

JOURNAL
of the
House of Representatives
of the
State of Utah

FIFTY–SIXTH LEGISLATURE
2007 FIRST SPECIAL SESSION

Commencing August 22, 2007 and
Ending August 22, 2007

CERTIFICATION

The undersigned, as the duly appointed committee on the revision of the House Journal of the 2007 First Special Session of the Fifty–seventh 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 Wednesday, August 22, 2007 and ending Wednesday, August 22, 2007.

**COMMITTEE ON REVISION
OF THE HOUSE JOURNAL**

SANDY D. TENNEY
Chief Clerk

JANICE A. GADD
Journal Clerk

HOUSE JOURNAL
of the
FIFTY–SEVENTH LEGISLATURE
of the
STATE OF UTAH

FIRST SPECIAL SESSION

House Chamber
State Capitol Complex
Salt Lake City, Utah
Wednesday, August 22, 2007

The House was called to order by Speaker Curtis at 10:20 a.m.

Prayer and Pledge of Allegiance by Representative Craig Frank.

On motion of Representative D. Clark, the House voted to continue with the same organization for the 2007 First Special Session of the 57th Legislature as set up and constituted during the 2007 General Session of the Legislature insofar as it pertains to the Speakership, Majority Leadership and Minority Leadership.

Speaker Curtis appointed Sandy D. Tenney as Chief Clerk.

The Chief Clerk read the following:

PROCLAMATION

WHEREAS, since the adjournment of the 2007 General Session of the Fifty–Seventh Legislature of the State of Utah, matters have arisen that require immediate legislative attention; and

WHEREAS, Article VII, Section 6 of the Constitution of the State of Utah provides that the Governor may, by proclamation, convene the Legislature into Special Session;

NOW, THEREFORE, I, Jon M. Huntsman, Jr., Governor of the State of Utah, by virtue of the authority vested in me by the Constitution and the Laws of the State of Utah, do by this Proclamation call the Fifty–Seventh Legislature of the State of Utah into a First Special Session at the State Capitol Complex, in Salt Lake City, Utah, on the 22nd day of August, 2007, at 10:00 a.m., for the following purposes:

1. To consider legislation modifying provisions related to the creation of a new school district;
2. To consider legislation regarding equalization of funding for school district capital outlay in counties of the first class;
3. To consider legislation providing for enhanced penalties for animal cruelty: and
4. To consider a resolution approving Garfield County expansion of corrections facilities.

IN TESTIMONY WHEREOF,
I have hereunto set my hand and
caused to be affixed the Great
Seal of the State of Utah. Done
at the Capitol Complex in Salt
Lake City, Utah, this 16th day
of August, 2007.

JON M. HUNTSMAN, JR.
Governor
GARY R. HERBERT
Lieutenant Governor

Communication filed.

CERTIFICATION

I, GARY R. HERBERT, LIEUTENANT GOVERNOR OF THE STATE OF UTAH, DO HEREBY CERTIFY THAT the attached copy of a Proclamation issued on the 16th day of August, 2007 and signed by Governor Jon M. Huntsman, Jr., is a true and correct copy of the original Proclamation calling the Fifty–Seventh Legislature of the State of Utah into a First Special Session at the Capitol Complex at Salt Lake City, Utah on the 22nd day of August, 2007, at 10:00 a.m., for the purpose named in the Proclamation.

I FURTHER CERTIFY THAT the membership of the Utah State House of Representatives has not changed from that of the Certification of the 2007 General Session with the following exceptions:

TWELFTH DISTRICT: County of Weber
Richard Greenwood

SIXTY–EIGHTH DISTRICT: Counties of Millard, Juab, and Sanpete
Bradley Winn

IN TESTIMONY WHEREOF,
I have hereunto set my hand and
affixed the Great Seal of the
State of Utah, at Salt Lake City,
this 20th day of August, 2007.

GARY R. HERBERT
Lieutenant Governor

Communication filed.

COMMUNICATIONS FROM THE GOVERNOR

Dear Mr. Brad Winn: July 25, 2007

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 Richard Wheeler. I am confident that as a State Representative you will serve our state and the citizens in your district with discernment and decorum.

Jon M. Huntsman, Jr.
Governor

Mr. Brad Winn was administered the Oath of Office by Speaker Curtis.

* * *

Dear Mr. Richard Greenwood April 27, 2007

It is my pleasure to appoint you to the Utah House of Representatives, to fill the seat in House District 12, which was vacated by Gregg Buxton. I am confident that as a State Representative you will serve our state and the citizens in your district with discernment and decorum.

Jon M. Huntsman, Jr.
Governor

Mr. Richard Greenwood was administered the Oath of Office by Speaker Curtis on Wednesday, June 20, 2007.

MISCELLANEOUS BUSINESS

Roll call showed all members present, except Representative Hendrickson, absent.

On motion of Representative Urquhart, the House voted to adopt the same House Rules and Joint Rules for the 2007 First Special Session as adopted in the 2007 General Session.

On motion of Representative Snow, the House voted to authorize the Speaker to appoint a committee to wait upon the Senate to inform that Honorable Body that the House is organized and ready to do business.

The Speaker appointed Representatives Kerry Gibson, Jack Draxler, and Carol Spackman Moss.

Representative Gibson reported that his committee waited upon the Senate and informed them that the House is organized and ready to do business.

On motion of Representative Becker, 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 do business.

The Speaker appointed Representatives Bud Bowman, Paul Neuenschwander, and Christine Johnson.

Representative Bowman reported that his committee waited upon the Governor and informed him that the House is organized and ready to receive any communication he has to offer.

On motion of Representative Urquhart, as allowed by the Utah Constitution and 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.

Senators Christensen, Madsen, and Goodfellow formally notified the House of Representatives that the Senate was organized and ready to do business.

INTRODUCTION OF BILLS

H.B. 1001, Creation of New School District Amendments (J. Dougall), read the first time by short title and referred to the Rules Committee.

H.B. 1002, Interlocal Agreement Participant Requirements for Creation of New School District (K. Morgan), read the first time by short title and referred to the Rules Committee.

H.B. 1003, School Capital Outlay Equalization (G. Hughes), read the first time by short title and referred to the Rules Committee.

MISCELLANEOUS BUSINESS

On motion of Representative Urquhart, under suspension of the rules, the House voted to consider **H.B. 1001** and **H.B. 1002** read the second time by short title and placed at the top of the Third Reading Calendar.

THIRD READING CALENDAR

H.B. 1001, CREATION OF NEW SCHOOL DISTRICT AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Dougall, the House voted to delete **H.B. 1001** in title and body and insert **1st Sub. H.B. 1001** in lieu thereof.

Representative Bird proposed the following amendment:

1. Page 6, Line 156:
Delete “proposed new” and insert “existing”
2. Page 6, Line 161:
Delete “proposed new” and insert “existing”

Representative Bird’s motion to amend failed on the following roll call:

Yeas, 32; Nays, 41; Absent or not voting, 2.

Voting in the affirmative were: Representatives

Allen	Becker	Bird	Biskupski
Bowman	S. Clark	Cosgrove	Draxler
Duckworth	Dunnigan	Janice Fisher	Gowans
Hansen	Harper	Hemingway	Holdaway
Hunsaker	Johnson	King	Litvack
Mascaro	McGee	McIff	Menlove
Moss	Neuenschwander	Newbold	Riesen
Seelig	Shurtliff	Wheatley	Wiley

Voting in the negative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Brown	D. Clark	Daw	Dee
Donnelson	Dougall	Ferry	Julie Fisher
Fowlke	Frank	Froerer	Garn
Greenwood	Grover	Herrod	Hughes
Hutchings	Kiser	Last	Lockhart
Mathis	Morgan	Morley	Noel

Oda	Painter	Ray	Sandstrom
Snow	Sumsion	Tilton	Urquhart
Walker	Wimmer	Winn	Wyatt
Curtis			

Absent or not voting were: Representatives

Gibson	Hendrickson
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Sub. H.B. 1001 passed on the following roll call:

Yeas, 59; Nays, 14; Absent or not voting, 2.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bowman	Brown	D. Clark
S. Clark	Daw	Dee	Donnelson
Dougall	Draxler	Dunnigan	Ferry
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Greenwood	Grover
Hansen	Harper	Herrod	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Lockhart	Mathis
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Sandstrom
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Wheatley	Wimmer
Winn	Wyatt	Curtis	

Voting in the negative were: Representatives

Becker	Bird	Biskupski	Cosgrove
Duckworth	Janice Fisher	Gowans	Hemingway
Holdaway	Mascaro	McGee	Riesen
Seelig	Wiley		

Absent or not voting were: Representatives

Hendrickson	Litvack
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Sub. H.B. 1001 transmitted to the Senate for its consideration.

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H.B. 1002, INTERLOCAL AGREEMENT PARTICIPANT REQUIREMENTS FOR CREATION OF NEW SCHOOL DISTRICT, read the third time by short title and placed on its final passage.

H.B. 1002 passed on the following roll call:

Yeas, 62; Nays, 11; Absent or not voting, 2.

Voting in the affirmative were: Representatives

Agard	Andersen	Barrus	Becker
Bigelow	Biskupski	Bowman	D. Clark
S. Clark	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Greenwood
Grover	Hansen	Hemingway	Herrod
Holdaway	Hughes	Johnson	King
Kiser	Last	Litvack	Lockhart
Mathis	McGee	McIff	Morgan
Morley	Moss	Neuenschwander	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Wheatley	Wiley	Wimmer	Winn
Wyatt	Curtis		

Voting in the negative were: Representatives

Allen	Bird	Brown	Cosgrove
Gowans	Harper	Hunsaker	Hutchings
Mascaro	Menlove	Newbold	

Absent or not voting were: Representatives

Gibson	Hendrickson
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H.B. 1002 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, and at 11:35 a.m., the House voted to recess until 1:00 p.m.

The House was called to order by Speaker Curtis at 3:20 p.m.

COMMUNICATION FROM THE SENATE

Mr. Speaker:

August 22, 2007

The Senate passed, as amended, **S.J.R. 101**, JOINT RESOLUTION SUPPORTING GARFIELD COUNTY JAIL EXPANSION, by Senator D. Stowell, and it is transmitted for consideration.

Annette B. Moore

Secretary of the Senate

Communication filed. **S.J.R. 101** read the first time by short title and referred to the Rules Committee.

INTRODUCTION OF BILL

H.B. 1004, New School District Creation Amendments (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

MISCELLANEOUS BUSINESS

On motion of Representative Clark, under suspension of the rules, the House voted to lift **H.B. 1004** and **S.J.R. 101** from the Rules Committee, consider them read the second time by short title and placed on their respective Third Reading Calendars.

THIRD READING CALENDAR

H.B. 1004, NEW SCHOOL DISTRICT CREATION AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Newbold proposed the following amendment:

1. Page 2, Line 29:
Delete "55,000" and insert "50,000"

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

H.B. 1004, 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	Andersen	Barrus
Becker	Bigelow	Bird	Biskupski
Bowman	Brown	D. Clark	S. Clark

Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Wheatley	Wiley	Wimmer
Winn	Wyatt	Curtis	

Voting in the negative was: Representative King

Absent or not voting were: Representatives Garn Hendrickson Morgan

H.B. 1004, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Clark, the House voted to move to the Senate Third Reading Calendar.

THIRD READING CALENDAR

S.J.R. 101, JOINT RESOLUTION SUPPORTING GARFIELD COUNTY JAIL EXPANSION, read the third time by short title and placed on its final passage.

S.J.R. 101 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Becker	Bigelow	Bird	Biskupski
Bowman	Brown	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson

Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Wheatley
Wiley	Wimmer	Winn	Wyatt
Curtis			

Absent or not voting were: Representatives

Garn Hendrickson

S.J.R. 101 signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

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On motion of Representative D. Clark, the House voted to saunter.

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

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, under suspension of the rules, the House voted to lift **H.B. 1003** from the Rules Committee, consider it read the second time by short title and placed on the Third Reading Calendar.

THIRD READING CALENDAR

H.B. 1003, SCHOOL CAPITAL OUTLAY EQUALIZATION, read the third time by short title and placed on its final passage.

On motion of Representative Hughes, the House voted to delete **H.B. 1003**, SCHOOL CAPITAL OUTLAY EQUALIZATION, in title and body and insert **2nd Sub. H.B. 1003**, EQUALIZATION TASK FORCE, in lieu thereof.

On motion of Representative Hughes, under suspension of the rules, the House voted to consider **2nd Sub. H.B. 1003** read the first, second, and third times by short title.

