short title and referred to the Rules Committee.

**H.B. 301, Disorderly Conduct Amendments** (C. Wimmer), read the first time by short title and referred to the Rules Committee.

**H.C.R. 9, Autism, Disabilities, and Faith Concurrent Resolution** (R. Menlove), read the first time by short title and referred to the Rules Committee.

**H.J.R. 21, Joint Resolution on Energy Policy** (M. Noel), read the first time by short title and referred to the Rules Committee.

**H.J.R. 22, Joint Resolution Recognizing the 75th Anniversary of the Utah Highway Patrol** (D. Ipson), read the first time by short title and referred to the Rules Committee.

**H.J.R. 23, Joint Resolution Approving the Sale of Real Property At the Utah State Developmental Center** (C. Frank), read the first time by short title and referred to the Rules Committee.

**H.R. 6, Resolution Governing Distribution of Items on the House Floor** (C. Frank), read the first time by short title and referred to the Rules Committee.

### CONSENT CALENDAR

**H.B. 232, MEDICAL LANGUAGE INTERPRETER AMENDMENTS**, *Chavez–Houck*, read the third time by short title and placed on its final passage.

**H.B. 232**, as amended, passed on the following roll call:

**Yeas, 67; Nays, 0; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank

F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Ipson	Johnson	King	Kiser
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Wheatley
Wiley	Wimmer	Wright	

**Absent or not voting were:** Representatives

Dee	Froerer	Garn	Hutchings
Last	Webb	Wilcox	D. Clark

**H.B. 232**, as amended, transmitted to the Senate for its consideration.

### THIRD READING CALENDAR

**1st Sub. H.B. 70**, CERTIFICATION OF RETROFIT COMPRESSED NATURAL GAS VEHICLES, *Draxler*, read the third time by short title and placed on its final passage.

On motion of Representative Draxler, the House voted to delete **1st Sub. H.B. 70** in title and body and insert **2nd Sub. H.B. 70** in lieu thereof.

Representative Draxler proposed the following amendment:

- Page 1, Lines 13 through 15
  - 13       ▶ requires certain inspections, emission standards, and certifications for retrofit
  - 14   compressed natural gas vehicles;
  - { ~~15 ▶ requires compliance with applicable law;—~~ }
- Page 3, Lines 65 through 77:
  - 65       { ~~(4) The owner of a compressed natural gas vehicle, and a person performing a retrofit~~
  - 66   ~~of a compressed natural gas vehicle, shall comply with any applicable federal law concerning a~~
  - 67   ~~retrofit compressed natural gas vehicle. }~~



68            { ~~(5)~~ }    (4)    (a) The Division of Air Quality may  
develop programs to coordinate amongst  
69 government agencies and interested parties in the private sector to  
facilitate:  
70        (i) testing to ensure compliance with emissions and  
anti-tampering standards  
71 established in this section or by federal law; and  
72        (ii) the retrofitting of vehicles to operate on compressed natural  
gas vehicles in a  
73 manner that provides for:  
74        (A) safety;  
75        (B) compliance with applicable law; and  
76        (C) potential improvement in the air quality of this state.  
77        (b) In developing a program under this Subsection  
      { ~~(6)~~ }    (4)    , the Division of Air Quality

Representative Draxler’s motion to amend passed on a voice vote.

Representative Ferry commented.

**2nd Sub. H.B. 70**, as amended, passed on the following roll call:

**Yeas, 67; Nays, 1; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Chavez–Houck	S. Clark	Cosgrove
Daw	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Janice Fisher	Julie Fisher
Fowlke	Frank	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom

Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Wheatley	Wilcox
Wiley	Wimmer	Wright	

**Voting in the negative was:** Representative  
Ferry

**Absent or not voting were:** Representatives

Brown	Dee	Froerer	Garn
Last	Webb	D. Clark	

**2nd Sub. H.B. 70**, as amended, transmitted to the Senate for its consideration.

### MISCELLANEOUS BUSINESS

On motion of Representative Bigelow, under suspension of the rules, the House voted to lift **S.B. 28** from the Rules Committee and replace it on the Consent Calendar for February 10, 2010.

### UNFINISHED BUSINESS

On motion of Representative Ferry, the House voted to uncircle **H.R. 3**.

**H.R. 3**, HOUSE RULES RESOLUTION – RECODIFICATION AND REVISIONS, *Ferry*, was before the House on its final passage. Representative Allen commented.

Representative Beck proposed the following amendment:

1. Page 2, Lines 47 through 49

47 HR2-2-105

HR2-2-106

48 HR2-3-101

49 HR2-4-101

2. Page 21, Lines 622 through 625:

622 (2) When a Representative is speaking, no person may walk between the

623 Representative and the Speaker or presiding officer.

Section 31a. HR2-2-106 is enacted to read:

HR2-2-106. Smoking and electronic cigarettes prohibited

(1) As used in this section, “electronic cigarette” means any device, other

than a combustible cigarette or cigar, intended to deliver vapor containing nicotine into a person’s respiratory system.

(2) A person may not smoke or use an electronic cigarette in the House chamber or other house controlled areas.

(3) The sergeant at arms shall enforce this rule.

624 Section 32. HR2–3–101 is enacted to read:

625 CHAPTER 3. CONFLICTS OF INTEREST

Representative Beck’s motion to amend passed on a voice vote.

###

Representative Biskupski proposed the following amendment:

- 1. Page 35, Line 1066:

After “meeting,” insert a period and delete the rest of the sentence.

Representatives Ferry, Litvack, Wright, Johnson, Hughes, and Lockhart commented. Representative Biskupski’s motion to amend failed on the following roll call:

**Yeas, 21; Nays, 53; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Anderson	Beck	Biskupski	Black
Chavez–Houck	Cosgrove	S Duckworth	Janice Fisher
Hansen	Hemingway	Johnson	King
Litvack	Moss	Poulson	Riesen
Seegmiller	Seelig	Watkins	Wheatley
Wiley			

**Voting in the negative were:** Representatives

Aagard	Allen	Barrus	Bigelow
Bird	Brown	S. Clark	Daw
Dee	Dougall	Draxler	Edwards
Ferry	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Harper
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Kiser	Last
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Newbold	Noel
Oda	Painter	Powell	Ray

Sandstrom	Sumsion	Vickers	Wallis
Webb	Wilcox	Wimmer	Wright
D. Clark			

**Absent or not voting was:** Representative  
Dunnigan

**H.R. 3**, as amended, passed on the following roll call:

**Yeas, 75; Nays, 0; Absent or not voting, 0.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**H.R. 3** was signed by the Speaker and referred to staff for enrolling and transmission to the Lt. Governor.

### THIRD READING CALENDAR

**H.B. 97**, AMENDMENTS RELATING TO DECEPTIVE PRACTICES INVOLVING CONSUMERS, *Poulson*, read the third time by short title and placed on its final passage.

**H.B. 97** passed on the following roll call:

**Yeas, 49; Nays, 21; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Barrus	Beck	Bigelow	Bird
Biskupski	Black	Brown	Chavez–Houck
S. Clark	Draxler	S Duckworth	Dunnigan
Edwards	Ferry	Janice Fisher	Julie Fisher
Fowlke	Froerer	Garn	Gowans
Hansen	Harper	Hemingway	Hendrickson
Hunsaker	Hutchings	Ipson	Johnson
King	Last	Litvack	Mascaro
McIff	Menlove	Moss	Newbold
Painter	Poulson	Powell	Riesen
Seegmiller	Seelig	Vickers	Wallis
Watkins	Webb	Wheatley	Wiley
D. Clark			

**Voting in the negative were:** Representatives

Aagard	Anderson	Daw	Dee
Dougall	Frank	F Gibson	K Gibson
Greenwood	Grover	Kiser	Lockhart
Mathis	Morley	Noel	Oda
Ray	Sandstrom	Wilcox	Wimmer
Wright			

**Absent or not voting were:** Representatives

Allen	Cosgrove	Herrod	Hughes
Sumsion			

**H.B. 97** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 200**, INFORMED CONSENT AMENDMENTS, *Wimmer*, read the third time by short title and placed on its final passage.

Representative Litvack proposed the following amendment:

1. Page 11, Line 331:  
Delete line 331 and renumber accordingly.

Representatives Wimmer and Hansen commented. Representative Litvack's motion to amend failed on a voice vote.

**H.B. 200**, as amended, passed on the following roll call:

**Yeas, 53; Nays, 15; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Brown
S. Clark	Cosgrove	Daw	Dee
Dougall	Draxler	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Frank
Froerer	Garn	F Gibson	Greenwood
Grover	Harper	Hendrickson	Hughes
Hunsaker	Hutchings	Ipson	Kiser
Lockhart	Mathis	McIff	Menlove
Morley	Newbold	Noel	Oda
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Vickers	Wallis
Webb	Wilcox	Wimmer	Wright
D. Clark			

**Voting in the negative were:** Representatives

Biskupski	Black	Chavez–Houck	S Duckworth
Gowans	Hansen	Hemingway	Johnson
King	Litvack	Moss	Seelig
Watkins	Wheatley	Wiley	

**Absent or not voting were:** Representatives

Fowlke	K Gibson	Herrod	Last
Mascaro	Painter	Sumsion	

**H.B. 200**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.B. 225**, COUNTERFEIT SUBSTANCE AMENDMENTS, *Ray*, read the third time by short title and placed on its final passage. Representative Hansen commented.

**H.B. 225** passed on the following roll call:

**Yeas, 66; Nays, 0; Absent or not voting, 9.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark

Cosgrove	Daw	Dee	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Froerer	Garn
F Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Sandstrom
Seegmiller	Seelig	Vickers	Wallis
Watkins	Webb	Wilcox	Wiley
Wimmer	Wright		

**Absent or not voting were:** Representatives

Dougall	Fowlke	Frank	K Gibson
Herrod	Riesen	Sumsion	Wheatley
D. Clark			

**H.B. 225** transmitted to the Senate for its consideration.

\* \* \*

**1st Sub. H.B. 78**, WEAPONS REVISIONS, *Sandstrom*, read the third time by short title and placed on its final passage. Representatives Chavez–Houck, Oda, and Greenwood commented.

**1st Sub. H.B. 78**, as amended, passed on the following roll call:

**Yeas, 63; Nays, 3; Absent or not voting, 9.**

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Barrus	Beck
Bigelow	Bird	Black	Brown
S. Clark	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Frank	Froerer
Garn	F Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hughes	Hunsaker	Hutchings	Ipson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff

Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Vickers	Wallis
Watkins	Webb	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Voting in the negative were:** Representatives

Biskupski                      Chavez–Houck              Johnson

**Absent or not voting were:** Representatives

Allen	Cosgrove	Edwards	Fowlke
K Gibson	Hendrickson	Herrod	Sumsion
Wheatley			

**1st Sub. H.B. 78**, as amended, transmitted to the Senate for its consideration.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 5, 2010

The Government Operations Committee reports a favorable recommendation on **H.B. 218**, MUNICIPAL DISINCORPORATION REVISIONS, by Representative G. Froerer; and

The Government Operations Committee reports a favorable recommendation on **H.B. 254**, VOTER IDENTIFICATION AMENDMENTS, by Representative B. Daw; and

The Government Operations Committee reports a favorable recommendation on **H.B. 258**, VOTING PRECINCT BOUNDARIES, by Representative K. Sumsion, with the following amendments:

1. Page 1, Line 14:

14 1 of a year immediately {~~proceeding~~} preceding a census year and the day on which the

2. Page 1, Lines 19 through 20:

19 Other Special Clauses:

20 {~~None~~} This bill takes effect on March 8, 2012.

3. Page 2, Line 47:

47 year immediately { proceeding } preceding the year in which an enumeration is required by the United States



4. Page 3, Line 61

61 Vote Act of 2002.

Section 2. Effective Date.

This bill takes effect on March 8, 2012.

Craig A. Frank, Chair

Reports filed. On motion of Representative Frank, the reports of the Government Operations committee were adopted.

**H.B. 218, H.B. 254, and H.B. 258**, as amended, read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker:

February 5, 2010

The Political Subdivisions Committee recommends **H.B. 205, IMPACT FEE AMENDMENTS**, by Representative S. Sandstrom, be replaced and reports a favorable recommendation on **1st Sub. H.B. 205, IMPACT FEE AMENDMENTS** with the following amendments:

1. Page 6, Lines 152 through 159:

152 (g)(i) { The } Subject to Subsection (2)(g)(iii), the  
153 plan shall include a public facility for which an impact fee may be  
154 charged or required for a school district or charter

153 school if the local political subdivision is aware of the planned  
154 location of the school district

154 facility or charter school:

155 (A) through the planning process; or

156 (B) after receiving a written request from a school district or  
157 charter school that the

157 public facility be included in the plan.

158 (ii) If necessary, the plan shall be amended to reflect a public  
159 facility described in

159 Subsection (2)(g)(i).

(iii)(A) In accordance with Subsections 10-9a-305(4) and  
17-27a-305(4), a local political subdivision may not require a school  
district or charter school to participate in the cost of any roadway or  
sidewalk.

(B) Notwithstanding Subsection (2)(g)(iii)(A), if a school district

or charter school agrees to build a roadway or sidewalk, the roadway or sidewalk shall be included in the plan.

Fred R Hunsaker, Chair

Report filed. On motion of Representative Hunsaker, the report of the Political Subdivisions committee was adopted.

**1st Sub. H.B. 205**, as amended, read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker:

February 5, 2010

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 100**, INCOME TAX CREDIT OR REFUND AMENDMENTS, by Senator C. Bramble.

Todd E. Kiser, Chair

Report filed. On motion of Representative Kiser, the report of the Revenue and Taxation committee was adopted.

**S.B. 100** read the second time by short title and placed on the Third Reading Calendar.

### THIRD READING CALENDAR

**H.B. 201**, STATE FIRE MARSHAL MODIFICATION, *Menlove*, read the third time by short title and placed on its final passage.

On motion of Representative Dee, the House voted to circle **H.B. 201**.

\* \* \*

**H.B. 202**, FIREWORKS AMENDMENTS, *Menlove*, read the third time by short title and placed on its final passage.

On motion of Representative Dee, the House voted to circle **H.B. 202**.

\* \* \*

**H.B. 98**, STATE ENGINEER BONDING REQUIREMENTS, *Wilcox*, read the third time by short title and placed on its final passage.

**H.B. 98** passed on the following roll call:

**Yeas, 66; Nays, 0; Absent or not voting, 9.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hughes	Hunsaker	Hutchings	Ipson
King	Kiser	Last	Litvack
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Vickers	Wallis	Watkins
Webb	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

Draxler	S Duckworth	Fowlke	Hendrickson
Herrod	Johnson	Lockhart	Sumsion
Wheatley			

**H.B. 98** transmitted to the Senate for its consideration.

### UNFINISHED BUSINESS

On motion of Representative Menlove, the House voted to uncircle **H.B. 201**.

**H.B. 201**, STATE FIRE MARSHAL MODIFICATIONS, *Menlove*, was before the House on its final passage. Representative Harper commented.

**H.B. 201**, as amended, passed on the following roll call:

**Yeas, 41; Nays, 28; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Allen	Beck	Bigelow	Bird
Biskupski	Black	Brown	Chavez–Houck
Cosgrove	Daw	S Duckworth	Dunnigan
Edwards	Ferry	Janice Fisher	Gowans

Greenwood	Hansen	Hemingway	Hunsaker
Ipson	Johnson	King	Kiser
Last	Litvack	McIff	Menlove
Moss	Painter	Poulson	Powell
Ray	Riesen	Seegmiller	Seelig
Vickers	Watkins	Webb	Wheatley
Wiley			

**Voting in the negative were:** Representatives

Aagard	Anderson	Barrus	S. Clark
Dee	Dougall	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Grover	Harper	Hughes
Hutchings	Mascaro	Mathis	Morley
Noel	Oda	Sandstrom	Wallis
Wilcox	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Draxler	Hendrickson	Herrod	Lockhart
Newbold	Sumsion		

**H.B. 201**, as amended, transmitted to the Senate for its consideration.

### **RULES COMMITTEE REPORT**

Mr. Speaker: February 5, 2010

The Rules Committee recommends that the following bill be placed on the Third Reading Calendar after H.B. 193:

**1st Sub. H.B. 67** Health System Amendments (Rep. C. Wimmer)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted. Speaker Clark clarified that **1st Sub. H.B. 67** was lifted from the Rules Committee and placed on the Third Reading Calendar.

### **RULES COMMITTEE REPORT**

Mr. Speaker: February 5, 2010

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 234**, Opting Out of the Real Id Act (Rep. S. Sandstrom), be replaced with **1st Sub. H.B. 234**, Opting Out of the Real ID Act

(Rep. S. Sandstrom) and further recommends it be assigned to the House Law Enforcement and Criminal Justice Standing Committee.

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

### **RULES COMMITTEE REPORT**

Mr. Speaker: February 5, 2010

The House Rules Committee recommends, with written request of the sponsor, that **H.J.R. 9**, Resolution in Support of Veterans' Nursing Home (Rep. C. Oda) be replaced with **1st Substitute H.J.R. 9**, Resolution in Support of Veterans' Nursing Home, and further recommends it be assigned to the House Government Operations Standing Committee.

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

### **RULES COMMITTEE REPORT**

Mr. Speaker: February 5, 2010

The Rules Committee recommends the following bills and resolutions be assigned to standing committees:

#### **BUSINESS AND LABOR**

- H.B. 126** State Construction Registry Amendments (Rep. R. Webb)
- H.B. 265** Real Property Amendments (Rep. G. Froerer)
- S.B. 13** State Construction Contracts and Drug and Alcohol Testing (Sen. K. Mayne)
- S.B. 96** Uintah Basin Revitalization Fund Amendments (Sen. K. Van Tassell)

#### **GOVERNMENT OPERATIONS**

- H.B. 274** Statutory Construction Compliance Amendments (Rep. R. Lockhart)
- H.B. 287** Legislator Salary Amendments (Rep. D. Litvack)
- H.B. 288** Daylight Saving Time (Rep. K. Sumsion)

#### **LAW ENFORCEMENT AND CRIMINAL JUSTICE**

- H.B. 187** Peace Officer Standards and Training Amendments (Rep. C. Wimmer)

**NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT****H.B. 120**                   Underground Storage Tank Amendments (Rep. K. McIff)**H.B. 285**                   Practice of Veterinary Medicine (Rep. J. Mathis)**POLITICAL SUBDIVISIONS****H.B. 279**                   County Recorder Amendments (Rep. R. Webb)**S.B. 20**                    Local District Amendments (Sen. D. Stowell)**REVENUE AND TAXATION****H.B. 259**                   Property Tax Amendments (Rep. W. Harper)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

**MISCELLANEOUS BUSINESS**

On motion of Representative Garn, and at 12:10 p.m., the House voted to adjourn until February 8, 2010, at 10:00 a.m.

# FIFTEENTH DAY

\* \* \*

## MORNING SESSION

The House was called to order by Speaker Clark at 10:00 a.m.

Roll call showed all members present.

Prayer offered by Rodger Chambers, boardmember of Southwest Wildlife Foundation. Pledge of Allegiance led by Martin Tyner, with his Golden Eagle, "Scout"; both are guests of Representative Evan Vickers.

### COMMITTEE OF THE WHOLE

On motion of Representative Garn, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from U.S. Congressman Jason Chaffetz.

On motion of Representative Garn, the Committee of the Whole was dissolved.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 5, 2010

The Senate passed, as amended, **S.B. 19**, VEHICLE SAFETY FLAGS ON OFF-HIGHWAY VEHICLES, by Senator B. Goodfellow, and it is transmitted for consideration; and

The Senate passed **S.B. 85**, UTAH CONSTRUCTION TRADE LICENSING ACT AMENDMENTS, by Senator S. Jenkins, and it is transmitted for consideration; and

The Senate passed, as amended, **1st Sub. S.B. 88**, PHARMACY PRACTICE ACT AMENDMENTS, by Senator C. Bramble, and it is transmitted for consideration; and

The Senate passed **S.B. 110**, REVISOR'S STATUTE, by Senator M. Dayton, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **S.B. 19**, **S.B. 85**, **1st Sub. S.B. 88**, and **S.B. 110** read the first time by short title and referred to the Rules Committee.

\* \* \*

Mr. Speaker:

February 5, 2010

The Senate passed, as amended, **H.B. 38**, SCHEDULING OF CONTROLLED SUBSTANCES, by Representative P. Ray, and it is transmitted for further consideration; and

The Senate substituted and passed, **Senate 1st Sub. H.B. 53**, FORECLOSURE RESCUE AND LOAN MODIFICATION AMENDMENTS, by Representative R. Wilcox, and it is transmitted for further consideration.

Annette B. Moore

Secretary of the Senate

Communications filed. **H.B. 38** and **1st Sub. H.B. 53** placed on the Concurrence Calendar.

\* \* \*

Mr. Speaker:

February 5, 2010

The Senate passed, **1st Sub. H.B. 1**, MINIMUM SCHOOL PROGRAM BASE BUDGET, by Representative M. Newbold, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 14**, JUVENILE TRANSFERS FROM JUSTICE COURT, by Representative K. McIff, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 27**, PER DIEM AND TRAVEL EXPENSE MODIFICATIONS, by Representative C. Frank, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 32**, LIVESTOCK DAMAGE COMPENSATION AMENDMENTS, by Representative M. Brown, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 33**, GROUNDWATER RECHARGE AND RECOVERY ACT AMENDMENTS, by Representative M. Noel, which has been signed by the President and it is transmitted for the signature of the Speaker; and



The Senate passed, **H.B. 44**, REFERENDUM BALLOT PROPOSITION AMENDMENTS, by Representative F. Hunsaker, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **1st Sub. H.B. 1, H.B. 14, H.B. 27, H.B. 32, H.B. 33,** and **H.B. 44** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

### INTRODUCTION OF BILLS

**H.B. 138, Hazing Penalties** (C. Moss), read the first time by short title and referred to the Rules Committee.

**H.B. 139, Emergency and Disaster Management Amendments** (C. Oda), read the first time by short title and referred to the Rules Committee.

**H.B. 140, Human Resource Management Amendments** (B. Dee), read the first time by short title and referred to the Rules Committee.

**H.B. 173, 911 Amendments** (B. Dee), read the first time by short title and referred to the Rules Committee.

**H.B. 174, License Plates Amendments** (P. Ray), read the first time by short title and referred to the Rules Committee.

**H.B. 178, Bureau of Criminal Identification Fee Amendments** (E. Hutchings), read the first time by short title and referred to the Rules Committee.

**H.B. 302, Minor Adjustments to County Boundaries** (P. Painter), read the first time by short title and referred to the Rules Committee.

**H.B. 303, Protections for Victims of Domestic Violence** (E. Hutchings), read the first time by short title and referred to the Rules Committee.

**H.B. 304, Lieutenant Governor Amendments** (E. Hutchings), read the first time by short title and referred to the Rules Committee.

**H.B. 305, Antidiscrimination Amendments** (C. Johnson), read the first time by short title and referred to the Rules Committee.

**H.B. 306, Terrorism Amendments** (E. Hutchings), read the first time by short title and referred to the Rules Committee.

**H.B. 307, General County Powers Amendments** (G. Hughes), read the first time by short title and referred to the Rules Committee.

**H.B. 308, State Fire Code Adoption** (T. Kiser), read the first time by short title and referred to the Rules Committee.

**H.J.R. 25, Joint Resolution Regarding School Fees and Supplies** (K. Powell), read the first time by short title and referred to the Rules Committee.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 5, 2010

The Health and Human Services Committee reports a favorable recommendation on **H.C.R. 8, CONCURRENT RESOLUTION ON FEDERAL HEALTH CARE REFORM**, by Representative D. Clark, with the following amendments:

1. Page 1, Line 26 through Page 2, Line 30:

26       ▶       urges that {~~—~~} should Congress pass, and the President sign, legislation that further

27 restricts states in any manner, the legislation recognize states' efforts to reform

28 health care by grandfathering any state laws, regulations, or practices intended to contain costs,

29 improve quality, increase consumerism, or otherwise implement health system reform

30 concepts.

2. Page 4, Lines 109 through 113:

109       BE IT FURTHER RESOLVED that the Legislature and the Governor urge that should

110 Congress pass, and the President sign, legislation that further restricts states in any manner, {~~that~~}

111 the legislation recognize states' efforts to reform health care by grandfathering any state laws,

112 regulations, or practices intended to contain costs, improve quality, increase consumerism, or

113 otherwise implement health system reform concepts.; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 25**, HEALTH REFORM – ADMINISTRATIVE SIMPLIFICATION, by Representative M. Newbold; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 52**, HEALTH REFORM – UNIFORM ELECTRONIC STANDARDS – INSURANCE INFORMATION, by Representative M. Newbold; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 294**, HEALTH SYSTEM REFORM AMENDMENTS, by Representative D. Clark, with the following amendments:

1. Page 1, Line 25:

25 health benefit plans;

► amends the amount of excess fees from the department that will be treated as free revenue;

2. Page 4, Line 102:

102 31A–2–201, as last amended by Laws of Utah 2008, Chapter  
382

31A–3–304 (Effective 07/01/10), as last amended by Laws of Utah  
2009, Chapter 183

3. Page 14, Line 425:

425 Access and Management Act.

Section 7. Section 31A–3–304 (Effective 07/01/10) is amended to  
read:

    31A–3–304 (Effective 07/01/10). Annual fees — Other taxes or fees prohibited.

    (1) (a) A captive insurance company shall pay an annual fee imposed under this section to obtain or renew a certificate of authority.

    (b) The commissioner shall:

    (i) determine the annual fee pursuant to Sections 31A–3–103 and 63J–1–504; and

    (ii) consider whether the annual fee is competitive with fees imposed by other states on captive insurance companies.

    (2) A captive insurance company that fails to pay the fee required by this section is subject to the relevant sanctions of this title.

    (3) (a) Except as provided in Subsection (3)(b) and notwithstanding Title 59, Chapter 9, Taxation of Admitted Insurers, the fee provided for in this section constitutes the sole tax or fee under the

laws of this state that may be otherwise levied or assessed on a captive insurance company, and no other occupation tax or other tax or fee may be levied or collected from a captive insurance company by the state or a county, city, or municipality within this state.

(b) Notwithstanding Subsection (3)(a), a captive insurance company is subject to real and personal property taxes.

(4) A captive insurance company shall pay the fee imposed by this section to the department by March 31 of each year.

(5) (a) The funds received pursuant to Subsection (2) shall be deposited into the General Fund as a dedicated credit to be used by the department to:

(i) administer and enforce Chapter 37, Captive Insurance Companies Act; and

(ii) promote the captive insurance industry in Utah.

(b) At the end of each fiscal year, funds received by the department in excess of  ~~{\$750,000-}~~  \$600,000 shall be treated as free revenue in the General Fund.

4. Page 49, Lines 1509 through 1510:

1509 (c) one health benefit plan that  ~~{ -is- }~~  has the highest deductible that qualifies as a federally qualified high deductible health plan  ~~{ -that~~

1510  has a deductible of \$5,000- }  as adjusted by federal law, and does not exceed an annual out-of-pocket maximum  ~~{ -of \$15,000. }~~  equal to three times the amount of the annual deductible.

5. Page 50, Line 1536:

1536 {  and }

6. Page 50, Line 1539:

1539 (ii) carrier enrollment data ; and  
(c) submit rates to the exchange that are net of commissions .

7. Page 51, Line 1566:

1566  arrangement market ;  
(i) on January 1 of each year  ~~{ -, and }~~  ;  
(ii) when required by changes in other law; and  
(iii) at other times as established by the risk

8. Page 54, Line 1647:

1647 (7) [Six] {~~One-half~~} A majority of the board members {~~are~~} is a quorum for the transaction of business.

9. Page 56, Lines 1715 through 1716:

1715 arrangement market and small employer carriers offering health benefit plans under Chapter 30, Part 1.

1716 {~~Defined Contribution Risk Adjuster Act~~} Individual, Small Employer and Group Health Insurance Act ; and

10. Page 56, Lines 1720 through 1721:

1720 (B) from carriers offering health benefit plans under Chapter 30, Part 1, {~~Defined Contribution Risk~~

1721 Adjuster Act} Individual, Small Employer and Group Health Insurance Act ;

11. Page 59, Line 1810:

1810 {~~2011~~} 2013 , including a plan offered to a small employer group not participating in a defined

12. Page 60, Line 1831:

1831 offered to a small employer group on or after January 1, {~~2011~~} 2013 , including a plan offered to a

13. Page 61, Line 1865:

1865 groups on or after January 1, {~~2011~~} 2013 , including amendments affecting the calculation of rates.

14. Page 61, Lines 1879 through 1880:

1879 (B) plans offered to a small employer group on or after January 1, {~~2001~~} 2013 ; and

1880 (c) beginning in {~~2010~~} 2013 and ending in {~~2012~~} 2014 , report to the Health Reform Task Force and

15. Page 62, Lines 1904 through 1905:

1904 January 1, {~~2010~~} 2013 , addressing each of the elements specified in Section 31A-42a-202;

1905 (b) the board fails to submit to the commissioner by September 1, {~~2010~~} 2012 , proposed

16. Page 67, Line 2062:

2062 (ii) Beginning January 1, {~~2011~~} 2013, an insurer who offers a health benefit plan to a small

17. Page 70, Line 2160 through Page 71, Line 2173:

2160 Section 46. Effective date.

2161 (1) Except as provided in {~~Subsection (2)~~} Subsections (2) and (3), if approved by two-thirds of all the members

2162 elected to each house, this bill takes effect upon approval by the governor, or the day following

2163 the constitutional time limit of Utah Constitution Article VII, Section 8, without the governor's

2164 signature, or in the case of a veto, the date of veto override, except that the amendments to

2165 Sections 31A-30-103 and 31A-30-106 take effect on January 1, 2011.

(2) The amendments to Section 31A-3-304 (Effective 07/01/10) take effect July 1, 2010.

2166 {~~(2)~~} (3) The following sections take effect on January 1, 2013:

2167 (a) Section 31A-42a-101;

2168 (b) Section 31A-42a-102;

2169 (c) Section 31A-42a-103;

2170 (d) Section 31A-42a-201;

2171 (e) Section 31A-42a-202;

2172 (f) Section 31A-42a-203; and

2173 (g) Section 31A-42a-204.

Paul Ray, Chair

Reports filed. On motion of Representative Menlove, the reports of the Health and Human Services committee were adopted.

**H.C.R. 8**, as amended, **H.B. 25**, **H.B. 52**, and **H.B. 294**, as amended, read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker: February 5, 2010

The Business and Labor Committee reports a favorable recommendation on **H.B. 118**, ECONOMIC DEVELOPMENT INCENTIVES MODIFICATIONS, by Representative W. Harper, with the following amendments:

- 1. Page 2, Line 121 through Page 5, Line 125:

121 (5) (a) (i) At the end of each fiscal year, the unrestricted, undesignated General Fund

122 balance after the transfers of surplus of General Fund revenues described in this Subsection

123 (5)(a) shall be earmarked to the Industrial Assistance Fund in an amount equal to 120% of any

124 credit that has accrued under this part.

125 (ii) The earmark under Subsection (5)(a)(i) shall be capped at \$50,000,000. at which time no subsequent contributions may be made and any interest accrued above the \$50,000,000 cap shall be deposited into the General Fund.

(b) The earmark required by [this] Subsection (5)(a) shall be made after the transfer of ; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 188**, WORKERS' COMPENSATION BENEFITS – SOCIAL SECURITY OFFSET, by Representative W. Harper, with the following amendments and recommends it be placed on the Consent Calendar.

- 1. Page 10, Line 304 through Page 11, Line 310:

304 (a) the status of cases for which the Employers' Reinsurance Fund pays permanent total

305 disability compensation;

306 (b) the process the Labor Commission follows to facilitate the implementation of the

307 Merrill decision { ~~by the Workers' Compensation Fund and private insurers~~ } ;

308 (c) the effect, if any, of implementing the Merrill decision on:

309 (i) the Employers' Reinsurance Fund;

310 (ii) assessments related to workers' compensation under Sections 34A-2-202 and ; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 222**, LAND USE MEETING NOTICE, by Representative T. Beck, and recommends it be placed on the Consent Calendar; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 37**, IMPACT FEE REVISIONS, by Senator W. Niederhauser, and recommends it be placed on the Consent Calendar.

James A. Dunnigan, Chair

Reports filed. On motion of Representative Dunnigan, the reports of the Business and Labor committee were adopted.

**H.B. 118**, as amended, read the second time by short title and placed on the Third Reading Calendar.

**H.B. 188**, as amended, **H.B. 222**, and **S.B. 37** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker:

February 5, 2010

The Education Committee reports a favorable recommendation on **H.J.R. 3**, JOINT RESOLUTION ON TEACHER PERFORMANCE PAY, by Representative M. Poulson, with the following amendments:

1. Page 2, Lines 31 through 32:

31 WHEREAS, one of the ~~{-single-}~~ most important  
~~{-factor-}~~ factors in ensuring a child's educational progress

32 is having a high quality teacher in the classroom;

Gregory H. Hughes, Chair

Report filed. On motion of Representative Sumsion, the report of the Education committee was adopted.

**H.J.R. 3**, as amended, read the second time by short title and placed on the Third Reading Calendar.

### SPECIAL ORDER OF BUSINESS

**H.C.R. 5**, CONCURRENT RESOLUTION RECOGNIZING THE 100TH ANNIVERSARY OF THE BOY SCOUTS OF AMERICA, *Daw*, read the third



time by short title and placed on its final passage. Representatives Hutchings, Fowlke, Wilcox, and Mascaro commented.

**H.C.R. 5** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hunsaker	Hutchings	Ipson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Hughes                      Johnson

**H.C.R. 5** transmitted to the Senate for its consideration.

### CONSENT CALENDAR

**H.B. 249**, EMANCIPATION AMENDMENTS, *Fowlke*, read the third time by short title and placed on its final passage.

**H.B. 249** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski

Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Dee	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McCliff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Daw                      Dougall

**H.B. 249** transmitted to the Senate for its consideration.

\* \* \*

**S.B. 79**, FRAUDULENT TRANSFER AMENDMENTS, *Bird*, read the third time by short title and placed on its final passage.

**S.B. 79** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Froerer	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson

King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Frank                      Garn

**S.B. 79** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**H.B. 262**, REPORTING TO APPROPRIATION COMMITTEES, *Bigelow*, read the third time by short title and placed on its final passage.

**H.B. 262** passed on the following roll call:

**Yeas, 74; Nays, 0; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion

Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting was:** Representative  
Daw

**H.B. 262** transmitted to the Senate for its consideration.

### CONCURRENCE CALENDAR

On motion of Representative Dunnigan, the House voted to concur in the Senate amendments to **H.B. 40**, UTAH LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION AMENDMENTS.

**H.B. 40**, as amended by the Senate, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Daw	Frank	Vickers
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**H.B. 40**, as amended by the Senate, transmitted to the Senate for signature of President.

### UNFINISHED BUSINESS

On motion of Representative Menlove, the House voted to uncircle **H.B. 202**.

**H.B. 202**, FIREWORKS AMENDMENTS, *Menlove*, was before the House on its final passage.

**H.B. 202**, as amended, passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Dee	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Fowlke	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Daw	Dougall	Julie Fisher	Frank
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**H.B. 202**, as amended, transmitted to the Senate for its consideration.

### THIRD READING CALENDAR

**H.B. 226**, WELL DRILLER'S LICENSE – PUMP INSTALLATION, *Painter*, read the third time by short title and placed on its final passage.

**H.B. 226**, as amended, passed on the following roll call:

**Yeas, 70; Nays, 1; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Voting in the negative was:** Representative  
Garn

**Absent or not voting were:** Representatives

Barrus	Daw	Newbold	Sumsion
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**H.B. 226**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.B. 229**, WATER RIGHT GENERAL ADJUDICATION AMENDMENTS, *Painter*, read the third time by short title and placed on its final passage.

Representative Painter proposed the following amendment:

1. Page 3, Line 71:  
Delete “provides” and insert “will facilitate”

Representative Painter’s motion to amend passed on a voice vote.

**H.B. 229**, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Daw	Hughes	Last
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**H.B. 229**, as amended, transmitted to the Senate for its consideration.

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**H.B. 93**, MOTORCYCLE AND OFF–HIGHWAY VEHICLE AMENDMENTS, *Menlove*, read the third time by short title and placed on its final passage.

**H.B. 93**, as amended, passed on the following roll call:

**Yeas, 69; Nays, 2; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Allen	Anderson	Beck	Bigelow
Bird	Biskupski	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Dee
Dougall	Draxler	S Duckworth	Dunnigan
Edwards	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood

Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Poulson	Powell	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Voting in the negative were:** Representatives

Agard                      Kiser

**Absent or not voting were:** Representatives

Barrus                      Daw                      Painter                      Ray

**H.B. 93**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.B. 18**, UNEMPLOYMENT INSURANCE AMENDMENTS, *Mascaro*, read the third time by short title and placed on its final passage. Representatives Sumsion, Fowlke, and Draxler commented.

**H.B. 18**, as amended, passed on the following roll call:

**Yeas, 46; Nays, 28; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Dee	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Garn
Gowans	Greenwood	Hansen	Harper
Hemingway	Hendrickson	Hunsaker	Hutchings
Johnson	King	Last	Litvack
Mascaro	McIff	Menlove	Moss
Poulson	Powell	Ray	Riesen
Seegmiller	Seelig	Wallis	Watkins
Wheatley	Wiley		



**Voting in the negative were:** Representatives

Anderson	Daw	Dougall	Draxler
Fowlke	Frank	Froerer	F Gibson
K Gibson	Grover	Herrod	Hughes
Ipson	Kiser	Lockhart	Mathis
Morley	Newbold	Noel	Oda
Sandstrom	Sumsion	Vickers	Webb
Wilcox	Wimmer	Wright	D. Clark

**Absent or not voting was:** Representative  
Painter

**H.B. 18**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.J.R. 11**, JOINT RESOLUTION REGARDING FEDERAL HEALTH INSURANCE REFORM, *Morley*, read the third time by short title and placed on its final passage. Representatives King, Herrod, Hansen, and F. Gibson commented.

**H.J.R. 11** passed on the following roll call:

**Yeas, 51; Nays, 21; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Bigelow	Bird	Brown	S. Clark
Daw	Dee	Dougall	Draxler
Dunnigan	Edwards	Ferry	Julie Fisher
Frank	Froerer	Garn	F Gibson
K Gibson	Greenwood	Grover	Harper
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Kiser	Last	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Newbold	Noel	Oda
Powell	Ray	Sandstrom	Sumsion
Vickers	Wallis	Webb	Wilcox
Wimmer	Wright	D. Clark	

**Voting in the negative were:** Representatives

Beck	Biskupski	Black	Chavez–Houck
Cosgrove	S Duckworth	Janice Fisher	Gowans

Hansen	Hemingway	Johnson	King
Litvack	Moss	Poulson	Riesen
Seegmiller	Seelig	Watkins	Wheatley
Wiley			

**Absent or not voting were:** Representatives

Fowlke	Hendrickson	Painter
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**H.J.R. 11** transmitted to the Senate for its consideration.

### UNFINISHED BUSINESS

On motion of Representative Oda, the House voted to uncircle **H.B. 10**.

**H.B. 10**, COURT FEES FOR INMATES, *Oda*, was before the House on its final passage.

Representative Oda proposed the following amendment:

1. Page 3, Lines 79 through 86

79        (c) (i) If a prisoner files an affidavit of impecuniosity, the judge shall question the

80 prisoner at the time of the hearing on the merits of the case as to the prisoner's ability to pay.

81        (ii) If the judge determines that the { ~~person~~ } prisoner is reasonably able to pay court fees and

82 costs, the { ~~judge shall~~ } final order { ~~that the judgment~~ } or decree { ~~not~~ } shall be entered { ~~in favor of~~ } however the prisoner may not seek enforcement or modification of the decree or order

83 until the prisoner has paid the fees or costs { ~~are paid~~ } in full.

84        (iii) { ~~If a~~ } A judge { ~~orders that a judgment or decree not be entered in favor of the prisoner~~

85 because the fees or costs are not paid in full, a judge } may waive the restrictions placed on the prisoner in Subsection (7)(c)(ii) upon a showing of good cause { ~~cancel or modify that order as~~

86 warranted by subsequent facts } .

Representative Oda's motion to amend passed on a voice vote.

**H.B. 10**, as amended, passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Harper	Hemingway	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

Dee	Julie Fisher	Fowlke	Hansen
Hendrickson			

**H.B. 10**, as amended, transmitted to the Senate for its consideration.

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 8, 2010

The Judiciary Committee reports a favorable recommendation on **1st Sub. H.B. 235**, CHILD SUPPORT FOR CHILDREN IN STATE CUSTODY, by Representative W. Harper; and

The Judiciary Committee reports a favorable recommendation on **H.B. 277**, OVERDOSE REPORTING AMENDMENTS, by Representative C. Johnson, with the following amendments:

1. Page 2, Lines 29 through 31  
House Committee Amendments 2–5–2010:

29        (1) In sentencing an actor for a misdemeanor violation of  
Section 32A–12–203 or

30        Subsection 32A–12–209(1), the court { may } shall  
consider the elements under Subsection (2) as a

31        mitigating factor. ; and

The Judiciary Committee reports a favorable recommendation on **H.B. 109**, VOLUNTEER GOVERNMENT WORKERS ACT DEFINITIONS, by Representative J. Biskupski, and recommends it be placed on the Consent Calendar.

Lorie D. Fowlke, Chair

Reports filed. On motion of Representative Lockhart, the reports of the Judiciary committee were adopted.

**1st Sub. H.B. 235**, and **H.B. 277**, as amended, read the second time by short title and placed on the Third Reading Calendar.

**H.B. 109** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker: February 8, 2010

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 113**, CHILD RESTRAINT DEVICE AMENDMENTS, by Representative C. Herrod, with the following amendments:

1. Page 1, Lines 18 through 19:

18        •        the distance from the operator’s residence to or from  
certain locations is four

19        miles or less; { ~~and~~ }

          •        the operator of the motor vehicle is operating the motor  
vehicle on a highway with a posted speed limit that does not exceed 45  
miles per hour; and

2. Page 3, Lines 60 through 61:

60        (1)(c)(i)(A)(II) is four miles or less; { ~~and~~ }

(C) the operator of the motor vehicle is operating the motor vehicle

on a highway with a posted speed limit that does not exceed 45 miles per hour; and

61 { ~~(C)~~ } (D) all available child restraint devices in the vehicle are being occupied; and; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 114**, DISCLOSURE OF DONATIONS TO HIGHER EDUCATION INSTITUTIONS, by Representative C. Wimmer; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 250**, CRIMINAL PENALTIES AMENDMENTS – LEAVING THE SCENE OF AN ACCIDENT, by Representative C. Herrod; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 264**, LAW ENFORCEMENT AMENDMENTS, by Representative C. Wimmer.

Douglas C. Aagard, Chair

Reports filed. On motion of Representative Aagard, the reports of the Law Enforcement and Criminal Justice committee were adopted.

**H.B. 113**, as amended, **H.B. 114**, **H.B. 250**, and **H.B. 264** read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker:

February 8, 2010

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 68**, HABITUAL WANTON DESTRUCTION OF WILDLIFE, by Representative C. Oda, with the following amendments:

1. Page 2, Line 32:

32 (b) within seven years of the day on which the violation described in Subsection (1)(a) occurs, has twice { before } been convicted of taking a big game animal in violation of Section; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 271**, HUNTING GUIDES AND OUTFITTERS LICENSING ACT AMENDMENTS, by Representative E. Vickers; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 11**, UTAH STATE-MADE FIREARMS PROTECTION ACT, by Senator M. Dayton; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **1st Sub. S.B. 24**, LAND EXCHANGE DISTRIBUTION ACCOUNT AMENDMENTS, by Senator D. Stowell; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **1st Sub. S.B. 36**, WOLF MANAGEMENT, by Senator A. Christensen.

Roger E. Barrus, Chair

Reports filed. On motion of Representative Natural Resources, Agriculture, and Environment, the reports of the committee were adopted.

**H.B. 68**, as amended, **H.B. 271**, **S.B. 11**, **1st Sub. S.B. 24**, and **1st Sub. S.B. 36** read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker:

February 8, 2010

The Transportation Committee reports a favorable recommendation on **H.B. 261**, FINANCIAL RESPONSIBILITY OF MOTOR VEHICLE OWNERS AND OPERATORS ACT AMENDMENTS, by Representative R. Greenwood, with the following amendments:

1. Page 1, Line 20:

20 immediate possession {—} and  
 ► increases the number of months that a motor vehicle must show as not insured in the Uninsured Motorist Identification Database before the designated agent provides certain notices to the owner of the motor vehicle.

2. Page 5, Lines 132 through 134:

132 (1) If the comparison under Section 41–12a–803 shows that a motor vehicle is not

133 insured for {~~two~~} three consecutive months, the Motor Vehicle Division shall direct that the designated

134 agent provide notice to the owner of the motor vehicle that the owner has 15 days to provide: ; and

The Transportation Committee reports a favorable recommendation on **S.B. 17**, UNIFORM COMMERCIAL DRIVER LICENSE ACT

AMENDMENTS, by Senator K. Van Tassell, and, due to fiscal impact, recommends it be referred to the Rules Committee for prioritization.

Bradley M. Daw, Chair

Reports filed. On motion of Representative Daw, the reports of the Transportation committee were adopted.

**H.B. 261**, as amended, read the second time by short title and placed on the Third Reading Calendar.

**S.B. 17**, read the second time by short title and returned to the Rules Committee due to fiscal impact.

### THIRD READING CALENDAR

**H.B. 193**, OCCUPATIONS AND PROFESSIONS AMENDMENTS, *Lockhart*, read the third time by short title and placed on its final passage.

**H.B. 193**, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Dee	Mathis
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**H.B. 193**, as amended, transmitted to the Senate for its consideration.

### **RULES COMMITTEE REPORT**

Mr. Speaker: February 8, 2010

The Rules Committee recommends that **S.B. 20**, Local District Amendments (Sen. D. Stowell), be lifted from the Political Subdivisions Standing Committee and assigned to the Natural Resources, Agriculture, and Environment Standing Committee.

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

### **RULES COMMITTEE REPORT**

Mr. Speaker: February 8, 2010

The Rules Committee recommends the following bills and resolutions be assigned to standing committees:

#### **BUSINESS AND LABOR**

**H.B. 272** Construction Trades Licensing Act Amendments  
(Rep. B. King)

**S.B. 85** Utah Construction Trade Licensing Act Amendments  
(Sen. S. Jenkins)

#### **GOVERNMENT OPERATIONS**

**H.B. 304** Lieutenant Governor Amendments (Rep. E. Hutchings)

**S.B. 110** Revisor's Statute (Sen. M. Dayton)

#### **HEALTH AND HUMAN SERVICES**

**H.B. 184** Medicaid Autism Waiver (Rep. P. Ray)

#### **JUDICIARY**

**H.B. 284** Uniform Collaborative Law Act (Rep. L. Fowlke)

#### **LAW ENFORCEMENT AND CRIMINAL JUSTICE**

**H.B. 276** Sex Offender Registry Amendment (Rep. P. Ray)

**H.J.R. 16** Joint Resolution Supporting Kane County Expansion of Correctional Facilities (Rep. M. Noel)

#### **NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT**

**H.B. 298** Land Use Authority Notification of Canal Development  
(Rep. B. Ferry)



- H.J.R. 1** Joint Resolution Amending Provision on Municipal Water Rights (Rep. K. McIff)
- S.B. 19** Vehicle Safety Flags on Off-highway Vehicles (Sen. B. Goodfellow)

#### **POLITICAL SUBDIVISIONS**

- H.B. 282** Local Government Amendments (Rep. S. Sandstrom)
- H.B. 283** Fees and Assessment Levies in Local and Special Service Districts (Rep. J. Mathis)
- H.B. 291** Applicability of Land Use Provisions to Federal Government (Rep. K. Grover)
- H.B. 302** Minor Adjustments to County Boundaries (Rep. P. Painter)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

#### **THIRD READING CALENDAR**

**1st Sub. H.B. 67**, HEALTH SYSTEM AMENDMENTS, *Wimmer*, read the third time by short title and placed on its final passage.

On motion of Representative Wimmer, the House voted to circle **1st Sub. H.B. 67**.

#### **MISCELLANEOUS BUSINESS**

On motion of Representative Garn, and at 12:05 p.m., the House voted to adjourn until February 9, 2010, at 10:00 a.m.

# SIXTEENTH DAY

\* \* \*

## MORNING SESSION

The House was called to order by Speaker Clark at 10:00 a.m.

Roll call showed all members present, except Representative Mascaro, excused.

Prayer offered by Representative Ron Bigelow. Pledge of Allegiance led by Representative Bigelow's intern, Jared Young.

### COMMUNICATION FROM THE SENATE

Mr. Speaker: February 8, 2010  
The Senate passed, **H.C.R. 5**, CONCURRENT RESOLUTION RECOGNIZING THE 100TH ANNIVERSARY OF THE BOY SCOUTS OF AMERICA, by Representative B. Daw, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communication filed. **H.C.R. 5** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

### INTRODUCTION OF BILLS

**H.B. 309, Surface Owner Protection Act** (J. Mathis), read the first time by short title and referred to the Rules Committee.

**H.B. 310, Spending Limits Amendments** (R. Bigelow), read the first time by short title and referred to the Rules Committee.

**H.B. 315, Utah Public Notice Website Amendments** (K. Powell), read the first time by short title and referred to the Rules Committee.

**H.B. 322, Property Tax Valuation Amendments** (N. Hansen), read the first time by short title and referred to the Rules Committee.

**H.B. 340, Sexual Assault Victim Protocols** (J. Biskupski), read the first time by short title and referred to the Rules Committee.

**H.J.R. 27, Authentic Charity Health Care Joint Resolution** (M. Newbold), read the first time by short title and referred to the Rules Committee.

### CONCURRENCE CALENDAR

On motion of Representative Ray, the House voted to concur in the Senate amendments to **H.B. 38, SCHEDULING OF CONTROLLED SUBSTANCES.**

**H.B. 38**, as amended by the Senate, passed on the following roll call:

**Yeas, 64; Nays, 2; Absent or not voting, 9.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	Cosgrove
Daw	Dee	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Frank	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Litvack	Lockhart
Mathis	McIff	Menlove	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wright	D. Clark

**Voting in the negative were:** Representatives

Dougall	Morley
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**Absent or not voting were:** Representatives

S. Clark	Fowlke	Froerer	Garn
Herrod	Last	Mascaro	Seelig
Wimmer			

**H.B. 38**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Wilcox, the House voted to concur in the Senate amendments to **1st Sub. H.B. 53**, FORECLOSURE RESCUE AND LOAN MODIFICATION AMENDMENTS.

**1st Sub. H.B. 53**, as amended by the Senate, passed on the following roll call:

**Yeas, 65; Nays, 0; Absent or not voting, 10.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	Cosgrove	Dee
Dougall	Draxler	S Duckworth	Dunnigan
Edwards	Ferry	Janice Fisher	Julie Fisher
Frank	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Hughes	Hunsaker
Hutchings	Ipson	Johnson	Kiser
Last	Litvack	Lockhart	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Anderson	S. Clark	Daw	Fowlke
Froerer	Garn	Herrod	King
Mascaro	Seelig		

**1st Sub. H.B. 53**, as amended by the Senate, transmitted to the Senate for signature of President.

### THIRD READING CALENDAR

**2nd Sub. H.B. 71**, NICOTINE PRODUCT RESTRICTIONS, *Ray*, read the third time by short title and placed on its final passage.

On motion of Representative Ray, the House voted to delete **2nd Sub. H.B. 71** in title and body and insert **3rd Sub. H.B. 71** in lieu thereof.

Representative Riesen proposed the following amendment:

- 1. Page 12, Lines 340 through 349

340 76–10–3003, Provision of nicotine product prohibited.

341 (1) Except as provided in Subsection (2) or (3), a person who provides a nicotine product to

342 another is guilty of a class C misdemeanor on the first offense and a class B misdemeanor on

343 each subsequent offense.

344 (2) Subsection (1) does not apply if the nicotine product is:

345 (a) (i) approved by the United States Food and Drug Administration for nicotine

346 replacement therapy or other medical purposes; and

347 (ii) provided for the purpose for which it is approved; or

348 (b) approved by the United States Food and Drug Administration for general consumer

349 use other than a use described in Subsection (2)(a)(i).

(3) (a) As used in this section, “electronic cigarette” means any device, other than a cigarette or cigar, intended to deliver vapor containing nicotine into a person’s respiratory system.

(b) A person is not guilty of an offense under this section if the nicotine product is produced to be, and intended to be, used only to produce vapor in an electronic cigarette.

Representatives Chavez–Houck, Hemingway, and Hughes commented. Representative Riesen’s motion to amend passed on a voice vote.

**3rd Sub. H.B. 71**, as amended, passed on the following roll call:

**Yeas, 54; Nays, 17; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	Cosgrove	Daw
Dee	Draxler	S Duckworth	Dunnigan
Edwards	Ferry	Janice Fisher	Julie Fisher
Fowlke	K Gibson	Hansen	Hemingway

Herrod	Hunsaker	Hutchings	Ipson
Johnson	King	Last	Litvack
Lockhart	McIff	Menlove	Moss
Newbold	Noel	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wiley	D. Clark		

**Voting in the negative were:** Representatives

Anderson	Dougall	Frank	F Gibson
Gowans	Greenwood	Grover	Harper
Hendrickson	Hughes	Kiser	Mathis
Morley	Oda	Wilcox	Wimmer
Wright			

**Absent or not voting were:** Representatives

S. Clark	Froerer	Garn	Mascaro
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**3rd Sub. H.B. 71**, as amended, transmitted to the Senate for its consideration.

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**H.B. 239**, CHILD PROTECTION REVISIONS, *Harper*, read the third time by short title and placed on its final passage.

**H.B. 239**, as amended, passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	King	Kiser
Last	Litvack	Lockhart	Mathis
McIff	Menlove	Morley	Moss

Newbold	Noel	Oda	Painter
Poulson	Powell	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

S. Clark	Froerer	Garn	Johnson
Mascaro	Ray		

**H.B. 239**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.B. 197**, CUSTODIAL INTERFERENCE AMENDMENTS, *Wimmer*, read the third time by short title and placed on its final passage.

On motion of Representative Wimmer, the House voted to delete **H.B. 197** in title and body and insert **1st Sub. H.B. 197** in lieu thereof.

Representative Wimmer proposed the following amendment:

1. Page 1, Line 22:  
Delete “three” and insert “two”
2. Page 3, Line 58:  
Delete “three” and insert “two”
3. Page 3, Line 66:  
Delete “three” and insert “two”

Representative Wimmer’s motion to amend passed on a voice vote.

Representative Julie Fisher commented.

Representative Sumsion proposed the following amendment:

1. Page 1, Line 20:  
Delete “three” and insert “two”

Representative Sumsion’s motion to amend passed on a voice vote.

Representative Litvack commented.

**1st Sub. H.B. 197**, as amended, passed on the following roll call:

**Yeas, 62; Nays, 10; Absent or not voting, 3.****Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Black
Brown	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Julie Fisher
Fowlke	Frank	Froerer	F Gibson
K Gibson	Greenwood	Grover	Hansen
Harper	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Kiser
Last	Lockhart	Mathis	McIff
Menlove	Morley	Moss	Noel
Oda	Painter	Poulson	Powell
Ray	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wimmer
Wright	D. Clark		

**Voting in the negative were:** Representatives

Biskupski	Chavez-Houck	Janice Fisher	Gowans
Hemingway	Johnson	King	Litvack
Riesen	Wiley		

**Absent or not voting were:** Representatives

Garn	Mascaro	Newbold
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**1st Sub. H.B. 197**, as amended, transmitted to the Senate for its consideration.

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**1st Sub. H.B. 207**, PROTECTION OF PROPERTY AMENDMENT, *Wimmer*, read the third time by short title and placed on its final passage. Representatives Hansen and King commented.

**1st Sub. H.B. 207** passed on the following roll call:

**Yeas, 74; Nays, 0; Absent or not voting, 1.****Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski



Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting was:** Representative Mascaro

**1st Sub. H.B. 207** transmitted to the Senate for its consideration.

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**1st Sub. H.B. 214, CONCEALED FIREARM PERMIT MODIFICATIONS,** Lockhart, read the third time by short title and placed on its final passage.

Representative Lockhart proposed the following amendment:

1. Page 10, Lines 296 through 298

296 (4) (a) A temporary permit is valid only for a maximum of  
297 90 days or any lesser period

297 specified by the [~~division~~] bureau, or until a permit under Section  
298 53–5–704 is issued to the

298 holder of the temporary permit, whichever period is shorter.

(b) The provisions of Subsections 76–10–504(1) and (2) and Section 76–10–505 do not apply to a person issued a temporary permit under this section during the time period for which the temporary permit is valid.

Representative Lockhart’s motion to amend passed on a voice vote.

**1st Sub. H.B. 214**, as amended, passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	Cosgrove	Daw
Dee	Dougall	Draxler	Dunnigan
Edwards	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

Anderson	S. Clark	S Duckworth	Mascaro
Seelig			

**1st Sub. H.B. 214**, as amended, transmitted to the Senate for its consideration.

### UNFINISHED BUSINESS

On motion of Representative Painter, the House voted to uncircle **H.J.R. 2**.

**H.J.R. 2**, JOINT RESOLUTION ON PROPERTY TAX EXEMPTION FOR WATER FACILITIES, *Painter*, was before the House on its final passage. Representative Powell commented.

**H.J.R. 2** passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski

Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	King
Kiser	Last	Litvack	Lockhart
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

S Duckworth	Ipson	Johnson	Mascaro
Riesen			

**H.J.R. 2** transmitted to the Senate for its consideration.

\* \* \*

On motion of Representative Painter, the House voted to uncircle **H.B. 54**.

**H.B. 54**, PROPERTY TAX EXEMPTION FOR WASTE FACILITIES, *Painter*, was before the House on its final passage.

Representative Painter declared a conflict of interest because he owns water shares.

**H.B. 54** passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Brown	Chavez–Houck	S. Clark	Daw
Dee	Dougall	Draxler	Dunnigan
Edwards	Ferry	Janice Fisher	Julie Fisher
Frank	Froerer	Garn	F Gibson

K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Black	Cosgrove	S Duckworth	Fowlke
Hunsaker	Mascaro		

**H.B. 54** transmitted to the Senate for its consideration.

**THIRD READING CALENDAR**

**H.B. 230**, HUMAN TRAFFICKING AMENDMENTS, *Julie Fisher*, read the third time by short title and placed on its final passage.

**H.B. 230** passed on the following roll call:

**Yeas, 65; Nays, 0; Absent or not voting, 10.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Black
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Frank	Froerer	Garn
F Gibson	K Gibson	Greenwood	Grover
Hansen	Harper	Hemingway	Herrod
Hughes	Hunsaker	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mathis	McIff	Menlove
Moss	Newbold	Noel	Oda
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion

Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wright
D. Clark			

**Absent or not voting were:** Representatives

Biskupski	Brown	Fowlke	Gowans
Hendrickson	Hutchings	Mascaro	Morley
Painter	Wimmer		

**H.B. 230** transmitted to the Senate for its consideration.

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**H.B. 195**, HOMICIDE PENALTY AMENDMENT, *Wimmer*, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House voted to circle **H.B. 195**.

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**H.B. 192**, RENEWABLE ENERGY – METHANE GAS, *Watkins*, read the third time by short title and placed on its final passage. Representative Barrus commented.

**H.B. 192** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom

Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

S Duckworth	Mascaro
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**H.B. 192** transmitted to the Senate for its consideration.

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**2nd Sub. H.B. 100**, HEBER VALLEY HISTORIC RAILROAD AUTHORITY, *Powell*, read the third time by short title and placed on its final passage.

**2nd Sub. H.B. 100**, as amended, passed on the following roll call:

**Yeas, 67; Nays, 2; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Draxler
Dunnigan	Edwards	Ferry	Janice Fisher
Frank	Froerer	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wright	D. Clark	

**Voting in the negative were:** Representatives

Dougall	Wimmer
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**Absent or not voting were:** Representatives

S Duckworth	Julie Fisher	Fowlke	Garn
Hutchings	Mascaro		

**2nd Sub. H.B. 100**, as amended, transmitted to the Senate for its consideration.

### UNFINISHED BUSINESS

On motion of Representative Wimmer, the House voted to uncircle **H.B. 195**.

**H.B. 195**, HOMICIDE PENALTY AMENDMENT, *Wimmer*, was before the House on its final passage.

**H.B. 195** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Greenwood	Grover	Hansen
Harper	Hemingway	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Gowans	Hendrickson	Mascaro
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**H.B. 195** transmitted to the Senate for its consideration.

### THIRD READING CALENDAR

**1st Sub. H.B. 94**, UNIFORM FISCAL PROCEDURES ACT AMENDMENTS FOR TOWNS, CITIES, AND COUNTIES AMENDMENTS, *Hunsaker*, read the third time by short title and placed on its final passage.

**1st Sub. H.B. 94**, as amended, passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mathis	McIff	Menlove
Morley	Moss	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Bigelow	Dougall	Mascaro	Newbold
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**1st Sub. H.B. 94**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.J.R. 5**, JOINT RESOLUTION ON CLEAN AIR, *Moss*, read the third time by short title and placed on its final passage.

On motion of Representative Moss, the House voted to circle **H.J.R. 5**.

\* \* \*

**H.J.R. 19**, JOINT RESOLUTION APPROVING REAPPOINTMENT OF LEGISLATIVE AUDITOR GENERAL, *D. Clark*, read the third time by short title and placed on its final passage.

**H.J.R. 19** passed on the following roll call:



**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mathis	Menlove
Morley	Moss	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Bigelow	Mascaro	McIff	Newbold
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**H.J.R. 19** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 112**, SUPREME COURT REVIEW OF AN INITIATIVE OR REFERENDUM, *Dee*, read the third time by short title and placed on its final passage.

On motion of Representative Garn, the House voted to circle **H.B. 112**.

\* \* \*

**H.B. 96**, LIBEL AMENDMENTS, *Julie Fisher*, read the third time by short title and placed on its final passage.

On motion of Representative Julie Fisher, the House voted to circle **H.B. 96**.

\* \* \*

**H.B. 103**, REDUCED SPEED SCHOOL ZONE AMENDMENTS, *Sandstrom*, read the third time by short title and placed on its final passage.

**H.B. 103** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mathis	McIff
Menlove	Morley	Moss	Noel
Oda	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Allen	Mascaro	Newbold	Painter
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**H.B. 103** transmitted to the Senate for its consideration.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 9, 2010

The Government Operations Committee reports a favorable recommendation on **1st Sub. H.J.R. 9**, RESOLUTION IN SUPPORT OF VETERANS' NURSING HOME, by Representative C. Oda; and

The Government Operations Committee reports a favorable recommendation on **H.B. 122**, SURVEYOR AMENDMENTS, by Representative J. Mathis, with the following amendments:

1. Page 1, Lines 9 through 10:

9 This bill { ~~prohibits, in certain circumstances, the prosecution of a county surveyor or a~~

10 professional land surveyor for criminal trespass.} provides a  
defense to criminal trespass that the person is a professional surveyor or  
county surveyor.

2. Page 1, Lines 14 through 15:

14 ▶ {prohibits, in certain circumstances, the prosecution  
of a county surveyor or a

15 professional land surveyor for criminal trespass} provides a  
defense to criminal trespass that the person is a professional surveyor or  
county surveyor ; and

3. Page 2, Line 48 through Page 3, Line 62:

48 (4) (a) As used in this Subsection (4):

(i) “Professional land surveying or the practice of land  
surveying” is as defined in Section 58-22-102.

(ii) “Professional land surveyor” is as defined in Section  
58-22-102.

(iii) “Surveyor” means a professional land surveyor and a  
county surveyor.

(b) It is a defense to prosecution under this section that:

49 {-(a)-} (i)(A) the property was open to the public  
when the actor entered or remained; and

50 {-(b)-} (B) the actor’s conduct did not substantially  
interfere with the owner’s use of the

51 property {-.} ; or

(ii)(A) the actor:

(I) is a surveyor or a designee of the surveyor engaged in  
professional land surveying or the practice of land surveying; or

(II) in the case of a county surveyor or designee of the  
county surveyor, is acting under the scope of authority under Title 17,  
Chapter 23, County Surveyor; and

(B) the actor’s conduct did not substantially interfere with the  
owner’s use of the property.

52 {-(5) (a) As used in this Subsection (5):

53 (i) “Professional land surveying or the practice of land  
surveying” is as defined in

54 Section 58-22-102.

55 (ii) “Professional land surveyor” is as defined in Section  
58-22-102.

56 ~~(iii) "Surveyor" means a professional land surveyor and a county surveyor.~~

57 ~~(b) A surveyor does not commit criminal trespass if when the surveyor enters and~~

58 ~~remains on the property, the surveyor:~~

59 ~~(i) (A) is engaged in professional land surveying or the practice of land surveying; or~~

60 ~~(B) in the case of a county surveyor or a designee of the county surveyor, is acting~~

61 ~~under the scope of authority under Title 17, Chapter 23, County Surveyor; and~~

62 ~~(ii) is not acting in violation of this section.} ; and~~

The Government Operations Committee reports a favorable recommendation on **H.B. 269**, SOLEMNIZING MARRIAGES AMENDMENT, by Representative D. Aagard, with the following amendments:

1. Page 2, Lines 28 through 44:

28 (1) Marriages may be solemnized by the following persons only:

*\* \* \* Some lines not shown \* \* \**

39 (i) the county clerk of any county in the state, if the clerk chooses to solemnize

40 marriages;

41 (j) ~~{the president}~~ members of the Senate;

42 (k) ~~{the speaker}~~ members of the House of Representatives; or

43 (l) a judge or magistrate who holds office in Utah when retired, under rules set by the

44 Supreme Court.; and

The Government Operations Committee recommends **2nd Sub. S.B. 22**, NOTARY PUBLIC AMENDMENTS, by Senator P. Knudson, be replaced, favorably recommends **3rd Sub. S.B. 22**, NOTARY PUBLIC AMENDMENTS, and, due to unknown fiscal impact, recommends the substitute be referred to the Rules Committee pending completion of a fiscal note; and

The Government Operations Committee reports a favorable recommendation on **H.B. 263**, TECHNICAL CROSS REFERENCE REVISIONS, by Representative J. Anderson, and recommends it be placed on the Consent Calendar.

Craig A. Frank, Chair

Reports filed. On motion of Representative Frank, the reports of the Government Operations committee were adopted.

**1st Sub. H.J.R. 9, H.B. 122**, as amended, and **H.B. 269**, as amended, read the second time by short title and placed on the Third Reading Calendar.

**3rd Sub. S.B. 22** read the second time by short title and returned to the Rules Committee due to fiscal impact.

**H.B. 263** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker:

February 9, 2010

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 279**, COUNTY RECORDER AMENDMENTS, by Representative R. C. Webb, with the following amendments:

1. Page 1, Line 13:

13       •       permits a county recorder in certain circumstances to  
           {~~assign~~}       require       a different name       {~~to~~}       for

2. Page 4, Lines 101 through 103:

101       (4) (a) A plat may not be submitted to a county recorder for recording unless:

102       (i) prior to recordation, each owner of record of land described on the plat has signed

103       {~~and dedicated the plat~~}       the owner's dedication as shown on the plat ; and

3. Page 17, Lines 519 through 521:

519       (4) (a) A plat may not be submitted to a county recorder for recording unless:

520 (i) prior to recordation, each owner of record of land described  
on the plat has signed

521 {~~and dedicated the plat~~ } the owner's dedication as shown  
on the plat ; and

4. Page 32, Line 973:

973 (b) A county {~~executive~~} clerk or recorder may not  
remove a platted road from the records unless the ; and

The Political Subdivisions Committee reports a favorable recommendation on **S.B. 84**, SPECIAL SERVICE DISTRICT AMENDMENTS, by Senator D. Hinkins.

Fred R Hunsaker, Chair

Reports filed. On motion of Representative Hunsaker, the reports of the Political Subdivisions committee were adopted.

**H.B. 279**, as amended, and **S.B. 84** read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker: February 9, 2010

The Revenue and Taxation Committee recommends **H.B. 259**, PROPERTY TAX AMENDMENTS, by Representative W. Harper, be replaced and favorably recommends **1st Sub. H.B. 259**, PROPERTY TAX AMENDMENTS; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 111**, REPEAL OF SEVERANCE TAX HOLDING ACCOUNT, by Senator L. Hillyard, and recommends it be placed on the Consent Calendar.

Todd E. Kiser, Chair

Reports filed. On motion of Representative Kiser, the reports of the Revenue and Taxation committee were adopted.

**1st Sub. H.B. 259** read the second time by short title and placed on the Third Reading Calendar.

**S.B. 111** read the second time by short title and placed on the Consent Calendar.

### RULES COMMITTEE REPORT

Mr. Speaker: February 9, 2010

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

**1st Sub. S.B. 95** Utah Educational Savings Plan Amendments  
(Sen. W. Niederhauser)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

### **RULES COMMITTEE REPORT**

Mr. Speaker: February 9, 2010

The Rules Committee recommends that the following resolution, under suspension of the rules, be considered read for the second time and placed on the Third Reading Calendar:

**H.J.R. 22** Joint Resolution Recognizing the 75th Anniversary of the Utah Highway Patrol (Rep. D. Ipson)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

### **RULES COMMITTEE REPORT**

Mr. Speaker: February 9, 2010

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 266**, Government Records Access and Management Act Revisions (Rep. K. Powell), be replaced with **1st Sub. H.B. 266**, Government Records Access and Management Act Revisions (Rep. K. Powell), and further recommends it be assigned to the Government Operations Standing Committee.

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

### **RULES COMMITTEE REPORT**

Mr. Speaker: February 9, 2010

The Rules Committee recommends the following bills and resolutions be assigned to standing committees:

#### **BUSINESS AND LABOR**

**H.B. 181** Condominium Association Common Expenses  
(Rep. C. Moss)

**H.B. 307** General County Powers Amendments (Rep. G. Hughes)

**GOVERNMENT OPERATIONS**

**H.R. 6** Resolution Governing Distribution of Items on the House Floor (Rep. C. Frank)

**HEALTH AND HUMAN SERVICES**

**H.B. 186** Controlled Substance Database Revisions (Rep. R. Menlove)

**H.B. 299** Amendments Related to Substances Harmful to Pregnancy (Rep. R. Menlove)

**H.C.R. 9** Autism, Disabilities, and Faith Concurrent Resolution (Rep. R. Menlove)

**JUDICIARY**

**H.B. 138** Hazing Penalties (Rep. C. Moss)

**H.B. 293** Victims' Rights Amendments (Rep. R. Webb)

**LAW ENFORCEMENT AND CRIMINAL JUSTICE**

**H.B. 119** Motor Vehicle Impound Amendments (Rep. C. Oda)

**H.C.R. 7** Credit Scores Concurrent Resolution (Rep. D. Aagard)

**NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT**

**H.B. 185** Animal Euthanasia Standards (Rep. F. Seegmiller)

**PUBLIC UTILITIES AND TECHNOLOGY**

**H.B. 173** 911 Amendments (Rep. B. Dee)

**H.J.R. 21** Joint Resolution on Energy Policy (Rep. M. Noel)

**TRANSPORTATION**

**H.B. 132** Pioneer Trail Memorial Highway (Rep. R. Menlove)

**H.B. 175** Amendments to Light Requirements on Motor Vehicles (Rep. K. Powell)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

**MISCELLANEOUS BUSINESS**

On motion of Representative Garn, the House voted to recess until 2:00 p.m.

**AFTERNOON SESSION**

The House was called to order by Speaker Clark at 2:00 p.m.



**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker: February 9, 2010

The President of the Senate has signed **H.B. 40**, UTAH LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION AMENDMENTS, by Representative J. Dunnigan, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communication filed. **H.B. 40** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: February 9, 2010

The Senate passed, as substituted, **1st Sub. S.B. 48**, NONLAPSING AUTHORITY TECHNICAL AMENDMENTS, by Senator R. Okerlund, and it is transmitted for consideration; and

The Senate passed **S.B. 53**, VOTER CHALLENGE REVISIONS, by Senator P. Knudson, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 90**, MENTAL HEALTH PROFESSIONAL PRACTICE ACT AMENDMENTS, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 103**, ADVERSE POSSESSION OF REAL PROPERTY, by Senator S. Urquhart, and it is transmitted for consideration; and

The Senate passed, as amended, **S.C.R. 2**, REDUCING PRESCRIPTION DRUG MISUSE RESOLUTION, by Senator P. Jones, and it is transmitted for consideration; and

The Senate passed **S.C.R. 4**, DENTAL HEALTH CARE CONCURRENT RESOLUTION, by Senator P. Jones, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **1st Sub. S.B. 48**, **S.B. 53**, **1st Sub. S.B. 90**, **S.B. 103**, **S.C.R. 2**, and **S.C.R. 4** read the first time by short title and referred to the Rules Committee.

**INTRODUCTION OF BILLS**

**H.B. 141**, **Recreational Use of Public Water on Private Property** (K. McIff), read the first time by short title and referred to the Rules Committee.

**H.B. 317, Property Tax Notices Amendments** (G. Froerer), read the first time by short title and referred to the Rules Committee.

**H.B. 341, Uniform Athlete Agents Act** (P. Ray), read the first time by short title and referred to the Rules Committee.

### THIRD READING CALENDAR

**H.B. 110, COUNTY JAIL INMATE MEDICAL COSTS**, *Daw*, read the third time by short title and placed on its final passage.

**H.B. 110**, as amended, passed on the following roll call:

**Yeas, 69; Nays, 1; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hunsaker
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Voting in the negative was:** Representative  
Hutchings

**Absent or not voting were:** Representatives

S. Clark	Dunnigan	Hughes	Morley
Seelig			

**H.B. 110**, as amended, transmitted to the Senate for its consideration.

### UNFINISHED BUSINESS

On motion of Representative Wimmer, the House voted to uncircle **1st Sub. H.B. 67**.

On motion of Representative Wimmer, under suspension of the rules, the House voted to calendar **1st Sub. H.B. 67** for Time Certain on February 11, 2010 at 11:00 a.m.

\* \* \*

On motion of Representative Julie Fisher, the House voted to uncircle **H.B. 96**.

**H.B. 96**, LIBEL AMENDMENTS, *Julie Fisher*, was before the House on its final passage.

**H.B. 96** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

S. Clark	Garn
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**H.B. 96** transmitted to the Senate for its consideration.

### THIRD READING CALENDAR

**H.B. 251**, ADMISSION OF AFFIDAVITS INTO EVIDENCE, *Lockhart*, read the third time by short title and placed on its final passage.

On motion of Representative Dee, the House voted to circle **H.B. 251**.

\* \* \*

**H.J.R. 12**, CLIMATE CHANGE JOINT RESOLUTION, *K. Gibson*, read the third time by short title and placed on its final passage.

Representative Mathis proposed the following amendment:

1. Page 1, Lines 16 through 17

16 Finding” and related regulations until a full and independent investigation of ~~{the}~~

17 climate data ~~{conspiracy}~~ and global warming science can be substantiated.

2. Page 2, Line 40:

40 ~~{and incorporate “tricks” related to}~~ global temperature data in order to produce a global

3. Page 2, Line 52:

52 WHEREAS, ~~{the climate change “gravy train,” estimated at}~~ more than \$7 billion

4. Page 3, Line 70:

70 regulations until a full and independent investigation of ~~{the}~~ climate data ~~{conspiracy}~~ and global

Representative Mathis’ motion to amend passed on a voice vote.

Representatives Ray, Chavez–Houck, Allen, and McIff commented.

Representative McIff proposed the following amendment:

1. Page 1, Line 27:

Delete “flawed” and insert “questionable”

Representative McIff’s motion to amend passed on a voice vote.

###

Representative Johnson proposed the following amendment:

- 1. Page 3, Line 68:  
Delete “immediately halt” and insert “reevaluate”

Representative Johnson’s motion to amend failed on a voice vote.

Representatives Barrus and Litvack commented.

**H.J.R. 12**, as amended, passed on the following roll call:

**Yeas, 56; Nays, 17; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Bigelow	Bird	Brown	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Harper	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Kiser	Last	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Newbold	Noel	Oda	Painter
Powell	Ray	Sandstrom	Sumsion
Vickers	Wallis	Watkins	Webb
Wilcox	Wimmer	Wright	D. Clark

**Voting in the negative were:** Representatives

Beck	Biskupski	Black	Chavez–Houck
Cosgrove	Hansen	Hemingway	Johnson
King	Litvack	Moss	Poulson
Riesen	Seegmiller	Seelig	Wheatley
Wiley			

**Absent or not voting were:** Representatives

S. Clark	Grover
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**H.J.R. 12**, as amended, transmitted to the Senate for its consideration.

**MISCELLANEOUS BUSINESS**

On motion of Representative Garn, and at 3:05 p.m., the House voted to adjourn until February 10, 2010, at 10:00 a.m.

# SEVENTEENTH DAY

\* \* \*

## MORNING SESSION

The House was called to order by Speaker Clark at 10:00 a.m.

Roll call showed all members present.

Inspirational message offered by Representative Christine Johnson. Pledge of Allegiance led by Representative Johnson’s daughter, Olivia White.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 9, 2010

The President of the Senate has signed **H.B. 38**, SCHEDULING OF CONTROLLED SUBSTANCES, by Representative P. Ray, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 53**, FORECLOSURE RESCUE AND LOAN MODIFICATION AMENDMENTS, by Representative R. Wilcox, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 38** and **1st Sub. H.B. 53** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: February 9, 2010

The Senate passed **S.B. 117**, PETE SUAZO MEMORIAL HIGHWAY, by Senator L. Robles, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. **S.B. 117** read the first time by short title and referred to the Rules Committee.

### INTRODUCTION OF BILLS

**H.B. 151, Utah High School Rodeo Support Special Group License Plate** (J. Gowans), read the first time by short title and referred to the Rules Committee.

**H.B. 162, Unlawful Sexual Conduct with a Minor** (R. Edwards), read the first time by short title and referred to the Rules Committee.

**H.B. 319, State Construction Registry Revisions** (K. Powell), read the first time by short title and referred to the Rules Committee.

**H.B. 323, School and Institutional Trust Lands Amendments** (K. Sumsion), read the first time by short title and referred to the Rules Committee.

**H.B. 342, Innkeeper's Rights Act Modifications** (S. Sandstrom), read the first time by short title and referred to the Rules Committee.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 9, 2010

The Business and Labor Committee reports a favorable recommendation on **H.B. 126, STATE CONSTRUCTION REGISTRY AMENDMENTS**, by Representative R. C. Webb, with the following amendments:

1. Page 3, Lines 68 through 71:
 

68       (i) for a government project, the unique project number  
assigned by the ~~{-designated~~  
 69 ~~agent-}~~ governmental entity undertaking the project ;  
 70       (ii) for a permitted project ~~{-}~~ ;  
       (A) the number of the building permit issued for the project;  
 71 and  
       (B) the name of the county or municipality that issued the  
building permit; and
2. Page 8, Lines 226 through 228:
 

226       (1) (a) (i) ~~{-(A) For a construction project where a building~~  
permit is issued to an original  
 227 ~~contractor or owner-builder, no later than 15 days after the issuance~~  
of the building permit;  
 228 ~~(1) the-}~~ A local government entity issuing  
       ~~{-that-}~~ a building permit for a private project shall no  
later than 15 days after issuing the permit. ~~input the building~~
3. Page 8, Lines 230 through 235:



230 by way of the Internet or computer modem or by any other means {~~;~~~~or~~} ±

231 {~~(II) the original contractor, owner, or owner-builder may file a notice of~~

232 commencement with the database whether or not a building permit is issued or a notice of

233 commencement is filed under Subsection (1)(a)(i)(A)(I).~~}~~

234 {~~(B) The information submitted under Subsection (1)(a)(i)(A) forms the basis of a~~

235 notice of commencement.~~}~~

4. Page 8, Line 243 through Page 9, Line 246:

243 (b) No later than 15 days after commencement of physical construction work at the government

244 project site, the original contractor, owner, or owner-builder {~~may~~} shall file a notice of

245 commencement with the database {~~whether or not a building permit is issued or a notice of~~

246 commencement is filed under Subsection (1)(a).~~}~~ .

5. Page 9, Lines 248 through 253:

248 commencement with the designated agent [~~prior to~~] within {~~either of the time frames~~

249 established in Subsections (1)(a) and (b).~~}~~ the time frame established in Subsection (1)(b) .

250 {~~(d) An owner of construction or an original contractor may file a notice of~~

251 commencement with the designated agent within either of the time [~~prescribed by~~] frames

252 established in Subsections (1)(a) and (b). }

253 {~~(e)~~} (d) (i) If duplicate notices of commencement are filed, they shall be combined into one

6. Page 9, Line 257:

257 Subsection (1) ~~{-(e)-}~~ (d) (i) if the earlier filed notice of commencement is timely filed.

7. Page 9, Line 260:

260 ~~{-(f)-}~~ (e) (i) The designated agent shall assign each ~~[construction]~~ government project a

8. Page 9, Line 269:

269 ~~{-(g)-}~~ (f) A notice of commencement is effective only as to any labor, service, equipment,

9. Page 10, Lines 291 through 292:

291 (3) If a notice of commencement for a ~~{-construction-}~~ government project is not filed within the time

292 set forth in ~~{-Subsections (1)(a) and-}~~ Subsection (1) (b), the following do not apply:

10. Page 12, Lines 344 through 345:

344 ~~subcontractor's work or the subcontractor's commencement of furnishing labor, service, equipment, or material~~

345 to the private project, whether or not a local government entity has submitted building permit information to the database under Subsection 38-1-31(1)(a); or

11. Page 12, Lines 352 through 353:

352 commencement.

(ii) If a local government entity has not submitted building permit information to the database at the time a subcontractor for a private project files a preliminary notice with the database under Subsection (2)(a)(i)(A), the subcontractor shall include in the preliminary notice:

(A) the name of the county in which the property on which the project occurs or will occur is located; and

(B) the tax identification or parcel number of that property.

353 ~~{-(ii)-}~~ (iii) A preliminary notice filed within the period described in Subsection ~~[(1)](2)(a)(i)~~ is

12. Page 12, Line 357:

357        {-(iii)-}        (iv)        (A) If more than one notice of commencement is filed for a government project, a

13. Page 13, Line 373:

373 subcontractor on a private project who fails to file [the] a preliminary notice[, that person] . whether or not a local government entity has submitted building permit information to the database as required in Subsection 38-1-31(1)(a).        may ; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 260**, CHILDREN'S HEALTH INSURANCE PLAN SIMPLIFIED RENEWAL, by Representative M. Newbold; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 13**, STATE CONSTRUCTION CONTRACTS AND DRUG AND ALCOHOL TESTING, by Senator K. Mayne; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 85**, UTAH CONSTRUCTION TRADE LICENSING ACT AMENDMENTS, by Senator S. Jenkins; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 96**, UINTAH BASIN REVITALIZATION FUND AMENDMENTS, by Senator K. Van Tassell, and, due to fiscal impact, recommends it be referred to the Rules Committee for prioritization.

James A. Dunnigan, Chair

Reports filed. On motion of Representative Dunnigan, the reports of the Business and Labor committee were adopted.

**H.B. 126**, as amended, **H.B. 260**, **S.B. 13**, and **S.B. 85** read the second time by short title and placed on the Third Reading Calendar.

**S.B. 96** read the second time by short title and returned to the Rules Committee due to fiscal impact.

\* \* \*

Mr. Speaker:

February 9, 2010

The Health and Human Services Committee reports a favorable recommendation on **H.B. 184**, MEDICAID AUTISM WAIVER, by Representative P. Ray, and recommends it be placed on the Consent Calendar; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 257**, DIETITIAN CERTIFICATION ACT AMENDMENTS, by Representative M. Newbold, and recommends it be placed on the Consent Calendar.

Paul Ray, Chair

Reports filed. On motion of Representative Garn, the reports of the Health and Human Services committee were adopted.

**H.B. 184** and **H.B. 257** read the second time by short title and placed on the Consent Calendar.

### CONSENT CALENDAR

**S.B. 28**, AMENDMENTS TO INDIVIDUAL INCOME TAX RETURN FILING REQUIREMENTS, *Adams*, read the third time by short title and placed on its final passage.

**S.B. 28** passed on the following roll call:

**Yeas, 65; Nays, 0; Absent or not voting, 10.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
F Gibson	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Oda	Painter	Poulson
Powell	Riesen	Sandstrom	Seegmiller
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wiley	Wright
D. Clark			

**Absent or not voting were:** Representatives

Bigelow	S. Clark	Garn	K Gibson
Gowans	Noel	Ray	Seelig
Wilcox	Wimmer		

**S.B. 28** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

**THIRD READING CALENDAR**

**S.B. 78**, CONSTITUTIONAL REVISION COMMISSION DUTIES, *Sandstrom*, read the third time by short title and placed on its final passage. Representative Allen commented.

**S.B. 78** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mathis	McIff
Menlove	Morley	Moss	Newbold
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Herrod	Mascaro	Noel
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**S.B. 78** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**1st Sub. S.J.R. 1**, ESCALANTE HERITAGE HOLE-IN-THE-ROCK CENTER JOINT RESOLUTION, *Noel*, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House voted to circle **1st Sub. S.J.R. 1**.

\* \* \*

**S.B. 82**, PASSENGER ROPEWAY SYSTEMS ACT AMENDMENTS, *Brown*, read the third time by short title and placed on its final passage.

**S.B. 82** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Allen	Anderson	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Oda	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Aagard	Hutchings	Noel	Painter
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**S.B. 82** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

### MISCELLANEOUS BUSINESS

On motion of Representative Moss, the House voted to calendar **H.J.R. 5** for Time Certain on February 17, 2010 at 10:30 a.m.

### THIRD READING CALENDAR

**S.B. 18**, ELECTION MODIFICATIONS, *Frank*, read the third time by short title and placed on its final passage. Representative Hansen commented.

**S.B. 18**, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Oda	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Noel	Painter
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**S.B. 18**, as amended, returned to the Senate for further consideration.

\* \* \*

**S.C.R. 1**, ALZHEIMER’S AND DEMENTIA AWARENESS CONCURRENT RESOLUTION, *Garn*, read the third time by short title and placed on its final passage. Representative Draxler commented.

**S.C.R. 1** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark

Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Herrod
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Hendrickson          Hughes

**S.C.R. 1** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

**UNFINISHED BUSINESS**

On motion of Representative Herrod, the House voted to uncircle **S.B. 14**.

**S.B. 14, BUILDING AND CONSTRUCTION PROJECTS – TECHNICAL CORRECTIONS**, *Herrod*, was before the House on its final passage.

**S.B. 14** passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen



Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Ipson	Johnson
King	Kiser	Last	Mascaro
Mathis	Menlove	Morley	Moss
Newbold	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Fowlke	Hutchings	Litvack	Lockhart
McIff	Noel		

**S.B. 14** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

**THIRD READING CALENDAR**

**S.B. 21**, AMENDMENTS TO SOCIAL WORKER LICENSING, *Oda*, read the third time by short title and placed on its final passage.

**S.B. 21**, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom

Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Moss	Newbold
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**S.B. 21**, as amended, returned to the Senate for further consideration.

\* \* \*

**S.B. 100**, INCOME TAX CREDIT OR REFUND AMENDMENTS, *Harper*, read the third time by short title and placed on its final passage.

**S.B. 100** passed on the following roll call:

**Yeas, 61; Nays, 14; Absent or not voting, 0.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Bigelow	Bird	Brown	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Newbold	Noel	Oda	Painter
Powell	Ray	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Webb	Wilcox	Wimmer	Wright
D. Clark			

**Voting in the negative were:** Representatives

Beck	Biskupski	Black	Chavez-Houck
Janice Fisher	Hemingway	Johnson	King
Moss	Poulson	Riesen	Watkins
Wheatley	Wiley		

**S.B. 100** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 11**, UTAH STATE-MADE FIREARMS PROTECTION ACT, *Sandstrom*, read the third time by short title and placed on its final passage. Representatives Chavez-Houck, King, Powell, Hansen, Wimmer, Johnson, Wilcox, Hemingway, Frank, and Bird commented.

**S.B. 11** passed on the following roll call:

**Yeas, 55; Nays, 16; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Brown
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Julie Fisher	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Harper	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Kiser	Last	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Newbold	Oda	Painter	Powell
Ray	Sandstrom	Sumsion	Vickers
Wallis	Watkins	Webb	Wilcox
Wimmer	Wright	D. Clark	

**Voting in the negative were:** Representatives

Biskupski	Black	Chavez-Houck	Cosgrove
Janice Fisher	Hansen	Hemingway	Johnson
King	Litvack	Moss	Poulson
Riesen	Seegmiller	Wheatley	Wiley

**Absent or not voting were:** Representatives

S. Clark	Fowlke	Noel	Seelig
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**S.B. 11** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

### INTRODUCTION OF BILL

**H.J.R. 24, Joint Resolution on Equal Treatment by Government** (C. Oda), read the first time by short title and referred to the Rules Committee.

### THIRD READING CALENDAR

**1st Sub. S.B. 24**, LAND EXCHANGE DISTRIBUTION ACCOUNT AMENDMENTS, *Mathis*, read the third time by short title and placed on its final passage.

**1st Sub. S.B. 24** passed on the following roll call:

**Yeas, 67; Nays, 0; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mathis	McIff	Menlove	Morley
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Sumsion	Vickers
Watkins	Webb	Wheatley	Wilcox
Wiley	Wright	D. Clark	

**Absent or not voting were:** Representatives

Bigelow	Biskupski	Hughes	Mascaro
Moss	Seelig	Wallis	Wimmer

**1st Sub. S.B. 24** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**1st Sub. S.B. 36**, WOLF MANAGEMENT, *Oda*, read the third time by short title and placed on its final passage. Representative Hemingway commented.

**1st Sub. S.B. 36** passed on the following roll call:

**Yeas, 47; Nays, 23; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Barrus	Bird
Brown	S. Clark	Daw	Dee
Draxler	S Duckworth	Dunnigan	Ferry
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Grover
Hansen	Harper	Herrod	Hughes
Hunsaker	Ipson	Last	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Newbold	Oda	Painter
Powell	Ray	Sandstrom	Sumsion
Vickers	Watkins	Webb	Wilcox
Wimmer	Wright	D. Clark	

**Voting in the negative were:** Representatives

Allen	Beck	Bigelow	Biskupski
Black	Chavez–Houck	Cosgrove	Edwards
Janice Fisher	Julie Fisher	Greenwood	Hemingway
Hutchings	Johnson	King	Kiser
Litvack	Moss	Poulson	Riesen
Seegmiller	Wheatley	Wiley	

**Absent or not voting were:** Representatives

Dougall	Hendrickson	Noel	Seelig
Wallis			

**1st Sub. S.B. 36** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

**MISCELLANEOUS BUSINESS**

On motion of Representative Garn, the House voted to reconsider its action on **S.B. 11**.

**RECONSIDERATION OF S.B. 11**

**S.B. 11**, UTAH STATE–MADE FIREARMS PROTECTION ACT, was before the House for reconsideration.

**S.B. 11** passed on the following roll call:

**Yeas, 56; Nays, 17; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Brown	S. Clark

Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Julie Fisher	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Harper	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Kiser	Last	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Newbold	Noel	Oda	Painter
Powell	Ray	Sandstrom	Sumsion
Vickers	Wallis	Watkins	Webb
Wilcox	Wimmer	Wright	D. Clark

**Voting in the negative were:** Representatives

Bigelow	Biskupski	Black	Chavez–Houck
Cosgrove	Janice Fisher	Hansen	Hemingway
Johnson	King	Litvack	Moss
Poulson	Riesen	Seegmiller	Wheatley
Wiley			

**Absent or not voting were:** Representatives

Fowlke	Seelig
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**S.B. 11** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

### THIRD READING CALENDAR

**S.B. 84**, SPECIAL SERVICE DISTRICT AMENDMENTS, *McIff*, read the third time by short title and placed on its final passage.

**S.B. 84** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	Gowans

Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Julie Fisher            K Gibson

**S.B. 84** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**1st Sub. S.B. 95**, UTAH EDUCATIONAL SAVINGS PLAN AMENDMENTS, *Hughes*, read the third time by short title and placed on its final passage.

Representative D. Clark declared a conflict of interest.

**1st Sub. S.B. 95** passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	Gowans
Greenwood	Grover	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart

Mascaro	Mathis	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Dee	K Gibson	Hansen	McIff
Seelig	Wilcox		

**1st Sub. S.B. 95** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 10, 2010

The Judiciary Committee reports a favorable recommendation on **H.B. 284**, UNIFORM COLLABORATIVE LAW ACT, by Representative L. Fowlke.

Lorie D. Fowlke, Chair

Reports filed. On motion of Representative Fowlke, the report of the Judiciary committee was adopted.

**H.B. 284** read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker: February 10, 2010

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.J.R. 6**, STRANGULATION AND DOMESTIC VIOLENCE JOINT RESOLUTION, by Representative J. Seelig, and recommends it be placed on the Consent Calendar; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 125**, KIDNAPPING AND SEX OFFENDER REGISTRY AMENDMENTS, by Representative R. Bigelow, with the following amendments:

1. Page 1, Lines 14 through 15:

14            { ~~requires the department to separate kidnapping and sex offenses on the registry by~~



15 ~~creating separate portals through which to access information; - }~~

2. Page 13, Lines 375 through 379:

375 (25) The Sex Offender and Kidnap Offender Notification and  
Registration website

376 shall {~~-i~~ }

377 {~~-(a) provide separate portals for access to information  
regarding sex offenders and~~

378 kidnap offenders; and

379 ~~(b)~~ } be indexed by both the surname of the offender and by  
postal codes.

Douglas C. Aagard, Chair

Reports filed. On motion of Representative Aagard, the reports of the Law Enforcement and Criminal Justice committee were adopted.

**H.B. 125**, as amended, read the second time by short title and placed on the Third Reading Calendar.

**H.J.R. 6** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker:

February 10, 2010

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 20**, LOCAL DISTRICT AMENDMENTS, by Senator D. Stowell; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 120**, UNDERGROUND STORAGE TANK AMENDMENTS, by Representative K. McIff; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 285**, PRACTICE OF VETERINARY MEDICINE, by Representative J. Mathis, with the following amendments:

1. Page 2, Line 57:

57 (b) administer {~~or~~} and prescribe or dispense any  
drug, medicine, treatment, method, or practice, [~~or~~]

2. Page 3, Lines 65 through 74:

65 [~~(d)~~] (e) solicit, sell, or furnish {~~---~~} any parenterally  
administered animal disease cures,

66 preventions, or treatments, with or without the necessary instruments for the administration of

67 them, or any and all worm and other internal parasitic remedies, upon any agreement, express

68 or implied, to administer these cures, preventions, treatments, or remedies; or {—} {—a cure,

69 prevention, treatment, or remedy for an animal disease, deformity, defect, wound, or injury

70 administered:

71 (i) parenterally;

72 (ii) orally; or

73 (iii) topically; and

74 (iv) with or without the necessary instruments for administration:—} or; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **1st Sub. S.B. 97**, FARMLAND ASSESSMENT ACT AMENDMENTS, by Senator D. Hinkins, and recommends it be placed on the Consent Calendar.

Roger E. Barrus, Chair

Reports filed. On motion of Representative Barrus, the reports of the Natural Resources, Agriculture, and Environment committee were adopted.

**S.B. 20**, **H.B. 120**, and **H.B. 285**, as amended, read the second time by short title and placed on the Third Reading Calendar.

**1st Sub. S.B. 97** read the second time by short title and placed on the Consent Calendar.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 10, 2010

The Senate passed, **H.B. 50**, SALES AND USE TAX MODIFICATIONS, by Representative W. Harper, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 59**, CAMPAIGN FINANCE REVISIONS, by Representative K. Grover, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 199**, MUNICIPAL CLERK AND RECORDER RESPONSIBILITIES, by Representative B. Last, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 50**, **H.B. 59** and **H.B. 199** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: February 10, 2010

The Senate passed **S.B. 29**, AMENDMENTS TO INDIVIDUAL INCOME TAX DEFINITION OF RESIDENT INDIVIDUAL, by Senator C. Bramble, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 55**, AUTHORIZATION OF CHARTER SCHOOLS BY HIGHER EDUCATION INSTITUTIONS, by Senator J. S. Adams, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 114**, MOTOR VEHICLE ACCIDENT REPORTS, by Senator D. Stowell, and it is transmitted for consideration; and

The Senate passed **S.B. 125**, INTANGIBLE PROPERTY AMENDMENTS, by Senator C. Bramble, and it is transmitted for consideration; and

The Senate passed **S.C.R. 5**, CONCURRENT RESOLUTION RECOGNIZING THE 100 YEAR ANNIVERSARY OF THE MCKAY-DEE HOSPITAL, by Senator J. Greiner, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **S.B. 29**, **S.B. 55**, **1st Sub. S.B. 114**, **S.B. 125**, and **S.C.R. 5** read the first time by short title and referred to the Rules Committee.

### **RULES COMMITTEE REPORT**

Mr. Speaker: February 10, 2010

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

**S.B. 16** Utah Performance Assessment System for Students  
(U-PASS) Amendments (Sen. H. Stephenson)

- S.B. 17** Uniform Commercial Driver License Act Amendments  
(Sen. K. Van Tassell)
- S.B. 23** Corporate Franchise and Income Tax Amendments  
(Sen. J. Valentine)
- S.B. 91** Prosecutor Appeals (Sen. D. Liljenquist)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

**S.B. 16, S.B. 17, S.B. 23, and S.B. 91** read the second time by short title and placed on the Third Reading Calendar.

### **RULES COMMITTEE REPORT**

Mr. Speaker: February 10, 2010

The Rules Committee recommends the following bills and resolutions be assigned to standing committees:

#### **BUSINESS AND LABOR**

- H.B. 176** Continuing Education Requirements for Electricians and Plumbers (Rep. W. Harper)
- H.B. 183** Construction and Fire Code Related Amendments  
(Rep. M. Morley)
- H.B. 243** Foreclosure Processes on Residential Rental Properties  
(Rep. W. Harper)
- H.B. 275** Division of Real Estate Amendments (Rep. G. Froerer)
- S.B. 103** Adverse Possession of Real Property (Sen. S. Urquhart)

#### **EDUCATION**

- H.B. 117** Public Education Capital Outlay Act (Rep. M. Brown)
- H.B. 292** Equalization of Funding for Divided School Districts  
(Rep. J. Bird)

#### **GOVERNMENT OPERATIONS**

- H.B. 180** Outdoor Advertising Amendments (Rep. C. Frank)
- H.J.R. 23** Joint Resolution Approving the Sale of Real Property At the Utah State Developmental Center (Rep. C. Frank)
- S.B. 53** Voter Challenge Revisions (Sen. P. Knudson)

#### **HEALTH AND HUMAN SERVICES**

- H.B. 196** Tobacco Tax Revisions (Rep. P. Ray)



# EIGHTEENTH DAY

\* \* \*

## MORNING SESSION

The House was called to order by Speaker Clark at 10:00 a.m.

Roll call showed all members present except Representative Sue Duckworth, excused.

Prayer offered by West Valley City Mayor, Mike Winder. Pledge of Allegiance led by Micah Nell Fisher and Cade Fisher, grandchildren of Representative Janice Fisher.

## MISCELLANEOUS BUSINESS

On motion of Representative Daw, under suspension of the rules, the House voted to allow a bill file to be opened concerning the historical printing museum in Provo.

## COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 10, 2010

The Senate passed, as amended, **S.B. 56**, SCHOOL REPORTING AMENDMENTS, by Senator K. Morgan, and it is transmitted for consideration; and

The Senate passed **S.B. 57**, LOCAL SCHOOL BOARD BUDGET PROCEDURES, by Senator D. Stowell, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 104**, RENEWABLE ENERGY MODIFICATIONS, by Senator S. Urquhart, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 122**, EMINENT DOMAIN REVISIONS, by Senator J. S. Adams, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **S.B. 56**, **S.B. 57**, **S.B. 104**, and **S.B. 122** read the first time by short title and referred to the Rules Committee.

## INTRODUCTION OF BILLS

**H.B. 4, Current School Year Supplemental Minimum School Program Budget Adjustments** (M. Newbold), read the first time by short title and referred to the Rules Committee.

**H.B. 143, Eminent Domain Authority** (C. Herrod), read the first time by short title and referred to the Rules Committee.

**H.B. 152, Contract Passenger Carrier Safety Act** (F.J. Seegmiller), read the first time by short title and referred to the Rules Committee.

**H.B. 311, Autism Treatment Fund** (R. Lockhart), read the first time by short title and referred to the Rules Committee.

**H.B. 314, Water Rights Addendums to Deeds** (B. Ferry), read the first time by short title and referred to the Rules Committee.

**H.B. 316, Disabled Veterans Property Tax Exemption Amendments** (G. Hughes), read the first time by short title and referred to the Rules Committee.

**H.B. 327, Autism Awareness Support Special Group License Plate** (R. Edwards), read the first time by short title and referred to the Rules Committee.

**H.B. 336, Railroad and Railroad Crossing Amendments** (R. Greenwood), read the first time by short title and referred to the Rules Committee.

**H.B. 383, County Tax Amendments** (W. Harper), read the first time by short title and referred to the Rules Committee.

**H.B. 419, Alcoholic Beverage Control and Signage At State Stores** (K. Powell), read the first time by short title and referred to the Rules Committee.

**H.B. 426, Bail Bond Licensee Representation Amendments** (S. Sandstrom), read the first time by short title and referred to the Rules Committee.

**H.J.R. 26, Joint Resolution Approving Water Rights Addendum Form,** (B. Ferry), read the first time by short title and referred to the Rules Committee.

**H.J.R. 33, Marking of Underground Utilities Joint Resolution** (M. Brown), read the first time by short title and referred to the Rules Committee.

**H.R. 7, House Rules Resolution Allowing Abstaining from Voting** (J. Dougall), read the first time by short title and referred to the Rules Committee.

### CONSENT CALENDAR

**H.B. 188**, WORKERS' COMPENSATION BENEFITS – SOCIAL SECURITY OFFSET, *Harper*, read the third time by short title and placed on its final passage.

**H.B. 188**, as amended, passed on the following roll call:

**Yeas, 67; Nays, 0; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	Cosgrove
Daw	Dougall	Draxler	Dunnigan
Edwards	Ferry	Janice Fisher	Julie Fisher
Frank	Froerer	Garn	F Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Last	Litvack
Lockhart	Mascaro	Mathis	Menlove
Morley	Moss	Newbold	Noel
Oda	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

S. Clark	Dee	S Duckworth	Fowlke
K Gibson	Kiser	McIff	Painter

**H.B. 188**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.B. 222**, LAND USE MEETING NOTICE, *Beck*, read the third time by short title and placed on its final passage.

**H.B. 222** passed on the following roll call:

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



**Voting in the affirmative were:** Representatives

Aagard	Anderson	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dougall	Draxler	Dunnigan
Edwards	Ferry	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Poulson
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wiley
Wimmer			

**Voting in the negative were:** Representatives

Powell	Wright	D. Clark
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**Absent or not voting were:** Representatives

Allen	Dee	S Duckworth	Janice Fisher
Kiser	Painter	Wilcox	

**H.B. 222** transmitted to the Senate for its consideration.

\* \* \*

**S.B. 37**, IMPACT FEE REVISIONS, *Morley*, read the third time by short title and placed on its final passage.

**S.B. 37** passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dougall	Draxler
Dunnigan	Edwards	Ferry	Julie Fisher

Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Hemingway	Hendrickson
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Dee	S Duckworth	Janice Fisher	Harper
Herrod	Painter		

**S.B. 37** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**H.B. 109**, VOLUNTEER GOVERNMENT WORKERS ACT DEFINITIONS, *Biskupski*, read the third time by short title and placed on its final passage.

**H.B. 109** passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dougall	Draxler
Dunnigan	Edwards	Ferry	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Last	Litvack	Lockhart	Mascaro

Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

Dee	S Duckworth	Janice Fisher	Kiser
Painter			

**H.B. 109** transmitted to the Senate for its consideration.

**THIRD READING CALENDAR**

**S.B. 13, STATE CONSTRUCTION CONTRACTS AND DRUG AND ALCOHOL TESTING**, *Brown*, read the third time by short title and placed on its final passage.

**S.B. 13** passed on the following roll call:

**Yeas, 40; Nays, 31; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Allen	Beck	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Draxler	Dunnigan	Edwards
Janice Fisher	Julie Fisher	Fowlke	F Gibson
Gowans	Greenwood	Hansen	Hemingway
Hendrickson	Hunsaker	Hutchings	Johnson
King	Litvack	Mascaro	McIff
Menlove	Moss	Poulson	Powell
Riesen	Seegmiller	Seelig	Vickers
Watkins	Webb	Wheatley	Wiley

**Voting in the negative were:** Representatives

Aagard	Anderson	Barrus	Bigelow
Daw	Dougall	Frank	Froerer
Garn	K Gibson	Grover	Harper
Herrod	Hughes	Ipson	Kiser
Last	Lockhart	Mathis	Morley
Newbold	Noel	Oda	Ray
Sandstrom	Sumsion	Wallis	Wilcox
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Dee                                S Duckworth                Ferry                                Painter

**S.B. 13** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 85**, UTAH CONSTRUCTION TRADE LICENSING ACT AMENDMENTS, *Edwards*, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House voted to circle **S.B. 85**.

\* \* \*

**S.B. 20**, LOCAL DISTRICT AMENDMENTS, *Ipson*, read the third time by short title and placed on its final passage.

On motion of Representative Ipson, the House voted to circle **S.B. 20**.

\* \* \*

**S.B. 16**, UTAH PERFORMANCE ASSESSMENT SYSTEM FOR STUDENTS (U-PASS) AMENDMENTS, *Hughes*, read the third time by short title and placed on its final passage.

**S.B. 16** passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Allen	Anderson	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez-Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff

Menlove	Morley	Moss	Newbold
Noel	Oda	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Wheatley	Wilcox	Wiley
Wright	D. Clark		

**Absent or not voting were:** Representatives

Agard	S Duckworth	Painter	Webb
Wimmer			

**S.B. 16** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

**SPECIAL RECOGNITION**

Dave Checketts, Dave Hansen, and members of the REAL Soccer team were introduced. REAL was the winner of the 2009 Major League Soccer Cup.

**THIRD READING CALENDAR**

**S.B. 17**, UNIFORM COMMERCIAL DRIVER LICENSE ACT AMENDMENTS, *Julie Fisher*, read the third time by short title and placed on its final passage.

**S.B. 17** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Poulson

Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives  
S Duckworth      Painter      Webb

**S.B. 17** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

### UNFINISHED BUSINESS

On motion of Representative Edwards, the House voted to uncircle **S.B. 85**.

**S.B. 85**, UTAH CONSTRUCTION TRADE LICENSING ACT AMENDMENTS, *Edwards*, was before the House on its final passage.

Representative Wright proposed the following amendment:

1. Page 10, Lines 293–301:  
Delete the language on lines 293 through 301.
2. Pages 11–12, Lines 333–346:  
Reinstate the language on lines 333 through 346.

Representatives Morley, Hemingway, and Brown commented.

On motion of Representative S. Clark, the House voted to circle **S.B. 85**.

### SPECIAL ORDER OF BUSINESS

**1st Sub. H.B. 67**, HEALTH SYSTEM AMENDMENTS, *Wimmer*, read the third time by short title and placed on its final passage.

Representative Wimmer proposed the following amendment:

1. Page 3, Lines 59 through 64  
59      (2) (a) A department or agency of the state may not implement  
any part of federal  
60 health care reform , as defined in Subsection (3), that is passed  
by the United States Congress after March 1, 2010, unless:  
61      (i) the department or agency reports to the Legislature's Health  
Reform Task Force and

62 the Legislative Executive Appropriations Committee in  
 63 accordance with Subsection (2)(b); and

64 (ii) the Legislature passes legislation specifically authorizing  
the state's compliance

65 with, or participation in, federal health care reform.

2. Page 3, Line 76:

76 provision.

(3) For purposes of this section, "federal health care reform" means  
federal legislation or federal regulation that:

(a) mandates an individual to purchase health insurance;

(b) mandates a small employer to provide health insurance  
coverage for employees;

(c) imposes penalties on small employers who do not provide health  
insurance for their employees;

(d) expands the eligibility for the Medicaid program or the  
Children's Health Insurance Program, and passes the cost of that  
expansion to the state;

(e) creates new insurance coverage mandates; and

(f) creates a new government run, public insurance program.

Representative Litvack proposed the following substitute motion to amend:

1. Page 3, Line 76 (see above amendment):

Delete the sentence beginning with letter "(d)"

Representative Draxler commented. Representative Litvack's substitute motion to amend failed on a voice vote.

Representative Wimmer's motion to amend passed on a voice vote.

Representative Riesen commented.

Representative Moss made a motion to delete **1st Sub. H.B. 67** in title and body and insert **2nd Sub. H.B. 67** in lieu thereof. Representative Moss' motion to substitute failed on a voice vote.

Representative Dunnigan proposed the following amendment:

1. Page 3, Line 61:

After "Legislature's" insert "Business and Labor interim committee  
and if authorized, the"

Representative Dunnigan's motion to amend passed on a voice vote.

Representatives Mascaro and Bigelow commented.

**1st Sub. H.B. 67**, as amended, passed on the following roll call:

**Yeas, 53; Nays, 20; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Bigelow	Bird	Brown	S. Clark
Daw	Dee	Dougall	Draxler
Dunnigan	Edwards	Ferry	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Greenwood	Grover
Harper	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Kiser
Last	Lockhart	Mascaro	Mathis
Menlove	Morley	Newbold	Noel
Oda	Painter	Powell	Ray
Sandstrom	Sumsion	Vickers	Wallis
Webb	Wilcox	Wimmer	Wright
D. Clark			

**Voting in the negative were:** Representatives

Beck	Biskupski	Black	Chavez-Houck
Cosgrove	Janice Fisher	Gowans	Hansen
Hemingway	Johnson	King	Litvack
Moss	Poulson	Riesen	Seegmiller
Seelig	Watkins	Wheatley	Wiley

**Absent or not voting were:** Representatives

S Duckworth	McIff
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**1st Sub. H.B. 67**, as amended, transmitted to the Senate for its consideration.

### COMMITTEE OF THE WHOLE

On motion of Representative Garn, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from U.S. Congressman Jim Matheson.

On motion of Representative Garn, the Committee of the Whole was dissolved.



**MISCELLANEOUS BUSINESS**

On motion of Representative Ipson, under suspension of the rules, the House voted to allow a bill file to be opened entitled, "Board of Regents Amendments."

**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker: February 11, 2010  
The Senate passed **S.B. 126**, SUBDIVISION AMENDMENTS, by Senator J. S. Adams, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. **S.B. 126** read the first time by short title and referred to the Rules Committee.

\* \* \*

Mr. Speaker: February 11, 2010  
The Senate passed, **H.B. 34**, WATER STORAGE PROJECTS, by Representative M. Noel, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 57**, EXTENSION OF SUNSET FOR DESIGN-BUILD CONTRACT AWARD AUTHORIZATION, by Representative Julie Fisher, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 58**, UTAH GENERATED RENEWABLE ENERGY ELECTRICITY NETWORK AUTHORITY BOARD AMENDMENTS, by Representative R. Barrus, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 34**, **H.B. 57**, and **H.B. 58** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: February 11, 2010  
The Senate substituted, amended, and passed, **Senate 1st Sub. H.B. 39**, INSURANCE RELATED AMENDMENTS, by Representative J. Dunnigan, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 41**, CONSTABLES AMENDMENTS, by Representative C. Oda, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **1st Sub. H.B. 39** and **H.B. 41** placed on the Concurrence Calendar.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 11, 2010

The Government Operations Committee reports a favorable recommendation on **H.B. 116**, POLITICAL SUBDIVISION FACILITY ENERGY EFFICIENCY, by Representative F. Hunsaker; and

The Government Operations Committee reports a favorable recommendation on **H.B. 208**, DISPOSITION OF THE REMAINS OF A DECEASED MILITARY SERVICE MEMBER, by Representative J. Seelig, with the following amendments:

1. Page 1, Lines 13 through 17:

13 This bill:

14 ► provides that a person designated by ~~{an active duty military service member in a~~

15 ~~federal DD Form 93, Record of Emergency Data,}~~ a service member while serving in a branch of the United States Armed Forces as defined in 10 U.S.C. Sec. 1481 is a first priority person in

16 determining the disposition of the remains of the military service member upon the

17 service member's death; and

2. Page 2, Lines 34 through 36:

34 (1) a person designated ~~{in}~~ :

35 (a) in a written instrument, excluding a power of attorney that terminates at death under

36 Sections 75-5-501 and 75-5-502, if the written instrument contains:

3. Page 2, Lines 45 through 47:

45 [Ⓢ] (vi) the date or dates the written instrument was prepared and signed; or

46 (b) {~~a federal DD Form 93, Record of Emergency Data.~~ } by a {~~military~~} service member

47 {~~on active duty~~} while serving in a branch of the United States Armed Forces as defined in 10 U.S.C. Sec. 1481 ; and

The Government Operations Committee reports a favorable recommendation on **H.B. 273**, UTAH INTERNATIONAL TRADE COMMISSION AMENDMENTS, by Representative E. Hutchings, with the following amendments:

1. Page 3, Lines 81 through 82:

81 (d) any other organization in Utah whose mission involves international trade or relations {~~and trade~~} and any other organization in

82 the United States whose mission involves international trade or relations as the commission considers appropriate; and ; and

The Government Operations Committee reports a favorable recommendation on **S.B. 93**, GUBERNATORIAL APPOINTMENT POWERS AMENDMENTS, by Senator C. Bramble, with the following amendments:

1. Page 2, Lines 50 through 52

Senate 2nd Reading Amendments 2-1-2010:

50 (ii) the governor shall ~~Ⓜ~~→ resubmit the name of the nominee described in Subsection

50a (2)(a) or ~~Ⓜ~~← submit the name of [~~another~~] a different nominee to the Senate

51 for consent no later than {~~one month~~} 60 days after the date on which the nomination was rejected by the

52 Senate.

2. Page 3, Line 65:

65 (ii) the governor may ; (A) (I) reappoint the interim manager to whom the Senate failed to consent within 30 days; and

(II) resubmit the name of the person described in Subsection (3)(b)(ii)(A)(I) to the Senate for consent as interim manager; or  
(B) appoint [another] a different interim manager under  
Subsection

3. Page 3, Lines 73 through 77:

73 (d) {-(i)-} If the Senate fails to consent to a nominee  
whose name is submitted under

74 Subsection (3)(c)(ii) within 30 days after the day on which the  
governor submits the name to

75 the Senate {~~1~~} ;  
(i) the nomination is considered rejected {~~1~~} ; and

76 (ii) {~~If the Senate rejects the governor's appointment of an~~  
interim manager, } the

77 governor shall ;

(A)(I) reappoint the person described in Subsection (3)(d); and  
(II) resubmit the name of the person described in Subsection (3)(d)  
to the Senate for consent as interim manager; or

(B) appoint a different interim manager in the manner required  
by Subsection (3)(a). ; and

The Government Operations Committee reports a favorable recommendation on **S.B. 110**, REVISOR'S STATUTE, by Senator M. Dayton; and

The Government Operations Committee reports a favorable recommendation on **H.B. 274**, STATUTORY CONSTRUCTION COMPLIANCE AMENDMENTS, by Representative R. Lockhart, and recommends it be placed on the Consent Calendar.

Craig A. Frank, Chair

Reports filed. On motion of Representative Frank, the reports of the Government Operation committee were adopted.

**H.B. 116**, **H.B. 208**, as amended, **H.B. 273**, as amended, **S.B. 93**, as amended, and **S.B. 110** read the second time by short title and placed on the Third Reading Calendar.

**H.B. 274** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker: February 11, 2010

The Political Subdivisions Committee recommends **H.B. 283, FEES AND ASSESSMENT LEVIES IN LOCAL AND SPECIAL SERVICE DISTRICTS**, by Representative J. Mathis, be replaced and favorably recommends **1st Sub. H.B. 283, FEES IN SPECIAL SERVICE DISTRICTS**; and

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 302, MINOR ADJUSTMENTS TO COUNTY BOUNDARIES**, by Representative P. Painter.

Fred R Hunsaker, Chair

Reports filed. On motion of Representative Garn, the reports of the Political Subdivisions committee were adopted.

**1st Sub. H.B. 283** read the first and second times by short title and placed on the Third Reading Calendar.

**H.B. 302** read the second time by short title and placed on the Third Reading Calendar.

**NOTICE OF BILL RETURNED TO RULES COMMITTEE**

The Political Subdivisions Committee has returned **H.B. 291, APPLICABILITY OF LAND USE PROVISIONS TO FEDERAL GOVERNMENT**, by Representative K. Grover, to the Rules Committee.

Fred R Hunsaker, Chair

Report filed. **H.B. 291** returned to the Rules Committee.

**THIRD READING CALENDAR**

**S.B. 23, CORPORATE FRANCHISE AND INCOME TAX AMENDMENTS**, *Harper*, read the third time by short title and placed on its final passage.

**S.B. 23**, as amended, passed on the following roll call:

**Yeas, 53; Nays, 2; Absent or not voting, 20.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	S. Clark	Cosgrove	Dee



**S.C.R. 5** Concurrent Resolution Recognizing the 100 Year Anniversary of the Mckay–Dee Hospital (Sen. J. Greiner)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

**RULES COMMITTEE REPORT**

Mr. Speaker: February 11, 2010

The Rules Committee recommends the following bills and resolutions be assigned to standing committees:

**BUSINESS AND LABOR**

- H.B. 306** Terrorism Amendments (Rep. E. Hutchings)
- H.B. 308** State Fire Code Adoption (Rep. T. Kiser)
- H.J.R. 24** Joint Resolution on Equal Treatment by Government (Rep. C. Oda)

**EDUCATION**

- H.B. 129** Amendments to Education Financing (Rep. M. Newbold)
- S.B. 57** Local School Board Budget Procedures (Sen. D. Stowell)

**GOVERNMENT OPERATIONS**

- H.B. 310** Spending Limits Amendments (Rep. R. Bigelow)
- H.B. 315** Utah Public Notice Website Amendments (Rep. K. Powell)

**HEALTH AND HUMAN SERVICES**

- H.J.R. 27** Authentic Charity Health Care Joint Resolution (Rep. M. Newbold)

**LAW ENFORCEMENT AND CRIMINAL JUSTICE**

- H.B. 136** Jail Contracting and Reimbursement (Rep. M. Noel)
- H.B. 178** Bureau of Criminal Identification Fee Amendments (Rep. E. Hutchings)
- H.B. 301** Disorderly Conduct Amendments (Rep. C. Wimmer)

**NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT**

- S.B. 104** Renewable Energy Modifications (Sen. S. Urquhart)

**REVENUE AND TAXATION**

- H.B. 317** Property Tax Notices Amendments (Rep. G. Froerer)

- S.B. 29** Amendments to Individual Income Tax Definition of Resident Individual (Sen. C. Bramble)
- S.B. 125** Intangible Property Amendments (Sen. C. Bramble)

**TRANSPORTATION**

- H.B. 174** License Plates Amendments (Rep. P. Ray)
- 1st Sub. S.B. 114** Motor Vehicle Accident Reports (Sen. D. Stowell)
- S.B. 117** Pete Suazo Memorial Highway (Sen. L. Robles)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

**MISCELLANEOUS BUSINESS**

On motion of Representative Dee, and at 12:05 p.m., the House voted to adjourn until February 12, 2010, at 10:00 a.m.



# NINETEENTH DAY

\* \* \*

## MORNING SESSION

The House was called to order by Speaker Clark at 10:05 a.m.

Roll call showed all members present except Representative Harper, excused.

Prayer offered by Brent Dickey, Representative Eric Hutchings' father-in-law. Pledge of Allegiance led by Representative Eric Hutchings' children, Elissa, Mitchell, Alayne, and Sophia Hutchings.

### SPECIAL CITATION

A Citation was read honoring the family of Millard County Deputy Sheriff Josie Greathouse Fox who was killed in the line of duty on January 5, 2010. Her husband, children, and parents were introduced.

### INTRODUCTION OF BILLS

**H.B. 148, Sales and Use Tax Changes** (W. Harper), read the first time by short title and referred to the Rules Committee.

**H.B. 150, Administrative Subpoena Amendments** (B. Daw), read the first time by short title and referred to the Rules Committee.

**H.B. 161, Voter Registration Amendments** (R. Chavez-Houck), read the first time by short title and referred to the Rules Committee.

**H.B. 332, Utah Agricultural Code Amendments** (C. Watkins), read the first time by short title and referred to the Rules Committee.

**H.B. 333, Reemployed Retiree Contribution Amendments** (D. Litvack), read the first time by short title and referred to the Rules Committee.

**H.B. 381, Municipal Land Use Provisions** (S. Sandstrom), read the first time by short title and referred to the Rules Committee.

**H.B. 401, Residential Facilities for Elderly Persons** (B. Daw), read the first time by short title and referred to the Rules Committee.

**H.B. 456, Amendments to Department of Environmental Quality** (R. Edwards), read the first time by short title and referred to the Rules Committee.

**H.C.R. 13, Concurrent Resolution on Providing Continuing Federal Financial Assistance for the Delivery of Basic Services to Dutch John, Utah** (M. Brown), read the first time by short title and referred to the Rules Committee.

**H.J.R. 31, House Joint Rules Legislative Review Note Procedures Amendments** (B. Ferry), read the first time by short title and referred to the Rules Committee.

### MISCELLANEOUS BUSINESS

On motion of Representative Newbold, under suspension of the rules, the House voted to lift **H.B. 4, CURRENT SCHOOL YEAR SUPPLEMENTAL MINIMUM SCHOOL PROGRAM BUDGET AMENDMENTS**, *Newbold*, from the Rules Committee, consider it read the second time by short title and place it at the top of the Third Reading Calendar.

### CONSENT CALENDAR

**H.B. 263, TECHNICAL CROSS REFERENCE REVISIONS**, *Anderson*, read the third time by short title and placed on its final passage.

**H.B. 263** passed on the following roll call:

**Yeas, 68; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Greenwood	Grover	Hansen	Hemingway
Hendrickson	Herrod	Hunsaker	Hutchings
Ipson	Johnson	King	Last
Litvack	Lockhart	Mascaro	Mathis
Menlove	Morley	Moss	Newbold
Noel	Oda	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Brown	Gowans	Harper	Hughes
Kiser	McIff	Painter	

**H.B. 263** transmitted to the Senate for its consideration.

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**S.B. 111**, REPEAL OF SEVERANCE TAX HOLDING ACCOUNT, *Dougall*, read the third time by short title and placed on its final passage.

**S.B. 111** passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Greenwood	Grover	Hansen	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
D. Clark			

**Absent or not voting were:** Representatives

Julie Fisher	Gowans	Harper	Hutchings
Morley	Wright		

**S.B. 111** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

**CONCURRENCE CALENDAR**

On motion of Representative Oda, the House voted to concur in the Senate amendments to **H.B. 41**, CONSTABLES AMENDMENTS.

**H.B. 41**, as amended by the Senate, passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Greenwood	Grover	Hansen	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
D. Clark			

**Absent or not voting were:** Representatives

Julie Fisher	Gowans	Harper	Kiser
Morley	Wright		

**H.B. 41**, as amended by the Senate, transmitted to the Senate for signature of President.

### MISCELLANEOUS BUSINESS

On motion of Representative Ipson, under suspension of the rules, the House voted to calendar **H.J.R. 22** for Time Certain on February 16, 2010 at 10:30 a.m.

### THIRD READING CALENDAR

**H.B. 4**, CURRENT SCHOOL YEAR SUPPLEMENTAL MINIMUM SCHOOL PROGRAM BUDGET ADJUSTMENTS, *Newbold*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

Representative Bigelow commented.

**H.B. 4** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Julie Fisher	Harper
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**H.B. 4** transmitted to the Senate for its consideration.

**UNFINISHED BUSINESS**

On motion of Representative Dee, the House voted to uncircle **H.B. 112**.

**H.B. 112**, SUPREME COURT REVIEW OF AN INITIATIVE OR REFERENDUM, *Dee*, was before the House on its final passage. Representatives Litvack and McIff commented.

**H.B. 112** passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski

Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Morley
Moss	Newbold	Noel	Oda
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Dunnigan	Frank	Harper	Menlove
Painter	Wallis		

**H.B. 112** transmitted to the Senate for its consideration.

**THIRD READING CALENDAR**

**H.B. 108**, MEAT INSPECTION AMENDMENTS, *Mathis*, read the third time by short title and placed on its final passage.

**H.B. 108** passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson

King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	Morley
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
D. Clark			

**Absent or not voting were:** Representatives

Dee	Harper	McIff	Menlove
Moss	Wright		

**H.B. 108** transmitted to the Senate for its consideration.

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**H.B. 228**, RENEWABLE ENERGY SOURCE AMENDMENTS, *Barrus*, read the third time by short title and placed on its final passage. Representatives Seegmiller, Mascaro, Chavez–Houck, and Edwards commented.

**H.B. 228** passed on the following roll call:

**Yeas, 68; Nays, 4; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Powell	Ray	Riesen	Sandstrom
Seegmiller	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Voting in the negative were:** Representatives

Chavez–Houck      Johnson      King      Poulson

**Absent or not voting were:** Representatives

Harper      Painter      Seelig

**H.B. 228** transmitted to the Senate for its consideration.

### COMMUNICATION FROM THE SENATE

Mr. Speaker:

February 12, 2010

The Senate requests the return of **1st Sub. H.B. 39**, INSURANCE RELATED AMENDMENTS, by Representative J. Dunnigan, for reconsideration.

Annette B. Moore

Secretary of the Senate

Communication filed. On motion of Representative Dunnigan, the House voted to return **1st Sub. H.B. 39** to the Senate.

### THIRD READING CALENDAR

On motion of Representative Lockhart, the House voted to uncircle **H.B. 251**.

**H.B. 251**, ADMISSION OF AFFIDAVITS INTO EVIDENCE, *Lockhart*, was before the House on its final passage.

**H.B. 251** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold



Noel	Oda	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Hansen	Harper	Painter	Wiley
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**H.B. 251** transmitted to the Senate for its consideration.

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**1st Sub. H.B. 83**, PUBLIC EMPLOYEES' RETIREMENT – SPOUSAL ELECTION, *Wallis*, read the third time by short title and placed on its final passage.

On motion of Representative Wallis, the House voted to circle **1st Sub. H.B. 83**.

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**H.B. 215**, AMENDMENTS TO PUBLIC EMPLOYEES' BENEFIT AND INSURANCE PROGRAM ACT – RISK POOLS, *Garn*, read the third time by short title and placed on its final passage. Representative Menlove commented.

**H.B. 215** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Hansen
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel

Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wright	D. Clark	

**Absent or not voting were:** Representatives

Grover	Harper	Hutchings	Wimmer
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**H.B. 215** transmitted to the Senate for its consideration.

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**H.B. 233**, RETIREMENT OFFICE AMENDMENTS, *Ipson*, read the third time by short title and placed on its final passage.

**H.B. 233**, as amended, passed on the following roll call:

**Yeas, 68; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Hansen	Hemingway
Hendrickson	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wright	D. Clark

**Absent or not voting were:** Representatives

Frank	Grover	Harper	Herrod
Hughes	Noel	Wimmer	

**H.B. 233**, as amended, transmitted to the Senate for its consideration.

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**H.B. 238, LOW SPEED VEHICLE AMENDMENTS, *Anderson***, read the third time by short title and placed on its final passage. Representatives Seegmiller and Hutchings commented.

**H.B. 238**, as amended, passed on the following roll call:

**Yeas, 70; Nays, 4; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Grover	Hemingway	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Voting in the negative were:** Representatives

Draxler	Greenwood	Hansen	Hendrickson
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**Absent or not voting was:** Representative

Harper

**H.B. 238**, as amended, transmitted to the Senate for its consideration.

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**H.B. 218, MUNICIPAL DISINCORPORATION REVISIONS, *Froerer***, read the third time by short title and placed on its final passage. Representative Powell commented.

**H.B. 218** passed on the following roll call:

**Yeas, 63; Nays, 0; Absent or not voting, 12.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Hemingway	Herrod
Hunsaker	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Moss
Newbold	Oda	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Bird	Biskupski	Ferry	Harper
Hendrickson	Hughes	Hutchings	Menlove
Morley	Noel	Painter	Wiley

**H.B. 218** transmitted to the Senate for its consideration.

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**H.B. 254, VOTER IDENTIFICATION AMENDMENTS, Daw,** read the third time by short title and placed on its final passage.

**H.B. 254** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards

Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Harper                      Vickers

**H.B. 254** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 258**, VOTING PRECINCT BOUNDARIES, *Sumsion*, read the third time by short title and placed on its final passage.

**H.B. 258**, as amended, passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold

Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	D. Clark	

**Absent or not voting were:** Representatives

Harper	Hutchings	Wimmer	Wright
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**H.B. 258**, as amended, transmitted to the Senate for its consideration.

### COMMUNICATION FROM THE SENATE

Mr. Speaker:

February 12, 2010

The Senate passed, as substituted, **1st Sub. S.B. 3**, CURRENT FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS, by Senator L. Hillyard, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. **1st Sub. S.B. 3** read the first time by short title and referred to the Rules Committee.

### MISCELLANEOUS BUSINESS

On motion of Representative Bigelow, under suspension of the rules, the House voted to lift **1st Sub. S.B. 3** from the Rules Committee, consider it read the second time by short title and place it at the top of the Third Reading Calendar.

\* \* \*

On motion of Representative Dee, the House voted to move to the Senate Third Reading Calendar.

### THIRD READING CALENDAR

**1st Sub. S.B. 3**, CURRENT FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS, *Bigelow*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

**1st Sub. S.B. 3** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Voting in the negative was:** Representative  
Hansen

**Absent or not voting were:** Representatives  
Dunnigan Harper

**1st Sub. S.B. 3** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

### MISCELLANEOUS BUSINESS

On motion of Representative Garn, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

### THIRD READING CALENDAR

**1st Sub. H.B. 205**, IMPACT FEE AMENDMENTS, *Sandstrom*, read the third time by short title and placed on its final passage.

Representative Sandstrom proposed the following amendment:

1. Page 12, Line 341

341 (b) delay the construction { ~~or operation~~ } of a school or charter school because of a

Representative Sandstrom's motion to amend passed on a voice vote.

Representatives Draxler and McIff commented.

**1st Sub. H.B. 205**, as amended, passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez-Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Hemingway	Hendrickson	Hughes
Hunsaker	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Harper	Herrod	Hutchings	Menlove
Powell	Sumsion		

**1st Sub. H.B. 205** transmitted to the Senate for its consideration.

## REPORTS OF STANDING COMMITTEES

Mr. Speaker:

February 12, 2010

The Business and Labor Committee reports a favorable recommendation on **H.J.R. 24**, JOINT RESOLUTION ON EQUAL TREATMENT BY GOVERNMENT, by Representative C. Oda; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 181**, CONDOMINIUM ASSOCIATION COMMON EXPENSES, by Representative C. Moss; and



The Business and Labor Committee reports a favorable recommendation on **H.B. 183, CONSTRUCTION AND FIRE CODE RELATED AMENDMENTS**, by Representative M. Morley, with the following amendments:

1. Page 14, Lines 406 through 409:

406 (a) issuing permits, including open burning permits pursuant to Sections 11-7-1 and

407 19-2-114; ~~{-and-}~~

408 (b) creating a local board of appeals in accordance with the state fire code ~~{-+}~~ ; and ~~{-+}~~ ~~{-}~~

409 ~~{-+}~~ (c) establishing, modifying, or deleting fire flow and water supply requirements. ~~{-+}~~ ; and

The Business and Labor Committee recommends **H.B. 227, LICENSING ELIGIBILITY**, by Representative S. Sandstrom, be replaced and favorably recommends **1st Sub. H.B. 227, LICENSING ELIGIBILITY**; and

The Business and Labor Committee recommends **H.B. 275, DIVISION OF REAL ESTATE AMENDMENTS**, by Representative G. Froerer, be replaced and favorably recommends **1st Sub. H.B. 275, DIVISION OF REAL ESTATE AMENDMENTS**; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 103, ADVERSE POSSESSION OF REAL PROPERTY**, by Senator S. Urquhart.

James A. Dunnigan, Chair

Reports filed. On motion of Representative Painter, the reports of the Business and Labor committee were adopted.

**H.J.R. 24, H.B. 181, H.B. 183**, as amended, **1st Sub. H.B. 227, 1st Sub. H.B. 275**, and **S.B. 103** read the second time by short title and placed on the Third Reading Calendar.

### MISCELLANEOUS BUSINESS

On motion of Representative Dee, the House voted to calendar **H.J.R. 24** for Time Certain on February 16, 2010 at 10:10 a.m.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker:

February 12, 2010

The Health and Human Services Committee reports a favorable recommendation on **H.B. 196, TOBACCO TAX REVISIONS**, by Representative P. Ray, with the following amendments:

1. Page 1, Line 14 through Page 2, Line 30:

14 ► increases the tax rate for the sale, use, storage, or distribution of tobacco products in

15 the state, for the 2010–11 fiscal year, as follows:

16 • for cigarettes weighing not more than three pounds per thousand cigarettes,

17 from 3.475 cents per cigarette to ~~{-6.55-}~~ 8.5 cents per cigarette;

18 • for cigarettes weighing in excess of three pounds per thousand cigarettes, from

19 4.075 cents per cigarette to ~~{-7.68-}~~ 9.963 cents per cigarette;

20 • for tobacco products, except moist snuff, from 35% to 66% of the

21 manufacturer's sales price; and

22 • for moist snuff, from \$.75 to \$1.41 per ounce;

23 ► sets the tax rate for the sale, use, storage, or distribution of tobacco products in the

24 state, for each third year after the 2010–11 fiscal year, as follows:

25 • for cigarettes weighing not more than three pounds per thousand cigarettes, at ~~{-one-tenth-}~~ the greater of the rate for the preceding state fiscal year or one-half

26 of one cent above the national average rate, excluding certain tobacco

27 producing states;

28 • for cigarettes weighing in excess of three pounds per thousand cigarettes, at a

29 rate that is ~~{-1.173-}~~ 1.409 times higher than the rate described in the preceding

30 paragraph;

2. Page 2, Lines 36 through 37:

36 ► allocates, on an annual basis, ~~{-\$1,000,000-}~~ \$250,000 of the funds generated by the tax increase

37 in this bill to the Department of Health for the Gold Medal Schools  
Program; and

3. Page 2, Line 55 through Page 3, Line 76:

55 (2) The rates of the tax levied under Subsection (1) are:

56 (a) beginning on July 1, 2010, and ending on June 30, 2011:

57 [~~(a) 3.475~~] (i) {~~-6.55-~~} 8.5 cents on each cigarette,  
for all cigarettes weighing not more than

58 three pounds per thousand cigarettes; and

59 [~~(b) 4.075~~] (ii) {~~-7.68-~~} 9.963 cents on each  
cigarette, for all cigarettes weighing in excess of

60 three pounds per thousand cigarettes[~~-~~];

61 (b) beginning on July 1 of {each} every third state  
fiscal year after the 2010–11 fiscal year, for all

62 cigarettes weighing not more than three pounds per thousand  
cigarettes, {~~-as calculated under~~

63 Subsection (3) } the greater of:

(i) the rate for the preceding state fiscal year; or

(ii) the rate calculated under Subsection (3) ; and

64 (c) beginning on July 1 of {each} every third state  
fiscal year after the 2010–11 fiscal year, for all

65 cigarettes weighing in excess of three pounds per thousand  
cigarettes, calculated by:

66 (i) multiplying the rate that is calculated under Subsection (3)  
by { 1.173 } 1.409 ; and

67 (ii) rounding the product of the calculation described in  
Subsection (2)(c)(i) to the

68 nearest thousandth of one cent.

69 (3) { Beginning in 2011, on } On or before April 1 of  
{ each year } 2013, and on or before April 1 of each third year  
after 2013, the tax commission shall

70 calculate the tax rate described in Subsection (2)(b) by:

71 (a) determining the sum of the state tax rates, as the rates were  
on January 1 of that

72 year, for the cigarettes described in Subsection (2)(b), for each state of the United States.

73 except Georgia, Kentucky, North Carolina, South Carolina, Tennessee, and Virginia;

74 (b) dividing the sum described in Subsection (3)(a) by 44 and rounding the result to the

75 nearest thousandth of one cent; and

76 (c) adding {~~one-tenth~~} one-half of one cent to the rounded amount described in Subsection (3)(b).

4. Page 4, Lines 99 through 101:

99 (e) { ~~One million~~ } \$250,000 dollars of the revenue generated from the tax increase imposed under

100 this section during the { ~~2009~~ } 2010 General Session shall be annually appropriated to the Department

101 of Health for use in the Gold Medal Schools program. ; and

The Health and Human Services Committee reports a favorable recommendation on **1st Sub. S.B. 90, MENTAL HEALTH PROFESSIONAL PRACTICE ACT AMENDMENTS**, by Senator L. Hillyard, with the following amendments:

1. Page 2, Lines 31 through 32:

31 ► modifies license qualification requirements and supervision requirements under the Substance Abuse Practice

32 Act; and

2. Page 2, Line 48:

48 58-60-506, as last amended by Laws of Utah 2009, Chapter 183

58-60-508, as last amended by Laws of Utah 2007, Chapter 283

3. Page 3, Lines 66 through 71:

66 (4) except as provided in Subsection (5), provides documentation that the person has engaged in the lawful practice of the

67 profession for which licensure is sought for not less than 4,000 hours, of which 1,000 hours are

68 in mental health therapy;

(5) if the person is applying for a license to practice as a licensed substance abuse counselor, provides documentation that the person has: (a) engaged in the lawful practice of the profession for not less than 4,000 hours; and (b) has passed an examination approved by the division, by rule, to establish proficiency in the profession;

69 {-(5)-} (6) has passed the profession specific jurisprudence examination if required of a new

70 applicant; and

71 {-(6)-} (7) is of good moral character and professional standing, and has no disciplinary action

4. Page 14, Line 416:

416 Subsection (2) or (3).

Section 12. Section 58-60-508 is amended to read:

58-60-508. Core functions of the mental health therapist supervisor.

(1) Each supervisor of licensed substance abuse counselors shall:

(a) be a licensed mental health therapist qualified by education and experience to treat substance abuse;

(b) be currently working in the substance abuse treatment field;

(c) review substance abuse counselor assessment procedures;

(d) provide substance abuse diagnosis and other mental health diagnoses in accordance with Subsection 58-60-102(7);

(e) participate in the development of a treatment plan;

(f) approve the treatment plan; and

(g) provide direct supervision for not more than five persons, unless granted an exception in writing from the board and the division.

(2) Each supervisor of a certified substance abuse counselor, certified substance abuse counselor intern, or certified substance abuse counselor extern shall:

(a) (i) be a licensed substance abuse counselor with (A) until July 1, 2011, at least one year of experience as a licensed substance abuse counselor; or

(B) beginning on July 1, 2011, at least two years of experience as a licensed substance abuse counselor; or

(ii) be a licensed mental health therapist qualified by education and experience to treat substance abuse;

- (b) be currently working in the substance abuse field; and
  - (c) provide direct supervision for no more than three persons, unless granted an exception in writing from the board and the division.
- ; and

The Health and Human Services Committee recommends **H.B. 186**, CONTROLLED SUBSTANCE DATABASE REVISIONS, by Representative R. Menlove, be replaced and reports a favorable recommendation on **1st Sub. H.B. 186**, CONTROLLED SUBSTANCE DATABASE REVISIONS and asks that it be placed on the Consent Calendar; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 299**, AMENDMENTS RELATED TO SUBSTANCES HARMFUL TO PREGNANCY, by Representative R. Menlove, and recommends it be placed on the Consent Calendar; and

The Health and Human Services Committee reports a favorable recommendation on **H.C.R. 9**, AUTISM, DISABILITIES, AND FAITH CONCURRENT RESOLUTION, by Representative R. Menlove, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 2, Lines 53 through 58:

- 53 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Coalition of Religious Communities, the Salt Lake
- 54 Interfaith Roundtable, the Utah Parent Center, the Autism Council of Utah, Family Voices, the
- 55 Utah Developmental Disabilities Council, Allies with Families, the National Alliance for
- 56 Mental Illness Utah, the Autism Initiative and the Children with Special Health Care Needs
- 57 Bureau at the Utah Department of Health, the Utah Statewide Independent Living Council, the
- 58 Disability Law Center, and the Legislative Coalition for People with Disabilities.

Paul Ray, Chair

Reports filed. On motion of Representative Ray, the reports of the Health and Human Services committee were adopted.

**H.B. 196**, as amended, and **1st Sub. S.B. 90**, as amended, read the second time by short title and placed on the Third Reading Calendar.

**1st Sub. H.B. 186, H.B. 299, and H.C.R. 9**, as amended, read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker: February 12, 2010  
The Public Utilities and Technology Committee reports a favorable recommendation on **H.J.R. 21**, JOINT RESOLUTION ON ENERGY POLICY, by Representative M. Noel.

Michael E. Noel, Chair

Report filed. On motion of Representative Lockhart, the report of the Public Utilities and Technology committee was adopted.

**H.J.R. 21** read the second time by short title and placed on the Third Reading Calendar.

**RULES COMMITTEE REPORT**

Mr. Speaker: February 12, 2010  
The House Rules Committee recommends, with written request of the sponsor, that **H.B. 106**, Expedited Background Checks for Human Services Providers (Rep. J. Seelig) be replaced with **1st Substitute H.B. 106**, Expedited Background Checks for Human Services Providers, and further recommends it be assigned to the House Law Enforcement and Criminal Justice Standing Committee.

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

**RULES COMMITTEE REPORT**

Mr. Speaker: February 12, 2010  
The House Rules Committee recommends, with written request of the sponsor, that **H.B. 252**, Workplace Accommodation of Breast Feeding (Rep. C. Johnson) be replaced with **1st Substitute H.B. 252**, Workplace Accommodation of Breast Feeding, and further recommends it be assigned to the House Business and Labor Standing Committee.

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

**RULES COMMITTEE REPORT**

Mr. Speaker: February 12, 2010

The Rules Committee recommends the following bills and resolutions be assigned to standing committees:

**BUSINESS AND LABOR**

**H.B. 341** Uniform Athlete Agents Act (Rep. P. Ray)  
**S.B. 126** Subdivision Amendments (Sen. J. Adams)

**EDUCATION**

**H.J.R. 25** Joint Resolution Regarding School Fees and Supplies  
(Rep. K. Powell)

**GOVERNMENT OPERATIONS**

**H.B. 139** Emergency and Disaster Management Amendments  
(Rep. C. Oda)

**HEALTH AND HUMAN SERVICES**

**H.B. 92** Moist Snuff Taxation Revisions (Rep. B. Daw)

**LAW ENFORCEMENT AND CRIMINAL JUSTICE**

**H.B. 303** Protections for Victims of Domestic Violence  
(Rep. E. Hutchings)

**NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT**

**H.B. 309** Surface Owner Protection Act (Rep. J. Mathis)

**TRANSPORTATION**

**S.B. 122** Eminent Domain Revisions (Sen. J. Adams)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

**MISCELLANEOUS BUSINESS**

On motion of Representative Garn, and at 12:15 p.m., the House voted to adjourn until February 16, 2010, at 10:00 a.m.



# TWENTY-SECOND DAY

\* \* \*

## MORNING SESSION

The House was called to order by Speaker Clark at 10:00 a.m.

Roll call showed all members present.

Prayer offered by Ben Southworth, West Jordan City Councilman. Pledge of Allegiance led by Representative Jim Bird’s intern, Carrie Gebhard.

### MISCELLANEOUS BUSINESS

On motion of Representative Garn, the House voted to lift **H.J.R. 24** from the Time Certain calendar and place it at the top of the Third Reading Calendar.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 12, 2010

The Senate passed, **H.B. 4**, CURRENT SCHOOL YEAR SUPPLEMENTAL MINIMUM SCHOOL PROGRAM BUDGET ADJUSTMENTS, by Representative M. Newbold, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 42**, SCHOOL DISTRICT EMPLOYEES – CAREER STATUS REQUIREMENTS, by Representative R. Menlove, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 4** and **1st Sub. H.B. 42** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: February 12, 2010

The Senate substituted and passed, **Senate 1st Sub. H.B. 95**, CERTIFICATION OF VOTING EQUIPMENT MODIFICATIONS, by Representative D. Aagard, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. **1st Sub. H.B. 95** placed on the Concurrence Calendar.

\* \* \*

Mr. Speaker: February 12, 2010

The Senate concurred in the House amendments and passed **S.B. 18**, ELECTION MODIFICATIONS, by Senator P. Knudson, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **S.B. 21**, AMENDMENTS TO SOCIAL WORKER LICENSING, by Senator D. C. Buttars, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **S.B. 18** and **S.B. 21** signed by the Speaker and returned to the Senate for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: February 12, 2010

The Senate passed, as amended, **S.B. 26**, UTAH E-COMMERCE INTEGRITY ACT, by Senator S. Urquhart, and it is transmitted for consideration; and

The Senate passed **S.B. 58**, TRANSPORTATION EXPENSES FOR DEFENDANTS, by Senator J. S. Adams, and it is transmitted for consideration; and

The Senate passed **S.B. 76**, TRUST DEED AMENDMENTS, by Senator J. Valentine, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 121**, UTAH UNIFORM PROBATE CODE AMENDMENTS, by Senator J. Valentine, and it is transmitted for consideration; and

The Senate passed **S.B. 134**, PARTNERSHIP TAX RETURN FILING DEADLINES, by Senator J. S. Adams, and it is transmitted for consideration; and

The Senate passed, as amended, **S.J.R. 2**, JOINT RESOLUTION ON COMBATING AND REDUCING GANG ACTIVITY, by Senator L. Robles, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **S.B. 26**, **S.B. 58**, **S.B. 76**, **1st Sub. S.B. 121**, **S.B. 134**, and **S.J.R. 2** read the first time by short title and referred to the Rules Committee.

## INTRODUCTION OF BILLS

**H.B. 318, Revolving Loan Fund for Certain Energy Efficient Projects Amendments** (R. Barrus), read the first time by short title and referred to the Rules Committee.

**H.B. 324, Public Lands Litigation** (K. Sumsion), read the first time by short title and referred to the Rules Committee.

**H.B. 335, Utility Related Exemptions** (G. Hughes), read the first time by short title and referred to the Rules Committee.

**H.B. 337, Uniform Driver License Act Amendments** (R. Lockhart), read the first time by short title and referred to the Rules Committee.

**H.B. 348, Sheriffs Fees** (R. Greenwood), read the first time by short title and referred to the Rules Committee.

**H.B. 349, Sales and Use Tax Amendments** (W. Harper), read the first time by short title and referred to the Rules Committee.

**H.B. 355, Legal Guardianship Amendments** (S. Sandstrom), read the first time by short title and referred to the Rules Committee.

**H.B. 364, Right of Identity Theft Victim to Civil Cause of Action** (Julie Fisher), read the first time by short title and referred to the Rules Committee.

**H.B. 378, Motor Vehicle Insurance Requirements** (T. Kiser), read the first time by short title and referred to the Rules Committee.

**H.B. 379, Barber, Cosmetologist/barber, Esthetician, Electrologist, and Nail Technician Licensing Act Amendments** (M. Newbold), read the first time by short title and referred to the Rules Committee.

**H.B. 398, Sexually Oriented Business License Amendments** (F.J. Seegmiller), read the first time by short title and referred to the Rules Committee.

**H.B. 409, Civil Action for Damages Related to Addiction from Illegal Drug Sale** (C. Herrod), read the first time by short title and referred to the Rules Committee.

**H.B. 437, Phlebotomy Certification Act** (F.J. Seegmiller), read the first time by short title and referred to the Rules Committee.

**H.C.R. 11, Taiwan Concurrent Resolution** (R. Lockhart), read the first time by short title and referred to the Rules Committee.

**H.C.R. 12, Printing and Graphic Arts Recognition Month Concurrent Resolution** (B. Daw), read the first time by short title and referred to the Rules Committee.

### CONSENT CALENDAR

**H.B. 184, MEDICAID AUTISM WAIVER**, *Ray*, read the third time by short title and placed on its final passage.

**H.B. 184** passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright		

**Absent or not voting were:** Representatives

Barrus	Draxler	K Gibson	Sumsion
D. Clark			

**H.B. 184** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 257, DIETITIAN CERTIFICATION ACT AMENDMENTS**, *Newbold*, read the third time by short title and placed on its final passage.

**H.B. 257** passed on the following roll call:

**Yeas, 68; Nays, 5; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
F Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Vickers	Wallis	Watkins	Webb
Wheatley	Wiley	Wright	D. Clark

**Voting in the negative were:** Representatives

Dougall	Garn	Sumsion	Wilcox
Wimmer			

**Absent or not voting were:** Representatives

Draxler	K Gibson
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**H.B. 257** transmitted to the Senate for its consideration.

\* \* \*

**H.J.R. 6**, STRANGULATION AND DOMESTIC VIOLENCE JOINT RESOLUTION, *Seelig*, read the third time by short title and placed on its final passage.

**H.J.R. 6** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski

Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Moss	Newbold	Noel
Oda	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Voting in the negative was:** Representative  
Morley

**Absent or not voting were:** Representatives  
Draxler                      K Gibson                      Painter

**H.J.R. 6** transmitted to the Senate for its consideration.

\* \* \*

**1st Sub. S.B. 97, FARMLAND ASSESSMENT ACT AMENDMENTS,**  
*Mathis*, read the third time by short title and placed on its final passage.

**1st Sub. S.B. 97** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	Gowans
Greenwood	Grover	Hansen	Harper

Hemingway	Hendrickson	Herrod	Hughes
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Draxler	K Gibson	Hunsaker	Painter
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**1st Sub. S.B. 97** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

**SPECIAL ORDER OF BUSINESS**

**H.J.R. 22**, JOINT RESOLUTION RECOGNIZING THE 75TH ANNIVERSARY OF THE UTAH HIGHWAY PATROL, *Ipson*, read the third time by short title and placed on its final passage. Representatives Greenwood, Frank, Allen, and Hendrickson commented.

**H.J.R. 22** passed on the following roll call:

**Yeas, 75; Nays, 0; Absent or not voting, 0.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda

Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**H.J.R. 22** transmitted to the Senate for its consideration.

### INTRODUCTION OF BILL

**H.B. 393, Advertisements on School Buses** (J. Bird), read the first time by short title and referred to the Rules Committee.

### THIRD READING CALENDAR

**H.J.R. 24, JOINT RESOLUTION ON EQUAL TREATMENT BY GOVERNMENT**, *Oda*, read the third time by short title and placed on its final passage.

On motion of Representative Oda, the House voted to circle **H.J.R. 24**.

\* \* \*

**H.C.R. 8, CONCURRENT RESOLUTION ON FEDERAL HEALTH CARE REFORM**, *D. Clark*, read the third time by short title and placed on its final passage.

**H.C.R. 8**, as amended, passed on the following roll call:

**Yeas, 57; Nays, 15; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Black	Brown
S. Clark	Daw	Dee	Dougall
Dunnigan	Edwards	Ferry	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Harper	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Kiser	Last	Mascaro	Mathis
McIff	Menlove	Morley	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Sandstrom	Seegmiller



Sumsion	Vickers	Wallis	Watkins
Webb	Wilcox	Wimmer	Wright
D. Clark			

**Voting in the negative were:** Representatives

Biskupski	Chavez–Houck	Cosgrove	S Duckworth
Janice Fisher	Hansen	Hemingway	Johnson
King	Litvack	Moss	Riesen
Seelig	Wheatley	Wiley	

**Absent or not voting were:** Representatives

Bird	Draxler	Lockhart
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**H.C.R. 8**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.B. 25**, HEALTH REFORM – ADMINISTRATIVE SIMPLIFICATION, *Newbold*, read the third time by short title and placed on its final passage. Representative Hansen commented.

**H.B. 25** passed on the following roll call:

**Yeas, 70; Nays, 1; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Voting in the negative was:** Representative Hansen

**Absent or not voting were:** Representatives Beck Draxler Lockhart Ray

**H.B. 25** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 52, HEALTH REFORM – UNIFORM ELECTRONIC STANDARDS – INSURANCE INFORMATION**, *Newbold*, read the third time by short title and placed on its final passage. Representative Hemingway commented.

**H.B. 52** passed on the following roll call:

**Yeas, 74; Nays, 0; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting was:** Representative Draxler

**H.B. 52** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 294**, HEALTH SYSTEM REFORM AMENDMENTS, *D. Clark*, read the third time by short title and placed on its final passage.

Representative D. Clark proposed the following amendment:

1. Page 1, Line 21  
House Committee Amendments 2–8–2010  
21       ▶ clarifies the restrictions and protections for identifiable health information;  
          ▶ requires health care providers to post prices for patients;
2. Page 5, Line 137:  
137       31A–42a–204, Utah Code Annotated 1953  
          58–5a–307, Utah Code Annotated 1953
3. Page 5, Line 141:  
141       58–69–806, Utah Code Annotated 1953  
          58–73–603, Utah Code Annotated 1953
4. Page 49, Lines 1508 through 1510b  
House Committee Amendments 2–8–2010:  
1508   benefit plan; { ~~and~~ }  
          (c) one health benefit plan that is a federally qualified high deductible health plan that has an individual deductible of \$2,500 and a deductible of \$5,000 for coverage including two or more individuals, and has an out of pocket maximum equal to the level of the deductible;  
1509       { ~~(e)~~ }   (d) one health benefit plan that  $\hat{H} \rightarrow$   
          { ~~—~~ } is {—} a federally qualified high deductible health plan that  
          that has the highest deductible that qualifies as  $\leftarrow \hat{H} \text{ a}$   
1509a   federally qualified high deductible health plan  $\hat{H} \rightarrow$  that  
1510 has a deductible of \$5,000] as adjusted by federal law.  $\leftarrow \hat{H}$  and does not exceed an annual  
1510a   out-of-pocket maximum  $\hat{H} \rightarrow$  of \$15,000.] equal to three times the amount of the annual  
1510b   deductible ; and

(e) the insurer's five most commonly selected health benefit plans that:

(i) include:

(A) the provider panel;

(B) the deductible;

(C) co-payments;

(D) co-insurance; and

(E) pharmacy benefits ; and

(ii) have the largest number of enrolled lives in the insurer's own total block of small employer group business in the state . ←H

5. Page 62, Line 1913

House Committee Amendments 2-8-2010:

1913 and implemented by rule.

Section 37. Section 58-5a-307 is enacted to read:

58-5a-307. Consumer access to provider charges.

Beginning January 1, 2011, a podiatric physician licensed under this chapter shall, when requested by a consumer:

(1) make a list of professional charges available for the consumer which includes the podiatric physician's 25 most frequently performed:

(a) clinical procedures or clinical services;

(b) out-patient procedures; and

(c) in-patient procedures; and

(2) provide the consumer with information regarding any discount available for:

(a) services not covered by insurance; or

(b) prompt payment of billed charges.

6. Page 64, Line 1961:

1961 (b) prompt payment of billed charges.

Section 41. Section 58-73-603 is enacted to read:

58-73-603. Consumer access to provider charges.

Beginning January 1, 2011, a chiropractic physician licensed under this chapter shall, when requested by a consumer:

(1) make a list of professional charges available for the consumer which includes the

chiropractic physician's 25 most frequently performed:

(a) clinical procedures or clinical services;

(b) out-patient procedures; and

(c) in-patient procedures; and  
(2) provide the consumer with information regarding any discount  
available for:

- (a) services not covered by insurance; or
- (b) prompt payment of billed charges.

7. Page 67, Lines 2047 through 2048  
 House Committee Amendments 2-8-2010:

2047 (D) one representative from a small insurer who participates on  
the exchange; { and }

2048 (E) one representative from the Insurance Department ; and  
(F) one representative from the Department of Health .

Representative D. Clark’s motion to amend passed on a voice vote.

###

Representative D. Clark proposed the following amendment:

1. Page 32, Lines 971 through 972

971 lowest premium rate charged or that could have been charged under  
 a rating system {~~+~~} for that

972 class of business {~~+~~} by the covered carrier to covered  
 insureds with similar case characteristics

2. Page 57, Lines 1734 through 1735:

1734 (e) A carrier shall re-submit premium rates if the { ~~actuary~~  
or the } department contacts the

1735 carrier under Subsection (3) {-(e) } .

Representative D. Clark’s motion to amend passed on a voice vote.

###

Representative Dunnigan proposed the following amendment:

1. Page 38, Lines 1158 through 1164

1158 may not, without prior approval of the commissioner, use case  
 characteristics other than:

1159 (i) age;

- 1160 {~~—~~} (ii) gender; {~~—~~}
- 1161 [~~(iii) industry;~~]
- 1162 [~~(iv)~~] { (ii) } (iii) geographic area; and
- 1163 [~~(v)~~] { (iii) } (iv) family composition[~~;~~ and].
- 1164 [~~(vi) group size.~~]

2. Page 42, Line 1284:

1284 (B) not to exceed an overall ratio of { 4:1 } 5:1 ; and

3. Page 42, Line 1288:

1288 (i) an overall ratio of { 4:1 } 5:1 or less; and

Representative Ferry commented. Representative Dunnigan’s motion to amend passed on a voice vote.

###

Representative Last proposed the following amendment:

1. Page 15, Lines 435 through 442

435 (2) (a) The commissioner shall promote informed consumer behavior and responsible

436 [~~health insurance and~~] health benefit plans by requiring an insurer issuing [~~health insurance~~

437 ~~policies or health maintenance organization contracts~~ a health benefit plan to:

438 (i) provide to all enrollees, prior to enrollment in the health benefit plan [~~or health~~

439 ~~insurance policy,~~] written disclosure of:

440 [~~(i)~~] (A) restrictions or limitations on prescription drugs and biologics including :

(I) the use

441 of a formulary {~~and~~} :

(II) co-payments and deductibles for prescription drugs; and

(III) requirements for generic substitution;

442 [~~(ii)~~] (B) coverage limits under the plan; and

2. Page 15, Line 453 through Page 16, Line 464:

453 (b) [~~In addition to the requirements of Subsections (2)(a), (d), and (e) an insurer~~

454 ~~described in Subsection (2)(a)]~~ An insurer shall ~~{file}~~  
provide the ~~{written}~~ disclosure required by ~~[this]~~  
455 Subsection (2)(a)(i) ~~[to]~~ ~~{with the commissioner}~~ :

456 (i) in writing to the commissioner:  
(A) upon commencement of operations in the state; and  
457 ~~{(ii)}~~ (B) anytime the insurer amends any of the  
following described in Subsection (2)(a)(i):

458 ~~{(A)}~~ (I) treatment policies;  
459 ~~{(B)}~~ (II) practice standards;  
460 ~~{(C)}~~ (III) restrictions;  
461 ~~{(D)}~~ (IV) coverage limits of the insurer’s health  
benefit plan or health insurance policy; or  
462 ~~{(E)}~~ (V) limitations or exclusions of coverage  
including a limitation or exclusion for a  
463 secondary medical condition related to a limitation or exclusion of  
the insurer’s health  
464 insurance plan ; and  
(ii) to the enrollee, notice of the change in prescription drug  
coverage under Subsection (2)(a)(i)(A):  
(A) either in writing or through the insurer’s website; and  
(B) at least 30 days prior to the date of the implementation of the  
change in prescription drug coverage, or as soon as reasonably  
possible .

Representative Last’s motion to amend passed on a voice vote.

Representatives Allen, Wright, Black, Morley, and Bird commented.

**H.B. 294**, as amended, passed on the following roll call:

**Yeas, 62; Nays, 13; Absent or not voting, 0.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Biskupski	Black
Brown	Chavez-Houck	S. Clark	Cosgrove
Daw	Dee	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher

Julie Fisher	Fowlke	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Harper	Hemingway	Hendrickson
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Moss	Newbold	Noel
Painter	Poulson	Powell	Ray
Riesen	Seegmiller	Seelig	Vickers
Wallis	Watkins	Webb	Wheatley
Wiley	D. Clark		

**Voting in the negative were:** Representatives

Bird	Dougall	Frank	Hansen
Herrod	Kiser	Morley	Oda
Sandstrom	Sumsion	Wilcox	Wimmer
Wright			

**H.B. 294**, as amended, transmitted to the Senate for its consideration.

**REPORTS OF STANDING COMMITTEES**

Mr. Speaker: February 12, 2010

The Judiciary Committee reports a favorable recommendation on **H.B. 80**, PUBLIC ACCESS TO PRIVATE STREAM BEDS, by Representative L. Fowlke, with the following amendments:

1. Page 3, Lines 80 through 85:

80 As used in this chapter:

81 (1) "Bed" means an area within the ordinary high water mark of a public water.

82 (2) "Harass" means:

83 (a) assault, as defined in Section 76-5-102; and

84 (b) an offense against an animal enterprise, as described in Section 76-6-110.

85 (3) "Impounded wetland" means a wetland or wetland pond that is formed or the level of which is controlled by a dike, berm, or headgate that retains or manages the flow or depth of water, including connecting channels.

{ ~~(3)~~ } (4) "Ordinary high water mark" means:



## 2. Page 4, Lines 92 through 96:

92 line the water body impresses upon the soil, as defined in  
Subsection { ~~(3)~~ } (4) (a), is not readily

93 identified.

94 { ~~(4)~~ } (5) “Permission” is as defined in Section  
23-20-14.

95 { ~~(5)~~ } (6) “Private bed” means a privately owned  
bed of a public water.

96 { ~~(6)~~ } (7) “Private property to which access is  
restricted” means privately owned real

## 3. Page 4, Line 111 through Page 5, Line 121:

111 { ~~(7)~~ } (8) (a) “Public water” means water:

112 (i) described in Section 73-1-1; and

113 (ii) flowing or collecting on the surface:

114 (A) within a natural or realigned channel; or

115 (B) in a natural lake, pond, or reservoir on a natural or realigned  
channel.

116 (b) “Public water” does not include water flowing or collecting  
on :

(i) impounded wetland;

(ii) jurisdictional wetland described in 33 C.F. R. 328.3;

(iii) a migratory bird production area, as defined in Section 23-28-102;

or

(iv) private property in a

117 manmade:

118 { ~~(i)~~ } (A) irrigation canal;

119 { ~~(ii)~~ } (B) irrigation ditch; or

120 { ~~(iii)~~ } (C) impoundment or reservoir constructed  
outside of a natural or realigned channel.

121 { ~~(8)~~ } (9) (a) “Recreational activity” means activity  
that:

## 4. Page 5, Lines 149 through 151:

149 (ii) the person walks or portages outside the bed around the  
manmade obstruction in

150 the most direct and least obtrusive manner to re-enter the same  
body of public water at the nearest safe point

151 past the manmade obstruction.

5. Page 6, Lines 160 through 162:

160 (ii) A person walking or portaging in accordance with this  
Subsection (4)(b) shall walk

161 or portage in the least obtrusive manner possible, leaving and  
reentering the private bed of the same public water at a

162 safe point nearest to the obstacle. ; and

The Judiciary Committee reports a favorable recommendation on **H.B. 115**, COUNSEL FOR INDIGENTS IN JUVENILE COURT PROCEEDINGS, by Representative K. Powell, with the following amendments:

1. Page 7, Line 212 through Page 8, Line 215:

212 (7) (a) { The } Except as provided in Subsections  
(b) and (c), the court shall order a minor, parent, guardian, or custodian  
for whom counsel is

213 appointed and the parents or guardian of any child for whom  
counsel is appointed to reimburse

214 the county for the cost of appointed counsel arising from any  
{ petition or motion } work of counsel that is not primarily  
directed at { any

215 party other than } the state or the guardian ad litem.

(b) The court may not order reimbursement of the county  
pursuant to Subsection (a) for the cost of appointed counsel arising from  
any work of counsel that is specifically undertaken to defend against the  
filing of a petition to terminate parental rights after the petition has been  
filed, regardless of who filed the petition.

(c) The state, or an agency of the state, may not be ordered to  
reimburse the county pursuant to Subsection (a).

Lorie D. Fowlke, Chair

Reports filed. On motion of Representative Bird, the reports of the Judiciary committee were adopted.

**H.B. 80**, as amended, and **H.B. 115**, as amended, read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker:

February 12, 2010

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.C.R. 7**, CREDIT SCORES CONCURRENT RESOLUTION, by Representative D. Aagard, with the following amendments:

1. Page 2, Lines 56 through 57:

56 that consumers have the right to access their Fair Isaac Corporation credit scores or any other source for credit scores used by Fannie Mae, Freddie Mac, or Ginnie Mae from the three  
57 major credit agencies annually at no cost.; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 82**, PROTECTION OF CHILDREN RIDING IN MOTOR VEHICLES, by Representative F.J. Seegmiller; and

The Law Enforcement and Criminal Justice Committee recommends **H.B. 178**, BUREAU OF CRIMINAL IDENTIFICATION FEE AMENDMENTS, by Representative E. Hutchings, be replaced and reports a favorable recommendation on **1st Sub. H.B. 178**, BUREAU OF CRIMINAL IDENTIFICATION FEE AMENDMENTS with the following amendments:

1. Page 5, Line 147:

147 { ~~(2) Fees may be modified under Subsection (1) pursuant to Section 63J-1-504.~~ } ; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **1st Sub. H.B. 234**, OPTING OUT OF THE REAL ID ACT, by Representative S. Sandstrom; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 276**, SEX OFFENDER REGISTRY AMENDMENT, by Representative P. Ray.

Douglas C. Aagard, Chair

Reports filed. On motion of Representative Aagard, the reports of the Law Enforcement and Criminal Justice committee were adopted.

**H.C.R. 7**, as amended, **H.B. 82**, **1st Sub. H.B. 178**, as amended, **1st Sub. H.B. 234**, and **H.B. 276** read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker: February 12, 2010

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 141**, RECREATIONAL USE OF PUBLIC WATER ON PRIVATE PROPERTY, by Representative K. McIff; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 240**, DEPARTMENT OF NATURAL RESOURCES AMENDMENTS, by Representative J. Draxler.

Roger E. Barrus, Chair

Reports filed. On motion of Representative Barrus, the reports of the Natural Resources, Agriculture, and Environment committee were adopted.

**H.B. 141** and **H.B. 240** read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker: February 12, 2010

The Transportation Committee reports a favorable recommendation on **H.B. 91**, TRAFFIC CONTROL SIGNS FOR BICYCLES, by Representative C. Moss, with the following amendments:

1. Page 1, Lines 19 through 23:

19 { ~~► provides that once a person operating a bicycle approaching a steady red~~

20 ~~traffic-control signal has stopped and yielded to all other traffic, the person may~~

21 ~~cautiously;~~

22 • ~~proceed straight through the steady red signal; or~~

23 • ~~turn left onto a highway that is a highway with one lane in each direction; and }~~

► A person operating a bicycle approaching a steady red may cautiously proceed through the intersection if:

• the operator has come to a complete stop;

• the traffic-control signal is programmed or engineered to change to a green signal only after detecting the approach of a motor vehicle and has failed to detect the arrival of the bicycle; and

- no motor vehicle or pedestrian is approaching on the roadway to be crossed or entered or is at a distance from the intersection that constitutes an immediate hazard; and

- ▶ provides that the belief that a traffic control signal was programmed or engineered to change to a green light only after detecting the approach of a vehicle when the signal was not programmed or engineered to change to a green light only after detecting the approach of a vehicle is not a defense to a violation of certain traffic laws.

2. Page 3, Lines 74 through 83:

74 { ~~(6) (a)(i) Except as provided in Subsection (6)(b), a person operating a bicycle~~

75 ~~approaching a steady red traffic control signal shall stop before entering the intersection and~~

76 ~~shall yield to all other traffic.~~

77 ~~(ii) Once the person has stopped and yielded to all other traffic as required by~~

78 ~~Subsection (6)(a)(i), the person may cautiously:~~

79 ~~(A) proceed straight through the steady red signal; or~~

80 ~~(B) turn left onto a highway that is a highway with one lane in each direction. }~~

(6) (a) A person operating a bicycle approaching a steady red may cautiously proceed through the intersection if:

(i) the operator has come to a complete stop;

(ii) the traffic-control signal:

(A) is programmed or engineered to change to a green signal only after detecting the approach of a motor vehicle; and

(B) has failed to detect the arrival of the bicycle; and

(iii) no motor vehicle or pedestrian is:

(A) approaching on the roadway to be crossed or entered; or

(B) at a distance from the intersection that constitutes an immediate hazard.

(b) The belief that a traffic control signal was programmed or engineered to change to a green light only after detecting the approach of a vehicle when the signal was not programmed or engineered to change to a green light only after detecting the approach of a vehicle is not a defense to a violation of Section 41-6a-305.

81 { ~~(b)~~ } (c) After slowing to a reasonable speed and  
yielding the right-of-way if required, a

82 person operating a bicycle approaching a steady red traffic-control  
signal may cautiously make

83 a right-hand turn without stopping; and

The Transportation Committee reports a favorable recommendation on **H.B. 174**, LICENSE PLATES AMENDMENTS, by Representative P. Ray, with the following amendments:

1. Page 1, Line 16:

16 in the vehicle;

► provides that the requirement to attach a license plate to the  
front of a vehicle shall only be enforced as a moving traffic violation;

2. Page 2, Line 58 through Page 3, Line 65:

58 license plate to the front of the vehicle, or for another offense.]

(4) The requirement under Subsection (1) to attach a license plate  
to the front of a vehicle shall only be enforced as a moving traffic  
violation.

59 { ~~(4)~~ } (5) (a) Either a tail light or a separate light  
shall be constructed and placed to illuminate

60 with a white light the rear license plate and render it legible from a  
distance of 50 feet to the

61 rear.

62 (b) A light described in Subsection { ~~(4)~~ } (5) (a)  
illuminating a rear license plate shall be

63 wired to be lighted whenever the headlights or auxiliary driving  
lights are lighted.

64 { ~~(5)~~ } (6) (a) Except as provided in Subsections  
{ ~~(5)~~ } (6) (b) and (c), a violation of this section is a

65 class C misdemeanor.

3. Page 3, Lines 74 through 81:

74 (c) (i) A violation of the requirement under Subsection  
{ ~~(4)~~ } (5) to illuminate the rear license

75 plate on a vehicle is an infraction.