Representative Holdaway proposed the following amendment:

1. Page 2, Line 27:
Delete "14" and insert "16"
2. Page 2, Line 31:
Delete "seven" and insert "nine"
3. Page 2, Line 32:
Delete "five" and insert "six"

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

2nd Sub. H.B. 1003, as amended, passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Becker	Bigelow	Bird	Biskupski
Bowman	Brown	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Wheatley	Wiley	Wimmer
Winn	Wyatt	Curtis	

Voting in the negative was: Representative
McGee

Absent or not voting were: Representatives

Garn	Gibson	Hendrickson
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2nd Sub. H.B. 1003, as amended, transmitted to the Senate for its consideration.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: August 22, 2007

The Senate passed, **1st Sub. H.B. 1001**, CREATION OF NEW SCHOOL DISTRICT AMENDMENTS, 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.B. 1002**, INTERLOCAL AGREEMENT PARTICIPANT REQUIREMENTS FOR CREATION OF NEW SCHOOL DISTRICT, by Representative K. Morgan, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 1004**, NEW SCHOOL DISTRICT CREATION AMENDMENTS, by Representative J. Dunnigan, 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. 1001**, **H.B. 1002**, and **H.B. 1004** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

COMMUNICATION FROM THE SENATE

Mr. Speaker: August 22, 2007

The Senate passed, **2nd Sub. H.B. 1003**, EQUALIZATION TASK FORCE, 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

Communication filed. **2nd Sub. H.B. 1003** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Clark, the House voted to strike the enacting clause on all House and Senate bills and resolutions remaining in the possession of the House.

On motion of Representative Snow, the House voted to authorize Speaker Pro Tem Ferry to appoint a committee to meet with a like committee from the Senate to wait upon the Governor to inform him that the Legislature has completed its business and is prepared to adjourn sine die.

Speaker Pro Tem Ferry appointed Representatives John Dougall, Jim Bird, and Janice Fisher to meet with a like committee from the Senate to wait upon the Governor.

Senators Madsen, Christensen, and Goodfellow formally notified the House of Representatives that the Senate has completed its business and is prepared to adjourn sine die.

On motion of Representative Becker, the House voted to authorize Speaker Pro Tem Ferry to wait upon the Senate and inform that Honorable Body that the House has completed its business and is prepared to adjourn sine die.

Speaker Pro Tem Ferry appointed Representatives Ronda Menlove, Sylvia Andersen, and Mark Wheatley.

Representative Menlove reported that her committee notified the Senate that the House of Representatives has completed its business and is prepared to adjourn sine die.

Representative Dougall reported that his committee met with a like committee from the Senate and informed the Governor that the Legislature has completed its business and is prepared to adjourn sine die. The Governor had no further communication to bring before the Legislature.

Speaker Pro Tem Ferry directed Sandy Tenney to read, revise and make minor corrections to the daily House Journal and be responsible for certifying the bound copy as the accurate record of the proceedings of the 2007 First Special Session of the Fifty–seventh Legislature.

On motion of Representative D. Clark, and at 5:55 p.m., the First Special Session of the Fifty–seventh Legislature adjourned sine die.

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JOURNAL
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House of Representatives
of the
State of Utah

FIFTY–SEVENTH LEGISLATURE
2008 GENERAL SESSION

Commencing January 21, 2008 and
Ending March 5, 2008

CERTIFICATION

The undersigned, as the duly appointed committee on the revision of the House Journal of the 2008 General Session of the Fifty–seventh 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 21, 2008 and ending Wednesday, March 5, 2008.

**COMMITTEE ON REVISION
OF THE HOUSE JOURNAL**

SANDY D. TENNEY
Chief Clerk

JANICE A. GADD
Journal Clerk

HOUSE LEADERSHIP



Greg J. Curtis
Speaker

MAJORITY LEADERSHIP (Republican)



David Clark
Majority Leader



Gordon E. Snow
Majority Whip



Brad L. Dee
Asst. Majority Whip

MINORITY LEADERSHIP (Democrat)



Brad King
Minority Leader



David Litvack
Minority Whip



Carol Spackman Moss
Asst. Minority Whip

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Majority Leader (R) David Clark
Majority Whip (R) Gordon Snow
Assistant Majority Whip (R) Brad Dee
Minority Leader (D) Brad King
Minority Whip (D) David Litvack
Assistant Minority Whip (D) Carol Spackman Moss

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Majority Leader (R) Curtis S. Bramble
Majority Whip (R) Dan R. Eastman
Assistant Majority Whip (R) Sheldon Killpack
Minority Leader (D) Mike Dmitrich
Minority Whip (D) Gene Davis
Assistant Minority Whip (D) Pat Jones

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Justice Michael J. Wilkins
Justice Jill Parrish
Justice Ronald E. Nehring

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 Cell (801) 661-3489

39	James A Dunnigan (R) Salt Lake	3073 EUGENE HILL WAY TAYLORSVILLE UT 84118 Home (801) 968-8594 Office (801) 840-1800
40	Lynn N Hemingway (D) Salt Lake	1513 ASHFORD DR SALT LAKE CITY UT 84124 Cell (8801) 231-2153
41	Todd E Kiser (R) Salt Lake	10702 S 540 E SANDY UT 84070 Home (801) 571-0179 Office (801) 266-6800
42	Jim Bird (R) Salt Lake	5111 WEST WOODWORTH WEST JORDAN UT 84084 Home (801) 280-9056 Office (801) 282-4112
43	Wayne A Harper (R) Salt Lake	6683 S NOTTINGHAM DR WEST JORDAN UT 84084 Home (801) 566-5466
44	Tim M Cosgrove (D) Salt Lake	477 E 6325 S MURRAY UT 84107 Home (801) 685-0673
45	Mark W Walker (R) Salt Lake	887 E NIGHTHAWK DR SANDY UT 84094 Home (801) 562-2051 Office (801) 594-8290
46	Karen W Morgan (D) Salt Lake	8378 AUSTRIAN WAY SALT LAKE CITY UT 84121 Home (801) 943-0067
47	Steven R Mascaro (R) Salt Lake	3075 W 9050 S WEST JORDAN UT 84088 Home (801) 569-2719 Office (801) 965-8145
48	Sylvia S Andersen (R) Salt Lake	2672 DIMPLE DELL RD SANDY UT 84092 Office (801) 942-2843 Fax (801) 495-3713
49	Greg J Curtis (R) <i>Speaker</i> Salt Lake	350 N STATE STREET SUITE 350 SALT LAKE CITY UT 84114 Home (801) 943-3091
50	Merlynn T Newbold (R) Salt Lake	10454 S 1440 W SOUTH JORDAN UT 84095 Home (801) 254-0142
51	Gregory H Hughes (R) Salt Lake	472 MIDLAKE DR DRAPER UT 84020 Home (801) 572-5305 Office (801) 548-2922

52	Carl Wimmer (R) Salt Lake	5526 W 13400 S #108 HERRIMAN UT 84096 Cell (801) 254-5981
53	Melvin R. Brown (R) Daggett, Morgan, Rich, Summit, Wasatch	P O BOX 697 255 ESPRING CANYON RD COALVILLE UT 84017 Home (435) 336-3309 Cell (435) 901-1729
54	Gordon E Snow (R) <i>Majority Whip</i> Duchesne, Uintah, Wasatch	1046 W 290 S (511-5) ROOSEVELT UT 84066 Home (435) 722-4162 Office (435) 722-4403 Fax (435) 722-9111
55	John G Mathis (R) Grand, Uintah	384 E 2500 S VERNAL UT 84078 Home (435) 789-7316
56	Kenneth Sumsion (R) Utah	P O BOX 1475 AMERICAN FORK UT 84003 Cell (801) 404-8225
57	Craig A Frank (R) Utah	825 E 1300 N PLEASANT GROVE UT 84062 Home (801) 785-6652 Office (801) 362-3171
58	Stephen E Sandstrom (R) Utah	1775 SKYLINE DR OREM UT 84097 Home (801) 224-2194 Office (801) 229-0088
59	Lorie D Fowlke (R) Utah	596 W 1200 N OREM UT 84057 Home (801) 225-0721 Office (801) 375-5600
60	Bradley M Daw (R) Utah	842 E 280 S OREM UT 84097 Home (801) 226-5079
61	Keith Grover (R) Utah	1374 W 1940 N PROVO UT 84604 Cell (801) 319-0170
62	Christopher N. Herrod (R) Utah	4125 CRESTVIEW AVE PROVO UT 84604 Home (801) 375-9624
63	Stephen D Clark (R) Utah	968 E FIR AVE PROVO UT 84604 Home (801) 374-6927 Office (801) 863-7289
64	Rebecca D Lockhart (R) Utah	1754 S NEVADA AVE PROVO UT 84606 Home (801) 377-7428

***UTAH STATE CONSTITUTION
LEGISLATIVE DEPARTMENT
ARTICLE VI**

*Copies of the Utah State Constitution, with amendments, are available in the Legislative Billroom.

***“Rules of the Fifty–Seventh Legislature 2007”**

Constitutional Provisions, Impeachment Provisions, Joint Rules of the Senate and the House of Representatives, Senate Rules, House Rules, Veto Sessions, and Interim Study Committee Rules.

*Copies available in the Legislative Billroom.

HOUSE JOURNAL
of the
FIFTY–SEVENTH LEGISLATURE
of the
STATE OF UTAH
GENERAL SESSION
FIRST DAY
*** * ***

MORNING SESSION

House Chamber
State Capitol Complex
Salt Lake City, Utah
January 21, 2008

The House was called to order by Speaker Greg J. Curtis at 10:25 a.m.

Prayer by Elder Quentin L. Cook, Quorum of the Twelve, Church of Jesus Christ of Latter–Day Saints.

PRAYER BY ELDER QUENTIN L. COOK

Our Father in Heaven, we are grateful to be gathered here at the commencement of this legislative session in this beautiful edifice, which has been restored in such a magnificent fashion. We're grateful for the Representatives who give devoted service on behalf of the citizens. We ask Thy special blessing to be upon them, that they will be inspired and guided and they will do their very best to deliberate in such a fashion as to bless the lives of those who live within this state. We are mindful that there is much that needs to be accomplished, and we pray that in these hallowed halls that there will be counsel, there will be conversation, maybe occasionally debate, but that there will be a feeling of personal respect and hopefully unity. We ask thy blessing to be upon other leaders in the state – the Governor, the Lieutenant Governor. We pray for the leadership of both the House and the Senate in their important responsibilities. We are mindful of the serious issues that exist across the world, and we ask thy blessing upon leaders of nations that there might be peace. We pray for the leaders of the United States that they might be guided in both domestic and international policy. We

particularly pray for those who are in the Armed Services, and those who are in harm's way, that they might be blessed and protected. We are grateful for the heritage, the freedom, the civil rights that we enjoy and we give thanks for those who have gone before who have allowed us to have these great blessings and acknowledge Thy hand in them. We acknowledge that we are all Thy children, regardless of race, religion, gender, and we give thanks to Thee for all of our blessings. We ask a special blessing to be upon the citizens of this great state according to their needs and we say this 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: SSG Scott Faddis, SGT Kevin Freemont, SGT Jessica Hyde, and SPC Carrie Weatherspoon.

The Pledge of Allegiance was led by Major Tyler B. Smith.

The National Anthem was performed by Brighton High School Madrigal Vocal Ensemble, Steve Smith, Director.

The Choir members were: Jeffrey Bennett, Brittany Bishop, McKenzie Boyle, Grant Brimhall, Haylee Buchanan, Caitlin Curran, Stephanie Egbert, Tyler Erickson, Katelynn Floisand, Todd Furness, Sarah Gunnerson, Tanner Henrie, Alison Henriksen, Jillian Hicken, Matthew Jenson, Lindsey Johnson, Erika Kern, Paul Kezerian, Benjamin Lambson, Macy Lewis, Natalie McMaster, Michael Miles, Jenna Morgan, Jacob Nelsen, Mikelle Norton, Mitchel Orton, Matthew Palmer, David Plaskett, Bryant Regehr, Gregory Shumway, Taylor Swan, and Aubrey VanLeeuwen.

The Brighton High Madrigal Vocal Ensemble also performed "God Bless America" and "Amazing Grace."

On motion of Representative D. Clark, the House voted to continue with the same organization for the 2008 General Session as set up and constituted for the 2007 General Session insofar as it pertains to the Speakership, Majority Leadership and newly constituted Minority Leadership.

Speaker Curtis appoints Sandy D. Tenney as Chief Clerk of the House of Representatives for the 2008 General Session.

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

TWENTIETH DISTRICT: Counties of Davis, Salt Lake	Paul A. Neuenschwander
TWENTY-FIRST DISTRICT: County of Tooele	James R. Gowans
TWENTY-SECOND DISTRICT: County of Salt Lake	Carl W. Duckworth
TWENTY-THIRD DISTRICT: County of Salt Lake	Jennifer M. Seelig
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	Rosalind J. McGee
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-FOURTH DISTRICT: County of Salt Lake	Kory M. Holdaway
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	Mark W. Walker
FORTY–SIXTH DISTRICT: County of Salt Lake	Karen W. Morgan
FORTY–SEVENTH DISTRICT: County of Salt Lake	Steven R. Mascaro
FORTY–EIGHTH DISTRICT: County of Salt Lake	Sylvia S. Andersen
FORTY–NINTH DISTRICT: County of Salt Lake	Greg J. Curtis
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	Gordon E. Snow
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–THIRD DISTRICT: County of Utah	Stephen D. Clark

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

SIXTY–FIFTH DISTRICT: County of Utah Aaron Tilton

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

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

SIXTY–NINTH DISTRICT: Counties of Carbon, Emery Brad King
Garfield, Grand, San Juan, Wayne

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

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

SEVENTY–SECOND DISTRICT: County of Iron DeMar “Bud” Bowman

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 Stephen H. Urquhart

I FURTHER CERTIFY that the following named 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, 2008, to wit:

FIFTH DISTRICT: County of Cache R. Curt Webb

TWELFTH DISTRICT: County of Weber Richard A. Greenwood

TWENTY–FOURTH DISTRICT: County of Salt Lake Rebecca Chavez–Houck

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

SIXTY–EIGHTH DISTRICT: Counties of Juab, Millard, Bradley A. Winn
Sanpete

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah this 21st day of January, 2008 at Salt Lake City, Utah.

GARY R. HERBERT
LIEUTENANT GOVERNOR

Communication filed.

* * *

Roll call showed all members present.

On motion of Representative B. King, the House voted that the prayer by Elder Quentin L. Cook and Speaker Curtis' remarks be printed upon the pages of the House Journal.

REMARKS BY SPEAKER GREG J. CURTIS

Good morning. I am honored to be here on this historic occasion as we begin the first session in the newly restored Capitol. As I have walked through the Capitol over the past few weeks, I am continually amazed at the foresight of those who served 100 years ago. I am also amazed at the workmanship of those that have participated in this restoration. The Capitol is something that everyone in the state should be proud of.

Over the past several weeks I have taken the opportunity to read some of the history regarding the construction of the Capitol and the early dealings of our state government. There are interesting lessons to learn by studying the past. One lesson that I have found particularly amusing was Governor Spry's commenting on how the state board of equalization reduced the state levy during 1913–1914, but the local authorities took advantage of the situation and advanced the tax rate so that the taxpayers received no benefit from the reduction. Sometimes history will repeat itself.

Another interesting story involved both the ninth and tenth legislature. During the ninth legislative session the legislature enacted a law giving the Governor the authority to appoint a board of commissioners on revenue and taxation. The commissioners were given a specific charge and asked to report back two years later during the opening of the tenth legislative session. When the commission reported to the legislature, they complained that the changes they

wanted to make were impossible due to the restrictions of our constitution. Proposed amendments to the constitution had been rejected by a vote of the people. The commission lamented that the amendments were not adopted due to insufficient information as to the purpose and effect of the amendments on the part of the people themselves and also on the part of many of those who assumed lead them and advise them how to vote. Governor Spry's comments were more direct. He said "Through a campaign of perversion, misrepresentation and self interests—the proposals were lost." I wonder how the media reported all this.

What I really wanted to do today is share with you some of the legislative lessons that I have learned that pertain to our daily lives. There are a lot of politicians that talk about civility. They use it in their speeches, they profess it in the media, they proclaim it in their campaign literature, and they enlist others to be their henchmen. First lesson, don't be duplicitous. Your colleagues will recognize your behavior and it will become much more difficult to be successful if you do not have the trust of your colleagues.

It is difficult to tell someone that you may not like his legislation or that you disagree with his heartfelt position, but you will be respected for your candor and honesty if you are honest in all your dealings with your colleagues. But even more importantly, you will feel better about your service in the legislature.

Another important lesson to realize is that most of the important things in the legislature do not happen in one session. The complexity of the issues, the various individuals involved and the short time frame in which we operate is not conducive to resolving all of the world's problems each session. Have a plan, be flexible in its implementation and work with patience and diligence towards its culmination. As we have all been taught "patience truly is a virtue."

A third and valuable lesson is to learn who will influence your actions. There are many who will attempt to persuade you in your decisions. You will be educated, cajoled, persuaded and occasionally threatened in your election by special interests, lobbyists, colleagues, constituents, and partisan media to name just a few. As each one of us serves in the legislature, we must decide our own course of action. Some advocates love to point to polls to show us the direction we should go. However, if polls show a contrary result they are quick to dismiss them as uninformed or biased. Just a little bit about the media. If I learned anything from my high school journalism class, I thought the media was supposed to be unbiased. However, I have subsequently learned that if the paper prints the writer's picture in their column, he can turn into a partisan media columnist. A fine distinction undoubtedly used to soothe the conscience of professionalism, but overall, I guess a good distinction to know. Decide who you will listen to and how you will make your decisions but I have come to realize that in the most difficult of times if you

can honestly look at yourself in the mirror and feel good about your actions then that is the best situation of all.

Having the opportunity to serve in the legislature is something each one of us should cherish. As we return to the grandeur of the Capitol, for those who have not yet served here, you will come to feel a reverence for the significance of the process in which we are fortunate to be involved. Serve with honor, serve with distinction and you will find solace regardless of the outcome. Thank you.

MISCELLANEOUS BUSINESS

On motion of Representative Urquhart, the House voted to adopt the same House Rules and Joint Rules as were adopted by the 2007 General Session of the 57th Legislature.

On motion of Representative Snow, 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 Curtis appointed Representatives Aagard, Dunnigan, and Morgan.

On motion of Representative Litvack, 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 Curtis appointed Representatives Bigelow, Allen, and Cosgrove.

On motion of Representative D. Clark, 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.

Senators McCoy, Christensen, and Stowell formally notified the House that the Senate was organized and ready to do business.

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

Representative Bigelow 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.

MISCELLANEOUS BUSINESS

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

INTRODUCTION OF INTERNS

Representative

Intern

Douglas C. Aagard	Adam Gardiner
Sheryl L. Allen	Jessica Stutte
Sylvia Andersen	Ric Taylor
Roger E. Barrus	Hadley Moss
Ron Bigelow	Phillip Singer
Jim Bird	James Graf
Jackie Biskupski	Patrick Salaz
DeMar Bud Bowman	James Graf
Melvin R. Brown	Ken Brown
Rebecca Chavez-Houck	Bryan Murray
David Clark	Tyson Hafen
Stephen D. Clark	Dallin Holt
Tim M. Cosgrove	Patrick Salaz
Greg J. Curtis	Margot Nebeker
Bradley M. Daw	Jeffrey Ward
Brad Dee	Paul Wennerstrom
Glenn A. Donnelson	Perry Bingham
John Dougall	Brandon Berg
Jack R. Draxler	Brent Huntley
Carl W. Duckworth	Kyle Hoyt
Jim Dunnigan	Lisa Argyle
Ben C. Ferry	Aaron White
Janice Fisher	Bryan Murray
Julie Fisher	Justin Paulsen
Lorie D. Fowlke	Ian Conway

Craig Frank	Kirsten Frank
Gage Froerer	Brett Hampton
Kevin S. Garn	Elliot Scruggs
Kerry Gibson	Nicholas Loveless
James R. Gowans	Jenny Hansen
Richard Greenwood	Ric Taylor
Keith Grover	Brent Huntley
Neil A. Hansen	Jenny Hansen
Wayne A. Harper	Joseph Frederickson
Lynn N. Hemingway	Lauren Carpenter
Neal B. Hendrickson	Jenny Hansen
Chris Herrod	Aaron White
Kory M. Holdaway	Graham Kirkman
Greg Hughes	Megan Selin
Fred Hunsaker	Hadley Moss
Eric Hutchings	Scott Coleman
Christine A. Johnson	Lauren Carpenter
Brad King	Joseph Hinckley
Todd E. Kiser	Justin McDaniel
Bradley G. Last	Kisa Caldwell
David Litvack	Meg Penafiel
Becky Lockhart	Sarah Larsen
Steven R. Mascaro	Tyler Moss
John Mathis	Nicholas Loveless
Roz McGee	Sabrina King
Kay L. McIff	Ken Brown
Ronda Rudd Menlove	Andy Rasmussen
Karen W. Morgan	Kevin Clyde
Mike Morley	Seth Waite
Carol Spackman Moss	Megan Bitner
Paul A. Neuenschwander	Brett Hampton

Merlynn T. Newbold	Tyson Heaton
Mike Noel	Matthew Noel
Curtis Oda	Aaron Stinson
Patrick Painter	Dallin Holt
Paul Ray	Scott Coleman
Phil Riesen	Christine Poleshuk
Stephen E. Sandstrom	Elliot Scruggs
Jennifer M. Seelig	Kyle Hoyt
LaWanna Shurtliff	Sabrina King
Gordon E. Snow	Robert Spjute
Kenneth W. Sumsion	Justin Paulsen
Aaron Tilton	Tanner Olsen
Stephen H. Urquhart	Christopher Forbush
Mark Walker	Jeffrey Henrie
R Curt Webb	Jeffrey Henrie
Mark Wheatley	Blake Royall
Larry B. Wiley	Blake Royall
Carl Wimmer	Seth Waite
Bradley Winn	Kirsten Frank

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	Rhoda Struhs
MAJORITY PUBLIC RELATIONS OFFICER	Barbara Thornton

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	Rosemary Young Doris Donat Linda Black Linda Service Sylvia Newton Linda Error Karen Mitchell Carrie Griffith Jennifer Eyring
SUPERVISOR OF PAGES	Audrey Hadley
PAGES	Sue Kemp Rose Marie LeCheminant Linda Barton Nina Rogers Jean Moss JoAnna Thorne Jill Heyborne Verlaine Showell Wendy Hill Loralei Holt Jewel Nelson
THIRD HOUSE STAFF	Cindy Peterson Evelyn Luce
KITCHEN STAFF	Jeannie Nay Shannon Chase

SESSION RECEPTIONIST	Judy Nielsen
TELEPHONE OPERATORS	Betty Bishop Derena Bell Dorothy Nielsen
SERGEANT AT ARMS	Mike Mitchell
ASSISTANT SERGEANT AT ARMS	Joe Pepper
SECURITY	Don Strong Lynn Strong Lynn Fuelling Burke Tangren Ken Caputo Jerry Campbell Steven Bishop Walter Dillman Keith Olsen Richard Nielsen Gary Service Larry Burningham Richard Van Wagenen Eric Gruendell Larry Nielsen Paul Sorensen
COPY ROOM	Barbara Robinson
CHAMBER VIDEO SPECIALIST	Patrick Moore
HOUSE IT STAFF	Cindy Hardman Scott Wunderlich Tracey Goble

INTRODUCTION OF BILLS

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

H.B. 10, Disclosure of Identity to Officer (C. Oda), read the first time by short title and referred to the Rules Committee.

H.B. 11, Parole Amendments (C. Oda), read the first time by short title and referred to the Rules Committee.

H.B. 12, Controlled Substances and Paraphernalia (C. Oda), read the first time by short title and referred to the Rules Committee.

H.B. 13, Criminal Statute of Limitations Amendments (C. Wimmer), read the first time by short title and referred to the Rules Committee.

H.B. 14, Discharge of Firearm Amendments (C. Wimmer), read the first time by short title and referred to the Rules Committee.

H.B. 15, Control and Prevention of Sexually Transmitted Diseases (P. Riesen), read the first time by short title and referred to the Rules Committee.

H.B. 16, Medicaid Coverage for Certain Telehealth Services (B. Last), read the first time by short title and referred to the Rules Committee.

H.B. 17, Cancer Screening and Mortality Reduction Program (P. Ray), read the first time by short title and referred to the Rules Committee.

H.B. 18, Material Harmful to Minors Amendments (P. Ray), read the first time by short title and referred to the Rules Committee.

H.B. 19, Assault on a Peace Officer Penalty Amendments (P. Ray), read the first time by short title and referred to the Rules Committee.

H.B. 20, Economic Development Incentives Modifications (S. Mascaro), read the first time by short title and referred to the Rules Committee.

H.B. 21, Employment Security Act Amendments (S. Mascaro), read the first time by short title and referred to the Rules Committee.

H.B. 22, Expedited Parent–Time Enforcement (Julie Fisher), read the first time by short title and referred to the Rules Committee.

H.B. 23, Child and Family Protection (L. Fowlke), read the first time by short title and referred to the Rules Committee.

H.B. 24, Amendments to Utah Digital Health Service Commission Act (R. Menlove), read the first time by short title and referred to the Rules Committee.

H.B. 25, Access to Voter Date of Birth Records (G. Donnelson), read the first time by short title and referred to the Rules Committee.

H.B. 26, Notary Public Revisions (G. Donnelson), read the first time by short title and referred to the Rules Committee.

H.B. 27, Lieutenant Governor Powers – Administration of Oaths

(G. Donnelson), read the first time by short title and referred to the Rules Committee.

H.B. 28, Honoring Heroes Special Group License Plate (P. Ray), read the first time by short title and referred to the Rules Committee.

(P. Ray), read the first time by short title and referred to the Rules Committee.

H.B. 29, Election Law – Financial Reporting (B. Daw), read the first time by short title and referred to the Rules Committee.

(B. Daw), read the first time by short title and referred to the Rules Committee.

H.B. 30, Vehicle Concealing Illegal Items (P. Ray), read the first time by short title and referred to the Rules Committee.

(P. Ray), read the first time by short title and referred to the Rules Committee.

H.B. 31, Child Welfare Definitions (W. Harper), read the first time by short title and referred to the Rules Committee.

(W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 32, Affirmative Defense for Agri–tourism Activity (M. Morley), read the first time by short title and referred to the Rules Committee.

(M. Morley), read the first time by short title and referred to the Rules Committee.

H.B. 33, Waivers of Immunity – Exceptions (G. Hughes), read the first time by short title and referred to the Rules Committee.

(G. Hughes), read the first time by short title and referred to the Rules Committee.

H.B. 34, Email Information Required of Registered Sex Offenders

(J. Bird), read the first time by short title and referred to the Rules Committee.