76 (ii) A court shall waive the fine for a violation of the requirement under Subsection { (4) } (5)

77 to illuminate the rear license plate on a vehicle if:

78 (A) the person demonstrates that the person has complied with the requirements of

79 Subsection { (4) } (5) subsequent to the violation but before sentencing; and

80 (B) the person has not previously been cited for a violation of the requirement under

81 Subsection { (4) } (5) to illuminate the rear license plate on a vehicle.; and

The Transportation Committee reports a favorable recommendation on **1st Sub. S.B. 114**, MOTOR VEHICLE ACCIDENT REPORTS, by Senator D. Stowell; and

The Transportation Committee reports a favorable recommendation on **S.B. 117**, PETE SUAZO MEMORIAL HIGHWAY, by Senator L. Robles; and

The Transportation Committee reports a favorable recommendation on **H.B. 132**, PIONEER TRAIL MEMORIAL HIGHWAY, by Representative R. Menlove, and recommends it be placed on the Consent Calendar.

Bradley M. Daw, Chair

Reports filed. On motion of Representative Daw, the reports of the Transportation committee were adopted.

**H.B. 91**, as amended, **H.B. 174**, as amended, **1st Sub. S.B. 114**, and **S.B. 117** read the second time by short title and placed on the Third Reading Calendar.

**H.B. 132** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker:

February 16, 2010

The Government Operations Committee recommends **H.C.R. 2**, CONCURRENT RESOLUTION ON STATES' RIGHTS, by Representative Julie Fisher, be replaced and favorably recommends **1st Sub. H.C.R. 2**, CONCURRENT RESOLUTION ON STATES' RIGHTS; and

The Government Operations Committee reports a favorable recommendation on **H.J.R. 20**, GREEN SCHOOLS JOINT RESOLUTION, by Representative M. Wheatley, with the following amendments:

1. Page 2, Lines 30 through 31:

30            {~~WHEREAS, current climate and energy challenges compound the structural and~~

31    resource deficiencies in many school districts in the state; } ; and

The Government Operations Committee reports a favorable recommendation on **H.J.R. 23**, JOINT RESOLUTION APPROVING THE SALE OF REAL PROPERTY AT THE UTAH STATE DEVELOPMENTAL CENTER, by Representative C. Frank; and

The Government Operations Committee reports a favorable recommendation on **H.B. 287**, LEGISLATOR SALARY AMENDMENTS, by Representative D. Litvack; and

The Government Operations Committee recommends **H.B. 304**, LIEUTENANT GOVERNOR AMENDMENTS, by Representative E. Hutchings, be replaced and favorably recommends **1st Sub. H.B. 304**, LIEUTENANT GOVERNOR AMENDMENTS; and

The Government Operations Committee reports a favorable recommendation on **S.B. 53**, VOTER CHALLENGE REVISIONS, by Senator P. Knudson, with the following amendments:

1. Page 4, Line 117:

117    (a) Section 20A-3-202.3, for challenges issued in writing more than { 15 } 21 days before the

2. Page 5, Line 125:

125 than { 15 } 21 days before the date that early voting commences, a written statement that:

3. Page 5, Line 146:

146 section, the election officer shall, at least { 12 } 14 days before the day on which early voting

Craig A. Frank, Chair

Reports filed. On motion of Representative Frank, the reports of the Government Operations committee were adopted.



**1st Sub. H.C.R. 2, H.J.R. 20**, as amended, **H.J.R. 23, H.B. 287, 1st Sub. H.B. 304, and S.B. 53**, as amended, read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker: February 16, 2010

The Political Subdivisions Committee recommends **H.B. 282, LOCAL GOVERNMENT AMENDMENTS**, by Representative S. Sandstrom, be replaced and reports a favorable recommendation on **1st Sub. H.B. 282, LOCAL GOVERNMENT AMENDMENTS** with the following amendments:

1. Page 4, Line 88:

88 storage, equipment storage, food processing or preparing,  
{ ~~or~~ } vehicle storage or maintenance, or similar use

2. Page 13, Line 374:

374 (g) for a land use or a structure owned or operated by a school district or charter school that is not

3. Page 17, Line 518:

518 storage, equipment storage, food processing or preparing,  
{ ~~or~~ } vehicle storage or maintenance, or similar use

4. Page 27, Line 819:

819 (g) for a land use or a structure owned or operated by a school district or charter school that is not

Fred R Hunsaker, Chair

Reports filed. On motion of Representative Hunsaker, the reports of the Political Subdivisions committee were adopted.

**1st Sub. H.B. 282**, as amended, read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker: February 16, 2010

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 29, AMENDMENTS TO INDIVIDUAL INCOME TAX DEFINITION OF RESIDENT INDIVIDUAL**, by Senator C. Bramble; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 125**, INTANGIBLE PROPERTY AMENDMENTS, by Senator C. Bramble, and recommends it be placed on the Consent Calendar.

Todd E. Kiser, Chair

Reports filed. On motion of Representative Kiser, the reports of the Revenue and Taxation committee were adopted.

**S.B. 29** read the second time by short title and placed on the Third Reading Calendar.

**S.B. 125** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker: February 16, 2010

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **1st Sub. S.B. 48**, NONLAPSING AUTHORITY TECHNICAL AMENDMENTS, by Senator R. Okerlund, and recommends it be placed on the Consent Calendar.

Steven R. Mascaro, Chair

Report filed. On motion of Representative Mascaro, the report of the Workforce Services and Community and Economic Development committee was adopted.

**1st Sub. S.B. 48** read the second time by short title and placed on the Third Reading Calendar.

### **RULES COMMITTEE REPORT**

Mr. Speaker: February 16, 2010

The Rules Committee recommends the following bills and resolutions be assigned to standing committees:

#### **BUSINESS AND LABOR**

- |                 |                                                                     |
|-----------------|---------------------------------------------------------------------|
| <b>H.B. 426</b> | Bail Bond Licensee Representation Amendments<br>(Rep. S. Sandstrom) |
| <b>S.B. 26</b>  | Utah E-commerce Integrity Act (Sen. S. Urquhart)                    |
| <b>S.B. 76</b>  | Trust Deed Amendments (Sen. J. Valentine)                           |

#### **HEALTH AND HUMAN SERVICES**

- |                 |                                          |
|-----------------|------------------------------------------|
| <b>H.B. 311</b> | Autism Treatment Fund (Rep. R. Lockhart) |
|-----------------|------------------------------------------|

**JUDICIARY**

- H.B. 340** Sexual Assault Victim Protocols (Rep. J. Biskupski)
- 1st Sub. S.B. 121** Utah Uniform Probate Code Amendments (Sen. J. Valentine)

**LAW ENFORCEMENT AND CRIMINAL JUSTICE**

- S.B. 58** Transportation Expenses for Defendants (Sen. J. Adams)
- S.J.R. 2** Joint Resolution on Combating and Reducing Gang Activity (Sen. L. Robles)

**NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT**

- H.B. 179** Off-highway Vehicle and Street-legal All-terrain Vehicle Revisions (Rep. M. Noel)

**REVENUE AND TAXATION**

- H.B. 316** Disabled Veterans Property Tax Exemption Amendments (Rep. G. Hughes)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

**COMMITTEE OF THE WHOLE**

On motion of Representative Garn, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from U.S. Senator Orrin Hatch.

On motion of Representative Garn, the Committee of the Whole was dissolved.

**MISCELLANEOUS BUSINESS**

On motion of Representative Garn, and at 12:30 p.m., the House voted to adjourn until February 17, 2010, at 10:00 a.m.

# TWENTY-THIRD DAY

\* \* \*

## MORNING SESSION

The House was called to order by Speaker Clark at 10:00 a.m.

Roll call showed all members present.

Prayer offered by Representative Mel Brown. Pledge of Allegiance led by Representative Brown's intern, Cameron Christensen.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 16, 2010

The President of the Senate has signed **H.B. 41, CONSTABLES AMENDMENTS**, by Representative C. Oda, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 69, STATE ENGINEER'S PLUGGING OF WELLS REPEALER**, by Representative J. Gowans, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 206, BAN ON SALE OF SMOKING PARAPHERNALIA TO MINORS**, by Representative P. Ray, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.J.R. 22, JOINT RESOLUTION RECOGNIZING THE 75TH ANNIVERSARY OF THE UTAH HIGHWAY PATROL**, by Representative D. Ipson, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 41, H.B. 69, H.B. 206, and H.J.R. 22** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: February 16, 2010  
The Senate concurred in the House amendments and passed **S.B. 23**, CORPORATE FRANCHISE AND INCOME TAX AMENDMENTS, by Senator J. Valentine, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communication filed. **S.B. 23** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

\* \* \*

Mr. Speaker: February 16, 2010  
The Senate passed **S.B. 50**, VICTIMS’ RIGHTS REVISIONS, by Senator J. S. Adams, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 102**, RESTRICTING THE MOVEMENT OF A MOTOR VEHICLE, by Senator B. Goodfellow, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **1st Sub. S.B. 107**, LIEN AMENDMENTS, by Senator C. Bramble, and it is transmitted for consideration; and

The Senate passed, as amended, **S.C.R. 6**, CONCURRENT RESOLUTION APPROVING CLASSIFICATION OF SOLID WASTE FACILITY SOLID WASTE PERMIT, by Senator B. Goodfellow, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **S.B. 50, S.B. 102, 1st Sub. S.B. 107, and S.C.R. 6** read the first time by short title and referred to the Rules Committee.

**INTRODUCTION OF BILLS**

**H.B. 145, Renewable Energy Financing Provisions** (B. Last), read the first time by short title and referred to the Rules Committee.

**H.B. 153, Recycling of Electronic Items** (R. Edwards), read the first time by short title and referred to the Rules Committee.

**H.B. 170, Foster Care Revisions** (K. Gibson), read the first time by short title and referred to the Rules Committee.

**H.B. 171, Water Rights Revisions** (K. Gibson), read the first time by short title and referred to the Rules Committee.

**H.B. 312, Medical Expenses for Offenders** (P. Ray), read the first time by short title and referred to the Rules Committee.

**H.B. 320, Utah Construction Trades Licensing Act – Alarm Companies Amendments** (C. Herrod), read the first time by short title and referred to the Rules Committee.

**H.B. 331, Waste Fee and Related Amendments** (R. Menlove), read the first time by short title and referred to the Rules Committee.

**H.B. 367, Guardianship Residency Requirements** (L. Black), read the first time by short title and referred to the Rules Committee.

**H.B. 377, Department of Human Services Licensing Amendments** (P. Ray), read the first time by short title and referred to the Rules Committee.

**H.B. 380, Firearm Laws Amendments** (S. Sandstrom), read the first time by short title and referred to the Rules Committee.

**H.B. 388, Mobile Home Revisions** (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

**H.B. 406, State Fair Park Amendments** (J. Gowans), read the first time by short title and referred to the Rules Committee.

**H.C.R. 4, Veterans Freedom Memorial Concurrent Resolution** (G. Hughes), read the first time by short title and referred to the Rules Committee.

**H.J.R. 28, Joint Rules Resolution on Expenses and Mileage Provisions** (J. Dougall), read the first time by short title and referred to the Rules Committee.

#### CONSENT CALENDAR

**H.B. 274, STATUTORY CONSTRUCTION COMPLIANCE AMENDMENTS**, *Lockhart*, read the third time by short title and placed on its final passage.

**H.B. 274** passed on the following roll call:

**Yeas, 64; Nays, 0; Absent or not voting, 11.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dougall	Draxler
S Duckworth	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hunsaker	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Poulson	Powell	Ray	Riesen
Seegmiller	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Dee	Dunnigan	K Gibson	Gowans
Hughes	Hutchings	Mascaro	Mathis
Painter	Sandstrom	Seelig	

**H.B. 274** transmitted to the Senate for its consideration.

### CONCURRENCE CALENDAR

On motion of Representative Aagard, the House voted to concur in the Senate amendments to **1st Sub. H.B. 95**, CERTIFICATION OF VOTING EQUIPMENT MODIFICATIONS.

**1st Sub. H.B. 95**, as amended by the Senate, passed on the following roll call:

**Yeas, 68; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Edwards	Ferry	Janice Fisher

Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hunsaker	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Allen	Dunnigan	K Gibson	Gowans
Hughes	Hutchings	Painter	

**1st Sub. H.B. 95**, as amended by the Senate, transmitted to the Senate for signature of President.

**THIRD READING CALENDAR**

**S.B. 91**, PROSECUTOR APPEALS, *Oda*, read the third time by short title and placed on its final passage. Representative McIff commented.

**S.B. 91** passed on the following roll call:

**Yeas, 68; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	Edwards	Ferry	Janice Fisher
Julie Fisher	Frank	Froerer	Garn
F Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hunsaker	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson



Powell	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

S Duckworth	Dunnigan	Fowlke	K Gibson
Hughes	Hutchings	Ray	

**S.B. 91** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 93**, GUBERNATORIAL APPOINTMENT POWERS AMENDMENTS, *Painter*, read the third time by short title and placed on its final passage.

**S.B. 93**, as amended, passed on the following roll call:

**Yeas, 67; Nays, 0; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	Menlove	Morley	Moss
Newbold	Oda	Painter	Poulson
Powell	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

S Duckworth	Dunnigan	Garn	Hughes
McIff	Noel	Ray	Webb

**S.B. 93**, as amended, returned to the Senate for further consideration.

\* \* \*

**S.B. 110**, REVISOR'S STATUTE, *Ferry*, read the third time by short title and placed on its final passage.

**S.B. 110** passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez--Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Riesen	Sandstrom	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

S Duckworth	Dunnigan	McIff	Ray
Seegmiller			

**S.B. 110** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**3rd Sub. S.B. 22**, NOTARY PUBLIC AMENDMENTS, *Hunsaker*, read the third time by short title and placed on its final passage.

Representative Bigelow proposed the following amendment:

- 1. Page 2, Line 35:

Insert a new subsection as follows: “(3) passes the written examination administered under Section 46-1-3” and renumber accordingly.

Representative Ferry commented. On substitute motion of Representative Powell, the House voted to circle **3rd Sub. S.B. 22**.

**SPECIAL ORDER OF BUSINESS**

On motion of Representative Moss, the House voted to uncircle **H.J.R. 5**.

**H.J.R. 5, JOINT RESOLUTION ON CLEAN AIR**, *Moss*, was before the House on its final passage. Representative Harper commented.

Representative Noel proposed the following amendment:

- 1. Page 2, Line 30:  
Delete “, as well”
- 2. Page 2, Line 31:  
Delete “as greenhouse gases such as carbon dioxide”

Representative Noel’s motion to amend passed on the following roll call:

**Yeas, 47; Nays, 24; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Barrus	Bigelow
Bird	Brown	S. Clark	Daw
Dee	Dougall	Dunnigan	Ferry
Julie Fisher	Fowlke	Frank	Froerer
F Gibson	K Gibson	Greenwood	Grover
Hansen	Harper	Hendrickson	Herrod
Hughes	Hutchings	Ipson	Kiser
Last	Lockhart	Mathis	McIff
Menlove	Morley	Newbold	Noel
Oda	Powell	Ray	Sandstrom
Sumsion	Wallis	Webb	Wilcox
Wimmer	Wright	D. Clark	

**Voting in the negative were:** Representatives

Allen	Beck	Biskupski	Black
Chavez–Houck	Cosgrove	Draxler	S Duckworth
Edwards	Janice Fisher	Hemingway	Johnson

King	Litvack	Mascaro	Moss
Poulson	Riesen	Seegmiller	Seelig
Vickers	Watkins	Wheatley	Wiley

**Absent or not voting were:** Representatives

Garn	Gowans	Hunsaker	Painter
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###

Representative Hughes proposed the following amendment:

1. Page 2, Line 28:  
Delete “, as well as greenhouse gases such as carbon dioxide”

Representative Hughes’ motion to amend passed on a voice vote.

**H.J.R. 5**, as amended, passed on the following roll call:

**Yeas, 66; Nays, 8; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Froerer
Garn	F Gibson	K Gibson	Gowans
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Moss	Newbold	Noel	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	D. Clark		

**Voting in the negative were:** Representatives

Daw	Frank	Greenwood	Morley
Oda	Sumsion	Wimmer	Wright

**Absent or not voting was:** Representative

Painter

**H.J.R. 5**, as amended, transmitted to the Senate for its consideration.

**THIRD READING CALENDAR**

**S.C.R. 5**, CONCURRENT RESOLUTION RECOGNIZING THE 100 YEAR ANNIVERSARY OF THE MCKAY–DEE HOSPITAL, *Wallis*, read the third time by short title and placed on its final passage.

**S.C.R. 5** passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	Menlove
Morley	Newbold	Noel	Oda
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright			

**Absent or not voting were:** Representatives

Brown	Garn	McIff	Moss
Painter	D. Clark		

**S.C.R. 5** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 103**, ADVERSE POSSESSION OF REAL PROPERTY, *Ipson*, read the third time by short title and placed on its final passage.

**S.B. 103** passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Newbold	Noel	Oda
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright			

**Absent or not voting were:** Representatives

Draxler	K Gibson	Hutchings	Moss
Painter	D. Clark		

**S.B. 103** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

### UNFINISHED BUSINESS

On motion of Representative Noel, the House voted to uncircle **1st Sub. S.J.R. 1.**

**1st Sub. S.J.R. 1, ESCALANTE HERITAGE HOLE-IN-THE-ROCK CENTER JOINT RESOLUTION, Noel,** was before the House on its final passage.

Representative Noel proposed the following amendment:

1. Page 3, Lines 65 through 68  
65 WHEREAS, the state transportation improvement program includes \$200,000 for

66 preliminary engineering to improve Hole-in-the-Rock Road;

Whereas, the Bureau of Land Management (BLM) has expressly recognized in an administrative determination in 1988 that Garfield County owns an R.S. 2477 right-of-way for the Hole-in-the-Rock Road;

Whereas, Garfield County, Kane County, and the state of Utah have valid documentation that this road has been in existence since 1879 and has been in continuous use for over 131 years;

Whereas, Garfield County, Kane County, and the state of Utah have expended public tax monies to improve and maintain this road and other R.S. 2477 roads in their respective counties for access to BLM and National Park Service-managed lands;

Whereas, Kane County has filed a Quiet Title Action to secure forever the property right to this road and other roads in the county;

Whereas, this case, called the Hole-in-the-Rock Quiet Title Action, will be heard in federal court in the near future;

67 WHEREAS, the Garfield County Commission fully supports this endeavor and is the

68 government sponsor of the project;

Representative Noel’s motion to amend passed on a voice vote. Representatives Litvack and McIff commented.

**1st Sub. S.,J.R. 1**, as amended, passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez-Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Last	Litvack
Lockhart	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel

Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Wheatley	Wilcox	Wimmer
Wright			

**Absent or not voting were:** Representatives

Hemingway	Kiser	Mascaro	Webb
Wiley	D. Clark		

**1st Sub. S.J.R. 1**, as amended, returned to the Senate for further consideration.

### THIRD READING CALENDAR

**1st Sub. S.B. 90**, MENTAL HEALTH PROFESSIONAL PRACTICE ACT AMENDMENTS, *Menlove*, read the third time by short title and placed on its final passage.

**1st Sub. S.B. 90**, as amended, passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	King	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Wheatley	Wilcox	Wimmer
Wright			



**Absent or not voting were:** Representatives

Johnson	Kiser	Moss	Webb
Wiley	D. Clark		

**1st Sub. S.B. 90**, as amended, returned to the Senate for further consideration.

\* \* \*

**1st Sub. S.B. 114**, MOTOR VEHICLE ACCIDENTS REPORTS, *Lockhart*, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House voted to circle **1st Sub. S.B. 114**.

**MISCELLANEOUS BUSINESS**

On motion of Representative Seelig, the House voted to calendar **S.B. 117** for Time Certain on February 19, 2010 at 11:30 a.m.

**THIRD READING CALENDAR**

**S.B. 53**, VOTER CHALLENGE REVISIONS, *Frank*, read the third time by short title and placed on its final passage.

**S.B. 53**, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen

Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright			

**Absent or not voting were:** Representatives

Beck                      D. Clark

**S.B. 53**, as amended, returned to the Senate for further consideration.

\* \* \*

**S.B. 29**, AMENDMENTS TO INDIVIDUAL INCOME TAX DEFINITION OF RESIDENT INDIVIDUAL, *Harper*, read the third time by short title and placed on its final passage. Representatives Hutchings and King commented.

**S.B. 29** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright			

**Absent or not voting were:** Representatives

Dee                      D. Clark

**S.B. 29** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**H.B. 118, ECONOMIC DEVELOPMENT INCENTIVES MODIFICATIONS, Harper,** read the third time by short title and placed on its final passage. Representative Bigelow commented.

**H.B. 118,** as amended, passed on the following roll call:

**Yeas, 50; Nays, 22; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Beck	Bigelow
Biskupski	Black	Brown	Chavez–Houck
S. Clark	Cosgrove	Daw	Draxler
Edwards	Ferry	Janice Fisher	Fowlke
Froerer	Garn	F Gibson	K Gibson
Gowans	Hansen	Harper	Hemingway
Hendrickson	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Mascaro	McIff	Menlove
Moss	Newbold	Painter	Poulson
Powell	Riesen	Seegmiller	Seelig
Vickers	Wallis	Watkins	Webb
Wheatley	Wiley		

**Voting in the negative were:** Representatives

Anderson	Barrus	Bird	Dee
Dougall	Dunnigan	Julie Fisher	Frank
Greenwood	Grover	Herrod	Hughes
Lockhart	Mathis	Morley	Noel
Oda	Sandstrom	Sumsion	Wilcox
Wimmer	Wright		

**Absent or not voting were:** Representatives

S Duckworth	Ray	D. Clark
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**H.B. 118,** as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.J.R. 3, JOINT RESOLUTION ON TEACHER PERFORMANCE PAY, Poulson,** read the third time by short title and placed on its final passage.

**H.J.R. 3**, as amended, passed on the following roll call:

**Yeas, 70; Nays, 1; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Voting in the negative was:** Representative

Bigelow

**Absent or not voting were:** Representatives

Dougall	Julie Fisher	Lockhart	Ray
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**H.J.R. 3**, as amended, transmitted to the Senate for its consideration.

### COMMUNICATION FROM THE SENATE

Mr. Speaker:

February 17, 2010

The Senate passed **S.J.R. 9**, JOINT RESOLUTION APPROVING COMPENSATION OF IN-SESSION EMPLOYEES, by Senator S. Jenkins, and it is transmitted for consideration.

Annette B. Moore

Secretary of the Senate

Communication filed. **S.J.R. 9** read the first time by short title and referred to the Rules Committee.

**MISCELLANEOUS BUSINESS**

On motion of Representative Garn, the House voted to recess until 2:00 p.m.

**AFTERNOON SESSION**

The House was called to order by Speaker Clark at 2:00 p.m.

**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker: February 17, 2010

The Senate passed, **H.B. 55**, DEPARTMENT OF COMMUNITY AND CULTURE GRANTS AMENDMENTS, by Representative Julie Fisher, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 211**, IMPROVEMENT DISTRICT BOARD MEMBERSHIP, by Representative K. Powell, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 213**, CIGARETTE TAX EXEMPTION AMENDMENTS, by Representative E. Vickers, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 55**, **H.B. 211**, and **H.B. 213** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: February 17, 2010

The Senate passed **S.C.R. 3**, STATE SOVEREIGNTY CONCURRENT RESOLUTION, by Senator J. S. Adams, and it is transmitted for consideration; and

The Senate passed, as amended, **S.J.R. 6**, JOINT RESOLUTION – STATE SOVEREIGNTY AND TENTH AMENDMENT, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 39**, HEALTH INSURANCE PRIOR AUTHORIZATION AMENDMENTS, by Senator K. Mayne, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. **S.C.R. 3**, **S.J.R. 6**, and **S.B. 39** read the first time by short title and referred to the Rules Committee.

## REPORTS OF STANDING COMMITTEES

Mr. Speaker:

February 16, 2010

The Business and Labor Committee reports a favorable recommendation on **H.B. 176**, CONTINUING EDUCATION REQUIREMENTS FOR ELECTRICIANS AND PLUMBERS, by Representative W. Harper, with the following amendments:

1. Page 2, Line 31:

31 apprentice electrician, journeyman electrician, { ~~or~~ } master electrician, residential journeyman electrician, or residential master electrician .

2. Page 2, Lines 33 through 34:

33 apprentice plumber, journeyman plumber, { ~~or~~ } master plumber, residential journeyman plumber, or residential master plumber .

34 (2) { During } Beginning December 1, 2010, during each two-year renewal cycle established by rule under Subsection

3. Page 2, Lines 36 through 37:

36 (a) a licensed electrician shall complete { ~~the number of~~ } 16 hours of continuing education

37 { ~~that the division specifies~~ } under the continuing education program established under this

4. Page 2, Lines 39 through 40:

39 (b) a licensed plumber shall complete { ~~the number of~~ } 12 hours of continuing education { ~~that~~

40 ~~the division specifies~~ } under the continuing education program established under this section.

5. Page 3, Lines 65 through 67:

65 plumber, { ~~or~~ } master electrician or plumber, residential journeyman electrician or plumber, or residential master electrician or plumber, completion of the number of hours of continuing

66 education { ~~that the division specifies under a continuing education program that the division~~

67 establishes } specified under Section 58-55-302.7.; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 306**, TERRORISM AMENDMENTS, by Representative E. Hutchings; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 66**, PROSTHETIC LIMB HEALTH INSURANCE PARITY, by Representative D. Litvack; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 307**, GENERAL COUNTY POWERS AMENDMENTS, by Representative G. Hughes, and recommends it be placed on the Consent Calendar; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 308**, STATE FIRE CODE ADOPTION, by Representative T. Kiser, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 13, Lines 373 through 375:

373 An ordinance adopted by a legislative body of a political subdivision that is in effect on

374 { July } June 30, 2010, and that imposes a requirement related to an automatic sprinkler system for a

375 structure built in accordance with the requirements of the International Residential Code as; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 341**, UNIFORM ATHLETE AGENTS ACT, by Representative P. Ray, and recommends it be placed on the Consent Calendar; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 126**, SUBDIVISION AMENDMENTS, by Senator J. S. Adams, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 10, Line 283:

283 been subdivided, if the joinder does not violate applicable land use ordinances; {~~or~~}

2. Page 10, Line 287:

287 (B) the adjustment will not violate any applicable land use ordinance {~~—~~} ; or

(v) a bona fide division or partition of land by deed or other

instrument where the land use authority expressly approves in writing the division in anticipation of further land use approvals on the parcel or parcels.

3. Page 23, Line 694:

694 utility service regeneration, transformation, retransmission, or amplification facility; ~~{-or-}~~

4. Page 23, Line 698:

698 (B) the adjustment will not violate any applicable land use ordinance ~~{-}~~ ; or

(vi) a bona fide division or partition of land by deed or other instrument where the land use authority expressly approves in writing the division in anticipation of further land use approvals on the parcel or parcels.

James A. Dunnigan, Chair

Reports filed. On motion of Representative Dunnigan, the reports of the Business and Labor committee were adopted.

**H.B. 176**, as amended, **H.B. 306**, and **H.B. 66** read the second time by short title and placed on the Third Reading Calendar.

**H.B. 307**, **H.B. 308**, as amended, **H.B. 341**, and **S.B. 126**, as amended, read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker:

February 16, 2010

The Education Committee reports a favorable recommendation on **H.B. 246**, RETIREMENT BENEFITS FOR CHARTER SCHOOL EMPLOYEES, by Representative C. Watkins; and

The Education Committee reports a favorable recommendation on **S.B. 57**, LOCAL SCHOOL BOARD BUDGET PROCEDURES, by Senator D. Stowell.

Gregory H. Hughes, Chair

Reports filed. On motion of Representative Dee, the reports of the Education committee were adopted.

**H.B. 246** and **S.B. 57** read the second time by short title and placed on the Third Reading Calendar.



\* \* \*

Mr. Speaker: February 16, 2010

The Health and Human Services Committee recommends **H.B. 92**, MOIST SNUFF TAXATION REVISIONS, by Representative B. Daw, be replaced and favorably recommends **1st Sub. H.B. 92**, MOIST SNUFF TAXATION REVISIONS; and

The Health and Human Services Committee reports a favorable recommendation on **H.J.R. 27**, AUTHENTIC CHARITY HEALTH CARE JOINT RESOLUTION, by Representative M. Newbold, and recommends it be placed on the Consent Calendar; and

The Health and Human Services Committee reports a favorable recommendation on **S.C.R. 2**, REDUCING PRESCRIPTION DRUG MISUSE RESOLUTION, by Senator P. Jones, and recommends it be placed on the Consent Calendar; and

The Health and Human Services Committee reports a favorable recommendation on **S.C.R. 4**, DENTAL HEALTH CARE CONCURRENT RESOLUTION, by Senator P. Jones, and recommends it be placed on the Consent Calendar; and

Paul Ray, Chair

Reports filed. On motion of Representative Menlove, the reports of the Health and Human Services committee were adopted.

**1st Sub. H.B. 92** read the second time by short title and placed on the Third Reading Calendar.

**H.J.R. 27**, **S.C.R. 2**, and **S.C.R. 4** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker: February 17, 2010

The Judiciary Committee reports a favorable recommendation on **H.B. 138**, HAZING PENALTIES, by Representative C. Moss, with the following amendments:

- 1. Page 1, Lines 11 through 16:
  - 11 This bill:
  - 12 ► provides a penalty for a charge of hazing when an alcoholic product, drug, or other

13 substance is involved; and

14 { ~~→ prohibits a court from allowing a defendant from entering a plea in abeyance related~~

15 ~~to a hazing charge if the hazing results in the death of a person; and }~~

16 ▶ makes technical changes.

2. Page 2, Line 51 through Page 3, Line 61:

51 (ii) the use of an alcoholic product as defined in Section 32A-1-105; or

52 (iii) the use of a drug or a substance as defined in Section 76-5-113;

53 (c) third degree felony if the act involves the use of a dangerous weapon as defined in

54 Section 76-1-601;

55 (d) third degree felony if the hazing results in serious bodily injury to a person; or

56 (e) second degree felony if hazing under Subsection (3)(d) involves the use of a

57 dangerous weapon as defined in Section 76-1-601.

58 { ~~(4) (a) The sentencing court may not allow a person charged with hazing pursuant to~~

59 ~~this section to enter a plea in abeyance to the charge if the hazing resulted in the death of a~~

60 ~~person. }~~

61 { ~~—~~ } (4) { ~~—~~ } { (b) } A person who in good faith reports or participates in reporting of an alleged

Lorie D. Fowlke, Chair

Report filed. On motion of Representative Fowlke, the report of the Judiciary committee was adopted.

**H.B. 138**, as amended, read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker:

February 17, 2010

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.J.R. 16**, JOINT RESOLUTION SUPPORTING KANE COUNTY EXPANSION OF CORRECTIONAL FACILITIES, by Representative M. Noel; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 187**, PEACE OFFICER STANDARDS AND TRAINING AMENDMENTS, by Representative C. Wimmer, with the following amendments:

- 1. Page 1, Lines 23 through 26:

23       •       addiction to alcohol or controlled substances unless the  
 peace officer reports the

24   addiction to the employer and the director ; and       {~~and~~  
~~temporarily surrenders~~

25   certification until the employer certifies that the peace officer has  
 been

26   medically cleared to return to active duty; and }

- 2. Page 8, Lines 219 through 224:

219   (c) is addicted to alcohol or any controlled substance,  
unless { ~~;~~ }

220   { ~~(i)~~ } the peace officer reports the addiction to the  
employer and to the director as part of a

221 departmental early intervention process; { ~~and~~ }

222   { ~~(ii) the peace officer temporarily surrenders the peace~~  
~~officer's certification as part of a~~

223 departmental early intervention process until the employer certifies  
that the peace officer has

224 been medically cleared to return to active duty; }

- 3. Page 8, Lines 231 through 236:

231   (g) is dismissed from military service for { ~~any reason other~~  
than an honorable discharge.

232 ~~including:~~

233 ~~(i) –} a bad conduct { discharge:~~

234 ~~(ii) } or a dishonorable discharge { :~~

235 ~~(iii) any type of administrative discharge: or~~

236 ~~(iv) a less than honorable discharge } ; and~~

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 301**, DISORDERLY CONDUCT AMENDMENTS, by Representative C. Wimmer.

Douglas C. Aagard, Chair

Reports filed. On motion of Representative Aagard, the reports of the Law Enforcement and Criminal Justice committee were adopted.

**H.J.R. 16**, **H.B. 187**, as amended, and **H.B. 301** read the second time by short title and placed on the Third Reading Calendar.

#### NOTICE OF BILL RETURNED TO RULES COMMITTEE

Mr. Speaker: February 17, 2010

The Law Enforcement and Criminal Justice Committee has returned **S.B. 83**, BAIL BOND RECOVERY AMENDMENTS, by Senator J. Greiner, to the Rules Committee for interim study.

Douglas C. Aagard, Chair

Report filed. **S.B. 83** returned to the Rules Committee for interim study.

#### REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 17, 2010

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 107**, ANIMAL SHELTER AMENDMENTS, by Representative J. Seelig, with the following amendments:

1. Page 1, Lines 21 through 24:

21 animal {~~or~~} and to make it available to others; and

22 {~~→ when an animal is voluntarily surrendered to an animal shelter, prohibits the~~

23 ~~provision of the animal for research or educational purposes if the owner signs a~~

24 document prohibiting that action; and—}

2. Page 2, Line 38:

38 [The] (1) Subject to {~~Subsections (2) and (4)~~} Subsection (2), the governing body of the county or

3. Page 2, Line 53 through Page 3, Line 67:

53 (i) find the rightful owner of [such] the animal {~~—~~} , {~~—~~} including checking if the animal has a tag or microchip ; and

54 (ii) if the owner is not found, [shall make a reasonable effort to] make the animal

55 available to others during the impound period. {~~—~~} Owners of animals who voluntarily provide

56 their animals to an establishment may, by signature, determine whether or not the animal may

57 be provided to an institution or used for research or educational purposes. {~~—~~}

58 ~~{(3) If the owner of an animal voluntarily provides the animal to an establishment, the~~

59 ~~establishment shall:~~

60 ~~(a) notify the owner that the owner may sign a document that prohibits the animal from~~

61 ~~being:~~

62 ~~(i) provided to an institution; or~~

63 ~~(ii) used for research or educational purposes; and~~

64 ~~(b) upon request, provide the document described in Subsection (3)(a) to the owner.~~

65 ~~(4) An animal may not be provided to an institution or used for research or educational~~

66 ~~purposes if permission for that provision or use is prohibited in accordance with Subsection~~

67 ~~(3).~~ } ; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 231**, WATER RIGHTS PRIORITIES IN TIMES OF SHORTAGE, by Representative K. Gibson, with the following amendments:

1. Page 2, Line 52:

52        (3) A person using water preferentially during a temporary water { storage } shortage emergency ; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 19**, VEHICLE SAFETY FLAGS ON OFF-HIGHWAY VEHICLES, by Senator B. Goodfellow; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 104**, RENEWABLE ENERGY MODIFICATIONS, by Senator S. Urquhart.

Roger E. Barrus, Chair

Reports filed. On motion of Representative Barrus, the reports of the Natural Resources, Agriculture, and Environment committee were adopted.

**H.B. 107**, as amended, **H.B. 231**, as amended, **S.B. 19**, and **S.B. 104** read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker:

February 17, 2010

The Transportation Committee reports a favorable recommendation on **S.B. 122**, EMINENT DOMAIN REVISIONS, by Senator J. S. Adams.

Bradley M. Daw, Chair

Report filed. On motion of Representative Daw, the report of the Transportation committee was adopted.

**S.B. 122** read the second time by short title and placed on the Third Reading Calendar.

### INTRODUCTION OF BILLS

**H.B. 375, Bailable Offenses Act** (P. Ray), read the first time by short title and referred to the Rules Committee.

**H.B. 411, Public Utility Modifications** (J. Anderson), read the first time by short title and referred to the Rules Committee.

**H.C.R. 15, Resolution to the Secretary of Transportation on Revocation of Driver Licenses** (R. Lockhart), read the first time by short title and referred to the Rules Committee.

### MISCELLANEOUS BUSINESS

On motion of Representative Ferry, under suspension of the rules, the House voted to lift **S.J.R. 9, JOINT RESOLUTION APPROVING COMPENSATION OF IN-SESSION EMPLOYEES**, *Garn*, from the Rules Committee, consider it read the second time by short title and placed at the top of the Third Reading Calendar.

### THIRD READING CALENDAR

**S.J.R. 9, JOINT RESOLUTION APPROVING COMPENSATION OF IN-SESSION EMPLOYEES**, *Garn*, read the third time by short title and placed on its final passage.

**S.J.R. 9** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Chavez-Houck	S. Clark	Cosgrove
Daw	Dee	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	D. Clark	

**Absent or not voting were:** Representatives

Brown	Dougall	Ray	Wright
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**S.J.R. 9** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

### UNFINISHED BUSINESS

On motion of Representative Hunsaker, the House voted to uncircle **3rd Sub. S.B. 22**.

**3rd Sub. S.B. 22**, NOTARY PUBLIC AMENDMENTS, *Hunsaker*, was before the House on its final passage.

Representative Bigelow proposed the following amendment:

1. Page 2, Line 35:

After line 35 insert the following new subsection:

“(3) passes the written examination administered under Section 46-1-3.”

Re-number accordingly.

Representatives Draxler, Fowlke, Powell, Sandstrom, Ferry, and McIff commented. Representative Bigelow’s motion to amend passed on a voice vote.

**3rd Sub. S.B. 22**, as amended, passed on the following roll call:

**Yeas, 69; Nays, 2; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Frank	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Voting in the negative were:** Representatives

Fowlke	Menlove
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**Absent or not voting were:** Representatives

Brown                      Dougall                      Froerer                      Sumsion

**3rd Sub. S.B. 22**, as amended, returned to the Senate for further consideration.

**MISCELLANEOUS BUSINESS**

On motion of Representative Garn, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

**THIRD READING CALENDAR**

**1st Sub. H.B. 235**, CHILD SUPPORT FOR CHILDREN IN STATE CUSTODY, *Harper*, read the third time by short title and placed on its final passage.

**1st Sub. H.B. 235** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Froerer                      Sumsion

**1st Sub. H.B. 235** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 277**, OVERDOSE REPORTING AMENDMENTS, *Johnson*, read the third time by short title and placed on its final passage.

**H.B. 277**, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Newbold	Sumsion
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**H.B. 277**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.B. 113**, CHILD RESTRAINT DEVICE AMENDMENTS, *Herrod*, read the third time by short title and placed on its final passage. Representatives Biskupski, Hutchings, Bigelow, Cosgrove, and Edwards commented.

Representative Bird proposed the following amendment:

- 1. Page 1, Line 19a:  
Delete “45” and insert “25”
- 2. Page 3, Line 60a:  
Delete “45” and insert “25”

Representative Wimmer proposed the following substitute motion to amend:

- 1. Page 1, Line 19a:  
Delete “45” and insert “35”
- 2. Page 3, Line 60a:  
Delete “45” and insert “35”

Representative Wimmer’s substitute motion to amend failed on a voice vote.

Representative Bird’s motion to amend failed on a voice vote.

Representatives Greenwood, Ipson, Beck, Morley, and Fowlke commented.

**H.B. 113**, as amended, failed to pass on the following roll call:

**Yeas, 24; Nays, 47; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Brown	Daw	Dee
Dunnigan	Fowlke	Frank	Garn
F Gibson	Grover	Herrod	Hutchings
Kiser	Lockhart	Mathis	Morley
Newbold	Noel	Oda	Painter
Sandstrom	Sumsion	Wilcox	Wimmer

**Voting in the negative were:** Representatives

Allen	Anderson	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Chavez–Houck	S. Clark	Cosgrove	Draxler
S Duckworth	Edwards	Ferry	Janice Fisher
Julie Fisher	Froerer	Gowans	Greenwood
Hansen	Harper	Hemingway	Hendrickson
Hunsaker	Ipson	Johnson	King
Last	Litvack	Mascaro	McIff
Menlove	Moss	Poulson	Powell
Ray	Riesen	Seegmiller	Seelig
Vickers	Wallis	Watkins	Webb
Wheatley	Wiley	D. Clark	

**Absent or not voting were:** Representatives

Dougall                      K Gibson                      Hughes                      Wright

**H.B. 113** was filed.

\* \* \*

**H.B. 114**, DISCLOSURE OF DONATIONS TO HIGHER EDUCATION INSTITUTIONS, *Wimmer*, read the third time by short title and placed on its final passage.

On motion of Representative Wimmer, the House voted to circle **H.B. 114**.

\* \* \*

**H.B. 250**, CRIMINAL PENALTIES AMENDMENTS – LEAVING THE SCENE OF AN ACCIDENT, *Herrod*, read the third time by short title and placed on its final passage. Representatives Webb and Powell commented.

**H.B. 250** passed on the following roll call:

**Yeas, 56; Nays, 3; Absent or not voting, 16.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Draxler	S Duckworth
Dunnigan	Edwards	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	Gowans	Greenwood	Grover
Hansen	Hemingway	Herrod	Hunsaker
Hutchings	Ipson	Johnson	King
Last	Litvack	Lockhart	Mathis
McIff	Oda	Poulson	Powell
Ray	Riesen	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	D. Clark

**Voting in the negative were:** Representatives

Harper                      Kiser                      Newbold

**Absent or not voting were:** Representatives

Biskupski	Dougall	Ferry	K Gibson
Hendrickson	Hughes	Mascaro	Menlove
Morley	Moss	Noel	Painter
Sandstrom	Wiley	Wimmer	Wright

**H.B. 250** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 264**, LAW ENFORCEMENT AMENDMENTS, *Wimmer*, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House voted to circle **H.B. 264**.

\* \* \*

**H.B. 68**, HABITUAL WANTON DESTRUCTION OF WILDLIFE, *Oda*, read the third time by short title and placed on its final passage. Representatives Lockhart, Brown, and Noel commented.

**H.B. 68**, as amended, passed on the following roll call:

**Yeas, 39; Nays, 32; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Barrus	Beck	Biskupski	Black
Chavez–Houck	S. Clark	Cosgrove	Dee
Draxler	Dunnigan	Edwards	Janice Fisher
Julie Fisher	Frank	Froerer	Garn
Hansen	Herrod	Ipson	Johnson
King	Litvack	Lockhart	Mathis
Oda	Painter	Poulson	Powell
Riesen	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wilcox	Wiley	D. Clark	

**Voting in the negative were:** Representatives

Aagard	Allen	Anderson	Bigelow
Bird	Brown	Daw	S Duckworth
Ferry	Fowlke	F Gibson	Gowans
Greenwood	Grover	Harper	Hemingway
Hendrickson	Hunsaker	Hutchings	Kiser
Last	Mascaro	McIff	Menlove
Morley	Moss	Newbold	Noel
Ray	Sandstrom	Wheatley	Wimmer

**Absent or not voting were:** Representatives

Dougall	K Gibson	Hughes	Wright
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**H.B. 68**, as amended, transmitted to the Senate for its consideration.

### UNFINISHED BUSINESS

On motion of Representative Wimmer, the House voted to uncircle **H.B. 114**.

**H.B. 114**, DISCLOSURE OF DONATIONS TO HIGHER EDUCATION INSTITUTIONS, *Wimmer*, was before the House on its final passage.

On motion of Representative Wimmer, the House voted to delete **H.B. 114** in title and body and insert **1st Sub. H.B. 114** in lieu thereof.

Representatives Litvack, Wallis, Allen, Mascaro, and McIff commented.

Representative Powell proposed the following amendment:

1. Page 4, Line 103:  
After “gifts” insert “as described in Subsection (1)”

Representative Powell’s motion to amend passed on a voice vote.

**1st Sub. H.B. 114**, as amended, passed on the following roll call:

**Yeas, 56; Nays, 16; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Barrus	Bigelow
Bird	Biskupski	Brown	Chavez–Houck
S. Clark	Cosgrove	Daw	Dee
Dougall	Draxler	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Garn	F Gibson	Greenwood
Grover	Harper	Hemingway	Herrod
Hughes	Hutchings	Ipson	King
Kiser	Last	Lockhart	Mascaro
Mathis	McIff	Morley	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Watkins	Webb	Wimmer	D. Clark

**Voting in the negative were:** Representatives

Allen	Beck	Black	S Duckworth
Froerer	Gowans	Hansen	Hendrickson
Hunsaker	Johnson	Litvack	Menlove
Moss	Wallis	Wheatley	Wiley

**Absent or not voting were:** Representatives

K Gibson                      Wilcox                      Wright

**1st Sub. H.B. 114**, as amended, transmitted to the Senate for its consideration.

**THIRD READING CALENDAR**

**H.B. 271**, HUNTING GUIDES AND OUTFITTERS LICENSING ACT AMENDMENTS, *Vickers*, read the third time by short title and placed on its final passage.

**H.B. 271** passed on the following roll call:

**Yeas, 70; Nays, 1; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	D. Clark		

**Voting in the negative was:** Representative

F Gibson

**Absent or not voting were:** Representatives

K Gibson                      Lockhart                      Wimmer                      Wright

**H.B. 271** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 261**, FINANCIAL RESPONSIBILITY OF MOTOR VEHICLE OWNERS AND OPERATORS ACT AMENDMENTS, *Greenwood*, read the third time by short title and placed on its final passage. Representative Kiser commented.

**H.B. 261**, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	D. Clark

**Absent or not voting were:** Representatives

K Gibson	Lockhart	Wright
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**H.B. 261**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**1st Sub. H.J.R. 9**, RESOLUTION IN SUPPORT OF VETERANS' NURSING HOME, *Oda*, read the third time by short title and placed on its final passage.

Representative Bigelow proposed the following amendment:



1. Page 1, Line 17:  
Delete “state of” and after “Utah” insert “Department of Veterans’ Affairs”
2. Page 2, Line 33:  
Delete “state of” and after “Utah” insert “Department of Veterans’ Affairs”
3. Page 2, Line 42:  
Delete “Legislature of the state of” and after “Utah” insert “Department of Veterans’ Affairs”

Representatives Hemingway and Hughes commented. Representative Bigelow’s motion to amend failed on the following roll call:

**Yeas, 31; Nays, 41; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Allen	Anderson	Barrus	Bigelow
Bird	Brown	S. Clark	Dunnigan
Edwards	Ferry	Julie Fisher	Froerer
Garn	F Gibson	Gowans	Greenwood
Harper	Hemingway	Hunsaker	Hutchings
Ipson	Last	Mascaro	McCliff
Menlove	Newbold	Oda	Ray
Wallis	Webb	Wiley	

**Voting in the negative were:** Representatives

Agard	Beck	Biskupski	Black
Chavez–Houck	Cosgrove	Daw	Dee
Dougall	Draxler	S Duckworth	Janice Fisher
Fowlke	Frank	K Gibson	Grover
Hansen	Hendrickson	Herrod	Hughes
Johnson	King	Kiser	Litvack
Mathis	Morley	Moss	Noel
Poulson	Powell	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Watkins	Wheatley	Wilcox	Wimmer
D. Clark			

**Absent or not voting were:** Representatives

Lockhart	Painter	Wright
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**1st Sub. H.J.R. 9** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
D. Clark			

**Absent or not voting were:** Representatives

Lockhart                      Wright

**1st Sub. H.J.R. 9** transmitted to the Senate for its consideration.

**COMMUNICATION FROM THE SENATE**

Mr. Speaker:

February 17, 2010

The President of the Senate has signed **1st Sub. H.B. 95**, CERTIFICATION OF VOTING EQUIPMENT MODIFICATIONS, by Representative D. Aagard, and it is transmitted for the signature of the Speaker.

Annette B. Moore

Secretary of the Senate

Communication filed. **1st Sub. H.B. 95** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

### RULES COMMITTEE REPORT

Mr. Speaker: February 17, 2010

The Rules Committee recommends that the following resolution, under suspension of the rules, be considered read for the second time and placed on the Third Reading Calendar.

**H.C.R. 11** Taiwan Concurrent Resolution (Rep. R. Lockhart)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

### RULES COMMITTEE REPORT

Mr. Speaker: February 17, 2010

The House Rules Committee recommends, with written request of the sponsor, that **S.B. 32**, Rainwater Harvesting (Sen. S. Jenkins) be replaced with **1st Sub. S.B. 32**, Rainwater Harvesting (Sen. S. Jenkins), and further recommends it be assigned to the House Natural Resources, Agriculture, and Environment Standing Committee.

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

### RULES COMMITTEE REPORT

Mr. Speaker: February 17, 2010

The House Rules Committee recommends, with written request of the sponsor, that **1st Sub. S.B. 41**, Drug Utilization Review Board Amendments (Sen. P. Knudson) be amended as follows and further recommends it be assigned to the House Health and Human Services Standing Committee:

1. Page 3, Lines 70 through 78:

70       (2)   { ~~(a)~~ }   The board may, { ~~when the board~~  
~~determines it is appropriate }   after complying with Subsections  
(1)(b) through (i) , consider the cost:~~

71       { ~~(i)~~ }   (a) of a drug when placing a drug on the prior  
approval program; and

72       { ~~(ii)~~ }   (b) associated with including, or excluding a  
drug from the prior approval process.

73 including:

74 { ~~(A)~~ } (i) potential side effects associated with a drug; or

75 { ~~(B)~~ } (ii) potential hospitalizations or other complications that may occur as a result of a

76 drug's inclusion on the prior approval process { ~~;~~

77 (b) If the board considers the cost of a drug under Subsection (2)(a), the provisions of

78 Subsections (1)(b) through (j) apply. }

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

### **RULES COMMITTEE REPORT**

Mr. Speaker:

February 17, 2010

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 140**, Human Resource Management Amendments (Rep. B. Dee), be amended as follows and further recommends it be assigned to the Government Operations Standing Committee:

1. Page 2, Lines 43 through 44:

43 Other Special Clauses:

44 This bill takes effect on July 1, 2010.

This bill coordinates with H.B. 27, Per Diem and Travel Expense Modifications, by providing superseding and substantive amendments.

2. Page 3, Line 74:

74 67–19a–408, as last amended by Laws of Utah 2009, Chapter 9  
Utah Code Sections Affected by Coordination Clause:

67–19a–201, as last amended by Laws of Utah 1996, Chapters 194 and 243

3. Page 31, Lines 933 through 942:

933 (i) a dismissal;

934 (ii) a demotion;

935 (iii) a suspension { ~~in excess of 20 hours of work~~  
~~time~~ } without pay ;

936 (iv) a reduction in force;

937 (v) a dispute concerning abandonment of position that has not  
been resolved at an

938 earlier stage in the grievance procedure; { ~~and~~ }

939 (vi) a wage grievance when an employee is not placed within  
the salary range of the

940 employee's current position { ~~;~~ } ;  
(vii) a violation of a rule adopted under Title 67, Chapter 19, Utah  
State Personnel Management Act; and  
(viii) equitable administration of a benefit as defined by a rule  
adopted under Subsection 67-19-6(1)(j).

941 (b) [~~The board~~] Except as provided under Subsection (1)(a), the  
office has no

942 jurisdiction to review or decide any other personnel  
{~~matters~~} matter .

(c) Notwithstanding the provisions of Subsection (1)(a)(vii), the  
office may not review a personnel matter that is covered by other specific  
state statute or federal law.

4. Page 33, Lines 1016 through 1017:

1016 ~~abandonment of position to all levels of grievance procedure]~~  
the issues specified under

1017 Subsection 67-19a-202(1)(a) to all levels of the grievance  
procedure described in Section 67-19a-402 .

5. Page 34, Lines 1039 through 1040:

1039 (a) the employee { ~~waves~~ } waives the right to  
process the grievance or to obtain judicial review

1040 of the grievance[~~;~~]; and

6. Page 35, Line 1077:

1077 the employee may [~~resubmit~~] { submit } advance the  
written grievance [~~in writing~~] to [~~his immediate~~

## 7. Page 36, Line 1097:

1097 director's written decision [issued], the employee may  
 {-submit-} advance the written grievance [in writing]

## 8. Page 36, Line 1109:

1109 the department head's written decision [issued], the employee may  
 {-submit-} advance the written grievance

## 9. Page 37, Lines 1118 through 1119:

1118 (2) (a) When an employee {-submits-} advances a  
 grievance to the administrator under [the authority

1119 of ~~Section 67-19a-402~~] Subsection 67-19a-402(4), the  
 administrator shall initially determine:

## 10. Page 39, Lines 1182 through 1183:

1182 Section 27. Effective date.

1183 This bill takes effect on July 1, 2010.

Section 28. Coordinating H.B. 140 with H.B. 27 -- Superseding and  
 substantive amendments.

If this H.B. 140 and H.B. 27, Per Diem and Travel Expense  
 Modifications, both pass, it is the intent of the Legislature that the  
 amendments to Section 67-19a-201 in this H.B. 140 supersede the  
 amendments to Section 67-19a-201 in H.B. 27, when the Office of  
 Legislative Research and General Counsel prepares the Utah Code  
 database for publication.

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules  
 Committee was adopted.

### **RULES COMMITTEE REPORT**

Mr. Speaker:

February 17, 2010

The Rules Committee recommends the following bills and resolutions be  
 assigned to standing committees:

#### **BUSINESS AND LABOR**

- H.B. 378** Motor Vehicle Insurance Requirements (Rep. T. Kiser)  
**H.B. 381** Municipal Land Use Provisions (Rep. S. Sandstrom)  
**H.B. 398** Sexually Oriented Business License Amendments  
 (Rep. F. Seegmiller)

**1st Sub. S.B. 107** Lien Amendments (Sen. C. Bramble)

## **EDUCATION**

**S.B. 55** Authorization of Charter Schools by Higher Education Institutions (Sen. J. Adams)

## **GOVERNMENT OPERATIONS**

**H.B. 161** Voter Registration Amendments (Rep. R. Chavez–Houck)

**H.J.R. 31** House Joint Rules Legislative Review Note Procedures Amendments (Rep. B. Ferry)

## **JUDICIARY**

**S.B. 50** Victims' Rights Revisions (Sen. J. Adams)

**S.C.R. 3** State Sovereignty Concurrent Resolution  
(Sen. J. S. Adams)

## **LAW ENFORCEMENT AND CRIMINAL JUSTICE**

**H.B. 348** Sheriffs Fees (Rep. R. Greenwood)

**S.B. 102** Restricting the Movement of a Motor Vehicle  
(Sen. B. Goodfellow)

## **NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT**

**H.B. 290** Recreational Use of Privately Owned Stream Beds  
(Rep. R. Webb)

**H.B. 314** Water Rights Addendums to Deeds (Rep. B. Ferry)

**H.B. 318** Revolving Loan Fund for Certain Energy Efficient  
Projects Amendments (Rep. R. Barrus)

**H.B. 323** School and Institutional Trust Lands Amendments  
(Rep. K. Sumsion)

**H.B. 324** Public Lands Litigation (Rep. K. Sumsion)

**H.B. 332** Utah Agricultural Code Amendments (Rep. C. Watkins)

**H.J.R. 26** Joint Resolution Approving Water Rights Addendum  
Form (Rep. B. Ferry)

## **POLITICAL SUBDIVISIONS**

**H.B. 401** Residential Facilities for Elderly Persons (Rep. B. Daw)

**H.B. 419** Alcoholic Beverage Control and Signage At State Stores  
(Rep. K. Powell)

**S.C.R. 6** Concurrent Resolution Approving Classification of Solid  
Waste Facility Solid Waste Permit (Sen. B. Goodfellow)

**PUBLIC UTILITIES AND TECHNOLOGY**

- H.C.R. 12** Printing and Graphic Arts Recognition Month Concurrent Resolution (Rep. B. Daw)
- H.C.R. 13** Concurrent Resolution on Providing Continuing Federal Financial Assistance for the Delivery of Basic Services to Dutch John, Utah (Rep. M. Brown)

**RETIREMENT AND INDEPENDENT ENTITIES**

- H.B. 286** Retirement System Divestment (Rep. J. Fisher)

**REVENUE AND TAXATION**

- S.B. 134** Partnership Tax Return Filing Deadlines (Sen. J. Adams)

**TRANSPORTATION**

- H.B. 151** Utah High School Rodeo Support Special Group License Plate (Rep. J. Gowans)
- H.B. 327** Autism Awareness Support Special Group License Plate (Rep. R. Edwards)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

**MISCELLANEOUS BUSINESS**

On motion of Representative Garn, and at 5:00 p.m., the House voted to adjourn until February 18, 2010, at 10:00 a.m.



# TWENTY-FOURTH DAY

\* \* \*

## MORNING SESSION

The House was called to order by Speaker Clark at 10:00 a.m.

Roll call showed all members present.

Prayer offered by Alvin Price, Representative Rebecca Edwards' father.  
Pledge of Allegiance led by Representative Edwards' mother, Barbara Price.

### INTRODUCTION OF BILLS

**H.B. 350, Club Teams in Public Schools** (S. Sandstrom), read the first time by short title and referred to the Rules Committee.

**H.B. 408, Hospital Claims Management** (B. Last), read the first time by short title and referred to the Rules Committee.

### CONSENT CALENDAR

**1st Sub. H.B. 186, CONTROLLED SUBSTANCE DATABASE REVISIONS, *Menlove***, read the third time by short title and placed on its final passage.

**1st Sub. H.B. 186** passed on the following roll call:

**Yeas, 60; Nays, 0; Absent or not voting, 15.**

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Barrus	Beck
Bigelow	Bird	Black	Brown
Chavez-Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Fowlke	Frank	Froerer	F Gibson
K Gibson	Greenwood	Grover	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Ipson	Johnson	King
Kiser	Last	Lockhart	Mathis
Menlove	Morley	Moss	Newbold

Noel	Painter	Poulson	Powell
Ray	Riesen	Seegmiller	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wimmer	D. Clark

**Absent or not voting were:** Representatives

Allen	Biskupski	Julie Fisher	Garn
Gowans	Hansen	Hutchings	Litvack
Mascaro	McIff	Oda	Sandstrom
Seelig	Wiley	Wright	

**1st Sub. H.B. 186** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 299**, AMENDMENTS RELATED TO SUBSTANCES HARMFUL TO PREGNANCY, *Menlove*, read the third time by short title and placed on its final passage.

**H.B. 299** passed on the following roll call:

**Yeas, 68; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Frank	Froerer
Garn	K Gibson	Greenwood	Grover
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Ipson	Johnson
King	Kiser	Last	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Allen	Fowlke	F Gibson	Gowans
Hansen	Hutchings	Litvack	

**H.B. 299** transmitted to the Senate for its consideration.

\* \* \*

**H.C.R. 9**, AUTISM, DISABILITIES, AND FAITH CONCURRENT RESOLUTION, *Menlove*, read the third time by short title and placed on its final passage.

**H.C.R. 9**, as amended, passed on the following roll call:

**Yeas, 68; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Agard	Anderson	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	Greenwood
Grover	Harper	Hemingway	Hendrickson
Herrod	Hunsaker	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Allen	K Gibson	Gowans	Hansen
Hughes	Hutchings	Morley	

**H.C.R. 9**, as amended, transmitted to the Senate for its consideration.

**UNFINISHED BUSINESS**

On motion of Representative Webb, the House voted to uncircle **S.B. 30**.

**S.B. 30**, LOCAL OPTION SALES AND USE TAXES FOR TRANSPORTATION ACT, *Webb*, was before the House on its final passage.

Representative Webb proposed the following amendment:

1. Page 2, Line 44

44 not liable for a tax or interest;  
 ► provides transition provisions;

2. Page 2, Line 52:

52 This bill takes effect on July 1, 2010.  
This bill provides revisor instructions.

3. Page 3, Line 81:

81 59-12-2212, Utah Code Annotated 1953  
59-12-2212.1, Utah Code Annotated 1953

4. Page 71, Line 2186:

2186 (Cc) included in or excluded from a definition.  
Section 20. Section 59-12-2212.1 is enacted to read:  
59-12-2212.1. Transition provisions.

Notwithstanding any other provision of this part, a county, city, or town legislative body is not required to submit an opinion question to the county's, city's, or town's registered voters in accordance with Section 59-12-2208 and is not required to provide notice to the commission in accordance with Section 59-12-2209 if:

(1) (a) on June 30, 2010, a county, city, or town imposes a sales and use tax under Section 59-12-501 that is repealed by this bill;

(b) on July 1, 2010 the authority for the county, city, or town to impose the sales and use tax described in Subsection (1)(a) is transferred to Section 59-12-2213; and

(c) the rate of the sales and use tax described under Subsection (1)(a) and the rate of the sales and use tax the county, city, or town imposes under Section 59-12-2213 are the same;

(2) (a) on June 30, 2010, a county, city, or town imposes a sales and use tax under Section 59-12-502 that is repealed by this bill;

(b) on July 1, 2010 the authority for the county, city, or town to impose the sales and use tax described in Subsection (2)(a) is transferred to Section 59-12-2214; and

(c) the rate of the sales and use tax described under Subsection (2)(a) and the rate of the sales and use tax the county, city, or town imposes under Section 59-12-2214 are the same;

(3) (a) on June 30, 2010, a city or town imposes a sales and use tax under Section 59-12-1001 that is repealed by this bill;

(b) on July 1, 2010, the authority for the city or town to impose the sales and use tax described in Subsection (3)(a) is transferred to Section 59-12-2215; and

(c) the rate of the sales and use tax described under Subsection (3)(a) and the rate of the sales and use tax the city or town imposes under Section 59-12-2215 are the same;

(4) (a) on June 30, 2010, a county imposes a sales and use tax under Section 59-12-1503 that is repealed by this bill;

(b) on July 1, 2010, the authority for the county to impose the sales and use tax described in Subsection (4)(a) is transferred to Section 59-12-2216; and

(c) the rate of the sales and use tax described under Subsection (4)(a) and the rate of the sales and use tax the county imposes under Section 59-12-2216 are the same;

(5) (a) on June 30, 2010, a county imposes a sales and use tax under Section 59-12-1703 that is repealed by this bill;

(b) on July 1, 2010, the authority for the county to impose the sales and use tax described in Subsection (5)(a) is transferred to Section 59-12-2217; and

(c) the rate of the sales and use tax described under Subsection (5)(a) and the rate of the sales and use tax the county imposes under Section 59-12-2217 are the same; and

(6) (a) on June 30, 2010, a county, city, or town imposes a sales and use tax under Section 59-12-1903 that is repealed by this bill;

(b) on July 1, 2010, the authority for the county, city, or town to impose the sales and use tax described in Subsection (6)(a) is transferred to Section 59-12-2218; and

(c) the rate of the sales and use tax described under Subsection (6)(a) and the rate of the sales and use tax the county, city, or town imposes under Section 59-12-2218 are the same.

5. Page 72, Line 2224:

2224 County of the First Class State Highway Projects Fund created by Section 72-2-121.

(4) Notwithstanding Section 59-12-2208, a county, city, or town legislative body is not required to submit an opinion question to the county's, city's, or town's registered voters in accordance with Section 59-12-2208 to impose a sales and use tax under this section if:

(a) the county, city, or town imposes the sales and use tax under this section on or after July 1, 2010, but on or before July 1, 2011;

(b) on July 1, 2010, the county, city, or town imposes a sales and use tax under:

(i) Section 59-12-2213; or

(ii) Section 59-12-2215; and

(c) the county, city, or town obtained voter approval to impose the sales and use tax under:

(i) Section 59-12-2213; or

(ii) Section 59-12-2215.

6. Page 75, Lines 2301 through 2303:

2301 (a) deposited into the { State } Highway Projects Within Counties Fund created by Section

2302 72-2-121.1; and

2303 (b) expended as provided in Section 72-2-121.1.

(10) (a) Notwithstanding Section 59-12-2206 and subject to Subsection (10)(b), revenues collected from a sales and use tax under this section that a county allocates for a purpose described in Subsection (2)(d) shall be transferred to the Department of Transportation if the transfer of the revenues is required under an interlocal agreement:

(i) entered into on or before January 1, 2010; and

(ii) established in accordance with Title 11, Chapter 13, Interlocal Cooperation Act.

(b) The Department of Transportation shall expend the revenues described in Subsection (10)(a) as provided in the interlocal agreement described in Subsection (10)(a).

7. Page 86, Line 2657:

2657 body under Subsection (1)(c)(iv).

(4) Notwithstanding Section 59-12-2208, a county, city, or town legislative body is not required to submit an opinion question to the county's, city's, or town's registered voters in accordance with Section 59-12-2208 to impose a sales and use tax under this section if:

(a) the county, city, or town imposes the sales and use tax under this section on or after July 1, 2010, but on or before July 1, 2011; and

(b) a purpose for which the county, city, or town will expend revenues collected from the sales and use tax under this section is:

(i) a project or service described in Subsection (1)(b)(i)(B); or  
(ii) a project or service described in Subsection (1)(b)(ii)(C)(IV).

8. Page 97, Lines 2997 through 2998:

2997 (b) the portion of the sales and use tax described in Subsection  
[~~59-12-502(5)(a)~~]

2998 ~~59-12-2214(3)~~ { ~~(a)~~ } (b) deposited in or transferred  
to the fund;

9. Page 99, Lines 3052 through 3054:

3052 (4) (a) The Highway Projects Within Counties Fund shall earn  
interest.

3053 (b) The department shall allocate the interest earned on the  
{~~State~~} Highway Projects

3054 Within Counties Fund:

10. Page 99, Line 3059 through Page 100, Line 3077:

3059 (5) {~~(a)~~} The department shall expend the revenues and  
interest deposited into the

3060 Highway Projects Within Counties Fund to pay:

3061 {~~(i)~~} (a) for a state highway project within the  
county:

3062 {~~(A)~~} (i) described in Subsection  
[~~59-12-1503(2)(a)(iii)(A)~~] ~~59-12-2216(2)(c)(i)~~; and

3063 {~~(B)~~} (ii) for which the requirements of Subsection  
[~~59-12-1503(5)~~] ~~59-12-2216(6)~~ are met;

3064 {~~(ii)~~} (b) debt service on a project described in  
Subsection (5)(a) { ~~(i)~~ } ; or

3065 {~~(iii)~~} (c) bond issuance costs [~~relating~~] related to a  
project described in Subsection (5)(a) { ~~(i)~~ } .

3066 {~~(b)~~} ~~(i) If a county legislative body submits a request to the  
department in writing, the~~

3067 department shall transfer revenues and interest deposited into the Highway Projects Within

3068 Counties Fund to the county legislative body to pay:

3069 (A) for a ~~[local highway of regional significance]~~ project described in Subsection

3070 ~~[59-12-1503(2)(a)(iii)(A)]~~ ~~59-12-2216(2)(d)~~;

3071 (B) ~~debt service on a project described in Subsection (5)(b)(i)(A); or~~

3072 (C) ~~bond issuance costs [relating] related to a project described in Subsection~~

3073 ~~(5)(b)(i)(A).~~

3074 (ii) ~~The request submitted under Subsection (5)(b)(i) shall specify:~~

3075 (A) ~~the amount of revenues requested for transfer; and~~

3076 (B) ~~the [local highway of regional significance] project described in Subsection~~

3077 ~~59-12-2216(2)(d) that the funds requested under this Subsection (5)(b) will be expended on. }~~

11. Page 104, Line 3193:

3193 This bill takes effect on July 1, 2010.

Section 35. Revisor instructions.

It is the intent of the Legislature that, in preparing the Utah Code database for publication, the Office of Legislative Research and General Counsel shall replace the references in Section 59-12-2212.1 from "this bill" to the bill's designated chapter number in the Laws of Utah.

Renumber remaining sections accordingly.

Representative Webb's motion to amend passed on a voice vote.

Representative Powell commented.



**S.B. 30**, as amended, passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Froerer
Garn	F Gibson	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Allen	Frank	K Gibson	Gowans
Herrod	Menlove		

**S.B. 30**, as amended, returned to the Senate for further consideration.

**THIRD READING CALENDAR**

**S.B. 57**, LOCAL SCHOOL BOARD BUDGET PROCEDURES, *Vickers*, read the third time by short title and placed on its final passage.

**S.B. 57** passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler

S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	F Gibson	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

Allen	Garn	K Gibson	Gowans
Moss			

**S.B. 57** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 19**, VEHICLE SAFETY FLAGS ON OFF-HIGHWAY VEHICLES, *Wiley*, read the third time by short title and placed on its final passage.

**S.B. 19** passed on the following roll call:

**Yeas, 66; Nays, 5; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Anderson	Barrus	Beck	Bigelow
Bird	Biskupski	Black	Brown
Chavez-Houck	S. Clark	Cosgrove	Daw
Dee	Draxler	S Duckworth	Dunnigan
Edwards	Ferry	Janice Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove

Morley	Moss	Newbold	Noel
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wright	D. Clark		

**Voting in the negative were:** Representatives

Aagard	Dougall	Julie Fisher	Kiser
Oda			

**Absent or not voting were:** Representatives

Allen	K Gibson	Gowans	Wimmer
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**S.B. 19** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 104**, RENEWABLE ENERGY MODIFICATIONS, *Ipson*, read the third time by short title and placed on its final passage.

**S.B. 104** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wright	D. Clark	

**Absent or not voting were:** Representatives

Allen	Gowans	Mascaro	Wimmer
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**S.B. 104** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 122**, EMINENT DOMAIN REVISIONS, *Morley*, read the third time by short title and placed on its final passage. Representative Powell commented.

**S.B. 122** passed on the following roll call:

**Yeas, 64; Nays, 6; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Beck	Bigelow
Bird	Biskupski	Brown	Chavez–Houck
S. Clark	Cosgrove	Daw	Dee
Dougall	Draxler	S Duckworth	Edwards
Ferry	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Greenwood	Grover	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Riesen	Sandstrom
Seegmiller	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Voting in the negative were:** Representatives

Barrus	Black	Janice Fisher	Hansen
Powell	Ray		

**Absent or not voting were:** Representatives

Allen	Dunnigan	Gowans	Lockhart
Seelig			

**S.B. 122** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**H.B. 122**, SURVEYOR AMENDMENTS, *Mathis*, read the third time by short title and placed on its final passage.

On motion of Representative Mathis, the House voted to circle **H.B. 122**.

\* \* \*

**H.B. 269**, SOLEMNIZING MARRIAGES AMENDMENTS, *Aagard*, read the third time by short title and placed on its final passage.

Representative Wright proposed the following amendment:

- 1. Page 2, Lines 28 through 44:  
 Refer to the committee amendments dated February 9, 2010.  
 Delete the amendments made by committee.

Representatives Duckworth, Brown, and Dougall commented. Representative Wright’s motion to amend passed on a voice vote.

**H.B. 269**, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Barrus	Beck
Bigelow	Bird	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	Dunnigan
Ferry	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Harper
Herrod	Hughes	Hunsaker	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Voting in the negative were:** Representatives

Biskupski	S Duckworth	Janice Fisher	Hansen
Hemingway	Hendrickson	Riesen	

**Absent or not voting were:** Representatives

Allen	Edwards	Hutchings
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**H.B. 269**, as amended, transmitted to the Senate for its consideration.

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**H.B. 279**, COUNTY RECORDER AMENDMENTS, *Webb*, read the third time by short title and placed on its final passage.

Representative Webb proposed the following amendment:

1. Page 3, Line 65

65 59-2-1325, as repealed and reenacted by Laws of Utah 1988,  
Chapter 3  
57-3-106, as last amended by Laws of Utah 2008, Chapters 3 and  
97

2. Page 32, Lines 966 through 968

House Committee Amendments 2-9-2010:

966 boundary adjustment provisions in Subsection 17-2-209(4).  
Section 28. Section 57-3-106 is amended to read:

57-3-106. Original documents required -- Captions --  
Legibility.

(1) A person may not present and a county recorder may refuse to accept a document for recording if the document does not comply with this section.

(2) (a) Unless otherwise provided, a document presented for recording in the office of the county recorder shall:

(i) be an original;

(ii) contain a brief caption on the first page of the document stating the nature of the document; and

(iii) contain a legal description of the property as required under Section 57-3-105.

(b) If a document is a master form, as defined in Section 57-3-201, the caption required by Subsection (2)(a)(ii) shall state that the document is a master form.

(3) A court judgment or an abstract of a court judgment

presented for recording in the office of the county recorder in compliance with Section 78B-5-202 shall:

(a) be an original or certified copy; and

(b) include the information identifying the judgment debtor as referred to in Subsection 78B-5-201(4) either:

(i) in the judgment or abstract of judgment; or

(ii) as a separate information statement of the judgment creditor as referred to in Subsection 78B-5-201(5).

(4) A judgment, abstract of judgment, and separate information statement of the judgment creditor does not require an acknowledgment or a legal description to be recorded.

(5) A foreign judgment or an abstract of a foreign judgment recorded in the office of a county recorder shall include the affidavit as required in Section 78B-5-303.

(6) Any document recorded in the office of the county recorder to release or assign a judgment lien shall include:

(a) the name of any judgment creditor, debtor, assignor, or assignee;

(b) the date of recording; and

(c) the entry number of the instrument creating the judgment lien.

(7) A document presented for recording shall be sufficiently legible for the recorder to make certified copies of the document.

(8) (a) (i) A document that is of record in the office of the appropriate county recorder in compliance with this chapter may not be recorded again in that same county recorder's office unless the original document has been reexecuted by all parties who executed the document.

(ii) Unless exempt by statute, an original document that is reexecuted shall contain the appropriate acknowledgment, proof of execution, jurat, or other notarial certification for all parties who are reexecuting the document as required by Title 46, Chapter 1, Notaries Public Reform Act, and Title 57, Chapter 2, Acknowledgments.

(iii) A document submitted for rerecording shall contain a brief statement explaining the reason for rerecording.

(b) A person may not present and a county recorder may refuse to accept a document for rerecording if that document does not conform to this section.

(c) This Subsection (8) applies only to documents executed after July 1, 1998.

(9) Minor typographical or clerical errors in a document of

record may be corrected by the recording of an affidavit or other appropriate instrument.

(10) {~~Subject to federal bankruptcy law,~~} Except as required by federal law, or by agreement between a borrower under the trust deed and a grantee under the trustee’s deed, neither the recordation of an affidavit under Subsection (9) nor the reexecution and rerecording of a document under Subsection (8):

- (a) divests a grantee of any real property interest;
- (b) alters an interest in real property; or
- (c) returns to the grantor an interest in real property conveyed by statute.

967 Section {~~28~~} 29 . Section 72-3-107 is amended to read:

968 72-3-107. County executive to keep plats of roads and highways.

Representative Webb’s motion to amend passed on a voice vote.

**H.B. 279**, as amended, passed on the following roll call:

**Yeas, 69; Nays, 2; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Agard	Anderson	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez-Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Harper	Hemingway
Herrod	Hughes	Hunsaker	Ipson
Johnson	King	Kiser	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			



**Voting in the negative were:** Representatives  
Hansen                      Hendrickson

**Absent or not voting were:** Representatives  
Allen                      Edwards                      Hutchings                      Last

**H.B. 279**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**1st Sub. H.B. 259**, PROPERTY TAX AMENDMENTS, *Harper*, read the third time by short title and placed on its final passage.

On motion of Representative Harper, the House voted to delete **1st Sub. H.B. 259** in title and body and insert **2nd Sub. H.B. 259** in lieu thereof.

Representative Harper proposed the following amendment:

- 1. Page 2, Lines 43 through 44

43            59–2–1603, as last amended by Laws of Utah 2009, Chapter  
271

59–2–1606, as enacted by Laws of Utah 2009, Chapter 271

44            78B–5–503, as renumbered and amended by Laws of Utah  
2008, Chapter 3

- 2. Page 23, Lines 681 through 682:

681 distribution the following calendar year.

Section 10. Section 59–2–1606 is amended to read:

59–2–1606. CAMA system funding for counties —  
Disbursements to the Multicounty Appraisal Trust — Use of funds.

(1) As used in this section:

(a) “CAMA” means computer assisted mass appraisal.

(b) “CAMA fee rate” means:

(i) \$1.50 for the calendar year that begins on January 1, 2009;

and

(ii) for a calendar year beginning on or after January 1, 2010, the \$1.50 described in Subsection (1)(b)(i) may be increased each year up to 2% at the discretion of the Multicounty Appraisal Trust.

(c) (i) “County parcel count” means the total number of residential parcels, commercial parcels, and other parcels within a county.

(ii) "County parcel count" does not include a county's parcel factor as described in Subsection 59-2-1603(3) ~~{-(d)-}~~ (c) .

(d) "Factored parcel count" means the product of:

(i) a county's parcel count; and

(ii) the county's class factor described in Subsection 59-2-1603(3) ~~{-(e)-}~~ (d) .

(e) "Multicounty Appraisal Trust" means the Multicounty Appraisal Trust created by interlocal agreement by all 29 counties in the state.

(2) For a calendar year beginning on or after January 1, 2009, before determining the amount of each county's multicounty assessing and collecting allocation in accordance with Subsection 59-2-1603(3), the state auditor shall disburse to the Multicounty Appraisal Trust an amount of revenue equal to the product of:

(a) the sum of the factored parcel counts for all second through sixth class counties; and

(b) the CAMA fee rate.

(3) (a) The funds described in Subsection (2) shall be used to provide funding for a statewide CAMA system that will promote:

(i) the accurate valuation of property;

(ii) the establishment and maintenance of uniform assessment levels among counties within the state; and

(iii) efficient administration of the property tax system, including the costs of assessment, collection, and distribution of property taxes.

(b) The Multicounty Appraisal Trust shall determine which projects shall be funded and oversee the administration of a statewide CAMA system.

682 Section ~~{-10-}~~ 11 . Section 78B-5-503 is amended to read:

Representative Harper's motion to amend passed on a voice vote.

###

Representative Froerer proposed the following amendment:

1. Page 7, Line 197

197 (i) the assessor's determination of the value of the property;

2. Page 7, Line 200:

200 (iii) itemized tax information for all applicable taxing entities[, ~~including a separate statement for~~

3. Page 7, Line 203:

203 [~~(A)~~] (I) (Aa) the dollar amount {~~the taxpayer would have paid based on last year's rate~~} of the taxpayer's liability for the property in the prior year ;

4. Page 7, Line 205:

205 [~~(B)~~] (Bb) the dollar amount of the taxpayer's liability under the current rate; and

5. Page 7, Lines 209 through 210:

209 { and }  
(Bb) the difference between the dollar amount of the taxpayer's liability if the proposed increase is approved and the dollar amount of the taxpayer's liability under the current rate, placed in close proximity to the information under Subsection (2)(c)(v); and

210 { (Bb) } (Cc) the percentage increase that the dollar amount of the taxpayer's liability under the

Representative Froerer's motion to amend passed on a voice vote.

Representatives Draxler and Hunsaker commented.

**2nd Sub. H.B. 259**, as amended, passed on the following roll call:

**Yeas, 66; Nays, 5; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez-Houck	Cosgrove
Daw	Dee	Dougall	S Duckworth
Dunnigan	Edwards	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hutchings	Ipson
Johnson	King	Kiser	Last

Litvack	Lockhart	Mascaro	Mathis
McIff	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Webb	Wheatley	Wilcox	Wiley
Wright	D. Clark		

**Voting in the negative were:** Representatives

Draxler	Ferry	Hunsaker	Menlove
Watkins			

**Absent or not voting were:** Representatives

S. Clark	Garn	Ray	Wimmer
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**2nd Sub. H.B. 259**, as amended, transmitted to the Senate for its consideration.

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**H.B. 126**, STATE CONSTRUCTION REGISTRY AMENDMENTS, *Webb*, read the third time by short title and placed on its final passage. Representatives Powell, King, and Morley commented.

**H.B. 126**, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Bigelow
Bird	Biskupski	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Herrod	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Oda	Painter	Poulson
Ray	Sandstrom	Seelig	Sumsion

Vickers  
Wheatley  
D. Clark

Wallis  
Wilcox

Watkins  
Wiley

Webb  
Wimmer

**Voting in the negative were:** Representatives

Barrus                      Beck                      Edwards                      Hendrickson  
Powell                      Riesen                      Seegmiller

**Absent or not voting were:** Representatives

Hughes                      Noel                      Wright

**H.B. 126**, as amended, transmitted to the Senate for its consideration.

**MISCELLANEOUS BUSINESS**

On motion of Representative Morley, the House voted to reconsider its action on **S.B. 122**.

**RECONSIDERATION OF S.B. 122**

**S.B. 122**, EMINENT DOMAIN REVISIONS, was before the House for reconsideration.

Representative Morley proposed the following amendment:

1. Page 3, Lines 78 through 82  
Senate 3rd Reading Amendments 2–10–2010  
78        (9) [~~sewerage of any~~] sewage service for:  
79        (a) a city    ~~{-or-}~~ town ~~→~~ [ ] , or    ~~{-of-}~~ any  
          settlement of not less than 10 families    ~~{-, or of any-}~~ [ ] ~~←~~ ;  
80        (b) an existing or proposed development;  
81        (c) a public building belonging to the state~~[-or-of any-];~~ or  
82        (d) a college or university;

Representative Morley’s motion to amend passed on a voice vote.

**S.B. 122**, as amended, passed on the following roll call:

**Yeas, 68; Nays, 4; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Beck
Bigelow	Bird	Brown	Chavez–Houck
S. Clark	Cosgrove	Daw	Dee
Dougall	Draxler	S Duckworth	Dunnigan
Edwards	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Poulson	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	D. Clark

**Voting in the negative were:** Representatives

Barrus	Black	Powell	Ray
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**Absent or not voting were:** Representatives

Biskupski	Painter	Wright
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**S.B. 122**, as amended, transmitted to the Senate for its consideration.

### COMMITTEE OF THE WHOLE

On motion of Representative Garn, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from the Denver Office's Consul General of Canada, Dale Eisler.

On motion of Representative Garn, the Committee of the Whole was dissolved.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

February 18, 2010

The Senate passed, **H.B. 23**, WORKPLACE DRUG AND ALCOHOL TESTING, by Representative T. Beck, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 45**, STATE CONSTRUCTION CODE ADOPTION, by Representative M. Morley, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 46**, MOTOR VEHICLE ACT AMENDMENTS, by Representative Julie Fisher, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 23**, **H.B. 45**, and **H.B. 46** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: February 18, 2010

The Senate concurred in the House amendments and passed **S.B. 53**, VOTER CHALLENGE REVISIONS, by Senator P. Knudson, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **S.B. 93**, GUBERNATORIAL APPOINTMENT POWERS AMENDMENTS, by Senator C. Bramble, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **1st Sub. S.J.R. 1**, ESCALANTE HERITAGE HOLE-IN-THE-ROCK CENTER JOINT RESOLUTION, by Senator D. Stowell, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **S.B. 53**, **S.B. 93**, and **1st Sub. S.J.R. 1** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

**NOTICE OF BILL RETURNED TO RULES**

Mr. Speaker: February 18, 2010

The Government Operations Committee has returned **1st Sub. H.B. 266**, GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT REVISIONS, by Representative K. Powell, to the Rules Committee.

Craig A. Frank, Chair

Report filed. **1st Sub. H.B. 266** returned to the Rules Committee.

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 18, 2010

The Government Operations Committee reports a favorable recommendation on **H.B. 315**, UTAH PUBLIC NOTICE WEBSITE AMENDMENTS, by Representative K. Powell, with the following amendments:

1. Page 1, Line 14:

14 Website to provide a temporary exemption for specified public bodies with an annual budget

2. Page 3, Line 64:

64 (7) { Notwithstanding } Until December 31, 2012 and notwithstanding any other provision of statute requiring the publishing or posting

3. Page 3, Line 65:

65 of a notice to the website, a public body of a municipality under Title 10, Utah Municipal Code, a local district under Title 17B, Limited Purpose Local Government Entities – Local Districts, or a special service district under Title 17D, Chapter 1, Special Service District Act, with an annual budget of less than \$1,000,000 is

Craig A. Frank, Chair

Report filed. On motion of Representative Frank, the report of the Government Operations committee was adopted.

**H.B. 315**, as amended, read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker: February 18, 2010

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 316**, DISABLED VETERANS PROPERTY TAX EXEMPTION AMENDMENTS, by Representative G. Hughes, with the following amendments:

1. Page 4, Lines 116 through 120:

116 (h) For purposes of this section and Section 59-2-1105, a person who is honorably

117 discharged from military service of the United States or the state:



118 (i) is presumed to be a citizen of the United States; and

119 (ii) { may } shall not be required to provide  
additional proof of citizenship to establish that the

120 veteran is a citizen of the United States.

Todd E. Kiser, Chair

Report filed. On motion of Representative Kiser, the report of the Revenue and Taxation committee was adopted.

**H.B. 316**, as amended, read the second time by short title and placed on the Third Reading Calendar.

**MISCELLANEOUS BUSINESS**

On motion of Representative Garn, the House voted to recess until 2:00 p.m.

**AFTERNOON SESSION**

The House was called to order by Speaker Clark at 2:00 p.m.

**RULES COMMITTEE REPORT**

Mr. Speaker: February 18, 2010

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

**S.B. 12** Individual Income Tax Contribution for  
Methamphetamine Housing Reconstruction and  
Rehabilitation Fund (Sen. K. Mayne)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted. **S.B. 12** read the second time by short title and placed on the Third Reading Calendar.

**RULES COMMITTEE REPORT**

Mr. Speaker: February 18, 2010

The Rules Committee recommends that the following bill, under suspension of the rules, be lifted from Rules, considered read for the second time and placed on the top of the Third Reading Calendar.

**H.B. 90** Income Tax Amendments (Rep. B. King)

Ben C. Ferry, Chair

Report filed. Representative Ferry proposed that the House adopt the Rules report.

Representative Litvack proposed a substitute motion to refer the bill to the Revenue and Taxation standing committee.

Representative Hughes commented. Representative Litvack's substitute motion passed on a voice vote. **H.B. 90** was assigned to the Revenue and Taxation standing committee.

**RULES COMMITTEE REPORT**

Mr. Speaker:

February 18, 2010

The Rules Committee recommends the following bills and resolutions be assigned to standing committees:

**GOVERNMENT OPERATIONS**

**S.J.R. 6** Joint Resolution – State Sovereignty and Tenth Amendment (Sen. H. Stephenson)

**HEALTH AND HUMAN SERVICES**

**H.B. 437** Phlebotomy Certification Act (Rep. F. Seegmiller)

**S.B. 39** Health Insurance Prior Authorization Amendments (Sen. K. Mayne)

**JUDICIARY**

**H.B. 150** Administrative Subpoena Amendments (Rep. B. Daw)

**H.B. 355** Legal Guardianship Amendments (Rep. S. Sandstrom)

**NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT**

**H.B. 143** Eminent Domain Authority (Rep. C. Herrod)

**H.B. 171** Water Rights Revisions (Rep. K. Gibson)

**PUBLIC UTILITIES AND TECHNOLOGY**

**H.B. 335** Utility Related Exemptions (Rep. G. Hughes)

**H.B. 456** Amendments to Department of Environmental Quality (Rep. R. Edwards)

**RETIREMENT AND INDEPENDENT ENTITIES**

**H.B. 333** Reemployed Retiree Contribution Amendments  
(Rep. D. Litvack)

**REVENUE AND TAXATION**

**H.B. 349** Sales and Use Tax Amendments (Rep. W. Harper)  
**S.B. 134** Partnership Tax Return Filing Deadlines (Sen. J. Adams)

**TRANSPORTATION**

**H.B. 152** Contract Passenger Carrier Safety Act  
(Rep. F. Seegmiller)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker: February 18, 2010

The Senate passed, **H.B. 12**, CRIMINAL HOMICIDE AND ABORTION AMENDMENTS, by Representative C. Wimmer, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 30**, DRUG LAW AMENDMENTS, by Representative T. Beck, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 47**, BOARD OF PARDONS AND PAROLE TECHNICAL AMENDMENTS, by Representative E. Hutchings, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 51**, FAMILY EMPLOYMENT PROGRAM – CASH ASSISTANCE TO SINGLE MINOR PARENT, by Representative J. Dunnigan, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 216**, INCORPORATION OF A TOWN AMENDMENTS, by Representative G. Froerer, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 236**, STATUTORY CONSTRUCTION AMENDMENTS, by Representative R. Lockhart, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 248**, GOVERNMENT RECORDS AMENDMENTS, by Representative J. Anderson, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.J.R. 10**, JOINT RESOLUTION OPPOSING THE ESTABLISHMENT OF A FEDERAL COMMISSION ON STATE WORKERS' COMPENSATION LAWS, by Representative M. Morley, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 12, H.B. 30, H.B. 47, H.B. 51, 1st Sub. H.B. 216, H.B. 236, H.B. 248**, and **H.J.R. 10** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker:

February 18, 2010

The Senate substituted and passed, **Senate 1st Sub. H.B. 20**, AMENDMENTS TO HEALTH INSURANCE COVERAGE IN STATE CONTRACTS, by Representative J. Dunnigan, and it is transmitted for further consideration; and

The Senate substituted, amended, and passed, **Senate 1st Sub. H.B. 39**, INSURANCE RELATED AMENDMENTS, by Representative J. Dunnigan, and it is transmitted for further consideration; and

The Senate passed, as amended, **1st Sub. H.B. 75**, ASSESSMENT AREA AMENDMENTS, by Representative G. Froerer, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 88**, ELECTRONIC CIGARETTE RESTRICTIONS, by Representative R. Menlove, and it is transmitted for further consideration; and

The Senate passed, as amended, **1st Sub. H.B. 219**, DELINQUENT PROPERTY TAX AMENDMENTS, by Representative G. Froerer, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **1st Sub. H.B. 20, 1st Sub. H.B. 39, 1st Sub. H.B. 75, H.B. 88**, and **1st Sub. H.B. 219** placed on the Concurrence Calendar.

\* \* \*

Mr. Speaker:

February 18, 2010

The Senate refuses to concur with the House Amendments to **1st Sub. S.B. 90**, MENTAL HEALTH PROFESSIONAL PRACTICE ACT AMENDMENTS, by Senator L. Hillyard, and requests the House recede from its amendments.

Annette B. Moore  
Secretary of the Senate

Communications filed. On motion of Representative Menlove, the House voted to refuse to recede from its amendments to **1st Sub. S.B. 90**. Speaker Clark appointed a Conference Committee consisting of Representatives Menlove, Ferry, and Chavez–Houck.

### INTRODUCTION OF BILLS

**H.B. 142, Legislator – Benefit Plan** (E. Hutchings), read the first time by short title and referred to the Rules Committee.

**H.B. 365, Department of Corrections Registry Amendments** (D. Aagard), read the first time by short title and referred to the Rules Committee.

**H.B. 421, Medical Financial Records Amendments** (B. Last), read the first time by short title and referred to the Rules Committee.

**H.J.R. 30, War Veterans’ Memorial on Capitol Hill Joint Resolution** (R. Chavez–Houck), read the first time by short title and referred to the Rules Committee.

### UNFINISHED BUSINESS

On motion of Representative Lockhart, the House voted to uncircle **1st Sub. S.B. 114**.

**1st Sub. S.B. 114, MOTOR VEHICLE ACCIDENT REPORTS**, *Lockhart*, was before the House on its final passage.

On motion of Representative Lockhart, the House voted to delete **1st Sub. S.B. 114** in title and body and insert **2nd Sub. S.B. 114** in lieu thereof.

Representative Watkins commented.

**2nd Sub. S.B. 114** passed on the following roll call:

**Yeas, 68; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hughes	Hunsaker	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Biskupski	S Duckworth	Garn	Hendrickson
Herrod	Hutchings	Mascaro	

**2nd Sub. S.B. 114**, as amended, returned to the Senate for further consideration.

### THIRD READING CALENDAR

**H.B. 260**, CHILDREN’S HEALTH INSURANCE PLAN SIMPLIFIED RENEWAL, *Newbold*, read the third time by short title and placed on its final passage.

**H.B. 260** passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall

Draxler	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Hughes	Hunsaker	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

S Duckworth	Garn	F Gibson	Herrod
Hutchings	Ipson		

**H.B. 260** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 284**, UNIFORM COLLABORATIVE LAW ACT, *Fowlke*, read the third time by short title and placed on its final passage.

On motion of Representative Menlove, the House voted to delete **H.B. 284** in title and body and insert **1st Sub. H.B. 284** in lieu thereof.

**1st Sub. H.B. 284** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	F Gibson	K Gibson
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes

Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Garn	Gowans	Lockhart	Painter
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**1st Sub. H.B. 284** transmitted to the Senate for its consideration.

### MISCELLANEOUS BUSINESS

On motion of Representative Noel, under suspension of the rules, the House voted to allow a bill file be opened as a concurrent resolution concerning designation of national monuments. Representatives Watkins and Litvack commented.

### THIRD READING CALENDAR

**H.B. 125**, KIDNAPPING AND SEX OFFENDER REGISTRY AMENDMENTS, *Bigelow*, read the third time by short title and placed on its final passage.

**H.B. 125**, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack



Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Biskupski	Garn	Powell
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**H.B. 125**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.B. 120**, UNDERGROUND STORAGE TANK AMENDMENTS, *McIff*, read the third time by short title and placed on its final passage.

**H.B. 120** passed on the following roll call:

**Yeas, 61; Nays, 11; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Dee	Draxler	S Duckworth	Dunnigan
Edwards	Ferry	Janice Fisher	Julie Fisher
Fowlke	Froerer	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Moss	Painter	Poulson
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Vickers	Wallis	Watkins
Webb	Wheatley	Wiley	Wright
D. Clark			

**Voting in the negative were:** Representatives

Daw	Dougall	Frank	Kiser
Morley	Newbold	Noel	Oda
Sumsion	Wilcox	Wimmer	

**Absent or not voting were:** Representatives

Bigelow                      Garn                      Powell

**H.B. 120** transmitted to the Senate for its consideration.

### MISCELLANEOUS BUSINESS

On motion of Representative Morley, under suspension of the rules, the House voted to allow a bill file be opened concerning a statue of responsibility.

### THIRD READING CALENDAR

**H.B. 285**, PRACTICE OF VETERINARY MEDICINE, *Mathis*, read the third time by short title and placed on its final passage.

**H.B. 285**, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

S Duckworth              Garn                      Powell

**H.B. 285**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.B. 116**, POLITICAL SUBDIVISION FACILITY ENERGY EFFICIENCY, *Hunsaker*, read the third time by short title and placed on its final passage. Representative Cosgrove commented.

**H.B. 116** as passed on the following roll call:

**Yeas, 74; Nays, 0; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting was:** Representative  
Garn

**H.B. 116** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 208**, DISPOSITION OF THE REMAINS OF A DECEASED MILITARY SERVICE MEMBER, *Seelig*, read the third time by short title and placed on its final passage. Representative Hughes commented.

**H.B. 208**, as amended, passed on the following roll call:

**Yeas, 74; Nays, 0; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting was:** Representative  
Garn

**H.B. 208**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.B. 273**, UTAH INTERNATIONAL TRADE COMMISSION AMENDMENTS, *Hutchings*, read the third time by short title and placed on its final passage.

On motion of Representative Dee, the House voted to circle **H.B. 273**.

\* \* \*

**1st Sub. H.B. 283**, FEES IN SPECIAL SERVICE DISTRICTS, *Mathis*, read the third time by short title and placed on its final passage.

Representative Dee proposed the following amendment:

1. Page 1, Line 15  
15 increase a fee {—} ; and

2. Page 2, Lines 52 through 53:

52 (g) unless all the members of the administrative control board are elected to the board , or, if not elected directly to the board, are elected officials .

53 establish or increase a fee;

Representatives Hemingway and Edwards commented. Representative Dee’s motion to amend passed on a voice vote.

Representative Allen commented.

**1st Sub. H.B. 283**, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Frank
Froerer	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright

**Absent or not voting were:** Representatives

Fowlke	Garn	D. Clark
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**1st Sub. H.B. 283**, as amended, transmitted to the Senate for its consideration.

**UNFINISHED BUSINESS**

On motion of Representative Hutchings, the House voted to uncircle **H.B. 273**.

**H.B. 273**, UTAH INTERNATIONAL TRADE COMMISSION AMENDMENTS, *Hutchings*, was before the House on its final passage.

**H.B. 273**, as amended, passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	

**Absent or not voting were:** Representatives

Black	Garn	Watkins	D. Clark
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**H.B. 273**, as amended, transmitted to the Senate for its consideration.

### SPECIAL ORDER OF BUSINESS

**H.J.R. 13**, RECOGNITION OF COMMUNITY COUNCILS AND THE ASSOCIATION OF COMMUNITY COUNCILS TOGETHER JOINT RESOLUTION, *Duckworth*, read the third time by short title and placed on its final passage.

**H.J.R. 13** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski

Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McCliff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Garn	Ipson	Vickers
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**H.J.R. 13** transmitted to the Senate for its consideration.

### MISCELLANEOUS BUSINESS

On motion of Representative Seelig, the House voted to calendar **S.B. 117** for Time Certain on February 25, 2010 at 11:00 a.m.

### THIRD READING CALENDAR

**H.B. 302**, MINOR ADJUSTMENTS TO COUNTY BOUNDARIES, *Painter*, read the third time by short title and placed on its final passage.

**H.B. 302** passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Fowlke	Frank	Froerer
F Gibson	K Gibson	Gowans	Greenwood

Grover	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Draxler	Julie Fisher	Garn	Hansen
Ipson	Vickers		

**H.B. 302** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 181**, CONDOMINIUM ASSOCIATION COMMON EXPENSES, *Moss*, read the third time by short title and placed on its final passage.

Representative Moss proposed the following amendment:

1. Page 1, Line 14

14       ▶ includes rules adopted by the condominium association  
           {~~board of directors~~}       management committee among

2. Page 3, Lines 61 through 62:

61       (5) (a) When authorized in the declaration [øf]\_ bylaws, or rules  
           adopted by the { ~~board~~

62 of directors }       management committee , if the owner fails or  
           refuses to pay any assessment when due, the management

Representative Moss's motion to amend passed on a voice vote.

**H.B. 181**, as amended, passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski



Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Garn	Ipson	McIff	Powell
Vickers	Wallis		

**H.B. 181**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.B. 183**, CONSTRUCTION AND FIRE CODE RELATED AMENDMENTS, *Morley*, read the third time by short title and placed on its final passage.

Representative Morley proposed the following amendment:

1. Page 1, Lines 17 through 19
  - 17       ▶       addresses local authority to adopt fire code standards;
  - ▶       provides for the creation of a joint peer advisory committee;
  - 18       ▶       addresses the adoption and amendment process for a state construction code;
  - 19       ▶       provides for funding of education related to codes being considered; and
  
2. Page 13, Lines 386 through 388:
  - 386 hazardous materials emergencies;   {~~and~~}

387 [(⊖)] (p) in accordance with Section [58–56–4, ~~make a~~  
53–7–106 report to the Business

388 and Labor Interim Committee [by:] { } ; and  
(q) jointly create the Unified Code Analysis Council with the Uniform  
Building Code Commission in accordance with Subsection  
58–56–5(12).

3. Page 14, Lines 404 through 409  
House Committee Amendments 2–12–2010:

404 [(4)] (3) The following functions shall be administered locally  
by a city, county, or fire

405 protection district:

406 (a) issuing permits, including open burning permits pursuant to  
Sections 11–7–1 and

407 19–2–114; ~~⌠~~ → [and] ← ~~⌠~~

408 (b) creating a local board of appeals in accordance with the state fire  
code ~~⌠~~ → [f] ; and [f]

408a [z]

409 [f] (c) subject to the state fire code and the other provisions of  
this chapter, establishing, modifying, or deleting fire flow and water  
supply requirements. [f] ← ~~⌠~~

4. Page 31, Lines 941 through 942:

941 (c) the position taken by [all parties] the persons involved in the  
facts in question.

(12) (a) In a manner consistent with Subsection (10)(d), the  
commission shall jointly create with the Utah Fire Prevention Board an  
advisory peer committee known as the “Unified Code Analysis Council”  
to review fire prevention and construction code issues that require  
definitive and specific analysis.

(b) The commission and Utah Fire Prevention Board shall jointly, by rule  
made in accordance with Title 63G, Chapter 3, Utah Rulemaking Act,  
provide for:

(i) the appointment of members to the Unified Code Analysis Council;  
and

(ii) procedures followed by the Unified Code Analysis Council.

942 Section 14. Section 58–56–6 is amended to read:

Representative Morley’s motion to amend passed on a voice vote.

**H.B. 183**, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Brown	Garn	Ipson
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**H.B. 183**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**1st Sub. H.B. 227**, LICENSING ELIGIBILITY, *Sandstrom*, read the third time by short title and placed on its final passage. Representatives Dougall, King, Vickers, Chavez–Houck, Herrod, and S. Clark commented.

**1st Sub. H.B. 227** failed to pass on the following roll call:

**Yeas, 32; Nays, 40; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Aagard	Barrus	Bigelow	Daw
Dee	Draxler	Dunnigan	Frank

Froerer	F Gibson	K Gibson	Greenwood
Grover	Hendrickson	Herrod	Hughes
Hutchings	Kiser	Last	Lockhart
Mathis	Morley	Newbold	Noel
Oda	Ray	Sandstrom	Sumsion
Wallis	Wilcox	Wimmer	D. Clark

**Voting in the negative were:** Representatives

Allen	Anderson	Beck	Bird
Biskupski	Black	Brown	Chavez–Houck
S. Clark	Cosgrove	Dougall	S Duckworth
Edwards	Ferry	Janice Fisher	Julie Fisher
Fowlke	Gowans	Hansen	Harper
Hemingway	Hunsaker	Johnson	King
Litvack	Mascaro	McIff	Menlove
Moss	Poulson	Powell	Riesen
Seegmiller	Seelig	Vickers	Watkins
Webb	Wheatley	Wiley	Wright

**Absent or not voting were:** Representatives

Garn	Ipson	Painter
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**1st Sub. H.B. 227** was filed.

\* \* \*

**1st Sub. H.B. 275**, DIVISION OF REAL ESTATE AMENDMENTS, *Froerer*, read the third time by short title and placed on its final passage.

Representative Froerer proposed the following amendment:

1 Page 62, Lines 1894 through 1898

1894 (3) (a) The scheduled expiration date of [the] a license [or],  
certification, or registration

1895 shall appear on the license [or], certification, or registration  
document [~~and no other notice of~~

1896 ~~its expiration need be given to its holder~~].

1897 (b) (i) The division { ~~is not required to~~  
provide } shall mail a holder of a license, certification, or

1898 registration notice of its expiration to the last address stated  
on the division's records as the holder's current address .

(ii) To be mailed a notice under this Subsection (3)(b), a holder of a license, certification, or registration shall provide to the division in writing the holder's current address.

(iii) A holder's license, certification, or registration expires if not renewed by the holder notwithstanding whether the holder receives a notice of its expiration by the division under this Subsection (3)(b).

2. Page 65, Lines 2000 through 2007:

2000 (d) (i) { A } If a person is found to have violated this chapter or a rule made under this chapter, the person shall pay the costs incurred by the division to copy a book, paper,

2001 contract, document, information, or record required under this chapter, including the costs

2002 incurred to copy an electronic book, paper, contract, document, information, or record in a

2003 universally readable format.

2004 (ii) If a person fails to pay the costs described in Subsection (2)(d)(i) when due, the

2005 person's license, certification, or registration is automatically suspended:

2006 (A) beginning the day on which the payment of costs is due; and

2007 (B) ending the day on which the costs are paid.

3. Page 112, Lines 3454 through 3460:

3454 (7) (a) { A } If a person is found to have violated this chapter or a rule made under this chapter, the person shall pay the costs incurred by the division to copy a record required

3455 under this chapter, including the costs incurred to copy an electronic record in a universally

3456 readable format.

3457 (b) If a person fails to pay the costs described in Subsection (7)(a) when due, the

3458 person's license or certification is automatically suspended:

3459 (i) beginning the day on which the payment of costs is due; and

3460 (ii) ending the day on which the costs are paid.

4. Page 154, Lines 4747 through 4753:

4747 (4) (a) { A } If a person is found to have violated this chapter or a rule made under this chapter, the person shall pay the costs incurred by the division to copy a book, paper,

4748 contract, document, or record required under this chapter, including the costs incurred to copy

4749 an electronic book, paper, contract, document, or record in a universally readable format.

4750 (b) If a person fails to pay the costs described in Subsection (4)(a) when due, the

4751 person's license, certification, or registration is automatically suspended:

4752 (i) beginning the day on which the payment of costs is due; and

4753 (ii) ending the day on which the costs are paid.

Representative Froerer's motion to amend passed on a voice vote. Representative Anderson commented.

**1st Sub. H.B. 275**, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez-Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wright	D. Clark

**Absent or not voting were:** Representatives

Garn                                      Seelig                                      Wimmer

**1st Sub. H.B. 275**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.B. 196**, TOBACCO TAX REVISIONS, *Ray*, read the third time by short title and placed on its final passage.

On motion of Representative Ray, the House voted to circle **H.B. 196**.

\* \* \*

**H.J.R. 21**, JOINT RESOLUTION ON ENERGY POLICY, *Noel*, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House voted to circle **H.J.R. 21**.

\* \* \*

**H.B. 80**, PUBLIC ACCESS TO PRIVATE STREAM BEDS, *Fowlke*, read the third time by short title and placed on its final passage.

On motion of Representative Fowlke, the House voted to calendar **H.B. 80** and **H.B. 141** for Time Certain on February 22, 2010 at 2:30 p.m. and 2:35 p.m.

**SPECIAL RECOGNITION**

Representative Wimmer presented a special citation to Robert Kirby for his efforts on behalf of fallen police officers and the Peace Officers Memorial on the State Capitol grounds.

**THIRD READING CALENDAR**

**H.B. 115**, COUNSEL FOR INDIGENTS IN JUVENILE COURT PROCEEDINGS, *Powell*, read the third time by short title and placed on its final passage. Representative Fowlke commented.

**H.B. 115**, as amended, passed on the following roll call:

**Yeas, 68; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard                                      Allen                                      Anderson                                      Barrus  
Beck                                              Bigelow                                      Bird                                              Biskupski

Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
S Duckworth	Dunnigan	Edwards	Ferry
Julie Fisher	Fowlke	Frank	Froerer
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	D. Clark

**Absent or not voting were:** Representatives

Draxler	Janice Fisher	Garn	Hunsaker
Seelig	Wimmer	Wright	

**H.B. 115**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.C.R. 7**, CREDIT SCORES CONCURRENT RESOLUTION, *Aagard*, read the third time by short title and placed on its final passage.

On motion of Representative Aagard, the House voted to circle **H.C.R. 7**.

\* \* \*

**H.B. 82**, PROTECTION OF CHILDREN RIDING IN MOTOR VEHICLES, *Seegmiller*, read the third time by short title and placed on its final passage.

On motion of Representative Seegmiller, the House voted to circle **H.B. 82**.

\* \* \*

**1st Sub. H.B. 178**, BUREAU OF CRIMINAL IDENTIFICATION FEE AMENDMENTS, *Hutchings*, read the third time by short title and placed on its final passage. Representative Mascaro commented.

**1st Sub. H.B. 178**, as amended, passed on the following roll call:



**Yeas, 52; Nays, 20; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Aagard	Barrus	Beck	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
K Gibson	Gowans	Greenwood	Grover
Hemingway	Herrod	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Mascaro	McIff
Menlove	Moss	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Seegmiller	Seelig	Vickers
Wallis	Webb	Wheatley	Wiley

**Voting in the negative were:** Representatives

Allen	Anderson	Bigelow	Bird
Dougall	F Gibson	Hansen	Harper
Hendrickson	Hughes	Lockhart	Mathis
Morley	Newbold	Sandstrom	Sumsion
Watkins	Wilcox	Wimmer	D. Clark

**Absent or not voting were:** Representatives

Draxler	Garn	Wright
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**1st Sub. H.B. 178**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**1st Sub. H.B. 234**, OPTING OUT OF THE REAL ID ACT, *Sandstrom*, read the third time by short title and placed on its final passage. Representatives Harper, Greenwood, Litvack, Sumsion, Powell, and Dee commented.

**1st Sub. H.B. 234** passed on the following roll call:

**Yeas, 68; Nays, 3; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark

Cosgrove	Daw	Dee	Dougall
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	F Gibson	K Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wimmer	Wright	D. Clark

**Voting in the negative were:** Representatives

King	Kiser	Wiley
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**Absent or not voting were:** Representatives

Draxler	Garn	Gowans	Seelig
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**1st Sub. H.B. 234** transmitted to the Senate for its consideration.

**MISCELLANEOUS BUSINESS**

On motion of Representative Dee, and at 5:10 p.m., the House voted to adjourn until February 19, 2010, at 10:00 a.m.

# TWENTY-FIFTH DAY

\* \* \*

## MORNING SESSION

The House was called to order by Speaker Clark at 10:00 a.m.

Roll call showed all members present except Representative Seelig, excused.

Prayer offered by Diane Cosgrove, Representative Cosgrove's wife. Pledge of Allegiance led by Representative Tim Cosgrove.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 18, 2010

The Senate passed, **H.B. 10**, COURT FEES FOR INMATES, by Representative C. Oda, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 19**, POST CONVICTION REMEDIES AMENDMENTS, by Representative K. McIff, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 94**, UNIFORM FISCAL PROCEDURES ACT AMENDMENTS FOR TOWNS, CITIES, AND COUNTIES AMENDMENTS, by Representative F. Hunsaker, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **2nd Sub. H.B. 100**, HEBER VALLEY HISTORIC RAILROAD AUTHORITY, by Representative K. Powell, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 110**, COUNTY JAIL INMATE MEDICAL COSTS, by Representative B. Daw, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 226**, WELL DRILLER'S LICENSE – PUMP INSTALLATION, by Representative P. Painter, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.J.R. 11**, JOINT RESOLUTION REGARDING FEDERAL HEALTH INSURANCE REFORM, by Representative M. Morley,

which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 10, H.B. 19, 1st Sub. H.B. 94, 2nd Sub. H.B. 100, H.B. 110, H.B. 226, and H.J.R. 11** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: February 18, 2010

The Senate passed, as amended, **H.C.R. 3, ITALIAN-AMERICAN HERITAGE MONTH CONCURRENT RESOLUTION**, by Representative C. Watkins, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. **H.C.R. 3** placed on the Concurrence Calendar.

\* \* \*

Mr. Speaker: February 18, 2010

The Senate passed, as amended, **S.B. 142, DRIVER LICENSE AMENDMENTS**, by Senator H. Stephenson, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. **S.B. 142** read the first time by short title and referred to the Rules Committee.

### INTRODUCTION OF BILLS

**H.B. 5, Revenue Bond and Capital Facilities Authorizations** (S. Clark), read the first time by short title and referred to the Rules Committee.

**H.B. 362, Duties of City Police Departments** (C. Herrod), read the first time by short title and referred to the Rules Committee.

**H.B. 363, Municipal Election Amendments** (C. Frank), read the first time by short title and referred to the Rules Committee.

**H.B. 373, Renewal of Judgment Act Amendments** (G. Froerer), read the first time by short title and referred to the Rules Committee.

**H.B. 402, Department of Administrative Services Modifications** (S. Clark), read the first time by short title and referred to the Rules Committee.

**H.B. 422, Livestock on Highways** (P. Painter), read the first time by short title and referred to the Rules Committee.

**H.B. 431, Identity Verification by Department of Commerce** (M. Morley), read the first time by short title and referred to the Rules Committee.

**H.B. 435, Dixie State College – Nonprofit Entities** (D. Ipson), read the first time by short title and referred to the Rules Committee.

### CONSENT CALENDAR

**H.B. 132, PIONEER TRAIL MEMORIAL HIGHWAY, *Menlove***, read the third time by short title and placed on its final passage.

**H.B. 132** passed on the following roll call:

**Yeas, 67; Nays, 0; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	Gowans
Greenwood	Grover	Hansen	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Mascaro
Mathis	Menlove	Morley	Moss
Newbold	Oda	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

S. Clark	K Gibson	Harper	Lockhart
McIff	Noel	Painter	Seelig

**H.B. 132** transmitted to the Senate for its consideration.

\* \* \*

**S.B. 125**, INTANGIBLE PROPERTY AMENDMENTS, *Garn*, read the third time by short title and placed on its final passage.

**S.B. 125** passed on the following roll call:

**Yeas, 68; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Mascaro	Mathis	McIff	Menlove
Moss	Newbold	Oda	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

S. Clark	K Gibson	Lockhart	Morley
Noel	Painter	Seelig	

**S.B. 125** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**1st Sub. S.B. 48**, NONLAPSING AUTHORITY TECHNICAL AMENDMENTS, *Julie Fisher*, read the third time by short title and placed on its final passage.

**1st Sub. S.B. 48** passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Sumsion	Vickers	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

Hendrickson	Litvack	Noel	Seelig
Wallis			

**1st Sub. S.B. 48** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

### CONCURRENCE CALENDAR

On motion of Representative Dunnigan, the House voted to concur in the Senate amendments to **1st Sub. H.B. 20**, AMENDMENTS TO HEALTH INSURANCE COVERAGE IN STATE CONTRACTS.

**1st Sub. H.B. 20**, as amended by the Senate, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark

Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Gowans                      Seelig

**1st Sub. H.B. 20**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Dunnigan, the House voted to concur in the Senate amendments to **1st Sub. H.B. 39**, INSURANCE RELATED AMENDMENTS.

**1st Sub. H.B. 39**, as amended by the Senate, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod



Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

K Gibson                      Seelig

**1st Sub. H.B. 39**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Froerer, the House voted to concur in the Senate amendments to **1st Sub. H.B. 75**, ASSESSMENT AREA AMENDMENTS.

**1st Sub. H.B. 75**, as amended by the Senate, passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	F Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller

Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright		

**Absent or not voting were:** Representatives

Garn	K Gibson	Newbold	Seelig
D. Clark			

**1st Sub. H.B. 75**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Menlove, the House voted to concur in the Senate amendments to **H.B. 88**, ELECTRONIC CIGARETTE RESTRICTIONS.

**H.B. 88**, as amended by the Senate, passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Greenwood	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

S Duckworth	Gowans	Grover	Seelig
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**H.B. 88**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Froerer, the House voted to concur in the Senate amendments to **1st Sub. H.B. 219, DELINQUENT PROPERTY TAX AMENDMENTS.**

**1st Sub. H.B. 219**, as amended by the Senate, passed on the following roll call:

**Yeas, 64; Nays, 9; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bigelow	Biskupski	Black	Chavez-Houck
S. Clark	Cosgrove	Daw	Dee
Dougall	Draxler	S Duckworth	Dunnigan
Edwards	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	McIff	Menlove	Moss
Newbold	Oda	Painter	Poulson
Powell	Riesen	Sandstrom	Seegmiller
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley

**Voting in the negative were:** Representatives

Anderson	Bird	Mathis	Morley
Noel	Ray	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Brown	Seelig
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**1st Sub. H.B. 219**, as amended by the Senate, transmitted to the Senate for signature of President.

**THIRD READING CALENDAR**

**H.B. 276, SEX OFFENDER REGISTRY AMENDMENT**, *Ray*, read the third time by short title and placed on its final passage.

**H.B. 276** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McCliff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Dee	Fowlke	Seelig
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**H.B. 276** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 240**, DEPARTMENT OF NATURAL RESOURCES AMENDMENTS, *Draxler*, read the third time by short title and placed on its final passage.

Representative Draxler proposed the following amendment:

1. Page 1, Line 14

14 { ~~►~~ provides that a part-time volunteer may be a conservation officer; } ~~–~~

2. Page 3, Lines 74 through 76:

74 (10) “Conservation officer” means a { ~~–~~ } full-time, { ~~–~~ } permanent employee { ~~–of~~ } volunteer } of

75 the Division of Wildlife Resources who is POST certified as a peace or a special function

76 officer.

Representative Draxler’s motion to amend passed on a voice vote.

###

Representative Draxler proposed the following amendment:

- 1. Page 12, Line 361:  
Delete “**Jordan**” and insert “**Green**”

Representative Draxler’s motion to amend passed on a voice vote.  
Representative Dougall commented.

**H.B. 240**, as amended, passed on the following roll call:

**Yeas, 53; Nays, 19; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Barrus	Beck
Bigelow	Biskupski	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Dee
Draxler	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Hemingway	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Moss	Newbold
Painter	Poulson	Powell	Ray
Riesen	Seegmiller	Vickers	Wallis
Watkins	Webb	Wheatley	Wiley
D. Clark			

**Voting in the negative were:** Representatives

Anderson	Bird	Daw	Dougall
S Duckworth	Frank	Grover	Hansen
Harper	Hendrickson	Hughes	Morley
Noel	Oda	Sandstrom	Sumsion
Wilcox	Wimmer	Wright	

**Absent or not voting were:** Representatives

Fowlke                      Herrod                      Seelig

**H.B. 240**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.B. 91**, TRAFFIC CONTROL SIGNS FOR BICYCLES, *Moss*, read the third time by short title and placed on its final passage.

On motion of Representative Moss, the House voted to circle **H.B. 91**.

\* \* \*

**H.B. 174**, LICENSE PLATES AMENDMENTS, *Ray*, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House voted to circle **H.B. 174**.

\* \* \*

**1st Sub. H.C.R. 2**, CONCURRENT RESOLUTION ON STATES' RIGHTS, *Julie Fisher*, read the third time by short title and placed on its final passage. Representatives Litvack, Herrod, Hemingway, Hansen, and Anderson commented.

**1st Sub. H.C.R. 2** passed on the following roll call:

**Yeas, 57; Nays, 13; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Black
Brown	S. Clark	Daw	Dee
Dougall	Draxler	Dunnigan	Edwards
Ferry	Julie Fisher	Frank	Froerer
F Gibson	K Gibson	Greenwood	Grover
Harper	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Kiser
Last	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Sandstrom	Seegmiller
Sumsion	Vickers	Wallis	Watkins
Webb	Wilcox	Wimmer	Wright
D. Clark			

**Voting in the negative were:** Representatives

Biskupski	Chavez–Houck	Cosgrove	S Duckworth
Janice Fisher	Hansen	Hemingway	Johnson
King	Litvack	Moss	Riesen
Wiley			

**Absent or not voting were:** Representatives

Fowlke	Garn	Gowans	Seelig
Wheatley			

**1st Sub. H.C.R. 2** transmitted to the Senate for its consideration.

\* \* \*

**H.J.R. 20**, GREEN SCHOOLS JOINT RESOLUTION, *Wheatley*, read the third time by short title and placed on its final passage.

On motion of Representative Dee, the House voted to circle **H.J.R. 20**.

\* \* \*

**H.J.R. 23**, JOINT RESOLUTION APPROVING THE SALE OF REAL PROPERTY AT THE UTAH STATE DEVELOPMENTAL CENTER, *Frank*, read the third time by short title and placed on its final passage. Representatives Mascaro, Draxler, Hunsaker, Dougall, and Wiley commented.

**H.J.R. 23** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold

Noel	Oda	Painter	Poulson
Powell	Riesen	Sandstrom	Seegmiller
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Chavez–Houck	Julie Fisher	Ray	Seelig
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**H.J.R. 23** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 287**, LEGISLATOR SALARY AMENDMENTS, *Litvack*, read the third time by short title and placed on its final passage. Representatives Powell, Dougall, Bigelow, Noel, Brown, and Hansen commented.

**H.B. 287** passed on the following roll call:

**Yeas, 71; Nays, 2; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	F Gibson	K Gibson	Gowans
Greenwood	Grover	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Voting in the negative were:** Representatives

Draxler	Hansen
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**Absent or not voting were:** Representatives

Garn Seelig

**H.B. 287** transmitted to the Senate for its consideration.

### **RECONSIDERATION OF 1ST SUB. H.B. 227**

Representative Vickers motion to reconsider House action on **1st Sub. H.B. 227**, LICENSING ELIGIBILITY, failed on the following roll call:

**Yeas, 35; Nays, 36; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Agard	Barrus	Bird	Brown
Daw	Dee	Dunnigan	Edwards
Julie Fisher	Froerer	F Gibson	K Gibson
Greenwood	Grover	Herrod	Hughes
Hunsaker	Ipson	Kiser	Last
Lockhart	Mathis	Morley	Newbold
Noel	Oda	Painter	Powell
Ray	Sandstrom	Sumsion	Vickers
Wallis	Wilcox	Wimmer	

**Voting in the negative were:** Representatives

Allen	Anderson	Beck	Bigelow
Biskupski	Black	Chavez–Houck	S. Clark
Cosgrove	Dougall	Draxler	S Duckworth
Ferry	Fowlke	Frank	Gowans
Hansen	Harper	Hemingway	Hendrickson
Hutchings	Johnson	King	Litvack
Mascaro	McIff	Menlove	Moss
Poulson	Riesen	Seegmiller	Watkins
Webb	Wheatley	Wiley	D. Clark

**Absent or not voting were:** Representatives

Janice Fisher Garn Seelig Wright

### **COMMUNICATIONS FROM THE SENATE**

Mr. Speaker: February 19, 2010

The Senate passed, **H.B. 37**, CRIMINAL BACKGROUND CHECKS ON MOTOR VEHICLE DEALERS AND SALESPERSONS, by Representative R. Lockhart, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 98**, STATE ENGINEER BONDING REQUIREMENTS, by Representative R. Wilcox, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 229**, WATER RIGHT GENERAL ADJUDICATION AMENDMENTS, by Representative P. Painter, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 262**, REPORTING TO APPROPRIATION COMMITTEES, by Representative R. Bigelow, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 37**, **H.B. 98**, **H.B. 229**, and **H.B. 262** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: February 19, 2010  
The Senate passed, as amended, **H.B. 11**, LICENSING OF ELEVATOR CONTRACTORS AND ELEVATOR MECHANICS, by Representative L. Wiley, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. **H.B. 11** placed on the Concurrence Calendar.

\* \* \*

Mr. Speaker: February 19, 2010  
The Senate concurred in the House amendments and passed **S.B. 122**, EMINENT DOMAIN REVISIONS, by Senator J. S. Adams, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communication filed. **S.B. 122** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

\* \* \*

Mr. Speaker: February 19, 2010

The Senate refuses to concur with the House Amendments to **3rd Sub. S.B. 22**, NOTARY PUBLIC AMENDMENTS, by Senator P. Knudson, and requests the House recede from its amendments.

Annette B. Moore  
Secretary of the Senate

Communication filed. On motion of Representative Hunsaker, the House voted to refuse to recede from its amendments and to appoint a conference committee. Speaker Clark appointed Representatives Hunsaker, Bigelow, and King.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 19, 2010

The Business and Labor Committee reports a favorable recommendation on **H.B. 381**, MUNICIPAL LAND USE PROVISIONS, by Representative S. Sandstrom, with the following amendments:

1. Page 2, Line 37:

37 (b) the termination of all nonconforming uses, except billboards  
{ ~~and rental housing~~ } , by

2. Page 3, Lines 78 through 80:

78 (6) A municipal ordinance adopted under Section 10-1-203  
may not:

79 (a) require physical changes in a structure with a legal  
nonconforming rental housing use; or

80 (b) be enforced to terminate a legal nonconforming rental  
housing use.

(7) A legal nonconforming rental housing use may not be terminated  
under Section 10-1-203. ; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 26**, UTAH E-COMMERCE INTEGRITY ACT, by Senator S. Urquhart, and, due to fiscal impact, recommends it be referred to the Rules Committee for prioritization; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 76**, TRUST DEED AMENDMENTS, by Senator J. Valentine; and

The Business and Labor Committee recommends **H.B. 378**, MOTOR VEHICLE INSURANCE REQUIREMENTS, by Representative T. Kiser, be replaced and reports a favorable recommendation on **1st Sub. H.B. 378**, MOTOR VEHICLE INSURANCE REQUIREMENTS and asks that it be placed on the Consent Calendar; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 426**, BAIL BOND LICENSEE REPRESENTATION AMENDMENTS, by Representative S. Sandstrom, and recommends it be placed on the Consent Calendar.

James A. Dunnigan, Chair

Reports filed. On motion of Representative Painter, the reports of the Business and Labor committee were adopted.

**H.B. 381**, as amended, and **S.B. 76** read the second time by short title and placed on the Third Reading Calendar.

**S.B. 26** read the second time by short title and returned to the Rules Committee due to fiscal impact.

**1st Sub. H.B. 378** and **H.B. 426** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker:

February 19, 2010

The Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 173**, 911 AMENDMENTS, by Representative B. Dee, with the following amendments:

1. Page 2, Line 57 through Page 3, Line 59:

57            {~~(5)~~ “Primary public safety answering point” means a PSAP  
to which 911 calls are first

58    routed from the 911 control office, and includes a selective router or  
911 tandem. }

59            {~~+~~} (5) {~~+~~}    {~~(6)~~}    “Public agency” means  
any county, city, town, special service district, or

2. Page 3, Line 62:

62            {~~+~~} (6) {~~+~~}    {~~(7)~~}    “Public safety agency”  
means a functional division of a public agency which

3. Page 3, Line 64:

64            {~~(8)~~}    (7)    “Public safety answering point” or  
“PSAP” means a facility that:

4. Page 3, Line 68:

68            [~~(7)~~]   {~~(9)~~}    (8)    “Radio communications access line”  
means the radio equipment and assigned

5. Page 3, Line 72:

72            [~~(8)~~]   {~~(10)~~}   (9)    “Radio communications service”  
means a public telecommunications service

6. Page 3, Lines 79 through 82:

79    defined in 47 CFR, parts 20, 21, 22, 24, and 90.   {–

80            (11) “Secondary public safety answering point” means a PSAP  
that receives 911 calls

81    only as a result of a transfer from a primary PSAP. }

82            [(9)]    {~~(12)~~}    (10)    “Wireline common carrier” means  
a public telecommunications service

7. Page 8, Lines 242 through 243:

242 telecommunications service fund shall be expended by the  
{~~primary~~} public {~~–~~} agency {~~–~~}    {~~safety~~

243 answering point serving the public agency’s jurisdiction} to pay  
the costs of:

8. Page 9, Line 256:

256 telecommunications system] by the   {~~primary public safety~~  
answering point }    public agency    for personnel costs; and

The Public Utilities and Technology Committee reports a favorable recommendation on **H.C.R. 12**, PRINTING AND GRAPHIC ARTS RECOGNITION MONTH CONCURRENT RESOLUTION, by Representative B. Daw, and recommends it be placed on the Consent Calendar; and

The Public Utilities and Technology Committee reports a favorable recommendation on **H.C.R. 13**, CONCURRENT RESOLUTION ON

PROVIDING CONTINUING FEDERAL FINANCIAL ASSISTANCE FOR THE DELIVERY OF BASIC SERVICES TO DUTCH JOHN, U, by Representative M. Brown, and recommends it be placed on the Consent Calendar.

Michael E. Noel, Chair

Reports filed. On motion of Representative Lockhart, the reports of the Public Utilities and Technology committee were adopted.

**H.B. 173**, as amended, read the second time by short title and placed on the Third Reading Calendar.

**H.C.R. 12** and **H.C.R. 13** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker:

February 19, 2010

The Health and Human Services Committee reports a favorable recommendation on **1st Sub. S.B. 41**, DRUG UTILIZATION REVIEW BOARD AMENDMENTS, by Senator P. Knudson, with the following amendments and, due to fiscal impact, recommends it be referred to the Rules Committee for prioritization.

1. Page 3, Lines 70 through 78

House Committee Amendments 2-18-2010:

70       (2) ~~H~~→ ~~[(a)]~~ ← ~~H~~ The board may, H→ ~~[when the board determines it is appropriate]~~ only after

70a complying with Subsections (1)(b) through (j) ← ~~H~~ , consider the cost:

71       ~~H~~→ ~~[(a)]~~ (a) ← ~~H~~ of a drug when placing a drug on the prior approval program; and

72       ~~H~~→ ~~[(a)]~~ (b) ← ~~H~~ associated with including, or excluding a drug from the prior approval

72a process.

73 including:

74       ~~H~~→ ~~[(A)]~~ (i) ← ~~H~~ potential side effects associated with a drug;  
or

75 ~~HB~~ → [(B)] (ii) ← ~~H~~ potential hospitalizations or other complications that may occur as a result

75a of a

76 drug's inclusion on the prior approval process.

77 ~~H~~ → [(b) If the board considers the cost of a drug under Subsection (2)(a), the provisions of

78 Subsections (1)(b) through (j) apply.] ← ~~H~~; and

The Health and Human Services Committee recommends **H.B. 311**, AUTISM TREATMENT FUND, by Representative R. Lockhart, be replaced and reports a favorable recommendation on **1st Sub. H.B. 311**, AUTISM TREATMENT FUND and asks that it be placed on the Consent Calendar.

Paul Ray, Chair

Reports filed. On motion of Representative Lockhart, the reports of the Health and Human Services committee were adopted.

**1st Sub. S.B. 41** read the second time by short title and returned to the Rules Committee due to fiscal impact.

**1st Sub. H.B. 311** read the second time by short title and placed on the Consent Calendar.

**THIRD READING CALENDAR**

**1st Sub. H.B. 304**, LIEUTENANT GOVERNOR AMENDMENTS, *Hutchings*, read the third time by short title and placed on its final passage.

**1st Sub. H.B. 304** passed on the following roll call:

**Yeas, 58; Nays, 0; Absent or not voting, 17.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Black
Brown	Chavez-Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Janice Fisher
Julie Fisher	Fowlke	Froerer	F Gibson
Greenwood	Grover	Hansen	Harper

Hemingway	Herrod	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Moss	Newbold
Oda	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Sumsion
Vickers	Wallis	Webb	Wheatley
Wilcox	D. Clark		

**Absent or not voting were:** Representatives

Biskupski	Ferry	Frank	Garn
K Gibson	Gowans	Hendrickson	Hughes
Menlove	Morley	Noel	Painter
Seelig	Watkins	Wiley	Wimmer
Wright			

**1st Sub. H.B. 304** transmitted to the Senate for its consideration.

\* \* \*

**1st Sub. H.B. 282**, LOCAL GOVERNMENT AMENDMENTS, *Sandstrom*, read the third time by short title and placed on its final passage.

**1st Sub. H.B. 282**, as amended, passed on the following roll call:

**Yeas, 63; Nays, 0; Absent or not voting, 12.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Herrod	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Moss	Newbold	Oda
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wright	D. Clark	



**Absent or not voting were:** Representatives

Biskupski	Ferry	Garn	Hendrickson
Hughes	Menlove	Morley	Noel
Painter	Seelig	Wiley	Wimmer

**1st Sub. H.B. 282**, as amended, transmitted to the Senate for its consideration.

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**H.B. 176**, CONTINUING EDUCATION REQUIREMENTS FOR ELECTRICIANS AND PLUMBERS, *Harper*, read the third time by short title and placed on its final passage.

**H.B. 176**, as amended, passed on the following roll call:

**Yeas, 38; Nays, 34; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Allen	Anderson	Beck	Bird
Biskupski	Black	Brown	Chavez–Houck
S. Clark	Cosgrove	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Gowans	Hansen	Harper
Hemingway	Hendrickson	Hunsaker	Johnson
King	Litvack	McIff	Menlove
Moss	Poulson	Powell	Riesen
Seegmiller	Vickers	Watkins	Webb
Wheatley	Wiley		

**Voting in the negative were:** Representatives

Aagard	Barrus	Bigelow	Daw
Dee	Dougall	Frank	Froerer
F Gibson	K Gibson	Greenwood	Grover
Herrod	Hughes	Hutchings	Ipson
Kiser	Last	Lockhart	Mascaro
Mathis	Morley	Newbold	Noel
Oda	Painter	Ray	Sandstrom
Sumsion	Wallis	Wilcox	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

Fowlke	Garn	Seelig
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**H.B. 176**, as amended, transmitted to the Senate for its consideration.

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**H.B. 306**, TERRORISM AMENDMENTS, *Hutchings*, read the third time by short title and placed on its final passage.

Representative Hutchings proposed the following amendment:

1. Page 12, Line 366  
366        {~~—~~} (6) In addition to any other penalty authorized by law, a court shall order any person
2. Page 13, Line 370:  
370 why the reimbursement would be inappropriate. {~~—~~}
3. Page 13, Line 381:  
381 government or a unit of government: {~~—or—~~}
4. Page 13, Line 384:  
384 a common carrier ; or  
(iii) cause action of any nature by an official or volunteer agency  
organized to deal  
with emergencies .
5. Page 13, Line 392:  
392 threatened act.  
(6) In addition to any other penalty authorized by law, a court shall  
order any person convicted of any violation of this section to reimburse  
any federal, state, or local unit of government, or any private business,  
organization, individual, or entity for all expenses and  
losses incurred in responding to the violation, unless the court states  
on the record the reasons  
why the reimbursement would be inappropriate.

Representative Hutchings' motion to amend passed on a voice vote.

**H.B. 306**, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski

Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Garn                      Kiser                      Seelig

**H.B. 306**, as amended, transmitted to the Senate for its consideration.

### RULES COMMITTEE REPORT

Mr. Speaker: February 19, 2010

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 62**, Penalties for Violent Crime in Presence of a Child (Rep. Janice Fisher) be amended as follows and further recommends it be assigned to the House Judiciary Standing Committee:

1. Page 1, Line 10:

10        This bill modifies the Criminal Code to provide    {~~–graduated~~  
penalties–}    a penalty    for committing a

2. Page 1, Line 14:

14        ►        provides a    {~~–class A–~~}    class B    misdemeanor  
penalty for a person who, while in the presence of

3. Page 1, Lines 20 through 21:

20    {~~–►—~~} provides for a class B misdemeanor penalty for a person  
who commits any other

- 21 ~~violent criminal offense in the presence of a child;—}~~
4. Page 2, Lines 28 through 31:
- 28 the cohabitant and specifies that either or both charges may be filed by the prosecutor; and
- 29 ~~{—▶— provides that a person who commits a violent offense in the presence of a child~~
- 30 ~~when more than one child is present is guilty of one violation regarding each child~~
- 31 ~~who is present when the offense occurred; and—}~~
5. Page 2, Lines 47 through 48:
- 47 (i) in the physical presence of a child younger than 14 years of age; {—or—} and
- 48 (ii) having knowledge that {—a—} the child {—younger than 14 years of age } is present and may see
6. Page 3, Line 62:
- 62 (3) {—(a)—} A person who violates Subsection (2) {—(a) or (b)—} is guilty of a {—class A—} class B
7. Page 3, Line 64:
- 64 {—(b) A person who violates Subsection (2)(c) is guilty of a class B misdemeanor. }
8. Page 3, Lines 72 through 74:
- 72 {—(6) A person who commits a violation of Subsection (2) when more than one child is
- 73 present is guilty of one violation of Subsection (2) regarding each child who is present when
- 74 the offense occurred.—}

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

## RULES COMMITTEE REPORTS

Mr. Speaker: February 19, 2010

The Rules Committee recommends that **H.B. 185**, Animal Euthanasia Standards (Rep. F.J. Seegmiller), be lifted from the House Natural Resources, Agriculture, and Environment Standing Committee and reassigned to the House Government Operations Standing Committee; and

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 256**, Child Abuse Database Amendments (Rep. L. Fowlke) be replaced with **1st Substitute H.B. 256**, Child Abuse Database Amendments, and further recommends it be assigned to the House Judiciary Standing Committee; and

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 131**, B and C Road Construction Amendments (Rep. M. Noel), be replaced with **1st Substitute H.B. 131**, B and C Road Construction Amendments (Rep. M. Noel) and further recommends it assigned to the House Transportation Standing Committee.

Ben C. Ferry, Chair

Reports filed. On motion of Representative Ferry, the reports of the Rules Committee were adopted.

## RULES COMMITTEE REPORT

Mr. Speaker: February 19, 2010

The Rules Committee recommends the following bills and resolutions be assigned to standing committees:

### **BUSINESS AND LABOR**

**H.B. 145**                      Renewable Energy Financing Provisions (Rep. B. Last)

### **JUDICIARY**

**H.B. 162**                      Unlawful Sexual Conduct with a Minor  
(Rep. R. Edwards)

**H.B. 289**                      Judicial Nominating Commission Amendments  
(Rep. C. Oda)

**H.B. 364**                      Right of Identity Theft Victim to Civil Cause of Action  
(Rep. J. Fisher)

### **LAW ENFORCEMENT AND CRIMINAL JUSTICE**

**S.B. 142**                      Driver License Amendments (Sen. H. Stephenson)

**POLITICAL SUBDIVISIONS****H.B. 189** Closed Meetings Amendments (Rep. P. Painter)**PUBLIC UTILITIES AND TECHNOLOGY****H.B. 411** Public Utility Modifications (Rep. J. Anderson)**TRANSPORTATION****H.B. 336** Railroad and Railroad Crossing Amendments  
(Rep. R. Greenwood)**WORKFORCE SERVICES AND COMMUNITY AND ECONOMIC DEVELOPMENT****H.B. 388** Mobile Home Revisions (Rep. J. Dunnigan)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker: February 19, 2010

The Senate passed, as substituted, and amended **1st Sub. S.B. 43**, POST-RETIREMENT EMPLOYMENT AMENDMENTS, by Senator D. Liljenquist, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **2nd Sub. S.B. 63**, NEW PUBLIC EMPLOYEES' TIER II CONTRIBUTORY RETIREMENT ACT, by Senator D. Liljenquist, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **1st Sub. S.B. 43** and **2nd Sub. S.B. 63** read the first time by short title and referred to the Rules Committee.

\* \* \*

Mr. Speaker: February 19, 2010

The President of the Senate has appointed a Conference Committee consisting of Senators L. Hillyard, D. C. Buttars, and G. Davis to meet with a like committee from the House of Representatives to consider or amend **1st Sub. S.B.**

**90, MENTAL HEALTH PROFESSIONAL PRACTICE ACT AMENDMENTS,**  
by Senator L. Hillyard.

Annette B. Moore  
Secretary of the Senate

Communication filed. The committee may now meet.

**MISCELLANEOUS BUSINESS**

On motion of Representative Garn, and at 12:30 p.m., the House voted to adjourn until February 22, 2010, at 10:00 a.m.

# TWENTY-EIGHTH DAY

\* \* \*

## MORNING SESSION

The House was called to order by Speaker Clark at 10:00 a.m.

Roll call showed all members present except Representative James Gowans, excused.

Prayer offered by Pastor Shane Finley, Mountain View Fellowship, Heber City. Pledge of Allegiance led by Mayor RoJean Rowley, Duchesne. Both are guests of Representative Kraig Powell.

## INTRODUCTION OF BILLS

**H.B. 149, School Finance Amendments** (R. Bigelow), read the first time by short title and referred to the Rules Committee.

**H.B. 155, Agricultural Advisory Board and Livestock Related Policy** (J. Mathis), read the first time by short title and referred to the Rules Committee.

**H.B. 321, Bond Election Notification Revisions** (S. Allen), read the first time by short title and referred to the Rules Committee.

**H.B. 334, Mechanical Contractor Licensing Provisions** (L. Wiley), read the first time by short title and referred to the Rules Committee.

**H.B. 373, Renewal of Judgment Act Amendments** (G. Froerer), read the first time by short title and referred to the Rules Committee.

**H.B. 394, Motor and Special Fuel Tax Act Amendments** (S. Clark), read the first time by short title and referred to the Rules Committee.

**H.B. 417, Deer Hunt Amendments** (K. Powell), read the first time by short title and referred to the Rules Committee.

**H.B. 428, Nonresident Tuition Amendments** (R. Greenwood), read the first time by short title and referred to the Rules Committee.

**H.C.R. 14, R.S. 2477 Historic Roads Concurrent Resolution** (M. Noel), read the first time by short title and referred to the Rules Committee.



**CONSENT CALENDAR**

**H.B. 307**, GENERAL COUNTY POWERS AMENDMENTS, *Hughes*, read the third time by short title and placed on its final passage.

**H.B. 307** passed on the following roll call:

**Yeas, 69; Nays, 1; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Voting in the negative was:** Representative Powell

**Absent or not voting were:** Representatives

Dee	Julie Fisher	Gowans	Hutchings
Webb			

**H.B. 307** transmitted to the Senate for its consideration.

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**H.B. 308**, STATE FIRE CODE ADOPTION, *Kiser*, read the third time by short title and placed on its final passage.

**H.B. 308**, as amended, passed on the following roll call:

**Yeas, 66; Nays, 5; Absent or not voting, 4.****Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dougall	Draxler
Dunnigan	Edwards	Ferry	Janice Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wilcox	Wimmer
Wright	D. Clark		

**Voting in the negative were:** Representatives

S Duckworth	Sandstrom	Seegmiller	Wheatley
Wiley			

**Absent or not voting were:** Representatives

Dee	Julie Fisher	Gowans	Hutchings
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**H.B. 308**, as amended, transmitted to the Senate for its consideration.

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**H.B. 341**, UNIFORM ATHLETE AGENTS ACT, *Ray*, read the third time by short title and placed on its final passage.

**H.B. 341** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.****Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dougall	Draxler

S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Dee	Gowans	Hutchings	Vickers
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**H.B. 341** transmitted to the Senate for its consideration.

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**S.B. 126**, SUBDIVISION AMENDMENTS, *Morley*, read the third time by short title and placed on its final passage.

**S.B. 126**, as amended, passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez-Houck	S. Clark
Cosgrove	Daw	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel

Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Dee	Gowans	Hutchings	Vickers
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**S.B. 126**, as amended, returned to the Senate for further consideration.

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**H.J.R. 27**, AUTHENTIC CHARITY HEALTH CARE JOINT RESOLUTION, *Newbold*, read the third time by short title and placed on its final passage.

**H.J.R. 27** passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
F Gibson	K Gibson	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Dee	Froerer	Garn	Gowans
Hutchings	Menlove		

**H.J.R. 27** transmitted to the Senate for its consideration.

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**S.C.R. 2**, REDUCING PRESCRIPTION DRUG MISUSE RESOLUTION, *Beck*, read the third time by short title and placed on its final passage.

**S.C.R. 2** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Gowans	Sandstrom
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**S.C.R. 2** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

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**S.C.R. 4**, DENTAL HEALTH CARE CONCURRENT RESOLUTION, *Litvack*, read the third time by short title and placed on its final passage.

**S.C.R. 4** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	F Gibson	K Gibson
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Garn	Gowans	Seegmiller
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**S.C.R. 4** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

### CONCURRENCE CALENDAR

On motion of Representative Watkins, the House voted to concur in the Senate amendments to **H.C.R. 3**, ITALIAN–AMERICAN HERITAGE MONTH CONCURRENT RESOLUTION.

**H.C.R. 3**, as amended by the Senate, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall

Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	F Gibson	K Gibson
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Garn                      Gowans

**H.C.R. 3**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Wiley, the House voted to concur in the Senate amendments to **H.B. 11**, LICENSING OF ELEVATOR CONTRACTORS AND ELEVATOR MECHANICS.

**H.B. 11**, as amended by the Senate, passed on the following roll call:

**Yeas, 44; Nays, 29; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Beck
Bird	Biskupski	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Froerer	F Gibson	Greenwood	Hansen
Hemingway	Hendrickson	Hutchings	Johnson
King	Litvack	Mascaro	McIff
Menlove	Moss	Noel	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Vickers
Watkins	Webb	Wheatley	Wiley

**Voting in the negative were:** Representatives

Barrus	Bigelow	Daw	Dee
Dougall	Draxler	Julie Fisher	Fowlke
Frank	K Gibson	Grover	Harper
Herrod	Hughes	Hunsaker	Ipson
Kiser	Last	Lockhart	Mathis
Morley	Newbold	Oda	Sumsion
Wallis	Wilcox	Wimmer	Wright

D. Clark

**Absent or not voting were:** Representatives

Garn	Gowans
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**H.B. 11**, as amended by the Senate, transmitted to the Senate for signature of President.

**CONFERENCE COMMITTEE REPORT**

Mr. Speaker:

February 22, 2010

The Joint Conference Committee comprised of Senators Hillyard, Buttars, and Davis, and Representatives Menlove, Ferry, and Chavez–Houck, recommends **1st Sub. S.B. 90**, MENTAL HEALTH PROFESSIONAL PRACTICE ACT AMENDMENTS, by Senator L. Hillyard, be replaced and favorably recommends **2nd Sub. S.B. 90**, MENTAL HEALTH PROFESSIONAL PRACTICE ACT AMENDMENTS.

Lyle Hillyard, Senate Chair

Ronda Menlove, House Chair

Report filed. On motion of Representative Menlove, the House voted to adopt the Conference Committee Report.

**2nd Sub. S.B. 90** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	F Gibson	K Gibson



Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Garn	Gowans	Kiser
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**2nd Sub. S.B. 90** was returned to the Senate for further consideration.

**THIRD READING CALENDAR**

**H.B. 66**, PROSTHETIC LIMB HEALTH INSURANCE PARITY, *Litvack*, read the third time by short title and placed on its final passage.

On motion of Representative Litvack, the House voted to circle **H.B. 66**.

\* \* \*

**H.B. 246**, RETIREMENT BENEFITS FOR CHARTER SCHOOL EMPLOYEES, *Watkins*, read the third time by short title and placed on its final passage.

**H.B. 246** passed on the following roll call:

**Yeas, 62; Nays, 11; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Beck
Bird	Biskupski	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Draxler	S Duckworth	Dunnigan
Edwards	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	F Gibson
K Gibson	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hunsaker	Hutchings	Ipson	Johnson

King	Kiser	Last	Litvack
Mascaro	McIff	Menlove	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Seegmiller	Seelig	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	D. Clark		

**Voting in the negative were:** Representatives

Barrus	Bigelow	Dougall	Hughes
Lockhart	Mathis	Morley	Sandstrom
Sumsion	Wimmer	Wright	

**Absent or not voting were:** Representatives

Garn	Gowans
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**H.B. 246** transmitted to the Senate for its consideration.

\* \* \*

**1st Sub. H.B. 92**, MOIST SNUFF TAXATION REVISIONS, *Daw*, read the third time by short title and placed on its final passage.

Representative Daw proposed the following amendment:

1. Page 3, Lines 78 through 84

78        (d) except for single-use pouches of loose tobacco, is not  
packaged, produced, sold, or distributed in single-use units, including:

79        (i) tablets;

80        (ii) lozenges;

81        (iii) strips;

82        (iv) sticks; or

83        { (v) pouches; or }

84        { (vi) }        (v) packages containing multiple single-use  
units.

Representative Daw's motion to amend passed on a voice vote.

**1st Sub. H.B. 92**, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Brown	K Gibson	Gowans
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**1st Sub. H.B. 92**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.B. 138**, HAZING PENALTIES, *Moss*, read the third time by short title and placed on its final passage.

Representative McIff proposed the following amendment:

1. Page 2, Lines 47 through 53

House Committee Amendments 2–17–2010

47 (3) An actor who hazes another is guilty of a:

48 (a) class B misdemeanor {~~if there are no aggravating~~  
circumstances~~–~~} except as provided in Subsection (3)(b), (c), (d), or  
(e) ;

49 (b) class A misdemeanor if the act involves:

50 (i) the operation or other use of a motor vehicle;

51 (ii) the { use } consumption of ~~H~~→an ←~~H~~  
alcoholic product as defined in Section 32A–1–105; or

52 (iii) the { use } consumption of a drug or a substance as defined in Section 76-5-113;

53 (c) third degree felony if the act involves the use of a dangerous weapon as defined in

Representative McIff’s motion to amend passed on a voice vote.

**H.B. 138**, as amended, passed on the following roll call:

**Yeas, 54; Nays, 18; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Dee	Draxler	S Duckworth	Dunnigan
Edwards	Ferry	Janice Fisher	Julie Fisher
Froerer	Garn	F Gibson	Greenwood
Hansen	Harper	Hemingway	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Last	Litvack	Lockhart
Mascaro	McIff	Menlove	Moss
Newbold	Painter	Poulson	Powell
Riesen	Seegmiller	Seelig	Vickers
Wallis	Watkins	Wheatley	Wilcox
Wiley	D. Clark		

**Voting in the negative were:** Representatives

Anderson	Daw	Dougall	Fowlke
Frank	K Gibson	Grover	Herrod
Kiser	Mathis	Morley	Noel
Oda	Ray	Sumsion	Webb
Wimmer	Wright		

**Absent or not voting were:** Representatives

Gowans	Hendrickson	Sandstrom
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**H.B. 138**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.J.R. 16**, JOINT RESOLUTION SUPPORTING KANE COUNTY EXPANSION OF CORRECTIONAL FACILITIES, *Noel*, read the third time by short title and placed on its final passage.

On motion of Representative Noel, the House voted to circle **H.J.R. 16**.

\* \* \*

**H.B. 187**, PEACE OFFICER STANDARDS AND TRAINING AMENDMENTS, *Wimmer*, read the third time by short title and placed on its final passage.

On motion of Representative Wimmer, the House voted to delete **H.B. 187** in title and body and insert **1st Sub. H.B. 187** in lieu thereof.

Representatives Cosgrove, Biskupski, and Brown commented.

On motion of Representative Herrod, the House voted to circle **1st Sub. H.B. 187**.

\* \* \*

**H.B. 301**, DISORDERLY CONDUCT AMENDMENTS, *Wimmer*, read the third time by short title and placed on its final passage.

On motion of Representative Wimmer, the House voted to circle **H.B. 301**.

\* \* \*

**H.B. 107**, ANIMAL SHELTER AMENDMENTS, *Seelig*, read the third time by short title and placed on its final passage.

**H.B. 107**, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Greenwood	Grover	Hansen
Harper	Hemingway	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack

Lockhart	Mascaro	Mathis	McCliff
Menlove	Morley	Moss	Newbold
Noel	Oda	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wright	D. Clark	

**Voting in the negative was:** Representative  
Wimmer

**Absent or not voting were:** Representatives  
Gowans                      Hendrickson              Painter

**H.B. 107**, as amended, transmitted to the Senate for its consideration.

### UNFINISHED BUSINESS

On motion of Representative Ray, the House voted to uncircle **H.B. 174**.

**H.B. 174**, LICENSE PLATES AMENDMENTS, *Ray*, was before the House on its final passage.

Representative Harper proposed the following amendment:

1. Page 1, Line 12  
House Committee Amendments 2–16–2010  
12        This bill:
  - ▶ provides that a license plate is not required to be attached to the front of the vehicle if the vehicle was not originally designed and manufactured to hold a front license plate;
2. Page 2, Lines 40 through 41  
House Committee Amendments 2–16–2010:
  - 40        (1) {~~License~~} (a) Except as provided in Subsection (1)(b), license plates issued for a vehicle other than a motorcycle, trailer, or semitrailer
  - 41        shall be attached to the vehicle, one in the front and the other in the rear.
  - (b) A license plate is not required to be attached to the front of the vehicle under this Subsection (1) if the vehicle was not originally designed and manufactured to hold a front license plate.

Representative Daw proposed the following substitute motion to amend:

1. Page 1, Line 16:  
Refer to standing committee report.  
Delete "as a moving traffic violation" and insert "if the vehicle is in motion"
2. Page 2, Line 58:  
Refer to standing committee report.  
Delete "as a moving traffic violation" and insert "if the vehicle is in motion"

Representative Daw's substitute motion to amend passed on a voice vote.

###

Representative Harper proposed the following amendment:

1. Page 1, Line 12  
House Committee Amendments 2-16-2010  
12 This bill:  
▶ provides that a license plate is not required to be attached to the front of the vehicle if the vehicle was not originally designed and manufactured to hold a front license plate;
2. Page 2, Lines 40 through 41  
House Committee Amendments 2-16-2010:  
40 (1) {~~License~~} (a) Except as provided in Subsection (1)(b), license plates issued for a vehicle other than a motorcycle, trailer, or semitrailer  
41 shall be attached to the vehicle, one in the front and the other in the rear.  
(b) A license plate is not required to be attached to the front of the vehicle under this Subsection (1) if the vehicle was not originally designed and manufactured to hold a front license plate.

Representative Harper's motion to amend passed on a voice vote.

Representative Johnson commented.

**H.B. 174**, as amended, passed on the following roll call:

**Yeas, 39; Nays, 33; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Beck	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Draxler	S Duckworth
Dunnigan	Edwards	Janice Fisher	Julie Fisher
Frank	Greenwood	Hansen	Harper
Hemingway	Hendrickson	Hunsaker	Johnson
King	Litvack	McIff	Menlove
Moss	Poulson	Powell	Ray
Riesen	Seegmiller	Seelig	Watkins
Webb	Wheatley	Wiley	

**Voting in the negative were:** Representatives

Allen	Barrus	Bigelow	Bird
Dee	Dougall	Ferry	Fowlke
Froerer	Garn	F Gibson	Grover
Herrod	Hughes	Hutchings	Ipson
Kiser	Last	Lockhart	Mascaro
Mathis	Morley	Newbold	Noel
Oda	Painter	Sandstrom	Sumsion
Wallis	Wilcox	Wimmer	Wright

D. Clark

**Absent or not voting were:** Representatives

K Gibson	Gowans	Vickers
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**H.B. 174**, as amended, transmitted to the Senate for its consideration.

**UNFINISHED BUSINESS**

On motion of Representative Wheatley, the House voted to uncircle **H.J.R. 20**.

**H.J.R. 20**, GREEN SCHOOLS JOINT RESOLUTION, *Wheatley*, was before the House on its final passage. Representatives Morley, Barrus, Dee, Litvack, and Sandstrom commented.

**H.J.R. 20**, as amended, failed to pass on the following roll call:

**Yeas, 21; Nays, 47; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Beck	Black	Chavez–Houck	Cosgrove
S Duckworth	Janice Fisher	Hansen	Hemingway



Hendrickson	Johnson	King	Litvack
McIff	Moss	Poulson	Riesen
Seegmiller	Seelig	Watkins	Wheatley
Wiley			

**Voting in the negative were:** Representatives

Aagard	Allen	Anderson	Barrus
Bigelow	Bird	Brown	S. Clark
Daw	Dee	Dougall	Draxler
Dunnigan	Ferry	Julie Fisher	Frank
Froerer	Garn	F Gibson	K Gibson
Greenwood	Grover	Harper	Hughes
Hunsaker	Hutchings	Kiser	Last
Lockhart	Mascaro	Mathis	Menlove
Morley	Newbold	Noel	Oda
Painter	Powell	Sandstrom	Sumsion
Vickers	Wallis	Webb	Wilcox
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Biskupski	Edwards	Fowlke	Gowans
Herrod	Ipson	Ray	

**H.J.R. 20**, as amended, was filed.

**REPORTS OF STANDING COMMITTEES**

Mr. Speaker: February 19, 2010

The Judiciary Committee recommends **H.B. 278**, GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT AMENDMENTS, by Representative C. Herrod, be replaced and favorably recommends **2nd Sub. H.B. 278**, GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT AMENDMENTS; and

The Judiciary Committee reports a favorable recommendation on **S.C.R. 3**, STATE SOVEREIGNTY CONCURRENT RESOLUTION, by Senator J. S. Adams, with the following amendments:

1. Page 2, Lines 32 through 33:
 

32	{ <del>WHEREAS, the scope of power defined by the Tenth Amendment signifies that the</del>
33	<del>federal government was created by the states specifically to be an agent of the states; }</del> ; and

The Judiciary Committee reports a favorable recommendation on **S.B. 50**, VICTIMS' RIGHTS REVISIONS, by Senator J. S. Adams; and

The Judiciary Committee reports a favorable recommendation on **1st Sub. S.B. 121**, UTAH UNIFORM PROBATE CODE AMENDMENTS, by Senator J. Valentine; and

The Judiciary Committee reports a favorable recommendation on **H.B. 340**, SEXUAL ASSAULT VICTIM PROTOCOLS, by Representative J. Biskupski, and recommends it be placed on the Consent Calendar.

Lorie D. Fowlke, Chair

Reports filed. On motion of Representative Bird, the reports of the Judiciary committee were adopted.

**2nd Sub. H.B. 278**, **S.C.R. 3**, as amended, **S.B. 50**, and **1st Sub. S.B. 121** read the second time by short title and placed on the Third Reading Calendar.

**H.B. 340** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker:

February 19, 2010

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **1st Sub. H.B. 106**, EXPEDITED BACKGROUND CHECKS FOR HUMAN SERVICES PROVIDERS, by Representative J. Seelig; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 136**, JAIL CONTRACTING AND REIMBURSEMENT, by Representative M. Noel, with the following amendments:

1. Page 4, Lines 112 through 113:

112 conviction, the department shall contract with the county  
jail { shall be arranged for by contract between the department and the  
 113 county jail } under the contract procedure and terms of  
Section 64-13e-103 regarding contracts for housing state inmates ;  
 ; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 190**, DISCLOSURE OF METHAMPHETAMINE

CONTAMINATED PROPERTY ACT AMENDMENTS, by Representative S. Mascaro, with the following amendments:

1. Page 2, Line 49:

49 (b) If, in the ordinary course of business, an owner or lessor obtains reliable and credible information that , considering all relevant circumstances,

2. Page 1, Line 18:

18 to exercise reasonable diligence to determine whether the property is contaminated;

▶ explains the reasonable diligence required:

3. Page 2, Line 49:

49 (b) (i) If, in the ordinary course of business, an owner or lessor obtains information that

4. Page 2, Line 52:

52 reasonable diligence to determine whether the property is contaminated.

(ii) The reasonable diligence that an owner is required to exercise under Subsection (1)(b)(i) is the diligence that is reasonable under all the circumstances, and may include, but does not require in all situations, professional examination or testing of the property to determine whether the property is contaminated. ; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 303**, PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, by Representative E. Hutchings; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **S.B. 58**, TRANSPORTATION EXPENSES FOR DEFENDANTS, by Senator J. S. Adams.

Douglas C. Aagard, Chair

Reports filed. On motion of Representative Aagard, the reports of the Law Enforcement and Criminal Justice committee were adopted.

**1st Sub. H.B. 106, H.B. 136**, as amended, **H.B. 190**, as amended, **H.B. 303**, and **S.B. 58** read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker:

February 19, 2010

The Natural Resources, Agriculture, and Environment Committee recommends **H.B. 60**, WATER CONVEYANCE FACILITIES SAFETY ACT, by Representative F. Hunsaker, be replaced and favorably recommends **1st Sub. H.B. 60**, WATER CONVEYANCE FACILITIES SAFETY ACT; and

The Natural Resources, Agriculture, and Environment Committee recommends **H.B. 298**, LAND USE AUTHORITY NOTIFICATION OF CANAL DEVELOPMENT, by Representative B. Ferry, be replaced and favorably recommends **1st Sub. H.B. 298**, LAND USE AUTHORITY NOTIFICATION OF CANAL DEVELOPMENT; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 309**, SURFACE OWNER PROTECTION ACT, by Representative J. Mathis, with the following amendments:

1. Page 3, Line 86 through Page 4, Line 90:

86        { ~~(c) a copy of the legal documents describing the rights of the operator to conduct an oil~~

87        or gas operation on the surface owner's land, including:

88        (i) legal title to the mineral rights or a lease or other agreement with the mineral owner;

89        (ii) any recorded easement; and }

90        { ~~(iii) }        (c) a permit by the Division of Oil, Gas and Mining, including a copy of the~~

2. Page 7, Line 207:

207 the duty to reclaim, no notice, surface use agreement, or bond or other surety is required: { and }

3. Page 7, Line 210:

210 obligations of the parties in respect to surface activities conducted by the operator { } ; and

(3) operations on school and institutional trust lands conducted in accordance with Section 53C-2-409. ; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 179**, OFF-HIGHWAY VEHICLE AND

STREET-LEGAL ALL-TERRAIN VEHICLE REVISIONS, by Representative M. Noel, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 1, Lines 17 through 18:

17       ▶ provides that a street-legal all-terrain vehicle may not  
be operated on an interstate  
18 freeway or a {~~controlled~~} limited access highway;

2. Page 2, Lines 45 through 48:

45       (1) (a) Except as provided in Subsection (1)(b), an all-terrain  
type I or utility type  
46 vehicle that meets the requirements of this section may be operated  
as a street-legal ATV on a  
47 street or highway [~~that is a highway with one lane in each direction~~]  
unless the highway is an  
48 interstate freeway or a { ~~controlled~~ } limited access  
highway as defined in Section 41-6a-102.; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 318**, REVOLVING LOAN FUND FOR CERTAIN ENERGY EFFICIENT PROJECTS AMENDMENTS, by Representative R. Barrus, and recommends it be placed on the Consent Calendar.

Roger E. Barrus, Chair

Reports filed. On motion of Representative Barrus, the reports of the Natural Resources, and Environment committee were adopted.

**1st Sub. H.B. 60**, **1st Sub. H.B. 298**, and **H.B. 309**, as amended, read the second time by short title and placed on the Third Reading Calendar.

**H.B. 179**, as amended, and **H.B. 318** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker:

February 22, 2010

The Government Operations Committee recommends **H.B. 139**, EMERGENCY AND DISASTER MANAGEMENT AMENDMENTS, by Representative C. Oda, be replaced and favorably recommends **1st Sub. H.B. 139**, EMERGENCY AND DISASTER MANAGEMENT AMENDMENTS; and

The Government Operations Committee reports a favorable recommendation on **H.B. 140**, HUMAN RESOURCE MANAGEMENT AMENDMENTS, by Representative B. Dee; and

The Government Operations Committee reports a favorable recommendation on **H.B. 161**, VOTER REGISTRATION AMENDMENTS, by Representative R. Chavez–Houck; and

The Government Operations Committee recommends **H.B. 265**, REAL PROPERTY AMENDMENTS, by Representative G. Froerer, be replaced and favorably recommends **1st Sub. H.B. 265**, REAL PROPERTY AMENDMENTS; and

The Government Operations Committee reports a favorable recommendation on **H.J.R. 31**, HOUSE JOINT RULES LEGISLATIVE REVIEW NOTE PROCEDURES AMENDMENTS, by Representative B. Ferry, and recommends it be placed on the Consent Calendar; and

The Government Operations Committee reports a favorable recommendation on **H.B. 310**, SPENDING LIMITS AMENDMENTS, by Representative R. Bigelow, and recommends it be placed on the Consent Calendar.

Craig A. Frank, Chair

Reports filed. On motion of Representative Frank, the reports of the Government Operations committee were adopted.

**1st Sub. H.B. 139**, **H.B. 140**, **H.B. 161**, and **1st Sub. H.B. 265** read the second time by short title and placed on the Third Reading Calendar.

**H.J.R. 31** and **H.B. 310** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker:

February 22, 2010

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 401**, RESIDENTIAL FACILITIES FOR ELDERLY PERSONS, by Representative B. Daw; and

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 189**, CLOSED MEETINGS AMENDMENTS, by Representative P. Painter, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 1, Lines 13 through 14:  
 13       ▶       allows a closed meeting to be held to discuss the  
 purchase, exchange, lease, or sale  
 14 of a water right or   {~~source of water supply~~}   water  
 shares .
  
2. Page 2, Lines 31 through 37:  
 31       (d) strategy sessions to discuss the purchase, exchange, or lease  
 of real property,  
 32 including any form of a water right or   { source of a water  
 supply }   water shares , if public discussion of the  
 33 transaction would:  
 34       (i) disclose the appraisal or estimated value of the property  
 under consideration; or  
 35       (ii) prevent the public body from completing the transaction on  
 the best possible terms;  
 36       (e) strategy sessions to discuss the sale of real property,  
including any form of a water  
 37 right or   { source of a water supply }   water shares , if ; and

The Political Subdivisions Committee reports a favorable recommendation on **S.C.R. 6**, CONCURRENT RESOLUTION APPROVING CLASSIFICATION OF SOLID WASTE FACILITY SOLID WASTE PERMIT, by Senator B. Goodfellow, and recommends it be placed on the Consent Calendar.

Fred R Hunsaker, Chair

Report filed. On motion of Representative Hunsaker, the report of the Political Subdivisions committee was adopted.

**H.B. 401** read the second time by short title and placed on the Third Reading Calendar.

**H.B. 189**, as amended, and **S.C.R. 6** read the second time by short title and placed on the Consent Calendar.

**BILL RETURNED TO THE RULES COMMITTEE**

Mr. Speaker: February 22, 2010

The Revenue and Taxation Committee has returned **H.B. 90**, INCOME TAX AMENDMENTS, by Representative B. King, to the Rules Committee.

Todd E. Kiser, Chair

Report filed. **H.B. 90** returned to the Rules Committee.

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 22, 2010

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 349**, SALES AND USE TAX AMENDMENTS, by Representative W. Harper, and recommends it be placed on the Consent Calendar.

Todd E. Kiser, Chair

Report filed. On motion of Representative Kiser, the report of the Revenue and Taxation committee was adopted.

**H.B. 349** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker: February 22, 2010

The Workforce Services and Community and Economic Development Committee recommends **H.B. 388**, MOBILE HOME REVISIONS, by Representative J. Dunnigan, be replaced and reports a favorable recommendation on **1st Sub. H.B. 388**, MOBILE HOME REVISIONS with the following amendments:

1. Page 4, Lines 88 through 89:

88        (c) A park operator may reasonably limit the frequency of a  
resident association's use of a common

89 facility if the limitation { ~~is no more restrictive than twice a~~  
~~month~~ } allows use at least once per week .

Steven R. Mascaro, Chair

Report filed. On motion of Representative Mascaro, the report of the Workforce Services and Community and Economic Development committee was adopted.

**1st Sub. H.B. 388**, as amended, read the second time by short title and placed on the Third Reading Calendar.



**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker: February 22, 2010

The Senate passed, **H.B. 232**, MEDICAL LANGUAGE INTERPRETER AMENDMENTS, by Representative R. Chavez–Houck, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communication filed. **H.B. 232** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: February 22, 2010

The Senate passed, as amended, **H.B. 192**, RENEWABLE ENERGY – METHANE GAS, by Representative C. Watkins, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. **H.B. 192** placed on the Concurrence Calendar.

\* \* \*

Mr. Speaker: February 22, 2010

The Senate concurred in the House amendments and passed **S.B. 30**, LOCAL OPTION SALES AND USE TAXES FOR TRANSPORTATION ACT, by Senator W. Niederhauser, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **2nd Sub. S.B. 114**, MOTOR VEHICLE ACCIDENT REPORTS, by Senator D. Stowell, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **S.B. 30** and **2nd Sub. S.B. 114** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

\* \* \*

Mr. Speaker: February 22, 2010

The Senate passed **S.B. 132**, HIGHER EDUCATION SCHOLARSHIP AMENDMENTS, by Senator J. Valentine, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **1st Sub. S.B. 144**, VISION SCREENING AMENDMENTS, by Senator W. Niederhauser, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **S.B. 132** and **1st Sub. S.B. 144** read the first time by short title and referred to the Rules Committee.

### **RULES COMMITTEE REPORTS**

Mr. Speaker: February 22, 2010

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

**1st Sub. S.B. 41** Drug Utilization Review Board Amendments  
(Sen. P. Knudson); and

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 331**, Waste Fee and Related Amendments (Rep. R. Menlove) be replaced with **1st Substitute H.B. 331**, Waste Fee and Related Amendments, and further recommends it be assigned to the House Health and Human Services Standing Committee.

Ben C. Ferry, Chair

Reports filed. On motion of Representative Ferry, the reports of the Rules Committee were adopted.

### **RULES COMMITTEE REPORT**

Mr. Speaker: February 22, 2010

The Rules Committee recommends the following bills and resolutions be assigned to standing committees:

#### **BUSINESS AND LABOR**

**H.B. 223** Alcoholic Beverage Control Act and Restaurant Licenses  
(Rep. G. Froerer)

**H.B. 280** Real Property – Notice of Transfer Fees  
(Rep. R. Lockhart)

**H.B. 431** Identity Verification by Department of Commerce  
(Rep. M. Morley)

#### **EDUCATION**

**H.B. 393** Advertisements on School Buses (Rep. J. Bird)

**S.B. 56** School Reporting Amendments (Sen. K. Morgan)

**GOVERNMENT OPERATIONS**

- H.B. 153** Recycling of Electronic Items (Rep. R. Edwards)
- H.B. 402** Department of Administrative Services Modifications (Rep. S. Clark)
- H.B. 406** State Fair Park Amendments (Rep. J. Gowans)
- H.C.R. 4** Veterans Freedom Memorial Concurrent Resolution (Rep. G. Hughes)

**HEALTH AND HUMAN SERVICES**

**H.B. 170** Foster Care Revisions (Rep. K. Gibson)

**LAW ENFORCEMENT AND CRIMINAL JUSTICE**

- H.B. 312** Medical Expenses for Offenders (Rep. P. Ray)
- H.B. 337** Uniform Driver License Act Amendments (Rep. R. Lockhart)
- H.B. 380** Firearm Laws Amendments (Rep. S. Sandstrom)
- H.C.R. 15** Resolution to the Secretary of Transportation on Revocation of Driver Licenses (Rep. R. Lockhart)

**POLITICAL SUBDIVISIONS**

**H.B. 435** Dixie State College – Nonprofit Entities (Rep. D. Ipson)

**RETIREMENT AND INDEPENDENT ENTITIES**

- 1st Sub. S.B. 43** Post-retirement Employment Amendments (Sen. D. Liljenquist)
- 2nd Sub. S.B. 63** New Public Employees’ Tier II Contributory Retirement Act (Sen. D. Liljenquist)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

**MISCELLANEOUS BUSINESS**

On motion of Representative Garn, the House voted to recess until 2:00 p.m.

**AFTERNOON SESSION**

The House was called to order by Speaker Clark at 2:00 p.m.

## COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 22, 2010

The President of the Senate has signed **1st Sub. H.B. 20**, AMENDMENTS TO HEALTH INSURANCE COVERAGE IN STATE CONTRACTS, by Representative J. Dunnigan, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 39**, INSURANCE RELATED AMENDMENTS, by Representative J. Dunnigan, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 75**, ASSESSMENT AREA AMENDMENTS, by Representative G. Froerer, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 88**, ELECTRONIC CIGARETTE RESTRICTIONS, by Representative R. Menlove, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 219**, DELINQUENT PROPERTY TAX AMENDMENTS, by Representative G. Froerer, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **1st Sub. H.B. 20**, **1st Sub. H.B. 39**, **1st Sub. H.B. 75**, **H.B. 88**, and **1st Sub. H.B. 219** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

## INTRODUCTION OF BILLS

**H.B. 160, Campaign Finance Provisions** (B. King), read the first time by short title and referred to the Rules Committee.

**H.B. 347, Guardianship Amendments** (K. Powell), read the first time by short title and referred to the Rules Committee.

**H.B. 366, Motor Vehicle Business Regulation Act Amendments** (B. Daw), read the first time by short title and referred to the Rules Committee.

## THIRD READING CALENDAR

**H.B. 231, WATER RIGHTS PRIORITIES IN TIMES OF SHORTAGE**, *K. Gibson*, read the third time by short title and placed on its final passage.

On motion of Representative Dee, the House voted to circle **H.B. 231**.

\* \* \*

**H.C.R. 11**, TAIWAN CONCURRENT RESOLUTION, *Lockhart*, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House voted to circle **H.C.R. 11**.

\* \* \*

**H.B. 315**, UTAH PUBLIC NOTICE WEBSITE AMENDMENTS, *Powell*, read the third time by short title and placed on its final passage.