H.B. 35, Motor and Special Fuel Tax Amendments (C. Frank), read the first time by short title and referred to the Rules Committee.

(C. Frank), read the first time by short title and referred to the Rules Committee.

H.B. 36, Child Welfare Amendments (W. Harper), read the first time by short title and referred to the Rules Committee.

(W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 37, Utah Business Resource Centers Act (D. Clark), read the first time by short title and referred to the Rules Committee.

(D. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 38, Education and Outreach Regarding Substances Harmful During Pregnancy (R. Menlove), read the first time by short title and referred to the Rules Committee.

H.B. 39, Divestment of Certain Retirement Fund Investments

(Julie Fisher), read the first time by short title and referred to the Rules Committee.

H.B. 40, Safe Drinking Water Revisions (S. Andersen), read the first time by short title and referred to the Rules Committee.

(S. Andersen), read the first time by short title and referred to the Rules Committee.

H.B. 41, Campaign Report Amendments (S. Allen), read the first time by short title and referred to the Rules Committee.

H.B. 42, Water Right Application for Electrical Cooperative (G. Snow), read the first time by short title and referred to the Rules Committee.

H.B. 43, Allowance of Polling Places for Early Voting (G. Donnelson), read the first time by short title and referred to the Rules Committee.

H.B. 44, Declaration of Candidacy Revisions (G. Donnelson), read the first time by short title and referred to the Rules Committee.

H.B. 45, Supported Employment Services to a Person with a Disability (R. Menlove), read the first time by short title and referred to the Rules Committee.

H.B. 46, Adoption and Termination of Parental Rights (S. Allen), read the first time by short title and referred to the Rules Committee.

H.B. 47, Standards for Exchange of Electronic Health Information (R. Menlove), read the first time by short title and referred to the Rules Committee.

H.B. 48, Mobile Home Owners' Rights (P. Riesen), read the first time by short title and referred to the Rules Committee.

H.B. 49, Budget Reserve Account and Disaster Recovery Account Amendments (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 50, Underground Storage Tank Amendments (S. Andersen), read the first time by short title and referred to the Rules Committee.

H.B. 51, Water Right Forfeiture Protection (P. Painter), read the first time by short title and referred to the Rules Committee.

H.B. 52, Research Activities Tax Credits Amendments (J. Dougall), read the first time by short title and referred to the Rules Committee.

H.B. 53, Impact of Administrative Rules on Small Businesses (S. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 54, Property Tax Assessment Revisions (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 55, Captive Insurance Company Amendments (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

H.B. 56, Repeal Provisions Related to Assumption of Indebtedness on Residential Real Property (K. Garn), read the first time by short title and referred to the Rules Committee.

H.B. 57, Transportation Administrative Rules – Criminal and Civil Penalty Amendments (T. Kiser), read the first time by short title and referred to the Rules Committee.

H.B. 58, Severance Tax Amendments (J. Dougall), read the first time by short title and referred to the Rules Committee.

H.B. 59, Community and Economic Development Technical Changes (S. Mascaro), read the first time by short title and referred to the Rules Committee.

H.B. 60, Legislative Review of Health Insurance Mandates (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

H.B. 61, Designation of State Highways Amendments (T. Kiser), read the first time by short title and referred to the Rules Committee.

H.B. 62, Clean Fuel Special Group License Plate Amendments (T. Kiser), read the first time by short title and referred to the Rules Committee.

H.B. 63, Recodification of Title 63 State Affairs in General (D. Aagard), read the first time by short title and referred to the Rules Committee.

H.B. 64, Disclosure of Information by the Department of Workforce Services (P. Neuenschwander), read the first time by short title and referred to the Rules Committee.

H.B. 65, Crime of Strangulation or Smothering (J. Seelig), read the first time by short title and referred to the Rules Committee.

H.B. 66, Paraeducator to Teacher Scholarship Program (R. Menlove), read the first time by short title and referred to the Rules Committee.

H.B. 67, Extended Year for Special Educators (R. Menlove), read the first time by short title and referred to the Rules Committee.

H.B. 68, Educator Relicensure Initiative (R. Menlove), read the first time by short title and referred to the Rules Committee.

H.B. 69, Repeal of Board Leeway for Reading Improvement (J. Dougall), read the first time by short title and referred to the Rules Committee.

H.B. 70, Expungement Law Amendments (L. Fowlke), read the first time by short title and referred to the Rules Committee.

H.B. 71, Parent–time Amendments (L. Fowlke), read the first time by short title and referred to the Rules Committee.

H.B. 72, Motorcycle License and Endorsement Amendments (P. Neuenschwander), read the first time by short title and referred to the Rules Committee.

H.B. 73, Child Care Providers (K. Morgan), read the first time by short title and referred to the Rules Committee.

H.B. 74, Medicaid 340b Drug Pricing Programs (D. Litvack), read the first time by short title and referred to the Rules Committee.

H.B. 75, Inventory and Review of Commercial Activities (C. Frank), read the first time by short title and referred to the Rules Committee.

H.B. 76, Government Competition and Privatization Act (C. Frank), read the first time by short title and referred to the Rules Committee.

H.B. 77, Personal Property Tax Amendments (J. Dougall), read the first time by short title and referred to the Rules Committee.

H.B. 78, Title 78 Recodification and Revision (J. Biskupski), read the first time by short title and referred to the Rules Committee.

H.B. 79, Sunset Reauthorizations and Amendments (D. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 81, Task Force to Study Performance Incentives for Teachers (B. Last), read the first time by short title and referred to the Rules Committee.

H.B. 82, Notice of Changes to the State Medicaid Plan (M. Newbold), read the first time by short title and referred to the Rules Committee.

H.B. 83, Securities Amendments (J. Bird), read the first time by short title and referred to the Rules Committee.

H.B. 84, Compensation of Educators with National Board Certification (J. Bird), read the first time by short title and referred to the Rules Committee.

H.B. 85, Teacher Loan Program (L. Hemingway), read the first time by short title and referred to the Rules Committee.

H.B. 86, Funding of Inmate Postsecondary Education (J. Draxler), read the first time by short title and referred to the Rules Committee.

H.B. 87, Primary Seat Belt Law (R. Greenwood), read the first time by short title and referred to the Rules Committee.

H.B. 88, Elementary Education Co-teaching Pilot Program (J. Bird), read the first time by short title and referred to the Rules Committee.

H.B. 89, Antidiscrimination Act Amendments (C. Johnson), read the first time by short title and referred to the Rules Committee.

H.B. 90, Expungement Amendments (R. C. Webb), read the first time by short title and referred to the Rules Committee.

H.B. 91, Center for the School of the Future Incentives (J. Draxler), read the first time by short title and referred to the Rules Committee.

H.B. 92, Garnishment Amendments (J. Draxler), read the first time by short title and referred to the Rules Committee.

H.B. 93, Insurance Fraud Amendments (D. Aagard), read the first time by short title and referred to the Rules Committee.

H.B. 94, Public Employees' Retirement – Spousal Election (L. Shurtliff), read the first time by short title and referred to the Rules Committee.

H.B. 95, Document Fraud – Establishing Legal Status (K. Morgan), read the first time by short title and referred to the Rules Committee.

H.B. 96, Retired Teachers – Return to Work (D. Bowman), read the first time by short title and referred to the Rules Committee.

H.B. 97, Court-ordered Restitution for Costs of Incarceration (C. Oda), read the first time by short title and referred to the Rules Committee.

H.B. 98, Utah Employment Verification Act (G. Donnelson), read the first time by short title and referred to the Rules Committee.

H.B. 99, Business Registration – Optional Inclusion of Ownership Data (M. Wheatley), read the first time by short title and referred to the Rules Committee.

H.B. 100, Amendments to Prescribing Schedule II Drugs (M. Wheatley), read the first time by short title and referred to the Rules Committee.

H.B. 101, Amendments to Emergency Injection for Anaphylactic Reaction Act (T. Kiser), read the first time by short title and referred to the Rules Committee.

H.B. 102, Child Abuse Homicide Amendments (C. Wimmer), read the first time by short title and referred to the Rules Committee.

H.B. 103, Use of State Alternative Fuel Network (F. Hunsaker), read the first time by short title and referred to the Rules Committee.

H.B. 104, Urban Trails Appropriation (K. Holdaway), read the first time by short title and referred to the Rules Committee.

H.B. 105, Transportation Infrastructure Loan Fund Amendments (Julie Fisher), read the first time by short title and referred to the Rules Committee.

H.B. 106, Clean Air and Efficient Vehicle Tax Incentives (R. McGee), read the first time by short title and referred to the Rules Committee.

H.B. 107, Emergency Management Administrative Council (C. Oda), read the first time by short title and referred to the Rules Committee.

H.B. 108, Prosthetic Limb Health Insurance Parity (D. Litvack), read the first time by short title and referred to the Rules Committee.

H.B. 109, Sex Offender Law Amendments (G. Hughes), read the first time by short title and referred to the Rules Committee.

H.B. 110, Crime of Discharging a Dangerous Weapon or Firearm Within a Municipality (N. Hansen), read the first time by short title and referred to the Rules Committee.

H.B. 111, Charitable Solicitation Act Amendments (J. Gowans), read the first time by short title and referred to the Rules Committee.

H.B. 112, Public Education Foundation Amendments (S. Allen), read the first time by short title and referred to the Rules Committee.

H.B. 113, School Financial Disclosure (K. Sumsion), read the first time by short title and referred to the Rules Committee.

H.B. 114, Minimum Wage Provisions (N. Hansen), read the first time by short title and referred to the Rules Committee.

H.B. 115, Appropriation for a Utah Lake Transportation Study (K. Sumsion), read the first time by short title and referred to the Rules Committee.

H.B. 116, Fluorine in a Privately Owned Water System (S. Andersen), read the first time by short title and referred to the Rules Committee.

H.B. 117, Instream Flow to Protect Trout Habitat (S. Sandstrom), read the first time by short title and referred to the Rules Committee.

H.B. 118, Veterans High School Diplomas (L. Hemingway), read the first time by short title and referred to the Rules Committee.

H.B. 119, Controlled Substance Database Amendments (B. Daw), read the first time by short title and referred to the Rules Committee.

H.B. 120, Education Printing Office (R. Bigelow), read the first time by short title and referred to the Rules Committee.

H.B. 121, County Charges for Services to Incarcerated Persons (R. Greenwood), read the first time by short title and referred to the Rules Committee.

H.B. 122, Driver License – Application of Minor Amendments (D. Litvack), read the first time by short title and referred to the Rules Committee.

H.B. 123, Accelerated Learning Programs Amendments (B. Ferry), read the first time by short title and referred to the Rules Committee.

H.B. 124, Changes to Municipal Annexation Provisions (L. Shurtliff), read the first time by short title and referred to the Rules Committee.

H.B. 125, Department of Agriculture and Food Amendments (K. Gibson), read the first time by short title and referred to the Rules Committee.

H.B. 126, Election Law – Ballot Proposition Amendments (C. Johnson), read the first time by short title and referred to the Rules Committee.

H.B. 127, Community Council Elections (K. Sumsion), read the first time by short title and referred to the Rules Committee.

H.B. 128, Utah Residential Mortgage Practices Act Amendments

(M. Newbold), read the first time by short title and referred to the Rules Committee.

H.B. 129, Appropriation for Construction of a Veterans' Nursing Home in Ogden (B. Dee), read the first time by short title and referred to the Rules Committee.

H.B. 130, State Ethics Commission (R. McGee), read the first time by short title and referred to the Rules Committee.

H.B. 131, Community Based Self Sufficiency Grants (J. Seelig), read the first time by short title and referred to the Rules Committee.

H.B. 132, Waste Tire Recycling Amendments (N. Hendrickson), read the first time by short title and referred to the Rules Committee.

H.B. 133, Health System Reform (D. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 134, Government Immunity Amendments (D. Aagard), read the first time by short title and referred to the Rules Committee.

H.B. 135, Grants from Department of Community and Culture (S. Allen), read the first time by short title and referred to the Rules Committee.

H.B. 136, Illegal Drug Activity Reporting Hotline Through the Office of the Attorney General (C. Herrod), read the first time by short title and referred to the Rules Committee.

H.B. 137, State Facility Water Conservation Program (L. Wiley), read the first time by short title and referred to the Rules Committee.

H.B. 138, Sudan Divestment Act (D. Litvack), read the first time by short title and referred to the Rules Committee.

H.B. 232, Elementary School Math Initiative (S. Mascaro), read the first time by short title and referred to the Rules Committee.

H.B. 233, Mortgage Fraud (P. Ray), read the first time by short title and referred to the Rules Committee.

H.B. 234, Kindergarten Assessment Amendments (L. Shurtliff), read the first time by short title and referred to the Rules Committee.

H.B. 235, County Merit System Amendments (B. Dee), read the first time by short title and referred to the Rules Committee.

H.B. 237, Illegal Immigration Enforcement Act (G. Donnelson), read the first time by short title and referred to the Rules Committee.

H.B. 238, Campaign Finance Filing Requirements (G. Hughes), read the first time by short title and referred to the Rules Committee.

H.B. 239, Driver License Qualification Amendments (G. Donnelson), read the first time by short title and referred to the Rules Committee.

H.B. 240, Public Education Funding – Block Grant Amendments (S. Allen), read the first time by short title and referred to the Rules Committee.

H.B. 241, Repeal of Exemptions from Nonresident Tuition (G. Donnelson), read the first time by short title and referred to the Rules Committee.

H.B. 242, Local Option Transportation Corridor Preservation Fee Amendments (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 243, Public Transit District Sales Tax Exemption (B. Dee), read the first time by short title and referred to the Rules Committee.

H.B. 245, Administration of Medication to Students Amendments (R. Lockhart), read the first time by short title and referred to the Rules Committee.

H.B. 246, State Tree Redesignated (J. Draxler), read the first time by short title and referred to the Rules Committee.

H.B. 247, Domestic Violence and Dating Violence Amendments (D. Litvack), read the first time by short title and referred to the Rules Committee.

H.B. 248, Amendments to Sales and Use Tax Exemption for Certain Property Incorporated into Real Property (J. Dougall), read the first time by short title and referred to the Rules Committee.

H.B. 249, Vehicles Covered by New Motor Vehicle Warranties (K. Gibson), read the first time by short title and referred to the Rules Committee.

H.B. 250, Public Employee Benefit Approval Provisions (J. Dougall), read the first time by short title and referred to the Rules Committee.

H.B. 251, Sales and Use Tax Revisions (J. Dougall), read the first time by short title and referred to the Rules Committee.

H.B. 252, Charitable Solicitations Act Amendments (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 253, Higher Education Information Technology Appropriation (S. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 254, School Community Council Amendments (R. Menlove), read the first time by short title and referred to the Rules Committee.

H.B. 255, State Office of Education Human Resource Management Amendments (R. Menlove), read the first time by short title and referred to the Rules Committee.

H.B. 256, Criminal Penalties Amendments – Including Jessica’s Law (C. Wimmer), read the first time by short title and referred to the Rules Committee.

H.B. 257, Employee Verification (C. Herrod), read the first time by short title and referred to the Rules Committee.

H.B. 258, Medicaid Drug Utilization Amendments (R. Lockhart), read the first time by short title and referred to the Rules Committee.

H.B. 259, Gold Star Family Special Group License Plate Amendments (C. Oda), read the first time by short title and referred to the Rules Committee.

H.B. 260, Controlled Substance Schedule – Amendments (P. Ray), read the first time by short title and referred to the Rules Committee.

H.B. 261, Local District Primary Elections (K. Morgan), read the first time by short title and referred to the Rules Committee.

H.B. 262, Recovery of Federal Reimbursement for Costs Associated with Illegal Immigrants (K. Morgan), read the first time by short title and referred to the Rules Committee.

H.B. 263, Autism and Infant and Toddler Immune Disorders (E. Hutchings), read the first time by short title and referred to the Rules Committee.

H.B. 264, Prohibition of Citation Quotas (N. Hansen), read the first time by short title and referred to the Rules Committee.

H.B. 265, Office of Recovery Services – Electronic Funds Transfer (P. Ray), read the first time by short title and referred to the Rules Committee.

H.B. 266, Accelerated Learning Program Revisions (C. Moss), read the first time by short title and referred to the Rules Committee.

H.B. 267, Controlled Substances Amendments – Suda Controls (N. Hansen), read the first time by short title and referred to the Rules Committee.

H.B. 268, Health Facility Committee Membership (C. Herrod), read the first time by short title and referred to the Rules Committee.

H.B. 269, Scott B. Lundell Military Survivors’ Tuition Waiver Amendments (M. Morley), read the first time by short title and referred to the Rules Committee.

H.B. 270, Utah Science Technology and Research Initiative Centers (R. Bigelow), read the first time by short title and referred to the Rules Committee.

H.B. 271, Utah Purple Heart Recipients Tuition Act Amendments (R. Barrus), read the first time by short title and referred to the Rules Committee.

H.B. 272, False Impersonation and Representation (G. Froerer), read the first time by short title and referred to the Rules Committee.

H.B. 273, Time Limitation for Prosecution of Environmental Crimes (C. Wimmer), read the first time by short title and referred to the Rules Committee.

H.B. 274, Utah K–8 Online Virtual School (B. Ferry), read the first time by short title and referred to the Rules Committee.

H.B. 275, Vehicle Towing Requirements (B. Daw), read the first time by short title and referred to the Rules Committee.

H.B. 276, Health Professional Authority – Death and Disability (B. Last), read the first time by short title and referred to the Rules Committee.

H.B. 277, Pandemic Preparedness Amendments (B. Last), read the first time by short title and referred to the Rules Committee.

H.B. 278, Charter School Funding Amendments (R. Bigelow), read the first time by short title and referred to the Rules Committee.

H.B. 279, Tax Incentives for Military Members (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 280, School Finance Amendments (Julie Fisher), read the first time by short title and referred to the Rules Committee.

H.B. 281, Grants to Rural Hospitals – Oversight Responsibilities (M. Newbold), read the first time by short title and referred to the Rules Committee.

H.B. 282, State Payment and Reimbursement to County Correctional Facilities (M. Noel), read the first time by short title and referred to the Rules Committee.

H.B. 283, 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. 284, Utah College of Applied Technology Revisions (K. Holdaway), read the first time by short title and referred to the Rules Committee.

H.B. 285, Licensing Eligibility (S. Sandstrom), read the first time by short title and referred to the Rules Committee.

H.B. 286, Permanent Teacher License Revocation for Sexual Activity with Students (C. Wimmer), read the first time by short title and referred to the Rules Committee.

H.B. 287, Regulation of Teacher – Student Relationships (S. Sandstrom), read the first time by short title and referred to the Rules Committee.

H.B. 288, 911 Committee (B. Dee), read the first time by short title and referred to the Rules Committee.

H.B. 289, Adoption – Investigation and Release of Information (K. Sumsion), read the first time by short title and referred to the Rules Committee.

H.B. 290, Municipal Oversight of Rental Dwellings (G. Froerer), read the first time by short title and referred to the Rules Committee.

H.B. 291, Off-highway Vehicle Amendments (M. Noel), read the first time by short title and referred to the Rules Committee.

H.B. 292, Legislative Task Force to Study Radio Communication System in Utah (B. Dee), read the first time by short title and referred to the Rules Committee.

H.B. 293, Certified Private Building Inspector Authorized (D. Aagard), read the first time by short title and referred to the Rules Committee.

H.B. 294, Appropriation Limit Amendments – Fire Suppression Reimbursements (B. Ferry), read the first time by short title and referred to the Rules Committee.

H.B. 295, Public School Electronic Device Policies (S. Allen), read the first time by short title and referred to the Rules Committee.

H.B. 296, Voting Machines Used by Municipalities (N. Hansen), read the first time by short title and referred to the Rules Committee.

H.B. 297, Designating Magnesium as the State Metal (R. Menlove), read the first time by short title and referred to the Rules Committee.

H.B. 298, Transit Fare Reduction (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 299, Motor Vehicle Code Revisions (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 300, Telephone Solicitation Amendments (S. Sandstrom), read the first time by short title and referred to the Rules Committee.

H.B. 301, Comprehensive Health Insurance Pool Amendments (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

H.B. 302, Citizenship Determination of Incarcerated Individuals (S. Sandstrom), read the first time by short title and referred to the Rules Committee.

H.B. 303, Phosphorus Limit in Dishwashing Detergent (C. Johnson), read the first time by short title and referred to the Rules Committee.

H.B. 304, Reduction in State Sales and Use Tax Rate on Food and Food Ingredients (L. Wiley), read the first time by short title and referred to the Rules Committee.

H.B. 305, County Sheriff Qualification Amendments (R. Greenwood), read the first time by short title and referred to the Rules Committee.

H.B. 306, Attorney's Lien Amendments (R. C. Webb), read the first time by short title and referred to the Rules Committee.

H.C.R. 1, Meth Awareness for Students and Educators Resolution (C. Oda), read the first time by short title and referred to the Rules Committee.

H.J.R. 1, Resolution Addressing International Trade Issues (S. Allen), read the first time by short title and referred to the Rules Committee.

H.J.R. 2, Resolution Encouraging Manufactured and Mobile Home Parks as Affordable Housing (N. Hendrickson), read the first time by short title and referred to the Rules Committee.

H.J.R. 3, Resolution Reaffirming the Words, Under God, in the Pledge of Allegiance (K. Gibson), read the first time by short title and referred to the Rules Committee.

H.J.R. 4, Joint Resolution Urging School Closings to Recognize Veterans Day (C. Wimmer), read the first time by short title and referred to the Rules Committee.

H.J.R. 5, Joint Resolution Urging Support of Medicaid Long-term Care Funding of Home and Community-based Supports (M. Noel), read the first time by short title and referred to the Rules Committee.

H.J.R. 6, Joint Resolution Consenting to Creation of New State Within Utah (N. Hendrickson), read the first time by short title and referred to the Rules Committee.

H.R. 1, Resolution Encouraging United States Withdrawal from Security and Prosperity Partnership of North America (S. Sandstrom), read the first time by short title and referred to the Rules Committee.

MISCELLANEOUS BUSINESS

Speaker Curtis, pursuant to House Rule 24.09, excused the members of the Rules Committee for the purpose of a Rules meeting.

COMMITTEE OF THE WHOLE

On motion of Representative D. Clark, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of

hearing from the Utah Martin Luther King, Jr., Human Rights Commission. Introductions were made by Trystan Smith, Chair. Isaac Campbell, a sixth grader at Vista Elementary, read his winning essay. Bishop John C. Wester, Catholic Diocese of Salt Lake, was the keynote speaker.

On motion of Representative D. Clark, the Committee of the Whole was dissolved.

MISCELLANEOUS BUSINESS

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

AFTERNOON SESSION

The House was called to order by Speaker Curtis at 2:10 p.m.

RULES COMMITTEE REPORT

Mr. Speaker:

January 21, 2008

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

BUSINESS AND LABOR

- H.B. 37** Utah Business Resource Centers Act (Rep. D. Clark)
H.B. 53 Impact of Administrative Rules on Small Businesses (Rep. S. Clark)
H.B. 89 Antidiscrimination Act Amendments (Rep. C. Johnson)
H.B. 99 Business Registration – Optional Inclusion of Ownership Data (Rep. M. Wheatley)
H.B. 133 Health System Reform (Rep. D. Clark)

EDUCATION

- H.B. 81** Task Force to Study Performance Incentives for Teachers (Rep. B. Last)
H.B. 85 Teacher Loan Program (Rep. L. Hemingway)
H.B. 118 Veterans High School Diplomas (Rep. L. Hemingway)
H.B. 234 Kindergarten Assessment Amendments (Rep. L. Shurtliff)
H.B. 245 Administration of Medication to Students Amendments (Rep. R. Lockhart)
H.B. 254 School Community Council Amendments (Rep. R. Menlove)
H.B. 269 Scott B. Lundell Military Survivors' Tuition Waiver Amendments (Rep. M. Morley)

GOVERNMENT OPERATIONS

- H.B. 25** Access to Voter Date of Birth Records
(Rep. G. Donnelson)
- H.B. 76** Government Competition and Privatization Act
(Rep. C. Frank)
- H.B. 124** Changes to Municipal Annexation Provisions
(Rep. L. Shurtliff)
- H.B. 126** Election Law – Ballot Proposition Amendments
(Rep. C. Johnson)
- H.B. 129** Appropriation for Construction of a Veterans’ Nursing Home in Ogden (Rep. B. Dee)

HEALTH AND HUMAN SERVICES

- H.B. 15** Control and Prevention of Sexually Transmitted Diseases
(Rep. P. Riesen)
- H.B. 47** Standards for Exchange of Electronic Health Information
(Rep. R. Menlove)
- H.B. 82** Notice of Changes to the State Medicaid Plan
(Rep. M. Newbold)
- H.B. 100** Amendments to Prescribing Schedule II Drugs
(Rep. M. Wheatley)
- H.B. 119** Controlled Substance Database Amendments
(Rep. B. Daw)
- H.B. 258** Medicaid Drug Utilization Amendments
(Rep. R. Lockhart)

JUDICIARY

- H.B. 111** Charitable Solicitation Act Amendments
(Rep. J. Gowans)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

- H.B. 95** Document Fraud – Establishing Legal Status
(Rep. K. Morgan)
- H.B. 109** Sex Offender Law Amendments (Rep. G. Hughes)
- H.B. 256** Criminal Penalties Amendments – Including Jessica’s Law (Rep. C. Wimmer)
- H.B. 264** Prohibition of Citation Quotas (Rep. N. Hansen)

NATURAL RESOURCES, AGRICULTURE AND ENVIRONMENT

- H.B. 51** Water Right Forfeiture Protection (Rep. P. Painter)
- H.B. 132** Waste Tire Recycling Amendments
(Rep. N. Hendrickson)

- H.B. 249** Vehicles Covered by New Motor Vehicle Warranties
(Rep. K. Gibson)
- H.B. 294** Appropriation Limit Amendments – Fire Suppression
Reimbursements (Rep. B. Ferry)

POLITICAL SUBDIVISIONS

- H.B. 29** Election Law – Financial Reporting (Rep. B. Daw)
- H.B. 272** False Impersonation and Representation (Rep. G. Froerer)

PUBLIC UTILITIES AND TECHNOLOGY

- H.B. 98** Utah Employment Verification Act (Rep. G. Donnelson)
- H.B. 252** Charitable Solicitations Act Amendments
(Rep. W. Harper)

RETIREMENT AND INDEPENDENT ENTITIES

- H.B. 39** Divestment of Certain Retirement Fund Investments
(Rep. Julie Fisher)

REVENUE AND TAXATION

- H.B. 52** Research Activities Tax Credits Amendments
(Rep. J. Dougall)
- H.B. 54** Property Tax Assessment Revisions (Rep. W. Harper)
- H.B. 77** Personal Property Tax Amendments (Rep. J. Dougall)

TRANSPORTATION

- H.B. 61** Designation of State Highways Amendments
(Rep. T. Kiser)
- H.B. 72** Motorcycle License and Endorsement Amendments
(Rep. P. Neuenschwander)
- H.B. 122** Driver License – Application of Minor Amendments
(Rep. D. Litvack)
- H.B. 242** Local Option Transportation Corridor Preservation Fee
Amendments (Rep. W. Harper)

WORKFORCE SERVICES AND COMMUNITY & ECONOMIC DEVELOPMENT

- H.B. 73** Child Care Providers (Rep. K. Morgan)

H.J.R. 2 Resolution Encouraging Manufactured and Mobile Home Parks as Affordable Housing (Rep. N. Hendrickson)

Stephen Urquhart, Chair

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

JOINT CONVENTION

President John Valentine called the Joint Convention to order at 2:15 p.m. in the Chamber of the Utah House of Representatives and recognized Speaker Greg Curtis.