**H.B. 315**, as amended, passed on the following roll call:

**Yeas, 53; Nays, 15; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Chavez–Houck	Cosgrove	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Froerer
Garn	Greenwood	Grover	Harper
Hemingway	Hendrickson	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Mascaro
Mathis	McIff	Menlove	Moss
Oda	Painter	Poulson	Powell
Riesen	Seelig	Vickers	Wallis
Watkins	Webb	Wheatley	Wiley
D. Clark			

**Voting in the negative were:** Representatives

Daw	Dee	Dougall	Frank
F Gibson	Lockhart	Morley	Newbold
Noel	Ray	Sandstrom	Seegmiller
Wilcox	Wimmer	Wright	

**Absent or not voting were:** Representatives

Brown	S. Clark	K Gibson	Gowans
Hansen	Herrod	Sumsion	

**H.B. 315**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.B. 316**, DISABLED VETERANS PROPERTY TAX EXEMPTION AMENDMENTS, *Hughes*, read the third time by short title and placed on its final passage. Representative Dunnigan commented.

**H.B. 316**, as amended, passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Riesen	Sandstrom	Seegmiller	Seelig
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

S. Clark	Gowans	Herrod	Ray
Sumsion			

**H.B. 316**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.B. 381**, MUNICIPAL LAND USE PROVISIONS, *Sandstrom*, read the third time by short title and placed on its final passage.

**H.B. 381**, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McCliff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Gowans	Herrod	Sumsion
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**H.B. 381**, as amended, transmitted to the Senate for its consideration.

**SPECIAL ORDER OF BUSINESS**

**H.B. 80**, PUBLIC ACCESS TO PRIVATE STREAM BEDS, *Fowlke*, read the third time by short title and placed on its final passage.

Representative Fowlke proposed the following amendment:

- 1. Page 4, Lines 96 through 110

House Committee Amendments 2–16–2010

96     ~~6~~ → ~~(6)~~ (7) ← ~~6~~   “Private property to which access is restricted” means privately owned real

97     property:

98     (a) that is cultivated land, as defined in Section 23–20–14;

99     (b) that is:

100 (i) properly posted, as defined in Section 23-20-14;  
 101 (ii) posted as described in Subsection 76-6-206(2)(b)(iii); or  
 102 (iii) posted as described in Subsection 76-6-206.3(2)(c);  
 103 (c) that is fenced or enclosed as described in:  
 104 (i) Subsection 76-6-206(2)(b)(ii); or  
 105 (ii) Subsection 76-6-206.3(2)(b); { ~~or~~ }  
 106 (d) that the owner or a person authorized to act on the owner's  
 107 behalf has requested a  
 108 person to leave as provided by:  
 109 (i) Section 23-20-14;  
 110 (ii) Subsection 76-6-206(2)(b)(i); or  
 111 (iii) Subsection 76-6-206.3(2)(a) { ~~;~~ } ; or  
 112 (e) that contains a manufacturing, mining, or other industrial  
 113 operation, if the property is:  
 114 (i) fenced; and  
 115 (ii) posted with signs declaring that access is restricted to authorized  
 116 personnel or not open to the public.

2. Page 5, Lines 141 through 143

House Committee Amendments 2-16-2010:

141 (2) (a) { A } Except as provided in Subsection  
 142 (2)(b) or (c), a person possessing a valid public access certificate in  
 143 accordance with Section  
 144 73-6a-202 who engages in recreational activity in a public water  
 145 containing sufficient water at  
 146 the time to support the recreational activity may touch a private bed  
 147 without permission.

(b) A person may not touch a private bed on private property to which access is restricted if entry on the property would require the owner of the property, or the operator of a manufacturing, mining, or industrial operation on the property to amend or apply for a permit or other authorization, or otherwise comply with an additional regulatory requirement of state or federal government.

(c) A person may not engage in recreational activity on a public water within 100 yards of an occupied residence on private property to which access is restricted during the time beginning at half an hour after sunset and ended half an hour before sunrise.



Representative Fowlke’s motion to amend passed on a voice vote.

Representatives Allen, Draxler, King, Riesen, Dunnigan, Hughes, Froerer, Noel, Brown, Ferry, and Wright commented.

Representatives Froerer and Noel declared conflicts of interest because they live along rivers.

**H.B. 80**, as amended, then failed to pass on the following roll call:

**Yeas, 23; Nays, 50; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Allen	Beck	Bird	Biskupski
Black	Chavez–Houck	S. Clark	Cosgrove
Daw	Draxler	Edwards	Janice Fisher
Fowlke	Greenwood	Hemingway	Hughes
Johnson	King	Litvack	Lockhart
Poulson	Riesen	Seegmiller	

**Voting in the negative were:** Representatives

Aagard	Anderson	Barrus	Bigelow
Brown	Dee	Dougall	S Duckworth
Dunnigan	Ferry	Julie Fisher	Frank
Froerer	Garn	F Gibson	K Gibson
Grover	Hansen	Hendrickson	Herrod
Hunsaker	Hutchings	Ipson	Kiser
Last	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Powell
Ray	Sandstrom	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

Gowans	Harper
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**H.B. 80**, as amended, was filed.

\* \* \*

**H.B. 141**, RECREATIONAL USE OF PUBLIC WATER ON PRIVATE PROPERTY, *McIff*, read the third time by short title and placed on its final passage.

On motion of Representative Brown, the House voted to delete **H.B. 141** in title and body and insert **1st Sub. H.B. 141** in lieu thereof.

Representative Allen commented.

Representative Powell proposed the following amendment:

1. Page 4, Line 109:  
Delete “; or” and insert a period.
2. Page 4, Line 110:  
Delete “(e) that is not the bed of a navigable water.”

On substitute motion of Representative Dougall, the House voted to circle **1st Sub. H.B. 141**.

#### MISCELLANEOUS BUSINESS

On motion of Representative Garn, and at 4:20 p.m., the House voted to adjourn until February 23, 2010, at 10:00 a.m.

# TWENTY-NINTH DAY

\* \* \*

## MORNING SESSION

The House was called to order by Speaker Clark at 10:00 a.m.

Roll call showed all members present.

Prayer offered by Casey Gleave, Representative Paul Ray's intern. Pledge of Allegiance led by Representative Ray's guests, the Clearfield High School ROTC, consisting of the following members: Group Captain Cadet Adam Thurman; Cadet Jorge Lerma; Cadet T. J. Boender; Cadet Robert Estrada, Jr.; Cadet Eric Takacs; and Major Kit Workman – Senior Aerospace Instructor, Clearfield High School Air Force Junior ROTC.

## COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 22, 2010

The President of the Senate has signed **H.B. 11**, LICENSING OF ELEVATOR CONTRACTORS AND ELEVATOR MECHANICS, by Representative L. Wiley, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.C.R. 3**, ITALIAN-AMERICAN HERITAGE MONTH CONCURRENT RESOLUTION, by Representative C. Watkins, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 11** and **H.C.R. 3** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

## INTRODUCTION OF BILLS

**H.B. 372, Wrongful Death of Unborn Child** (C. Wimmer), read the first time by short title and referred to the Rules Committee.

**H.B. 404, Motor Vehicle Business Amendments** (D. Ipson), read the first time by short title and referred to the Rules Committee.

## CONCURRENCE CALENDAR

On motion of Representative Watkins, the House voted to concur in the Senate amendments to **H.B. 192**, RENEWABLE ENERGY – METHANE GAS.

**H.B. 192**, as amended by the Senate, passed on the following roll call:

**Yeas, 65; Nays, 0; Absent or not voting, 10.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Frank
Froerer	Garn	F Gibson	K Gibson
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Hunsaker	Hutchings
Ipson	King	Kiser	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Vickers	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
D. Clark			

**Absent or not voting were:** Representatives

Fowlke	Gowans	Herrod	Hughes
Johnson	Last	Painter	Sumsion
Wallis	Wright		

**H.B. 192**, as amended by the Senate, transmitted to the Senate for signature of President.

**UNFINISHED BUSINESS**

On motion of Representative McIff, the House voted to uncircle **1st Sub. H.B. 141**.

**1st Sub. H.B. 141**, RECREATIONAL USE OF PUBLIC WATER ON PRIVATE PROPERTY, *McIff*, was before the House on its final passage.

Representative McIff proposed the following amendment:

1. Page 4, Lines 104 through 110  
104     (ii) Subsection 76–6–206.3(2)(b); or

- 105 (d) that the owner or a person authorized to act on the owner’s behalf has requested a
- 106 person to leave as provided by:
- 107 (i) Section 23–20–14;
- 108 (ii) Subsection 76–6–206(2)(b)(i); or
- 109 (iii) Subsection 76–6–206.3(2)(a) { ~~–; or~~
- 110 (e) that is not the bed of a navigable water } .

Representative McIff’s motion to amend passed on a voice vote.

Representatives Mascaro, K. Gibson, Powell, Lockhart, Moss, Allen, Hughes, Ferry, Fowlke, and Noel commented.

**1st Sub. H.B. 141**, as amended, passed on the following roll call:

**Yeas, 50; Nays, 25; Absent or not voting, 0.**

**Voting in the affirmative were:** Representatives

Agard	Anderson	Barrus	Bird
Brown	Dee	Draxler	S Duckworth
Dunnigan	Ferry	Julie Fisher	Frank
Froerer	Garn	K Gibson	Gowans
Greenwood	Grover	Hansen	Hendrickson
Herrod	Hunsaker	Hutchings	Ipson
Kiser	Last	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Powell	Ray	Sandstrom	Seelig
Sumsion	Vickers	Wallis	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Voting in the negative were:** Representatives

Allen	Beck	Bigelow	Biskupski
Black	Chavez–Houck	S. Clark	Cosgrove
Daw	Dougall	Edwards	Janice Fisher
Fowlke	F Gibson	Harper	Hemingway
Hughes	Johnson	King	Litvack
Lockhart	Poulson	Riesen	Seegmiller
Watkins			

**1st Sub. H.B. 141**, as amended, transmitted to the Senate for its consideration.

### THIRD READING CALENDAR

**H.B. 173**, 911 AMENDMENTS, *Dee*, read the third time by short title and placed on its final passage.

On motion of Representative Dee, the House voted to delete **H.B. 173** in title and body and insert **1st Sub. H.B. 173** in lieu thereof.

Representative Dee proposed the following amendment:

1. Page 4, Line 106:  
Delete "Commission" and insert "Council" and delete "commission" and insert "council"

Representative Dee's motion to amend passed on a voice vote.

**1st Sub. H.B. 173**, as amended, passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hendrickson	Herrod	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Bigelow	Ferry	Hemingway	Hughes
Last	Ray		

**1st Sub. H.B. 173**, as amended, transmitted to the Senate for its consideration.

**REPORTS OF STANDING COMMITTEES**

Mr. Speaker: February 22, 2010

The Business and Labor Committee reports a favorable recommendation on **H.B. 398, SEXUALLY ORIENTED BUSINESS LICENSE AMENDMENTS**, by Representative F.J. Seegmiller.

James A. Dunnigan, Chair

Report filed. On motion of Representative Dunnigan, the report of the Business and Labor committee was adopted.

**H.B. 398** read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker: February 22, 2010

The Education Committee reports a favorable recommendation on **S.B. 55, AUTHORIZATION OF CHARTER SCHOOLS BY HIGHER EDUCATION INSTITUTIONS**, by Senator J. S. Adams, with the following amendments:

- 1. Page 2, Line 56 through Page 2a, Line 58  
Senate 2nd Reading Amendments 2-8-2010:

56        (2) “Board of trustees of a higher education institution” or “board of trustees” means ;

57        (a) the board of trustees of § → [a university or community college listed in Section 53B-1-102.] :

57a        { (a) }        (i) the University of Utah;

57b        { (b) }        (ii) Utah State University;

57c        { (c) }        (iii) Weber State University;

57d        { (d) }        (iv) Southern Utah University; ← §

57e        § → { (e) }        (v) Snow College;

57f        { (f) }        (vi) Dixie State College of Utah;

57g        { (g) }        (vii) the College of Eastern Utah;

57h        { (h) }        (viii) Utah Valley University; or

57i { ~~(i)~~ } (ix) Salt Lake Community College { ~~z~~ } or

(b) the campus board of directors of a college campus within the Utah College of Applied Technology. ←§

58 [~~(2)~~] (3) “Chartering entity” means the entity that authorizes the establishment of a

2. Page 9, Lines 246 through 248

Senate 2nd Reading Amendments 2–8–2010:

246 (1) Subject to the approval of the State Board of Education and except as provided in Subsection (7), an individual or entity

247 identified in Section 53A–1a–504 may enter into an agreement with a board of trustees of a

248 higher education institution to establish and operate a charter school.

3. Page 10, Line 287

Senate 2nd Reading Amendments 2–8–2010:

287 assist them in understanding and performing their charter obligations.

(7)(a) In addition to complying with the requirements of this section, a campus board of directors of a college campus within the Utah College of Applied Technology shall obtain the approval of the Utah College of Applied Technology Board of Trustees before entering into an agreement to establish and operate a charter school.

(b) The Utah College of Applied Technology Board of Trustees shall establish a policy for granting approval to a campus board of directors to enter into an agreement to establish and operate a charter school.

4. Page 2, Line 29

Senate 2nd Reading Amendments 2–8–2010:

29 {–None–} This bill coordinates with S.B. 69, College of Eastern Utah Affiliation with Utah State University, by making substantive amendments.

5. Page 12, Line 366:

366 (c) another arrangement.



Section 9. Coordinating S.B. 55 with S.B. 69 -- Modifying Substantive Language.

If this S.B. 55 and S.B. 69, College of Eastern Utah Affiliation with Utah State University, both pass, it is the intent of the Legislature that the Office of Legislative Research and General Counsel in preparing the database for publication delete the subsection referencing "the College of Eastern Utah" in Subsection 53A-1a-501.3(2) in S.B. 55 and renumber the remaining subsections accordingly.

Gregory H. Hughes, Chair

Report filed. On motion of Representative Hughes, the report of the Education committee was adopted.

**S.B. 55**, as amended, read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker: February 22, 2010

The Health and Human Services Committee reports a favorable recommendation on **H.B. 437**, PHLEBOTOMY CERTIFICATION ACT, by Representative F.J. Seegmiller; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 39**, HEALTH INSURANCE PRIOR AUTHORIZATION AMENDMENTS, by Senator K. Mayne.

Paul Ray, Chair

Reports filed. On motion of Representative Garn, the reports of the Health and Human Services committee were adopted.

**H.B. 437** and **S.B. 39** read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker: February 23, 2010

The Judiciary Committee reports a favorable recommendation on **H.B. 150**, ADMINISTRATIVE SUBPOENA AMENDMENTS, by Representative B. Daw, with the following amendments:

1. Page 1, Lines 23 through 24:  
23 the commission of a criminal offense, to {~~include~~} specify  
when the agency reasonably

24 believes ~~{the criminal}~~ a felony offense or stalking  
or electronic communication harassment may have been committed.

2. Page 3, Lines 67 through 68:

67 communications system or service or remote computing service  
has been ~~{ or may have been }~~

68 used in the commission of [the] ~~{ a criminal }~~ any  
felony offense , or the offense of stalking under Section 76-5-106.5  
or electronic communication harassment under Section 76-9-201. ,  
the prosecutor may issue an administrative

3. Page 3, Lines 87 through 88:

87 produce any records under ~~{Subsection}~~ Subsections

(2) (a) through (g) that are reasonably relevant to the investigation of

88 the suspected [sexual offense against a minor] ~~{ criminal~~  
~~activity or }~~ felony offense , or the offense of stalking under  
Section 76-5-106.5 or electronic communication harassment under  
Section 76-9-201. as described in the; and

The Judiciary Committee reports a favorable recommendation on **H.B. 364**, RIGHT OF IDENTITY THEFT VICTIM TO CIVIL CAUSE OF ACTION, by Representative Julie Fisher, and recommends it be placed on the Consent Calendar.

Lorie D. Fowlke, Chair

Reports filed. On motion of Representative Bird, the reports of the Judiciary committee were adopted.

**H.B. 150**, as amended, read the second time by short title and placed on the Third Reading Calendar.

**H.B. 364** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker:

February 23, 2010

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 348**, SHERIFFS FEES, by Representative R. Greenwood, with the following amendments:

1. Page 4, Lines 102 through 103:

102 (b) The fee amount described in Subsection (7)(a) { does not  
apply if } cannot be changed by a county legislative

103 body { ~~has set the fee amount~~ } under Subsection (1).; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **S.B. 102**, RESTRICTING THE MOVEMENT OF A MOTOR VEHICLE, by Senator B. Goodfellow; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **S.J.R. 2**, JOINT RESOLUTION ON COMBATING AND REDUCING GANG ACTIVITY, by Senator L. Robles, and recommends it be placed on the Consent Calendar.

Douglas C. Aagard, Chair

Reports filed. On motion of Representative Aagard, the reports of the Law Enforcement and Criminal Justice committee were adopted.

**H.B. 348**, as amended, and **S.B. 102** read the second time by short title and placed on the Third Reading Calendar.

**S.J.R. 2** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker:

February 23, 2010

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 143**, EMINENT DOMAIN AUTHORITY, by Representative C. Herrod, with the following amendments:

1. Page 1, Lines 10 through 11:

10 possessed by the federal government unless the property { is  
owned } was acquired by the federal

11 government with the consent of the Legislature and in  
accordance with the United States Constitution Article I, Section 8,

2. Page 2, Lines 29 through 31:

29 Property which may be taken under this part includes property  
possessed by the federal

30 government unless the property { ~~is owned~~ } was  
acquired by the federal government with the consent of the  
Legislature and in accordance with the

31 United States Constitution Article I, Section 8, Clause 17. ; and

The Natural Resources, Agriculture, and Environment Committee recommends **H.B. 323**, SCHOOL AND INSTITUTIONAL TRUST LANDS AMENDMENTS, by Representative K. Sumsion, be replaced and favorably recommends **1st Sub. H.B. 323**, SCHOOL AND INSTITUTIONAL TRUST LANDS AMENDMENTS; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 324**, PUBLIC LANDS LITIGATION, by Representative K. Sumsion, with the following amendments:

1. Page 1, Line 13:

13 • certain eminent domain or quiet title actions to facilitate the state's ability to manage school

2. Page 2, Lines 29 through 30:

29 (2) In accordance with Title 78B, Chapter 6, { ~~Part 5,~~  
~~Eminent Domain~~ } Particular Proceedings, the attorney  
 30 general shall file an eminent domain action or a quiet title action  
to obtain a judicial declaration of the existence of an easement of  
access on property possessed by the federal government

3. Page 2, Lines 37 through 38:

37 (3) The attorney general shall file an eminent domain action  
or quiet title action described in Subsection  
 38 (2) { ~~for a fee simple~~ } on property possessed by the federal  
government:

4. Page 2, Line 40:

40 (i) on Spring Creek Road located in the { ~~western~~ }  
~~eastern~~ half of section 3, township 38 south.

5. Page 6, Line 177:

177 (cxxvi) section 13, except the northeast quarter of the  
{ ~~southeast~~ } southwest quarter of section 13, ; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 332**, UTAH AGRICULTURAL CODE AMENDMENTS, by Representative C. Watkins.

Roger E. Barrus, Chair

Reports filed. On motion of Representative Barrus, the reports of the Natural Resources, Agriculture, and Environment committee were adopted.

**H.B. 143**, as amended, **1st Sub. H.B. 323**, **H.B. 324**, as amended, and **H.B. 332** read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker: February 23, 2010

The Transportation Committee reports a favorable recommendation on **H.B. 327**, AUTISM AWARENESS SUPPORT SPECIAL GROUP LICENSE PLATE, by Representative R. Edwards, with the following amendments:

1. Page 12, Lines 338 through 339:

338 (4) { ~~The~~ } Upon appropriation by the Legislature,  
the superintendent shall distribute funds in the account to one or more  
charitable

339 organizations that:

2. Page 12, Line 360:

360 (v) pay the costs of { ~~administering and distributing funds~~  
~~under this section~~ } issuing or reordering Autism Awareness  
Support special group license plate decals .

Bradley M. Daw, Chair

Report filed. On motion of Representative Daw, the report of the Transportation committee was adopted.

**H.B. 327**, as amended, read the second time by short title and placed on the Third Reading Calendar.

### **RULES COMMITTEE REPORT**

Mr. Speaker: February 23, 2010

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 133**, Release of Court Documents and Child Interviews (Rep. L. Fowlke) be replaced with **1st Substitute H.B. 133**, Release of Court Documents and Child Interviews, and further recommends it be assigned to the House Judiciary Standing Committee.

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

### RULES COMMITTEE REPORT

Mr. Speaker:

February 23, 2010

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 209**, Sex Offender Regulation Amendments (Rep. C. Watkins) be amended as follows and further recommends it be assigned to the House Law Enforcement and Criminal Justice Standing Committee:

1. Page 1, Lines 13 through 17:

13       ► provides that in addition to the annual fee of \$100  
that registered sex offenders are currently

14 required to pay to the Department of Corrections {~~be changed~~  
so that the offender

15 pays \$50 to the Department of Corrections and \$50 to—} a fee  
of not more than \$25 may be assessed by the agency other than the  
Department of Corrections, that registers the

16 offender {~~—, which may be a local law enforcement entity or the~~  
Department of

17 ~~Corrections—}~~ .

2. Page 14, Line 404:

404       (i) pay to the department an annual fee of {~~+~~} \$100 {~~—~~}  
{~~\$50~~} each year the offender is subject

3. Page 14, Line 406:

406       (ii) pay to the registering agency {~~under Subsection~~  
{~~9)(a)~~} } if it is an agency other than the Department of  
Corrections, an annual fee of {~~\$50~~} not more than \$25,  
which may be assessed by that agency for providing registration .

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

### RULES COMMITTEE REPORT

Mr. Speaker:

February 23, 2010

The Rules Committee recommends the following bills and resolutions be assigned to standing committees:

**BUSINESS AND LABOR**

- H.B. 320** Utah Construction Trades Licensing Act – Alarm Companies Amendments (Rep. C. Herrod)
- H.B. 408** Hospital Claims Management (Rep. B. Last)

**EDUCATION**

- H.B. 350** Club Teams in Public Schools (Rep. S. Sandstrom)
- S.B. 132** Higher Education Scholarship Amendments (Sen. J. Valentine)
- 1st Sub. S.B. 144** Vision Screening Amendments (Sen. W. Niederhauser)

**GOVERNMENT OPERATIONS**

- H.B. 155** Agricultural Advisory Board and Livestock Related Policy (Rep. J. Mathis)
- H.B. 363** Municipal Election Amendments (Rep. C. Frank)

**HEALTH AND HUMAN SERVICES**

- H.B. 379** Barber, Cosmetologist/barber, Esthetician, Electrologist, and Nail Technician Licensing Act Amendments (Rep. M. Newbold)

**JUDICIARY**

- H.B. 409** Civil Action for Damages Related to Addiction from Illegal Drug Sale (Rep. C. Herrod)

**PUBLIC UTILITIES AND TECHNOLOGY**

- H.J.R. 33** Marking of Underground Utilities Joint Resolution (Rep. M. Brown)

**REVENUE AND TAXATION**

- H.B. 5** Revenue Bond and Capital Facilities Authorizations (Rep. S. Clark)

**TRANSPORTATION**

- H.B. 130** Cancer Research Special Group License Plate (Rep. B. Dee)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

**MISCELLANEOUS BUSINESS**

On motion of Representative Garn, the House voted to recess until 2:00 p.m.

## AFTERNOON SESSION

The House was called to order by Speaker Clark at 2:00 p.m.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 23, 2010

The Senate passed, **H.B. 109**, VOLUNTEER GOVERNMENT WORKERS ACT DEFINITIONS, by Representative J. Biskupski, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 222**, LAND USE MEETING NOTICE, by Representative T. Beck, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 109** and **H.B. 222** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: February 23, 2010

The Senate adopted the Joint Conference Committee Report dated February 23, 2010, and passed **2nd Sub. S.B. 90**, MENTAL HEALTH PROFESSIONAL PRACTICE ACT AMENDMENTS, by Senator L. Hillyard, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **S.B. 126**, SUBDIVISION AMENDMENTS, by Senator J. S. Adams, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **2nd Sub. S.B. 90** and **S.B. 126** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

\* \* \*

Mr. Speaker: February 23, 2010

The Senate passed, as amended, **S.B. 38**, RESTRICTIONS ON HIGH OCCUPANCY VEHICLE LANE, by Senator K. Morgan, and it is transmitted for consideration; and



The Senate passed **S.B. 61**, SALES AND USE TAX EXEMPTION FOR A WEB SEARCH PORTAL, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **1st Sub. S.B. 89**, LEGAL NOTICE AMENDMENTS, by Senator S. Urquhart, and it is transmitted for consideration; and

The Senate passed **S.B. 173**, BUSINESS ENTITY AMENDMENTS, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed **S.B. 213**, DIVISION OF SERVICES FOR PEOPLE WITH DISABILITIES ADVISORY COUNCIL, by Senator A. Christensen, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **S.B. 38**, **S.B. 61**, **1st Sub. S.B. 89**, **S.B. 173**, and **S.B. 213** read the first time by short title and referred to the Rules Committee.

### INTRODUCTION OF BILLS

**H.B. 146, Law Enforcement by Federal Land Management Agency** (M. Noel), read the first time by short title and referred to the Rules Committee.

**H.B. 395, Limitation of Actions Amendments** (M. Noel), read the first time by short title and referred to the Rules Committee.

**H.B. 432, Hate Crime Amendments** (S. Sandstrom), read the first time by short title and referred to the Rules Committee.

**H.B. 433, Foreign Exchange Student Amendments** (C. Wimmer), read the first time by short title and referred to the Rules Committee.

**H.B. 450, Fishing License Amendments – Disabled Veterans** (T. Cosgrove), read the first time by short title and referred to the Rules Committee.

**H.B. 454, Maternity Leave for School Employees** (Janice Fisher), read the first time by short title and referred to the Rules Committee.

**H.C.R. 16, Statue of Responsibility Monument Concurrent Resolution** (M. Morley), read the first time by short title and referred to the Rules Committee.

### THIRD READING CALENDAR

**2nd Sub. H.B. 278**, GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT AMENDMENTS, *Herrod*, read the third time by short title and placed on its final passage. Representatives Biskupski, Fowlke, and Chavez–Houck commented.

**2nd Sub. H.B. 278** passed on the following roll call:

**Yeas, 63; Nays, 10; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Kiser
Last	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Poulson
Ray	Sandstrom	Seelig	Sumsion
Vickers	Wallis	Webb	Wilcox
Wimmer	Wright	D. Clark	

**Voting in the negative were:** Representatives

Biskupski	Johnson	King	Litvack
Powell	Riesen	Seegmiller	Watkins
Wheatley	Wiley		

**Absent or not voting were:** Representatives

Gowans	Painter
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**2nd Sub. H.B. 278** transmitted to the Senate for its consideration.

\* \* \*

**1st Sub. H.B. 106**, EXPEDITED BACKGROUND CHECKS FOR HUMAN SERVICES PROVIDERS, *Seelig*, read the third time by short title and placed on its final passage. Representative Dougall commented.

**1st Sub. H.B. 106** passed on the following roll call:

**Yeas, 70; Nays, 1; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Voting in the negative was:** Representative  
Harper

**Absent or not voting were:** Representatives

Fowlke	Hemingway	Hendrickson	Herrod
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**1st Sub. H.B. 106** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 136, JAIL CONTRACTING AND REIMBURSEMENT**, *Noel*, read the third time by short title and placed on its final passage. Representative McIff commented.

**H.B. 136**, as amended, passed on the following roll call:

**Yeas, 68; Nays, 6; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Allen	Anderson	Barrus	Beck
Bigelow	Bird	Biskupski	Black

Brown	Chavez–Houck	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Hughes	Hunsaker
Ipson	Johnson	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Noel	Oda	Painter	Poulson
Powell	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Voting in the negative were:** Representatives

Aagard	S. Clark	Hutchings	King
Newbold	Ray		

**Absent or not voting was:** Representative  
Herrod

**H.B. 136**, as amended, held for potential reconsideration.

\* \* \*

**H.B. 190**, DISCLOSURE OF METHAMPHETAMINE CONTAMINATED PROPERTY ACT AMENDMENTS, *Mascaro*, read the third time by short title and placed on its final passage. Representatives Hughes and Morley commented.

Representative Morley proposed the following amendment:

1. Page 2, Lines 49–52d:  
Delete lines 49 through 52d.

Representative Froerer commented. Representative Morley’s motion to amend passed on a voice vote.

Representative Hughes declared a conflict of interest because he owns apartments.

**H.B. 190**, as amended, failed to pass on the following roll call:

**Yeas, 19; Nays, 52; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Bird	Biskupski	Black	Chavez–Houck
Cosgrove	Draxler	Edwards	Greenwood
Hutchings	Johnson	King	Litvack
Moss	Oda	Poulson	Powell
Seelig	Wheatley	Wiley	

**Voting in the negative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Brown	S. Clark
Daw	Dee	Dougall	S Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Grover	Hansen
Harper	Hemingway	Hendrickson	Hughes
Hunsaker	Ipson	Kiser	Last
Lockhart	Mascaro	Mathis	Menlove
Morley	Newbold	Noel	Ray
Riesen	Sandstrom	Seegmiller	Sumsion
Vickers	Wallis	Watkins	Webb
Wilcox	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Fowlke	Herrod	McCliff	Painter
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**H.B. 190**, as amended, was filed.

### UNFINISHED BUSINESS

On motion of Representative Beck, the House voted to uncircle **H.B. 13**.

**H.B. 13**, DRUG LAW DEFINITIONS – AMENDMENTS, *Beck*, was before the House on its final passage.

On motion of Representative Beck, the House voted to delete **H.B. 13** in title and body and insert **1st Sub. H.B. 13** in lieu thereof.

Representative Vickers commented.

**1st Sub. H.B. 13** passed on the following roll call:

**Yeas, 64; Nays, 0; Absent or not voting, 11.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Hughes	Hutchings	Ipson
Johnson	Last	Litvack	Lockhart
Mathis	McIff	Morley	Moss
Newbold	Noel	Oda	Poulson
Powell	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Bigelow	Dougall	F Gibson	Herrod
Hunsaker	King	Kiser	Mascaro
Menlove	Painter	Ray	

**1st Sub. H.B. 13** transmitted to the Senate for its consideration.

**THIRD READING CALENDAR**

**H.B. 303**, PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, *Hutchings*, read the third time by short title and placed on its final passage. Representative Fowlke commented.

**H.B. 303** passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	Greenwood

Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hutchings
Ipson	Johnson	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Bigelow	K Gibson	Gowans	Hunsaker
King	Painter		

**H.B. 303** transmitted to the Senate for its consideration.

**COMMUNICATION FROM THE SENATE**

Mr. Speaker: February 23, 2010

The President of the Senate has appointed a Conference Committee consisting of Senators L. Hillyard, D. C. Buttars, and R. Romero to meet with a like committee from the House of Representatives to consider or amend **3rd Sub. S.B. 22**, NOTARY PUBLIC AMENDMENTS, by Senator P. Knudson.

Annette B. Moore  
Secretary of the Senate

Communications filed. The conference committee may now meet.

**UNFINISHED BUSINESS**

On motion of Representative Aagard, the House voted to uncircle **H.C.R. 7**.

**H.C.R. 7**, CREDIT SCORES CONCURRENT RESOLUTION, *Aagard*, was before the House on its final passage.

Representative Aagard proposed the following amendment:

1. Page 2, Lines 46 through 48  
House Committee Amendments 2–16–2010  
46 WHEREAS, when consumers access their free credit report  
from

47 www.AnnualCreditReport.com, they should be given the right to their FICO credit scores annually at no cost;

WHEREAS, credit agencies should not be required to bear any pass through costs from FICO in providing free FICO credit scores once each year to consumers;

Representative Aagard's motion to amend passed on a voice vote.

**H.C.R. 7**, as amended, passed on the following roll call:

**Yeas, 69; Nays, 1; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wright
D. Clark			

**Voting in the negative was:** Representative

Wimmer

**Absent or not voting were:** Representatives

Allen	Dougall	Julie Fisher	Lockhart
Painter			

**H.C.R. 7**, as amended, transmitted to the Senate for its consideration.

\* \* \*

On motion of Representative Hendrickson, the House voted to uncircle **H.B. 63**.



**H.B. 63, TIRE RECYCLING FEE MODIFICATION, *Hendrickson***, was before the House on its final passage.

On motion of Representative Hendrickson, the House voted to refer the bill to the Rules Committee.

\* \* \*

On motion of Representative Seegmiller, the House voted to uncircle **H.B. 82.**

**H.B. 82, PROTECTION OF CHILDREN RIDING IN MOTOR VEHICLES, *Seegmiller***, was before the House on its final passage. Representatives Harper, King, Noel, Daw, Menlove, Powell, Johnson, Ipson, Herrod, and Wimmer commented.

**H.B. 82** passed on the following roll call:

**Yeas, 40; Nays, 31; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Allen	Barrus	Beck	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Draxler	S Duckworth	Dunnigan
Edwards	Janice Fisher	F Gibson	Gowans
Greenwood	Hansen	Hemingway	Hendrickson
Hunsaker	Johnson	King	Litvack
Mascaro	McIff	Menlove	Moss
Poulson	Powell	Ray	Riesen
Seegmiller	Seelig	Vickers	Watkins
Webb	Wheatley	Wilcox	Wiley

**Voting in the negative were:** Representatives

Aagard	Anderson	Bigelow	Bird
Daw	Dee	Dougall	Ferry
Julie Fisher	Frank	Froerer	K Gibson
Grover	Harper	Herrod	Hughes
Ipson	Kiser	Last	Lockhart
Mathis	Morley	Newbold	Noel
Oda	Painter	Sandstrom	Sumsion
Wallis	Wimmer	Wright	

**Absent or not voting were:** Representatives

Fowlke	Garn	Hutchings	D. Clark
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**H.B. 82** transmitted to the Senate for its consideration.

\* \* \*

On motion of Representative Litvack, the House voted to uncircle **H.B. 66**.

**H.B. 66**, PROSTHETIC LIMB HEALTH INSURANCE PARITY, *Litvack*, was before the House on its final passage. Representatives Noel, Mascaro, Dunnigan, Lockhart, and F. Gibson commented.

**H.B. 66**, as amended, passed on the following roll call:

**Yeas, 48; Nays, 25; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Allen	Barrus	Beck	Bigelow
Biskupski	Black	Brown	Chavez–Houck
S. Clark	Cosgrove	Draxler	S Duckworth
Janice Fisher	Fowlke	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Hansen	Hemingway	Hendrickson	Hunsaker
Ipson	Johnson	King	Last
Litvack	Mascaro	McIff	Menlove
Moss	Noel	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley

**Voting in the negative were:** Representatives

Aagard	Anderson	Bird	Daw
Dee	Dougall	Dunnigan	Ferry
Julie Fisher	Frank	Grover	Harper
Herrod	Hughes	Hutchings	Kiser
Lockhart	Mathis	Morley	Newbold
Oda	Painter	Sumsion	Wimmer
Wright			

**Absent or not voting were:** Representatives

Edwards                      D. Clark

**H.B. 66**, as amended, transmitted to the Senate for its consideration.

### MISCELLANEOUS BUSINESS

On motion of Representative Bird, under suspension of the rules, the House voted to reconsider its action on **1st Sub. H.B. 227** on the following roll call:

**Yeas, 39; Nays, 32; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Barrus	Bigelow
Bird	Brown	Daw	Dee
Dunnigan	Julie Fisher	Frank	Froerer
Garn	F Gibson	K Gibson	Greenwood
Grover	Hughes	Hunsaker	Hutchings
Ipson	Kiser	Last	Lockhart
Mathis	McIff	Morley	Newbold
Noel	Oda	Painter	Powell
Ray	Sandstrom	Vickers	Wallis
Wilcox	Wimmer	D. Clark	

**Voting in the negative were:** Representatives

Anderson	Beck	Biskupski	Black
Chavez–Houck	S. Clark	Cosgrove	Dougall
S Duckworth	Ferry	Janice Fisher	Fowlke
Gowans	Hansen	Harper	Hemingway
Hendrickson	Johnson	King	Litvack
Mascaro	Menlove	Moss	Poulson
Riesen	Seegmiller	Seelig	Watkins
Webb	Wheatley	Wiley	Wright

**Absent or not voting were:** Representatives

Draxler	Edwards	Herrod	Sumsion
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### RECONSIDERATION OF 1ST SUB. H.B. 227

**1st Sub. H.B. 227**, LICENSING ELIGIBILITY, was before the House for reconsideration.

On motion of Representative Sandstrom, the House voted to circle **1st Sub. H.B. 227** on the following roll call:

**Yeas, 45; Nays, 24; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Barrus	Bigelow
Bird	Brown	S. Clark	Cosgrove
Daw	Dee	Dunnigan	Ferry
Julie Fisher	Froerer	Garn	F Gibson
K Gibson	Greenwood	Grover	Herrod

Hughes	Hunsaker	Ipson	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Morley	Newbold
Noel	Oda	Painter	Powell
Ray	Sandstrom	Seegmiller	Sumsion
Vickers	Wallis	Webb	Wilcox
Wimmer			

**Voting in the negative were:** Representatives

Anderson	Beck	Black	Chavez–Houck
Dougall	S Duckworth	Janice Fisher	Fowlke
Frank	Gowans	Harper	Hemingway
Hendrickson	Johnson	King	Menlove
Moss	Poulson	Riesen	Seelig
Watkins	Wheatley	Wiley	Wright

**Absent or not voting were:** Representatives

Biskupski	Draxler	Edwards	Hansen
Hutchings	D. Clark		

### THIRD READING CALENDAR

**1st Sub. H.B. 60**, WATER CONVEYANCE FACILITIES SAFETY ACT, *Hunsaker*, read the third time by short title and placed on its final passage. Representatives Ferry, Riesen, Aagard, King, and Litvack commented.

**1st Sub. H.B. 60** passed on the following roll call:

**Yeas, 58; Nays, 14; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Black
Brown	S. Clark	Cosgrove	Daw
Dougall	Draxler	Ferry	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Greenwood	Grover
Hansen	Harper	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Kiser
Last	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Sandstrom

Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wimmer
Wright	D. Clark		

**Voting in the negative were:** Representatives

Biskupski	Chavez–Houck	S Duckworth	Janice Fisher
Gowans	Hemingway	Hendrickson	Johnson
King	Litvack	Riesen	Seegmiller
Seelig	Wiley		

**Absent or not voting were:** Representatives

Dee	Dunnigan	Edwards
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**1st Sub. H.B. 60** transmitted to the Senate for its consideration.

**MISCELLANEOUS BUSINESS**

On motion of Representative Painter, the House voted to lift **H.B. 189** from the Consent Calendar and place it at the bottom of the Third Reading Calendar.

\* \* \*

On motion of Representative Garn, and at 5:10 p.m., the House voted to adjourn until February 24, 2010, at 10:00 a.m.

# THIRTIETH DAY

\* \* \*

## MORNING SESSION

The House was called to order by Speaker Clark at 10:00 a.m.

Roll call showed all members present.

Prayer offered by John Groen. Pledge of Allegiance led by Representative Ethan and Dalton Groen, all guests of Representative Brad Last.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 23, 2010  
 The President of the Senate has signed **H.B. 192**, RENEWABLE ENERGY – METHANE GAS, by Representative C. Watkins, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
 Secretary of the Senate

Communication filed. **H.B. 192** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: February 23, 2010  
 The Senate passed, as amended, **H.B. 103**, REDUCED SPEED SCHOOL ZONE AMENDMENTS, by Representative S. Sandstrom, and it is transmitted for further consideration.

Annette B. Moore  
 Secretary of the Senate

Communication filed. **H.B. 103** placed on the Concurrence Calendar.

\* \* \*

Mr. Speaker: February 23, 2010  
 The Senate passed, as substituted, and amended **1st Sub. S.B. 45**, UTAH FIT PREMISES ACT AMENDMENTS, by Senator W. Niederhauser, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 60**, SEARCH AND RESCUE FUNDING, by Senator R. Okerlund, and it is transmitted for consideration; and

The Senate passed **S.B. 70**, MOTOR VEHICLE LIABILITY AMENDMENTS – MINOR DRIVERS, by Senator S. Urquhart, and it is transmitted for consideration; and

The Senate passed **S.B. 73**, SALES AND USE TAX EXEMPTION RELATING TO AIRCRAFT, by Senator C. Bramble, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 105**, MOTOR VEHICLE ACCIDENT ARBITRATION AMENDMENTS, by Senator S. Urquhart, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **2nd Sub. S.B. 119**, SPECIAL ELECTIONS MODIFICATIONS, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed **S.B. 127**, PUBLIC ASSISTANCE FRAUD AMENDMENTS, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 133**, QUALIFICATIONS OF STATE TAX COMMISSIONERS, by Senator J. S. Adams, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 135**, SALES AND USE TAX EXEMPTION FOR AN ENERGY EFFICIENT STOVE OR ENERGY EFFICIENT STOVE FUEL, by Senator G. Davis, and it is transmitted for consideration; and

The Senate passed, as substituted, **2nd Sub. S.B. 136**, OPEN AND PUBLIC MEETINGS REVISIONS RELATED TO REVIEW OF ETHICS COMPLAINTS, by Senator J. Valentine, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 138**, GRAMA REVISIONS RELATED TO REVIEW OF ETHICS COMPLAINTS, by Senator J. Valentine, and it is transmitted for consideration; and

The Senate passed **S.B. 139**, PHYSICIAN ASSISTANT AMENDMENTS, by Senator C. Bramble, and it is transmitted for consideration; and

The Senate passed **S.B. 147**, EDUCATION RELATED PARENT ORGANIZATIONS, by Senator M. Dayton, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 148**, GUARANTEED ASSET PROTECTION WAIVERS, by Senator J. Stevenson, and it is transmitted for consideration; and

The Senate passed **S.C.R. 7**, CONCURRENT RESOLUTION APPROVING SOLID WASTE FACILITY CLASSIFICATION CHANGE, by Senator W. Niederhauser, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **2nd Sub. S.J.R. 3**, JOINT RESOLUTION ON ETHICS COMPLAINT PROCEDURES, by Senator J. Valentine, and it is transmitted for consideration; and

The Senate passed, as amended, **S.J.R. 5**, JOINT RESOLUTION ON THE SPENDING OF FEDERAL ECONOMIC RENEWAL GRANTS, by Senator K. Mayne, and it is transmitted for consideration.

Annette B. Moore

Secretary of the Senate

Communications filed. **1st Sub. S.B. 45, 1st Sub. S.B. 60, S.B. 70, S.B. 73, 1st Sub. S.B. 105, 2nd Sub. S.B. 119, S.B. 127, 1st Sub. S.B. 133, S.B. 135, 2nd Sub. S.B. 136, 1st Sub. S.B. 138, S.B. 139, S.B. 147, S.B. 148, S.C.R. 7, 2nd Sub. S.J.R. 3, and S.J.R. 5** read the first time by short title and referred to the Rules Committee.

### INTRODUCTION OF BILLS

**H.B. 386, Interstate Compact on Educational Opportunity for Military Children** (G. Hughes), read the first time by short title and referred to the Rules Committee.

**H.B. 399, Common Interest Ownership Amendments** (G. Froerer), read the first time by short title and referred to the Rules Committee.

**H.B. 424, Operation of Bicycles and Mopeds on Roadways** (J. Anderson), read the first time by short title and referred to the Rules Committee.

**H.B. 429, Newspaper Publication Requirements** (J. Anderson), read the first time by short title and referred to the Rules Committee.

### CONSENT CALENDAR

**1st Sub. H.B. 378, MOTOR VEHICLE INSURANCE REQUIREMENTS, Kiser**, read the third time by short title and placed on its final passage.



**1st Sub. H.B. 378** passed on the following roll call:

**Yeas, 62; Nays, 0; Absent or not voting, 13.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Fowlke	Frank	Froerer
F Gibson	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Hughes
Hunsaker	Ipson	Johnson	King
Kiser	Last	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Oda	Poulson
Powell	Riesen	Sandstrom	Seegmiller
Seelig	Vickers	Wallis	Watkins
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

Brown	Julie Fisher	Garn	K Gibson
Gowans	Herrod	Hutchings	Litvack
Noel	Painter	Ray	Sumsion
Webb			

**1st Sub. H.B. 378** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 426, BAIL BOND LICENSEE REPRESENTATION AMENDMENTS,** *Sandstrom*, read the third time by short title and placed on its final passage.

**H.B. 426** passed on the following roll call:

**Yeas, 65; Nays, 0; Absent or not voting, 10.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler

S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Frank	Froerer
Garn	F Gibson	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Oda	Poulson	Powell
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Wheatley	Wilcox	Wiley	Wimmer
Wright			

**Absent or not voting were:** Representatives

Biskupski	Fowlke	K Gibson	Gowans
Hutchings	Noel	Painter	Ray
Webb	D. Clark		

**H.B. 426** transmitted to the Senate for its consideration.

\* \* \*

**H.C.R. 12**, PRINTING AND GRAPHIC ARTS RECOGNITION MONTH CONCURRENT RESOLUTION, *Daw*, read the third time by short title and placed on its final passage.

**H.C.R. 12** passed on the following roll call:

**Yeas, 67; Nays, 0; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Beck
Bigelow	Bird	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Ipson	Johnson	King
Kiser	Last	Lockhart	Mascaro

Mathis	McIff	Menlove	Morley
Newbold	Noel	Oda	Painter
Poulson	Powell	Riesen	Sandstrom
Seegmiller	Sumsion	Vickers	Wallis
Watkins	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Barrus	Biskupski	Hutchings	Litvack
Moss	Ray	Seelig	Webb

**H.C.R. 12** transmitted to the Senate for its consideration.

\* \* \*

**H.C.R. 13**, CONCURRENT RESOLUTION ON PROVIDING CONTINUING FEDERAL FINANCIAL ASSISTANCE FOR THE DELIVERY OF BASIC SERVICES TO DUTCH JOHN, UTAH, *Brown*, read the third time by short title and placed on its final passage.

**H.C.R. 13** passed on the following roll call:

**Yeas, 64; Nays, 0; Absent or not voting, 11.**

**Voting in the affirmative were:** Representatives

Allen	Anderson	Barrus	Beck
Bigelow	Bird	Brown	Chavez–Houck
S. Clark	Cosgrove	Daw	Dee
Dougall	Draxler	S Duckworth	Dunnigan
Edwards	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Hughes	Hunsaker	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Newbold	Noel
Oda	Painter	Poulson	Powell
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Wheatley
Wilcox	Wiley	Wright	D. Clark

**Absent or not voting were:** Representatives

Agard	Biskupski	Black	Ferry
Herrod	Hutchings	Moss	Ray
Riesen	Webb	Wimmer	

**H.C.R. 13** transmitted to the Senate for its consideration.

\* \* \*

**1st Sub. H.B. 311**, AUTISM TREATMENT FUND, *Lockhart*, read the third time by short title and placed on its final passage.

**1st Sub. H.B. 311** passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Newbold	Noel	Oda
Painter	Poulson	Powell	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Daw	Ferry	Hutchings	Moss
Ray	Webb		

**1st Sub. H.B. 311** transmitted to the Senate for its consideration.

**CONFERENCE COMMITTEE REPORT**

Mr. Speaker:

February 23, 2010

The Joint Conference Committee comprised of Senators Hillyard, Butters, and Romero, and Representatives Hunsaker, Bigelow, and King, recommends

**3rd Sub. S.B. 22**, NOTARY PUBLIC AMENDMENTS, by Senator P. Knudson, be replaced and favorably recommends **4th Sub. S.B. 22**, NOTARY PUBLIC AMENDMENTS.

Lyle Hillyard, Senate Chair  
Fred R Hunsaker, House Chair

Report filed. On motion of Representative Hunsaker, the House voted to adopt the Conference Committee Report.

**4th Sub. S.B. 22** passed on the following roll call:

**Yeas, 68; Nays, 1; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Ipson	Johnson
King	Kiser	Last	Litvaek
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Newbold	Noel
Oda	Painter	Poulson	Riesen
Sandstrom	Seegmiller	Seelig	Vickers
Wallis	Watkins	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Voting in the negative was:** Representative Powell

**Absent or not voting were:** Representatives

Ferry	Hutchings	Moss	Ray
Sumsion	Webb		

**4th Sub. S.B. 22** returned to the Senate for further consideration.

**MISCELLANEOUS BUSINESS**

On motion of Representative Mascaro, the House voted to reconsider its action on **H.B. 190**.

### RECONSIDERATION OF H.B. 190

**H.B. 190**, DISCLOSURE OF METHAMPHETAMINE CONTAMINATED PROPERTY ACT AMENDMENTS, was before the House for reconsideration.

On motion of Representative Riesen, the House voted to circle **H.B. 190**.

### THIRD READING CALENDAR

**S.B. 12**, INDIVIDUAL INCOME TAX CONTRIBUTION FOR METHAMPHETAMINE HOUSING RECONSTRUCTION AND REHABILITATION FUND, *Seelig*, read the third time by short title and placed on its final passage.

**S.B. 12**, as amended, passed on the following roll call:

**Yeas, 63; Nays, 5; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Janice Fisher
Julie Fisher	Fowlke	Froerer	Garn
F Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Moss	Newbold
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Vickers	Wallis	Watkins
Wheatley	Wilcox	Wiley	

**Voting in the negative were:** Representatives

K Gibson	Morley	Sumsion	Wimmer
Wright			

**Absent or not voting were:** Representatives

Daw	Ferry	Frank	Hutchings
Noel	Webb	D. Clark	

**S.B. 12**, as amended, returned to the Senate for further consideration.

**UNFINISHED BUSINESS**

On motion of Representative Ipson, the House voted to uncircle **S.B. 20**.

**S.B. 20**, LOCAL DISTRICT AMENDMENTS, *Ipson*, was before the House on its final passage.

**S.B. 20** passed on the following roll call:

**Yeas, 66; Nays, 0; Absent or not voting, 9.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Ipson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Oda	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Vickers	Wallis
Watkins	Wheatley	Wilcox	Wiley
Wimmer	Wright		

**Absent or not voting were:** Representatives

Daw	Ferry	Hutchings	Johnson
Noel	Painter	Sumsion	Webb
D. Clark			

**S.B. 20** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

**SPECIAL RECOGNITION**

Representative F. Gibson introduced and the House recognized the winners of the Springville Art Show High School Competition.

### THIRD READING CALENDAR

**S.B. 76**, TRUST DEED AMENDMENTS, *Fowlke*, read the third time by short title and placed on its final passage. Representative Dunnigan commented.

**S.B. 76** passed on the following roll call:

**Yeas, 67; Nays, 0; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Dee	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Oda
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Sumsion	Vickers
Wallis	Watkins	Wheatley	Wilcox
Wiley	Wimmer	Wright	

**Absent or not voting were:** Representatives

Daw	Dougall	Hutchings	Noel
Painter	Seelig	Webb	D. Clark

**S.B. 76** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.C.R. 3**, STATE SOVEREIGNTY CONCURRENT RESOLUTION, *Wimmer*, read the third time by short title and placed on its final passage.

On motion of Representative Wimmer, the House voted to circle **S.C.R. 3**.

\* \* \*

**S.B. 50**, VICTIMS' RIGHTS REVISIONS, *Webb*, read the third time by short title and placed on its final passage.



On motion of Representative Garn, the House voted to circle **S.B. 50**.

\* \* \*

**1st Sub. S.B. 121**, UTAH UNIFORM PROBATE CODE AMENDMENTS, *King*, read the third time by short title and placed on its final passage.

**Note: 1st Sub. S.B. 121** had a technical issue with the voting system and is reconsidered and voted on in today’s afternoon session.

**UNFINISHED BUSINESS**

On motion of Representative Edwards, the House voted to uncircle **S.B. 85**.

**S.B. 85**, UTAH CONSTRUCTION TRADE LICENSING ACT AMENDMENTS, *Edwards*, was before the House on its final passage.

Representative Edwards proposed the following amendment:

- 1. Page 1, Lines 18 through 19

18   ▶   ~~removes two classes of persons from those who may engage in acts or practices~~

19   ~~included within the practice of construction trades without being licensed—} modifies provisions relating to licensing exemptions for public utilities and persons engaged in minor plumbing work ; and~~

- 2. Page 9, Line 258

258   { ~~construction~~ }   work incidental to their own business;

- 3. Page 11, Line 333 through Page 12, Line 347

333   { { } } (k) (i) a person engaged in minor plumbing work that is incidental , as defined by the division by rule, to the replacement or

334 repair of a fixture or an appliance in a residential or small commercial building, or structure

335 used for agricultural use, as defined in Section 58–56–4, provided that no modification is made

336 to:

337 (A) existing culinary water, soil, waste, or vent piping; or

338 (B) a gas appliance or combustion system; and

339 (ii) except as provided in Subsection (1)(e), installation for the first time of a fixture or

340 an appliance is not included in the exemption provided under Subsection (1)(k)(i);

341 (l) a person who ordinarily would be subject to the plumber licensure requirements

342 under this chapter when installing or repairing a water conditioner or other water treatment

343 apparatus if the conditioner or apparatus:

344 (i) meets the appropriate state construction codes or local plumbing standards; and

345 (ii) is installed or repaired under the direction of a person authorized to do the work

346 under an appropriate specialty contractor license; { } }

347 { } } (m) { } } { ~~(k)~~ } a person who ordinarily would be subject to the electrician licensure

4. Page 12, Line 353

353 { } } (n) { } } { ~~(l)~~ } a person involved in minor electrical work incidental to a mechanical or

5. Page 12, Line 355

355 { } } (o) { } } { ~~(m)~~ } a student participating in construction trade education and training programs

6. Page 12, Line 361

361 { } } (p) { } } { ~~(n)~~ } a delivery person when replacing any of the following existing equipment with

Representative Edwards' motion to amend passed on a voice vote.

**S.B. 85**, as amended, passed on the following roll call:

**Yeas, 68; Nays, 2; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski

Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Morley	Moss	Newbold	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wright

**Voting in the negative were:** Representatives

Sumsion                      Wimmer

**Absent or not voting were:** Representatives

Dee                      Garn                      Menlove                      Noel  
D. Clark

**S.B. 85**, as amended, returned to the Senate for further consideration.

**SPECIAL RECOGNITION**

Representative Bird introduced and the House recognized the 2010 National Board Certified Teachers. They are as follows. Granite School District: Karen Chatterton, Debbie Andrews, Jodi Sexton, Shauna Tanner, and Susie Gaily. Canyons School District: Shelley Allen Kristen Bishop, Scott Craig, and Christine Heywood. Jordan School District: Amy Cowin, Nathan Spofford, Debbie Miller. Washington School District: Jennifer LeBaron. Weber School District: Jana Poulsen, Crystal Engstrom. Salt Lake School District: Carolyn Brimhall, Karl Wagstaff, Karen Trujillo, Julie Lloyd. Davis School District: Lucille Jones, Rebecca Smith. Recertified National Board Teachers are Pam Sua, Donna Hunter, Linda Wunderman, and Faye Jean McFerron.

**THIRD READING CALENDAR**

**S.B. 58**, TRANSPORTATION EXPENSES FOR DEFENDANTS, *Greenwood*, read the third time by short title and placed on its final passage. Representatives Bigelow and Fowlke commented.

**S.B. 58** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hutchings	Ipson
Johnson	King	Kiser	Last
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Hunsaker	Litvack	Sandstrom
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**S.B. 58** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

### MISCELLANEOUS BUSINESS

On motion of Representative Lockhart, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

### UNFINISHED BUSINESS

On motion of Representative Lockhart, the House voted to uncircle **H.C.R. 11**.

**H.C.R. 11**, TAIWAN CONCURRENT RESOLUTION, *Lockhart*, was before the House on its final passage.

Representative Lockhart proposed the following amendment:

- 1. Page 1, Lines 9 through 10

9 This concurrent resolution of the Legislature and the Governor reaffirms their { support  
 10 ~~of the government~~} friendship with the people of Taiwan and urges the Obama Administration to support Taiwan’s

- 2. Page 1, Line 15:

15 ► reaffirms the Legislature’s and Governor’s {~~support~~} friendship with the people of Taiwan and urges the Obama

- 3. Page 2, Lines 53 through 54:

53 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the  
 54 Governor concurring therein, reaffirm their {support} friendship with the people of Taiwan and urge the Obama

Representative Lockhart’s motion to amend passed on a voice vote.

Representatives Watkins commented.

**H.C.R. 11**, as amended, passed on the following roll call:

**Yeas, 62; Nays, 0; Absent or not voting, 13.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hunsaker	Ipson	Johnson
King	Kiser	Last	Lockhart
Mascaro	Mathis	McIff	Moss
Newbold	Oda	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wright	D. Clark		

**Absent or not voting were:** Representatives

Biskupski	Ferry	Hendrickson	Herrod
Hughes	Hutchings	Litvack	Menlove
Morley	Noel	Painter	Wiley
Wimmer			

**H.C.R. 11**, as amended, transmitted to the Senate for its consideration.

**MISCELLANEOUS BUSINESS**

On motion of Representative Garn, the House voted to move to the Senate Third Reading Calendar.

**THIRD READING CALENDAR**

**1st Sub. S.B. 41**, DRUG UTILIZATION REVIEW BOARD AMENDMENTS, *Menlove*, read the third time by short title and placed on its final passage.

Representative Ray proposed the following amendment:

1. Page 3, Lines 70 through 78

House Committee Amendments 2-22-2010

70 (2) ~~H~~→ {~~+~~} (a) {~~+~~} →~~H~~ { The } Except as provided in Subsection (2)(b), the board may. ~~H~~→ [~~when the board determines it is appropriate~~]

70a1 ~~H~~→ only ←~~H~~ after

70a complying with Subsections (1)(b) through (j) ←~~H~~ , consider the cost:

71 ~~H~~→ {~~+~~} (i) {~~+~~} { ~~(a)~~ } ~~H~~← of a drug when placing a drug on the prior approval program; and

72 ~~H~~→ {~~+~~} (ii) {~~+~~} { ~~(b)~~ } ←~~H~~ associated with including, or excluding a drug from the prior approval

72a process.

73 including:

74 ~~H~~→ [(A)] { ~~(i)~~ } (A) ←~~H~~ potential side effects associated with a drug; or

75 ~~H~~→ [(B)] { ~~(ii)~~ } (B) ←~~H~~ potential hospitalizations or other complications that may occur as a result

75a of a

76 drug's inclusion on the prior approval process.

77 ~~⤵ [(b) If the board considers the cost of a drug under Subsection (2)(a), the provisions of~~

78 ~~Subsections (1)(b) through (j) apply.]~~ ← ⤵

(b) The board may not consider the cost of a psychotropic or anti-psychotic drug under the provisions of this section.

Representatives Vickers, Bigelow, and Beck commented. Representative Ray's motion to amend failed on a voice vote.

**1st Sub. S.B. 41**, as amended, passed on the following roll call:

**Yeas, 63; Nays, 7; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Allen	Anderson	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez-Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
Dunnigan	Edwards	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hunsaker	Ipson	King
Kiser	Last	Litvack	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Poulson
Powell	Riesen	Sandstrom	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Voting in the negative were:** Representatives

Aagard	S Duckworth	Ferry	Greenwood
Mascaro	Ray	Seegmiller	

**Absent or not voting were:** Representatives

Hughes	Hutchings	Johnson	Lockhart
Painter			

**1st Sub. S.B. 41**, as amended, returned to the Senate for further consideration.

### **RULES COMMITTEE REPORTS**

Mr. Speaker: February 24, 2010

The Rules Committee recommends that **H.B. 5**, Revenue Bond and Capital Facilities Authorizations (Rep. S. Clark) be lifted from the House Revenue and Taxation Standing Committee and returned to Rules; and

The Rules Committee recommends that the following bill be lifted from Rules, and placed on the Third Reading Calendar for Senate bills:

**S.B. 10** Criminal Offense Penalties Amendments  
(Sen. J. Greiner); and

The House Rules Committee recommends, with written request of the sponsor, that **H.J.R. 30**, War Veterans' Memorial on Capitol Hill Joint Resolution (Rep. R. Chavez-Houck) be replaced with **1st Substitute H.J.R. 30**, War Veterans' Memorial on Capitol Hill Joint Resolution, and further recommends it be assigned to the House Government Operations Standing Committee.

Ben C. Ferry, Chair

Reports filed. On motion of Representative Ferry, the reports of the Rules Committee were adopted.

### **RULES COMMITTEE REPORT**

Mr. Speaker: February 24, 2010

The Rules Committee recommends the following bills and resolutions be assigned to standing committees:

#### **BUSINESS AND LABOR**

**H.B. 421** Medical Financial Records Amendments (Rep. B. Last)

**H.C.R. 16** Statue of Responsibility Monument Concurrent  
Resolution (Rep. M. Morley)

**S.B. 148** Guaranteed Asset Protection Waivers (Sen. J. Stevenson)

**S.B. 173** Business Entity Amendments (Sen. L. Hillyard)

#### **EDUCATION**

**H.B. 149** School Finance Amendments (Rep. R. Bigelow)

**S.B. 147** Education Related Parent Organizations (Sen. M. Dayton)

#### **ETHICS**

**2nd Sub. S.B. 136** Open and Public Meetings Revisions Related to Review  
of Ethics Complaints (Sen. J. Valentine)



- 1st Sub. S.B. 138** Grama Revisions Related to Review of Ethics Complaints  
(Sen. J. Valentine)
- 2nd Sub. S.J.R. 3** Joint Resolution on Ethics Complaint Procedures  
(Sen. J. Valentine)

#### **GOVERNMENT OPERATIONS**

- H.B. 321** Bond Election Notification Revisions (Rep. S. Allen)
- 1st Sub. S.B. 89** Legal Notice Amendments (Sen. S. Urquhart)

#### **LAW ENFORCEMENT AND CRIMINAL JUSTICE**

- H.B. 362** Duties of City Police Departments (Rep. C. Herrod)
- H.B. 365** Department of Corrections Registry Amendments  
(Rep. D. Aagard)

#### **NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT**

- H.B. 422** Livestock on Highways (Rep. P. Painter)
- H.C.R. 14** R.S. 2477 Historic Roads Concurrent Resolution  
(Rep. M. Noel)
- 1st Sub. S.B. 60** Search and Rescue Funding (Sen. R. Okerlund)
- S.C.R. 7** Concurrent Resolution Approving Solid Waste Facility  
Classification Change (Sen. W. Niederhauser)

#### **POLITICAL SUBDIVISIONS**

- 1st Sub. S.B. 45** Utah Fit Premises Act Amendments  
(Sen. W. Niederhauser)

#### **REVENUE AND TAXATION**

- H.B. 394** Motor and Special Fuel Tax Act Amendments  
(Rep. S. Clark)
- 1st Sub. S.B. 133** Qualifications of State Tax Commissioners  
(Sen. J. Adams)

#### **TRANSPORTATION**

- 1st Sub. S.B. 105** Motor Vehicle Accident Arbitration Amendments  
(Sen. S. Urquhart)

**WORKFORCE SERVICES AND COMMUNITY AND ECONOMIC DEVELOPMENT**

**S.B. 127** Public Assistance Fraud Amendments  
(Sen. H. Stephenson)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

**MISCELLANEOUS BUSINESS**

On motion of Representative Dee, the House voted to recess until 2:00 p.m.

**AFTERNOON SESSION**

The House was called to order by Speaker Pro Tem Becky Lockhart at 2:10 p.m.

**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker: February 24, 2010

The Senate passed, **H.J.R. 5**, JOINT RESOLUTION ON CLEAN AIR, by Representative C. Moss, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communication filed. **H.J.R. 5** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: February 24, 2010

The Senate passed **S.B. 74**, STATE PARK HIGHWAY ACCESS AMENDMENTS, by Senator D. Hinkins, and it is transmitted for consideration; and

The Senate passed, as substituted, **2nd Sub. S.B. 81**, EMINENT DOMAIN AMENDMENTS, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 120**, DISARMING A PEACE OFFICER AMENDMENT, by Senator D. Hinkins, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 124**, MILITARY INSTALLATION DEVELOPMENT AUTHORITY MODIFICATIONS, by Senator J. Stevenson, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 130**, JUDICIARY AMENDMENTS, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed, as substituted, **2nd Sub. S.B. 275**, REMOVING SIGNATURE FROM INITIATIVE AND REFERENDUM PETITION, by Senator H. Stephenson, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **S.B. 74**, **2nd Sub. S.B. 81**, **S.B. 120**, **S.B. 124**, **1st Sub. S.B. 130**, and **2nd Sub. S.B. 275** read the first time by short title and referred to the Rules Committee.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 24, 2010

The Government Operations Committee reports a favorable recommendation on **H.B. 402**, DEPARTMENT OF ADMINISTRATIVE SERVICES MODIFICATIONS, by Representative S. Clark; and

The Government Operations Committee reports a favorable recommendation on **S.J.R. 6**, JOINT RESOLUTION – STATE SOVEREIGNTY AND TENTH AMENDMENT, by Senator H. Stephenson; and

The Government Operations Committee reports a favorable recommendation on **H.B. 406**, STATE FAIR PARK AMENDMENTS, by Representative J. Gowans, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 2, Lines 42 through 44:

42 (ii) except that on June 30, 2017, that portion of the state fair park known as the White

43 Ball Field located on the south side of North Temple Street shall revert to the division and not

44 be a part of the continuing lease agreement between the division and the corporation unless otherwise agreed upon by the division and the corporation prior to June 30, 2017 ;: and

The Government Operations Committee reports a favorable recommendation on **H.C.R. 4**, VETERANS FREEDOM MEMORIAL CONCURRENT RESOLUTION, by Representative G. Hughes, and recommends it be placed on the Consent Calendar.

Craig A. Frank, Chair

Reports filed. On motion of Representative Grover, the reports of the Government Operations committee were adopted.

**H.B. 402** and **S.J.R. 6** read the second time by short title and placed on the Third Reading Calendar.

**H.B. 406**, as amended, and **H.C.R. 4** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker:

February 24, 2010

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 419**, ALCOHOLIC BEVERAGE CONTROL AND SIGNAGE AT STATE STORES, by Representative K. Powell, with the following amendments:

1. Page 1, Lines 17 through 21:

17 Other Special Clauses:

18        ~~{None}~~        This bill coordinates with S.B. 167,  
Alcoholic Beverage Control Act Recodification, to technically merge  
the changes.

19 Utah Code Sections Affected:

20 AMENDS:

21        32A-2-101, as last amended by Laws of Utah 2008, Chapter  
 391

Utah Code Sections Affected by Coordination Clause:

32B-2-501, Utah Code Annotated 1953

2. Page 4, Lines 100 through 101:

100        (5) (a)   ~~{On and after January 1, 2011, the }~~    The  
commission shall ensure that signage    installed or replaced    at or

101 near a state store    on or after May 11, 2010,    complies with  
Subsection (5)(b) if the signage is:

3. Page 4, Lines 109 through 110:

109 (c) The text described in Subsection (5)(b) shall be in lettering that is equal to or larger

110 than the size of any text on the same signage that refers to “liquor” or “wine.”

Section 2. Coordinates this H.B. 419 with S.B. 167 – Technically merging changes.

If this bill H.B. 419 and S.B. 167, Alcoholic Beverage Control Act Recodification, both pass, it is the intent of the Legislature that the Office of Legislative Research and General Counsel in preparing the Utah Code database for publication, because S.B. 167 takes effect on July 1, 2011, modify Section 32B-2-501 enacted in S.B. 167 to include, effective July 1, 2011, the following Subsection (5):

“(5) (a) The commission shall ensure that signage installed or replaced at or near a state store, on or after May 11, 2010, complies with Subsection (5)(b) if the signage is:

(i) attached to the exterior of the premises of a state store; or

(ii) not attached to the premises of a state store, but otherwise alerts or directs a person to the location of a state store.

(b) Signage described in Subsection (5)(a) shall contain the following words in the size of lettering required by Subsection (5)(c):

(i) “state”; or

(ii) “State of Utah”.

(c) The text described in Subsection (5)(b) shall be in lettering that is equal to or larger than the size of any text on the same signage that refers to “liquor” or “wine.”” ; and

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 435**, DIXIE STATE COLLEGE – NONPROFIT ENTITIES, by Representative D. Ipson, and recommends it be placed on the Consent Calendar.

Fred R Hunsaker, Chair

Reports filed. On motion of Representative Hunsaker, the reports of the Political Subdivisions committee were adopted.

**H.B. 419**, as amended, read the second time by short title and placed on the Third Reading Calendar.

**H.B. 435** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker:

February 24, 2010

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 134**, PARTNERSHIP TAX RETURN FILING DEADLINES, by Senator J. S. Adams, and, due to fiscal impact, recommends it be referred to the Rules Committee for prioritization.

Todd E. Kiser, Chair

Report filed. On motion of Representative Kiser, the report of the Revenue and Taxation committee was adopted.

**S.B. 134** read the second time by short title and returned to the Rules Committee due to fiscal impact.

### INTRODUCTION OF BILLS

**H.B. 166, Reductions to Education Mandates** (R. Menlove), read the first time by short title and referred to the Rules Committee.

**H.B. 370, Capital Project Amendments** (S. Clark), read the first time by short title and referred to the Rules Committee.

**H.J.R. 34, Joint Resolution on Hospital Claims Management** (B. Last), read the first time by short title and referred to the Rules Committee.

### UNFINISHED BUSINESS

On motion of Representative Webb, the House voted to uncircle **S.B. 50**.

**S.B. 50, VICTIMS' RIGHTS REVISIONS**, *Webb*, was before the House on its final passage.

**S.B. 50** passed on the following roll call:

**Yeas, 67; Nays, 0; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez-Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Frank	Froerer

Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Harper	Hendrickson
Herrod	Hughes	Hunsaker	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	

**Absent or not voting were:** Representatives

S Duckworth	Fowlke	Hansen	Hemingway
Hutchings	Mathis	McIff	D. Clark

**S.B. 50** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

**THIRD READING CALENDAR**

**S.B. 55**, AUTHORIZATION OF CHARTER SCHOOLS BY HIGHER EDUCATION INSTITUTIONS, *Hughes*, read the third time by short title and placed on its final passage.

Representative Dee proposed the following amendment:

1. Page 9, Lines 249 through 258  
House Committee Amendments 2–23–2010  
249 (2) (a) An individual or entity identified in Section 53A–1a–504  
applying for  
250 authorization from a board of trustees of a higher education  
institution to establish and operate  
251 a charter school shall provide a copy of the application to the  
State Charter School Board and the local school board of the school  
252 district in which the proposed charter school shall be located either  
before or at the same time it  
253 files its application with the board of trustees.  
254 (b) The State Charter School Board and the local school  
board may review the application and may offer suggestions or

255 recommendations to the applicant or the board of trustees of a higher education institution prior

256 to its acting on the application.

257 (c) The board of trustees of a higher education institution shall give due consideration

258 to suggestions or recommendations made by the State Charter School Board or the local school board under Subsection (2)(b).

Representative Black commented. Representative Dee's motion to amend passed on a voice vote.

Representatives Allen, Bigelow, Wallis, Noel, and Last commented.

**S.B. 55**, as amended, passed on the following roll call:

**Yeas, 43; Nays, 27; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Anderson	Barrus	Beck	Bird
Black	Chavez–Houck	Cosgrove	Daw
Dee	Dougall	Edwards	Janice Fisher
Julie Fisher	Frank	F Gibson	K Gibson
Greenwood	Grover	Harper	Herrod
Hughes	Hunsaker	Hutchings	Ipson
King	Kiser	Lockhart	Mathis
Morley	Newbold	Noel	Oda
Painter	Poulson	Powell	Sandstrom
Seegmiller	Sumsion	Wallis	Watkins
Wilcox	Wimmer	Wright	

**Voting in the negative were:** Representatives

Aagard	Allen	Biskupski	Brown
S. Clark	Draxler	S Duckworth	Dunnigan
Ferry	Froerer	Gowans	Hansen
Hemingway	Hendrickson	Johnson	Last
Litvack	Mascaro	Menlove	Moss
Ray	Riesen	Seelig	Vickers
Webb	Wheatley	Wiley	

**Absent or not voting were:** Representatives

Bigelow	Fowlke	Garn	McIff
D. Clark			



**S.B. 55**, as amended, returned to the Senate for further consideration.

\* \* \*

**S.B. 39**, HEALTH INSURANCE PRIOR AUTHORIZATION AMENDMENTS, Newbold, read the third time by short title and placed on its final passage.

Representative Wimmer proposed the following amendment:

1. Page 2, Lines 28 through 29

28 (1) An insurer who requires preauthorization or preapproval for coverage under

29 accident and health insurance shall beginning January 1, 2011, provide an enrollee with a statement of preauthorization if:

Representative Wimmer’s motion to amend passed on a voice vote.

**S.B. 39**, as amended, passed on the following roll call:

**Yeas, 66; Nays, 0; Absent or not voting, 9.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Frank	Froerer	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Hunsaker	Hutchings	Ipson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright		

**Absent or not voting were:** Representatives

Bigelow	Dougall	Fowlke	Garn
Herrod	Hughes	Johnson	Ray
D. Clark			

**S.B. 39**, as amended, returned to the Senate for further consideration.

\* \* \*

**S.B. 102**, RESTRICTING THE MOVEMENT OF A MOTOR VEHICLE, *Webb*, read the third time by short title and placed on its final passage.

**S.B. 102** passed on the following roll call:

**Yeas, 39; Nays, 32; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Beck	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	S Duckworth	Dunnigan
Edwards	Janice Fisher	Froerer	Gowans
Greenwood	Grover	Hemingway	Hendrickson
Hunsaker	Hutchings	Johnson	King
Litvack	McIff	Moss	Newbold
Painter	Poulson	Powell	Riesen
Seelig	Sumsion	Vickers	Webb
Wheatley	Wiley	Wimmer	

**Voting in the negative were:** Representatives

Anderson	Barrus	Bird	Dee
Dougall	Draxler	Ferry	Julie Fisher
Frank	F Gibson	K Gibson	Hansen
Harper	Herrod	Hughes	Ipson
Kiser	Last	Lockhart	Mascaro
Mathis	Menlove	Morley	Noel
Oda	Ray	Sandstrom	Seegmiller
Wallis	Watkins	Wilcox	Wright

**Absent or not voting were:** Representatives

Bigelow	Fowlke	Garn	D. Clark
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**S.B. 102** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

### UNFINISHED BUSINESS

On motion of Representative Noel, the House voted to uncircle **H.J.R. 21**.

**H.J.R. 21**, JOINT RESOLUTION ON ENERGY POLICY, *Noel*, was before the House on its final passage. Representatives Hemingway and Barrus commented.

**H.J.R. 21** passed on the following roll call:

**Yeas, 52; Nays, 18; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Brown
S. Clark	Daw	Dougall	Draxler
Dunnigan	Ferry	Fowlke	Frank
Froerer	F Gibson	K Gibson	Gowans
Greenwood	Grover	Harper	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Kiser	Last	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Newbold	Noel	Oda
Powell	Ray	Sandstrom	Sumsion
Vickers	Wallis	Watkins	Webb
Wilcox	Wimmer	Wright	D. Clark

**Voting in the negative were:** Representatives

Biskupski	Black	Chavez–Houck	Cosgrove
S Duckworth	Janice Fisher	Hansen	Hemingway
Johnson	King	Litvack	Moss
Poulson	Riesen	Seegmiller	Seelig
Wheatley	Wiley		

**Absent or not voting were:** Representatives

Dee	Edwards	Julie Fisher	Garn
Painter			

**H.J.R. 21** transmitted to the Senate for its consideration.

\* \* \*

On motion of Representative Mascaro, the House voted to uncircle **H.B. 190**.

**H.B. 190**, DISCLOSURE OF METHAMPHETAMINE CONTAMINATED PROPERTY ACT AMENDMENTS, *Mascaro*, was before the House on its final passage.

Representative Mascaro proposed the following amendment:

1. Page 1, Lines 16–18a:  
Delete lines 16 through 18a (refer to standing committee report)

Representative Mascaro’s motion to amend passed on a voice vote.

Representatives Herrod, Wright, and Draxler commented.

# # #

Representative Webb proposed the following amendment:

- 1. Page 2, Lines 38–39:

Insert a period at the end of line 38 and delete line 39.

Representative Webb’s motion to amend passed on a voice vote.

Representative Ferry declared a conflict of interest because he owns rental property.

**H.B. 190**, as amended, passed on the following roll call:

**Yeas, 44; Nays, 27; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Draxler	S Duckworth	Edwards	Janice Fisher
Julie Fisher	Gowans	Greenwood	Hansen
Harper	Hemingway	Hendrickson	Hunsaker
Ipson	Johnson	King	Litvack
Mascaro	McIff	Menlove	Moss
Oda	Poulson	Powell	Ray
Riesen	Seegmiller	Seelig	Vickers
Watkins	Webb	Wheatley	Wiley

**Voting in the negative were:** Representatives

Anderson	Daw	Dee	Dougall
Dunnigan	Ferry	Fowlke	Frank
Froerer	F Gibson	K Gibson	Grover
Herrod	Hughes	Hutchings	Kiser
Last	Lockhart	Mathis	Morley
Newbold	Sandstrom	Sumsion	Wilcox
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Garn	Noel	Painter	Wallis
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**H.B. 190**, as amended, transmitted to the Senate for its consideration.

**SPECIAL RECOGNITION**

Representative K. Gibson introduced, and the House recognized, the state Future Farmers of America High School officers.

**MISCELLANEOUS BUSINESS**

On motion of Representative Fowlke, the House voted to reconsider its action on **S.B. 76**.

**RECONSIDERATION OF S.B. 76**

**S.B. 76**, TRUST DEED AMENDMENTS, was before the House for reconsideration.

On motion of Representative Fowlke, the House voted to circle **S.B. 76**.

**MISCELLANEOUS BUSINESS**

On motion of Representative King, the House voted to reconsider its action on **1st Sub. S.B. 121**.

**RECONSIDERATION OF 1ST SUB S.B. 121**

**1st Sub. S.B. 121**, UTAH UNIFORM PROBATE CODE AMENDMENTS, was before the House for reconsideration.

**1st Sub. S.B. 121** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson

Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Garn                      Painter

**1st Sub. S.B. 121** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

### UNFINISHED BUSINESS

On motion of Representative Sandstrom, the House voted to uncircle **1st Sub. H.B. 227**.

**1st Sub. H.B. 227**, LICENSING ELIGIBILITY, *Sandstrom*, was before the House on its final passage.

Representative Sandstrom proposed the following amendment:

1. Page 2, Lines 50 through 53

50        (c) (i) Each applicant for a new license, a renewal of a license, or a replacement license

51 shall execute and submit an affidavit to the municipality's business licensing agency, under

52 penalty of perjury, stating that the applicant is a United States citizen or lawfully present in the

53 United States.

(ii) If the applicant is a business entity with officers, directors, or partners who reside within the United States, then the affidavit referred to in Subsection (2)(c)(i) shall also attest that those officers, directors, or partners who reside within the United States are either United States citizens or lawfully present in the United States.

2. Page 8, Lines 227 through 230:

227        (c) (i) Each applicant for a new license, a renewal of a license, or a replacement license

228 shall execute and submit an affidavit to the county’s business licensing agency, under penalty of

229 perjury, stating that the applicant is a United States citizen or lawfully present in the United

230 States.

(ii) If the applicant is a business entity with officers, directors, or partners who reside within the United States, then the affidavit referred to in Subsection (2)(c)(i) shall also attest that those officers, directors, or partners who reside within the United States are either United States citizens or lawfully present in the United States.

Representative Sandstrom’s motion to amend passed on a voice vote.

Representatives Dougall, Anderson, S. Clark, and Noel commented.

**1st Sub. H.B. 227**, as amended, passed on the following roll call:

**Yeas, 38; Nays, 36; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Aagard	Barrus	Bigelow	Brown
Daw	Dee	Draxler	Dunnigan
Edwards	Ferry	Julie Fisher	Frank
Froerer	F Gibson	K Gibson	Greenwood
Grover	Herrod	Hughes	Hutchings
Ipson	Kiser	Last	Lockhart
Mathis	Morley	Newbold	Noel
Oda	Painter	Ray	Sandstrom
Sumsion	Vickers	Wallis	Wilcox
Wimmer	D. Clark		

**Voting in the negative were:** Representatives

Allen	Anderson	Beck	Bird
Biskupski	Black	Chavez–Houck	S. Clark
Cosgrove	Dougall	S Duckworth	Janice Fisher
Fowlke	Gowans	Hansen	Harper
Hemingway	Hendrickson	Hunsaker	Johnson
King	Litvack	Mascaro	McIff
Menlove	Moss	Poulson	Powell
Riesen	Seegmiller	Seelig	Watkins
Webb	Wheatley	Wiley	Wright

**Absent or not voting was:** Representative  
Garn

**1st Sub. H.B. 227**, as amended, transmitted to the Senate for its consideration.

## REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 24, 2010

The Retirement and Independent Entities Committee recommends **1st Sub. S.B. 43**, POST–RETIREMENT EMPLOYMENT AMENDMENTS, by Senator D. Liljenquist, be replaced, favorably recommends **3rd Sub. S.B. 43**, POST–RETIREMENT EMPLOYMENT AMENDMENTS, and, due to unknown fiscal impact, recommends the substitute be referred to the Rules Committee pending completion of a fiscal note; and

The Retirement and Independent Entities Committee reports a favorable recommendation on **2nd Sub. S.B. 63**, NEW PUBLIC EMPLOYEES’ TIER II CONTRIBUTORY RETIREMENT ACT, by Senator D. Liljenquist, with the following amendments:

1. Page 47, Lines 1440 through 1442:

1440 (c) In addition to the percent specified under Subsection (2)(a),  
the participating

1441 employer shall pay the corresponding Tier I system  
amortization rate of the employee’s

1442 compensation to the office to be applied to the employer’s  
corresponding Tier I system liability .

2. Page 48, Lines 1474 through 1475:

1474 (b) The member may make additional payments to ;  
(i) the qualified 401(k) plan which

1475 receives the employer contribution described in this Subsection  
(1) ; or

(ii) at the member’s option, to another defined contribution plan  
established by the participating employer .

3. Page 64, Lines 1974 through 1976:

1974 (c) In addition to the percent specified under Subsection (2)(a),  
the participating



1975 employer shall pay the corresponding Tier I system amortization rate of the employee's

1976 compensation to the office to be applied to the employer's corresponding Tier I system liability .

4. Page 65, Lines 2003 through 2004:

2003 (b) The member may make additional payments to ;  
(i) the qualified 401(k) plan which

2004 receives the employer contribution described in this Subsection  
(1) ; or

(ii) at the member's option, to another defined contribution plan established by the participating employer .

Don L. Ipson, Chair

Reports filed. On motion of Representative Ipson, the reports of the Retirement and Independent Entities committee were adopted.

**3rd Sub. S.B. 43** read the second time by short title and referred to the Rules Committee.

**2nd Sub. S.B. 63** read the second time by short title and placed on the Third Reading Calendar.

**MISCELLANEOUS BUSINESS**

On motion of Representative Ipson, the House voted to lift **3rd Sub. S.B. 43** from the Rules Committee and calendar it for Time Certain on February 26, 2010 at 10:30 a.m.

On motion of Representative Ipson, the House voted to calendar **2nd Sub. S.B. 63** for Time Certain on February 26, 2010 at 10:35 a.m.

\* \* \*

On motion of Representative Dee, and at 4:09 p.m., the House voted to adjourn until February 25, 2010, at 10:00 a.m.

# THIRTY-FIRST DAY

\* \* \*

## MORNING SESSION

The House was called to order by Speaker Clark at 10:05 a.m.

Roll call showed all members present except Representative Fred R Hunsaker, excused.

Prayer offered by Gregory Dahl. Pledge of Allegiance led by T.J. Hancock, all constituents of Representative Trisha Beck.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 24, 2010

The Senate passed, **H.C.R. 11**, TAIWAN CONCURRENT RESOLUTION, by Representative R. Lockhart, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communication filed. **H.C.R. 11** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: February 24, 2010

The Senate adopted the Joint Conference Committee Report dated February 24, 2010, and passed **4th Sub. S.B. 22**, NOTARY PUBLIC AMENDMENTS, by Senator P. Knudson, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communication filed. **4th Sub. S.B. 22** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

\* \* \*

Mr. Speaker: February 24, 2010

The Senate passed, as substituted, **1st Sub. S.B. 140**, JUVENILE DETENTION AMENDMENTS, by Senator J. Greiner, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 141**, UTAH SUBSTANCE ABUSE AND ANTI-VIOLENCE COORDINATING COUNCIL AMENDMENTS, by Senator J. S. Adams, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **1st Sub. S.B. 140** and **S.B. 141** read the first time by short title and referred to the Rules Committee.

### INTRODUCTION OF BILLS

**H.B. 448, Retirement Disability Amendments** (S. Duckworth), read the first time by short title and referred to the Rules Committee.

**H.R. 8, Resolution Recognizing Energy Innovation in the State of Utah** (E. Hutchings), read the first time by short title and referred to the Rules Committee.

### CONSENT CALENDAR

**H.B. 179, OFF-HIGHWAY VEHICLE AND STREET-LEGAL ALL-TERRAIN VEHICLE REVISIONS**, *Noel*, read the third time by short title and placed on its final passage.

**H.B. 179**, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Chavez-Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller

Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Brown	Gowans	Hunsaker
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**H.B. 179**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.B. 340**, SEXUAL ASSAULT VICTIM PROTOCOLS, *Biskupski*, read the third time by short title and placed on its final passage.

**H.B. 340** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

K Gibson	Gowans	Hunsaker
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**H.B. 340** transmitted to the Senate for its consideration.

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**H.B. 318**, REVOLVING LOAN FUND FOR CERTAIN ENERGY EFFICIENT PROJECTS AMENDMENTS, *Barrus*, read the third time by short title and placed on its final passage.

**H.B. 318** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	Menlove
Morley	Moss	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

K Gibson	Hunsaker	McIff	Newbold
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**H.B. 318** transmitted to the Senate for its consideration.

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**H.J.R. 31**, HOUSE JOINT RULES LEGISLATIVE REVIEW NOTE PROCEDURES AMENDMENTS, *Ferry*, read the third time by short title and placed on its final passage.

**H.J.R. 31** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wright
D. Clark			

**Absent or not voting were:** Representatives

Hunsaker	Wimmer
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**H.J.R. 31** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 310**, SPENDING LIMITS AMENDMENTS, *Bigelow*, read the third time by short title and placed on its final passage.

**H.B. 310** passed on the following roll call:

**Yeas, 74; Nays, 0; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson

K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting was:** Representative  
Hunsaker

**H.B. 310** transmitted to the Senate for its consideration.

\* \* \*

**S.C.R. 6,** CONCURRENT RESOLUTION APPROVING CLASSIFICATION OF SOLID WASTE FACILITY SOLID WASTE PERMIT, *Duckworth*, read the third time by short title and placed on its final passage.

**S.C.R. 6** passed on the following roll call:

**Yeas, 68; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Draxler	S Duckworth	Dunnigan
Edwards	Ferry	Janice Fisher	Fowlke
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Herrod	Hughes
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller

Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Allen	Dee	Dougall	Julie Fisher
Frank	Hendrickson	Hunsaker	

**S.C.R. 6** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**H.B. 349**, SALES AND USE TAX AMENDMENTS, *Harper*, read the third time by short title and placed on its final passage.

**H.B. 349** passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seelig
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

Biskupski	Hunsaker	McIff	Seegmiller
Sumsion			



**H.B. 349** transmitted to the Senate for its consideration.

**CONCURRENCE CALENDAR**

On motion of Representative Sandstrom, the House voted to concur in the Senate amendments to **H.B. 103**, REDUCED SPEED SCHOOL ZONE AMENDMENTS.

**H.B. 103**, as amended by the Senate, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Hunsaker	Hutchings	Sumsion
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**H.B. 103**, as amended by the Senate, transmitted to the Senate for signature of President.

**THIRD READING CALENDAR**

**S.B. 10**, CRIMINAL OFFENSE PENALTIES AMENDMENTS, *Oda*, read the third time by short title and placed on its final passage.

**S.B. 10** passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

Black	Garn	Hunsaker	Hutchings
Menlove			

**S.B. 10** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

### **SPECIAL ORDER OF BUSINESS**

**S.B. 117**, PETE SUAZO MEMORIAL HIGHWAY, *Seelig*, read the third time by short title and placed on its final passage.

Representatives Chavez–Houck, Cosgrove, Wimmer, Wheatley, Hansen, and Hughes commented.

**S.B. 117** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski

Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Oda	Painter	Poulson	Powell
Ray	Riesen	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Hunsaker	Hutchings	Noel	Sandstrom
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**S.B. 117** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

**THIRD READING CALENDAR**

**S.J.R. 6, JOINT RESOLUTION – STATE SOVEREIGNTY AND TENTH AMENDMENT**, *Wimmer*, read the third time by short title and placed on its final passage.

**S.J.R. 6** passed on the following roll call:

**Yeas, 48; Nays, 18; Absent or not voting, 9.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Brown
S. Clark	Daw	Dougall	Dunnigan
Edwards	Ferry	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
Greenwood	Grover	Harper	Hendrickson
Herrod	Hughes	Ipson	Kiser
Last	Lockhart	Mathis	McIff
Menlove	Morley	Newbold	Noel

Oda	Painter	Ray	Sandstrom
Sumsion	Vickers	Wallis	Webb
Wilcox	Wimmer	Wright	D. Clark

**Voting in the negative were:** Representatives

Biskupski	Black	Chavez–Houck	Cosgrove
S Duckworth	Janice Fisher	Gowans	Hemingway
Johnson	King	Litvack	Moss
Poulson	Powell	Riesen	Seegmiller
Watkins	Wiley		

**Absent or not voting were:** Representatives

Dee	Draxler	K Gibson	Hansen
Hunsaker	Hutchings	Mascaro	Seelig
Wheatley			

**S.J.R. 6** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

### UNFINISHED BUSINESS

On motion of Representative Moss, the House voted to uncircle **H.B. 91**.

**H.B. 91**, TRAFFIC CONTROL SIGNS FOR BICYCLES, *Moss*, was before the House on its final passage.

Representative Moss proposed the following amendment:

- Page 1, Lines 23a through 23b  
House Committee Amendments 2–16–2010  
23a ► A person operating a bicycle approaching a steady red traffic-control signal may cautiously proceed  
23b through the intersection if:
- Page 1a, Lines 24 through 27  
House Committee Amendments 2–16–2010:  
24 ► provides that after slowing to a reasonable speed and yielding the right-of-way if  
25 required, a person operating a bicycle approaching a steady red traffic-control signal  
26 may cautiously make a right-hand turn without stopping except where a right-hand turn on a red signal is prohibited .

27 Monies Appropriated in this Bill:

- 3. Page 3, Lines 80a through 80b  
House Committee Amendments 2-16-2010:

80a (6) (a) A person operating a bicycle approaching a steady red traffic-control signal may cautiously proceed  
 80b through the intersection if:

- 3. Page 3a, Lines 81 through 83:

81 ~~[(b)]~~ (c) ~~←~~ <sup>H</sup> After slowing to a reasonable speed and yielding the right-of-way if required, a  
 82 person operating a bicycle approaching a steady red traffic-control signal may cautiously make  
 83 a right-hand turn without stopping, except where a right-hand turn on a red signal is prohibited.

Representative Moss’s motion to amend passed on a voice vote.

###

Representative Kiser proposed the following amendment:

- 1. Page 1, Line 18  
House Committee Amendments 2-16-2010

18 cautiously make a turn or proceed through the intersection without stopping;  
 ► provides that a person operating a bicycle approaching a stop sign may:  
 • overtake and pass stopped vehicles and proceed to the intersection by riding as near as practicable to the right-hand edge of the roadway or in the shoulder area; and  
 • after yielding and complying with any traffic-control device or peace officer regulating traffic, proceed through the intersection;

- 2. Page 1a, Lines 231 through 26  
House Committee Amendments 2-16-2010:

231 a vehicle is not a defense to a violation of certain traffic laws { } ; ~~←~~ <sup>H</sup>

24 ▶ provides that after slowing to a reasonable speed and yielding the right-of-way if

25 required, a person operating a bicycle approaching a steady red traffic-control signal

26 may cautiously make a right-hand turn without stopping {—} : and

▶ provides that a person operating a bicycle approaching a steady red traffic-control signal may:

- overtake and pass stopped vehicles and proceed to the intersection by riding as near as practicable to the right-hand edge of the roadway or in the shoulder area; and

- after yielding and complying with any traffic-control device or peace officer regulating traffic, proceed through the intersection;

3. Page 3, Lines 66 through 73

House Committee Amendments 2-16-2010:

66 (5) (a) (i) A person operating a bicycle approaching a stop sign shall slow down and, if

67 required for safety, stop before entering the intersection.

68 { ~~(b)~~ } (ii) After slowing to a reasonable speed or stopping as required by Subsection (5)(a),

69 the person shall yield the right-of-way to any vehicle in the intersection or approaching on

70 another highway so closely as to constitute an immediate hazard during the time the person is

71 moving across or within the intersection or junction of highways, except that a person after

72 slowing to a reasonable speed and yielding the right-of-way if required, may cautiously make a

73 turn or proceed through the intersection without stopping.

(b) (i) Notwithstanding Section 41-6a-705, a person operating a bicycle approaching a stop sign may overtake and pass stopped vehicles and proceed to the intersection by riding:

(A) as near as practicable to the right-hand edge of the roadway; or  
(B) in the shoulder area.

(ii) After yielding and complying with any traffic-control device or

peace officer regulating traffic, the person operating the bicycle may proceed through the intersection.

4. Page 3a, Line 83

House Committee Amendments 2–16–2010:

83 a right–hand turn without stopping.

(d) (i) Notwithstanding Section 41–6a–705, a person operating a bicycle approaching a steady red traffic–control signal may overtake and pass stopped vehicles and proceed to the intersection by riding:

(A) as near as practicable to the right–hand edge of the roadway; or

(B) in the shoulder area.

(ii) After yielding and complying with any traffic–control device or peace officer regulating traffic, the person operating the bicycle may proceed through the intersection.

Representatives Bigelow and Anderson commented. Representative Kiser’s motion to amend failed on a voice vote.

Representatives Frank, Harper, Brown, Ipson, Hutchings, and Beck commented.

**H.B. 91**, as amended, passed on the following roll call:

**Yeas, 49; Nays, 20; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Biskupski	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	S Duckworth	Edwards
Julie Fisher	Fowlke	Froerer	Garn
F Gibson	Gowans	Hansen	Hemingway
Hughes	Ipson	Johnson	King
Kiser	Last	Litvack	McIff
Menlove	Moss	Newbold	Painter
Poulson	Powell	Riesen	Sandstrom
Seegmiller	Seelig	Vickers	Wallis
Watkins	Wheatley	Wiley	Wright
D. Clark			

**Voting in the negative were:** Representatives

Bigelow	Bird	Draxler	Dunnigan
Ferry	Janice Fisher	Frank	Greenwood

Grover	Harper	Hendrickson	Herrod
Hutchings	Lockhart	Mathis	Noel
Oda	Webb	Wilcox	Wimmer

**Absent or not voting were:** Representatives

K Gibson	Hunsaker	Mascaro	Morley
Ray	Sumsion		

**H.B. 91**, as amended, transmitted to the Senate for its consideration.

**UNFINISHED BUSINESS**

On motion of Representative Wimmer, the House voted to uncircle **1st Sub. H.B. 187**.

**1st Sub. H.B. 187**, PEACE OFFICER STANDARDS AND TRAINING AMENDMENTS, *Wimmer*, was before the House on its final passage.

Representative Wimmer proposed the following amendment:

1. Page 2, Lines 33 through 34
 

33       ▶ specifies that the burden of proof in the adjudicative proceedings is by {~~a~~

34 ~~preponderance of the~~} clear and convincing evidence;
2. Page 3, Line 64:
 

64 which endangers { ~~the~~ } public health { ~~z~~ } and  
safety {~~, or welfare~~} .
3. Page 8, Line 241:
 

241 section is by { ~~a preponderance of the~~ } clear and  
convincing evidence.

Representative Wimmer's motion to amend passed on a voice vote.

###

Representative Wimmer proposed the following amendment:

1. Page 2, Line 34
 

34 preponderance of the evidence;

      ▶ provides requirements for recusal of council members in hearings regarding a peace officer;



2. Page 9, Line 244:

244 (e) If the administrative law judge { ~~finds~~ } issues findings of fact and conclusions of law stating there is sufficient evidence to demonstrate that

3. Page 9, Line 246:

246 the { ~~case~~ } findings and conclusions issued by the administrative law judge to the council.

4. Page 9, Line 254:

(4)(a) The council shall review the findings of fact and conclusions of law and the information concerning the peace officer provided by the officer's employing agency and determine whether to suspend or revoke the officer's certification.

(b) A member of the council shall recuse him or herself from consideration of an issue that is before the council if the council member:

(i) has a personal bias for or against the officer;

(ii) has a substantial pecuniary interest in the outcome of the proceeding and may gain or lose some benefit from the outcome; or

(iii) employs, supervises, or works for the same law enforcement agency as the officer whose case is before the council.

254 { ~~(4)~~ } (5) (a) Termination of a peace officer, whether voluntary or involuntary, does not

5. Page 9, Line 261:

261 { ~~(5)~~ } (6) A chief, sheriff, or administrative officer of a law enforcement agency who is made

6. Page 10, Lines 268 through 269:

268 division at any time { ~~, regardless of whether an investigation has been instituted or an~~

269 adjudicative proceeding has been initiated under this chapter } when a disciplinary issue regarding the peace officer has been referred to the division .

Representative Wimmer's motion to amend passed on a voice vote. Representative Greenwood commented.

**1st Sub. H.B. 187**, as amended, passed on the following roll call:

**Yeas, 68; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
Greenwood	Grover	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mathis
McIff	Menlove	Morley	Moss
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

K Gibson	Gowans	Hansen	Hunsaker
Mascaro	Newbold	Sumsion	

**1st Sub. H.B. 187**, as amended, transmitted to the Senate for its consideration.

**REPORTS OF STANDING COMMITTEES**

Mr. Speaker: February 24, 2010

The Business and Labor Committee recommends **H.B. 145**, RENEWABLE ENERGY FINANCING PROVISIONS, by Representative B. Last, be replaced and favorably recommends **1st Sub. H.B. 145**, RENEWABLE ENERGY FINANCING PROVISIONS; and

The Business and Labor Committee recommends **H.B. 223**, ALCOHOLIC BEVERAGE CONTROL ACT AND RESTAURANT LICENSES, by Representative G. Froerer, be replaced and favorably recommends **1st Sub. H.B. 223**, ALCOHOLIC BEVERAGE CONTROL ACT AND LICENSES; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 431**, IDENTITY VERIFICATION BY DEPARTMENT OF COMMERCE,

by Representative M. Morley, and recommends it be placed on the Consent Calendar.

James A. Dunnigan, Chair

Reports filed. On motion of Representative Painter, the reports of the Business and Labor committee were adopted.

**1st Sub. H.B. 145** and **1st Sub. H.B. 223** read the second time by short title and placed on the Third Reading Calendar.

**H.B. 431** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker: February 24, 2010

The Health and Human Services Committee reports a favorable recommendation on **H.B. 170**, FOSTER CARE REVISIONS, by Representative K. Gibson; and

The Health and Human Services Committee recommends **1st Sub. H.B. 331**, WASTE FEE AND RELATED AMENDMENTS, by Representative R. Menlove, be replaced and favorably recommends **2nd Sub. H.B. 331**, WASTE FEE AND RELATED AMENDMENTS; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 379**, BARBER, COSMETOLOGIST/BARBER, ESTHETICIAN, ELECTROLOGIST, AND NAIL TECHNICIAN LICENSING ACT AMENDMENTS, by Representative M. Newbold, with the following amendments:

- 1. Page 12, Lines 348 through 353:

348 (iv) (A) having graduated from a recognized  
master esthetics school { ~~or a recognized~~

349 ~~cosmetology/barber school~~ } located in a state other than Utah  
whose curriculum consists of less

350 than 1,200 hours of instruction, with full flexibility within the 1,200  
hours or the equivalent

351 number of credit hours; and

352 (B) having practiced as a licensed master esthetician for a  
period of not less than 4,000 hours;

353 and

Paul Ray, Chair

Reports filed. On motion of Representative Last, the reports of the Health and Human Services committee were adopted.

**H.B. 170, 2nd Sub. H.B. 331, and H.B. 379**, as amended, read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker:

February 24, 2010

The Public Utilities and Technology Committee recommends **H.B. 335**, UTILITY RELATED EXEMPTIONS, by Representative G. Hughes, be replaced and favorably recommends **1st Sub. H.B. 335**, UTILITY RELATED EXEMPTIONS; and

The Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 456**, AMENDMENTS TO DEPARTMENT OF ENVIRONMENTAL QUALITY, by Representative R. Edwards, with the following amendments:

1. Page 1, Line 14:

14       ▶           {~~adds one member to~~}       changes membership of  
the   the Air Quality Board;

2. Page 3, Lines 73 through 89:

73       (1) The board comprises [44] { 13 } 12 members,  
one of whom shall be the executive director

74   and [40] { 12 } 11 of whom shall be appointed by the  
governor with the consent of the Senate.

75       (2) The members shall be knowledgeable of air pollution  
matters and shall be:

76       (a) a practicing environmental or public health physician  
{~~and surgeon~~} licensed in the state not connected with industry;

77       (b) a registered professional engineer who is not from industry;

78       (c) a representative from municipal government;

79       (d) a representative from county government;

80       (e) a representative from agriculture;

- 81 (f) a representative from the mining industry;
- 82 (g) a representative from manufacturing;
- 83 (h) a representative from the fuel industry;  
{-+-} and {-+-}
- 84 (i) a representative from { ~~the~~ } transportation  
{ industry } planning :
- 85 [(4)] (j) two representatives of the public not representing or  
connected with industry, at
- 86 least one of whom represents organized environmental  
interests {-+-} . {-+-} { ~~;~~ and
- 87 ~~(k) a representative from a local health department.~~ }
- 88 (3) No more than [~~five~~] six of the appointed members shall  
belong to the same political
- 89 party. ; and

The Public Utilities and Technology Committee reports a favorable recommendation on **H.J.R. 33**, MARKING OF UNDERGROUND UTILITIES JOINT RESOLUTION, by Representative M. Brown, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 2, Lines 29 through 30:

- 29 WHEREAS, these incidents result in millions of dollars in line  
repair {~~and~~} ; lost
- 30 commerce , personal injury, and death :

Michael E. Noel, Chair

Reports filed. On motion of Representative Noel, the reports of the Public Utilities and Technology committee were adopted.

**1st Sub. H.B. 335**, and **H.B. 456**, as amended, read the second time by short title and placed on the Third Reading Calendar.

**H.J.R. 33**, as amended, read the second time by short title and placed on the Consent Calendar.

### MISCELLANEOUS BUSINESS

On motion of Representative Dee, the House voted to recess until 2:00 p.m.

## AFTERNOON SESSION

The House was called to order by Speaker Clark at 2:10 p.m.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 25, 2010

The Senate passed, **H.B. 43**, UNEMPLOYMENT COMPENSATION AMENDMENTS, by Representative S. Mascaro, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **2nd Sub. H.B. 70**, RETROFIT COMPRESSED NATURAL GAS VEHICLES AMENDMENTS, by Representative J. Draxler, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 89**, LICENSE FOR CONTROLLED SUBSTANCES AMENDMENTS, by Representative M. Morley, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 97**, AMENDMENTS RELATING TO DECEPTIVE PRACTICES INVOLVING CONSUMERS, by Representative M. Poulson, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 188**, WORKERS' COMPENSATION BENEFITS – SOCIAL SECURITY OFFSET, by Representative W. Harper, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 193**, OCCUPATIONS AND PROFESSIONS AMENDMENTS, by Representative R. Lockhart, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 263**, TECHNICAL CROSS REFERENCE REVISIONS, by Representative J. Anderson, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 274**, STATUTORY CONSTRUCTION COMPLIANCE AMENDMENTS, by Representative R. Lockhart, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.J.R. 2**, JOINT RESOLUTION ON PROPERTY TAX EXEMPTION FOR WATER FACILITIES, by Representative P. Painter, which

has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 43, 2nd Sub. H.B. 70, H.B. 89, H.B. 97, H.B. 188, H.B. 193, H.B. 263, H.B. 274, and H.J.R. 2** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: February 25, 2010

The Senate concurred in the House amendments and passed **S.B. 12, INDIVIDUAL INCOME TAX CONTRIBUTION FOR METHAMPHETAMINE HOUSING RECONSTRUCTION AND REHABILITATION FUND**, by Senator K. Mayne, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **1st Sub. S.B. 41, DRUG UTILIZATION REVIEW BOARD AMENDMENTS**, by Senator P. Knudson, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **S.B. 85, UTAH CONSTRUCTION TRADE LICENSING ACT AMENDMENTS**, by Senator S. Jenkins, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **S.B. 12, 1st Sub. S.B. 41, and S.B. 85** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

\* \* \*

Mr. Speaker: February 25, 2010

The Senate passed, as amended, **S.B. 123, MOTION PICTURE INCENTIVE FUND AMENDMENTS**, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed **S.B. 181, EMPLOYMENT SECURITY ADMINISTRATION FUND REPEALER**, by Senator D. Hinkins, and it is transmitted for consideration; and

The Senate passed **S.B. 189**, CAPITAL FACILITIES AMENDMENTS, by Senator C. Bramble, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **S.B. 123**, **S.B. 181**, and **S.B. 189** read the first time by short title and referred to the Rules Committee.

\* \* \*

Mr. Speaker: February 25, 2010

The Senate passed, as amended, **H.B. 21**, EXPUNGEMENT REVISIONS, by Representative Julie Fisher, and it is transmitted for further consideration; and

The Senate substituted and passed, **Senate 3rd Sub. H.B. 78**, WEAPONS REVISIONS, by Representative S. Sandstrom, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 93**, MOTORCYCLE AND OFF-HIGHWAY VEHICLE AMENDMENTS, by Representative R. Menlove, and it is transmitted for further consideration; and

The Senate passed, as amended, **1st Sub. H.B. 214**, CONCEALED FIREARM PERMIT MODIFICATIONS, by Representative R. Lockhart, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 21**, **3rd Sub. H.B. 78**, **H.B. 93**, and **1st Sub. H.B. 214** placed on the Concurrence Calendar.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 25, 2010

The Judiciary Committee reports a favorable recommendation on **H.B. 62**, PENALTIES FOR VIOLENT CRIME IN PRESENCE OF A CHILD, by Representative Janice Fisher, with the following amendments:

1. Page 3, Line 65

House Committee Amendments 2-22-2010:

65 (4) {~~-In addition to any other penalty, the -~~} The court shall order a person who violates; and



The Judiciary Committee reports a favorable recommendation on **1st Sub. H.B. 256**, CHILD ABUSE DATABASE AMENDMENTS, by Representative L. Fowlke; and

The Judiciary Committee recommends **H.B. 289**, JUDICIAL NOMINATING COMMISSION AMENDMENTS, by Representative C. Oda, be replaced and reports a favorable recommendation on **1st Sub. H.B. 289**, JUDICIAL NOMINATING COMMISSION AMENDMENTS with the following amendments:

1. Page 2, Lines 50 through 54:

50 78A-10-103. Procedures governing meetings of judicial nominating commissions.

51 (1) The [~~Judicial Council~~] { governor } Commission on Criminal and Juvenile Justice shall:

52 (a) in consultation with the Judicial Council, enact rules establishing procedures

53 governing the meetings of the judicial nominating commissions in accordance with Title 63G,

54 Chapter 3, Utah Administrative Rulemaking Act; and

2. Page 7, Lines 210 through 211:

210 {~~—~~} (6) (a) The chief justice of the Supreme Court  
 {~~is~~} shall appoint another member of the judicial council to serve as an ex officio, nonvoting member of

211 the Appellate Court Nominating Commission. {~~—~~}

3. Page 8, Lines 217 through 228:

217 78A-10-203. Procedure.

218 (1) {~~—Except for the chief justice of the Supreme Court, each commissioner is a voting~~

219 ~~member of the Appellate Court Nominating Commission.~~

220 {~~2~~} Four commissioners are a quorum.

221 {~~(3)~~} (2) The [~~state court administrator shall~~]  
governor shall appoint a member of the

222 governor's staff to serve as [secretary] staff to the Appellate Court Nominating Commission.

223        {-(4)-}        (3)    The [chief justice of the Supreme Court]  
governor shall:

224        (a) ensure that the commission follows the rules promulgated by  
the [Judicial Council]

225        governor; and

226        (b) resolve any questions regarding those rules.

227        {-(5)-}        (4)    A member of the commission who is also  
a member of the Utah State Bar may

228        recuse himself if there is a conflict of interest that makes the  
member unable to serve.

4. Page 9, Lines 253 through 254:

253        { -[ ] }        (8) (a) The chief justice of the Supreme Court  
{ -is- }        shall appoint another member of the judicial council to  
serve as        an ex officio, nonvoting member of

254        each Trial Court Nominating Commission.    { -[ ] }

5. Page 9, Lines 260 through 272:

260        78A-10-303. Procedure.

261        (1)    { -Except for the chief justice of the Supreme Court, each  
trial court nominating

262        ~~commissioner is a voting member of the commission.~~

263        ~~(2)-}    Four commissioners are a quorum.~~

264        { -(3)- }        (2)    The [state court administrator shall]  
governor shall appoint a member of the

265        governor's staff to serve as [secretary] staff to each Trial Court  
Nominating Commission.

266        { -(4)- }        (3)    The [chief justice of the Supreme Court]  
governor shall:

267        (a) ensure that each Trial Court Nominating Commission  
follows the rules

268        promulgated by the [Judicial Council] governor; and

269        (b) resolve any questions regarding those rules.

270        { -(5)- }        (4)    A member of a Trial Court Nominating  
Commission who is also a member of the

271 Utah State Bar may recuse himself if there is a conflict of interest  
that makes the member

272 unable to serve. ; and

The Judiciary Committee recommends **H.B. 355**, LEGAL GUARDIANSHIP AMENDMENTS, by Representative S. Sandstrom, be replaced and reports a favorable recommendation on **1st Sub. H.B. 355**, LEGAL GUARDIANSHIP AMENDMENTS with the following amendments:

1. Page 1, Lines 11 through 15:

11 This bill:

12 {~~→~~ increases the burden of proof that a school district must  
demonstrate to object to a

13 court appointment of a guardian for a minor if certain evidence is  
met;}  
}

14 ► requires attorney fees to be paid in certain  
circumstances; and

15 ► makes technical changes.

2. Page 2, Lines 50 through 51:

50 (b) the school district has proven by {~~+~~} a preponderance  
of the {~~+~~} {~~clear and convincing~~}

51 evidence that the primary purpose for the guardianship is to avoid  
the payment of tuition, ; and

The Judiciary Committee reports a favorable recommendation on **H.B. 409**, CIVIL ACTION FOR DAMAGES RELATED TO ADDICTION FROM ILLEGAL DRUG SALE, by Representative C. Herrod, with the following amendments:

1. Page 2, Line 44:

44 (b) [~~who~~] unlawfully provided any substance to any person  
in the chain of transfer of the substance ; and

The Judiciary Committee reports a favorable recommendation on **1st Sub. H.B. 133**, RELEASE OF COURT DOCUMENTS AND CHILD INTERVIEWS, by Representative L. Fowlke, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 12, Lines 358 through 360:  
 358 (e) Pro se defendants shall be advised by the court that an  
interview received as part of  
 359 discovery is confidential and may not be distributed, released, or  
displayed without prior  
 360 authorization from the court. A court's failure to give this notice  
may not be used as a defense to prosecution for a violation of the  
disclosure rule.
2. Page 13, Lines 376 through 379:  
 376 (2) Pro se litigants shall be advised by the court that private,  
protected, or sealed any  
 377 documents received by the party that the party would not have  
received but for the litigation  
 378 and pro se representation are confidential and may not be  
distributed outside the parties or the  
 379 court without prior authorization by the court. A court's failure to  
give this notice may not be used as a defense to prosecution for a  
violation of the disclosure rule.
3. Page 15, Lines 431 through 432:  
 431 (vi) the record is a Children's Justice Center investigative  
interview, video or audio, the  
 432 release of which is governed by Section { ~~77-37-44~~ }  
~~77-37-4~~ .

Lorie D. Fowlke, Chair

Reports filed. On motion of Representative Fowlke, the reports of the Judiciary committee were adopted.

**H.B. 62**, as amended, **1st Sub. H.B. 256**, **1st Sub. H.B. 289**, as amended, **1st Sub. H.B. 355**, as amended, and **H.B. 409**, as amended, read the second time by short title and placed on the Third Reading Calendar.

**1st Sub. H.B. 133**, as amended, read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker:

February 25, 2010

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.C.R. 15**, RESOLUTION TO THE SECRETARY OF

TRANSPORTATION ON REVOCATION OF DRIVER LICENSES, by Representative R. Lockhart; and

The Law Enforcement and Criminal Justice Committee recommends **H.B. 296**, CHOICE OF LAW IN UTAH COURTS, by Representative C. Wimmer, be replaced and favorably recommends **1st Sub. H.B. 296**, CHOICE OF LAW IN UTAH COURTS; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 337**, UNIFORM DRIVER LICENSE ACT AMENDMENTS, by Representative R. Lockhart; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 380**, FIREARM LAWS AMENDMENTS, by Representative S. Sandstrom; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **S.B. 142**, DRIVER LICENSE AMENDMENTS, by Senator H. Stephenson, and recommends it be placed on the Consent Calendar.

Douglas C. Aagard, Chair

Reports filed. On motion of Representative Aagard, the reports of the Law Enforcement and Criminal Justice committee were adopted.

**H.C.R. 15, 1st Sub. H.B. 296, H.B. 337, and H.B. 380** read the second time by short title and placed on the Third Reading Calendar.

**S.B. 142** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker:

February 25, 2010

The Natural Resources, Agriculture, and Environment Committee recommends **H.J.R. 26**, JOINT RESOLUTION APPROVING WATER RIGHTS ADDENDUM FORM, by Representative B. Ferry, be replaced and favorably recommends **1st Sub. H.J.R. 26**, JOINT RESOLUTION APPROVING WATER RIGHTS ADDENDUM FORM; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 171**, WATER RIGHTS REVISIONS, by Representative K. Gibson, with the following amendments:

- 1. Page 2, Lines 47 through 50:
  - 47 (ii) In making a determination under Subsection (2)(c)(i), the state engineer shall {–

48 consider water to have been reasonably applied to beneficial use if the lack of use is protected

49 from abandonment or forfeiture by Section 73-1-4 or otherwise excused by law. } ∴

(A) presume that the water right has been used to its full extent;

(B) consider the water right to have been used to its full extent if beneficial use is not required by Section 73-1-4 or otherwise excused by law; and

(C) not consider any unapproved quantity of water in connection with the change application proceeding to be forfeited or abandoned.

(iii) Any quantity of water not approved in connection with a change application proceeding remains valid for use in accordance with the previously approved water right.

50 (3) A person entitled to use water shall change a point of diversion, place of use, or ; and

The Natural Resources, Agriculture, and Environment Committee recommends **H.B. 314**, WATER RIGHTS ADDENDUMS TO DEEDS, by Representative B. Ferry, be replaced and favorably recommends **1st Sub. H.B. 314**, WATER RIGHTS ADDENDUMS TO DEEDS; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.C.R. 14**, R.S. 2477 HISTORIC ROADS CONCURRENT RESOLUTION, by Representative M. Noel, and recommends it be placed on the Consent Calendar; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **1st Sub. S.B. 32**, RAINWATER HARVESTING, by Senator S. Jenkins.

Roger E. Barrus, Chair

Reports filed. On motion of Representative Barrus, the reports of the Natural Resources, Agriculture, and Environment committee were adopted.

**1st Sub. H.J.R. 26**, **H.B. 171**, as amended, **1st Sub. H.B. 314**, and **1st Sub. S.B. 32** read the second time by short title and placed on the Third Reading Calendar.

**H.C.R. 14** read the second time by short title and placed on the Consent Calendar.

### INTRODUCTION OF BILLS

**H.B. 329, Campaign Finance Amendments** (B. Ferry), read the first time by short title and referred to the Rules Committee.

**H.B. 343, Great Salt Lake Advisory Council** (B. Ferry), read the first time by short title and referred to the Rules Committee.

**H.B. 396, Speech–language Pathology and Audiology Licensing Act Amendments** (D. Ipson), read the first time by short title and referred to the Rules Committee.

**H.B. 425, Budgetary Procedures Act – Fee Amendments** (R. Bigelow), read the first time by short title and referred to the Rules Committee.

**H.C.R. 17, Concurrent Resolution Opposing the Use of Presidential Power to Create New National Monuments in Utah** (M. Noel), read the first time by short title and referred to the Rules Committee.

### THIRD READING CALENDAR

**1st Sub. H.B. 298, LAND USE AUTHORITY NOTIFICATION OF CANAL DEVELOPMENT**, *Ferry*, read the third time by short title and placed on its final passage.

On motion of Representative Dee, the House voted to circle **1st Sub. H.B. 298**.

\* \* \*

**H.B. 309, SURFACE OWNER PROTECTION ACT**, *Mathis*, read the third time by short title and placed on its final passage.

On motion of Representative Mathis, the House voted to circle **H.B. 309**.

\* \* \*

**1st Sub. H.B. 139, EMERGENCY AND DISASTER MANAGEMENT AMENDMENTS**, *Oda*, read the third time by short title and placed on its final passage.

On motion of Representative Oda, the House voted to circle **1st Sub. H.B. 139**.

\* \* \*

**H.B. 140, HUMAN RESOURCE MANAGEMENT AMENDMENTS**, *Dee*, read the third time by short title and placed on its final passage.

On motion of Representative Dee, the House voted to circle **H.B. 140**.

\* \* \*

**H.B. 161**, VOTER REGISTRATION AMENDMENTS, *Chavez–Houck*, read the third time by short title and placed on its final passage. Representative Frank commented.

**H.B. 161** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McCliff
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

S Duckworth	Hunsaker	Menlove	Ray
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**H.B. 161** transmitted to the Senate for its consideration.

### UNFINISHED BUSINESS

On motion of Representative Noel, the House voted to uncircle **H.J.R. 16**.

**H.J.R. 16**, JOINT RESOLUTION SUPPORTING KANE COUNTY EXPANSION OF CORRECTIONAL FACILITIES, *Noel*, was before the House on its final passage.



**H.J.R. 16** passed on the following roll call:

**Yeas, 66; Nays, 6; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Biskupski	Black	Brown	Chavez–Houck
S. Clark	Cosgrove	Daw	Dee
Dougall	Draxler	S Duckworth	Dunnigan
Edwards	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hutchings
Ipson	Johnson	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Morley	Moss	Noel
Oda	Painter	Poulson	Powell
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	D. Clark		

**Voting in the negative were:** Representatives

Anderson	Bigelow	Bird	King
Newbold	Wright		

**Absent or not voting were:** Representatives

Hunsaker	Menlove	Ray
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**H.J.R. 16** transmitted to the Senate for its consideration.

\* \* \*

On motion of Representative Ferry, the House voted to uncircle **1st Sub. H.B. 298**.

**1st Sub. H.B. 298**, LAND USE AUTHORITY NOTIFICATION OF CANAL DEVELOPMENT, *Ferry*, was before the House on its final passage.

**1st Sub. H.B. 298** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

S. Clark	Hunsaker	Hutchings	Menlove
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**1st Sub. H.B. 298** transmitted to the Senate for its consideration.

**THIRD READING CALENDAR**

**1st Sub. H.B. 265**, REAL PROPERTY AMENDMENTS, *Froerer*, read the third time by short title and placed on its final passage.

Representative Draxler proposed the following amendment:

1. Page 2, Line 41:  
After “income” insert “capitalization”
2. Page 2, Line 42:  
Delete “market” and insert “sales comparison”

Representative Draxler’s motion to amend passed on a voice vote.

Representatives Barrus and Mascaro commented.

**1st Sub. H.B. 265** passed on the following roll call:

**Yeas, 65; Nays, 5; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Beck	Bigelow
Bird	Biskupski	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Mathis	McIff
Menlove	Moss	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright			

**Voting in the negative were:** Representatives

Allen	Barrus	Mascaro	Newbold
D. Clark			

**Absent or not voting were:** Representatives

Edwards	Hunsaker	Lockhart	Morley
Vickers			

**1st Sub. H.B. 265** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 401**, RESIDENTIAL FACILITIES FOR ELDERLY PERSONS, *Daw*, read the third time by short title and placed on its final passage.

**H.B. 401** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall

Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Hunsaker	Lockhart	Vickers
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**H.B. 401** transmitted to the Senate for its consideration.

\* \* \*

**1st Sub. H.B. 388**, MOBILE HOME REVISIONS, *Dunnigan*, read the third time by short title and placed on its final passage.

On motion of Representative Dunnigan, the House voted to circle **1st Sub. H.B. 388**.

\* \* \*

**H.B. 398**, SEXUALLY ORIENTED BUSINESS LICENSE AMENDMENTS, *Seegmiller*, read the third time by short title and placed on its final passage.

Representative Seegmiller proposed the following amendment:

1. Page 2, Lines 39 through 40

39            ~~{-(c) "Escort" means any individual who is available to the public for the purpose of~~

40 ~~accompanying another individual for compensation.-}~~            (c)(i)  
"Escort" means a person who, for compensation, dates, socializes with, visits, consorts with or accompanies another, or offers to date, consort with, socialize with, visit, or accompany another;

(A) to a social affair, entertainment, or a place of amusement; or

(B) within:

(I) a place of public or private resort;

(II) a business or commercial establishment; or

(III) a private quarter.

(ii) "Escort" does not mean a person who provides business or personal services, including:

(A) a licensed private nurse;

(B) an aide for the elderly or a person with a disability;

(C) a social secretary or similar service personnel:

(I) whose relationship with a patron is characterized by a contractual relationship having a duration of 12 hours or more; and

(II) who provides a service not principally characterized as dating or socializing; or

(D) a person who provides services such as singing telegrams, birthday greetings, or similar activities:

(I) characterized by an appearance in a public place;

(II) contracted for by a party other than the person for whom the service is being performed; and

(II) of a duration not to exceed one hour.

2. Page 3, Lines 76 through 77:

76 ~~{-(c) "Escort" means any individual who is available to the public for the purpose of~~

77 ~~accompanying another individual for compensation.}~~ (c)(i) "Escort" means a person who, for compensation, dates, socializes with, visits, consorts with or accompanies another, or offers to date, consort with, socialize with, visit, or accompany another:

(A) to a social affair, entertainment, or a place of amusement; or

(B) within:

(I) a place of public or private resort;

(II) a business or commercial establishment; or

(III) a private quarter.

(ii) "Escort" does not mean a person who provides business or personal services, including:

(A) a licensed private nurse;

(B) an aide for the elderly or a person with a disability;

(C) a social secretary or similar service personnel:

(I) whose relationship with a patron is characterized by a

contractual relationship having a duration of 12 hours or more; and  
(II) who provides a service not principally characterized as dating  
or socializing; or  
(D) a person who provides services such as singing telegrams,  
birthday greetings, or similar activities:  
(I) characterized by an appearance in a public place;  
(II) contracted for by a party other than the person for  
whom the service is being performed; and  
(III) of a duration not to exceed one hour.

Representative Seegmiller's motion to amend passed on a voice vote.

**H.B. 398**, as amended, passed on the following roll call:

**Yeas, 69; Nays, 2; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez-Houck	S. Clark
Cosgrove	Daw	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hutchings	Ipson	Johnson	King
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Voting in the negative were:** Representatives

Kiser	Wallis
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**Absent or not voting were:** Representatives

Dee	Dougall	Hunsaker	Vickers
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**H.B. 398**, as amended, transmitted to the Senate for its consideration.

**RULES COMMITTEE REPORT**

Mr. Speaker: February 25, 2010

The Rules Committee recommends that the following bill, under suspension of the rules, be lifted from Rules, considered read for the second time and placed on the Third Reading Calendar for Senate bills:

**S.B. 124** Military Installation Development Authority  
Modifications (Sen. J. Stevenson)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

**S.B. 124** read the second time by short title and placed on the Third Reading Calendar.

**RULES COMMITTEE REPORT**

Mr. Speaker: February 25, 2010

The Rules Committee recommends that the following bill, be lifted from Rules, and placed on the Third Reading Calendar for Senate bills:

**S.B. 134** Partnership Tax Return Filing Deadlines  
(Sen. J. S. Adams)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

**RULES COMMITTEE REPORT**

Mr. Speaker: February 25, 2010

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 148**, Sales and Use Tax Changes (Rep. W. Harper) be amended as follows and further recommends it be assigned to the House Revenue and Taxation Standing Committee:

- 1. Page 78, Lines 2391 through 2402:

2391 (13) (a) Notwithstanding Subsection (3)(a) and except as provided in Subsection (13)(b) , the { following amounts shall be deposited } Division of Finance shall deposit the following amounts into

2392 the Rural Health Care Compensation Fund created by Section 26-9-5 and expended as provided

2393 in Section 26-9-5:

2394 { ~~(a)~~ } (i) for the time period beginning on January 1, 2011, and ending on June 30, 2011,

2395 { ~~\$4,300,000~~ } the amount of tax revenue generated by a .0111260915% tax rate on the transactions described in Subsection (1) ; and

2396 { ~~(b)~~ } (ii) for each fiscal year beginning with fiscal year 2011-12, { ~~\$8,600,000~~ } the amount of tax revenue generated by a .02190604% tax rate on the transactions described in Subsection (1) .

(b) For purposes of Subsection (13)(a), the Division of Finance may not deposit into the Rural Health Care Compensation Fund any tax revenue generated by amounts paid or charged for food and food ingredients, except for tax revenue generated by a bundled transaction attributable to food and food ingredients and tangible personal property other than food and food ingredients described in Subsection (2)(e).

2397 (14) (a) Notwithstanding Subsection (3)(a) and except as provided in Subsection (14)(b) , the { ~~following amounts shall be deposited~~ } Division of Finance shall deposit the following amounts into

2398 the Tourism, Recreation, Cultural, Convention, and Airport Facilities Fund created by Section

2399 63M-1-1407 and expended as provided in Section 63M-1-1407:

2400 { ~~(a)~~ } (i) for the time period beginning on January 1, 2011, and ending on June 30, 2011,

2401 { ~~\$15,500,000~~ } the amount of tax revenue generated by a .0392315788% tax rate on the transactions described in Subsection (1) ; and

2402 { ~~(b)~~ } (ii) for each fiscal year beginning with fiscal year 2011-12, { ~~\$31,000,000~~ } the amount of tax revenue generated by a .07896386% tax rate on the transactions described in Subsection (1) .

(b) For purposes of Subsection (14)(a), the Division of Finance may not deposit into the Tourism, Recreation, Cultural, Convention, and Airport Facilities Fund any tax revenue generated by amounts paid or charged for food and food ingredients, except for tax revenue generated



by a bundled transaction attributable to food and food ingredients and tangible personal property other than food and food ingredients described in Subsection (2)(e).

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

### **RULES COMMITTEE REPORT**

Mr. Speaker:

February 25, 2010

The Rules Committee recommends the following bills and resolutions be assigned to standing committees:

#### **BUSINESS AND LABOR**

- H.B. 399** Common Interest Ownership Amendments  
(Rep. G. Froerer)
- H.J.R. 34** Joint Resolution on Hospital Claims Management  
(Rep. B. Last)
- 2nd Sub. S.B. 81** Eminent Domain Amendments (Sen. L. Hillyard)

#### **EDUCATION**

- H.B. 137** Public School Funding (Rep. W. Harper)
- H.B. 166** Reductions to Education Mandates (Rep. R. Menlove)
- H.B. 454** Maternity Leave for School Employees (Rep. J. Fisher)

#### **GOVERNMENT OPERATIONS**

- 2nd Sub. S.B. 119** Special Elections Modifications (Sen. H. Stephenson)
- S.B. 213** Division of Services for People with Disabilities Advisory Council (Sen. A. Christensen)
- 2nd Sub. S.B. 275** Removing Signature from Initiative and Referendum Petition (Sen. H. Stephenson)

#### **HEALTH AND HUMAN SERVICES**

- 1st Sub. S.B. 88** Pharmacy Practice Act Amendments (Sen. C. Bramble)
- S.B. 141** Utah Substance Abuse and Anti-violence Coordinating Council Amendments (Sen. J. Adams)

#### **JUDICIARY**

- H.B. 373** Renewal of Judgment Act Amendments (Rep. G. Froerer)
- 1st Sub. S.B. 130** Judiciary Amendments (Sen. L. Hillyard)

**LAW ENFORCEMENT AND CRIMINAL JUSTICE**

- H.B. 375** Bailable Offenses Act (Rep. P. Ray)  
**H.B. 404** Motor Vehicle Business Amendments (Rep. D. Ipson)  
**S.B. 120** Disarming a Peace Officer Amendment (Sen. D. Hinkins)  
**1st Sub. S.B. 140** Juvenile Detention Amendments (Sen. J. Greiner)

**NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT**

- H.B. 417** Deer Hunt Amendments (Rep. K. Powell)  
**H.B. 450** Fishing License Amendments – Disabled Veterans  
 (Rep. T. Cosgrove)

**REVENUE AND TAXATION**

- S.B. 61** Sales and Use Tax Exemption for a Web Search Portal  
 (Sen. H. Stephenson)  
**S.B. 135** Sales and Use Tax Exemption for an Energy Efficient  
 Stove or Energy Efficient Stove Fuel (Sen. G. Davis)

**TRANSPORTATION**

- H.B. 366** Motor Vehicle Business Regulation Act Amendments  
 (Rep. B. Daw)  
**S.B. 38** Restrictions on High Occupancy Vehicle Lane  
 (Sen. K. Morgan)  
**S.B. 70** Motor Vehicle Liability Amendments – Minor Drivers  
 (Sen. S. Urquhart)  
**S.B. 74** State Park Highway Access Amendments  
 (Sen. D. Hinkins)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

**SPECIAL RECOGNITION**

Representative Draxler introduced, and the House recognized, representatives and students from the Utah State University Space Program.

**THIRD READING CALENDAR**

**H.B. 437**, PHLEBOTOMY CERTIFICATION ACT, *Seegmiller*, read the third time by short title and placed on its final passage.

On motion of Representative Seegmiller, the House voted to circle **H.B. 437**.

\* \* \*

**H.B. 150**, ADMINISTRATIVE SUBPOENA AMENDMENTS, *Daw*, read the third time by short title and placed on its final passage.

Representative Daw proposed the following amendment:

- 1. Page 4, Line 107 (7) There is no cause of action against any provider or wire or electronic communication service, or its officers, employees, agents, or other specified persons for providing information, facilities or assistance in accordance with the terms of the administrative subpoena or statutory authorization.  
(8)(a) An administrative subpoena issued under this section is subject to the provisions of Title 77, Chapter 23b, Access to Electronic Communications.  
(b) Rights and remedies for providers and subscribers under Title 77, Chapter 23b, Access to Electronic Communications apply to providers and subscribers subject to an administrative subpoena issued under this section.

107        {-(7)-}        (9) (a) Every prosecutorial agency that has issued any subpoenas under this section

Representative Daw’s motion to amend passed on a voice vote.

Representatives Biskupski, King, McIff, and Hemingway commented.

**H.B. 150**, as amended, failed to pass on the following roll call:

**Yeas, 33; Nays, 41; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Allen	Bigelow	Bird	Brown
S. Clark	Daw	Dee	Draxler
Edwards	Fowlke	Frank	Froerer
Garn	K Gibson	Greenwood	Grover
Herrod	Hughes	Hutchings	Last
Lockhart	Mascaro	McIff	Menlove
Moss	Newbold	Oda	Painter
Powell	Ray	Vickers	Wallis
Webb			

**Voting in the negative were:** Representatives

Aagard	Anderson	Barrus	Beck
Biskupski	Black	Chavez–Houck	Cosgrove

Dougall	S Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	F Gibson	Gowans
Hansen	Harper	Hemingway	Hendrickson
Ipson	Johnson	King	Kiser
Litvack	Mathis	Morley	Noel
Poulson	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Watkins	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting was:** Representative Hunsaker

**H.B. 150**, as amended, was filed.

\* \* \*

**H.B. 348**, SHERIFFS FEES, *Greenwood*, read the third time by short title and placed on its final passage.

**H.B. 348**, as amended, passed on the following roll call:

**Yeas, 60; Nays, 13; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Barrus	Beck
Bird	Biskupski	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Draxler	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
Greenwood	Grover	Hemingway	Herrod
Hughes	Ipson	Johnson	King
Kiser	Litvack	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wright	D. Clark

**Voting in the negative were:** Representatives

Anderson	Bigelow	Dougall	S Duckworth
Gowans	Hansen	Harper	Hendrickson
Hutchings	Last	Lockhart	Sumsion
Wimmer			

**Absent or not voting were:** Representatives

K Gibson	Hunsaker
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**H.B. 348**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.B. 143**, EMINENT DOMAIN AUTHORITY, *Herrod*, read the third time by short title and placed on its final passage.

Representative Sumsion proposed the following amendment:

1. Page 1, Line 28 through Page 2, Line 29

28        78B-6-503.5. Other property which may be taken — State as  
plaintiff .

29        { Property }    (1) Subject to Subsection (2), property  
which may be taken under this part includes property possessed by the  
federal

2. Page 2, Line 31

House Committee Amendments 2-23-2010:

31    United States Constitution Article I, Section 8, Clause 17.

(2) The state shall be the plaintiff described in Section 78B-6-507 in an  
action to condemn property described in Subsection (1).

Representative Sumsion’s motion to amend passed on a voice vote.

Representatives Wilcox, Barrus, Litvack, King, McIff, Powell, F. Gibson, Wimmer, and Noel commented.

**H.B. 143**, as amended, passed on the following roll call:

**Yeas, 57; Nays, 13; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Barrus	Beck
Bigelow	Bird	Black	Brown

S. Clark	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Harper
Hendrickson	Herrod	Hughes	Hutchings
Ipson	Kiser	Last	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Newbold	Noel	Oda
Painter	Poulson	Powell	Sandstrom
Seegmiller	Sumsion	Vickers	Wallis
Webb	Wilcox	Wimmer	Wright
D. Clark			

**Voting in the negative were:** Representatives

Biskupski	Chavez–Houck	Cosgrove	Hansen
Hemingway	Johnson	King	Litvack
Moss	Riesen	Seelig	Wheatley
Wiley			

**Absent or not voting were:** Representatives

Allen	Fowlke	Hunsaker	Ray
Watkins			

**H.B. 143**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**1st Sub. H.B. 323**, SCHOOL AND INSTITUTIONAL TRUST LANDS AMENDMENTS, *Sumsion*, read the third time by short title and placed on its final passage.

On motion of Representative Sumsion, the House voted to circle **1st Sub. H.B. 323**.

\* \* \*

**H.B. 324**, PUBLIC LANDS LITIGATION, *Sumsion*, read the third time by short title and placed on its final passage.

On motion of Representative Sumsion, the House voted to circle **H.B. 324**.

\* \* \*

**1st Sub. H.B. 388**, MOBILE HOME REVISIONS, *Dunnigan*, read the third time by short title and placed on its final passage.

On motion of Representative Dunnigan, the House voted to delete **1st Sub. H.B. 388** in title and body and insert **2nd Sub. H.B. 388** in lieu thereof.

Representative Janice Fisher commented.

**2nd Sub. H.B. 388** passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Riesen	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Webb
Wheatley	Wilcox	Wiley	Wright
D. Clark			

**Absent or not voting were:** Representatives

Gowans	Hunsaker	Ray	Sandstrom
Watkins	Wimmer		

**2nd Sub. H.B. 388** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 332**, UTAH AGRICULTURAL CODE AMENDMENTS, *Watkins*, read the third time by short title and placed on its final passage.

On motion of Representative Dee, the House voted to circle **H.B. 332**.

## COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 25, 2010

The Senate passed, **H.B. 54**, PROPERTY TAX EXEMPTION FOR WATER FACILITIES, by Representative P. Painter, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 103**, REDUCED SPEED SCHOOL ZONE AMENDMENTS, by Representative S. Sandstrom, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 254**, VOTER IDENTIFICATION AMENDMENTS, by Representative B. Daw, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.J.R. 19**, JOINT RESOLUTION APPROVING REAPPOINTMENT OF LEGISLATIVE AUDITOR GENERAL, by Representative D. Clark, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communication filed. **H.B. 54**, **H.B. 103**, **H.B. 254**, and **H.J.R. 19** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

## INTRODUCTION OF BILLS

**H.B. 368**, **Election Day Voting Centers** (R. Chavez–Houck), read the first time by short title and referred to the Rules Committee.

**H.B. 407**, **Obligations Secured by Trust Deeds** (G. Hughes), read the first time by short title and referred to the Rules Committee.

**H.B. 418**, **Final Judgments That Affect the Ownership of or Title to Real Property** (K. Powell), read the first time by short title and referred to the Rules Committee.

**H.B. 445**, **Highway Access to Sovereign Lands** (R. Barrus), read the first time by short title and referred to the Rules Committee.

## MISCELLANEOUS BUSINESS

On motion of Representative Garn, and at 4:55 p.m., the House voted to adjourn until February 26, 2010, at 10:00 a.m.



# THIRTY-SECOND DAY

\* \* \*

## MORNING SESSION

The House was called to order by Speaker Clark at 10:00 a.m.

Roll call showed all members present.

Prayer offered by Representative Marie Poulson. Pledge of Allegiance led by Representative Poulson’s constituent, Katherine Pliska.

### COMMUNICATION FROM THE SENATE

Mr. Speaker: February 25, 2010

The Senate passed, as amended, **S.B. 137**, COORDINATION OF REMOVING, RELOCATING, OR ALTERING UTILITIES, by Senator D. Liljenquist, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. **S.B. 137** read the first time by short title and referred to the Rules Committee.

### INTRODUCTION OF BILLS

**H.B. 351, State Highway Project Funding – Salt Lake County** (W. Harper), read the first time by short title and referred to the Rules Committee.

**H.B. 436, State Officers’ Salary Amendments** (N. Hansen), read the first time by short title and referred to the Rules Committee.

**H.B. 452, Collection Fees** (S. Sandstrom), read the first time by short title and referred to the Rules Committee.

### CONSENT CALENDAR

**H.B. 364, RIGHT OF IDENTITY THEFT VICTIM TO CIVIL CAUSE OF ACTION**, *Julie Fisher*, read the third time by short title and placed on its final passage.

**H.B. 364** passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	Menlove
Morley	Moss	Newbold	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
D. Clark			

**Absent or not voting were:** Representatives

Dunnigan	Hughes	McIff	Noel
Seelig	Wright		

**H.B. 364** transmitted to the Senate for its consideration.

\* \* \*

**S.J.R. 2**, JOINT RESOLUTION ON COMBATING AND REDUCING GANG ACTIVITY, *Wilcox*, read the third time by short title and placed on its final passage.

**S.J.R. 2** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall

Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	D. Clark	

**Absent or not voting were:** Representatives

Hughes	McIff	Wallis	Wright
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**S.J.R. 2** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

**CONCURRENCE CALENDAR**

On motion of Representative Julie Fisher, the House voted to concur in the Senate amendments to **H.B. 21**, EXPUNGEMENT REVISIONS.

**H.B. 21**, as amended by the Senate, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff

Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Janice Fisher      Hughes      Wilcox

**H.B. 21**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Sandstrom, the House voted to concur in the Senate amendments to **3rd Sub. H.B. 78**, WEAPONS REVISIONS.

**3rd Sub. H.B. 78**, as amended by the Senate, passed on the following roll call:

**Yeas, 70; Nays, 1; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Black
Brown	Chavez–Houck	S. Clark	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Noel
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wiley	Wimmer
Wright	D. Clark		

**Voting in the negative was:** Representative

Biskupski

**Absent or not voting were:** Representatives

Cosgrove	Newbold	Oda	Wilcox
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**3rd Sub. H.B. 78**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Menlove, the House voted to concur in the Senate amendments to **H.B. 93**, MOTORCYCLE AND OFF-HIGHWAY VEHICLE AMENDMENTS.

**H.B. 93**, as amended by the Senate, passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez-Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Watkins	Webb	Wheatley
Wiley	Wright	D. Clark	

**Absent or not voting were:** Representatives

Oda	Wallis	Wilcox	Wimmer
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**H.B. 93**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Lockhart, the House voted to concur in the Senate amendments to **1st Sub. H.B. 214**, CONCEALED FIREARM PERMIT MODIFICATIONS.

**1st Sub. H.B. 214**, as amended by the Senate, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Riesen
Sandstrom	Seegmiller	Seelig	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Ray	Sumsion
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**1st Sub. H.B. 214**, as amended by the Senate, transmitted to the Senate for signature of President.

### SPECIAL ORDER OF BUSINESS

**3rd Sub. S.B. 43**, POST–RETIREMENT EMPLOYMENT AMENDMENTS, *Dee*, read the third time by short title and placed on its final passage.

Representative Dee proposed the following amendment:

- 1. Page 13, Lines 389 through 390

389 (b) A participating employer is liable to the office for a payment  
or failure to make a  
 390 payment in violation of this section.

Representative Dee’s motion to amend passed on a voice vote.

Representatives Litvack, Hutchings, and Brown commented.

###

Representative Allen proposed the following amendment:

- 1. Page 2, Line 26

26 from retirement works more than 20 hours a week ;

- 2. Page 10, Lines 282 through 283:

282 (1) As used in this section and Section 49-11-505 ,  
“full-time” means:

283 (a) employment requiring 20 or more hours of work per week;  
or

- 3. Page 13, Lines 374 through 375:

374 (3) (a) The office shall cancel the retirement allowance of a  
retiree if the reemployment

375 with a participating employer ;

(i) is full time employment; and

(ii) begins within one year of the retiree’s retirement date.

(b) The office may not cancel the retirement allowance of a retiree  
 if the reemployment with the participating employer is:

(i) within the first year of the retiree’s retirement date; and

(ii) less than full time employment.

Representatives Ipson, Dougall, and Mascaro commented. Representative Allen’s motion to amend failed on a voice vote.

Representatives Watkins and Seegmiller commented.

**3rd Sub. S.B. 43**, as amended, passed on the following roll call:

**Yeas, 55; Nays, 20; Absent or not voting, 0.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Bigelow	Bird	Brown	S. Clark
Daw	Dee	Dougall	Draxler
Dunnigan	Edwards	Ferry	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Grover
Harper	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Newbold	Noel	Oda	Painter
Powell	Ray	Sandstrom	Sumsion
Vickers	Wallis	Webb	Wilcox
Wimmer	Wright	D. Clark	

**Voting in the negative were:** Representatives

Beck	Biskupski	Black	Chavez–Houck
Cosgrove	S Duckworth	Janice Fisher	Greenwood
Hansen	Hemingway	Hendrickson	Kiser
Moss	Poulson	Riesen	Seegmiller
Seelig	Watkins	Wheatley	Wiley

**3rd Sub. S.B. 43**, as amended, returned to the Senate for further consideration.

\* \* \*

**2nd Sub. S.B. 63**, NEW PUBLIC EMPLOYEES' TIER II CONTRIBUTORY RETIREMENT ACT, *Dee*, read the third time by short title and placed on its final passage.

Representative Dee proposed the following amendment:

1. Page 2, Line 26

26       ▶       provides that all new public employees including public safety, firefighters, {~~judges,—~~}

2. Page 3, Lines 66 through 67:

66       {~~•—Judges' Contributory Retirement System;~~}



- 67        •—— Judges' Noncontributory Retirement System; - }    and
3.    Page 4, Lines 93 through 94:
- 93            { ~~49-17-201, as renumbered and amended by Laws of Utah~~  
~~2002, Chapter 250~~
- 94        ~~49-18-201, as renumbered and amended by Laws of Utah~~  
~~2002, Chapter 250 - }~~
4.    Page 5, Line 125:
- 125        { ~~49-22-701, Utah Code Annotated 1953-~~ }
5.    Page 18, Lines 528 through 529:
- 528        { ~~(vi) Chapter 17, Judges' Contributory Retirement Act;~~  
529        ~~(vii) Chapter 18, Judges' Noncontributory Retirement~~  
~~Act; } or~~
6.    Page 36, Line 1100 through Page 37, Line 1117:  
Delete lines 1100 through 1117
7.    Page 42, Lines 1270 through 1273:
- 1270        { ~~(c) Section 49-17-201;~~  
1271        ~~(d) Section 49-18-201;~~  
1272        ~~(e) }    (c)    Section 49-19-201; or~~  
1273        { ~~(f) }    (d)    Section 49-22-201 or 49-22-202.~~
8.    Page 59, Lines 1806 through 1809:  
Delete lines 1806 through 1809

Representative Dee's motion to amend passed on a voice vote.

###

Representative Dunnigan proposed the following amendment:

1.    Page 5, Line 138
- 138        49-23-307, Utah Code Annotated 1953  
49-23-308, Utah Code Annotated 1953
2.    Page 70, Line 2163:
- 2163        allowance.  
Section 58. Section 49-23-308 is enacted to read:

49-23-308. Purchase of service credit -- Conditions -- Cost --  
Nondiscrimination policy.

(1) (a) A member may purchase or a member and a participating employer may jointly purchase a maximum of five years of service credit which cannot otherwise be purchased under this title.

(b) At a minimum, the years of service credit purchased shall be sufficient to allow the member to meet the retirement eligibility requirements of this system with no actuarial reduction.

(c) The member's retirement date shall be immediately after the purchase of years of service credit.

(d) The member shall pay at least 5% of the cost of the purchase.

(e) To qualify for a purchase of service credit under this section, the member shall:

(i) have at least five years of service credit; and

(ii) otherwise meet federal eligibility requirements.

(2) The purchase price for the years of service credit shall be calculated and paid for as provided in Section 49-11-403.

(3) Prior to making any purchase of years of service credit under this section, a participating employer shall adopt a purchase policy that includes nondiscriminatory participation standards for all regular full-time employees.

(4) Only members retiring from this system may purchase service credit under this section.

Renumber remaining sections accordingly.

Representative Dunnigan's motion to amend passed on a voice vote.

###

Representative Dunnigan proposed the following amendment:

1. Page 2, Lines 40 through 44

40       ▶ provides that the participating employer shall contribute for public employees Tier

41       II employees the percentage of the employee's compensation equal to the

42       corresponding Tier I system amortization rate plus  
       {~~-8%~~}     10% ;

43 ► provides that the total public employees' Tier II contribution credited specifically on  
44 behalf of a Tier II employee is {~~8%~~} 10% of the employee's salary;

2. Page 47, Lines 1436 through 1439:

1436 (2) (a) A participating employer shall pay up to  
1437 { ~~8%~~ } 10% of compensation toward the  
1438 certified contribution rate to the office for the defined benefit  
1439 portion of this system.

1438 (b) A member shall pay the amount, if any, of the certified  
1439 contribution rate for the

1439 defined benefit portion of this system that exceeds  
1440 { ~~8%~~ } 10% to the office.

3. Page 48, Lines 1467 through 1471:

1467 (1) (a) A participating employer shall make a nonelective  
1468 contribution on behalf of

1468 each regular full-time employee who is a member of this system in  
1469 an amount equal to { ~~8%~~ } 10%

1469 minus the contribution rate paid by the employer pursuant to  
1470 Subsection 49-22-301(2)(a) of the

1470 member's compensation to a defined contribution plan qualified  
1471 under Section 401(k) of the

1471 Internal Revenue Code which:

4. Page 54, Lines 1660 through 1665:

1660 49-22-401, Contributions -- Rates.

1661 (1) Up to the amount allowed by federal law, the participating  
1662 employer shall

1662 contribute { ~~8%~~ } 10% of the participant's  
1663 compensation to a defined contribution plan.

1663 (2) (a) The participating employer shall contribute the  
1664 { ~~8%~~ } 10% nonelective contribution

1664 described in Subsection (1) to a defined contribution plan  
1665 qualified under Section 401(k) of the

1665 Internal Revenue Code which:

Representative Hutchings commented. Representative Dunnigan's motion to amend passed on a voice vote.

###

Representative Harper proposed the following amendment:

1. Page 2, Lines 32 through 39

32 ► provides that the retirement benefits for public employees Tier II hybrid system

33 employees include:

34 • full retirement benefits after 35 years of service credit;

35 • 2.5% cost-of-living adjustments on the retirement allowance;

36 • a ~~{-1.0%-}~~ 1.5% multiplier for each year of service;

37 • a 401(k) employer contribution;

38 • a death benefit; and

39 • a disability benefit;

2. Page 51, Lines 1546 through 1548:

1546 (a) If the retiree is at least 65 years of age or has accrued at least 35 years of service

1547 credit, the allowance is an amount equal to  
~~{-1.0%-}~~ 1.5% of the retiree's final average salary multiplied

1548 by the number of years of service credit accrued on and after July 1, 2011.

Representative Fowlke commented. Representative Harper's motion to amend passed on a voice vote.

###

Representative Sandstrom proposed the following amendment:

1. Page 49, Lines 1497 through 1500

1497 (b) If a member who terminates employment with a participating employer prior to the

1498 vesting period described in Subsection (2)(a) subsequently enters employment with the same or

1499 another participating employer within { five } 10 years of the termination date of the previous

1500 employment:

2. Page 54, Line 1668 through Page 55, Line 1672:

1668 (b) The member may make additional payments to ;

(i) the qualified 401(k) plan which

1669 receives the employer contribution described in this Subsection (2) ; or

(ii) at the member's option, another defined contribution plan established by the participating employer .

1670 (c) In addition to the percent specified under Subsection (2)(a), the participating

1671 employer shall pay the corresponding Tier I system amortization rate of the employee's

1672 compensation to the office to be applied to the employer's corresponding Tier I system liability .

3. Page 55, Lines 1694 through 1697:

1694 (b) If a member who terminates employment with a participating employer prior to the

1695 vesting period described in Subsection (3)(a) subsequently enters employment with the same or

1696 another participating employer within { five } 10 years of the termination date of the previous

1697 employment:

4. Page 66, Lines 2026 through 2029:

2026 (b) If a member who terminates employment with a participating employer prior to the

2027 vesting period described in Subsection (2)(a) subsequently enters employment with the same or

2028 another participating employer within { five } 10 years of the termination date of the previous

2029 employment:

5. Page 71, Lines 2174 through 2178:

2174 (b) The member may make additional payments to ;  
(i) the qualified 401(k) plan which

2175 receives the employer contribution described in this Subsection  
(2) ;or

(ii) at the member's option, another defined contribution plan  
established by the participating employer .

2176 (c) In addition to the percent specified under Subsection (2)(a),  
the participating

2177 employer shall pay the corresponding Tier I system  
amortization rate of the employee's

2178 compensation to the office to be applied to the employer's  
corresponding Tier I system liability .

6. Page 72, Lines 2200 through 2203:

2200 (b) If a member who terminates employment with a  
participating employer prior to the

2201 vesting period described in Subsection (3)(a) subsequently  
enters employment with the same or

2202 another participating employer within { five } 10  
years of the termination date of the previous

2203 employment:

Representatives Hendrickson and Allen commented. Representative Sandstrom's motion to amend passed on a voice vote.

###

Representative Wimmer proposed the following amendment:

1. Page 52, Lines 1586 through 1588

1586 (5) (a) If a retiree under Option One dies within  
{ 90 } 120 days after the retiree's retirement

1587 date, the retirement is canceled and the death shall be  
considered as that of a member before

1588 retirement.

2. Page 69, Lines 2114 through 2116:

2114 (5) (a) If a retiree under Option One dies within  
 { ~~90~~ } 120 days after the retiree's retirement

2115 date, the retirement is canceled and the death shall be  
considered as that of a member before

2116 retirement.

Representative Wimmer's motion to amend passed on a voice vote.

###

Representative Menlove proposed the following amendment:

1. Page 1, Line 15

15       ▶ defines terms;  
           ▶ requires the Retirement Office to report when the funded  
 status of the trust fund reaches 100% funded and requires the Retirement  
 and Independent Entities Committee to study employee compensation  
 and benefits;

2. Page 4, Line 102:

102 ENACTS:

49-11-307, Utah Code Annotated 1953

3. Page 16, Line 483:

483 that participant's defined contribution account.

Section 3. Section 49-11-307 is enacted to read:

49-11-307. Report on funded status -- Study of compensation.

(1) (a) The office shall report the funded status of the Utah State  
Retirement Investment Fund to Retirement and Independent Entities  
Committee created under Section 63E-1-201.

(b) The report under Subsection (1)(a) shall be made at least  
annually or as requested by the committee.

(2) (a) If the Utah State Retirement Investment Fund reaches a  
funded status of 100%, the office shall make a report to that effect.

(b) The report shall be provided to the governor, the board, the  
president of the Senate, the speaker of the House of Representatives, and  
to each member and staff of the Retirement and Independent Entities

Committee created under Section 63E-1-201.

(4) Upon receipt of the report under Subsection (2)(b), the committee shall conduct a study on participating employee compensation and benefits to determine the need for adjustments in retirement benefits, salary, and other benefits for the recruitment and retention of a qualified workforce.

(5) The committee shall report any findings and recommendations to the Legislative Management Committee.

Renumber remaining sections accordingly.

Representative Menlove's motion to amend passed on a voice vote.

Representative Hansen commented.

On motion of Representative Dougall, the House voted to circle **2nd Sub. S.B. 63**.

### SPECIAL RECOGNITION

Representatives Daw and Wallis introduced, and the House recognized, the Utah Mother of the Year, Dixie Clifford, and the Utah Young Mother of the Year, Shauna Dunn.

### UNFINISHED BUSINESS

On motion of Representative Dee, the House voted to uncircle **2nd Sub. S.B. 63**.

**2nd Sub. S.B. 63**, NEW PUBLIC EMPLOYEES' TIER II CONTRIBUTORY RETIREMENT ACT, *Dee*, was before the House on its final passage.

On motion of Representative Dee, the House voted to delete **2nd Sub. S.B. 63** in title and body and insert **3rd Sub. S.B. 63** in lieu thereof.

Representatives Riesen, Litvack, McIff, Brown, and Dougall commented.

**3rd Sub. S.B. 63** passed on the following roll call:

**Yeas, 46; Nays, 26; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Aagard	Barrus	Brown	S. Clark
Daw	Dee	Dougall	Draxler



Dunnigan	Edwards	Ferry	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Grover
Harper	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Last	Lockhart
Mathis	McIff	Menlove	Morley
Newbold	Noel	Oda	Painter
Powell	Ray	Sandstrom	Sumsion
Vickers	Wallis	Webb	Wilcox
Wimmer	D. Clark		

**Voting in the negative were:** Representatives

Anderson	Beck	Bigelow	Bird
Biskupski	Black	Chavez–Houck	Cosgrove
S Duckworth	Janice Fisher	Greenwood	Hansen
Hemingway	Hendrickson	Johnson	King
Kiser	Litvack	Moss	Poulson
Riesen	Seegmiller	Seelig	Watkins
Wheatley	Wiley		

**Absent or not voting were:** Representatives

Allen	Mascaro	Wright
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**3rd Sub. S.B. 63**, as amended, returned to the Senate for further consideration.

**INTENT LANGUAGE FOR 3RD SUB. S.B. 63**

On motion of Representative Harper, the House voted to print the following intent language upon the pages of the House Journal.

“It is the intent of the Legislature that the Retirement and Independent Entities Joint Appropriations Committee be authorized to hold up to 6 meetings during the 2010 Interim to review results of the actuarial studies, impacts of changes to the retirement system, implementation of Tier 1 and Tier 2 retirement systems, funding of state retirement and further research retirement options.”

On motion of Representative Menlove, the House voted to print the following intent language upon the pages of the House Journal.

“It is the intent of the Legislature that SB 63 – New Public Employees’ Tier II Contributory Retirement Act will (1) establish a financially stable and predictable retirement system for new employees, and (2) reinforce and stabilize the retirement systems and corresponding benefits for current employees.

“Concerns have been expressed about the state and local governments’ ability to attract, retain and develop employees in the future. The Legislature affirms that attracting, retaining and developing public sector employees are critical to Utah’s short-term and long-term prosperity.

“The Legislature affirms its commitment to making wages for new employees, with special attention to new employees, a high funding priority as state revenues increase. The Legislature encourages local governments, school districts and other independent government entities to do the same.”

### MISCELLANEOUS BUSINESS

On motion of Representative Garn, the House voted to recess until 2:30 p.m.

### AFTERNOON SESSION

The House was called to order by Speaker Clark at 2:35 p.m.

Representatives Francis Gibson and Bill Wright, excused.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 26, 2010

The Senate passed, **H.B. 25**, HEALTH REFORM – ADMINISTRATIVE SIMPLIFICATION, by Representative M. Newbold, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 52**, HEALTH REFORM – UNIFORM ELECTRONIC STANDARDS – INSURANCE INFORMATION, by Representative M. Newbold, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 184**, MEDICAID AUTISM WAIVER, by Representative P. Ray, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 195**, HOMICIDE PENALTY AMENDMENT, by Representative C. Wimmer, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 207**, PROTECTION OF PROPERTY AMENDMENT, by Representative C. Wimmer, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 225**, COUNTERFEIT SUBSTANCE AMENDMENTS, by Representative P. Ray, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 258**, VOTING PRECINCT BOUNDARIES, by Representative K. Sumsion, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 271**, HUNTING GUIDES AND OUTFITTERS LICENSING ACT AMENDMENTS, by Representative E. Vickers, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 277**, OVERDOSE REPORTING AMENDMENTS, by Representative C. Johnson, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.C.R. 1**, CONCURRENT RESOLUTION ON INTERNATIONAL TRADE AND STATE GOVERNMENTS, by Representative S. Allen, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.C.R. 8**, CONCURRENT RESOLUTION ON FEDERAL HEALTH CARE REFORM, by Representative D. Clark, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.J.R. 3**, JOINT RESOLUTION ON TEACHER PERFORMANCE PAY, by Representative M. Poulson, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.J.R. 9**, RESOLUTION IN SUPPORT OF VETERANS' NURSING HOME, by Representative C. Oda, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.J.R. 12**, CLIMATE CHANGE JOINT RESOLUTION, by Representative K. Gibson, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 25, H.B. 52, H.B. 184, H.B. 195, 1st Sub. H.B. 207, H.B. 225, H.B. 258, H.B. 271, H.B. 277, H.C.R. 1, H.C.R. 8, H.J.R. 3, 1st Sub. H.J.R. 9, and H.J.R. 12** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: February 26, 2010  
The Senate passed, as amended, **H.B. 261**, FINANCIAL RESPONSIBILITY OF MOTOR VEHICLE OWNERS AND OPERATORS ACT AMENDMENTS, by Representative R. Greenwood, and it is transmitted for further consideration; and

The Senate substituted and passed, **Senate 1st Sub. H.B. 81**, SCHOOL EMPLOYEE CRIMINAL BACKGROUND CHECK, by Representative S. Allen, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. **H.B. 261** and **1st Sub. H.B. 81** placed on the Concurrence Calendar.

\* \* \*

Mr. Speaker: February 26, 2010  
The Senate concurred in the House amendments and passed **S.B. 39**, HEALTH INSURANCE PRIOR AUTHORIZATION AMENDMENTS, by Senator K. Mayne, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **S.B. 55**, AUTHORIZATION OF CHARTER SCHOOLS BY HIGHER EDUCATION INSTITUTIONS, by Senator J. S. Adams, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **S.B. 39** and **S.B. 55** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

\* \* \*

Mr. Speaker: February 26, 2010  
The Senate passed, as amended, **S.B. 62**, MOTOR VEHICLE INSURANCE COVERAGE AMENDMENTS, by Senator S. Urquhart, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 113**, WIRELESS TELEPHONE USE RESTRICTION FOR MINORS IN VEHICLES, by Senator R. Romero, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **S.B. 62** and **S.B. 113** read the first time by short title and referred to the Rules Committee.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 26, 2010

The Government Operations Committee recommends **H.B. 185**, ANIMAL EUTHANASIA STANDARDS, by Representative F.J. Seegmiller, be replaced and reports a favorable recommendation on **1st Sub. H.B. 185**, ANIMAL EUTHANASIA STANDARDS with the following amendments:

1. Page 2, Lines 34 through 38:

34        (2) If an animal shelter must euthanize an animal, the animal shelter shall euthanize the

35        animal by lethal injection { ~~unless~~ } or carbon monoxide chamber.

36        { ~~(a) the animal presents a danger to staff performing the euthanization; or~~

37        ~~(b) a restraint required for lethal injection will cause undue stress on the animal. }~~

38        (3) (a) If an animal is euthanized under Subsection (2) { (a) or (b) } in a carbon monoxide

2. Page 2, Line 54 through Page 3, Line 58:

54        (2) If an animal shelter must euthanize an animal, the animal shelter shall euthanize the

55        animal by lethal injection { ~~unless~~ } or carbon monoxide chamber.

56        { ~~(a) the animal presents a danger to staff performing the euthanization; or~~

57        ~~(b) a restraint required for lethal injection will cause undue stress on the animal. }~~

58        (3) (a) If an animal is euthanized under Subsection (2) ~~{-(a)-or~~  
~~(b) }~~ in a carbon monoxide ; and

The Government Operations Committee reports a favorable recommendation on **H.B. 321**, BOND ELECTION NOTIFICATION REVISIONS, by Representative G. Hughes, with the following amendments:

1. Page 4, Line 102:

102 ~~“NOTICE [OF PROPERTY TAX INCREASE DUE TO BOND~~  
~~ISSUANCE] OF PROPERTY TAX CHANGE AND/OR BOND~~  
ISSUANCE ; and

The Government Operations Committee reports a favorable recommendation on **2nd Sub. S.B. 275**, REMOVING SIGNATURE FROM INITIATIVE AND REFERENDUM PETITION, by Senator H. Stephenson; and

The Government Operations Committee reports a favorable recommendation on **H.B. 363**, MUNICIPAL ELECTION AMENDMENTS, by Representative C. Frank, and recommends it be placed on the Consent Calendar; and

The Government Operations Committee reports a favorable recommendation on **1st Sub. S.B. 89**, LEGAL NOTICE AMENDMENTS, by Senator S. Urquhart, recommended it be placed on the Consent Calendar, but, due to fiscal impact, recommends it be referred to the Rules Committee for prioritization.

Craig A. Frank, Chair

Reports filed. On motion of Representative Frank, the reports of the Government Operations committee were adopted.

**1st Sub. H.B. 185**, as amended, **H.B. 321**, as amended, and **2nd Sub. S.B. 275** read the second time by short title and placed on the Third Reading Calendar.

**H.B. 363** read the second time by short title and placed on the Consent Calendar.

**1st Sub. S.B. 89** read the second time by short title and returned to the Rules Committee due to fiscal impact.

\* \* \*

Mr. Speaker: February 26, 2010

The Revenue and Taxation Committee reports a favorable recommendation on **1st Sub. S.B. 133, QUALIFICATIONS OF STATE TAX COMMISSIONERS**, by Senator J. S. Adams, and recommends it be placed on the Consent Calendar.

Todd E. Kiser, Chair

Report filed. On motion of Representative Kiser, the report of the Revenue and Taxation committee was adopted.

**1st Sub. S.B. 133** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker: February 26, 2010

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **S.B. 127, PUBLIC ASSISTANCE FRAUD AMENDMENTS**, by Senator H. Stephenson.

Steven R. Mascaro, Chair

Report filed. On motion of Representative Mascaro, the report of the Workforce Services and Community and Economic Development committee was adopted.

**S.B. 127** read the second time by short title and placed on the Third Reading Calendar.

**RULES COMMITTEE REPORT**

Mr. Speaker: February 26, 2010

The Rules Committee recommends the following bills and resolutions be assigned to standing committees:

**BUSINESS AND LABOR**

- H.B. 135** Pharmacy Benefit Managers Act (Rep. E. Vickers)
- H.B. 452** Collection Fees (Rep. S. Sandstrom)
- S.B. 181** Employment Security Administration Fund Repealer (Sen. D. Hinkins)

**EDUCATION**

- H.B. 295** Expanded Uses of School District Property Tax Revenue (Rep. P. Painter)

- H.B. 386** Interstate Compact on Educational Opportunity for Military Children (Rep. G. Hughes)  
**H.B. 433** Foreign Exchange Student Amendments (Rep. C. Wimmer)

#### **GOVERNMENT OPERATIONS**

- H.B. 329** Campaign Finance Amendments (Rep. B. Ferry)  
**H.B. 370** Capital Project Amendments (Rep. S. Clark)  
**H.R. 4** Resolution Urging Ratification of the Comprehensive Nuclear Test Ban Treaty (Rep. J. Seelig)  
**S.B. 189** Capital Facilities Amendments (Sen. C. Bramble)

#### **HEALTH AND HUMAN SERVICES**

- S.B. 139** Physician Assistant Amendments (Sen. C. Bramble)

#### **JUDICIARY**

- H.B. 347** Guardianship Amendments (Rep. K. Powell)

#### **NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT**

- H.B. 146** Law Enforcement by Federal Land Management Agency (Rep. M. Noel)  
**H.B. 343** Great Salt Lake Advisory Council (Rep. B. Ferry)

#### **PUBLIC UTILITIES AND TECHNOLOGY**

- H.B. 395** Limitation of Actions Amendments (Rep. M. Noel)  
**H.R. 8** Resolution Recognizing Energy Innovation in the State of Utah (Rep. E. Hutchings)  
**S.B. 137** Coordination of Removing, Relocating, or Altering Utilities (Sen. D. Liljenquist)

#### **REVENUE AND TAXATION**

- H.B. 425** Budgetary Procedures Act – Fee Amendments (Rep. R. Bigelow)  
**S.B. 123** Motion Picture Incentive Fund Amendments (Sen. L. Hillyard)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.



**INTRODUCTION OF BILLS**

**H.B. 169, Refinery Amendments** (R. Edwards), read the first time by short title and referred to the Rules Committee.

**H.B. 354, Finance Amendments for Financially Distressed School Districts** (C. Watkins), read the first time by short title and referred to the Rules Committee.

**H.B. 389, Mobile Home Park Residency Amendments** (Janice Fisher), read the first time by short title and referred to the Rules Committee.

**H.B. 459, Health Amendments** (D. Clark), read the first time by short title and referred to the Rules Committee.

**MISCELLANEOUS BUSINESS**

On motion of Representative Julie Fisher, the House voted to recall **1st Sub. S.B. 48** from the Senate.

\* \* \*

On motion of Representative Biskupski, the House voted to reconsider its action on **H.B. 150**.

**RECONSIDERATION OF H.B. 150**

**H.B. 150, ADMINISTRATIVE SUBPOENA AMENDMENTS**, was before the House for reconsideration.

On motion of Representative Daw, the House voted to delete **H.B. 150** in title and body and insert **1st Sub. H.B. 150** in lieu thereof.

Representatives Harper, Powell, King, and Dougall commented.

**1st Sub. H.B. 150**, as amended, passed on the following roll call:

**Yeas, 48; Nays, 20; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Bird	Biskupski	Brown	Daw
Dee	Dougall	Draxler	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	K Gibson	Gowans

Greenwood	Grover	Herrod	Hughes
Hunsaker	Ipson	Johnson	Litvack
Lockhart	Mascaro	McIff	Menlove
Moss	Newbold	Noel	Oda
Painter	Powell	Ray	Riesen
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wilcox	D. Clark

**Voting in the negative were:** Representatives

Beck	Black	Chavez–Houck	S. Clark
Cosgrove	S Duckworth	Dunnigan	Hansen
Harper	Hemingway	Hendrickson	King
Kiser	Mathis	Poulson	Sandstrom
Seegmiller	Wheatley	Wiley	Wimmer

**Absent or not voting were:** Representatives

Bigelow	Garn	F Gibson	Hutchings
Last	Morley	Wright	

**1st Sub. H.B. 150** transmitted to the Senate for its consideration.

**UNFINISHED BUSINESS**

On motion of Representative Oda, the House voted to uncircle **1st Sub. H.B. 139**.

**1st Sub. H.B. 139**, EMERGENCY AND DISASTER MANAGEMENT AMENDMENTS, *Oda*, was before the House on its final passage.

On motion of Representative Oda, the House voted to delete **1st Sub. H.B. 139** in title and body and insert **2nd Sub. H.B. 139** in lieu thereof.

Representatives Bigelow, Frank, and Mascaro commented.

**2nd Sub. H.B. 139** passed on the following roll call:

**Yeas, 68; Nays, 2; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry

Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	K Gibson	Gowans	Greenwood
Grover	Harper	Hemingway	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	D. Clark

**Voting in the negative were:** Representatives

Hansen                      Hendrickson

**Absent or not voting were:** Representatives

Bigelow                      Garn                              F Gibson                      Last  
Wright

**2nd Sub. H.B. 139** transmitted to the Senate for its consideration.

\* \* \*

On motion of Representative Sumsion, the House voted to uncircle **H.B. 324**.

**H.B. 324**, PUBLIC LANDS LITIGATION, *Sumsion*, was before the House on its final passage.

On motion of Representative Sumsion, the House voted to delete **H.B. 324** in title and body and insert **1st Sub. H.B. 324** in lieu thereof.

Representative Sumsion proposed the following amendment:

1. Page 1, Line 15  
15 Constitutional Defense {~~Council~~} Restricted Account for legal services and just
2. Page 2, Line 52:  
52        (a) \$1,000,000 to the Constitutional Defense {~~Council~~}  
Restricted Account, created in
3. Page 7, Lines 192 through 193:  
192 expended by the agency to which it was appropriated to pay ;  
(a) the costs of an action filed in

193 accordance with Section 67-5-29  $\{\frac{-}{-}\}$  ; and  
(b) expenses associated with an action described in Subsection  
(6)(a).

Representative Sumsion's motion to amend passed on a voice vote.

Representatives Litvack, Herrod, King, Mascaro, McIff, Wimmer, Hughes, and Noel commented.

**1st Sub. H.B. 324**, as amended, passed on the following roll call:

**Yeas, 56; Nays, 16; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Black	Brown
S. Clark	Daw	Dee	Dougall
Draxler	Dunnigan	Edwards	Ferry
Julie Fisher	Fowlke	Frank	Froerer
K Gibson	Gowans	Greenwood	Grover
Harper	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Sandstrom
Sumsion	Vickers	Wallis	Watkins
Webb	Wilcox	Wimmer	D. Clark

**Voting in the negative were:** Representatives

Bird	Biskupski	Chavez-Houck	Cosgrove
S Duckworth	Janice Fisher	Hansen	Hemingway
Johnson	King	Moss	Riesen
Seegmiller	Seelig	Wheatley	Wiley

**Absent or not voting were:** Representatives

Garn	F Gibson	Wright
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**1st Sub. H.B. 324**, as amended, transmitted to the Senate for its consideration.

### MISCELLANEOUS BUSINESS

On motion of Representative Dee, the House voted to move to the Senate Third Reading Calendar.

\* \* \*

On motion of Representative Dee, under suspension of the rules, the House voted to lift **S.B. 124** to the top of the Senate Third Reading Calendar.

### THIRD READING CALENDAR

**S.B. 124**, MILITARY INSTALLATION DEVELOPMENT AUTHORITY MODIFICATIONS, *Dee*, read the third time by short title and placed on its final passage.