A quorum of the Legislature was present.

President Valentine acknowledged the presence of the Supreme Court Justices: Christine M. Durham, Chief Justice; Matthew B. Durrant, Justice; Ronald E. Nehring, Justice; and Jill N. Parrish, Justice.

COMMITTEE OF THE WHOLE

On motion of Senate Bramble, the Legislature resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing Chief Justice Christine M. Durham's State of the Judiciary address.

On motion of Representative D. Clark, the Legislature voted to print the complete text of the State of the Judiciary address upon the pages of the House and Senate Journals.

STATE OF THE JUDICIARY ADDRESS CHIEF JUSTICE CHRISTINE M. DURHAM

It is an extraordinary privilege to address the Utah Legislature in this magnificently restored historic chamber. So far as I know, it is the first time that a Chief Justice has had the opportunity to address a joint session in the Capitol itself, and I express appreciation for the courtesy you have extended by continuing the joint session tradition begun last year. It has been a privilege for me to have served for the past five years as a member of the Capitol Preservation Board, which has overseen the great work of historic preservation and renovation we all, as citizens of Utah, now enjoy. The Supreme Court is very much looking forward, as I am sure you have been doing, to returning to the Capitol. We will hear cases next month in our beautiful courtroom, and we invite you to participate in that event if you are able, on the morning of Wednesday the 6th of February. As I mentioned during the rededication ceremonies, I believe that it is symbolic, historically and

constitutionally, that there are spaces in this building where all three branches of government may deliberate and perform their function in the government of the people of Utah.

I am pleased to be joined today by my colleagues on the Supreme Court: Associate Chief Justice Michael Wilkins and Associate Justices Matthew Durrant, Jill Parrish, and Ronald Nehring. I also appreciate the presence of Utah's State Court Administrator Dan Becker. As you know, the constitutional responsibility for governance of the judicial branch in our state belongs to the Judicial Council, which I chair as Chief Justice and on which Justice Nehring now sits as our Court's representative. However, each of my colleagues undertakes significant leadership work with respect to both the responsibilities of the Court for procedural and evidentiary rulemaking, and oversight of the legal profession, as well as in accepting many assignments from the Judicial Council. In that regard, I would like to acknowledge the leadership and hard work that Justice Nehring has provided over the last two years to the Judicial Council's study of Utah's Justice Courts. I will spend a good part of my time here today discussing the results of that study, and wanted to recognize Justice Nehring's contributions to it.

First, however, I would like to report briefly on our progress on several initiatives we have undertaken in response to your direction over the last year. For example, having listened to concerns about increasing the efficiency of case processing articulated and embodied in legislation by Senator Greg Bell, we have under way a Caseflow Management Pilot Program implementing methods for reducing the time it takes cases to move through the resolution process. A mental health court for juveniles is now helping troubled youth in Cache County thanks to Senator Lyle Hillyard's legislative work in the last session. Treatment for criminal defendants for drug addiction is now more widespread, in response to Senator Chris Buttar's work on DORA, and we are coordinating regular court-annexed divorce orientation programs as provided for by Representative Lorie Fowlke's bill. Each of these efforts is fully underway and shows considerable promise for the continued improvement of services to the public. There are many more examples, but I mention these because they reflect the efforts of the courts to be responsive and accountable to the Legislature for the fiscal and policy direction you provide. They also represent the positive results of collaboration between the three branches of government in the improvement of the administration of justice.

Our efforts in that work are often simply taken as a "given," but I am pleased to report that Utah's courts increasingly enjoy what I consider to be a well-deserved reputation for excellence and leadership in court administration. We frequently receive requests from other states for technical assistance and

advice, and in the last several months, we have hosted study delegations from the court systems in South Korea, China, Liberia, Kurdistan, and Ukraine.

Of far more importance, however, is what our own court users are saying. I mentioned last year that the Judicial Council has implemented a comprehensive system of performance measures to monitor how we are doing in fulfilling our mission. One of the regular measurements we have undertaken is to survey court users about their experiences. We do this by taking a snapshot of all the people leaving a particular courthouse on a particular day. Our latest survey of 1800 court users from all over the state, found that 93 percent said they understood what happened in their case and why, 95 percent said they knew what they should do next in their case, 90 percent said they felt that both sides had been treated the same, and 94 percent said they were treated with courtesy and respect by the judge and court staff. The full results of the survey, along with all the other performance data we are now collecting, can be viewed on our website at www.utcourts.gov. One of the best features of the information on the website is that it is organized so that it can be looked at by district, by county, and even by individual courthouse. For example, St. George courthouse users showed a much lower level of public satisfaction than the numbers I cited earlier, when asked about court facilities. Senator Hickman and Representatives Clark, Last and Urquhart would, I think, feel particularly good about their work in securing funding for the new courthouse there if they looked at the reaction of court users to the overcrowded and outdated facilities currently in use.

The opinions that court users have are important. My husband is a pediatrician who frequently works with families in various kinds of difficult situations. One of the truths he taught me many years ago is that “feelings are facts,” meaning that you must deal with the perceptions, emotions, and attitudes that people have about their experiences if you really want to help. That principle has its corollary in the work of the courts: the public’s perceptions of our work is as critical to the confidence they have in the courts as are the objective facts of what we do. We are constantly focused on the perceptions we want the public to have of their courts and try to work on those goals in specific ways. For example, we want the public to perceive their courts as accessible, and are constantly improving our programs to assist self-represented litigants. Our Internet-based Online Court Assistance Program (OCAP) was used to generate legal documents for 8000 filings in the past year. Last year I told you that a quarter of all divorce filings were initiated with forms prepared on OCAP; this year’s number is up to 42 percent. Also, our Court’s recent approval of a practice known as “unbundling” of legal services is beginning to be reflected in court proceedings around the state where litigants can retain the services of lawyers for only the parts of their cases they need help with, at much reduced cost. Recently, a district judge in Davis County

presided over a complicated domestic case in which both parties were representing themselves. A number of hearings had been held, which were extremely stressful largely because of the parties' unfamiliarity with procedural and legal requirements. At the final hearing, one of the parties was able to secure the services of a local attorney for the purpose of only that one hearing, something that would not have been possible without the new rule on unbundling. Because of the lawyer's assistance, what would likely have been a difficult, all-day process instead resulted in a one-hour hearing and what the judge describes as a fair resolution, understood and largely stipulated to by both parties. Not inconsequentially, the result was achieved at a fraction of the cost of traditional representation.

We want people to perceive that their courts are efficient, and, in addition to the case flow management pilot program I mentioned earlier, we are engaged in other projects, like a Model Juvenile Delinquency Court that is exploring ways to increase timely dispositions while preserving fairness standards. We have begun the use of electronic warrants, which will permit judges to review and act on law enforcement warrant requests instantly from any location at any time. We are also currently completing a process that will extend electronic filing to all civil cases before the end of your session. And, as I mentioned in my remarks last year, we are very proud of the transparency with which we conduct our work. On our website, thanks to the performance measures contained in our CourTools program, we publish all the data that enables us to analyze our productivity and understand emerging trends.

We want people to perceive that their courts will protect the interests of those who cannot protect themselves. Courts have traditionally overseen the system of guardianships and conservatorships for those who are disabled for any reason, including old age. The Judicial Council has initiated a major project to identify how we can better exercise that oversight, and how our rules, our practices, and perhaps even the statutes might be changed to better serve and protect people with disabilities and their families.

Finally, and most important of all, we want the public to perceive that their courts are fair and impartial. Without this perception, there cannot exist an essential element of our form of government—public trust and confidence in the judicial branch. Our focus on this perception is reflected in the project I mentioned earlier and about which I am sure you have heard: the Judicial Council's study of the justice courts in Utah. There is, in my view, no more pressing problem of public perception regarding Utah's court system than the justice courts. Let me provide some context for this discussion.

The survey results I mentioned earlier came from user experiences in the courts of 111 judges at the state level. Considering the “judicial system” more globally (which is of course the way most citizens see it), Utah actually has 219 judges, 108 of whom serve in the justice courts. We have 178 court locations in Utah; 138 of them are county or municipal justice courts. Of the approximately 860,000 court cases filed last year in Utah, 587,000 (almost 70%) were filed in the justice courts. It is axiomatic that for most Utah citizens, justice court is the court with which they are most likely to have experience. These courts range from large municipal courts with multiple judges and extensive staff to very small courts, where only 2 or 3 cases might be filed in a week and court hearings might be held only once a month. We should be in no doubt, however, about their collective impact: last year Utah’s justice courts generated over \$72,000,000.00 in revenue, and projections for the coming year put the number at \$84,000,000.00.

The Judicial Council decided two years ago to undertake a study of the justice court system because of a number of factors. Among those factors were: (1) an increase in the number of justice courts, particularly large courts in Salt Lake City, West Valley City, Ogden, and Provo; (2) the importance of the kinds of cases heard in justice courts; the vast majority of DUI and domestic violence cases are now handled there, as well as civil cases now involving amounts up to \$7500.00; (3) legislative demands for improved record-keeping in the justice courts; (4) a growing public perception that justice courts are vehicles for generating revenue, never a proper function for courts as institutions; (5) pressures on judicial independence in decision making, both real and perceived; (6) litigation challenging the constitutionality of the structure and jurisdiction of the justice courts; and (7) multiple issues regarding uniformity and consistency in practice and procedure.

The Judicial Council formed a committee, chaired by Justice Nehring, to examine these and other issues. In the course of the committee’s work, its members and staff spoke to large numbers of interested stakeholders all over the state. In some ways, what the committee undertook could be analogized to the recent restoration of this building. A time had come when it became clear that cosmetic changes or interim repairs were insufficient. Although many improvements to the justice court system have been made, such as significant attention to the education and training of judges and court staff, it became apparent that, as with the Capitol, structural work needed to be done.

The committee’s recommendations, which have now been endorsed by the Judicial Council and which are incorporated in a bill sponsored by Senator Lyle Hillyard, were predicated on three paramount principles: First, the decision to create and maintain justice courts should remain with local government; this is not a proposal for state government to take over the justice courts; Second, justice

courts must be, and must be perceived to be, fair and impartial places for dispute resolution, not revenue generating entities; and Third, justice courts must be presided over by highly competent, well-trained judges. These are the principles that guided the committee's work, and the proposal that has emerged from that work is the direct result of widespread agreement on the validity and importance of those principles. There will no doubt be differing views about the specifics of the proposed changes, but I urge you to give careful consideration to the principles underlying Senator Hillyard's bill. There has been some discussion already about the proposal, and unfortunately some of it has been premised on misinformation about what it actually does, so I hope that in your work you will focus on its actual language. In the end, I urge you to seize this opportunity to reform a system in need of attention and to enhance the public's confidence in these courts.

As with justice courts, the competence of judges at all level of the judiciary is important to the people, which brings me briefly to the subject of judicial performance evaluation. You will be considering in this session a bill, sponsored in the Senate by Senator Buttars, to make changes in the structure of our program for judicial performance evaluation in Utah. The proposal is the work of a legislative task force on judicial retention that you created last session, on which I, Judge Gary Stott of the 4th District Court and Judge Hans Chamberlain of the 5th District Juvenile Court were invited to sit, a courtesy appreciated by the judiciary. I must preface my comments with the observation that, from the judiciary's perspective, the current program is not in need of change; we have not been persuaded that there is a significant case to be made that the evaluation process itself, as opposed to the logistics of the voter information process, is inadequate in any way. In fact, the standards for judicial performance and the means for measurement embodied in the proposed legislation are nearly identical to those currently in place. Having said that, I acknowledge that there is legislative interest in having the evaluation process administered by an independent commission rather than by the Judicial Council, and the proposal in the legislation takes that approach. I would observe that for such a system to be fair and effective, two things are absolutely essential: the commission must be completely independent and free from the possibility of any kind of public or political pressure that would put at risk the impartiality and independence of the decision making function of judges, and the commission must be adequately funded to carry out its ambitious assignment. Given that the bill as proposed appears to contemplate both of these essentials, the Judicial Council has determined that, although we cannot support it because of our position that it is unnecessary, we do not oppose the approach it advances.