**S.B. 124** passed on the following roll call:

**Yeas, 62; Nays, 9; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Allen	Barrus	Beck	Bigelow
Bird	Biskupski	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Draxler	S Duckworth	Dunnigan
Edwards	Ferry	Janice Fisher	Fowlke
Frank	Froerer	K Gibson	Gowans
Greenwood	Grover	Hansen	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	McIff	Menlove	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	D. Clark		

**Voting in the negative were:** Representatives

Aagard	Anderson	Dougall	Julie Fisher
Harper	Mathis	Morley	Sumsion
Wimmer			

**Absent or not voting were:** Representatives

Garn	F Gibson	Vickers	Wright
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**S.B. 124** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker: February 26, 2010

The President of the Senate has signed **H.B. 21**, EXPUNGEMENT REVISIONS, by Representative Julie Fisher, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **3rd Sub. H.B. 78**, WEAPONS REVISIONS, by Representative S. Sandstrom, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 93**, MOTORCYCLE AND OFF-HIGHWAY VEHICLE AMENDMENTS, by Representative R. Menlove, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 214**, CONCEALED FIREARM PERMIT MODIFICATIONS, by Representative R. Lockhart, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.J.R. 13**, RECOGNITION OF COMMUNITY COUNCILS AND THE ASSOCIATION OF COMMUNITY COUNCILS TOGETHER JOINT RESOLUTION, by Representative S. Duckworth, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 21**, **3rd Sub. H.B. 78**, **H.B. 93**, **1st Sub. H.B. 214**, and **H.J.R. 13** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

**MISCELLANEOUS BUSINESS**

On motion of Representative Lockhart, and at 4:10 p.m., the House voted to adjourn until March 1, 2010, at 9:30 a.m.

# THIRTY-FIFTH DAY

\* \* \*

## MORNING SESSION

The House was called to order by Speaker Clark at 9:35 a.m.

Roll call showed all members present except Representative Hughes, excused.

Prayer offered by John Bastian. Pledge of Allegiance led by Alauna, Alyssa, and Stephen Bastian, constituents of Representative Craig Frank.

### CONSENT CALENDAR

**H.B. 406**, STATE FAIR PARK AMENDMENTS, *Gowans*, read the third time by short title and placed on its final passage.

**H.B. 406**, as amended, passed on the following roll call:

**Yeas, 62; Nays, 1; Absent or not voting, 12.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez-Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
Dunnigan	Edwards	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
K Gibson	Gowans	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hunsaker
Ipson	Johnson	King	Kiser
Last	Lockhart	Mascaro	McIff
Morley	Moss	Newbold	Noel
Oda	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright		

**Voting in the negative was:** Representative  
D. Clark

**Absent or not voting were:** Representatives

Bigelow	S Duckworth	Ferry	F Gibson
Greenwood	Grover	Hughes	Hutchings
Litvack	Mathis	Menlove	Painter

**H.B. 406**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.C.R. 4**, VETERANS FREEDOM MEMORIAL CONCURRENT RESOLUTION, *Hughes*, read the third time by short title and placed on its final passage.

On motion of Representative Dee, the House voted to place **H.C.R. 4** on the bottom of the Third Reading Calendar.

\* \* \*

**H.B. 435**, DIXIE STATE COLLEGE – NONPROFIT ENTITIES, *Ipson*, read the third time by short title and placed on its final passage.

**H.B. 435** passed on the following roll call:

**Yeas, 65; Nays, 0; Absent or not voting, 10.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	K Gibson	Gowans	Hansen
Harper	Hemingway	Hendrickson	Hunsaker
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			



**Absent or not voting were:** Representatives

Bigelow	S Duckworth	F Gibson	Greenwood
Grover	Herrod	Hughes	Hutchings
Mathis	Painter		

**H.B. 435** transmitted to the Senate for its consideration.

**CONCURRENCE CALENDAR**

On motion of Representative Allen, the House voted to concur in the Senate amendments to **1st Sub. H.B. 81, SCHOOL EMPLOYEE CRIMINAL BACKGROUND CHECK.**

**1st Sub. H.B. 81**, as amended by the Senate, passed on the following roll call:

**Yeas, 66; Nays, 0; Absent or not voting, 9.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Frank	Froerer	Garn
K Gibson	Gowans	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

Bigelow	S Duckworth	Fowlke	F Gibson
Greenwood	Grover	Hughes	Mathis
Painter			

**1st Sub. H.B. 81**, as amended by the Senate, transmitted to the Senate for signature of President.

### THIRD READING CALENDAR

**H.B. 327**, AUTISM AWARENESS SUPPORT SPECIAL GROUP LICENSE PLATE, *Edwards*, read the third time by short title and placed on its final passage. Representatives Allen, Barrus, Watkins, Dougall, and Anderson commented.

**H.B. 327**, as amended, passed on the following roll call:

**Yeas, 57; Nays, 12; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bigelow	Biskupski	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Dee
Draxler	Dunnigan	Edwards	Ferry
Janice Fisher	Fowlke	Froerer	Garn
F Gibson	Grover	Hansen	Hemingway
Hendrickson	Herrod	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Mascaro	Mathis
McIff	Menlove	Moss	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
D. Clark			

**Voting in the negative were:** Representatives

Anderson	Bird	Dougall	Julie Fisher
Frank	K Gibson	Harper	Lockhart
Morley	Newbold	Sumsion	Wright

**Absent or not voting were:** Representatives

Daw	S Duckworth	Gowans	Greenwood
Hughes	Noel		

**H.B. 327**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.B. 189**, CLOSED MEETINGS AMENDMENTS, *Painter*, read the third time by short title and placed on its final passage.

Representative Painter declared a conflict of interest because he owns water shares.

Representatives Ferry and Brown commented.

**H.B. 189**, as amended, passed on the following roll call:

**Yeas, 52; Nays, 20; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Allen	Anderson	Beck	Bigelow
Bird	Black	Brown	Chavez–Houck
S. Clark	Cosgrove	Dee	Draxler
Dunnigan	Edwards	Janice Fisher	Fowlke
Froerer	Garn	F Gibson	K Gibson
Gowans	Grover	Hemingway	Hendrickson
Herrod	Hunsaker	Hutchings	Ipson
Johnson	King	Last	Litvack
Lockhart	Mathis	McIff	Morley
Moss	Noel	Oda	Painter
Poulson	Powell	Sandstrom	Seelig
Vickers	Wallis	Watkins	Wheatley
Wilcox	Wiley	Wright	D. Clark

**Voting in the negative were:** Representatives

Aagard	Barrus	Biskupski	Daw
Dougall	Ferry	Julie Fisher	Frank
Hansen	Harper	Kiser	Mascaro
Menlove	Newbold	Ray	Riesen
Seegmiller	Sumsion	Webb	Wimmer

**Absent or not voting were:** Representatives

S Duckworth	Greenwood	Hughes
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**H.B. 189**, as amended, transmitted to the Senate for its consideration.

**UNFINISHED BUSINESS**

On motion of Representative Seegmiller, the House voted to uncircle **H.B. 437**.

**H.B. 437**, PHLEBOTOMY CERTIFICATION ACT, *Seegmiller*, was before the House on its final passage.

Representative Seegmiller proposed the following amendment:

1. Page 1, Line 24

24            {–None–}            This bill takes effect on January 1, 2011.

2. Page 3, Lines 73 through 74:

73       (2) for an initial application for certification submitted on or  
after July 1, 2011, has successfully completed at least  
   { 80 }     40 hours of training in phlebotomy, in a  
74 program approved by the division that includes making a  
minimum number of blood draws, as specified by the division :

3. Page 6, Line 162:

162 continuing to practice as a certified phlebotomist.  
Section 13. Effective Date.  
This bill takes effect on January 1, 2011.

Representative Seegmiller's motion to amend passed on a voice vote.

Representatives Lockhart, Daw, and Mascaro commented.

**H.B. 437**, as amended, failed to pass on the following roll call:

**Yeas, 24; Nays, 47; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Allen	Beck	Biskupski	Black
Chavez-Houck	Cosgrove	Draxler	Edwards
Janice Fisher	Hansen	Hendrickson	Johnson
King	Litvack	Mascaro	Moss
Poulson	Powell	Riesen	Seegmiller
Seelig	Watkins	Wheatley	Wiley

**Voting in the negative were:** Representatives

Aagard	Anderson	Barrus	Bigelow
Bird	Brown	S. Clark	Daw
Dee	Dougall	Dunnigan	Ferry
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Greenwood
Grover	Harper	Herrod	Hunsaker
Hutchings	Ipson	Kiser	Last
Lockhart	Mathis	McIff	Menlove
Morley	Newbold	Noel	Oda
Painter	Ray	Sandstrom	Sumsion
Vickers	Wallis	Webb	Wilcox
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

S Duckworth          Gowans                  Hemingway                  Hughes

**H.B. 437**, as amended, was filed.

### **SPECIAL RECOGNITION**

Representative Johnson introduced and the House recognized Miss Deaf Utah, Andrea Vigil.

### **UNFINISHED BUSINESS**

On motion of Representative Watkins, the House voted to uncircle **H.B. 332**.

**H.B. 332**, UTAH AGRICULTURAL CODE AMENDMENTS, *Watkins*, was before the House on its final passage.

**H.B. 332** passed on the following roll call:

**Yeas, 69; Nays, 1; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Greenwood	Grover	Hansen	Harper
Hendrickson	Herrod	Hunsaker	Hutchings
Ipson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wright
D. Clark			

**Voting in the negative was:** Representative  
Wimmer

**Absent or not voting were:** Representatives

S Duckworth      Gowans      Hemingway      Hughes  
Johnson

**H.B. 332** transmitted to the Senate for its consideration.

### THIRD READING CALENDAR

**H.B. 402**, DEPARTMENT OF ADMINISTRATIVE SERVICES MODIFICATIONS, *S. Clark*, read the third time by short title and placed on its final passage.

**H.B. 402** passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Greenwood	Grover	Hansen	Harper
Hemingway	Herrod	Hunsaker	Hutchings
Ipson	King	Kiser	Last
Litvack	Lockhart	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

S Duckworth      Gowans      Hendrickson      Hughes  
Johnson      Mascaro

**H.B. 402** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 419**, ALCOHOLIC BEVERAGE CONTROL AND SIGNATE AT STATE STORES, *Powell*, read the third time by short title and placed on its final passage. Representatives Janice Fisher, Draxler, and Hemingway commented.

**H.B. 419**, as amended, passed on the following roll call:

**Yeas, 66; Nays, 5; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Garn	F Gibson	K Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hunsaker	Ipson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright		

**Voting in the negative were:** Representatives

Froerer	Hutchings	Oda	Wallis
D. Clark			

**Absent or not voting were:** Representatives

S Duckworth	Gowans	Hughes	Johnson
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**H.B. 419**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**1st Sub. H.B. 145**, RENEWABLE ENERGY FINANCING PROVISIONS, *Last*, read the third time by short title and placed on its final passage.

On motion of Representative Last, the House voted to circle **1st Sub. H.B. 145**.

\* \* \*

**1st Sub. H.B. 223**, ALCOHOLIC BEVERAGE CONTROL ACT AND LICENSES, *Froerer*, read the third time by short title and placed on its final passage.

On motion of Representative Froerer, the House voted to circle **1st Sub. H.B. 223**.

\* \* \*

**H.B. 170**, FOSTER CARE REVISIONS, *K. Gibson*, read the third time by short title and placed on its final passage.

On motion of Representative K. Gibson, the House voted to delete **H.B. 170** in title and body and insert **2nd Sub. H.B. 170** in lieu thereof. Representatives Harper, Fowlke, Ray, and Beck commented.

Representative Litvack commented.

**2nd Sub. H.B. 170** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hunsaker	Hutchings	Ipson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	



**Absent or not voting were:** Representatives

Bigelow                      Hughes                      Johnson                      Painter

**2nd Sub. H.B. 170** transmitted to the Senate for its consideration.

\* \* \*

**2nd Sub. H.B. 331**, WASTE FEE AND RELATED AMENDMENTS, *Menlove*, read the third time by short title and placed on its final passage.

**2nd Sub. H.B. 331** passed on the following roll call:

**Yeas, 66; Nays, 3; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hunsaker	Ipson	Johnson	King
Kiser	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Moss
Newbold	Noel	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wright	D. Clark		

**Voting in the negative were:** Representatives

Morley                      Oda                      Wimmer

**Absent or not voting were:** Representatives

Bigelow                      Hughes                      Hutchings                      Last  
Painter                      Sumsion

**2nd Sub. H.B. 331** transmitted to the Senate for its consideration.

**CONCURRENCE CALENDAR**

On motion of Representative Greenwood, the House voted to concur in the Senate amendments to **H.B. 261**, FINANCIAL RESPONSIBILITY OF MOTOR VEHICLE OWNERS AND OPERATORS ACT AMENDMENTS.

**H.B. 261**, as amended by the Senate, passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hunsaker	Ipson	Johnson	King
Kiser	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Bigelow	Hughes	Hutchings	Last
Morley	Sumsion		

**H.B. 261**, as amended by the Senate, transmitted to the Senate for signature of President.

### THIRD READING CALENDAR

**H.B. 379**, BARBER, COSMETOLOGIST/BARBER, ESTHETICIAN, ELECTROLOGIST, AND NAIL TECHNICIAN LICENSING ACT AMENDMENTS, *Newbold*, read the third time by short title and placed on its final passage.

Representative Newbold proposed the following amendment:

1. Page 1, Lines 18 through 21

18      ►      provides for acceptance of graduation from an out-of-state recognized master esthetics

19 school {~~or cosmetology/barbering school~~} and practicing at least 4,000 hours as a

20 licensed master esthetician as another option for satisfying one of the requirements to

21 become a licensed master esthetician; and

2. Page 4, Line 108:

Delete "makeup application."

Representative Newbold’s motion to amend passed on a voice vote. Representatives Allen commented.

**H.B. 379**, as amended, passed on the following roll call:

**Yeas, 68; Nays, 3; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wright

**Voting in the negative were:** Representatives

Morley	Wiley	D. Clark
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**Absent or not voting were:** Representatives

Bigelow	Dougall	Hughes	Wimmer
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**H.B. 379**, as amended, transmitted to the Senate for its consideration.

### SPECIAL RECOGNITION

Representative Garn introduced, and the House recognized representatives from Special Olympics Utah.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 1, 2010

The Senate passed, **H.B. 96**, LIBEL AMENDMENTS, by Representative Julie Fisher, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 249**, EMANCIPATION AMENDMENTS, by Representative L. Fowlke, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.C.R. 9**, AUTISM, DISABILITIES, AND FAITH CONCURRENT RESOLUTION, by Representative R. Menlove, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 96**, **H.B. 249**, and **H.C.R. 9** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: March 1, 2010

The Senate substituted and passed, **Senate 1st Sub. H.B. 299**, AMENDMENTS RELATED TO SUBSTANCES HARMFUL TO PREGNANCY, by Representative R. Menlove, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

**1st Sub. H.B. 299** placed on the Concurrence Calendar.

\* \* \*

Mr. Speaker: March 1, 2010

The Senate concurred in the House amendments and passed **3rd Sub. S.B. 43**, POST-RETIREMENT EMPLOYMENT AMENDMENTS, by Senator D. Liljenquist, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **3rd Sub. S.B. 63**, NEW PUBLIC EMPLOYEES’ TIER II CONTRIBUTORY RETIREMENT ACT, by Senator D. Liljenquist, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **3rd Sub. S.B. 43** and **3rd Sub. S.B. 63** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

\* \* \*

Mr. Speaker: March 1, 2010

The Senate passed **S.B. 160**, UTAH STATE DEVELOPMENTAL CENTER AMENDMENTS, by Senator M. Dayton, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 167**, ALCOHOLIC BEVERAGE CONTROL ACT RECODIFICATION, by Senator J. Valentine, and it is transmitted for consideration; and

The Senate passed **S.B. 206**, ACCESS TO CRIME VICTIM’S MEDICAL RECORDS, by Senator J. Greiner, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **S.B. 160**, **S.B. 167**, and **S.B. 206** read the first time by short title and referred to the Rules Committee.

\* \* \*

Mr. Speaker: March 1, 2010

The Senate transmits **1st Sub. S.B. 48**, NONLAPSING AUTHORITY TECHNICAL AMENDMENTS, by Senator R. Okerlund, for further consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. **1st Sub. S.B. 48** placed at the top of the Senate Third Reading Calendar.

**REPORTS OF STANDING COMMITTEES**

Mr. Speaker: February 26, 2010

The Business and Labor Committee recommends **H.B. 243**, FORECLOSURE PROCESSES ON RESIDENTIAL RENTAL PROPERTIES,

by Representative W. Harper, be replaced and favorably recommends **2nd Sub. H.B. 243**, FORECLOSURE PROCESSES ON RESIDENTIAL RENTAL PROPERTIES; and

The Business and Labor Committee recommends **H.B. 280**, REAL PROPERTY – NOTICE OF TRANSFER FEES, by Representative R. Lockhart, be replaced and favorably recommends **1st Sub. H.B. 280**, REAL PROPERTY – TRANSFER FEES; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 148**, GUARANTEED ASSET PROTECTION WAIVERS, by Senator J. Stevenson, and, due to fiscal impact, recommends it be referred to the Rules Committee for prioritization; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 173**, BUSINESS ENTITY AMENDMENTS, by Senator L. Hillyard, and recommends it be placed on the Consent Calendar.

James A. Dunnigan, Chair

Reports filed. On motion of Representative Dunnigan, the reports of the Business and Labor committee were adopted.

**2nd Sub. H.B. 243** and **1st Sub. H.B. 280** read the second time by short title and placed on the Third Reading Calendar.

**S.B. 148** read the second time by short title and referred to the Rules Committee due to fiscal impact.

**S.B. 173** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker:

February 26, 2010

The Education Committee recommends **H.B. 72**, UTAH SCHOOL SEISMIC HAZARD INVENTORY, by Representative L. Wiley, be replaced and reports a favorable recommendation on **1st Sub. H.B. 72**, UTAH SCHOOL SEISMIC HAZARD INVENTORY with the following amendments:

1. Page 1, Lines 23 through 25:

23           { ~~This bill appropriates:~~

24           ▶ ~~for fiscal year 2010–11 only, \$25,000 from the General Fund to the State Board of~~

25 Education.—} None

2. Page 2, Line 32:

32 {~~63J-1-602, as enacted by Laws of Utah 2009, Chapter 368-~~}

3. Page 3, Lines 81 through 86:

81 (4) A member may not receive compensation or benefits for the member's service {~~-but~~

82 may receive per diem and travel expenses in accordance with:

83 (a) Section 63A-3-106;

84 (b) Section 63A-3-107; and

85 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and

86 63A-3-107-} .

4. Page 7, Line 200 through Page 15, Line 440:

200 {~~Section 7. Section 63J-1-602 is amended to read:~~

201 ~~63J-1-602. Nonlapsing accounts and funds.~~

202 ~~(1) The following revenue collections, appropriations from a fund or account, and~~

203 ~~appropriations to a program are nonlapsing:~~

204 ~~(a) appropriations made to the Legislature and its committees;~~

205 ~~(b) funds collected by the grain grading program, as provided in Section 4-2-2;~~

206 ~~(c) the Salinity Offset Fund created in Section 4-2-8.5;~~

207 ~~(d) the Invasive Species Mitigation Fund created in Section 4-2-8.7;~~

208 ~~(e) funds collected by pesticide dealer license registration fees, as provided in Section~~

209 ~~4-14-3;~~

210 ~~(f) funds collected by pesticide applicator business registration fees, as provided in~~

211 ~~Section 4-14-13;~~

- 212 ~~(g) the Rangeland Improvement Fund created in Section 4-20-2;~~
- 213 ~~(h) funds deposited as dedicated credits under the Insect Infestation Emergency Control~~
- 214 ~~Act, as provided in Section 4-35-6;~~
- 215 ~~(i) the Percent for Art Program created in Section 9-6-404;~~
- 216 ~~(j) the Centennial History Fund created in Section 9-8-604;~~
- 217 ~~(k) the Uintah Basin Revitalization Fund, as provided in Section 9-10-108;~~
- 218 ~~(l) the Navajo Revitalization Fund created in Section 9-11-104;~~
- 219 ~~(m) the LeRay McAllister Critical Land Conservation Program created in Section~~
- 220 ~~11-38-301;~~
- 221 ~~(n) the Clean Fuels and Vehicle Technology Fund created in Section 19-1-403;~~
- 222 ~~(o) fees deposited as dedicated credits for hazardous waste plan reviews, as provided in~~
- 223 ~~Section 19-6-120;~~
- 224 ~~(p) an appropriation made to the Division of Wildlife Resources for the appraisal and~~
- 225 ~~purchase of lands under the Pelican Management Act, as provided in Section 23-21a-6;~~
- 226 ~~(q) award monies under the Crime Reduction Assistance Program, as provided under~~
- 227 ~~Section 24-1-19;~~
- 228 ~~(r) funds collected from the emergency medical services grant program, as provided in~~
- 229 ~~Section 26-8a-207;~~
- 230 ~~(s) fees and other funding available to purchase training equipment and to administer~~
- 231 ~~tests and conduct quality assurance reviews, as provided in Section 26-8a-208;~~
- 232 ~~(t) funds collected as a result of a sanction under Section 1919 of Title XIX of the~~



- 233 federal Social Security Act, as provided in Section 26-18-3;
- 234 (u) the Utah Health Care Workforce Financial Assistance Program created in Section
- 235 26-46-102;
- 236 (v) monies collected from subscription fees for publications prepared or distributed by
- 237 the insurance commissioner, as provided in Section 31A-2-208;
- 238 (w) monies received by the Insurance Department for administering, investigating
- 239 under, and enforcing the Insurance Fraud Act, as provided in Section 31A-31-108;
- 240 (x) certain monies received for penalties paid under the Insurance Fraud Act, as
- 241 provided in Section 31A-31-109;
- 242 (y) the fund for operating the state's Federal Health Care Tax Credit Program, as
- 243 provided in Section 31A-38-104;
- 244 (z) certain funds in the Department of Workforce Services' program for the education,
- 245 training, and transitional counseling of displaced homemakers, as provided in Section
- 246 35A-3-114;
- 247 (aa) the Employment Security Administration Fund created in Section 35A-4-505;
- 248 (bb) the Special Administrative Expense Fund created in Section 35A-4-506;
- 249 (cc) funding for a new program or agency that is designated as nonlapsing under
- 250 Section 36-24-101;
- 251 (dd) the Oil and Gas Conservation Account created in Section 40-6-14.5;
- 252 (ee) funds available to the State Tax Commission for purchase and distribution of

- 253 license plates and decals, as provided in Section 41-1a-1201;
- 254 ~~(ff) certain fees for the cost of electronic payments under the Motor Vehicle Act, as~~
- 255 ~~provided in Section 41-1a-1221;~~
- 256 ~~(gg) certain fees collected for administering and enforcing the Motor Vehicle Business~~
- 257 ~~Regulation Act, as provided in Section 41-3-601;~~
- 258 ~~(hh) certain fees for the cost of electronic payments under the Motor Vehicle Business~~
- 259 ~~Regulation Act, as provided in Section 41-3-604;~~
- 260 ~~(ii) the Off-Highway Access and Education Restricted Account created in Section~~
- 261 ~~41-22-19.5;~~
- 262 ~~(jj) certain fees for the cost of electronic payments under the Motor Vehicle Act, as~~
- 263 ~~provided in Section 41-22-36;~~
- 264 ~~(kk) monies collected under the Notaries Public Reform Act, as provided under~~
- 265 ~~46-1-23;~~
- 266 ~~(ll) certain funds associated with the Law Enforcement Operations Account, as~~
- 267 ~~provided in Section 51-9-411;~~
- 268 ~~(mm) the Public Safety Honoring Heroes Restricted Account created in Section~~
- 269 ~~53-1-118;~~
- 270 ~~(nn) funding for the Search and Rescue Financial Assistance Program, as provided in~~
- 271 ~~Section 53-2-107;~~
- 272 ~~(oo) appropriations made to the Department of Public Safety from the Department of~~
- 273 ~~Public Safety Restricted Account, as provided in Section 53-3-106;~~

274 ~~(pp) appropriations to the Motorcycle Rider Education~~  
275 ~~Program, as provided in Section~~

276 ~~53-3-905;~~

277 ~~(qq) fees collected by the State Fire Marshal Division under the~~  
278 ~~Utah Fire Prevention~~

279 ~~and Safety Act, as provided in Section 53-7-314;~~

280 ~~(rr) the DNA Specimen Restricted Account created in Section~~  
281 ~~53-10-407;~~

282 ~~(ss) monies appropriated to the State Board of Education for:~~

283 ~~(i) reimbursement of school district and charter school seismic~~  
284 ~~safety evaluation costs~~

285 ~~pursuant to Section 53A-15-1204; and~~

286 ~~(ii) expenses of the Public School Seismic Safety Committee~~  
287 ~~created in Section~~

288 ~~53A-15-1203;~~

289 ~~[(ss)] (tt) the minimum school program, as provided in Section~~  
290 ~~53A-17a-105;~~

291 ~~[(tt)] (uu) certain funds appropriated from the Uniform School~~  
292 ~~Fund to the State Board~~

293 ~~of Education for new teacher bonus and performance-based~~  
294 ~~compensation plans, as provided in~~

295 ~~Section 53A-17a-148;~~

296 ~~[(uu)] (vv) certain funds appropriated from the Uniform School~~  
297 ~~Fund to the State~~

298 ~~Board of Education for implementation of proposals to improve~~  
299 ~~mathematics achievement test~~

300 ~~scores, as provided in Section 53A-17a-152;~~

301 ~~[(vv)] (ww) the School Building Revolving Account created in~~  
302 ~~Section 53A-21-401;~~

303 ~~[(ww)] (xx) monies received by the State Office of~~  
304 ~~Rehabilitation for the sale of certain~~

305 ~~products or services, as provided in Section 53A-24-105;~~

306 ~~[(xx)] (yy) the State Board of Regents, as provided in Section~~  
307 ~~53B-6-104;~~

295     ~~[(yy)] (zz)~~ certain funds appropriated from the General Fund to  
the State Board of

296 ~~Regents for teacher preparation programs, as provided in Section  
53B-6-104;~~

297     ~~[(zz)] (aaa)~~ a certain portion of monies collected for  
administrative costs under the

298 ~~School Institutional Trust Lands Management Act, as provided  
under Section 53C-3-202;~~

299     ~~[(aaa)] (bbb)~~ certain surcharges on residence and business  
telecommunications access

300 ~~lines imposed by the Public Service Commission, as provided in  
Section 54-8b-10;~~

301     ~~[(bbb)] (ccc)~~ certain fines collected by the Division of  
Occupational and Professional

302 ~~Licensing for violation of unlawful or unprofessional conduct that  
are used for education and~~

303 ~~enforcement purposes, as provided in Section 58-17b-505;~~

304     ~~[(ccc)] (ddd)~~ the Nurse Education and Enforcement Fund  
created in Section

305 ~~58-31b-103;~~

306     ~~[(ddd)] (eee)~~ funding of the controlled substance database, as  
provided in Section

307 ~~58-37-7.7;~~

308     ~~[(eee)] (fff)~~ the Certified Nurse Midwife Education and  
Enforcement Fund created in

309 ~~Section 58-44a-103;~~

310     ~~[(fff)] (ggg)~~ funding for the building inspector's education  
program, as provided in

311 ~~Section 58-56-9;~~

312     ~~[(ggg)] (hhh)~~ certain fines collected by the Division of  
Occupational and Professional

313 ~~Licensing for use in education and enforcement of the Security  
Personnel Licensing Act, as~~

314 provided in Section 58-63-103;

315 ~~[(hhh)]~~ (iii) the Professional Geologist Education and Enforcement Fund created in

316 Section 58-76-103;

317 ~~[(iii)]~~ (jii) certain monies in the Water Resources Conservation and Development

318 Fund, as provided in Section 59-12-103;

319 ~~[(jii)]~~ (kkk) funds paid to the Division of Real Estate for the cost of a criminal

320 background check for broker and sales agent licenses, as provided in Section 61-2-9;

321 ~~[(kkk)]~~ (lll) the Utah Housing Opportunity Restricted Account created in Section

322 61-2-28;

323 ~~[(lll)]~~ (mmm) funds paid to the Division of Real Estate for the cost of a criminal

324 background check for a mortgage loan license, as provided in Section 61-2c-202;

325 ~~[(mmm)]~~ (nnn) funds paid to the Division of Real Estate in relation to examination of

326 records in an investigation, as provided in Section 61-2c-401;

327 ~~[(nnn)]~~ (ooo) certain funds donated to the Department of Human Services, as provided

328 in Section 62A-1-111;

329 ~~[(ooo)]~~ (ppp) certain funds donated to the Division of Child and Family Services, as

330 provided in Section 62A-4a-110;

331 ~~[(ppp)]~~ (qqq) the Mental Health Therapist Grant and Scholarship Program, as provided

332 in Section 62A-13-109;

333 ~~[(qqq)]~~ (rrr) assessments for DUI violations that are forwarded to an account created by

334 a county treasurer, as provided in Section 62A-15-503;

- 335     ~~[(rrr)]~~ (sss) appropriations to the Division of Services for People with Disabilities, as
- 336     ~~provided in Section 62A-5-102;~~
- 337     ~~[(sss)]~~ (ttt) certain donations to the Division of Substance Abuse and Mental Health, as
- 338     ~~provided in Section 62A-15-103;~~
- 339     ~~[(ttt)]~~ (uuu) certain funds received by the Division of Parks and Recreation from the
- 340     ~~sale or disposal of buffalo, as provided under Section 63-11-19.2;~~
- 341     ~~[(uuu)]~~ (vvv) revenue for golf user fees at the Wasatch Mountain State Park, Palisades
- 342     ~~State Park, or Jordan River State Park, as provided under Section 63-11-19.5;~~
- 343     ~~[(vvv)]~~ (www) revenue for golf user fees at the Green River State Park, as provided
- 344     ~~under Section 63-11-19.6;~~
- 345     ~~[(www)]~~ (xxx) the Centennial Nonmotorized Paths and Trail Crossings Program
- 346     ~~created under Section 63-11a-503;~~
- 347     ~~[(xxx)]~~ (yyy) the Bonneville Shoreline Trail Program created under Section
- 348     ~~63-11a-504;~~
- 349     ~~[(yyy)]~~ (zzz) the account for the Utah Geological Survey, as provided in Section
- 350     ~~63-73-10;~~
- 351     ~~[(zzz)]~~ (aaa) the Risk Management Fund created under Section 63A-4-201;
- 352     ~~[(aaa)]~~ (bbb) the Child Welfare Parental Defense Fund created in Section
- 353     ~~63A-11-203;~~
- 354     ~~[(bbb)]~~ (ccc) the Constitutional Defense Restricted Account created in Section
- 355     ~~63C-4-103;~~

356 ~~[(eeee)]~~ (dddd) a portion of the funds appropriated to the Utah Seismic Safety

357 ~~Commission, as provided in Section 63C-6-104;~~

358 ~~[(dddd)]~~ (eeee) funding for the Medical Education Program administered by the

359 ~~Medical Education Council, as provided in Section 63C-8-102;~~

360 ~~[(eeee)]~~ (ffff) certain monies payable for commission expenses of the Pete Suazo Utah

361 ~~Athletic Commission, as provided under Section 63C-11-301;~~

362 ~~[(ffff)]~~ (gggg) funds collected for publishing the Division of Administrative Rules'

363 ~~publications, as provided in Section 63G-3-402;~~

364 ~~[(gggg)]~~ (hhhh) the appropriation to fund the Governor's Office of Economic

365 ~~Development's Enterprise Zone Act, as provided in Section 63M-1-416;~~

366 ~~[(hhhh)]~~ (iiii) the Tourism Marketing Performance Account, as provided in Section

367 ~~63M-1-1406;~~

368 ~~[(iiii)]~~ (jjjj) certain funding for rural development provided to the Office of Rural

369 ~~Development in the Governor's Office of Economic Development, as provided in Section~~

370 ~~63M-1-1604;~~

371 ~~[(jjjj)]~~ (kkkk) certain monies in the Development for Disadvantaged Rural

372 ~~Communities Restricted Account, as provided in Section 63M-1-2003;~~

373 ~~[(kkkk)]~~ (llll) appropriations to the Utah Science Technology and Research Governing

374 ~~Authority, created under Section 63M-2-301, as provided under Section 63M-3-302;~~

375 ~~[(llll)]~~ (mmmm) certain monies in the Rural Broadband Service Fund, as provided in

376 ~~Section 63M-1-2303;~~

377 ~~[(mmmm)]~~ (nnnn) funds collected from monthly offender supervision fees, as provided

378 ~~in Section 64-13-21.2;~~

379 ~~[(nnnn)]~~ (oooo) funds collected by the housing of state probationary inmates or state

380 ~~parole inmates, as provided in Subsection 64-13e-104(2);~~

381 ~~[(oooo)]~~ (pppp) the Sovereign Lands Management account created in Section 65A-5-1;

382 ~~[(pppp)]~~ (qqqq) certain forestry and fire control funds utilized by the Division of

383 ~~Forestry, Fire, and State Lands, as provided in Section 65A-8-103;~~

384 ~~[(qqqq)]~~ (rrrr) the Department of Human Resource Management user training program,

385 ~~as provided in Section 67-19-6;~~

386 ~~[(rrrr)]~~ (ssss) funds for the University of Utah Poison Control Center program, as

387 ~~provided in Section 69-2-5.5;~~

388 ~~[(ssss)]~~ (tttt) appropriations to the Transportation Corridor Preservation Revolving

389 ~~Loan Fund, as provided in Section 72-2-117;~~

390 ~~[(tttt)]~~ (uuuu) appropriations to the Local Transportation Corridor Preservation Fund,

391 ~~as provided in Section 72-2-117.5;~~

392 ~~[(uuuu)]~~ (vvvv) appropriations to the Tollway Restricted Special Revenue Fund, as

393 ~~provided in Section 77-2-120;~~

394 ~~[(vvvv)]~~ (wwww) appropriations to the Aeronautics Construction Revolving Loan

395 ~~Fund, as provided in Section 77-2-122;~~

396 ~~[(wwww)]~~ (xxxx) appropriations to the State Park Access Highways Improvement



397 Program, as provided in Section ~~72-3-207~~;

398 ~~[(xxxx)]~~ (yyyy) the Traffic Noise Abatement Program created in Section ~~72-6-112~~;

399 ~~[(yyyy)]~~ (zzzz) certain funds received by the Office of the State Engineer for well

400 ~~drilling fines or bonds, as provided in Section 73-3-25~~;

401 ~~[(zzzz)]~~ (aaaa) certain monies appropriated to increase the carrying capacity of the

402 ~~Jordan River that are transferred to the Division of Parks and Recreation, as provided in~~

403 ~~Section 73-10e-1~~;

404 ~~[(aaaa)]~~ (bbbb) certain fees for the cost of electronic payments under the State

405 ~~Boating Act, as provided in Section 73-18-25~~;

406 ~~[(bbbb)]~~ (cccc) certain monies appropriated from the Water Resources Conservation

407 ~~and Development Fund, as provided in Section 73-23-2~~;

408 ~~[(eeee)]~~ (dddd) the Lake Powell Pipeline Project Operation and Maintenance Fund

409 ~~created in Section 73-28-404~~;

410 ~~[(dddd)]~~ (eeee) certain funds in the Water Development and Flood Mitigation

411 ~~Reserve Account, as provided in Section 73-103-1~~;

412 ~~[(eeee)]~~ (ffff) certain funds appropriated for compensation for special prosecutors, as

413 ~~provided in Section 77-10a-19~~;

414 ~~[(ffff)]~~ (gggg) the Indigent Aggravated Murder Defense Trust Fund created in

415 ~~Section 77-32-601~~;

416 ~~[(gggg)]~~ (hhhh) the Indigent Felony Defense Trust Fund created in Section

417 ~~77-32-701~~;

418 ~~[(hhhhh)] (iiii)~~ funds donated or paid to a juvenile court by private sources, as

419 provided in Subsection 78A-6-203(c);

420 ~~[(iiii)] (jjjj)~~ a state rehabilitative employment program, as provided in Section

421 ~~78A-6-210~~; and

422 ~~[(jjjj)] (kkkk)~~ fees from the issuance and renewal of licenses for certified court

423 interpreters, as provided in Section 78B-1-146.

424 ~~(2) No revenue collection, appropriation from a fund or account, or appropriation to a~~

425 ~~program may be treated as nonlapsing unless:~~

426 ~~(a) it is expressly referenced by this section;~~

427 ~~(b) it is designated in a condition of appropriation in the appropriations bill; or~~

428 ~~(c) nonlapsing authority is granted under Section 63J-1-603.~~

429 ~~(3) Each legislative appropriations subcommittee shall review the accounts and funds~~

430 ~~that have been granted nonlapsing authority under this section or Section 63J-1-603.~~

431 ~~Section 8. Appropriation.~~

432 ~~(1) There is appropriated \$25,000 from the General Fund for fiscal year 2010-11 only.~~

433 ~~to the State Board of Education for:~~

434 ~~(a) reimbursement of school district and charter school seismic safety evaluation costs~~

435 ~~incurred pursuant to Section 53A-15-1204; and~~

436 ~~(b) expenses of the Public School Seismic Safety Committee created under Section~~

437 ~~53A-15-1203.~~

438 ~~(2) The funds appropriated in Subsection (1) are non-lapsing.~~

439 ~~Section 9-}~~ Section 7 . Effective date.

440 This bill takes effect on July 1, 2010.

5. Page 3, Lines 64 through 65:

64 (ii) one member from the public or private sector appointed from a list of at least two

65 names submitted by the { ~~Utah Division of Facilities Construction and Management~~ } state superintendent of public instruction ; and

6. Page 4, Line 107:

107 (ii) last significant seismic related improvement:

7. Page 4, Line 110:

110 (e) a copy of any structural or seismic evaluation  
{ ~~conducted~~ } or summary of seismic or structural evaluations completed .

8. Page 4, Line 111:

111 (2) As funding { ~~allocated by the Public School Seismic Safety Committee~~ } appropriated to the State Board of Education allows, each

9. Page 4, Lines 113 through 114:

113 (a) conduct a seismic safety rapid visual screening of each facility used by the school

114 district or charter school that has not been evaluated in accordance with federal guidelines or a more detailed seismic structural evaluation ;

10. Page 5, Lines 128 through 143:

128 (5) { (a) } The State Board of Education shall reimburse school districts and charter

129 schools for the costs of complying with this section from funds appropriated for that purpose.

130 { ~~(b) If reimbursement requests from school districts and charter schools exceed~~

131 available funds, the State Board of Education shall proportionately reduce the allocation for

- 132 ~~each reimbursement request to match the level of available funds.~~
- 133 ~~(c) (i) If reimbursement requests from school districts and charter schools are less than~~
- 134 ~~available funds, the State Board of Education, after consultation with the Public School~~
- 135 ~~Seismic Safety Committee, shall allocate any remaining funds for additional evaluations of~~
- 136 ~~buildings that receive a score on the building's evaluation score worksheet that is below the~~
- 137 ~~threshold score established by the committee.~~
- 138 ~~(ii) If additional evaluations are funded pursuant to Subsection (5)(c)(i), the State~~
- 139 ~~Board of Education, after consultation with the Public School Seismic Safety Committee, shall~~
- 140 ~~require that the additional evaluations be performed using a nationally recognized standard.~~
- 141 ~~(iii) The State Board of Education may require matching funds as a condition of~~
- 142 ~~funding any additional evaluations. }~~
- 143 ~~(6) The Public School Seismic Safety Committee shall report to the Education Interim ; and~~

The Education Committee reports a favorable recommendation on **H.B. 117**, PUBLIC EDUCATION CAPITAL OUTLAY ACT, by Representative M. Brown; and

The Education Committee recommends **H.B. 166**, REDUCTIONS TO EDUCATION MANDATES, by Representative J. Dougall, be replaced and favorably recommends **1st Sub. H.B. 166**, REDUCTIONS TO EDUCATION MANDATES; and

The Education Committee reports a favorable recommendation on **H.B. 386**, INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN, by Representative G. Hughes.

Gregory H. Hughes, Chair

Reports filed. On motion of Representative Sumsion, the reports of the Education committee were adopted.

**1st Sub. H.B. 72**, as amended, **H.B. 117**, and **1st Sub. H.B. 166**, and **H.B. 386** read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker: February 26, 2010

The Health and Human Services Committee recommends **1st Sub. S.B. 88**, PHARMACY PRACTICE ACT AMENDMENTS, by Senator C. Bramble, be replaced, favorably recommends **5th Sub. S.B. 88**, PHARMACY PRACTICE ACT AMENDMENTS, and, due to unknown fiscal impact, recommends the substitute be referred to the Rules Committee pending completion of a fiscal note; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 141**, UTAH SUBSTANCE ABUSE AND ANTI-VIOLENCE COORDINATING COUNCIL AMENDMENTS, by Senator J. S. Adams, and recommends it be placed on the Consent Calendar.

Paul Ray, Chair

Reports filed. On motion of Representative Ray, the reports of the Health and Human Services committee were adopted.

**5th Sub. S.B. 88** read the second time by short title and referred to the Rules Committee due to fiscal impact.

**S.B. 141** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker: February 26, 2010

The Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 395**, LIMITATION OF ACTIONS AMENDMENTS, by Representative M. Noel.

Michael E. Noel, Chair

Report filed. On motion of Representative Noel, the report of the Public Utilities and Technology committee was adopted.

**H.B. 395** read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker: March 1, 2010

The Judiciary Committee recommends **H.B. 293**, VICTIMS' RIGHTS AMENDMENTS, by Representative R. C. Webb, be replaced and favorably recommends **1st Sub. H.B. 293**, VICTIMS' RIGHTS AMENDMENTS; and

The Judiciary Committee reports a favorable recommendation on **1st Sub. S.B. 130**, JUDICIARY AMENDMENTS, by Senator L. Hillyard, recommended it be placed on the Consent Calendar, but, due to fiscal impact, recommends it be referred to the Rules Committee for prioritization.

Lorie D. Fowlke, Chair

Reports filed. On motion of Representative Lockhart, the reports of the Judiciary committee were adopted.

**1st Sub. H.B. 293** read the second time by short title and placed on the Third Reading Calendar.

**1st Sub. S.B. 130** read the second time by short title and returned to the Rules Committee due to fiscal impact.

\* \* \*

Mr. Speaker: March 1, 2010

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 209**, SEX OFFENDER REGULATION AMENDMENTS, by Representative C. Watkins; and

The Law Enforcement and Criminal Justice Committee recommends **H.B. 404**, MOTOR VEHICLE BUSINESS AMENDMENTS, by Representative D. Ipson, be replaced and favorably recommends **1st Sub. H.B. 404**, MOTOR VEHICLE BUSINESS AMENDMENTS; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **S.B. 120**, DISARMING A PEACE OFFICER AMENDMENT, by Senator D. Hinkins; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **1st Sub. S.B. 140**, JUVENILE DETENTION AMENDMENTS, by Senator J. Greiner; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 365**, DEPARTMENT OF CORRECTIONS REGISTRY

AMENDMENTS, by Representative D. Aagard, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 10, Line 294:

294 (j) the name and Internet address of all websites on which the {~~sex~~} offender is registered

Douglas C. Aagard, Chair

Reports filed. On motion of Representative Aagard, the reports of the Law Enforcement and Criminal Justice committee were adopted.

**H.B. 209, 1st Sub. H.B. 404, S.B. 120, and 1st Sub. S.B. 140** read the second time by short title and placed on the Third Reading Calendar.

**H.B. 365**, as amended, read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker:

March 1, 2010

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 146**, LAW ENFORCEMENT BY FEDERAL LAND MANAGEMENT AGENCY, by Representative M. Noel; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 343**, GREAT SALT LAKE ADVISORY COUNCIL, by Representative B. Ferry, with the following amendments:

1. Page 2, Line 49:

49 (v) one representative who is an elected representative from municipal government or the elected official's designee ;

2. Page 4, Lines 103 through 105:

103 (iii) the Department of Environmental Quality.  
(2) The council shall assist the Division of Forestry, Fire, and State Lands in its responsibilities for the Great Salt Lake described in Section 65A-10-8.

104 (2) The council { ~~shall receive and utilize technical support from~~ } ;

(a) may recommend appointments to the Great Salt Lake

105 technical team created by the Division of Forestry, Fire, and State Lands { ~~;~~ } ; and

(b) shall receive and utilize technical support from the Great Salt Lake technical team. ; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 450**, FISHING LICENSE AMENDMENTS – DISABLED VETERANS, by Representative T. Cosgrove; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **1st Sub. S.B. 60**, SEARCH AND RESCUE FUNDING, by Senator R. Okerlund.

Roger E. Barrus, Chair

Reports filed. On motion of Representative Barrus, the reports of the Natural Resources, Agriculture, and Environment committee were adopted.

**H.B. 146**, **H.B. 343**, as amended, **H.B. 450**, and **1st Sub. S.B. 60** read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker:

March 1, 2010

The Transportation Committee reports a favorable recommendation on **H.B. 130**, CANCER RESEARCH SPECIAL GROUP LICENSE PLATE, by Representative B. Dee; and

The Transportation Committee reports a favorable recommendation on **H.B. 366**, MOTOR VEHICLE BUSINESS REGULATION ACT AMENDMENTS, by Representative B. Daw, with the following amendments:

1. Page 1, Lines 18 through 20:

18       ▶ provides that a person engaged in a title  
       {~~lender~~} lending, check cashing, or {~~similar~~  
       ~~business~~} deferred deposit lending business

19 that comes into possession of motor vehicles incident to the  
       person's regular business {~~shall~~

20 ~~be licensed as a used motor vehicle dealer~~} and sells the  
motor vehicle under contractual rights that it may have in the motor  
vehicle is not considered a dealer ;

2. Page 1, Line 27 through Page 2, Line 30:

27       ▶ provides that a person may not, for a fee, commission, or  
       other form of



28 compensation, arrange, offer to arrange, or broker a transaction involving the sale or lease of

29 more than two used motor vehicles in any 12 consecutive month period, unless the person is

30 licensed as a new or used motor vehicle dealer; and

3. Page 6, Lines 160 through 164:

160 (1) (a) An insurance company, bank, finance company, company registered as a title lender under Title 7, Chapter 24, Title Lender Registration Act, company registered as a check casher or deferred deposit lender under Title 7, Chapter 23, Check Cashing and Deferred Deposit Lending Registration Act, public utility company,

161 commission impound yard, federal or state governmental agency, or any political subdivision

162 of any of them or any other person coming into possession of a motor vehicle as an incident to

163 its regular business, that sells the motor vehicle under contractual rights that it may have in the

164 motor vehicle is not considered a dealer.

4. Page 6, Lines 172 through 174:

172 { ~~(c) A person engaged in a title lender, check cashing, or similar business that comes~~

173 ~~into possession of motor vehicles incident to the person's business shall be licensed as a used~~

174 ~~motor vehicle dealer.~~ }

5. Page 12, Lines 353 through 356:

353 (1) (a) A person may not, for a fee, commission, or other form of compensation,

354 arrange, offer to arrange, or broker a transaction involving the sale or lease of more than two ;

355 (i) new or used motor vehicles in any 12 consecutive month period, unless the person is licensed

356 under Subsection 41-3-202(1) ;or

(ii) used motor vehicles in any 12 consecutive month period, unless the person is licensed under Subsection 41-3-202(2) .

6. Page 8, Lines 218 through 219:

218 addresses of the individuals who will act as salespersons under authority of the license[-];

219 (vi) at least five years of { personal and } business history; ; and

The Transportation Committee reports a favorable recommendation on **1st Sub. S.B. 105**, MOTOR VEHICLE ACCIDENT ARBITRATION AMENDMENTS, by Senator S. Urquhart; and

The Transportation Committee reports a favorable recommendation on **S.B. 38**, RESTRICTIONS ON HIGH OCCUPANCY VEHICLE LANE, by Senator K. Morgan, and recommends it be placed on the Consent Calendar; and

The Transportation Committee reports a favorable recommendation on **S.B. 74**, STATE PARK HIGHWAY ACCESS AMENDMENTS, by Senator D. Hinkins, and recommends it be placed on the Consent Calendar.

Bradley M. Daw, Chair

Reports filed. On motion of Representative Daw, the reports of the Transportation committee were adopted.

**H.B. 130**, **H.B. 366**, as amended, and **1st Sub. S.B. 105** read the second time by short title and placed on the Third Reading Calendar.

**S.B. 38** and **S.B. 74** read the second time by short title and placed on the Consent Calendar.

### MISCELLANEOUS BUSINESS

On motion of Representative Garn, the House voted to recess until 2:00 p.m.

### AFTERNOON SESSION

The House was called to order by Speaker Clark at 2:10 p.m.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 1, 2010

The Senate passed, as amended, **1st Sub. S.B. 51**, BIOPROSPECTING, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 69**, COLLEGE OF EASTERN UTAH AFFILIATION WITH UTAH STATE UNIVERSITY, by Senator D. Hinkins, and it is transmitted for consideration; and

The Senate passed **S.B. 149**, UTAH FOREST PRACTICES ACT AMENDMENTS, by Senator D. Hinkins, and it is transmitted for consideration; and

The Senate passed, as substituted, **2nd Sub. S.B. 274**, ONLINE PHARMACY AMENDMENTS, by Senator C. Bramble, and it is transmitted for consideration; and

The Senate passed **S.J.R. 10**, JOINT RESOLUTION SUPPORTING THE EXPANSION OF CORRECTIONAL FACILITIES IN UINTAH COUNTY, by Senator K. Van Tassell, and it is transmitted for consideration; and

The Senate passed **S.J.R. 11**, UTAH ATHLETIC FOUNDATION RESOLUTION, by Senator S. Urquhart, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **1st Sub. S.B. 51**, **1st Sub. S.B. 69**, **S.B. 149**, **2nd Sub. S.B. 274**, **S.J.R. 10**, and **S.J.R. 11** read the first time by short title and referred to the Rules Committee.

### INTRODUCTION OF BILL

**H.B. 460**, **Board of Regents Amendments** (B. Dee), read the first time by short title and referred to the Rules Committee.

### THIRD READING CALENDAR

**1st Sub. H.B. 335**, UTILITY RELATED EXEMPTIONS, *Hughes*, read the third time by short title and placed on its final passage.

On motion of Representative Dee, the House voted to circle **1st Sub. H.B. 335**.

\* \* \*

**H.B. 456**, AMENDMENTS TO DEPARTMENT OF ENVIRONMENTAL QUALITY, *Edwards*, read the third time by short title and placed on its final passage.

On motion of Representative Dee, the House voted to circle **H.B. 456**.

\* \* \*

**H.B. 62**, PENALTIES FOR VIOLENT CRIME IN PRESENCE OF A CHILD, *Janice Fisher*, read the third time by short title and placed on its final passage.

On motion of Representative Janice Fisher, the House voted to circle **H.B. 62**.

\* \* \*

**1st Sub. H.B. 256**, CHILD ABUSE DATABASE AMENDMENTS, *Fowlke*, read the third time by short title and placed on its final passage.

**1st Sub. H.B. 256** passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

Herrod	Hughes	Hunsaker	McIff
Sumsion			

**1st Sub. H.B. 256** transmitted to the Senate for its consideration.

\* \* \*

**1st Sub. H.B. 289**, JUDICIAL NOMINATING COMMISSION AMENDMENTS, *Oda*, read the third time by short title and placed on its final passage.

On motion of Representative Oda, the House voted to delete **1st Sub. H.B. 289** in title and body and insert **2nd Sub. H.B. 289** in lieu thereof.

Representatives Hutchings, Fowlke, and King commented.

**2nd Sub. H.B. 289** passed on the following roll call:

**Yeas, 53; Nays, 18; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Black
Brown	S. Clark	Daw	Dee
Dougall	Draxler	Dunnigan	Edwards
Ferry	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Harper
Hunsaker	Hutchings	Ipson	Kiser
Last	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Newbold
Noel	Oda	Powell	Ray
Sandstrom	Seelig	Vickers	Wallis
Webb	Wilcox	Wimmer	Wright

D. Clark

**Voting in the negative were:** Representatives

Biskupski	Chavez–Houck	Cosgrove	S Duckworth
Janice Fisher	Hansen	Hemingway	Hendrickson
Johnson	King	Litvack	Moss
Poulson	Riesen	Seegmiller	Watkins
Wheatley	Wiley		

**Absent or not voting were:** Representatives

Herrod	Hughes	Painter	Sumsion
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**2nd Sub. H.B. 289** transmitted to the Senate for its consideration.

\* \* \*

**1st Sub. H.B. 355**, LEGAL GUARDIANSHIP AMENDMENTS, *Sandstrom*, read the third time by short title and placed on its final passage. Representatives Allen, Johnson, McIff, and Black commented.

**1st Sub. H.B. 355**, as amended, passed on the following roll call:

**Yeas, 43; Nays, 26; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Brown	S. Clark	Daw	Dee
Dougall	Draxler	Dunnigan	Edwards
Ferry	Frank	Froerer	F Gibson
K Gibson	Greenwood	Grover	Harper
Herrod	Hunsaker	Hutchings	Ipson
Kiser	Last	Lockhart	Mascaro
Mathis	McIff	Morley	Noel
Oda	Painter	Powell	Ray
Sandstrom	Vickers	Wallis	Webb
Wilcox	Wimmer	Wright	

**Voting in the negative were:** Representatives

Beck	Bird	Biskupski	Black
Chavez–Houck	Cosgrove	S Duckworth	Janice Fisher
Julie Fisher	Fowlke	Gowans	Hansen
Hemingway	Hendrickson	Johnson	King
Litvack	Menlove	Moss	Poulson
Riesen	Seegmiller	Seelig	Watkins
Wheatley	Wiley		

**Absent or not voting were:** Representatives

Bigelow	Garn	Hughes	Newbold
Sumsion	D. Clark		

**1st Sub. H.B. 355**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.B. 409**, CIVIL ACTION FOR DAMAGES RELATED TO ADDICTION FROM ILLEGAL DRUG SALE, *Herrod*, read the third time by short title and placed on its final passage.

On motion of Representative Herrod, the House voted to circle **H.B. 409**.

\* \* \*

**H.C.R. 15**, RESOLUTION TO THE SECRETARY OF TRANSPORTATION ON REVOCATION OF DRIVER LICENSES, *Lockhart*, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House voted to circle **H.C.R. 15**.

\* \* \*

**1st Sub. H.B. 296**, CHOICE OF LAW IN UTAH COURTS, *Wimmer*, read the third time by short title and placed on its final passage.

On motion of Representative Wimmer, the House voted to circle **1st Sub. H.B. 296**.

\* \* \*

**H.B. 337**, UNIFORM DRIVER LICENSE ACT AMENDMENTS, *Lockhart*, read the third time by short title and placed on its final passage.

**H.B. 337** passed on the following roll call:

**Yeas, 69; Nays, 1; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	S. Clark	Cosgrove	Dee
Dougall	Draxler	S Duckworth	Dunnigan
Edwards	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright			

**Voting in the negative was:** Representative Anderson

**Absent or not voting were:** Representatives

Black	Daw	Hughes	Mathis
D. Clark			

**H.B. 337** transmitted to the Senate for its consideration.

### UNFINISHED BUSINESS

On motion of Representative Lockhart, the House voted to uncircle **H.C.R. 15**.

**H.C.R. 15**, RESOLUTION TO THE SECRETARY OF TRANSPORTATION ON REVOCATION OF DRIVER LICENSES, *Lockhart*, was before the House on its final passage.

**H.C.R. 15** passed on the following roll call:

**Yeas, 66; Nays, 0; Absent or not voting, 9.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hutchings	Ipson	Johnson
Kiser	Last	Litvack	Lockhart
McIff	Menlove	Morley	Moss
Newbold	Noel	Painter	Poulson
Powell	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer		

**Absent or not voting were:** Representatives

Hughes	Hunsaker	King	Mascaro
Mathis	Oda	Ray	Wright
D. Clark			

**H.C.R. 15** transmitted to the Senate for its consideration.

### THIRD READING CALENDAR

**H.B. 380**, FIREARM LAWS AMENDMENTS, *Sandstrom*, read the third time by short title and placed on its final passage. Representatives King, Greenwood, Seelig, and Seegmiller commented.



**H.B. 380** passed on the following roll call:

**Yeas, 45; Nays, 24; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Barrus	Beck
Bird	Brown	S. Clark	Daw
Dee	Draxler	S Duckworth	Dunnigan
Ferry	Julie Fisher	Frank	Froerer
Garn	F Gibson	K Gibson	Greenwood
Grover	Harper	Hendrickson	Herrod
Hutchings	Ipson	Kiser	Last
Lockhart	Mathis	Menlove	Morley
Newbold	Noel	Oda	Painter
Powell	Ray	Sandstrom	Sumsion
Vickers	Wallis	Webb	Wilcox
Wright			

**Voting in the negative were:** Representatives

Allen	Biskupski	Black	Chavez–Houck
Cosgrove	Edwards	Janice Fisher	Fowlke
Gowans	Hansen	Hemingway	Hunsaker
Johnson	King	Litvack	McIff
Moss	Poulson	Riesen	Seegmiller
Seelig	Watkins	Wheatley	Wiley

**Absent or not voting were:** Representatives

Bigelow	Dougall	Hughes	Mascaro
Wimmer	D. Clark		

**H.B. 380** transmitted to the Senate for its consideration.

**UNFINISHED BUSINESS**

On motion of Representative Edwards, the House voted to uncircle **H.B. 456**.

**H.B. 456**, AMENDMENTS TO DEPARTMENT OF ENVIRONMENTAL QUALITY, *Edwards*, was before the House on its final passage. Representative Allen commented.

**H.B. 456**, as amended, passed on the following roll call:

**Yeas, 55; Nays, 14; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Biskupski	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Draxler	S Duckworth	Dunnigan
Edwards	Janice Fisher	Julie Fisher	Fowlke
Garn	F Gibson	Gowans	Hansen
Harper	Hemingway	Hunsaker	Ipson
Johnson	King	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Moss	Newbold	Oda
Painter	Poulson	Powell	Ray
Riesen	Seegmiller	Seelig	Vickers
Wallis	Watkins	Webb	Wheatley
Wiley	Wright	D. Clark	

**Voting in the negative were:** Representatives

Bird	Dougall	Frank	Froerer
K Gibson	Greenwood	Grover	Herrod
Kiser	Morley	Noel	Sandstrom
Sumsion	Wilcox		

**Absent or not voting were:** Representatives

Bigelow	Ferry	Hendrickson	Hughes
Hutchings	Wimmer		

**H.B. 456**, as amended, transmitted to the Senate for its consideration.

\* \* \*

On motion of Representative Herrod, the House voted to uncircle **H.B. 409**.

**H.B. 409**, CIVIL ACTION FOR DAMAGES RELATED TO ADDICTION FROM ILLEGAL DRUG SALE, *Herrod*, was before the House on its final passage.

Representative Herrod proposed the following amendment:

1. Page 2, Line 57 through Page 3, Line 59  
House Committee Amendments 2–25–2010

57      [(4)] (5) This section does not establish liability of or create a cause of action regarding    ̄

58 (a) a parent or guardian of a person younger than 18 years of age who acts in violation of this

59 section, unless the parent or guardian acts in violation of this section ; or

(b) a person who is licensed under Title 58, Chapter 17b, Pharmacy Practice Act, and who acts in accordance with the act .

Representative Herrod’s motion to amend passed on a voice vote. Representatives King and Litvack commented.

**H.B. 409**, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Julie Fisher	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hemingway	Hendrickson	Herrod
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Mascaro	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wright
D. Clark			

**Voting in the negative were:** Representatives

Hansen	Mathis	Ray
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**Absent or not voting were:** Representatives

Bigelow	Janice Fisher	Fowlke	Harper
Hughes	Lockhart	Wimmer	

**H.B. 409**, as amended, transmitted to the Senate for its consideration.

## RULES COMMITTEE REPORTS

Mr. Speaker: March 1, 2010

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

**1st Sub. S.B. 130**    Judiciary Amendments (Sen. L. Hillyard); and

The Rules Committee recommends that **H.B. 452**, Collection Fees (Rep. S. Sandstrom), be lifted from the House Business Labor Standing Committee and reassigned to the House Workforce Service and Community and Economic Development Standing Committee.

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

## RULES COMMITTEE REPORT

Mr. Speaker: March 1, 2010

The Rules Committee recommends the following bills and resolutions be assigned to standing committees:

### GOVERNMENT OPERATIONS

**1st Sub. S.B. 69**    College of Eastern Utah Affiliation with Utah State University (Sen. D. Hinkins)

**S.J.R. 11**            Utah Athletic Foundation Resolution (Sen. S. Urquhart)

### JUDICIARY

**H.B. 428**            Nonresident Tuition Amendments (Rep. R. Greenwood)

**H.B. 429**            Newspaper Publication Requirements (Rep. J. Anderson)

**2nd Sub. S.B. 274**    Online Pharmacy Amendments (Sen. C. Bramble)

### LAW ENFORCEMENT AND CRIMINAL JUSTICE

**S.B. 62**             Motor Vehicle Insurance Coverage Amendments (Sen. S. Urquhart)

**S.J.R. 10**            Joint Resolution Supporting the Expansion of Correctional Facilities in Uintah County (Sen. K. Van Tassell)

### NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT

**H.B. 169**            Refinery Amendments (Rep. R. Edwards)

**H.B. 445**            Highway Access to Sovereign Lands (Rep. R. Barrus)

- H.C.R. 17** Concurrent Resolution Opposing the Use of Presidential Power to Create New National Monuments in Utah (Rep. M. Noel)
- 1st Sub. S.B. 51** Bioprospecting (Sen. L. Hillyard)
- S.B. 149** Utah Forest Practices Act Amendments (Sen. D. Hinkins)

#### **POLITICAL SUBDIVISIONS**

- S.B. 167** Alcoholic Beverage Control Act Recodification (Sen. J. Valentine)

#### **REVENUE AND TAXATION**

- H.B. 407** Obligations Secured by Trust Deeds (Rep. G. Hughes)
- H.B. 460** BOARD OF REGENTS AMENDMENTS (Rep. B. Dee)

#### **TRANSPORTATION**

- H.B. 424** Operation of Bicycles and Mopeds on Roadways (Rep. J. Anderson)
- S.B. 113** Wireless Telephone Use Restriction for Minors in Vehicles (Sen. R. Romero)
- S.B. 160** Utah State Developmental Center Amendments (Sen. M. Dayton)
- H.B. 351** State Highway Project Funding – Salt Lake County (Rep. W. Harper)

#### **WORKFORCE SERVICES AND COMMUNITY AND ECONOMIC DEVELOPMENT**

- H.B. 396** Speech–language Pathology and Audiology Licensing Act Amendments (Rep. D. Ipson)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

#### **REPORTS OF STANDING COMMITTEES**

Mr. Speaker:

March 1, 2010

The Ethics Committee reports a favorable recommendation on **2nd Sub. S.J.R. 3, JOINT RESOLUTION ON ETHICS COMPLAINT PROCEDURES**, by Senator J. Valentine, with the following amendments and, due to fiscal impact, recommends it be referred to the Rules Committee for prioritization; and

1. Page 2, Lines 30a through 30b  
Senate 2nd Reading Amendments 2–22–2010:

30a **Ŝ**→ requires the commission to prepare a public summary data report on an annual

30b basis and requires that the report be submitted to a committee of the legislature: ←**Ŝ**; and

The Ethics Committee reports a favorable recommendation on **2nd Sub. S.B. 136**, OPEN AND PUBLIC MEETINGS REVISIONS RELATED TO REVIEW OF ETHICS COMPLAINTS, by Senator J. Valentine; and

The Ethics Committee reports a favorable recommendation on **1st Sub. S.B. 138**, GRAMA REVISIONS RELATED TO REVIEW OF ETHICS COMPLAINTS, by Senator J. Valentine.

John Dougall, Chair

Reports filed. On motion of Representative Dougall, the reports of the Ethics committee were adopted.

**2nd Sub. S.J.R. 3**, as amended, read the second time by short title and referred to the Rules Committee due to fiscal impact.

**2nd Sub. S.B. 136** and **1st Sub. S.B. 138** read the second time by short title and placed on the Third Reading Calendar.

### THIRD READING CALENDAR

**1st Sub. H.J.R. 26**, JOINT RESOLUTION APPROVING WATER RIGHTS ADDENDUM FORM, *Ferry*, read the third time by short title and placed on its final passage.

On motion of Representative Ferry, the House voted to circle **1st Sub. H.J.R. 26**.

\* \* \*

**H.B. 171**, WATER RIGHTS REVISIONS, *K. Gibson*, read the third time by short title and placed on its final passage.

**H.B. 171**, as amended, passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hunsaker
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wright

D. Clark

**Absent or not voting were:** Representatives

Bigelow	Frank	Hughes	Hutchings
McIff	Wimmer		

**H.B. 171**, as amended, transmitted to the Senate for its consideration.

**UNFINISHED BUSINESS**

On motion of Representative K. Gibson, the House voted to uncircle **H.B. 231**.

**H.B. 231**, WATER RIGHTS PRIORITIES IN TIMES OF SHORTAGE, *K. Gibson*, was before the House on its final passage.

**H.B. 231**, as amended, passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler

S Duckworth	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hunsaker
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wright
D. Clark			

**Absent or not voting were:** Representatives

Bigelow	Dunnigan	Hughes	Hutchings
McIff	Wimmer		

**H.B. 231**, as amended, transmitted to the Senate for its consideration.

### THIRD READING CALENDAR

**1st Sub. H.B. 314**, WATER RIGHTS ADDENDUMS TO DEEDS, *Ferry*, read the third time by short title and placed on its final passage. Representative Draxler commented.

**1st Sub. H.B. 314** passed on the following roll call:

**Yeas, 66; Nays, 0; Absent or not voting, 9.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Draxler	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Hemingway	Hendrickson	Herrod	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	Menlove	Morley



Moss	Newbold	Noel	Oda
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

Bigelow	Brown	Dougall	S Duckworth
Fowlke	Harper	Hughes	McIff
Painter			

**1st Sub. H.B. 314** transmitted to the Senate for its consideration.

**UNFINISHED BUSINESS**

On motion of Representative Ferry, the House voted to uncircle **1st Sub. H.J.R. 26**.

**1st Sub. H.J.R. 26**, JOINT RESOLUTION APPROVING WATER RIGHTS ADDENDUM FORM, *Ferry*, was before the House on its final passage.

**1st Sub. H.J.R. 26** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Bigelow

Fowlke

Hughes

Painter

**1st Sub. H.J.R. 26** transmitted to the Senate for its consideration.

### **MISCELLANEOUS BUSINESS**

On motion of Representative Garn, and at 4:10 p.m., the House voted to adjourn until March 2, 2010, at 9:00 a.m.

# THIRTY-SIXTH DAY

\* \* \*

## MORNING SESSION

The House was called to order by Speaker Pro Tem Lockhart at 9:30 a.m.

Roll call showed all members present.

Prayer offered by Lance Merrill, a constituent of Representative Chris Herrod. Pledge of Allegiance led by Representative Herrod’s son, Niles.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 1, 2010

The President of the Senate has signed **1st Sub. H.B. 81**, SCHOOL EMPLOYEE CRIMINAL BACKGROUND CHECK, by Representative S. Allen, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 261**, FINANCIAL RESPONSIBILITY OF MOTOR VEHICLE OWNERS AND OPERATORS ACT AMENDMENTS, by Representative R. Greenwood, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **1st Sub. H.B. 81** and **H.B. 261** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: March 1, 2010

The Senate passed, as amended, **S.B. 59**, AT-RISK STUDENT PROVISIONS, by Senator L. Robles, and it is transmitted for consideration; and

The Senate passed **S.B. 71**, SMALL BUSINESS ACCESS TO JUSTICE ACT, by Senator R. Romero, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **3rd Sub. S.B. 108**, JUDICIAL NOMINATING COMMISSION STAFF AMENDMENTS, by Senator S. Jenkins, and it is transmitted for consideration; and

The Senate passed **S.B. 118**, UNIFORM PROBATE CODE AMENDMENTS, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed, as substituted, **2nd Sub. S.B. 129**, NEW MOTOR VEHICLE FRANCHISE AMENDMENTS, by Senator D. Liljenquist, and it is transmitted for consideration; and

The Senate passed **S.B. 143**, GRAND JURY AMENDMENTS, by Senator D. Liljenquist, and it is transmitted for consideration; and

The Senate passed **S.B. 164**, SURETY REQUIREMENTS FOR MINING, by Senator D. Stowell, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 180**, SEXUAL EXPLOITATION OF A VULNERABLE ADULT, by Senator D. Hinkins, and it is transmitted for consideration; and

The Senate passed **S.B. 212**, PAWN SHOP AMENDMENTS, by Senator J. Greiner, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 232**, JUDICIAL ADMINISTRATION AMENDMENTS, by Senator S. Jenkins, and it is transmitted for consideration.

Annette B. Moore

Secretary of the Senate

Communications filed. **S.B. 59, S.B. 71, 3rd Sub. S.B. 108, S.B. 118, 2nd Sub. S.B. 129, S.B. 143, S.B. 164, S.B. 180, S.B. 212, and S.B. 232** read the first time by short title and referred to the Rules Committee.

### MISCELLANEOUS BUSINESS

On motion of Representative Ferry, the House voted to lift **S.B. 96, S.B. 148**, and **2nd Sub. S.J.R. 3** from the Rules Committee and place them on the Senate Third Reading Calendar.

### CONSENT CALENDAR

**H.B. 431**, IDENTITY VERIFICATION BY DEPARTMENT OF COMMERCE, *Morley*, read the third time by short title and placed on its final passage.

**H.B. 431** passed on the following roll call:

**Yeas, 66; Nays, 0; Absent or not voting, 9.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black

Brown	Chavez–Houck	S. Clark	Cosgrove
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Julie Fisher
Fowlke	Frank	Froerer	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
Menlove	Morley	Moss	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright		

**Absent or not voting were:** Representatives

Bigelow	Daw	Janice Fisher	Garn
Hughes	McIff	Newbold	Seelig
D. Clark			

**H.B. 431** transmitted to the Senate for its consideration.

\* \* \*

**H.J.R. 33**, MARKING OF UNDERGROUND UTILITIES JOINT RESOLUTION, *Brown*, read the third time by short title and placed on its final passage.

**H.J.R. 33**, as amended, passed on the following roll call:

**Yeas, 69; Nays, 1; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Dee	Dougall	Draxler
S Duckworth	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hunsaker

Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	Menlove	Morley
Moss	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Voting in the negative was:** Representative  
Dunnigan

**Absent or not voting were:** Representatives  
Daw                      Hughes                      McIff                      Newbold  
Sumsion

**H.J.R. 33**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**1st Sub. H.B. 133**, RELEASE OF COURT DOCUMENTS AND CHILD INTERVIEWS, *Fowlke*, read the third time by short title and placed on its final passage.

**1st Sub. H.B. 133**, as amended, passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter

Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

Bigelow	Daw	Garn	Hughes
McIff			

**1st Sub. H.B. 133**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**S.B. 142**, DRIVER LICENSE AMENDMENTS, *Hughes*, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House voted to lift **S.B. 142** from the Consent Calendar and place it at the bottom of the Senate Third Reading Calendar.

\* \* \*

**H.C.R. 14**, R.S. 2477 HISTORIC ROADS CONCURRENT RESOLUTION, *Noel*, read the third time by short title and placed on its final passage.

**H.C.R. 14** passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	Menlove	Morley

Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

Daw	Julie Fisher	Hughes	McIff
Seelig			

**H.C.R. 14** transmitted to the Senate for its consideration.

### CONCURRENCE CALENDAR

On motion of Representative Menlove, the House voted to concur in the Senate amendments to **1st Sub. H.B. 299**, AMENDMENTS RELATED TO SUBSTANCES HARMFUL TO PREGNANCY.

**1st Sub. H.B. 299**, as amended by the Senate, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
Menlove	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark



**Absent or not voting were:** Representatives

Hughes                      McIff                      Morley

**1st Sub. H.B. 299**, as amended by the Senate, transmitted to the Senate for signature of President.

**THIRD READING CALENDAR**

**1st Sub. H.B. 185**, ANIMAL EUTHANASIA STANDARDS, *Seegmiller*, read the third time by short title and placed on its final passage. Representatives Noel, Wilcox, and Barrus commented.

Representative Hansen declared a conflict of interest because his brother works for an animal shelter.

**1st Sub. H.B. 185**, as amended, passed on the following roll call:

**Yeas, 50; Nays, 17; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Beck	Bird
Biskupski	Black	Brown	Chavez–Houck
S. Clark	Cosgrove	Daw	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Frank	Gowans
Grover	Hansen	Hemingway	Hendrickson
Hunsaker	Hutchings	Ipson	Johnson
King	Litvack	Lockhart	Mascaro
Mathis	Menlove	Moss	Noel
Poulson	Powell	Ray	Rieser
Sandstrom	Seegmiller	Seelig	Vickers
Wallis	Watkins	Webb	Wheatley
Wiley	D. Clark		

**Voting in the negative were:** Representatives

Anderson	Barrus	Dougall	Froerer
F Gibson	K Gibson	Greenwood	Harper
Herrod	Kiser	Morley	Newbold
Oda	Sumsion	Wilcox	Wimmer
Wright			

**Absent or not voting were:** Representatives

Bigelow	Dee	Fowlke	Garn
Hughes	Last	McIff	Painter

**1st Sub. H.B. 185**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.B. 321**, BOND ELECTION NOTIFICATION REVISIONS, *Hughes*, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House voted to circle **H.B. 321**.

\* \* \*

**H.C.R. 4**, VETERANS FREEDOM MEMORIAL CONCURRENT RESOLUTION, *Hughes*, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House voted to circle **H.C.R. 4**.

\* \* \*

**2nd Sub. H.B. 243**, FORECLOSURE PROCESSES ON RESIDENTIAL RENTAL PROPERTIES, *Harper*, read the third time by short title and placed on its final passage.

**2nd Sub. H.B. 243** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	Menlove
Morley	Moss	Newbold	Noel
Oda	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig

Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Fowlke	Hughes	McIff	Painter
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**2nd Sub. H.B. 243** transmitted to the Senate for its consideration.

\* \* \*

**1st Sub. H.B. 280**, REAL PROPERTY – TRANSFER FEES, *Lockhart*, read the third time by short title and placed on its final passage. Representatives Webb, Watkins, Mascaro, and Froerer commented.

**1st Sub. H.B. 280** passed on the following roll call:

**Yeas, 68; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
Menlove	Moss	Newbold	Oda
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wimmer	Wright

**Absent or not voting were:** Representatives

Dougall	McIff	Morley	Noel
Painter	Wiley	D. Clark	

**1st Sub. H.B. 280** transmitted to the Senate for its consideration.

\* \* \*

**1st Sub. H.B. 72**, UTAH SCHOOL SEISMIC HAZARD INVENTORY, *Wiley*, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House voted to circle **1st Sub. H.B. 72**.

\* \* \*

**H.B. 117**, PUBLIC EDUCATION CAPITAL OUTLAY ACT, *Brown*, read the third time by short title and placed on its final passage.

**H.B. 117** passed on the following roll call:

**Yeas, 67; Nays, 7; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Barrus	Beck
Bigelow	Biskupski	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Edwards	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Noel	Oda	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wright	D. Clark	

**Voting in the negative were:** Representatives

Anderson	Bird	Dunnigan	Harper
Hutchings	Newbold	Wimmer	

**Absent or not voting was:** Representative  
Painter

**H.B. 117** transmitted to the Senate for its consideration.

### MISCELLANEOUS BUSINESS

On motion of Representative Dougall, under suspension of the rules, the House voted to allow a bill file to be opened concerning CHIP modifications.

On motion of Representative Dougall, under suspension of the rules, the House voted to allow a bill file to be opened concerning RFP and reporting requirements.

### THIRD READING CALENDAR

**1st Sub. H.B. 166**, REDUCTIONS TO EDUCATION MANDATES, *Dougall*, read the third time by short title and placed on its final passage.

**1st Sub. H.B. 166** passed on the following roll call:

**Yeas, 68; Nays, 3; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Harper	Hemingway
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Voting in the negative were:** Representatives

S Duckworth	Hansen	Hendrickson
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**Absent or not voting were:** Representatives

Brown	Herrod	Painter	Seelig
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**1st Sub. H.B. 166** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 386**, INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN, *Hughes*, read the third time by short title and placed on its final passage.

On motion of Representative Hughes, the House voted to circle **H.B. 386**.

\* \* \*

**H.B. 395**, LIMITATION OF ACTIONS AMENDMENTS, *Noel*, read the third time by short title and placed on its final passage. Representative King commented.

Representative Biskupski proposed the following amendment:

1. Page 2, Line 44:  
Delete "that irrefutable, unavoidable, and" and insert "clearly"

Representative McIff proposed the following substitute motion to amend:

1. Page 2, Line 44:  
Delete "that irrefutable." and insert "clearly"

Representative McIff's substitute motion to amend passed on a voice vote.

Representative Hemingway commented.

###

Representative McIff proposed the following amendment:

1. Page 1, Line 17:  
Delete "that irrefutable." and insert "clearly"

Representative Powell proposed the following substitute motion to amend:

1. Page 1, Line 17:  
Delete "irrefutable," and insert "clearly"
2. Page 2, Line 44:  
Reinstate the word "that" after "show"

Representative Powell's substitute motion to amend passed on a voice vote.

**H.B. 395**, as amended, passed on the following roll call:

**Yeas, 49; Nays, 19; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Barrus	Bigelow
Bird	Brown	S. Clark	Daw
Dee	Draxler	Dunnigan	Edwards
Ferry	Julie Fisher	Froerer	Garn
F Gibson	K Gibson	Greenwood	Grover
Harper	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Kiser
Last	Mascaro	Mathis	McIff
Menlove	Morley	Newbold	Noel
Oda	Powell	Ray	Sandstrom
Sumsion	Vickers	Wallis	Watkins
Webb	Wilcox	Wimmer	Wright
D. Clark			

**Voting in the negative were:** Representatives

Allen	Beck	Biskupski	Black
Chavez-Houck	Cosgrove	S Duckworth	Janice Fisher
Hemingway	Johnson	King	Litvack
Moss	Poulson	Riesen	Seegmiller
Seelig	Wheatley	Wiley	

**Absent or not voting were:** Representatives

Dougall	Fowlke	Frank	Gowans
Hansen	Lockhart	Painter	

**H.B. 395**, as amended, transmitted to the Senate for its consideration.

### **RULES COMMITTEE REPORT**

Mr. Speaker:

March 2, 2010

The Rules Committee recommends that **H.B. 460**, Board of Regents Amendments (Rep. B. Dee), be lifted from the House Political Subdivisions Standing Committee and reassigned to the House Government Operations Standing Committee.

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

### RULES COMMITTEE REPORT

Mr. Speaker: March 2, 2010

The Rules Committee recommends the following bills be assigned to the House Health and Human Services Standing Committee:

**H.B. 397**                      Medicaid Program Amendments (Rep. J. Dougall)

**H.B. 459**                      Health Amendments (Rep. D. Clark)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

### MISCELLANEOUS BUSINESS

On motion of Representative Ferry, under suspension of the rules, the House voted to lift **5th Sub. S.B. 88** from the Rules Committee and place it at the bottom of the Senate Third Reading Calendar.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: March 1, 2010

The Government Operations Committee reports a favorable recommendation on **1st Sub. H.J.R. 30**, WAR VETERANS' MEMORIAL ON CAPITOL HILL JOINT RESOLUTION, by Representative R. Chavez-Houck; and

The Government Operations Committee reports a favorable recommendation on **H.R. 4**, RESOLUTION URGING RATIFICATION OF THE COMPREHENSIVE NUCLEAR TEST BAN TREATY, by Representative J. Seelig, with the following amendments:

1. Page 3, Lines 70 through 71:

70        WHEREAS, United States' citizens must not be subjected to  
the hazards of future

71        nuclear weapons tests;

WHEREAS, the CTBT Organization effectively monitors compliance with the CTBT through an International Monitoring System, consisting of 337 stations using state-of-the-art seismic, hydroacoustic, infrasound and radionuclide technologies and capable of detecting and identifying a nuclear weapons test explosion anywhere in the world within hours:



## 2. Page 3, Line 74:

74 nations;

WHEREAS, Article 9 of the CTBT permits withdrawal by the United States in case extraordinary future developments, including the need to respond to a violation by another nation, were to jeopardize our supreme national interests:

WHEREAS, independent expert assessments commissioned by the National Nuclear Security Administration have concluded that measures under the Stockpile Stewardship Program and Life Extension Program can support certification of today's nuclear warheads as safe, secure, and reliable for decades without the need to resort to underground nuclear weapons testing; and ; and

The Government Operations Committee recommends **H.B. 153**, RECYCLING OF ELECTRONIC ITEMS, by Representative R. Edwards, be replaced and reports a favorable recommendation on **1st Sub. H.B. 153**, RECYCLING OF ELECTRONIC ITEMS with the following amendments:

## 1. Page 3, Lines 80 through 84:

80 (2) (a) “Consumer electronic device” means an electronic device for consumer use if

81 that electronic device is:

82 (i) a computer central processing unit;

83 (ii) a personal { ~~computing device~~ } computer with a screen size greater than four inches at a

84 diagonal;

## 2. Page 6, Lines 155 through 160:

155 (3) Subject to Title 63G, Chapter 4, Administrative Procedures Act, the division may

156 impose an administrative penalty against a registered recycler or manufacturer for a violation of

157 this chapter that is established by rule, and which may include:

158 (a) suspension or revocation of a registration;

159 (b) a cease and desist order; or

160 (c) a fine not to exceed 200% of the applicable registration fee, for the failure to register or to pay a registered recycler in accordance with this chapter .

3. Page 7, Lines 196 through 197:

196 (b) pay an annual fee established by the division in accordance with Section 63J-1-504.

197 except that :

(i) a fee shall vary in amount on the basis of a registered recycler's market share { ~~±~~ } ; and

(ii) total fees assessed by the division may not exceed \$50,000 for the period beginning on July 1, 2010 and ending on June 30, 2011. ; and

The Government Operations Committee recommends **H.B. 329**, CAMPAIGN FINANCE AMENDMENTS, by Representative B. Ferry, be replaced and favorably recommends **2nd Sub. H.B. 329**, CAMPAIGN FINANCE AMENDMENTS; and

The Government Operations Committee recommends **H.B. 370**, CAPITAL PROJECT AMENDMENTS, by Representative S. Clark, be replaced and favorably recommends **1st Sub. H.B. 370**, CAPITAL PROJECT AMENDMENTS; and

The Government Operations Committee reports a favorable recommendation on **2nd Sub. S.B. 119**, SPECIAL ELECTIONS MODIFICATIONS, by Senator H. Stephenson, with the following amendments:

1. Page 1, Line 14

Senate 3rd Reading Amendments 2-23-2010:

14 bond, levy, leeway, or sales tax issue without a { ~~unanimous~~ } two-thirds majority vote of the local

2. Page 12, Line 360:

360 { ~~unanimous~~ } two-thirds majority vote of all members of the legislative body, if the local special election is for; and

The Government Operations Committee reports a favorable recommendation on **S.B. 189**, CAPITAL FACILITIES AMENDMENTS, by Senator C. Bramble; and

The Government Operations Committee recommends **H.B. 155**, AGRICULTURAL ADVISORY BOARD AND LIVESTOCK RELATED POLICY, by Representative J. Mathis, be replaced and reports a favorable recommendation on **1st Sub. H.B. 155**, AGRICULTURAL ADVISORY BOARD

AND LIVESTOCK RELATED POLICY and asks that it be placed on the Consent Calendar.

Craig A. Frank, Chair

Reports filed. On motion of Representative Frank, the reports of the Government Operations committee were adopted.

**1st Sub. H.J.R. 30, H.R. 4**, as amended, **1st Sub. H.B. 153**, as amended, **2nd Sub. H.B. 329, 1st Sub. H.B. 370, 2nd Sub. S.B. 119**, as amended, and **S.B. 189** read the second time by short title and placed on the Third Reading Calendar.

**1st Sub. H.B. 155** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker:

March 1, 2010

The Revenue and Taxation Committee recommends **H.B. 425**, BUDGETARY PROCEDURES ACT – FEE AMENDMENTS, by Representative R. Bigelow, be replaced and favorably recommends **1st Sub. H.B. 425**, BUDGETARY PROCEDURES ACT – FEE AMENDMENTS; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 61**, SALES AND USE TAX EXEMPTION FOR A WEB SEARCH PORTAL, by Senator H. Stephenson, and, due to fiscal impact, recommends it be referred to the Rules Committee for prioritization; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 123**, MOTION PICTURE INCENTIVE FUND AMENDMENTS, by Senator L. Hillyard, and recommends it be placed on the Consent Calendar.

Todd E. Kiser, Chair

Reports filed. On motion of Representative Kiser, the reports of the Revenue and Taxation committee were adopted.

**1st Sub. H.B. 425** read the second time by short title and placed on the Third Reading Calendar.

**S.B. 61** read the second time by short title and referred to the Rules Committee due to fiscal impact.

**S.B. 123** read the second time by short title and placed on the Consent Calendar.

**NOTICE OF BILL RETURNED TO RULES COMMITTEE**

Mr. Speaker:

March 1, 2010

The Revenue and Taxation Committee has returned **S.B. 135**, SALES AND USE TAX EXEMPTION FOR AN ENERGY EFFICIENT STOVE OR ENERGY EFFICIENT STOVE FUEL, by Senator G. Davis, to the Rules Committee.

Todd E. Kiser, Chair

Report filed. **S.B. 135** returned to the Rules Committee.

**UNFINISHED BUSINESS**

On motion of Representative Dee, the House voted to uncircle **H.B. 140**.

**H.B. 140**, HUMAN RESOURCE MANAGEMENT AMENDMENTS, *Dee*, was before the House on its final passage.

On motion of Representative Dee, the House voted to delete **H.B. 140** in title and body and insert **1st Sub. H.B. 140** in lieu thereof.

Representative Dee proposed the following amendment:

1. Page 34, Line 1032:  
Delete "without pay"

Representative Dee's motion to amend passed on a voice vote.

###

Representative King proposed the following amendment:

1. Page 35, Lines 1053 through 1064
  - 1053 ~~(b) The office may not review or take action on~~ {~~-~~
  - 1054 ~~(i)-~~} ~~a personnel matter not listed in Subsection (1)(a)~~ {~~-~~
  - ~~or~~
  - 1055 ~~(ii) a grievance that alleges:~~
  - 1056 ~~(A) discrimination;~~
  - 1057 ~~(B) retaliation; or~~
  - 1058 ~~(C) (I) a violation of a state or federal law; and~~
  - 1059 ~~(II) enforcement by the office of the state or federal law is preempted; or~~

1060 ~~(iii) an allegation described in Subsection (1)(b)(ii) that is the basis of:~~

1061 ~~(A) a request for agency action filed with the Division of Antidiscrimination and Labor~~

1062 ~~in accordance with Title 34A, Chapter 5, Utah Antidiscrimination Act;~~

1063 ~~(B) a charge filed with Equal Employment Opportunity Commission; or~~

1064 ~~(C) an action in district court or a United States District Court } .~~

Representative King’s motion to amend failed on the following roll call:

**Yeas, 26; Nays, 43; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Beck	Biskupski	Black	Chavez–Houck
S. Clark	Cosgrove	S Duckworth	Dunnigan
Janice Fisher	Gowans	Hansen	Hemingway
Hendrickson	Hutchings	Johnson	King
Litvack	Moss	Poulson	Riesen
Seegmiller	Seelig	Wallis	Watkins
Wheatley	Wiley		

**Voting in the negative were:** Representatives

Aagard	Allen	Anderson	Barrus
Bird	Brown	Daw	Dee
Dougall	Draxler	Edwards	Ferry
Julie Fisher	Frank	Garn	F Gibson
K Gibson	Greenwood	Grover	Harper
Herrod	Hughes	Hunsaker	Ipson
Kiser	Last	Mascaro	Mathis
Menlove	Morley	Newbold	Noel
Oda	Painter	Powell	Ray
Sandstrom	Sumsion	Vickers	Webb
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Bigelow	Fowlke	Froerer	Lockhart
McIff	Wilcox		

**1st Sub. H.B. 140**, as amended, passed on the following roll call:

**Yeas, 56; Nays, 14; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Black	Brown
S. Clark	Daw	Dee	Dougall
Draxler	Dunnigan	Edwards	Ferry
Julie Fisher	Fowlke	Frank	Garn
F Gibson	K Gibson	Greenwood	Grover
Harper	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
Kiser	Last	Mascaro	Mathis
McIff	Menlove	Morley	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Sandstrom	Seegmiller
Sumsion	Vickers	Wallis	Watkins
Webb	Wimmer	Wright	D. Clark

**Voting in the negative were:** Representatives

Biskupski	Chavez–Houck	Cosgrove	S Duckworth
Janice Fisher	Gowans	Hansen	Hemingway
King	Moss	Riesen	Seelig
Wheatley	Wiley		

**Absent or not voting were:** Representatives

Bigelow	Froerer	Litvack	Lockhart
Wilcox			

**1st Sub. H.B. 140**, as amended, transmitted to the Senate for its consideration.

### UNFINISHED BUSINESS

On motion of Representative Hughes, the House voted to uncircle **1st Sub. H.B. 335**.

**1st Sub. H.B. 335**, UTILITY RELATED EXEMPTIONS, *Hughes*, was before the House on its final passage.

**1st Sub. H.B. 335** passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Riesen	Sandstrom	Seegmiller	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

Bigelow	Harper	King	Ray
Seelig			

**1st Sub. H.B. 335** transmitted to the Senate for its consideration.

\* \* \*

On motion of Representative Hughes, the House voted to uncircle **H.C.R. 4**.

**H.C.R. 4**, VETERANS FREEDOM MEMORIAL CONCURRENT RESOLUTION, *Hughes*, was before the House on its final passage.

**H.C.R. 4** passed on the following roll call:

**Yeas, 68; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher

Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Bigelow	Daw	Edwards	Harper
Newbold	Noel	Seelig	

**H.C.R. 4** transmitted to the Senate for its consideration.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: March 2, 2010

The Business and Labor Committee reports a favorable recommendation on **H.C.R. 16**, STATUE OF RESPONSIBILITY MONUMENT CONCURRENT RESOLUTION, by Representative M. Morley; and

The Business and Labor Committee recommends **H.J.R. 34**, JOINT RESOLUTION ON HOSPITAL CLAIMS MANAGEMENT, by Representative B. Last, be replaced and favorably recommends **1st Sub. H.J.R. 34**, JOINT RESOLUTION ON HOSPITAL CLAIMS MANAGEMENT; and

The Business and Labor Committee recommends **H.B. 320**, UTAH CONSTRUCTION TRADES LICENSING ACT – ALARM COMPANIES AMENDMENTS, by Representative C. Herrod, be replaced and reports a favorable recommendation on **1st Sub. H.B. 320**, UTAH CONSTRUCTION TRADES LICENSING ACT – ALARM COMPANIES AMENDMENTS with the following amendments:

1. Page 2, Lines 27 through 33:

27 58–55–302, an applicant for licensure as an alarm company agent may be issued;

28 (a) an interim permit[-]; or



29 (b) subject to Subsection (3), a temporary permit.

30 (2) (a) Each interim or temporary permit shall expire 90  
31 days after it is issued or on the date on

31 which the applicant is issued a license, whichever is earlier.

32 (b) The division may reissue an interim permit if the delay in  
33 approving a license is

33 beyond the control or influence of the interim permit holder. ; and

The Business and Labor Committee recommends **H.B. 408**, HOSPITAL CLAIMS MANAGEMENT, by Representative B. Last, be replaced and reports a favorable recommendation on **1st Sub. H.B. 408**, HOSPITAL CLAIMS MANAGEMENT with the following amendments:

- 1. Page 2, Lines 39 through 41:

39 (ii) the method for implementation and evaluation of an open  
40 and honest dialogue

40 between a health care provider and a patient, { or } and  
41 the patient’s representative, after an

41 unanticipated event resulting from medical care provided to the  
patient. ; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 421**, MEDICAL FINANCIAL RECORDS AMENDMENTS, by Representative B. Last.

James A. Dunnigan, Chair

Reports filed. On motion of Representative Painter, the reports of the Business and Labor committee were adopted.

**H.C.R. 16, 1st Sub. H.J.R. 34, 1st Sub. H.B. 320**, as amended, **1st Sub. H.B. 408**, as amended, and **H.B. 421** read the second time by short title and placed on the Third Reading Calendar.

**NOTICE OF BILLS RETURNED TO RULES COMMITTEE**

Mr. Speaker: March 2, 2010

The Business and Labor Committee has returned **H.B. 135**, PHARMACY BENEFIT MANAGERS ACT, by Representative E. Vickers, to the Rules Committee with the following amendments:

- 1. Page 2, Line 29:

29 ► prohibits ~~{-relation-}~~ retaliation by a  
pharmacy benefit manager under certain circumstances; and ; and

The Business and Labor Committee has returned **H.B. 399**, COMMON INTEREST OWNERSHIP AMENDMENTS, by Representative G. Froerer, to the Rules Committee.

James A. Dunnigan, Chair

Reports filed. **H.B. 135**, as amended, and **H.B. 399** returned to the Rules Committee.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker:

March 2, 2010

The Education Committee reports a favorable recommendation on **H.B. 137**, PUBLIC SCHOOL FUNDING, by Representative W. Harper, with the following amendments:

1. Page 79, Lines 2424 through 2425:

2424 (i) a state tax imposed on the amounts paid or charged for food and food ingredients at

2425 a tax rate of [~~1.75%~~] {~~-1.85%~~} 1.75% ; and

The Education Committee reports a favorable recommendation on **H.B. 149**, SCHOOL FINANCE AMENDMENTS, by Representative R. Bigelow; and

The Education Committee recommends **H.B. 295**, EXPANDED USES OF SCHOOL DISTRICT PROPERTY TAX REVENUE, by Representative K. Sumsion, be replaced and favorably recommends **1st Sub. H.B. 295**, EXPANDED USES OF SCHOOL DISTRICT PROPERTY TAX REVENUE; and

The Education Committee reports a favorable recommendation on **H.B. 433**, FOREIGN EXCHANGE STUDENT AMENDMENTS, by Representative C. Wimmer.

Gregory H. Hughes, Chair

Reports filed. On motion of Representative Hughes, the reports of the Education committee were adopted.

**H.B. 137**, as amended, **H.B. 149**, **1st Sub. H.B. 295**, and **H.B. 433** read the second time by short title and placed on the Third Reading Calendar.

**NOTICE OF BILL RETURNED TO RULES COMMITTEE**

Mr. Speaker: March 2, 2010

The Health and Human Services Committee has returned **H.B. 104**, UNLAWFUL PROVISION OF IDENTIFIABLE PRESCRIPTION INFORMATION, by Representative J. Biskupski, to the Rules Committee.

Paul Ray, Chair

Report filed. **H.B. 104** returned to the Rules Committee.

**REPORTS OF STANDING COMMITTEES**

Mr. Speaker: March 2, 2010

The Health and Human Services Committee reports a favorable recommendation on **S.B. 139**, PHYSICIAN ASSISTANT AMENDMENTS, by Senator C. Bramble, and recommends it be placed on the Consent Calendar.

Paul Ray, Chair

Report filed. On motion of Representative Menlove, the report of the Health and Human Services committee was adopted.

**S.B. 139** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker: March 2, 2010

The Public Utilities and Technology Committee recommends **H.B. 121**, EMERGENCY MEDICAL SERVICES ACT TRANSPORT AMENDMENTS, by Representative G. Hughes, be replaced and reports a favorable recommendation on **2nd Sub. H.B. 121**, EMERGENCY MEDICAL SERVICES ACT TRANSPORT AMENDMENTS with the following amendments:

1. Page 12, Line 339:  
 339 proposal is determined in writing to be the most advantageous to the  
    { department } geographic service area . taking into
2. Page 12, Line 360:  
 360 (iii) a list of the factors that will be considered by the  
    { political subdivision } department in the award; and

The Public Utilities and Technology Committee reports a favorable recommendation on **H.R. 8**, RESOLUTION RECOGNIZING ENERGY INNOVATION IN THE STATE OF UTAH, by Representative E. Hutchings; and

The Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 137**, COORDINATION OF REMOVING, RELOCATING, OR ALTERING UTILITIES, by Senator D. Liljenquist.

Michael E. Noel, Chair

Reports filed. On motion of Representative Herrod, the reports of the Public Utilities and Technology committee were adopted.

**2nd Sub. H.B. 121**, as amended, **H.R. 8**, and **S.B. 137** read the second time by short title and placed on the Third Reading Calendar.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 2, 2010

The Senate passed, **H.B. 107**, ANIMAL SHELTER AMENDMENTS, by Representative J. Seelig, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communication filed. **H.B. 107** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: March 2, 2010

The Senate passed **S.B. 169**, NAVAJO REVITALIZATION FUND AMENDMENTS, by Senator D. Hinkins, and it is transmitted for consideration; and

The Senate passed **S.B. 218**, ENGINE COOLANT BITTERING AGENT ACT, by Senator M. Waddoups, and it is transmitted for consideration; and

The Senate passed **S.B. 222**, FEE EXEMPTIONS, by Senator B. Goodfellow, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.C.R. 8**, FATHERS DO MATTER CONCURRENT RESOLUTION, by Senator G. Davis, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **S.B. 169**, **S.B. 218**, **S.B. 222**, and **1st Sub. S.C.R. 8** read the first time by short title and referred to the Rules Committee.

\* \* \*

Mr. Speaker: March 2, 2010

The Senate passed, as amended, **H.B. 28**, CONTROLLED SUBSTANCE DATABASE AMENDMENTS, by Representative B. Daw, and it is transmitted for further consideration; and

The Senate substituted and passed, **Senate 2nd Sub. H.B. 35**, CONTROLLED SUBSTANCE DATABASE – REPORTING OF PRESCRIBED CONTROLLED SUBSTANCE OVERDOSE OR POISONING, by Representative B. Daw, and it is transmitted for further consideration; and

The Senate substituted and passed, **Senate 2nd Sub. H.B. 36**, CONTROLLED SUBSTANCE DATABASE – REPORTING CONVICTIONS FOR DRIVING UNDER THE INFLUENCE OR IMPAIRED DRIVING, by Representative B. Daw, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 28**, **2nd Sub. H.B. 35**, and **2nd Sub. H.B. 36** placed on the Concurrence Calendar.

### MISCELLANEOUS BUSINESS

On motion of Representative Garn, the House voted to recess until 2:00 p.m.

### AFTERNOON SESSION

The House was called to order by Speaker Clark at 2:00 p.m.

Representative Ryan Wilcox, excused.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 2, 2010

The Senate passed, as amended, **S.B. 15**, UTAH SCENIC BYWAY AMENDMENTS, by Senator D. Stowell, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **2nd Sub. S.B. 152**, UTAH STATE RAILROAD MUSEUM AUTHORITY ACT, by Senator P. Knudson, and it is transmitted for consideration; and

The Senate passed, as substituted, **3rd Sub. S.B. 172**, LOCAL DISTRICT TAXING AUTHORITY AMENDMENTS, by Senator C. Bramble, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 242**, ECONOMIC DEVELOPMENT INCENTIVES FOR ALTERNATIVE ENERGY PROJECTS, by Senator K. Van Tassell, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **S.B. 15**, **2nd Sub. S.B. 152**, **3rd Sub. S.B. 172**, and **S.B. 242** read the first time by short title and referred to the Rules Committee.

### INTRODUCTION OF BILL

**H.B. 397, Medicaid Program Amendments** (J. Dougall), read the first time by short title and referred to the Rules Committee.

### THIRD READING CALENDAR

**1st Sub. H.B. 293**, VICTIMS' RIGHTS AMENDMENTS, *Webb*, read the third time by short title and placed on its final passage.

**1st Sub. H.B. 293** passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Newbold
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

Hutchings	Moss	Noel	Seelig
Wilcox			

**1st Sub. H.B. 293** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 209**, SEX OFFENDER REGULATION AMENDMENTS, *Watkins*, read the third time by short title and placed on its final passage. Representatives Greenwood commented.

**H.B. 209** passed on the following roll call:

**Yeas, 66; Nays, 3; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Julie Fisher	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Ipson	Johnson	King
Last	Litvack	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wiley
Wright	D. Clark		

**Voting in the negative were:** Representatives

Fowlke	Kiser	Newbold
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**Absent or not voting were:** Representatives

Janice Fisher	Hutchings	Lockhart	Seelig
Wilcox	Wimmer		

**H.B. 209** transmitted to the Senate for its consideration.

\* \* \*

**1st Sub. H.B. 404**, MOTOR VEHICLE BUSINESS AMENDMENTS, *Ipson*, read the third time by short title and placed on its final passage.

Representative Ipson proposed the following amendment:

- 1. Page 2, Lines 54 through 56

54 (b) security interests of persons extending credit to buyers in the ordinary course of

55 business, as defined in Section 70A-1a-201, take free of the security interests as provided in

56 Section { ~~70A-9-320.~~ } 70A-9a-320.

- 2. Page 3, Line 74:

74 the document creating the security interest and the security interest takes priority over the rights

- 3. Page 3, Line 80:

80 security interest and the security interest takes priority over the rights of a buyer, lessee, or lien

- 4. Page 5, Lines 144 through 146:

144 (4) (a) A person making a claim on the bond shall be awarded {~~attorneys'~~} attorney fees in cases

145 successfully prosecuted or settled against the surety or principal if the bond has not been

146 depleted.

Representative Ipson's motion to amend passed on a voice vote.

**1st Sub. H.B. 404**, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez-Houck	S. Clark
Cosgrove	Daw	Dee	Dougall



Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hendrickson	Herrod
Hughes	Hunsaker	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Hemingway          Hutchings          Wilcox

**1st Sub. H.B. 404**, as amended, transmitted to the Senate for its consideration.

### UNFINISHED BUSINESS

On motion of Representative Ray, the House voted to uncircle **H.B. 196**.

**H.B. 196**, TOBACCO TAX REVISIONS, *Ray*, was before the House on its final passage.

On motion of Representative Ray, the House voted to delete **H.B. 196** in title and body and insert **1st Sub. H.B. 196** in lieu thereof.

Representatives Hughes and Noel commented. Representative Frank proposed the following amendment:

1. Page 4, Lines 110 through 112

110      (e)    (i) \$250,000 of the revenue generated from the tax increase imposed under this section

111 during the 2010 General Session shall be annually appropriated to the Department of Health for

112 use in the Gold Medal Schools Program.

(ii) \$4,000,000 of the revenue generated from the tax increase imposed under this section during the 2010 General Session shall be annually

appropriated to the programs and operations account of the Department of Public Safety.

Representatives Vickers, Last, Greenwood, and Dee commented.

Representative Frank’s motion to amend failed on the following roll call:

**Yeas, 29; Nays, 43; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Biskupski	Cosgrove	Daw	Dougall
S Duckworth	Dunnigan	Julie Fisher	Frank
F Gibson	Greenwood	Grover	Hansen
Harper	Hendrickson	Herrod	Hughes
Lockhart	Mascaro	Mathis	Moss
Noel	Oda	Painter	Sandstrom
Sumsion	Watkins	Wiley	Wimmer
Wright			

**Voting in the negative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Black	Brown
Chavez–Houck	S. Clark	Dee	Draxler
Edwards	Ferry	Janice Fisher	Fowlke
Froerer	Garn	K Gibson	Gowans
Hemingway	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	McIff	Menlove	Newbold
Poulson	Powell	Ray	Riesen
Seegmiller	Seelig	Vickers	Wallis
Webb	Wheatley	D. Clark	

**Absent or not voting were:** Representatives

Bigelow	Morley	Wilcox
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Representative Draxler commented.

###

Representative Hutchings proposed the following amendment:

1. Page 4, Line 101 through Page 5, Line 121
  - 101 (d) (i) The following revenue generated from the tax increase imposed under Subsection

102 (1) during the 2002 General Session shall be deposited in the Cigarette Tax Restricted

103 Account:

104        ~~{-(i)-}~~        (A)     22% of the revenue to be annually appropriated to the Department of Health for

105 tobacco prevention, reduction, cessation, and control programs;

106        ~~{-(ii)-}~~       (B)     15% of the revenue to be annually appropriated to the University of Utah Health

107 Sciences Center for the Huntsman Cancer Institute for cancer research; and

108        ~~{-(iii)-}~~       (C)     21% of the revenue to be annually appropriated to the University of Utah Health

109 Sciences Center for medical education at the University of Utah School of Medicine.

(ii) The following revenue generated from the tax increase imposed under this section during the 2010 General Session shall be deposited in the Cigarette Tax Restricted Account:

(A) 5% to the Division of Services for People with Disabilities for respite care; and

(B) 5% for the Aging Alternatives Program administered by the Division of Aging and Adult Services.

110        (e) \$250,000 of the revenue generated from the tax increase imposed under this section

111 during the 2010 General Session shall be annually appropriated to the Department of Health for

112 use in the Gold Medal Schools Program.

(f) After the amounts described in Subsections (6)(d) and (e) are appropriated as provided under Subsections (6)(d) and (e), the remaining revenue generated from the tax increase imposed under this section during the 2010 General Session shall be annually appropriated as follows:

(i) 50% to the Department of Health to be used for tobacco cessation programs and state Medicaid expenditures; and

(ii) 50% to the Department of Human Services to be used for state Medicaid expenditures.

113        ~~[(e)]~~     ~~{ ~~(f)~~ }~~     (g)     Any balance remaining in the Cigarette Tax Restricted Account at the end of

114 the fiscal year shall be appropriated during the next fiscal year for the purposes set forth in

115 Subsections [~~(5)~~] (6)(d)(i) (A) through [~~(5)~~] { ~~(6)(d)(iii)~~ } (C) in proportion to the amount of revenue

116 deposited into the account for each purpose.

117 [~~(f)~~] { ~~(g)~~ } (h) The Legislature shall give particular consideration to appropriating any

118 revenues resulting from the change in tax rates under Subsection (2) adopted during the 2002

119 Annual General Session and not otherwise appropriated pursuant to Subsection [~~(5)~~] (6)(d) to

120 enhance Medicaid provider reimbursement rates and medical coverage for the uninsured.

121 [~~(g)~~] { ~~(h)~~ } (i) Any program or entity that receives funding under Subsection [~~(5)~~] (6)(d) or

Representatives Hansen and Ipson commented. Representative Hutchings' motion to amend failed on the following roll call:

**Yeas, 29; Nays, 43; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Beck	Biskupski	Black	Chavez–Houck
Cosgrove	Daw	S Duckworth	Janice Fisher
Julie Fisher	Hansen	Hemingway	Hendrickson
Hughes	Hutchings	Johnson	King
Kiser	Lockhart	Mascaro	Moss
Noel	Oda	Poulson	Riesen
Seegmiller	Seelig	Watkins	Wheatley
Wiley			

**Voting in the negative were:** Representatives

Aagard	Allen	Anderson	Barrus
Bird	Brown	S. Clark	Dee
Dougall	Draxler	Dunnigan	Edwards
Ferry	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Harper	Herrod
Hunsaker	Ipson	Last	Litvack
Mathis	McIff	Menlove	Morley

Newbold	Painter	Powell	Ray
Sandstrom	Sumsion	Vickers	Wallis
Webb	Wimmer	D. Clark	

**Absent or not voting were:** Representatives

Bigelow	Wilcox	Wright
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###

Representative Harper proposed the following amendment:

1. Page 4, Lines 110 through 112

110 (e) (i) \$250,000 of the revenue generated from the tax increase imposed under this section

111 during the 2010 General Session shall be annually appropriated to the Department of Health for

112 use in the Gold Medal Schools Program.

(ii) \$527,000 of the revenue generated from the tax increase imposed under this section during the 2010 General Session shall be annually appropriated to the Utah National Guard for the tuition assistance program described in Section 39-1-63.

Representatives Hughes, Last, and F. Gibson commented. Representative Harper’s motion to amend failed on the following roll call:

**Yeas, 24; Nays, 47; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Anderson	Bird	Biskupski	Cosgrove
Daw	S Duckworth	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Ipson	Kiser	Lockhart
Morley	Newbold	Noel	Oda
Sumsion	Watkins	Wimmer	Wright

**Voting in the negative were:** Representatives

Aagard	Allen	Barrus	Beck
Black	Brown	Chavez-Houck	S. Clark
Dee	Dougall	Draxler	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Hunsaker

Hutchings	Johnson	King	Last
Litvack	Mascaro	Mathis	McIff
Menlove	Moss	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Vickers	Wallis	Webb
Wheatley	Wiley	D. Clark	

**Absent or not voting were:** Representatives

Bigelow	Edwards	Painter	Wilcox
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**1st Sub. H.B. 196** passed on the following roll call:

**Yeas, 39; Nays, 35; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bird	Brown	Chavez-Houck
S. Clark	Cosgrove	Dee	Draxler
Dunnigan	Edwards	Fowlke	Froerer
Garn	Greenwood	Harper	Hemingway
Hunsaker	Ipson	Johnson	King
Last	Litvack	Mascaro	McIff
Menlove	Moss	Poulson	Powell
Ray	Riesen	Seegmiller	Seelig
Vickers	Wallis	D. Clark	

**Voting in the negative were:** Representatives

Bigelow	Biskupski	Black	Daw
Dougall	S Duckworth	Ferry	Janice Fisher
Julie Fisher	Frank	F Gibson	K Gibson
Gowans	Grover	Hansen	Hendrickson
Herrod	Hughes	Hutchings	Kiser
Lockhart	Mathis	Morley	Newbold
Noel	Oda	Painter	Sandstrom
Sumsion	Watkins	Webb	Wheatley
Wiley	Wimmer	Wright	

**Absent or not voting was:** Representative

Wilcox

**1st Sub. H.B. 196** was held for no more than 24 hours at the request of a Representative.

### THIRD READING CALENDAR

**H.B. 146, LAW ENFORCEMENT BY FEDERAL LAND MANAGEMENT AGENCY, Noel**, read the third time by short title and placed on its final passage.

Representative Noel proposed the following amendment:

1. Page 1, Line 14

14       ▶ defines federally managed land ;  
           ▶ defines federal employee as a person who works for an agency that manages federal land;  
           ▶ defines federal agency as an agency that manages federal land ;

2. Page 1, Line 18:

18       ▶ provides that Utah does not recognize federal {~~law enforcement~~} agency authority beyond

3. Page 1, Lines 20 through 21:

20       ▶ provides that Utah does not authorize federal {~~law~~} enforcement action or prosecution

21 based on Utah law , except as authorized by this bill ;

4. Page 1, Line 24 through Page 2, Line 34:

24       ▶ provides that agreements with {~~the~~} a federal {~~law enforcement~~} agency may not be for

25 longer than {~~one year~~} two years ;

26       ▶ provides that state and local law enforcement agencies may not allow federal {~~law~~

27 ~~enforcement~~} agencies to use state or local resources without the written consent of

28 the head of the state or local law enforcement agency; and

29       ▶ requires the county sheriff to review the activities of any federal {~~law~~} enforcement

30 agency within the county and report to the county attorney {~~;~~  
 and

31       ▶ ~~authorizes the attorney general and county and district attorneys to prosecute federal~~

- 32 law enforcement employees for acting:  
 33 •—— beyond the scope of federal law; or  
 34 •—— if the federal law is not consistent with the Constitution  
 of the United States } .

5. Page 4, Line 96:

- 96 (1) As used in this section { ~~“federally”~~ } ;  
 (a) “Federal agency” means a federal agency that manages  
 federally managed land.  
 (b) “Federal employee” means an employee of:  
 (i) the Bureau of Land Management;  
 (ii) the United States Forest Service; or  
 (iii) the National Park Service; and  
 (c) “Federally managed land” means land managed by the

6. Page 4, Lines 98 through 100:

- 98 { ~~(a)~~ } (i) Bureau of Land Management;  
 99 { ~~(b)~~ } (ii) United States Forest Service; and  
 100 { ~~(c)~~ } (iii) the National Park Service.

7. Page 4, Lines 108 through 110:

- 108 (3) { ~~(a)~~ } Utah does not authorize federal employees to  
exercise law enforcement powers  
 109 to enforce the laws of Utah, either on or off federally managed  
land { ~~z~~ }  
 110 ~~(b) This Subsection (3) takes precedence over any other Utah~~  
~~law.~~ } except as authorized under this section or other provisions of  
state statute.

8. Page 5, Line 137:

- 137 unless the agreements are limited to a term not to exceed { ~~one~~  
year } two years .

9. Page 5, Lines 144 through 149:

- 144 ~~{(c) The Utah Attorney General and county and district~~  
~~attorneys are authorized to~~  
 145 ~~prosecute federal employees under state law governing the~~  
~~unauthorized exercise of law~~



146 enforcement powers when the federal employees are found to be exercising law enforcement

147 powers:

148 (i) that exceed those authorized by federal law; and

149 (ii) that are not consistent with the Constitution of the United States. }

Representative Noel’s motion to amend passed on a voice vote.

Representatives Fowlke, Powell, Chavez–Houck, Wimmer, Wheatley, and Gowans commented.

**H.B. 146**, as amended, passed on the following roll call:

**Yeas, 65; Nays, 4; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Mascaro	Mathis
McIff	Menlove	Morley	Newbold
Noel	Oda	Painter	Poulson
Powell	Riesen	Sandstrom	Seegmiller
Sumsion	Wallis	Watkins	Webb
Wheatley	Wiley	Wimmer	Wright
D. Clark			

**Voting in the negative were:** Representatives

Allen	Chavez–Houck	Janice Fisher	Moss
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**Absent or not voting were:** Representatives

Hemingway	Lockhart	Ray	Seelig
Vickers	Wilcox		

**H.B. 146**, as amended, transmitted to the Senate for its consideration.

### UNFINISHED BUSINESS

On motion of Representative Last, the House voted to uncircle **1st Sub. H.B. 145**.

**1st Sub. H.B. 145**, RENEWABLE ENERGY FINANCING PROVISIONS, *Last*, was before the House on its final passage.

On motion of Representative Last, the House voted to delete **1st Sub. H.B. 145** in title and body and insert **2nd Sub. H.B. 145** in lieu thereof.

Representatives Hendrickson and Barrus commented.

**2nd Sub. H.B. 145** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Morley	Moss
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Menlove	Newbold	Wilcox
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**2nd Sub. H.B. 145** transmitted to the Senate for its consideration.

**MISCELLANEOUS BUSINESS**

On motion of Representative Morley, the House voted to calendar **H.C.R. 16** for Time Certain on March 5, 2010 at 10:00 a.m.

**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker: March 2, 2010

The President of the Senate has signed **1st Sub. H.B. 299**, AMENDMENTS RELATED TO SUBSTANCES HARMFUL TO PREGNANCY, by Representative R. Menlove, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communication filed. **1st Sub. H.B. 299** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: March 2, 2010

The Senate passed, as amended, **H.B. 208**, DISPOSITION OF THE REMAINS OF A DECEASED MILITARY SERVICE MEMBER, by Representative J. Seelig, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 294**, HEALTH SYSTEM REFORM AMENDMENTS, by Representative D. Clark, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 208** and **H.B. 294** placed on the Concurrence Calendar.

\* \* \*

Mr. Speaker: March 2, 2010

The Senate passed, as amended, **S.B. 163**, HEALTH REGULATION OF GEOTHERMAL POOLS AND BATHS, by Senator M. Madsen, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. **S.B. 163** read the first time by short title and referred to the Rules Committee.

**MISCELLANEOUS BUSINESS**

On motion of Representative Garn, and at 4:00 p.m., the House voted to adjourn until March 3, 2010, at 9:00 a.m.

# THIRTY-SEVENTH DAY

\* \* \*

## MORNING SESSION

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

Roll call showed all members present.

Prayer offered by Riley Stephenson, Representative Patrick Painter’s nephew. Pledge of Allegiance led by Representative Painter’s granddaughter, Emileigh Painter.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 2, 2010

The Senate passed, as amended, **1st Sub. H.B. 114**, DISCLOSURE OF DONATIONS TO HIGHER EDUCATION INSTITUTIONS, by Representative C. Wimmer, and it is transmitted for further consideration; and

The Senate substituted and passed, **Senate 1st Sub. H.B. 201**, STATE FIRE MARSHAL MODIFICATIONS, by Representative R. Menlove, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **1st Sub. H.B. 114** and **1st Sub. H.B. 201** placed on the Concurrence Calendar.

\* \* \*

Mr. Speaker: March 2, 2010

The Senate passed, as substituted, **1st Sub. S.B. 77**, SCHOOL DISTRICT LEAVE POLICIES, by Senator M. Dayton, and it is transmitted for consideration; and

The Senate passed **S.B. 150**, READING REQUIREMENTS FOR STUDENT ADVANCEMENT, by Senator K. Morgan, and it is transmitted for consideration; and

The Senate passed **S.B. 178**, UTAH EMERGENCY MEDICAL SERVICES SYSTEM ACT AMENDMENTS, by Senator D. Stowell, and it is transmitted for consideration; and

The Senate passed **S.B. 179**, UTAH REVISED BUSINESS CORPORATION ACT AMENDMENTS, by Senator D. Liljenquist, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 191**, GOVERNMENTAL ACCOUNTING AMENDMENTS, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 225**, MOTOR VEHICLE INSURANCE – NAMED DRIVER EXCLUSION, by Senator L. Hillyard, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **1st Sub. S.B. 77, S.B. 150, S.B. 178, S.B. 179, S.B. 191, and S.B. 225** read the first time by short title and referred to the Rules Committee.

### SPECIAL RECOGNITION

Representative Chavez–Houck introduced, and the House recognized, John E. Ulibarri, the first Latino Legislator who served in the Utah House from 1977–78.

### MISCELLANEOUS BUSINESS

On motion of Representative Ferry, the House voted to have all bills not reported out of House Standing Committees reported back to the Rules Committee after the conclusion of their last scheduled meeting. Committee reports should indicate what, if any, action was taken by the committee.

### CONSENT CALENDAR

**H.B. 363**, MUNICIPAL ELECTION AMENDMENTS, *Frank*, read the third time by short title and placed on its final passage.

**H.B. 363** passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth

Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Morley	Moss
Newbold	Noel	Oda	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Bigelow	Brown	Gowans	Hendrickson
Menlove	Painter		

**H.B. 363** transmitted to the Senate for its consideration.

\* \* \*

**1st Sub. S.B. 133**, QUALIFICATIONS OF STATE TAX COMMISSIONERS, *Kiser*, read the third time by short title and placed on its final passage.

**1st Sub. S.B. 133** passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart

Mascaro	Mathis	McIff	Morley
Moss	Newbold	Noel	Oda
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

Bigelow	Brown	Hendrickson	Menlove
Painter			

**1st Sub. S.B. 133** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

### CONCURRENCE CALENDAR

On motion of Representative Daw, the House voted to concur in the Senate amendments to **H.B. 28, CONTROLLED SUBSTANCE DATABASE AMENDMENTS.**

**H.B. 28**, as amended by the Senate, passed on the following roll call:

**Yeas, 66; Nays, 5; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Vickers
Watkins	Webb	Wheatley	Wilcox
Wiley	D. Clark		



**Voting in the negative were:** Representatives

Dougall	Morley	Sumsion	Wimmer
Wright			

**Absent or not voting were:** Representatives

Brown	Hendrickson	Menlove	Wallis
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**H.B. 28**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Daw, the House voted to concur in the Senate amendments to **2nd Sub. H.B. 35**, CONTROLLED SUBSTANCE DATABASE – REPORTING OF PRESCRIBED CONTROLLED SUBSTANCE OVERDOSE OR POISONING.

**2nd Sub. H.B. 35**, as amended by the Senate, passed on the following roll call:

**Yeas, 66; Nays, 4; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Herrod	Hughes	Hunsaker
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Moss
Newbold	Noel	Oda	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wright	D. Clark		

**Voting in the negative were:** Representatives

Dougall	Morley	Sumsion	Wimmer
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**Absent or not voting were:** Representatives

Brown	Hendrickson	Hutchings	Painter
Poulson			

**2nd Sub. H.B. 35**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Daw, the House voted to concur in the Senate amendments to **2nd Sub. H.B. 36**, CONTROLLED SUBSTANCE DATABASE – REPORTING CONVICTIONS FOR DRIVING UNDER THE INFLUENCE OR IMPAIRED DRIVING.

**2nd Sub. H.B. 36**, as amended by the Senate, passed on the following roll call:

**Yeas, 68; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Chavez–Houck
S. Clark	Cosgrove	Daw	Dee
Dougall	Draxler	S Duckworth	Dunnigan
Edwards	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Herrod
Hughes	Hunsaker	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Biskupski	Black	Brown	Froerer
Hendrickson	Hutchings	Painter	

**2nd Sub. H.B. 36**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Seelig, the House voted to concur in the Senate amendments to **H.B. 208**, DISPOSITION OF THE REMAINS OF A DECEASED MILITARY SERVICE MEMBER.

**H.B. 208**, as amended by the Senate, passed on the following roll call:

**Yeas, 68; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Chavez–Houck	S. Clark	Cosgrove	Dee
Dougall	Draxler	S Duckworth	Dunnigan
Edwards	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Hemingway	Herrod
Hughes	Hunsaker	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Black	Brown	Daw	Harper
Hendrickson	Hutchings	Painter	

**H.B. 208**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative D. Clark, the House voted to concur in the Senate amendments to **H.B. 294**, HEALTH SYSTEM REFORM AMENDMENTS.

**H.B. 294**, as amended by the Senate, passed on the following roll call:

**Yeas, 59; Nays, 9; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Biskupski	Chavez–Houck
S. Clark	Cosgrove	Dee	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hughes	Hunsaker	Ipson
Johnson	King	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Moss	Newbold	Noel
Oda	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Vickers	Wallis	Watkins	Webb
Wheatley	Wiley	D. Clark	

**Voting in the negative were:** Representatives

Bird	Dougall	Frank	Herrod
Kiser	Morley	Wilcox	Wimmer
Wright			

**Absent or not voting were:** Representatives

Black	Brown	Daw	Hendrickson
Hutchings	Painter	Sumsion	

**H.B. 294**, as amended by the Senate, transmitted to the Senate for signature of President.

**MISCELLANEOUS BUSINESS**

On motion of Representative Dee, under suspension of the rules, the House voted to allow a bill file to be opened concerning the workforce needs of Weber and Davis counties.

**UNFINISHED BUSINESS**

On motion of Representative Fowlke, the House voted to uncircle **S.B. 76**.

**S.B. 76**, TRUST DEED AMENDMENTS, *Fowlke*, was before the House on its final passage.

On motion of Representative Fowlke, the House voted to delete **S.B. 76** in title and body and insert **1st Sub. S.B.76** in lieu thereof.

**1st Sub. S.B. 76** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Chavez–Houck	S. Clark	Cosgrove
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Brown	Daw	Garn	Painter
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**1st Sub. S.B. 76**, as amended, returned to the Senate for further consideration.

### MISCELLANEOUS BUSINESS

On motion of Representative Julie Fisher, the House voted to reconsider its action on **1st Sub. S.B. 48**.

### RECONSIDERATION OF 1ST SUB. S.B. 48

**1st Sub. S.B. 48**, NONLAPSING AUTHORITY TECHNICAL AMENDMENTS, was before the House for reconsideration.

On motion of Representative Julie Fisher, the House voted to delete **1st Sub. S.B. 48** in title and body and insert **2nd Sub. S.B. 48** in lieu thereof.

On motion of Representative Ferry, the House voted to circle **2nd Sub. S.B. 48**.

### THIRD READING CALENDAR

**1st Sub. S.B. 32**, RAINWATER HARVESTING, *Painter*, read the third time by short title and placed on its final passage.

On motion of Representative Dee, the House voted to circle **1st Sub. S.B. 32**.

\* \* \*

**S.B. 134**, PARTNERSHIP TAX RETURN FILING DEADLINES, *Kiser*, read the third time by short title and placed on its final passage.

**S.B. 134** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McCliff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Daw	Hansen	Sandstrom
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**S.B. 134** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

**UNFINISHED BUSINESS**

On motion of Representative Painter, the House voted to uncircle **1st Sub. S.B. 32**.

**1st Sub. S.B. 32**, RAINWATER HARVESTING, *Painter*, was before the House on its final passage. Representative Ferry commented.

Representative Hendrickson declared a conflict of interest because he owns a collection tank.

**1st Sub. S.B. 32** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Oda	Painter	Poulson	Powell
Ray	Riesen	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Julie Fisher	Kiser	Noel	Sandstrom
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**1st Sub. S.B. 32**, as substituted, returned to the Senate for further consideration.

**THIRD READING CALENDAR**

**2nd Sub. S.B. 275**, REMOVING SIGNATURE FROM INITIATIVE AND REFERENDUM PETITION, *Wimmer*, read the third time by short title and placed on its final passage.

On motion of Representative Wimmer, the House voted to circle **2nd Sub. S.B. 275**.

\* \* \*

**S.B. 127**, PUBLIC ASSISTANCE FRAUD AMENDMENTS, *Dougall*, read the third time by short title and placed on its final passage.

**S.B. 127** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hunsaker	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Seegmiller
Seelig	Sumsion	Vickers	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Hughes	Hutchings	Sandstrom	Wallis
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**S.B. 127** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 120**, DISARMING A PEACE OFFICER AMENDMENT, *Oda*, read the third time by short title and placed on its final passage.

**S.B. 120** passed on the following roll call:



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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Dougall	Sandstrom
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**S.B. 120** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

### UNFINISHED BUSINESS

On motion of Representative Wimmer, the House voted to uncircle **2nd Sub. S.B. 275**.

**2nd Sub. S.B. 275**, REMOVING SIGNATURE FROM INITIATIVE AND REFERENDUM PETITION, *Wimmer*, was before the House on its final passage. Representatives Allen and Litvack commented.

Representative King proposed the following amendment:

1. Page , Line 3, Lines 61 through 62

61        [(ii)] (d) In order for the signature to be removed, the statement must be received by the

62 county clerk before [~~he delivers the petition to the lieutenant~~  
~~governor~~] { May } April 15.

2. Page 6, Lines 167 through 169:

167 [(ii)] (d) In order for the signature to be removed, the statement  
must be received by the

168 county clerk before [~~he delivers the petition to the lieutenant~~  
~~governor~~] the day which is { ~~55~~ } 40

169 days after the end of the legislative session at which the law passed.

Representatives McIff and Seegmiller commented. Representative King’s  
motion to amend failed on the following roll call:

**Yeas, 34; Nays, 38; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Allen	Anderson	Beck	Bird
Biskupski	Black	Chavez–Houck	Cosgrove
S Duckworth	Dunnigan	Edwards	Janice Fisher
Fowlke	Gowans	Hansen	Hemingway
Hendrickson	Hunsaker	Hutchings	Johnson
King	Litvack	McIff	Menlove
Moss	Poulson	Riesen	Seegmiller
Seelig	Vickers	Watkins	Webb
Wheatley	Wiley		

**Voting in the negative were:** Representatives

Aagard	Barrus	Bigelow	Brown
S. Clark	Daw	Dee	Dougall
Draxler	Ferry	Julie Fisher	Frank
Froerer	Garn	F Gibson	K Gibson
Greenwood	Grover	Harper	Herrod
Hughes	Ipson	Last	Lockhart
Mascaro	Mathis	Morley	Newbold
Noel	Oda	Painter	Powell
Ray	Wallis	Wilcox	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

Kiser	Sandstrom	Sumsion
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Representatives K. Gibson, Watkins, Morley, Dee, and Hughes commented.

**2nd Sub. S.B. 275** passed on the following roll call:

**Yeas, 50; Nays, 24; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Barrus	Bigelow
Bird	Brown	S. Clark	Daw
Dee	Dougall	Draxler	Ferry
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Harper	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Kiser	Last	Lockhart
Mathis	McIff	Morley	Newbold
Noel	Oda	Painter	Powell
Ray	Sandstrom	Sumsion	Vickers
Wallis	Webb	Wilcox	Wimmer
Wright	D. Clark		

**Voting in the negative were:** Representatives

Allen	Beck	Biskupski	Black
Chavez–Houck	Cosgrove	S Duckworth	Dunnigan
Edwards	Janice Fisher	Hansen	Hemingway
Johnson	King	Litvack	Menlove
Moss	Poulson	Riesen	Seegmiller
Seelig	Watkins	Wheatley	Wiley

**Absent or not voting was:** Representative

Mascaro

**2nd Sub. S.B. 275** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

### THIRD READING CALENDAR

**1st Sub. S.B. 140**, JUVENILE DETENTION AMENDMENTS, *Greenwood*, read the third time by short title and placed on its final passage.

**1st Sub. S.B. 140** passed on the following roll call:

**Yeas, 66; Nays, 1; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Barrus	Beck
Bigelow	Bird	Biskupski	Black

Brown	Chavez–Houck	S. Clark	Cosgrove
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hendrickson
Herrod	Hughes	Hunsaker	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wilcox
Wiley	D. Clark		

**Voting in the negative was:** Representative Mascaro

**Absent or not voting were:** Representatives

Allen	Daw	Fowlke	Hemingway
Hutchings	Wheatley	Wimmer	Wright

**1st Sub. S.B. 140** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

### UNFINISHED BUSINESS

On motion of Representative Julie Fisher, the House voted to uncircle **2nd Sub. S.B. 48**.

**2nd Sub. S.B. 48**, NONLAPSING AUTHORITY TECHNICAL AMENDMENTS, *Julie Fisher*, was before the House on its final passage. Representative Bigelow commented.

**2nd Sub. S.B. 48** passed on the following roll call:

**Yeas, 68; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Biskupski	Black
Chavez–Houck	S. Clark	Cosgrove	Dee
Dougall	Draxler	S Duckworth	Dunnigan

Edwards	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mathis
McIff	Menlove	Morley	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Bird	Brown	Daw	Hemingway
Mascaro	Moss	Wheatley	

**2nd Sub. S.B. 48**, as amended, returned to the Senate for further consideration.

### THIRD READING CALENDAR

**1st Sub. S.B. 60**, SEARCH AND RESCUE FUNDING, *McIff*, read the third time by short title and placed on its final passage.

On motion of Representative *McIff*, the House voted to circle **1st Sub. S.B. 60**.

\* \* \*

**1st Sub. S.B. 105**, MOTOR VEHICLE ACCIDENT ARBITRATION AMENDMENTS, *Dunnigan*, read the third time by short title and placed on its final passage.

**1st Sub. S.B. 105** passed on the following roll call:

**Yeas, 65; Nays, 1; Absent or not voting, 9.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Chavez–Houck	S. Clark	Cosgrove
Dee	Dougall	Draxler	S Duckworth

Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Greenwood
Grover	Hansen	Harper	Hendrickson
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Litvack	Lockhart
Mathis	McIff	Menlove	Moss
Newbold	Noel	Oda	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Voting in the negative was:** Representative Mascaro

**Absent or not voting were:** Representatives

Brown	Daw	Gowans	Hemingway
Herrod	Kiser	Last	Morley
Painter			

**1st Sub. S.B. 105** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**1st Sub. S.B. 130**, JUDICIARY AMENDMENTS, *McIff*, read the third time by short title and placed on its final passage.

**1st Sub. S.B. 130** passed on the following roll call:

**Yeas, 67; Nays, 0; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez-Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen

Harper	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mathis	McIff	Moss
Newbold	Noel	Oda	Poulson
Powell	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Julie Fisher	Hemingway	Mascaro	Menlove
Morley	Painter	Ray	Watkins

**1st Sub. S.B. 130** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

### UNFINISHED BUSINESS

On motion of Representative McIff, the House voted to uncircle **1st Sub. S.B. 60**.

**1st Sub. S.B. 60**, SEARCH AND RESCUE FUNDING, *McIff*, was before the House on its final passage.

**1st Sub. S.B. 60** passed on the following roll call:

**Yeas, 66; Nays, 0; Absent or not voting, 9.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Frank	Froerer
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hendrickson
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Poulson	Powell	Ray

Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

Julie Fisher	Fowlke	Garn	Hemingway
Herrod	Hughes	Mascaro	Painter
Watkins			

**1st Sub. S.B. 60** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

### THIRD READING CALENDAR

**2nd Sub. S.B. 136**, OPEN AND PUBLIC MEETINGS REVISIONS RELATED TO REVIEW OF ETHICS COMPLAINTS, *Dougall*, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House voted to circle **2nd Sub. S.B. 136**.

\* \* \*

**1st Sub. S.B. 138**, GRAMA REVISIONS RELATED TO REVIEW OF ETHICS COMPLAINTS, *Dougall*, read the third time by short title and placed on its final passage.

On motion of Representative Dougall, the House voted to circle **1st Sub. S.B. 138**.

\* \* \*

**S.B. 96**, UINTAH BASIN REVITALIZATION FUND AMENDMENTS, *Mathis*, read the third time by short title and placed on its final passage.

**S.B. 96** passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark



Cosgrove	Daw	Dee	Dougall
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	D. Clark		

**Absent or not voting were:** Representatives

Draxler	Hemingway	Mascaro	Painter
Wright			

**S.B. 96** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 148**, GUARANTEED ASSET PROTECTION WAIVERS, *Lockhart*, read the third time by short title and placed on its final passage.

**S.B. 148** passed on the following roll call:

**Yeas, 65; Nays, 0; Absent or not voting, 10.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
S Duckworth	Dunnigan	Edwards	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King

Last	Litvack	Lockhart	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
D. Clark			

**Absent or not voting were:** Representatives

Draxler	Ferry	Hemingway	Kiser
Mascaro	Painter	Poulson	Powell
Wallis	Wright		

**S.B. 148** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**2nd Sub. S.J.R. 3**, JOINT RESOLUTION ON ETHICS COMPLAINT PROCEDURES, *Litvack*, read the third time by short title and placed on its final passage.

On motion of Representative Litvack, the House voted to circle **2nd Sub. S.J.R. 3**.

\* \* \*

**S.B. 142**, DRIVER LICENSE AMENDMENTS, *Hughes*, read the third time by short title and placed on its final passage.

**S.B. 142** passed on the following roll call:

**Yeas, 64; Nays, 0; Absent or not voting, 11.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Draxler
S Duckworth	Dunnigan	Edwards	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings

Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Poulson
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Watkins
Webb	Wheatley	Wiley	Wimmer

**Absent or not voting were:** Representatives

Dougall	Ferry	Garn	Hemingway
Mascaro	Painter	Powell	Wallis
Wilcox	Wright	D. Clark	

**S.B. 142** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**5th Sub. S.B. 88**, PHARMACY PRACTICE ACT AMENDMENTS, *Lockhart*, read the third time by short title and placed on its final passage.

Representatives Chavez–Houck, Moss, and Allen commented.

**5th Sub. S.B. 88** passed on the following roll call:

**Yeas, 63; Nays, 1; Absent or not voting, 11.**

**Voting in the affirmative were:** Representatives

Allen	Anderson	Barrus	Beck
Bird	Biskupski	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	Kiser	Litvack	Lockhart
Mathis	McIff	Menlove	Morley
Moss	Noel	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wiley	Wimmer	Wright	

**Voting in the negative was:** Representative  
King

**Absent or not voting were:** Representatives

Aagard	Bigelow	Garn	Harper
Hemingway	Last	Mascaro	Newbold
Oda	Wilcox	D. Clark	

**5th Sub. S.B. 88**, as amended, returned to the Senate for further consideration.

\* \* \*

**2nd Sub. S.B. 119**, SPECIAL ELECTIONS MODIFICATIONS, *Morley*, read the third time by short title and placed on its final passage.

**2nd Sub. S.B. 119**, as amended, passed on the following roll call:

**Yeas, 41; Nays, 22; Absent or not voting, 12.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
S. Clark	Daw	Draxler	Edwards
Ferry	Julie Fisher	Fowlke	Frank
Froerer	F Gibson	K Gibson	Grover
Harper	Herrod	Hughes	Hutchings
Ipson	Kiser	Litvack	Lockhart
Mathis	McIff	Menlove	Morley
Moss	Noel	Painter	Ray
Riesen	Sandstrom	Seelig	Sumsion
Vickers	Wallis	Webb	Wimmer
Wright			

**Voting in the negative were:** Representatives

Beck	Bird	Biskupski	Black
Chavez–Houck	Cosgrove	Dee	S Duckworth
Dunnigan	Janice Fisher	Gowans	Greenwood
Hansen	Hendrickson	Johnson	King
Poulson	Powell	Seegmiller	Watkins
Wheatley	Wiley		

**Absent or not voting were:** Representatives

Bigelow	Brown	Dougall	Garn
Hemingway	Hunsaker	Last	Mascaro
Newbold	Oda	Wilcox	D. Clark

**2nd Sub. S.B. 119**, as amended, returned to the Senate for further consideration.

\* \* \*

**S.B. 189**, CAPITAL FACILITIES AMENDMENTS, *S. Clark*, read the third time by short title and placed on its final passage.

**S.B. 189** passed on the following roll call:

**Yeas, 68; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hendrickson	Herrod	Hughes
Hutchings	Ipson	Johnson	King
Kiser	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright

**Absent or not voting were:** Representatives

Bigelow	Hemingway	Hunsaker	Last
Newbold	Wallis	D. Clark	

**S.B. 189** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 137**, COORDINATION OF REMOVING, RELOCATING, OR ALTERING UTILITIES, *Wilcox*, read the third time by short title and placed on its final passage.

**S.B. 137** passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Litvack	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright			

**Absent or not voting were:** Representatives

Bigelow	Hemingway	Last	Lockhart
Poulson	D. Clark		

**S.B. 137** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

**NOTICE OF BILL RETURNED TO RULES**

Mr. Speaker: March 2, 2010

With committee review, the Judiciary Committee has returned **H.B. 373**, RENEWAL OF JUDGMENT ACT AMENDMENTS, by Representative G. Froerer, to the Rules Committee, and recommends that it be sent to interim study.

Lorie D. Fowlke, Chair

Report filed. **H.B. 373** referred to the Rules Committee for interim study.

**REPORTS OF STANDING COMMITTEES**

Mr. Speaker: March 2, 2010

The Judiciary Committee reports a favorable recommendation on **H.B. 429**, NEWSPAPER PUBLICATION REQUIREMENTS, by Representative J. Anderson; and

The Judiciary Committee reports a favorable recommendation on **2nd Sub. S.B. 274**, ONLINE PHARMACY AMENDMENTS, by Senator C. Bramble, and, due to fiscal impact, recommends it be referred to the Rules Committee for prioritization.

Lorie D. Fowlke, Chair

Reports filed. On motion of Representative Bird, the reports of the Judiciary committee were adopted.

**H.B. 429** read the second time by short title and placed on the Third Reading Calendar.

**2nd Sub. S.B. 274** read the second time by short title and referred to the Rules Committee due to fiscal impact.

\* \* \*

Mr. Speaker: March 2, 2010

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 312**, MEDICAL EXPENSES FOR OFFENDERS, by Representative P. Ray, with the following amendments:

- 1. Page 1, Lines 15 through 18:

15       •       for services provided at a health care facility, payment is at ~~{the}~~       ~~{noncapitated}~~

16   state ~~Medicaid rate in effect at the time the service was provided~~ } { 60% of the amount }   the same rate that would be paid under the Public Employees' Benefit and Insurance Program;  
and

17       •       for services of a health care provider, payment is at ~~{110% of the noncapitated}~~

18   state ~~Medicaid rate in effect at the time the service was provided~~ } ;   ~~{65% of the amount}~~   the same rate that would be paid under the Public Employees' Benefit and Insurance Program;  
~~{and}~~

## 2. Page 1, Line 21:

21 private insurer that is in effect at the time of the service ; and  
 ▶ The Public Employees' Benefit and Insurance Program shall provide information to the department that enables the department to calculate the amount to be paid to a health care facility, and this information shall be kept confidential .

## 3. Page 3, Lines 61 through 64:

61 (a) service at a health care facility at { ~~the noncapitated state Medicaid rate in effect at~~

62 ~~the time the service was provided~~ } { ~~60% of the amount~~ } the same rate that would be paid under the Public Employees' Benefit and Insurance Program, created in Section 49-20-103 ; and

63 (b) a health care provider at { ~~110% of the noncapitated state Medicaid rate in effect at~~

64 ~~the time the service was provided~~ } { ~~65% of the amount~~ } the same rate that would be paid under the Public Employees' Benefit and Insurance Program, created in Section 49-20-103 .

## 4. Page 3, Line 67:

67 that covers those expenses.

(9)(a) The Public Employees' Benefit and Insurance Program shall provide information to the department that enables the department to calculate the amount to be paid to a health care facility under Subsection (7)(a) or a health care provider under Subsection (7)(b).

(b) The department shall keep information provided under Subsection (9)(a) confidential. ; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **S.B. 62, MOTOR VEHICLE INSURANCE COVERAGE AMENDMENTS**, by Senator S. Urquhart, with the following amendments:

## 1. Page 1, Line 13

Senate 2nd Reading Amendments 2-25-2010:

13 This bill:

▶ provides that an arbitrator or arbitration panel may issue a subpoena for the attendance of a witness and for the production of



records and other evidence at any hearing of an arbitration proceeding on an uninsured or underinsured motorist coverage claim;

2. Page 8, Lines 223 through 225:

223 (g) (i) Except as otherwise provided in this section or unless otherwise agreed to in

224 writing by the parties, an arbitration proceeding conducted under this section shall be governed

225 by Title 78B, Chapter 11, Utah Uniform Arbitration Act.

(ii) An arbitrator or arbitration panel may issue a subpoena for the attendance of a witness and for the production of records and other evidence at any hearing in accordance with Section 78B-11-118.

3. Page 10a, Lines 306f through 306j

Senate 2nd Reading Amendments 2-25-2010:

306f ~~{-(ii) If the judge or arbitrator determines that the covered person intentionally withheld~~

~~306g a material fact prior to the initial demand:~~

306h ~~(A) the award may not exceed the uninsured motorist policy limits; and~~

306i ~~(B) no costs may be awarded to the covered person under Subsection (9)(d)(iii).~~

306j ~~(iii) }~~ (ii) If the award is greater than the uninsured motorist carrier's offer described in

4. Page 16, Lines 488 through 490:

488 (g) (i) Except as otherwise provided in this section or unless otherwise agreed to in

489 writing by the parties, an arbitration proceeding conducted under this section shall be governed

490 by Title 78B, Chapter 11, Utah Uniform Arbitration Act.

(ii) An arbitrator or arbitration panel may issue a subpoena for the attendance of a witness and for the production of records and other evidence at any hearing in accordance with Section 78B-11-118.

5. Page 19, Lines 572e through 572j

Senate 2nd Reading Amendments 2-25-2010:

572e motorist policy.

572f ~~{ (ii) If the judge or arbitrator determines that the covered person intentionally withheld~~

572g ~~a material fact prior to the initial demand:~~

572h ~~(A) the award may not exceed the underinsured motorist policy limits; and~~

572i ~~(B) no costs may be awarded to the covered person under Subsection (8)(d)(iii).~~

572j ~~(iii) } (ii) If the award is greater than the underinsured motorist carrier's offer described in; and~~

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **S.J.R. 10**, JOINT RESOLUTION SUPPORTING THE EXPANSION OF CORRECTIONAL FACILITIES IN UINTAH COUNTY, by Senator K. Van Tassell.

Douglas C. Aagard, Chair

Reports filed. On motion of Representative Aagard, the reports of the Law Enforcement and Criminal Justice committee were adopted.

**H.B. 312**, as amended, **S.B. 62**, as amended, and **S.J.R. 10** read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker:

March 2, 2010

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 169**, REFINERY AMENDMENTS, by Representative R. Edwards; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.C.R. 17**, CONCURRENT RESOLUTION OPPOSING THE USE OF PRESIDENTIAL POWER TO CREATE NEW NATIONAL MONUMENTS IN UTAH, by Representative M. Noel, with the following amendments:

1. Page 4, Lines 102 through 104:

102 national monument] parcels of land, the limits of which in all cases shall be confined to the

103 smallest areas compatible with the proper care and management of the objects to be protected. .

104 . . .” {-(italics added)-} ;

2. Page 4, Lines 112 through 113:

112 areas of the San Rafael Swell and Cedar Mesa areas,  
however the highest and best use of vast

113 tracts of land in those areas is continued grazing and  
environmentally sensitive energy and

3. Page 5, Lines 127 through 128:

127 NOW, THEREFORE, BE IT RESOLVED {  
~~by-~~} that the Legislature of the state of Utah, the

128 Governor concurring therein, express their opposition to the  
presidential creation of any large

4. Page 6, Lines 153 through 158:

153 BE IT FURTHER RESOLVED that the Legislature and the  
Governor express support

154 for S 3016, introduced in the United States Senate, which would  
prohibit the further extension

155 or establishment of national monuments in Utah, except by express  
authorization of Congress.

BE IT FURTHER RESOLVED that the Legislature and the  
Governor express strong opposition to presidential or congressional  
action that would unnecessarily restrict and reduce public access to  
federal lands.

156 BE IT FURTHER RESOLVED that copies of this resolution be  
sent to the President of

157 the United States, the Majority Leader of the United States Senate,  
the Speaker of the United

158 States House of Representatives, and to the members of Utah’s  
congressional delegation.; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **1st Sub. S.B. 51**, BIOPROSPECTING, by Senator L. Hillyard, and recommends it be placed on the Consent Calendar; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 149**, UTAH FOREST PRACTICES ACT

AMENDMENTS, by Senator D. Hinkins, and recommends it be placed on the Consent Calendar; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.C.R. 7, CONCURRENT RESOLUTION APPROVING SOLID WASTE FACILITY CLASSIFICATION CHANGE**, by Senator W. Niederhauser, and recommends it be placed on the Consent Calendar.

Roger E. Barrus, Chair

Reports filed. On motion of Representative Barrus, the reports of the Natural Resources, Agriculture, and Environment committee were adopted.

**H.B. 169** and **H.C.R. 17**, as amended read the second time by short title and placed on the Third Reading Calendar.

**1st Sub. S.B. 51, S.B. 149**, as amended, and **S.C.R. 7** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker:

March 2, 2010

The Transportation Committee reports a favorable recommendation on **H.B. 351, STATE HIGHWAY PROJECT FUNDING – SALT LAKE COUNTY**, by Representative W. Harper, with the following amendments:

1. Page 1, Lines 1 through 2:

{–

1 ~~STATE HIGHWAY PROJECT~~} FUNDING FOR HIGHWAY  
PROJECTS – SALT LAKE  
 2 COUNTY

2. Page 1, Lines 10 through 11:

10 This bill provides a mechanism for financing and constructing  
 certain {–state–} highway  
 11 projects in Salt Lake County using revenues generated wholly in  
 Salt Lake County.

3. Page 1, Lines 14 through 15:

14 ► authorizes Salt Lake County and the state of Utah to  
 enter into an interlocal  
 15 agreement for financing certain {–state–} highway projects in  
 Salt Lake County;

4. Page 1, Lines 17 through 18:  
 17 ► provides for Salt Lake County to issue revenue bonds  
 and transmit a portion of the proceeds to  
 18 the Department of Transportation;
5. Page 5, Lines 134 through 136:  
 134 state of Utah under Section 72-2-121.3; { and }  
 135 (b) transfer at least { ~~\$74,000,000~~ } \$68,500,000 to  
the Department of Transportation to be used for  
 136 state highway projects in Salt Lake County as provided in the  
interlocal agreement ; and  
(c) use or transfer to a municipality to use \$5,500,000 to pay all or  
part of the costs of the following highway construction projects in Salt  
Lake County in the following amounts:  
(i) \$1,500,000 to Salt Lake County for 2300 East;  
(ii) \$2,500,000 to Salt Lake City for North Temple; and  
(iii) \$1,500,000 to Murray City for 4800 South .
6. Page 5, Line 139:  
 139 (a) use the money transferred by Salt Lake County under  
Subsection (2)(b) to pay all or part of the costs of the
7. Page 5, Lines 149 through 150:  
 149 { ~~(ix) I-215 East southbound at 3300 South; and~~  
 150 ~~(x) } (ix) I-215 West Interchange --- 3500 South to 3800  
South and ramp work; and~~
8. Page 6, Lines 156 through 159:  
 156 (4) The costs under Subsection (2)(c) and (3)(a) may  
include the cost of acquiring land, interests  
 157 in land, easements and rights-of-way, improving sites, and making  
all improvements necessary.  
 158 incidental, or convenient to the facilities and all related  
engineering, architectural, and legal  
 159 fees.; and

The Transportation Committee reports a favorable recommendation on **S.B. 70**, MOTOR VEHICLE LIABILITY AMENDMENTS – MINOR DRIVERS, by Senator S. Urquhart; and

The Transportation Committee reports a favorable recommendation on **S.B. 113**, WIRELESS TELEPHONE USE RESTRICTION FOR MINORS IN VEHICLES, by Senator R. Romero, and, due to fiscal impact, recommends it be referred to the Rules Committee for prioritization.

Bradley M. Daw, Chair

Reports filed. On motion of Representative Daw, the reports of the Transportation committee were adopted.

**H.B. 351**, as amended, read the first and second times by short title and placed on the Third Reading Calendar.

**S.B. 70** read the second time by short title and placed on the Third Reading Calendar.

**S.B. 113** read the second time by short title and referred to the Rules Committee due to fiscal impact.

\* \* \*

Mr. Speaker: March 3, 2010

The Government Operations Committee reports a favorable recommendation on **H.B. 460**, BOARD OF REGENTS AMENDMENTS, by Representative B. Dee; and

The Government Operations Committee reports a favorable recommendation on **1st Sub. S.B. 69**, COLLEGE OF EASTERN UTAH AFFILIATION WITH UTAH STATE UNIVERSITY, by Senator D. Hinkins; and

The Government Operations Committee reports a favorable recommendation on **S.J.R. 11**, UTAH ATHLETIC FOUNDATION RESOLUTION, by Senator S. Urquhart.

Craig A. Frank, Chair

Reports filed. On motion of Representative Frank, the reports of the Government Operations committee were adopted.

**H.B. 460**, **1st Sub. S.B. 69**, and **S.J.R. 11** read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker: March 3, 2010

The Political Subdivisions Committee reports a favorable recommendation on **S.B. 167**, ALCOHOLIC BEVERAGE CONTROL ACT RECODIFICATION,

by Senator J. Valentine, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 2, Lines 38 through 39d  
Senate Committee Amendments 2–24–2010:
  - 38 Other Special Clauses:
  - 39 This bill provides an effective date.
  - 39a ~~§~~→ This bill coordinates with {~~H.B.~~ } S.B. 141, Utah Substance Abuse and Anti–violence Coordinating
  - 39b Council Amendments, to technically merge amendments.
  - 39c This bill coordinates with H.B. 223, Alcoholic Beverage Control Act and Licenses, to
  - 39d technically merge amendments. ←~~§~~  
This bill provides revisor instructions.
2. Page 403, Lines 12464a through 12464i  
Senate Committee Amendments 2–24–2010:
  - 12464a ~~§~~→ Section 385. Coordinating this S.B. 167 with {~~H.B.~~ } S.B. 141 --- Technically merging changes.
  - 12464b If this S.B. 167 and {~~H.B.~~ } S.B. 141, Utah Substance Abuse and Anti–violence Coordinating Council
  - 12464c Amendments, both pass, it is the intent of the Legislature that the Office of Legislative
  - 12464d Research and General Counsel, in preparing the Utah Code database for publication { ~~change~~
  - 12464e the references from “Utah Substance Abuse and Anti–violence Coordinating Council” to
  - 12464f “~~Utah Substance Abuse Coordinating Council~~” } make the following changes in the following subsections enacted in this bill
  - 12464g to take effect July 1, 2011:
  - 12464h (1) (a) modify Subsection 32B–2–402(1)(d) to read “(b) “Advisory council” means the Utah Substance Abuse Advisory Council created in Section 63M–7–301.”; and  
(b) reorder the remaining definitions in Subsection 32B–2–402(1) to be in alphabetical order ; and

12464i (2) change the reference in Subsection 32B-7-305(5) from “Utah Substance Abuse and Anti-violence Coordinating Council” to “Utah Substance Abuse Advisory Council” .

3. Page 403, Line 12464q  
Senate Committee Amendments 2-24-2010:

12464q (3) change the number in Subsection 32B-6-703(3)(a) from “30,500” to “53,400”. ←§

Section 387. Revisor instructions.

It is the intent of the Legislature that the Office of Legislative Research and General Counsel, in preparing the Utah Code database for publication make the following changes to take effect on July 1, 2011:

(1) for a section newly enacted during the 2010 General Session in Title 32A, Alcoholic Beverage Control Act, that is not referred to in this bill, the Office of Legislative Research and General Counsel shall renumber the section to the corresponding chapter and part in Title 32B, Alcoholic Beverage Control Act; and

(2) for a cross reference to Title 32A newly enacted during the 2010 General Session, that is not referred to in this bill, the Office of Legislative Research and General Counsel shall change the cross reference to the corresponding cross reference in Title 32B.

Fred R Hunsaker, Chair

Report filed. On motion of Representative Hunsaker, the report of the Political Subdivisions committee was adopted.

**S.B. 167** read the second time by short title and placed on the Consent Calendar.

\* \* \*

Mr. Speaker: March 3, 2010

The Workforce Services and Community and Economic Development Committee recommends **H.B. 396**, SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY LICENSING ACT AMENDMENTS, by Representative D. Ipson, be replaced and reports a favorable recommendation on **1st Sub. H.B. 396**, SPEECH-LANGUAGE PATHOLOGY AND AUDIOLOGY LICENSING ACT AMENDMENTS with the following amendments:

1. Page 2, Lines 41 through 45:

41 ~~[(3)] (c)~~ provide the committee with verification~~[- (a) from the educational institutions~~



42 ~~involved,]~~ that the applicant is the legal holder of a clinical doctor's  
[~~or master's~~] degree {  ~~}~~  or AuD.

43 [~~or its equivalent in the area of speech–language pathology, speech  
science, or]~~ in audiology,

44 from an accredited university or college, based on a program of  
studies primarily in the field of

45 [~~speech–language pathology, speech sciences, or]~~ audiology; [~~and]~~

2. Page 3, Lines 72 through 74:

72 (b) provide the committee with verification that the applicant  
has received at least a

73 master's degree in the area of audiology from an accredited  
university or college, based on a

74 program of studies primarily in the field of audiology . and holds  
the CCC or its full equivalent .

3. Page 4, Lines 95 through 99:

95 58–41–5.5. Temporary licenses.

96 (1) (a) The division may issue a temporary license to an  
applicant for an audiology

97 license who:

98 (i) has obtained a master's or doctorate degree in audiology  
prior to July 1, 2010, or a

99 clinical doctorate degree in audiology {  ~~}~~  or AuD, after  
June 30, 2010; and; and

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.B. 452, COLLECTION FEES**, by Representative S. Sandstrom.

Steven R. Mascaro, Chair

Reports filed. On motion of Representative Mascaro, the reports of the Workforce Services and Community and Economic Development committee were adopted.

**1st Sub. H.B. 396**, as amended, and **H.B. 452** read the second time by short title and placed on the Third Reading Calendar.

**NOTICE OF BILL RETURNED TO RULES COMMITTEE**

Mr. Speaker: March 3, 2010  
The Revenue and Taxation Committee has returned **H.B. 148**, SALES AND USE TAX CHANGES, by Representative W. Harper, to the Rules Committee.

Todd E. Kiser, Chair

Report filed. **H.B. 148** returned to the Rules Committee.

**MISCELLANEOUS BUSINESS**

On motion of Representative Painter, the House voted to calendar **S.B. 69** for Time Certain on March 4, 2010 at 10:15 a.m.

\* \* \*

On motion of Representative Ferry, under suspension of the rules, the House voted to lift **S.B. 113** and **2nd Sub. S.B. 274** from the Rules Committee and place them on the Senate Third Reading Calendar.

\* \* \*

On motion of Representative Dee, the House voted to recess until 2:00 p.m.

**AFTERNOON SESSION**

The House was called to order by Speaker Clark at 2:00 p.m.

Mr. Speaker: March 3, 2010  
The Senate passed, **1st Sub. H.B. 106**, EXPEDITED BACKGROUND CHECKS FOR HUMAN SERVICES PROVIDERS, by Representative J. Seelig, et al, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 132**, PIONEER TRAIL MEMORIAL HIGHWAY, by Representative R. Menlove, et al, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 186**, CONTROLLED SUBSTANCE DATABASE REVISIONS, by Representative R. Menlove, et al, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 235**, CHILD SUPPORT FOR CHILDREN IN STATE CUSTODY, by Representative W. Harper, et al, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 238**, LOW SPEED VEHICLE AMENDMENTS, by Representative J. Anderson, et al, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 269**, SOLEMNIZING MARRIAGES AMENDMENT, by Representative D. Aagard, et al, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 273**, UTAH INTERNATIONAL TRADE COMMISSION AMENDMENTS, by Representative E. Hutchings, et al, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 316**, DISABLED VETERANS PROPERTY TAX EXEMPTION AMENDMENTS, by Representative G. Hughes, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **1st Sub. H.B. 106, H.B. 132, 1st Sub. H.B. 186, 1st Sub. H.B. 235, H.B. 238, H.B. 269, H.B. 273, and H.B. 316** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: March 3, 2010

The Senate passed, as amended, **H.B. 108**, MEAT INSPECTION AMENDMENTS, by Representative J. Mathis, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. **H.B. 108** placed on the Concurrence Calendar.

\* \* \*

Mr. Speaker: March 3, 2010

The Senate passed, as amended, **1st Sub. S.B. 52**, STATE BOARD OF REGENTS AMENDMENTS, by Senator D. Stowell, et al, and it is transmitted for consideration; and

The Senate passed, as substituted, **3rd Sub. S.B. 145**, MEDICAL MALPRACTICE AMENDMENTS, by Senator J. S. Adams, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 155**, ENHANCED PENALTIES FOR HIV POSITIVE OFFENDER AMENDMENTS, by Senator J. Stevenson, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 210**, JUDICIAL PERFORMANCE EVALUATION COMMISSION AMENDMENTS, by Senator D. C. Butters, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **1st Sub. S.B. 52**, **3rd Sub. S.B. 145**, **S.B. 155**, and **S.B. 210** read the first time by short title and referred to the Rules Committee.

### THIRD READING CALENDAR

**H.B. 343**, GREAT SALT LAKE ADVISORY COUNCIL, *Ferry*, read the third time by short title and placed on its final passage.

**H.B. 343**, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Greenwood	Grover	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Gowans	Hansen	Hutchings
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**H.B. 343**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.B. 450**, FISHING LICENSE AMENDMENTS – DISABLED VETERANS, *Cosgrove*, read the third time by short title and placed on its final passage. Representative Bigelow commented.

**H.B. 450** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	

**Absent or not voting were:** Representatives

Dougall	Hutchings	Mascaro	D. Clark
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**H.B. 450** transmitted to the Senate for its consideration.

### UNFINISHED BUSINESS

On motion of Representative Wiley, the House voted to uncircle **1st Sub. H.B. 72**.

**1st Sub. H.B. 72**, UTAH SCHOOL SEISMIC HAZARD INVENTORY, *Wiley*, was before the House on its final passage.

**1st Sub. H.B. 72**, as amended, failed to pass on the following roll call:

**Yeas, 34; Nays, 38; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Allen	Anderson	Beck	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	S Duckworth	Edwards	Janice Fisher
Gowans	Hansen	Hemingway	Hendrickson
Hunsaker	Johnson	King	Litvack
Mascaro	McIff	Menlove	Moss
Poulson	Powell	Riesen	Sandstrom
Seegmiller	Seelig	Watkins	Wheatley
Wiley	Wimmer		

**Voting in the negative were:** Representatives

Agard	Barrus	Bigelow	Bird
Daw	Dee	Dougall	Draxler
Dunnigan	Ferry	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Greenwood	Grover	Harper
Herrod	Hughes	Hutchings	Ipson
Kiser	Last	Lockhart	Mathis
Newbold	Noel	Oda	Ray
Sumsion	Vickers	Wallis	Webb
Wilcox	Wright		

**Absent or not voting were:** Representatives

Morley	Painter	D. Clark
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**1st Sub. H.B. 72** was filed.

### THIRD READING CALENDAR

**H.B. 130**, CANCER RESEARCH SPECIAL GROUP LICENSE PLATE, *Dee*, read the third time by short title and placed on its final passage.

On motion of Representative *Dee*, the House voted to circle **H.B. 130**.

\* \* \*

**H.B. 366**, MOTOR VEHICLE BUSINESS REGULATION ACT AMENDMENTS, *Daw*, read the third time by short title and placed on its final passage.

Representative Daw proposed the following amendment:

1. Page 8, Lines 220 through 224  
House Committee Amendments 3-1-2010
 

220 (vii) the federal tax identification number issued to the dealer; and

221 (viii) the sales and use tax license number issued to the dealer under Title 59, Chapter

222 12, Sales and Use Tax Act { ;and

223 (ix) verification of at least two years experience in automotive sales or related

224 automotive industry experience } .
  
2. Page 13, Lines 375 through 384:
 

375 (b) A supplemental license for a permanent additional place of business may only be

376 issued to a used motor vehicle dealer if:

377 { (i) the dealer is independently licensed for the permanent additional place of business

378 in accordance with Section 41-3-202;

379 (ii) } (i) the dealer independently satisfies the bond requirements under Section 41-3-205

380 for the permanent additional place of business;

381 { (iii) } (ii) the dealer is in compliance with existing rules promulgated by the administrator of

382 the division under Section 41-3-105; and

383 { (iv) } (iii) the permanent additional place of business meets all the requirements for a

384 principal place of business.

Representative Daw's motion to amend passed on a voice vote.

**H.B. 366**, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright

**Absent or not voting were:** Representatives

Fowlke	Painter	D. Clark
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**H.B. 366**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**1st Sub. H.J.R. 30**, WAR VETERANS' MEMORIAL ON CAPITOL HILL JOINT RESOLUTION, *Chavez–Houck*, read the third time by short title and placed on its final passage.

**1st Sub. H.J.R. 30** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Frank
Froerer	Garn	F Gibson	K Gibson



Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
King	Kiser	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	

**Absent or not voting were:** Representatives

Fowlke	Johnson	Last	D. Clark
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**1st Sub. H.J.R. 30** transmitted to the Senate for its consideration.

\* \* \*

**H.R. 4**, RESOLUTION URGING RATIFICATION OF THE COMPREHENSIVE NUCLEAR TEST BAN TREATY, *Seelig*, read the third time by short title and placed on its final passage.

On motion of Representative Seelig, the House voted to circle **H.R. 4**.

\* \* \*

**1st Sub. H.B. 153**, RECYCLING OF ELECTRONIC ITEMS, *Edwards*, read the third time by short title and placed on its final passage.

On motion of Representative Edwards, the House voted to circle **1st Sub. H.B. 153**.

\* \* \*

**2nd Sub. H.B. 329**, CAMPAIGN FINANCE AMENDMENTS, *Ferry*, read the third time by short title and placed on its final passage.

On motion of Representative Ferry, the House voted to delete **2nd Sub. H.B. 329** in title and body and insert **3rd Sub. H.B. 329** in lieu thereof.

Representative King proposed to delete in title and body **3rd Sub. H.B. 329** and insert in lieu thereof **4th Sub. H.B. 329**.

Representatives Frank, Seegmiller, and Powell commented. Representative King's motion to substitute failed on a voice vote.

Representatives Dunnigan, Frank, and Chavez–Houck commented.

**3rd Sub. H.B. 329** passed on the following roll call:

**Yeas, 61; Nays, 10; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Kiser	Litvack	Lockhart
Mascaro	Mathis	Menlove	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Webb	Wilcox	Wimmer	Wright

D. Clark

**Voting in the negative were:** Representatives

Chavez–Houck	Janice Fisher	Hansen	Johnson
King	Moss	Riesen	Watkins
Wheatley	Wiley		

**Absent or not voting were:** Representatives

Bigelow	Last	McIff	Morley
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**3rd Sub. H.B. 329** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 196** transmitted to the Senate for its consideration.

### MISCELLANEOUS BUSINESS

Representative K. Gibson proposed that the House reconsider its action on **2nd Sub. S.B. 119**, SPECIAL ELECTIONS MODIFICATIONS. Representatives Wright, Powell, Noel, and Allen commented. The motion to reconsider passed on the following roll call:

**Yeas, 48; Nays, 22; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Allen	Beck	Bird	Biskupski
Black	Brown	Chavez–Houck	Cosgrove
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Janice Fisher	Julie Fisher
Fowlke	Froerer	K Gibson	Gowans
Greenwood	Hansen	Harper	Hemingway
Hendrickson	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Litvack
Mascaro	McIff	Menlove	Moss
Poulson	Powell	Riesen	Sandstrom
Seegmiller	Seelig	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox

**Voting in the negative were:** Representatives

Aagard	Anderson	Barrus	S. Clark
Daw	Ferry	Frank	Garn
Grover	Herrod	Hughes	Lockhart
Mathis	Morley	Newbold	Noel
Oda	Painter	Sumsion	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

Bigelow	F Gibson	Last	Ray
Wiley			

**2nd Sub. S.B. 119** was placed at the top of the Senate Third Reading Calendar.

**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker:

March 3, 2010

The President of the Senate has signed **H.B. 28**, CONTROLLED SUBSTANCE DATABASE AMENDMENTS, by Representative B. Daw, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **2nd Sub. H.B. 35**, CONTROLLED SUBSTANCE DATABASE – REPORTING OF PRESCRIBED CONTROLLED SUBSTANCE OVERDOSE OR POISONING, by Representative B. Daw, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **2nd Sub. H.B. 36**, CONTROLLED SUBSTANCE DATABASE – REPORTING CONVICTIONS FOR DRIVING UNDER THE INFLUENCE OR IMPAIRED DRIVING, by Representative B. Daw, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 208**, DISPOSITION OF THE REMAINS OF A DECEASED MILITARY SERVICE MEMBER, by Representative J. Seelig, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 294**, HEALTH SYSTEM REFORM AMENDMENTS, by Representative D. Clark, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 28**, **2nd Sub. H.B. 35**, **2nd Sub. H.B. 36**, **H.B. 208**, and **H.B. 294** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

### REPORTS OF STANDING COMMITTEES

Mr. Speaker: March 3, 2010

The Health and Human Services Committee recommends **H.B. 397**, MEDICAID PROGRAM AMENDMENTS, by Representative J. Dougall, be replaced and reports a favorable recommendation on **1st Sub. H.B. 397**, MEDICAID PROGRAM AMENDMENTS with the following amendments:

1. Page 12, Lines 337 through 348:

337 is located in a county that has a population of 100,000 or more.

338 (c) “ { ~~Urban—ambulatory~~ } Ambulatory surgical facility” means an ambulatory surgical facility, as

339 defined in Section 26–21–2 { ~~that is located in a county that has a population of 100,000 or more~~ } .

340 (2) The division shall, by September 1, 2010, establish a Medicaid fee schedule for

341 outpatient medical procedures for each of the following type of facilities:

342 (a) a rural hospital;

343 (b) an urban hospital; and

344 (c) an { ~~urban~~ } ambulatory surgical facility.

345 (3) The fee schedule created under Subsection (2)(a) shall establish:

346 (a) one fee for each type of procedure performed at a rural hospital;

347 (b) one fee for each type of procedure performed at an urban hospital; and

348 (c) one fee for each type of procedure performed at an { ~~urban~~ } ambulatory surgical; and

The Health and Human Services Committee recommends **H.B. 459**, HEALTH AMENDMENTS, by Representative D. Clark, be replaced and reports a favorable recommendation on **1st Sub. H.B. 459**, HEALTH AMENDMENTS with the following amendments:

- 1. Page 2, Lines 33 through 34:

33 Utah Code Sections Affected by Coordination Clause:  
31A-22-613.5, as last amended by Laws of Utah 2009, Chapter 12

34 31A-22-722.5, as enacted by Laws of Utah 2009, Chapter 274  
31A-30-205, as enacted by Laws of Utah 2009, Chapter 12

Paul Ray, Chair

Reports filed. On motion of Representative Ray, the reports of the Health and Human Services committee were adopted.

**1st Sub. H.B. 397**, as amended, and **1st Sub. H.B. 459**, as amended, read the second time by short title and placed on the Third Reading Calendar.

\* \* \*

Mr. Speaker: March 3, 2010

The Retirement and Independent Entities Committee recommends **H.B. 286**, RETIREMENT SYSTEM DIVESTMENT, by Representative Julie Fisher, be replaced and reports a favorable recommendation on **1st Sub. H.B. 286**, RETIREMENT SYSTEM DIVESTMENT with the following amendments:

- 1. Page 1, Lines 16 through 19:

16       ▶ requires the Retirement Office to prevent the investment of public funds in a

17 scrutinized company by adjusting future investment practices  
within the office and

18 by stipulating in future investment management contracts, that no  
new investments

19 may be made into direct holdings in a scrutinized company;  
and

2. Page 3, Lines 70 through 76:

70 (b) The office shall assemble a list of all identified scrutinized  
companies under Subsection (2)(a) .

71 (c) The office shall update the list, on an annual basis, with  
information provided and

72 received from those entities listed in Subsection (2)(a).

73 (3) The office shall prepare an annual report of public fund  
investments into direct holdings in scrutinized

74 companies.

75 (4) The report shall include amounts and other data and  
statistics designed to explain

76 the past and current extent to which public fund investments into  
direct holdings in scrutinized companies;

3. Page 3, Line 82 through Page 4, Line 90:

82 (6) Beginning, July 1, 2010, using the most current list  
assembled under Subsection

83 (2), the office shall prevent the investment of public funds into  
direct holdings in a scrutinized company:

84 (a) for public funds managed within the office, by not investing  
in direct holdings in a scrutinized

85 company; and

86 (b) for public funds managed by contract by a professional  
investment manager:

87 (i) for existing contracts, by requesting that no more  
investments be made into direct holdings in a

88 scrutinized company; and

89 (ii) for future contracts, by stipulating in the contract that no  
new investments may be

90 made into direct holdings in a scrutinized company.

Don L. Ipson, Chair

Report filed. On motion of Representative Ipson, the report of the Retirement and Independent Entities committee was adopted.

**1st Sub. H.B. 286**, as amended, read the second time by short title and placed on the Third Reading Calendar.

**INTRODUCTION OF BILL**

**H.J.R. 32, Joint Resolution Approving the Pelt Case Final Settlement Agreement** (D. Clark), read the first time by short title and referred to the Rules Committee.

**NOTICE OF BILL RETURNED TO RULES COMMITTEE**

Mr. Speaker: March 3, 2010

Without committee review, the Education Committee has returned **1st Sub. S.B. 144, VISION SCREENING AMENDMENTS**, by Senator W. Niederhauser, to the Rules Committee.

Gregory H. Hughes, Chair

Report filed. **1st Sub. S.B. 144** returned to the Rules Committee.