I would like to turn finally to a few comments that relate to things I have said today about public confidence in the courts. No institution can be better than its

people, and I am exceedingly proud of the dedicated, hard-working judges and staff who work for the courts. However, we are in one respect in considerable trouble, and we are asking this year for your help. Our deputy court clerks are our front-line employees. They are expected to perform a wide array of complex tasks requiring a high level of skill, including assisting court customers in person and over the telephone; assisting attorneys and self-represented litigants; setting court calendars; scheduling interpreters, court reporters, and mediators; coordinating with outside agencies and attorneys; monitoring case progress; preparing required notices; recording the outcomes of hearings and trials; managing jury pools; collecting court fees, fines, and restitution; and balancing and reconciling accounts. We are experiencing unprecedented turnover in our deputy clerk positions throughout the state and related difficulty in recruiting for those jobs. Fully 41 percent of new deputy court clerks leave the state courts before reaching one year of service; ironically, a large number of them leave to take higher paying jobs with local justice courts. The work of court clerks has no analogue in the private sector, so new hires require a significant investment of time and training; it is a huge loss when those people leave us, and it has a direct, negative impact on the efficiency of the courts. Morale, as well as productivity, is affected when experienced clerks must spend significant portions of their time training new people who will not stay; personal and professional relationships are disrupted and the workplace suffers. Our analysis reveals that deputy clerk positions are currently among the lowest pay scales in all of state government, despite their relatively sophisticated demands. To address this problem we are asking for the funds for a market comparability adjustment, and we hope that you will agree about the urgency of the issue.

With respect to judicial compensation, we remain very appreciative of the attention you paid to this issue last year, and we hope that we can stay on track with the recommendation of our citizen committee and the recommendations of your Executive and Judicial Compensation Commission. Our expectation is that those recommendations will put us in the position of being able to stay “caught up” with only regular state employee cost of living increases in the future.

Oliver Wendell Holmes Sr. once said: “Greatness is not so much where we stand, as in what direction we are moving. We must sail sometimes with the wind, and sometimes against it, but sail we must. And not drift, nor lie at anchor.” Utah’s judicial branch is not drifting, nor are we standing still. We are actively addressing efficient case management practices; we have embraced and are honing the effectiveness of problem-solving courts; we are working to ensure that people who need to represent themselves in court, and people who face language and other kinds of barriers to access, can ask for and receive justice; we are constantly seeking ways in which we can reach out to Utah’s communities and educate our

children about the rule of law; and we are actively engaged in planning for the kinds of structural and other change that will improve and sustain the trust and confidence that the people have in the courts. Although our institutional cultures and decision-making processes are very different, our two branches of government share fundamental commitments to fairness, justice, and public service. We in the judiciary look forward to a year of positive, collaborative work with you and your leadership, and to sailing, to use Dr. Holmes' metaphor, in the right direction.

* * *

On motion of Senator D. Clark, the Committee of the Whole was dissolved and the Joint Convention adjourned.

RULES COMMITTEE REPORT

Mr. Speaker: January 21, 2008

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. 13 | Criminal Statute of Limitations Amendments
(Rep. C. Wimmer) |
| H.B. 16 | Medicaid Coverage for Certain Telehealth Services
(Rep. B. Last) |
| H.B. 78 | Title 78 Recodification and Revision (Rep. J. Biskupski) |
| H.B. 21 | Employment Security Act Amendments
(Rep. S. Mascaro) |
| H.B. 22 | Expedited Parent-Time Enforcement (Rep. Julie Fisher) |
| H.B. 24 | Amendments to Utah Digital Health Service Commission Act (Rep. R. Menlove) |
| H.B. 30 | Vehicle Concealing Illegal Items (Rep. P. Ray) |
| H.B. 31 | Child Welfare Definitions (Rep. W. Harper) |
| H.B. 32 | Affirmative Defense for Agri-tourism Activity
(Rep. M. Morley) |
| H.B. 36 | Child Welfare Amendments (Rep. W. Harper) |
| H.B. 55 | Captive Insurance Company Amendments
(Rep. J. Dunnigan) |
| H.B. 56 | Repeal Provisions Related to Assumption of Indebtedness on Residential Real Property (Rep. K. Garn) |
| H.B. 60 | Legislative Review of Health Insurance Mandates
(Rep. J. Dunnigan) |
| H.B. 63 | Recodification of Title 63 State Affairs in General
(Rep. D. Aagard) |

H.B. 68	Educator Relicensure Initiative (Rep. R. Menlove)
H.B. 71	Parent–time Amendments (Rep. L. Fowlke)
H.B. 74	Medicaid 340b Drug Pricing Programs (Rep. D. Litvack)
H.B. 79	Sunset Reauthorizations and Amendments (Rep. D. Clark)

Stephen Urquhart, Chair

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

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, the House voted to consider bills that were placed on the Third Reading Calendar today under suspension of the rules.

THIRD READING CALENDAR

H.B. 13, CRIMINAL STATUTE OF LIMITATIONS AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 13 passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bird	Biskupski	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Curtis			

Absent or not voting were: Representatives

Bigelow	Frank	Holdaway	Hughes
Painter	Winn		

H.B. 13 transmitted to the Senate for its consideration.

* * *

H.B. 16, MEDICAID COVERAGE FOR CERTAIN TELEHEALTH SERVICES, read the third time by short title and placed on its final passage.

H.B. 16 passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bird	Biskupski	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Curtis		

Absent or not voting were: Representatives

Bigelow	Holdaway	Hughes	Painter
Winn			

H.B. 16 transmitted to the Senate for its consideration.

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H.B. 78, TITLE 78 RECODIFICATION AND REVISION, 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. 78**.

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H.B. 21, EMPLOYMENT SECURITY ACT AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 21 passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bird	Biskupski	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Curtis		

Absent or not voting were: Representatives

Bigelow	Fowlke	Holdaway	Painter
Winn			

H.B. 21 transmitted to the Senate for its consideration.

SPECIAL GUESTS

Speaker Curtis introduced former Speakers of the Utah House of Representatives.

Former Speakers of the Utah House of Representatives in attendance were:

Howard C. Nielson who served from 1973 to 1974;
Ronald L. Rencher who served from 1975 to 1976;
James V. Hansen who served from 1979 to 1980;
Norman H. Bangerter who served from 1981 to 1984;
Glen E. Brown who served from 1987 to 1988;
Nolan E. Karras who served from 1989 to 1990;
H. Craig Moody who served from 1991–1992;
Congressman Rob Bishop who served from 1993 to 1994;
Melvin R. Brown who served from 1995 to 1998;
Martin R. Stephens who served from 1998 to 2004.

Former Speakers not in attendance:

Lorin N. Pace who served from 1969 to 1970;
Richard C. Howe who served from 1971 to 1972;
Robert H. Garff who served from 1985 to 1986.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, and at 4:00 p.m., the House voted to adjourn until January 22, 2008, at 10:00 a.m.

SECOND DAY

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MORNING SESSION

The House was called to order by Speaker Curtis at 10:05 a.m.

Roll call showed all members present except Representative Painter, excused.

Prayer and Pledge of Allegiance by Representative Ron Bigelow.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: January 21, 2008
The Senate passed **S.B. 111**, REVISOR'S STATUTE, by Senator J. Hickman, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 112**, LEGISLATIVE SPACE IN THE CAPITOL, by Senator C. Bramble, and it is transmitted for consideration; and

The Senate passed **S.J.R. 2**, RESOLUTION APPROVING THE APPOINTMENT OF LEGISLATIVE FISCAL ANALYST, by Senator C. Bramble, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 111**, **S.B. 112**, and **S.J.R. 2** read the first time by short title and referred to the Rules Committee.

INTRODUCTION OF BILLS

H.B. 139, Wireless Internet Access Requirements (B. Daw), read the first time by short title and referred to the Rules Committee.

H.B. 140, Child Restraint Device Amendments (T. Cosgrove), read the first time by short title and referred to the Rules Committee.

H.B. 141, Identity Theft Reporting Information System Amendments (D. Aagard), read the first time by short title and referred to the Rules Committee.

H.B. 142, Absentee Ballot Amendments (J. Mathis), read the first time by short title and referred to the Rules Committee.

H.B. 143, Administration of Interstate Water (M. Brown), read the first time by short title and referred to the Rules Committee.

H.B. 144, Motor Vehicle Insurance Amendments (T. Kiser), read the first time by short title and referred to the Rules Committee.

H.B. 145, Additional State Retirement Benefit (K. Holdaway), read the first time by short title and referred to the Rules Committee.

H.B. 307, Cancer Screening and Mortality Reduction Special Group License Plate (C. Moss), read the first time by short title and referred to the Rules Committee.

H.B. 308, Credit Card or Debit Card Transactions Act (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 309, Election Information Amendments (J. Dougall), read the first time by short title and referred to the Rules Committee.

H.B. 310, Absentee Ballot Revisions (D. Aagard), read the first time by short title and referred to the Rules Committee.

H.B. 312, Crime Victim Reparations Revisions (Julie Fisher), read the first time by short title and referred to the Rules Committee.

H.B. 313, Motor Fuel and Special Fuel Tax – Indexing for Inflation (W. Harper), read the first time by short title and referred to the Rules Committee.

H.C.R. 2, Concurrent Resolution Declaring February 6, 2008 Ronald Reagan Day (M. Morley), read the first time by short title and referred to the Rules Committee.

H.J.R. 7, Joint Resolution Recognizing Unreinforced Masonry Buildings (L. Wiley), read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

H.B. 22, EXPEDITED PARENT–TIME ENFORCEMENT, read the third time by short title and placed on its final passage.

On motion of Representative Snow, the House voted to circle **H.B. 22**.

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H.B. 24, AMENDMENTS TO UTAH DIGITAL HEALTH SERVICE COMMISSION ACT, 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. 24** in title and body and insert **1st Sub. H.B. 24** in lieu thereof.

Representative Fowlke proposed the following amendment:

- 1. Page 3, Line 67:
Bracket and strike through the word “telehealth”

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

1st Sub. H.B. 24, as amended, passed on the following roll call:

Yeas, 55; Nays, 16; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bird	Biskupski	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Dee	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Froerer	Garn	Gibson	Gowans
Greenwood	Hansen	Hemingway	Holdaway
Hughes	Hunsaker	Johnson	King
Kiser	Last	Litvack	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Moss	Neuenschwander	Newbold
Oda	Ray	Riesen	Shurtliff
Snow	Urquhart	Walker	Webb
Wheatley	Wiley	Winn	

Voting in the negative were: Representatives

Bigelow	Daw	Donnelson	Dougall
Grover	Harper	Hendrickson	Herrod
Lockhart	Morley	Noel	Sandstrom
Sumsion	Tilton	Wimmer	Curtis

Absent or not voting were: Representatives

Frank	Hutchings	Painter	Seelig
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1st Sub. H.B. 24, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Julie Fisher, the House voted to uncircle **H.B. 22**.

H.B. 22, EXPEDITED PARENT–TIME ENFORCEMENT, was before the House on its final passage.

Representative Fowlke declared a conflict of interest because she is a court mediator.

H.B. 22 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Moss	Neuenschwander
Newbold	Noel	Oda	Ray
Riesen	Sandstrom	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Winn
Curtis			

Voting in the negative was: Representative
Wimmer

Absent or not voting were: Representatives

Gibson	Hutchings	Morley	Painter
Seelig			

H.B. 22 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Biskupski, the House voted to uncircle **H.B. 78**.

H.B. 78, TITLE 78 RECODIFICATION AND REVISION, was before the House on its final passage.

Representative Biskupski proposed the following amendment:

- 1. Page 2, Line 50

50 This bill provides an immediate effective date.

This bill coordinates with H.B. 63, Recodification of Title 63 State Affairs in General, by providing superseding amendments.

- 2. Page 1277, Line 39578:

39578 the date of veto override.

Section 1476. Coordinating H.B. 78 with H.B. 63 -- Superseding amendments.

If this H.B. 78 and H.B. 63, Recodification of Title 63 State Affairs in General, both pass, it is the intent of the Legislature that the amendments in this H.B. 78 supersede the amendments to the same sections in H.B. 63, except that the section renumbering and internal cross references to Title 63 in H.B. 63 supersede and shall replace the section numbering and references to Title 63 in H.B. 78 when the Office of Legislative Research and General Counsel prepares the Utah Code database for publication.

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

H.B. 78, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Johnson	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Ray
Riesen	Sandstrom	Shurtliff	Snow

Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Winn
Curtis			

Absent or not voting were: Representatives

Gibson	Hutchings	King	Painter
Seelig	Wimmer		

H.B. 78, as amended, transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 30, VEHICLE CONCEALING ILLEGAL ITEMS, read the third time by short title and placed on its final passage.