**RULES COMMITTEE REPORT**

Mr. Speaker: March 3, 2010

The Rules Committee recommends that the following bills and resolutions, under suspension of the rules, be lifted from Rules, considered read for the second time and placed on the Third Reading Calendar for Senate bills:

- S.B. 143** Grand Jury Amendments (Sen. D. Liljenquist)
- 3rd Sub. S.B. 145** Medical Malpractice Amendments (Sen. J. S. Adams)
- 1st Sub. S.B. 144** Vision Screening Amendments (Sen. W. Niederhauser)
- 1st Sub. S.B. 52** State Board of Regents Amendments (Sen. D. Stowell)
- S.B. 59** At-risk Student Provision (Sen. L. Robles)
- S.B. 71** Small Business Access to Justice Act (Sen. R. Romero)
- 1st Sub. S.B. 77** School District Leave Policies (Sen. M. Dayton)
- 3rd Sub. S.B. 108** Judicial Nominating Commission Staff Amendments (Sen. S. Jenkins)
- S.B. 232** Judicial Administration Amendments (Sen. S. Jenkins)
- S.B. 118** Uniform Probate Code Amendments (Sen. L. Hillyard)
- 2nd Sub. S.B. 129** New Motor Vehicle Franchise Amendments (Sen. D. Liljenquist)

- S.B. 218** Engine Coolant Bittering Agent Act (Sen. M. Waddoups)  
**S.B. 15** Utah Scenic Byway Amendments (Sen. D. Stowell)  
**S.B. 155** Enhanced Penalties for HIV Positive Offender  
 Amendments (Sen. J. Stevenson)  
**S.B. 164** Surety Requirements for Mining (Sen. D. Stowell)  
**S.B. 169** Navajo Revitalization Fund Amendments  
 (Sen. D. Hinkins)  
**3rd Sub. S.B. 172** Local District Taxing Authority Amendments  
 (Sen. C. Bramble)  
**S.B. 178** Utah Emergency Medical Services System Act  
 Amendments (Sen. D. Stowell)  
**S.B. 179** Utah Revised Business Corporation Act Amendments  
 (Sen. D. Liljenquist)  
**S.B. 180** Sexual Exploitation of a Vulnerable Adult  
 (Sen. D. Hinkins)  
**S.B. 191** Governmental Accounting Amendments  
 (Sen. L. Hillyard)  
**2nd Sub. S.B. 152** Utah State Railroad Museum Authority Act  
 (Sen. P. Knudson)  
**S.B. 222** Fee Exemptions (Sen. B. Goodfellow)  
**S.B. 225** Motor Vehicle Insurance – Named Driver Exclusion  
 (Sen. L. Hillyard)  
**S.B. 212** Pawn Shop Amendments (Sen. J. Greiner)  
**S.B. 242** Economic Development Incentives for Alternative Energy  
 Projects (Sen. K. Van Tassell)  
**1st Sub. S.C.R. 8** Fathers Do Matter Concurrent Resolution (Sen. G. Davis)  
**S.B. 73** Sales and Use Tax Exemption Relating to Aircraft  
 (Sen. C. Bramble)  
**S.B. 210** Judicial Performance Evaluation Commission  
 Amendments (Sen. D. C. Buttars)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

### MISCELLANEOUS BUSINESS

On motion of Representative Garn, and at 4:10 p.m., the House voted to adjourn until March 4, 2010, at 8:00 a.m.



# THIRTY-EIGHTH DAY

\* \* \*

## MORNING SESSION

The House was called to order by Speaker Clark at 8:00 a.m.

Roll call showed all members present.

Prayer offered by Clarence Jolley, a guest of Representative Jay Seegmiller. Pledge of Allegiance led by Representative Seegmiller's grandson, Matthew Daniel Seegmiller.

### REPORTS OF STANDING COMMITTEES BILLS RETURNED TO RULES

Mr. Speaker: March 2, 2010

The Business and Labor Committee has returned **1st Sub. H.B. 64**, ERRORS AND OMISSIONS COVERAGE FOR INSURANCE PRODUCERS, by Representative J. Bird, to the Rules Committee without recommendation with the following amendments:

1. Page 8, Lines 223 through 224:

223 (i) provide notice; and

224 (ii) replace the coverage.

(4) A title insurance producer is considered to be in compliance with this section if the title insurance producer maintains a bond, policy, or other financial protection in accordance with Subsection 31A-23a-204(2). ; and

Without committee review, the Business and Labor Committee has returned **H.B. 191**, REPORTING BY DEFERRED DEPOSIT LENDERS, by Representative L. Black, to the Rules Committee; and

The Business and Labor Committee has returned **H.B. 212**, CONTINUING EDUCATION REQUIREMENTS FOR LANDSCAPE ARCHITECTS, by Representative R. C. Webb, to the Rules Committee without recommendation; and

The Business and Labor Committee has returned **H.B. 241**, REQUIREMENTS FOR CHECK CASHER TO CASH A CHECK, by

Representative W. Harper, to the Rules Committee without recommendation with the following amendments:

1. Page 3, Lines 78 through 80:

78       (2) { ~~A~~ }       (a) Except as provided in Subsection (2)(b),  
a check casher may not cash a check unless at the time the check is  
presented for

79       cashing the check casher in good faith confirms the identity of the  
person presenting the check

80       by the person providing the check casher valid identification.

(b) A check casher may cash a check without requiring the  
presentation of valid identification if:

(i) the check is cashed in a transaction that is incidental to a retail sale of  
goods or services; and

(ii) the individual who on behalf of the check casher decides to cash the  
check is sufficiently familiar with the individual presenting the check, on  
the basis of interactions over a period of time, to eliminate reasonable  
doubt that the individual has the identity claimed. ; and

The Business and Labor Committee has returned **1st Sub. H.B. 252, WORKPLACE ACCOMMODATION OF BREAST FEEDING**, by Representative C. Johnson, to the Rules Committee without recommendation with the following amendments:

1. Page 1, Lines 1 through 2:

1       WORKPLACE ACCOMMODATION OF {~~BREAST~~

2       FEEDING—}       BREASTFEEDING

2. Page 1, Line 11:

11       related to an employer accommodating an employee who chooses  
to {~~breast feed~~}       breastfeed .

3. Page 2, Lines 32 through 35:

32       CHAPTER 47. WORKPLACE ACCOMMODATIONS FOR  
{~~BREAST FEEDING~~}       A BREASTFEEDING ACT

33       Part 1. General Provisions

34       34-47-101. Title.

35       This chapter is known as the “Workplace Accommodations for  
{~~Breast Feeding~~}       a Breastfeeding Parent Act.”

4. Page 2, Lines 42 through 44:
- 42       (2) “Employer” means a person employing { ~~15~~ } 50  
or more employees within the state for  
43 each working day in each of 20 calendar weeks or more in the  
current or preceding calendar  
44 year.
5. Page 2, Lines 49 through 54:
- 49       (5) “Undue hardship” means an accommodation that ;  
(a) has a significant detrimental impact on the ability of another  
employee to perform that employee’s work duties; or  
(b) requires significant difficulty or  
50 expense when considered in relation to factors such as:
- 51           { ~~(a)~~ }   (i) size of the employer;  
52           { ~~(b)~~ }   (ii) the financial resources of the employer;  
53           { ~~(c)~~ }   (iii) the nature and structure of the employer’s  
operations; and  
54           { ~~(d)~~ }   (iv) special circumstances of public safety.
6. Page 3, Lines 58 through 59:
- 58       (1) Subject to the other requirements of this chapter, if an  
employee is { ~~breast-feeding~~ } breastfeeding  
59 the employee’s child, an employer shall:
7. Page 3, Lines 62 through 67:
- 62       (b) make reasonable efforts to provide a location in close  
proximity to the employee’s  
63 work area { ~~—other than a toilet stall, —~~ } where the employee  
can express breast milk in privacy for  
64 benefit of the employee’s child.
- 65       (2) (a) An employer may comply with Subsection (1)(a)  
by:
- 66           { ~~(a)~~ }   (i) providing an employee reasonable unpaid  
break time; or  
67           { ~~(b)~~ }   (ii) permitting an employee to use paid break  
time, meal time, or both.

(b) An employer is considered to have made reasonable efforts for purposes of Subsection (1)(b):

(i) without providing a separate location from the employee's normal work area, if the employee's normal work area provides sufficient privacy so that the employee may express breast milk without being observed while expressing breast milk; or

(ii) by providing a separate location from the employee's normal work area, if the separate location:

(A) is within:

(I) the same physical structure as is located the employee's normal work area; or

(II) a physical structure in which the employer conducts business that is adjacent to where the employee's normal work area is located;

(B) is in sufficient proximity to the employee's normal work area so that the employee can directly leave the employee's normal work area, express breast milk, and directly return to the employee's normal work area during the period of time described in Subsection (1)(a);

(C) is sanitary, and not a toilet stall; and

(D) provides sufficient privacy so that the employee can express breast milk without being observed while expressing breast milk.

8. Page 3, Lines 72 through 74:

72 (1) An employer shall post a notice that the employer is required to accommodate in

73 accordance with this chapter an employee who chooses to  
 { breast feed } breastfeed the employee's child.

74 (2) An employer shall post the notice required under this section conspicuously at or; and

The Business and Labor Committee recommends **H.B. 272**, CONSTRUCTION TRADES LICENSING ACT AMENDMENTS, by Representative B. King, be replaced with **1st Sub. H.B. 272**, CONSTRUCTION TRADES LICENSING ACT AMENDMENTS, and has returned it to the Rules Committee without recommendation; and

Without committee review, the Business and Labor Committee has returned **2nd Sub. S.B. 81**, EMINENT DOMAIN AMENDMENTS, by Senator L. Hillyard, to the Rules Committee; and

Without committee review, the Business and Labor Committee has returned **1st Sub. S.B. 107**, LIEN AMENDMENTS, by Senator C. Bramble, to the Rules Committee; and

Without committee review, the Business and Labor Committee has returned **S.B. 181**, EMPLOYMENT SECURITY ADMINISTRATION FUND REPEALER, by Senator D. Hinkins, to the Rules Committee.

James A. Dunnigan, Chair

Reports filed. On motion of Representative Painter, the reports of the Business and Labor committee were adopted.

**1st Sub. H.B. 64**, as amended, **H.B. 191**, **H.B. 212**, **H.B. 241**, as amended, **1st Sub. H.B. 252**, as amended, **1st Sub. H.B. 272**, **2nd Sub. S.B. 81**, **1st Sub. S.B. 107**, and **S.B. 181** returned to the Rules Committee.

\* \* \*

Mr. Speaker:

March 3, 2010

With committee review, the Education Committee has returned **H.B. 99**, BACKGROUND CHECKS FOR SCHOOL SPORTS OFFICIALS, by Representative L. Black, to the Rules Committee without recommendation with the following amendments:

1. Page 2, Lines 49 through 50:

49        (b) A certifying entity shall require an official to submit to a criminal background

50 check before { ~~July 1, 2010~~ } the certifying entity schedules the official to officiate at a secondary-level interscholastic competition .

2. Page 2, Lines 56 through 57:

56        (b) consent to a fingerprint background check by the division that includes { ~~national and~~ }

57 regional criminal data files.

3. Page 3, Lines 81 through 84:

81        (11) If an applicant is denied certification as an official or an official is { ~~dismissed~~ } ~~no longer scheduled~~ as an

82 official because of information obtained through a criminal background check, the individual

83 shall receive written notice of the reasons { ~~for denial or dismissal~~ } and have an opportunity to

84 respond to the reasons under the procedures set forth in Subsection (10).

## 4. Page 4, Lines 91 through 97:

91 (14) Notwithstanding Subsection (13), this section does not apply to:

92 (a) an unpaid volunteer individual officiating at a secondary-level interscholastic

93 competition: { ~~or~~ }

94 (b) an individual who officiates at a secondary-level interscholastic competition and { ~~is~~

95 (i) } is certified as an official from another state { ~~and~~

96 (ii) accompanies an out-of-state school competing in the secondary-level

97 interscholastic competition } { ~~is~~ } ; or

(c) an official who has not undergone a criminal background check who officiates at a secondary-level interscholastic competition, if a certifying entity would be forced to cancel the secondary-level interscholastic competition because the certifying entity is unable to schedule an official.

(15) An official described in Subsection (14)(c) may only officiate at a secondary-level interscholastic competition one time before submitting to a criminal background check as required in Subsection (2). ; and

With committee review, the Education Committee has returned **H.B. 105**, PUBLIC SCHOOL EMPLOYEE AUDITORY PROTECTION REQUIREMENTS, by Representative L. Black, to the Rules Committee without recommendation with the following amendments:

## 1. Page 2, Line 45:

45 (i) is specifically fitted by a licensed audiologist or a licensed hearing instrument specialist to an individual's ears; ; and

With committee review, the Education Committee has returned **H.B. 129**, AMENDMENTS TO EDUCATION FINANCING, by Representative M. Newbold, to the Rules Committee without recommendation with the following amendments:

## 1. Page 46, Lines 1392 through 1403:

1392 (VII) Section 63G-7-704; and

1393 { (B) an amount of revenue equal to the product of: }

1394     ~~{ (I) }~~     (B) revenue from new growth as defined in Subsection 59-2-924(4)(c); and

1395     ~~{ (II) Subsection (1)(b)(i)(A); and }~~

1396     (ii) for a calendar year beginning on or after January 1, 2012, an amount equal to the

1397     sum of the following:

1398     (A) the amount of revenue generated during the prior taxable year by the school

1399     district's board local discretionary levy; and

1400     ~~{ (B) an amount of revenue equal to the product of: }~~

1401     ~~{ (I) }~~     (B) revenue from new growth as defined in Subsection 59-2-924(4)(c)   ~~{ -; and }~~   ÷

1402     ~~{ (II) Subsection (1)(b)(ii)(A); }~~

1403     (c) "Certified tax rate" means a school district's certified tax rate calculated in ; and

Without committee review, the Education Committee has returned **H.B. 268**, PUBLIC SCHOOL INNOVATIONS, by Representative K. Grover, to the Rules Committee; and

With committee review, the Education Committee has returned **H.B. 292**, EQUALIZATION OF FUNDING FOR DIVIDED SCHOOL DISTRICTS, by Representative J. Bird, to the Rules Committee without recommendation with the following amendments:

1. Page 2, Lines 52 through 53:

52     ~~[(a)] (e)~~ "Qualifying divided school district" means a divided school ~~{ - }~~ district ~~[ { - } ÷ (i)~~

53     ~~located within a county of the second through sixth class; and (ii)]~~ with a new school district

2. Page 2, Line 58 through Page 3, Line 60:

58     (g) "Receiving divided school district" is as defined in Section 59-2-924.4.

(h) "Total equalized property tax revenues" means the equalized property tax revenues per enrolled student multiplied by the total enrollment within the qualifying divided school district, as of the October 1 counts in the preceding calendar year.

59        (2) When a new school district is created pursuant to Section  
53A-2-118.1, the state

60    superintendent shall; and

With committee review, the Education Committee has returned **H.B. 350**, CLUB TEAMS IN PUBLIC SCHOOLS, by Representative S. Sandstrom, to the Rules Committee without recommendation; and

With committee review, the Education Committee has returned **H.B. 393**, ADVERTISEMENTS ON SCHOOL BUSES, by Representative J. Bird, to the Rules Committee without recommendation; and

Without committee review, the Education Committee has returned **H.B. 454**, MATERNITY LEAVE FOR SCHOOL EMPLOYEES, by Representative Janice Fisher, to the Rules Committee; and

With committee review, the Education Committee has returned **H.J.R. 25**, JOINT RESOLUTION REGARDING SCHOOL FEES AND SUPPLIES, by Representative K. Powell, to the Rules Committee without recommendation with the following amendments:

1. Page 1, Lines 14 through 15:

14        ►        {~~modify the nature of the secondary school fees that~~  
~~the Legislature may authorize to~~

15    be imposed; ~~}~~

2. Page 2, Lines 39 through 40:

39        (i) authorize the imposition of fees in the secondary schools[~~]~~  
~~{ for activities that occur~~

40    outside of regular school hours } ; and

Without committee review, the Education Committee has returned **S.B. 56**, SCHOOL REPORTING AMENDMENTS, by Senator K. Morgan, to the Rules Committee; and

Without committee review, the Education Committee has returned **S.B. 132**, HIGHER EDUCATION SCHOLARSHIP AMENDMENTS, by Senator J. Valentine, to the Rules Committee; and



Without committee review, the Education Committee has returned **S.B. 147**, EDUCATION RELATED PARENT ORGANIZATIONS, by Senator M. Dayton, to the Rules Committee.

Gregory H. Hughes, Chair

Reports filed. On motion of Representative Sumsion, the reports of the Education committee were adopted.

**H.B. 99**, as amended, **H.B. 105**, as amended, **H.B. 129**, as amended, **H.B. 268**, **H.B. 292**, as amended, **H.B. 350**, **H.B. 393**, **H.B. 454**, **H.J.R. 25**, as amended, **S.B. 56**, **S.B. 132**, and **S.B. 147** returned to the Rules Committee.

\* \* \*

Mr. Speaker: March 3, 2010

Without committee review, the Government Operations Committee has returned **H.B. 101**, ANESTHESIOLOGIST ASSISTANTS, by Representative Julie Fisher, to the Rules Committee without recommendation; and

Without committee review, the Government Operations Committee has returned **H.B. 180**, OUTDOOR ADVERTISING AMENDMENTS, by Representative C. Frank, to the Rules Committee without recommendation; and

With committee review, the Government Operations Committee has returned **H.B. 242**, MARRIAGE LICENSE FEE AMENDMENTS, by Representative C. Johnson, to the Rules Committee without recommendation; and

Without committee review, the Government Operations Committee has returned **H.B. 253**, TRANSFER OF THE BUREAU OF EMERGENCY MEDICAL SERVICES FROM THE DEPARTMENT OF HEALTH TO THE DEPARTMENT OF PUBLIC SAFETY, by Representative P. Ray, to the Rules Committee without recommendation; and

With committee review, the Government Operations Committee has returned **H.B. 288**, DAYLIGHT SAVING TIME, by Representative K. Sumsion, to the Rules Committee without recommendation; and

Without committee review, the Government Operations Committee has returned **H.R. 6**, RESOLUTION GOVERNING DISTRIBUTION OF ITEMS ON THE HOUSE FLOOR, by Representative C. Frank, to the Rules Committee without recommendation; and

With committee review, the Government Operations Committee has returned **S.B. 213**, DIVISION OF SERVICES FOR PEOPLE WITH DISABILITIES

ADVISORY COUNCIL, by Senator A. Christensen, to the Rules Committee without recommendation.

Craig A. Frank, Chair

Reports filed. On motion of Representative Frank, the reports of the Government Operations committee were adopted.

**H.B. 101, H.B. 180, H.B. 242, H.B. 253, H.B. 288, H.R. 6, and S.B. 213** returned to the Rules Committee.

\* \* \*

Mr. Speaker: March 2, 2010  
 With committee review, the Judiciary Committee has returned **H.B. 162**, UNLAWFUL SEXUAL CONDUCT WITH A MINOR, by Representative R. Edwards, to the Rules Committee without recommendation; and

Without committee review, the Judiciary Committee has returned **H.B. 204**, JURY TRIAL AMENDMENTS, by Representative W. Harper, to the Rules Committee; and

With committee review, the Judiciary Committee has returned **H.B. 224**, UNIFORM REAL PROPERTY TRANSFER ON DEATH ACT, by Representative L. Fowlke, to the Rules Committee without recommendation; and

With committee review, the Judiciary Committee has returned **H.B. 347**, GUARDIANSHIP AMENDMENTS, by Representative K. Powell, to the Rules Committee and recommends that it be sent to interim study; and

Without committee review, the Judiciary Committee has returned **H.B. 428**, NONRESIDENT TUITION AMENDMENTS, by Representative R. Greenwood, to the Rules Committee.

Lorie D. Fowlke, Chair

Reports filed. On motion of Representative Fowlke, the reports of the Judiciary committee were adopted.

**H.B. 162, H.B. 204, H.B. 224, H.B. 347, and H.B. 428** returned to the Rules Committee.

\* \* \*

Mr. Speaker: March 3, 2010  
 With committee review, the Law Enforcement and Criminal Justice Committee has returned **H.B. 119**, MOTOR VEHICLE IMPOUND

AMENDMENTS, by Representative C. Oda, to the Rules Committee without recommendation; and

Without committee review, the Law Enforcement and Criminal Justice Committee has returned **H.B. 362**, DUTIES OF CITY POLICE DEPARTMENTS, by Representative C. Herrod, to the Rules Committee; and

Without committee review, the Law Enforcement and Criminal Justice Committee has returned **H.B. 375**, BAILABLE OFFENSES ACT, by Representative P. Ray, to the Rules Committee.

Douglas C. Aagard, Chair

Reports filed. On motion of Representative Aagard, the reports of the Law Enforcement and Criminal Justice committee were adopted.

**H.B. 119**, **H.B. 362**, and **H.B. 375** returned to the Rules Committees.

\* \* \*

Mr. Speaker:

March 2, 2010

With committee review, the Natural Resources, Agriculture, and Environment Committee recommends **H.B. 102**, AGRICULTURE SUSTAINABILITY ACT, by Representative J. Draxler, be replaced with **2nd Sub. H.B. 102**, AGRICULTURE SUSTAINABILITY ACT, and has returned it to the Rules Committee; and

Without committee review, the Natural Resources, Agriculture, and Environment Committee has returned **H.B. 290**, RECREATIONAL USE OF PRIVATELY OWNED STREAM BEDS, by Representative R. C. Webb, to the Rules Committee; and

With committee review, the Natural Resources, Agriculture, and Environment Committee has returned **H.B. 417**, DEER HUNT AMENDMENTS, by Representative K. Powell, to the Rules Committee; and

Without committee review, the Natural Resources, Agriculture, and Environment Committee has returned **H.B. 422**, LIVESTOCK ON HIGHWAYS, by Representative P. Painter, to the Rules Committee; and

Without committee review, the Natural Resources, Agriculture, and Environment Committee has returned **H.B. 445**, HIGHWAY ACCESS TO SOVEREIGN LANDS, by Representative R. Barrus, to the Rules Committee; and

With committee review, the Natural Resources, Agriculture, and Environment Committee has returned **H.C.R. 6**, STOCKTON BAR GEOLOGIC

FORMATION CONCURRENT RESOLUTION, by Representative R. Menlove, to the Rules Committee; and

With committee review, the Natural Resources, Agriculture, and Environment Committee has returned **H.J.R. 1**, JOINT RESOLUTION AMENDING PROVISION ON MUNICIPAL WATER RIGHTS, by Representative K. McIff, to the Rules Committee.

Roger E. Barrus, Chair

Reports filed. On motion of Representative Barrus, the reports of the Natural Resources, Agriculture, and Environment committee were adopted.

**2nd Sub. H.B. 102, H.B. 290, H.B. 417, H.B. 422, H.B. 445, H.C.R. 6, and H.J.R. 1** returned to the Rules Committee.

\* \* \*

Mr. Speaker:

March 3, 2010

Without committee review, the Political Subdivisions Committee has returned **H.B. 220**, DISPROPORTIONATE RENTAL FEE AMENDMENTS, by Representative G. Froerer, to the Rules Committee; and

Without committee review, the Political Subdivisions Committee has returned **1st Sub. S.B. 45**, UTAH FIT PREMISES ACT AMENDMENTS, by Senator W. Niederhauser, to the Rules Committee.

Fred R Hunsaker, Chair

Reports filed. On motion of Representative Hunsaker, the reports of the Political Subdivisions committee were adopted.

**H.B. 220** and **1st Sub. S.B. 45** returned to the Rules Committee.

\* \* \*

Mr. Speaker:

March 2, 2010

With committee review, the Public Utilities and Technology Committee has returned **H.B. 411**, PUBLIC UTILITY MODIFICATIONS, by Representative J. Anderson, to the Rules Committee with recommendation for inclusion on the Master Study Resolution.

Michael E. Noel, Chair

Report filed. On motion of Representative Noel, the reports of the Public Utilities and Technology committee was adopted.

**H.B. 411** returned to the Rules Committee.

\* \* \*

Mr. Speaker: March 3, 2010

Without committee review, the Retirement and Independent Entities Committee has returned **H.B. 333**, REEMPLOYED RETIREE CONTRIBUTION AMENDMENTS, by Representative D. Litvack, to the Rules Committee.

Don L. Ipson, Chair

Report filed. On motion of Representative Ipson, the report of the Retirement and Independent Entities committee was adopted.

**H.B. 333** returned to the Rules Committee.

\* \* \*

Mr. Speaker: March 3, 2010

The Revenue and Taxation Committee recommends **H.B. 48**, AMENDMENTS TO THE TOURISM, RECREATION, CULTURAL, CONVENTION, AND AIRPORT FACILITIES TAX ACT, by Representative C. Frank, be replaced with **1st Sub. H.B. 48**, AMENDMENTS TO THE TOURISM, RECREATION, CULTURAL, CONVENTION, AND AIRPORT FACILITIES TAX ACT, with the following amendments, and has returned it to the Rules Committee without recommendation.

1. Page 4, Lines 104 through 106:

104 (B) extend the term for repayment of the bond, note, or other evidence of indebtedness:

105 (C) refinance the bond, note, or other evidence of indebtedness if refinancing the bond, note, or other evidence of indebtedness extends the term for repayment of the bond, note, or other evidence of indebtedness ; or

106 (D) take an action with respect to the bond, note, or other evidence of indebtedness ; and

Without committee review, the Revenue and Taxation Committee has returned **H.B. 61**, REAL PROPERTY SALES INFORMATION DISCLOSURE, by Representative G. Froerer, to the Rules Committee; and

Without committee review, the Revenue and Taxation Committee has returned **H.B. 317**, PROPERTY TAX NOTICES AMENDMENTS, by Representative G. Froerer, to the Rules Committee; and

Without committee review, the Revenue and Taxation Committee has returned **H.B. 394**, MOTOR AND SPECIAL FUEL TAX ACT AMENDMENTS, by Representative S. Clark, to the Rules Committee; and

Without committee review, the Revenue and Taxation Committee has returned **H.B. 407**, OBLIGATIONS SECURED BY TRUST DEEDS, by Representative G. Hughes, to the Rules Committee; and

Without committee review, the Revenue and Taxation Committee has returned **H.J.R. 7**, JOINT RESOLUTION PROHIBITING PROPERTY TRANSFER TAX, by Representative G. Froerer, to the Rules Committee.

Todd E. Kiser, Chair

Reports filed. On motion of Representative Revenue and Taxation, the reports of the Kiser committee were adopted.

**1st Sub. H.B. 48**, as amended, **H.B. 61**, **H.B. 317**, **H.B. 394**, **H.B. 407**, and **H.J.R. 7** returned to the Rules Committee.

\* \* \*

Mr. Speaker:

March 3, 2010

The Transportation Committee has returned **1st Sub. H.B. 131**, B AND C ROAD CONSTRUCTION AMENDMENTS, by Representative M. Noel, to the Rules Committee for interim study with the following amendments:

1. Page 1, Lines 14 through 17:

14 ► prohibits a county or municipality from bidding on certain class B and class C road

15 maintenance or construction projects if the class B or class C road is not under the

16 county or municipality's jurisdiction unless ~~{-no-}~~ fewer than two bids are received from private

17 contractors; and

2. Page 2, Lines 44 through 48:

44 (ii) If ~~{-no-}~~ fewer than two bids are received from private contractors on a class B or class C road

45 maintenance or construction project, a county or municipality may consider or accept a bid on a

46 class B or class C road or maintenance construction project from another county or

47 municipality for a road maintenance or construction project that is not under the county or

48 municipality's jurisdiction. ; and

The Transportation Committee has returned **H.B. 151**, UTAH HIGH SCHOOL RODEO SUPPORT SPECIAL GROUP LICENSE PLATE, by Representative J. Gowans, to the Rules Committee without recommendation with the following amendments:

1. Page 2, Lines 43 through 44:

43 (4) { ~~The~~ } Upon appropriation by the Legislature, the department shall distribute funds in the account to one or more charitable

44 organizations that:

2. Page 3, Line 60:

60 (v) { ~~pays costs of administering and distributing the funds under this section~~ } pay the costs of issuing or reordering Utah High School Rodeo Support special group license plate decals . ; and

The Transportation Committee has returned **H.B. 175**, AMENDMENTS TO LIGHT REQUIREMENTS ON MOTOR VEHICLES, by Representative K. Powell, to the Rules Committee without recommendation with the following amendments:

1. Page 1, Lines 14 through 22:

14 ► provides that only a person operating an authorized emergency vehicle {~~and a school~~

15 ~~bus~~} may operate or move any vehicle with a lamp or device capable of displaying a

16 {~~red or~~} blue light that is visible from directly in front of the center of the vehicle on a highway;

17 ► repeals the restriction that only a person operating a law enforcement vehicle may

18 operate or move a vehicle or equipment with a lamp or device capable of displaying

19 a blue light that is visible from directly in front of the center of the vehicle on a highway;

20 ► provides that notwithstanding any contrary rule made by Department of Public

21 Safety, a person may operate an authorized emergency vehicle on a highway with a

22 lamp or device capable of displaying a blue light that is visible from directly in front of the center of the vehicle ; and

2. Page 2, Lines 46 through 52:

46 (2) (a) Except for an authorized emergency vehicle and a school bus, a person may not

47 operate or move any vehicle or equipment on a highway with a lamp or device capable of

48 displaying a red { ~~or blue~~ } light that is visible from directly in front of the center of the vehicle.

49 { ~~—~~ } (b) Except for { ~~a law enforcement~~ } an authorized emergency vehicle, a person may not operate or move any

50 vehicle or equipment on a highway with a lamp or device capable of displaying a blue light that

51 is visible from directly in front of the center of the vehicle. { ~~—~~ }

52 { ~~(b)~~ } (c) Notwithstanding any contrary rule made by the department under Subsection (3)(b), ; and

Without committee review, the Transportation Committee has returned **H.B. 152**, CONTRACT PASSENGER CARRIER SAFETY ACT, by Representative F.J. Seegmiller, to the Rules Committee; and

Without committee review, the Transportation Committee has returned **H.B. 336**, RAILROAD AND RAILROAD CROSSING AMENDMENTS, by Representative R. Greenwood, to the Rules Committee; and

Without committee review, the Transportation Committee has returned **H.B. 424**, OPERATION OF BICYCLES AND MOPEDS ON ROADWAYS, by Representative J. Anderson, to the Rules Committee; and

Without committee review, the Transportation Committee has returned **S.B. 160**, UTAH STATE DEVELOPMENTAL CENTER AMENDMENTS, by Senator M. Dayton, to the Rules Committee.

Bradley M. Daw, Chair

Reports filed. On motion of Representative Daw, the reports of the Transportation committee were adopted.



**1st Sub. H.B. 131**, as amended, **H.B. 151**, as amended, **H.B. 152**, **H.B. 175**, **H.B. 336**, **H.B. 424**, and **S.B. 160** returned to the Rules Committee.

### CONSENT CALENDAR

**S.B. 173**, BUSINESS ENTITY AMENDMENTS, *Hunsaker*, read the third time by short title and placed on its final passage.

**S.B. 173** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Mathis	McCliff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Lockhart                      Mascaro

**S.B. 173** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 141**, UTAH SUBSTANCE ABUSE AND ANTI-VIOLENCE COORDINATING COUNCIL AMENDMENTS, *Menlove*, read the third time by short title and placed on its final passage.

**S.B. 141** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Lockhart	Mascaro
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**S.B. 141** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**H.B. 365**, DEPARTMENT OF CORRECTIONS REGISTRY AMENDMENTS, *Aagard*, read the third time by short title and placed on its final passage.

**H.B. 365**, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski

Black	Brown	Chavez--Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Mascaro                      Painter

**H.B. 365**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**S.B. 38**, RESTRICTIONS ON HIGH OCCUPANCY VEHICLE LANE, *Daw*, read the third time by short title and placed on its final passage.

**S.B. 38** passed on the following roll call:

**Yeas, 49; Nays, 24; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Daw	Dee	S Duckworth
Dunnigan	Edwards	Ferry	Julie Fisher
Fowlke	K Gibson	Gowans	Greenwood
Grover	Hansen	Hendrickson	Hunsaker
Hutchings	Johnson	King	Litvack
Lockhart	Mathis	McIff	Menlove
Morley	Moss	Noel	Oda
Poulson	Powell	Ray	Sandstrom

Seegmiller	Seelig	Sumsion	Watkins
Webb	Wheatley	Wiley	Wimmer
Wright			

**Voting in the negative were:** Representatives

Brown	Chavez–Houck	S. Clark	Cosgrove
Dougall	Draxler	Janice Fisher	Frank
Froerer	Garn	F Gibson	Harper
Hemingway	Hughes	Ipson	Kiser
Last	Newbold	Painter	Riesen
Vickers	Wallis	Wilcox	D. Clark

**Absent or not voting were:** Representatives

Herrod	Mascaro
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**S.B. 38** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 74**, STATE PARK HIGHWAY ACCESS AMENDMENTS, *Watkins*, read the third time by short title and placed on its final passage.

**S.B. 74** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Herrod
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller

Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Hendrickson	Hughes	Mascaro
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**S.B. 74** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

**CONCURRENCE CALENDAR**

On motion of Representative Wimmer, the House voted to concur in the Senate amendments to **1st Sub. H.B. 114, DISCLOSURE OF DONATIONS TO HIGHER EDUCATION INSTITUTIONS.**

**1st Sub. H.B. 114**, as amended by the Senate, passed on the following roll call:

**Yeas, 60; Nays, 11; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Allen	Anderson	Barrus	Beck
Bigelow	Bird	Black	Brown
S. Clark	Cosgrove	Daw	Dee
Draxler	Dunnigan	Edwards	Ferry
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Greenwood
Grover	Harper	Hemingway	Hendrickson
Herrod	Hunsaker	Hutchings	Ipson
King	Kiser	Last	Lockhart
Mathis	McIff	Menlove	Morley
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Webb	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Voting in the negative were:** Representatives

Biskupski	Chavez–Houck	S Duckworth	Janice Fisher
Gowans	Hansen	Johnson	Litvack
Moss	Watkins	Wheatley	

**Absent or not voting were:** Representatives

Aagard	Dougall	Hughes	Mascaro
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**1st Sub. H.B. 114**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Menlove, the House voted to concur in the Senate amendments to **1st Sub. H.B. 201**, STATE FIRE MARSHAL MODIFICATIONS.

**1st Sub. H.B. 201**, as amended by the Senate, passed on the following roll call:

**Yeas, 56; Nays, 14; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Froerer	Garn
K Gibson	Gowans	Greenwood	Hansen
Hemingway	Hendrickson	Hunsaker	Ipson
Johnson	King	Kiser	Last
Litvack	Mathis	McIff	Menlove
Moss	Newbold	Painter	Poulson
Powell	Ray	Riesen	Seegmiller
Seelig	Vickers	Wallis	Watkins
Webb	Wheatley	Wiley	D. Clark

**Voting in the negative were:** Representatives

Anderson	Frank	F Gibson	Grover
Harper	Herrod	Morley	Noel
Oda	Sandstrom	Sumsion	Wilcox
Wimmer	Wright		

**Absent or not voting were:** Representatives

Dougall	Hughes	Hutchings	Lockhart
Mascaro			

**1st Sub. H.B. 201**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Mathis, the House voted to concur in the Senate amendments to **H.B. 108**, MEAT INSPECTION AMENDMENTS.

**H.B. 108**, as amended by the Senate, passed on the following roll call:

**Yeas, 67; Nays, 0; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	S Duckworth	Dunnigan
Edwards	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hunsaker	Ipson
Johnson	King	Kiser	Last
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Black	Dougall	Draxler	Hughes
Hutchings	Litvack	Lockhart	Mascaro

**H.B. 108**, as amended by the Senate, transmitted to the Senate for signature of President.

**THIRD READING CALENDAR**

On motion of Representative Dee, the House voted to circle **2nd Sub. S.B. 119**.

\* \* \*

**S.B. 62**, MOTOR VEHICLE INSURANCE COVERAGE AMENDMENTS, *Dunnigan*, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House voted to circle **S.B. 62**.

\* \* \*

**S.J.R. 10**, JOINT RESOLUTION SUPPORTING THE EXPANSION OF CORRECTIONAL FACILITIES IN UINTAH COUNTY, *Mathis*, read the third time by short title and placed on its final passage.

Representatives Bigelow, Noel, Hutchings, Brown, and Noel commented. **S.J.R. 10** passed on the following roll call:

**Yeas, 47; Nays, 26; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Allen	Beck	Biskupski	Black
Brown	Chavez–Houck	Cosgrove	Daw
S Duckworth	Edwards	Ferry	Janice Fisher
Fowlke	Frank	F Gibson	Gowans
Greenwood	Harper	Hemingway	Hendrickson
Hunsaker	Hutchings	Johnson	King
Litvack	Mascaro	Mathis	McIff
Menlove	Moss	Noel	Oda
Painter	Poulson	Powell	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	

**Voting in the negative were:** Representatives

Aagard	Anderson	Barrus	Bigelow
Bird	S. Clark	Dee	Dougall
Draxler	Dunnigan	Julie Fisher	Froerer
Garn	Grover	Hansen	Herrod
Hughes	Ipson	Kiser	Last
Lockhart	Newbold	Ray	Wallis
Wright	D. Clark		

**Absent or not voting were:** Representatives

K Gibson	Morley
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**S.J.R. 10** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

### UNFINISHED BUSINESS

On motion of Representative Litvack, the House voted to uncircle **2nd Sub. S.J.R. 3**.



**2nd Sub. S.J.R. 3, JOINT RESOLUTION ON ETHICS COMPLAINT PROCEDURES, *Litvack***, was before the House on its final passage.

Representative Litvack proposed the following amendment:

1. Page 28, Lines 849 through 852

849 (2) (a) The chair of the commission shall conduct the deliberations.

850 (b) Upon a motion made by a commission member, the commission may exclude

851 commission staff from all or a portion of the deliberations by a majority vote of the

852 commission.

2. Page 29, Lines 870 through 883:

870 (1) If the commission determines that no allegations in the complaint were proved, the

871 commission shall:

872 (a) issue and enter into the record an order that the complaint is dismissed because no

873 allegations in the complaint were found to have been proved;

874 (b) classify all recordings, testimony, evidence, orders, findings, and other records

875 directly relating to the meetings authorized by this part as private records under Section

876 63G-2-302;

877 (c) provide notice of the determination, in a manner determined by a majority vote of

878 the commission, to:

879 (i) the respondent; { ~~and~~ }

880 (ii) the first complainant named on the complaint; and

(iii) the chair and vice chair of the Senate Ethics Committee, if the respondent is a Senator, or the chair and vice chair of the House Ethics Committee, if the respondent is a Representative; and

881 (d) provide notice to { ~~a~~ } each person named in Subsection (1)(c) that, under the provisions of

882 JR6–3–102 and other provisions of this title, a person who discloses the findings of the

883 commission in violation of any provision of this chapter is in contempt of the Legislature and is subject to penalties for contempt.

3. Page 37, Lines 1120 through 1121:

1120 (C) if the allegation was not { ~~found not~~ } found to have been proven, orders that the allegation

1121 be dismissed: and

Representative Litvack’s motion to amend passed on a voice vote.

Representatives Riesen, Ipson, and Allen commented.

Representative Allen proposed the following amendment:

1. Page 19, Line 558:

Delete “at least one” and insert “both” and delete “has actual knowledge” and insert “reasonably credible information”

Representatives Garn, Hughes, Noel, Hutchings, and Wimmer commented. Representative Allen’s motion to amend failed on a voice vote.

Representatives Hendrickson, Chavez–Houck, Dougall, and Vickers commented.

**2nd Sub. S.J.R. 3**, as amended, passed on the following roll call:

**Yeas, 71; Nays, 2; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	Gowans
Greenwood	Grover	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove

Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Voting in the negative were:** Representatives

Hansen                      Riesen

**Absent or not voting were:** Representatives

Bigelow                      K Gibson

**2nd Sub. S.J.R. 3**, as amended, returned to the Senate for further consideration.

**SPECIAL ORDER OF BUSINESS**

**1st Sub. S.B. 69**, COLLEGE OF EASTERN UTAH AFFILIATION WITH UTAH STATE UNIVERSITY, *Painter*, read the third time by short title and placed on its final passage.

Representatives Watkins, Draxler, and McIff commented.

**1st Sub. S.B. 69** passed on the following roll call:

**Yeas, 64; Nays, 1; Absent or not voting, 10.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Draxler	S Duckworth	Dunnigan
Edwards	Ferry	Janice Fisher	Julie Fisher
Frank	Froerer	Garn	F Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hendrickson	Herrod	Hughes
Hunsaker	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Oda	Painter
Poulson	Powell	Ray	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Voting in the negative was:** Representative  
Dougall

**Absent or not voting were:** Representatives

Bigelow	Dee	Fowlke	K Gibson
Hemingway	Hutchings	Newbold	Noel
Riesen	Sandstrom		

**1st Sub. S.B. 69** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

**INTENT LANGUAGE FOR 1ST SUB. S.B. 69**

On motion of Representative Painter, the House voted to print the following intent language upon the pages of the House Journal.

“It is the intent of the Legislature in enacting **1st Sub. S.B. 69**, College of Eastern Utah Affiliation with Utah State University, that, in order to ensure a smooth transition, all parties act in good faith to follow the provisions of the Memorandum of Understanding negotiated between Utah State University, the College of Eastern Utah, and approved by both institution’s Board of Trustees and the State Board of Regents.”

**MISCELLANEOUS BUSINESS**

On motion of Representative Wimmer, under suspension of the rules, the House voted to allow a bill file to be opened concerning abortion.

**UNFINISHED BUSINESS**

On motion of Representative Litvack, the House voted to uncircle **2nd Sub. S.B. 136**.

**2nd Sub. S.B. 136**, OPEN AND PUBLIC MEETINGS REVISIONS RELATED TO REVIEW OF ETHICS COMPLAINTS, *Litvack*, was before the House on its final passage. Representatives Riesen, Chavez–Houck, and Dougall commented.

**2nd Sub. S.B. 136** passed on the following roll call:

**Yeas, 69; Nays, 1; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black

Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	Gowans
Greenwood	Grover	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Riesen
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Voting in the negative was:** Representative Hansen

**Absent or not voting were:** Representatives Bigelow K Gibson Harper Ray Sandstrom

**2nd Sub. S.B. 136** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

\* \* \*

On motion of Representative Litvack, the House voted to uncircle **1st Sub. S.B. 138**.

**1st Sub. S.B. 138**, GRAMA REVISIONS RELATED TO REVIEW OF ETHICS COMPLAINTS, *Litvack*, was before the House on its final passage. Representatives Chavez–Houck, Hendrickson, Hansen, and Dougall commented.

**1st Sub. S.B. 138** passed on the following roll call:

**Yeas, 69; Nays, 1; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove

Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	Greenwood
Grover	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Voting in the negative was:** Representative Hansen

**Absent or not voting were:** Representatives

Bigelow	K Gibson	Gowans	Lockhart
Painter			

**1st Sub. S.B. 138** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

### THIRD READING CALENDAR

**S.B. 70, MOTOR VEHICLE LIABILITY AMENDMENTS – MINOR DRIVERS, *Dunnigan***, read the third time by short title and placed on its final passage. Representative Daw commented.

**S.B. 70** passed on the following roll call:

**Yeas, 66; Nays, 2; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Julie Fisher	Fowlke	Frank

Froerer	Garn	F Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Lockhart
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Poulson
Powell	Ray	Riesen	Sandstrom
Seelig	Sumsion	Vickers	Wallis
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright		

**Voting in the negative were:** Representatives

Janice Fisher      Seigmiller

**Absent or not voting were:** Representatives

K Gibson	Litvack	Mascaro	Mathis
Painter	Watkins	D. Clark	

**S.B. 70** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.J.R. 11**, UTAH ATHLETIC FOUNDATION RESOLUTION, *Ipson*, read the third time by short title and placed on its final passage. Representative Brown commented.

Representative Brown declared a conflict of interest because he is a member of the foundation board.

**S.J.R. 11** passed on the following roll call:

**Yeas, 59; Nays, 0; Absent or not voting, 16.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dougall	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper

Hemingway	Hendrickson	Herrod	Hughes
Ipson	King	Kiser	Last
Lockhart	Menlove	Morley	Noel
Oda	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Wheatley
Wiley	Wimmer	Wright	

**Absent or not voting were:** Representatives

Dee	Draxler	Hunsaker	Hutchings
Johnson	Litvack	Mascaro	Mathis
McIff	Moss	Newbold	Painter
Watkins	Webb	Wilcox	D. Clark

**S.J.R. 11** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 113**, WIRELESS TELEPHONE USE RESTRICTION FOR MINORS IN VEHICLES, *Riesen*, read the third time by short title and placed on its final passage.

On motion of Representative Riesen, the House voted to circle **S.B. 113**.

\* \* \*

**2nd Sub. S.B. 274**, ONLINE PHARMACY AMENDMENTS, *Lockhart*, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House voted to circle **2nd Sub. S.B. 274**.

\* \* \*

**S.B. 143**, GRAND JURY AMENDMENTS, *Ray*, read the third time by short title and placed on its final passage. Representative Hansen commented.

**S.B. 143** passed on the following roll call:

**Yeas, 62; Nays, 0; Absent or not voting, 13.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black



Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Menlove	Morley	Moss	Oda
Poulson	Powell	Ray	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Wheatley	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

Bigelow	Draxler	K Gibson	Hunsaker
Mathis	McIff	Newbold	Noel
Painter	Riesen	Watkins	Webb
Wilcox			

**S.B. 143** requested to be held for no more than 24 hours by a Representative.

\* \* \*

**3rd Sub. S.B. 145, MEDICAL MALPRACTICE AMENDMENTS**, *Last*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

Representative Last proposed the following amendment:

1. Page 5, Lines 120 through 121

120     ~~(B)~~ { ~~–within–~~ } any longer period as agreed upon in writing  
by all parties to the review.

121     ~~[(ii)]~~ { ~~(iii)~~ } (c) If the prelitigation hearing has not  
been completed within the time limits

2. Page 5, Lines 125 through 127:

125           { ~~(A)~~ } (i) file an affidavit of merit under the  
provisions of Section 78B–3–423; or

126           { ~~(B)~~ } (ii) file an affidavit with the division within  
180 days of the request for prelitigation

127 review, in accordance with Subsection (3) { (e) } (d) ,  
alleging that the respondent has failed to

3. Page 5, Lines 129 through 130:

129 { (e) } (d) If the claimant files an affidavit under  
Subsection (3) { (b)(iii)(B) } (c)(ii):

130 (i) within 15 days of the filing of the affidavit under Subsection  
(3) { (b)(iii)(B) } (c)(ii) , the

4. Page 5, Line 138:

138 (3) { (e) } (d) (ii)(A), the claimant shall file an affidavit  
of merit in accordance with Section 78B-3-423,

5. Page 5, Line 140:

140 [(e)] { (d) } (e) (i) The claimant and any respondent  
may agree by written stipulation that no

6. Page 7, Line 194:

194 (1)(a) The {—} panel {—} { division } shall  
issue an opinion and the division shall issue a certificate of  
compliance

7. Page 8, Lines 220 through 221:

220 78B-3-416 and 78B-3-418, a claimant shall file an affidavit of  
merit under this section { if } :

221 (i) within 60 days of the date of the panel's opinion, if the  
claimant receives a finding from the pre-litigation panel in accordance  
with

8. Page 8, Line 225:

225 (ii) within 60 days of the expiration of the time limit in  
Subsection 78B-3-416(3)(b)(ii), if a pre-litigation hearing is not held  
within the time limits under Section

9. Page 8, Line 227:

227 (iii) within 30 days of the divisions determination under  
Subsection 78B-3-416(3)(d)(ii)(B), if the division makes a  
determination under Section 78B-3-416(3) { (e) } (d) (ii)(B) :

10. Page 8, Lines 229 through 234:

229 shall {—}

230 ~~(i)}~~ file the affidavit of merit with the division ; {within:  
 231 (A) 60 days of:  
 232 (I) the expiration of the time limit in Section  
78B-3-416(3)(b)(i);  
 233 (II) the date of the panel's opinion under Subsection  
78B-3-418(2)(b); or  
 234 (B) within 30 days of the division's determination under  
Subsection 78B-3-416(3)(c); }

Representative Last's motion to amend passed on a voice vote.

Representative King declared a conflict of interest because he has worked on this issue in his career and lobbied on this issue in the past.

Representative F. Gibson declared a conflict of interest because he is a medical provider.

Representatives King, Fowlke, Wimmer, F. Gibson, and Anderson commented.

**3rd Sub. S.B. 145**, as amended, passed on the following roll call:

**Yeas, 67; Nays, 6; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez-Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Morley	Moss	Newbold
Noel	Oda	Poulson	Powell
Ray	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Voting in the negative were:** Representatives

S Duckworth	Fowlke	Hemingway	Johnson
King	Riesen		

**Absent or not voting were:** Representatives

Menlove	Painter
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**3rd Sub. S.B. 145**, as amended, returned to the Senate for further consideration.

**SPECIAL RECOGNITION**

Representative K. Gibson had an Official Citation read to honor the families of Utah's Fallen Soldiers. The families of the following soldiers were introduced: Michael B. Alleman, age 31, US Army, Died February 3, 2009, Diyala Province, Iraq; Kurt Curtiss, age 27, US Army, Died August 25, 2009, Afghanistan; Cory Jenkins, age 28, US Army, Died August 24, 2009, Afghanistan; Kimble Han, age 30, US Army, Died October 23, 2009, Kandahar, Afghanistan; Aaron T. Nemelka, age 19, Died November 5, 2009, Fort Hood, Texas.

**MISCELLANEOUS BUSINESS**

On motion of Representative Garn, the House voted to recess until 2:00 p.m.

**AFTERNOON SESSION**

The House was called to order by Speaker Clark at 4:00 p.m.

**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker: March 4, 2010

The Senate passed, as amended, **H.B. 115**, COUNSEL FOR INDIGENTS IN JUVENILE COURT PROCEEDINGS, by Representative K. Powell, and it is transmitted for further consideration; and

The Senate passed, as amended, **2nd Sub. H.B. 124**, CAMPAIGN FUNDS EXPENDITURE RESTRICTIONS, by Representative T. Cosgrove, and it is transmitted for further consideration; and

The Senate passed, as amended, **2nd Sub. H.B. 259**, PROPERTY TAX AMENDMENTS, by Representative W. Harper, and it is transmitted for further consideration; and

The Senate substituted and passed, **Senate H.B. 267**, LOBBYIST DISCLOSURE AND REGULATION ACT AMENDMENTS, by Representative K. Garn, and it is transmitted for further consideration; and

The Senate substituted and passed, **Senate 1st Sub. H.B. 270**, FINANCIAL DISCLOSURE AND CONFLICT OF INTEREST AMENDMENTS, by Representative G. Hughes, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 279**, COUNTY RECORDER AMENDMENTS, by Representative R. C. Webb, and it is transmitted for further consideration; and

The Senate passed, as amended, **1st Sub. H.B. 284**, UNIFORM COLLABORATIVE LAW ACT, by Representative L. Fowlke, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 115, 2nd Sub. H.B. 124, 2nd Sub. H.B. 259, H.B. 267, 1st Sub. H.B. 270, H.B. 279**, and **1st Sub. H.B. 284** placed on the Concurrence Calendar.

### INTRODUCTION OF BILLS

**H.B. 353, Nonlapsing Dedicated Credit Amendments** (R. Bigelow), read the first time by short title and referred to the Rules Committee.

**H.B. 461, Children's Health Insurance Program** (J. Dougall), read the first time by short title and referred to the Rules Committee.

**H.B. 462, Criminal Homicide and Abortion Revisions** (C. Wimmer), read the first time by short title and referred to the Rules Committee.

### MISCELLANEOUS BUSINESS

On motion of Representative Ray, the House voted to reconsider its action on **S.B. 143**.

### RECONSIDERATION OF S.B. 143

**S.B. 143**, GRAND JURY AMENDMENTS, was before the House for reconsideration.

Representative McIff proposed the following amendment:

1. Page 3, Lines 63 through 72  
63 (3) When the attorney general, a county attorney, a district attorney, municipal

64 attorney, or a special prosecutor appointed under Section  
 77–10a–12 certifies in writing to the  
 65 supervising judge that in his judgment a grand jury is necessary  
 because of criminal activity in  
 66 the state, the panel~~[, upon a determination of good cause,]~~ shall  
 order a grand jury to be  
 67 summoned~~[-]~~ if the panel finds good cause exists { ~~, or if the~~  
subject of the investigation is:  
 68 (a) any elected official or judge of the state, county, or city;  
 69 (b) any member of a school board;  
 70 (c) a candidate for any office as described in this Subsection (3);  
~~or~~  
 71 (d) any person succeeding or appointed to fill a vacant office  
described in this  
 72 Subsection (3) } .

Representative McIff’s motion to amend passed on a voice vote.

**S.B. 143**, as amended, passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wright	D. Clark		

**Absent or not voting were:** Representatives

K Gibson                      Hughes                      Last                      Sandstrom  
Wimmer

**S.B. 143**, as amended, returned to the Senate for further consideration.

**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker: March 3, 2010

The Senate refuses to concur with the House Amendments to **1st Sub. S.B. 76**, TRUST DEED AMENDMENTS, by Senator J. Valentine, and requests the House recede from its amendments.

Annette B. Moore  
Secretary of the Senate

Communication filed. On motion of Representative Fowlke, the House voted to refuse to recede from its amendments to **1st Sub. S.B. 76**. Speaker Clark appointed a Conference Committee to meet with a like committee from the Senate. Speaker Clark appointed Representatives Fowlke, Webb, and King.

**UNFINISHED BUSINESS**

On motion of Representative Lockhart, the House voted to uncircle **2nd Sub. S.B. 274**.

**2nd Sub. S.B. 274**, ONLINE PHARMACY AMENDMENTS, *Lockhart*, was before the House on its final passage. Representative Vickers commented.

**2nd Sub. S.B. 274** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last

Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wright	D. Clark

**Absent or not voting were:** Representatives

K Gibson	Newbold	Wimmer
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**2nd Sub. S.B. 274** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

### MISCELLANEOUS BUSINESS

On motion of Representative Ferry, under suspension of the rules, the House voted to lift all House Bills from the House Third Reading Calendar including all circled bills and refer them to the Rules Committee for prioritization.

Circled bills that were uncircled and returned to the Rules Committee: **H.J.R. 24, H.B. 56, 1st Sub. H.B. 83, H.B. 264, H.B. 122, H.B. 301, H.B. 309, 1st Sub. H.B. 323, H.B. 62, 1st Sub. H.B. 296, H.B. 321, H.B. 386, H.B. 130, H.R. 4, and 1st Sub. H.B. 153.**

House Bills that were returned to the Rules Committee: **1st Sub. H.B. 370, 1st Sub. H.B. 425, 1st Sub. H.J.R. 34, 1st Sub. H.B. 320, 1st Sub. H.B. 408, H.B. 421, H.B. 137, H.B. 149, 1st Sub. H.B. 295, H.B. 433, 2nd Sub. H.B. 121, H.R. 8, H.B. 429, H.B. 312, H.B. 169, H.C.R. 17, H.B. 351, H.B. 460, 1st Sub. H.B. 396, H.B. 452, 1st Sub. H.B. 397, 1st Sub. H.B. 459, and 1st Sub. H.B. 286.**

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 4, 2010

The President of the Senate has signed **H.B. 17, AMENDMENTS TO PROGRAMS FOR PEOPLE WITH DISABILITIES**, by Representative S. Mascaro, et al, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 68, HABITUAL WANTON DESTRUCTION OF WILDLIFE**, by Representative C. Oda, et al, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 108, MEAT INSPECTION AMENDMENTS**, by Representative J. Mathis, et al, and it is transmitted for the signature of the Speaker; and



The President of the Senate has signed **1st Sub. H.B. 114**, DISCLOSURE OF DONATIONS TO HIGHER EDUCATION INSTITUTIONS, by Representative C. Wimmer, et al, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 116**, POLITICAL SUBDIVISION FACILITY ENERGY EFFICIENCY, by Representative F. Hunsaker, et al, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 120**, UNDERGROUND STORAGE TANK AMENDMENTS, by Representative K. McIff, et al, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 183**, CONSTRUCTION AND FIRE CODE RELATED AMENDMENTS, by Representative M. Morley, et al, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 201**, STATE FIRE MARSHAL MODIFICATIONS, by Representative R. Menlove, et al, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 202**, FIREWORKS AMENDMENTS, by Representative R. Menlove, et al, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 228**, RENEWABLE ENERGY SOURCE AMENDMENTS, by Representative R. Barrus, et al, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 230**, HUMAN TRAFFICKING AMENDMENTS, by Representative Julie Fisher, et al, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 239**, CHILD PROTECTION REVISIONS, by Representative W. Harper, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 240**, DEPARTMENT OF NATURAL RESOURCES AMENDMENTS, by Representative J. Draxler, et al, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 257**, DIETITIAN CERTIFICATION ACT AMENDMENTS, by Representative M. Newbold, et al, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 260**, CHILDREN'S HEALTH INSURANCE PLAN SIMPLIFIED RENEWAL, by Representative M. Newbold, et al, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 276**, SEX OFFENDER REGISTRY AMENDMENT, by Representative P. Ray, et al, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 285**, PRACTICE OF VETERINARY MEDICINE, by Representative J. Mathis, et al, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 302**, MINOR ADJUSTMENTS TO COUNTY BOUNDARIES, by Representative P. Painter, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 304**, LIEUTENANT GOVERNOR AMENDMENTS, by Representative E. Hutchings, et al, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 308**, STATE FIRE CODE ADOPTION, by Representative T. Kiser, et al, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 315**, UTAH PUBLIC NOTICE WEBSITE AMENDMENTS, by Representative K. Powell, et al, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 349**, SALES AND USE TAX AMENDMENTS, by Representative W. Harper, et al, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 378**, MOTOR VEHICLE INSURANCE REQUIREMENTS, by Representative T. Kiser, et al, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.J.R. 6**, STRANGULATION AND DOMESTIC VIOLENCE JOINT RESOLUTION, by Representative J. Seelig, et al, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.J.R. 14**, JOINT RULES RESOLUTION ON FINANCIAL DISCLOSURES, by Representative G. Hughes, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.J.R. 15**, JOINT RESOLUTION ON LEGISLATIVE ETHICS COMMISSION, by Representative D. Clark, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 17, H.B. 68, H.B. 108, 1st Sub. H.B. 114, H.B. 116, H.B. 120, H.B. 183, 1st Sub. H.B. 201, H.B. 202, H.B. 228, H.B. 230, H.B. 239, H.B. 240, H.B. 257, H.B. 260, H.B. 276, H.B. 285, H.B. 302, 1st Sub. H.B. 304, H.B. 308, H.B. 315, H.B. 349, 1st Sub. H.B. 378, H.J.R. 6, H.J.R. 14, and H.J.R. 15** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: March 4, 2010

The Senate concurred in the House amendments and passed **2nd Sub. S.B. 48**, NONLAPSING AUTHORITY TECHNICAL AMENDMENTS, by Senator R. Okerlund, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **5th Sub. S.B. 88**, PHARMACY PRACTICE ACT AMENDMENTS, by Senator C. Bramble, et al, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **2nd Sub. S.B. 48** and **5th Sub. S.B. 88** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

\* \* \*

Mr. Speaker: March 4, 2010

The Senate passed **S.B. 209**, HUMANITARIAN SERVICE AND EDUCATIONAL AND CULTURAL EXCHANGE SUPPORT SPECIAL GROUP LICENSE PLATE, by Senator P. Knudson, and it is transmitted for consideration; and

The Senate passed **S.B. 220**, VEHICLE IMPOUND AMENDMENT, by Senator J. Greiner, et al, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **S.B. 209** and **S.B. 220** read the first time by short title and referred to the Rules Committee.

### THIRD READING CALENDAR

**1st Sub. S.B. 144**, VISION SCREENING AMENDMENTS, *Kiser*, read the third time by short title and placed on its final passage.

Representative Kiser proposed the following amendment:

1. Page 2, Lines 46 through 55

Senate Committee Amendments 2–17–2010

46 (6) (a) Except as provided in Subsection (6)(b), a [A] licensed health professional

47 providing vision care to private patients may not participate as a screener in a free vision

48 screening [programs] program provided by a school [districts] district.

49 (b) A school district may:

50 (i) allow a licensed health professional { that } who provides vision care to private patients to

51 participate as a screener in a free vision screening program for a child eight years of age or

52 older; { and }

53 (ii) establish guidelines to administer a free vision screening program § → [provided

54 pursuant to] described in → § Subsection (6)(b)(i) { ; } ; and

(iii) establish penalties for a violation of the requirements of Subsection (6)(c).

(c) A licensed health professional or other person who participates as a screener in a free vision screening program described in Subsection (6)(b):

(i) may not market, advertise, or promote the licensed health professional's business in connection with providing the free screening at the school; and

(ii) shall provide the child's results of the free vision screening on a form produced by the school or school district, which may not include contact information other than the name of the licensed health professional.

(d) A school district may provide information to a parent or guardian of the availability of follow up vision services for a student.

55 (7) The Department of Health shall, by rule, set standards and procedures for vision

Representative Kiser’s motion to amend passed on a voice vote.

Representatives Black and Janice Fisher commented.

**1st Sub. S.B. 144**, as amended, passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mathis	McIff	Menlove
Morley	Moss	Noel	Oda
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

Bigelow	Herrod	Mascaro	Newbold
Painter			

**1st Sub. S.B. 144**, as amended, returned to the Senate for further consideration.

**UNFINISHED BUSINESS**

On motion of Representative Riesen, the House voted to uncircle **S.B. 113**.

**S.B. 113**, WIRELESS TELEPHONE USE RESTRICTION FOR MINORS IN VEHICLES, *Riesen*, was before the House on its final passage. Representative Greenwood commented.

Representative Ferry proposed the following amendment:

- 1. Page 2, Line 43:  
Delete “(a) Except as provided in Subsection (3)(b) a” insert “A”
- 2. Page 2, Lines 45–48:  
Delete lines 45 through 48.

Representatives Hutchings and Anderson commented. Representative Ferry’s motion to amend passed on a voice vote.

Representatives Brown and Daw commented.

###

Representative Wilcox proposed the following amendment:

- 1. Page 2, Line 34:  
After “wireless telephone” insert “without a hands-free device”

Representatives Moss and Johnson commented. Representative Wilcox’s motion to amend failed on the following roll call:

**Yeas, 33; Nays, 36; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Anderson	Barrus	Bigelow	Bird
Brown	S. Clark	Daw	Dee
Dougall	Julie Fisher	Frank	Froerer
F Gibson	K Gibson	Grover	Harper
Herrod	Hughes	Hunsaker	Ipson
Kiser	Last	Lockhart	Mathis
Menlove	Morley	Noel	Oda
Sandstrom	Sumsion	Wallis	Wilcox
Wimmer			

**Voting in the negative were:** Representatives

Aagard	Allen	Beck	Biskupski
Black	Chavez–Houck	Cosgrove	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Fowlke	Gowans	Greenwood
Hansen	Hemingway	Hendrickson	Hutchings
Johnson	King	Litvack	McIff
Moss	Poulson	Powell	Ray
Riesen	Seegmiller	Seelig	Vickers
Watkins	Webb	Wheatley	Wiley

**Absent or not voting were:** Representatives

Garn	Mascaro	Newbold	Painter
Wright	D. Clark		

**S.B. 113**, as amended, passed on the following roll call:

**Yeas, 38; Nays, 31; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bird	Biskupski	Black	Chavez–Houck
Cosgrove	Draxler	S Duckworth	Dunnigan
Edwards	Janice Fisher	Gowans	Greenwood
Hansen	Hemingway	Hendrickson	Hunsaker
Hutchings	Johnson	King	Litvack
McIff	Menlove	Moss	Poulson
Powell	Ray	Riesen	Seegmiller
Seelig	Vickers	Watkins	Webb
Wheatley	Wiley		

**Voting in the negative were:** Representatives

Anderson	Bigelow	Brown	S. Clark
Daw	Dee	Dougall	Ferry
Julie Fisher	Fowlke	Frank	Froerer
F Gibson	K Gibson	Grover	Harper
Herrod	Hughes	Ipson	Kiser
Last	Lockhart	Mathis	Morley
Noel	Oda	Sandstrom	Sumsion
Wallis	Wilcox	Wimmer	

**Absent or not voting were:** Representatives

Garn	Mascaro	Newbold	Painter
Wright	D. Clark		

**S.B. 113**, as amended, returned to the Senate for further consideration.

### THIRD READING CALENDAR

**1st Sub. S.B. 52**, STATE BOARD OF REGENTS AMENDMENTS, *McIff*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

Representatives Watkins, Webb, Brown, Vickers, Dougall, and Allen commented.

Representative Wilcox proposed the following amendment:

1. Page 2, Line 39:  
After "Bureau;" insert "with no more than one member from any single county"

Representative Wilcox's motion to amend failed on a voice vote.

On motion of Representative Bigelow, the House voted to circle **1st Sub. S.B. 52**.

### RULES COMMITTEE REPORT

Mr. Speaker:

March 4, 2010

The Rules Committee recommends that the following bills and resolutions be placed on the Third Reading Calendar:

- |                           |                                                                                                 |
|---------------------------|-------------------------------------------------------------------------------------------------|
| <b>H.B. 62</b>            | Penalties for Violent Crime in Presence of a Child<br>(Rep. Janice Fisher)                      |
| <b>1st Sub. H.B. 296</b>  | Choice of Law in Utah Courts (Rep. C. Wimmer)                                                   |
| <b>H.B. 321</b>           | Bond Election Notification Revisions (Rep. G. Hughes)                                           |
| <b>H.B. 386</b>           | Interstate Compact on Educational Opportunity for<br>Military Children (Rep. G. Hughes)         |
| <b>H.B. 130</b>           | Cancer Research Special Group License Plate<br>(Rep. B. Dee)                                    |
| <b>H.R. 4</b>             | Resolution Urging Ratification of the Comprehensive<br>Nuclear Test Ban Treaty (Rep. J. Seelig) |
| <b>1st Sub. H.B. 153</b>  | Recycling of Electronic Items (Rep. R. Edwards)                                                 |
| <b>1st Sub. H.B. 370</b>  | Capital Project Amendments (Rep. S. Clark)                                                      |
| <b>1st Sub. H.B. 425</b>  | Budgetary Procedures Act – Fee Amendments<br>(Rep. R. Bigelow)                                  |
| <b>1st Sub. H.J.R. 34</b> | Joint Resolution on Hospital Claims Management<br>(Rep. B. Last)                                |
| <b>1st Sub. H.B. 408</b>  | Hospital Claims Management (Rep. B. Last)                                                       |
| <b>1st Sub. H.B. 320</b>  | Utah Construction Trades Licensing Act – Alarm<br>Companies Amendments (Rep. C. Herrod)         |
| <b>H.B. 421</b>           | Medical Financial Records Amendments (Rep. B. Last)                                             |
| <b>1st Sub. H.B. 459</b>  | Health Amendments (Rep. D. Clark)                                                               |
| <b>1st Sub. H.B. 397</b>  | Medicaid Program Amendments (Rep. J. Dougall)                                                   |
| <b>H.B. 149</b>           | School Finance Amendments (Rep. R. Bigelow)                                                     |
| <b>1st Sub. H.B. 295</b>  | Expanded Uses of School District Property Tax Revenue<br>(Rep. K. Sumsion)                      |
| <b>H.B. 433</b>           | Foreign Exchange Student Amendments<br>(Rep. C. Wimmer)                                         |



- 2nd Sub. H.B. 121** Emergency Medical Services Act Transport Amendments (Rep. G. Hughes)
- H.R. 8** Resolution Recognizing Energy Innovation in the State of Utah (Rep. E. Hutchings)
- H.B. 429** Newspaper Publication Requirements (Rep. J. Anderson)
- H.B. 312** Medical Expenses for Offenders (Rep. P. Ray)
- H.B. 169** Refinery Amendments (Rep. R. Edwards)
- H.C.R. 17** Concurrent Resolution Opposing the Use of Presidential Power to Create New National Monuments in Utah (Rep. M. Noel)
- H.B. 460** Board of Regents Amendments (Rep. B. Dee)
- 1st Sub. H.B. 396** Speech–language Pathology and Audiology Licensing Act Amendments (Rep. D. Ipson)
- H.B. 452** Collection Fees (Rep. S. Sandstrom)
- 1st Sub. H.B. 286** Retirement System Divestment (Rep. Julie Fisher)
- Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

### MISCELLANEOUS BUSINESS

On motion of Representative Ferry, under suspension of the rules, the House voted to lift **H.B. 462** from the Rules Committee, read the second time by short title and placed at the top of the Third Reading Calendar.

\* \* \*

On motion of Representative Ferry, under suspension of the rules, the House voted to lift **H.B. 461** from the Rules Committee, read the second time by short title and placed at the bottom of the Third Reading Calendar.

\* \* \*

On motion of Representative Garn, and at 5:45 p.m., the House voted to adjourn until March 5, 2010, at 8:00 a.m.

# THIRTY-NINTH DAY

\* \* \*

## MORNING SESSION

The House was called to order by Speaker Clark at 8:00 a.m.

Roll call showed all members present except Representative Mel Brown, excused.

Prayer offered by Brett Bass, Humanitarian Director, LDS Church. Pledge of Allegiance led by Frank Lokjo, Vice-President, Dixie State College; guests of Representative Don Ipson.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 4, 2010

The President of the Senate has signed **H.B. 176**, CONTINUING EDUCATION REQUIREMENTS FOR ELECTRICIANS AND PLUMBERS, by Representative W. Harper, et al, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 178**, BUREAU OF CRIMINAL IDENTIFICATION FEE AMENDMENTS, by Representative E. Hutchings, et al, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 181**, CONDOMINIUM ASSOCIATION COMMON EXPENSES, by Representative C. Moss, et al, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 275**, DIVISION OF REAL ESTATE AMENDMENTS, by Representative G. Froerer, et al, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **2nd Sub. H.B. 278**, GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT AMENDMENTS, by Representative C. Herrod, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.J.R. 23**, JOINT RESOLUTION APPROVING THE SALE OF REAL PROPERTY AT THE UTAH STATE DEVELOPMENTAL CENTER, by Representative C. Frank, et al, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.J.R. 27**, AUTHENTIC CHARITY HEALTH CARE JOINT RESOLUTION, by Representative M. Newbold, et al, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 176, 1st Sub. H.B. 178, H.B. 181, 1st Sub. H.B. 275, 2nd Sub. H.B. 278, H.J.R. 23, and H.J.R. 27** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: March 4, 2010

The Senate passed, as amended, **H.B. 18**, UNEMPLOYMENT INSURANCE AMENDMENTS, by Representative S. Mascaro, and it is transmitted for further consideration; and

The Senate passed, as amended, **1st Sub. H.B. 67**, HEALTH SYSTEM AMENDMENTS, by Representative C. Wimmer, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 73**, UTAH CONSTRUCTION TRADES CONTINUING EDUCATION AMENDMENTS, by Representative M. Morley, and it is transmitted for further consideration; and

The Senate passed, as amended, **1st Sub. H.B. 92**, MOIST SNUFF TAXATION REVISIONS, by Representative B. Daw, et al, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 200**, INFORMED CONSENT AMENDMENTS, by Representative C. Wimmer, et al, and it is transmitted for further consideration; and

The Senate passed, as amended, **1st Sub. H.B. 234**, OPTING OUT OF THE REAL ID ACT, by Representative S. Sandstrom, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 18, 1st Sub. H.B. 67, H.B. 73, 1st Sub. H.B. 92, H.B. 200, and 1st Sub. H.B. 234** placed on the Concurrence Calendar.

\* \* \*

Mr. Speaker: March 4, 2010  
The Senate passed, as substituted, and amended **1st Sub. S.B. 40**, TOBACCO TAX AMENDMENTS, by Senator A. Christensen, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. **1st Sub. S.B. 40** read the first time by short title and referred to the Rules Committee.

**MISCELLANEOUS BUSINESS**

On motion of Representative Noel, the House voted to reconsider its action on **1st Sub. H.B. 72**. The bill was placed at the top of the Third Reading Calendar.

**CONSENT CALENDAR**

**1st Sub. H.B. 155**, AGRICULTURAL ADVISORY BOARD AND LIVESTOCK RELATED POLICY, *Mathis*, read the third time by short title and placed on its final passage.

On motion of Representative Mathis, the House voted to move this bill to the top of the Third Reading Calendar.

\* \* \*

**S.B. 123**, MOTION PICTURE INCENTIVE FUND AMENDMENTS, *Hunsaker*, read the third time by short title and placed on its final passage.

**S.B. 123** passed on the following roll call:

**Yeas, 64; Nays, 1; Absent or not voting, 10.**

**Voting in the affirmative were:** Representatives

Allen	Anderson	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Greenwood
Grover	Hansen	Harper	Hemingway

Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	King	Last
Litvack	Lockhart	Mathis	McIff
Menlove	Moss	Noel	Oda
Poulson	Powell	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright

**Voting in the negative was:** Representative  
Gowans

**Absent or not voting were:** Representatives

Agard	Brown	Johnson	Kiser
Mascaro	Morley	Newbold	Painter
Ray	D. Clark		

**S.B. 123** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

\* \* \*

**S.B. 139**, PHYSICIAN ASSISTANT AMENDMENTS, *Lockhart*, read the third time by short title and placed on its final passage.

**S.B. 139** passed on the following roll call:

**Yeas, 66; Nays, 0; Absent or not voting, 9.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Garn	F Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Ipson	King	Kiser	Last
Litvack	Lockhart	Mathis	McIff
Menlove	Morley	Moss	Noel
Oda	Poulson	Powell	Ray

Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright		

**Absent or not voting were:** Representatives

Brown	Froerer	K Gibson	Hutchings
Johnson	Mascaro	Newbold	Painter
D. Clark			

**S.B. 139** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

**CONCURRENCE CALENDAR**

On motion of Representative Powell, the House voted to concur in the Senate amendments to **H.B. 115, COUNSEL FOR INDIGENTS IN JUVENILE COURT PROCEEDINGS.**

**H.B. 115**, as amended by the Senate, passed on the following roll call:

**Yeas, 67; Nays, 0; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Garn	F Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Ipson	King	Kiser	Last
Litvack	Lockhart	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	

**Absent or not voting were:** Representatives

Brown	Froerer	K Gibson	Hutchings
Johnson	Mascaro	Painter	D. Clark

**H.B. 115**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Cosgrove, the House voted to concur in the Senate amendments to **2nd Sub. H.B. 124**, CAMPAIGN FUNDS EXPENDITURE RESTRICTIONS.

**2nd Sub. H.B. 124**, as amended by the Senate, passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
King	Kiser	Last	Litvack
Lockhart	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright		

**Absent or not voting were:** Representatives

Brown	Johnson	Mascaro	Painter
D. Clark			

**2nd Sub. H.B. 124**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Harper, the House voted to concur in the Senate amendments to **2nd Sub. H.B. 259**, PROPERTY TAX AMENDMENTS.

**2nd Sub. H.B. 259**, as amended by the Senate, passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Wheatley	Wilcox	Wiley
Wimmer	Wright		

**Absent or not voting were:** Representatives

Brown	Hutchings	Mascaro	Webb
D. Clark			

**2nd Sub. H.B. 259**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Garn, the House voted to concur in the Senate amendments to **1st Sub. H.B. 267**, LOBBYIST DISCLOSURE AND REGULATION ACT AMENDMENTS.

**1st Sub. H.B. 267**, as amended by the Senate, passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski



Black	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	

**Absent or not voting were:** Representatives

Brown	Hemingway	Mascaro	D. Clark
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**1st Sub. H.B. 267**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Hughes, the House voted to concur in the Senate amendments to **1st Sub. H.B. 270**, FINANCIAL DISCLOSURE AND CONFLICT OF INTEREST AMENDMENTS.

**1st Sub. H.B. 270**, as amended by the Senate, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper

Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Bigelow	Brown	Mascaro
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**1st Sub. H.B. 270**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Webb, the House voted to concur in the Senate amendments to **H.B. 279**, COUNTY RECORDER AMENDMENTS.

**H.B. 279**, as amended by the Senate, passed on the following roll call:

**Yeas, 68; Nays, 2; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Chavez--Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hemingway	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright

**Voting in the negative were:** Representatives

Hansen                      Hendrickson

**Absent or not voting were:** Representatives

Brown                      Garn                      Harper                      Mascaro  
D. Clark

**H.B. 279**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Fowlke, the House voted to concur in the Senate amendments to **1st Sub. H.B. 284**, UNIFORM COLLABORATIVE LAW ACT.

**1st Sub. H.B. 284**, as amended by the Senate, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright

**Absent or not voting were:** Representatives

Brown                      Mascaro                      D. Clark

**1st Sub. H.B. 284**, as amended by the Senate, transmitted to the Senate for signature of President.

### THIRD READING CALENDAR

**1st Sub. H.B. 155**, AGRICULTURAL ADVISORY BOARD AND LIVESTOCK RELATED POLICY, *Mathis*, before the House on its final passage.

Representative Mathis proposed the following amendment:

1. Page 2, Line 29:  
Delete "13" and insert "14"

Representative Mathis' motion to amend passed on a voice vote.

Representative Hemingway commented.

**1st Sub. H.B. 155**, as amended, passed on the following roll call:

**Yeas, 65; Nays, 0; Absent or not voting, 10.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Chavez-Houck	Cosgrove	Daw
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Julie Fisher	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright			

**Absent or not voting were:** Representatives

Brown	S. Clark	Dee	Dougall
Janice Fisher	Fowlke	Lockhart	Mascaro
Painter	D. Clark		

**1st Sub. H.B. 155**, as amended, transmitted to the Senate for its consideration.

**RECONSIDERATION OF 1ST SUB. H.B. 72**

**1st Sub. H.B. 72**, UTAH SCHOOL SEISMIC INVENTORY, *Wiley*, was before the House on its reconsideration. Representatives Ray, Sandstrom, Oda, Powell, and Noel commented.

**1st Sub. H.B. 72** passed on the following roll call:

**Yeas, 50; Nays, 18; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Beck
Bird	Biskupski	Black	Chavez–Houck
S. Clark	Cosgrove	Dee	Draxler
S Duckworth	Dunnigan	Edwards	Janice Fisher
Julie Fisher	Froerer	Garn	F Gibson
Gowans	Grover	Hansen	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Johnson	King	Litvack	Mathis
McIff	Menlove	Moss	Noel
Oda	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer		

**Voting in the negative were:** Representatives

Barrus	Bigelow	Daw	Dougall
Ferry	Frank	K Gibson	Greenwood
Harper	Hutchings	Ipson	Kiser
Last	Newbold	Sumsion	Vickers
Wallis	Wright		

**Absent or not voting were:** Representatives

Brown	Fowlke	Lockhart	Mascaro
Morley	Painter	D. Clark	

**1st Sub. H.B. 72** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 462**, CRIMINAL HOMICIDE AND ABORTION REVISIONS, *Wimmer*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

Representatives King, Litvack, Chavez–Houck, Hemingway, and Noel commented.

**H.B. 462** passed on the following roll call:

**Yeas, 55; Nays, 15; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Greenwood	Grover	Harper	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Kiser	Last	Lockhart
Mathis	McIff	Menlove	Morley
Newbold	Noel	Oda	Poulson
Powell	Ray	Sandstrom	Sumsion
Vickers	Wallis	Webb	Wilcox
Wimmer	Wright	D. Clark	

**Voting in the negative were:** Representatives

Biskupski	Black	Chavez–Houck	Janice Fisher
Hansen	Hemingway	Johnson	King
Litvack	Moss	Riesen	Seelig
Watkins	Wheatley	Wiley	

**Absent or not voting were:** Representatives

Brown	Gowans	Mascaro	Painter
Seegmiller			

**H.B. 462** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 62, PENALTIES FOR VIOLENT CRIME IN PRESENCE OF A CHILD**, *Janice Fisher*, read the third time by short title and placed on its final passage.

Representative Litvack proposed to delete lines 26–28 and lines 69–71. Representative Riesen proposed a substitute motion to amend as follows:

1. Page 1, Line 22 through Page 2, Line 28  
House Committee Amendments 2-22-2010
  - 22 ~~{ - requires the court to order a person who commits a violent offense in the presence~~
  - 23 ~~of a child to pay restitution for any necessary counseling for each child who is~~
  - 24 ~~present when the offense was committed, unless the court states on the record why~~
  - 25 ~~the court finds the restitution would not be appropriate;~~
  - 26  ~~provides that a charge of committing a violent criminal offense in the presence of a~~
  - 27 ~~child is separate and distinct from a charge of domestic violence when the victim is~~
  - 28 ~~the cohabitant and specifies that either or both charges may be filed by the prosecutor; - } ~~H~~ → and~~
  
2. Page 2, Line 52  
House Committee Amendments 2-22-2010:
  - 52 offense involving violence or physical harm that is not a domestic violence offense as defined in Section 77-36-1 .
  
3. Page 3, Lines 65 through 71  
House Committee Amendments 2-25-2010:
  - 65 ~~{ -(4) ~~H~~ → [In addition to any other penalty, the] The ← ~~H~~~~  
court shall order a person who
  - 65a violates
  - 66 Subsection (2) to pay restitution for any necessary counseling for each child who is present
  - 67 when the violation was committed, unless the court states on the record reasons why the court
  - 68 finds the restitution would not be appropriate. }
  - 69 (5) (a) A charge under this section is separate and distinct from, and is in addition to, a
  - 70 charge of domestic violence when the victim is the cohabitant.
  - 71 (b) Either or both charges may be filed by the prosecutor.

Representative Hutchings commented. Representative Riesen's substitute motion to amend passed on a voice vote.

Representatives McIff, Greenwood, and Fowlke commented.

**H.B. 62**, as amended, passed on the following roll call:

**Yeas, 55; Nays, 14; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Allen	Barrus	Beck	Bigelow
Bird	Biskupski	Black	Chavez-Houck
S. Clark	Cosgrove	Dee	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Fowlke	Froerer	Garn	Gowans
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Ipson	Johnson	King	Last
Litvack	Lockhart	Mathis	McIff
Menlove	Moss	Noel	Oda
Poulson	Powell	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wiley	Wimmer	D. Clark	

**Voting in the negative were:** Representatives

Aagard	Anderson	Daw	Dougall
Frank	F Gibson	Greenwood	Hutchings
Kiser	Morley	Newbold	Ray
Wilcox	Wright		

**Absent or not voting were:** Representatives

Brown	Draxler	Julie Fisher	K Gibson
Mascaro	Painter		

**H.B. 62**, as amended, transmitted to the Senate for its consideration.

### COMMUNICATION FROM THE SENATE

Mr. Speaker:

March 5, 2010

The President of the Senate has appointed a Conference Committee consisting of Senators J. Valentine, A. Christensen, and G. Davis to meet with a



like committee from the House of Representatives to consider or amend **1st Sub. S.B. 76**, TRUST DEED AMENDMENTS, by Senator J. Valentine.

Annette B. Moore  
Secretary of the Senate

Communication filed. The committee may now meet.

**THIRD READING CALENDAR**

**1st Sub. H.B. 296**, CHOICE OF LAW IN UTAH COURTS, *Wimmer*, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House voted to circle **1st Sub. H.B. 296**.

\* \* \*

**H.B. 321**, BOND ELECTION NOTIFICATION REVISIONS, *Hughes*, read the third time by short title and placed on its final passage.

Representative Frank proposed the following amendment:

1. Page 1, Lines 18 through 19
  - 18       ▶       changes ballot notification requirements by:
  - 19       •       {~~requiring~~}       allowing additional information to be provided on the ballot;
  
2. Page 4, Lines 102 through 118  
House Committee Amendments 2-26-2010:
  - 102 "NOTICE {~~-~~
  - {~~-~~} {~~+~~} {~~-~~} OF {~~+~~} {~~-~~}
  - {~~-~~} PROPERTY TAX INCREASE DUE TO BOND
  - ISSUANCE {~~+~~} {~~-~~} {~~-~~<sup>H</sup>~~→~~OE
  - 102a PROPERTY TAX CHANGE AND/OR BOND ISSUANCE ←<sup>H</sup>
  - ± }
  - 103 {~~-~~} Passage of the proposition means that {~~+~~} {~~-~~if
  - the bonds are issued.} the { annual property } tax { for
  - the }
  - 104 {~~-debt service on all of the (identify the issuer)'s bonds-~~} on a
  - { \$\_\_\_\_\_ } (insert the average value of a

105 residence in the taxing entity rounded to the nearest thousand dollars) residence {+-} would

106 increase {-+} { (is not expected to change) or (is expected to increase/decrease) } \$\_\_\_\_\_ {+-} per {+-}

107 {+-} year {+-} {-} {+-} .

The tax on a (insert the value of a {+-} { and on a } business { property } having the same value

108 {+-} as the average value of a residence in the taxing entity) business would {+-} { (is not expected to) }

109 {~~change~~} or (~~is expected to~~) increase { /decrease by an average\_\_\_\_\_of } \$\_\_\_\_\_ {+-} per year {+-} {-} } . {+-} “ {+-}

110 If the bonds are not issued, (identify the issuer) will not be required to levy an annual

111 property tax to pay debt service on the bonds in the estimated amount of \$\_\_\_\_\_ over a period of

112 \_\_\_\_\_ years on a (insert the average value of a residence in the taxing entity rounded to the

113 nearest thousand dollars) residence and in the estimated amount of \$\_\_\_\_\_ over a period of \_\_\_\_\_

114 years on a business property having the same value.

115 The foregoing information is only an estimate and is not a limit on the amount of taxes

116 that the governing body may be required to levy in order to pay debt service on the bonds. The

117 governing body is obligated to levy taxes to the extent provided by law in order to pay the

118 bonds.”

Representative Allen proposed the following substitute motion to amend:

1. Page 4, Line 102a:  
Delete “CHANGE AND/OR BOND ISSUANCE” and insert “IMPACT”

Representatives Powell, Anderson, Dunnigan, Gowans, and Wright commented. Representative Allen’s substitute motion to amend passed on the following roll call:

**Yeas, 38; Nays, 33; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Beck	Bird
Biskupski	Black	Chavez–Houck	Cosgrove
S Duckworth	Edwards	Janice Fisher	Julie Fisher
Fowlke	Froerer	Gowans	Hansen
Hemingway	Hendrickson	Hughes	Johnson
King	Litvack	Mascaro	McIff
Menlove	Moss	Noel	Poulson
Powell	Ray	Sandstrom	Seegmiller
Seelig	Vickers	Watkins	Wheatley
Wiley	D. Clark		

**Voting in the negative were:** Representatives

Anderson	Barrus	S. Clark	Daw
Dee	Dougall	Draxler	Dunnigan
Ferry	Frank	Garn	F Gibson
K Gibson	Greenwood	Grover	Harper
Herrod	Hunsaker	Hutchings	Ipson
Kiser	Last	Lockhart	Mathis
Morley	Newbold	Oda	Sumsion
Wallis	Webb	Wilcox	Wimmer
Wright			

**Absent or not voting were:** Representatives

Bigelow	Brown	Painter	Riesen
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On motion of Representative Noel, the House voted to circle **H.B. 321**.

### **SPECIAL ORDER OF BUSINESS**

**H.C.R. 16**, STATUE OF RESPONSIBILITY MONUMENT CONCURRENT RESOLUTION, *Morley*, read the third time by short title and placed on its final passage.

Representative Morley introduced the artist of the Statue of Responsibility, Gary Lee Price and also introduced Daniel Bolz.

**H.C.R. 16** passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski

Black	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Poulson	Powell	Ray
Riesen	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

Brown	Draxler	Ipson	Painter
Sandstrom			

**H.C.R. 16** transmitted to the Senate for its consideration.

### MISCELLANEOUS BUSINESS

On motion of Representative Garn, under suspension of the rules, the House voted to allow two resolution files be opened concerning a house resolution dealing with speaker powers and a house joint resolution dealing with president and speaker powers.

\* \* \*

On motion of Representative Dee, under suspension of the rules, the House voted to allow a bill file to be opened entitled, “State Agency Compensation Amendments.”

### THIRD READING CALENDAR

**H.B. 386**, INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN, *Hughes*, read the third time by short title and placed on its final passage.

Representative Newbold proposed the following amendment:

1. Page 14, Lines 409 through 411
 

409 D. To { enforce } monitor compliance with the compact provisions, the rules promulgated by the  
 410 Interstate Commission, and the bylaws { ~~using all necessary and proper means, including, but~~  
 411 not limited to, the use of judicial process } . Any action to enforce compliance with the compact
  
2. Page 18, Lines 548 through 550:
 

548 1. { ~~The executive, legislative, and judicial branches of state government in each~~ } Each  
 549 member state shall enforce this compact { ~~and shall take all actions necessary and appropriate~~ } to  
 550 effectuate the compact's purposes and intent. The provisions of this compact and the rules
  
3. Page 19, Lines 578 through 581:
 

578 5. ~~The state which has been suspended or terminated is responsible for all assessments,~~  
 579 obligations, and liabilities incurred through the effective date of suspension or termination  
 580 { ~~including obligations, the performance of which extends beyond the effective date of~~  
 581 suspension or termination } not to exceed \$5,000 per year, as provided in Article XIV, Subsection E, for each year that this state is a member of the compact .
  
4. Page 20, Lines 596 through 608:
 

596 { ~~D. Enforcement,~~  
 597 1. ~~The Interstate Commission, in the reasonable exercise of its discretion, shall enforce~~  
 598 the provisions and rules of this compact.  
 599 2. ~~The Interstate Commission may, by majority vote of the members, initiate legal~~  
 600 action in the U. S. District Court for the District of Columbia or, at the discretion of the

601 ~~Interstate Commission, in the federal district where the Interstate Commission has its principal~~  
 602 ~~offices, to enforce compliance with the provisions of the compact, its promulgated rules and~~  
 603 ~~bylaws, against a member state in default. The relief sought may include both injunctive relief~~  
 604 ~~and damages. In the event judicial enforcement is necessary, the prevailing party shall be~~  
 605 ~~awarded all costs of such litigation including reasonable attorney fees.~~  
 606 ~~3. The remedies herein shall not be the exclusive remedies of the Interstate~~  
 607 ~~Commission. The Interstate Commission may avail itself of any other remedies available~~  
 608 ~~under state law or the regulation of a profession. }~~

5. Page 20, Lines 613 through 616:

613 ~~B. { The } In accordance with the funding limit established in Subsection E, the Interstate Commission may levy and collect an annual assessment from each~~  
 614 ~~member state to cover the cost of the operations and activities of the Interstate Commission and~~  
 615 ~~its staff which must be in a total amount sufficient to cover the Interstate Commission's annual~~  
 616 ~~budget as approved each year. The aggregate annual assessment amount shall be allocated~~

6. Page 22, Lines 650 through 652:

650 ~~2. Withdrawal from this compact shall be by the enactment of a statute repealing the~~  
 651 ~~same { , but shall not take effect until written notice of the withdrawal has been given by this~~  
 652 ~~state to the Governor of each other member jurisdiction } .~~

7. Page 22, Lines 657 through 659:

657 ~~4. The withdrawing state is responsible for all assessments, obligations, and liabilities~~

658 incurred through the effective date of withdrawal { ~~including obligations, the performance of~~  
 659 which extend beyond the effective date of withdrawal } , not to exceed \$5,000 per year, as provided in Article XIV, Subsection E, for each year that this state is a member of the compact .

8. Page 23, Lines 687 through 689:

687 3. In the event any provision of this compact exceeds the statutory or constitutional limits imposed  
 688 on the legislature of any member state, such provision shall be ineffective to the extent of the  
 689 conflict with the statutory or constitutional provision in question in that member state.

Representative Newbold’s motion to amend passed on a voice vote.

**H.B. 386**, as amended, passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

- |              |              |           |               |
|--------------|--------------|-----------|---------------|
| Aagard       | Allen        | Anderson  | Barrus        |
| Beck         | Bird         | Biskupski | Black         |
| Brown        | Chavez–Houck | S. Clark  | Cosgrove      |
| Daw          | Dee          | Dougall   | S Duckworth   |
| Dunnigan     | Edwards      | Ferry     | Janice Fisher |
| Julie Fisher | Fowlke       | Froerer   | Garn          |
| F Gibson     | K Gibson     | Gowans    | Greenwood     |
| Grover       | Hansen       | Harper    | Hemingway     |
| Hendrickson  | Herrod       | Hughes    | Hunsaker      |
| Hutchings    | Ipson        | Johnson   | King          |
| Kiser        | Last         | Litvack   | Lockhart      |
| Mascaro      | Mathis       | McIff     | Menlove       |
| Morley       | Moss         | Newbold   | Oda           |
| Painter      | Poulson      | Powell    | Riesen        |
| Sandstrom    | Seegmiller   | Seelig    | Sumsion       |
| Vickers      | Wallis       | Watkins   | Webb          |
| Wheatley     | Wilcox       | Wiley     | Wimmer        |
| Wright       | D. Clark     |           |               |

**Absent or not voting were:** Representatives

- |         |         |       |      |
|---------|---------|-------|------|
| Bigelow | Draxler | Frank | Noel |
| Ray     |         |       |      |

**H.B. 386**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.B. 130**, CANCER RESEARCH SPECIAL GROUP LICENSE PLATE, *Dee*, read the third time by short title and placed on its final passage. Representatives Hutchings, Watkins, Wiley, Greenwood, and Duckworth commented.

**H.B. 130** passed on the following roll call:

**Yeas, 55; Nays, 12; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Agard	Barrus	Beck	Bird
Biskupski	Black	Brown	Chavez–Houck
Cosgrove	Dee	Draxler	S Duckworth
Edwards	Ferry	Janice Fisher	Fowlke
Froerer	Garn	F Gibson	K Gibson
Greenwood	Grover	Hansen	Hemingway
Hendrickson	Herrod	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Mascaro	Mathis	Menlove
Moss	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	D. Clark	

**Voting in the negative were:** Representatives

Anderson	Daw	Dougall	Dunnigan
Julie Fisher	Frank	Harper	Morley
Newbold	Noel	Oda	Wright

**Absent or not voting were:** Representatives

Allen	Bigelow	S. Clark	Gowans
Hughes	Litvack	Lockhart	McIff

**H.B. 130** transmitted to the Senate for its consideration.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

March 5, 2010

The President of the Senate has signed **H.B. 161**, VOTER REGISTRATION AMENDMENTS, by Representative R. Chavez–Houck, et al, and it is transmitted for the signature of the Speaker; and



The President of the Senate has signed **H.B. 310**, SPENDING LIMITS AMENDMENTS, by Representative R. Bigelow, et al, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 341**, UNIFORM ATHLETE AGENTS ACT, by Representative P. Ray, et al, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.C.R. 12**, PRINTING AND GRAPHIC ARTS RECOGNITION MONTH CONCURRENT RESOLUTION, by Representative B. Daw, et al, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 161**, **H.B. 310**, **H.B. 341**, and **H.C.R. 12** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: March 5, 2010

The Senate passed, as amended, **H.B. 215**, AMENDMENTS TO PUBLIC EMPLOYEES' BENEFIT AND INSURANCE PROGRAM ACT – RISK POOLS, by Representative K. Garn, and it is transmitted for further consideration; and

The Senate passed, as amended, **2nd Sub. H.B. 388**, MOBILE HOME REVISIONS, by Representative J. Dunnigan, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 215** and **2nd Sub. H.B. 388** placed on the Concurrence Calendar.

\* \* \*

Mr. Speaker: March 5, 2010

The Senate concurred in the House amendments and passed **1st Sub. S.B. 32**, RAINWATER HARVESTING, by Senator S. Jenkins, et al, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **S.B. 113**, WIRELESS TELEPHONE USE RESTRICTION FOR MINORS IN VEHICLES, by Senator R. Romero, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **S.B. 143**, GRAND JURY AMENDMENTS, by Senator D. Liljenquist, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **S.B. 144**, VISION SCREENING AMENDMENTS, by Senator W. Niederhauser, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **3rd Sub. S.B. 145**, MEDICAL MALPRACTICE AMENDMENTS, by Senator J. S. Adams, et al, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **1st Sub. S.B. 32, S.B. 113, S.B. 143, S.B. 144**, and **3rd Sub. S.B. 145** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

\* \* \*

Mr. Speaker:

March 5, 2010

The Senate passed, as substituted, **1st Sub. S.B. 251**, VERIFICATION OF EMPLOYMENT ELIGIBILITY, by Senator D. C. Buttars, et al, and it is transmitted for consideration; and

The Senate passed **S.B. 259**, AMENDMENTS TO TOBACCO TAX, by Senator A. Christensen, et al, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **1st Sub. S.B. 251** and **S.B. 259** read the first time by short title and referred to the Rules Committee.

### MISCELLANEOUS BUSINESS

On motion of Representative Garn, under suspension of the rules, the House voted to lift **S.B. 259** from the Rules Committee, consider it read the second time by short title and placed at the top of the Senate Third Reading Calendar.

\* \* \*

On motion of Representative Garn, under suspension of the rules, the House voted to move to the Senate Third Reading Calendar.

### THIRD READING CALENDAR

**S.B. 259**, AMENDMENTS TO TOBACCO TAX, *Ray*, read the third time by short title and placed on its final passage.

**S.B. 259** passed on the following roll call:

**Yeas, 40; Nays, 27; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Brown	Chavez–Houck
S. Clark	Cosgrove	Dee	Draxler
Dunnigan	Edwards	Froerer	Garn
K Gibson	Greenwood	Hemingway	Hunsaker
Hutchings	Ipson	Johnson	King
Last	Mascaro	Mathis	Menlove
Moss	Painter	Poulson	Powell
Ray	Riesen	Seegmiller	Seelig
Vickers	Wallis	Wilcox	D. Clark

**Voting in the negative were:** Representatives

Biskupski	Black	Daw	Dougall
S Duckworth	Janice Fisher	Julie Fisher	Frank
Gowans	Grover	Hansen	Hendrickson
Herrod	Kiser	Lockhart	Morley
Newbold	Noel	Oda	Sandstrom
Sumsion	Watkins	Webb	Wheatley
Wiley	Wimmer	Wright	

**Absent or not voting were:** Representatives

Bigelow	Ferry	Fowlke	F Gibson
Harper	Hughes	Litvack	McIff

**S.B. 259** was signed by the Speaker in open session and held for potential reconsideration.

### MISCELLANEOUS BUSINESS

On motion of Representative Dee, the House voted to move to the House Third Reading Calendar.

### THIRD READING CALENDAR

**H.R. 4**, RESOLUTION URGING RATIFICATION OF THE COMPREHENSIVE NUCLEAR TEST BAN TREATY, *Seelig*, read the third time by short title and placed on its final passage.

On motion of Representative Seelig, the House voted to circle **H.R. 4**.

\* \* \*

**1st Sub. H.B. 153**, RECYCLING OF ELECTRONIC ITEMS, *Edwards*, read the third time by short title and placed on its final passage.

On motion of Representative Edwards, the House voted to circle **1st Sub. H.B. 153**.

\* \* \*

**1st Sub. H.B. 370**, CAPITAL PROJECT AMENDMENTS, *S. Clark*, read the third time by short title and placed on its final passage.

On motion of Representative S. Clark, the House voted to circle **1st Sub. H.B. 370**.

\* \* \*

**1st Sub. H.B. 425**, BUDGETARY PROCEDURES ACT – FEE AMENDMENTS, *Bigelow*, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House voted to circle **1st Sub. H.B. 425**.

\* \* \*

**1st Sub. H.J.R. 34**, JOINT RESOLUTION ON HOSPITAL CLAIMS MANAGEMENT, *Last*, read the third time by short title and placed on its final passage. Representatives King, F. Gibson and Beck commented.

**1st Sub. H.J.R. 34** passed on the following roll call:

**Yeas, 68; Nays, 2; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke

Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Harper	Hemingway	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Lockhart
Mascaro	Mathis	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright

**Voting in the negative were:** Representatives

Hansen                      Hendrickson

**Absent or not voting were:** Representatives

Litvack                      McIff                      Menlove                      Ray  
D. Clark

**1st Sub. H.J.R. 34** transmitted to the Senate for its consideration.

### UNFINISHED BUSINESS

On motion of Representative S. Clark, the House voted to uncircle **1st Sub. H.B. 370**.

**1st Sub. H.B. 370**, CAPITAL PROJECT AMENDMENTS, *S. Clark*, was before the House on its final passage.

Representative Wiley proposed the following amendment:

1. Page 9, Lines 266 through 271

266        (2) (a) (i) Except as provided in Subsections (3) and (4), the  
director shall exercise

267 direct supervision over the design and construction of all new  
facilities, and all alterations,

268 repairs, and improvements to existing facilities if the total project  
construction cost, regardless

269 of the funding source, is greater than \$100,000[-] unless there  
is memorandum of

270 understanding between the director and an institution of higher  
education that permits the

271 institution of higher education to exercise direct supervision for a project with a total project construction cost of not greater than \$250,000 .

Representative Wiley's motion to amend passed on a voice vote.

Representative Froerer commented.

**1st Sub. H.B. 370**, as amended, passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Seegmiller	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	

**Absent or not voting were:** Representatives

Menlove	Sandstrom	Seelig	D. Clark
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**1st Sub. H.B. 370**, as amended, transmitted to the Senate for its consideration.

### UNFINISHED BUSINESS

On motion of Representative Bigelow, the House voted to uncircle **1st Sub. H.B. 425**.

**1st Sub. H.B. 425**, BUDGETARY PROCEDURES ACT – FEE AMENDMENTS, *Bigelow*, was before the House on its final passage.

**1st Sub. H.B. 425** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer

**Absent or not voting were:** Representatives

Menlove	Wright	D. Clark
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**1st Sub. H.B. 425** transmitted to the Senate for its consideration.

### COMMUNICATION FROM THE SENATE

Mr. Speaker:

March 5, 2010

The Senate requests the return of **H.B. 17**, AMENDMENTS TO PROGRAMS FOR PEOPLE WITH DISABILITIES, by Representative S. Mascaro, for reconsideration.

Annette B. Moore

Secretary of the Senate

Communication filed. On motion of Representative Mascaro, the House voted to return **H.B. 17** to the Senate.

### THIRD READING CALENDAR

**1st Sub. H.B. 408**, HOSPITAL CLAIMS MANAGEMENT, *Last*, read the third time by short title and placed on its final passage.

**1st Sub. H.B. 408**, as amended, passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Lockhart
Mascaro	Mathis	McIff	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer			

**Absent or not voting were:** Representatives

Daw	Hansen	Litvack	Menlove
Wright	D. Clark		

**1st Sub. H.B. 408**, as amended, transmitted to the Senate for its consideration.

**MISCELLANEOUS BUSINESS**

On motion of Representative Garn, the House voted to recess until 2:00 p.m.

**AFTERNOON SESSION**

The House was called to order by Speaker Clark at 2:20 p.m.



**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker:

March 5, 2010

The President of the Senate has signed **H.B. 115**, COUNSEL FOR INDIGENTS IN JUVENILE COURT PROCEEDINGS, by Representative K. Powell, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **2nd Sub. H.B. 124**, CAMPAIGN FUNDS EXPENDITURE RESTRICTIONS, by Representative T. Cosgrove, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **2nd Sub. H.B. 259**, PROPERTY TAX AMENDMENTS, by Representative W. Harper, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 267**, LOBBYIST DISCLOSURE AND REGULATION ACT AMENDMENTS, by Representative K. Garn, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 270**, FINANCIAL DISCLOSURE AND CONFLICT OF INTEREST AMENDMENTS, by Representative G. Hughes, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 279**, COUNTY RECORDER AMENDMENTS, by Representative R. C. Webb, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 284**, UNIFORM COLLABORATIVE LAW ACT, by Representative L. Fowlke, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 462**, CRIMINAL HOMICIDE AND ABORTION REVISIONS, by Representative C. Wimmer, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.C.R. 16**, STATUE OF RESPONSIBILITY MONUMENT CONCURRENT RESOLUTION, by Representative M. Morley, and it is transmitted for the signature of the Speaker.

Annette B. Moore

Secretary of the Senate

Communications filed. **H.B. 115**, **2nd Sub. H.B. 124**, **2nd Sub. H.B. 259**, **1st Sub. H.B. 267**, **1st Sub. H.B. 270**, **H.B. 279**, **1st Sub. H.B. 284**, **H.B. 462**, and

**H.C.R. 16** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker:

March 5, 2010

The Senate passed, as substituted, **1st Sub. S.B. 154**, POSTCONVICTION REMEDIES ACT AMENDMENTS, by Senator J. S. Adams, and it is transmitted for consideration; and

The Senate passed, as substituted, **2nd Sub. S.B. 199**, MUNICIPAL BOUNDARY CLARIFICATION, by Senator R. Okerlund, et al, and it is transmitted for consideration; and

The Senate passed **S.B. 219**, CRIMINAL NUISANCE AMENDMENT, by Senator J. Greiner, et al, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 238**, LONG-TERM CARE FACILITY – MEDICAID CERTIFICATION FOR BED CAPACITY AMENDMENTS, by Senator L. Robles, and it is transmitted for consideration; and

The Senate passed **1st Sub. S.B. 252**, BAIL BOND ACT AMENDMENTS, by Senator D. Stowell, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **1st Sub. S.B. 154**, **2nd Sub. S.B. 199**, **S.B. 219**, **S.B. 238**, and **1st Sub. S.B. 252** read the first time by short title and referred to the Rules Committee.

\* \* \*

Mr. Speaker:

March 5, 2010

The Senate refuses to concur with the House Amendments to **2nd Sub. S.J.R. 3**, JOINT RESOLUTION ON ETHICS COMPLAINT PROCEDURES, by Senator J. Valentine, et al, and requests the House recede from its amendments.

Annette B. Moore  
Secretary of the Senate

Communication filed. On motion of Representative Litvack, the House voted to recede from its amendments. **2nd S.J.R. 3** passed on the following roll call:

**Yeas, 69; Nays, 2; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wright
D. Clark			

**Voting in the negative were:** Representatives

Hansen	Riesen
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**Absent or not voting were:** Representatives

S. Clark	Hutchings	Ray	Wimmer
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**2nd Sub. S.J.R. 3** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

**CONFERENCE COMMITTEE REPORT**

Mr. Speaker:

March 5, 2010

The Joint Conference Committee comprised of Senators Valentine, Christensen, and Davis, and Reps. Fowlke, Webb, and King, recommends **1st Sub. S.B. 76**, TRUST DEED AMENDMENTS, by Senator J. Valentine, with the following amendments:

1. Pages 3, Lines 82, After “request is” delete “made” and insert “received”

2. Pages 3, Lines 85, After “request is” delete “made” and insert “received”

John L. Valentine, Senate Chair

Lorie D. Fowlke, House Chair

Report filed. On motion of Representative Fowlke, the House voted to adopt the Conference Committee Report.

**1st Sub. S.B. 76**, as amended, passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Johnson	King	Kiser
Last	Litvack	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wright
D. Clark			

**Absent or not voting were:** Representatives

S. Clark	Ferry	Hutchings	Ipson
Lockhart	Wimmer		

**1st Sub. S.B. 76**, as amended, was transmitted to the Senate for further consideration.

### INTRODUCTION OF BILL

**H.C.R. 18, Workforce Needs Concurrent Resolution** (B. Dee), read the first time by short title and referred to the Rules Committee.

### MISCELLANEOUS BUSINESS

On motion of Representative Garn, the House voted that for the remainder of the 2010 General Session all bills that have not had a House standing committee

hearing will be considered and voted on the Third Reading Calendars under suspension of the rules.

**THIRD READING CALENDAR**

**1st Sub. H.B. 320**, UTAH CONSTRUCTION TRADES LICENSING ACT – ALARM COMPANIES AMENDMENTS, *Herrod*, read the third time by short title and placed on its final passage.

On motion of Representative Herrod, the House voted to delete **1st Sub. H.B. 320** in title and body and insert **2nd Sub. H.B. 320** in lieu thereof.

**2nd Sub. H.B. 320** passed on the following roll call:

**Yeas, 52; Nays, 17; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Black	Brown
Daw	Dee	Dougall	Draxler
Edwards	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	F Gibson
K Gibson	Greenwood	Grover	Harper
Hemingway	Herrod	Hughes	Hunsaker
Ipson	King	Last	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Newbold	Noel	Oda
Painter	Powell	Ray	Sandstrom
Seelig	Sumsion	Vickers	Wallis
Webb	Wimmer	Wright	D. Clark

**Voting in the negative were:** Representatives

Biskupski	Chavez–Houck	Cosgrove	S Duckworth
Dunnigan	Gowans	Hansen	Hendrickson
Johnson	Kiser	Litvack	Moss
Poulson	Riesen	Seegmiller	Wheatley
Wiley			

**Absent or not voting were:** Representatives

Bigelow	S. Clark	Garn	Hutchings
Watkins	Wilcox		

**2nd Sub. H.B. 320** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 421**, MEDICAL FINANCIAL RECORDS AMENDMENTS, *Last*, read the third time by short title and placed on its final passage.

Representative Last proposed the following amendment:

1. Page 1, Line 10

10 information of a patient from a bank or other financial institution  
when {~~-determining-~~} assisting with

2. Page 2, Lines 42 through 44:

42 { ~~(b) is not able to independently determine eligibility for~~  
~~Medicaid qualification for the~~

43 patient; } and

44 { ~~(e)~~ } (b) has received adequate documentation  
from the patient, such as a valid driver license

Representative Last’s motion to amend passed on a voice vote.

**H.B. 421**, as amended, passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

Anderson                    S. Clark                    Greenwood                    Hutchings  
Webb

**H.B. 421**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**S.B. 259**, previously held for potential reconsideration, was returned to the Senate for signature of the President.

\* \* \*

**1st Sub. H.B. 459**, HEALTH AMENDMENTS, *D. Clark*, read the third time by short title and placed on its final passage.

Representative D. Clark proposed the following amendment:

- 1. Page 14, Lines 408 through 409

408     If approved by two-thirds of all the members elected to each  
house.    {~~Section~~

409     ~~31A-22-722.5~~ }     this bill     takes effect upon approval by the  
governor, or the day following the

Representative D. Clark’s motion to amend passed on a voice vote.

**1st Sub. H.B. 459**, as amended, passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez-Houck	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hunsaker
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda

Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Vickers	Wallis	Watkins	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

S. Clark	Greenwood	Hughes	Hutchings
Sumsion	Webb		

**1st Sub. H.B. 459**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**1st Sub. H.B. 397**, MEDICAID PROGRAM AMENDMENTS, *Dougall*, read the third time by short title and placed on its final passage.

On motion of Representative Dougall, the House voted to delete **1st Sub. H.B. 397** in title and body and insert **2nd Sub. H.B. 397** in lieu thereof.

Representative Dougall proposed the following amendment:

1. Page 1, Line 16

16 • the feasibility of establishing a medical homes model;  
 ▶ requires the Department of Human Services to report to the Legislature when changes to the state Medicaid plan, or a Medicaid waiver effect the care of children and youth in custody of the Division of Child and Family Services or the Division of Juvenile Justice Services;

2. Page 9, Lines 252 through 253:

252 transfer of funds within the department's budget.

(4)(a) The Department of Human Services shall report to the Legislative Health and Human Services Appropriations Subcommittee no later that December 31, 2012 in accordance with Subsection (b).

(b) The report required by Subsection (a) shall include:

(i) changes made by the division or the department beginning July 1, 2010 that effect the Medicaid program, a waiver under the Medicaid program, or an interpretation of Medicaid services or funding, that relate to care for children and youth in the custody of the Division of Child and Family Services or the Division of Juvenile Justice Services;

(ii) the history and impact of the changes under Subsection (b)(i);



(iii) the Department of Human Service's plans for addressing the impact of the changes under Subsection (b)(i); and

(iv) ways to consolidate administrative functions within the Department of Human Services, the Department of Health, the Division of Child and Family Services, and the Division of Juvenile Justice Services to more efficiently meet the needs of children and youth with mental health and substance disorder treatment needs.

253        {-(4)-}        (5) Any rules adopted by the department under Subsection (2) are subject to review and

3. Page 9, Line 255:

255        {-(5)-}        (6) The department may, in its discretion, contract with the Department of Human

4. Page 9, Line 262:

262        {-(6)-}        (7) The department shall provide, by rule, disciplinary measures and sanctions for

5. Page 9, Line 268:

268        {-(7)-}        (8) Funds collected as a result of a sanction imposed under Section 1919 of Title XIX

6. Page 9, Line 272:

272        {-(8)-}        (9) (a) In determining whether an applicant or recipient is eligible for a service or

7. Page 10, Line 283:

283        (ii) the department must determine that Subsection {-(8)-} (9) (a) can be implemented within

8. Page 10, Line 285:

285        {-(9)-}        (10) (a) For purposes of this Subsection {-(9)-} (10) :

9. Page 10, Lines 295 through 297:

295        {-(10)-}        (11) The department shall conduct internal audits of the Medicaid program, in

296 proportion to at least the level of funding it receives from Medicaid to conduct internal audits.

297        ~~{-(11)-}~~        (12)    In order to determine the feasibility of contracting for direct Medicaid providers

10. Page 11, Line 306:

306        ~~{-(12)-}~~        (13)    (a) By December 31, 2010, the department shall:

11. Page 11, Line 309:

309        (ii) report the department's findings and recommendations under Subsection ~~{-(12)-}~~        (13)    (a)(i)

12. Page 11, Line 312:

312        described in Subsection ~~{-(12)-}~~        (13)    (a) is feasible, and the Health and Human Services Appropriations

13. Page 11, Line 321:

321        ~~{-(13)-}~~        (14)    (a) The department may apply for and, if approved, implement a demonstration

14. Page 11, Line 323:

323        (b) A health opportunity account established under Subsection ~~{-(13)-}~~        (14)    (a) shall be an

15. Page 11, Line 326:

326        (c) Subsection ~~{-(13)-}~~        (14)    (a) is not intended to expand the coverage of the Medicaid program.

Representative Dougall's motion to amend passed on a voice vote.

**2nd Sub. H.B. 397**, as amended, passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez-Houck	Cosgrove	Daw
Dee	Dougall	Draxler	Dunnigan
Edwards	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Grover

Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Anderson	S. Clark	S Duckworth	Greenwood
Hutchings	Webb		

**2nd Sub. H.B. 397**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.B. 149**, SCHOOL FINANCE AMENDMENTS, *Bigelow*, read the third time by short title and placed on its final passage. Representative Allen commented.

**H.B. 149** passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Morley
Moss	Newbold	Noel	Oda

Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

S. Clark	Ferry	Hutchings	Menlove
Webb			

**H.B. 149** transmitted to the Senate for its consideration.

\* \* \*

**1st Sub. H.B. 295**, EXPANDED USES OF SCHOOL DISTRICT PROPERTY TAX REVENUE, *Sumsion*, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House voted to circle **1st Sub. H.B. 295**.

\* \* \*

**H.B. 433**, FOREIGN EXCHANGE STUDENT AMENDMENTS, *Wimmer*, read the third time by short title and placed on its final passage. Representative Beck commented.

**H.B. 433** passed on the following roll call:

**Yeas, 68; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	Mclff

Morley	Moss	Newbold	Noel
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Watkins	Wheatley
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

S. Clark	Hughes	Menlove	Oda
Wallis	Webb	Wilcox	

**H.B. 433** transmitted to the Senate for its consideration.

\* \* \*

**2nd Sub. H.B. 121**, EMERGENCY MEDICAL SERVICES ACT TRANSPORT AMENDMENTS, *Hughes*, read the third time by short title and placed on its final passage.

On motion of Representative Hughes, the House voted to delete **2nd Sub. H.B. 121** in title and body and insert **3rd Sub. H.B. 121** in lieu thereof.

Representative Hughes proposed the following amendment:

1. Page 10, Lines 280 through 284
 

280     **(b) the department determines, in accordance with Subsection**  
       { ~~(5)~~ }     **(2)(b) that the complaint**  
 281 **has merit.**

282     **(5) (a) If the department receives a complaint under Subsection**  
       { ~~(4)~~ }     **(2)(b) , the department**  
 283 **shall request a written response from the non-911 provider**  
       **concerning the complaint.**

284     **(b) The department shall make a determination under**  
       **Subsection { ~~(4)~~ }     **(2)(b) based on:****
2. Page 10, Line 288:
 

288     **(c) The department’s determination under**     { ~~this~~ }  
       **Subsection { ~~(5)~~ }     **(2)(b) is not subject to an****

Representative Hughes’ motion to amend passed on a voice vote.

###

Representative Harper proposed the following amendment:

- 1. Page 2, Line 44:  
After “seven” insert “or ten”

Representative Harper’s motion to amend passed on a voice vote.

Representatives Draxler, Lockhart, Hemingway, and Noel commented.

**3rd Sub. H.B. 121**, as amended, passed on the following roll call:

**Yeas, 64; Nays, 2; Absent or not voting, 9.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	Cosgrove
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Frank	Garn	F Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Morley	Moss	Noel
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Wheatley
Wiley	Wimmer	Wright	D. Clark

**Voting in the negative were:** Representatives

Fowlke	Menlove
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**Absent or not voting were:** Representatives

S. Clark	Daw	Froerer	K Gibson
Newbold	Oda	Painter	Webb
Wilcox			

**3rd Sub. H.B. 121**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.R. 8**, RESOLUTION RECOGNIZING ENERGY INNOVATION IN THE STATE OF UTAH, *Hutchings*, read the third time by short title and placed on its final passage.

**H.R. 8** passed on the following roll call:

**Yeas, 65; Nays, 0; Absent or not voting, 10.**

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	Cosgrove	Daw
Dougall	Draxler	S Duckworth	Dunnigan
Edwards	Ferry	Janice Fisher	Julie Fisher
Frank	Froerer	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Poulson	Powell	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Allen	S. Clark	Dee	Fowlke
Garn	Hughes	Oda	Painter
Ray	Wilcox		

**H.R. 8** signed by the Speaker and referred to staff for enrolling and transmission to the Lt. Governor.

\* \* \*

**H.B. 429**, NEWSPAPER PUBLICATION REQUIREMENTS, *Anderson*, read the third time by short title and placed on its final passage.

Representative Anderson proposed the following amendment:

1. Page 2, Line 31:  
Delete “residents” and insert “addresses”
2. Page 2, Line 34:  
Delete “second-class matter” and insert “general publications periodicals”

Representative Anderson's motion to amend passed on a voice vote.

###

Representative Powell proposed the following amendment:

1. Page 2, Lines 36 through 38

36 (b) for a newspaper with the majority of its distribution in a county of the first or second class:

(i) have not less than 40% editorial content; and

37 (ii) be distributed for at least the previous 12 months to at least 55% of the residents for

38 which the notice is intended.

Representative Powell's motion to amend passed on a voice vote.

Representatives Hemingway, Chavez–Houck, and Johnson commented.

**H.B. 429**, as amended, passed on the following roll call:

**Yeas, 54; Nays, 17; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Beck	Bigelow
Biskupski	Black	Brown	Chavez–Houck
S. Clark	Cosgrove	Daw	Draxler
S Duckworth	Dunnigan	Janice Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
Gowans	Greenwood	Grover	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Last	Litvack	Lockhart
Mascaro	Mathis	Morley	Moss
Noel	Oda	Poulson	Powell
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wheatley	Wiley
Wimmer	Wright		

**Voting in the negative were:** Representatives

Allen	Barrus	Bird	Dee
Dougall	Edwards	Ferry	Julie Fisher
K Gibson	Hansen	Kiser	Menlove
Wallis	Watkins	Webb	Wilcox
D. Clark			



**Absent or not voting were:** Representatives

McIff                      Newbold                      Painter                      Ray

**H.B. 429**, as amended, transmitted to the Senate for its consideration.

**UNFINISHED BUSINESS**

On motion of Representative Sumsion, the House voted to uncircle **1st Sub. H.B. 295**.

**1st Sub. H.B. 295**, EXPANDED USES OF SCHOOL DISTRICT PROPERTY TAX REVENUE, *Sumsion*, was before the House on its final passage.

On motion of Representative Sumsion, the House voted to delete **1st Sub. H.B. 295** in title and body and insert **2nd Sub. H.B. 295** in lieu thereof.

Representative Wimmer commented.

Representative Bigelow proposed the following amendment:

1. Page 1, Line 21:  
Delete “years” and insert “year” and delete “and 2011–12”
2. Page 3, Line 69:  
Delete “years” and insert “year” and delete “and 2011–12”

Representatives Bird, Mascaro, Harper, Kiser, and Watkins commented. Representative Bigelow’s motion to amend failed on the following roll call:

**Yeas, 21; Nays, 53; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Bigelow	Daw	Dee	Dougall
Ferry	F Gibson	K Gibson	Grover
Hutchings	Ipson	Last	Lockhart
Morley	Newbold	Noel	Powell
Sandstrom	Wallis	Webb	Wright
D. Clark			

**Voting in the negative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Draxler	S Duckworth	Dunnigan	Edwards

Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gowans	Greenwood
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hunsaker	Johnson	King
Kiser	Litvack	Mascaro	Mathis
McIff	Menlove	Moss	Oda
Painter	Poulson	Ray	Riesen
Seegmiller	Seelig	Sumsion	Vickers
Watkins	Wheatley	Wilcox	Wiley
Wimmer			

**Absent or not voting was:** Representative  
Hughes

###

Representative Dunnigan proposed the following amendment:

1. Page 1, Lines 20 through 21

20       ▶       allows local school boards to use revenue collected from  
certain capital property tax

21 levies for certain general fund purposes for fiscal years  
2010–11 and 2011–12;

2. Page 3, Lines 68 through 78:

68       (5) (a) Notwithstanding Subsections (1)(a), (b), and (c) and  
subject to { Subsection } Subsections

69 (5)(b) and (c) , for fiscal years 2010–11 and 2011–12, a local  
school board may use the proceeds of the

70 local school board’s capital outlay levy for general fund purposes if  
the proceeds are not

71 committed or dedicated to pay debt service or bond payments.

72       (b) If a local school board uses the proceeds described in  
Subsection (5)(a) for general

73 fund purposes, the local school board shall notify the public of the  
local school board’s use of

74 the capital outlay levy proceeds for general fund purposes:

75       (i) prior to the board’s budget hearing in accordance with the  
notification requirements

76 described in Section 53A–19–102; and

77 (ii) at a budget hearing required in Section 53A–19–102.

(c) A local school board may not use the proceeds described in Subsection (5)(a) to fund the following accounting function classifications as provided in the Financial Accounting for Local and State School Systems guidelines developed by the National Center for Education Statistics:

(i) 2300 Support Services – General District Administration; or

(ii) 2500 Support Services – Central Services.

78 Section 2. Section 53A–19–102 is amended to read:

Representative Mascaro commented. Representative Dunnigan’s motion to amend passed on a voice vote.

Representatives Black, Poulson, Watkins, Hughes, Dougall, and Bird commented.

**2nd Sub. H.B. 295**, as amended, passed on the following roll call:

**Yeas, 74; Nays, 0; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting was:** Representative  
Last

**2nd Sub. H.B. 295**, as amended, transmitted to the Senate for its consideration.

### MISCELLANEOUS BUSINESS

On motion of Representative Hutchings, under suspension of the rules, the House voted to allow a bill file to be opened concerning Granite School District.

\* \* \*

On motion of Representative Ferry, under suspension of the rules, the House voted to lift **H.B. 353**, **H.J.R. 32**, and **H.C.R. 18** from the Rules committee, consider them read the second time by short title and placed at the bottom of the Third Reading Calendar.

\* \* \*

On motion of Representative Dee, and at 4:30 p.m., the House voted to adjourn until March 8, 2010, at 8:00 a.m.

# FORTY-SECOND DAY

\* \* \*

## MORNING SESSION

The House was called to order by Speaker Clark at 8:00 a.m.

Roll call showed all members present.

Prayer offered by William Fowlke, Representative Lorie Fowlke’s husband. Pledge of Allegiance led by Josselyn Jack, Representative Fowlke’s granddaughter.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 5, 2010  
The President of the Senate has signed **1st Sub. H.B. 196**, TOBACCO TAX REVISIONS, by Representative P. Ray, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communication filed. **1st Sub. H.B. 196** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: March 5, 2010  
The Senate passed, as amended, **S.B. 66**, PUBLIC SCHOOL EXTRACURRICULAR ACTIVITIES FOR HOME SCHOOL AND PRIVATE SCHOOL STUDENTS, by Senator M. Madsen, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 157**, MOTOR VEHICLE DEALER FRANCHISE AMENDMENTS, by Senator C. Bramble, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **1st Sub. S.B. 161**, REAL PROPERTY TRANSFER FEE AMENDMENTS, by Senator M. Madsen, and it is transmitted for consideration; and

The Senate passed, as substituted, **3rd Sub. S.B. 175**, SCHOOL DISTRICT CAPITAL OUTLAY EQUALIZATION AMENDMENTS, by Senator B. McAdams, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 188**, CHARTER SCHOOL AMENDMENTS, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 198**, ECONOMIC DEVELOPMENT INCENTIVE AMENDMENTS, by Senator J. Valentine, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 231**, MEDICAL BENEFITS UNDER WORKERS' COMPENSATION, by Senator D. C. Buttars, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 273**, HOSPITAL ASSESSMENTS, by Senator L. Hillyard, and it is transmitted for consideration.

Annette B. Moore

Secretary of the Senate

Communications filed. **S.B. 66, S.B. 157, 1st Sub. S.B. 161, 3rd Sub. S.B. 175, S.B. 188, S.B. 198, S.B. 231, and S.B. 273** read the first time by short title and referred to the Rules Committee.

### CONSENT CALENDAR

**1st Sub. S.B. 51**, BIOPROSPECTING, *Hunsaker*, read the third time by short title and placed on its final passage.

**1st Sub. S.B. 51** passed on the following roll call:

**Yeas, 62; Nays, 0; Absent or not voting, 13.**

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Hunsaker	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	Menlove
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Riesen

Seegmiller	Seelig	Vickers	Wallis
Watkins	Webb	Wilcox	Wiley
Wright	D. Clark		

**Absent or not voting were:** Representatives

Allen	Cosgrove	Frank	Herrod
Hughes	Hutchings	McIff	Morley
Ray	Sandstrom	Sumsion	Wheatley
Wimmer			

**1st Sub. S.B. 51** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 149**, UTAH FOREST PRACTICES ACT AMENDMENTS, *K. Gibson*, read the third time by short title and placed on its final passage.

**S.B. 149** passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

Herrod	Hughes	McIff	Sandstrom
Wheatley			

**S.B. 149** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.C.R. 7**, CONCURRENT RESOLUTION APPROVING SOLID WASTER FACILITY CLASSIFICATION CHANGE, *Wright*, read the third time by short title and placed on its final passage.

**S.C.R. 7** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Garn	McIff	Wheatley
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**S.C.R. 7** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 167**, ALCOHOLIC BEVERAGE CONTROL ACT RECODIFICATION, *Hughes*, read the third time by short title and placed on its final passage.



**S.B. 167**, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

McIff	Webb	Wheatley
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**S.B. 167**, as amended, transmitted to the Senate for its consideration.

### CONCURRENCE CALENDAR

On motion of Representative Mascaro, the House voted to concur in the Senate amendments to **H.B. 18, UNEMPLOYMENT INSURANCE AMENDMENTS.**

**H.B. 18**, as amended by the Senate, passed on the following roll call:

**Yeas, 47; Nays, 22; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Allen	Barrus	Beck	Bigelow
Bird	Biskupski	Black	Brown
S. Clark	Cosgrove	Dee	Draxler
S Duckworth	Dunnigan	Edwards	Ferry

Janice Fisher	Fowlke	Froerer	Garn
Gowans	Hansen	Harper	Hemingway
Hendrickson	Hunsaker	Hutchings	Ipson
Johnson	King	Last	Litvack
Mascaro	Menlove	Moss	Oda
Painter	Poulson	Powell	Ray
Riesen	Seegmiller	Seelig	Wallis
Watkins	Webb	Wiley	

**Voting in the negative were:** Representatives

Anderson	Daw	Dougall	Frank
F Gibson	K Gibson	Greenwood	Grover
Herrod	Hughes	Kiser	Lockhart
Mathis	Morley	Newbold	Noel
Sandstrom	Sumsion	Vickers	Wilcox
Wimmer	Wright		

**Absent or not voting were:** Representatives

Agard	Chavez–Houck	Julie Fisher	McIff
Wheatley	D. Clark		

**H.B. 18**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Wimmer, the House voted to concur in the Senate amendments to **1st Sub. H.B. 67**, HEALTH SYSTEM AMENDMENTS.

**1st Sub. H.B. 67**, as amended by the Senate, passed on the following roll call:

**Yeas, 53; Nays, 20; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Bigelow	Bird	Brown	S. Clark
Daw	Dee	Dougall	Draxler
Dunnigan	Edwards	Ferry	Julie Fisher
Fowlke	Frank	Froerer	F Gibson
K Gibson	Greenwood	Grover	Harper
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Kiser	Last
Lockhart	Mascaro	Mathis	McIff

Menlove	Morley	Newbold	Noel
Oda	Painter	Powell	Ray
Sandstrom	Sumsion	Vickers	Wallis
Webb	Wilcox	Wiley	Wimmer
Wright			

**Voting in the negative were:** Representatives

Beck	Biskupski	Black	Chavez–Houck
Cosgrove	S Duckworth	Janice Fisher	Gowans
Hansen	Hemingway	Johnson	King
Litvack	Moss	Poulson	Riesen
Seegmiller	Seelig	Watkins	Wheatley

**Absent or not voting were:** Representatives

Garn	D. Clark
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**1st Sub. H.B.67**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Morley, the House voted to concur in the Senate amendments to **H.B. 73**, UTAH CONSTRUCTION TRADES CONTINUING EDUCATION AMENDMENTS.

**H.B. 73**, as amended by the Senate, passed on the following roll call:

**Yeas, 74; Nays, 0; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley

Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright		

**Absent or not voting was:** Representative  
D. Clark

**H.B. 73**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Daw, the House voted to concur in the Senate amendments to **1st Sub. H.B. 92**, MOIST SNUFF TAXATION REVISIONS.

**1st Sub. H.B. 92**, as amended by the Senate, passed on the following roll call:

**Yeas, 68; Nays, 4; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wright

**Voting in the negative were:** Representatives

F Gibson	Morley	Sumsion	Wimmer
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**Absent or not voting were:** Representatives

S. Clark                      Hendrickson                      D. Clark

**1st Sub. H.B. 92**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Wimmer, the House voted to concur in the Senate amendments to **H.B. 200**, INFORMED CONSENT AMENDMENTS.

**H.B. 200**, as amended by the Senate, passed on the following roll call:

**Yeas, 55; Nays, 16; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Brown
Cosgrove	Daw	Dee	Dougall
Draxler	Dunnigan	Edwards	Ferry
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Greenwood
Grover	Harper	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Kiser
Last	Lockhart	Mascaro	Mathis
Menlove	Morley	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Webb
Wilcox	Wimmer	Wright	

**Voting in the negative were:** Representatives

Biskupski	Black	Chavez–Houck	S Duckworth
Janice Fisher	Gowans	Hansen	Hemingway
Johnson	King	Litvack	Moss
Riesen	Watkins	Wheatley	Wiley

**Absent or not voting were:** Representatives

S. Clark                      Hendrickson                      McIff                      D. Clark

**H.B. 200**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Sandstrom, the House voted to concur in the Senate amendments to **1st Sub. H.B. 234**, OPTING OUT OF THE REAL ID ACT.

**1st Sub. H.B. 234**, as amended by the Senate, passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	Menlove
Morley	Moss	Newbold	Noel
Oda	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright		

**Absent or not voting were:** Representatives

S. Clark	Hendrickson	McIff	Painter
D. Clark			

**1st Sub. H.B. 234**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Garn, the House voted to concur in the Senate amendments to **H.B. 215**, AMENDMENTS TO PUBLIC EMPLOYEES' BENEFIT AND INSURANCE PROGRAM ACT – RISK POOLS.

**H.B. 215**, as amended by the Senate, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski

Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	Menlove	Morley	Moss
Newbold	Noel	Oda	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright

**Absent or not voting were:** Representatives

McIff	Painter	D. Clark
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**H.B. 215**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Dunnigan, the House voted to concur in the Senate amendments to **2nd Sub. H.B. 388**, MOBILE HOME REVISIONS.

**2nd Sub. H.B. 388**, as amended by the Senate, passed on the following roll call:

**Yeas, 75; Nays, 0; Absent or not voting, 0.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson

Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**2nd Sub. H.B. 388**, as amended by the Senate, transmitted to the Senate for signature of President.

**MISCELLANEOUS BUSINESS**

On motion of Representative Garn, under suspension of the rules, the House voted to lift **S.B. 157**, MOTOR VEHICLE DEALER FRANCHISE AMENDMENTS, from the Rules Committee, consider it read the second time by short title and placed at the top of the Senate Third Reading Calendar.

**THIRD READING CALENDAR**

**H.B. 312**, MEDICAL EXPENSES FOR OFFENDERS, *Ray*, read the third time by short title and placed on its final passage.

On motion of Representative Ray, the House voted to circle **H.B. 312**.

\* \* \*

**H.B. 169**, REFINERY AMENDMENTS, *Edwards*, read the third time by short title and placed on its final passage.

Representative Edwards proposed the following amendment:

1. Page 2, Lines 29 through 31
  - 29 (1) As used in this section, “develop” or “development”  
means     
      (a) the construction,
  - 30 alteration, or improvement of land, including any related moving,  
demolition, or excavation
  - 31 outside of a refinery property boundary { }    
      (b) the subdivision of land for a non-industrial use; or



(c) the construction of a non-industrial structure on a parcel that is not subject to the subdivision process.

2. Page 2, Lines 53 through 55:

53 (1) As used in this section, “develop” or “development” means :  
(a) the construction,

54 alteration, or improvement of land, including any related moving, demolition, or excavation

55 outside of a refinery property boundary { } ;  
(b) the subdivision of land for a non-industrial use; or  
(c) the construction of a non-industrial structure on a parcel that is not subject to the subdivision process.

Representative Edward’s motion to amend passed on a voice vote. Representatives Barrus and Allen commented.

**H.B. 169**, as amended, passed on the following roll call:

**Yeas, 63; Nays, 11; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Dee	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Garn	K Gibson
Gowans	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hunsaker
Ipson	Johnson	King	Kiser
Last	Litvack	Mascaro	Mathis
McIff	Menlove	Moss	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Voting in the negative were:** Representatives

Daw	Dougall	Frank	Froerer
F Gibson	Greenwood	Hughes	Lockhart
Morley	Newbold	Webb	

**Absent or not voting was:** Representative Hutchings

**H.B. 169**, as amended, requested to be held for no more than 24 hours by a Representative.

### UNFINISHED BUSINESS

On motion of Representative Edwards, the House voted to uncircle **1st Sub. H.B. 153**.

**1st Sub. H.B. 153**, RECYCLING OF ELECTRONIC ITEMS, *Edwards*, was before the House on its final passage.

On motion of Representative Edwards, the House voted to delete **1st Sub. H.B. 153** in title and body and insert **2nd Sub. H.B. 153** in lieu thereof. Representatives Hughes, Wimmer, and Harper commented.

Representative Harper proposed the following amendment:

1. Page 7, Line 183:  
After "first" insert "or second"
2. Page 7, Line 188:  
After "first" insert "or second"

Representatives Allen, Hansen, and Webb commented. Representative Harper's motion to amend passed on a voice vote.

Representative Hansen declared a conflict of interest because his son works for an electronic recycling center.

Representative Mascaro declared a conflict of interest because he works in this industry.

Representatives Morley, Black, Menlove, Anderson, Cosgrove, and Mascaro commented.

**2nd Sub. H.B. 153**, as amended, passed on the following roll call:

**Yeas, 47; Nays, 26; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Chavez-Houck	S. Clark	Cosgrove	Dee

Draxler	S Duckworth	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Garn
F Gibson	Gowans	Hansen	Hemingway
Hendrickson	Hunsaker	Hutchings	Ipson
Johnson	King	Litvack	Mascaro
McIff	Moss	Newbold	Painter
Poulson	Powell	Ray	Riesen
Seegmiller	Seelig	Vickers	Wallis
Watkins	Wheatley	Wiley	

**Voting in the negative were:** Representatives

Brown	Daw	Dougall	Dunnigan
Frank	Froerer	K Gibson	Greenwood
Grover	Harper	Herrod	Hughes
Kiser	Last	Lockhart	Mathis
Menlove	Morley	Noel	Oda
Sandstrom	Sumsion	Webb	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

Bigelow	Wilcox
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**2nd Sub. H.B. 153**, as amended, transmitted to the Senate for its consideration.

### MISCELLANEOUS BUSINESS

On motion of Representative Brown, under suspension of the rules, the House voted to allow a resolution file to be opened concerning General Motors reinstating automotive dealers.

### THIRD READING CALENDAR

**H.C.R. 17**, CONCURRENT RESOLUTION OPPOSING THE USE OF PRESIDENTIAL POWER TO CREATE NEW NATIONAL MONUMENTS IN UTAH, *Noel*, read the third time by short title and placed on its final passage.

On motion of Representative Dee, the House voted to circle **H.C.R. 17**.

\* \* \*

**H.B. 460**, BOARD OF REGENTS AMENDMENTS, *Dee*, read the third time by short title and placed on its final passage.

On motion of Representative Dee, the House voted to circle **H.B. 460**.

\* \* \*

**1st Sub. H.B. 396**, SPEECH–LANGUAGE PATHOLOGY AND AUDIOLOGY LICENSING ACT AMENDMENTS, *Ipson*, read the third time by short title and placed on its final passage.

**1st Sub. H.B. 396**, as amended, passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Moss	Newbold
Oda	Painter	Poulson	Powell
Ray	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright		

**Absent or not voting were:** Representatives

S. Clark	Morley	Noel	Riesen
D. Clark			

**1st Sub. H.B. 396**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.B. 452**, COLLECTION FEES, *Sandstrom*, read the third time by short title and placed on its final passage. Representatives Black and King commented.

**H.B. 452** passed on the following roll call:

**Yeas, 58; Nays, 10; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Beck	Bigelow
Bird	Biskupski	Black	Brown
Chavez–Houck	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Greenwood	Grover	Harper	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Newbold
Noel	Poulson	Powell	Ray
Sandstrom	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wilcox
Wimmer	Wright		

**Voting in the negative were:** Representatives

Cosgrove	Janice Fisher	Hansen	Hemingway
Johnson	Moss	Riesen	Seegmiller
Wheatley	Wiley		

**Absent or not voting were:** Representatives

Allen	Barrus	S. Clark	Gowans
Oda	Painter	D. Clark	

**H.B. 452** transmitted to the Senate for its consideration.

**UNFINISHED BUSINESS**

On motion of Representative Noel, the House voted to uncircle **H.C.R. 17**.

**H.C.R. 17**, CONCURRENT RESOLUTION OPPOSING THE USE OF PRESIDENTIAL POWER TO CREATE NEW NATIONAL MONUMENTS IN UTAH, *Noel*, was before the House on its final passage. Representatives Litvack, King, Sumsion, McIff, and K. Gibson commented.

**H.C.R. 17**, as amended, passed on the following roll call:

**Yeas, 63; Nays, 11; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Black
Brown	S. Clark	Daw	Dee
Dougall	Draxler	S Duckworth	Dunnigan
Edwards	Ferry	Julie Fisher	Fowlke
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Kiser
Last	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Sandstrom	Seegmiller
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Voting in the negative were:** Representatives

Biskupski	Chavez–Houck	Cosgrove	Janice Fisher
Hemingway	Johnson	King	Litvack
Moss	Riesen	Seelig	

**Absent or not voting was:** Representative

Frank

**H.C.R. 17**, as amended, transmitted to the Senate for its consideration.

**THIRD READING CALENDAR**

**1st Sub. H.B. 286**, RETIREMENT SYSTEM DIVESTMENT, *Julie Fisher*, read the third time by short title and placed on its final passage. Representatives Bigelow, Watkins, and Ipson commented.

**1st Sub. H.B. 286**, as amended, passed on the following roll call:

**Yeas, 39; Nays, 34; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Barrus	Brown
Chavez–Houck	Daw	Dee	Dougall
Edwards	Julie Fisher	Frank	Garn
F Gibson	K Gibson	Greenwood	Grover

Harper	Hughes	Hutchings	Johnson
King	Kiser	Litvack	Lockhart
Mascaro	Mathis	Menlove	Morley
Newbold	Noel	Oda	Painter
Ray	Sandstrom	Seelig	Wilcox
Wimmer	Wright	D. Clark	

**Voting in the negative were:** Representatives

Anderson	Beck	Bigelow	Bird
Biskupski	Black	S. Clark	Cosgrove
S Duckworth	Dunnigan	Ferry	Janice Fisher
Fowlke	Froerer	Gowans	Hansen
Hemingway	Hendrickson	Herrod	Hunsaker
Ipson	Last	Moss	Poulson
Powell	Riesen	Seegmiller	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wiley		

**Absent or not voting were:** Representatives

Draxler	McIff
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**1st Sub. H.B. 286**, as amended, transmitted to the Senate for its consideration.

### UNFINISHED BUSINESS

On motion of Representative Seelig, the House voted to uncircle **H.R. 4**.

**H.R. 4**, RESOLUTION URGING RATIFICATION OF THE COMPREHENSIVE NUCLEAR TEST BAND TREATY, *Seelig*, was before the House on its final passage. Representatives Wilcox, Beck, Edwards, Noel, and Dunnigan commented.

**H.R. 4**, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke

Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	Menlove	Morley	Moss
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wright	D. Clark

**Absent or not voting were:** Representatives

McIff	Newbold	Wimmer
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**H.R. 4**, as amended, was signed by the Speaker and referred to staff for enrolling and transmission to the Lt. Governor.

\* \* \*

**H.B. 461**, CHILDREN'S HEALTH INSURANCE PROGRAM, *Dougall*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

**H.B. 461** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez-Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Mascaro	Mathis	Menlove
Morley	Moss	Noel	Oda



Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Gowans	Lockhart	McIff	Newbold
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**H.B. 461** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 353, NONLAPSING DEDICATED CREDIT AMENDMENTS,** *Bigelow*, read the third time by short title and placed on its final passage.

Representative Bigelow proposed the following amendment:

1. Page 1, Lines 24 through 25

24 Other Special Clauses:

25           {~~None~~}       This bill takes effect on July 1, 2010.  
This bill coordinates with S.B. 167, Alcoholic Beverage Control  
Act Recodification, by providing conforming and substantive  
amendments.

2. Page 3, Line 65:

65       79-4-1001, as renumbered and amended by Laws of Utah  
2009, Chapter 344  
Utah Code Sections Affected by Coordination Clause:  
32B-2-405, Utah Code Annotated 1953

3. Page 55, Line 1687:

1687   Account created under Section 79-4-402.  
Section 38. Effective date.  
This bill takes effect on July 1, 2010.  
Section 39. Coordinating H.B. 353 with S.B. 167 --- Merging  
conforming and substantive amendments.  
If this H.B. 353 and S.B. 167, Alcoholic Beverage Control Act  
Recodification, both pass, it is the intent of the Legislature that the Office  
of Legislative Research and General Counsel, in preparing the Utah  
Code database for publication:

(1) modify Subsection 32B-2-405(3) to read:

“(3) The State Tax Commission shall notify the advisory council of the balance of any undistributed money after the annual distribution under Subsection 32B-2-404(5).”; and

(2) modify Subsection 32B-2-405(4)(a) to read:

“(4) (a) Subject to the requirements of this Subsection (4), the advisory council shall award the balance of undistributed money under Subsection (3):

(i) as prioritized by majority vote of the advisory council; and

(ii) as grants to:

(A) a county;

(B) a municipality;

(C) the department;

(D) the Department of Human Services;

(E) the Department of Public Safety; or

(F) the Utah State Office of Education.”

Representative Bigelow’s motion to amend passed on a voice vote.

Representatives Wright and Mascaro commented.

**H.B. 353**, as amended, passed on the following roll call:

**Yeas, 57; Nays, 13; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez-Houck	S. Clark	Cosgrove
Daw	Draxler	S Duckworth	Dunnigan
Edwards	Ferry	Janice Fisher	Julie Fisher
Fowlke	Froerer	Garn	F Gibson
K Gibson	Grover	Harper	Hemingway
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Last
Litvack	Mascaro	Mathis	Menlove
Moss	Noel	Oda	Painter
Poulson	Powell	Riesen	Sandstrom
Seegmiller	Seelig	Vickers	Wallis
Watkins	Webb	Wheatley	Wiley
D. Clark			

**Voting in the negative were:** Representatives

Anderson	Dee	Dougall	Frank
Greenwood	Hansen	Hendrickson	Kiser
Morley	Sumsion	Wilcox	Wimmer
Wright			

**Absent or not voting were:** Representatives

Gowans	Lockhart	McIff	Newbold
Ray			

**H.B. 353**, as amended, transmitted to the Senate for its consideration.

**UNFINISHED BUSINESS**

On motion of Representative Hughes, the House voted to uncircle **H.B. 321**.

**H.B. 321**, BOND ELECTION NOTIFICATION REVISIONS, *Hughes*, was before the House on its final passage.

Representative Daw proposed the following amendment:

1. Page 3, Line 78

78 (ii) { ~~expected retirement of general obligation bonds;~~ } a description of the purpose, remaining principal balance, and maturity date of any outstanding general obligation bonds of the issuer;

2. Page 4, Line 102:

Reverse the verbal amendment made on the House Floor by Representative Sheryl Allen on March 5, 2010. The title of the ballot notice shall read: "NOTICE OF PROPERTY TAX CHANGE AND/OR BOND ISSUANCE"

3. Page 4, Lines 102 through 115

House Committee Amendments 2-26-2010:

102 "NOTICE [OF PROPERTY TAX INCREASE DUE TO BOND ISSUANCE] ~~H~~→OF

102a PROPERTY TAX CHANGE AND/OR BOND ISSUANCE ←~~H~~ :

103 [~~Passage of the proposition means that~~] If the measure passes and { ~~If~~ } the bonds are issued, the length of time that taxpayers will be required to pay increased taxes in order to repay the

debt service on (identify the issuer) total outstanding bond debt will be extended. If the bonds are issued, the annual property tax { for the

104 debt service on all of the (identify the issuer)'s bonds } on a \$\_\_\_\_\_ (insert the average value of a

105 residence in the taxing entity rounded to the nearest thousand dollars) residence [would

106 increase.] (is not expected to change) or (is expected to increase/decrease by an average of \$\_\_\_\_\_ [per

107 year] [-The tax on a (insert the value of a) \_\_\_\_\_ and the annual tax on a business property having the same value

108 [as the average value of a residence in the taxing entity) business would] (is not expected to

109 change) or (is expected to increase/decrease by an average of \$\_\_\_\_\_ as a result of issuing the bonds [per year]).[2]

110 If the measure fails and { If } the bonds are not issued, the length of time that taxpayers will be required to pay increased property taxes in order to repay the debt service on (identify the issuer) total outstanding bond debt will not be extended. If the bonds are not issued, { will } {not be required to levy an} the annual

111 property tax {to pay debt service on the bonds in the estimated amount of \$\_\_\_\_\_ over a period of]

112 {\_\_\_\_\_years } on a (insert the average value of a residence in the taxing entity rounded to the

113 nearest thousand dollars) residence (is not expected to change) or (is expected to decrease) by an average of { and } {\_\_\_\_\_} { in the estimated amount of } \$\_\_\_\_\_ \_\_\_\_\_ { over a period of\_\_\_\_\_ }

114 { years } and the annual tax on a business property having the same value (is not expected to change) or (is expected to decrease) by an average of \$\_\_\_\_\_ as a result of not issuing the bonds \_\_\_\_\_ .

115 The foregoing information is only an estimate and is not a limit on the amount of taxes

Representatives Frank, Powell, Morley, Allen, Dunnigan, and Wimmer commented. Representative Daw's motion to amend passed on a voice vote.

Representatives Harper and Powell commented.

**H.B. 321**, as amended, passed on the following roll call:

**Yeas, 53; Nays, 21; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Barrus	Beck
Bird	Biskupski	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Draxler	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gowans	Grover	Hemingway
Hendrickson	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mathis
McIff	Moss	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Webb	Wheatley	Wilcox	Wiley
D. Clark			

**Voting in the negative were:** Representatives

Allen	Bigelow	Dee	Dougall
Dunnigan	F Gibson	K Gibson	Greenwood
Hansen	Harper	Herrod	Mascaro
Menlove	Morley	Newbold	Sumsion
Vickers	Wallis	Watkins	Wimmer
Wright			

**Absent or not voting was:** Representative  
S Duckworth

**H.B. 321**, as amended, transmitted to the Senate for its consideration.

**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker: March 8, 2010

The President of the Senate has signed **H.B. 18**, UNEMPLOYMENT INSURANCE AMENDMENTS, by Representative S. Mascaro, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 67**, HEALTH SYSTEM AMENDMENTS, by Representative C. Wimmer, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 73**, UTAH CONSTRUCTION TRADES CONTINUING EDUCATION AMENDMENTS, by Representative M. Morley, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 92**, MOIST SNUFF TAXATION REVISIONS, by Representative B. Daw, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 200**, INFORMED CONSENT AMENDMENTS, by Representative C. Wimmer, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 215**, AMENDMENTS TO PUBLIC EMPLOYEES' BENEFIT AND INSURANCE PROGRAM ACT – RISK POOLS, by Representative K. Garn, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 234**, OPTING OUT OF THE REAL ID ACT, by Representative S. Sandstrom, and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 311**, AUTISM TREATMENT FUND, by Representative R. Lockhart, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **2nd Sub. H.B. 388**, MOBILE HOME REVISIONS, by Representative J. Dunnigan, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 18**, **1st Sub. H.B. 67**, **H.B. 73**, **1st Sub. H.B. 92**, **H.B. 200**, **H.B. 215**, **1st Sub. H.B. 234**, **1st Sub. H.B. 311**, and **2nd Sub. H.B. 388** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: March 8, 2010

The Senate adopted the Joint Conference Committee Report dated March 8, 2010, and passed **1st Sub. S.B. 76**, TRUST DEED AMENDMENTS, by Senator J. Valentine, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communication filed. **1st Sub. S.B. 76** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

\* \* \*

Mr. Speaker: March 8, 2010

The Senate passed, as substituted, **1st Sub. S.B. 116**, DISTRICT COURT JUDGES AMENDMENTS, by Senator S. Urquhart, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **1st Sub. S.B. 227**, INTERLOCAL ENERGY AMENDMENTS, by Senator C. Bramble, and it is transmitted for consideration; and

The Senate passed, as substituted, **2nd Sub. S.B. 235**, AGRICULTURAL LOAN AUTHORIZATION, by Senator R. Okerlund, and it is transmitted for consideration; and

The Senate passed **S.B. 250**, POLITICAL PARTY BYLAWS – UNITED STATES SENATORS, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed **S.J.R. 16**, HEALTH CARE FACILITY DISCLOSURE JOINT RESOLUTION, by Senator P. Knudson, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **1st Sub. S.B. 116**, **1st Sub. S.B. 227**, **2nd Sub. S.B. 235**, **S.B. 250**, and **S.J.R. 16** read the first time by short title and referred to the Rules Committee.

**INTRODUCTION OF BILLS**

**H.B. 164, Redistricting Provisions** (R. Chavez–Houck), read the first time by short title and referred to the Rules Committee.

**H.R. 9, Speaker's Powers Amendments** (K. Garn), read the first time by short title and referred to the Rules Committee.

### MISCELLANEOUS BUSINESS

On motion of Representative Garn, under suspension of the rules, the House voted to lift **H.R. 9** from the Rules Committee, consider it read the second time by short title and placed on the House Third Reading Calendar.

\* \* \*

On motion of Representative Garn, the House voted to recess until 2:00 p.m.

### AFTERNOON SESSION

The House was called to order by Speaker Clark at 2:15 p.m.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

March 8, 2010

The Senate passed **S.B. 67, PUBLIC SAFETY SERVICES CROSSING STATE BORDERS**, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed **S.B. 170, SUSPENSION OF DRIVING PRIVILEGES**, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 171, HIGHER EDUCATION RETIREMENT AMENDMENTS**, by Senator D. Liljenquist, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 204, MIDTERM VACANCY AMENDMENTS**, by Senator B. McAdams, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **1st Sub. S.B. 207, TAX EXEMPTION FOR CEDAR BAND OF PAIUTE TRIBE**, by Senator D. Stowell, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 216, ABSENTEE VOTING BY MILITARY PERSONNEL AMENDMENTS**, by Senator B. McAdams, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 278, HOMEOWNERS' ASSOCIATION AMENDMENTS**, by Senator S. Urquhart, and it is transmitted for consideration; and



The Senate passed **S.C.R. 11**, CONCURRENT RESOLUTION EXPRESSING OPPOSITION TO THE CREATION OF NEW NATIONAL MONUMENTS IN UTAH, by Senator K. Van Tassell, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **S.B. 67, S.B. 170, S.B. 171, S.B. 204, 1st Sub. S.B. 207, S.B. 216, S.B. 278**, and **S.C.R. 11** read the first time by short title and referred to the Rules Committee.

### INTRODUCTION OF BILLS

**H.B. 463, Divided School District Property Tax Amendments** (E. Hutchings), read the first time by short title and referred to the Rules Committee.

**H.B. 464, Family Health Services Rfps – Tobacco Settlement Funds** (J. Dougall), read the first time by short title and referred to the Rules Committee.

### THIRD READING CALENDAR

**H.R. 9, SPEAKER’S POWERS AMENDMENTS**, *Garn*, read the third time by short title and placed on its final passage.

Representatives Bigelow, Wright, Harper, Hendrickson, Dunnigan, and Watkins commented.

Representative Garn proposed the following amendment:

1. Page 2, Line 36:  
After “principal, or” insert “state or federal”
2. Page 2, Line 50:  
After “principal, or” insert “state or federal”

Representative Garn’s motion to amend passed on a voice vote.

Representatives D. Clark and Wright commented.

**H.R. 9**, as amended, passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski

Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
Gowans	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McCliff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wiley	Wright	D. Clark	

**Absent or not voting were:** Representatives

K Gibson	Greenwood	Wilcox	Wimmer
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**H.R. 9**, as amended, was signed by the Speaker and referred to staff for enrolling and transmission to the Lt. Governor.

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**H.J.R. 32**, JOINT RESOLUTION APPROVING THE PELT CASE FINAL SETTLEMENT AGREEMENT, *D. Clark*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

Representatives Draxler and Watkins commented.

**H.J.R. 32** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke

Frank	Froerer	Garn	F Gibson
Gowans	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wiley	Wright	D. Clark	

**Absent or not voting were:** Representatives

K Gibson	Greenwood	Wilcox	Wimmer
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**H.J.R. 32** transmitted to the Senate for its consideration.

### MISCELLANEOUS BUSINESS

On motion of Representative Bigelow, under suspension of the rules, the House voted to lift **H.B. 2** from the Rules Committee, consider it read the second time by short title and placed on the House Third Reading Calendar.

### THIRD READING CALENDAR

**H.B. 2, FISCAL YEAR 2010 AND FISCAL YEAR 2011 SUPPLEMENTAL APPROPRIATIONS**, *Bigelow*, read the third time by short title and placed on its final passage.

On motion of Representative Bigelow, the House voted to circle **H.B. 2**. (Note: correct motions on page 1013 concerning this bill.)

\* \* \*

**H.C.R. 18, WORKFORCE NEEDS CONCURRENT RESOLUTION**, *Dee*, read the third time by short title and placed on its final passage.

**H.C.R. 18** passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski

Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	F Gibson	Gowans
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wiley
Wright			

**Absent or not voting were:** Representatives

Garn	K Gibson	Greenwood	Wilcox
Wimmer	D. Clark		

**H.C.R. 18** transmitted to the Senate for its consideration.

\* \* \*

On motion of Representative Dee, the House voted to saunter.

On motion of Representative Lockhart, the House voted to cease to saunter.

**MISCELLANEOUS BUSINESS**

On motion of Representative Ferry, under suspension of the rules, the House voted to lift the following bills from the Senate Third Reading Calendar and return them to the Rules Committee for prioritization.

**S.B. 157, S.B. 59, S.B. 71, 1st Sub. S.B. 77, 3rd Sub. S.B. 108, S.B.232, S.B. 118, 2nd Sub. S.B. 129, S.B. 218, S.B. 15, S.B. 155, S.B. 164, S.B. 169, 3rd Sub. S.B. 172, S.B. 178, S.B. 179, S.B. 180, S.B. 191, 2nd Sub. S.B. 152, S.B. 222, S.B. 225, S.B. 212, S.B. 242, 1st Sub. S.C.R. 8, S.B. 73, and S.B. 210.**

The following bills were uncircled and then returned to the Rules Committee:  
**2nd Sub. S.B. 119, S.C.R. 3, S.B. 62, 1st Sub. S.B. 52.**

**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker: March 8, 2010

The Senate refuses to concur with the House Amendments to **S.B. 113**, WIRELESS TELEPHONE USE RESTRICTION FOR MINORS IN VEHICLES, by Senator R. Romero, and requests the House recede from its amendments.

Annette B. Moore  
Secretary of the Senate

Communication filed. On motion of Representative Riesen, the House voted to refuse to recede and have a conference committee appointed. Speaker Pro Tem Dee appointed Representatives Dougall, Riesen, and Hutchings.

\* \* \*

Mr. Speaker: March 8, 2010

The Senate passed, as amended, **S.B. 186**, AMENDMENTS TO EMISSIONS INSPECTIONS, by Senator M. Madsen, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **1st Sub. S.B. 240**, RETIREMENT PARTICIPATION AMENDMENTS, by Senator D. Liljenquist, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **S.B. 186** and **1st Sub. S.B. 240** read the first time by short title and referred to the Rules Committee.

**UNFINISHED BUSINESS**

On motion of Representative Ray, the House voted to uncircle **H.B. 312**.

**H.B. 312**, MEDICAL EXPENSES FOR OFFENDERS, *Ray*, was before the House on its final passage.

On motion of Representative Ray, the House voted to delete **H.B. 312** in title and body and insert **2nd Sub. H.B. 312** in lieu thereof.

Representatives Dunnigan and Watkins commented.

**2nd Sub. H.B. 312** passed on the following roll call:

**Yeas, 62; Nays, 7; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Biskupski	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	Dunnigan
Edwards	Ferry	Janice Fisher	Fowlke
Frank	Froerer	F Gibson	K Gibson
Greenwood	Grover	Harper	Hemingway
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Last
Litvack	Lockhart	Mascaro	Mathis
Menlove	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright		

**Voting in the negative were:** Representatives

Bird	S Duckworth	Hansen	Hendrickson
Kiser	Watkins	D. Clark	

**Absent or not voting were:** Representatives

Bigelow	Julie Fisher	Garn	Gowans
McIff	Morley		

**2nd Sub. H.B. 312** transmitted to the Senate for its consideration.

**RULES COMMITTEE REPORT**

Mr. Speaker:

March 8, 2010

The Rules Committee recommends, under suspension of the rules, that the following bills be considered read for the second time and be placed on the Third Reading Calendar:

- H.B. 351** Funding for Highway Projects – Salt Lake County  
(Rep. W. Harper)
- H.B. 463** Divided School District Property Tax Amendments  
(Rep. E. Hutchings)
- H.B. 464** Family Health Services Rfps – Tobacco Settlement Funds  
(Rep. J. Dougall)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

## RULES COMMITTEE REPORT

Mr. Speaker:

March 8, 2010

The Rules Committee recommends that the following bills and resolutions, under suspension of the rules, be lifted from Rules, considered read for the second time and placed on the Third Reading Calendar for Senate bills:

- |                          |                                                                                          |
|--------------------------|------------------------------------------------------------------------------------------|
| <b>S.B. 157</b>          | Motor Vehicle Dealer Franchise Amendments<br>(Sen. C. Bramble)                           |
| <b>2nd Sub. S.B. 81</b>  | Eminent Domain Amendments (Sen. L. Hillyard)                                             |
| <b>1st Sub. S.C.R. 8</b> | Fathers Do Matter Concurrent Resolution (Sen. G. Davis)                                  |
| <b>S.B. 71</b>           | Small Business Access to Justice Act (Sen. R. Romero)                                    |
| <b>2nd Sub. S.B. 152</b> | Utah State Railroad Museum Authority Act<br>(Sen. P. Knudson)                            |
| <b>1st Sub. S.B. 77</b>  | School District Leave Policies (Sen. M. Dayton)                                          |
| <b>S.B. 132</b>          | Higher Education Scholarship Amendments<br>(Sen. J. Valentine)                           |
| <b>1st Sub. S.B. 107</b> | Lien Amendments (Sen. C. Bramble)                                                        |
| <b>S.B. 178</b>          | Utah Emergency Medical Services System Act<br>Amendments (Sen. D. Stowell)               |
| <b>S.B. 56</b>           | School Reporting Amendments (Sen. K. Morgan)                                             |
| <b>S.B. 242</b>          | Economic Development Incentives for Alternative Energy<br>Projects (Sen. K. Van Tassell) |
| <b>1st Sub. S.B. 45</b>  | Utah Fit Premises Act Amendments<br>(Sen. W. Niederhauser)                               |
| <b>2nd Sub. S.B. 129</b> | New Motor Vehicle Franchise Amendments<br>(Sen. D. Liljenquist)                          |
| <b>S.B. 160</b>          | Utah State Developmental Center Amendments<br>(Sen. M. Dayton)                           |
| <b>S.B. 163</b>          | Health Regulation of Geothermal Pools and Baths<br>(Sen. M. Madsen)                      |
| <b>S.B. 210</b>          | Judicial Performance Evaluation Commission<br>Amendments (Sen. D. C. Buttars)            |
| <b>S.B. 222</b>          | Fee Exemptions (Sen. B. Goodfellow)                                                      |
| <b>S.B. 62</b>           | Motor Vehicle Insurance Coverage Amendments<br>(Sen. S. Urquhart)                        |
| <b>S.B. 218</b>          | Engine Coolant Bittering Agent Act (Sen. M. Waddoups)                                    |
| <b>S.B. 59</b>           | At-risk Student Provisions (Sen. L. Robles)                                              |
| <b>S.B. 73</b>           | Sales and Use Tax Exemption Relating to Aircraft<br>(Sen. C. Bramble)                    |
| <b>S.B. 219</b>          | Criminal Nuisance Amendment (Sen. J. Greiner)                                            |
| <b>1st Sub. S.B. 52</b>  | State Board of Regents Amendments (Sen. D. Stowell)                                      |

- 2nd Sub. S.B. 199** Municipal Boundary Clarification (Sen. R. Okerlund)  
**S.J.R. 5** Joint Resolution on the Spending of Federal Economic  
 Renewal Grants (Sen. K. Mayne)  
**S.B. 179** Utah Revised Business Corporation Act Amendments  
 (Sen. D. Liljenquist)  
**1st Sub. S.B. 161** Real Property Transfer Fee Amendments  
 (Sen. M. Madsen)  
**S.B. 67** Public Safety Services Crossing State Borders  
 (Sen. L. Hillyard)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

### THIRD READING CALENDAR

**H.B. 351**, FUNDING FOR HIGHWAY PROJECTS – SALT LAKE COUNTY, *Harper*, read the third time by short title and placed on its final passage.

Representative Harper proposed the following amendment:

1. Page 5, Lines 147 through 151  
 House Committee Amendments 3–3–2010  
 147     (vii) 5400 South { ÷ } == 4000 West to past 4800  
West;  
 148     (viii) 9400 South and Wasatch Boulevard; and  
 149     ~~H~~→ [(ix) I-215 East southbound at 3300 South; and  
 150     ~~(x)] (ix) ~~←H~~ I-215 West Interchange -- 3500 South to 3800  
South and ramp work; { and }  
(b) widen and improve US-89 between 7200 South and 9000 South  
with available highway funding identified by the commission; and  
 151     { ~~(b)~~ } (c) transfer to Salt Lake County or its  
designee from the 2010 Salt Lake County~~
2. Page 6, Line 156  
 House Committee Amendments 3–3–2010:  
 156     (4) The costs under { Subsection } Subsections  
~~H~~→ (2)(c) and ←H (3)(a) may include the cost of acquiring

Representatives Mascaro commented. Representative Harper's motion to amend passed on a voice vote.



Representatives Hemingway and King commented.

**H.B. 351**, as amended, passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Beck
Bird	Biskupski	Black	Brown
Chavez–Houck	Cosgrove	Daw	Dee
Dougall	Draxler	S Duckworth	Dunnigan
Edwards	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Barrus	Bigelow	S. Clark	Garn
Hughes	Morley		

**H.B. 351**, as amended, was requested to be held for no more than 24 hours by a Representative.

\* \* \*

**H.B. 463**, DIVIDED SCHOOL DISTRICT PROPERTY TAX AMENDMENTS, *Hutchings*, read the third time by short title and placed on its final passage. Representatives Black, Dunnigan, and King commented.

**H.B. 463** passed on the following roll call:

**Yeas, 46; Nays, 21; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Beck	Bird
Biskupski	Black	Brown	Chavez–Houck

Cosgrove	Dee	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Gowans	Hansen
Hemingway	Hendrickson	Herrod	Hunsaker
Hutchings	Ipson	Johnson	King
Last	Litvack	Mascaro	Menlove
Moss	Newbold	Painter	Poulson
Powell	Ray	Riesen	Seegmiller
Seelig	Vickers	Watkins	Webb
Wheatley	Wiley		

**Voting in the negative were:** Representatives

Anderson	Daw	Dougall	Frank
Froerer	F Gibson	K Gibson	Greenwood
Grover	Harper	Kiser	Lockhart
Mathis	Noel	Oda	Sandstrom
Sumsion	Wallis	Wilcox	Wright
D. Clark			

**Absent or not voting were:** Representatives

Barrus	Bigelow	S. Clark	Garn
Hughes	McIff	Morley	Wimmer

**H.B. 463** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 169** previously held for potential reconsideration, was transmitted to the Senate for its consideration.

**MISCELLANEOUS BUSINESS**

On motion of Representative Dee, and at 4:00 p.m., the House voted to adjourn until March 9, 2010, at 9:00 a.m.

# FORTY-THIRD DAY

\* \* \*

## MORNING SESSION

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

Roll call showed all members present.

Prayer offered by Dan John, son-in-law of Representative Lynn Heminway and a religion teacher at Juan Diego High School. Pledge of Allegiance led by Lindsay John, granddaughter of Representative Hemingway and a student body officer at Juan Diego High School.

### COMMUNICATION FROM THE GOVERNOR

Mr. Speaker: March 8, 2010

The Utah House of Representatives has presented me with two bills for my consideration: **H.B. 12**, CRIMINAL HOMICIDE AND ABORTION AMENDMENTS, and **H.B. 462**, CRIMINAL HOMICIDE AND ABORTION REVISIONS. I have closely followed the progress of these bills and have taken keen interest in the debate over the consequences, both intended and unintended, of these measures.

I appreciate the willingness of Representative Wimmer to reevaluate the impact of potential unintended consequences arising from the inclusion of “reckless” behavior in **H.B. 12**. **H.B. 462** is more consistent with the true intent of the legislation and addresses those situations in which the termination of a pregnancy is intentional and is not conducted at a physician’s direction.

For these reasons, I have signed **H.B. 462** and vetoed **H.B. 12**.

Gary R. Herbert  
Governor

Communication filed.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 8, 2010

The Senate passed, as substituted, **1st Sub. S.B. 156**, ANTITRUST ACT AMENDMENTS, by Senator S. Urquhart, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 165**, ALLOCATION AND APPORTIONMENT OF INCOME AND DEDUCTION OF A NET LOSS, by Senator W. Niederhauser, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 197**, COMMUNITY DEVELOPMENT AND RENEWAL AGENCY AMENDMENTS, by Senator C. Bramble, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 237**, TRANSITION FOR REPEALED NAVAJO TRUST FUND ACT AMENDMENTS, by Senator D. Hinkins, and it is transmitted for consideration; and

The Senate passed, as substituted, **3rd Sub. S.B. 247**, JOHN M. BROWNING COMMEMORATIVE DAY, by Senator M. Madsen, and it is transmitted for consideration; and

The Senate passed **S.B. 265**, BUDGET REVISIONS – DRUG COURT EXPANSION, by Senator D. Liljenquist, and it is transmitted for consideration; and

The Senate passed, as substituted, **2nd Sub. S.B. 272**, AMENDMENTS TO TRANSPORTATION PROVISIONS, by Senator J. Stevenson, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 277**, DNA MODIFICATIONS, by Senator J. S. Adams, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 279**, IDENTITY FRAUD AND RELATED AMENDMENTS, by Senator S. Urquhart, and it is transmitted for consideration; and

The Senate passed, as amended, **S.C.R. 12**, RESPONSIBLE DEVELOPMENT OF PUBLIC LANDS CONCURRENT RESOLUTION, by Senator K. Van Tassell, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **1st Sub. S.B. 156, S.B. 165, 1st Sub. S.B. 197, S.B. 237, 3rd Sub. S.B. 247, S.B. 265, 2nd Sub. S.B. 272, S.B. 277, S.B. 279, and S.C.R. 12** read the first time by short title and referred to the Rules Committee.

\* \* \*

Mr. Speaker:

March 8, 2010

The President of the Senate has appointed a Conference Committee consisting of Senators R. Romero, K. Mayne, and J. S. Adams to meet with a like

committee from the House of Representatives to consider or amend **S.B. 113, WIRELESS TELEPHONE USE RESTRICTION FOR MINORS IN VEHICLES**, by Senator R. Romero.

Annette B. Moore  
Secretary of the Senate

Communication filed. The Conference Committee may now meet.

**INTRODUCTION OF BILLS**

**H.B. 2, Fiscal Year 2010 and Fiscal Year 2011 Supplemental Appropriations** (R. Bigelow), read the first time by short title and referred to the Rules Committee.

**H.B. 6, State Agency Compensation Appropriations** (B. Dee), read the first time by short title and referred to the Rules Committee.

**MISCELLANEOUS BUSINESS**

On motion of Representative Bigelow, under suspension of the rules, the House voted to lift **H.B. 2** from the Rules Committee, consider it read the second time by short title and placed at the top of the Third Reading Calendar.

\* \* \*

On motion of Representative Cosgrove, under suspension of the rules, the House voted to reconsider its action on **2nd Sub. H.B. 124**.

**RECONSIDERATION OF 2ND SUB. H.B. 124**

**2nd Sub. H.B. 124, CAMPAIGN FUNDS EXPENDITURE RESTRICTIONS**, was before the House for reconsideration.

On motion of Representative Cosgrove, the House voted to concur in the Senate amendments to **2nd Sub. H.B. 124**.

**2nd Sub. H.B. 124**, as amended by the Senate, passed on the following roll call:

**Yeas, 63; Nays, 0; Absent or not voting, 12.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Chavez-Houck

S. Clark	Cosgrove	Daw	Dee
Dougall	Draxler	S Duckworth	Dunnigan
Ferry	Julie Fisher	Frank	Froerer
Garn	F Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hendrickson
Herrod	Hughes	Hunsaker	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wright	D. Clark	

**Absent or not voting were:** Representatives

Bigelow	Black	Brown	Edwards
Janice Fisher	Fowlke	K Gibson	Hemingway
Hutchings	McIff	Ray	Wimmer

**2nd Sub. H.B. 124**, as amended by the Senate, transmitted to the Senate for signature of President.

### MISCELLANEOUS BUSINESS

On motion of Representative Dee, under suspension of the rules, the House voted to lift **H.B. 6** from the Rules Committee, consider it read the second time by short title and placed on the Third Reading Calendar.

### THIRD READING CALENDAR

**S.B. 67**, PUBLIC SAFETY SERVICES CROSSING STATE BORDERS, *Hunsaker*, read the third time by short title and placed on its final passage.

Representatives Allen, Draxler, and Brown commented.

**S.B. 67** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove

Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Oda	Painter	Poulson	Powell
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Bigelow	Edwards	Noel	Ray
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**S.B. 67** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**1st Sub. S.B. 161**, REAL PROPERTY TRANSFER FEE AMENDMENTS, *Lockhart*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

Representative Morley declared a conflict of interest because he owns properties and is involved in projects that would be affected by this bill.

Representatives Mascaro, Morley, and Webb commented.

Representative Morley proposed the following amendment:

1. Page 4, Line 91:  
Delete "to a common interest association"
2. Page 5, Line 127:  
Delete ".5%" and insert "1.0%"
3. Page 5, Line 128:  
Delete line 128.

Representatives Ferry, Froerer, Webb, and Mascaro commented.

The motion was divided and both amendments failed on a voice vote.

Representative Herrod declared a conflict of interest because he works in real estate development.

Representatives Herrod and Wimmer commented.

**1st Sub. S.B. 161** passed on the following roll call:

**Yeas, 70; Nays, 4; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wright	D. Clark		

**Voting in the negative were:** Representatives

Dougall	Johnson	Morley	Wimmer
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**Absent or not voting was:** Representative Bigelow

**1st Sub. S.B. 161** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

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**S.B. 157, MOTOR VEHICLE DEALER FRANCHISE AMENDMENTS, Garn,** read the third time by short title and placed on its final passage.



Representatives Ipson, Biskupski, Allen, Hemingway, Fowlke, King, and Johnson commented.

**S.B. 157** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Hutchings	Painter	Seelig
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**S.B. 157** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

### MISCELLANEOUS BUSINESS

On motion of Representative Bigelow, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

### THIRD READING CALENDAR

**H.B. 2, FISCAL YEAR 2010 AND FISCAL YEAR 2011 SUPPLEMENTAL APPROPRIATIONS**, *Bigelow*, read the third time by short title and placed on its final passage.

Representative Bigelow proposed the following amendment:

1. Page 20, Line 753  
After Line 753, Insert:  
“The Legislature intends that the Department of Health establish a Medicaid outpatient fee schedule for each of the following types of facilities: rural hospitals, urban hospitals, and ambulatory surgical centers. The first twenty–five percent of the new fee schedule should be implemented no later than July 1, 2010. Fifty percent should be implemented no later than October 1, 2010. Seventy–five percent should be implemented no later than January 1, 2011. The project should be completed by July 1, 2011.”
2. Page 34, Lines 1258–1275:  
Delete lines 1258–1275.

Representatives Dougall and Dunnigan commented. Representative Bigelow’s motion to amend passed on a voice vote.

**H.B. 2**, as amended, passed on the following roll call:

**Yeas, 68; Nays, 5; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Barrus	Beck
Bigelow	Biskupski	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Edwards	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wright	D. Clark

**Voting in the negative were:** Representatives

Anderson	Bird	Dunnigan	Kiser
Wimmer			

**Absent or not voting were:** Representatives

Hansen	Painter
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**H.B. 2**, as amended, transmitted to the Senate for its consideration.

\* \* \*

**H.B. 6**, STATE AGENCY COMPENSATION APPROPRIATIONS, *Dee*, read the third time by short title and placed on its final passage.

**H.B. 6** passed on the following roll call:

**Yeas, 74; Nays, 0; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting was:** Representative

Hansen

**H.B. 6** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 464**, FAMILY HEALTH SERVICES RFPS – TOBACCO SETTLEMENT FUNDS, *Dougall*, read the third time by short title and placed on its final passage.

Representative Dougall proposed the following amendment:

1. Page 2, Lines 31 through 37

31        26–10–8. Request for proposal required for non–state supplied services.

32        (1) Funds provided to the department through Sections 51–9–201 and 59–14–204 to be

33        used to provide { ~~specialized~~ } services, shall be awarded to non– { state } governmental entities based on a

34        competitive { ~~request for proposal~~ } process consistent with Title 63G, Chapter 6, Utah Procurement Code .

35        (2) Beginning July 1, 2010, and not more than every five years thereafter, the

36        department shall issue requests for proposals for { ~~awarding~~ } new or renewing contracts to award funding for programs under

37        Subsection (1).

Representative Dougall’s motion to amend passed on a voice vote.

Representatives Mascaro and Cosgrove commented.

On motion of Representative Bigelow, the House voted to circle **H.B. 464**.

### MISCELLANEOUS BUSINESS

On motion of Representative Ferry, the House voted to move to the Senate Third Reading Calendar.

### THIRD READING CALENDAR

**2nd Sub. S.B. 81**, EMINENT DOMAIN AMENDMENTS, *Frank*, read the third time by short title and placed on its final passage. Representative Draxler commented.

**2nd Sub. S.B. 81** passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Draxler
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Harper	Hemingway
Hendrickson	Herrod	Hunsaker	Hutchings
Ipson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Dougall	S Duckworth	Hansen	Hughes
Johnson	Painter		

**2nd Sub. S.B. 81** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**1st Sub. S.C.R. 8**, FATHERS DO MATTER CONCURRENT RESOLUTION, *Litvack*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

On motion of Representative Litvack, the House voted to circle **1st Sub. S.C.R. 8**.

\* \* \*

**S.B. 71**, SMALL BUSINESS ACCESS TO JUSTICE ACT, *Kiser*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

**S.B. 71** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Harper
Hemingway	Hendrickson	Herrod	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

S Duckworth	Hansen	Hughes	Moss
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**S.B. 71** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**2nd Sub. S.B. 152**, UTAH STATE RAILROAD MUSEUM AUTHORITY ACT, *Ferry*, read the third time by short title and placed on its final passage.

On motion of Representative Lockhart, the House voted to circle **2nd Sub. S.B. 152**.

\* \* \*

**1st Sub. S.B. 77**, SCHOOL DISTRICT LEAVE POLICIES, *Grover*, read the third time by short title and placed on its final passage.

Representative Black declared a conflict of interest because she works for a school district.

Representative Wright declared a conflict of interest because he pays a lot of property tax.

Representative Gowans declared a conflict of interest because he and his family are members of educational associations.

Representatives Black, Poulson, Watkins, Wright, Moss, Gowans, and Powell commented.

Representative K. Gibson proposed the following amendment:

1. Page 1, Line 9

9 This bill amends provisions in the State System of  
Public Education code related to association

2. Page 2, Lines 41 through 48:

41 (2) (a) { A } Except as provided in Subsection (2)(b),  
a local school board may not allow paid association leave for a school  
district

42 employee to perform an employee association or union  
{ duties } duty .

(b) A local school board may allow paid association leave for a  
school district employee to perform an employee association duty if:

(i) the duty performed by the employee on paid association leave  
will directly benefit the school district, including, representing the  
school district's licensed educators:

(A) on a board or committee, such as the school district's  
foundation, a curriculum development board, insurance committee, or  
catastrophic leave committee;

(B) at a school district leadership meeting; or

(C) at a workshop or meeting conducted by the school district's  
local school board;

(ii) the duty performed by the employee on paid association leave  
does not include political activity, including:

(A) advocating for or against a candidate for public office in a  
partisan or nonpartisan election;

(B) soliciting a contribution for a political action committee, a  
political issues committee, a political party, or a candidate, as defined in  
Section 20A-11-101; or

(C) initiating, drafting, soliciting signatures for, or advocating for  
or against a ballot proposition, as defined in Section 20A-1-102; and

(iii) the local school board ensures compliance with the requirements of Subsections (3)(a) through (g).

43 { ~~(b)~~ } (c) Prior to [any] a school district employee's participation in paid or unpaid

44 association leave, a local school board shall adopt a written policy that governs association

45 leave.

46 { ~~(e)~~ } (d) A local school board policy that governs association leave shall require

47 reimbursement to the school district of the costs for an employee, including benefits, for the

48 time that exceeds 10 business days during a fiscal year that the employee is:

3. Page , Line 51:

51 does not provide a direct benefit to { education within } the school district.

4. Page 2, Line 52:

52 { ~~(d)~~ } (e) A reimbursement required under Subsections (2) { ~~(e)~~ } (d) or (3)(g) may be provided by

5. Page 2, Lines 56 through 57:

56 (a) ensure that the duties performed by employees on paid association leave directly

57 benefit {~~education within~~} the school district;

6. Page , Lines 65 through 69:

65 (i) {~~actively campaigning for candidates~~} advocating for or against a candidate for public office in a partisan {~~and~~} or nonpartisan

66 {~~elections~~} election ; {~~and~~}

67 (ii) {~~fundraising for political organizations, political parties, or candidates;~~} soliciting a contribution for a political action committee, a political issues committee, a political party, or a candidate, as defined in Section 20A-11-101; and

(iii) initiating, drafting, soliciting signatures for, or advocating for or against a ballot proposition, as defined in Section 20A-1-102;



68 (f) ensure that association leave is only paid out of school district funds when the paid

69 association leave directly benefits {~~education within~~} the district; and

Representatives Anderson, Mascaro, and Herrod commented. Representative K. Gibson’s motion to amend passed on the following roll call:

**Yeas, 38; Nays, 30; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Brown
Chavez–Houck	S. Clark	Dee	Draxler
S Duckworth	Dunnigan	Ferry	Julie Fisher
Froerer	K Gibson	Gowans	Hansen
Harper	Hemingway	Litvack	Mascaro
Mathis	Moss	Oda	Ray
Seegmiller	Seelig	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	D. Clark		

**Voting in the negative were:** Representatives

Black	Cosgrove	Daw	Edwards
Janice Fisher	Fowlke	F Gibson	Greenwood
Grover	Herrod	Hughes	Hunsaker
Ipson	Johnson	King	Kiser
Last	Lockhart	McIff	Menlove
Morley	Newbold	Noel	Painter
Poulson	Powell	Sandstrom	Sumsion
Wimmer	Wright		

**Absent or not voting were:** Representatives

Bigelow	Dougall	Frank	Garn
Hendrickson	Hutchings	Riesen	

Representatives McIff and Sumsion commented.

**1st Sub. S.B. 77**, as amended, failed to pass on the following roll call:

**Yeas, 25; Nays, 43; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

S. Clark	Daw	Draxler	Janice Fisher
Julie Fisher	Fowlke	Frank	F Gibson

K Gibson	Grover	Herrod	Hughes
Ipson	Lockhart	Morley	Newbold
Noel	Painter	Sandstrom	Sumsion
Webb	Wilcox	Wimmer	Wright
D. Clark			

**Voting in the negative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	Cosgrove	Dee
S Duckworth	Dunnigan	Edwards	Ferry
Froerer	Gowans	Greenwood	Hansen
Hemingway	Hunsaker	Johnson	King
Kiser	Last	Litvack	Mascaro
Mathis	McIff	Menlove	Moss
Oda	Poulson	Powell	Ray
Seegmiller	Seelig	Vickers	Wallis
Watkins	Wheatley	Wiley	

**Absent or not voting were:** Representatives

Bigelow	Dougall	Garn	Harper
Hendrickson	Hutchings	Riesen	

**1st Sub. S.B. 77**, as amended, failed and returned to the Senate for filing.

**MISCELLANEOUS BUSINESS**

On motion of Representative Dee, the House voted to recess until 2:30 p.m.

**AFTERNOON SESSION**

The House was called to order by Speaker Pro Tem Hughes at 3:25 p.m.

**MISCELLANEOUS BUSINESS**

On motion of Representative Dee, the House voted to limit debate to five minutes per Representative to speak to bills for the remainder of the 2010 General Session.

**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker: March 9, 2010

The Senate passed, **1st Sub. H.B. 13**, DRUG LAW DEFINITIONS – AMENDMENTS, by Representative T. Beck, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 150**, ADMINISTRATIVE SUBPOENA AMENDMENTS, by Representative B. Daw, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 318**, REVOLVING LOAN FUND FOR CERTAIN ENERGY EFFICIENT PROJECTS AMENDMENTS, by Representative R. Barrus, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **2nd Sub. H.B. 331**, WASTE FEE AND RELATED AMENDMENTS, by Representative R. Menlove, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 340**, SEXUAL ASSAULT VICTIM PROTOCOLS, by Representative J. Biskupski, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 402**, DEPARTMENT OF ADMINISTRATIVE SERVICES MODIFICATIONS, by Representative S. Clark, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 408**, HOSPITAL CLAIMS MANAGEMENT, by Representative B. Last, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.C.R. 2**, CONCURRENT RESOLUTION ON STATES' RIGHTS, by Representative Julie Fisher, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.C.R. 7**, CREDIT SCORES CONCURRENT RESOLUTION, by Representative D. Aagard, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.J.R. 34**, JOINT RESOLUTION ON HOSPITAL CLAIMS MANAGEMENT, by Representative B. Last, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **1st Sub. H.B. 13**, **1st Sub. H.B. 150**, **H.B. 318**, **2nd Sub. H.B. 331**, **H.B. 340**, **H.B. 402**, **1st Sub. H.B. 408**, **1st Sub. H.C.R. 2**, **H.C.R. 7**, and **1st Sub. H.J.R. 34** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: March 9, 2010

The Senate substituted and passed, **Senate 2nd Sub. H.B. 140**, HUMAN RESOURCE MANAGEMENT AMENDMENTS, by Representative B. Dee, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 307**, GENERAL COUNTY POWERS AMENDMENTS, by Representative G. Hughes, and it is transmitted for further consideration; and

The Senate passed, as amended, **2nd Sub. H.B. 397**, MEDICAID PROGRAM AMENDMENTS, by Representative J. Dougall, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. **2nd Sub. H.B. 140**, **H.B. 307**, and **2nd Sub. H.B. 397** placed on the Concurrence Calendar.

\* \* \*

Mr. Speaker: March 9, 2010

The Senate requests the return of **1st Sub. H.B. 235**, CHILD SUPPORT FOR CHILDREN IN STATE CUSTODY, by Representative W. Harper, for reconsideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. On motion of Representative Harper, the House voted to return the bill to the Senate.

\* \* \*

Mr. Speaker: March 9, 2010

The Senate has rejected **H.B. 429**, NEWSPAPER PUBLICATION REQUIREMENTS, by Representative J. Anderson, and it is transmitted for filing.

Annette B. Moore  
Secretary of the Senate

Communication filed. **H.B. 429** was filed.

\* \* \*

Mr. Speaker: March 9, 2010

The Senate concurred in the House amendments and passed **S.B. 167**, ALCOHOLIC BEVERAGE CONTROL ACT RECODIFICATION, by Senator J. Valentine, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communication filed. **S.B. 167** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

\* \* \*

Mr. Speaker: March 8, 2010

The Senate passed, as amended, **S.J.R. 18**, GANG CRIME AWARENESS AND ENFORCEMENT JOINT RESOLUTION, by Senator M. Madsen, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. **S.J.R. 18** read the first time by short title and referred to the Rules Committee.

### INTRODUCTION OF BILL

**H.C.R. 19, General Motors Concurrent Resolution** (M. Brown), read the first time by short title and referred to the Rules Committee.

### MISCELLANEOUS BUSINESS

On motion of Representative Brown, under suspension of the rules, the House voted to lift **H.C.R. 19** from the Rules Committee, consider it read the second time by short title and placed on the Third Reading Calendar.

### THIRD READING CALENDAR

**S.B. 132**, HIGHER EDUCATION SCHOLARSHIP AMENDMENTS, *Hughes*, read the third time by short title and placed on its final passage.

On motion of Representative Dougall, the House voted to circle **S.B. 132**.

\* \* \*

**1st Sub. S.B. 107**, LIEN AMENDMENTS, *Garn*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

On motion of Representative Lockhart, the House voted to delete **1st Sub. S.B. 107** in title and body and insert **3rd Sub. S.B. 107** in lieu thereof.

Representatives Powell, Vickers, King, Webb, and Morley commented.

**3rd Sub. S.B. 107** passed on the following roll call:

**Yeas, 67; Nays, 1; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Grover	Hansen	Harper
Hemingway	Hendrickson	Hughes	Hunsaker
Hutchings	Ipson	King	Kiser
Last	Litvack	Lockhart	Mathis
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	

**Voting in the negative was:** Representative

Powell

**Absent or not voting were:** Representatives

Bigelow	Greenwood	Herrod	Johnson
Mascaro	McIff	D. Clark	

**3rd Sub. S.B. 107**, as amended, returned to the Senate for further consideration.

\* \* \*

**S.B. 178**, UTAH EMERGENCY MEDICAL SERVICES SYSTEM ACT AMENDMENTS, *Ray*, read the third time by short title and placed on its final passage.

**S.B. 178** passed on the following roll call:

**Yeas, 65; Nays, 1; Absent or not voting, 9.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Chavez–Houck	Cosgrove	Daw	Dee
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright			

**Voting in the negative was:** Representative  
Dougall

**Absent or not voting were:** Representatives

Bigelow	Brown	S. Clark	Fowlke
Hendrickson	Herrod	Mascaro	Sumsion
D. Clark			

**S.B. 178** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 56**, SCHOOL REPORTING AMENDMENTS, *Poulson*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

**S.B. 56** passed on the following roll call:

**Yeas, 56; Nays, 0; Absent or not voting, 19.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bird	Black	Chavez–Houck
S. Clark	Cosgrove	Daw	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Hemingway	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mathis
Moss	Oda	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wright

**Absent or not voting were:** Representatives

Bigelow	Biskupski	Brown	Dee
Ferry	Harper	Hendrickson	Herrod
Mascaro	McIff	Menlove	Morley
Newbold	Noel	Painter	Sumsion
Wiley	Wimmer	D. Clark	

**S.B. 56** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 242**, ECONOMIC DEVELOPMENT INCENTIVES FOR ALTERNATIVE ENERGY PROJECTS, *Mathis*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

**S.B. 242** passed on the following roll call:

**Yeas, 54; Nays, 10; Absent or not voting, 11.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Bigelow	Bird	S. Clark	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Julie Fisher
Fowlke	Frank	Froerer	Garn



F Gibson	K Gibson	Gowans	Grover
Hendrickson	Hunsaker	Hutchings	Ipson
Kiser	Last	Litvack	Lockhart
Mathis	Menlove	Morley	Moss
Newbold	Noel	Oda	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright		

**Voting in the negative were:** Representatives

Beck	Biskupski	Black	Chavez–Houck
Cosgrove	Janice Fisher	Hansen	Johnson
King	Poulson		

**Absent or not voting were:** Representatives

Brown	Greenwood	Harper	Hemingway
Herrod	Hughes	Mascaro	McIff
Painter	Sumsion	D. Clark	

**S.B. 242** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**1st Sub. S.B. 45**, UTAH FIT PREMISES ACT AMENDMENTS, *Froerer*, read the third time by short title and placed on its final passage.

Representative Froerer proposed the following amendment:

1. Page 2, Lines 42c through 42d  
Senate 2nd Reading Amendments 2–22–2010  
42c        { (A) }        (i)    a state university; or  
42d        { (B) }        (ii)   a private university with a student  
population of at least 20,000; or
  
2. Page 2, Lines 46c through 46d  
Senate 2nd Reading Amendments 2–22–2010:  
46c        { (A) }        (i)    a state university; or  
46d        { (B) }        (ii)   a private university with a student  
population of at least 20,000; or

- 3. Page 9, Lines 270 through 271  
Senate 2nd Reading Amendments 2–22–2010:

270 (i) modifying the time requirements of a corrective period  
 { ~~–or extended corrective~~  
 271 ~~period~~ } , as { ~~those terms are~~ } defined in Section  
57–22–6;

Representative Froerer’s motion to amend passed on a voice vote.

Representatives Powell, Draxler, Dunnigan, and Julie Fisher commented.

###

Representative S. Clark proposed the following amendment:

- 1. Page 2, Line 42a:  
Delete “A municipality” and insert “The legislature” and after “limit” insert a period and delete the rest of the line.
- 2. Page 2, Line 42b:  
Delete lines 42b through 42e.

Representatives Hughes and Draxler commented. Representative S. Clark’s motion to amend failed on the following roll call:

**Yeas, 22; Nays, 50; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Allen	Bird	S. Clark	Cosgrove
Draxler	S Duckworth	Dunnigan	Edwards
Julie Fisher	Fowlke	Gowans	Hemingway
Hendrickson	Ipson	Menlove	Oda
Powell	Vickers	Watkins	Wheatley
Wiley	D. Clark		

**Voting in the negative were:** Representatives

Aagard	Anderson	Barrus	Beck
Bigelow	Biskupski	Black	Brown
Chavez–Houck	Daw	Dee	Dougall
Ferry	Janice Fisher	Frank	Froerer
F Gibson	K Gibson	Greenwood	Grover
Hansen	Harper	Herrod	Hughes

Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mathis	Morley	Moss	Newbold
Noel	Painter	Poulson	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Wallis	Webb	Wilcox
Wimmer	Wright		

**Absent or not voting were:** Representatives

Garn	Mascaro	McIff
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**1st Sub. S.B. 45**, as amended, passed on the following roll call:

**Yeas, 58; Nays, 14; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Agard	Barrus	Beck	Bigelow
Biskupski	Black	Brown	Chavez–Houck
Cosgrove	Daw	Dee	Dougall
S Duckworth	Ferry	Janice Fisher	Frank
Froerer	Garn	F Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	King
Kiser	Last	Litvack	Lockhart
Menlove	Morley	Moss	Newbold
Noel	Painter	Poulson	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Voting in the negative were:** Representatives

Allen	Anderson	Bird	S. Clark
Draxler	Dunnigan	Edwards	Julie Fisher
Fowlke	Johnson	Mathis	Oda
Powell	Watkins		

**Absent or not voting were:** Representatives

K Gibson	Mascaro	McIff
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**1st Sub. S.B. 45**, as amended, returned to the Senate for further consideration.

### CONFERENCE COMMITTEE REPORT

Mr. Speaker:

March 9, 2010

The Joint Conference Committee comprised of Senators R. Romero, K. Mayne, and J. S. Adams, and Reps. J. Dougall, E. Hutchings, and P. Riesen, recommends **S.B. 113**, WIRELESS TELEPHONE USE RESTRICTION FOR MINORS IN VEHICLES, by Senator R. Romero, be replaced and favorably recommends **1st Sub. S.B. 113**, WIRELESS TELEPHONE USE RESTRICTION FOR MINORS IN VEHICLES.

Senator R. Romero

Representative J. Dougall

Report filed. Representative Dougall made a motion to adopt the Conference Committee Report. Representatives Hutchings, Harper, Ferry, Riesen, Wimmer, Mascaro, Julie Fisher, Hansen, Harper, Greenwood, Sumsion, and Wheatley commented.

Representative Hansen declared a conflict of interest because he has a 16 year old son who would be affected by this bill.

Representative Dougall's motion to adopt the Conference Committee Report failed to pass on the following roll call:

**Yeas, 32; Nays, 35; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Beck	Bird
Biskupski	Black	Chavez–Houck	Cosgrove
S Duckworth	Dunnigan	Janice Fisher	Froerer
Greenwood	Hansen	Hemingway	Hendrickson
Hunsaker	Hutchings	Johnson	King
Litvack	Mascaro	Moss	Poulson
Ray	Riesen	Seegmiller	Seelig
Vickers	Webb	Wheatley	Wiley

**Voting in the negative were:** Representatives

Anderson	Barrus	Brown	Daw
Dee	Dougall	Draxler	Edwards
Ferry	Julie Fisher	Frank	F Gibson
Grover	Harper	Herrod	Ipson
Kiser	Last	Lockhart	Mathis
Menlove	Morley	Newbold	Noel

Oda	Painter	Powell	Sandstrom
Sumsion	Wallis	Watkins	Wilcox
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Bigelow	S. Clark	Fowlke	Garn
K Gibson	Gowans	Hughes	McIff

Speaker Clark appointed Representatives Wright, Sumsion, and Riesen to a new Conference Committee to meet with a like committee from the Senate.

**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker: March 9, 2010

The Senate passed, **H.B. 138**, HAZING PENALTIES, by Representative C. Moss, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communication filed. **H.B. 138** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: March 9, 2010

The Senate passed, as amended, **1st Sub. H.B. 459**, HEALTH AMENDMENTS, by Representative D. Clark, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. **1st Sub. H.B. 459** placed on the Concurrence Calendar.

\* \* \*

Mr. Speaker: March 9, 2010

The Senate passed **S.J.R. 19**, JOINT RULES RESOLUTION ON ETHICS COMPLAINTS, by Senator J. Valentine, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. **S.J.R. 19** read the first time by short title and referred to the Rules Committee.

### INTRODUCTION OF BILL

**H.B. 387, Protecting Identity of Children** (E. Hutchings), read the first time by short title and referred to the Rules Committee.

### RULES COMMITTEE REPORT

Mr. Speaker:

March 9, 2010

The Rules Committee recommends that the following bills and resolutions, under suspension of the rules, be lifted from Rules, considered read for the second time and placed on the Third Reading Calendar for Senate bills:

- |                          |                                                                                                          |
|--------------------------|----------------------------------------------------------------------------------------------------------|
| <b>S.B. 188</b>          | Charter School Amendments (Sen. H. Stephenson)                                                           |
| <b>S.B. 191</b>          | Governmental Accounting Amendments<br>(Sen. L. Hillyard)                                                 |
| <b>S.B. 232</b>          | Judicial Administration Amendments (Sen. S. Jenkins)                                                     |
| <b>2nd Sub. S.B. 272</b> | Amendments to Transportation Provisions<br>(Sen. J. Stevenson)                                           |
| <b>S.C.R. 3</b>          | State Sovereignty Concurrent Resolution<br>(Sen. J. S. Adams)                                            |
| <b>3rd Sub. S.B. 108</b> | Judicial Nominating Commission Staff Amendments<br>(Sen. S. Jenkins)                                     |
| <b>S.B. 170</b>          | Suspension of Driving Privileges (Sen. L. Hillyard)                                                      |
| <b>S.B. 165</b>          | Allocation and Apportionment of Income and Deduction<br>of a Net Loss (Sen. W. Niederhauser)             |
| <b>3rd Sub. S.B. 247</b> | John M. Browning Commemorative Day<br>(Sen. M. Madsen)                                                   |
| <b>S.B. 265</b>          | Budget Revisions – Drug Court Expansion<br>(Sen. D. Liljenquist)                                         |
| <b>S.B. 66</b>           | Public School Extracurricular Activities for Home School<br>and Private School Students (Sen. M. Madsen) |
| <b>S.B. 216</b>          | Absentee Voting by Military Personnel Amendments<br>(Sen. B. McAdams)                                    |
| <b>S.B. 169</b>          | Navajo Revitalization Fund Amendments<br>(Sen. D. Hinkins)                                               |
| <b>S.B. 250</b>          | Political Party Bylaws – United States Senators<br>(Sen. H. Stephenson)                                  |
| <b>S.J.R. 16</b>         | Health Care Facility Disclosure Joint Resolution<br>(Sen. P. Knudson)                                    |
| <b>1st Sub. S.B. 154</b> | Postconviction Remedies Act Amendments<br>(Sen. J. S. Adams)                                             |
| <b>S.B. 237</b>          | Transition for Repealed Navajo Trust Fund Act<br>Amendments (Sen. D. Hinkins)                            |

<b>S.B. 147</b>	Education Related Parent Organizations (Sen. M. Dayton)
<b>S.C.R. 11</b>	Concurrent Resolution Expressing Opposition to the Creation of New National Monuments in Utah (Sen. K. Van Tassell)
<b>1st Sub. S.B. 251</b>	Verification of Employment Eligibility (Sen. D. C. Buttars)
<b>S.B. 225</b>	Motor Vehicle Insurance – Named Driver Exclusion (Sen. L. Hillyard)
<b>1st Sub. S.B. 252</b>	Bail Bond Act Amendments (Sen. D. Stowell)
<b>1st Sub. S.B. 240</b>	Retirement Participation Amendments (Sen. D. Liljenquist)
<b>S.B. 198</b>	Economic Development Incentive Amendments (Sen. J. Valentine)
<b>S.B. 231</b>	Medical Benefits Under Workers’ Compensation (Sen. D. C. Buttars)
<b>S.B. 238</b>	Long–term Care Facility – Medicaid Certification for Bed Capacity Amendments (Sen. L. Robles)
<b>S.B. 206</b>	Access to Crime Victim’s Medical Records (Sen. J. Greiner)
<b>S.B. 273</b>	Hospital Assessments (Sen. L. Hillyard)
<b>S.B. 186</b>	Amendments to Emissions Inspections (Sen. M. Madsen)
<b>S.B. 15</b>	Utah Scenic Byway Amendments (Sen. D. Stowell)
<b>S.B. 118</b>	Uniform Probate Code Amendments (Sen. L. Hillyard)
<b>3rd Sub. S.B. 172</b>	Local District Taxing Authority Amendments (Sen. C. Bramble)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

### **RULES COMMITTEE REPORT**

Mr. Speaker:

March 9, 2010

The House Rules Committee recommends, with written request of the sponsor, that **3rd Sub. S.B. 175**, School District Capital Outlay Equalization Amendments (Sen. B. McAdams), be amended as follows, and under suspension of the rules, be considered read for the second time and placed below **1st. Sub. S.B. 252** on the Third Reading Calendar for Senate bills:

1. Page 5, Line 145 through Page 6, Line 154:

145 (6) (a) Notwithstanding Subsection (2), a distribution to a school district described in

146 Subsection (2) may not exceed {~~the lesser of the following amounts:~~

147 (i) } the distribution the local school board received pursuant to this section for revenue

148 collected for the 2009 calendar year { ~~or~~ }

149 { (ii) the distribution the local school board received pursuant to this section for revenue

150 collected for the year prior to the current calendar year. }

151 (b) If there are remaining capital outlay monies after all distributions described in

152 Subsection (2) are made, the county treasurer shall return the remaining capital outlay monies

153 to a school district in proportion to the school district's percentage of the total amount collected

154 from the .0006 portion of the capital outlay levy required in Subsection 53A-16-107(3).

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

### UNFINISHED BUSINESS

On motion of Representative Hughes, the House voted to uncircle **S.B. 132**.

**S.B. 132**, HIGHER EDUCATION SCHOLARSHIP AMENDMENTS, *Hughes*, was before the House on its final passage. Representative Brown commented.

**S.B. 132** passed on the following roll call:

**Yeas, 68; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez-Houck	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Frank	Froerer	Garn



F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Mascaro
Mathis	McIff	Menlove	Moss
Newbold	Noel	Oda	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

S. Clark	Julie Fisher	Fowlke	Lockhart
Morley	Painter	Watkins	

**S.B. 132** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

\* \* \*

On motion of Representative Ferry, the House voted to uncircle **2nd Sub. S.B. 152**.

**2nd Sub. S.B. 152**, UTAH STATE RAILROAD MUSEUM AUTHORITY ACT, *Ferry*, was before the House on its final passage.

Representative Ferry declared a conflict of interest because the railroad runs through his property.

Representative Ferry proposed the following amendment:

1. Page 3, Lines 66 through 69

66 Golden Spike Chapter:

67 ~~(B)~~ { ~~one individual representing the Union Station Foundation:~~

68 ~~(C)~~ } one individual representing the Golden Spike Heritage Foundation: { and

69 ~~(D)~~ } (C) one individual representing the Golden Spike { Historic Site. } Association; and

(D) one individual representing the Corinne Historical Society.

Representative Ferry's motion to amend passed on a voice vote.

**2nd Sub. S.B. 152**, as amended, passed on the following roll call:

**Yeas, 68; Nays, 5; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McCliff
Menlove	Moss	Newbold	Noel
Oda	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wiley	D. Clark

**Voting in the negative were:** Representatives

Anderson	Morley	Wilcox	Wimmer
Wright			

**Absent or not voting were:** Representatives

Dougall	Painter
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**2nd Sub. S.B. 152**, as amended, returned to the Senate for further consideration.

### THIRD READING CALENDAR

**2nd Sub. S.B. 129**, NEW MOTOR VEHICLE FRANCHISE AMENDMENTS, *Aagard*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

**2nd Sub. S.B. 129** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	D. Clark	

**Absent or not voting were:** Representatives

Dougall	Painter	Wallis	Wright
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**2nd Sub. S.B. 129** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

**RULES COMMITTEE REPORT**

Mr. Speaker:

March 9, 2010

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 5**, Revenue Bond and Capital Facilities Authorizations (Rep. S. Clark), be replaced with **1st Sub H.B. 5**, Revenue Bond and Capital Facilities Authorizations (Rep. S. Clark), and further recommends, under suspension of the rules, that it be considered read for the second time and placed on the Third Reading Calendar.

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

**MISCELLANEOUS BUSINESS**

On motion of Representative Garn, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

### THIRD READING CALENDAR

**1st Sub. H.B. 5**, REVENUE BOND AND CAPITAL FACILITIES AUTHORIZATIONS, *S. Clark*, read the third time by short title and placed on its final passage.

On motion of Representative S. Clark, the House voted to delete **1st Sub. H.B. 5** in title and body and insert **2nd Sub. H.B. 5** in lieu thereof.

**2nd Sub. H.B. 5** passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mathis	McIff	Menlove
Morley	Moss	Noel	Oda
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

Brown	Ipson	Mascaro	Newbold
Painter			

**2nd Sub. H.B. 5** transmitted to the Senate for its consideration.

### UNFINISHED BUSINESS

On motion of Representative Dougall, the House voted to uncircle **H.B. 464**.

**H.B. 464**, FAMILY HEALTH SERVICES RFPS – TOBACCO SETTLEMENT FUNDS, *Dougall*, was before the House on its final passage.

Representative Dougall proposed the following amendment:

- 1. Page 1, Lines 14 through 18

14 This bill:

15 ► requires that the Department of Health provide services with Tobacco Settlement

16 money through the RFP process; and

17 ► makes a one-time deposit of \$ {~~5,050,900~~} 11,350,900 from funds received under the Tobacco

18 Settlement into the General Fund.

- 2. Page 2, Line 56 through Page 3, Line 61:

56 (5) On and after July 1, 2007, 40% of all funds of every kind that are received by the

57 state that are related to the settlement agreement that the state entered into with leading tobacco

58 manufacturers on November 23, 1998, shall be deposited into the permanent state trust fund

59 created by and operated under Utah Constitution Article XXII, Section 4. Notwithstanding the

60 direction in this { subsection } Subsection (5) , for fiscal year 2011, the first \$ { ~~5,050,900~~ } 11,350,900 shall be deposited in the

61 General Fund and the remaining funds deposited as directed.

Representative Dougall’s motion to amend passed on a voice vote.

Representatives Cosgrove and King commented.

**H.B. 464**, as amended, passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski

Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Ipson	King
Kiser	Last	Litvack	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

S Duckworth	Hutchings	Johnson	Lockhart
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**H.B. 464**, as amended, transmitted to the Senate for its consideration.

### MISCELLANEOUS BUSINESS

On motion of Representative Garn, the House voted to move to the Senate Third Reading Calendar.

### THIRD READING CALENDAR

**S.B. 160**, UTAH STATE DEVELOPMENTAL CENTER AMENDMENTS, *Dougall*, read the third time by short title and placed on its final passage.

Representatives Beck and Lockhart commented.

**S.B. 160** passed on the following roll call:

**Yeas, 47; Nays, 25; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Bigelow
Brown	S. Clark	Cosgrove	Daw
Dee	Dougall	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson

Gowans	Greenwood	Grover	Harper
Hendrickson	Herrod	Hughes	Kiser
Last	Lockhart	Mascaro	Mathis
McIff	Morley	Newbold	Noel
Oda	Poulson	Powell	Sandstrom
Seelig	Sumsion	Webb	Wilcox
Wimmer	Wright	D. Clark	

**Voting in the negative were:** Representatives

Anderson	Beck	Bird	Biskupski
Black	Chavez–Houck	Draxler	S Duckworth
Edwards	Hansen	Hemingway	Hunsaker
Johnson	King	Litvack	Menlove
Moss	Painter	Ray	Riesen
Seegmiller	Vickers	Wallis	Wheatley
Wiley			

**Absent or not voting were:** Representatives

Hutchings	Ipson	Watkins
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**S.B. 160** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 163**, HEALTH REGULATION OF GEOTHERMAL POOLS AND BATHS, *Oda*, read the third time by short title and placed on its final passage.

Representative Powell proposed the following amendment:

1. Page 1, Lines 10 through 17a  
Senate 2nd Reading Amendments 3–2–2010

10 This bill ~~{–describes the authority of the Department of Health to adopt rules and enforce~~

11 ~~minimum health and safety standards relating to public and~~  
12 ~~§~~ → [quasi–public] member–owned ← ~~§~~

11a ~~geothermal~~

12 ~~pools and baths.–}~~ permits an owner of a geothermal pool or bath to elect to exempt the geothermal pool or bath from oversight and regulation by the Department of Health or a local health department if the owner posts notice of the exemption.

13 Highlighted Provisions:

14 This bill:

15 {~~→ defines the term~~ ~~Ŝ~~ ~~→~~ ~~[quasi-public] member-owned~~  
~~←Ŝ~~ ~~geothermal pool and bath;~~

16 ~~►~~ ~~describes the extent to which the Department of Health~~  
~~or a local health department~~

17 ~~may regulate or inspect a public or~~ ~~Ŝ~~ ~~→~~ ~~[quasi-public]~~  
~~member-owned~~ ~~←Ŝ~~ ~~geothermal pool or~~

17a ~~bath;}~~

► permits an owner of a geothermal pool or bath to elect to exempt the  
geothermal pool or bath from oversight and regulation by the  
Department of Health or a local health department if the owner posts  
notice of the exemption;

2. Page 5, Lines 121 through 126:

121 ~~(xxi)~~ {~~subject to Subsection 26-15-2(2)(a), public~~ }  
~~except as provided in Subsection 26-15-2(2),~~ geothermal pools and  
baths;

122 {~~(xxii)~~ ~~subject to Subsection 26-15-2(2)(b),~~  
~~Ŝ~~ ~~→~~ ~~[quasi-public] member-owned~~ ~~←Ŝ~~

122a ~~geothermal pools and baths; }~~

123 [~~(xxi)~~] {~~(xxiii)~~ } (xxii) state, county, or municipal  
institutions, including hospitals and other

124 buildings, centers, and places used for public gatherings; and

125 [~~(xxii)~~] {~~(xxiv)~~ } (xxiii) of any other facilities in  
public buildings and on public grounds;

126 (v) conduct health planning for the state;

3. Page 6, Line 163 through Page 7, Line 1971  
Senate 2nd Reading Amendments 3-2-2010:

163 {~~(2)(a) As used in this Subsection (2), a~~ ~~Ŝ~~ ~~→~~ ~~[quasi-public]~~  
~~member-owned~~ ~~←Ŝ~~ ~~geothermal~~

163a pool or bath is a pool



164 ~~or bath that is:~~

165 ~~(i) owned, maintained, and operated by four or more residential home owners or a~~

166 ~~homeowner's association;~~

167 ~~(ii) intended for the exclusive use of the homeowners and their nonpaying guests; and~~

168 ~~(iii) filled with water from a geothermal spring.~~

169 ~~(b) In regulating a public geothermal pool or bath, the department  $\hat{S} \rightarrow$  or a local health~~

169a ~~department  $\leftarrow \hat{S}$  :~~

170 ~~(i) may only establish and enforce rules that set minimum safety standards for:~~

171 ~~(A) the initial design and initial construction of a pool or bath; and~~

172 ~~(B) bacteriological content; and~~

173 ~~(ii) may not establish or enforce rules relating to:~~

174 ~~(A) water color, water clarity, or dissolved solids content;~~

175 ~~(B) the color or contents of, or the presence of deposits in, the structure or lining of the~~

176 ~~pool or bath;  $\hat{S} \rightarrow$  or~~

177 ~~[(C) facilities relating to the use of a pool or bath, including the number of toilets or~~

178 ~~showers; or]~~

179 ~~[(D)] (C)  $\leftarrow \hat{S}$  the type of water filtration used.~~

180 ~~(c) In regulating a  $\hat{S} \rightarrow$  [quasi-public] member-owned  $\leftarrow \hat{S}$  geothermal pool or bath, the~~

180a ~~department  $\hat{S} \rightarrow$  or a local health department  $\leftarrow \hat{S}$  :~~

181 ~~(i) may only establish and enforce rules that require an owner of the pool or bath to:~~

182 ~~(A) maintain safe bacterial levels;~~

183 ~~(B) test bacterial levels;~~

- 184 ~~(C) maintain a log of bacterial level tests and results; and~~
- 185 ~~(D) permit inspection of the log described in Subsection~~  
~~(2)(c)(i)(C), upon request, by~~
- 186 ~~the department or a local health department; and~~
- 187 ~~(ii) may not:~~
- 188 ~~(A)  $\hat{S}$ → except as provided in Subsection (2)(d), ← $\hat{S}$  perform a~~  
~~test of bacterial levels in a~~
- 188a ~~pool or bath;~~
- 189 ~~(B) inspect a pool or bath or its appurtenant facilities; or~~
- 190 ~~(C) establish or enforce rules relating to:~~
- 191 ~~(I) design, construction, or condition of a pool or bath;~~
- 192 ~~(II) water color, water clarity, or dissolved solids content;~~
- 193 ~~(III) the color or contents of, or the presence of deposits in, the~~  
~~structure or lining of the~~
- 194 ~~pool or bath;~~
- 195 ~~(IV) facilities relating to the use of a pool or bath, including the~~  
~~number of toilets or~~
- 196 ~~showers; or~~
- 197 ~~(V) the type of water filtration used.~~
- 197a  ~~$\hat{S}$ → (d) (i) The department or a local health department may~~  
~~conduct a bacterial test of a~~
- 197b ~~member-owned geothermal pool or bath if the test is requested by a~~  
~~person who, within 15~~
- 197c ~~days before the day on which the request is made;~~
- 197d ~~(A) was present in the pool or bath;~~
- 197e ~~(B) became sick after being present in the pool or bath; and~~
- 197f ~~(C) has reason to believe that the sickness described in Subsection~~  
~~(2)(d)(i)(B) was contracted~~
- 197g ~~from the pool or bath;~~
- 197h ~~(ii) If a test performed under Subsection (2)(d)(i) reveals that the~~  
~~member-owned geothermal~~

~~197i pool or bath poses a health risk, the department or local health department:~~

~~197j (A) shall work with the owners of the pool or bath to assist the owners to restore the pool or~~

~~197k bath to a safe condition; and~~

~~197l (B) may not shut down the pool or bath or take action against an owner of the pool or bath. ←§ }~~

- (2) A geothermal pool or bath is exempt from oversight or regulation by the department or a local health department if the owner posts notice:
  - (a) in a conspicuous place, at the entrance to the geothermal pool or bath;
  - (b) in a conspicuous place, where the notice can be viewed from the geothermal pool or bath;
  - (c) that is clearly legible and printed in at least 200 point type; and
  - (d) that states the following “This geothermal pool or bath is not regulated by the Department of Health or a local health department.”.

Representatives Allen and King commented. Representative Powell’s motion to amend passed on the following roll call:

**Yeas, 40; Nays, 34; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Beck	Bigelow
Bird	Biskupski	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Draxler
S Duckworth	Dunnigan	Edwards	Janice Fisher
F Gibson	Gowans	Hansen	Hemingway
Hendrickson	Hunsaker	Ipson	Johnson
King	Last	Litvack	Mascaro
McIff	Menlove	Moss	Poulson
Powell	Riesen	Seegmiller	Seelig
Watkins	Webb	Wheatley	Wiley

**Voting in the negative were:** Representatives

Anderson	Barrus	Daw	Dee
Dougall	Ferry	Julie Fisher	Fowlke
Frank	Froerer	Garn	K Gibson
Greenwood	Grover	Harper	Herrod
Hughes	Hutchings	Kiser	Lockhart
Mathis	Morley	Newbold	Noel

Oda	Painter	Ray	Sumsion
Vickers	Wallis	Wilcox	Wimmer
Wright	D. Clark		

**Absent or not voting was:** Representative Sandstrom

Representatives Hendrickson and Sumsion commented.

On motion of Representative Ferry, the House voted to circle **S.B. 163**.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 9, 2010

The Senate passed, **H.B. 2**, FISCAL YEAR 2010 AND FISCAL YEAR 2011 SUPPLEMENTAL APPROPRIATIONS, by Representative R. Bigelow, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 179**, OFF-HIGHWAY VEHICLE AND STREET-LEGAL ALL-TERRAIN VEHICLE REVISIONS, by Representative M. Noel, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 189**, CLOSED MEETINGS AMENDMENTS, by Representative P. Painter, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 337**, UNIFORM DRIVER LICENSE ACT AMENDMENTS, by Representative R. Lockhart, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 363**, MUNICIPAL ELECTION AMENDMENTS, by Representative C. Frank, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 380**, FIREARM LAWS AMENDMENTS, by Representative S. Sandstrom, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 431**, IDENTITY VERIFICATION BY DEPARTMENT OF COMMERCE, by Representative M. Morley, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 2**, **H.B. 179**, **H.B. 189**, **H.B. 337**, **H.B. 363**, **H.B. 380**, and **H.B. 431** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: March 9, 2010  
The Senate passed **S.B. 282**, CAPITAL FACILITIES APPROPRIATIONS, by Senator C. Bramble, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. **S.B. 282** read the first time by short title and referred to the Rules Committee.

\* \* \*

Mr. Speaker: March 9, 2010  
The Senate substituted and passed, **Senate 2nd Sub. H.B. 141**, RECREATIONAL USE OF PUBLIC WATER ON PRIVATE PROPERTY, by Representative K. McIff, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 143**, EMINENT DOMAIN AUTHORITY, by Representative C. Herrod, and it is transmitted for further consideration; and

The Senate passed, as amended, **1st Sub. H.B. 324**, PUBLIC LANDS LITIGATION, by Representative K. Sumsion, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **2nd Sub. H.B. 141**, **H.B. 143**, and **1st Sub. H.B. 324** placed on the Concurrence Calendar.

#### MISCELLANEOUS BUSINESS

On motion of Representative Garn, and at 6:10 p.m., the House voted to adjourn until March 10, 2010, at 8:00 a.m.

# FORTY-FOURTH DAY

\* \* \*

## MORNING SESSION

The House was called to order by Speaker Clark at 8:00 a.m.

Roll call showed all members present except Representative Bill Wright, excused.

Prayer offered by Barbara Thompson, 2nd Counselor, General Relief Society Presidency, L.D.S. Church and Representative Merlynn Newbold's sister. Pledge of Allegiance led by Representative Newbold's intern, McKynzie Bird.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 9, 2010

The Senate passed, as substituted, **1st Sub. S.B. 31**, ADMINISTRATIVE RULES REAUTHORIZATION, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **2nd Sub. S.B. 203**, VACANCIES IN COUNTY ELECTED OFFICES, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed **S.B. 280**, 2010 GENERAL OBLIGATION BOND AUTHORIZATION, by Senator L. Hillyard, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **1st Sub. S.B. 31**, **2nd Sub. S.B. 203**, and **S.B. 280** read the first time by short title and referred to the Rules Committee.

\* \* \*

Mr. Speaker: March 9, 2010

The Senate passed, **H.C.R. 15**, RESOLUTION TO THE SECRETARY OF TRANSPORTATION ON REVOCATION OF DRIVER LICENSES, by Representative R. Lockhart, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communication filed. **H.C.R. 15** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker:

March 9, 2010

The President of the Senate has appointed a Conference Committee consisting of Senators R. Romero, H. Stephenson, and R. Okerlund to meet with a like committee from the House of Representatives to consider or amend **S.B. 113**, WIRELESS TELEPHONE USE RESTRICTION FOR MINORS IN VEHICLES, by Senator R. Romero.

Annette B. Moore  
Secretary of the Senate

Communication filed. The new Conference Committee may now meet.

### CONCURRENCE CALENDAR

On motion of Representative Dee, the House voted to concur in the Senate amendments to **2nd Sub. H.B. 140**, HUMAN RESOURCE MANAGEMENT AMENDMENTS.

**2nd Sub. H.B. 140**, as amended by the Senate, passed on the following roll call:

**Yeas, 59; Nays, 7; Absent or not voting, 9.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Brown
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Harper	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	King	Kiser	Last
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Noel	Oda
Painter	Poulson	Powell	Ray
Sandstrom	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	D. Clark	

**Voting in the negative were:** Representatives

Black	Chavez-Houck	Cosgrove	Hansen
Hemingway	Riesen	Seegmiller	

**Absent or not voting were:** Representatives

Bigelow	S. Clark	Ferry	Johnson
Litvack	Moss	Newbold	Seelig
Wright			

**2nd Sub. H.B. 140**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Hughes, the House voted to concur in the Senate amendments to **H.B. 307**, GENERAL COUNTY POWERS AMENDMENTS.

**H.B. 307**, as amended by the Senate, passed on the following roll call:

**Yeas, 67; Nays, 1; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Noel	Oda	Painter
Poulson	Ray	Riesen	Sandstrom
Seegmiller	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	D. Clark	

**Voting in the negative was:** Representative

Powell

**Absent or not voting were:** Representatives

Bigelow	S. Clark	Ferry	Litvack
Newbold	Seelig	Wright	

**H.B. 307**, as amended by the Senate, transmitted to the Senate for signature of President.



\* \* \*

On motion of Representative Dougall, the House voted to concur in the Senate amendments to **2nd Sub. H.B. 397**, MEDICAID PROGRAM AMENDMENTS.

**2nd Sub. H.B. 397**, as amended by the Senate, passed on the following roll call:

**Yeas, 67; Nays, 0; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	D. Clark	

**Absent or not voting were:** Representatives

Bigelow	S. Clark	Ferry	Litvack
Newbold	Noel	Seelig	Wright

**2nd Sub. H.B. 397**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative D. Clark, the House voted to concur in the Senate amendments to **1st Sub. H.B. 459**, HEALTH AMENDMENTS.

**1st Sub. H.B. 459**, as amended by the Senate, passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Sumsion	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
D. Clark			

**Absent or not voting were:** Representatives

S Duckworth	Litvack	Newbold	Seelig
Vickers	Wright		

**1st Sub. H.B. 459**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative McIff, the House voted to concur in the Senate amendments to **2nd Sub. H.B. 141**, RECREATIONAL USE OF PUBLIC WATER ON PRIVATE PROPERTY.

Representatives Fowlke, Draxler, Ferry, and Allen commented.

**2nd Sub. H.B. 141**, as amended by the Senate, passed on the following roll call:

**Yeas, 43; Nays, 28; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Barrus	Brown	Dee
Draxler	S Duckworth	Ferry	Julie Fisher

Frank	Froerer	K Gibson	Gowans
Greenwood	Grover	Hansen	Hendrickson
Herrod	Hunsaker	Hutchings	Ipson
Kiser	Last	Mascaro	Mathis
McIff	Menlove	Moss	Newbold
Noel	Oda	Painter	Powell
Ray	Sandstrom	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wimmer	D. Clark	

**Voting in the negative were:** Representatives

Allen	Anderson	Beck	Bigelow
Bird	Biskupski	Black	Chavez–Houck
S. Clark	Cosgrove	Daw	Dunnigan
Edwards	Janice Fisher	Fowlke	Garn
Harper	Hemingway	Hughes	Johnson
King	Litvack	Lockhart	Poulson
Riesen	Seegmiller	Seelig	Wiley

**Absent or not voting were:** Representatives

Dougall	F Gibson	Morley	Wright
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**2nd Sub. H.B. 141**, as amended by the Senate, transmitted to the Senate for signature of President.

### MISCELLANEOUS BUSINESS

On motion of Representative Lockhart, under suspension of the rules, the House voted to lift **S.B. 273** from its place on the calendar and place it on the top of the Third Reading Calendar.

On motion of Representative Lockhart, under suspension of the rules, the House voted to lift **S.B. 282**, **S.B. 280**, and **1st Sub. S.B. 116** consider them read the second time by short title and placed at the top of the Third Reading Calendar.

On motion of Representative Lockhart, under suspension of the rules, the House voted to lift **S.B. 265** from its place on calendar and place it under **S.B. 116** on the Senate Third Reading Calendar.

On motion of Representative Lockhart, under suspension of the rules, the House voted to lift **S.B. 278** from the Rules Committee, consider it read the second time by short title and placed on the Senate Third Reading Calendar below **S.B. 273**.

On motion of the Representative Lockhart, under suspension of the rules, the House voted to lift **1st Sub. S.B. 156** from the Rules Committee, consider it read the second time by short title and placed at the bottom of the Third Reading Calendar.

### CONCURRENCE CALENDAR

On motion of Representative Herrod, the House voted to concur in the Senate amendments to **H.B. 143**, EMINENT DOMAIN AUTHORITY.

**H.B. 143**, as amended by the Senate, passed on the following roll call:

**Yeas, 48; Nays, 17; Absent or not voting, 10.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Bigelow	Bird	Black	Brown
S. Clark	Dougall	Draxler	Dunnigan
Edwards	Ferry	Julie Fisher	Fowlke
Frank	Froerer	Gowans	Greenwood
Grover	Harper	Herrod	Hughes
Hunsaker	Ipson	Kiser	Last
Lockhart	Mascaro	Mathis	McCliff
Menlove	Newbold	Noel	Oda
Painter	Powell	Ray	Sandstrom
Sumsion	Vickers	Wallis	Watkins
Webb	Wilcox	Wimmer	D. Clark

**Voting in the negative were:** Representatives

Beck	Biskupski	Chavez–Houck	Cosgrove
S Duckworth	Janice Fisher	Hansen	Hemingway
Johnson	King	Litvack	Moss
Poulson	Seegmiller	Seelig	Wheatley
Wiley			

**Absent or not voting were:** Representatives

Daw	Dee	Garn	F Gibson
K Gibson	Hendrickson	Hutchings	Morley
Riesen	Wright		

**H.B. 143**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Sumsion, the House voted to concur in the Senate amendments to **1st Sub. H.B. 324, PUBLIC LANDS LITIGATION.**

**1st Sub. H.B. 324**, as amended by the Senate, passed on the following roll call:

**Yeas, 48; Nays, 19; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Barrus	Bigelow
Black	Brown	S. Clark	Dee
Dougall	Dunnigan	Edwards	Ferry
Julie Fisher	Fowlke	Frank	Froerer
Garn	K Gibson	Gowans	Greenwood
Grover	Harper	Herrod	Hughes
Hunsaker	Ipson	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Newbold	Noel
Oda	Painter	Powell	Ray
Sandstrom	Sumsion	Vickers	Watkins
Webb	Wilcox	Wimmer	D. Clark

**Voting in the negative were:** Representatives

Allen	Beck	Bird	Biskupski
Chavez–Houck	Cosgrove	Draxler	S Duckworth
Janice Fisher	Hansen	Hemingway	Johnson
King	Moss	Poulson	Seegmiller
Seelig	Wheatley	Wiley	

**Absent or not voting were:** Representatives

Daw	F Gibson	Hendrickson	Hutchings
Morley	Riesen	Wallis	Wright

**1st Sub. H.B. 324**, as amended by the Senate, transmitted to the Senate for signature of President.

**THIRD READING CALENDAR**

**S.B. 282, CAPITAL FACILITIES APPROPRIATIONS, S. Clark**, read the third time by short title and placed on its final passage.

**S.B. 282** passed on the following roll call:

**Yeas, 62; Nays, 5; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Fowlke	Frank	Froerer	Garn
K Gibson	Gowans	Greenwood	Grover
Hemingway	Herrod	Hughes	Hunsaker
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Moss
Newbold	Noel	Painter	Poulson
Powell	Riesen	Sandstrom	Seegmiller
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	D. Clark		

**Voting in the negative were:** Representatives

Hansen	Harper	Oda	Ray
Seelig			

**Absent or not voting were:** Representatives

Daw	Dee	Julie Fisher	F Gibson
Hendrickson	Hutchings	Morley	Wright

**S.B. 282** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 280**, 2010 GENERAL OBLIGATION BOND AUTHORIZATION, *Hunsaker*, read the third time by short title and placed on its final passage.

Representative Black proposed the following amendment:

1. Page 2, Line 31

31 63B–19–101, Utah Code Annotated 1953  
63B–19–102. Utah Code Annotated 1953

2. Page 5, Line 149:

149 entity other than the Division of Facilities Construction and Management.

Section 4. Section 63B-19-102 is enacted to read:

63B-19-102. Additional capital facilities bonds -- Maximum amount -- Projects authorized.

(1) The total amount of bonds issued under this section may not exceed \$2,000,000 for acquisition and construction proceeds, plus additional amounts necessary to pay costs of issuance, to pay capitalized interest, and to fund any debt service reserve requirements, with the total amount of the bonds not to exceed \$2,020,000.

(2) (a) Proceeds from the issuance of bonds shall be provided to the division to provide funds to pay all or part of the cost of acquiring and constructing the projects listed in this Subsection (2).

(b) These costs may include the cost of acquiring land, interests in land, easements and rights-of-way, improving sites, and acquiring, constructing, equipping, and furnishing facilities and all structures, roads, parking facilities, utilities, and improvements necessary, incidental, or convenient to the facilities, interest estimated to accrue on these bonds during the period to be covered by construction of the projects plus a period of six months after the end of the construction period, and all related engineering, architectural, and legal fees.

(c) For the division, proceeds shall be provided for the following:

CAPITAL DEVELOPMENT PROJECTS

<u>Project</u>	<u>Estimated</u>	<u>Project</u>
<u>Description</u>	<u>Operations</u>	<u>Amount</u>
	<u>and</u>	<u>Funded</u>
	<u>Maintenance</u>	

<u>DHS State Hospital Building</u>		
<u>Consolidation--Design</u>	<u>\$0</u>	<u>\$2,000,000</u>
<u>TOTAL CAPITAL</u>		

<u>DEVELOPMENT</u>		
<u>PROJECTS</u>		<u>\$2,000,000</u>

<u>ADDITIONAL AUTHORIZED AMOUNTS</u>	<u>\$20,000</u>
<u>TOTAL GENERAL OBLIGATION BOND AUTHORIZATION</u>	
<u>FOR CAPITAL DEVELOPMENT PROJECTS</u>	<u>\$2,020,000</u>

(d) For purposes of this section, operations and maintenance costs:

(i) are estimates only;

(ii) may include any operations and maintenance costs already funded in existing agency budgets; and

(iii) are not commitments by this Legislature or future Legislatures to fund those operations and maintenance costs.

(3) (a) The amounts funded as listed in Subsection (2) are estimates only and do not constitute a limitation on the amount that may be expended for any project.

(b) The board may revise these estimates and redistribute the amount estimated for a project among the projects authorized.

(c) The commission, by resolution and in consultation with the board, may delete one or more projects from this list if the inclusion of that project or those projects in the list could be construed to violate state law or federal law or regulation.

(4) (a) The division may enter into agreements related to these projects before the receipt of proceeds of bonds issued under this chapter.

(b) The division shall make those expenditures from unexpended and unencumbered building funds already appropriated to the Capital Projects Fund.

(c) The division shall reimburse the Capital Projects Fund upon receipt of the proceeds of bonds issued under this chapter.

(d) The state intends to use proceeds of tax-exempt bonds to reimburse itself for expenditures for costs of the projects listed in Subsection (2)(c).

(5) It is the intent of the Legislature that the funding authorized for projects in Subsection (2) does not include funds for public art.

Renumber remaining sections accordingly.

Representatives Sandstrom, Litvack, S. Clark, Seelig, Ferry, and Janice Fisher commented. Representative Black’s motion to amend passed on a voice vote.

**S.B. 280**, as amended, passed on the following roll call:

**Yeas, 63; Nays, 3; Absent or not voting, 9.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Dee	Dougall	Draxler
S Duckworth	Edwards	Ferry	Janice Fisher



Fowlke	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Hemingway	Herrod	Hunsaker
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Moss
Newbold	Noel	Oda	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	D. Clark	

**Voting in the negative were:** Representatives

Dunnigan	Harper	Wimmer
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**Absent or not voting were:** Representatives

Daw	Julie Fisher	Frank	Hendrickson
Hughes	Hutchings	Morley	Painter
Wright			

**S.B. 280**, as amended, returned to the Senate for further consideration.

\* \* \*

**1st Sub. S.B. 116**, DISTRICT COURT JUDGES AMENDMENTS, *Ipson*, read the third time by short title and placed on its final passage.

**1st Sub. S.B. 116** passed on the following roll call:

**Yeas, 68; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Herrod	Hunsaker
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro

Mathis	McIff	Menlove	Morley
Newbold	Noel	Oda	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	D. Clark

**Absent or not voting were:** Representatives

Daw	Hendrickson	Hughes	Hutchings
Moss	Painter	Wright	

**1st Sub. S.B. 116** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 265**, BUDGET REVISIONS – DRUG COURT EXPANSION, *Dougall*, read the third time by short title and placed on its final passage.

**S.B. 265** passed on the following roll call:

**Yeas, 65; Nays, 0; Absent or not voting, 10.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Herrod	Hunsaker	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Noel	Oda
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
D. Clark			

**Absent or not voting were:** Representatives

Daw	Janice Fisher	K Gibson	Hendrickson
Hughes	Hutchings	Moss	Newbold
Painter	Wright		

**S.B. 265** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 273**, HOSPITAL ASSESSMENTS, *Garn*, read the third time by short title and placed on its final passage.

On motion of Representative Garn, the House voted to circle **S.B. 273**.

\* \* \*

**S.B. 278**, HOMEOWNERS' ASSOCIATION AMENDMENTS, *Ipson*, read the third time by short title and placed on its final passage.

Representative Hemingway commented and declared a conflict of interest because he has been the president of his homeowners association and his wife is currently serving as president of the association.

Representative Ipson declared a conflict of interest because he owns properties that have homeowners associations.

**S.B. 278** passed on the following roll call:

**Yeas, 65; Nays, 2; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Dee	Dougall	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Herrod	Hughes	Hunsaker
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Moss

Noel	Painter	Poulson	Powell
Ray	Riesen	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
D. Clark			

**Voting in the negative were:** Representatives

Morley	Oda
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**Absent or not voting were:** Representatives

Daw	Draxler	Hendrickson	Hutchings
Newbold	Sandstrom	Wimmer	Wright

**S.B. 278** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 210, JUDICIAL PERFORMANCE EVALUATION COMMISSION AMENDMENTS**, *Oda*, read the third time by short title and placed on its final passage.

**S.B. 210** passed on the following roll call:

**Yeas, 67; Nays, 0; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Herrod	Hughes
Hunsaker	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mathis	McIff	Menlove	Morley
Moss	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wimmer	D. Clark	

**Absent or not voting were:** Representatives

Dee	Hendrickson	Hutchings	Mascaro
Newbold	Seegmiller	Wiley	Wright

**S.B. 210** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

**UNFINISHED BUSINESS**

On motion of Representative Garn, the House voted to uncircle **S.B. 273**.

**S.B. 273**, HOSPITAL ASSESSMENT, *Garn*, was before the House on its final passage.

Representative Garn proposed the following amendment:

1. Page 6, Lines 169 through 170e  
Senate 2nd Reading Amendments 3–5–2010
  - 169 (d) { ~~The~~ } (i) Except as provided in Subsection (d)(ii),  
the annual uniform assessment rate { ~~§~~;
  - 169a (i) ~~←§~~ } may not generate more than the non-federal  
170 share of the annual upper payment limit gap for the fiscal year.  
{ for §[each applicable] ~~←§~~ fiscal year ~~§~~2012; and }
  - 170a (ii) { ~~for~~ } (A) For fiscal year { ~~–2010–2011 only;~~
  - 170b (A)–} 2010 the assessment may not generate more than  
the non-federal share of the annual upper payment  
170c limit gap for the fiscal year { ~~; and~~ } ;
  - 170d (B) For fiscal year 2010–2011 the department may generate  
an additional amount from the assessment imposed under  
Subsection(d)(i) in the amount of \$2,000,000. {~~of the assessment~~}  
which shall be used by the department and the division as follows:  
(I) \$1,000,000 to  
170e offset Medicaid mandatory expenditures ; and  
(II) \$1,000,000 to offset the reduction in hospital outpatient fees in  
the state program.  
(C) For fiscal years 2011–12 and 2012–13 the department may  
generate an additional amount from the assessment imposed under  
Subsection(d)(i) in the amount of \$1,000,000 to offset Medicaid  
mandatory expenditures . ~~←§~~ .

Representative Garn's motion to amend passed on a voice vote.

Representatives Harper, S. Clark, Dunnigan, and Vickers commented.

**S.B. 273**, as amended, passed on the following roll call:

**Yeas, 56; Nays, 12; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Dee	Draxler	S Duckworth	Dunnigan
Edwards	Janice Fisher	Julie Fisher	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Hansen	Harper	Hemingway
Hughes	Hunsaker	Ipson	Johnson
King	Kiser	Last	Litvack
Mascaro	Mathis	McIff	Menlove
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Seegmiller
Seelig	Vickers	Wallis	Watkins
Webb	Wheatley	Wiley	D. Clark

**Voting in the negative were:** Representatives

Bird	Daw	Dougall	Frank
Grover	Herrod	Lockhart	Morley
Sandstrom	Sumsion	Wilcox	Wimmer

**Absent or not voting were:** Representatives

Ferry	Fowlke	Hendrickson	Hutchings
Moss	Newbold	Wright	

**S.B. 273**, as amended, returned to the Senate for further consideration.

### THIRD READING CALENDAR

**S.B. 222**, FEE EXEMPTIONS, *Hutchings*, read the third time by short title and placed on its final passage.

Representative Hutchings proposed the following amendment:

1. Page 1, Line 9

9 This bill authorizes in certain circumstances, a local district to provide a credit for a fee charged by the local

2. Page 1, Lines 13 through 15:

13 " authorizes in certain circumstances, a local district  
to provide a credit for a fee charged by {~~a~~} the local  
district {~~;~~and

14 "~~\_\_\_\_\_requires a local district that provides a fee credit to~~  
~~provide the credit to a home~~

15 ~~owner and residential tenant~~ } .

3. Page 1, Line 27 through Page 2, Line 35:

27 (1) A local district may create a fee structure under this title that  
permits :  
(a) a home owner

28 or residential tenant to file for a fee credit for a fee charged by the  
local district, if the credit is

29 based on:

30 { ~~(a)~~ } (i) the home owner's annual income; or

31 { ~~(b)~~ } (ii) the residential tenant's annual  
income { ~~;~~ } ; or

(b) an owner of federally subsidized housing to file for a credit for a  
fee charged by the local district.

32 (2) If a local district permits a person to file for a fee credit under  
Subsection (1) (a), the

33 local district shall make the credit available to:

34 (a) a home owner; and

35 (b) a residential tenant.

Representative Hutchings' motion to amend passed on a voice vote.

S.B. 222, as amended, passed on the following roll call:

**Yeas, 67; Nays, 1; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez-Houck	S. Clark
Cosgrove	Daw	Dee	Draxler

S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wiley	Wimmer	D. Clark	

**Voting in the negative was:** Representative  
Dougall

**Absent or not voting were:** Representatives

Hendrickson	Kiser	Morley	Moss
Newbold	Wilcox	Wright	

**S.B. 222**, as amended, returned to the Senate for further consideration.

\* \* \*

**S.B. 62**, MOTOR VEHICLE INSURANCE COVERAGE AMENDMENTS, *Dunnigan*, read the third time by short title and placed on its final passage.

On motion of Representative Dunnigan, the House voted to circle **S.B. 62**.

\* \* \*

**S.B. 218**, ENGINE COOLANT BITTERING AGENT ACT, *Mathis*, read the third time by short title and placed on its final passage.

Representative Painter proposed the following amendment:

1. Page 4, Lines 118 through 120

118     19-1-508. Exemptions.

119     This part does not apply to:

120     (1) the sale of a motor vehicle     or a part of a motor  
vehicle     that contains engine coolant; or



Representative Painter’s motion to amend passed on a voice vote.

Representatives K. Gibson, Wimmer, and Anderson commented.

###

Representative Anderson proposed the following amendment:

- 1. Page 3, Lines 64–72:  
Delete lines 64 through 72.

Representative Anderson’s motion to amend failed on a voice vote.

**S.B. 218**, as amended, passed on the following roll call:

**Yeas, 60; Nays, 14; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Froerer	F Gibson
Gowans	Greenwood	Grover	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Litvack	Mascaro	Mathis
McIff	Menlove	Moss	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Vickers	Wallis	Watkins
Webb	Wheatley	Wiley	D. Clark

**Voting in the negative were:** Representatives

Anderson	Dougall	Frank	Garn
K Gibson	Hansen	Kiser	Last
Lockhart	Morley	Newbold	Sumsion
Wilcox	Wimmer		

**Absent or not voting was:** Representative Wright

**S.B. 218**, as amended, returned to the Senate for further consideration.

### MISCELLANEOUS BUSINESS

On motion of Representative Bigelow, under suspension of the rules, the House voted to move **S.B. 191** to the top of the Senate Third Reading Calendar.

### THIRD READING CALENDAR

**S.B. 191**, GOVERNMENTAL ACCOUNTING AMENDMENTS, *Bigelow*, read the third time by short title and placed on its final passage.

Representative Harper proposed the following amendment:

1. Page 1, Lines 15 through 18  
Senate 2nd Reading Amendments 3–2–2010  
15       ▶       clarifies that money in a restricted account or fund does  
not lapse to another account  
16   or fund unless otherwise specified;  
          ▶       addresses the disposition of money deposited into the  
Rural Health Care Facilities Account;  
17       ”       provides that certain highway special revenue funds are  
within the Transportation  
18   Fund;
2. Page 1, Line 27  
Senate 2nd Reading Amendments 3–2–2010:  
27   Other Special Clauses:  
      This bill provides effective dates.
3. Page 25, Lines 749 through 750:  
749   (4) Subject to {~~Subsection~~}   Subsections (5) and  
(6) , the State Tax Commission shall for a fiscal year  
750 distribute [~~monies~~] money deposited into the [~~fund~~] restricted  
account to each:
4. Page 25, Lines 755 through 756:  
755   (5) (a) {~~For~~}   Subject to Subsection (6), for  
purposes of the distribution required by Subsection (4), the State Tax  
756 Commission shall:
5. Page 26, Lines 772 through 774:  
772   (b) The State Tax Commission shall make the estimations,  
calculations, and

773 distributions required by Subsection (5)(a) on the basis of data collected by the State Tax

774 Commission.

(6) If a county legislative body repeals a tax imposed under Section 59-12-802 or a city legislative body repeals a tax imposed under Section 59-12-804:

(a) the commission shall determine in accordance with Subsection (5) the distribution that, but for this Subsection (6), the county legislative body or city legislative body would receive; and

(b) after making the determination required by Subsection (6)(a), the commission shall:

(i) if the effective date of the repeal of a tax imposed under Section 59-12-802 or 59-12-804 is October 1:

(A) (I) distribute to the county legislative body or city legislative body 25% of the distribution determined in accordance with Subsection (6)(a); and

(II) deposit 75% of the distribution determined in accordance with Subsection (6)(a) into the General Fund; and

(B) beginning with the first fiscal year after the effective date of the repeal and for each subsequent fiscal year, deposit the entire amount of the distribution determined in accordance with Subsection (6)(a) into the General Fund;

(ii) if the effective date of the repeal of a tax imposed under Section 59-12-802 or 59-12-804 is January 1:

(A) (I) distribute to the county legislative body or city legislative body 50% of the distribution determined in accordance with Subsection (6)(a); and

(II) deposit 50% of the distribution determined in accordance with Subsection (6)(a) into the General Fund; and

(B) beginning with the first fiscal year after the effective date of the repeal and for each subsequent fiscal year, deposit the entire amount of the distribution determined in accordance with Subsection (6)(a) into the General Fund;

(iii) if the effective date of the repeal of a tax imposed under Section 59-12-802 or 59-12-804 is April 1:

(A) (I) distribute to the county legislative body or city legislative body 75% of the distribution determined in accordance with Subsection (6)(a); and

(II) deposit 25% of the distribution determined in accordance with Subsection (6)(a) into the General Fund; and

(B) beginning with the first fiscal year after the effective date of the repeal and for each subsequent fiscal year, deposit the entire amount of the distribution determined in accordance with Subsection (6)(a) into the General Fund; or

(iv) if the effective date of the repeal of a tax imposed under Section 59-12-802 or 59-12-804 is July 1, beginning on that effective date and for each subsequent fiscal year, deposit the entire amount of the distribution determined in accordance with Subsection (6)(a) into the General Fund.

6. Page 26, Line 775 through Page 27, Line 810:

775            {-(6)-}    (7)        (a)    Subject to Subsection  
                  {-(6)-}    (7)        (b), a county legislative body shall distribute the

776    {~~monies~~}    money    the county legislative body receives  
 in accordance with Subsection (5) or (6) :

777        (i) for a county of the third, fourth, or fifth class, to fund rural  
 county health care

778 facilities in that county; and

779        (ii) for a county of the sixth class, to fund:

780        (A) emergency medical services in that county;

781        (B) federally qualified health centers in that county;

782        (C) freestanding urgent care centers in that county;

783        (D) rural county health care facilities in that county;

784        (E) rural health clinics in that county; or

785        (F)        a        combination        of        Subsections  
                  {-(6)-}    (7)        (a)(ii)(A) through (E).

786        (b) A county legislative body shall distribute a percentage of the  
 [~~monies~~] money the

787 county legislative body receives in accordance with Subsection  
 (5) or (6) to each center, clinic,

788 facility, or service described in Subsection {-(6)-} (7) (a)  
 equal to the same percentage that the county

789 legislative body distributes to that center, clinic, facility, or service  
 in accordance with Section

790 59-12-803 for the calendar year ending on the December 31  
 immediately preceding the first

791 day of the fiscal year for which the county legislative body receives the distribution in

792 accordance with Subsection (5) or (6) .

793 (c) A center, clinic, facility, or service that receives a distribution in accordance with

794 this Subsection ~~{-(6)-}~~ (7) shall expend that distribution for the same purposes for which monies

795 generated by a tax under Section 59-12-802 may be expended.

796 ~~{-(7)-}~~ (8) (a) Subject to Subsection ~~{-(7)-}~~ (8) (b), a city legislative body shall distribute the [monies]

797 money the city legislative body receives in accordance with Subsection (5) or (6) to fund rural city

798 hospitals in that city.

799 (b) A city legislative body shall distribute a percentage of the monies the city

800 legislative body receives in accordance with Subsection (5) or (6) to each rural city hospital described

801 in Subsection ~~{-(7)-}~~ (8) (a) equal to the same percentage that the city legislative body distributes to

802 that rural city hospital in accordance with Section 59-12-805 for the calendar year ending on

803 the December 31 immediately preceding the first day of the fiscal year for which the city

804 legislative body receives the distribution in accordance with Subsection (5) or (6) .

805 (c) A rural city hospital that receives a distribution in accordance with this Subsection

806 ~~{-(7)-}~~ (8) shall expend that distribution for the same purposes for which [monies] money generated

807 by a tax under Section 59-12-804 may be expended.

808 ~~{-(8)-}~~ (9) Any [monies] money remaining in the Rural Health Care Facilities [Fund] Account

809 at the end of a fiscal year after the State Tax Commission makes the distributions required by

810 this section shall lapse into the General Fund.

7. Page 138, Lines 4270 through 4270a  
Senate 2nd Reading Amendments 3–2–2010:

4270 account funds.

Section 92. Effective date.

(1) If approved by two-thirds of all the members elected to each house, the amendments to Section 26–9–4 take 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.

(2) Except as provided in Subsection (1), this bill takes effect on May 11, 2010.

4270a ~~§~~→ Section { 92 } 93 . Coordinating S.B. 191 with S.B. 123 -- Technical amendments.

Representative Harper's motion to amend passed on a voice vote.

**S.B. 191** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Brown	Chavez–Houck	S. Clark	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	D. Clark

**Absent or not voting were:** Representatives  
Black Cosgrove Wright

**S.B. 191**, as amended, returned to the Senate for further consideration.

\* \* \*

**S.B. 59**, AT-RISK STUDENT PROVISIONS, *Ray*, read the third time by short title and placed on its final passage. Representatives Dougall, Grover, and Hansen commented.

**S.B. 59** passed on the following roll call:

**Yeas, 45; Nays, 23; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Beck	Bigelow
Bird	Biskupski	Black	Chavez-Houck
Cosgrove	Draxler	S Duckworth	Dunnigan
Edwards	Ferry	Janice Fisher	Garn
Gowans	Greenwood	Hansen	Harper
Hemingway	Hendrickson	Hunsaker	Hutchings
Ipson	Johnson	King	Litvack
Mascaro	McIff	Menlove	Moss
Oda	Poulson	Powell	Ray
Riesen	Seegmiller	Seelig	Vickers
Watkins	Webb	Wheatley	Wilcox
Wiley			

**Voting in the negative were:** Representatives

Anderson	Barrus	S. Clark	Daw
Dee	Dougall	Julie Fisher	Fowlke
Frank	Froerer	F Gibson	Grover
Herrod	Lockhart	Mathis	Morley
Newbold	Noel	Painter	Sandstrom
Wallis	Wimmer	D. Clark	

**Absent or not voting were:** Representatives

Brown	K Gibson	Hughes	Kiser
Last	Sumsion	Wright	

**S.B. 59** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 73**, SALES AND USE TAX EXEMPTION RELATING TO AIRCRAFT, *Dee*, read the third time by short title and placed on its final passage.

Representative Hemingway commented.

**S.B. 73** passed on the following roll call:

**Yeas, 66; Nays, 3; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	Kiser
Litvack	Lockhart	Mascaro	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wilcox	Wiley
Wimmer	D. Clark		

**Voting in the negative were:** Representatives

Hemingway	King	Seegmiller
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**Absent or not voting were:** Representatives

Brown	K Gibson	Last	Mathis
Wheatley	Wright		

**S.B. 73** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 219**, CRIMINAL NUISANCE AMENDMENTS, *Greenwood*, read the third time by short title and placed on its final passage.



**S.B. 219** passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Black
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Litvack	Lockhart
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
D. Clark			

**Absent or not voting were:** Representatives

Biskupski	Brown	Last	Mascaro
Wallis	Wright		

**S.B. 219** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**1st Sub. S.B. 52**, STATE BOARD OF REGENTS AMENDMENTS, *McIff*, read the third time by short title and placed on its final passage.

Representative Garn made a motion to delete **1st Sub. S.B. 52** in title and body and insert **2nd Sub. S.B. 52** in lieu thereof.

Representatives Julie Fisher, Menlove, Frank, Dougall, Wilcox, Wallis, Barrus, and Aagard commented.

Representative Garn's motion to substitute passed on the following roll call:

**Yeas, 48; Nays, 26; Absent or not voting, 1.****Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Brown
Cosgrove	S Duckworth	Dunnigan	Edwards
Janice Fisher	Julie Fisher	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Hansen	Hemingway	Hughes	Hutchings
Ipson	King	Kiser	Last
Mascaro	Mathis	McIff	Morley
Moss	Noel	Oda	Painter
Ray	Riesen	Seegmiller	Seelig
Vickers	Wallis	Watkins	Wheatley
Wilcox	Wiley	Wimmer	D. Clark

**Voting in the negative were:** Representatives

Biskupski	Black	Chavez–Houck	S. Clark
Daw	Dee	Dougall	Draxler
Ferry	Fowlke	Frank	Grover
Harper	Hendrickson	Herrod	Hunsaker
Johnson	Litvack	Lockhart	Menlove
Newbold	Poulson	Powell	Sandstrom
Sumsion	Webb		

**Absent or not voting was:** Representative

Wright

###

Representative Webb proposed the following amendment:

1. Page 1, Lines 12 through 16

12 This bill:

13 { ~~—~~ requires the governor to appoint at least two members  
who do not reside within a

14 metropolitan statistical area to the Board of Regents; - }

15 ► when making appointments to the Board of Regents,  
requires the governor to :

• appoint at least two individuals who do not reside within  
a metropolitan statistical area;

• appoint no more than six individuals who reside within a county of the first class; and

16 • consider certain factors;

2. Page 2, Lines 44 through 51:

44 (iv) In making appointments to the board, the governor shall select:

45 (A) at least two individuals who do not reside within a metropolitan statistical area. as

46 designated by the United States Census Bureau;

(B) no more than six individuals who reside within a county of the first class;

47 ~~[(A)]~~ { ~~(B)~~ } (C) the remaining individuals from the state at large with due consideration for

48 geographical representation and diversity of exposure to the various institutions in the Utah

49 System of Higher Education; and

50 ~~[(B)]~~ { ~~(C)~~ } (D) at least three individuals with personal experience in career and technical

51 education, which could include service on a campus board of directors.

Representative Webb’s motion to amend passed on a voice vote.

**2nd Sub. S.B. 52**, as amended, passed on the following roll call:

**Yeas, 44; Nays, 28; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Bigelow
Brown	Chavez–Houck	Cosgrove	S Duckworth
Dunnigan	Edwards	Julie Fisher	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Hansen	Hemingway	Hughes
Hutchings	Ipson	King	Last
Litvack	Mascaro	Mathis	McIff
Morley	Moss	Noel	Oda
Painter	Powell	Ray	Riesen
Vickers	Wallis	Watkins	Wheatley
Wilcox	Wiley	Wimmer	D. Clark

**Voting in the negative were:** Representatives

Anderson	Beck	Bird	Biskupski
Black	S. Clark	Daw	Dee
Dougall	Draxler	Ferry	Fowlke
Frank	Grover	Harper	Hendrickson
Herrod	Hunsaker	Johnson	Kiser
Lockhart	Menlove	Newbold	Poulson
Sandstrom	Seegmiller	Sumsion	Webb

**Absent or not voting were:** Representatives

Janice Fisher	Seelig	Wright
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**2nd Sub. S.B. 52**, as amended, returned to the Senate for further consideration.

**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker:

March 10, 2010

The Senate passed, **H.B. 16**, PARENT-TIME AMENDMENTS, by Representative L. Fowlke, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 24**, ECONOMIC DEVELOPMENT INCENTIVES ACT AMENDMENTS, by Representative C. B. Wallis, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 74**, ADOPTION AND CHILD CUSTODY AMENDMENTS, by Representative S. Allen, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **2nd Sub. H.B. 124**, CAMPAIGN FUNDS EXPENDITURE RESTRICTIONS, by Representative T. Cosgrove, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 130**, CANCER RESEARCH SPECIAL GROUP LICENSE PLATE, by Representative B. Dee, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **2nd Sub. H.B. 145**, RENEWABLE ENERGY FINANCING PROVISIONS, by Representative B. Last, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **2nd Sub. H.B. 170**, FOSTER CARE REVISIONS, by Representative K. Gibson, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 209**, SEX OFFENDER REGULATION AMENDMENTS, by Representative C. Watkins, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 314**, WATER RIGHTS ADDENDUMS TO DEEDS, by Representative B. Ferry, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 365**, DEPARTMENT OF CORRECTIONS REGISTRY AMENDMENTS, by Representative D. Aagard, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 396**, SPEECH–LANGUAGE PATHOLOGY AND AUDIOLOGY LICENSING ACT AMENDMENTS, by Representative D. Ipson, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.J.R. 26**, JOINT RESOLUTION APPROVING WATER RIGHTS ADDENDUM FORM, by Representative B. Ferry, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.J.R. 31**, HOUSE JOINT RULES LEGISLATIVE REVIEW NOTE PROCEDURES AMENDMENTS, by Representative B. Ferry, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 16, H.B. 24, H.B. 74, 2nd Sub. H.B. 124, H.B. 130, 2nd Sub. H.B. 145, 2nd Sub. H.B. 170, H.B. 209, 1st Sub. H.B. 314, H.B. 365, 1st Sub. H.B. 396, 1st Sub. H.J.R. 26, and H.J.R. 31** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: March 10, 2010

The Senate passed, as amended, **H.B. 125**, KIDNAPPING AND SEX OFFENDER REGISTRY AMENDMENTS, by Representative R. Bigelow, and it is transmitted for further consideration; and

The Senate passed, as amended, **1st Sub. H.B. 173**, 911 AMENDMENTS, by Representative B. Dee, and it is transmitted for further consideration; and

The Senate passed, as amended, **1st Sub. H.B. 187**, PEACE OFFICER STANDARDS AND TRAINING AMENDMENTS, by Representative C. Wimmer, and it is transmitted for further consideration; and

The Senate substituted and passed, **Senate 1st Sub. H.B. 287**, LEGISLATOR SALARY AMENDMENTS, by Representative D. Litvack, and it is transmitted for further consideration; and

The Senate passed, as amended, **2nd Sub. H.B. 289**, JUDICIAL NOMINATING COMMISSION AMENDMENTS, by Representative C. Oda, and it is transmitted for further consideration; and

The Senate passed, as amended, **1st Sub. H.B. 298**, LAND USE AUTHORITY NOTIFICATION OF CANAL DEVELOPMENT, by Representative B. Ferry, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 450**, FISHING LICENSE AMENDMENTS – DISABLED VETERANS, by Representative T. Cosgrove, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 125**, **1st Sub. H.B. 173**, **1st Sub. H.B. 187**, **1st Sub. H.B. 287**, **2nd Sub. H.B. 289**, **1st Sub. H.B. 298**, and **H.B. 450** placed on the Concurrence Calendar.

\* \* \*

Mr. Speaker: March 10, 2010

The Senate concurred in the House amendments and passed **1st Sub. S.B. 45**, UTAH FIT PREMISES ACT AMENDMENTS, by Senator W. Niederhauser, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **3rd Sub. S.B. 107**, LIEN AMENDMENTS, by Senator C. Bramble, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **2nd Sub. S.B. 152**, UTAH STATE RAILROAD MUSEUM AUTHORITY ACT, by Senator P. Knudson, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **1st Sub. S.B. 45**, **3rd Sub. S.B. 107**, and **2nd Sub. S.B. 152** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

\* \* \*

Mr. Speaker: March 10, 2010

The Senate passed, as substituted, and amended **1st Sub. S.B. 47**, ELECTRICAL UTILITY AMENDMENTS – EFFICIENCY AND CONSERVATION TARIFF, by Senator K. Van Tassell, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 215**, HIGHWAY PROJECT FUNDING – SALT LAKE COUNTY, by Senator W. Niederhauser, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **2nd Sub. S.B. 217**, INCREASE IN SURCHARGE ON FINES, by Senator S. Jenkins, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **1st Sub. S.B. 47**, **1st Sub. S.B. 215**, and **2nd Sub. S.B. 217** read the first time by short title and referred to the Rules Committee.

### INTRODUCTION OF BILL

**H.B. 438, Transportation Modifications** (R. Lockhart), read the first time by short title and referred to the Rules Committee.

### MISCELLANEOUS BUSINESS

On motion of Representative Garn, the House voted to recess until 2:00 p.m.

### AFTERNOON SESSION

The House was called to order by Speaker Clark at 2:00 p.m.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 10, 2010

The President of the Senate has signed **2nd Sub. H.B. 140**, HUMAN RESOURCE MANAGEMENT AMENDMENTS, by Representative B. Dee, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **2nd Sub. H.B. 141**, RECREATIONAL USE OF PUBLIC WATER ON PRIVATE PROPERTY, by Representative K. McIff, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 143**, EMINENT DOMAIN AUTHORITY, by Representative C. Herrod, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 307**, GENERAL COUNTY POWERS AMENDMENTS, by Representative G. Hughes, and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 370**, CAPITAL PROJECT AMENDMENTS, by Representative S. Clark, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 324**, PUBLIC LANDS LITIGATION, by Representative K. Sumsion, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 366**, MOTOR VEHICLE BUSINESS REGULATION ACT AMENDMENTS, by Representative B. Daw, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **2nd Sub. H.B. 397**, MEDICAID PROGRAM AMENDMENTS, by Representative J. Dougall, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 459**, HEALTH AMENDMENTS, by Representative D. Clark, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.C.R. 18**, WORKFORCE NEEDS CONCURRENT RESOLUTION, by Representative B. Dee, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.J.R. 30**, WAR VETERANS' MEMORIAL ON CAPITOL HILL JOINT RESOLUTION, by Representative R. Chavez-Houck, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **2nd Sub. H.B. 140**, **2nd Sub. H.B. 141**, **H.B. 143**, **H.B. 307**, **1st Sub. H.B. 370**, **1st Sub. H.B. 324**, **H.B. 366**, **2nd Sub. H.B. 397**, **1st Sub. H.B. 459**, **H.C.R. 18**, and **1st Sub. H.J.R. 30** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.



**INTRODUCTION OF BILL**

**H.B. 440, Veterans’ Nursing Home Reimbursement Restricted Account** (R. Bigelow), read the first time by short title and referred to the Rules Committee.

**CONCURRENCE CALENDAR**

On motion of Representative Dee, the House voted to concur in the Senate amendments to **1st Sub. H.B. 173**, 911 AMENDMENTS.

**1st Sub. H.B. 173**, as amended by the Senate, passed on the following roll call:

**Yeas, 63; Nays, 0; Absent or not voting, 12.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Frank	Froerer	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hunsaker	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Riesen
Sandstrom	Seegmiller	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	D. Clark	

**Absent or not voting were:** Representatives

Bigelow	Draxler	Fowlke	Garn
Hughes	Hutchings	Mathis	Mclff
Ray	Seelig	Wimmer	Wright

**1st Sub. H.B. 173**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Ferry, the House voted to concur in the Senate amendments to **1st Sub. H.B. 298**, LAND USE AUTHORITY NOTIFICATION OF CANAL DEVELOPMENT.

**1st Sub. H.B. 298**, as amended by the Senate, passed on the following roll call:

**Yeas, 63; Nays, 0; Absent or not voting, 12.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Frank	Froerer	F Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Ipson	Johnson
King	Kiser	Litvack	Lockhart
Mascaro	Mathis	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Riesen
Sandstrom	Seegmiller	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	D. Clark	

**Absent or not voting were:** Representatives

Bigelow	Julie Fisher	Fowlke	Garn
K Gibson	Hutchings	Last	McCliff
Ray	Seelig	Wimmer	Wright

**1st Sub. H.B. 298**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Litvack, the House voted to concur in the Senate amendments to **1st Sub. H.B. 287**, LEGISLATOR SALARY AMENDMENTS.

**1st Sub. H.B. 287**, as amended by the Senate, passed on the following roll call:

**Yeas, 68; Nays, 1; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski

Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Frank
Froerer	F Gibson	K Gibson	Gowans
Greenwood	Grover	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Riesen
Sandstrom	Seegmiller	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	D. Clark

**Voting in the negative was:** Representative Hansen

**Absent or not voting were:** Representatives

Fowlke	Garn	McIff	Ray
Seelig	Wright		

**1st Sub. H.B. 287**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Wimmer, the House voted to concur in the Senate amendments to **1st Sub. H.B. 187**, PEACE OFFICER STANDARDS AND TRAINING AMENDMENTS.

**1st Sub. H.B. 187**, as amended by the Senate, passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards

Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Riesen	Sandstrom	Seegmiller
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	D. Clark		

**Absent or not voting were:** Representatives

Garn	King	Ray	Seelig
Wright			

**1st Sub. H.B. 187**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Oda, the House voted to concur in the Senate amendments to **2nd Sub. H.B. 289**, JUDICIAL NOMINATING COMMISSION AMENDMENTS.

**2nd Sub. H.B. 289**, as amended by the Senate, passed on the following roll call:

**Yeas, 50; Nays, 20; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Bigelow	Bird	Brown	S. Clark
Daw	Dee	Dougall	Draxler
Dunnigan	Edwards	Ferry	Julie Fisher
Fowlke	Frank	Froerer	F Gibson
K Gibson	Gowans	Greenwood	Grover
Harper	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Kiser	Last
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Newbold	Noel

Oda	Painter	Powell	Sandstrom
Sumsion	Vickers	Wallis	Webb
Wilcox	D. Clark		

**Voting in the negative were:** Representatives

Beck	Biskupski	Black	Chavez–Houck
Cosgrove	S Duckworth	Janice Fisher	Hansen
Hemingway	Hendrickson	Johnson	King
Litvack	Moss	Poulson	Riesen
Seegmiller	Watkins	Wheatley	Wiley

**Absent or not voting were:** Representatives

Garn	Ray	Seelig	Wimmer
Wright			

**2nd Sub. H.B. 289**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Cosgrove, the House voted to concur in the Senate amendments to **H.B. 450**, FISHING LICENSE AMENDMENTS – DISABLED VETERANS.

**H.B. 450**, as amended by the Senate, passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter

Poulson	Powell	Riesen	Sandstrom
Seegmiller	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	D. Clark	

**Absent or not voting were:** Representatives

Lockhart	Ray	Seelig	Wright
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**H.B. 450**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Bigelow, the House voted to concur in the Senate amendments to **H.B. 125**, KIDNAPPING AND SEX OFFENDER REGISTRY AMENDMENTS.

**H.B. 125**, as amended by the Senate, passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Riesen	Sandstrom
Seegmiller	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	D. Clark	

**Absent or not voting were:** Representatives

Hutchings	Ray	Seelig	Wright
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**H.B. 125**, as amended by the Senate, transmitted to the Senate for signature of President.

### MISCELLANEOUS BUSINESS

On motion of Representative Bigelow, under suspension of the rules, the House voted to lift **H.B. 440** from the Rules Committee, consider it read the second time by short title and place it at the top of the House Third Reading Calendar.

\* \* \*

On motion of Representative Last, under suspension of the rules, the House voted to lift **S.B. 26** from the Rules Committee and place it on the Senate Third Reading Calendar.

### THIRD READING CALENDAR

**2nd Sub. S.B. 199**, MUNICIPAL BOUNDARY CLARIFICATION, *Painter*, read the third time by short title and placed on its final passage.

On motion of Representative Painter, the House voted to circle **2nd Sub. S.B. 199**.

\* \* \*

**S.J.R. 5**, JOINT RESOLUTION ON THE SPENDING OF FEDERAL ECONOMIC RENEWAL GRANTS, *Oda*, read the third time by short title and placed on its final passage.

**S.J.R. 5** passed on the following roll call:

**Yeas, 70; Nays, 4; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Allen	Anderson	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes

Hunsaker	Hutchings	Ipson	Johnson
King	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	D. Clark		

**Voting in the negative were:** Representatives

Agard	Dougall	Kiser	Morley
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**Absent or not voting was:** Representative

Wright

**S.J.R. 5** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

### MISCELLANEOUS BUSINESS

On motion of Representative Ferry, under suspension of the rules, the House voted to lift **S.B. 209** from the Rules Committee, consider it read the second time by short title and place it on the House Third Reading Calendar.

### UNFINISHED BUSINESS

On motion of Representative Dunnigan, the House voted to uncircle **S.B. 62**.

**S.B. 62, MOTOR VEHICLE INSURANCE COVERAGE AMENDMENTS, Dunnigan,** was before the House on its final passage.

On motion of Representative Dunnigan, the House voted to delete **S.B. 62** in title and body and insert **1st Sub. S.B. 62** in lieu thereof.

Representative Kiser declared a conflict of interest because of his business interests in the insurance industry.

**1st Sub. S.B. 62** passed on the following roll call:

**Yeas, 65; Nays, 9; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Beck
Bigelow	Biskupski	Black	Brown



Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	Gowans	Grover	Hansen
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wiley	Wimmer
D. Clark			

**Voting in the negative were:** Representatives

Barrus	Bird	Ferry	K Gibson
Greenwood	Harper	Menlove	Ray
Wilcox			

**Absent or not voting was:** Representative

Wright

**1st Sub. S.B. 62**, as amended, returned to the Senate for further consideration.

**INTENT LANGUAGE FOR 1ST SUB. S.B. 62**

On motion of Representative Dunnigan, the House voted to print the following intent language in the House Journal.

“It is the intent of the Legislature that no further legislative action will be taken regarding the issues addressed by this legislation for the next twenty four months. After such time, it is intended that this Legislation will be studied by an appropriate interim study committee for the purpose of determining whether any changes are warranted.”

**THIRD READING CALENDAR**

**S.B. 179**, UTAH REVISED BUSINESS CORPORATION ACT AMENDMENTS, *Harper*, read the third time by short title and placed on its final passage.

**S.B. 179** passed on the following roll call:

**Yeas, 68; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	F Gibson	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	D. Clark

**Absent or not voting were:** Representatives

Dee	Garn	K Gibson	Gowans
Greenwood	Litvack	Wright	

**S.B. 179** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 188**, CHARTER SCHOOL AMENDMENTS, *Lockhart*, read the third time by short title and placed on its final passage.

Representative Lockhart proposed the following amendment:

1. Page 1, Line 27

27           {~~None~~}           This bill provides an effective date.

2. Page 3, Lines 69 through 75  
Senate 2nd Reading Amendments 3–5–2010:

69           [~~(3)~~–A#]   ~~Ŝ~~→(1)←~~Ŝ~~   The State Board of Education may approve an increase in charter

69a school

70 enrollment capacity in the {~~2011-12~~} 2012-13 school year or thereafter [~~shall receive: (a) tentative~~

71 ~~approval by the State Board of Education by November 30 of the year that is two years before~~

72 ~~the year that the increase in charter school enrollment capacity takes effect; and (b) final~~

73 ~~approval by the State Board of Education by the following April 1, subject to legislative~~

74 ~~authorization of]~~ subject to the Legislature appropriating funds for the increase in charter

75 school enrollment capacity.

3. Page 3, Lines 75a through 75f  
Senate 2nd Reading Amendments 3-5-2010:

75a ~~Ŝ~~→ (2)(a) If the Legislature does not appropriate funds for an increase in charter school

75b enrollment capacity that is tentatively approved by the State Board of Education, the State

75c Board of Education shall request { a chartering entity } the State Charter School Board to prioritize { its } the tentatively approved

75d schools and expansions based on approved funds.

75e (b) { A chartering entity } The State Charter School Board shall submit a prioritized list of tentatively approved schools and

75f expansions to the State Board of Education for final approval.

4. Page 11, Line 337:

337 (iv) other start-up or expansion expenses.

Section 7. Effective date.

This bill takes effect on May 10, 2010, except the amendments to Section 53A-1a-518 take effect on July 1, 2011.

Representative Lockhart's motion to amend passed on a voice vote.

Representatives Allen and Cosgrove commented.

**S.B. 188**, as amended, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	D. Clark

**Absent or not voting were:** Representatives

Daw	Greenwood	Wright
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**S.B. 188**, as amended, returned to the Senate for further consideration.

\* \* \*

**S.B. 232**, JUDICIAL ADMINISTRATION AMENDMENTS, *Oda*, read the third time by short title and placed on its final passage.

Representative Julie Fisher proposed the following amendment:

1. Page 2, Line 33 (goldenrod dated 3–1–2010):  
Delete “unanimous” and reinstate “majority”

Representative Julie Fisher’s motion to amend passed on a voice vote.

Representatives Litvack, Hemingway, McIff, Powell, and Fowlke commented.

On motion of Representative Julie Fisher, the House voted to circle **S.B. 232**.

\* \* \*

**2nd Sub. S.B. 272**, AMENDMENTS TO TRANSPORTATION PROVISIONS, *Last*, read the third time by short title and placed on its final passage.

Representative Last proposed the following amendment:

- 1. Page 1, Line 25  
 25 liability unless certain circumstances apply;  
     ▶ provides that a current board member of a public transit district may not have any interest in certain transactions engaged in by the public transit district;
- 2. Page 6, Line 163:  
 163 to be contributed by the public transit district.  
     (c) A current board member of a public transit district to which the board member is appointed may not have any interest in the transactions engaged in by the public transit district pursuant to Subsection (1)(l), except as may be required by the board member’s fiduciary duty as a board member.

Representative Last’s motion to amend passed on a voice vote.

# # #

Representative Harper declared a conflict of interest because he owns property adjacent to land that UTA may be purchasing.

Representative Harper proposed the following amendment:

- 1. Page 2, Line 29  
 29       {~~▶~~ ~~repeals certain term limitation requirements for board of trustees members;~~ }
- 2. Page 10, Lines 288 through 296:  
 288       (b) {~~+~~} (i) {~~+~~} A voting member may not be appointed for more than three successive full  
 289 terms {~~+~~} regardless of the appointing entity that appoints the voting member {~~+~~} .

290 {—} (ii) A person:

291 (A) may serve no more than 12 years on a public transit district board of trustees

292 described in Subsection (2)(a) regardless of the appointing entity that appoints the member;

293 and

294 (B) that has served 12 years on a public transit district board of trustees described in

295 Subsection (2)(a) is ineligible for reappointment to a public transit board of trustees described

296 in Subsection (2)(a).

Representative Harper's motion to amend passed on a voice vote.

**2nd Sub. S.B. 272**, as amended, passed on the following roll call:

**Yeas, 47; Nays, 22; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Bigelow	Bird
Biskupski	Brown	S. Clark	Cosgrove
Dee	S Duckworth	Dunnigan	Edwards
Ferry	Fowlke	Froerer	Garn
K Gibson	Gowans	Greenwood	Hansen
Hemingway	Hendrickson	Hughes	Hunsaker
Johnson	King	Kiser	Last
Litvack	Mascaro	McIff	Moss
Oda	Painter	Poulson	Powell
Riesen	Sandstrom	Seelig	Vickers
Wallis	Watkins	Wheatley	Wilcox
Wiley	Wimmer	D. Clark	

**Voting in the negative were:** Representatives

Anderson	Barrus	Beck	Black
Chavez-Houck	Daw	Dougall	Draxler
Janice Fisher	Julie Fisher	Frank	F Gibson
Grover	Harper	Herrod	Hutchings
Lockhart	Mathis	Morley	Newbold
Ray	Seegmiller		

**Absent or not voting were:** Representatives

Ipson	Menlove	Noel	Sumsion
Webb	Wright		

**2nd Sub. S.B. 272**, as amended, returned to the Senate for further consideration.

\* \* \*

**S.C.R. 3**, STATE SOVEREIGNTY CONCURRENT RESOLUTION, *Wimmer*, read the third time by short title and placed on its final passage.

Representatives King and Daw commented.

**S.C.R. 3**, as amended, passed on the following roll call:

**Yeas, 47; Nays, 19; Absent or not voting, 9.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Bigelow	Bird	Brown	S. Clark
Daw	Dee	Dougall	Draxler
Dunnigan	Ferry	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Greenwood	Grover	Harper
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Kiser	Last
Lockhart	Mascaro	Mathis	Menlove
Morley	Newbold	Oda	Painter
Powell	Sandstrom	Sumsion	Vickers
Wallis	Wimmer	D. Clark	

**Voting in the negative were:** Representatives

Beck	Biskupski	Black	Chavez–Houck
Cosgrove	S Duckworth	Janice Fisher	Hansen
Hemingway	Johnson	King	Litvack
Poulson	Riesen	Seegmiller	Seelig
Watkins	Wheatley	Wiley	

**Absent or not voting were:** Representatives

Edwards	Gowans	McIff	Moss
Noel	Ray	Webb	Wilcox
Wright			

**S.C.R. 3**, as amended, returned to the Senate for further consideration.

### MISCELLANEOUS BUSINESS

On motion of Representative Lockhart, under suspension of the rules, the House voted to lift **H.B. 438** from the Rules Committee, consider it read the second time by short title and placed at the top of the House Third Reading Calendar.

\* \* \*

On motion of Representative Lockhart, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

### THIRD READING CALENDAR

**H.B. 438**, TRANSPORTATION MODIFICATIONS, *Lockhart*, read the third time by short title and placed on its final passage. Representative Dunnigan commented.

**H.B. 438** passed on the following roll call:

**Yeas, 64; Nays, 3; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dougall	Draxler
S Duckworth	Dunnigan	Ferry	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Hemingway	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
Menlove	Morley	Newbold	Noel
Painter	Poulson	Powell	Riesen
Sandstrom	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	D. Clark

**Voting in the negative were:** Representatives

Harper	Hendrickson	Ray
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**Absent or not voting were:** Representatives

Dee	Edwards	Janice Fisher	McIff
Moss	Oda	Seegmiller	Wright

**H.B. 438** transmitted to the Senate for its consideration.

\* \* \*

**H.B. 440**, VETERANS' NURSING HOME REIMBURSEMENT RESTRICTED ACCOUNT, *Bigelow*, read the third time by short title and placed on its final passage.

**H.B. 440** passed on the following roll call:

**Yeas, 65; Nays, 0; Absent or not voting, 10.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Ferry
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Grover	Hansen	Hemingway	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mathis	Menlove
Morley	Moss	Newbold	Noel
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wiley	Wimmer
D. Clark			

**Absent or not voting were:** Representatives

Edwards	Janice Fisher	Greenwood	Harper
Hendrickson	Mascaro	McIff	Oda
Wilcox	Wright		

**H.B. 440** transmitted to the Senate for its consideration.

**MISCELLANEOUS BUSINESS**

On motion of Representative Dougall, the House voted to move to the Senate Third Reading Calendar.

\* \* \*

On motion of Representative Dougall, under suspension of the rules, the House voted to lift **S.J.R. 19** from the Rules Committee, consider it read the second time by short title and placed at the top of the Senate Third Reading Calendar.

### THIRD READING CALENDAR

**S.J.R. 19**, JOINT RULES RESOLUTION ON ETHICS COMPLAINTS, *Dougall*, read the third time by short title and placed on its final passage.

Representative Dougall proposed the following amendment:

1. Page 5, Line 151 through Page 6, Line 154

151 subject to penalties for contempt.”: { ~~and~~ }

152 (4) modify JR6-4-306(2)(a)(iv)(C), as amended by S.J.R. 3, to read:

153 “(C) if the allegation was not found to have been proven, orders that the allegation be

154 dismissed; and” { ~~;~~ } ; ~~and~~

(5) the amendments to JR6-2-201 and JR6-4-101 in this S.J.R. 19 supersede the amendments to JR6-2-201 and JR6-4-101 in S.J.R. 3.

Representative Dougall’s motion to amend passed on a voice vote.

**S.J.R. 19**, as amended, passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez-Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack

Lockhart	Mascaro	Mathis	Menlove
Morley	Moss	Newbold	Noel
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wiley	Wimmer
D. Clark			

**Absent or not voting were:** Representatives

Edwards	Hansen	McIff	Oda
Wilcox	Wright		

**S.J.R. 19**, as amended, returned to the Senate for further consideration.

\* \* \*

**3rd Sub. S.B. 108**, JUDICIAL NOMINATING COMMISSION STAFF AMENDMENTS, *Oda*, read the third time by short title and placed on its final passage.

On motion of Representative Garn, the House voted to circle **3rd Sub. S.B. 108**.

\* \* \*

**S.B. 170**, SUSPENSION OF DRIVING PRIVILEGES, *Draxler*, read the third time by short title and placed on its final passage.

**S.B. 170** passed on the following roll call:

**Yeas, 67; Nays, 0; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Lockhart

Mascaro	Mathis	Menlove	Morley
Moss	Newbold	Noel	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Vickers
Wallis	Watkins	Webb	Wheatley
Wiley	Wimmer	D. Clark	

**Absent or not voting were:** Representatives

Edwards	Hughes	Litvack	McIff
Oda	Sumsion	Wilcox	Wright

**S.B. 170** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 165**, ALLOCATION AND APPORTIONMENT OF INCOME AND DEDUCTION OF A NET LOSS, *Dougall*, read the third time by short title and placed on its final passage.

On motion of Representative Dougall, the House voted to circle **S.B. 165**.

\* \* \*

**3rd Sub. S.B. 247**, JOHN M. BROWNING COMMEMORATIVE DAY, *Wimmer*, read the third time by short title and placed on its final passage.

**3rd Sub. S.B. 247** passed on the following roll call:

**Yeas, 64; Nays, 0; Absent or not voting, 11.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Harper
Hemingway	Hendrickson	Herrod	Hunsaker
Hutchings	Ipson	King	Kiser
Last	Mascaro	Mathis	Menlove
Morley	Moss	Newbold	Oda

Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Vickers	Wallis	Watkins	Webb
Wilcox	Wiley	Wimmer	D. Clark

**Absent or not voting were:** Representatives

Dougall	Hansen	Hughes	Johnson
Litvack	Lockhart	McIff	Noel
Sumsion	Wheatley	Wright	

**3rd Sub. S.B. 247** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 66**, PUBLIC SCHOOL EXTRACURRICULAR ACTIVITIES FOR HOME SCHOOL AND PRIVATE SCHOOL STUDENTS, *Grover*, read the third time by short title and placed on its final passage.

Representative Grover proposed the following amendment:

1. Page 6, Line 175 through Page 7, Line 184  
Senate 2nd Reading Amendments 3–5–2010
  - 175     (14) (a) A public school student who has been declared to
  - 176 be academically ineligible to
  - 177 participate in an extracurricular activity and who subsequently
  - 178 enrolls in a home school shall
  - 179 lose eligibility for participation in the extracurricular activity until
  - 180 the student:
  - 181     { ~~(a)~~ } (i) demonstrates academic eligibility by
  - 182     providing test results or a portfolio of the
  - 183     student’s work to the school principal, provided that a student may
  - 184     not reestablish academic
  - 185     eligibility under this Subsection (14)(a) during the same activity
  - 186     season in which the student
  - 187     was declared to be academically ineligible;
  - 188     { ~~(b)~~ } (ii) returns to public school and reestablishes
  - 189     academic eligibility; or
  - 190     { ~~(c)~~ } (iii) enrolls in a private school and establishes
  - 191     academic eligibility.

(b) A public school student who has been declared to be behaviorally ineligible to participate in an extracurricular activity and who subsequently enrolls in a home school shall lose eligibility for participation in the extracurricular activity until the student meets eligibility standards as provided in Subsection (3).

184 (15) When selection to participate in an extracurricular activity at a public school is

Representative Allen proposed the following substitute motion to amend:

1. Page 5, Line 152 through Page 6, Line 157f  
Senate Committee Amendments 2–25–2010

152 (10) ~~Ŝ~~ (a) ~~Ŝ~~ A school district superintendent shall:

153 ~~Ŝ~~ ~~[(a)]~~ (i) ~~Ŝ~~ appoint a panel of three ~~Ŝ~~ ~~[to five]~~ ~~Ŝ~~  
individuals ~~Ŝ~~ ~~[who have]~~

153a1 experience

153a in-home

153a schooling

154 ~~high school-age students]~~ ~~Ŝ~~ to verify a home school student's compliance with academic eligibility

155 requirements when requested by a principal pursuant to Subsection (9); and

156 ~~Ŝ~~ ~~[(b)]~~ (ii) ~~Ŝ~~ select two of the panel members from nominees submitted by national, state, or

156a regional

157 organizations whose members are home school students and parents.

157a ~~Ŝ~~ (b) Of the members appointed to a panel under Subsection (10)(a) ~~(ii)~~ :

157b { (i) one member shall have experience teaching in a public school as a licensed teacher

157c and in-home schooling high school-age students: }

157d { ~~(ii)~~ } (i) one member shall have experience teaching in a higher education institution and in

157e home schooling; and

157f ~~{-(iii)-}~~ (ii) one member shall have experience in home schooling high school-age students. ←Ŝ

(c) One member appointed to a panel under Subsection (10)(a)(i) shall have experience teaching in a public school as a licensed teacher.

- 2. Page 6, Line 175 through Page 7, Line 184  
Senate 2nd Reading Amendments 3-5-2010:

175 (14) (a) A public school student who has been declared to be academically ineligible to

176 participate in an extracurricular activity and who subsequently enrolls in a home school shall

177 lose eligibility for participation in the extracurricular activity until the student:

178 ~~{-(a)-}~~ (i) demonstrates academic eligibility by providing test results or a portfolio of the

179 student’s work to the school principal, provided that a student may not reestablish academic

180 eligibility under this Subsection (14)(a) during the same activity season in which the student

181 was declared to be academically ineligible;

182 ~~{-(b)-}~~ (ii) returns to public school and reestablishes academic eligibility; or

183 ~~{-(c)-}~~ (iii) enrolls in a private school and establishes academic eligibility.

(b) A public school student who has been declared to be behaviorally ineligible to participate in an extracurricular activity and who subsequently enrolls in a home school shall lose eligibility for participation in the extracurricular activity until the student meets eligibility standards as provided in Subsection (3).

184 (15) When selection to participate in an extracurricular activity at a public school is

Representative Ferry declared a conflict of interest because his children have been home schooled.

Representatives Wimmer, Ferry, and Moss commented.

Representative Allen's substitute motion to amend passed on the following roll call:

**Yeas, 38; Nays, 36; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Beck	Bigelow
Bird	Biskupski	Black	Brown
Chavez-Houck	Cosgrove	Draxler	S Duckworth
Dunnigan	Edwards	Janice Fisher	Julie Fisher
Gowans	Hansen	Hemingway	Hendrickson
Hunsaker	Hutchings	Johnson	King
Last	Litvack	Mascaro	Menlove
Moss	Poulson	Ray	Riesen
Seegmiller	Seelig	Vickers	Watkins
Wheatley	Wiley		

**Voting in the negative were:** Representatives

Anderson	Barrus	S. Clark	Daw
Dee	Dougall	Ferry	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Greenwood	Grover	Harper
Herrod	Hughes	Ipson	Kiser
Lockhart	Mathis	McIff	Morley
Newbold	Noel	Oda	Painter
Powell	Sandstrom	Sumsion	Wallis
Webb	Wilcox	Wimmer	D. Clark

**Absent or not voting was:** Representative  
Wright

**S.B. 66**, as amended, passed on the following roll call:

**Yeas, 64; Nays, 9; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Brown	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Greenwood	Grover



Hansen	Harper	Hemingway	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McCliff	Morley
Moss	Newbold	Noel	Oda
Painter	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Webb	Wheatley
Wilcox	Wiley	Wimmer	D. Clark

**Voting in the negative were:** Representatives

Black	Chavez–Houck	Gowans	Hendrickson
Johnson	King	Menlove	Poulson
Watkins			

**Absent or not voting were:** Representatives

Julie Fisher	Wright
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**S.B. 66**, as amended, returned to the Senate for further consideration.

### MISCELLANEOUS BUSINESS

On motion of Representative Lockhart, under suspension of the rules, the House voted to lift the following bills from the Rules Committee, consider them read the second time by short title and placed on the Senate Third Reading Calendar:

<b>S.B. 220</b>	Vehicle Impound Amendment (Sen. J. Greiner)
<b>1st Sub. S.B. 215</b>	Highway Project Funding – Salt Lake County (Sen. W. Niederhauser)
<b>S.B. 277</b>	DNA Modifications (Sen. J. S. Adams)
<b>2nd Sub. S.B. 203</b>	Vacancies in County Elected Offices (Sen. H. Stephenson)
<b>S.B. 279</b>	Identity Fraud and Related Amendments (Sen. S. Urquhart)
<b>1st Sub. S.B. 227</b>	Interlocal Energy Amendments (Sen. C. Bramble)
<b>S.B. 181</b>	Employment Security Administration Fund Repealer (Sen. D. Hinkins)
<b>S.B. 171</b>	Higher Education Retirement Amendments (Sen. D. Liljenquist)
<b>S.B. 180</b>	Sexual Exploitation of a Vulnerable Adult (Sen. D. Hinkins)
<b>1st Sub. S.B. 197</b>	Community Development and Renewal Agency Amendments (Sen. C. Bramble)

<b>S.C.R. 12</b>	Responsible Development of Public Lands Concurrent Resolution (Sen. K. Van Tassell)
<b>S.B. 212</b>	Pawn Shop Amendments (Sen. J. Greiner)
<b>S.B. 204</b>	Midterm Vacancy Amendments (Sen. B. McAdams)
<b>1st Sub. S.B. 47</b>	Electrical Utility Amendments – Efficiency and Conservation Tariff (Sen. K. Van Tassell)
<b>S.B. 164</b>	Surety Requirements for Mining (Sen. D. Stowell)

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 10, 2010

The Senate passed, **H.B. 6**, STATE AGENCY COMPENSATION APPROPRIATIONS, by Representative B. Dee, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 125**, KIDNAPPING AND SEX OFFENDER REGISTRY AMENDMENTS, by Representative R. Bigelow, and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 155**, AGRICULTURAL ADVISORY BOARD AND LIVESTOCK RELATED POLICY, by Representative J. Mathis, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 173**, 911 AMENDMENTS, by Representative B. Dee, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 187**, PEACE OFFICER STANDARDS AND TRAINING AMENDMENTS, by Representative C. Wimmer, and it is transmitted for the signature of the Speaker; and

The Senate passed, **2nd Sub. H.B. 243**, FORECLOSURE PROCESSES ON RESIDENTIAL RENTAL PROPERTIES, by Representative W. Harper, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 287**, LEGISLATOR SALARY AMENDMENTS, by Representative D. Litvack, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **2nd Sub. H.B. 289**, JUDICIAL NOMINATING COMMISSION AMENDMENTS, by Representative C. Oda, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 298**, LAND USE AUTHORITY NOTIFICATION OF CANAL DEVELOPMENT, by Representative B. Ferry, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 332**, UTAH AGRICULTURAL CODE AMENDMENTS, by Representative C. Watkins, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 335**, UTILITY RELATED EXEMPTIONS, by Representative G. Hughes, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 348**, SHERIFFS FEES, by Representative R. Greenwood, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 450**, FISHING LICENSE AMENDMENTS – DISABLED VETERANS, by Representative T. Cosgrove, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 6, H.B. 125, 1st Sub. H.B. 155, 1st Sub. H.B. 173, 1st Sub. H.B. 187, 2nd Sub. H.B. 243, 1st Sub. H.B. 287, 2nd Sub. H.B. 289, 1st Sub. H.B. 298, H.B. 332, 1st Sub. H.B. 335, H.B. 348, and H.B. 450** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker:

March 10, 2010

The Senate passed, as amended, **1st Sub. H.B. 166**, REDUCTIONS TO EDUCATION MANDATES, by Representative J. Dougall, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 231**, WATER RIGHTS PRIORITIES IN TIMES OF SHORTAGE, by Representative K. Gibson, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 343**, GREAT SALT LAKE ADVISORY COUNCIL, by Representative B. Ferry, and it is transmitted for further consideration; and

The Senate passed, as amended, **1st Sub. H.B. 404**, MOTOR VEHICLE BUSINESS AMENDMENTS, by Representative D. Ipson, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **1st Sub. H.B. 166, H.B. 231, H.B. 343, and 1st Sub. H.B. 404** placed on the Concurrence Calendar.

### **MISCELLANEOUS BUSINESS**

On motion of Representative Garn, and at 5:06 p.m., the House voted to adjourn until March 11, 2010, at 8:00 a.m.

# FORTY-FIFTH DAY

\* \* \*

## MORNING SESSION

The House was called to order by Speaker Clark at 8:00 a.m.

Roll call showed all members present.

Prayer offered by Representative Stephen Clark. Pledge of Allegiance led by Sandy Tenney, Janice Gadd, Ann Tillson, Emily Bergeson, and Kathryn Jackson.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 10, 2010

The Senate passed, **1st Sub. H.B. 205**, IMPACT FEE AMENDMENTS, by Representative S. Sandstrom, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 381**, MUNICIPAL LAND USE PROVISIONS, by Representative S. Sandstrom, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.J.R. 32**, JOINT RESOLUTION APPROVING THE PELT CASE FINAL SETTLEMENT AGREEMENT, by Representative D. Clark, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **1st Sub. H.B. 205**, **H.B. 381**, and **H.J.R. 32** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: March 10, 2010

The Senate substituted, amended, and passed, **Senate 2nd Sub. H.B. 66**, PROSTHETIC LIMB HEALTH INSURANCE PARITY, by Representative D. Litvack, and it is transmitted for further consideration; and

The Senate passed, as amended, **2nd Sub. H.B. 139**, EMERGENCY AND DISASTER MANAGEMENT AMENDMENTS, by Representative C. Oda, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **2nd Sub. H.B. 66** and **2nd Sub. H.B. 139** placed on the Concurrence Calendar.

### CONCURRENCE CALENDAR

On motion of Representative K. Gibson, the House voted to concur in the Senate amendments to **H.B. 231**, WATER RIGHTS PRIORITIES IN TIMES OF SHORTAGE.

**H.B. 231**, as amended by the Senate, passed on the following roll call:

**Yeas, 62; Nays, 0; Absent or not voting, 13.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Barrus	Beck
Bigelow	Bird	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Edwards	Ferry	Janice Fisher	Fowlke
Frank	Froerer	Garn	K Gibson
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	King
Kiser	Last	Litvack	Lockhart
Mathis	McIff	Menlove	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wilcox
Wiley	D. Clark		

**Absent or not voting were:** Representatives

Anderson	Biskupski	Dunnigan	Julie Fisher
F Gibson	Gowans	Johnson	Mascaro
Morley	Ray	Wheatley	Wimmer
Wright			

**H.B. 231**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Ferry, the House voted to concur in the Senate amendments to **H.B. 343**, GREAT SALT LAKE ADVISORY COUNCIL.

**H.B. 343**, as amended by the Senate, passed on the following roll call:

**Yeas, 62; Nays, 0; Absent or not voting, 13.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bigelow	Bird	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Edwards	Ferry	Janice Fisher	Fowlke
Frank	Froerer	Garn	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Ipson	King	Kiser
Last	Litvack	Lockhart	Mathis
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Vickers	Wallis
Watkins	Webb	Wilcox	Wiley
Wright	D. Clark		

**Absent or not voting were:** Representatives

Anderson	Biskupski	Dunnigan	Julie Fisher
F Gibson	K Gibson	Hutchings	Johnson
Mascaro	McIff	Sumsion	Wheatley
Wimmer			

**H.B. 343**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Ipson, the House voted to concur in the Senate amendments to **1st Sub. H.B. 404**, MOTOR VEHICLE BUSINESS AMENDMENTS.

**1st Sub. H.B. 404**, as amended by the Senate, passed on the following roll call:

**Yeas, 65; Nays, 0; Absent or not voting, 10.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Edwards	Ferry	Janice Fisher
Fowlke	Frank	Froerer	Garn
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Ipson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wright
D. Clark			

**Absent or not voting were:** Representatives

Anderson	Dunnigan	Julie Fisher	F Gibson
K Gibson	Hutchings	Johnson	Mclff
Seegmiller	Wimmer		

**1st Sub. H.B. 404**, as amended by the Senate, transmitted to the Senate for signature of President.

### THIRD READING CALENDAR

**S.B. 216**, ABSENTEE VOTING BY MILITARY PERSONNEL AMENDMENTS, *Hemingway*, read the third time by short title and placed on its final passage. Representative Frank commented.

**S.B. 216** passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bigelow	Bird	Biskupski	Black



Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wright	D. Clark		

**Absent or not voting were:** Representatives

Anderson	Dunnigan	F Gibson	Seegmiller
Wimmer			

**S.B. 216** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 169**, NAVAJO REVITALIZATION FUND AMENDMENTS, *Watkins*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

**S.B. 169** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	Gowans
Greenwood	Grover	Hansen	Harper

Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wright	D. Clark	

**Absent or not voting were:** Representatives

Anderson	K Gibson	Hutchings	Wimmer
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**S.B. 169** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

### MISCELLANEOUS BUSINESS

On motion of Representative Garn, under suspension of the rules, the House voted to lift **1st Sub. S.B. 31** from the Rules Committee, consider it read the second time by short title and placed at the top of the Senate Third Reading Calendar.

### THIRD READING CALENDAR

**1st Sub. S.B. 31**, ADMINISTRATIVE RULES REAUTHORIZATION, *Oda*, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

**1st Sub. S.B. 31** passed on the following roll call:

**Yeas, 64; Nays, 0; Absent or not voting, 11.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Ipson	Johnson

King	Kiser	Last	Lockhart
Mascaro	Mathis	Menlove	Morley
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wright	D. Clark

**Absent or not voting were:** Representatives

Anderson	Ferry	F Gibson	K Gibson
Gowans	Hutchings	Litvack	McCliff
Moss	Seegmiller	Wimmer	

**1st Sub. S.B. 31** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 250, POLITICAL PARTY BYLAWS – UNITED STATES SENATORS,** *Frank*, read the third time by short title and placed on its final passage.

**S.B. 250** passed on the following roll call:

**Yeas, 43; Nays, 25; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Barrus	Bigelow	Bird
Brown	S. Clark	Daw	Dee
Dougall	Draxler	Dunnigan	Edwards
Ferry	Julie Fisher	Fowlke	Frank
Garn	F Gibson	K Gibson	Greenwood
Harper	Herrod	Hughes	Hunsaker
Ipson	Kiser	Last	Mascaro
Mathis	Menlove	Morley	Newbold
Noel	Oda	Painter	Powell
Ray	Sandstrom	Sumsion	Webb
Wilcox	Wright	D. Clark	

**Voting in the negative were:** Representatives

Allen	Beck	Biskupski	Black
Chavez–Houck	Cosgrove	S Duckworth	Janice Fisher
Froerer	Gowans	Hansen	Hemingway
Hendrickson	Hutchings	Johnson	King

Poulson	Riesen	Seegmiller	Seelig
Vickers	Wallis	Watkins	Wheatley
Wiley			

**Absent or not voting were:** Representatives

Anderson	Grover	Litvack	Lockhart
McIff	Moss	Wimmer	

**S.B. 250** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.J.R. 16**, HEALTH CARE FACILITY DISCLOSURE JOINT RESOLUTION, *Vickers*, read the third time by short title and placed on its final passage.

**S.J.R. 16** passed on the following roll call:

**Yeas, 67; Nays, 0; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez-Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Sandstrom	Seegmiller	Seelig	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wright	

**Absent or not voting were:** Representatives

Anderson	Hansen	Litvack	Moss
Riesen	Sumsion	Wimmer	D. Clark

**S.J.R. 16** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**1st Sub. S.B. 154**, POSTCONVICTION REMEDIES ACT AMENDMENTS, *Lockhart*, read the third time by short title and placed on its final passage.

**1st Sub. S.B. 154** passed on the following roll call:

**Yeas, 65; Nays, 1; Absent or not voting, 9.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	F Gibson	K Gibson	Greenwood
Grover	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Sandstrom	Seegmiller
Seelig	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer			

**Voting in the negative was:** Representative  
Hutchings

**Absent or not voting were:** Representatives

Anderson	Garn	Gowans	Hansen
Moss	Riesen	Sumsion	Wright
D. Clark			

**1st Sub. S.B. 154** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 237**, TRANSITION FOR REPEALED NAVAJO TRUST FUND ACT AMENDMENTS, *Watkins*, read the third time by short title and placed on its final passage. Representative Draxler commented.

**S.B. 237** passed on the following roll call:

**Yeas, 68; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Barrus	Beck	Bigelow
Bird	Biskupski	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Sandstrom	Seegmiller	Seelig
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer

**Absent or not voting were:** Representatives

Allen	Anderson	Moss	Riesen
Sumsion	Wright	D. Clark	

**S.B. 237** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 147**, EDUCATION RELATED PARENT ORGANIZATIONS, *Grover*, read the third time by short title and placed on its final passage.

Representative Grover proposed the following amendment:

1. Page 16, Lines 466 through 467

466 governments, educators, school districts, child and family advocacy groups, religious and

467 service organizations, and [~~parent-teacher~~] parent organizations  
{-associations-} ;

Representative Grover’s motion to amend passed on a voice vote.

Representatives Powell Brown commented.

###

Representative Brown proposed the following amendment:

- 1. Page 1, Line 25:  
Delete line 25.
- 2. Pages 5 and 6, Lines 121–170:  
Delete lines 121 through 170.

Representatives Ferry, Hunsaker, Julie Fisher, and Lockhart commented.

Representative Ferry declared a conflict of interest because his brother is on the SITLA board.

On motion of Representative Ipson, the House voted to circle **S.B. 147**.

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**S.C.R. 11**, CONCURRENT RESOLUTION EXPRESSION OPPOSITION TO THE CREATION OF NEW NATIONAL MONUMENTS IN UTAH, *Watkins*, read the third time by short title and placed on its final passage.

**S.C.R. 11** passed on the following roll call:

**Yeas, 56; Nays, 11; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bigelow	Bird	Brown	S. Clark
Daw	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Julie Fisher
Fowlke	Frank	Froerer	F Gibson
K Gibson	Gowans	Greenwood	Grover
Harper	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Kiser
Last	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Newbold
Noel	Oda	Painter	Poulson

Powell	Ray	Sandstrom	Seegmiller
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer

**Voting in the negative were:** Representatives

Biskupski	Black	Chavez–Houck	Cosgrove
Janice Fisher	Hansen	Johnson	King
Litvack	Moss	Seelig	

**Absent or not voting were:** Representatives

Anderson	Dee	Garn	Hemingway
Riesen	Sumsion	Wright	D. Clark

**S.C.R. 11** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**1st Sub. S.B. 251**, VERIFICATION OF EMPLOYMENT ELIGIBILITY, *Herrod*, read the third time by short title and placed on its final passage.

Representatives Wheatley and Seelig commented.

Representative Litvack proposed the following amendment:

1. Page 3, Line 77:  
Delete “15” and insert “251”

Representative Anderson proposed the following substitute motion to amend:

1. Page 2, Line 30:  
Delete line 30.
2. Page 3, Lines 74–85:  
Delete lines 74 through 85.

Representatives Johnson, Kiser, and Hughes commented.

Representative Anderson’s substitute motion to amend failed on a voice vote.

Representatives Morley and Wilcox commented.

Representative Mascaro made a motion to circle **1st Sub. S.B. 251**. Representative Herrod commented. The motion to circle failed on a voice vote.



Representative Litvack's motion to amend failed on a voice vote.

Representatives Dougall, Cosgrove, and Sandstrom commented.

**1st Sub. S.B. 251** passed on the following roll call:

**Yeas, 46; Nays, 24; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bigelow	Bird	Black	Brown
Daw	Dee	S Duckworth	Edwards
Janice Fisher	Julie Fisher	Frank	Froerer
Garn	F Gibson	K Gibson	Greenwood
Grover	Harper	Hendrickson	Herrod
Hughes	Hutchings	Ipson	Kiser
Last	Morley	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Sandstrom	Seegmiller	Sumsion
Vickers	Wallis	Wilcox	Wiley
Wimmer	D. Clark		

**Voting in the negative were:** Representatives

Anderson	Biskupski	Chavez–Houck	S. Clark
Cosgrove	Dougall	Draxler	Dunnigan
Ferry	Fowlke	Gowans	Hansen
Hemingway	Hunsaker	Johnson	Litvack
Menlove	Moss	Riesen	Seelig
Watkins	Webb	Wheatley	Wright

**Absent or not voting were:** Representatives

King	Lockhart	Mascaro	Mathis
McIff			

**1st Sub. S.B. 251** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

### CONCURRENCE CALENDAR

On motion of Representative Dougall, the House voted to concur in the Senate amendments to **1st Sub. H.B. 166**, REDUCTIONS TO EDUCATION MANDATES.

**1st Sub. H.B. 166**, as amended by the Senate, passed on the following roll call:

**Yeas, 66; Nays, 0; Absent or not voting, 9.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Julie Fisher	Fowlke	Frank	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Hughes	Hunsaker	Hutchings
Ipson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
Menlove	Morley	Moss	Noel
Oda	Painter	Poulson	Powell
Riesen	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

Brown	Janice Fisher	Froerer	Herrod
Johnson	McIff	Newbold	Ray
Sandstrom			

**1st Sub. H.B. 166**, as amended by the Senate, transmitted to the Senate for signature of President.

**MISCELLANEOUS BUSINESS**

On motion of Representative Garn, under suspension of the rules, the House voted to lift **S.B. 61** and **1st Sub. S.B. 89** from the Rules Committee, consider them read the second time by short title and placed on the Senate Third Reading Calendar.

\* \* \*

On motion of Representative Garn, under suspension of the rules, the House voted to lift **S.B. 26** to the top of the Senate Third Reading Calendar.

\* \* \*

Representative Garn moved, under suspension of the rules, that the House lift **S.B. 135** from the Rules Committee, consider it read the second time by short title

and place it on the top of the Senate Third Reading Calendar. The motion to lift **S.B. 135** passed on the following roll call:

**Yeas, 55; Nays, 18; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Draxler	S Duckworth
Edwards	Ferry	Julie Fisher	Fowlke
Garn	F Gibson	Gowans	Grover
Hansen	Hemingway	Hendrickson	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	Menlove	Moss
Painter	Poulson	Powell	Ray
Riesen	Seegmiller	Seelig	Vickers
Wallis	Watkins	Wheatley	Wilcox
Wiley	Wimmer	D. Clark	

**Voting in the negative were:** Representatives

Allen	Dougall	Dunnigan	Frank
Froerer	K Gibson	Greenwood	Harper
Herrod	Hughes	McIff	Morley
Noel	Oda	Sandstrom	Sumsion
Webb	Wright		

**Absent or not voting were:** Representatives

Janice Fisher	Newbold
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### THIRD READING CALENDAR

**S.B. 26**, UTAH E–COMMERCE INTEGRITY ACT, *Last*, read the third time by short title and placed on its final passage.

**S.B. 26** passed on the following roll call:

**Yeas, 67; Nays, 0; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark

Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Julie Fisher	Fowlke	Frank
Froerer	K Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Mascaro	Mathis
Menlove	Morley	Moss	Newbold
Noel	Painter	Poulson	Powell
Ray	Riesen	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Janice Fisher	Garn	F Gibson	Ipson
Lockhart	McIff	Oda	Sandstrom

**S.B. 26** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 61**, SALES AND USE TAX EXEMPTION FOR A WEB SEARCH PORTAL, *Dougall*, read the third time by short title and placed on its final passage.

**S.B. 61** passed on the following roll call:

**Yeas, 68; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Julie Fisher	Fowlke	Frank
Froerer	Garn	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson

King	Kiser	Last	Mascaro
Mathis	Menlove	Morley	Moss
Newbold	Noel	Painter	Poulson
Powell	Ray	Riesen	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Janice Fisher	F Gibson	Litvack	Lockhart
McIff	Oda	Sandstrom	

**S.B. 61** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**1st Sub. S.B. 89**, LEGAL NOTICE AMENDMENTS, *Dougall*, read the third time by short title and placed on its final passage.

On motion of Representative Dougall, the House voted to circle **1st Sub. S.B. 89**.

\* \* \*

**S.B. 135**, SALES AND USE TAX EXEMPTION FOR AN ENERGY EFFICIENT STOVE OR ENERGY EFFICIENT STOVE FUEL, *Kiser*, read the third time by short title and placed on its final passage. Representatives Allen and Dougall commented.

Representative Barrus declared a conflict of interest because he owns one of these stoves.

**S.B. 135** failed to pass on the following roll call:

**Yeas, 30; Nays, 41; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Barrus	Beck	Biskupski	Chavez–Houck
Cosgrove	Dee	S Duckworth	Ferry
Janice Fisher	Gowans	Hansen	Hemingway
Hendrickson	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Litvack
Menlove	Moss	Painter	Poulson
Riesen	Seegmiller	Seelig	Wheatley
Wiley	D. Clark		

**Voting in the negative were:** Representatives

Agard	Allen	Anderson	Bigelow
Bird	Black	Brown	S. Clark
Daw	Dougall	Draxler	Dunnigan
Edwards	Julie Fisher	Fowlke	Frank
Froerer	K Gibson	Greenwood	Grover
Harper	Herrod	Ipson	Last
Lockhart	Mascaro	Mathis	Morley
Newbold	Oda	Powell	Ray
Sandstrom	Sumsion	Vickers	Wallis
Watkins	Webb	Wilcox	Wimmer
Wright			

**Absent or not voting were:** Representatives

Garn	F Gibson	McIff	Noel
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**S.B. 135** returned to the Senate for filing.

**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker: March 11, 2010

The Senate passed, **H.B. 17**, AMENDMENTS TO PROGRAMS FOR PEOPLE WITH DISABILITIES, by Representative S. Mascaro, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 117**, PUBLIC EDUCATION CAPITAL OUTLAY ACT, by Representative M. Brown, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 233**, RETIREMENT OFFICE AMENDMENTS, by Representative D. Ipson, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 364**, RIGHT OF IDENTITY THEFT VICTIM TO CIVIL CAUSE OF ACTION, by Representative Julie Fisher, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 435**, DIXIE STATE COLLEGE – NONPROFIT ENTITIES, by Representative D. Ipson, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 464**, FAMILY HEALTH SERVICES RFPS – TOBACCO SETTLEMENT FUNDS, by Representative J. Dougall, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.J.R. 33**, MARKING OF UNDERGROUND UTILITIES JOINT RESOLUTION, by Representative M. Brown, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 17**, **H.B. 117**, **H.B. 233**, **H.B. 364**, **H.B. 435**, **H.B. 464**, and **H.J.R. 33** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: March 11, 2010

The Senate passed, as amended, **H.B. 146**, LAW ENFORCEMENT BY FEDERAL LAND MANAGEMENT AGENCY, by Representative M. Noel, and it is transmitted for further consideration; and

The Senate substituted and passed, **Senate 1st Sub. H.B. 221**, SUNSET ACT AND REPEALERS REAUTHORIZATION, by Representative K. Garn, and it is transmitted for further consideration; and

The Senate substituted and passed, **Senate 6th Sub. H.B. 329**, CAMPAIGN FINANCE AMENDMENTS, by Representative B. Ferry, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 146**, **1st Sub. H.B. 221** and **6th Sub. H.B. 329** placed on the Concurrence Calendar.

\* \* \*

Mr. Speaker: March 10, 2010

The Senate passed, as amended, **S.B. 2**, MINIMUM SCHOOL PROGRAM AND PUBLIC EDUCATION BUDGET AMENDMENTS, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed **S.B. 281**, PUBLIC ACCESS TO STREAM BEDS – UTAH WATERWAYS TASK FORCE, by Senator D. Stowell, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **S.B. 2** and **S.B. 281** read the first time by short title and referred to the Rules Committee.

\* \* \*

Mr. Speaker: March 10, 2010

The Senate concurred in the House amendments and passed **2nd Sub. S.B. 52**, STATE BOARD OF REGENTS AMENDMENTS, by Senator D. Stowell, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **1st Sub. S.B. 62**, MOTOR VEHICLE INSURANCE COVERAGE AMENDMENTS, by Senator S. Urquhart, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **S.B. 188**, CHARTER SCHOOL AMENDMENTS, by Senator H. Stephenson, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **S.B. 191**, GOVERNMENTAL ACCOUNTING AMENDMENTS, by Senator L. Hillyard, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **S.B. 218**, ENGINE COOLANT BITTERING AGENT ACT, by Senator M. Waddoups, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **S.B. 222**, FEE EXEMPTIONS, by Senator B. Goodfellow, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **2nd Sub. S.B. 272**, AMENDMENTS TO TRANSPORTATION PROVISIONS, by Senator J. Stevenson, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **S.B. 273**, HOSPITAL ASSESSMENTS, by Senator L. Hillyard, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **S.C.R. 3**, STATE SOVEREIGNTY CONCURRENT RESOLUTION, by Senator J. S. Adams, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **S.J.R. 19**, JOINT RULES RESOLUTION ON ETHICS COMPLAINTS, by Senator J. Valentine, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **2nd Sub. S.B. 52**, **1st Sub. S.B. 62**, **S.B. 188**, **S.B. 191**, **S.B. 218**, **S.B. 222**, **2nd Sub. S.B. 272**, **S.B. 273**, **S.C.R. 3**, and **S.J.R. 19**



signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

\* \* \*

Mr. Speaker: March 11, 2010

The Senate refuses to concur with the House Amendments to **S.B. 66**, PUBLIC SCHOOL EXTRACURRICULAR ACTIVITIES FOR HOME SCHOOL AND PRIVATE SCHOOL STUDENTS, by Senator M. Madsen, and requests the House recede from its amendments.

Annette B. Moore  
Secretary of the Senate

Communication filed.

On motion of Representative Grover, the House voted to refuse to recede from its amendments to **S.B. 66**. The Speaker appointed a Conference Committee consisting of Representatives Grover, Herrod, and Duckworth.

#### **CONFERENCE COMMITTEE REPORT**

Mr. Speaker: March 11, 2010

The Joint Conference Committee comprised of Senators Romero, Stephenson, and Okerlund, and Representatives Wright, Sumsion, and Riesen, to which was referred **S.B. 113**, WIRELESS TELEPHONE USE RESTRICTION FOR MINORS IN VEHICLES, by Senator R. Romero, reports that the Conference Committee met and was unable to reach any agreement.

Ross Romero, Senate Chair  
Bill Wright, House Chair

Report filed.

#### **MISCELLANEOUS BUSINESS**

On motion of Representative Bigelow, under suspension of the rules, the House voted to lift **S.B. 2** from the Rules Committee, consider it read the second time by short title and placed at the top of the Senate Third Reading Calendar.

#### **THIRD READING CALENDAR**

**S.B. 2**, MINIMUM SCHOOL PROGRAM AND PUBLIC EDUCATION BUDGET AMENDMENTS, *Newbold*, read the third time by short title and placed on its final passage.

Representative Bigelow made a motion to delete **S.B. 2** in title and body and insert **1st Sub. S.B. 2** in lieu thereof. Representatives Frank, Allen, Barrus, Gowans, Wimmer, and Poulson commented. The motion to substitute passed on a voice vote.

Representatives King, F. Gibson, Fowlke, and Hughes commented.

**1st Sub. S.B. 2** passed on the following roll call:

**Yeas, 71; Nays, 4; Absent or not voting, 0.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Voting in the negative were:** Representatives

Chavez–Houck	Frank	Johnson	King
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**1st Sub. S.B. 2**, as amended, returned to the Senate for further consideration.

### **INTENT LANGUAGE FOR 1ST SUB. S.B. 2**

On motion of Representative Menlove, the House voted to print the following intent language upon the pages of the House Journal.

“It is the intent of the Utah Legislature that the Utah State Office of Education allocate the reduced Public Education Job Enhancement Program funding for 2011 to only fund teacher licensure and teaching endorsement education in the areas of math, science, and special education.”

### UNFINISHED BUSINESS

On motion of Representative Dougal, the House voted to uncircle **1st Sub. S.B. 89**.

**1st Sub. S.B. 89**, LEGAL NOTICE AMENDMENTS, *Dougall*, was before the House on its final passage.

**1st Sub. S.B. 89** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Agard	Allen	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Voting in the negative was:** Representative  
Anderson

**Absent or not voting were:** Representatives  
K Gibson                      Seelig

**1st Sub. S.B. 89** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

\* \* \*

On motion of Representative Dougal, the House voted to uncircle **S.B. 165**.

**S.B. 165**, ALLOCATION AND APPORTIONMENT OF INCOME AND DEDUCTION OF A NET LOSS, *Dougall*, was before the House on its final passage.

On motion of Representative Dougall, the House voted to delete **S.B. 165** in title and body and insert **1st Sub. S.B. 165** in lieu thereof.

Representative Allen commented.

**1st Sub. S.B. 165** passed on the following roll call:

**Yeas, 70; Nays, 1; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Frank	Froerer	Garn
F Gibson	K Gibson	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Voting in the negative was:** Representative Allen

**Absent or not voting were:** Representatives

Brown	Fowlke	Gowans	Wallis
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**1st Sub. S.B. 165**, as amended, returned to the Senate for further consideration.

#### MISCELLANEOUS BUSINESS

On motion of Representative Lockhart, under suspension of the rules, the House voted to lift **2nd Sub. S.B. 217** and **2nd Sub. S.B. 119** from the Rules

Committee, consider them read the second time by short title and placed on the Senate Third Reading Calendar.

\* \* \*

On motion of Representative Lockhart, under suspension of the rules, the House voted to lift the following bills to the top of the Senate Third Reading Calendar: **S.B. 277, 1st Sub. S.B. 47, 3rd Sub. S.B. 172, S.B. 212, 1st Sub. S.B. 215, and S.B. 15.**

### CONCURRENCE CALENDAR

On motion of Representative Ferry, the House voted to refuse to concur in the Senate amendments to **6th Sub. H.B. 329** and to ask the Senate to recede from its amendments. **6th Sub. H.B. 329** returned to the Senate for further consideration.

### THIRD READING CALENDAR

**S.B. 277**, DNA MODIFICATIONS, *Wilcox*, read the third time by short title and placed on its final passage.

Representative Wilcox proposed the following amendment:

1. Page 1, Line 14  
Senate 2nd Reading Amendments 3-8-2010  
14      ►      requires that    {~~any law enforcement agency~~}    a  
county sheriff    that books a person for any violent crime
2. Page 1, Line 20  
Senate 2nd Reading Amendments 3-8-2010:  
20      ►      allocates    {~~\$20~~}    \$25    of the fee to the  
collecting agency, and the balance of    {~~\$130~~}    \$125    to the
3. Page 1, Line 24b through Page 2, Line 25  
Senate 2nd Reading Amendments 3-8-2010:  
24b establishing a donor's gender and unique individual identification  
by DNA analysis;    { and }  
24c ► requires that the DNA analysis be consistent with and not  
exceed FBI forensic DNA analysis  
24d procedures    {~~—~~}    ← Ŝ    ;  
         ► requires that the department destroy a DNA specimen if

criminal charges have not been filed within 90 days after booking;  
; and

► provides that when a court issues an order to destroy DNA records pursuant to a person's motion for destruction based on dismissal or acquittal of the charge against the person, the court may also provide information advising of state law regarding expungement of criminal charges.

25 Monies Appropriated in this Bill:

4. Page 3, Line 87:

87 (1) As used in this section, "person" refers to any person { ~~including a minor~~ } as

5. Page 4, Line 106:

106 ~~retain the balance of \$20]~~ may retain not more than  
 { ~~\$20~~ } \$25 per individual specimen for the costs

6. Page 4, Line 109:

109 { ~~\$20~~ } \$25 . and no amount of the \$150 fee may be credited to any other fee or agency obligation.

7. Page 5, Line 131:

131 (i) after a conviction {~~-, plea,-~~} or a finding of jurisdiction by the juvenile court[~~-and~~

8. Page 6, Line 156:

156 supervision of the Department of Corrections; {~~-and-~~}

9. Page 6, Line 159:

159 (B) for a misdemeanor offense for which collection of a DNA specimen is required ; and

(iii) on and after January 1, 2011, are booked at the county jail for any offense under Subsection 53-10-403(1)(c) .

10. Page 6, Lines 161 through 164:

161 {~~-(d) On and after January 1, 2011, each law enforcement agency that books a person for~~

162 any offense under Subsection 53-10-403(1)(c) shall obtain a DNA specimen from the person

163 ~~being booked in accordance with this section.~~ }

164 { ~~(e)~~ } (d) Each agency required to collect a DNA specimen under this section shall:

11. Page 8, Lines 224 through 226

Senate Committee Amendments 3–2–2010:

224 (1) (a) When { ~~any law enforcement agency within the state~~ } a sheriff books a person for any

225 offense under Subsection 53–10–403(1)(c), the { ~~law enforcement agency~~ } sheriff shall obtain a DNA

226 specimen from the person upon booking of the person at the county jail ~~Ŝ→~~ [or upon admission to a detention facility] ~~←Ŝ~~ .

12. Page 8, Lines 228 through 230

Senate Committee Amendments 3–2–2010:

228 (b) If at the time of booking ~~Ŝ→~~ [or admission to a detention facility] ~~←Ŝ~~ the { ~~acting law~~

229 ~~enforcement agency~~ } sheriff is able to obtain information from the bureau stating that the bureau has on

230 file a DNA specimen for the person, the { ~~law enforcement agency~~ } sheriff is not required to obtain an

13. Page 8, Line 238

Senate Committee Amendments 3–2–2010:

238 retain not more than { ~~\$20~~ } \$25 per individual specimen for the costs of obtaining the DNA specimen.

14. Page 8, Line 240

Senate Committee Amendments 3–2–2010:

240 { ~~\$20~~ } \$25 , and no amount of the \$150 fee may be credited to any other fee or agency obligation.

15. Page 10, Lines 289b through 289e

Senate 2nd Reading Amendments 3–8–2010:

289b markers routinely used or accepted in the field of forensic science are used to establish the [ profile]

289c gender and unique individual identification of the donor:

289d (h) utilize only those DNA analysis procedures that are consistent with, and do not exceed, procedures

289e established and used by the Federal Bureau of Investigation for the forensic analysis of DNA;

~~←~~ ~~§~~ (i) destroy a DNA specimen obtained under this part if criminal charges have not been filed within 90 days after booking for an alleged offense under Subsection 53–10–403(2)(c); and

16. Page 10, Line 290

Senate 2nd Reading Amendments 3–8–2010:

290 [(~~f~~)] ~~§~~ → [(~~e~~)] { (i) } ~~←~~ ~~§~~ (i) make rules in accordance with Title 63G, Chapter 3, Utah

17. Page 11, Lines 321 through 322

Senate 2nd Reading Amendments 3–8–2010:

321 offense listed in Subsection 53–10–403(2).

(7) A court order issued under Subsection (6) may be accompanied by a written notice to the person advising that state law provides for expungement of criminal charges if the charge is resolved by a final judgment of dismissal or acquittal.

322 [(~~b~~)] { (~~7~~) } (8) Upon receipt of a [~~written request~~] court order for destruction pursuant to [~~this~~]

18. Page 11, Line 331

Senate 2nd Reading Amendments 3–8–2010:

331 [(~~7~~)] { (~~8~~) } (9) The department is not required to destroy any item of physical evidence

19. Page 11, Line 334

Senate 2nd Reading Amendments 3–8–2010:

334 [(~~8~~)] { (~~9~~) } (10) A DNA specimen, physical evidence, or criminal identification record may

20. Page 11, Line 336

Senate 2nd Reading Amendments 3–8–2010:

336 [(~~9~~)] { (~~10~~) } (11) If funding is not available for analysis of any of the DNA specimens

Representative Dunnigan commented. Representative Wilcox's motion to amend passed on a voice vote.



Representatives Fowlke, Litvack, Biskupski, K. Gibson, and McIff commented.

###

Representative King proposed the following amendment:

1. Page 1, Lines 24b through 24d  
Senate 2nd Reading Amendments 3–8–2010
  - 24b establishing a donor's gender and unique individual identification by DNA analysis: { and }
  - 24c ► requires that the DNA analysis be consistent with and not exceed FBI forensic DNA analysis
  - 24d procedures { } ←Ŝ ; and
    - establishes criminal penalties for possessing or disclosing individually identifiable DNA analysis information and the failure to destroy a DNA specimen, in violation of state law regarding management, storage, and destruction of DNA specimens and DNA analysis.
  
2. Page 12, Lines 338 through 339:
  - 338 available for analysis through state or federal funds.
    - (11)(a)(i) A person who, due to the person's employment or authority, has possession of or access to individually identifiable DNA information contained in the state criminal identification database or the state DNA specimen repository may not wilfully disclose the information in any manner to any individual, agency, or entity that is not entitled under this part to receive the information.
    - (ii) A person may not wilfully obtain individually identifiable DNA information from the state criminal identification data base or the state DNA repository other than as authorized by this part.
    - (iii) A person may not wilfully analyze a DNA specimen for any purpose, or to obtain any information other than as required under this part.
    - (iv) A person may not wilfully fail to destroy or fail to ensure the destruction of a DNA specimen when destruction is required by this part or by court order.
    - (b)(i) A person who violates Subsection (11)(a)(i), (ii), or (iii) is guilty of a third degree felony.
    - (ii) A person who violates Subsection (11)(a)(iv) is guilty of a class B misdemeanor.

339 Section 7. Section 53–10–407 is amended to read:

Representative King's motion to amend passed on a voice vote.

Representative Greenwood commented.

###

Representative Dee proposed the following amendment:

1. Page 1, Lines 24b through 25  
Senate 2nd Reading Amendments 3–8–2010  
24b establishing a donor's gender and unique individual identification by DNA analysis; { ~~and~~ }  
24c " requires that the DNA analysis be consistent with and not exceed FBI forensic DNA analysis  
24d procedures. ←<sup>Ŝ</sup> ; and  
    ▶ allows analysis of the DNA if the person is convicted of any charge arising out of the same criminal episode regarding which the DNA specimen was obtained  
25 Monies Appropriated in this Bill:
2. Page 3, Line 73:  
73 As used in Sections 53–10–403, 53–10–404, 53–10–404.5, 53–10–405, and 53–10–406:
3. Page 8, Line 234  
Senate Committee Amendments 3–2–2010:  
234 (a) the charge upon which the booking is based is resolved by a conviction or the person is convicted of any charge arising out of the same criminal episode regarding which the DNA specimen was obtained ; and
4. Page 8, Line 243  
Senate Committee Amendments 3–2–2010:  
243 (~~a~~) ] ←<sup>Ŝ</sup> { –regarding the alleged violent offense for which the person was booked: }
5. Page 8, Line 244a through Page 9, Line 246  
Senate Committee Amendments 3–2–2010:  
244a hearing for any charge arising out of the same criminal episode regarding which the person was booked ;

245      $\hat{S} \rightarrow$  [(ii)] (b)  $\leftarrow \hat{S}$  { ~~after~~ } the person has waived the preliminary hearing for any charge arising out of the same criminal episode regarding which the person was booked ; or

246      $\hat{S} \rightarrow$  [(iii)] (c)  $\leftarrow \hat{S}$  { ~~after~~ } a grand jury has returned an indictment for any charge arising out of the same criminal episode regarding which the person was booked  $\hat{S} \rightarrow$  [; or

- 6. Page 9, Line 248  
Senate Committee Amendments 3–2–2010:

248 ~~within the jurisdiction of the juvenile court due to the commission of the violent offense~~  $\leftarrow \hat{S}$  for any charge arising out of the same criminal episode regarding which the person was booked .

- 7. Page 11, Line 317  
Senate 2nd Reading Amendments 3–8–2010:

317 (ii) { ~~the booking upon which the obtaining of the~~ } all charges arising from the same criminal episode for which the DNA specimen was obtained under Subsection 53–10–404.5(1)(a) have { ~~has~~ } been resolved by a

Representative Dee’s motion to amend passed on a voice vote.

**S.B. 277**, as amended, passed on the following roll call:

**Yeas, 51; Nays, 23; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Brown	S. Clark
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Froerer
K Gibson	Greenwood	Grover	Hansen
Hemingway	Hendrickson	Herrod	Hunsaker
Hutchings	Ipson	King	Last
Mascaro	Mathis	Menlove	Moss
Noel	Oda	Painter	Poulson
Powell	Riesen	Sandstrom	Seegmiller
Seelig	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Voting in the negative were:** Representatives

Bird	Biskupski	Black	Chavez–Houck
Cosgrove	Daw	Dee	Dougall
Fowlke	Frank	Garn	F Gibson
Harper	Hughes	Johnson	Kiser
Litvack	Lockhart	McIff	Morley
Newbold	Ray	Sumsion	

**Absent or not voting was:** Representative  
Gowans

**S.B. 277**, as amended, returned to the Senate for further consideration.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

March 11, 2010

The Senate passed, as amended, **H.B. 118**, ECONOMIC DEVELOPMENT INCENTIVES MODIFICATIONS, by Representative W. Harper, and it is transmitted for further consideration; and

The Senate substituted, amended, and passed, **Senate 5th Sub. H.B. 197**, CUSTODIAL INTERFERENCE AMENDMENTS, by Representative C. Wimmer, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 395**, LIMITATION OF ACTIONS AMENDMENTS, by Representative M. Noel, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 421**, MEDICAL FINANCIAL RECORDS AMENDMENTS, by Representative B. Last, and it is transmitted for further consideration; and

The Senate substituted and passed, **Senate 1st Sub. H.C.R. 14**, R.S. 2477 HISTORIC ROADS CONCURRENT RESOLUTION, by Representative M. Noel, and it is transmitted for further consideration.

Annette B. Moore

Secretary of the Senate

Communications filed. **H.B. 118**, **5th Sub. H.B. 197**, **H.B. 395**, **H.B. 421**, and **1st Sub. H.C.R. 14** placed on the Concurrence Calendar.

\* \* \*

Mr. Speaker: March 11, 2010  
The Senate passed **S.J.R. 15**, MASTER STUDY RESOLUTION, by Senator S. Jenkins, and it is transmitted for consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. **S.J.R. 15** read the first time by short title and referred to the Rules Committee.

\* \* \*

Mr. Speaker: March 11, 2010  
The President of the Senate has appointed a Conference Committee consisting of Senators M. Madsen, L. Robles, and S. Jenkins to meet with a like committee from the House of Representatives to consider or amend **S.B. 66**, PUBLIC SCHOOL EXTRACURRICULAR ACTIVITIES FOR HOME SCHOOL AND PRIVATE SCHOOL STUDENTS, by Senator M. Madsen.

Annette B. Moore  
Secretary of the Senate

Communication filed. The Conference Committee may now meet.

\* \* \*

Mr. Speaker: March 11, 2010  
The Senate refuses to concur with the House Amendments to **S.B. 280**, 2010 GENERAL OBLIGATION BOND AUTHORIZATION, by Senator L. Hillyard, and requests the House recede from its amendments.

Annette B. Moore  
Secretary of the Senate

Communication filed. On motion of Representative Hunsaker, the House voted to refuse to recede from its amendments to **S.B. 280**. Speaker Pro Tem appointed a Conference Committee consisting of Representatives Hunsaker, Last, and Gowans.

### MISCELLANEOUS BUSINESS

On motion of Representative Garn, the House voted to recess until 2:30 p.m.

### AFTERNOON SESSION

The House was called to order by Speaker Clark at 2:35 p.m.

**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker: March 11, 2010

The Senate passed, **H.B. 62**, PENALTIES FOR VIOLENT CRIME IN PRESENCE OF A CHILD, by Representative Janice Fisher, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 133**, RELEASE OF COURT DOCUMENTS AND CHILD INTERVIEWS, by Representative L. Fowlke, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 166**, REDUCTIONS TO EDUCATION MANDATES, by Representative J. Dougall, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 231**, WATER RIGHTS PRIORITIES IN TIMES OF SHORTAGE, by Representative K. Gibson, and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 235**, CHILD SUPPORT FOR CHILDREN IN STATE CUSTODY, by Representative W. Harper, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 250**, CRIMINAL PENALTIES AMENDMENTS – LEAVING THE SCENE OF AN ACCIDENT, by Representative C. Herrod, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 293**, VICTIMS' RIGHTS AMENDMENTS, by Representative R. C. Webb, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 327**, AUTISM AWARENESS SUPPORT SPECIAL GROUP LICENSE PLATE, by Representative R. Edwards, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 343**, GREAT SALT LAKE ADVISORY COUNCIL, by Representative B. Ferry, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 353**, NONLAPSING DEDICATED CREDIT AMENDMENTS, by Representative R. Bigelow, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 386**, INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN, by Representative G. Hughes, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 404**, MOTOR VEHICLE BUSINESS AMENDMENTS, by Representative D. Ipson, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 419**, ALCOHOLIC BEVERAGE CONTROL AND SIGNAGE AT STATE STORES, by Representative K. Powell, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.C.R. 13**, CONCURRENT RESOLUTION ON PROVIDING CONTINUING FEDERAL FINANCIAL ASSISTANCE FOR THE DELIVERY OF BASIC SERVICES TO DUTCH JOHN, U, by Representative M. Brown, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.J.R. 21**, JOINT RESOLUTION ON ENERGY POLICY, by Representative M. Noel, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **H.B. 62, 1st Sub. H.B. 133, 1st Sub. H.B. 166, H.B. 231, 1st Sub. H.B. 235, H.B. 250, 1st Sub. H.B. 293, H.B. 327, H.B. 343, H.B. 353, H.B. 386, 1st Sub. H.B. 404, H.B. 419, H.C.R. 13, and H.J.R. 21** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker:

March 11, 2010

The Senate substituted and passed, **Senate 4th Sub. H.B. 121**, EMERGENCY MEDICAL SERVICES ACT TRANSPORT AMENDMENTS, by Representative G. Hughes, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 379**, BARBER, COSMETOLOGIST/BARBER, ESTHETICIAN, ELECTROLOGIST, AND NAIL TECHNICIAN LICENSING ACT AMENDMENTS, by Representative M. Newbold, and it is transmitted for further consideration; and

The Senate passed, as amended, **1st Sub. H.B. 425**, BUDGETARY PROCEDURES ACT – FEE AMENDMENTS, by Representative R. Bigelow, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 440**, VETERANS' NURSING HOME REIMBURSEMENT RESTRICTED ACCOUNT, by Representative R. Bigelow, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **4th Sub. H.B. 121, H.B. 379, 1st Sub. H.B. 425, and H.B. 440** placed on the Concurrence Calendar.

### CONCURRENCE CALENDAR

On motion of Representative Litvack, the House voted to concur in the Senate amendments to **2nd Sub. H.B. 66**, PROSTHETIC LIMB HEALTH INSURANCE PARITY.

**2nd Sub. H.B. 66**, as amended by the Senate, passed on the following roll call:

**Yeas, 50; Nays, 19; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bigelow	Biskupski	Black	Brown
Chavez–Houck	Cosgrove	Dee	Draxler
S Duckworth	Edwards	Janice Fisher	Fowlke
Froerer	F Gibson	K Gibson	Gowans
Greenwood	Hansen	Hemingway	Hendrickson
Hughes	Hunsaker	Ipson	Johnson
King	Kiser	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Moss	Painter	Poulson	Powell
Riesen	Sandstrom	Seegmiller	Seelig
Vickers	Wallis	Watkins	Webb
Wheatley	Wiley		

**Voting in the negative were:** Representatives

Anderson	Bird	Daw	Dougall
Dunnigan	Ferry	Julie Fisher	Frank
Grover	Harper	Herrod	Morley
Newbold	Oda	Sumsion	Wilcox
Wimmer	Wright	D. Clark	



**Absent or not voting were:** Representatives

S. Clark	Garn	Hutchings	Last
Noel	Ray		

**2nd Sub. H.B. 66**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Oda, the House voted to concur in the Senate amendments to **2nd Sub. H.B. 139**, EMERGENCY AND DISASTER MANAGEMENT AMENDMENTS.

**2nd Sub. H.B. 139**, as amended by the Senate, passed on the following roll call:

**Yeas, 66; Nays, 3; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Brown	Chavez–Houck	Cosgrove	Daw
Dee	Draxler	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Frank
Froerer	F Gibson	K Gibson	Gowans
Greenwood	Grover	Harper	Hemingway
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Voting in the negative were:** Representatives

S Duckworth	Hansen	Hendrickson
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**Absent or not voting were:** Representatives

Black	S. Clark	Dougall	Fowlke
Garn	Ray		

**2nd Sub. H.B. 139**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Noel, the House voted to concur in the Senate amendments to **H.B. 146**, LAW ENFORCEMENT BY FEDERAL LAND MANAGEMENT AGENCY.

**H.B. 146**, as amended by the Senate, passed on the following roll call:

**Yeas, 67; Nays, 2; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Cosgrove	Daw
Dougall	Draxler	S Duckworth	Dunnigan
Edwards	Ferry	Julie Fisher	Frank
Froerer	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Newbold	Noel
Oda	Painter	Poulson	Powell
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Voting in the negative were:** Representatives

Chavez–Houck      Janice Fisher

**Absent or not voting were:** Representatives

S. Clark	Dee	Fowlke	Garn
Moss	Ray		

**H.B. 146**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Harper, the House voted to concur in the Senate amendments to **H.B. 118, ECONOMIC DEVELOPMENT INCENTIVES MODIFICATIONS.**

**H.B. 118**, as amended by the Senate, passed on the following roll call:

**Yeas, 61; Nays, 9; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Draxler	S Duckworth
Edwards	Ferry	Janice Fisher	Frank
Froerer	F Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Mascaro	Mathis
McIff	Menlove	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Seegmiller
Seelig	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
D. Clark			

**Voting in the negative were:** Representatives

Anderson	Dougall	Dunnigan	Lockhart
Morley	Sandstrom	Sumsion	Wimmer
Wright			

**Absent or not voting were:** Representatives

Julie Fisher	Fowlke	Garn	K Gibson
Hughes			

**H.B. 118**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Wimmer, the House voted to concur in the Senate amendments to **5th Sub. H.B. 197, CUSTODIAL INTERFERENCE AMENDMENTS.**

**5th Sub. H.B. 197**, as amended by the Senate, passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Black
Brown	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Julie Fisher
Frank	Froerer	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	King
Kiser	Last	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Voting in the negative were:** Representatives

Biskupski	Chavez–Houck	Janice Fisher	Hemingway
Johnson	Litvack	Riesen	

**Absent or not voting were:** Representatives

Fowlke	Garn	Moss
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**5th Sub. H.B. 197**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Noel, the House voted to concur in the Senate amendments to **H.B. 395**, LIMITATION OF ACTIONS AMENDMENTS.

**H.B. 395**, as amended by the Senate, passed on the following roll call:

**Yeas, 51; Nays, 15; Absent or not voting, 9.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Bigelow	Bird	Brown	S. Clark

Daw	Dee	Dougall	Draxler
Dunnigan	Edwards	Ferry	Julie Fisher
Frank	Froerer	F Gibson	K Gibson
Harper	Hendrickson	Hughes	Hunsaker
Hutchings	Ipson	Kiser	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Newbold	Noel	Oda
Painter	Powell	Ray	Sandstrom
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Voting in the negative were:** Representatives

Beck	Black	Chavez–Houck	Cosgrove
Janice Fisher	Hansen	Hemingway	Johnson
King	Litvack	Moss	Poulson
Riesen	Seegmiller	Seelig	

**Absent or not voting were:** Representatives

Biskupski	S Duckworth	Fowlke	Garn
Gowans	Greenwood	Grover	Herrod
Last			

**H.B. 395**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Noel, the House voted to concur in the Senate amendments to **1st Sub. H.C.R. 14**, R.S. 2477 HISTORIC ROADS CONCURRENT RESOLUTION.

**1st Sub. H.C.R. 14**, as amended by the Senate, passed on the following roll call:

**Yeas, 64; Nays, 1; Absent or not voting, 10.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
Dunnigan	Edwards	Ferry	Janice Fisher

Julie Fisher	Frank	F Gibson	Hansen
Harper	Hemingway	Hendrickson	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Voting in the negative was:** Representative  
Biskupski

**Absent or not voting were:** Representatives

S Duckworth	Fowlke	Froerer	Garn
K Gibson	Gowans	Greenwood	Grover
Herrod	Last		

**1st Sub. H.C.R. 14**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Hughes, the House voted to concur in the Senate amendments to **4th Sub. H.B. 121**, EMERGENCY MEDICAL SERVICES ACT TRANSPORT AMENDMENTS.

**4th Sub. H.B. 121**, as amended by the Senate, passed on the following roll call:

**Yeas, 63; Nays, 3; Absent or not voting, 9.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Frank	Froerer	K Gibson
Greenwood	Hansen	Hemingway	Hendrickson
Hughes	Hunsaker	Hutchings	Ipson

Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Voting in the negative were:** Representatives

Barrus	Harper	Menlove
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**Absent or not voting were:** Representatives

S Duckworth	Fowlke	Garn	F Gibson
Gowans	Grover	Herrod	Seelig
Sumsion			

**4th Sub. H.B. 121**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Newbold, the House voted to concur in the Senate amendments to **H.B. 379**, BARBER, COSMETOLOGIST/BARBER, ESTHETICIAN, ELECTROLOGIST, AND NAIL TECHNICIAN LICENSING ACT AMENDMENTS.

**H.B. 379**, as amended by the Senate, passed on the following roll call:

**Yeas, 57; Nays, 9; Absent or not voting, 9.**

**Voting in the affirmative were:** Representatives

Allen	Barrus	Beck	Bigelow
Bird	Biskupski	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Draxler	S Duckworth	Dunnigan
Edwards	Ferry	Janice Fisher	Julie Fisher
Frank	Gowans	Grover	Hansen
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Moss	Newbold	Noel	Oda

Painter	Poulson	Powell	Ray
Riesen	Seegmiller	Seelig	Vickers
Wallis	Watkins	Webb	Wheatley
Wimmer			

**Voting in the negative were:** Representatives

Anderson	Dougall	Greenwood	Morley
Sandstrom	Wilcox	Wiley	Wright
D. Clark			

**Absent or not voting were:** Representatives

Aagard	Fowlke	Froerer	Garn
F Gibson	K Gibson	Harper	Johnson
Sumsion			

**H.B. 379**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Bigelow, the House voted to concur in the Senate amendments to **1st Sub. H.B. 425**, BUDGETARY PROCEDURES ACT – FEE AMENDMENTS.

**1st Sub. H.B. 425**, as amended by the Senate, passed on the following roll call:

**Yeas, 68; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Dougall	Draxler	S Duckworth	Dunnigan
Edwards	Ferry	Janice Fisher	Julie Fisher
Frank	Froerer	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Ipson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell



Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Bird	Daw	Dee	Fowlke
Garn	Hutchings	Johnson	

**1st Sub. H.B. 425**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Bigelow, the House voted to refuse to concur in the Senate amendments and ask the Senate to recede on **H.B. 440**. **H.B. 440** returned to the Senate for further consideration.

\* \* \*

On motion of Representative Last, the House voted to concur in the Senate amendments to **H.B. 421**, MEDICAL FINANCIAL RECORDS AMENDMENTS.

**H.B. 421**, as amended by the Senate, passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Frank	Froerer
F Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig

Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Daw	Fowlke	Garn	K Gibson
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**H.B. 421**, as amended by the Senate, transmitted to the Senate for signature of President.

### CONFERENCE COMMITTEE REPORT

Mr. Speaker: March 11, 2010

The Joint Conference Committee comprised of Senators Mark Madsen, Scott Jenkins, and Luz Robles, and Representatives Keith Grover, Susan Duckworth, and Chris Herrod, recommends **S.B. 66**, PUBLIC SCHOOL EXTRACURRICULAR ACTIVITIES FOR HOME SCHOOL AND PRIVATE SCHOOL STUDENTS, by Senator M. Madsen, et al, be replaced and favorably recommends **1st Sub. S.B. 66**, PUBLIC SCHOOL EXTRACURRICULAR ACTIVITIES FOR HOME SCHOOL AND PRIVATE SCHOOL STUDENTS.

Mark Madsen, Senate Chair

Keith Grover, House Chair

Report filed. On motion of Representative Grover, the House voted to adopt the Conference Committee Report.

**1st Sub. S.B. 66** passed on the following roll call:

**Yeas, 59; Nays, 11; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Agaard	Allen	Anderson	Barrus
Beck	Bigelow	Biskupski	Brown
S. Clark	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	F Gibson	K Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Hughes	Hunsaker	Hutchings	Ipson
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Newbold	Noel	Oda
Painter	Powell	Ray	Riesen

Sandstrom	Seelig	Sumsion	Vickers
Wallis	Webb	Wheatley	Wilcox
Wimmer	Wright	D. Clark	

**Voting in the negative were:** Representatives

Black	Chavez–Houck	Cosgrove	Gowans
Hendrickson	Johnson	King	Moss
Poulson	Watkins	Wiley	

**Absent or not voting were:** Representatives

Bird	Daw	Garn	Herrod
Seegmiller			

**1st Sub. S.B. 66** was transmitted to the Senate for further consideration.

**THIRD READING CALENDAR**

**1st Sub. S.B. 47**, ELECTRICAL UTILITY AMENDMENTS – EFFICIENCY AND CONSERVATION TARIFF, *Brown*, read the third time by short title and placed on its final passage.

Representatives Noel, Dunnigan, and Dee commented.

**1st Sub. S.B. 47** passed on the following roll call:

**Yeas, 53; Nays, 19; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bigelow	Biskupski	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Dee
Draxler	S Duckworth	Edwards	Janice Fisher
Fowlke	Froerer	K Gibson	Gowans
Grover	Harper	Hemingway	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McCliff
Menlove	Moss	Noel	Oda
Painter	Poulson	Powell	Riesen
Seelig	Vickers	Wallis	Watkins
Webb	Wheatley	Wiley	Wright
D. Clark			

**Voting in the negative were:** Representatives

Anderson	Bird	Daw	Dougall
Dunnigan	Ferry	Julie Fisher	Frank

F Gibson	Greenwood	Hansen	Hendrickson
Morley	Newbold	Ray	Sandstrom
Seegmiller	Sumsion	Wimmer	

**Absent or not voting were:** Representatives

Garn	King	Wilcox
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**1st Sub. S.B. 47** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**3rd Sub. S.B. 172**, LOCAL DISTRICT TAXING AUTHORITY AMENDMENTS, *Dougall*, read the third time by short title and placed on its final passage.

**3rd Sub. S.B. 172** passed on the following roll call:

**Yeas, 71; Nays, 2; Absent or not voting, 2.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hutchings	Ipson	Johnson
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Voting in the negative were:** Representatives

Cosgrove	Ray
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**Absent or not voting were:** Representatives

Hunsaker	King
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**3rd Sub. S.B. 172** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 212**, PAWN SHOP AMENDMENTS, *Lockhart*, read the third time by short title and placed on its final passage.

Representatives Seegmiller, Seelig, and Hansen commented.

Representative Duckworth declared a conflict of interest because she may have property in a pawn shop right now.

**S.B. 212** passed on the following roll call:

**Yeas, 55; Nays, 17; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Bigelow	Bird
Biskupski	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Froerer	Garn
K Gibson	Gowans	Greenwood	Grover
Hansen	Hemingway	Hendrickson	Herrod
Hughes	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	McIff	Menlove
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Riesen
Seelig	Vickers	Wallis	Webb
Wheatley	Wiley	D. Clark	

**Voting in the negative were:** Representatives

Anderson	Barrus	Beck	Black
Dougall	Frank	F Gibson	Mathis
Morley	Ray	Sandstrom	Seegmiller
Sumsion	Watkins	Wilcox	Wimmer
Wright			

**Absent or not voting were:** Representatives

Fowlke	Harper	Hunsaker
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**S.B. 212** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**1st Sub. S.B. 215**, HIGHWAY PROJECT FUNDING – SALT LAKE COUNTY, *Harper*, read the third time by short title and placed on its final passage.

On motion of Representative Garn, the House voted to circle **1st Sub. S.B. 215**.

\* \* \*

**S.B. 15**, UTAH SCENIC BYWAY AMENDMENTS, *Herrod*, read the third time by short title and placed on its final passage.

On motion of Representative Garn, the House voted to circle **S.B. 15**.

\* \* \*

**2nd Sub. S.B. 217**, INCREASE IN SURCHARGE ON FINES, *Garn*, read the third time by short title and placed on its final passage.

On motion of Representative Garn, the House voted to circle **2nd Sub. S.B. 217**.

#### MISCELLANEOUS BUSINESS

On motion of Representative Watkins, under suspension of the rules, the House voted to recall **S.B. 135**.

#### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 11, 2010

The Senate passed, **1st Sub. H.B. 60**, WATER CONVEYANCE FACILITIES SAFETY ACT, by Representative F. Hunsaker, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 112**, SUPREME COURT REVIEW OF AN INITIATIVE OR REFERENDUM, by Representative B. Dee, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 169**, REFINERY AMENDMENTS, by Representative R. Edwards, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 355**, LEGAL GUARDIANSHIP AMENDMENTS, by Representative S. Sandstrom, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 398**, SEXUALLY ORIENTED BUSINESS LICENSE AMENDMENTS, by Representative F.J. Seegmiller, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.C.R. 4**, VETERANS FREEDOM MEMORIAL CONCURRENT RESOLUTION, by Representative G. Hughes, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **1st Sub. H.B. 60, H.B. 112, H.B. 169, 1st Sub. H.B. 355, H.B. 398**, and **H.C.R. 4** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: March 11, 2010

The Senate concurred in the House amendments and passed **1st Sub. S.B. 165**, ALLOCATION AND APPORTIONMENT OF INCOME AND DEDUCTION OF A NET LOSS, by Senator W. Niederhauser, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communication filed. **1st Sub. S.B. 165** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

\* \* \*

Mr. Speaker: March 11, 2010

The Senate substituted and passed, **Senate 3rd Sub. H.B. 5**, REVENUE BOND AND CAPITAL FACILITIES AUTHORIZATIONS, by Representative S. Clark, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. **3rd Sub. H.B. 5** placed on the Concurrence Calendar.

\* \* \*

Mr. Speaker: March 11, 2010

The Senate refuses to concur with the House Amendments to **1st Sub. S.B. 2**, MINIMUM SCHOOL PROGRAM AND PUBLIC EDUCATION BUDGET

AMENDMENTS, by Senator H. Stephenson, and requests the House recede from its amendments.

Annette B. Moore  
Secretary of the Senate

Communications filed. On motion of Representative Newbold, the House voted to refuse to recede from its amendments to **1st Sub. S.B. 2**.

\* \* \*

Mr. Speaker: March 11, 2010

The Senate refuses to recede from its amendments to **6th Sub. H.B. 329**, CAMPAIGN FINANCE AMENDMENTS, by Representative B. Ferry, and has appointed a Conference Committee consisting of Senators S. Jenkins, C. Bramble, and B. McAdams to meet with a like committee from the House on this bill.

Annette B. Moore  
Secretary of the Senate

Communication filed. Speaker Clark appointed a Conference Committee consisting of Representatives Ferry, Frank, and Gowans.

\* \* \*

Mr. Speaker: March 11, 2010

The President of the Senate has appointed a Conference Committee consisting of Senators L. Hillyard, W. Niederhauser, and B. Goodfellow to meet with a like committee from the House of Representatives to consider or amend **S.B. 280**, 2010 GENERAL OBLIGATION BOND AUTHORIZATION, by Senator L. Hillyard.

Annette B. Moore  
Secretary of the Senate

Communication filed. Conference Committee may now meet.

### UNFINISHED BUSINESS

On motion of Representative Garn, the House voted to uncircle **2nd Sub. S.B. 217**.

**2nd Sub. S.B. 217**, INCREASE IN SURCHARGE ON FINES, *Garn*, was before the House on its final passage.

**2nd Sub. S.B. 217** passed on the following roll call:



**Yeas, 56; Nays, 11; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Draxler	S Duckworth	Edwards
Janice Fisher	Froerer	Garn	F Gibson
K Gibson	Greenwood	Grover	Hansen
Hemingway	Hendrickson	Herrod	Hunsaker
Hutchings	Ipson	Johnson	King
Last	Litvack	McIff	Moss
Noel	Oda	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Voting in the negative were:** Representatives

Bird	Dougall	Dunnigan	Fowlke
Harper	Kiser	Lockhart	Mathis
Menlove	Newbold	Painter	

**Absent or not voting were:** Representatives

Dee	Ferry	Julie Fisher	Frank
Gowans	Hughes	Mascaro	Morley

**2nd Sub. S.B. 217** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

\* \* \*

On motion of Representative Herrod, the House voted to uncircle **S.B. 15**.

**S.B. 15**, UTAH SCENIC BYWAY AMENDMENTS, *Herrod*, was before the House on its final passage.

**S.B. 15** passed on the following roll call:

**Yeas, 68; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski

Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hunsaker	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Daw	Dee	Julie Fisher	Gowans
Hughes	Hutchings	Seegmiller	

**S.B. 15** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

### MISCELLANEOUS BUSINESS

On motion of Representative Garn, under suspension of the rules, the House voted to lift **3rd Sub. S.B. 175** to the top of the Senate Third Reading Calendar.

### THIRD READING CALENDAR

**3rd Sub. S.B. 175**, SCHOOL DISTRICT CAPITAL OUTLAY EQUALIZATION AMENDMENTS, *Sumsion*, read the third time by short title and placed on its final passage.

On motion of Representative Sumsion, the House voted to delete **3rd Sub. S.B. 175** in title and body and insert **5th Sub. S.B. 175** in lieu thereof.

**5th Sub. S.B. 175** passed on the following roll call:

**Yeas, 68; Nays, 3; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bigelow	Bird	Biskupski	Brown

Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Gowans
Greenwood	Grover	Hansen	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Ipson	Johnson	King	Kiser
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Noel	Oda	Painter	Poulson
Powell	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Voting in the negative were:** Representatives

Anderson	Last	Newbold
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**Absent or not voting were:** Representatives

Black	Harper	Hutchings	Ray
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**5th Sub. S.B. 175**, as amended, returned to the Senate for further consideration.

\* \* \*

**2nd Sub. S.B. 119**, SPECIAL ELECTIONS MODIFICATIONS, *Morley*, read the third time by short title and placed on its final passage.

Representative K. Gibson made a motion to delete **2nd Sub. S.B. 119** in title and body and insert **3rd Sub. S.B. 119** in lieu thereof. Representatives Powell, Newbold, and Allen commented. The motion passed on the following roll call:

**Yeas, 52; Nays, 20; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Barrus	Beck
Bigelow	Bird	Biskupski	Black
Brown	Chavez–Houck	Cosgrove	Dee
Draxler	S Duckworth	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Froerer
F Gibson	K Gibson	Gowans	Greenwood

Hansen	Hemingway	Hendrickson	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Litvack	Mascaro	McIff
Menlove	Moss	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley

**Voting in the negative were:** Representatives

Anderson	S. Clark	Daw	Dougall
Dunnigan	Frank	Grover	Harper
Herrod	Last	Lockhart	Mathis
Morley	Newbold	Noel	Oda
Painter	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Garn	Hughes	Sumsion
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# # #

Representative Wright made a motion to delete **3rd Sub. S.B. 119** in title and body and insert **4th Sub. S.B. 119** in lieu thereof. Representatives Hansen, Powell, and Sandstrom commented. The motion failed to pass on the following roll call:

**Yeas, 19; Nays, 48; Absent or not voting, 8.**

**Voting in the affirmative were:** Representatives

Anderson	S. Clark	Daw	Dougall
Frank	Greenwood	Grover	Harper
Herrod	Hutchings	Last	Lockhart
Mathis	Morley	Newbold	Oda
Painter	Wimmer	Wright	

**Voting in the negative were:** Representatives

Aagard	Allen	Barrus	Beck
Bird	Biskupski	Black	Brown
Chavez–Houck	Cosgrove	Dee	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Froerer
F Gibson	K Gibson	Gowans	Hansen
Hemingway	Hendrickson	Hunsaker	Ipson
Johnson	King	Kiser	Litvack
Mascaro	McIff	Menlove	Moss

Poulson	Powell	Ray	Riesen
Seegmiller	Seelig	Vickers	Wallis
Watkins	Webb	Wheatley	Wiley

**Absent or not voting were:** Representatives

Bigelow	Garn	Hughes	Noel
Sandstrom	Sumsion	Wilcox	D. Clark

**3rd Sub. S.B. 119** passed on the following roll call:

**Yeas, 57; Nays, 7; Absent or not voting, 11.**

**Voting in the affirmative were:** Representatives

Aagard	Anderson	Barrus	Beck
Biskupski	Black	Brown	Chavez–Houck
S. Clark	Daw	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	F Gibson	K Gibson	Grover
Hansen	Hendrickson	Herrod	Hughes
Hutchings	Ipson	Johnson	Kiser
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Seegmiller
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright			

**Voting in the negative were:** Representatives

Allen	Bird	Cosgrove	Greenwood
Hemingway	Last	Riesen	

**Absent or not voting were:** Representatives

Bigelow	Dee	Garn	Gowans
Harper	Hunsaker	King	Sandstrom
Seelig	Sumsion	D. Clark	

**3rd Sub. S.B. 119**, as amended, returned to the Senate for further consideration.

**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker: March 11, 2010

The President of the Senate has signed **2nd Sub. H.B. 66**, PROSTHETIC LIMB HEALTH INSURANCE PARITY, by Representative D. Litvack, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 118**, ECONOMIC DEVELOPMENT INCENTIVES MODIFICATIONS, by Representative W. Harper, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **2nd Sub. H.B. 139**, EMERGENCY AND DISASTER MANAGEMENT AMENDMENTS, by Representative C. Oda, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 146**, LAW ENFORCEMENT BY FEDERAL LAND MANAGEMENT AGENCY, by Representative M. Noel, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 246**, RETIREMENT BENEFITS FOR CHARTER SCHOOL EMPLOYEES, by Representative C. Watkins, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 282**, LOCAL GOVERNMENT AMENDMENTS, by Representative S. Sandstrom, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 395**, LIMITATION OF ACTIONS AMENDMENTS, by Representative M. Noel, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.C.R. 14**, R.S. 2477 HISTORIC ROADS CONCURRENT RESOLUTION, by Representative M. Noel, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.C.R. 17**, CONCURRENT RESOLUTION OPPOSING THE USE OF PRESIDENTIAL POWER TO CREATE NEW NATIONAL MONUMENTS IN UTAH, by Representative M. Noel, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **2nd Sub. H.B. 66**, **H.B. 118**, **2nd Sub. H.B. 139**, **H.B. 146**, **H.B. 246**, **1st Sub. H.B. 282**, **H.B. 395**, **1st Sub. H.C.R. 14**, and

**H.C.R. 17** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: March 11, 2010  
The Senate passed, as amended, **H.B. 452**, COLLECTION FEES, by Representative S. Sandstrom, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. **H.B. 452** placed on the Concurrence Calendar.

### UNFINISHED BUSINESS

On motion of Representative Oda, the House voted to uncircle **S.B. 232**.

**S.B. 232**, JUDICIAL ADMINISTRATION AMENDMENTS *Oda*, was before the House on its final passage.

Representative McIff proposed the following amendment:

1. Page 2, Line 33 (goldenrod copy dated 3-1-2010):  
Delete "majority" and insert "unanimous"

Representative Riesen commented. Representative McIff's motion to amend passed on a voice vote.

**S.B. 232** passed on the following roll call:

**Yeas, 56; Nays, 13; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Brown	S. Clark
Daw	Dee	Dougall	Draxler
Dunnigan	Edwards	Ferry	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Gowans	Greenwood
Grover	Harper	Hemingway	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	Kiser	Last	Litvack
Lockhart	McIff	Menlove	Morley
Moss	Newbold	Oda	Painter

Poulson	Powell	Ray	Riesen
Sandstrom	Seelig	Sumsion	Vickers
Wallis	Webb	Wilcox	Wright

**Voting in the negative were:** Representatives

Biskupski	Black	Chavez–Houck	Cosgrove
S Duckworth	Janice Fisher	Hansen	Hendrickson
King	Seegmiller	Watkins	Wheatley
Wiley			

**Absent or not voting were:** Representatives

Bigelow	Mascaro	Mathis	Noel
Wimmer	D. Clark		

**S.B. 232** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 11, 2010

The President of the Senate has signed **4th Sub. H.B. 121**, EMERGENCY MEDICAL SERVICES ACT TRANSPORT AMENDMENTS, by Representative G. Hughes, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **5th Sub. H.B. 197**, CUSTODIAL INTERFERENCE AMENDMENTS, by Representative C. Wimmer, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 379**, BARBER, COSMETOLOGIST/BARBER, ESTHETICIAN, ELECTROLOGIST, AND NAIL TECHNICIAN LICENSING ACT AMENDMENTS, by Representative M. Newbold, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 421**, MEDICAL FINANCIAL RECORDS AMENDMENTS, by Representative B. Last, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 425**, BUDGETARY PROCEDURES ACT – FEE AMENDMENTS, by Representative R. Bigelow, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **4th Sub. H.B. 121**, **5th Sub. H.B. 197**, **H.B. 379**, **H.B. 421**, and **1st Sub. H.B. 425** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.



**THIRD READING CALENDAR**

**S.B. 225**, MOTOR VEHICLE INSURANCE – NAMED DRIVER EXCLUSION, *Draxler*, read the third time by short title and placed on its final passage.

**S.B. 225** passed on the following roll call:

**Yeas, 65; Nays, 0; Absent or not voting, 10.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	F Gibson	K Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hunsaker	Hutchings
Ipson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Oda	Painter	Poulson	Powell
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wright			

**Absent or not voting were:** Representatives

Bigelow	Garn	Gowans	Hughes
Johnson	Newbold	Noel	Ray
Wimmer	D. Clark		

**S.B. 225** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**1st Sub. S.B. 252**, BAIL BOND ACT AMENDMENTS, *Webb*, read the third time by short title and placed on its final passage.

**1st Sub. S.B. 252** passed on the following roll call:

**Yeas, 68; Nays, 0; Absent or not voting, 7.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
King	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Oda
Painter	Poulson	Powell	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wright

**Absent or not voting were:** Representatives

Bigelow	Johnson	Kiser	Noel
Ray	Wimmer	D. Clark	

**1st Sub. S.B. 252** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**1st Sub. S.B. 240**, RETIREMENT PARTICIPATION AMENDMENTS, *Ipson*, read the third time by short title and placed on its final passage.

**1st Sub. S.B. 240** passed on the following roll call:

**Yeas, 63; Nays, 1; Absent or not voting, 11.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bird	Biskupski	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Dougall
Draxler	S Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank

Froerer	Garn	F Gibson	K Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Ipson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Painter
Poulson	Powell	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Wheatley	Wilcox
Wiley	Wimmer	Wright	

**Voting in the negative was:** Representative Anderson

**Absent or not voting were:** Representatives

Bigelow	Daw	Dee	Edwards
Hutchings	Johnson	Noel	Oda
Ray	Webb	D. Clark	

**1st Sub. S.B. 240** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 198**, ECONOMIC DEVELOPMENT INCENTIVE AMENDMENTS, *Painter*, read the third time by short title and placed on its final passage.

### MISCELLANEOUS BUSINESS

On motion of Representative Garn, the House voted to recess until 6:15 p.m.

### EVENING SESSION

The House was called to order by Speaker Clark at 6:40 p.m.

### INTRODUCTION OF BILL

**H.B. 3, Appropriations Adjustments** (R. Bigelow), read the first time by short title and referred to the Rules Committee.

### MISCELLANEOUS BUSINESS

Speaker Clark appointed a Conference Committee on **1st Sub. S.B. 2** comprised of Representatives Garn, Bigelow, and Litvack.

### UNFINISHED BUSINESS

**S.B. 198**, ECONOMIC DEVELOPMENT INCENTIVE AMENDMENTS, was before the House on its final passage. Representative Ferry commented.

**S.B. 198** passed on the following roll call:

**Yeas, 69; Nays, 1; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hunsaker
Hutchings	Ipson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Watkins	Webb
Wheatley	Wilcox	Wiley	Wright
D. Clark			

**Voting in the negative was:** Representative

Dougall

**Absent or not voting were:** Representatives

Gowans	Hughes	Johnson	Wallis
Wimmer			

**S.B. 198** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

### MISCELLANEOUS BUSINESS

On motion of Representative Bigelow, under suspension of the rules, the House voted to lift **H.B. 3** from the Rules Committee, consider it read the second time by short title and placed at the top of the House Third Reading Calendar.

\* \* \*

On motion of Representative Bigelow, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

### **THIRD READING CALENDAR**

**H.B. 3, APPROPRIATIONS ADJUSTMENTS, *Bigelow***, read the third time by short title and placed on its final passage.

Representative Bigelow proposed the following amendment:

1. Page 26, Line 954:  
Delete “5,000” and insert “30,000”
2. Page 26, Line 956:  
Delete “5,000” and insert “30,000”

Representative Bigelow’s motion to amend passed on a voice vote.

###

Representative Bigelow proposed the following amendment:

1. Page 7, Line 250:  
After line 250 insert:  
Notwithstanding the intent language included in Item 62 of “Fiscal Year 2010 and Fiscal Year 2011 Supplemental Appropriations” (House Bill 2, 2010 General Session), under Section 63J-1-603 of the Utah Code, the Legislature intends that appropriations provided for the Business Development line item in item 86 of Chapter 396 Laws of Utah 2009 not lapse at the close of Fiscal Year 2010. The use of any nonlapsing funds is limited to Science Camp contracts – \$31,600, Business Cluster support – \$50,000, Centers of Excellence contracts – \$2,800,000, California Initiative – \$1,000,000, International Development contracts and support – \$200,000, Procurement and Technical Assistance Center contracts – \$150,000, Rural Development contracts and support – \$200,000, and Recruitment contracts and support – \$75,000.

Representative Bigelow’s motion to amend passed on a voice vote.

###

Representative Dunnigan proposed the following amendment:

1. Page 26, Line 949:  
Delete “25,000” and insert “30,000”
2. Page 26, Line 951:  
After line 951, insert:  
“Taylorsville Dayzz Symphony in the Park 5,000”

Representative Ray proposed the following substitute motion to amend:

1. Page 35, Line 1301–1306:  
Delete lines 1301 through 1306 and renumber accordingly.

Representative Julie Fisher, Wright, Aagard, and Noel commented.  
Representative Ray’s substitute motion to amend failed on the following roll call:

**Yeas, 34; Nays, 40; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bigelow	Biskupski	Black	Chavez–Houck
Cosgrove	Dee	Dunnigan	Edwards
Janice Fisher	Julie Fisher	Fowlke	Frank
F Gibson	Hughes	Hutchings	Johnson
King	Kiser	Litvack	Mascaro
Menlove	Moss	Oda	Poulson
Ray	Riesen	Seegmiller	Seelig
Wheatley	Wiley		

**Voting in the negative were:** Representatives

Anderson	Bird	Brown	S. Clark
Daw	Dougall	Draxler	S Duckworth
Ferry	Froerer	Garn	K Gibson
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hunsaker
Ipson	Last	Lockhart	Mathis
McIff	Morley	Newbold	Noel
Painter	Powell	Sandstrom	Sumsion
Vickers	Wallis	Watkins	Webb
Wilcox	Wimmer	Wright	D. Clark

**Absent or not voting was:** Representative  
Gowans

Representative Ipson proposed the following substitute motion to amend:

1. Page 26, Line 949:  
Delete “25,000” and insert “30,000”
2. Page 26, Line 951:  
After line 951, insert:  
“Taylorsville Dayzz Symphony in the Park 5,000”
3. Page 18, Line 667:  
After line 667, insert:  
“The Legislature intends that the Division of Facilities Construction and Management and the Department of Public Safety cooperate with Salt Lake City to advance preliminary discussions for the programming, design, and costing of a joint Emergency Operations Center, and provide the results of that planning to the Legislative Fiscal Analyst and the Governor’s Office of Planning and Budget, with the intent of reporting their recommendations and analysis regarding the cost effectiveness and potential operational efficiencies of such a facility to an appropriate legislative committee by June 30, 2010.”

Representative Ipson’s substitute motion to amend passed on a voice vote.

###

Representative Dee proposed the following amendment:

1. Page 39, Line 1438:  
Before line 1438, insert:  
“It is the intent of the Legislature that \$5,000,000 of the General Funds appropriated in Chapter 2, Item 231, Laws of Utah 2008, and programmed by the Transportation Commission for project number 6981, State Road 193 interchange and US-89 to Cornia Drive, be used by the Department for the project currently programmed for interchange improvements on I-15 at State Road 97 and State Road 103 near Hill Air Force Base.”

Representative Bigelow commented. Representative Dee’s motion to amend passed on a voice vote.

**H.B. 3**, as amended, passed on the following roll call:

**Yeas, 61; Nays, 11; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski

Black	Brown	Chavez--Houck	S. Clark
Cosgrove	Daw	Dee	Draxler
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Froerer	Garn
F Gibson	K Gibson	Grover	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Moss	Newbold	Noel
Poulson	Powell	Riesen	Sandstrom
Seegmiller	Seelig	Vickers	Wallis
Watkins	Webb	Wilcox	Wright
D. Clark			

**Voting in the negative were:** Representatives

Dougall	S Duckworth	Frank	Greenwood
Hansen	Morley	Oda	Sumsion
Wheatley	Wiley	Wimmer	

**Absent or not voting were:** Representatives

Gowans	Painter	Ray
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**H.B. 3**, as amended, transmitted to the Senate for its consideration.

### MISCELLANEOUS BUSINESS

On motion of Representative Garn, the House voted to move to the Senate Third Reading Calendar.

\* \* \*

On motion of Representative Garn, under suspension of the rules, the House voted to lift **S.J.R. 15** from the Rules Committee, consider it read the second time by short title and placed at the top of the Senate Third Reading Calendar.

### THIRD READING CALENDAR

**S.J.R. 15**, MASTER STUDY RESOLUTION, *Garn*, read the third time by short title and placed on its final passage.

**S.J.R. 15** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**



**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Chavez–Houck	S. Clark	Cosgrove
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Brown	Daw	Gowans	Seelig
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**S.J.R. 15** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

**UNFINISHED BUSINESS**

On motion of Representative Harper, the House voted to uncircle **1st Sub. S.B. 215**.

**1st Sub. S.B. 215**, HIGHWAY PROJECT FUNDING – SALT LAKE COUNTY, *Harper*, was before the House on its final passage.

Representative Garn proposed the following amendment:

1. Page 5, Line 138 and 139:  
After “County” delete “and Holladay City”

Representative Garn’s motion to amend passed on a voice vote.

Representative Mascaro commented.

**1st Sub. S.B. 215**, as amended, passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bird	Biskupski	Black
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	King	Kiser
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Bigelow	Brown	Gowans	Johnson
Last	Ray		

**1st Sub. S.B. 215**, as amended, returned to the Senate for further consideration.

**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker: March 11, 2010

The Senate passed, **2nd Sub. H.B. 295**, EXPANDED USES OF SCHOOL DISTRICT PROPERTY TAX REVENUE, by Representative K. Sumsion, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 306**, TERRORISM AMENDMENTS, by Representative E. Hutchings, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 409**, CIVIL ACTION FOR DAMAGES RELATED TO ADDICTION FROM ILLEGAL DRUG SALE, by Representative C. Herrod,

which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 433**, FOREIGN EXCHANGE STUDENT AMENDMENTS, by Representative C. Wimmer, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 438**, TRANSPORTATION MODIFICATIONS, by Representative R. Lockhart, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 461**, CHILDREN'S HEALTH INSURANCE PROGRAM , by Representative J. Dougall, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **2nd Sub. H.B. 295, H.B. 306, H.B. 409, H.B. 433, H.B. 438, and H.B. 461** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: March 11, 2010

The Senate refuses to recede from its amendments to **H.B. 440**, VETERANS' NURSING HOME REIMBURSEMENT RESTRICTED ACCOUNT, by Representative R. Bigelow, and has appointed a Conference Committee consisting of Senators L. Hillyard, J. Valentine, and R. Romero to meet with a like committee from the House on this bill.

Annette B. Moore  
Secretary of the Senate

Communication filed. Speaker Clark appointed a Conference Committee comprised of Representatives Dee, Hughes, and Biskupski.

\* \* \*

Mr. Speaker: March 11, 2010

The Senate substituted and passed, **Senate 1st Sub. H.B. 303**, PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, by Representative E. Hutchings, and it is transmitted for further consideration; and

The Senate substituted and passed, **Senate 3rd Sub. H.B. 312**, MEDICAL EXPENSES FOR OFFENDERS, by Representative P. Ray, and it is transmitted for further consideration; and

The Senate substituted and passed, **Senate 1st Sub. H.B. 321**, BOND ELECTION NOTIFICATION REVISIONS, by Representative G. Hughes, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 426**, BAIL BOND LICENSEE REPRESENTATION AMENDMENTS, by Representative S. Sandstrom, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. **1st Sub. H.B. 303**, **3rd Sub. H.B. 312**, **1st Sub. H.B. 321**, and **H.B. 426** placed on the Concurrence Calendar.

\* \* \*

Mr. Speaker: March 11, 2010

The Senate transmits **S.B. 135**, SALES AND USE TAX EXEMPTION FOR AN ENERGY EFFICIENT STOVE OR ENERGY EFFICIENT STOVE FUEL, by Senator G. Davis, for further consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. **S.B. 135** placed at the top of the Senate Third Reading Calendar.

\* \* \*

Mr. Speaker: March 11, 2010

The Senate adopted the Joint Conference Committee Report dated March 11, 2010, and passed **1st Sub. S.B. 66**, PUBLIC SCHOOL EXTRACURRICULAR ACTIVITIES FOR HOME SCHOOL AND PRIVATE SCHOOL STUDENTS, by Senator M. Madsen, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communication filed. **1st Sub. S.B. 66** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

### CONFERENCE COMMITTEE REPORT

Mr. Speaker: March 11, 2010

The Joint Conference Committee comprised of Senators Hillyard, Niederhauser, and Goodfellow, and Representatives Hunsaker, Last, and Gowans,

recommends **S.B. 280**, 2010 GENERAL OBLIGATION BOND AUTHORIZATION, by Senator L. Hillyard, be replaced and favorably recommends **1st Sub. S.B. 280**, 2010 GENERAL OBLIGATION BOND AUTHORIZATION.

Lyle Hillyard, Senate Chair  
Fred R Hunsaker, House Chair

Report filed. On motion of Representative Hunsaker, the House voted to adopt the Conference Committee Report.

**1st Sub. S.B. 280** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Greenwood	Grover	Harper
Hemingway	Hendrickson	Herrod	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Gowans	Hansen	Hughes	Ray
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**1st Sub. S.B. 280** was returned to the Senate for further consideration.

#### **INTENT LANGUAGE FOR 1ST SUB. S.B. 280**

On motion of Representative Hunsaker, the House voted to print the following intent language upon the pages of the House Journal.

“The 2010 Legislature intends that the 2011 Legislature and the State Building Board consider, subject to budget constraints, funding the design and construction of the Department of Human Services State Hospital Building as the highest capital development priority for fiscal year 2011–12.”

### MISCELLANEOUS BUSINESS

On motion of Representative Lockhart, under suspension of the rules, the House voted to lift **S.B. 281** from the Rules Committee, consider it read the second time by short title and placed at the top of the Senate Third Reading Calendar.

On motion of Representative Lockhart, under suspension of the rules, the House voted to move the following bills in this order to the top of the Senate Third Reading Calendar: **S.B. 209, S.B. 118, 1st Sub. S.B. 156, S.B. 281, S.B. 231, S.B. 181, 1st Sub. S.B. 197, S.B. 171, 1st Sub. S.B. 227, S.B. 206, S.B. 180, and 2nd Sub. S.B. 203.**

\* \* \*

On motion of Representative Garn, the House voted to saunter.

On motion of Representative Dee, the House voted to cease to saunter.

### COMMUNICATION FROM THE SENATE

Mr. Speaker: March 11, 2010

The President of the Senate has appointed a Conference Committee consisting of Senators H. Stephenson, S. Jenkins, and K. Morgan to meet with a like committee from the House of Representatives to consider or amend **1st Sub. S.B. 2, MINIMUM SCHOOL PROGRAM AND PUBLIC EDUCATION BUDGET AMENDMENTS**, by Senator H. Stephenson.

Annette B. Moore  
Secretary of the Senate

Communication filed. The Conference Committee may now meet.

### CONCURRENCE CALENDAR

On motion of Representative Garn, the House voted to concur in the Senate amendments to **1st Sub. H.B. 221, SUNSET ACT AND REPEALERS REAUTHORIZATION.**

**1st Sub. H.B. 221**, as amended by the Senate, passed on the following roll call:

**Yeas, 64; Nays, 8; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	K Gibson	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Seegmiller	Seelig
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	D. Clark

**Voting in the negative were:** Representatives

Daw	F Gibson	Herrod	Morley
Sandstrom	Sumsion	Wimmer	Wright

**Absent or not voting were:** Representatives

Dee	Gowans	Moss
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**1st Sub. H.B. 221**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative S. Clark, the House voted to concur in the Senate amendments to **3rd Sub. H.B. 5**, REVENUE BOND AND CAPITAL FACILITIES AUTHORIZATIONS.

**3rd Sub. H.B. 5**, as amended by the Senate, passed on the following roll call:

**Yeas, 68; Nays, 3; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Black
Brown	Chavez–Houck	S. Clark	Cosgrove

Daw	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Greenwood
Grover	Hemingway	Hendrickson	Herrod
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	D. Clark

**Voting in the negative were:** Representatives

Hansen	Harper	Wright
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**Absent or not voting were:** Representatives

Biskupski	Dee	Gowans	Hughes
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**3rd Sub. H.B. 5**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Sandstrom, the House voted to concur in the Senate amendments to **H.B. 452**, COLLECTION FEES.

**H.B. 452**, as amended by the Senate, passed on the following roll call:

**Yeas, 61; Nays, 9; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Black
Brown	Chavez–Houck	S. Clark	Daw
Dougall	Draxler	S Duckworth	Dunnigan
Edwards	Ferry	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Greenwood	Grover	Harper
Hendrickson	Herrod	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser



Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Newbold	Oda	Painter	Poulson
Powell	Ray	Sandstrom	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wilcox	Wimmer	Wright
D. Clark			

**Voting in the negative were:** Representatives

Cosgrove	Janice Fisher	Hansen	Hemingway
Moss	Riesen	Seegmiller	Wheatley
Wiley			

**Absent or not voting were:** Representatives

Biskupski	Dee	Gowans	Hughes
Noel			

**H.B. 452**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Hutchings, the House voted to concur in the Senate amendments to **1st Sub. H.B. 303, PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE**.

**1st Sub. H.B. 303**, as amended by the Senate, passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro

Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Biskupski	Dee	Gowans	Hughes
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**1st Sub. H.B. 303**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Ray, the House voted to concur in the Senate amendments to **3rd Sub. H.B. 312**, MEDICAL EXPENSES FOR OFFENDERS.

**3rd Sub. H.B. 312**, as amended by the Senate, passed on the following roll call:

**Yeas, 68; Nays, 2; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Dougall	Draxler	S Duckworth	Dunnigan
Edwards	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	K Gibson	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hunsaker	Hutchings	Ipson
Johnson	King	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Voting in the negative were:** Representatives

Bird Kiser

**Absent or not voting were:** Representatives

Biskupski Dee Gowans Hughes  
Webb

**3rd Sub. H.B. 312**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Sandstrom, the House voted to concur in the Senate amendments to **H.B. 426**, BAIL BOND LICENSEE REPRESENTATION AMENDMENTS.

**H.B. 426**, as amended by the Senate, passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Black
Brown	Chavez-Houck	S. Clark	Cosgrove
Daw	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Biskupski Dee Gowans Moss

**H.B. 426**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Hughes, the House voted to concur in the Senate amendments to **1st Sub. H.B. 321**, BOND ELECTION NOTIFICATION REVISIONS.

**1st Sub. H.B. 321**, as amended by the Senate, passed on the following roll call:

**Yeas, 62; Nays, 10; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bigelow	Black	Brown	Chavez–Houck
S. Clark	Cosgrove	Daw	Dee
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Greenwood	Grover	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	D. Clark		

**Voting in the negative were:** Representatives

Anderson	Bird	Dougall	Hansen
Menlove	Morley	Newbold	Vickers
Wimmer	Wright		

**Absent or not voting were:** Representatives

Biskupski	Gowans	Moss
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**1st Sub. H.B. 321**, as amended by the Senate, transmitted to the Senate for signature of President.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

March 11, 2010

The Senate passed, **H.J.R. 16**, JOINT RESOLUTION SUPPORTING KANE COUNTY EXPANSION OF CORRECTIONAL FACILITIES, by Representative

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

Annette B. Moore  
Secretary of the Senate

Communication filed. **H.J.R. 16** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: March 11, 2010

The Senate substituted and passed, **Senate 6th Sub. H.B. 329**, CAMPAIGN FINANCE AMENDMENTS, by Representative B. Ferry, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed.

**CONFERENCE COMMITTEE REPORT**

Mr. Speaker: March 11, 2010

The Joint Conference Committee comprised of Senators S. Jenkins, C. Bramble, and B. McAdams, and Representatives B. Ferry, C. Frank, and J. Gowans, recommends **6th Sub. H.B. 329**, CAMPAIGN FINANCE AMENDMENTS, by Representative B. Ferry, be replaced and favorably recommends **7th Sub. H.B. 329**, CAMPAIGN FINANCE AMENDMENTS.

Scott Jenkins, Senate Chair  
Ben Ferry, House Chair

Report filed. On motion of Representative Ferry, the House voted to adopt the Conference Committee Report.

**7th Sub. H.B. 329** passed on the following roll call:

**Yeas, 65; Nays, 5; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank

Froerer	Garn	F Gibson	K Gibson
Greenwood	Grover	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Sandstrom	Seelig
Sumsion	Vickers	Wallis	Webb
Wheatley	Wilcox	Wiley	Wimmer
D. Clark			

**Voting in the negative were:** Representatives

Chavez–Houck	King	Riesen	Seegmiller
Watkins			

**Absent or not voting were:** Representatives

Gowans	Hansen	Johnson	Moss
Wright			

**7th Sub. H.B. 329** was transmitted to the Senate for signature of the President.

### COMMUNICATION FROM THE SENATE

Mr. Speaker: March 11, 2010

The Senate passed, as amended, **2nd Sub. H.B. 320**, UTAH CONSTRUCTION TRADES LICENSING ACT – ALARM COMPANIES AMENDMENTS, by Representative C. Herrod, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. **2nd Sub. H.B. 320** placed on the Concurrence Calendar.

### CONCURRENCE CALENDAR

On motion of Representative Litvack, the House voted to concur in the Senate amendments to **1st Sub. H.B. 406**, STATE FAIR PARK AMENDMENTS.

**1st Sub. H.B. 406**, as amended by the Senate, passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Greenwood	Grover	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	Menlove
Morley	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Gowans	Hansen	McIff	Moss
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**1st Sub. H.B. 406**, as amended by the Senate, transmitted to the Senate for signature of President.

\* \* \*

On motion of Representative Herrod, the House voted to concur in the Senate amendments to **2nd Sub. H.B. 320**, UTAH CONSTRUCTION TRADES LICENSING ACT – ALARM COMPANIES AMENDMENTS.

**2nd Sub. H.B. 320**, as amended by the Senate, passed on the following roll call:

**Yeas, 63; Nays, 6; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Cosgrove	Daw

Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Greenwood
Grover	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	King	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Newbold	Noel
Oda	Painter	Powell	Ray
Sandstrom	Seelig	Sumsion	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Voting in the negative were:** Representatives

Chavez–Houck	Johnson	Kiser	Poulson
Riesen	Seegmiller		

**Absent or not voting were:** Representatives

S. Clark	Gowans	Hansen	Moss
Vickers	Wallis		

**2nd Sub. H.B. 320**, as amended by the Senate, transmitted to the Senate for signature of President.

### MISCELLANEOUS BUSINESS

On motion of Representative Lockhart, under suspension of the rules, the House voted to lift **S.B. 135**, SALES AND USE TAX EXEMPTION FOR AN ENERGY EFFICIENT STOVE OR ENERGY EFFICIENT STOVE FUEL, to the top of the Senate Third Reading Calendar.

\* \* \*

On motion of Representative Watkins, the House voted not to reconsider its action on **S.B. 135** on the following roll call:

**Yeas, 46; Nays, 26; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Biskupski	Black	Brown	Chavez–Houck
S. Clark	Cosgrove	Dougall	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Garn	F Gibson	Harper	Hemingway
Hendrickson	Hughes	Hunsaker	Hutchings



Johnson	King	Kiser	Litvack
Mascaro	McIff	Menlove	Moss
Noel	Oda	Painter	Poulson
Powell	Riesen	Sandstrom	Seegmiller
Seelig	Vickers	Watkins	Wheatley
Wiley	D. Clark		

**Voting in the negative were:** Representatives

Anderson	Bird	Daw	Dee
Draxler	Julie Fisher	Fowlke	Frank
Froerer	K Gibson	Greenwood	Grover
Herrod	Ipson	Last	Lockhart
Mathis	Morley	Newbold	Ray
Sumsion	Wallis	Webb	Wilcox
Wimmer	Wright		

**Absent or not voting were:** Representatives

Bigelow	Gowans	Hansen
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**S.B. 135**, as amended, returned to the Senate for filing.

**CONFERENCE COMMITTEE REPORT**

Mr. Speaker: March 11, 2010

The Joint Conference Committee comprised of Senators Stephenson, Jenkins, and Morgan, and Representatives Garn, Bigelow, and Litvack, recommends **1st Sub. S.B. 2**, MINIMUM SCHOOL PROGRAM AND PUBLIC EDUCATION BUDGET AMENDMENTS, by Senator H. Stephenson, be replaced and favorably recommends **2nd Sub. S.B. 2**, MINIMUM SCHOOL PROGRAM AND PUBLIC EDUCATION BUDGET AMENDMENTS.

Howard Stephenson,  
Senate Chair  
Kevin Garn, House Chair

Report filed. On motion of Representative Garn, the House voted to adopt the Conference Committee Report.

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

**Yeas, 69; Nays, 2; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski

Black	Brown	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Greenwood	Grover	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Oda	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Voting in the negative were:** Representatives

Chavez–Houck      King

**Absent or not voting were:** Representatives

Gowans              Hansen              Noel              Painter

**2nd Sub. S.B. 2** was returned to the Senate for further consideration.

### MISCELLANEOUS BUSINESS

On motion of Representative Lockhart, under suspension of the rules, the House voted to lift **S.B. 186** from its place on the Senate Third Reading Calendar and place it under **S.B. 204**.

On motion of Representative Lockhart, under suspension of the rules, the House voted to lift **S.B. 150**, READING REQUIREMENTS FOR STUDENT ADVANCEMENT, from the Rules Committee, consider it read the second time by short title and placed on the Senate Third Reading Calendar under **S.B. 186**.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 11, 2010

The Senate concurred in the House amendments and passed **S.B. 277**, DNA MODIFICATIONS, by Senator J. S. Adams, and it is transmitted for the signature of the Speaker; and

The Senate adopted the Joint Conference Committee Report dated March 11, 2010, and passed **1st Sub. S.B. 280**, 2010 GENERAL OBLIGATION BOND

AUTHORIZATION, by Senator L. Hillyard, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **S.B. 277** and **1st Sub. S.B. 280** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

### THIRD READING CALENDAR

**S.B. 209**, HUMANITARIAN SERVICE AND EDUCATIONAL AND CULTURAL EXCHANGE SUPPORT SPECIAL GROUP LICENSE PLATE, *Ferry*, read the third time by short title and placed on its final passage.

Representative *Ferry* declared a conflict of interest because he is a member of one of the groups that will benefit from this bill.

**S.B. 209** passed on the following roll call:

**Yeas, 53; Nays, 19; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Biskupski	Black	Brown	Chavez–Houck
S. Clark	Cosgrove	Dee	Draxler
S Duckworth	Edwards	Ferry	Janice Fisher
Julie Fisher	Froerer	Garn	Grover
Hansen	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Litvack
Mascaro	McIff	Menlove	Moss
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wiley	Wimmer
D. Clark			

**Voting in the negative were:** Representatives

Anderson	Bird	Daw	Dougall
Dunnigan	Fowlke	Frank	F Gibson
K Gibson	Greenwood	Harper	Lockhart
Mathis	Morley	Newbold	Noel
Oda	Wilcox	Wright	

**Absent or not voting were:** Representatives  
Bigelow                      Gowans                      Last

**S.B. 209** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 118**, UNIFORM PROBATE CODE AMENDMENTS, *McIff*, read the third time by short title and placed on its final passage.

**S.B. 118** passed on the following roll call:

**Yeas, 69; Nays, 0; Absent or not voting, 6.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bird	Biskupski	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Anderson	Bigelow	Gowans	Hughes
Last	Painter		

**S.B. 118** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

**COMMUNICATIONS FROM THE SENATE**

Mr. Speaker: March 11, 2010  
The Senate passed, as amended, **H.B. 149**, SCHOOL FINANCE AMENDMENTS, by Representative R. Bigelow, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed. **H.B. 149** placed on the Concurrence Calendar.

\* \* \*

Mr. Speaker: March 11, 2010  
The Senate concurred in the House amendments and passed **3rd Sub. S.B. 119**, SPECIAL ELECTIONS MODIFICATIONS, by Senator H. Stephenson, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communication filed. **3rd Sub. S.B. 119** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

**THIRD READING CALENDAR**

**1st Sub. S.B. 156**, ANTITRUST ACT AMENDMENTS, *Garn*, read the third time by short title and placed on its final passage.

**1st Sub. S.B. 156** passed on the following roll call:

**Yeas, 70; Nays, 0; Absent or not voting, 5.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bird	Biskupski	Black	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	S Duckworth
Dunnigan	Edwards	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	F Gibson	K Gibson	Greenwood
Grover	Hansen	Harper	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Ipson	Johnson	King	Kiser

Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Newbold	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting were:** Representatives

Anderson	Bigelow	Gowans	Hemingway
Noel			

**1st Sub. S.B. 156** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

**INTENT LANGUAGE FOR 1ST SUB. S.B. 156**

On motion of Representative Garn, the House voted to print the following intent language in the House Journal.

“Section 76–10–914(4) of the Utah Antitrust Act has been challenged as being unconstitutional in violation of the Open Courts provision of the Utah Constitution because it lacks sufficient Utah legislative history. Section 76–10–919(4) provides that no damages, costs, or attorney fees may be collected against political subdivisions or their employees acting in an official capacity. The Legislature wanted to avoid antitrust lawsuits and threatened lawsuits that could undermine a local government’s ability to govern in the public interest.”

**THIRD READING CALENDAR**

**S.B. 281, PUBLIC ACCESS TO STREAM BEDS – UTAH WATERWAYS TASK FORCE**, *McIff*, read the third time by short title and placed on its final passage.

Representative Fowlke proposed the following amendment:

1. Page 2, Line 46

46      (a) rights and restrictions of access to private beds of public waters;

2. Page 2, Lines 48 through 49:

48      (c) funding methods for purchases of access rights;  
       { and }

49 (d) development of cooperative fish management units { } ; and  
(e) balancing the rights of public access and private property ownership in making recommendations concerning public recreational access.

Representative McIff and Wright commented. Representative Fowlke's motion to amend passed on the following roll call

**Yeas, 38; Nays, 33; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Beck	Biskupski
Black	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
Dunnigan	Edwards	Janice Fisher	Julie Fisher
Fowlke	Frank	Hemingway	Herrod
Hughes	Hutchings	Ipson	Johnson
King	Litvack	Lockhart	Menlove
Moss	Painter	Poulson	Powell
Ray	Riesen	Seegmiller	Seelig
Vickers	Wiley		

**Voting in the negative were:** Representatives

Anderson	Barrus	Bird	Brown
S Duckworth	Ferry	Froerer	F Gibson
K Gibson	Greenwood	Grover	Hansen
Harper	Hendrickson	Hunsaker	Kiser
Last	Mascaro	Mathis	McIff
Morley	Noel	Oda	Sandstrom
Sumsion	Wallis	Watkins	Webb
Wheatley	Wilcox	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Bigelow	Garn	Gowans	Newbold
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**S.B. 281**, as amended, passed on the following roll call:

**Yeas, 65; Nays, 6; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Barrus	Beck
Bird	Biskupski	Black	Brown

Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	Dunnigan
Edwards	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
F Gibson	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mathis	McIff
Morley	Moss	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Wheatley	Wilcox	Wiley	Wimmer
D. Clark			

**Voting in the negative were:** Representatives

Anderson	S Duckworth	K Gibson	Mascaro
Webb	Wright		

**Absent or not voting were:** Representatives

Bigelow	Gowans	Menlove	Newbold
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**S.B. 281**, as amended, returned to the Senate for further consideration.

### MISCELLANEOUS BUSINESS

On motion of Representative Lockhart, under suspension of the rules, the House voted to lift **S.B. 150** to the top of the Senate Third Reading Calendar.

### THIRD READING CALENDAR

**S.B. 150**, READING REQUIREMENTS FOR STUDENT ADVANCEMENT, *Edwards*, read the third time by short title and placed on its final passage.

On motion of Representative Edwards, the House voted to delete **S.B. 150** in title and body and insert **1st Sub. S.B. 150** in lieu thereof.

Representatives Allen, Hutchings, Wimmer, and Wilcox commented.

Representative Harper proposed the following amendment:

1. Page 2, Lines 50–51:  
Delete “in the primary language of” and insert “to”



Representatives Chavez–Houck and Sumsion commented. Representative Harper’s motion to amend passed on a voice vote.

Representatives Newbold and Beck commented.

**1st Sub. S.B. 150**, as amended, passed on the following roll call:

**Yeas, 43; Nays, 29; Absent or not voting, 3.**

**Voting in the affirmative were:** Representatives

Allen	Beck	Bird	Biskupski
Black	Brown	S. Clark	Daw
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Fowlke	Garn	Grover
Hansen	Harper	Herrod	Hughes
Hunsaker	Hutchings	Ipson	King
Kiser	Litvack	McIff	Moss
Noel	Oda	Poulson	Powell
Riesen	Seegmiller	Seelig	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	D. Clark	

**Voting in the negative were:** Representatives

Anderson	Barrus	Bigelow	Chavez–Houck
Cosgrove	Dee	Dougall	Janice Fisher
Julie Fisher	Frank	Froerer	F Gibson
K Gibson	Greenwood	Hemingway	Hendrickson
Johnson	Last	Lockhart	Mascaro
Mathis	Menlove	Morley	Newbold
Painter	Sandstrom	Sumsion	Wimmer
Wright			

**Absent or not voting were:** Representatives

Aagard	Gowans	Ray
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**1st Sub. S.B. 150**, as amended, returned to the Senate for further consideration.

### COMMUNICATION FROM THE SENATE

Mr. Speaker:

March 11, 2010

The Senate adopted the Joint Conference Committee Report dated March 11, 2010, and passed **1st Sub. H.B. 440**, VETERANS’ NURSING HOME

REIMBURSEMENT RESTRICTED ACCOUNT, by Representative R. Bigelow, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communication filed.

### CONFERENCE COMMITTEE REPORT

Mr. Speaker: March 11, 2010

The Joint Conference Committee comprised of Senators L. Hillyard, J. Valentine, and R. Romero, and Representatives B. Dee, G. Hughes, and J. Biskupski, recommends **H.B. 440**, VETERANS' NURSING HOME REIMBURSEMENT RESTRICTED ACCOUNT, by Representative R. Bigelow, be replaced and favorably recommends **1st Sub. H.B. 440**, VETERANS' NURSING HOME REIMBURSEMENT RESTRICTED ACCOUNT.

Lyle Hillyard, Senate Chair  
Brad Dee, House Chair

Report filed. On motion of Representative Dee, the House voted to adopt the Conference Committee Report.

**1st Sub. H.B. 440** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Greenwood	Grover	Hansen
Harper	Hemingway	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom

Seegmiller	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Gowans	Hendrickson	Seelig
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**1st Sub. H.B. 440** was transmitted to the Senate for signature of the President.

**THIRD READING CALENDAR**

**S.B. 231, MEDICAL BENEFITS UNDER WORKERS' COMPENSATION,**  
*Buttars*, read the third time by short title and placed on its final passage.

**S.B. 231** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Absent or not voting were:** Representatives

Gowans	Hutchings	Seelig
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**S.B. 231** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

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**S.B. 181**, EMPLOYMENT SECURITY ADMINISTRATION FUND REPEALER, *Morley*, read the third time by short title and placed on its final passage.

**S.B. 181** passed on the following roll call:

**Yeas, 74; Nays, 0; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting was:** Representative

Gowans

**S.B. 181** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

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**1st Sub. S.B. 197**, COMMUNITY DEVELOPMENT AND RENEWAL AGENCY AMENDMENTS, *Lockhart*, read the third time by short title and placed on its final passage.

**1st Sub. S.B. 197** passed on the following roll call:

**Yeas, 74; Nays, 0; Absent or not voting, 1.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Ipson
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morley	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Sumsion
Vickers	Wallis	Watkins	Webb
Wheatley	Wilcox	Wiley	Wimmer
Wright	D. Clark		

**Absent or not voting was:** Representative

Gowans

**1st Sub. S.B. 197** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

### CONCURRENCE CALENDAR

On motion of Representative Bigelow, the House voted to concur in the Senate amendments to **H.B. 149**, SCHOOL FINANCE AMENDMENTS.

**H.B. 149**, as amended by the Senate, passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall

Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Frank
Froerer	Garn	F Gibson	K Gibson
Greenwood	Grover	Hansen	Harper
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mathis	McIff	Menlove	Morley
Moss	Newbold	Noel	Oda
Painter	Poulson	Powell	Ray
Riesen	Sandstrom	Seegmiller	Seelig
Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Fowlke	Gowans	Hemingway	Mascaro
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**H.B. 149**, as amended by the Senate, transmitted to the Senate for signature of President.

### MISCELLANEOUS BUSINESS

On motion of Representative Lockhart, under suspension of the rules, the House voted to lift **S.B. 204** to the top of the Senate Third Reading Calendar.

### THIRD READING CALENDAR

**S.B. 204**, MIDTERM VACANCY AMENDMENTS, *Chavez–Houck*, read the third time by short title and placed on its final passage.

**S.B. 204** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Greenwood	Grover	Hansen

Harper	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Ipson	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Moss	Newbold
Noel	Oda	Painter	Poulson
Powell	Ray	Riesen	Sandstrom
Seegmiller	Seelig	Sumsion	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	Wimmer	Wright
D. Clark			

**Absent or not voting were:** Representatives

Gowans                      Hemingway

**S.B. 204** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

\* \* \*

**S.B. 171**, HIGHER EDUCATION RETIREMENT AMENDMENTS, *Ipson*, read the third time by short title and placed on its final passage.

**S.B. 171** passed on the following roll call:

**Yeas, 71; Nays, 0; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Agard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	S Duckworth	Dunnigan	Edwards
Janice Fisher	Julie Fisher	Fowlke	Froerer
Garn	F Gibson	K Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Seegmiller	Seelig

Sumsion	Vickers	Wallis	Watkins
Webb	Wheatley	Wilcox	Wiley
Wimmer	Wright	D. Clark	

**Absent or not voting were:** Representatives

Ferry	Frank	Gowans	Sandstrom
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**S.B. 171** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

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**1st Sub. S.B. 227**, INTERLOCAL ENERGY AMENDMENTS, *Barrus*, read the third time by short title and placed on its final passage.

**1st Sub. S.B. 227** passed on the following roll call:

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

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Bird	Biskupski
Black	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
S Duckworth	Dunnigan	Edwards	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	F Gibson	K Gibson
Greenwood	Grover	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Newbold	Noel
Oda	Painter	Poulson	Powell
Ray	Riesen	Sandstrom	Seegmiller
Seelig	Sumsion	Vickers	Wallis
Watkins	Webb	Wheatley	Wilcox
Wiley	Wimmer	Wright	D. Clark

**Voting in the negative was:** Representative

Hansen

**Absent or not voting were:** Representatives

Brown	Gowans
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**1st Sub. S.B. 227** was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

### COMMUNICATION FROM THE SENATE

Mr. Speaker: March 11, 2010

The Senate passed, as amended, **H.B. 3**, APPROPRIATIONS ADJUSTMENTS, by Representative R. Bigelow, and it is transmitted for further consideration.

Annette B. Moore  
Secretary of the Senate

Communications filed. On motion of Representative Bigelow, the House voted to concur in the Senate amendments to **H.B. 3**.

**H.B. 3**, as amended by the Senate, passed on the following roll call:

**Yeas, 63; Nays, 8; Absent or not voting, 4.**

**Voting in the affirmative were:** Representatives

Aagard	Allen	Anderson	Barrus
Beck	Bigelow	Biskupski	Black
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Draxler	Dunnigan
Edwards	Ferry	Julie Fisher	Fowlke
Frank	Froerer	Garn	F Gibson
K Gibson	Grover	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Ipson	Johnson	King
Kiser	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Moss
Newbold	Noel	Oda	Painter
Poulson	Powell	Ray	Riesen
Sandstrom	Seegmiller	Seelig	Vickers
Wallis	Watkins	Webb	Wheatley
Wilcox	Wiley	D. Clark	

**Voting in the negative were:** Representatives

Bird	Dougall	Greenwood	Hansen
Morley	Sumsion	Wimmer	Wright

**Absent or not voting were:** Representatives

S Duckworth	Janice Fisher	Gowans	Last
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**H.B. 3**, as amended by the Senate, transmitted to the Senate for signature of President.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 11, 2010

The Senate passed, **H.B. 13**, DRUG LAW DEFINITIONS – AMENDMENTS, by Representative T. Beck, which has been signed by the President and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communication filed. **H.B. 13** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: March 11, 2010

The Senate concurred in the House amendments and passed **1st Sub. S.B. 215**, HIGHWAY PROJECT FUNDING – SALT LAKE COUNTY, by Senator W. Niederhauser, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communication filed. **1st Sub. S.B. 215** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

### COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 11, 2010

The President of the Senate has signed **H.B. 3**, APPROPRIATIONS ADJUSTMENTS, by Representative R. Bigelow, et al, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **3rd Sub. H.B. 5**, REVENUE BOND AND CAPITAL FACILITIES AUTHORIZATIONS, by Representative S. Clark, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 149**, SCHOOL FINANCE AMENDMENTS, by Representative R. Bigelow, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 221**, SUNSET ACT AND REPEALERS REAUTHORIZATION, by Representative K. Garn, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 303**, PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE, by Representative E. Hutchings, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **3rd Sub. H.B. 312**, MEDICAL EXPENSES FOR OFFENDERS, by Representative P. Ray, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **2nd Sub. H.B. 320**, UTAH CONSTRUCTION TRADES LICENSING ACT – ALARM COMPANIES AMENDMENTS, by Representative C. Herrod, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 321**, BOND ELECTION NOTIFICATION REVISIONS, by Representative G. Hughes, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **7th Sub. H.B. 329**, CAMPAIGN FINANCE AMENDMENTS, by Representative B. Ferry, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 406**, STATE FAIR PARK AMENDMENTS, by Representative J. Gowans, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 426**, BAIL BOND LICENSEE REPRESENTATION AMENDMENTS, by Representative S. Sandstrom, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 440**, VETERANS' NURSING HOME REIMBURSEMENT RESTRICTED ACCOUNT, by Representative R. Bigelow, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 452**, COLLECTION FEES, by Representative S. Sandstrom, and it is transmitted for the signature of the Speaker.

Annette B. Moore

Secretary of the Senate

Communications filed. **H.B. 3, 3rd Sub. H.B. 5, H.B. 149, 1st Sub. H.B. 221, 1st Sub. H.B. 303, 3rd Sub. H.B. 312, 2nd Sub. H.B. 320, 1st Sub. H.B. 321, 7th Sub. H.B. 329, 1st Sub. H.B. 406, H.B. 426, H.B. 440, and H.B. 452** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

\* \* \*

Mr. Speaker: March 11, 2010

The Senate adopted the Joint Conference Committee Report dated March 11, 2010, and passed **2nd Sub. S.B. 2**, MINIMUM SCHOOL PROGRAM AND PUBLIC EDUCATION BUDGET AMENDMENTS, by Senator H. Stephenson, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **1st Sub. S.B. 150**, READING REQUIREMENTS FOR STUDENT ADVANCEMENT, by Senator K. Morgan, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **5th Sub. S.B. 175**, SCHOOL DISTRICT CAPITAL OUTLAY EQUALIZATION AMENDMENTS, by Senator McAdams, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **S.B. 281**, PUBLIC ACCESS TO STREAM BEDS – UTAH WATER WAYS TASK FORCE, by Senator D. Stowell, and it is transmitted for the signature of the Speaker.

Annette B. Moore  
Secretary of the Senate

Communications filed. **2nd Sub. S.B. 2**, **5th Sub. S.B. 175**, **1st Sub. S.B. 150**, and **S.B. 281** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

\* \* \*

Mr. Speaker: March 11, 2010

I am directed to inform the House of Representatives that the Senate on this day struck the enacting clause on the following House Bills and Resolutions:

<b>H.B. 65</b>	Amendments Related to Regulation of Insurance Type Products (Rep. J. Bird)
<b>5th Sub. H.B. 71</b>	Nicotine Product Restrictions (Rep. P. Ray)
<b>1st Sub. H.B. 72</b>	Utah School Seismic Hazard Inventory (Rep. L. Wiley)
<b>H.B. 82</b>	Protection of Children Riding in Motor Vehicles (Rep. F.J. Seegmiller)
<b>H.B. 91</b>	Traffic Control Signs for Bicycles (Rep. C. Moss)
<b>H.B. 126</b>	State Construction Registry Amendments (Rep. R. C. Webb)
<b>H.B. 136</b>	Jail Contracting and Reimbursement (Rep. M. Noel)
<b>2nd Sub. H.B. 153</b>	Recycling of Electronic Items (Rep. R. Edwards)
<b>H.B. 171</b>	Water Rights Revisions (Rep. K. Gibson)
<b>H.B. 174</b>	License Plates Amendments (Rep. P. Ray)
<b>1st Sub. H.B. 185</b>	Animal Euthanasia Standards (Rep. F.J. Seegmiller)
<b>H.B. 190</b>	Disclosure of Methamphetamine Contaminated Property Act Amendments (Rep. S. Mascaro)

<b>H.B. 218</b>	Municipal Disincorporation Revisions (Rep. G. Froerer)
<b>1st Sub. H.B. 227</b>	Licensing Eligibility (Rep. S. Sandstrom)
<b>H.B. 251</b>	Admission of Affidavits into Evidence (Rep. R. Lockhart)
<b>1st Sub. H.B. 256</b>	Child Abuse Database Amendments (Rep. L. Fowlke)
<b>1st Sub. H.B. 280</b>	Real Property – Notice of Transfer Fees (Rep. R. Lockhart)
<b>1st Sub. H.B. 283</b>	Fees and Assessment Levies in Local and Special Service Districts (Rep. J. Mathis)
<b>1st Sub. H.B. 286</b>	Retirement System Divestment (Rep. Julie Fisher)
<b>H.B. 401</b>	Residential Facilities for Elderly Persons (Rep. B. Daw)
<b>H.B. 456</b>	Amendments to Department of Environmental Quality (Rep. R. Edwards)
<b>H.B. 463</b>	Divided School District Property Tax Amendments (Rep. E. Hutchings)

Annette B. Moore  
Secretary of the Senate

Communication filed.

### **RULES COMMITTEE REPORTS**

Mr. Speaker: March 16, 2010

I am directed to inform the Utah House of Representatives that the House Committee on Rules has struck the enacting clause on the following House Bills and Resolutions:

<b>H.B. 22</b>	Inmate Health Insurance Amendments (P. Ray)
<b>H.B. 48</b>	Amendments to the Tourism, Recreation, Cultural, Convention, and Airport Facilities Tax Act (C. Frank)
<b>H.B. 56</b>	Amended Campaign Financial Statements (S. Allen)
<b>H.B. 61</b>	Real Property Sales Information Disclosure (G. Froerer)
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<b>H.B. 63</b>	Tire Recycling Fee Modification (N. Hendrickson)
<b>H.B. 76</b>	Ticket Scalping (L. Hemingway)
<b>H.B. 77</b>	Seismic Requirements for Condominium Conversion Projects (L. Wiley)
<b>H.B. 79</b>	Valid Voter Identification Amendments (M. Poulson)
<b>H.B. 80</b>	Public Access to Private Stream Beds (L. Fowlke)
<b>1st Sub. H.B. 83</b>	Public Employees' Retirement – Spousal Election (C. Wallis)
<b>H.B. 84</b>	Water Banking (J. Draxler)
<b>H.B. 85</b>	Responsible Development of Nuclear Power Generation (F. Seegmiller)

- H.B. 87** Medical Assistance Asset Test Amendments  
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- H.B. 90** Income Tax Amendments (B. King)
- H.B. 99** Background Checks for School Sports Officials  
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- H.B. 101** Anesthesiologist Assistants (J. Fisher)
- 2nd Sub. H.B. 102** Agriculture Sustainability Act (J. Draxler)
- H.B. 104** Unlawful Provisions of Identifiable Prescription  
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- H.B. 105** Public School Employee Auditory Protection  
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- H.B. 111** Small Group Health Insurance – Statewide Risk  
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- H.B. 113** Child Restraint Device Amendments (C. Herrod)
- H.B. 119** Motor Vehicle Impound Amendments (C. Oda)
- H.B. 122** Surveyor Amendments (J. Mathis)
- H.B. 123** Adoption Tax Credit (S. Sandstrom)
- H.B. 127** Reproductive Health Education Amendments  
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- H.B. 128** Antidiscrimination Study Related to Employment and  
Housing (C. Johnson)
- H.B. 129** Amendments to Education Financing (M. Newbold)
- 1st Sub. H.B. 131** B and C Road Construction Amendments (M. Noel)
- H.B. 134** Education Donation Tax Credit (E. Vickers)
- H.B. 135** Pharmacy Benefit Managers Act (E. Vickers)
- H.B. 137** Public School Funding (W. Harper)
- H.B. 142** Legislator – Benefit Plan (E. Hutchings)
- H.B. 148** Sales and Use Tax Changes (W. Harper)
- H.B. 151** Utah High School Rodeo Support Special Group License  
Plate (J. Gowans)
- H.B. 152** Contract Passenger Carrier Safety Act (F. Seegmiller)
- H.B. 160** Campaign Finance Provisions (Rep. B. King)
- H.B. 162** Unlawful Sexual Conduct with a Minor  
(Rep. R. Edwards)
- H.B. 164** Redistricting Provisions (Rep. R. Chavez–Houck)
- 1st Sub. H.B. 166** Reductions to Education Mandates (Rep. J. Dougall)
- H.B. 175** Amendments to Light Requirements on Motor Vehicles  
(Rep. K. Powell)
- H.B. 177** Public Employees’ Health Care (Rep. D. Litvack)
- H.B. 180** Outdoor Advertising Amendments (Rep. C. Frank)

- H.B. 182** Property Tax – Home Owner Exemption Modification (Rep. G. Froerer)
- H.B. 191** Reporting by Deferred Deposit Lenders (Rep. L. Black)
- H.B. 194** Grants for Math Teacher Training (Rep. B. Last)
- H.B. 198** Assertive Community Mental Health Treatment Pilot Program (Rep. C. Moss)
- H.B. 203** Repeal of Sales and Use Tax Exemption Relating to Mining (Rep. C. Watkins)
- H.B. 204** Jury Trial Amendments (Rep. W. Harper)
- H.B. 210** Eminent Domain Modifications (Rep. C. Frank)
- H.B. 212** Continuing Education Requirements for Landscape Architects (Rep. R. C. Webb)
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- H.B. 220** Disproportionate Rental Fee Amendments (Rep. G. Froerer)
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- H.B. 242** Marriage License Fee Amendments (Rep. C. Johnson)
- H.B. 244** Provisional Ballot Amendments for Unregistered Voters (Rep. R. Chavez–Houck)
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- H.B. 246** Retirement Benefits for Charter School Employees (Rep. C. Watkins)
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- H.B. 255** Divorce Orientation Amendments (Rep. L. Fowlke)
- H.B. 260** Children’s Health Insurance Plan Simplified Renewal (Rep. M. Newbold)
- H.B. 264** Law Enforcement Amendments (Rep. C. Wimmer)
- 1st Sub. H.B. 266** Government Records Access and Management Act Revisions (Rep. K. Powell)

- H.B. 268** Public School Innovations (Rep. K. Grover)  
**1st Sub. H.B. 272** Construction Trades Licensing Act Amendments (Rep. B. King)
- H.B. 281** Medicaid Family Planning Waiver (Rep. J. Seelig)  
**H.B. 288** Daylight Saving Time (Rep. K. Sumsion)  
**H.B. 290** Recreational Use of Privately Owned Stream Beds (Rep. R. C. Webb)
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- H.B. 292** Equalization of Funding for Divided School Districts (Rep. J. Bird)
- 1st Sub. H.B. 296** Choice of Law in Utah Courts (Rep. C. Wimmer)  
**H.B. 297** Compact Agreement among the States to Elect the President by National Popular Vote (Rep. N. Hansen)
- H.B. 300** Adoption Revisions (Rep. R. Chavez–Houck)  
**H.B. 301** Disorderly Conduct Amendments (Rep. C. Wimmer)  
**H.B. 305** Antidiscrimination Amendments (Rep. C. Johnson)  
**H.B. 309** Surface Owner Protection Act (Rep. J. Mathis)  
**H.B. 317** Property Tax Notices Amendments (Rep. G. Froerer)  
**H.B. 319** State Construction Registry Revisions (Rep. K. Powell)  
**H.B. 322** Property Tax Valuation Amendments (Rep. N. Hansen)  
**1st Sub. H.B. 323** School and Institutional Trust Lands Amendments (Rep. K. Sumsion)
- H.B. 333** Reemployed Retiree Contribution Amendments (Rep. D. Litvack)
- H.B. 334** Mechanical Contractor Licensing Provisions (Rep. L. Wiley)
- H.B. 336** Railroad and Railroad Crossing Amendments (Rep. R. Greenwood)
- H.B. 342** Innkeeper’s Rights Act Modifications (Rep. S. Sandstrom)
- H.B. 347** Guardianship Amendments (Rep. K. Powell)  
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**H.B. 372** Wrongful Death of Unborn Child (Rep. C. Wimmer)



- H.B. 373** Renewal of Judgment Act Amendments (Rep. G. Froerer)  
**H.B. 375** Bailable Offenses Act (Rep. P. Ray)  
**H.B. 377** Department of Human Services Licensing Amendments (Rep. P. Ray)
- H.B. 383** County Tax Amendments (Rep. W. Harper)  
**H.B. 389** Mobile Home Park Residency Amendments (Rep. Janice Fisher)
- H.B. 393** Advertisements on School Buses (Rep. J. Bird)  
**H.B. 394** Motor and Special Fuel Tax Act Amendments (Rep. S. Clark)
- 2nd Sub. H.B. 397** Medicaid Program Amendments (Rep. J. Dougall)  
**H.B. 399** Common Interest Ownership Amendments (Rep. G. Froerer)
- H.B. 407** Obligations Secured by Trust Deeds (Rep. G. Hughes)  
**H.B. 411** Public Utility Modifications (Rep. J. Anderson)  
**H.B. 417** Deer Hunt Amendments (Rep. K. Powell)  
**H.B. 418** Final Judgments That Affect the Ownership of or Title to Real Property (Rep. K. Powell)
- H.B. 422** Livestock on Highways (Rep. P. Painter)  
**H.B. 424** Operation of Bicycles and Mopeds on Roadways (Rep. J. Anderson)
- H.B. 428** Nonresident Tuition Amendments (Rep. R. Greenwood)  
**H.B. 429** Newspaper Publication Requirements (Rep. J. Anderson)  
**H.B. 432** Hate Crime Amendments (Rep. S. Sandstrom)  
**H.B. 436** State Officers' Salary Amendments (Rep. N. Hansen)  
**H.B. 437** Phlebotomy Certification Act (Rep. F.J. Seegmiller)  
**H.B. 445** Highway Access to Sovereign Lands (Rep. R. Barrus)  
**H.B. 448** Retirement Disability Amendments (Rep. S. Duckworth)  
**H.B. 454** Maternity Leave for School Employees (Rep. Janice Fisher)
- H.B. 460** Board of Regents Amendments (Rep. B. Dee)  
**H.C.R. 6** Stockton Bar Geologic Formation Concurrent Resolution (Rep. R. Menlove)
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**H.J.R. 1** Joint Resolution Amending Provision on Municipal Water Rights (Rep. K. McIff)
- H.J.R. 4** Joint Resolution Urging an End to the U.S. Military's Don't Ask, Don't Tell Policy (Rep. C. Johnson)
- H.J.R. 7** Joint Resolution Prohibiting Property Transfer Tax (Rep. G. Froerer)

- H.J.R. 8** Joint Rules Resolution on the Selection of Ethics Committee Members (Rep. N. Hansen)
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- H.J.R. 28** Joint Rules Resolution on Expenses and Mileage Provisions (Rep. J. Dougall)
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- H.R. 5** Strangulation and Domestic Violence Resolution (Rep. J. Seelig)
- H.R. 6** Resolution Governing Distribution of Items on the House Floor (Rep. C. Frank)
- H.R. 7** House Rules Resolution Allowing Abstaining from Voting (Rep. J. Dougall)

Ben C. Ferry, Chair

Report filed. On motion of Representative Ferry, the report of the Rules Committee was adopted.

\* \* \*

Mr. President and Mr. Speaker: March 11, 2010

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:

- 1st Sub. S.B. 40** Tobacco Tax Amendments (A. Christensen)
- S.B. 83** Bail Bond Recovery Amendments (J. Greiner)
- 3rd Sub. S.B. 108** Judicial Nominating Commission Staff Amendments (S. Jenkins)
- S.B. 147** Education Related Parent Organizations (M. Dayton)
- S.B. 155** Enhanced Penalties for HIV Positive Offender Amendments (J. Stevenson)
- S.B. 163** Health Regulation of Geothermal Pools and Baths (M. Madsen)
- S.B. 164** Surety Requirements for Mining (D. Stowell)
- S.B. 180** Sexual Exploitation of a Vulnerable Adult (D. Hinkins)

<b>S.B. 186</b>	Amendments to Emissions Inspections (M. Madsen)
<b>2nd Sub. S.B. 199</b>	Municipal Boundary Clarification (R. Okerlund)
<b>2nd Sub. S.B. 203</b>	Vacancies in County Elected Offices (H. Stephenson)
<b>S.B. 206</b>	Access to Crime Victim’s Medical Records (J. Greiner)
<b>1st Sub. S.B. 207</b>	Tax Exemption for Cedar Band of Paiute Tribe (D. Stowell)
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<b>S.B. 220</b>	Vehicle Impound Amendment (J. Greiner)
<b>2nd Sub. S. B. 235</b>	Agricultural Loan Authorization (R. Okerlund)
<b>S.B. 238</b>	Long–Term Care Facility – Medicaid Certification for Bed Capacity Amendments (L. Robles)
<b>S.B. 279</b>	Identify Fraud and Related Amendments (S. Urquhart)
<b>1st Sub. S.C.R.8</b>	Fathers Do Matter Concurrent Resolution (G. Davis)
<b>S.C.R. 12</b>	Responsible Development of Public Lands Concurrent Resolution (K. Van Tassell)
<b>S.J.R. 18</b>	Gang Crime Awareness and Enforcement Joint Resolution (M. Madsen)

Ben C. Ferry, Chair

Report filed.

### MISCELLANEOUS BUSINESS

On motion of Representative Garn, the House voted to strike the enacting clause on all Senate and House bills and resolutions remaining on the House and Senate calendars and with the Rules Committee.

On motion of Representative Garn, the House voted to authorize the Speaker to appoint a committee to wait upon the Governor to inform His Excellency that the House of Representatives has finished its business and is prepared to adjourn sine die. The Speaker appointed Representatives Stephen Clark, Sheryl Allen, and Christine Johnson.

On motion of Representative Litvack, the House voted to authorize the Speaker to appoint a committee to wait upon the Senate and inform that Honorable Body that the House of Representatives has completed its business and is prepared to adjourn sine die. The Speaker appointed Representatives Bill Wright, Johnny Anderson, and Christine Watkins.

Speaker Clark directed Sandy Tenney to read, revise and make minor corrections to the daily House Journals and be responsible for certifying the indexed and bound copy as the accurate record of the proceedings of the 2010 General Session of the Fifty–eighth Legislature.

Representative Wright reported that his committee has waited upon the Senate and informed them that the House of Representatives has completed its business and is prepared to adjourn sine die.

Representative S. Clark reported that his committee, with a like committee from the Senate, has notified the Governor that the Legislature is prepared to adjourn sine die. Governor Gary R. Herbert spoke to the House briefly.

On motion of Representative Garn, and at 10:55 p.m., the 2010 General Session of the Fifty-eighth Legislature adjourned sine die.

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- Amendments . . . . . 190
- Transmitted to the Senate . . . . . 192
- Signed by the Speaker and transmitted to the Governor . . . . . 1085

**H.B. 17** — AMENDMENTS TO PROGRAMS FOR PEOPLE WITH DISABILITIES (*S. Mascaro*)

- Read the first time by short title and referred to the Rules Committee. . . . . 37
- Assigned to standing committee . . . . . 55
- Read the second time . . . . . 81
- Read the third time . . . . . 151
- Transmitted to the Senate . . . . . 152
- Returned to the Senate . . . . . 951
- Signed by the Speaker and transmitted to the Governor . . . . . 915 , 1135

**H.B. 18** — UNEMPLOYMENT INSURANCE AMENDMENTS (*S. Mascaro*)

- Read the first time by short title and referred to the Rules Committee. . . . . 37
- Assigned to standing committee . . . . . 55
- Amendments . . . . . 194
- Read the second time . . . . . 195
- Read the third time . . . . . 296
- Transmitted to the Senate . . . . . 297
- Placed on Concurrence Calendar . . . . . 923
- Concurrence . . . . . 977
- Signed by the Speaker and transmitted to the Governor . . . . . 998

**H.B. 19** — POST CONVICTION REMEDIES AMENDMENTS (*K. McIff*)

- Read the first time by short title and referred to the Rules Committee. . . . . 37
- Assigned to standing committee . . . . . 54
- Read the second time . . . . . 127
- Read the third time . . . . . 203
- Transmitted to the Senate . . . . . 204
- Signed by the Speaker and transmitted to the Governor . . . . . 524

<b>H.B. 20</b> — AMENDMENTS TO HEALTH INSURANCE COVERAGE IN STATE CONTRACTS ( <i>J. Dunnigan</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	37
Assigned to standing committee . . . . .	120
Amendments . . . . .	167
Read the second time . . . . .	168
Read the third time . . . . .	216
Transmitted to the Senate . . . . .	216
Placed on Concurrence Calendar . . . . .	500
Concurrence . . . . .	527
Signed by the Speaker and transmitted to the Governor . . . . .	580
<b>H.B. 21</b> — EXPUNGEMENT REVISIONS ( <i>Julie Fisher</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	37
Assigned to standing committee . . . . .	54
Amendments . . . . .	121
Read the second time . . . . .	123
Read the third time . . . . .	196
Transmitted to the Senate . . . . .	197
Placed on Concurrence Calendar . . . . .	672
Concurrence . . . . .	699
Signed by the Speaker and transmitted to the Governor . . . . .	726
<b>H.B. 22</b> — INMATE HEALTH INSURANCE AMENDMENTS ( <i>P. Ray</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	37
Assigned to standing committee . . . . .	54
Amendments . . . . .	123
Read the second time . . . . .	127
Read the third time . . . . .	205
Amendments . . . . .	205
Failed . . . . .	206
Enacting Clause Stricken . . . . .	1221
<b>H.B. 23</b> — WORKPLACE DRUG AND ALCOHOL TESTING ( <i>T. Beck</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	37
Read the second time . . . . .	57
Read the third time . . . . .	117
Transmitted to the Senate . . . . .	118
Signed by the Speaker and transmitted to the Governor . . . . .	495
<b>H.B. 24</b> — ECONOMIC DEVELOPMENT INCENTIVES ACT AMENDMENTS ( <i>C. B. Wallis</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	37
Read the second time . . . . .	56
Read the third time . . . . .	67
Transmitted to the Senate . . . . .	68
Signed by the Speaker and transmitted to the Governor . . . . .	1085
<b>H.B. 25</b> — HEALTH REFORM – ADMINISTRATIVE SIMPLIFICATION ( <i>M. Newbold</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	37
Assigned to standing committee . . . . .	121
Read the second time . . . . .	286
Read the third time . . . . .	409
Transmitted to the Senate . . . . .	410
Signed by the Speaker and transmitted to the Governor . . . . .	715

<b>H.B. 26</b> — BRINE SHRIMP ROYALTY ACT AMENDMENTS ( <i>T. Kiser</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	37
Read the second time . . . . .	56
Read the third time . . . . .	68
Transmitted to the Senate . . . . .	68
Signed by the Speaker and transmitted to the Governor . . . . .	261
<b>H.B. 27</b> — PER DIEM AND TRAVEL EXPENSE MODIFICATIONS ( <i>C. Frank</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	37
Read the second time . . . . .	56
Read the third time . . . . .	68
Amendments . . . . .	68
Transmitted to the Senate . . . . .	69
Signed by the Speaker and transmitted to the Governor . . . . .	281
<b>H.B. 28</b> — CONTROLLED SUBSTANCE DATABASE AMENDMENTS ( <i>B. Daw</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	37
Read the second time . . . . .	56
Read the third time . . . . .	70
Circled . . . . .	70
Uncircled . . . . .	71
Amendments . . . . .	71
Transmitted to the Senate . . . . .	75
Placed on Concurrence Calendar . . . . .	805
Concurrence . . . . .	824
Signed by the Speaker and transmitted to the Governor . . . . .	868
<b>H.B. 29</b> — SCHOOL DISTRICT DIVISION AMENDMENTS ( <i>L. Black</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	37
Read the second time . . . . .	56
Read the third time . . . . .	70
Transmitted to the Senate . . . . .	70
Signed by the Speaker and transmitted to the Governor . . . . .	261
<b>H.B. 30</b> — DRUG LAW AMENDMENTS ( <i>T. Beck</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	38
Assigned to standing committee . . . . .	54
Read the second time . . . . .	127
Read the third time . . . . .	206
Transmitted to the Senate . . . . .	207
Signed by the Speaker and transmitted to the Governor . . . . .	500
<b>H.B. 31</b> — WILDLIFE LICENSES, CERTIFICATES, OR PERMIT AMENDMENTS ( <i>K. Gibson</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	38
Read the second time . . . . .	56
Read the third time . . . . .	70
Transmitted to the Senate . . . . .	71
Signed by the Speaker and transmitted to the Governor . . . . .	261

<b>H.B. 32</b> — LIVESTOCK DAMAGE COMPENSATION AMENDMENTS ( <i>M. Brown</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	38
Read the second time . . . . .	56
Read the third time . . . . .	82
Transmitted to the Senate . . . . .	83
Signed by the Speaker and transmitted to the Governor . . . . .	281
<b>H.B. 33</b> — GROUNDWATER RECHARGE AND RECOVERY ACT AMENDMENTS ( <i>M. Noel</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	38
Read the second time . . . . .	57
Read the third time . . . . .	116
Amendments . . . . .	116
Transmitted to the Senate . . . . .	117
Signed by the Speaker and transmitted to the Governor . . . . .	281
<b>H.B. 34</b> — WATER STORAGE PROJECTS ( <i>M. Noel</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	38
Read the second time . . . . .	57
Read the third time . . . . .	135
Transmitted to the Senate . . . . .	136
Signed by the Speaker and transmitted to the Governor . . . . .	369
<b>H.B. 35</b> — CONTROLLED SUBSTANCE DATABASE – REPORTING FOR OVERDOSE OF A PRESCRIBED CONTROLLED SUBSTANCE ( <i>B. Daw</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	38
Read the second time . . . . .	56
Read the third time . . . . .	83
Substituted . . . . .	83
Transmitted to the Senate . . . . .	84
Placed on Concurrence Calendar . . . . .	805
Concurrence . . . . .	825
Signed by the Speaker and transmitted to the Governor . . . . .	868
<b>H.B. 36</b> — CONTROLLED SUBSTANCE DATABASE – REPORTING CONVICTIONS FOR DRIVING UNDER THE INFLUENCE OR IMPAIRED DRIVING ( <i>B. Daw</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	38
Read the second time . . . . .	56
Read the third time . . . . .	102
Substituted . . . . .	102
Transmitted to the Senate . . . . .	102
Placed on Concurrence Calendar . . . . .	805
Concurrence . . . . .	826
Signed by the Speaker and transmitted to the Governor . . . . .	868

<b>H.B. 37</b> — CRIMINAL BACKGROUND CHECKS ON MOTOR VEHICLE DEALERS AND SALESPERSONS ( <i>R. Lockhart</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	38
Assigned to standing committee . . . . .	54
Amendments . . . . .	125
Read the second time . . . . .	127
Read the third time . . . . .	221
Circled . . . . .	221
Uncircled . . . . .	225
Transmitted to the Senate . . . . .	226
Signed by the Speaker and transmitted to the Governor . . . . .	538
<b>H.B. 38</b> — SCHEDULING OF CONTROLLED SUBSTANCES ( <i>P. Ray</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	38
Read the second time . . . . .	56
Read the third time . . . . .	97
Transmitted to the Senate . . . . .	98
Placed on Concurrence Calendar . . . . .	280
Concurrence . . . . .	307
Signed by the Speaker and transmitted to the Governor . . . . .	335
<b>H.B. 39</b> — INSURANCE RELATED AMENDMENTS ( <i>J. Dunnigan</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	38
Read the second time . . . . .	57
Read the third time . . . . .	136
Amendments . . . . .	136, 145
Circled . . . . .	140
Uncircled . . . . .	145
Transmitted to the Senate . . . . .	146
Returned to the Senate . . . . .	384
Placed on Concurrence Calendar . . . . .	370, 500
Concurrence . . . . .	528
Signed by the Speaker and transmitted to the Governor . . . . .	580
<b>H.B. 40</b> — UTAH LIFE AND HEALTH INSURANCE GUARANTY ASSOCIATION AMENDMENTS ( <i>J. Dunnigan</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	38
Read the second time . . . . .	56
Read the third time . . . . .	98
Amendments . . . . .	98
Transmitted to the Senate . . . . .	100
Placed on Concurrence Calendar . . . . .	261
Concurrence . . . . .	292
Signed by the Speaker and transmitted to the Governor . . . . .	329
<b>H.B. 41</b> — CONSTABLES AMENDMENTS ( <i>C. Oda</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	38
Read the second time . . . . .	56
Read the third time . . . . .	101
Transmitted to the Senate . . . . .	101
Placed on Concurrence Calendar . . . . .	370
Concurrence . . . . .	379
Signed by the Speaker and transmitted to the Governor . . . . .	428

<b>H.B. 42</b> — SCHOOL DISTRICT EMPLOYEES – CAREER STATUS REQUIREMENTS ( <i>R. Menlove</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	38
Assigned to standing committee . . . . .	53
Substituted . . . . .	112
Read the second time . . . . .	113
Read the third time . . . . .	162
Transmitted to the Senate . . . . .	163
Signed by the Speaker and transmitted to the Governor . . . . .	401
<b>H.B. 43</b> — UNEMPLOYMENT COMPENSATION AMENDMENTS ( <i>S. Mascaro</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	39
Read the second time . . . . .	56
Read the third time . . . . .	101
Circled . . . . .	102
Uncircled . . . . .	174
Amendments . . . . .	174
Transmitted to the Senate . . . . .	177
Signed by the Speaker and transmitted to the Governor . . . . .	671
<b>H.B. 44</b> — REFERENDUM BALLOT PROPOSITION AMENDMENTS ( <i>F. Hunsaker</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	39
Read the second time . . . . .	56
Read the third time . . . . .	103
Transmitted to the Senate . . . . .	103
Signed by the Speaker and transmitted to the Governor . . . . .	281
<b>H.B. 45</b> — STATE CONSTRUCTION CODE ADOPTION ( <i>M. Morley</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	39
Assigned to standing committee . . . . .	53
Amendments . . . . .	110
Read the second time . . . . .	111
Read the third time . . . . .	158
Transmitted to the Senate . . . . .	159
Signed by the Speaker and transmitted to the Governor . . . . .	495
<b>H.B. 46</b> — MOTOR VEHICLE ACT AMENDMENTS ( <i>Julie Fisher</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	39
Read the second time . . . . .	56
Read the third time . . . . .	103
Transmitted to the Senate . . . . .	104
Signed by the Speaker and transmitted to the Governor . . . . .	495
<b>H.B. 47</b> — BOARD OF PARDONS AND PAROLE TECHNICAL AMENDMENTS ( <i>E. Hutchings</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	39
Assigned to standing committee . . . . .	54
Read the second time . . . . .	123
Read the third time . . . . .	200
Transmitted to the Senate . . . . .	201
Signed by the Speaker and transmitted to the Governor . . . . .	500

<b>H.B. 48</b> — AMENDMENTS TO THE TOURISM, RECREATION, CULTURAL, CONVENTION, AND AIRPORT FACILITIES TAX ACT ( <i>C. Frank</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	39
Assigned to standing committee . . . . .	55
Substituted . . . . .	885
Amendments . . . . .	885
Returned to Rules Committee . . . . .	886
Enacting Clause Stricken . . . . .	1221
<b>H.B. 49</b> — AMENDMENTS RELATED TO A TAX, FEE, OR CHARGE ADMINISTERED BY THE STATE TAX COMMISSION ( <i>T. Kiser</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	39
Read the second time . . . . .	57
Read the third time . . . . .	104
Amendments . . . . .	104
Transmitted to the Senate . . . . .	108
Signed by the Speaker and transmitted to the Governor . . . . .	261
<b>H.B. 50</b> — SALES AND USE TAX MODIFICATIONS ( <i>W. Harper</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	39
Read the second time . . . . .	57
Read the third time . . . . .	108
Transmitted to the Senate . . . . .	109
Signed by the Speaker and transmitted to the Governor . . . . .	355
<b>H.B. 51</b> — FAMILY EMPLOYMENT PROGRAM – CASH ASSISTANCE TO SINGLE MINOR PARENT ( <i>J. Dummigan</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	39
Read the second time . . . . .	57
Read the third time . . . . .	109
Transmitted to the Senate . . . . .	109
Signed by the Speaker and transmitted to the Governor . . . . .	500
<b>H.B. 52</b> — HEALTH REFORM – UNIFORM ELECTRONIC STANDARDS – INSURANCE INFORMATION ( <i>M. Newbold</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	39
Assigned to standing committee . . . . .	121
Read the second time . . . . .	286
Read the third time . . . . .	410
Transmitted to the Senate . . . . .	410
Signed by the Speaker and transmitted to the Governor . . . . .	715
<b>H.B. 53</b> — FORECLOSURE RESCUE AND LOAN MODIFICATION AMENDMENTS ( <i>R. Wilcox</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	39
Read the second time . . . . .	57
Read the third time . . . . .	118
Circled . . . . .	118
Uncircled . . . . .	132
Amendments . . . . .	133
Transmitted to the Senate . . . . .	134
Placed on Concurrence Calendar . . . . .	280
Concurrence . . . . .	308
Signed by the Speaker and transmitted to the Governor . . . . .	335

**H.B. 54** — PROPERTY TAX EXEMPTION FOR WATER FACILITIES (*P. Painter*)

- Read the first time by short title and referred to the Rules Committee. . . . . 39
- Assigned to standing committee . . . . . 55
- Read the second time . . . . . 144
- Read the third time . . . . . 221
- Circled . . . . . 221
- Uncircled . . . . . 315
- Transmitted to the Senate . . . . . 316
- Signed by the Speaker and transmitted to the Governor . . . . . 696

**H.B. 55** — DEPARTMENT OF COMMUNITY AND CULTURE GRANTS AMENDMENTS  
(*Julie Fisher*)

- Read the first time by short title and referred to the Rules Committee. . . . . 39
- Assigned to standing committee . . . . . 56
- Amendments . . . . . 81
- Read the second time . . . . . 81
- Read the third time . . . . . 152
- Transmitted to the Senate . . . . . 152
- Signed by the Speaker and transmitted to the Governor . . . . . 445

**H.B. 56** — AMENDED CAMPAIGN FINANCIAL STATEMENTS (*S. Allen*)

- Read the first time by short title and referred to the Rules Committee. . . . . 40
- Assigned to standing committee . . . . . 53
- Amendments . . . . . 75
- Read the second time . . . . . 77
- Read the third time . . . . . 140
- Circled . . . . . 140
- Uncircled . . . . . 912
- Returned to Rules Committee . . . . . 912
- Enacting Clause Stricken . . . . . 1221

**H.B. 57** — EXTENSION OF SUNSET FOR DESIGN-BUILD CONTRACT AWARD  
AUTHORIZATION (*Julie Fisher*)

- Read the first time by short title and referred to the Rules Committee. . . . . 40
- Read the second time . . . . . 57
- Read the third time . . . . . 118
- Transmitted to the Senate . . . . . 119
- Signed by the Speaker and transmitted to the Governor . . . . . 369

**H.B. 58** — UTAH GENERATED RENEWABLE ENERGY ELECTRICITY NETWORK  
AUTHORITY BOARD AMENDMENTS (*R. Barrus*)

- Read the first time by short title and referred to the Rules Committee. . . . . 40
- Read the second time . . . . . 57
- Read the third time . . . . . 119
- Transmitted to the Senate . . . . . 120
- Signed by the Speaker and transmitted to the Governor . . . . . 369

**H.B. 59** — CAMPAIGN FINANCE REVISIONS (*K. Grover*)

- Read the first time by short title and referred to the Rules Committee. . . . . 40
- Read the second time . . . . . 57
- Read the third time . . . . . 132
- Transmitted to the Senate . . . . . 132
- Signed by the Speaker and transmitted to the Governor . . . . . 355



<b>H.B. 60</b> — WATER CONVEYANCE FACILITIES SAFETY ACT ( <i>F. Hunsaker</i> )	
Read the first time by short title and referred to the Rules Committee.	40
Assigned to standing committee	54
Substituted	572
Read the second time	573
Read the third time	612
Transmitted to the Senate	613
Signed by the Speaker and transmitted to the Governor	1167
<b>H.B. 61</b> — REAL PROPERTY SALES INFORMATION DISCLOSURE ( <i>G. Froerer</i> )	
Read the first time by short title and referred to the Rules Committee.	40
Assigned to standing committee	55
Returned to Rules Committee	886
Enacting Clause Stricken	1221
<b>H.B. 62</b> — PENALTIES FOR VIOLENT CRIME IN PRESENCE OF A CHILD ( <i>Janice Fisher</i> )	
Read the first time by short title and referred to the Rules Committee.	40
Amendments	547
Assigned to standing committee	547
Amendments	672
Read the second time	676
Read the third time	763, 934
Circled	764
Uncircled	912
Returned to Rules Committee	912
Placed on calendar	920
Amendments	934
Transmitted to the Senate	936
Signed by the Speaker and transmitted to the Governor	1151
<b>H.B. 63</b> — TIRE RECYCLING FEE MODIFICATION ( <i>N. Hendrickson</i> )	
Read the first time by short title and referred to the Rules Committee.	40
Assigned to standing committee	54
Read the second time	128
Read the third time	221
Circled	221
Uncircled	608
Returned to Rules Committee	609
Enacting Clause Stricken	1221
<b>H.B. 64</b> — ERRORS AND OMISSIONS COVERAGE FOR INSURANCE PRODUCERS ( <i>J. Bird</i> )	
Read the first time by short title and referred to the Rules Committee.	40
Substituted	170
Assigned to standing committee	170
Amendments	873
Returned to Rules Committee	877
Enacting Clause Stricken	1221

<b>H.B. 65</b> — AMENDMENTS RELATED TO REGULATION OF INSURANCE TYPE PRODUCTS <i>(J. Bird)</i>	
Read the first time by short title and referred to the Rules Committee. . . . .	40
Assigned to standing committee . . . . .	53
Amendments . . . . .	111
Read the second time . . . . .	111
Read the third time . . . . .	159
Transmitted to the Senate . . . . .	160
Enacting Clause Stricken . . . . .	1220
<b>H.B. 66</b> — PROSTHETIC LIMB HEALTH INSURANCE PARITY <i>(D. Litvack)</i>	
Read the first time by short title and referred to the Rules Committee. . . . .	40
Assigned to standing committee . . . . .	213
Read the second time . . . . .	448
Read the third time . . . . .	561
Circled . . . . .	561
Uncircled . . . . .	610
Transmitted to the Senate . . . . .	610
Placed on Concurrence Calendar . . . . .	1118
Concurrence . . . . .	1152
Signed by the Speaker and transmitted to the Governor . . . . .	1174
<b>H.B. 67</b> — HEALTH SYSTEM AMENDMENTS <i>(C. Wimmer)</i>	
Read the first time by short title and referred to the Rules Committee. . . . .	40
Assigned to standing committee . . . . .	147
Substituted . . . . .	209
Read the second time . . . . .	210
Returned to Rules Committee . . . . .	240
Placed on calendar . . . . .	276
Read the third time . . . . .	305, 366
Uncircled . . . . .	331
Time Certain . . . . .	331
Amendments . . . . .	366
Transmitted to the Senate . . . . .	368
Placed on Concurrence Calendar . . . . .	923
Concurrence . . . . .	978
Signed by the Speaker and transmitted to the Governor . . . . .	998
<b>H.B. 68</b> — HABITUAL WANTON DESTRUCTION OF WILDLIFE <i>(C. Oda)</i>	
Read the first time by short title and referred to the Rules Committee. . . . .	40
Assigned to standing committee . . . . .	55
Amendments . . . . .	301
Read the second time . . . . .	302
Read the third time . . . . .	461
Transmitted to the Senate . . . . .	462
Signed by the Speaker and transmitted to the Governor . . . . .	915
<b>H.B. 69</b> — STATE ENGINEER'S PLUGGING OF WELLS REPEALER <i>(J. Gowans)</i>	
Read the first time by short title and referred to the Rules Committee. . . . .	40
Assigned to standing committee . . . . .	55
Read the second time . . . . .	128
Read the third time . . . . .	172
Transmitted to the Senate . . . . .	173
Signed by the Speaker and transmitted to the Governor . . . . .	428

**H.B. 70 — CERTIFICATION OF RETROFIT COMPRESSED NATURAL GAS VEHICLES***(J. Draxler)*

Read the first time by short title and referred to the Rules Committee . . . . .	41
Assigned to standing committee . . . . .	84
Substituted . . . . .	167
Read the second time . . . . .	168
Read the third time . . . . .	264
Substituted . . . . .	264
Amendments . . . . .	264
Transmitted to the Senate . . . . .	266
Signed by the Speaker and transmitted to the Governor . . . . .	671

**H.B. 71 — NICOTINE PRODUCT RESTRICTIONS *(P. Ray)***

Read the first time by short title and referred to the Rules Committee . . . . .	41
Assigned to standing committee . . . . .	85
Substituted . . . . .	210
Read the second time . . . . .	210
Read the third time . . . . .	308
Substituted . . . . .	308
Amendments . . . . .	309
Transmitted to the Senate . . . . .	310
Enacting Clause Stricken . . . . .	1220

**H.B. 72 — UTAH SCHOOL SEISMIC HAZARD INVENTORY *(L. Wiley)***

Read the first time by short title and referred to the Rules Committee . . . . .	41
Assigned to standing committee . . . . .	53
Substituted . . . . .	742
Amendments . . . . .	742
Read the second time . . . . .	757
Read the third time . . . . .	788
Circled . . . . .	788
Uncircled . . . . .	861
Failed . . . . .	862
Reconsideration motion . . . . .	924
Reconsideration . . . . .	933
Transmitted to the Senate . . . . .	933
Enacting Clause Stricken . . . . .	1220

**H.B. 73 — UTAH CONSTRUCTION TRADES CONTINUING EDUCATION AMENDMENTS***(M. Morley)*

Read the first time by short title and referred to the Rules Committee . . . . .	41
Assigned to standing committee . . . . .	53
Read the second time . . . . .	111
Read the third time . . . . .	161
Transmitted to the Senate . . . . .	162
Placed on Concurrence Calendar . . . . .	923
Concurrence . . . . .	979
Signed by the Speaker and transmitted to the Governor . . . . .	998

<b>H.B. 74</b> — ADOPTION AND CHILD CUSTODY AMENDMENTS ( <i>S. Allen</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	41
Assigned to standing committee . . . . .	54
Read the second time . . . . .	116
Read the third time . . . . .	173
Circled . . . . .	173
Uncircled . . . . .	201
Amendments . . . . .	201
Transmitted to the Senate . . . . .	203
Signed by the Speaker and transmitted to the Governor . . . . .	1085
<b>H.B. 75</b> — ASSESSMENT AREA AMENDMENTS ( <i>G. Froerer</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	41
Assigned to standing committee . . . . .	55
Substituted . . . . .	144
Amendments . . . . .	144
Read the second time . . . . .	144
Read the third time . . . . .	222
Amendments . . . . .	222
Transmitted to the Senate . . . . .	225
Placed on Concurrence Calendar . . . . .	500
Concurrence . . . . .	529
Signed by the Speaker and transmitted to the Governor . . . . .	580
<b>H.B. 76</b> — TICKET SCALPING ( <i>L. Hemingway</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	41
Enacting Clause Stricken . . . . .	1221
<b>H.B. 77</b> — SEISMIC REQUIREMENTS FOR CONDOMINIUM CONVERSION PROJECTS ( <i>L. Wiley</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	41
Enacting Clause Stricken . . . . .	1221
<b>H.B. 78</b> — WEAPONS REVISIONS ( <i>S. Sandstrom</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	41
Assigned to standing committee . . . . .	54
Substituted . . . . .	184
Amended . . . . .	185
Read the second time . . . . .	186
Read the third time . . . . .	271
Transmitted to the Senate . . . . .	272
Placed on Concurrence Calendar . . . . .	672
Concurrence . . . . .	700
Signed by the Speaker and transmitted to the Governor . . . . .	726
<b>H.B. 79</b> — VALID VOTER IDENTIFICATION AMENDMENTS ( <i>M. Poulson</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	41
Assigned to standing committee . . . . .	53
Read the second time . . . . .	77
Read the third time . . . . .	140
Failed . . . . .	141
Enacting Clause Stricken . . . . .	1221

<b>H.B. 80</b> — PUBLIC ACCESS TO PRIVATE STREAM BEDS ( <i>L. Fowlke</i> )	
Read the first time by short title and referred to the Rules Committee.	41
Assigned to standing committee	357
Amendments	416
Read the second time	418
Read the third time	519, 583
Time Certain	519
Amendments	583
Failed	585
Enacting Clause Stricken	1221
<b>H.B. 81</b> — SCHOOL EMPLOYEE CRIMINAL BACKGROUND CHECK ( <i>S. Allen</i> )	
Read the first time by short title and referred to the Rules Committee.	41
Assigned to standing committee	53
Amendments	112
Read the second time	113
Read the third time	163
Amendments	163
Held	163
Transmitted to the Senate	197
Placed on Concurrence Calendar	716
Concurrence	729
Signed by the Speaker and transmitted to the Governor	779
<b>H.B. 82</b> — PROTECTION OF CHILDREN RIDING IN MOTOR VEHICLES ( <i>F.J. Seegmiller</i> )	
Read the first time by short title and referred to the Rules Committee.	41
Assigned to standing committee	258
Read the second time	419
Read the third time	520
Circled	520
Uncircled	609
Transmitted to the Senate	610
Enacting Clause Stricken	1220
<b>H.B. 83</b> — PUBLIC EMPLOYEES' RETIREMENT – SPOUSAL ELECTION ( <i>C. B. Wallis</i> )	
Read the first time by short title and referred to the Rules Committee.	41
Assigned to standing committee	55
Substituted	255
Read the second time	256
Read the third time	385
Circled	385
Uncircled	912
Returned to Rules Committee	912
Enacting Clause Stricken	1221
<b>H.B. 84</b> — WATER BANKING ( <i>J. Draxler</i> )	
Read the first time by short title and referred to the Rules Committee.	41
Enacting Clause Stricken	1221
<b>H.B. 85</b> — RESPONSIBLE DEVELOPMENT OF NUCLEAR POWER GENERATION ( <i>F.J. Seegmiller</i> )	
Read the first time by short title and referred to the Rules Committee.	42
Enacting Clause Stricken	1221

<b>H.B. 86</b> — DEPARTMENT OF HUMAN SERVICES – REVIEW AND OVERSIGHT ( <i>R. Lockhart</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	42
Assigned to standing committee . . . . .	54
Amendments . . . . .	115
Read the second time . . . . .	116
Read the third time . . . . .	174
Transmitted to the Senate . . . . .	174
<b>H.B. 87</b> — MEDICAL ASSISTANCE ASSET TEST AMENDMENTS ( <i>R. Chavez–Houck</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	42
Enacting Clause Stricken . . . . .	1222
<b>H.B. 88</b> — ELECTRONIC CIGARETTE RESTRICTIONS ( <i>R. Menlove</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	42
Assigned to standing committee . . . . .	54
Read the second time . . . . .	170
Move to calendar . . . . .	211
Read the third time . . . . .	242
Transmitted to the Senate . . . . .	242
Placed on Concurrence Calendar . . . . .	500
Concurrence . . . . .	530
Signed by the Speaker and transmitted to the Governor . . . . .	580
<b>H.B. 89</b> — LICENSE FOR CONTROLLED SUBSTANCES AMENDMENTS ( <i>M. Morley</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	42
Assigned to standing committee . . . . .	84
Read the second time . . . . .	168
Read the third time . . . . .	216
Transmitted to the Senate . . . . .	217
Signed by the Speaker and transmitted to the Governor . . . . .	671
<b>H.B. 90</b> — INCOME TAX AMENDMENTS ( <i>B. King</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	42
Assigned to standing committee . . . . .	498
Returned to Rules Committee . . . . .	575
Enacting Clause Stricken . . . . .	1222
<b>H.B. 91</b> — TRAFFIC CONTROL SIGNS FOR BICYCLES ( <i>C. Moss</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	42
Assigned to standing committee . . . . .	86
Amendments . . . . .	420
Read the second time . . . . .	423
Read the third time . . . . .	534
Circled . . . . .	534
Uncircled . . . . .	660
Amendments . . . . .	660
Transmitted to the Senate . . . . .	664
Enacting Clause Stricken . . . . .	1220

<b>H.B. 92</b> — MOIST SNUFF TAXATION REVISIONS ( <i>B. Daw</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	42
Assigned to standing committee . . . . .	400
Substituted . . . . .	449
Read the second time . . . . .	449
Read the third time . . . . .	562
Amendments . . . . .	562
Transmitted to the Senate . . . . .	563
Placed on Concurrence Calendar . . . . .	923
Concurrence . . . . .	980
Signed by the Speaker and transmitted to the Governor . . . . .	998
<b>H.B. 93</b> — MOTORCYCLE AND OFF-HIGHWAY VEHICLE AMENDMENTS ( <i>R. Menlove</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	42
Assigned to standing committee . . . . .	86
Amendments . . . . .	188
Read the second time . . . . .	189
Read the third time . . . . .	295
Transmitted to the Senate . . . . .	296
Placed on Concurrence Calendar . . . . .	672
Concurrence . . . . .	701
Signed by the Speaker and transmitted to the Governor . . . . .	726
<b>H.B. 94</b> — UNIFORM FISCAL PROCEDURES ACT AMENDMENTS FOR TOWNS, CITIES, AND COUNTIES AMENDMENTS ( <i>F. Hunsaker</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	42
Assigned to standing committee . . . . .	86
Substituted . . . . .	230
Amendments . . . . .	230
Read the second time . . . . .	234
Read the third time . . . . .	319
Transmitted to the Senate . . . . .	320
Signed by the Speaker and transmitted to the Governor . . . . .	524
<b>H.B. 95</b> — CERTIFICATION OF VOTING EQUIPMENT MODIFICATIONS ( <i>D. Aagard</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	42
Assigned to standing committee . . . . .	85
Read the second time . . . . .	142
Read the third time . . . . .	200
Transmitted to the Senate . . . . .	200
Placed on Concurrence Calendar . . . . .	401
Concurrence . . . . .	431
Signed by the Speaker and transmitted to the Governor . . . . .	466
<b>H.B. 96</b> — LIBEL AMENDMENTS ( <i>Julie Fisher</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	42
Assigned to standing committee . . . . .	121
Read the second time . . . . .	255
Read the third time . . . . .	321
Circled . . . . .	321
Uncircled . . . . .	331
Transmitted to the Senate . . . . .	332
Signed by the Speaker and transmitted to the Governor . . . . .	740

<b>H.B. 97</b> — AMENDMENTS RELATING TO DECEPTIVE PRACTICES INVOLVING CONSUMERS ( <i>M. Poulson</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	42
Assigned to standing committee . . . . .	84
Read the second time . . . . .	168
Read the third time . . . . .	268
Transmitted to the Senate . . . . .	269
Signed by the Speaker and transmitted to the Governor . . . . .	671
<b>H.B. 98</b> — STATE ENGINEER BONDING REQUIREMENTS ( <i>R. Wilcox</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	43
Assigned to standing committee . . . . .	85
Read the second time . . . . .	188
Read the third time . . . . .	274
Transmitted to the Senate . . . . .	275
Signed by the Speaker and transmitted to the Governor . . . . .	538
<b>H.B. 99</b> — BACKGROUND CHECKS FOR SCHOOL SPORTS OFFICIALS ( <i>L. Black</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	43
Assigned to standing committee . . . . .	121
Amendments . . . . .	877
Returned to Rules Committee . . . . .	881
Enacting Clause Stricken . . . . .	1222
<b>H.B. 100</b> — HEBER VALLEY HISTORIC RAILROAD AUTHORITY ( <i>K. Powell</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	43
Assigned to standing committee . . . . .	196
Substituted . . . . .	228
Amendments . . . . .	228
Read the second time . . . . .	229
Read the third time . . . . .	318
Transmitted to the Senate . . . . .	319
Signed by the Speaker and transmitted to the Governor . . . . .	524
<b>H.B. 101</b> — ANESTHESIOLOGIST ASSISTANTS ( <i>Julie Fisher</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	43
Assigned to standing committee . . . . .	213
Returned to Rules Committee . . . . .	882
Enacting Clause Stricken . . . . .	1222
<b>H.B. 102</b> — AGRICULTURE SUSTAINABILITY ACT ( <i>J. Draxler</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	64
Assigned to standing committee . . . . .	213
Substituted . . . . .	883
Returned to Rules Committee . . . . .	884
Enacting Clause Stricken . . . . .	1222



<b>H.B. 103</b> — REDUCED SPEED SCHOOL ZONE AMENDMENTS ( <i>S. Sandstrom</i> )	
Read the first time by short title and referred to the Rules Committee.	64
Assigned to standing committee	171
Read the second time	255
Read the third time	321
Transmitted to the Senate	322
Placed on Concurrence Calendar	614
Concurrence	657
Signed by the Speaker and transmitted to the Governor	696
<b>H.B. 104</b> — UNLAWFUL PROVISION OF IDENTIFIABLE PRESCRIPTION INFORMATION ( <i>J. Biskupski</i> )	
Read the first time by short title and referred to the Rules Committee.	64
Assigned to standing committee	171
Returned to Rules Committee	803
Enacting Clause Stricken	1222
<b>H.B. 105</b> — PUBLIC SCHOOL EMPLOYEE AUDITORY PROTECTION REQUIREMENTS ( <i>L. Black</i> )	
Read the first time by short title and referred to the Rules Committee.	64
Assigned to standing committee	195
Amendments	878
Returned to Rules Committee	881
Enacting Clause Stricken	1222
<b>H.B. 106</b> — EXPEDITED BACKGROUND CHECKS FOR HUMAN SERVICES PROVIDERS ( <i>J. Seelig</i> )	
Read the first time by short title and referred to the Rules Committee.	64
Substituted	399
Assigned to standing committee	399
Read the second time	571
Read the third time	602
Transmitted to the Senate	603
Signed by the Speaker and transmitted to the Governor	859
<b>H.B. 107</b> — ANIMAL SHELTER AMENDMENTS ( <i>J. Seelig</i> )	
Read the first time by short title and referred to the Rules Committee.	96
Assigned to standing committee	240
Amendments	452
Read the second time	454
Read the third time	565
Transmitted to the Senate	566
Signed by the Speaker and transmitted to the Governor	804
<b>H.B. 108</b> — MEAT INSPECTION AMENDMENTS ( <i>J. Mathis</i> )	
Read the first time by short title and referred to the Rules Committee.	96
Assigned to standing committee	196
Read the second time	255
Read the third time	382
Transmitted to the Senate	383
Placed on Concurrence Calendar	859
Concurrence	895
Signed by the Speaker and transmitted to the Governor	915

<b>H.B. 109</b> — VOLUNTEER GOVERNMENT WORKERS ACT DEFINITIONS ( <i>J. Biskupski</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	96
Assigned to standing committee . . . . .	239
Read the second time . . . . .	300
Read the third time . . . . .	362
Transmitted to the Senate . . . . .	363
Signed by the Speaker and transmitted to the Governor . . . . .	600
<b>H.B. 110</b> — COUNTY JAIL INMATE MEDICAL COSTS ( <i>B. Daw</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	96
Assigned to standing committee . . . . .	196
Amendments . . . . .	254
Read the second time . . . . .	255
Read the third time . . . . .	330
Transmitted to the Senate . . . . .	330
Signed by the Speaker and transmitted to the Governor . . . . .	524
<b>H.B. 111</b> — SMALL GROUP HEALTH INSURANCE – STATEWIDE RISK ADJUSTMENT ( <i>J. Biskupski</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	96
Enacting Clause Stricken . . . . .	1222
<b>H.B. 112</b> — SUPREME COURT REVIEW OF AN INITIATIVE OR REFERENDUM ( <i>B. Dee</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	96
Assigned to standing committee . . . . .	195
Read the second time . . . . .	253
Read the third time . . . . .	321
Circled . . . . .	321
Uncircled . . . . .	381
Transmitted to the Senate . . . . .	382
Signed by the Speaker and transmitted to the Governor . . . . .	1167
<b>H.B. 113</b> — CHILD RESTRAINT DEVICE AMENDMENTS ( <i>C. Herrod</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	130
Assigned to standing committee . . . . .	240
Amendments . . . . .	300
Read the second time . . . . .	301
Read the third time . . . . .	458
Amendments . . . . .	458
Failed . . . . .	460
Enacting Clause Stricken . . . . .	1222

**H.B. 114** — DISCLOSURE OF DONATIONS TO HIGHER EDUCATION INSTITUTIONS

*(C. Wimmer)*

Read the first time by short title and referred to the Rules Committee. . . . . 130  
 Assigned to standing committee . . . . . 240  
 Read the second time . . . . . 301  
 Read the third time . . . . . 460  
 Circled . . . . . 460  
 Uncircled . . . . . 462  
 Substituted . . . . . 462  
 Amendments . . . . . 462  
 Transmitted to the Senate . . . . . 463  
 Placed on Concurrence Calendar . . . . . 821  
 Concurrence . . . . . 893  
 Signed by the Speaker and transmitted to the Governor . . . . . 915

**H.B. 115** — COUNSEL FOR INDIGENTS IN JUVENILE COURT PROCEEDINGS *(K. Powell)*

Read the first time by short title and referred to the Rules Committee. . . . . 149  
 Assigned to standing committee . . . . . 258  
 Amendments . . . . . 418  
 Read the second time . . . . . 418  
 Read the third time . . . . . 519  
 Transmitted to the Senate . . . . . 520  
 Placed on Concurrence Calendar . . . . . 909  
 Concurrence . . . . . 926  
 Signed by the Speaker and transmitted to the Governor . . . . . 953

**H.B. 116** — POLITICAL SUBDIVISION FACILITY ENERGY EFFICIENCY *(F. Hunsaker)*

Read the first time by short title and referred to the Rules Committee. . . . . 149  
 Assigned to standing committee . . . . . 239  
 Read the second time . . . . . 372  
 Read the third time . . . . . 507  
 Transmitted to the Senate . . . . . 507  
 Signed by the Speaker and transmitted to the Governor . . . . . 915

**H.B. 117** — PUBLIC EDUCATION CAPITAL OUTLAY ACT *(M. Brown)*

Read the first time by short title and referred to the Rules Committee. . . . . 149  
 Assigned to standing committee . . . . . 356  
 Read the second time . . . . . 757  
 Read the third time . . . . . 788  
 Transmitted to the Senate . . . . . 788  
 Signed by the Speaker and transmitted to the Governor . . . . . 1135

**H.B. 118** — ECONOMIC DEVELOPMENT INCENTIVES MODIFICATIONS *(W. Harper)*

Read the first time by short title and referred to the Rules Committee. . . . . 149  
 Assigned to standing committee . . . . . 213  
 Amendments . . . . . 287  
 Read the second time . . . . . 288  
 Read the third time . . . . . 443  
 Transmitted to the Senate . . . . . 443  
 Placed on Concurrence Calendar . . . . . 1148  
 Concurrence . . . . . 1155  
 Signed by the Speaker and transmitted to the Governor . . . . . 1174

<b>H.B. 119</b> — MOTOR VEHICLE IMPOUND AMENDMENTS ( <i>C. Oda</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	172
Assigned to standing committee . . . . .	328
Returned to Rules Committee . . . . .	883
Enacting Clause Stricken . . . . .	1222
<b>H.B. 120</b> — UNDERGROUND STORAGE TANK AMENDMENTS ( <i>K. McIff</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	172
Assigned to standing committee . . . . .	278
Read the second time . . . . .	354
Read the third time . . . . .	505
Transmitted to the Senate . . . . .	506
Signed by the Speaker and transmitted to the Governor . . . . .	915
<b>H.B. 121</b> — EMERGENCY MEDICAL SERVICES ACT TRANSPORT AMENDMENTS ( <i>G. Hughes</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	172
Assigned to standing committee . . . . .	258
Substituted . . . . .	803
Amendments . . . . .	803
Read the second time . . . . .	804
Returned to Rules Committee . . . . .	912
Placed on calendar . . . . .	921
Read the third time . . . . .	965
Substituted . . . . .	965
Amendments . . . . .	965
Transmitted to the Senate . . . . .	966
Placed on Concurrence Calendar . . . . .	1152
Concurrence . . . . .	1158
Signed by the Speaker and transmitted to the Governor . . . . .	1176
<b>H.B. 122</b> — SURVEYOR AMENDMENTS ( <i>J. Mathis</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	172
Assigned to standing committee . . . . .	257
Amendments . . . . .	322
Read the second time . . . . .	325
Read the third time . . . . .	485
Circled . . . . .	485
Uncircled . . . . .	912
Returned to Rules Committee . . . . .	912
Enacting Clause Stricken . . . . .	1222
<b>H.B. 123</b> — ADOPTION TAX CREDIT ( <i>S. Sandstrom</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	172
Enacting Clause Stricken . . . . .	1222

<b>H.B. 124</b> — CAMPAIGN FUNDS EXPENDITURE RESTRICTIONS ( <i>T. Cosgrove</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	161
Assigned to standing committee . . . . .	170
Amendments . . . . .	207
Read the second time . . . . .	208
Read the third time . . . . .	212
Circled . . . . .	212
Uncircled . . . . .	252
Substituted . . . . .	252
Transmitted to the Senate . . . . .	253
Placed on Concurrence Calendar . . . . .	909
Concurrence . . . . .	927
Reconsideration . . . . .	1013
Signed by the Speaker and transmitted to the Governor . . . . .	953 , 1085
<b>H.B. 125</b> — KIDNAPPING AND SEX OFFENDER REGISTRY AMENDMENTS ( <i>R. Bigelow</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	172
Assigned to standing committee . . . . .	258
Amendments . . . . .	352
Read the second time . . . . .	353
Read the third time . . . . .	504
Transmitted to the Senate . . . . .	505
Placed on Concurrence Calendar . . . . .	1086
Concurrence . . . . .	1094
Signed by the Speaker and transmitted to the Governor . . . . .	1115
<b>H.B. 126</b> — STATE CONSTRUCTION REGISTRY AMENDMENTS ( <i>R. C. Webb</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	198
Assigned to standing committee . . . . .	277
Amendments . . . . .	336
Read the second time . . . . .	339
Read the third time . . . . .	492
Transmitted to the Senate . . . . .	493
Enacting Clause Stricken . . . . .	1220
<b>H.B. 127</b> — REPRODUCTIVE HEALTH EDUCATION AMENDMENTS ( <i>L. Hemingway</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	198
Enacting Clause Stricken . . . . .	1222
<b>H.B. 128</b> — ANTIDISCRIMINATION STUDY RELATED TO EMPLOYMENT AND HOUSING ( <i>C. Johnson</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	198
Enacting Clause Stricken . . . . .	1222
<b>H.B. 129</b> — AMENDMENTS TO EDUCATION FINANCING ( <i>M. Newbold</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	198
Assigned to standing committee . . . . .	375
Amendments . . . . .	878
Returned to Rules Committee . . . . .	881
Enacting Clause Stricken . . . . .	1222

<b>H.B. 130</b> — CANCER RESEARCH SPECIAL GROUP LICENSE PLATE ( <i>B. Dee</i> )	
Read the first time by short title and referred to the Rules Committee.	215
Assigned to standing committee	599
Read the second time	762
Read the third time	862, 944
Circled	862
Uncircled	912
Returned to Rules Committee	912
Placed on calendar	920
Transmitted to the Senate	944
Signed by the Speaker and transmitted to the Governor	1085
<b>H.B. 131</b> — B AND C ROAD CONSTRUCTION AMENDMENTS ( <i>M. Noel</i> )	
Read the first time by short title and referred to the Rules Committee.	241
Substituted	549
Assigned to standing committee	549
Amendments	886
Returned to Rules Committee	889
Enacting Clause Stricken	1222
<b>H.B. 132</b> — PIONEER TRAIL MEMORIAL HIGHWAY ( <i>R. Menlove</i> )	
Read the first time by short title and referred to the Rules Committee.	241
Assigned to standing committee	328
Read the second time	423
Read the third time	525
Transmitted to the Senate	526
Signed by the Speaker and transmitted to the Governor	859
<b>H.B. 133</b> — RELEASE OF COURT DOCUMENTS AND CHILD INTERVIEWS ( <i>L. Fowlke</i> )	
Read the first time by short title and referred to the Rules Committee.	241
Substituted	597
Assigned to standing committee	597
Amendments	675
Read the second time	676
Read the third time	782
Transmitted to the Senate	783
Signed by the Speaker and transmitted to the Governor	1151
<b>H.B. 134</b> — EDUCATION DONATION TAX CREDIT ( <i>E. Vickers</i> )	
Read the first time by short title and referred to the Rules Committee.	241
Enacting Clause Stricken	1222
<b>H.B. 135</b> — PHARMACY BENEFIT MANAGERS ACT ( <i>E. Vickers</i> )	
Read the first time by short title and referred to the Rules Committee.	261
Assigned to standing committee	719
Amendments	801
Returned to Rules Committee	802
Enacting Clause Stricken	1222

**H.B. 136** — JAIL CONTRACTING AND REIMBURSEMENT (*M. Noel*)

- Read the first time by short title and referred to the Rules Committee. . . . . 262
- Assigned to standing committee . . . . . 375
- Amendments . . . . . 570
- Read the second time . . . . . 571
- Read the third time . . . . . 603
- Held . . . . . 604
- Enacting Clause Stricken . . . . . 1220

**H.B. 137** — PUBLIC SCHOOL FUNDING (*W. Harper*)

- Read the first time by short title and referred to the Rules Committee. . . . . 262
- Assigned to standing committee . . . . . 689
- Amendments . . . . . 802
- Read the second time . . . . . 802
- Returned to Rules Committee . . . . . 912
- Enacting Clause Stricken . . . . . 1222

**H.B. 138** — HAZING PENALTIES (*C. Moss*)

- Read the first time by short title and referred to the Rules Committee. . . . . 281
- Assigned to standing committee . . . . . 328
- Amendments . . . . . 449
- Read the second time . . . . . 450
- Read the third time . . . . . 563
- Amendments . . . . . 563
- Transmitted to the Senate . . . . . 564
- Signed by the Speaker and returned to the Senate . . . . . 1037

**H.B. 139** — EMERGENCY AND DISASTER MANAGEMENT AMENDMENTS (*C. Oda*)

- Read the first time by short title and referred to the Rules Committee. . . . . 281
- Assigned to standing committee . . . . . 400
- Substituted . . . . . 573
- Read the second time . . . . . 574
- Read the third time . . . . . 679
- Circled . . . . . 679
- Uncircled . . . . . 722
- Substituted . . . . . 722
- Transmitted to the Senate . . . . . 723
- Placed on Concurrence Calendar . . . . . 1118
- Concurrence . . . . . 1153
- Signed by the Speaker and transmitted to the Governor . . . . . 1174

<b>H.B. 140</b> — HUMAN RESOURCE MANAGEMENT AMENDMENTS ( <i>B. Dee</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	281
Amendments . . . . .	468
Assigned to standing committee . . . . .	468
Read the second time . . . . .	574
Read the third time . . . . .	679
Circled . . . . .	680
Uncircled . . . . .	796
Substituted . . . . .	796
Amendments . . . . .	796
Transmitted to the Senate . . . . .	798
Placed on Concurrence Calendar . . . . .	1028
Concurrence . . . . .	1055
Signed by the Speaker and transmitted to the Governor . . . . .	1088
<b>H.B. 141</b> — RECREATIONAL USE OF PUBLIC WATER ON PRIVATE PROPERTY ( <i>K. McIff</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	329
Assigned to standing committee . . . . .	357
Read the second time . . . . .	420
Time Certain . . . . .	519
Read the third time . . . . .	585
Substituted . . . . .	586
Amendments . . . . .	586
Circled . . . . .	586
Uncircled . . . . .	588
Amendments . . . . .	588
Transmitted to the Senate . . . . .	590
Placed on Concurrence Calendar . . . . .	1053
Concurrence . . . . .	1058
Signed by the Speaker and transmitted to the Governor . . . . .	1088
<b>H.B. 142</b> — LEGISLATOR – BENEFIT PLAN ( <i>E. Hutchings</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	501
Enacting Clause Stricken . . . . .	1222
<b>H.B. 143</b> — EMINENT DOMAIN AUTHORITY ( <i>C. Herrod</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	359
Assigned to standing committee . . . . .	498
Amendments . . . . .	595
Read the second time . . . . .	597
Read the third time . . . . .	693
Amendments . . . . .	693
Transmitted to the Senate . . . . .	694
Placed on Concurrence Calendar . . . . .	1053
Concurrence . . . . .	1060
Signed by the Speaker and transmitted to the Governor . . . . .	1088



<b>H.B. 145</b> — RENEWABLE ENERGY FINANCING PROVISIONS ( <i>B. Last</i> )	
Read the first time by short title and referred to the Rules Committee.	429
Assigned to standing committee	549
Substituted	666
Read the second time	667
Read the third time	735
Circled	735
Uncircled	818
Substituted	818
Transmitted to the Senate	818
Signed by the Speaker and transmitted to the Governor	1085
<b>H.B. 146</b> — LAW ENFORCEMENT BY FEDERAL LAND MANAGEMENT AGENCY ( <i>M. Noel</i> )	
Read the first time by short title and referred to the Rules Committee.	601
Assigned to standing committee	720
Read the second time	760
Read the third time	815
Amendments	815
Transmitted to the Senate	818
Placed on Concurrence Calendar	1135
Concurrence	1154
Signed by the Speaker and transmitted to the Governor	1174
<b>H.B. 148</b> — SALES AND USE TAX CHANGES ( <i>W. Harper</i> )	
Read the first time by short title and referred to the Rules Committee.	377
Amendments	687
Assigned to standing committee	687
Returned to Rules Committee	858
Enacting Clause Stricken	1222
<b>H.B. 149</b> — SCHOOL FINANCE AMENDMENTS ( <i>R. Bigelow</i> )	
Read the first time by short title and referred to the Rules Committee.	552
Assigned to standing committee	632
Read the second time	802
Returned to Rules Committee	912
Placed on calendar	920
Read the third time	963
Transmitted to the Senate	964
Placed on Concurrence Calendar	1205
Concurrence	1213
Signed by the Speaker and transmitted to the Governor	1219
<b>H.B. 150</b> — ADMINISTRATIVE SUBPOENA AMENDMENTS ( <i>B. Daw</i> )	
Read the first time by short title and referred to the Rules Committee.	377
Assigned to standing committee	498
Amendments	593
Read the second time	594
Read the third time	691
Amendments	691
Failed	692
Reconsideration	721
Substituted	721
Transmitted to the Senate	722
Signed by the Speaker and transmitted to the Governor	1027

<b>H.B. 151</b> — UTAH HIGH SCHOOL RODEO SUPPORT SPECIAL GROUP LICENSE PLATE ( <i>J. Gowans</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	335
Assigned to standing committee . . . . .	472
Amendments . . . . .	887
Returned to Rules Committee . . . . .	889
Enacting Clause Stricken . . . . .	1222
<b>H.B. 152</b> — CONTRACT PASSENGER CARRIER SAFETY ACT ( <i>F.J. Seegmiller</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	359
Assigned to standing committee . . . . .	499
Returned to Rules Committee . . . . .	889
Enacting Clause Stricken . . . . .	1222
<b>H.B. 153</b> — RECYCLING OF ELECTRONIC ITEMS ( <i>R. Edwards</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	429
Assigned to standing committee . . . . .	579
Substituted . . . . .	793
Amendments . . . . .	793
Read the second time . . . . .	795
Returned to Rules Committee . . . . .	912
Read the third time . . . . .	865, 948
Circled . . . . .	865, 948
Uncircled . . . . .	912
Placed on calendar . . . . .	920
Uncircled . . . . .	986
Substituted . . . . .	986
Amendments . . . . .	986
Held . . . . .	987
Enacting Clause Stricken . . . . .	1220
<b>H.B. 155</b> — AGRICULTURAL ADVISORY BOARD AND LIVESTOCK RELATED POLICY ( <i>J. Mathis</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	552
Assigned to standing committee . . . . .	599
Substituted . . . . .	794
Read the second time . . . . .	795
Read the third time . . . . .	924
Amendments . . . . .	932
Transmitted to the Senate . . . . .	932
Signed by the Speaker and transmitted to the Governor . . . . .	1115
<b>H.B. 160</b> — CAMPAIGN FINANCE PROVISIONS ( <i>B. King</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	580
Enacting Clause Stricken . . . . .	1222
<b>H.B. 161</b> — VOTER REGISTRATION AMENDMENTS ( <i>R. Chavez-Houck</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	377
Assigned to standing committee . . . . .	471
Read the second time . . . . .	574
Read the third time . . . . .	680
Transmitted to the Senate . . . . .	680
Signed by the Speaker and transmitted to the Governor . . . . .	945

<b>H.B. 162</b> — UNLAWFUL SEXUAL CONDUCT WITH A MINOR ( <i>R. Edwards</i> )	
Read the first time by short title and referred to the Rules Committee.	336
Assigned to standing committee	549
Returned to Rules Committee	882
Enacting Clause Stricken	1222
<b>H.B. 164</b> — REDISTRICTING PROVISIONS ( <i>R. Chavez–Houck</i> )	
Read the first time by short title and referred to the Rules Committee.	999
Enacting Clause Stricken	1222
<b>H.B. 166</b> — REDUCTIONS TO EDUCATION MANDATES ( <i>J. Dougall</i> )	
Read the first time by short title and referred to the Rules Committee.	638
Assigned to standing committee	689
Substituted	756
Read the second time	757
Read the third time	789
Transmitted to the Senate	789
Placed on Concurrence Calendar	1116
Concurrence	1129
Signed by the Speaker and transmitted to the Governor	1151
Enacting Clause Stricken	1222
<b>H.B. 169</b> — REFINERY AMENDMENTS ( <i>R. Edwards</i> )	
Read the first time by short title and referred to the Rules Committee.	721
Assigned to standing committee	772
Read the second time	852
Returned to Rules Committee	912
Placed on calendar	921
Read the third time	984
Amendments	984
Held	986
Transmitted to the Senate	1010
Signed by the Speaker and transmitted to the Governor	1167
<b>H.B. 170</b> — FOSTER CARE REVISIONS ( <i>K. Gibson</i> )	
Read the first time by short title and referred to the Rules Committee.	430
Assigned to standing committee	579
Read the second time	668
Read the third time	736
Substituted	736
Transmitted to the Senate	737
Signed by the Speaker and transmitted to the Governor	1085
<b>H.B. 171</b> — WATER RIGHTS REVISIONS ( <i>K. Gibson</i> )	
Read the first time by short title and referred to the Rules Committee.	430
Assigned to standing committee	498
Amendments	677
Read the second time	678
Read the third time	774
Transmitted to the Senate	775
Enacting Clause Stricken	1220

**H.B. 173** — 911 AMENDMENTS (*B. Dee*)

Read the first time by short title and referred to the Rules Committee. . . . .	281
Assigned to standing committee . . . . .	328
Amendments . . . . .	540
Read the second time . . . . .	542
Read the third time . . . . .	590
Substituted . . . . .	590
Amendments . . . . .	590
Transmitted to the Senate . . . . .	591
Placed on Concurrence Calendar . . . . .	1086
Concurrence . . . . .	1089
Signed by the Speaker and transmitted to the Governor . . . . .	1115

**H.B. 174** — LICENSE PLATES AMENDMENTS (*P. Ray*)

Read the first time by short title and referred to the Rules Committee. . . . .	281
Assigned to standing committee . . . . .	376
Amendments . . . . .	422
Read the second time . . . . .	423
Read the third time . . . . .	534
Circled . . . . .	534
Uncircled . . . . .	566
Amendments . . . . .	566
Transmitted to the Senate . . . . .	568
Enacting Clause Stricken . . . . .	1220

**H.B. 175** — AMENDMENTS TO LIGHT REQUIREMENTS ON MOTOR VEHICLES (*K. Powell*)

Read the first time by short title and referred to the Rules Committee. . . . .	262
Assigned to standing committee . . . . .	328
Amendments . . . . .	887
Returned to Rules Committee . . . . .	889
Enacting Clause Stricken . . . . .	1222

**H.B. 176** — CONTINUING EDUCATION REQUIREMENTS FOR ELECTRICIANS AND  
PLUMBERS (*W. Harper*)

Read the first time by short title and referred to the Rules Committee. . . . .	262
Assigned to standing committee . . . . .	356
Amendments . . . . .	446
Read the second time . . . . .	448
Read the third time . . . . .	545
Transmitted to the Senate . . . . .	546
Signed by the Speaker and transmitted to the Governor . . . . .	923

**H.B. 177** — PUBLIC EMPLOYEES' HEALTH CARE (*D. Litvack*)

Read the first time by short title and referred to the Rules Committee. . . . .	262
Enacting Clause Stricken . . . . .	1222

<b>H.B. 178</b> — BUREAU OF CRIMINAL IDENTIFICATION FEE AMENDMENTS ( <i>E. Huchings</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	281
Assigned to standing committee . . . . .	375
Substituted . . . . .	419
Amendments . . . . .	419
Read the second time . . . . .	419
Read the third time . . . . .	520
Transmitted to the Senate . . . . .	521
Signed by the Speaker and transmitted to the Governor . . . . .	923
<b>H.B. 179</b> — OFF-HIGHWAY VEHICLE AND STREET-LEGAL ALL-TERRAIN VEHICLE REVISIONS ( <i>M. Noel</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	262
Assigned to standing committee . . . . .	427
Amendments . . . . .	573
Read the second time . . . . .	573
Read the third time . . . . .	651
Transmitted to the Senate . . . . .	652
Signed by the Speaker and transmitted to the Governor . . . . .	1053
<b>H.B. 180</b> — OUTDOOR ADVERTISING AMENDMENTS ( <i>C. Frank</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	262
Assigned to standing committee . . . . .	356
Returned to Rules Committee . . . . .	882
Enacting Clause Stricken . . . . .	1222
<b>H.B. 181</b> — CONDOMINIUM ASSOCIATION COMMON EXPENSES ( <i>C. Moss</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	262
Assigned to standing committee . . . . .	327
Read the second time . . . . .	393
Read the third time . . . . .	512
Amendments . . . . .	512
Transmitted to the Senate . . . . .	513
Signed by the Speaker and transmitted to the Governor . . . . .	923
<b>H.B. 182</b> — PROPERTY TAX – HOME OWNER EXEMPTION MODIFICATION ( <i>G. Froerer</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	262
Enacting Clause Stricken . . . . .	1223
<b>H.B. 183</b> — CONSTRUCTION AND FIRE CODE RELATED AMENDMENTS ( <i>M. Morley</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	262
Assigned to standing committee . . . . .	356
Amendments . . . . .	393
Read the second time . . . . .	393
Read the third time . . . . .	513
Amendments . . . . .	513
Transmitted to the Senate . . . . .	515
Signed by the Speaker and transmitted to the Governor . . . . .	915

<b>H.B. 184</b> — MEDICAID AUTISM WAIVER ( <i>P. Ray</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	241
Assigned to standing committee . . . . .	304
Read the second time . . . . .	340
Read the third time . . . . .	404
Transmitted to the Senate . . . . .	404
Signed by the Speaker and transmitted to the Governor . . . . .	715
<b>H.B. 185</b> — ANIMAL EUTHANASIA STANDARDS ( <i>F.J. Seegmiller</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	241
Assigned to standing committee . . . . .	328, 549
Substituted . . . . .	717
Amendments . . . . .	717
Read the second time . . . . .	718
Read the third time . . . . .	785
Transmitted to the Senate . . . . .	786
Enacting Clause Stricken . . . . .	1220
<b>H.B. 186</b> — CONTROLLED SUBSTANCE DATABASE REVISIONS ( <i>R. Menlove</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	215
Assigned to standing committee . . . . .	328
Substituted . . . . .	398
Read the second time . . . . .	399
Read the third time . . . . .	473
Transmitted to the Senate . . . . .	474
Signed by the Speaker and transmitted to the Governor . . . . .	859
<b>H.B. 187</b> — PEACE OFFICER STANDARDS AND TRAINING AMENDMENTS ( <i>C. Wimmer</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	215
Assigned to standing committee . . . . .	277
Amendments . . . . .	451
Read the second time . . . . .	452
Read the third time . . . . .	565
Substituted . . . . .	565
Circled . . . . .	565
Uncircled . . . . .	664
Amendments . . . . .	664
Transmitted to the Senate . . . . .	666
Placed on Concurrence Calendar . . . . .	1086
Concurrence . . . . .	1091
Signed by the Speaker and transmitted to the Governor . . . . .	1115
<b>H.B. 188</b> — WORKERS' COMPENSATION BENEFITS – SOCIAL SECURITY OFFSET ( <i>W. Harper</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	149
Assigned to standing committee . . . . .	239
Amendments . . . . .	287
Read the second time . . . . .	288
Read the third time . . . . .	360
Transmitted to the Senate . . . . .	360
Signed by the Speaker and transmitted to the Governor . . . . .	671

<b>H.B. 189</b> — CLOSED MEETINGS AMENDMENTS ( <i>P. Painter</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	96
Assigned to standing committee . . . . .	550
Amendments . . . . .	574
Read the second time . . . . .	575
Placed on Third Reading Calendar . . . . .	613
Read the third time . . . . .	730
Transmitted to the Senate . . . . .	731
Signed by the Speaker and transmitted to the Governor . . . . .	1053
<b>H.B. 190</b> — DISCLOSURE OF METHAMPHETAMINE CONTAMINATED PROPERTY ACT AMENDMENTS ( <i>S. Mascaro</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	96
Assigned to standing committee . . . . .	258
Amendments . . . . .	571
Read the second time . . . . .	571
Read the third time . . . . .	604
Amendments . . . . .	604
Failed . . . . .	605
Reconsideration . . . . .	621
Circled . . . . .	622
Uncircled . . . . .	643
Amendments . . . . .	643
Transmitted to the Senate . . . . .	645
Enacting Clause Stricken . . . . .	1220
<b>H.B. 191</b> — REPORTING BY DEFERRED DEPOSIT LENDERS ( <i>L. Black</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	43
Assigned to standing committee . . . . .	147, 212
Returned to Rules Committee . . . . .	877
Enacting Clause Stricken . . . . .	1223
<b>H.B. 192</b> — RENEWABLE ENERGY – METHANE GAS ( <i>C. Watkins</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	43
Assigned to standing committee . . . . .	85
Read the second time . . . . .	228
Read the third time . . . . .	317
Transmitted to the Senate . . . . .	318
Placed on Concurrence Calendar . . . . .	577
Concurrence . . . . .	587
Signed by the Speaker and transmitted to the Governor . . . . .	614
<b>H.B. 193</b> — OCCUPATIONS AND PROFESSIONS AMENDMENTS ( <i>R. Lockhart</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	43
Assigned to standing committee . . . . .	85
Amendments . . . . .	209
Read the second time . . . . .	209
Read the third time . . . . .	303
Transmitted to the Senate . . . . .	304
Signed by the Speaker and transmitted to the Governor . . . . .	671
<b>H.B. 194</b> — GRANTS FOR MATH TEACHER TRAINING ( <i>B. Last</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	43
Enacting Clause Stricken . . . . .	1223

<b>H.B. 195</b> — HOMICIDE PENALTY AMENDMENT ( <i>C. Wimmer</i> )	
Read the first time by short title and referred to the Rules Committee.	43
Assigned to standing committee	54
Read the second time	228
Read the third time	317
Circled	317
Uncircled	319
Transmitted to the Senate	319
Signed by the Speaker and transmitted to the Governor	715
<b>H.B. 196</b> — TOBACCO TAX REVISIONS ( <i>P. Ray</i> )	
Read the first time by short title and referred to the Rules Committee.	43
Assigned to standing committee	356
Amendments	393
Read the second time	398
Read the third time	519
Circled	519
Uncircled	809
Substituted	809
Amendments	809
Transmitted to the Senate	866
Held	814
Signed by the Speaker and transmitted to the Governor	973
<b>H.B. 197</b> — CUSTODIAL INTERFERENCE AMENDMENTS ( <i>C. Wimmer</i> )	
Read the first time by short title and referred to the Rules Committee.	43
Assigned to standing committee	54
Amendments	226
Read the second time	227
Read the third time	311
Substituted	311
Amendments	311
Transmitted to the Senate	312
Placed on Concurrence Calendar	1148
Concurrence	1155
Signed by the Speaker and transmitted to the Governor	1176
<b>H.B. 198</b> — ASSERTIVE COMMUNITY MENTAL HEALTH TREATMENT PILOT PROGRAM ( <i>C. Moss</i> )	
Read the first time by short title and referred to the Rules Committee.	43
Enacting Clause Stricken	1223
<b>H.B. 199</b> — MUNICIPAL CLERK AND RECORDER RESPONSIBILITIES ( <i>B. Last</i> )	
Read the first time by short title and referred to the Rules Committee.	43
Assigned to standing committee	55
Read the second time	80
Read the third time	146
Transmitted to the Senate	146
Signed by the Speaker and transmitted to the Governor	355



<b>H.B. 200</b> — INFORMED CONSENT AMENDMENTS ( <i>C. Wimmer</i> )	
Read the first time by short title and referred to the Rules Committee . . . . .	43
Assigned to standing committee . . . . .	85
Amendments . . . . .	168
Read the second time . . . . .	170
Read the third time . . . . .	269
Amendments . . . . .	269
Transmitted to the Senate . . . . .	270
Placed on Concurrence Calendar . . . . .	923
Concurrence . . . . .	981
Signed by the Speaker and transmitted to the Governor . . . . .	998
<b>H.B. 201</b> — STATE FIRE MARSHAL MODIFICATIONS ( <i>R. Menlove</i> )	
Read the first time by short title and referred to the Rules Committee . . . . .	43
Assigned to standing committee . . . . .	54
Amendments . . . . .	185
Read the second time . . . . .	186
Read the third time . . . . .	274
Circled . . . . .	274
Uncircled . . . . .	275
Transmitted to the Senate . . . . .	276
Placed on Concurrence Calendar . . . . .	821
Concurrence . . . . .	894
Signed by the Speaker and transmitted to the Governor . . . . .	915
<b>H.B. 202</b> — FIREWORKS AMENDMENTS ( <i>R. Menlove</i> )	
Read the first time by short title and referred to the Rules Committee . . . . .	44
Assigned to standing committee . . . . .	54
Amendments . . . . .	185
Read the second time . . . . .	186
Read the third time . . . . .	274
Circled . . . . .	274
Uncircled . . . . .	293
Transmitted to the Senate . . . . .	293
Signed by the Speaker and transmitted to the Governor . . . . .	915
<b>H.B. 203</b> — REPEAL OF SALES AND USE TAX EXEMPTION RELATING TO MINING	
( <i>C. Watkins</i> )	
Read the first time by short title and referred to the Rules Committee . . . . .	44
Enacting Clause Stricken . . . . .	1223
<b>H.B. 204</b> — JURY TRIAL AMENDMENTS ( <i>W. Harper</i> )	
Read the first time by short title and referred to the Rules Committee . . . . .	44
Assigned to standing committee . . . . .	85
Returned to Rules Committee . . . . .	882
Enacting Clause Stricken . . . . .	1223

<b>H.B. 205</b> — IMPACT FEE AMENDMENTS ( <i>S. Sandstrom</i> )	
Read the first time by short title and referred to the Rules Committee.	44
Assigned to standing committee	55
Substituted	273
Amendments	273
Read the second time	274
Read the third time	391
Amendments	391
Transmitted to the Senate	392
Signed by the Speaker and transmitted to the Governor	1117
<b>H.B. 206</b> — BAN ON SALE OF SMOKING PARAPHERNALIA TO MINORS ( <i>P. Ray</i> )	
Read the first time by short title and referred to the Rules Committee.	44
Assigned to standing committee	54
Read the second time	116
Read the third time	182
Amendments	183
Transmitted to the Senate	183
Signed by the Speaker and transmitted to the Governor	428
<b>H.B. 207</b> — PROTECTION OF PROPERTY AMENDMENT ( <i>C. Wimmer</i> )	
Read the first time by short title and referred to the Rules Committee.	44
Assigned to standing committee	54
Substituted	226
Read the second time	227
Read the third time	312
Transmitted to the Senate	313
Signed by the Speaker and transmitted to the Governor	715
<b>H.B. 208</b> — DISPOSITION OF THE REMAINS OF A DECEASED MILITARY SERVICE MEMBER ( <i>J. Seelig</i> )	
Read the first time by short title and referred to the Rules Committee.	44
Assigned to standing committee	54
Amendments	370
Read the second time	372
Read the third time	507
Transmitted to the Senate	508
Placed on Concurrence Calendar	819
Concurrence	827
Signed by the Speaker and transmitted to the Governor	868
<b>H.B. 209</b> — SEX OFFENDER REGULATION AMENDMENTS ( <i>C. Watkins</i> )	
Read the first time by short title and referred to the Rules Committee.	44
Amendments	598
Assigned to standing committee	598
Read the second time	759
Read the third time	807
Transmitted to the Senate	807
Signed by the Speaker and transmitted to the Governor	1085
<b>H.B. 210</b> — EMINENT DOMAIN MODIFICATIONS ( <i>C. Frank</i> )	
Read the first time by short title and referred to the Rules Committee.	44
Enacting Clause Stricken	1223

<b>H.B. 211</b> — IMPROVEMENT DISTRICT BOARD MEMBERSHIP ( <i>K. Powell</i> )	
Read the first time by short title and referred to the Rules Committee.	44
Assigned to standing committee	55
Amendments	143
Read the second time	143
Read the third time	221
Circled	221
Uncircled	221
Transmitted to the Senate	222
Signed by the Speaker and transmitted to the Governor	445
<b>H.B. 212</b> — CONTINUING EDUCATION REQUIREMENTS FOR LANDSCAPE ARCHITECTS ( <i>R. C. Webb</i> )	
Read the first time by short title and referred to the Rules Committee.	44
Assigned to standing committee	85
Returned to Rules Committee	877
Enacting Clause Stricken	1223
<b>H.B. 213</b> — CIGARETTE TAX EXEMPTION AMENDMENTS ( <i>E. Vickers</i> )	
Read the first time by short title and referred to the Rules Committee.	44
Assigned to standing committee	55
Read the second time	81
Read the third time	150
Transmitted to the Senate	151
Signed by the Speaker and transmitted to the Governor	445
<b>H.B. 214</b> — CONCEALED FIREARM PERMIT MODIFICATIONS ( <i>R. Lockhart</i> )	
Read the first time by short title and referred to the Rules Committee.	44
Assigned to standing committee	54
Substituted	226
Amendments	226
Read the second time	227
Read the third time	313
Amendments	313
Transmitted to the Senate	314
Placed on Concurrence Calendar	672
Concurrence	702
Signed by the Speaker and transmitted to the Governor	726
<b>H.B. 215</b> — AMENDMENTS TO PUBLIC EMPLOYEES' BENEFIT AND INSURANCE PROGRAM ACT – RISK POOLS ( <i>K. Garn</i> )	
Read the first time by short title and referred to the Rules Committee.	44
Assigned to standing committee	55
Read the second time	256
Read the third time	385
Transmitted to the Senate	386
Placed on Concurrence Calendar	945
Concurrence	982
Signed by the Speaker and transmitted to the Governor	998

<b>H.B. 216</b> — INCORPORATION OF A TOWN AMENDMENTS ( <i>G. Froerer</i> )	
Read the first time by short title and referred to the Rules Committee.	45
Assigned to standing committee	55
Substituted	78
Amendments	78
Read the second time	80
Read the third time	151
Circled	151, 181
Uncircled	178, 182
Amendments	178
Transmitted to the Senate	182
Signed by the Speaker and transmitted to the Governor	500
<b>H.B. 217</b> — INCOME TAX REVISIONS ( <i>C. Wimmer</i> )	
Read the first time by short title and referred to the Rules Committee.	45
Enacting Clause Stricken	1223
<b>H.B. 218</b> — MUNICIPAL DISINCORPORATION REVISIONS ( <i>G. Froerer</i> )	
Read the first time by short title and referred to the Rules Committee.	45
Assigned to standing committee	147
Read the second time	273
Read the third time	387
Transmitted to the Senate	388
Enacting Clause Stricken	1221
<b>H.B. 219</b> — DELINQUENT PROPERTY TAX AMENDMENTS ( <i>G. Froerer</i> )	
Read the first time by short title and referred to the Rules Committee.	45
Assigned to standing committee	55
Substituted	144
Read the second time	144
Read the third time	234
Amendments	235
Transmitted to the Senate	236
Placed on Concurrence Calendar	500
Concurrence	531
Signed by the Speaker and transmitted to the Governor	580
<b>H.B. 220</b> — DISPROPORTIONATE RENTAL FEE AMENDMENTS ( <i>G. Froerer</i> )	
Read the first time by short title and referred to the Rules Committee.	45
Assigned to standing committee	55
Returned to Rules Committee	884
Enacting Clause Stricken	1223
<b>H.B. 221</b> — SUNSET ACT AND REPEALERS REAUTHORIZATION ( <i>K. Garn</i> )	
Read the first time by short title and referred to the Rules Committee.	45
Assigned to standing committee	54
Read the second time	77
Read the third time	160
Transmitted to the Senate	161
Placed on Concurrence Calendar	1135
Concurrence	1190
Signed by the Speaker and transmitted to the Governor	1219

<b>H.B. 222</b> — LAND USE MEETING NOTICE ( <i>T. Beck</i> )	
Read the first time by short title and referred to the Rules Committee . . . . .	45
Assigned to standing committee . . . . .	147
Read the second time . . . . .	288
Read the third time . . . . .	360
Transmitted to the Senate . . . . .	361
Signed by the Speaker and transmitted to the Governor . . . . .	600
<b>H.B. 223</b> — ALCOHOLIC BEVERAGE CONTROL ACT AND RESTAURANT LICENSES ( <i>G. Froerer</i> )	
Read the first time by short title and referred to the Rules Committee . . . . .	45
Assigned to standing committee . . . . .	578
Substituted . . . . .	666
Read the second time . . . . .	667
Read the third time . . . . .	736
Circled . . . . .	736
Enacting Clause Stricken . . . . .	1223
<b>H.B. 224</b> — UNIFORM REAL PROPERTY TRANSFER ON DEATH ACT ( <i>L. Fowlke</i> )	
Read the first time by short title and referred to the Rules Committee . . . . .	45
Assigned to standing committee . . . . .	85
Returned to Rules Committee . . . . .	882
Enacting Clause Stricken . . . . .	1223
<b>H.B. 225</b> — COUNTERFEIT SUBSTANCE AMENDMENTS ( <i>P. Ray</i> )	
Read the first time by short title and referred to the Rules Committee . . . . .	45
Assigned to standing committee . . . . .	85
Read the second time . . . . .	170
Read the third time . . . . .	270
Transmitted to the Senate . . . . .	271
Signed by the Speaker and transmitted to the Governor . . . . .	715
<b>H.B. 226</b> — WELL DRILLER'S LICENSE – PUMP INSTALLATION ( <i>P. Painter</i> )	
Read the first time by short title and referred to the Rules Committee . . . . .	45
Assigned to standing committee . . . . .	85
Amendments . . . . .	187
Read the second time . . . . .	188
Read the third time . . . . .	293
Transmitted to the Senate . . . . .	294
Signed by the Speaker and transmitted to the Governor . . . . .	524

**H.B. 227** — LICENSING ELIGIBILITY (*S. Sandstrom*)

- Read the first time by short title and referred to the Rules Committee. . . . . 45
- Assigned to standing committee . . . . . 85
- Substituted . . . . . 393
- Read the second time . . . . . 393
- Read the third time . . . . . 515
- Failed . . . . . 516
- Reconsideration failed . . . . . 537
- Reconsideration . . . . . 611
- Circled . . . . . 611
- Uncircled . . . . . 646
- Amendments . . . . . 646
- Transmitted to the Senate . . . . . 648
- Enacting Clause Stricken . . . . . 1221

**H.B. 228** — RENEWABLE ENERGY SOURCE AMENDMENTS (*R. Barrus*)

- Read the first time by short title and referred to the Rules Committee. . . . . 45
- Assigned to standing committee . . . . . 85
- Read the second time . . . . . 255
- Read the third time . . . . . 383
- Transmitted to the Senate . . . . . 384
- Signed by the Speaker and transmitted to the Governor . . . . . 915

**H.B. 229** — WATER RIGHT GENERAL ADJUDICATION AMENDMENTS (*P. Painter*)

- Read the first time by short title and referred to the Rules Committee. . . . . 45
- Assigned to standing committee . . . . . 121
- Read the second time . . . . . 188
- Read the third time . . . . . 294
- Amendments . . . . . 294
- Transmitted to the Senate . . . . . 295
- Signed by the Speaker and transmitted to the Governor . . . . . 538

**H.B. 230** — HUMAN TRAFFICKING AMENDMENTS (*Julie Fisher*)

- Read the first time by short title and referred to the Rules Committee. . . . . 45
- Assigned to standing committee . . . . . 121
- Read the second time . . . . . 227
- Read the third time . . . . . 316
- Transmitted to the Senate . . . . . 317
- Signed by the Speaker and transmitted to the Governor . . . . . 915

**H.B. 231** — WATER RIGHTS PRIORITIES IN TIMES OF SHORTAGE (*K. Gibson*)

- Read the first time by short title and referred to the Rules Committee. . . . . 46
- Assigned to standing committee . . . . . 85
- Amendments . . . . . 454
- Read the second time . . . . . 454
- Read the third time . . . . . 580
- Circled . . . . . 581
- Uncircled . . . . . 775
- Transmitted to the Senate . . . . . 776
- Placed on Concurrence Calendar . . . . . 1116
- Concurrence . . . . . 1118
- Signed by the Speaker and transmitted to the Governor . . . . . 1151

<b>H.B. 232</b> — MEDICAL LANGUAGE INTERPRETER AMENDMENTS ( <i>R. Chavez–Houck</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	46
Assigned to standing committee . . . . .	85
Amendments . . . . .	210
Read the second time . . . . .	210
Read the third time . . . . .	263
Transmitted to the Senate . . . . .	264
Signed by the Speaker and transmitted to the Governor . . . . .	577
<b>H.B. 233</b> — RETIREMENT OFFICE AMENDMENTS ( <i>D. Ipson</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	46
Assigned to standing committee . . . . .	86
Amendments . . . . .	255
Read the second time . . . . .	256
Read the third time . . . . .	386
Transmitted to the Senate . . . . .	386
Signed by the Speaker and transmitted to the Governor . . . . .	1135
<b>H.B. 234</b> — OPTING OUT OF THE REAL ID ACT ( <i>S. Sandstrom</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	46
Substituted . . . . .	276
Assigned to standing committee . . . . .	276
Read the second time . . . . .	419
Read the third time . . . . .	521
Transmitted to the Senate . . . . .	522
Placed on Concurrence Calendar . . . . .	923
Concurrence . . . . .	981
Signed by the Speaker and transmitted to the Governor . . . . .	998
<b>H.B. 235</b> — CHILD SUPPORT FOR CHILDREN IN STATE CUSTODY ( <i>W. Harper</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	46
Substituted . . . . .	239
Assigned to standing committee . . . . .	239
Read the second time . . . . .	300
Read the third time . . . . .	457
Transmitted to the Senate . . . . .	458
Returned to the Senate . . . . .	1028
Signed by the Speaker and transmitted to the Governor . . . . .	859 , 1151
<b>H.B. 236</b> — STATUTORY CONSTRUCTION AMENDMENTS ( <i>R. Lockhart</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	46
Assigned to standing committee . . . . .	147
Read the second time . . . . .	192
Read the third time . . . . .	243
Transmitted to the Senate . . . . .	243
Signed by the Speaker and transmitted to the Governor . . . . .	500
<b>H.B. 237</b> — RESTRICTIONS ON USE OF WIRELESS TELEPHONES IN VEHICLES BY MINORS ( <i>P. Riesen</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	46
Enacting Clause Stricken . . . . .	1223

<b>H.B. 238</b> — LOW SPEED VEHICLE AMENDMENTS ( <i>J. Anderson</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	63
Assigned to standing committee . . . . .	196
Amendments . . . . .	256
Read the second time . . . . .	257
Read the third time . . . . .	387
Transmitted to the Senate . . . . .	387
Signed by the Speaker and transmitted to the Governor . . . . .	859
<b>H.B. 239</b> — CHILD PROTECTION REVISIONS ( <i>W. Harper</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	65
Assigned to standing committee . . . . .	171
Amendments . . . . .	210
Read the second time . . . . .	210
Read the third time . . . . .	310
Transmitted to the Senate . . . . .	311
Signed by the Speaker and transmitted to the Governor . . . . .	915
<b>H.B. 240</b> — DEPARTMENT OF NATURAL RESOURCES AMENDMENTS ( <i>J. Draxler</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	65
Assigned to standing committee . . . . .	196
Read the second time . . . . .	420
Read the third time . . . . .	532
Amendments . . . . .	532
Transmitted to the Senate . . . . .	534
Signed by the Speaker and transmitted to the Governor . . . . .	915
<b>H.B. 241</b> — REQUIREMENTS FOR CHECK CASHER TO CASH A CHECK ( <i>W. Harper</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	65
Assigned to standing committee . . . . .	147
Amendments . . . . .	874
Returned to Rules Committee . . . . .	877
Enacting Clause Stricken . . . . .	1223
<b>H.B. 242</b> — MARRIAGE LICENSE FEE AMENDMENTS ( <i>C. Johnson</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	65
Assigned to standing committee . . . . .	147
Returned to Rules Committee . . . . .	882
Enacting Clause Stricken . . . . .	1223
<b>H.B. 243</b> — FORECLOSURE PROCESSES ON RESIDENTIAL RENTAL PROPERTIES	
( <i>W. Harper</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	65
Assigned to standing committee . . . . .	356
Substituted . . . . .	742
Read the second time . . . . .	742
Read the third time . . . . .	786
Transmitted to the Senate . . . . .	787
Signed by the Speaker and transmitted to the Governor . . . . .	1115



- H.B. 244** — PROVISIONAL BALLOT AMENDMENTS FOR UNREGISTERED VOTERS  
(*R. Chavez-Houck*)  
Read the first time by short title and referred to the Rules Committee. . . . . 96  
Enacting Clause Stricken . . . . . 1223
- H.B. 245** — VOTER CHALLENGE AMENDMENTS (*N. Hansen*)  
Read the first time by short title and referred to the Rules Committee. . . . . 97  
Enacting Clause Stricken . . . . . 1223
- H.B. 246** — RETIREMENT BENEFITS FOR CHARTER SCHOOL EMPLOYEES (*C. Watkins*)  
Read the first time by short title and referred to the Rules Committee. . . . . 97  
Assigned to standing committee . . . . . 213  
Read the second time . . . . . 448  
Read the third time . . . . . 561  
Transmitted to the Senate . . . . . 562  
Signed by the Speaker and transmitted to the Governor . . . . . 1174  
Enacting Clause Stricken . . . . . 1223
- H.B. 247** — LOBBYIST RESTRICTION MODIFICATIONS (*C. Moss*)  
Read the first time by short title and referred to the Rules Committee. . . . . 97  
Enacting Clause Stricken . . . . . 1223
- H.B. 248** — GOVERNMENT RECORDS AMENDMENTS (*J. Anderson*)  
Read the first time by short title and referred to the Rules Committee. . . . . 97  
Assigned to standing committee . . . . . 147  
Read the second time . . . . . 192  
Read the third time . . . . . 243  
Transmitted to the Senate . . . . . 244  
Signed by the Speaker and transmitted to the Governor . . . . . 500
- H.B. 249** — EMANCIPATION AMENDMENTS (*L. Fowlke*)  
Read the first time by short title and referred to the Rules Committee. . . . . 97  
Assigned to standing committee . . . . . 171  
Read the second time . . . . . 228  
Read the third time . . . . . 289  
Transmitted to the Senate . . . . . 290  
Signed by the Speaker and transmitted to the Governor . . . . . 740
- H.B. 250** — CRIMINAL PENALTIES AMENDMENTS – LEAVING THE SCENE OF AN  
ACCIDENT (*C. Herrod*)  
Read the first time by short title and referred to the Rules Committee. . . . . 97  
Assigned to standing committee . . . . . 240  
Read the second time . . . . . 301  
Read the third time . . . . . 460  
Transmitted to the Senate . . . . . 461  
Signed by the Speaker and transmitted to the Governor . . . . . 1151

<b>H.B. 251</b> — ADMISSION OF AFFIDAVITS INTO EVIDENCE ( <i>R. Lockhart</i> )	
Read the first time by short title and referred to the Rules Committee.	97
Assigned to standing committee	195
Read the second time	255
Read the third time	332
Circled	332
Uncircled	384
Transmitted to the Senate	385
Enacting Clause Stricken	1221
<b>H.B. 252</b> — WORKPLACE ACCOMMODATION OF BREAST FEEDING ( <i>C. Johnson</i> )	
Read the first time by short title and referred to the Rules Committee.	97
Substituted	399
Assigned to standing committee	399
Amendments	874
Returned to Rules Committee	877
Enacting Clause Stricken	1223
<b>H.B. 253</b> — TRANSFER OF THE BUREAU OF EMERGENCY MEDICAL SERVICES FROM THE DEPARTMENT OF HEALTH TO THE DEPARTMENT OF PUBLIC SAFETY ( <i>P. Ray</i> )	
Read the first time by short title and referred to the Rules Committee.	130
Assigned to standing committee	258
Returned to Rules Committee	882
Enacting Clause Stricken	1223
<b>H.B. 254</b> — VOTER IDENTIFICATION AMENDMENTS ( <i>B. Daw</i> )	
Read the first time by short title and referred to the Rules Committee.	130
Assigned to standing committee	213
Read the second time	273
Read the third time	388
Transmitted to the Senate	389
Signed by the Speaker and transmitted to the Governor	696
<b>H.B. 255</b> — DIVORCE ORIENTATION AMENDMENTS ( <i>L. Fowlke</i> )	
Read the first time by short title and referred to the Rules Committee.	130
Enacting Clause Stricken	1223
<b>H.B. 256</b> — CHILD ABUSE DATABASE AMENDMENTS ( <i>L. Fowlke</i> )	
Read the first time by short title and referred to the Rules Committee.	130
Substituted	549
Assigned to standing committee	549
Read the second time	676
Read the third time	764
Transmitted to the Senate	764
Enacting Clause Stricken	1221

<b>H.B. 257</b> — DIETITIAN CERTIFICATION ACT AMENDMENTS ( <i>M. Newbold</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	130
Assigned to standing committee . . . . .	213
Read the second time . . . . .	340
Read the third time . . . . .	404
Transmitted to the Senate . . . . .	405
Signed by the Speaker and transmitted to the Governor . . . . .	915
<b>H.B. 258</b> — VOTING PRECINCT BOUNDARIES ( <i>K. Sumsion</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	130
Assigned to standing committee . . . . .	213
Amendments . . . . .	272
Read the second time . . . . .	273
Read the third time . . . . .	389
Transmitted to the Senate . . . . .	390
Signed by the Speaker and transmitted to the Governor . . . . .	715
<b>H.B. 259</b> — PROPERTY TAX AMENDMENTS ( <i>W. Harper</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	130
Assigned to standing committee . . . . .	278
Substituted . . . . .	326
Read the second time . . . . .	326
Read the third time . . . . .	489
Substituted . . . . .	489
Amendments . . . . .	489
Transmitted to the Senate . . . . .	492
Placed on Concurrence Calendar . . . . .	909
Concurrence . . . . .	927
Signed by the Speaker and transmitted to the Governor . . . . .	953
<b>H.B. 260</b> — CHILDREN'S HEALTH INSURANCE PLAN SIMPLIFIED RENEWAL ( <i>M. Newbold</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	130
Assigned to standing committee . . . . .	257
Read the second time . . . . .	339
Read the third time . . . . .	502
Transmitted to the Senate . . . . .	503
Signed by the Speaker and transmitted to the Governor . . . . .	915
Enacting Clause Stricken . . . . .	1223
<b>H.B. 261</b> — FINANCIAL RESPONSIBILITY OF MOTOR VEHICLE OWNERS AND OPERATORS ACT AMENDMENTS ( <i>R. Greenwood</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	149
Assigned to standing committee . . . . .	240
Amendments . . . . .	302
Read the second time . . . . .	303
Read the third time . . . . .	464
Transmitted to the Senate . . . . .	464
Placed on Concurrence Calendar . . . . .	716
Concurrence . . . . .	737
Signed by the Speaker and transmitted to the Governor . . . . .	779

<b>H.B. 262</b> — REPORTING TO APPROPRIATION COMMITTEES ( <i>R. Bigelow</i> )	
Read the first time by short title and referred to the Rules Committee.	150
Assigned to standing committee	195
Read the second time	230
Read the third time	291
Transmitted to the Senate	292
Signed by the Speaker and transmitted to the Governor	538
<b>H.B. 263</b> — TECHNICAL CROSS REFERENCE REVISIONS ( <i>J. Anderson</i> )	
Read the first time by short title and referred to the Rules Committee.	150
Assigned to standing committee	239
Read the second time	325
Read the third time	378
Transmitted to the Senate	379
Signed by the Speaker and transmitted to the Governor	671
<b>H.B. 264</b> — LAW ENFORCEMENT AMENDMENTS ( <i>C. Wimmer</i> )	
Read the first time by short title and referred to the Rules Committee.	150
Assigned to standing committee	240
Read the second time	301
Read the third time	461
Circled	461
Uncircled	912
Returned to Rules Committee	912
Enacting Clause Stricken	1223
<b>H.B. 265</b> — REAL PROPERTY AMENDMENTS ( <i>G. Froerer</i> )	
Read the first time by short title and referred to the Rules Committee.	150
Assigned to standing committee	277
Substituted	574
Read the second time	574
Read the third time	682
Amendments	682
Transmitted to the Senate	683
<b>H.B. 266</b> — GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT REVISIONS ( <i>K. Powell</i> )	
Read the first time by short title and referred to the Rules Committee.	150
Substituted	327
Assigned to standing committee	327
Returned to Rules Committee	495
Enacting Clause Stricken	1223
<b>H.B. 267</b> — LOBBYIST DISCLOSURE AND REGULATION ACT AMENDMENTS ( <i>K. Garn</i> )	
Read the first time by short title and referred to the Rules Committee.	150
Assigned to standing committee	170
Read the second time	208
Read the third time	212
Circled	212
Uncircled	249
Transmitted to the Senate	250
Placed on Concurrence Calendar	909
Concurrence	928
Signed by the Speaker and transmitted to the Governor	953

<b>H.B. 268</b> — PUBLIC SCHOOL INNOVATIONS ( <i>K. Grover</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	172
Assigned to standing committee . . . . .	257
Returned to Rules Committee . . . . .	881
Enacting Clause Stricken . . . . .	1224
<b>H.B. 269</b> — SOLEMNIZING MARRIAGES AMENDMENT ( <i>D. Aagard</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	172
Assigned to standing committee . . . . .	258
Amendments . . . . .	324
Read the second time . . . . .	325
Read the third time . . . . .	485
Amendments . . . . .	485
Transmitted to the Senate . . . . .	486
Signed by the Speaker and transmitted to the Governor . . . . .	859
<b>H.B. 270</b> — FINANCIAL DISCLOSURE AND CONFLICT OF INTEREST AMENDMENTS ( <i>G. Hughes</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	161
Assigned to standing committee . . . . .	170
Read the second time . . . . .	208
Read the third time . . . . .	212
Circled . . . . .	212
Uncircled . . . . .	246
Amendments . . . . .	246
Transmitted to the Senate . . . . .	249
Placed on Concurrence Calendar . . . . .	909
Concurrence . . . . .	929
Signed by the Speaker and transmitted to the Governor . . . . .	953
<b>H.B. 271</b> — HUNTING GUIDES AND OUTFITTERS LICENSING ACT AMENDMENTS ( <i>E. Vickers</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	172
Assigned to standing committee . . . . .	258
Read the second time . . . . .	302
Read the third time . . . . .	463
Transmitted to the Senate . . . . .	463
Signed by the Speaker and transmitted to the Governor . . . . .	715
<b>H.B. 272</b> — CONSTRUCTION TRADES LICENSING ACT AMENDMENTS ( <i>B. King</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	198
Assigned to standing committee . . . . .	304
Substituted . . . . .	876
Returned to Rules Committee . . . . .	877
Enacting Clause Stricken . . . . .	1224

<b>H.B. 273</b> — UTAH INTERNATIONAL TRADE COMMISSION AMENDMENTS ( <i>E. Hutchings</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	198
Assigned to standing committee . . . . .	213
Amendments . . . . .	371
Read the second time . . . . .	372
Read the third time . . . . .	508
Circled . . . . .	508
Uncircled . . . . .	509
Transmitted to the Senate . . . . .	510
Signed by the Speaker and transmitted to the Governor . . . . .	859
<b>H.B. 274</b> — STATUTORY CONSTRUCTION COMPLIANCE AMENDMENTS ( <i>R. Lockhart</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	198
Assigned to standing committee . . . . .	277
Read the second time . . . . .	372
Read the third time . . . . .	430
Transmitted to the Senate . . . . .	431
Signed by the Speaker and transmitted to the Governor . . . . .	671
<b>H.B. 275</b> — DIVISION OF REAL ESTATE AMENDMENTS ( <i>G. Froerer</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	198
Assigned to standing committee . . . . .	356
Substituted . . . . .	393
Read the second time . . . . .	393
Read the third time . . . . .	516
Amendments . . . . .	516
Transmitted to the Senate . . . . .	519
Signed by the Speaker and transmitted to the Governor . . . . .	923
<b>H.B. 276</b> — SEX OFFENDER REGISTRY AMENDMENT ( <i>P. Ray</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	198
Assigned to standing committee . . . . .	304
Read the second time . . . . .	419
Read the third time . . . . .	531
Transmitted to the Senate . . . . .	532
Signed by the Speaker and transmitted to the Governor . . . . .	915
<b>H.B. 277</b> — OVERDOSE REPORTING AMENDMENTS ( <i>C. Johnson</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	199
Amendments . . . . .	257
Assigned to standing committee . . . . .	257
Amendments . . . . .	299
Read the second time . . . . .	300
Read the third time . . . . .	458
Transmitted to the Senate . . . . .	458
Signed by the Speaker and transmitted to the Governor . . . . .	715

<b>H.B. 278</b> — GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT AMENDMENTS ( <i>C. Herrod</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	199
Assigned to standing committee . . . . .	239
Substituted . . . . .	569
Read the second time . . . . .	570
Read the third time . . . . .	602
Transmitted to the Senate . . . . .	602
Signed by the Speaker and transmitted to the Governor . . . . .	923
<b>H.B. 279</b> — COUNTY RECORDER AMENDMENTS ( <i>R. C. Webb</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	199
Assigned to standing committee . . . . .	278
Amendments . . . . .	325
Read the second time . . . . .	326
Read the third time . . . . .	486
Amendments . . . . .	486
Transmitted to the Senate . . . . .	489
Placed on Concurrence Calendar . . . . .	909
Concurrence . . . . .	930
Signed by the Speaker and transmitted to the Governor . . . . .	953
<b>H.B. 280</b> — REAL PROPERTY – NOTICE OF TRANSFER FEES ( <i>R. Lockhart</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	199
Assigned to standing committee . . . . .	578
Substituted . . . . .	742
Read the second time . . . . .	742
Read the third time . . . . .	787
Transmitted to the Senate . . . . .	787
Enacting Clause Stricken . . . . .	1221
<b>H.B. 281</b> — MEDICAID FAMILY PLANNING WAIVER ( <i>J. Seelig</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	199
Enacting Clause Stricken . . . . .	1224
<b>H.B. 282</b> — LOCAL GOVERNMENT AMENDMENTS ( <i>S. Sandstrom</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	199
Assigned to standing committee . . . . .	305
Substituted . . . . .	425
Amendments . . . . .	425
Read the second time . . . . .	425
Read the third time . . . . .	544
Transmitted to the Senate . . . . .	545
Signed by the Speaker and transmitted to the Governor . . . . .	1174

<b>H.B. 283</b> — FEES AND ASSESSMENT LEVIES IN LOCAL AND SPECIAL SERVICE	
DISTRICTS ( <i>J. Mathis</i> )	
Read the first time by short title and referred to the Rules Committee . . . . .	199
Assigned to standing committee . . . . .	305
Substituted . . . . .	373
Read the first time by short title and referred to Rules Committee . . . . .	373
Read the second time . . . . .	373
Read the third time . . . . .	508
Amendments . . . . .	508
Transmitted to the Senate . . . . .	509
Enacting Clause Stricken . . . . .	1221
<b>H.B. 284</b> — UNIFORM COLLABORATIVE LAW ACT ( <i>L. Fowlke</i> )	
Read the first time by short title and referred to the Rules Committee . . . . .	215
Assigned to standing committee . . . . .	304
Read the second time . . . . .	352
Read the third time . . . . .	503
Substituted . . . . .	503
Transmitted to the Senate . . . . .	504
Placed on Concurrence Calendar . . . . .	909
Concurrence . . . . .	931
Signed by the Speaker and transmitted to the Governor . . . . .	953
<b>H.B. 285</b> — PRACTICE OF VETERINARY MEDICINE ( <i>J. Mathis</i> )	
Read the first time by short title and referred to the Rules Committee . . . . .	215
Assigned to standing committee . . . . .	278
Amendments . . . . .	353
Read the second time . . . . .	354
Read the third time . . . . .	506
Transmitted to the Senate . . . . .	506
Signed by the Speaker and transmitted to the Governor . . . . .	914 , 915
<b>H.B. 286</b> — RETIREMENT SYSTEM DIVESTMENT ( <i>Julie Fisher</i> )	
Read the first time by short title and referred to the Rules Committee . . . . .	215
Assigned to standing committee . . . . .	472
Substituted . . . . .	869
Amendments . . . . .	869
Read the second time . . . . .	871
Returned to Rules Committee . . . . .	912
Placed on calendar . . . . .	921
Read the third time . . . . .	990
Transmitted to the Senate . . . . .	991
Enacting Clause Stricken . . . . .	1221
<b>H.B. 287</b> — LEGISLATOR SALARY AMENDMENTS ( <i>D. Litvack</i> )	
Read the first time by short title and referred to the Rules Committee . . . . .	215
Assigned to standing committee . . . . .	277
Read the second time . . . . .	425
Read the third time . . . . .	536
Transmitted to the Senate . . . . .	537
Placed on Concurrence Calendar . . . . .	1086
Concurrence . . . . .	1090
Signed by the Speaker and transmitted to the Governor . . . . .	1115



<b>H.B. 288</b> — DAYLIGHT SAVING TIME ( <i>K. Sumsion</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	215
Assigned to standing committee . . . . .	277
Returned to Rules Committee . . . . .	882
Enacting Clause Stricken . . . . .	1224
<b>H.B. 289</b> — JUDICIAL NOMINATING COMMISSION AMENDMENTS ( <i>C. Oda</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	215
Assigned to standing committee . . . . .	549
Substituted . . . . .	673
Amendments . . . . .	673
Read the second time . . . . .	676
Read the third time . . . . .	764
Substituted . . . . .	764
Transmitted to the Senate . . . . .	765
Placed on Concurrence Calendar . . . . .	1086
Concurrence . . . . .	1092
Signed by the Speaker and transmitted to the Governor . . . . .	1115
<b>H.B. 290</b> — RECREATIONAL USE OF PRIVATELY OWNED STREAM BEDS ( <i>R. C. Webb</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	241
Assigned to standing committee . . . . .	471
Returned to Rules Committee . . . . .	884
Enacting Clause Stricken . . . . .	1224
<b>H.B. 291</b> — APPLICABILITY OF LAND USE PROVISIONS TO FEDERAL GOVERNMENT ( <i>K. Grover</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	241
Assigned to standing committee . . . . .	305
Returned to the Rules Committee . . . . .	373
Enacting Clause Stricken . . . . .	1224
<b>H.B. 292</b> — EQUALIZATION OF FUNDING FOR DIVIDED SCHOOL DISTRICTS ( <i>J. Bird</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	241
Assigned to standing committee . . . . .	356
Amendments . . . . .	879
Returned to Rules Committee . . . . .	881
Enacting Clause Stricken . . . . .	1224
<b>H.B. 293</b> — VICTIMS' RIGHTS AMENDMENTS ( <i>R. C. Webb</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	242
Assigned to standing committee . . . . .	328
Substituted . . . . .	758
Read the second time . . . . .	758
Read the third time . . . . .	806
Transmitted to the Senate . . . . .	807
Signed by the Speaker and transmitted to the Governor . . . . .	1151

**H.B. 294** — HEALTH SYSTEM REFORM AMENDMENTS (*D. Clark*)

- Read the first time by short title and referred to the Rules Committee. . . . . 242
- Assigned to standing committee . . . . . 258
- Amendments . . . . . 283
- Read the second time . . . . . 286
- Read the third time . . . . . 411
- Amendments . . . . . 411
- Transmitted to the Senate . . . . . 416
- Placed on Concurrence Calendar . . . . . 819
- Concurrence . . . . . 827
- Signed by the Speaker and transmitted to the Governor . . . . . 868

**H.B. 295** — EXPANDED USES OF SCHOOL DISTRICT PROPERTY TAX REVENUE  
(*P. Painter*)

- Read the first time by short title and referred to the Rules Committee. . . . . 262
- Assigned to standing committee . . . . . 719
- Substituted . . . . . 802
- Read the second time . . . . . 802
- Returned to Rules Committee . . . . . 912
- Placed on calendar . . . . . 920
- Read the third time . . . . . 964
- Circled . . . . . 964
- Uncircled . . . . . 969
- Substituted . . . . . 969
- Amendments . . . . . 969
- Transmitted to the Senate . . . . . 972
- Signed by the Speaker and transmitted to the Governor . . . . . 1187

**H.B. 296** — CHOICE OF LAW IN UTAH COURTS (*C. Wimmer*)

- Read the first time by short title and referred to the Rules Committee. . . . . 262
- Assigned to standing committee . . . . . 357
- Substituted . . . . . 677
- Read the second time . . . . . 677
- Read the third time . . . . . 767, 937
- Circled . . . . . 767, 937
- Uncircled . . . . . 912
- Returned to Rules Committee . . . . . 912
- Placed on calendar . . . . . 920
- Enacting Clause Stricken . . . . . 1224

**H.B. 297** — COMPACT AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY  
NATIONAL POPULAR VOTE (*N. Hansen*)

- Read the first time by short title and referred to the Rules Committee. . . . . 262
- Enacting Clause Stricken . . . . . 1224

<b>H.B. 298</b> — LAND USE AUTHORITY NOTIFICATION OF CANAL DEVELOPMENT ( <i>B. Ferry</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	262
Assigned to standing committee . . . . .	304
Substituted . . . . .	572
Read the second time . . . . .	573
Read the third time . . . . .	679
Circled . . . . .	679
Uncircled . . . . .	681
Transmitted to the Senate . . . . .	682
Placed on Concurrence Calendar . . . . .	1086
Concurrence . . . . .	1089
Signed by the Speaker and transmitted to the Governor . . . . .	1115
<b>H.B. 299</b> — AMENDMENTS RELATED TO SUBSTANCES HARMFUL TO PREGNANCY ( <i>R. Menlove</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	263
Assigned to standing committee . . . . .	328
Read the second time . . . . .	399
Read the third time . . . . .	474
Transmitted to the Senate . . . . .	475
Placed on Concurrence Calendar . . . . .	740
Concurrence . . . . .	784
Signed by the Speaker and transmitted to the Governor . . . . .	819
<b>H.B. 300</b> — ADOPTION REVISIONS ( <i>R. Chavez–Houck</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	263
Enacting Clause Stricken . . . . .	1224
<b>H.B. 301</b> — DISORDERLY CONDUCT AMENDMENTS ( <i>C. Wimmer</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	263
Assigned to standing committee . . . . .	375
Read the second time . . . . .	452
Read the third time . . . . .	565
Circled . . . . .	565
Uncircled . . . . .	912
Returned to Rules Committee . . . . .	912
Enacting Clause Stricken . . . . .	1224
<b>H.B. 302</b> — MINOR ADJUSTMENTS TO COUNTY BOUNDARIES ( <i>P. Painter</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	281
Assigned to standing committee . . . . .	305
Read the second time . . . . .	373
Read the third time . . . . .	511
Transmitted to the Senate . . . . .	512
Signed by the Speaker and transmitted to the Governor . . . . .	915

<b>H.B. 303</b> — PROTECTIONS FOR VICTIMS OF DOMESTIC VIOLENCE ( <i>E. Hutchings</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	281
Assigned to standing committee . . . . .	400
Read the second time . . . . .	571
Read the third time . . . . .	606
Transmitted to the Senate . . . . .	607
Placed on Concurrence Calendar . . . . .	1188
Concurrence . . . . .	1193
Signed by the Speaker and transmitted to the Governor . . . . .	1219
<b>H.B. 304</b> — LIEUTENANT GOVERNOR AMENDMENTS ( <i>E. Hutchings</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	281
Assigned to standing committee . . . . .	304
Substituted . . . . .	424
Read the second time . . . . .	425
Read the third time . . . . .	543
Transmitted to the Senate . . . . .	544
Signed by the Speaker and transmitted to the Governor . . . . .	915
<b>H.B. 305</b> — ANTIDISCRIMINATION AMENDMENTS ( <i>C. Johnson</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	281
Enacting Clause Stricken . . . . .	1224
<b>H.B. 306</b> — TERRORISM AMENDMENTS ( <i>E. Hutchings</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	281
Assigned to standing committee . . . . .	375
Read the second time . . . . .	448
Read the third time . . . . .	546
Amendments . . . . .	546
Transmitted to the Senate . . . . .	547
Signed by the Speaker and transmitted to the Governor . . . . .	1187
<b>H.B. 307</b> — GENERAL COUNTY POWERS AMENDMENTS ( <i>G. Hughes</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	282
Assigned to standing committee . . . . .	327
Read the second time . . . . .	448
Read the third time . . . . .	553
Transmitted to the Senate . . . . .	553
Placed on Concurrence Calendar . . . . .	1028
Concurrence . . . . .	1056
Signed by the Speaker and transmitted to the Governor . . . . .	1088
<b>H.B. 308</b> — STATE FIRE CODE ADOPTION ( <i>T. Kiser</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	282
Assigned to standing committee . . . . .	375
Amendments . . . . .	447
Read the second time . . . . .	448
Read the third time . . . . .	553
Transmitted to the Senate . . . . .	554
Signed by the Speaker and transmitted to the Governor . . . . .	915

<b>H.B. 309</b> — SURFACE OWNER PROTECTION ACT ( <i>J. Mathis</i> )	
Read the first time by short title and referred to the Rules Committee.	306
Assigned to standing committee	400
Amendments	572
Read the second time	573
Read the third time	679
Circled	679
Uncircled	912
Returned to Rules Committee	912
Enacting Clause Stricken	1224
<b>H.B. 310</b> — SPENDING LIMITS AMENDMENTS ( <i>R. Bigelow</i> )	
Read the first time by short title and referred to the Rules Committee.	306
Assigned to standing committee	375
Read the second time	574
Read the third time	654
Transmitted to the Senate	655
Signed by the Speaker and transmitted to the Governor	945
<b>H.B. 311</b> — AUTISM TREATMENT FUND ( <i>R. Lockhart</i> )	
Read the first time by short title and referred to the Rules Committee.	359
Assigned to standing committee	426
Substituted	543
Read the second time	543
Read the third time	620
Transmitted to the Senate	620
Signed by the Speaker and transmitted to the Governor	998
<b>H.B. 312</b> — MEDICAL EXPENSES FOR OFFENDERS ( <i>P. Ray</i> )	
Read the first time by short title and referred to the Rules Committee.	430
Assigned to standing committee	579
Amendments	847
Read the second time	850
Returned to Rules Committee	912
Placed on calendar	921
Read the third time	984
Circled	984
Uncircled	1005
Substituted	1005
Transmitted to the Senate	1006
Placed on Concurrence Calendar	1188
Concurrence	1194
Signed by the Speaker and transmitted to the Governor	1219
<b>H.B. 314</b> — WATER RIGHTS ADDENDUMS TO DEEDS ( <i>B. Ferry</i> )	
Read the first time by short title and referred to the Rules Committee.	359
Assigned to standing committee	471
Substituted	678
Read the second time	678
Read the third time	776
Transmitted to the Senate	777
Signed by the Speaker and transmitted to the Governor	1085

<b>H.B. 315</b> — UTAH PUBLIC NOTICE WEBSITE AMENDMENTS ( <i>K. Powell</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	306
Assigned to standing committee . . . . .	375
Amendments . . . . .	496
Read the second time . . . . .	496
Read the third time . . . . .	581
Transmitted to the Senate . . . . .	582
Signed by the Speaker and transmitted to the Governor . . . . .	915
<b>H.B. 316</b> — DISABLED VETERANS PROPERTY TAX EXEMPTION AMENDMENTS ( <i>G. Hughes</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	359
Assigned to standing committee . . . . .	427
Amendments . . . . .	496
Read the second time . . . . .	497
Read the third time . . . . .	582
Transmitted to the Senate . . . . .	582
Signed by the Speaker and transmitted to the Governor . . . . .	859
<b>H.B. 317</b> — PROPERTY TAX NOTICES AMENDMENTS ( <i>G. Froerer</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	330
Assigned to standing committee . . . . .	375
Returned to Rules Committee . . . . .	886
Enacting Clause Stricken . . . . .	1224
<b>H.B. 318</b> — REVOLVING LOAN FUND FOR CERTAIN ENERGY EFFICIENT PROJECTS AMENDMENTS ( <i>R. Barrus</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	403
Assigned to standing committee . . . . .	471
Read the second time . . . . .	573
Read the third time . . . . .	653
Transmitted to the Senate . . . . .	653
Signed by the Speaker and transmitted to the Governor . . . . .	1027
<b>H.B. 319</b> — STATE CONSTRUCTION REGISTRY REVISIONS ( <i>K. Powell</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	336
Enacting Clause Stricken . . . . .	1224
<b>H.B. 320</b> — UTAH CONSTRUCTION TRADES LICENSING ACT – ALARM COMPANIES AMENDMENTS ( <i>C. Herrod</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	430
Assigned to standing committee . . . . .	599
Substituted . . . . .	800
Amendments . . . . .	800
Read the second time . . . . .	801
Returned to Rules Committee . . . . .	912
Placed on calendar . . . . .	920
Read the third time . . . . .	957
Substituted . . . . .	957
Transmitted to the Senate . . . . .	957
Placed on Concurrence Calendar . . . . .	1198
Concurrence . . . . .	1199
Signed by the Speaker and transmitted to the Governor . . . . .	1219

<b>H.B. 321</b> — BOND ELECTION NOTIFICATION REVISIONS ( <i>G. Hughes</i> )	
Read the first time by short title and referred to the Rules Committee.	552
Assigned to standing committee	633
Amendments	718
Read the second time	718
Read the third time	786, 937
Amendments	937
Circled	786, 939
Uncircled	912
Returned to Rules Committee	912
Placed on calendar	920
Uncircled	995
Amendments	995
Transmitted to the Senate	997
Placed on Concurrence Calendar	1188
Concurrence	1196
Signed by the Speaker and transmitted to the Governor	1219
<b>H.B. 322</b> — PROPERTY TAX VALUATION AMENDMENTS ( <i>N. Hansen</i> )	
Read the first time by short title and referred to the Rules Committee.	306
Enacting Clause Stricken	1224
<b>H.B. 323</b> — SCHOOL AND INSTITUTIONAL TRUST LANDS AMENDMENTS ( <i>K. Sumsion</i> )	
Read the first time by short title and referred to the Rules Committee.	336
Assigned to standing committee	471
Substituted	596
Read the second time	597
Read the third time	694
Circled	694
Uncircled	912
Returned to Rules Committee	912
Enacting Clause Stricken	1224
<b>H.B. 324</b> — PUBLIC LANDS LITIGATION ( <i>K. Sumsion</i> )	
Read the first time by short title and referred to the Rules Committee.	403
Assigned to standing committee	471
Amendments	596
Read the second time	597
Read the third time	694
Circled	694
Uncircled	723
Substituted	723
Amendments	723
Transmitted to the Senate	724
Placed on Concurrence Calendar	1053
Concurrence	1061
Signed by the Speaker and transmitted to the Governor	1088

<b>H.B. 327</b> — AUTISM AWARENESS SUPPORT SPECIAL GROUP LICENSE PLATE ( <i>R. Edwards</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	359
Assigned to standing committee . . . . .	472
Amendments . . . . .	597
Read the second time . . . . .	597
Read the third time . . . . .	730
Transmitted to the Senate . . . . .	730
Signed by the Speaker and transmitted to the Governor . . . . .	1151
<b>H.B. 329</b> — CAMPAIGN FINANCE AMENDMENTS ( <i>B. Ferry</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	679
Assigned to standing committee . . . . .	720
Substituted . . . . .	794
Read the second time . . . . .	795
Read the third time . . . . .	865
Substituted . . . . .	865
Transmitted to the Senate . . . . .	866
Placed on Concurrence Calendar . . . . .	1135
Refuse to Concur . . . . .	1141
Conference Committee appointed . . . . .	1168
Substituted . . . . .	1197
Joint Conference Committee Report . . . . .	1197
Signed by the Speaker and transmitted to the Governor . . . . .	1219
<b>H.B. 331</b> — WASTE FEE AND RELATED AMENDMENTS ( <i>R. Menlove</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	430
Substituted . . . . .	578
Assigned to standing committee . . . . .	578
Substituted . . . . .	667
Read the second time . . . . .	668
Read the third time . . . . .	737
Transmitted to the Senate . . . . .	737
Signed by the Speaker and transmitted to the Governor . . . . .	1027
<b>H.B. 332</b> — UTAH AGRICULTURAL CODE AMENDMENTS ( <i>C. Watkins</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	377
Assigned to standing committee . . . . .	471
Read the second time . . . . .	597
Read the third time . . . . .	695
Circled . . . . .	695
Uncircled . . . . .	733
Transmitted to the Senate . . . . .	734
Signed by the Speaker and transmitted to the Governor . . . . .	1115
<b>H.B. 333</b> — REEMPLOYED RETIREE CONTRIBUTION AMENDMENTS ( <i>D. Litvack</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	377
Assigned to standing committee . . . . .	499
Returned to Rules Committee . . . . .	885
Enacting Clause Stricken . . . . .	1224
<b>H.B. 334</b> — MECHANICAL CONTRACTOR LICENSING PROVISIONS ( <i>L. Wiley</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	552
Enacting Clause Stricken . . . . .	1224



<b>H.B. 335</b> — UTILITY RELATED EXEMPTIONS ( <i>G. Hughes</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	403
Assigned to standing committee . . . . .	498
Substituted . . . . .	668
Read the second time . . . . .	669
Read the third time . . . . .	763
Circled . . . . .	763
Uncircled . . . . .	798
Transmitted to the Senate . . . . .	799
Signed by the Speaker and transmitted to the Governor . . . . .	1115
<b>H.B. 336</b> — RAILROAD AND RAILROAD CROSSING AMENDMENTS ( <i>R. Greenwood</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	359
Assigned to standing committee . . . . .	550
Returned to Rules Committee . . . . .	889
Enacting Clause Stricken . . . . .	1224
<b>H.B. 337</b> — UNIFORM DRIVER LICENSE ACT AMENDMENTS ( <i>R. Lockhart</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	403
Assigned to standing committee . . . . .	579
Read the second time . . . . .	677
Read the third time . . . . .	767
Transmitted to the Senate . . . . .	768
Signed by the Speaker and transmitted to the Governor . . . . .	1053
<b>H.B. 340</b> — SEXUAL ASSAULT VICTIM PROTOCOLS ( <i>J. Biskupski</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	306
Assigned to standing committee . . . . .	427
Read the second time . . . . .	570
Read the third time . . . . .	652
Transmitted to the Senate . . . . .	652
Signed by the Speaker and transmitted to the Governor . . . . .	1027
<b>H.B. 341</b> — UNIFORM ATHLETE AGENTS ACT ( <i>P. Ray</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	330
Assigned to standing committee . . . . .	400
Read the second time . . . . .	448
Read the third time . . . . .	554
Transmitted to the Senate . . . . .	555
Signed by the Speaker and transmitted to the Governor . . . . .	945
<b>H.B. 342</b> — INNKEEPER'S RIGHTS ACT MODIFICATIONS ( <i>S. Sandstrom</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	336
Enacting Clause Stricken . . . . .	1224

<b>H.B. 343</b> — GREAT SALT LAKE ADVISORY COUNCIL ( <i>B. Ferry</i> )	
Read the first time by short title and referred to the Rules Committee.	679
Assigned to standing committee	720
Amendments	759
Read the second time	760
Read the third time	860
Transmitted to the Senate	861
Placed on Concurrence Calendar	1116
Concurrence	1119
Signed by the Speaker and transmitted to the Governor	1151
<b>H.B. 347</b> — GUARDIANSHIP AMENDMENTS ( <i>K. Powell</i> )	
Read the first time by short title and referred to the Rules Committee.	580
Assigned to standing committee	720
Returned to Rules Committee	882
Enacting Clause Stricken	1224
<b>H.B. 348</b> — SHERIFFS FEES ( <i>R. Greenwood</i> )	
Read the first time by short title and referred to the Rules Committee.	403
Assigned to standing committee	471
Amendments	594
Read the second time	595
Read the third time	692
Transmitted to the Senate	693
Signed by the Speaker and transmitted to the Governor	1115
<b>H.B. 349</b> — SALES AND USE TAX AMENDMENTS ( <i>W. Harper</i> )	
Read the first time by short title and referred to the Rules Committee.	403
Assigned to standing committee	499
Read the second time	576
Read the third time	656
Transmitted to the Senate	657
Signed by the Speaker and transmitted to the Governor	915
<b>H.B. 350</b> — CLUB TEAMS IN PUBLIC SCHOOLS ( <i>S. Sandstrom</i> )	
Read the first time by short title and referred to the Rules Committee.	473
Assigned to standing committee	599
Returned to Rules Committee	881
Enacting Clause Stricken	1224
<b>H.B. 351</b> — FUNDING FOR HIGHWAY PROJECTS – SALT LAKE COUNTY ( <i>W. Harper</i> )	
Read the first time by short title and referred to the Rules Committee.	697
Assigned to standing committee	773
Amendments	852
Read the first time by short title	854
Read the second time	854, 1006
Returned to Rules Committee	912
Read the third time	1008
Amendments	1008
Held	1009
Enacting Clause Stricken	1224

<b>H.B. 353</b> — NONLAPSING DEDICATED CREDIT AMENDMENTS ( <i>R. Bigelow</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	909
Read the second time . . . . .	972
Read the third time . . . . .	993
Amendments . . . . .	993
Transmitted to the Senate . . . . .	995
Signed by the Speaker and transmitted to the Governor . . . . .	1151
<b>H.B. 354</b> — FINANCE AMENDMENTS FOR FINANCIALLY DISTRESSED SCHOOL DISTRICTS ( <i>C. Watkins</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	721
Enacting Clause Stricken . . . . .	1224
<b>H.B. 355</b> — LEGAL GUARDIANSHIP AMENDMENTS ( <i>S. Sandstrom</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	403
Substituted . . . . .	675
Amendments . . . . .	675
Read the second time . . . . .	676
Read the third time . . . . .	765
Transmitted to the Senate . . . . .	766
Signed by the Speaker and transmitted to the Governor . . . . .	1167
<b>H.B. 362</b> — DUTIES OF CITY POLICE DEPARTMENTS ( <i>C. Herrod</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	524
Assigned to standing committee . . . . .	633
Returned to Rules Committee . . . . .	883
Enacting Clause Stricken . . . . .	1224
<b>H.B. 363</b> — MUNICIPAL ELECTION AMENDMENTS ( <i>C. Frank</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	524
Assigned to standing committee . . . . .	599
Read the second time . . . . .	718
Read the third time . . . . .	822
Transmitted to the Senate . . . . .	823
Signed by the Speaker and transmitted to the Governor . . . . .	1053
<b>H.B. 364</b> — RIGHT OF IDENTITY THEFT VICTIM TO CIVIL CAUSE OF ACTION ( <i>Julie Fisher</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	403
Assigned to standing committee . . . . .	549
Read the second time . . . . .	594
Read the third time . . . . .	697
Transmitted to the Senate . . . . .	698
Signed by the Speaker and transmitted to the Governor . . . . .	1135
<b>H.B. 365</b> — DEPARTMENT OF CORRECTIONS REGISTRY AMENDMENTS ( <i>D. Aagard</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	501
Assigned to standing committee . . . . .	633
Amendments . . . . .	759
Read the second time . . . . .	759
Read the third time . . . . .	890
Transmitted to the Senate . . . . .	891
Signed by the Speaker and transmitted to the Governor . . . . .	1085

<b>H.B. 366</b> — MOTOR VEHICLE BUSINESS REGULATION ACT AMENDMENTS ( <i>B. Daw</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	580
Assigned to standing committee . . . . .	690
Amendments . . . . .	760
Read the second time . . . . .	762
Read the third time . . . . .	862
Amendments . . . . .	863
Transmitted to the Senate . . . . .	864
Signed by the Speaker and transmitted to the Governor . . . . .	1088
<b>H.B. 367</b> — GUARDIANSHIP RESIDENCY REQUIREMENTS ( <i>L. Black</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	430
Enacting Clause Stricken . . . . .	1224
<b>H.B. 368</b> — ELECTION DAY VOTING CENTERS ( <i>R. Chavez-Houck</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	696
Enacting Clause Stricken . . . . .	1224
<b>H.B. 370</b> — CAPITAL PROJECT AMENDMENTS ( <i>S. Clark</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	638
Assigned to standing committee . . . . .	720
Substituted . . . . .	794
Read the second time . . . . .	795
Placed on calendar . . . . .	920
Returned to Rules Committee . . . . .	912
Read the third time . . . . .	948
Circled . . . . .	948
Uncircled . . . . .	949
Amendments . . . . .	949
Transmitted to the Senate . . . . .	950
Signed by the Speaker and transmitted to the Governor . . . . .	1088
<b>H.B. 372</b> — WRONGFUL DEATH OF UNBORN CHILD ( <i>C. Wimmer</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	587
Enacting Clause Stricken . . . . .	1224
<b>H.B. 373</b> — RENEWAL OF JUDGMENT ACT AMENDMENTS ( <i>G. Froerer</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	524, 552
Assigned to standing committee . . . . .	689
Returned to Rules Committee . . . . .	846
Enacting Clause Stricken . . . . .	1225
<b>H.B. 375</b> — BAILABLE OFFENSES ACT ( <i>P. Ray</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	454
Assigned to standing committee . . . . .	690
Returned to Rules Committee . . . . .	883
Enacting Clause Stricken . . . . .	1225
<b>H.B. 377</b> — DEPARTMENT OF HUMAN SERVICES LICENSING AMENDMENTS ( <i>P. Ray</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	430
Enacting Clause Stricken . . . . .	1225

<b>H.B. 378</b> — MOTOR VEHICLE INSURANCE REQUIREMENTS ( <i>T. Kiser</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	403
Assigned to standing committee . . . . .	470
Substituted . . . . .	540
Read the second time . . . . .	540
Read the third time . . . . .	616
Transmitted to the Senate . . . . .	617
Signed by the Speaker and transmitted to the Governor . . . . .	915
<b>H.B. 379</b> — BARBER, COSMETOLOGIST/BARBER, ESTHETICIAN, ELECTROLOGIST, AND NAIL TECHNICIAN LICENSING ACT AMENDMENTS ( <i>M. Newbold</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	403
Assigned to standing committee . . . . .	599
Amendments . . . . .	667
Read the second time . . . . .	668
Read the third time . . . . .	738
Amendments . . . . .	738
Transmitted to the Senate . . . . .	739
Placed on Concurrence Calendar . . . . .	1152
Concurrence . . . . .	1159
Signed by the Speaker and transmitted to the Governor . . . . .	1176
<b>H.B. 380</b> — FIREARM LAWS AMENDMENTS ( <i>S. Sandstrom</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	430
Assigned to standing committee . . . . .	579
Read the second time . . . . .	677
Read the third time . . . . .	768
Transmitted to the Senate . . . . .	769
Signed by the Speaker and transmitted to the Governor . . . . .	1053
<b>H.B. 381</b> — MUNICIPAL LAND USE PROVISIONS ( <i>S. Sandstrom</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	377
Assigned to standing committee . . . . .	470
Amendments . . . . .	539
Read the second time . . . . .	540
Read the third time . . . . .	582
Transmitted to the Senate . . . . .	583
Signed by the Speaker and transmitted to the Governor . . . . .	1117
<b>H.B. 383</b> — COUNTY TAX AMENDMENTS ( <i>W. Harper</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	359
Enacting Clause Stricken . . . . .	1225

<b>H.B. 386</b> — INTERSTATE COMPACT ON EDUCATIONAL OPPORTUNITY FOR MILITARY CHILDREN ( <i>G. Hughes</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	616
Assigned to standing committee . . . . .	720
Read the second time . . . . .	757
Read the third time . . . . .	940
Amendments . . . . .	940
Circled . . . . .	790
Uncircled . . . . .	912
Returned to Rules Committee . . . . .	912
Placed on calendar . . . . .	920
Transmitted to the Senate . . . . .	944
Recalled . . . . .	790
Signed by the Speaker and transmitted to the Governor . . . . .	1151
<b>H.B. 387</b> — PROTECTING IDENTITY OF CHILDREN ( <i>E. Hutchings</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	1038
<b>H.B. 388</b> — MOBILE HOME REVISIONS ( <i>J. Dunnigan</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	430
Assigned to standing committee . . . . .	550
Substituted . . . . .	576
Amendments . . . . .	576
Read the second time . . . . .	576
Read the third time . . . . .	684, 694
Circled . . . . .	684
Substituted . . . . .	695
Transmitted to the Senate . . . . .	695
Placed on Concurrence Calendar . . . . .	945
Concurrence . . . . .	983
Signed by the Speaker and transmitted to the Governor . . . . .	998
<b>H.B. 389</b> — MOBILE HOME PARK RESIDENCY AMENDMENTS ( <i>Janice Fisher</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	721
Enacting Clause Stricken . . . . .	1225
<b>H.B. 393</b> — ADVERTISEMENTS ON SCHOOL BUSES ( <i>J. Bird</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	408
Assigned to standing committee . . . . .	578
Returned to Rules Committee . . . . .	881
Enacting Clause Stricken . . . . .	1225
<b>H.B. 394</b> — MOTOR AND SPECIAL FUEL TAX ACT AMENDMENTS ( <i>S. Clark</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	552
Assigned to standing committee . . . . .	633
Returned to Rules Committee . . . . .	886
Enacting Clause Stricken . . . . .	1225

<b>H.B. 395</b> — LIMITATION OF ACTIONS AMENDMENTS ( <i>M. Noel</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	601
Assigned to standing committee . . . . .	720
Read the second time . . . . .	757
Read the third time . . . . .	790
Amendments . . . . .	790
Transmitted to the Senate . . . . .	791
Placed on Concurrence Calendar . . . . .	1148
Concurrence . . . . .	1156
Signed by the Speaker and transmitted to the Governor . . . . .	1174
<b>H.B. 396</b> — SPEECH–LANGUAGE PATHOLOGY AND AUDIOLOGY LICENSING ACT AMENDMENTS ( <i>D. Ipson</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	679
Assigned to standing committee . . . . .	773
Substituted . . . . .	856
Amendments . . . . .	856
Read the second time . . . . .	857
Returned to Rules Committee . . . . .	912
Placed on calendar . . . . .	921
Read the third time . . . . .	988
Transmitted to the Senate . . . . .	988
Signed by the Speaker and transmitted to the Governor . . . . .	1085
<b>H.B. 397</b> — MEDICAID PROGRAM AMENDMENTS ( <i>J. Dougall</i> )	
Assigned to standing committee . . . . .	792
Read the first time by short title and referred to the Rules Committee. . . . .	806
Substituted . . . . .	868
Amendments . . . . .	868
Read the second time . . . . .	869
Returned to Rules Committee . . . . .	912
Placed on calendar . . . . .	920
Read the third time . . . . .	960
Substituted . . . . .	960
Amendments . . . . .	960
Transmitted to the Senate . . . . .	963
Placed on Concurrence Calendar . . . . .	1028
Concurrence . . . . .	1057
Signed by the Speaker and transmitted to the Governor . . . . .	1088
Enacting Clause Stricken . . . . .	1225
<b>H.B. 398</b> — SEXUALLY ORIENTED BUSINESS LICENSE AMENDMENTS ( <i>F.J. Seegmiller</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	403
Assigned to standing committee . . . . .	470
Read the second time . . . . .	591
Read the third time . . . . .	684
Amendments . . . . .	684
Transmitted to the Senate . . . . .	686
Signed by the Speaker and transmitted to the Governor . . . . .	1167

<b>H.B. 399</b> — COMMON INTEREST OWNERSHIP AMENDMENTS ( <i>G. Froerer</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	616
Assigned to standing committee . . . . .	689
Returned to Rules Committee . . . . .	802
Enacting Clause Stricken . . . . .	1225
<b>H.B. 401</b> — RESIDENTIAL FACILITIES FOR ELDERLY PERSONS ( <i>B. Daw</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	377
Assigned to standing committee . . . . .	471
Read the second time . . . . .	575
Read the third time . . . . .	683
Transmitted to the Senate . . . . .	684
Enacting Clause Stricken . . . . .	1221
<b>H.B. 402</b> — DEPARTMENT OF ADMINISTRATIVE SERVICES MODIFICATIONS ( <i>S. Clark</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	525
Assigned to standing committee . . . . .	579
Read the second time . . . . .	636
Read the third time . . . . .	734
Transmitted to the Senate . . . . .	734
Signed by the Speaker and transmitted to the Governor . . . . .	1027
<b>H.B. 404</b> — MOTOR VEHICLE BUSINESS AMENDMENTS ( <i>D. Ipson</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	587
Assigned to standing committee . . . . .	690
Substituted . . . . .	758
Read the second time . . . . .	759
Read the third time . . . . .	808
Amendments . . . . .	808
Transmitted to the Senate . . . . .	809
Placed on Concurrence Calendar . . . . .	1116
Concurrence . . . . .	1119
Signed by the Speaker and transmitted to the Governor . . . . .	1151
<b>H.B. 406</b> — STATE FAIR PARK AMENDMENTS ( <i>J. Gowans</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	430
Assigned to standing committee . . . . .	579
Amendments . . . . .	635
Read the second time . . . . .	636
Read the third time . . . . .	727
Transmitted to the Senate . . . . .	728
Concurrence . . . . .	1198
Signed by the Speaker and transmitted to the Governor . . . . .	1219
<b>H.B. 407</b> — OBLIGATIONS SECURED BY TRUST DEEDS ( <i>G. Hughes</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	696
Assigned to standing committee . . . . .	773
Returned to Rules Committee . . . . .	886
Enacting Clause Stricken . . . . .	1225



<b>H.B. 408</b> — HOSPITAL CLAIMS MANAGEMENT ( <i>B. Last</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	473
Assigned to standing committee . . . . .	599
Substituted . . . . .	801
Amendments . . . . .	801
Read the second time . . . . .	801
Returned to Rules Committee . . . . .	912
Placed on calendar . . . . .	920
Read the third time . . . . .	951
Transmitted to the Senate . . . . .	952
Signed by the Speaker and transmitted to the Governor . . . . .	1027
<b>H.B. 409</b> — CIVIL ACTION FOR DAMAGES RELATED TO ADDICTION FROM ILLEGAL DRUG SALE ( <i>C. Herrad</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	403
Assigned to standing committee . . . . .	599
Amendments . . . . .	675
Read the second time . . . . .	676
Read the third time . . . . .	766
Circled . . . . .	766
Uncircled . . . . .	770
Amendments . . . . .	770
Transmitted to the Senate . . . . .	771
Signed by the Speaker and transmitted to the Governor . . . . .	1187
<b>H.B. 411</b> — PUBLIC UTILITY MODIFICATIONS ( <i>J. Anderson</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	454
Assigned to standing committee . . . . .	550
Returned to Rules Committee . . . . .	885
Enacting Clause Stricken . . . . .	1225
<b>H.B. 417</b> — DEER HUNT AMENDMENTS ( <i>K. Powell</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	552
Assigned to standing committee . . . . .	690
Returned to Rules Committee . . . . .	884
Enacting Clause Stricken . . . . .	1225
<b>H.B. 418</b> — FINAL JUDGMENTS THAT AFFECT THE OWNERSHIP OF OR TITLE TO REAL PROPERTY ( <i>K. Powell</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	696
Enacting Clause Stricken . . . . .	1225
<b>H.B. 419</b> — ALCOHOLIC BEVERAGE CONTROL AND SIGNAGE AT STATE STORES ( <i>K. Powell</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	359
Assigned to standing committee . . . . .	471
Amendments . . . . .	636
Read the second time . . . . .	637
Read the third time . . . . .	735
Transmitted to the Senate . . . . .	735
Signed by the Speaker and transmitted to the Governor . . . . .	1151

<b>H.B. 421</b> — MEDICAL FINANCIAL RECORDS AMENDMENTS ( <i>B. Last</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	501
Assigned to standing committee . . . . .	632
Read the second time . . . . .	801
Returned to Rules Committee . . . . .	912
Placed on calendar . . . . .	920
Read the third time . . . . .	958
Amendments . . . . .	958
Transmitted to the Senate . . . . .	959
Placed on Concurrence Calendar . . . . .	1148
Concurrence . . . . .	1161
Signed by the Speaker and transmitted to the Governor . . . . .	1176
<b>H.B. 422</b> — LIVESTOCK ON HIGHWAYS ( <i>P. Painter</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	525
Assigned to standing committee . . . . .	633
Returned to Rules Committee . . . . .	884
Enacting Clause Stricken . . . . .	1225
<b>H.B. 424</b> — OPERATION OF BICYCLES AND MOPEDS ON ROADWAYS ( <i>J. Anderson</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	616
Assigned to standing committee . . . . .	773
Returned to Rules Committee . . . . .	889
Enacting Clause Stricken . . . . .	1225
<b>H.B. 425</b> — BUDGETARY PROCEDURES ACT – FEE AMENDMENTS ( <i>R. Bigelow</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	679
Assigned to standing committee . . . . .	720
Substituted . . . . .	795
Read the second time . . . . .	795
Returned to Rules Committee . . . . .	912
Placed on calendar . . . . .	920
Read the third time . . . . .	948
Circled . . . . .	948
Uncircled . . . . .	950
Transmitted to the Senate . . . . .	951
Placed on Concurrence Calendar . . . . .	1152
Concurrence . . . . .	1160
Signed by the Speaker and transmitted to the Governor . . . . .	1176
<b>H.B. 426</b> — BAIL BOND LICENSEE REPRESENTATION AMENDMENTS ( <i>S. Sandstrom</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	359
Assigned to standing committee . . . . .	426
Read the second time . . . . .	540
Read the third time . . . . .	617
Transmitted to the Senate . . . . .	618
Placed on Concurrence Calendar . . . . .	1188
Concurrence . . . . .	1195
Signed by the Speaker and transmitted to the Governor . . . . .	1219

<b>H.B. 428</b> — NONRESIDENT TUITION AMENDMENTS ( <i>R. Greenwood</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	552
Assigned to standing committee . . . . .	772
Returned to Rules Committee . . . . .	882
Enacting Clause Stricken . . . . .	1225
<b>H.B. 429</b> — NEWSPAPER PUBLICATION REQUIREMENTS ( <i>J. Anderson</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	616
Assigned to standing committee . . . . .	772
Read the second time . . . . .	847
Returned to Rules Committee . . . . .	912
Placed on calendar . . . . .	921
Read the third time . . . . .	967
Amendments . . . . .	967
Transmitted to the Senate . . . . .	969
Failed in Senate . . . . .	1028
Enacting Clause Stricken . . . . .	1225
<b>H.B. 431</b> — IDENTITY VERIFICATION BY DEPARTMENT OF COMMERCE ( <i>M. Morley</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	525
Assigned to standing committee . . . . .	578
Read the second time . . . . .	667
Read the third time . . . . .	780
Transmitted to the Senate . . . . .	781
Signed by the Speaker and transmitted to the Governor . . . . .	1053
<b>H.B. 432</b> — HATE CRIME AMENDMENTS ( <i>S. Sandstrom</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	601
Enacting Clause Stricken . . . . .	1225
<b>H.B. 433</b> — FOREIGN EXCHANGE STUDENT AMENDMENTS ( <i>C. Wimmer</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	601
Assigned to standing committee . . . . .	720
Read the second time . . . . .	802
Returned to Rules Committee . . . . .	912
Placed on calendar . . . . .	920
Read the third time . . . . .	964
Transmitted to the Senate . . . . .	965
Signed by the Speaker and transmitted to the Governor . . . . .	1187
<b>H.B. 435</b> — DIXIE STATE COLLEGE – NONPROFIT ENTITIES ( <i>D. Ipson</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	525
Assigned to standing committee . . . . .	579
Read the second time . . . . .	637
Read the third time . . . . .	728
Transmitted to the Senate . . . . .	729
Signed by the Speaker and transmitted to the Governor . . . . .	1135
<b>H.B. 436</b> — STATE OFFICERS' SALARY AMENDMENTS ( <i>N. Hansen</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	697
Enacting Clause Stricken . . . . .	1225

<b>H.B. 437</b> — PHLEBOTOMY CERTIFICATION ACT ( <i>F.J. Seegmiller</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	403
Assigned to standing committee . . . . .	498
Read the second time . . . . .	593
Read the third time . . . . .	690
Circled . . . . .	690
Uncircled . . . . .	731
Amendments . . . . .	731
Failed . . . . .	733
Enacting Clause Stricken . . . . .	1225
<b>H.B. 438</b> — TRANSPORTATION MODIFICATIONS ( <i>R. Lockhart</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	1087
Read the second time . . . . .	1104
Read the third time . . . . .	1104
Transmitted to the Senate . . . . .	1105
Signed by the Speaker and transmitted to the Governor . . . . .	1187
<b>H.B. 440</b> — VETERANS' NURSING HOME REIMBURSEMENT RESTRICTED ACCOUNT ( <i>R. Bigelow</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	1089
Read the second time . . . . .	1095
Read the third time . . . . .	1105
Transmitted to the Senate . . . . .	1105
Placed on Concurrence Calendar . . . . .	1152
Refuse to Concur . . . . .	1161
Conference Committee appointed . . . . .	1187
Substituted . . . . .	1210
Joint Conference Committee Report . . . . .	1211
Signed by the Speaker and transmitted to the Governor . . . . .	1219
<b>H.B. 445</b> — HIGHWAY ACCESS TO SOVEREIGN LANDS ( <i>R. Barrus</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	696
Assigned to standing committee . . . . .	772
Returned to Rules Committee . . . . .	884
Enacting Clause Stricken . . . . .	1225
<b>H.B. 448</b> — RETIREMENT DISABILITY AMENDMENTS ( <i>S. Duckworth</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	651
Enacting Clause Stricken . . . . .	1225
<b>H.B. 450</b> — FISHING LICENSE AMENDMENTS – DISABLED VETERANS ( <i>T. Cosgrove</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	601
Assigned to standing committee . . . . .	690
Read the second time . . . . .	760
Read the third time . . . . .	861
Transmitted to the Senate . . . . .	861
Placed on Concurrence Calendar . . . . .	1086
Concurrence . . . . .	1093
Signed by the Speaker and transmitted to the Governor . . . . .	1115

<b>H.B. 452</b> — COLLECTION FEES ( <i>S. Sandstrom</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	697
Assigned to standing committee . . . . .	719 , 772
Read the second time . . . . .	857
Returned to Rules Committee . . . . .	912
Placed on calendar . . . . .	921
Read the third time . . . . .	988
Transmitted to the Senate . . . . .	989
Placed on Concurrence Calendar . . . . .	1175
Concurrence . . . . .	1192
Signed by the Speaker and transmitted to the Governor . . . . .	1219
<b>H.B. 454</b> — MATERNITY LEAVE FOR SCHOOL EMPLOYEES ( <i>Janice Fisher</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	601
Assigned to standing committee . . . . .	689
Returned to Rules Committee . . . . .	881
Enacting Clause Stricken . . . . .	1225
<b>H.B. 456</b> — AMENDMENTS TO DEPARTMENT OF ENVIRONMENTAL QUALITY ( <i>R. Edwards</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	377
Assigned to standing committee . . . . .	498
Amendments . . . . .	668
Read the second time . . . . .	669
Read the third time . . . . .	763
Circled . . . . .	763
Uncircled . . . . .	769
Transmitted to the Senate . . . . .	770
Enacting Clause Stricken . . . . .	1221
<b>H.B. 459</b> — HEALTH AMENDMENTS ( <i>D. Clark</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	721
Assigned to standing committee . . . . .	792
Substituted . . . . .	869
Amendments . . . . .	869
Read the second time . . . . .	869
Returned to Rules Committee . . . . .	912
Placed on calendar . . . . .	920
Read the third time . . . . .	959
Amendments . . . . .	959
Transmitted to the Senate . . . . .	960
Placed on Concurrence Calendar . . . . .	1037
Concurrence . . . . .	1057
Signed by the Speaker and transmitted to the Governor . . . . .	1088
<b>H.B. 460</b> — BOARD OF REGENTS AMENDMENTS ( <i>B. Dee</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	763
Assigned to standing committee . . . . .	773 , 791
Read the second time . . . . .	854
Returned to Rules Committee . . . . .	912
Placed on calendar . . . . .	921
Read the third time . . . . .	987
Circled . . . . .	988
Enacting Clause Stricken . . . . .	1225

**H.B. 461** — CHILDREN’S HEALTH INSURANCE PROGRAM (*J. Dougall*)

- Read the first time by short title and referred to the Rules Committee. . . . . 909
- Read the second time . . . . . 921
- Read the third time . . . . . 992
- Transmitted to the Senate . . . . . 993
- Signed by the Speaker and transmitted to the Governor . . . . . 1187

**H.B. 462** — CRIMINAL HOMICIDE AND ABORTION REVISIONS (*C. Wimmer*)

- Read the first time by short title and referred to the Rules Committee. . . . . 909
- Read the second time . . . . . 921
- Read the third time . . . . . 933
- Transmitted to the Senate . . . . . 934
- Signed by the Speaker and transmitted to the Governor . . . . . 953

**H.B. 463** — DIVIDED SCHOOL DISTRICT PROPERTY TAX AMENDMENTS (*E. Hutchings*)

- Read the first time by short title and referred to the Rules Committee. . . . . 1001
- Read the second time . . . . . 1006
- Read the third time . . . . . 1009
- Transmitted to the Senate . . . . . 1010
- Enacting Clause Stricken . . . . . 1221

**H.B. 464** — FAMILY HEALTH SERVICES RFPS – TOBACCO SETTLEMENT FUNDS  
(*J. Dougall*)

- Read the first time by short title and referred to the Rules Committee. . . . . 1001
- Read the second time . . . . . 1006
- Read the third time . . . . . 1020
- Amendments . . . . . 1020 , 1045
- Circled . . . . . 1020
- Uncircled . . . . . 1044
- Transmitted to the Senate . . . . . 1046
- Signed by the Speaker and transmitted to the Governor . . . . . 1135

<b>H.C.R. 1</b> — CONCURRENT RESOLUTION ON INTERNATIONAL TRADE AND STATE GOVERNMENTS ( <i>S. Allen</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	46
Read the second time . . . . .	57
Read the third time . . . . .	134
Transmitted to the Senate . . . . .	135
Signed by the Speaker and transmitted to the Governor . . . . .	715
<b>H.C.R. 2</b> — CONCURRENT RESOLUTION ON STATES' RIGHTS ( <i>Julie Fisher</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	46
Assigned to standing committee . . . . .	213
Substituted . . . . .	423
Read the second time . . . . .	425
Read the third time . . . . .	534
Transmitted to the Senate . . . . .	535
Signed by the Speaker and transmitted to the Governor . . . . .	1027
<b>H.C.R. 3</b> — ITALIAN–AMERICAN HERITAGE MONTH CONCURRENT RESOLUTION ( <i>C. Watkins</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	46
Assigned to standing committee . . . . .	85
Amendments . . . . .	187
Read the second time . . . . .	188
Time Certain . . . . .	188
Read the third time . . . . .	251
Transmitted to the Senate . . . . .	252
Placed on Concurrence Calendar . . . . .	524
Concurrence . . . . .	558
Signed by the Speaker and transmitted to the Governor . . . . .	587
<b>H.C.R. 4</b> — VETERANS FREEDOM MEMORIAL CONCURRENT RESOLUTION ( <i>G. Hughes</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	430
Assigned to standing committee . . . . .	579
Read the second time . . . . .	636
Read the third time . . . . .	728, 786
Placed on calendar . . . . .	728
Circled . . . . .	786
Uncircled . . . . .	799
Transmitted to the Senate . . . . .	800
Signed by the Speaker and transmitted to the Governor . . . . .	1167
<b>H.C.R. 5</b> — CONCURRENT RESOLUTION RECOGNIZING THE 100TH ANNIVERSARY OF THE BOY SCOUTS OF AMERICA ( <i>B. Daw</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	46
Read the second time . . . . .	84
Time Certain . . . . .	84
Read the third time . . . . .	288
Transmitted to the Senate . . . . .	289
Signed by the Speaker and transmitted to the Governor . . . . .	306

**H.C.R. 6** — STOCKTON BAR GEOLOGIC FORMATION CONCURRENT RESOLUTION  
*(R. Menlove)*  
 Read the first time by short title and referred to the Rules Committee. . . . . 46  
 Assigned to standing committee . . . . . 85  
 Returned to Rules Committee . . . . . 884  
 Enacting Clause Stricken . . . . . 1225

**H.C.R. 7** — CREDIT SCORES CONCURRENT RESOLUTION *(D. Aagard)*  
 Read the first time by short title and referred to the Rules Committee. . . . . 242  
 Assigned to standing committee . . . . . 328  
 Amendments . . . . . 419  
 Read the second time . . . . . 419  
 Read the third time . . . . . 520  
 Circled . . . . . 520  
 Uncircled . . . . . 607  
 Amendments . . . . . 607  
 Transmitted to the Senate . . . . . 608  
 Signed by the Speaker and transmitted to the Governor . . . . . 1027

**H.C.R. 8** — CONCURRENT RESOLUTION ON FEDERAL HEALTH CARE REFORM *(D. Clark)*  
 Read the first time by short title and referred to the Rules Committee. . . . . 65  
 Assigned to standing committee . . . . . 147  
 Amendments . . . . . 282  
 Read the second time . . . . . 286  
 Read the third time . . . . . 408  
 Transmitted to the Senate . . . . . 409  
 Signed by the Speaker and transmitted to the Governor . . . . . 715

**H.C.R. 9** — AUTISM, DISABILITIES, AND FAITH CONCURRENT RESOLUTION *(R. Menlove)*  
 Read the first time by short title and referred to the Rules Committee. . . . . 263  
 Assigned to standing committee . . . . . 328  
 Amendments . . . . . 398  
 Read the second time . . . . . 399  
 Read the third time . . . . . 475  
 Transmitted to the Senate . . . . . 475  
 Signed by the Speaker and transmitted to the Governor . . . . . 740

**H.C.R. 11** — TAIWAN CONCURRENT RESOLUTION *(R. Lockhart)*  
 Read the first time by short title and referred to the Rules Committee. . . . . 404  
 Read the second time . . . . . 467  
 Read the third time . . . . . 581  
 Circled . . . . . 581  
 Uncircled . . . . . 628  
 Amendments . . . . . 628  
 Transmitted to the Senate . . . . . 630  
 Signed by the Speaker and transmitted to the Governor . . . . . 650



<b>H.C.R. 12</b> — PRINTING AND GRAPHIC ARTS RECOGNITION MONTH CONCURRENT RESOLUTION ( <i>B. Daw</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	404
Assigned to standing committee . . . . .	472
Read the second time . . . . .	542
Read the third time . . . . .	618
Transmitted to the Senate . . . . .	619
Signed by the Speaker and transmitted to the Governor . . . . .	945
<b>H.C.R. 13</b> — CONCURRENT RESOLUTION ON PROVIDING CONTINUING FEDERAL FINANCIAL ASSISTANCE FOR THE DELIVERY OF BASIC SERVICES TO DUTCH JOHN, UTAH ( <i>M. Brown</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	378
Assigned to standing committee . . . . .	472
Read the second time . . . . .	542
Read the third time . . . . .	619
Transmitted to the Senate . . . . .	620
Signed by the Speaker and transmitted to the Governor . . . . .	1151
<b>H.C.R. 14</b> — R.S. 2477 HISTORIC ROADS CONCURRENT RESOLUTION ( <i>M. Noel</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	552
Assigned to standing committee . . . . .	633
Read the second time . . . . .	678
Read the third time . . . . .	783
Transmitted to the Senate . . . . .	784
Placed on Concurrence Calendar . . . . .	1148
Concurrence . . . . .	1157
Signed by the Speaker and transmitted to the Governor . . . . .	1174
<b>H.C.R. 15</b> — RESOLUTION TO THE SECRETARY OF TRANSPORTATION ON REVOCATION OF DRIVER LICENSES ( <i>R. Lockhart</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	455
Assigned to standing committee . . . . .	579
Read the second time . . . . .	677
Read the third time . . . . .	766
Circled . . . . .	766
Uncircled . . . . .	768
Transmitted to the Senate . . . . .	768
Signed by the Speaker and returned to the Senate . . . . .	1054
<b>H.C.R. 16</b> — STATUE OF RESPONSIBILITY MONUMENT CONCURRENT RESOLUTION ( <i>M. Morley</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	601
Assigned to standing committee . . . . .	632
Read the second time . . . . .	801
Time Certain . . . . .	819
Read the third time . . . . .	939
Transmitted to the Senate . . . . .	940
Signed by the Speaker and transmitted to the Governor . . . . .	954

<b>H.C.R. 17</b> — CONCURRENT RESOLUTION OPPOSING THE USE OF PRESIDENTIAL POWER TO CREATE NEW NATIONAL MONUMENTS IN UTAH ( <i>M. Noel</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	679
Assigned to standing committee . . . . .	773
Amendments . . . . .	850
Read the second time . . . . .	852
Returned to Rules Committee . . . . .	912
Placed on calendar . . . . .	921
Read the third time . . . . .	987
Circled . . . . .	987
Uncircled . . . . .	989
Transmitted to the Senate . . . . .	990
Signed by the Speaker and transmitted to the Governor . . . . .	1175
<b>H.C.R. 18</b> — WORKFORCE NEEDS CONCURRENT RESOLUTION ( <i>B. Dee</i> )	
Read the first time by short title and referred to the Rules Committee . . . . .	956
Read the second time . . . . .	972
Read the third time . . . . .	1003
Transmitted to the Senate . . . . .	1004
Signed by the Speaker and transmitted to the Governor . . . . .	1088
<b>H.C.R. 19</b> — GENERAL MOTORS CONCURRENT RESOLUTION ( <i>M. Brown</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	1029
Read the second time . . . . .	1029
Enacting Clause Stricken . . . . .	1225

<b>H.J.R. 1</b> — JOINT RESOLUTION AMENDING PROVISION ON MUNICIPAL WATER RIGHTS ( <i>K. McIff</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	46
Assigned to standing committee . . . . .	305
Returned to Rules Committee . . . . .	884
Enacting Clause Stricken . . . . .	1225
<b>H.J.R. 2</b> — JOINT RESOLUTION ON PROPERTY TAX EXEMPTION FOR WATER FACILITIES ( <i>P. Painter</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	46
Assigned to standing committee . . . . .	55
Read the second time . . . . .	144
Read the third time . . . . .	221
Circled . . . . .	221
Uncircled . . . . .	314
Transmitted to the Senate . . . . .	315
Signed by the Speaker and transmitted to the Governor . . . . .	671
<b>H.J.R. 3</b> — JOINT RESOLUTION ON TEACHER PERFORMANCE PAY ( <i>M. Poulson</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	47
Assigned to standing committee . . . . .	213
Amendments . . . . .	288
Read the second time . . . . .	288
Read the third time . . . . .	443
Transmitted to the Senate . . . . .	444
Signed by the Speaker and transmitted to the Governor . . . . .	715
<b>H.J.R. 4</b> — JOINT RESOLUTION URGING AN END TO THE U.S. MILITARY'S DON'T ASK, DON'T TELL POLICY ( <i>C. Johnson</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	47
Enacting Clause Stricken . . . . .	1225
<b>H.J.R. 5</b> — JOINT RESOLUTION ON CLEAN AIR ( <i>C. Moss</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	97
Assigned to standing committee . . . . .	147
Read the second time . . . . .	238
Read the third time . . . . .	320
Circled . . . . .	320
Time Certain . . . . .	342
Uncircled . . . . .	435
Amendments . . . . .	435
Transmitted to the Senate . . . . .	437
Signed by the Speaker and transmitted to the Governor . . . . .	634
<b>H.J.R. 6</b> — STRANGULATION AND DOMESTIC VIOLENCE JOINT RESOLUTION ( <i>J. Seelig</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	199
Assigned to standing committee . . . . .	240
Read the second time . . . . .	353
Read the third time . . . . .	405
Transmitted to the Senate . . . . .	406
Signed by the Speaker and transmitted to the Governor . . . . .	915

<b>H.J.R. 7</b> — JOINT RESOLUTION PROHIBITING PROPERTY TRANSFER TAX ( <i>G. Froerer</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	47
Assigned to standing committee . . . . .	86
Returned to Rules Committee . . . . .	886
Enacting Clause Stricken . . . . .	1225
<b>H.J.R. 8</b> — JOINT RULES RESOLUTION ON THE SELECTION OF ETHICS COMMITTEE	
MEMBERS ( <i>N. Hansen</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	47
Enacting Clause Stricken . . . . .	1226
<b>H.J.R. 9</b> — RESOLUTION IN SUPPORT OF VETERANS' NURSING HOME ( <i>C. Oda</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	47
Substituted . . . . .	277
Assigned to committee . . . . .	277
Read the second time . . . . .	325
Read the third time . . . . .	464
Amendments . . . . .	464
Transmitted to the Senate . . . . .	466
Signed by the Speaker and transmitted to the Governor . . . . .	715
<b>H.J.R. 10</b> — JOINT RESOLUTION OPPOSING THE ESTABLISHMENT OF A FEDERAL COMMISSION ON STATE WORKERS' COMPENSATION LAWS ( <i>M. Morley</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	47
Assigned to standing committee . . . . .	85
Read the second time . . . . .	168
Read the third time . . . . .	236
Transmitted to the Senate . . . . .	236
Signed by the Speaker and transmitted to the Governor . . . . .	500
<b>H.J.R. 11</b> — JOINT RESOLUTION REGARDING FEDERAL HEALTH INSURANCE REFORM ( <i>M. Morley</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	65
Assigned to standing committee . . . . .	147
Read the second time . . . . .	209
Read the third time . . . . .	297
Transmitted to the Senate . . . . .	298
Signed by the Speaker and transmitted to the Governor . . . . .	524
<b>H.J.R. 12</b> — CLIMATE CHANGE JOINT RESOLUTION ( <i>K. Gibson</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	65
Assigned to standing committee . . . . .	147
Read the second time . . . . .	255
Read the third time . . . . .	332
Amendments . . . . .	332
Transmitted to the Senate . . . . .	333
Signed by the Speaker and transmitted to the Governor . . . . .	715

<b>H.J.R. 13</b> — RECOGNITION OF COMMUNITY COUNCILS AND THE ASSOCIATION OF COMMUNITY COUNCILS TOGETHER JOINT RESOLUTION ( <i>S. Duckworth</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	131
Assigned to standing committee . . . . .	171
Read the second time . . . . .	193
Time Certain . . . . .	244
Read the third time . . . . .	510
Transmitted to the Senate . . . . .	511
Signed by the Speaker and transmitted to the Governor . . . . .	726
<b>H.J.R. 14</b> — JOINT RULES RESOLUTION ON FINANCIAL DISCLOSURES ( <i>G. Hughes</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	161
Assigned to standing committee . . . . .	170
Read the second time . . . . .	208
Read the third time . . . . .	211
Circled . . . . .	211
Uncircled . . . . .	245
Transmitted to the Senate . . . . .	246
Signed by the Speaker and transmitted to the Governor . . . . .	915
<b>H.J.R. 15</b> — JOINT RESOLUTION ON LEGISLATIVE ETHICS COMMISSION ( <i>D. Clark</i> )	
Read the first time by short title and referred to the Rules Committee. . . . .	161
Assigned to standing committee . . . . .	170
Read the second time . . . . .	208
Read the third time . . . . .	212
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Read the second time	1007
Read the third time	1033
Amendments	1033
Returned to the Senate	1035
Signed by the Speaker and returned to the Senate	1086
<b>S.B. 47</b> — ELECTRICAL UTILITY AMENDMENTS – EFFICIENCY AND CONSERVATION TARIFF ( <i>K. Van Tassell</i> )	
Read the first time by short title and referred to Rules Committee	1087
Read the second time	1114
Read the third time	1163
Signed by the Speaker and returned to the Senate	1164

<b>S.B. 48</b> — NONLAPSING AUTHORITY TECHNICAL AMENDMENTS ( <i>R. Okerlund</i> )	
Read the first time by short title and referred to Rules Committee	329
Assigned to standing committee	357
Read the second time	426
Read the third time	526
Signed by the Speaker and returned to the Senate	527
Recall from Senate	721
Placed on calendar	741
Reconsideration	829
Substituted	829
Circled	830
Uncircled	836
Returned to the Senate	837
Signed by the Speaker and returned to the Senate	915
<b>S.B. 50</b> — VICTIMS' RIGHTS REVISIONS ( <i>J. S. Adams</i> )	
Read the first time by short title and referred to Rules Committee	429
Assigned to standing committee	471
Read the second time	570
Read the third time	624
Circled	625
Uncircled	638
Signed by the Speaker and returned to the Senate	639
<b>S.B. 51</b> — BIOPROSPECTING ( <i>L. Hillyard</i> )	
Read the first time by short title and referred to Rules Committee	763
Assigned to standing committee	773
Read the second time	852
Read the third time	974
Signed by the Speaker and returned to the Senate	975
<b>S.B. 52</b> — STATE BOARD OF REGENTS AMENDMENTS ( <i>D. Stowell</i> )	
Read the first time by short title and referred to Rules Committee	860
Read the second time	871, 1007
Read the third time	919, 1081
Amendments	920
Circled	920
Substituted	1081
Uncircled	1004
Returned to Rules Committee	1004
Amendments	1082
Returned to the Senate	1084
Signed by the Speaker and returned to the Senate	1136
<b>S.B. 53</b> — VOTER CHALLENGE REVISIONS ( <i>P. Knudson</i> )	
Read the first time by short title and referred to Rules Committee	329
Assigned to standing committee	356
Amendments	424
Read the second time	425
Read the third time	441
Returned to the Senate	442
Signed by the Speaker and returned to the Senate	495

<b>S.B. 55</b> — AUTHORIZATION OF CHARTER SCHOOLS BY HIGHER EDUCATION INSTITUTIONS ( <i>J. S. Adams</i> )	
Read the first time by short title and referred to Rules Committee	355
Assigned to standing committee	471
Amendments	591
Read the second time	593
Read the third time	639
Amendments	639
Returned to the Senate	641
Signed by the Speaker and returned to the Senate	716
<b>S.B. 56</b> — SCHOOL REPORTING AMENDMENTS ( <i>K. Morgan</i> )	
Read the first time by short title and referred to Rules Committee	358
Assigned to standing committee	579
Returned to Rules Committee	881
Read the second time	1007
Read the third time	1031
Signed by the Speaker and returned to the Senate	1032
<b>S.B. 57</b> — LOCAL SCHOOL BOARD BUDGET PROCEDURES ( <i>D. Stowell</i> )	
Read the first time by short title and referred to Rules Committee	358
Assigned to standing committee	375
Read the second time	448
Read the third time	481
Signed by the Speaker and returned to the Senate	482
<b>S.B. 58</b> — TRANSPORTATION EXPENSES FOR DEFENDANTS ( <i>J. S. Adams</i> )	
Read the first time by short title and referred to Rules Committee	402
Assigned to standing committee	427
Read the second time	571
Read the third time	627
Signed by the Speaker and returned to the Senate	628
<b>S.B. 59</b> — AT-RISK STUDENT PROVISIONS ( <i>L. Robles</i> )	
Read the first time by short title and referred to Rules Committee	780
Read the second time	871, 1007
Returned to Rules Committee	1004
Read the third time	1079
Signed by the Speaker and returned to the Senate	1079
<b>S.B. 60</b> — SEARCH AND RESCUE FUNDING ( <i>R. Okerlund</i> )	
Read the first time by short title and referred to Rules Committee	616
Assigned to standing committee	633
Read the second time	760
Read the third time	837
Circled	837
Uncircled	839
Signed by the Speaker and returned to the Senate	840

<b>S.B. 61</b> — SALES AND USE TAX EXEMPTION FOR A WEB SEARCH PORTAL ( <i>H. Stephenson</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	601
Assigned to standing committee . . . . .	690
Read the second time . . . . .	795 , 1130
Returned to Rules Committee . . . . .	795
Read the third time . . . . .	1132
Signed by the Speaker and returned to the Senate . . . . .	1133
<b>S.B. 62</b> — MOTOR VEHICLE INSURANCE COVERAGE AMENDMENTS ( <i>S. Urquhart</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	717
Assigned to standing committee . . . . .	772
Amendments . . . . .	848
Read the second time . . . . .	850 , 1007
Read the third time . . . . .	895 , 1072
Circled . . . . .	896 , 1072
Uncircled . . . . .	1004
Returned to Rules Committee . . . . .	1004
Uncircled . . . . .	1096
Substituted . . . . .	1096
Returned to the Senate . . . . .	1097
Intent Language . . . . .	1097
Signed by the Speaker and returned to the Senate . . . . .	1136
<b>S.B. 63</b> — NEW PUBLIC EMPLOYEES' TIER II CONTRIBUTORY RETIREMENT ACT ( <i>D. Liljenquist</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	550
Assigned to standing committee . . . . .	579
Amendments . . . . .	648
Read the second time . . . . .	649
Time Certain . . . . .	649
Read the third time . . . . .	704
Amendments . . . . .	704
Circled . . . . .	712
Uncircled . . . . .	712
Substituted . . . . .	712
Returned to the Senate . . . . .	713
Signed by the Speaker and returned to the Senate . . . . .	741
<b>S.B. 66</b> — PUBLIC SCHOOL EXTRACURRICULAR ACTIVITIES FOR HOME SCHOOL AND PRIVATE SCHOOL STUDENTS ( <i>M. Madsen</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	974
Read the second time . . . . .	1038
Read the third time . . . . .	1109
Amendments . . . . .	1109
Returned to the Senate . . . . .	1113
Refuse to Recede . . . . .	1137
Conference Committee may meet . . . . .	1149
Substituted . . . . .	1162
Conference Committee Report . . . . .	1162
Signed by the Speaker and returned to the Senate . . . . .	1188

**S.B. 67** — PUBLIC SAFETY SERVICES CROSSING STATE BORDERS (*L. Hillyard*)

- Read the first time by short title and referred to Rules Committee . . . . . 1001
- Read the second time . . . . . 1008
- Read the third time . . . . . 1014
- Signed by the Speaker and returned to the Senate . . . . . 1015

**S.B. 69** — COLLEGE OF EASTERN UTAH AFFILIATION WITH UTAH STATE UNIVERSITY  
(*D. Hinkins*)

- Read the first time by short title and referred to Rules Committee . . . . . 763
- Assigned to standing committee . . . . . 772
- Read the second time . . . . . 854
- Time Certain . . . . . 858
- Read the third time . . . . . 899
- Signed by the Speaker and returned to the Senate . . . . . 900
- Intent Language . . . . . 900

**S.B. 70** — MOTOR VEHICLE LIABILITY AMENDMENTS – MINOR DRIVERS (*S. Urquhart*)

- Read the first time by short title and referred to Rules Committee . . . . . 616
- Assigned to standing committee . . . . . 690
- Read the second time . . . . . 854
- Read the third time . . . . . 902
- Signed by the Speaker and returned to the Senate . . . . . 903

**S.B. 71** — SMALL BUSINESS ACCESS TO JUSTICE ACT (*R. Romero*)

- Read the first time by short title and referred to Rules Committee . . . . . 780
- Read the second time . . . . . 871 , 1007
- Returned to Rules Committee . . . . . 1004
- Read the third time . . . . . 1021
- Signed by the Speaker and returned to the Senate . . . . . 1022

**S.B. 73** — SALES AND USE TAX EXEMPTION RELATING TO AIRCRAFT (*C. Bramble*)

- Read the first time by short title and referred to Rules Committee . . . . . 616
- Read the second time . . . . . 872 , 1007
- Returned to Rules Committee . . . . . 1004
- Read the third time . . . . . 1080
- Signed by the Speaker and returned to the Senate . . . . . 1080

**S.B. 74** — STATE PARK HIGHWAY ACCESS AMENDMENTS (*D. Hinkins*)

- Read the first time by short title and referred to Rules Committee . . . . . 635
- Assigned to standing committee . . . . . 690
- Read the second time . . . . . 762
- Read the third time . . . . . 892
- Signed by the Speaker and returned to the Senate . . . . . 893

<b>S.B. 76</b> — TRUST DEED AMENDMENTS ( <i>J. Valentine</i> )	
Read the first time by short title and referred to Rules Committee	402
Assigned to standing committee	426
Read the second time	540
Read the third time	624
Signed by the Speaker and returned to the Senate	624
Reconsideration	645
Circled	645
Uncircled	828
Substituted	829
Returned to the Senate	829
Refuse to Recede	911
Other Action	937
Amendments	955
Signed by the Speaker and returned to the Senate	999
<b>S.B. 77</b> — SCHOOL DISTRICT LEAVE POLICIES ( <i>M. Dayton</i> )	
Read the first time by short title and referred to Rules Committee	822
Read the second time	871, 1007
Returned to Rules Committee	1004
Read the third time	1022
Amendments	1023
Failed	1026
Returned to the Senate	1026
<b>S.B. 78</b> — CONSTITUTIONAL REVISION COMMISSION DUTIES ( <i>J. Valentine</i> )	
Read the first time by short title and referred to Rules Committee	145
Assigned to standing committee	171
Read the second time	228
Read the third time	341
Signed by the Speaker and returned to the Senate	341
<b>S.B. 79</b> — FRAUDULENT TRANSFER AMENDMENTS ( <i>J. Valentine</i> )	
Read the first time by short title and referred to Rules Committee	145
Assigned to standing committee	171
Read the second time	228
Read the third time	290
Signed by the Speaker and returned to the Senate	291
<b>S.B. 81</b> — EMINENT DOMAIN AMENDMENTS ( <i>L. Hillyard</i> )	
Read the first time by short title and referred to Rules Committee	635
Assigned to standing committee	689
Returned to Rules Committee	877
Read the second time	1007
Read the third time	1020
Signed by the Speaker and returned to the Senate	1021
<b>S.B. 82</b> — PASSENGER ROPEWAY SYSTEMS ACT AMENDMENTS ( <i>A. Christensen</i> )	
Read the first time by short title and referred to Rules Committee	166
Assigned to standing committee	196
Read the second time	229
Read the third time	342
Signed by the Speaker and returned to the Senate	342



**S.B. 83** — BAIL BOND RECOVERY AMENDMENTS (*J. Greiner*)

- Read the first time by short title and referred to Rules Committee . . . . . 166
- Assigned to standing committee . . . . . 196
- Returned to Rules Committee . . . . . 452
- Enacting Clause Stricken . . . . . 1226

**S.B. 84** — SPECIAL SERVICE DISTRICT AMENDMENTS (*D. Hinkins*)

- Read the first time by short title and referred to Rules Committee . . . . . 190
- Assigned to standing committee . . . . . 213
- Read the second time . . . . . 326
- Read the third time . . . . . 350
- Signed by the Speaker and returned to the Senate . . . . . 351

**S.B. 85** — UTAH CONSTRUCTION TRADE LICENSING ACT AMENDMENTS (*S. Jenkins*)

- Read the first time by short title and referred to Rules Committee . . . . . 279
- Assigned to standing committee . . . . . 304
- Read the second time . . . . . 339
- Read the third time . . . . . 364
- Circled . . . . . 364, 366
- Uncircled . . . . . 366, 625
- Amendments . . . . . 366, 625
- Returned to the Senate . . . . . 627
- Signed by the Speaker and returned to the Senate . . . . . 671

**S.B. 88** — PHARMACY PRACTICE ACT AMENDMENTS (*C. Bramble*)

- Read the first time by short title and referred to Rules Committee . . . . . 279
- Assigned to standing committee . . . . . 689
- Substituted . . . . . 757
- Read the second time . . . . . 757
- Returned to Rules Committee . . . . . 757
- Placed on calendar . . . . . 792
- Read the third time . . . . . 843
- Returned to the Senate . . . . . 844
- Signed by the Speaker and returned to the Senate . . . . . 915

**S.B. 89** — LEGAL NOTICE AMENDMENTS (*S. Urquhart*)

- Read the first time by short title and referred to Rules Committee . . . . . 601
- Assigned to standing committee . . . . . 633
- Read the second time . . . . . 718, 1130
- Returned to Rules Committee . . . . . 718
- Read the third time . . . . . 1133
- Circled . . . . . 1133
- Uncircled . . . . . 1139
- Signed by the Speaker and returned to the Senate . . . . . 1139

<b>S.B. 90</b> — MENTAL HEALTH PROFESSIONAL PRACTICE ACT AMENDMENTS ( <i>L. Hillyard</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	329
Assigned to standing committee . . . . .	357
Amendments . . . . .	396
Read the second time . . . . .	398
Read the third time . . . . .	440
Returned to the Senate . . . . .	441
Refuse to Recede . . . . .	501
Other Action . . . . .	551
Substituted . . . . .	560
Conference Committee Report . . . . .	560
Signed by the Speaker and returned to the Senate . . . . .	600
<b>S.B. 91</b> — PROSECUTOR APPEALS ( <i>D. Liljenquist</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	166
Assigned to standing committee . . . . .	195
Read the second time . . . . .	228, 356
Returned to Rules Committee . . . . .	228
Read the third time . . . . .	432
Signed by the Speaker and returned to the Senate . . . . .	433
<b>S.B. 93</b> — GUBERNATORIAL APPOINTMENT POWERS AMENDMENTS ( <i>C. Bramble</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	211
Assigned to standing committee . . . . .	239
Amendments . . . . .	371
Read the second time . . . . .	372
Read the third time . . . . .	433
Returned to the Senate . . . . .	434
Signed by the Speaker and returned to the Senate . . . . .	495
<b>S.B. 95</b> — UTAH EDUCATIONAL SAVINGS PLAN AMENDMENTS ( <i>W. Niederhauser</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	166
Assigned to standing committee . . . . .	195
Read the second time . . . . .	237
Placed on calendar . . . . .	327
Returned to Rules Committee . . . . .	237
Read the third time . . . . .	351
Signed by the Speaker and returned to the Senate . . . . .	352
<b>S.B. 96</b> — UINTAH BASIN REVITALIZATION FUND AMENDMENTS ( <i>K. Van Tassell</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	260
Assigned to standing committee . . . . .	277
Read the second time . . . . .	339
Returned to Rules Committee . . . . .	339
Placed on calendar . . . . .	780
Read the third time . . . . .	840
Signed by the Speaker and returned to the Senate . . . . .	841

<b>S.B. 97</b> — FARMLAND ASSESSMENT ACT AMENDMENTS ( <i>D. Hinkins</i> )	
Read the first time by short title and referred to Rules Committee	190
Assigned to standing committee	213
Read the second time	354
Read the third time	406
Signed by the Speaker and returned to the Senate	407
<b>S.B. 100</b> — INCOME TAX CREDIT OR REFUND AMENDMENTS ( <i>C. Bramble</i> )	
Read the first time by short title and referred to Rules Committee	211
Assigned to standing committee	240
Read the second time	274
Read the third time	346
Signed by the Speaker and returned to the Senate	346
<b>S.B. 102</b> — RESTRICTING THE MOVEMENT OF A MOTOR VEHICLE ( <i>B. Goodfellow</i> )	
Read the first time by short title and referred to Rules Committee	429
Assigned to standing committee	471
Read the second time	595
Read the third time	642
Signed by the Speaker and returned to the Senate	642
<b>S.B. 103</b> — ADVERSE POSSESSION OF REAL PROPERTY ( <i>S. Urquhart</i> )	
Read the first time by short title and referred to Rules Committee	329
Assigned to standing committee	356
Read the second time	393
Read the third time	437
Signed by the Speaker and returned to the Senate	438
<b>S.B. 104</b> — RENEWABLE ENERGY MODIFICATIONS ( <i>S. Urquhart</i> )	
Read the first time by short title and referred to Rules Committee	358
Assigned to standing committee	375
Read the second time	454
Read the third time	483
Signed by the Speaker and returned to the Senate	484
<b>S.B. 105</b> — MOTOR VEHICLE ACCIDENT ARBITRATION AMENDMENTS ( <i>S. Urquhart</i> )	
Read the first time by short title and referred to Rules Committee	616
Assigned to standing committee	633
Read the second time	762
Read the third time	837
Signed by the Speaker and returned to the Senate	838
<b>S.B. 107</b> — LIEN AMENDMENTS ( <i>C. Bramble</i> )	
Read the first time by short title and referred to Rules Committee	429
Assigned to standing committee	471
Returned to Rules Committee	877
Read the second time	1007
Read the third time	1029
Substituted	1030
Returned to the Senate	1030
Signed by the Speaker and returned to the Senate	1086

**S.B. 108** — JUDICIAL NOMINATING COMMISSION STAFF AMENDMENTS (*S. Jenkins*)

- Read the first time by short title and referred to Rules Committee . . . . . 780
- Read the second time . . . . . 871, 1038
- Returned to Rules Committee . . . . . 1004
- Read the third time . . . . . 1107
- Circled . . . . . 1107
- Enacting Clause Stricken . . . . . 1226

**S.B. 110** — REVISOR’S STATUTE (*M. Dayton*)

- Read the first time by short title and referred to Rules Committee . . . . . 279
- Assigned to standing committee . . . . . 304
- Read the second time . . . . . 372
- Read the third time . . . . . 434
- Signed by the Speaker and returned to the Senate . . . . . 434

**S.B. 111** — REPEAL OF SEVERANCE TAX HOLDING ACCOUNT (*L. Hillyard*)

- Read the first time by short title and referred to Rules Committee . . . . . 234
- Assigned to standing committee . . . . . 258
- Read the second time . . . . . 326
- Read the third time . . . . . 379
- Signed by the Speaker and returned to the Senate . . . . . 379

**S.B. 113** — WIRELESS TELEPHONE USE RESTRICTION FOR MINORS IN VEHICLES  
(*R. Romero*)

- Read the first time by short title and referred to Rules Committee . . . . . 717
- Assigned to standing committee . . . . . 773
- Read the second time . . . . . 854
- Returned to Rules Committee . . . . . 854
- Read the third time . . . . . 904
- Circled . . . . . 904
- Uncircled . . . . . 917
- Amendments . . . . . 918
- Returned to the Senate . . . . . 919
- Signed by the Speaker and returned to the Senate . . . . . 946
- Refuse to recede . . . . . 1005
- Conference Committee may meet . . . . . 1013
- Substituted . . . . . 1036
- Joint Conference Committee Report . . . . . 1036
- New Conference Committee . . . . . 1037
- Other Action . . . . . 1137
- New Conference Committee may meet . . . . . 1055

**S.B. 114** — MOTOR VEHICLE ACCIDENT REPORTS (*D. Stowell*)

- Read the first time by short title and referred to Rules Committee . . . . . 355
- Assigned to standing committee . . . . . 376
- Read the second time . . . . . 423
- Read the third time . . . . . 441
- Circled . . . . . 441
- Uncircled . . . . . 501
- Substituted . . . . . 501
- Returned to the Senate . . . . . 502
- Signed by the Speaker and returned to the Senate . . . . . 577

<b>S.B. 116</b> — DISTRICT COURT JUDGES AMENDMENTS ( <i>S. Urquhart</i> )	
Read the first time by short title and referred to Rules Committee	999
Read the second time	1059
Read the third time	1065
Signed by the Speaker and returned to the Senate	1066
<b>S.B. 117</b> — PETE SUAZO MEMORIAL HIGHWAY ( <i>L. Robles</i> )	
Read the first time by short title and referred to Rules Committee	335
Assigned to standing committee	376
Read the second time	423
Time Certain	441 , 511
Read the third time	658
Signed by the Speaker and returned to the Senate	659
<b>S.B. 118</b> — UNIFORM PROBATE CODE AMENDMENTS ( <i>L. Hillyard</i> )	
Read the first time by short title and referred to Rules Committee	780
Read the second time	871 , 1039
Returned to Rules Committee	1004
Read the third time	1204
<b>S.B. 119</b> — SPECIAL ELECTIONS MODIFICATIONS ( <i>H. Stephenson</i> )	
Read the first time by short title and referred to Rules Committee	616
Assigned to standing committee	689
Amendments	794
Read the second time	795 , 1140
Read the third time	844 , 1171
Returned to the Senate	845
Motion to Reconsider, placed on calendar	866
Circled	895
Uncircled	1004
Returned to Rules Committee	1004
Substituted	1171
Returned to the Senate	1173
Signed by the Speaker and returned to the Senate	1205
<b>S.B. 120</b> — DISARMING A PEACE OFFICER AMENDMENT ( <i>D. Hinkins</i> )	
Read the first time by short title and referred to Rules Committee	635
Assigned to standing committee	690
Read the second time	759
Read the third time	832
Signed by the Speaker and returned to the Senate	833
<b>S.B. 121</b> — UTAH UNIFORM PROBATE CODE AMENDMENTS ( <i>J. Valentine</i> )	
Read the first time by short title and referred to Rules Committee	402
Assigned to standing committee	427
Read the second time	570
Read the third time	625
Reconsideration	645
Signed by the Speaker and returned to the Senate	646

<b>S.B. 122</b> — EMINENT DOMAIN REVISIONS ( <i>J. S. Adams</i> )	
Read the first time by short title and referred to Rules Committee	358
Assigned to standing committee	400
Read the second time	454
Read the third time	484
Transmitted to the Senate	494
Reconsideration	493
Amendments	493
Signed by the Speaker and returned to the Senate	484, 538
<b>S.B. 123</b> — MOTION PICTURE INCENTIVE FUND AMENDMENTS ( <i>L. Hillyard</i> )	
Read the first time by short title and referred to Rules Committee	672
Assigned to standing committee	720
Read the second time	795
Read the third time	924
Signed by the Speaker and returned to the Senate	925
<b>S.B. 124</b> — MILITARY INSTALLATION DEVELOPMENT AUTHORITY MODIFICATIONS ( <i>J. Stevenson</i> )	
Read the first time by short title and referred to Rules Committee	635
Read the second time	687
Read the third time	725
Signed by the Speaker and returned to the Senate	725
<b>S.B. 125</b> — INTANGIBLE PROPERTY AMENDMENTS ( <i>C. Bramble</i> )	
Read the first time by short title and referred to Rules Committee	355
Assigned to standing committee	376
Read the second time	426
Read the third time	526
Signed by the Speaker and returned to the Senate	526
<b>S.B. 126</b> — SUBDIVISION AMENDMENTS ( <i>J. S. Adams</i> )	
Read the first time by short title and referred to Rules Committee	369
Assigned to standing committee	400
Amendments	447
Read the second time	448
Read the third time	555
Returned to the Senate	556
Signed by the Speaker and returned to the Senate	600
<b>S.B. 127</b> — PUBLIC ASSISTANCE FRAUD AMENDMENTS ( <i>H. Stephenson</i> )	
Read the first time by short title and referred to Rules Committee	616
Assigned to standing committee	634
Read the second time	719
Read the third time	832
Signed by the Speaker and returned to the Senate	832

<b>S.B. 129</b> — NEW MOTOR VEHICLE FRANCHISE AMENDMENTS ( <i>D. Liljenquist</i> )	
Read the first time by short title and referred to Rules Committee	780
Read the second time	871, 1007
Returned to Rules Committee	1004
Read the third time	1042
Signed by the Speaker and returned to the Senate	1043
<b>S.B. 130</b> — JUDICIARY AMENDMENTS ( <i>L. Hillyard</i> )	
Read the first time by short title and referred to Rules Committee	635
Assigned to standing committee	689
Read the second time	758
Returned to Rules Committee	758
Placed on calendar	772
Read the third time	838
Signed by the Speaker and returned to the Senate	839
<b>S.B. 132</b> — HIGHER EDUCATION SCHOLARSHIP AMENDMENTS ( <i>J. Valentine</i> )	
Read the first time by short title and referred to Rules Committee	578
Assigned to standing committee	599
Returned to Rules Committee	881
Read the second time	1007
Read the third time	1029
Circled	1029
Uncircled	1040
Signed by the Speaker and returned to the Senate	1041
<b>S.B. 133</b> — QUALIFICATIONS OF STATE TAX COMMISSIONERS ( <i>J. S. Adams</i> )	
Read the first time by short title and referred to Rules Committee	616
Assigned to standing committee	633
Read the second time	719
Read the third time	823
Signed by the Speaker and returned to the Senate	824
<b>S.B. 134</b> — PARTNERSHIP TAX RETURN FILING DEADLINES ( <i>J. S. Adams</i> )	
Read the first time by short title and referred to Rules Committee	402
Assigned to standing committee	472, 499
Read the second time	638
Returned to Rules Committee	638
Placed on calendar	687
Read the third time	830
Signed by the Speaker and returned to the Senate	830

<b>S.B. 135</b> — SALES AND USE TAX EXEMPTION FOR AN ENERGY EFFICIENT STOVE OR ENERGY EFFICIENT STOVE FUEL ( <i>G. Davis</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	616
Assigned to standing committee . . . . .	690
Returned to Rules Committee . . . . .	796
Read the second time . . . . .	1130
Read the third time . . . . .	1133
Failed . . . . .	1134
Returned to the Senate . . . . .	1134, 1201
Recalled . . . . .	1166
Placed on calendar . . . . .	1188
Reconsideration failed . . . . .	1200
<b>S.B. 136</b> — OPEN AND PUBLIC MEETINGS REVISIONS RELATED TO REVIEW OF ETHICS COMPLAINTS ( <i>J. Valentine</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	616
Assigned to standing committee . . . . .	632
Read the second time . . . . .	774
Read the third time . . . . .	840
Circled . . . . .	840
Uncircled . . . . .	900
Signed by the Speaker and returned to the Senate . . . . .	901
<b>S.B. 137</b> — COORDINATION OF REMOVING, RELOCATING, OR ALTERING UTILITIES ( <i>D. Liljenquist</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	697
Assigned to standing committee . . . . .	720
Read the second time . . . . .	804
Read the third time . . . . .	845
Signed by the Speaker and returned to the Senate . . . . .	846
<b>S.B. 138</b> — GRAMA REVISIONS RELATED TO REVIEW OF ETHICS COMPLAINTS ( <i>J. Valentine</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	616
Assigned to standing committee . . . . .	633
Read the second time . . . . .	774
Read the third time . . . . .	840
Circled . . . . .	840
Uncircled . . . . .	901
Signed by the Speaker and returned to the Senate . . . . .	902
<b>S.B. 139</b> — PHYSICIAN ASSISTANT AMENDMENTS ( <i>C. Bramble</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	616
Assigned to standing committee . . . . .	720
Read the second time . . . . .	803
Read the third time . . . . .	925
Signed by the Speaker and returned to the Senate . . . . .	926



<b>S.B. 140</b> — JUVENILE DETENTION AMENDMENTS ( <i>J. Greiner</i> )	
Read the first time by short title and referred to Rules Committee	651
Assigned to standing committee	690
Read the second time	759
Read the third time	835
Signed by the Speaker and returned to the Senate	836
<b>S.B. 141</b> — UTAH SUBSTANCE ABUSE AND ANTI-VIOLENCE COORDINATING COUNCIL AMENDMENTS ( <i>J. S. Adams</i> )	
Read the first time by short title and referred to Rules Committee	651
Assigned to standing committee	689
Read the second time	757
Read the third time	889
Signed by the Speaker and returned to the Senate	890
<b>S.B. 142</b> — DRIVER LICENSE AMENDMENTS ( <i>H. Stephenson</i> )	
Read the first time by short title and referred to Rules Committee	524
Assigned to standing committee	549
Read the second time	677
Read the third time	783, 842
Placed on calendar	783
Signed by the Speaker and returned to the Senate	843
<b>S.B. 143</b> — GRAND JURY AMENDMENTS ( <i>D. Liljenquist</i> )	
Read the first time by short title and referred to Rules Committee	780
Read the second time	871
Read the third time	904
Held	905
Reconsideration	909
Amendments	909
Returned to the Senate	911
Signed by the Speaker and returned to the Senate	946
<b>S.B. 144</b> — VISION SCREENING AMENDMENTS ( <i>W. Niederhauser</i> )	
Read the first time by short title and referred to Rules Committee	578
Assigned to standing committee	599
Read the second time	871
Returned to Rules Committee	871
Read the third time	916
Amendments	916
Returned to the Senate	917
Signed by the Speaker and returned to the Senate	946
<b>S.B. 145</b> — MEDICAL MALPRACTICE AMENDMENTS ( <i>J. S. Adams</i> )	
Read the first time by short title and referred to Rules Committee	860
Read the second time	871
Read the third time	905
Amendments	905
Returned to the Senate	908
Signed by the Speaker and returned to the Senate	946

<b>S.B. 147</b> — EDUCATION RELATED PARENT ORGANIZATIONS ( <i>M. Dayton</i> )	
Read the first time by short title and referred to Rules Committee	616
Assigned to standing committee	632
Returned to Rules Committee	881
Read the second time	1039
Read the third time	1126
Amendments	1126
Circled	1127
Enacting Clause Stricken	1226
<b>S.B. 148</b> — GUARANTEED ASSET PROTECTION WAIVERS ( <i>J. Stevenson</i> )	
Read the first time by short title and referred to Rules Committee	616
Assigned to standing committee	632
Read the second time	742
Returned to Rules Committee	742
Placed on calendar	780
Read the third time	841
Signed by the Speaker and returned to the Senate	842
<b>S.B. 149</b> — UTAH FOREST PRACTICES ACT AMENDMENTS ( <i>D. Hinkins</i> )	
Read the first time by short title and referred to Rules Committee	763
Assigned to standing committee	773
Read the second time	852
Read the third time	975
Signed by the Speaker and returned to the Senate	976
<b>S.B. 150</b> — READING REQUIREMENTS FOR STUDENT ADVANCEMENT ( <i>K. Morgan</i> )	
Read the first time by short title and referred to Rules Committee	822
Read the second time	1202
Read the third time	1208
Substituted	1208
Substituted	1208
Returned to the Senate	1209
Signed by the Speaker and returned to the Senate	1220
<b>S.B. 152</b> — UTAH STATE RAILROAD MUSEUM AUTHORITY ACT ( <i>P. Knudson</i> )	
Read the first time by short title and referred to Rules Committee	806
Read the second time	872, 1007
Returned to Rules Committee	1004
Read the third time	1022
Circled	1022
Uncircled	1041
Amendments	1041
Returned to the Senate	1042
Signed by the Speaker and returned to the Senate	1086
<b>S.B. 154</b> — POSTCONVICTION REMEDIES ACT AMENDMENTS ( <i>J. S. Adams</i> )	
Read the first time by short title and referred to Rules Committee	954
Read the second time	1038
Read the third time	1125
Signed by the Speaker and returned to the Senate	1125

**S.B. 155** — ENHANCED PENALTIES FOR HIV POSITIVE OFFENDER AMENDMENTS*(J. Stevenson)*

Read the first time by short title and referred to Rules Committee . . . . .	860
Read the second time . . . . .	872
Returned to Rules Committee . . . . .	1004
Enacting Clause Stricken . . . . .	1226

**S.B. 156** — ANTITRUST ACT AMENDMENTS *(S. Urquhart)*

Read the first time by short title and referred to Rules Committee . . . . .	1012
Read the second time . . . . .	1060
Read the third time . . . . .	1205
Signed by the Speaker and returned to the Senate . . . . .	1206
Intent Language . . . . .	1206

**S.B. 157** — MOTOR VEHICLE DEALER FRANCHISE AMENDMENTS *(C. Bramble)*

Read the first time by short title and referred to Rules Committee . . . . .	974
Read the second time . . . . .	984, 1007
Returned to Rules Committee . . . . .	1004
Read the third time . . . . .	1016
Signed by the Speaker and returned to the Senate . . . . .	1017

**S.B. 160** — UTAH STATE DEVELOPMENTAL CENTER AMENDMENTS *(M. Dayton)*

Read the first time by short title and referred to Rules Committee . . . . .	741
Assigned to standing committee . . . . .	773
Returned to Rules Committee . . . . .	889
Read the second time . . . . .	1007
Read the third time . . . . .	1046
Signed by the Speaker and returned to the Senate . . . . .	1047

**S.B. 161** — REAL PROPERTY TRANSFER FEE AMENDMENTS *(M. Madsen)*

Read the first time by short title and referred to Rules Committee . . . . .	974
Read the second time . . . . .	1008
Read the third time . . . . .	1015
Amendments . . . . .	1015
Signed by the Speaker and returned to the Senate . . . . .	1016

**S.B. 163** — HEALTH REGULATION OF GEOTHERMAL POOLS AND BATHS *(M. Madsen)*

Read the first time by short title and referred to Rules Committee . . . . .	819
Read the second time . . . . .	1007
Read the third time . . . . .	1047
Amendments . . . . .	1047
Circled . . . . .	1052
Enacting Clause Stricken . . . . .	1226

**S.B. 164** — SURETY REQUIREMENTS FOR MINING *(D. Stowell)*

Read the first time by short title and referred to Rules Committee . . . . .	780
Read the second time . . . . .	872, 1114
Returned to Rules Committee . . . . .	1004
Enacting Clause Stricken . . . . .	1226

<b>S.B. 165</b> — ALLOCATION AND APPORTIONMENT OF INCOME AND DEDUCTION OF A NET LOSS ( <i>W. Niederhauser</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	1012
Read the second time . . . . .	1038
Read the third time . . . . .	1108
Circled . . . . .	1108
Uncircled . . . . .	1139
Returned to the Senate . . . . .	1140
Signed by the Speaker and returned to the Senate . . . . .	1167
<b>S.B. 167</b> — ALCOHOLIC BEVERAGE CONTROL ACT RECODIFICATION ( <i>J. Valentine</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	741
Assigned to standing committee . . . . .	773
Amendments . . . . .	855
Read the second time . . . . .	856
Read the third time . . . . .	976
Transmitted to the Senate . . . . .	977
Signed by the Speaker and returned to the Senate . . . . .	1029
<b>S.B. 169</b> — NAVAJO REVITALIZATION FUND AMENDMENTS ( <i>D. Hinkins</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	804
Read the second time . . . . .	872 , 1038
Returned to Rules Committee . . . . .	1004
Read the third time . . . . .	1121
Signed by the Speaker and returned to the Senate . . . . .	1122
<b>S.B. 170</b> — SUSPENSION OF DRIVING PRIVILEGES ( <i>L. Hillyard</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	1001
Read the second time . . . . .	1038
Read the third time . . . . .	1107
Signed by the Speaker and returned to the Senate . . . . .	1108
<b>S.B. 171</b> — HIGHER EDUCATION RETIREMENT AMENDMENTS ( <i>D. Liljenquist</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	1001
Read the second time . . . . .	1113
Read the third time . . . . .	1215
Signed by the Speaker and returned to the Senate . . . . .	1216
<b>S.B. 172</b> — LOCAL DISTRICT TAXING AUTHORITY AMENDMENTS ( <i>C. Bramble</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	806
Read the second time . . . . .	872 , 1039
Returned to Rules Committee . . . . .	1004
Read the third time . . . . .	1164
Signed by the Speaker and returned to the Senate . . . . .	1165
<b>S.B. 173</b> — BUSINESS ENTITY AMENDMENTS ( <i>L. Hillyard</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	601
Assigned to standing committee . . . . .	632
Read the second time . . . . .	742
Read the third time . . . . .	889
Signed by the Speaker and returned to the Senate . . . . .	889

<b>S.B. 175</b> — SCHOOL DISTRICT CAPITAL OUTLAY EQUALIZATION AMENDMENTS ( <i>B. McAdams</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	974
Read the second time . . . . .	1039
Amendments . . . . .	1039
Read the third time . . . . .	1170
Substituted . . . . .	1170
Returned to the Senate . . . . .	1171
Signed by the Speaker and returned to the Senate . . . . .	1220
<b>S.B. 178</b> — UTAH EMERGENCY MEDICAL SERVICES SYSTEM ACT AMENDMENTS ( <i>D. Stowell</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	822
Read the second time . . . . .	872, 1007
Returned to Rules Committee . . . . .	1004
Read the third time . . . . .	1030
Signed by the Speaker and returned to the Senate . . . . .	1031
<b>S.B. 179</b> — UTAH REVISED BUSINESS CORPORATION ACT AMENDMENTS ( <i>D. Liljenquist</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	822
Read the second time . . . . .	872, 1008
Returned to Rules Committee . . . . .	1004
Read the third time . . . . .	1097
Signed by the Speaker and returned to the Senate . . . . .	1098
<b>S.B. 180</b> — SEXUAL EXPLOITATION OF A VULNERABLE ADULT ( <i>D. Hinkins</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	780
Read the second time . . . . .	872, 1113
Returned to Rules Committee . . . . .	1004
Enacting Clause Stricken . . . . .	1226
<b>S.B. 181</b> — EMPLOYMENT SECURITY ADMINISTRATION FUND REPEALER ( <i>D. Hinkins</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	672
Assigned to standing committee . . . . .	719
Returned to Rules Committee . . . . .	877
Read the second time . . . . .	1113
Read the third time . . . . .	1212
Signed by the Speaker and returned to the Senate . . . . .	1212
<b>S.B. 186</b> — AMENDMENTS TO EMISSIONS INSPECTIONS ( <i>M. Madsen</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	1005
Read the second time . . . . .	1039
Enacting Clause Stricken . . . . .	1227
<b>S.B. 188</b> — CHARTER SCHOOL AMENDMENTS ( <i>H. Stephenson</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	974
Read the second time . . . . .	1038
Read the third time . . . . .	1098
Amendments . . . . .	1098
Returned to the Senate . . . . .	1100
Signed by the Speaker and returned to the Senate . . . . .	1136

<b>S.B. 189</b> — CAPITAL FACILITIES AMENDMENTS ( <i>C. Bramble</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	672
Assigned to standing committee . . . . .	720
Read the second time . . . . .	795
Read the third time . . . . .	845
Signed by the Speaker and returned to the Senate . . . . .	845
<b>S.B. 191</b> — GOVERNMENTAL ACCOUNTING AMENDMENTS ( <i>L. Hillyard</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	822
Read the second time . . . . .	872, 1038
Returned to Rules Committee . . . . .	1004
Read the third time . . . . .	1074
Amendments . . . . .	1074
Returned to the Senate . . . . .	1079
Signed by the Speaker and returned to the Senate . . . . .	1136
<b>S.B. 197</b> — COMMUNITY DEVELOPMENT AND RENEWAL AGENCY AMENDMENTS ( <i>C. Bramble</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	1012
Read the second time . . . . .	1113
Read the third time . . . . .	1212
Signed by the Speaker and returned to the Senate . . . . .	1213
<b>S.B. 198</b> — ECONOMIC DEVELOPMENT INCENTIVE AMENDMENTS ( <i>J. Valentine</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	974
Read the second time . . . . .	1039
Read the third time . . . . .	1179
Signed by the Speaker and returned to the Senate . . . . .	1180
<b>S.B. 199</b> — MUNICIPAL BOUNDARY CLARIFICATION ( <i>R. Okerlund</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	954
Read the second time . . . . .	1008
Read the third time . . . . .	1095
Circled . . . . .	1095
Enacting Clause Stricken . . . . .	1227
<b>S.B. 203</b> — VACANCIES IN COUNTY ELECTED OFFICES ( <i>H. Stephenson</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	1054
Read the second time . . . . .	1113
Enacting Clause Stricken . . . . .	1227
<b>S.B. 204</b> — MIDTERM VACANCY AMENDMENTS ( <i>B. McAdams</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	1001
Read the second time . . . . .	1114
Read the third time . . . . .	1214
Signed by the Speaker and returned to the Senate . . . . .	1215
<b>S.B. 206</b> — ACCESS TO CRIME VICTIM'S MEDICAL RECORDS ( <i>J. Greiner</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	741
Read the second time . . . . .	1039
Enacting Clause Stricken . . . . .	1227

<b>S.B. 207</b> — TAX EXEMPTION FOR CEDAR BAND OF PAIUTE TRIBE ( <i>D. Stowell</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	1001
Enacting Clause Stricken . . . . .	1227
<b>S.B. 209</b> — HUMANITARIAN SERVICE AND EDUCATIONAL AND CULTURAL EXCHANGE SUPPORT SPECIAL GROUP LICENSE PLATE ( <i>P. Knudson</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	915
Read the second time . . . . .	1096
Read the third time . . . . .	1203
Signed by the Speaker and returned to the Senate . . . . .	1204
<b>S.B. 210</b> — JUDICIAL PERFORMANCE EVALUATION COMMISSION AMENDMENTS ( <i>D. C. Buttars</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	860
Read the second time . . . . .	872, 1007
Returned to Rules Committee . . . . .	1004
Read the third time . . . . .	1068
Signed by the Speaker and returned to the Senate . . . . .	1069
<b>S.B. 212</b> — PAWN SHOP AMENDMENTS ( <i>J. Greiner</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	780
Read the second time . . . . .	872, 1114
Returned to Rules Committee . . . . .	1004
Read the third time . . . . .	1165
Signed by the Speaker and returned to the Senate . . . . .	1165
<b>S.B. 213</b> — DIVISION OF SERVICES FOR PEOPLE WITH DISABILITIES ADVISORY COUNCIL ( <i>A. Christensen</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	601
Assigned to standing committee . . . . .	689
Returned to Rules Committee . . . . .	882
Enacting Clause Stricken . . . . .	1227
<b>S.B. 215</b> — HIGHWAY PROJECT FUNDING – SALT LAKE COUNTY ( <i>W. Niederhauser</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	1087
Read the second time . . . . .	1113
Read the third time . . . . .	1166
Circled . . . . .	1166
Uncircled . . . . .	1185
Amendments . . . . .	1185
Returned to the Senate . . . . .	1186
Signed by the Speaker and returned to the Senate . . . . .	1218
<b>S.B. 216</b> — ABSENTEE VOTING BY MILITARY PERSONNEL AMENDMENTS ( <i>B. McAdams</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	1001
Read the second time . . . . .	1038
Read the third time . . . . .	1120
Signed by the Speaker and returned to the Senate . . . . .	1121

<b>S.B. 217</b> — INCREASE IN SURCHARGE ON FINES ( <i>S. Jenkins</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	1087
Read the second time . . . . .	1140
Read the third time . . . . .	1166
Circled . . . . .	1166
Uncircled . . . . .	1168
Signed by the Speaker and returned to the Senate . . . . .	1169
<b>S.B. 218</b> — ENGINE COOLANT BITTERING AGENT ACT ( <i>M. Waddoups</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	804
Read the second time . . . . .	872, 1007
Returned to Rules Committee . . . . .	1004
Read the third time . . . . .	1072
Amendments . . . . .	1072
Returned to the Senate . . . . .	1073
Signed by the Speaker and returned to the Senate . . . . .	1136
<b>S.B. 219</b> — CRIMINAL NUISANCE AMENDMENT ( <i>J. Greiner</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	954
Read the second time . . . . .	1007
Read the third time . . . . .	1080
Signed by the Speaker and returned to the Senate . . . . .	1081
<b>S.B. 220</b> — VEHICLE IMPOUND AMENDMENT ( <i>J. Greiner</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	915
Read the second time . . . . .	1113
Enacting Clause Stricken . . . . .	1227
<b>S.B. 222</b> — FEE EXEMPTIONS ( <i>B. Goodfellow</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	804
Read the second time . . . . .	872, 1007
Returned to Rules Committee . . . . .	1004
Read the third time . . . . .	1070
Amendments . . . . .	1070
Returned to the Senate . . . . .	1072
Signed by the Speaker and returned to the Senate . . . . .	1136
<b>S.B. 225</b> — MOTOR VEHICLE INSURANCE – NAMED DRIVER EXCLUSION ( <i>L. Hillyard</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	822
Read the second time . . . . .	872, 1039
Returned to Rules Committee . . . . .	1004
Read the third time . . . . .	1177
Signed by the Speaker and returned to the Senate . . . . .	1177
<b>S.B. 227</b> — INTERLOCAL ENERGY AMENDMENTS ( <i>C. Bramble</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	999
Read the second time . . . . .	1113
Read the third time . . . . .	1216
Signed by the Speaker and returned to the Senate . . . . .	1217



- S.B. 231** — MEDICAL BENEFITS UNDER WORKERS' COMPENSATION (*D. C. Buttars*)  
 Read the first time by short title and referred to Rules Committee . . . . . 974  
 Read the second time . . . . . 1039  
 Read the third time . . . . . 1211  
 Signed by the Speaker and returned to the Senate . . . . . 1211
- S.B. 232** — JUDICIAL ADMINISTRATION AMENDMENTS (*S. Jenkins*)  
 Read the first time by short title and referred to Rules Committee . . . . . 780  
 Read the second time . . . . . 871 , 1038  
 Returned to Rules Committee . . . . . 1004  
 Read the third time . . . . . 1100  
 Amendments . . . . . 1100  
 Circled . . . . . 1101  
 Uncircled . . . . . 1175  
 Amendments . . . . . 1175  
 Signed by the Speaker and returned to the Senate . . . . . 1176
- S.B. 235** — AGRICULTURAL LOAN AUTHORIZATION (*R. Okerlund*)  
 Read the first time by short title and referred to Rules Committee . . . . . 999  
 Enacting Clause Stricken . . . . . 1227
- S.B. 237** — TRANSITION FOR REPEALED NAVAJO TRUST FUND ACT AMENDMENTS  
 (*D. Hinkins*)  
 Read the first time by short title and referred to Rules Committee . . . . . 1012  
 Read the second time . . . . . 1038  
 Read the third time . . . . . 1126  
 Signed by the Speaker and returned to the Senate . . . . . 1126
- S.B. 238** — LONG-TERM CARE FACILITY – MEDICAID CERTIFICATION FOR BED  
 CAPACITY AMENDMENTS (*L. Robles*)  
 Read the first time by short title and referred to Rules Committee . . . . . 954  
 Read the second time . . . . . 1039  
 Enacting Clause Stricken . . . . . 1227
- S.B. 240** — RETIREMENT PARTICIPATION AMENDMENTS (*D. Liljenquist*)  
 Read the first time by short title and referred to Rules Committee . . . . . 1005  
 Read the second time . . . . . 1039  
 Read the third time . . . . . 1178  
 Signed by the Speaker and returned to the Senate . . . . . 1179
- S.B. 242** — ECONOMIC DEVELOPMENT INCENTIVES FOR ALTERNATIVE ENERGY  
 PROJECTS (*K. Van Tassell*)  
 Read the first time by short title and referred to Rules Committee . . . . . 806  
 Read the second time . . . . . 872 , 1007  
 Returned to Rules Committee . . . . . 1004  
 Read the third time . . . . . 1032  
 Signed by the Speaker and returned to the Senate . . . . . 1033

<b>S.B. 247</b> — JOHN M. BROWNING COMMEMORATIVE DAY ( <i>M. Madsen</i> )	
Read the first time by short title and referred to Rules Committee . . . . .	1012
Read the second time . . . . .	1038
Read the third time . . . . .	1108
Signed by the Speaker and returned to the Senate . . . . .	1109
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H.B. 3	<b>Appropriations Adjustments</b> Governor Line Item Veto on 3/31/2010 Effective Date: 7/1/2010	R. Bigelow
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Effective Date: 5/11/2010
- H.B. 75     **Assessment Area Amendments**                                     G. Froerer  
Governor Signed on 3/26/2010  
Effective Date: 5/11/2010
- H.B. 76     **Ticket Scalping**                                                             L. Hemingway  
House/ strike enacting clause on 3/11/2010
- H.B. 77     **Seismic Requirements for Condominium  
Conversion Projects**                                                             L. Wiley  
House/ strike enacting clause on 3/11/2010
- H.B. 78     **Weapons Revisions**                                                         S. Sandstrom  
Governor Signed on 3/30/2010  
Effective Date: 5/11/2010
- H.B. 79     **Valid Voter Identification Amendments**                                 M. Poulson  
House/ filed on 1/28/2010
- H.B. 80     **Public Access to Private Stream Beds**                                     L. Fowlke  
House/ filed on 2/22/2010
- H.B. 81     **School Employee Criminal Background Check**                             S. Allen  
Governor Signed on 3/30/2010  
Effective Date: 5/11/2010
- H.B. 82     **Protection of Children Riding in Motor Vehicles**                     F. Seegmiller  
House/ filed on 3/11/2010
- H.B. 83     **Public Employees' Retirement – Spousal Election**                     C. Wallis  
House/ strike enacting clause on 3/11/2010
- H.B. 84     **Water Banking**                                                                 J. Draxler  
House/ strike enacting clause on 3/11/2010
- H.B. 85     **Responsible Development of Nuclear  
Power Generation**                                                                 F. Seegmiller  
House/ strike enacting clause on 3/11/2010



- H.B. 97     **Amendments Relating to Deceptive Practices Involving Consumers**                     M. Poulson  
Governor Signed on 3/22/2010  
Effective Date: 5/11/2010
- H.B. 98     **State Engineer Bonding Requirements**                     R. Wilcox  
Governor Signed on 3/29/2010  
Effective Date: 5/11/2010
- H.B. 99     **Background Checks for School Sports Officials**             L. Black  
House/ strike enacting clause on 3/11/2010
- H.B. 100    **Heber Valley Historic Railroad Authority**                     K. Powell  
Governor Signed on 3/30/2010  
Effective Date: 5/11/2010
- H.B. 101    **Anesthesiologist Assistants**                     J. Fisher  
House/ strike enacting clause on 3/11/2010
- H.B. 102    **Agriculture Sustainability Act**                     J. Draxler  
House/ strike enacting clause on 3/11/2010
- H.B. 103    **Reduced Speed School Zone Amendments**                     S. Sandstrom  
Governor Signed on 3/29/2010  
Effective Date: 3/29/2010
- H.B. 104    **Unlawful Provision of Identifiable Prescription Information**     J. Biskupski  
House/ strike enacting clause on 3/11/2010
- H.B. 105    **Public School Employee Auditory Protection Requirements**     L. Black  
House/ strike enacting clause on 3/11/2010
- H.B. 106    **Expedited Background Checks for Human Services Providers**     J. Seelig  
Governor Signed on 3/30/2010  
Effective Date: 5/11/2010
- H.B. 107    **Animal Shelter Amendments**                     J. Seelig  
Governor Signed on 3/26/2010  
Effective Date: 5/11/2010



- H.B. 118 **Economic Development Incentives Modifications** W. Harper  
Governor Signed on 3/26/2010  
Effective Date: 5/11/2010
- H.B. 119 **Motor Vehicle Impound Amendments** C. Oda  
House/ strike enacting clause on 3/11/2010
- H.B. 120 **Underground Storage Tank Amendments** K. McIff  
Governor Signed on 3/25/2010  
Effective Date: 5/11/2010
- H.B. 121 **Emergency Medical Services Act  
Transport Amendments** G. Hughes  
Governor Signed on 3/25/2010  
Effective Date: 5/11/2010
- H.B. 122 **Surveyor Amendments** J. Mathis  
House/ strike enacting clause on 3/11/2010
- H.B. 123 **Adoption Tax Credit** S. Sandstrom  
House/ strike enacting clause on 3/11/2010
- H.B. 124 **Campaign Funds Expenditure Restrictions** T. Cosgrove  
Governor Signed on 3/26/2010  
Effective Date: 5/11/2010
- H.B. 125 **Kidnapping and Sex Offender  
Registry Amendments** R. Bigelow  
Governor Signed on 3/22/2010  
Effective Date: 5/11/2010
- H.B. 126 **State Construction Registry Amendments** R. Webb  
House/ filed on 3/11/2010
- H.B. 127 **Reproductive Health Education Amendments** L. Hemingway  
House/ strike enacting clause on 3/11/2010
- H.B. 128 **Antidiscrimination Study Related to  
Employment and Housing** C. Johnson  
House/ strike enacting clause on 3/11/2010

- H.B. 129     **Amendments to Education Financing**                     M. Newbold  
House/ strike enacting clause on 3/11/2010
- H.B. 130     **Cancer Research Special Group License Plate**                     B. Dee  
Governor Signed on 3/30/2010  
Effective Date: 10/1/2010
- H.B. 131     **B and C Road Construction Amendments**                     M. Noel  
House/ strike enacting clause on 3/11/2010
- H.B. 132     **Pioneer Trail Memorial Highway**                     R. Menlove  
Governor Signed on 3/29/2010  
Effective Date: 5/11/2010
- H.B. 133     **Release of Court Documents and Child Interviews**                     L. Fowlke  
Governor Signed on 3/26/2010  
Effective Date: 5/11/2010
- H.B. 134     **Education Donation Tax Credit**                     E. Vickers  
House/ strike enacting clause on 3/11/2010
- H.B. 135     **Pharmacy Benefit Managers Act**                     E. Vickers  
House/ strike enacting clause on 3/11/2010
- H.B. 136     **Jail Contracting and Reimbursement**                     M. Noel  
House/ filed on 3/11/2010
- H.B. 137     **Public School Funding**                     W. Harper  
House/ strike enacting clause on 3/11/2010
- H.B. 138     **Hazing Penalties**                     C. Moss  
Governor Signed on 3/26/2010  
Effective Date: 5/11/2010
- H.B. 139     **Emergency and Disaster Management Amendments**                     C. Oda  
Governor Signed on 3/30/2010  
Effective Date: 5/11/2010
- H.B. 140     **Human Resource Management Amendments**                     B. Dee  
Governor Signed on 3/26/2010  
Effective Date: 7/1/2010

- H.B. 141 **Recreational Use of Public Water on Private Property** K. McIff  
Governor Signed on 3/31/2010  
Effective Date: 5/11/2010
- H.B. 142 **Legislator – Benefit Plan** E. Hutchings  
House/ strike enacting clause on 3/11/2010
- H.B. 143 **Eminent Domain Authority** C. Herrod  
Governor Signed on 3/26/2010  
Effective Date: 5/11/2010
- H.B. 144 **Hospital Lien Revisions** B. King  
Bill Numbered by Title Without any  
Substance on 2/5/2010
- H.B. 145 **Renewable Energy Financing Provisions** B. Last  
Governor Signed on 3/29/2010  
Effective Date: 3/29/2010
- H.B. 146 **Law Enforcement by Federal Land Management Agency** M. Noel  
Governor Signed on 3/31/2010  
Effective Date: 5/11/2010
- H.B. 147 **Charter School Revisions** M. Newbold  
Bill Numbered by Title Without any  
Substance on 2/5/2010
- H.B. 148 **Sales and Use Tax Changes** W. Harper  
House/ strike enacting clause on 3/11/2010
- H.B. 149 **School Finance Amendments** R. Bigelow  
Governor Signed on 3/29/2010  
Effective Date: 7/1/2010
- H.B. 150 **Administrative Subpoena Amendments** B. Daw  
Governor Signed on 3/30/2010  
Effective Date: 5/11/2010
- H.B. 151 **Utah High School Rodeo Support Special Group License Plate** J. Gowans  
House/ strike enacting clause on 3/11/2010



H.B. 152	<b>Contract Passenger Carrier Safety Act</b> House/ strike enacting clause on 3/11/2010	F. Seegmiller
H.B. 153	<b>Recycling of Electronic Items</b> House/ filed on 3/11/2010	R. Edwards
H.B. 154	<b>Minimum School Program Act Amendments</b> Bill Numbered by Title Without any Substance on 2/5/2010	K. Sumsion
H.B. 155	<b>Agricultural Advisory Board and Livestock Related Policy</b> Governor Signed on 3/23/2010 Effective Date: 5/11/2010	J. Mathis
H.B. 156	<b>Regulation of Laser Centers</b> Bill Numbered by Title Without any Substance on 2/5/2010	N. Hansen
H.B. 157	<b>Property Tax Relief Programs</b> Bill Numbered by Title Without any Substance on 2/5/2010	T. Cosgrove
H.B. 158	<b>Sales and Use Tax and Income Tax Amendments</b> Bill Numbered by Title Without any Substance on 2/5/2010	K. McIff
H.B. 159	<b>Campaign Finance Transparency</b> Bill Numbered by Title Without any Substance on 2/5/2010	C. Frank
H.B. 160	<b>Campaign Finance Provisions</b> House/ strike enacting clause on 3/11/2010	B. King
H.B. 161	<b>Voter Registration Amendments</b> Governor Signed on 3/29/2010 Effective Date: 5/11/2010	R. Chavez–Houck
H.B. 162	<b>Unlawful Sexual Conduct with a Minor</b> House/ strike enacting clause on 3/11/2010	R. Edwards

- H.B. 163 **School and Institutional Trust Lands Changes** J. Gowans  
Bill Numbered by Title Without any  
Substance on 2/5/2010
- H.B. 164 **Redistricting Provisions** R. Chavez–Houck  
House/ strike enacting clause on 3/11/2010
- H.B. 165 **Water Rights Amendments** M. Brown  
Bill Numbered by Title Without any  
Substance on 2/5/2010
- H.B. 166 **Reductions to Education Mandates** J. Dougall  
Governor Signed on 3/29/2010  
Effective Date: 5/11/2010
- H.B. 167 **General Government Amendments** B. Ferry  
Bill Numbered by Title Without any  
Substance on 2/5/2010
- H.B. 168 **Government Operations Amendments** B. Ferry  
Bill Numbered by Title Without any  
Substance on 2/5/2010
- H.B. 169 **Refinery Amendments** R. Edwards  
Governor Signed on 3/29/2010  
Effective Date: 5/11/2010
- H.B. 170 **Foster Care Revisions** K. Gibson  
Governor Signed on 3/22/2010  
Effective Date: 5/11/2010
- H.B. 171 **Water Rights Revisions** K. Gibson  
House/ filed on 3/11/2010
- H.B. 172 **Revisions to Government Law** K. Gibson  
Bill Numbered by Title Without any  
Substance on 2/5/2010
- H.B. 173 **911 Amendments** B. Dee  
Governor Signed on 3/29/2010  
Effective Date: 5/11/2010



H.B. 185	<b>Animal Euthanasia Standards</b> House/ filed on 3/11/2010	F. Seegmiller
H.B. 186	<b>Controlled Substance Database Revisions</b> Governor Signed on 3/29/2010 Effective Date: 5/11/2010	R. Menlove
H.B. 187	<b>Peace Officer Standards and Training Amendments</b> Governor Signed on 3/29/2010 Effective Date: 5/11/2010	C. Wimmer
H.B. 188	<b>Workers' Compensation Benefits – Social Security Offset</b> Governor Signed on 3/22/2010 Effective Date: 5/11/2010	W. Harper
H.B. 189	<b>Closed Meetings Amendments</b> Governor Signed on 3/22/2010 Effective Date: 5/11/2010	P. Painter
H.B. 190	<b>Disclosure of Methamphetamine Contaminated Property Act Amendments</b> House/ filed on 3/11/2010	S. Mascaro
H.B. 191	<b>Reporting by Deferred Deposit Lenders</b> House/ strike enacting clause on 3/11/2010	L. Black
H.B. 192	<b>Renewable Energy – Methane Gas</b> Governor Signed on 3/23/2010 Effective Date: 5/11/2010	C. Watkins
H.B. 193	<b>Occupations and Professions Amendments</b> Governor Signed on 3/30/2010 Effective Date: 5/11/2010	R. Lockhart
H.B. 194	<b>Grants for Math Teacher Training</b> House/ strike enacting clause on 3/11/2010	B. Last
H.B. 195	<b>Homicide Penalty Amendment</b> Governor Signed on 3/30/2010 Effective Date: 5/11/2010	C. Wimmer

- H.B. 196 **Tobacco Tax Revisions** P. Ray  
Became Law w/o Governor Signature on 3/31/2010  
Effective Date: 7/1/2010
- H.B. 197 **Custodial Interference Amendments** C. Wimmer  
Governor Signed on 3/30/2010  
Effective Date: 5/11/2010
- H.B. 198 **Assertive Community Mental Health  
Treatment Pilot Program** C. Moss  
House/ strike enacting clause on 3/11/2010
- H.B. 199 **Municipal Clerk and Recorder Responsibilities** B. Last  
Governor Signed on 3/30/2010  
Effective Date: 5/11/2010
- H.B. 200 **Informed Consent Amendments** C. Wimmer  
Governor Signed on 3/29/2010  
Effective Date: 5/11/2010
- H.B. 201 **State Fire Marshal Modifications** R. Menlove  
Governor Signed on 3/30/2010  
Effective Date: 7/1/2010
- H.B. 202 **Fireworks Amendments** R. Menlove  
Governor Signed on 3/22/2010  
Effective Date: 5/11/2010
- H.B. 203 **Repeal of Sales and Use Tax Exemption  
Relating to Mining** C. Watkins  
House/ strike enacting clause on 3/11/2010
- H.B. 204 **Jury Trial Amendments** W. Harper  
House/ strike enacting clause on 3/11/2010
- H.B. 205 **Impact Fee Amendments** S. Sandstrom  
Governor Signed on 3/29/2010  
Effective Date: 5/11/2010
- H.B. 206 **Ban on Sale of Smoking Paraphernalia to Minors** P. Ray  
Governor Signed on 3/29/2010  
Effective Date: 5/11/2010

- H.B. 207    **Protection of Property Amendment**    C. Wimmer  
Governor Signed on 3/30/2010  
Effective Date: 5/11/2010
- H.B. 208    **Disposition of the Remains of a  
Deceased Military Service Member**    J. Seelig  
Governor Signed on 3/26/2010  
Effective Date: 5/11/2010
- H.B. 209    **Sex Offender Regulation Amendments**    C. Watkins  
Governor Signed on 3/23/2010  
Effective Date: 5/11/2010
- H.B. 210    **Eminent Domain Modifications**    C. Frank  
House/ strike enacting clause on 3/11/2010
- H.B. 211    **Improvement District Board Membership**    K. Powell  
Governor Signed on 3/23/2010  
Effective Date: 5/11/2010
- H.B. 212    **Continuing Education Requirements for  
Landscape Architects**    R. Webb  
House/ strike enacting clause on 3/11/2010
- H.B. 213    **Cigarette Tax Exemption Amendments**    E. Vickers  
Governor Signed on 3/29/2010  
Effective Date: 5/11/2010
- H.B. 214    **Concealed Firearm Permit Modifications**    R. Lockhart  
Governor Signed on 3/22/2010  
Effective Date: 5/11/2010
- H.B. 215    **Amendments to Public Employees' Benefit and  
Insurance Program Act – Risk Pools**    K. Garn  
Governor Signed on 3/29/2010  
Effective Date: 5/11/2010
- H.B. 216    **Incorporation of a Town Amendments**    G. Froerer  
Governor Signed on 3/23/2010  
Effective Date: 5/11/2010

H.B. 217	<b>Income Tax Revisions</b> House/ strike enacting clause on 3/11/2010	C. Wimmer
H.B. 218	<b>Municipal Disincorporation Revisions</b> House/ filed on 3/11/2010	G. Froerer
H.B. 219	<b>Delinquent Property Tax Amendments</b> Governor Signed on 3/22/2010 Effective Date: 7/1/2010	G. Froerer
H.B. 220	<b>Disproportionate Rental Fee Amendments</b> House/ strike enacting clause on 3/11/2010	G. Froerer
H.B. 221	<b>Sunset Act and Repealers Reauthorization</b> Governor Signed on 3/29/2010 Effective Date: 5/11/2010	K. Garn
H.B. 222	<b>Land Use Meeting Notice</b> Governor Signed on 3/23/2010 Effective Date: 5/11/2010	T. Beck
H.B. 223	<b>Alcoholic Beverage Control Act and Licenses</b> House/ strike enacting clause on 3/11/2010	G. Froerer
H.B. 224	<b>Uniform Real Property Transfer on Death Act</b> House/ strike enacting clause on 3/11/2010	L. Fowlke
H.B. 225	<b>Counterfeit Substance Amendments</b> Governor Signed on 3/22/2010 Effective Date: 3/22/2010	P. Ray
H.B. 226	<b>Well Driller's License – Pump Installation</b> Governor Signed on 3/23/2010 Effective Date: 5/11/2010	P. Painter
H.B. 227	<b>Licensing Eligibility</b> House/ filed on 3/11/2010	S. Sandstrom
H.B. 228	<b>Renewable Energy Source Amendments</b> Governor Signed on 3/23/2010 Effective Date: 5/11/2010	R. Barrus

- H.B. 229 **Water Right General Adjudication Amendments** P. Painter  
Governor Signed on 3/29/2010  
Effective Date: 5/11/2010
- H.B. 230 **Human Trafficking Amendments** J. Fisher  
Governor Signed on 3/23/2010  
Effective Date: 5/11/2010
- H.B. 231 **Water Rights Priorities in Times of Shortage** K. Gibson  
Governor Signed on 3/26/2010  
Effective Date: 5/11/2010
- H.B. 232 **Medical Language Interpreter Amendments** R. Chavez–Houck  
Governor Signed on 3/23/2010  
Effective Date: 5/11/2010
- H.B. 233 **Retirement Office Amendments** D. Ipson  
Governor Signed on 3/29/2010  
Effective Date: 5/11/2010
- H.B. 234 **Opting Out of the Real Id Act** S. Sandstrom  
Governor Signed on 3/26/2010  
Effective Date: 5/11/2010
- H.B. 235 **Child Support for Children in State Custody** W. Harper  
Governor Signed on 3/22/2010  
Effective Date: 5/11/2010
- H.B. 236 **Statutory Construction Amendments** R. Lockhart  
Governor Signed on 3/26/2010  
Effective Date: 5/11/2010
- H.B. 237 **Restrictions on Use of Wireless Telephones in Vehicles by Minors** P. Riesen  
House/ strike enacting clause on 3/11/2010
- H.B. 238 **Low Speed Vehicle Amendments** J. Anderson  
Governor Signed on 3/26/2010  
Effective Date: 5/11/2010
- H.B. 239 **Child Protection Revisions** W. Harper  
Governor Signed on 3/29/2010  
Effective Date: 5/11/2010



H.B. 240	<b>Department of Natural Resources Amendments</b> Governor Signed on 3/26/2010 Effective Date: 5/11/2010	J. Draxler
H.B. 241	<b>Requirements for Check Casher to Cash a Check</b> House/ strike enacting clause on 3/11/2010	W. Harper
H.B. 242	<b>Marriage License Fee Amendments</b> House/ strike enacting clause on 3/11/2010	C. Johnson
H.B. 243	<b>Foreclosure Processes on Residential Rental Properties</b> Governor Signed on 3/22/2010 Effective Date: 5/11/2010	W. Harper
H.B. 244	<b>Provisional Ballot Amendments for Unregistered Voters</b> House/ strike enacting clause on 3/11/2010	R. Chavez–Houck
H.B. 245	<b>Voter Challenge Amendments</b> House/ strike enacting clause on 3/11/2010	N. Hansen
H.B. 246	<b>Retirement Benefits for Charter School Employees</b> Governor Signed on 3/26/2010 Effective Date: 5/11/2010	C. Watkins
H.B. 247	<b>Lobbyist Restriction Modifications</b> House/ strike enacting clause on 3/11/2010	C. Moss
H.B. 248	<b>Government Records Amendments</b> Governor Signed on 3/26/2010 Effective Date: 5/11/2010	J. Anderson
H.B. 249	<b>Emancipation Amendments</b> Governor Signed on 3/26/2010 Effective Date: 5/11/2010	L. Fowlke
H.B. 250	<b>Criminal Penalties Amendments – Leaving the Scene of an Accident</b> Governor Signed on 3/23/2010 Effective Date: 5/11/2010	C. Herrod

H.B. 251	<b>Admission of Affidavits into Evidence</b> House/ filed on 3/11/2010	R. Lockhart
H.B. 252	<b>Workplace Accommodation of Breast Feeding</b> House/ strike enacting clause on 3/11/2010	C. Johnson
H.B. 253	<b>Transfer of the Bureau of Emergency Medical Services from the Department of Health to the Department of Public Safety</b> House/ strike enacting clause on 3/11/2010	P. Ray
H.B. 254	<b>Voter Identification Amendments</b> Governor Signed on 3/23/2010 Effective Date: 5/11/2010	B. Daw
H.B. 255	<b>Divorce Orientation Amendments</b> House/ strike enacting clause on 3/11/2010	L. Fowlke
H.B. 256	<b>Child Abuse Database Amendments</b> House/ filed on 3/11/2010	L. Fowlke
H.B. 257	<b>Dietitian Certification Act Amendments</b> Governor Signed on 3/25/2010 Effective Date: 5/11/2010	M. Newbold
H.B. 258	<b>Voting Precinct Boundaries</b> Governor Signed on 3/23/2010 Effective Date: 3/8/2012	K. Sumsion
H.B. 259	<b>Property Tax Amendments</b> Governor Signed on 3/23/2010 Effective Date: 5/11/2010	W. Harper
H.B. 260	<b>Children's Health Insurance Plan Simplified Renewal</b> Governor Signed on 3/22/2010 Effective Date: 5/11/2010	M. Newbold
H.B. 261	<b>Financial Responsibility of Motor Vehicle Owners and Operators Act Amendments</b> Governor Signed on 3/26/2010 Effective Date: 5/11/2010	R. Greenwood

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|----------|----------------------------------------------------------------------------------------------------------------------------|-------------|
| H.B. 262 | <b>Reporting to Appropriation Committees</b><br>Governor Signed on 3/29/2010<br>Effective Date: 5/11/2010                  | R. Bigelow  |
| H.B. 263 | <b>Technical Cross Reference Revisions</b><br>Governor Signed on 3/29/2010<br>Effective Date: 5/11/2010                    | J. Anderson |
| H.B. 264 | <b>Law Enforcement Amendments</b><br>House/ strike enacting clause on 3/11/2010                                            | C. Wimmer   |
| H.B. 265 | <b>Real Property Amendments</b><br>Governor Signed on 3/26/2010<br>Effective Date: 5/11/2010                               | G. Froerer  |
| H.B. 266 | <b>Government Records Access and Management Act Revisions</b><br>House/ strike enacting clause on 3/11/2010                | K. Powell   |
| H.B. 267 | <b>Lobbyist Disclosure and Regulation Act Amendments</b><br>Governor Signed on 3/29/2010<br>Effective Date: 5/11/2010      | K. Garn     |
| H.B. 268 | <b>Public School Innovations</b><br>House/ strike enacting clause on 3/11/2010                                             | K. Grover   |
| H.B. 269 | <b>Solemnizing Marriages Amendment</b><br>Governor Signed on 3/23/2010<br>Effective Date: 5/11/2010                        | D. Aagard   |
| H.B. 270 | <b>Financial Disclosure and Conflict of Interest Amendments</b><br>Governor Signed on 3/8/2010<br>Effective Date: 3/8/2010 | G. Hughes   |
| H.B. 271 | <b>Hunting Guides and Outfitters Licensing Act Amendments</b><br>Governor Signed on 3/29/2010<br>Effective Date: 5/11/2010 | E. Vickers  |

- H.B. 272 **Construction Trades Licensing Act Amendments** B. King  
House/ strike enacting clause on 3/11/2010
- H.B. 273 **Utah International Trade Commission Amendments** E. Hutchings  
Governor Signed on 3/29/2010  
Effective Date: 5/11/2010
- H.B. 274 **Statutory Construction Compliance Amendments** R. Lockhart  
Governor Signed on 3/30/2010  
Effective Date: 5/11/2010
- H.B. 275 **Division of Real Estate Amendments** G. Froerer  
Governor Signed on 3/30/2010  
Effective Date: 5/11/2010
- H.B. 276 **Sex Offender Registry Amendment** P. Ray  
Governor Signed on 3/29/2010  
Effective Date: 5/11/2010
- H.B. 277 **Overdose Reporting Amendments** C. Johnson  
Governor Signed on 3/29/2010  
Effective Date: 5/11/2010
- H.B. 278 **Government Records Access and Management Act Amendments** C. Herrod  
Governor Signed on 3/30/2010  
Effective Date: 5/11/2010
- H.B. 279 **County Recorder Amendments** R. Webb  
Governor Signed on 3/30/2010  
Effective Date: 5/11/2010
- H.B. 280 **Real Property – Transfer Fees** R. Lockhart  
House/ filed on 3/11/2010
- H.B. 281 **Medicaid Family Planning Waiver** J. Seelig  
House/ strike enacting clause on 3/11/2010
- H.B. 282 **Local Government Amendments** S. Sandstrom  
Governor Signed on 3/29/2010  
Effective Date: 5/11/2010



- H.B. 295 **Expanded Uses of School District Property Tax Revenue** K. Sumsion  
Governor Signed on 3/23/2010  
Effective Date: 5/11/2010
- H.B. 296 **Choice of Law in Utah Courts** C. Wimmer  
House/ strike enacting clause on 3/11/2010
- H.B. 297 **Compact Agreement among the States to Elect the President by National Popular Vote** N. Hansen  
House/ strike enacting clause on 3/11/2010
- H.B. 298 **Land Use Authority Notification of Canal Development** B. Ferry  
Governor Signed on 3/29/2010  
Effective Date: 5/11/2010
- H.B. 299 **Amendments Related to Substances Harmful to Pregnancy** R. Menlove  
Governor Signed on 3/23/2010  
Effective Date: 5/11/2010
- H.B. 300 **Adoption Revisions** R. Chavez–Houck  
House/ strike enacting clause on 3/11/2010
- H.B. 301 **Disorderly Conduct Amendments** C. Wimmer  
House/ strike enacting clause on 3/11/2010
- H.B. 302 **Minor Adjustments to County Boundaries** P. Painter  
Governor Signed on 3/30/2010  
Effective Date: 5/11/2010
- H.B. 303 **Protections for Victims of Domestic Violence** E. Hutchings  
Governor Signed on 3/30/2010  
Effective Date: 5/11/2010
- H.B. 304 **Lieutenant Governor Amendments** E. Hutchings  
Governor Signed on 3/29/2010  
Effective Date: 5/11/2010
- H.B. 305 **Antidiscrimination Amendments** C. Johnson  
House/ strike enacting clause on 3/11/2010

H.B. 306	<b>Terrorism Amendments</b> Governor Signed on 3/29/2010 Effective Date: 5/11/2010	E. Hutchings
H.B. 307	<b>General County Powers Amendments</b> Governor Signed on 3/30/2010 Effective Date: 5/11/2010	G. Hughes
H.B. 308	<b>State Fire Code Adoption</b> Governor Signed on 3/29/2010 Effective Date: 7/1/2010	T. Kiser
H.B. 309	<b>Surface Owner Protection Act</b> House/ strike enacting clause on 3/11/2010	J. Mathis
H.B. 310	<b>Spending Limits Amendments</b> Governor Signed on 3/23/2010 Effective Date: 7/1/2010	R. Bigelow
H.B. 311	<b>Autism Treatment Fund</b> Governor Signed on 3/22/2010 Effective Date: 5/11/2010	R. Lockhart
H.B. 312	<b>Medical Expenses for Offenders</b> Governor Signed on 3/30/2010 Effective Date: 7/1/2011	P. Ray
H.B. 313	<b>Law Enforcement Officers Certification Amendments</b> Bill Numbered by Title Without any Substance on 2/5/2010	C. Wimmer
H.B. 314	<b>Water Rights Addendums to Deeds</b> Governor Signed on 3/22/2010 Effective Date: 5/11/2010	B. Ferry
H.B. 315	<b>Utah Public Notice Website Amendments</b> Governor Signed on 3/23/2010 Effective Date: 5/11/2010	K. Powell
H.B. 316	<b>Disabled Veterans Property Tax Exemption Amendments</b> Governor Signed on 3/22/2010 Effective Date: 5/11/2010	G. Hughes

H.B. 317	<b>Property Tax Notices Amendments</b> House/ strike enacting clause on 3/11/2010	G. Froerer
H.B. 318	<b>Revolving Loan Fund for Certain Energy Efficient Projects Amendments</b> Governor Signed on 3/22/2010 Effective Date: 3/22/2010	R. Barrus
H.B. 319	<b>State Construction Registry Revisions</b> House/ strike enacting clause on 3/11/2010	K. Powell
H.B. 320	<b>Utah Construction Trades Licensing Act – Alarm Companies Amendments</b> Governor Signed on 3/30/2010 Effective Date: 5/11/2010	C. Herrod
H.B. 321	<b>Bond Election Notification Revisions</b> Governor Signed on 3/30/2010 Effective Date: 5/11/2010	G. Hughes
H.B. 322	<b>Property Tax Valuation Amendments</b> House/ strike enacting clause on 3/11/2010	N. Hansen
H.B. 323	<b>School and Institutional Trust Lands Amendments</b> House/ strike enacting clause on 3/11/2010	K. Sumsion
H.B. 324	<b>Public Lands Litigation</b> Governor Signed on 3/26/2010 Effective Date: 5/11/2010	K. Sumsion
H.B. 325	<b>State Tax Commission Offers in Compromise and Authority to Waive, Reduce, or Compromise a Penalty or Interest</b> Bill Numbered by Title Without any Substance on 2/5/2010	C. Johnson
H.B. 326	<b>Water Right Change Application Amendments</b> Bill Numbered by Title Without any Substance on 2/5/2010	P. Painter



- H.B. 327 **Autism Awareness Support Special Group License Plate** R. Edwards  
Governor Signed on 3/23/2010  
Effective Date: 10/1/2010
- H.B. 328 **Severance Tax Amendments** J. Mathis  
Bill Numbered by Title Without any  
Substance on 2/5/2010
- H.B. 329 **Campaign Finance Amendments** B. Ferry  
Governor Signed on 3/30/2010  
Effective Date: 1/1/2011
- H.B. 330 **Law Enforcement Officer, Correctional Officer, and Public Safety Dispatch Personnel Pay Plan Amendments** C. Frank  
Bill Numbered by Title Without any  
Substance on 2/5/2010
- H.B. 331 **Waste Fee and Related Amendments** R. Menlove  
Governor Signed on 3/16/2010  
Effective Date: 7/1/2010
- H.B. 332 **Utah Agricultural Code Amendments** C. Watkins  
Governor Signed on 3/22/2010  
Effective Date: 5/11/2010
- H.B. 333 **Reemployed Retiree Contribution Amendments** D. Litvack  
House/ strike enacting clause on 3/11/2010
- H.B. 334 **Mechanical Contractor Licensing Provisions** L. Wiley  
House/ strike enacting clause on 3/11/2010
- H.B. 335 **Utility Related Exemptions** G. Hughes  
Governor Signed on 3/30/2010  
Effective Date: 5/11/2010
- H.B. 336 **Railroad and Railroad Crossing Amendments** R. Greenwood  
House/ strike enacting clause on 3/11/2010
- H.B. 337 **Uniform Driver License Act Amendments** R. Lockhart  
Governor Signed on 3/29/2010  
Effective Date: 5/11/2010

- H.B. 338 **Special Needs Adoption Tax Credit** F. Gibson  
 Bill Numbered by Title Without any  
 Substance on 2/5/2010
- H.B. 339 **Workers' Compensation Death Benefits** R. Barrus  
 Bill Numbered by Title Without any  
 Substance on 2/5/2010
- H.B. 340 **Sexual Assault Victim Protocols** J. Biskupski  
 Governor Signed on 3/23/2010  
 Effective Date: 5/11/2010
- H.B. 341 **Uniform Athlete Agents Act** P. Ray  
 Governor Signed on 3/22/2010  
 Effective Date: 5/11/2010
- H.B. 342 **Innkeeper's Rights Act Modifications** S. Sandstrom  
 House/ strike enacting clause on 3/11/2010
- H.B. 343 **Great Salt Lake Advisory Council** B. Ferry  
 Governor Signed on 3/23/2010  
 Effective Date: 5/11/2010
- H.B. 344 **State School Board Nominating  
 Committee Amendments** L. Fowlke  
 Bill Numbered by Title Without any  
 Substance on 2/5/2010
- H.B. 345 **Public Safety Code Amendments** C. Oda  
 Bill Numbered by Title Without any  
 Substance on 2/5/2010
- H.B. 346 **Board of Pardons and Parole Amendments** L. Fowlke  
 House/ to Governor on 3/17/2010
- H.B. 347 **Guardianship Amendments** K. Powell  
 House/ strike enacting clause on 3/11/2010
- H.B. 348 **Sheriffs Fees** R. Greenwood  
 Governor Signed on 3/22/2010  
 Effective Date: 5/11/2010

- H.B. 349 **Sales and Use Tax Amendments** W. Harper  
Governor Signed on 3/23/2010  
Effective Date: 7/1/2010
- H.B. 350 **Club Teams in Public Schools** S. Sandstrom  
House/ strike enacting clause on 3/11/2010
- H.B. 351 **Funding for Highway Projects – Salt Lake County** W. Harper  
House/ filed on 3/11/2010
- H.B. 352 **Highway Signs Amendments** K. Powell  
Bill Numbered by Title Without any  
Substance on 2/5/2010
- H.B. 353 **Nonlapsing Dedicated Credit Amendments** R. Bigelow  
Governor Signed on 3/30/2010  
Effective Date: 7/1/2010
- H.B. 354 **Finance Amendments for Financially Distressed  
School Districts** C. Watkins  
House/ strike enacting clause on 3/11/2010
- H.B. 355 **Legal Guardianship Amendments** S. Sandstrom  
Governor Signed on 3/30/2010  
Effective Date: 5/11/2010
- H.B. 356 **Emergency Medical Services Amendments** P. Ray  
Bill Numbered by Title Without any  
Substance on 2/5/2010
- H.B. 357 **Modifications to Campaign Finance Provisions** K. Powell  
Bill Numbered by Title Without any  
Substance on 2/5/2010
- H.B. 358 **Voting by Mail** N. Hansen  
Bill Numbered by Title Without any  
Substance on 2/5/2010
- H.B. 359 **Utah Retirement System Modifications** D. Ipson  
Bill Numbered by Title Without any  
Substance on 2/5/2010

- H.B. 360 **Public Education Grants** K. Sumsion  
 Bill Numbered by Title Without any  
 Substance on 2/5/2010
- H.B. 361 **Public Transportation Amendments** K. Sumsion  
 Bill Numbered by Title Without any  
 Substance on 2/5/2010
- H.B. 362 **Duties of City Police Departments** C. Herrod  
 House/ strike enacting clause on 3/11/2010
- H.B. 363 **Municipal Election Amendments** C. Frank  
 Governor Signed on 3/29/2010  
 Effective Date: 5/11/2010
- H.B. 364 **Right of Identity Theft Victim to  
 Civil Cause of Action** J. Fisher  
 Governor Signed on 3/23/2010  
 Effective Date: 5/11/2010
- H.B. 365 **Department of Corrections Registry Amendments** D. Aagard  
 Governor Signed on 3/23/2010  
 Effective Date: 5/11/2010
- H.B. 366 **Motor Vehicle Business Regulation Act Amendments** B. Daw  
 Governor Signed on 3/30/2010  
 Effective Date: 5/11/2010
- H.B. 367 **Guardianship Residency Requirements** L. Black  
 House/ strike enacting clause on 3/11/2010
- H.B. 368 **Election Day Voting Centers** R. Chavez–Houck  
 House/ strike enacting clause on 3/11/2010
- H.B. 369 **Candidate Vacancies Amendments** K. Grover  
 Bill Numbered by Title Without any  
 Substance on 2/5/2010
- H.B. 370 **Capital Project Amendments** S. Clark  
 Governor Signed on 3/29/2010  
 Effective Date: 5/11/2010

H.B. 371	<b>Veterinary Practice Act Amendments</b> Bill Numbered by Title Without any Substance on 2/5/2010	B. Wright
H.B. 372	<b>Wrongful Death of Unborn Child</b> House/ strike enacting clause on 3/11/2010	C. Wimmer
H.B. 373	<b>Renewal of Judgment Act Amendments</b> House/ strike enacting clause on 3/11/2010	G. Froerer
H.B. 374	<b>Fishery Management</b> Bill Numbered by Title Without any Substance on 2/5/2010	B. Ferry
H.B. 375	<b>Bailable Offenses Act</b> House/ strike enacting clause on 3/11/2010	P. Ray
H.B. 376	<b>Monkeys as Pets</b> Bill Numbered by Title Without any Substance on 2/5/2010	C. Herrod
H.B. 377	<b>Department of Human Services Licensing Amendments</b> House/ strike enacting clause on 3/11/2010	P. Ray
H.B. 378	<b>Motor Vehicle Insurance Requirements</b> Governor Signed on 3/25/2010 Effective Date: 5/11/2010	T. Kiser
H.B. 379	<b>Barber, Cosmetologist/barber, Esthetician, Electrologist, and Nail Technician Licensing Act Amendments</b> Governor Signed on 3/23/2010 Effective Date: 5/11/2010	M. Newbold
H.B. 380	<b>Firearm Laws Amendments</b> Governor Signed on 3/29/2010 Effective Date: 5/11/2010	S. Sandstrom
H.B. 381	<b>Municipal Land Use Provisions</b> Governor Signed on 3/30/2010 Effective Date: 5/11/2010	S. Sandstrom

- H.B. 382 **Task Force on Balanced Federalism** C. Wimmer  
 Bill Numbered by Title Without any  
 Substance on 2/5/2010
- H.B. 383 **County Tax Amendments** W. Harper  
 House/ strike enacting clause on 3/11/2010
- H.B. 384 **Psychologist Licensing Act Amendments** M. Newbold  
 Bill Numbered by Title Without any  
 Substance on 2/5/2010
- H.B. 385 **Beverly Taylor Sorenson Elementary Arts  
 Learning Program Amendments** G. Hughes  
 Bill Numbered by Title Without any  
 Substance on 2/5/2010
- H.B. 386 **Interstate Compact on Educational Opportunity  
 for Military Children** G. Hughes  
 Governor Signed on 3/30/2010  
 Effective Date: 5/11/2010
- H.B. 387 **Protecting Identity of Children** E. Hutchings  
 House/ strike enacting clause on 3/11/2010
- H.B. 388 **Mobile Home Revisions** J. Dunnigan  
 Governor Signed on 3/11/2010  
 Effective Date: 5/11/2010
- H.B. 389 **Mobile Home Park Residency Amendments** J. Fisher  
 House/ strike enacting clause on 3/11/2010
- H.B. 390 **Maternity Leave for School Employees –  
 Adoptive Parents** J. Fisher  
 Bill Numbered by Title Without any  
 Substance on 2/5/2010
- H.B. 391 **Public Water Companies Revisions** P. Painter  
 Bill Numbered by Title Without any  
 Substance on 2/5/2010

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H.B. 392	<b>Zero Based Budgets for State Agencies</b> Bill Numbered by Title Without any Substance on 2/5/2010	C. Frank
H.B. 393	<b>Advertisements on School Buses</b> House/ strike enacting clause on 3/11/2010	J. Bird
H.B. 394	<b>Motor and Special Fuel Tax Act Amendments</b> House/ strike enacting clause on 3/11/2010	S. Clark
H.B. 395	<b>Limitation of Actions Amendments</b> Governor Signed on 3/30/2010 Effective Date: 5/11/2010	M. Noel
H.B. 396	<b>Speech–language Pathology and Audiology Licensing Act Amendments</b> Governor Signed on 3/30/2010 Effective Date: 5/11/2010	D. Ipson
H.B. 397	<b>Medicaid Program Amendments</b> Governor Signed on 3/29/2010 Effective Date: 5/11/2010	J. Dougall
H.B. 398	<b>Sexually Oriented Business License Amendments</b> Governor Signed on 3/30/2010 Effective Date: 5/11/2010	F. Seegmiller
H.B. 399	<b>Common Interest Ownership Amendments</b> House/ strike enacting clause on 3/11/2010	G. Froerer
H.B. 400	<b>Billboard Amendments</b> Bill Numbered by Title Without any Substance on 2/5/2010	S. Clark
H.B. 401	<b>Residential Facilities for Elderly Persons</b> House/ filed on 3/11/2010	B. Daw
H.B. 402	<b>Department of Administrative Services Modifications</b> Governor Signed on 3/29/2010 Effective Date: 5/11/2010	S. Clark

H.B. 403	<b>Window Tinting Amendments</b> Bill Numbered by Title Without any Substance on 2/5/2010	D. Ipson
H.B. 404	<b>Motor Vehicle Business Amendments</b> Governor Signed on 3/29/2010 Effective Date: 5/11/2010	D. Ipson
H.B. 405	<b>Transportation Surcharge</b> Bill Numbered by Title Without any Substance on 2/5/2010	D. Ipson
H.B. 406	<b>State Fair Park Amendments</b> Governor Signed on 3/29/2010 Effective Date: 7/1/2010	J. Gowans
H.B. 407	<b>Obligations Secured by Trust Deeds</b> House/ strike enacting clause on 3/11/2010	G. Hughes
H.B. 408	<b>Hospital Claims Management</b> Governor Signed on 3/29/2010 Effective Date: 5/11/2010	B. Last
H.B. 409	<b>Civil Action for Damages Related to Addiction from Illegal Drug Sale</b> Governor Signed on 3/29/2010 Effective Date: 5/11/2010	C. Herrod
H.B. 410	<b>Hazing Policies for Higher Education Institutions</b> Bill Numbered by Title Without any Substance on 2/5/2010	C. Moss
H.B. 411	<b>Public Utility Modifications</b> House/ strike enacting clause on 3/11/2010	J. Anderson
H.B. 412	<b>Retirement Task Force</b> Bill Numbered by Title Without any Substance on 2/5/2010	M. Brown
H.B. 413	<b>Motor Vehicle Registration Fee Amendments</b> Bill Numbered by Title Without any Substance on 2/5/2010	C. Frank





- H.B. 425 **Budgetary Procedures Act – Fee Amendments** R. Bigelow  
Governor Signed on 3/23/2010  
Effective Date: 5/11/2010
- H.B. 426 **Bail Bond Licensee Representation Amendments** S. Sandstrom  
Governor Signed on 3/29/2010  
Effective Date: 5/11/2010
- H.B. 427 **Government Law Modifications** K. McIff  
Bill Numbered by Title Without any  
Substance on 2/5/2010
- H.B. 428 **Nonresident Tuition Amendments** R. Greenwood  
House/ strike enacting clause on 3/11/2010
- H.B. 429 **Newspaper Publication Requirements** J. Anderson  
House/ filed on 3/9/2010
- H.B. 430 **Tax Modifications** G. Hughes  
Bill Numbered by Title Without any  
Substance on 2/5/2010
- H.B. 431 **Identity Verification by Department of Commerce** M. Morley  
Governor Signed on 3/25/2010  
Effective Date: 5/11/2010
- H.B. 432 **Hate Crime Amendments** S. Sandstrom  
House/ strike enacting clause on 3/11/2010
- H.B. 433 **Foreign Exchange Student Amendments** C. Wimmer  
Governor Signed on 3/29/2010  
Effective Date: 5/11/2010
- H.B. 434 **Issues Submitted to Voters Amendments** B. Wright  
Bill Numbered by Title Without any  
Substance on 2/5/2010
- H.B. 435 **Dixie State College – Nonprofit Entities** D. Ipson  
Governor Signed on 3/23/2010  
Effective Date: 5/11/2010

- H.B. 436 **State Officers' Salary Amendments** N. Hansen  
House/ strike enacting clause on 3/11/2010
- H.B. 437 **Phlebotomy Certification Act** F. Seegmiller  
House/ filed on 3/1/2010
- H.B. 438 **Transportation Modifications** R. Lockhart  
Governor Signed on 3/31/2010  
Effective Date: 7/1/2010
- H.B. 439 **Budget Modifications** R. Bigelow  
Bill Numbered by Title Without any  
Substance on 2/5/2010
- H.B. 440 **Veterans' Nursing Home Reimbursement  
Restricted Account** R. Bigelow  
Governor Signed on 3/23/2010  
Effective Date: 5/11/2010
- H.B. 441 **Tax Revisions** K. Garn  
Bill Numbered by Title Without any  
Substance on 2/5/2010
- H.B. 442 **Municipal Amendments** S. Sandstrom  
Bill Numbered by Title Without any  
Substance on 2/5/2010
- H.B. 443 **Driver License and Identification Card  
Expiration Amendments** R. Bigelow  
Bill Numbered by Title Without any  
Substance on 2/5/2010
- H.B. 444 **Increasing the Cap on Jail Contracting in  
Department of Corrections** E. Hutchings  
Bill Numbered by Title Without any  
Substance on 2/5/2010
- H.B. 445 **Highway Access to Sovereign Lands** R. Barrus  
House/ strike enacting clause on 3/11/2010
- H.B. 446 **General Appropriations Act** D. Litvack  
Bill Numbered by Title Without any  
Substance on 2/5/2010



- H.B. 458 **Temporary Suspension of Certain Sales and Use Tax Exemptions** D. Litvack  
Bill Numbered by Title Without any  
Substance on 2/5/2010
- H.B. 459 **Health Amendments** D. Clark  
Governor Signed on 3/23/2010  
Effective Date: 3/23/2010
- H.B. 460 **Board of Regents Amendments** B. Dee  
House/ strike enacting clause on 3/11/2010
- H.B. 461 **Children's Health Insurance Program** J. Dougall  
Governor Signed on 3/29/2010  
Effective Date: 5/11/2010
- H.B. 462 **Criminal Homicide and Abortion Revisions** C. Wimmer  
Governor Signed on 3/8/2010  
Effective Date: 3/8/2010
- H.B. 463 **Divided School District Property Tax Amendments** E. Hutchings  
House/ filed on 3/11/2010
- H.B. 464 **Family Health Services RFPS – Tobacco Settlement Funds** J. Dougall  
Governor Signed on 3/31/2010  
Effective Date: 5/11/2010
- H.C.R. 1 **Concurrent Resolution on International Trade and State Governments** S. Allen  
Governor Signed on 3/22/2010  
Effective Date: 3/22/2010
- H.C.R. 2 **Concurrent Resolution on States' Rights** J. Fisher  
Governor Signed on 3/23/2010  
Effective Date: 3/23/2010
- H.C.R. 3 **Italian–American Heritage Month Concurrent Resolution** C. Watkins  
Governor Signed on 3/26/2010  
Effective Date: 3/26/2010

- H.C.R. 4 **Veterans Freedom Memorial Concurrent Resolution** G. Hughes  
Governor Signed on 3/25/2010  
Effective Date: 3/25/2010
- H.C.R. 5 **Concurrent Resolution Recognizing the 100th Anniversary of the Boy Scouts of America** B. Daw  
Governor Signed on 2/26/2010  
Effective Date: 2/26/2010
- H.C.R. 6 **Stockton Bar Geologic Formation Concurrent Resolution** R. Menlove  
House/ strike enacting clause on 3/11/2010
- H.C.R. 7 **Credit Scores Concurrent Resolution** D. Aagard  
Governor Signed on 3/23/2010  
Effective Date: 3/23/2010
- H.C.R. 8 **Concurrent Resolution on Federal Health Care Reform** D. Clark  
Governor Signed on 3/22/2010  
Effective Date: 3/22/2010
- H.C.R. 9 **Autism, Disabilities, and Faith Concurrent Resolution** R. Menlove  
Governor Signed on 3/26/2010  
Effective Date: 3/26/2010
- H.C.R. 10 **Concurrent Resolution Recognizing Real Salt Lake for Winning the 2009 MLS Cup Championship** F. Seegmiller  
Bill Numbered by Title Without any Substance on 2/5/2010
- H.C.R. 11 **Taiwan Concurrent Resolution** R. Lockhart  
Governor Signed on 3/22/2010  
Effective Date: 3/22/2010
- H.C.R. 12 **Printing and Graphic Arts Recognition Month Concurrent Resolution** B. Daw  
Governor Signed on 3/29/2010  
Effective Date: 3/29/2010

- H.C.R. 13 **Concurrent Resolution on Providing Continuing Federal Financial Assistance for the Delivery of Basic Services to Dutch John, Utah** M. Brown  
Governor Declined to Sign on 3/31/2010
- H.C.R. 14 **R.S. 2477 Historic Roads Concurrent Resolution** M. Noel  
Governor Signed on 3/29/2010  
Effective Date: 3/29/2010
- H.C.R. 15 **Resolution to the Secretary of Transportation on Revocation of Driver Licenses** R. Lockhart  
Governor Signed on 3/29/2010  
Effective Date: 3/29/2010
- H.C.R. 16 **Statue of Responsibility Monument Concurrent Resolution** M. Morley  
Governor Signed on 3/23/2010  
Effective Date: 3/23/2010
- H.C.R. 17 **Concurrent Resolution Opposing the Use of Presidential Power to Create New National Monuments in Utah** M. Noel  
Governor Signed on 3/29/2010  
Effective Date: 3/29/2010
- H.C.R. 18 **Workforce Needs Concurrent Resolution** B. Dee  
Governor Signed on 3/22/2010  
Effective Date: 3/22/2010
- H.C.R. 19 **General Motors Concurrent Resolution** M. Brown  
House/ strike enacting clause on 3/11/2010
- H.J.R. 1 **Joint Resolution Amending Provision on Municipal Water Rights** K. McIff  
House/ strike enacting clause on 3/11/2010
- H.J.R. 2 **Joint Resolution on Property Tax Exemption for Water Facilities** P. Painter  
House/ to Lieutenant Governor on 3/1/2010  
Effective Date: 1/1/2011

- |           |                                                                                                                                                                                           |            |
|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| H.J.R. 3  | <b>Joint Resolution on Teacher Performance Pay</b><br>House/ to Lieutenant Governor on 3/2/2010<br>Effective Date: 2/26/2010                                                              | M. Poulson |
| H.J.R. 4  | <b>Joint Resolution Urging an End to the U.S. Military's Don't Ask, Don't Tell Policy</b><br>House/ strike enacting clause on 3/11/2010                                                   | C. Johnson |
| H.J.R. 5  | <b>Joint Resolution on Clean Air</b><br>House/ to Lieutenant Governor on 3/1/2010<br>Effective Date: 2/24/2010                                                                            | C. Moss    |
| H.J.R. 6  | <b>Strangulation and Domestic Violence<br/>Joint Resolution</b><br>House/ to Lieutenant Governor on 3/9/2010<br>Effective Date: 3/4/2010                                                  | J. Seelig  |
| H.J.R. 7  | <b>Joint Resolution Prohibiting Property Transfer Tax</b><br>House/ strike enacting clause on 3/11/2010                                                                                   | G. Froerer |
| H.J.R. 8  | <b>Joint Rules Resolution on the Selection of Ethics Committee Members</b><br>House/ strike enacting clause on 3/11/2010                                                                  | N. Hansen  |
| H.J.R. 9  | <b>Resolution in Support of Veterans' Nursing Home</b><br>House/ to Lieutenant Governor on 3/2/2010<br>Effective Date: 2/26/2010                                                          | C. Oda     |
| H.J.R. 10 | <b>Joint Resolution Opposing the Establishment of a Federal Commission on State Workers' Compensation Laws</b><br>House/ to Lieutenant Governor on 2/23/2010<br>Effective Date: 2/18/2010 | M. Morley  |
| H.J.R. 11 | <b>Joint Resolution Regarding Federal Health Insurance Reform</b><br>House/ to Lieutenant Governor on 2/24/2010<br>Effective Date: 2/18/2010                                              | M. Morley  |
| H.J.R. 12 | <b>Climate Change Joint Resolution</b><br>House/ to Lieutenant Governor on 3/19/2010<br>Effective Date: 2/26/2010                                                                         | K. Gibson  |



- H.J.R. 13 **Recognition of Community Councils and the Association of Community Councils Together Joint Resolution** S. Duckworth  
House/ to Lieutenant Governor on 3/2/2010  
Effective Date: 2/26/2010
- H.J.R. 14 **Joint Rules Resolution on Financial Disclosures** G. Hughes  
House/ to Lieutenant Governor on 3/17/2010  
Effective Date: 3/4/2010
- H.J.R. 15 **Joint Resolution on Legislative Ethics Commission** D. Clark  
House/ to Lieutenant Governor on 3/9/2010  
Effective Date: 1/1/2011
- H.J.R. 16 **Joint Resolution Supporting Kane County Expansion of Correctional Facilities** M. Noel  
House/ to Lieutenant Governor on 3/19/2010  
Effective Date: 3/11/2010
- H.J.R. 17 **Joint Rules Resolution for Fiscal Notes on Criminal Penalty Bills** K. Sumsion  
House/ strike enacting clause on 3/11/2010
- H.J.R. 18 **Joint Resolution Urging Ratification of the Comprehensive Nuclear Test Ban Treaty** J. Seelig  
House/ strike enacting clause on 3/11/2010
- H.J.R. 19 **Joint Resolution Approving Reappointment of Legislative Auditor General** D. Clark  
House/ to Lieutenant Governor on 3/1/2010  
Effective Date: 2/25/2010
- H.J.R. 20 **Green Schools Joint Resolution** M. Wheatley  
House/ filed on 2/22/2010
- H.J.R. 21 **Joint Resolution on Energy Policy** M. Noel  
House/ to Lieutenant Governor on 3/19/2010  
Effective Date: 3/11/2010
- H.J.R. 22 **Joint Resolution Recognizing the 75th Anniversary of the Utah Highway Patrol** D. Ipson  
House/ to Lieutenant Governor on 2/23/2010  
Effective Date: 2/16/2010

- H.J.R. 23 **Joint Resolution Approving the Sale of Real Property at the Utah State Developmental Center** C. Frank  
House/ to Lieutenant Governor on 3/9/2010  
Effective Date: 3/4/2010
- H.J.R. 24 **Joint Resolution on Equal Treatment by Government** C. Oda  
House/ strike enacting clause on 3/11/2010
- H.J.R. 25 **Joint Resolution Regarding School Fees and Supplies** K. Powell  
House/ strike enacting clause on 3/11/2010
- H.J.R. 26 **Joint Resolution Approving Water Rights Addendum Form** B. Ferry  
House/ to Lieutenant Governor on 3/19/2010  
Effective Date: 3/10/2010
- H.J.R. 27 **Authentic Charity Health Care Joint Resolution** M. Newbold  
House/ to Lieutenant Governor on 3/9/2010  
Effective Date: 3/4/2010
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**RESIGNATION  
LETTERS**



## RESIGNATION LETTERS

Dear Speaker Clark:

September 28, 2009

With this letter, I hereby submit my resignation from the Utah House of Representatives, effective November 3, 2009. Thank you for the opportunities to provide leadership and representation for the constituents of my district. I will be resigning my position to accept a position with the Utah Education Association as the Government Affairs Director.

Serving in the Utah House has been a very rich blessing in my life and one I will look back on with very fond memories. I look forward to continuing to work with the members of the legislature in a different capacity as the coming session approaches.

I wish you good luck and the Wisdom of Solomon as the session approaches.

Sincerely,

Representative Kory M. Holdaway,  
House District 34

Communication filed.

\* \* \*

Dear Speaker Clark:

November 30, 2009

I am advising you that I will resign from the House of Representatives effective December 1, 2009. As you know, my employment requires that I move out of my legislative district.

It has been an honor to represent the people of District 68 in the Utah House of Representatives and a pleasure working with you and our colleagues in the legislature.

Best regards,

Representative Brad Winn  
House District 68

Communication filed.

\* \* \*

Dear Speaker Clark:

March 13, 2010

Please accept this as my official resignation as Representative from the 16th House District to the Utah State Legislature effective immediately.

After discussing this matter with my family, I have decided that it is in the best interests of them, my colleagues and the people of Utah. As you know, it is a great honor to serve in the State Legislature. In fact, it has been one of the greatest honors of my life. I am proud of what I accomplished. I am proud to have worked with so many wonderful and talented public servants. I wish to thank those who entrusted me with this responsibility.

I thank you for your steady leadership and I sincerely apologize for becoming a distraction to the conclusion of an otherwise remarkable legislative session. I hope that my public service has changed Utah for the better.

Respectfully,

Representative Kevin Garn  
House District 16

Communication filed.

\* \* \*

Dear Speaker Clark:

May 13, 2010

This is to officially inform you that I resign my House seat District #63 effective June 1, 2010. It has been an honor and pleasure to serve in the House for the last 10 years. I wish you and my colleagues well as they continue to conduct the state's business.

Sincerely,

Representative Stephen D. Clark  
House District 63

Communication filed.

# **APPOINTMENT LETTERS**





## STATE OF UTAH

OFFICE OF THE GOVERNOR  
SALT LAKE CITY, UTAH  
84114-2220

GARY R. HERBERT  
GOVERNOR

GREG BELL  
LIEUTENANT GOVERNOR

November 25, 2009

Johnny Anderson  
4289 South El Camino Street  
Taylorsville, Utah 84119

Dear Mr. Anderson,

It is my pleasure to appoint you to the Utah House of Representatives, to fill the seat in House District 34, which was vacated by the Honorable Kory M. Holdaway. I am confident that as a State Representative, you will serve our state and the citizens in your district with discernment and decorum. I look forward to working with you in this new capacity.

Sincerely,

A handwritten signature in cursive script that reads "Gary R. Herbert".

Gary R. Herbert  
Governor

Cc: Lt. Governor Greg Bell  
Speaker Dave Clark  
Sandy Tenney, Chief Clerk







## STATE OF UTAH

OFFICE OF THE GOVERNOR  
SALT LAKE CITY, UTAH  
84114-2220

GARY R. HERBERT  
GOVERNOR

GREG BELL  
LIEUTENANT GOVERNOR

December 2, 2009

Bill Wright  
P. O. Box 126  
Holden, Utah 84636

Dear Mr. Wright,

It is my pleasure to appoint you to the Utah House of Representatives, to fill the seat in House District 68, which was vacated by the Honorable Brad Winn. I am confident that as a State Representative, you will serve our state and the citizens in your district with discernment and decorum. I look forward to working with you in this new capacity.

Sincerely,

A handwritten signature in cursive script that reads "Gary R. Herbert".

Gary R. Herbert  
Governor

Cc: Lieutenant Governor Greg Bell  
Speaker Dave Clark  
Sandy Tenney, Chief Clerk





## STATE OF UTAH

OFFICE OF THE GOVERNOR  
SALT LAKE CITY, UTAH  
84114-2220

GARY R. HERBERT  
GOVERNOR

GREG BELL  
LIEUTENANT GOVERNOR

April 15, 2010

Stephen G. Handy  
1355 East 625 North  
Layton, Utah 84040

Dear Mr. Handy,

It is my pleasure to appoint you to the Utah House of Representatives, to fill the seat in House District 16. I am confident that as a State Representative you will serve our state and the citizens in your district with discernment and decorum. I look forward to working with you in this new capacity.

Sincerely,

Gary R. Herbert  
Governor

Cc: Lieutenant Governor Greg Bell  
Speaker of the House David Clark  
Sandy Tenney, Chief Clerk





STATE OF UTAH  
OFFICE OF THE GOVERNOR  
SALT LAKE CITY, UTAH  
84114-2220

GARY R. HERBERT  
GOVERNOR

GREG BELL  
LIEUTENANT GOVERNOR

June 10, 2010

Dean Sanpei  
2145 North 1450 East  
Provo, Utah 84604

Dear Mr. Sanpei,

It is my pleasure to appoint you to the Utah House of Representatives to fill the seat in House District 63, which was vacated by the Honorable Stephen D. Clark. I am confident that as a State Representative you will serve our state and the citizens in your district with distinction. I look forward to working with you.

Sincerely,

  
Gary R. Herbert  
Governor

Cc: Lieutenant Governor Greg Bell  
Senate President Michael G. Waddoups  
Sandy Tenney, Chief Clerk



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