Representative Bigelow proposed the following amendment:

- Page 7, Line 185:
After “to” insert “knowingly”

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

H.B. 30, as amended, passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Ray
Riesen	Sandstrom	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Curtis

Absent or not voting were: Representatives

Garn	Gibson	King	Painter
Seelig	Wimmer	Winn	

H.B. 30, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 31, CHILD WELFARE DEFINITIONS, read the third time by short title and placed on its final passage.

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

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gowans
Greenwood	Grover	Hansen	Harper
Hendrickson	Herrod	Holdaway	Hunsaker
Hutchings	Johnson	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Winn
Curtis			

Absent or not voting were: Representatives

Gibson	Hemingway	Hughes	King
Painter	Wimmer		

H.B. 31 transmitted to the Senate for its consideration.

* * *

H.B. 32, AFFIRMATIVE DEFENSE FOR AGRI–TOURISM ACTIVITY, read the third time by short title and placed on its final passage.

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

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Holdaway	Hunsaker
Hutchings	Johnson	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Neuenschwander	Newbold	Noel
Oda	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Gibson	Herrod	Hughes	King
Moss	Painter	Ray	Riesen

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

REPORTS OF STANDING COMMITTEES

Mr. Speaker: January 22, 2008

The Government Operations Committee reports a favorable recommendation on **H.B. 25**, ACCESS TO VOTER DATE OF BIRTH RECORDS, by Representative G. Donnelson; and

The Government Operations Committee reports a favorable recommendation on **H.B. 129**, APPROPRIATION FOR CONSTRUCTION OF A VETERANS' NURSING HOME IN OGDEN, by Representative B. Dee; and

The Government Operations Committee reports a favorable recommendation on **H.B. 126**, ELECTION LAW – BALLOT PROPOSITION

AMENDMENTS, by Representative C. Johnson, and recommends it be placed on the Consent Calendar.

Glenn A. Donnelson, Chair

Reports filed. On motion of Representative Donnelson, the reports of the Government Operations Committee were adopted.

H.B. 25 and **H.B. 129**, read the second time by short title and placed on the Third Reading Calendar.

H.B. 126, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: January 22, 2008

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 52**, RESEARCH ACTIVITIES TAX CREDITS AMENDMENTS, by Representative J. Dougall, with the following amendments:

1. Page 2, Lines 37 through 45:

37 (1) (a) A taxpayer meeting the requirements of this section may claim the following

38 nonrefundable tax credits:

39 (i) a research tax credit of ~~{-7%-}~~ 5% of the taxpayer's qualified research expenses for the

40 current taxable year that exceed the base amount provided for under Subsection (4);

41 (ii) a tax credit for ~~[payments]~~ a payment to a qualified ~~[organizations]~~ organization for

42 basic research as provided in Section 41(e), Internal Revenue Code, of ~~{-7%-}~~ 5% for the current

43 taxable year that exceed the base amount provided for under Subsection (4); and

44 (iii) a tax credit equal to 5% (A) for the taxable year beginning on or after January 1, 2008, but beginning on or before December 31, 2008, 5% of the taxpayer's qualified research expenses for the

45 current taxable year {—} ;
(B) for the taxable year beginning on or after January 1, 2009, but beginning on or before December 31, 2009, 6.3% of the taxpayer's qualified research expenses for the current taxable year; or
(C) for taxable years beginning on or after January 1, 2010, 9.2% of the taxpayer's qualified research expenses for the current taxable year.

2. Page 8, Lines 223 through 232:

223 (1) (a) A claimant, estate, or trust meeting the requirements of this section may claim

224 the following nonrefundable tax credits:

225 (i) a research tax credit of {—7%—} 5% of the claimant's, estate's, or trust's qualified research

226 expenses for the current taxable year that exceed the base amount provided for under

227 Subsection (3);

228 (ii) a tax credit for [~~payments~~] a payment to a qualified [~~organizations~~] organization for

229 basic research as provided in Section 41(e), Internal Revenue Code of {—7%—} 5% for the current

230 taxable year that exceed the base amount provided for under Subsection (3); and

231 (iii) a tax credit equal to ;
(A) for the taxable year beginning on or after January 1, 2008, but beginning on or before December 31, 2008, 5% of the claimant's, estate's, or trust's qualified research

232 expenses for the current taxable year {—} ;
(B) for the taxable year beginning on or after January 1, 2009, but beginning on or before December 31, 2009, 6.3% of the claimant's, estate's, or trust's qualified research expenses for the current taxable year; or

(C) for taxable years beginning on or after January 1, 2010, 9.2% of the claimant's, estate's, or trust's qualified research expenses for the current taxable year. ; and

The Revenue and Taxation Committee recommends **H.B. 77, PERSONAL PROPERTY TAX AMENDMENTS**, by Representative J. Dougall, be replaced and reports a favorable recommendation on **1st Sub. H.B. 77, PERSONAL PROPERTY TAX AMENDMENTS** with the following amendments:

1. Page 10, Line 274:
Delete \$5,000 and insert \$1,000
2. Page 34, Line 1027:
Delete \$5,000 and insert \$1,000

John Dougall, Chair

Reports filed. On motion of Representative Dougall, the reports of the Revenue and Taxation Committee were adopted.

H.B. 52, as amended, and **1st Sub. H.B. 77**, as amended, read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker:

January 22, 2008

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.B. 73, CHILD CARE PROVIDERS**, by Representative K. Morgan, et al, with the following amendments:

1. Page 1, Lines 20 through 22
 - 20 • child care providers who are not required by current law to undergo a check
 - 21 through the Department of Health, Bureau of Child Care Licensing, and are not a license
 - 22 exempt child care center or program; and
2. Page 2, Lines 39 through 41
 - 39 ► allows ~~{three—designated—}~~ individuals ~~{—within—}~~ designated by the Department of Workforce Services and approved by the Department of Human Services to
 - 40 have access to the Division of Family and Child Services' Licensing Information
 - 41 System for the purpose of checking the background of child care providers.
3. Page 3, Lines 59 through 60
 - 59 (b) is not required to undergo a criminal background check with the Department of

60 Health, Bureau of Child Care Licensing;

4. Page 3, Lines 76 through 82

76 (c) The Utah Division of Criminal Investigation and Technical Services shall ~~{-;~~

77 (i) (A) process the information required under Subsection (2)(a); or

78 (B) allow the department or its representative access to the division's data base to

79 determine whether the individual has been convicted of a crime; and

80 (ii) submit an individual's set of fingerprints required under Subsection (2)(a) to the

81 U.S. Federal Bureau of Investigation for a national criminal history background check of the

82 individual.} process and conduct background checks on all individuals as requested by the department, including submitting the fingerprints to the U.S. Federal Bureau of Investigation for a national criminal history background check of the individual.

(d) If the department waives the fingerprint requirement under Subsection (2)(b), the Utah Division of Criminal Investigation and Technical Services may allow the department or its representative access to the division's data base to determine whether the individual has been convicted of a crime.

4. Page 3, Lines 83 through 84

83 ~~{-(d)}~~ (e) The child care provider shall pay the cost of the history background check provided

84 under Subsection (2)(c).

5. Page 4, Lines 90 through 91

90 (c) The department or its representative shall access juvenile court records to determine whether an

91 individual described in Subsection (2) or (3)(a) has been adjudicated in juvenile court of

6. Page 4, Lines 114 through 116

114 (b) In accordance with criteria established by rule, the executive
director or the director's designee may consider
115 and exempt individual cases { ~~involving misdemeanors~~ }
not otherwise exempt under Subsection
116 (5)(a), from the restrictions of Subsection (4).

7. Page 8, Lines 243 through 244

243 (iii) { ~~two~~ } persons designated by { ~~and within~~ }
the Department of Health and approved by the Department of Human
Services , only for the
244 following purposes:

9. Page 9, Lines 249 through 250

249 (iv) { ~~three~~ } persons designated by { ~~and within~~ }
the Department of Workforce Services and approved by the
Department of Human Services for
250 the purpose of qualifying child care providers under Section
35A-3-310.5; and

10. Page 9, Lines 252 through 254

252 (5) The { ~~two~~ } persons designated by the Department of
Health under Subsection
253 (4)(c)(iii) and the { ~~three~~ } persons designated by the
Department of Workforce Services under
254 Subsection (4)(c)(iv) shall adopt measures to:

11. Page 9, Lines 258 through 259

258 (6) All persons designated by statute as having access to
information contained in the
259 Licensing Information System shall be approved by the
Department of Human Services and receive training from the
department with respect to: ; and

The Workforce Services and Community and Economic Development
Committee reports a favorable recommendation on **H.J.R. 2, RESOLUTION**

ENCOURAGING MANUFACTURED AND MOBILE HOME PARKS AS AFFORDABLE HOUSING, by Representative N. Hendrickson.

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. 73, as amended, and **H.J.R. 2** read the second time by short title and placed on the Third Reading Calendar.

THIRD READING CALENDAR

H.B. 36, CHILD WELFARE AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Harper proposed the following amendment:

1. Page 2, Line 42

42 {~~None~~} This bill provides an immediate effective date.

2. Page 2, Line 55:

55 78-30-3.6, as last amended by Laws of Utah 2007, Chapters 152 and 196

ENACTS:

78-3a-307.5, Utah Code Annotated 1953

3. Page 4, Lines 108 through 114:

108 (h) The requirements under Subsections (1)(f) and (g) do not apply to the extent that:

109 (i) federal law or rule permits otherwise; or

110 (ii) the requirements would prohibit the Division of Child and Family Services or a

111 court from placing a child with:

112 (A) a noncustodial parent under Section 62A-4a-209

{~~or~~} 78-3a-307 , or Section 78-3a-307.5 ; or

113 (B) a relative , other than a noncustodial parent , under Section 62A-4a-209 {~~or~~} 78-3a-307 , or Section 78-3a-307.5 , pending completion of the

114 background check described in Subsections (1)(f) and (g).

4. Page 26, Line 799 through Page 27, Line 805:

799 ~~{-(B)-conduct }~~ (C) a background check that
complies with the criminal background check

800 provisions described in Section 78-3a-307.1, of each adult
nonrelative, as defined in

801 Subsection 62A-4a-209(1)(a), of the child who resides in the
household where the child may be

802 placed:

803 (ii) if the child will be placed with a noncustodial parent of the
child, complete ~~{-the~~

804 same } a background check that includes:

(A) the background check requirements applicable to an
emergency placement with a

805 noncustodial parent ~~{-as }~~ that are described in
~~{-Section }~~ Subsections 62A-4a-209 (5) and (7) :

(B) a completed search, relating to the noncustodial parent
of the child, of the Management Information System described in
Section 62A-4a-1003; and

(C) a background check that complies with the criminal
background check provisions described in Section 78-3a-307.1, of each
adult nonrelative, as defined in Subsection 62A-4a-209(1)(a), of the
child who resides in the household where the child may be placed;

5. Page 29, Lines 876 through 879:

876 (A) take the child into physical custody; and

877 (B) within ~~{-one day }~~ three days , excluding
weekends and holidays, ~~{-of }~~ after taking the child into
physical

878 custody under Subsection (16)(a)(ii)(A), give written notice to the
court, and all parties to the

879 proceedings, of the division's action.

6. Page 31, Lines 938 through 941:

938 (b) [Upon request by the Division of Child and Family Services]
Except as provided in

939 Subsection (4), upon request by the division or the Office of the Guardian ad Litem Director, or upon the court's

940 order, persons subject to the requirements of Subsection (1) shall submit fingerprints and shall

941 be subject to an FBI fingerprint background check. The child may be temporarily placed,

7. Page 32, Lines 970 through 978:

970 (4) Subsections (2)(a) and (b) do not apply to a child who is placed with a noncustodial

971 parent or relative under Section 62A-4a-209 {- or } 78-3a-307 , or 78-3a-307.5 , unless the court finds that

972 compliance with Subsection (2)(a) or (b) is necessary to ensure the safety of the child.

973 (5) The requirements under Subsection (3) do not apply to the extent that:

974 (a) federal law or rule permits otherwise; or

975 (b) the requirements would prohibit the division or a court from placing a child with:

976 (i) a noncustodial parent, under Section 62A-4a-209 {- or } 78-3a-307 , or 78-3a-307.5 ; or

977 (ii) a relative, under Section 62A-4a-209 {- or } 78-3a-307 , or 78-3a-307.5 , pending completion of the

978 background check described in Subsection (3).

Section 9. Section 78-3a-307.5 is enacted to read:

78-3a-307.5. Post-shelter hearing placement of a child who is in division custody.

(1) If the court awards custody of a child to the division under Section 78-3a-307, or as otherwise permitted by law, the division shall determine ongoing placement of the child.

(2) In placing a child under Subsection (1), the division:

(a) except as provided in Subsections (2)(b) and (d), shall comply with the applicable background check provisions described in Section 78-3a-307;

(b) is not required to receive approval from the court prior to making the placement;

(c) shall, within three days, excluding weekends and holidays, after

making the placement, give written notice to the court, and all parties to the proceedings, that the placement has been made; and

(d) may place the child with a noncustodial parent or relative of the child, using the same criteria established for an emergency placement under Section 62A-4a-209, pending the results of:

(i) the background check described in Subsection 78-3a-307(16)(a); and

(ii) evaluation with the noncustodial parent or relative to determine the noncustodial parent's or relative's capacity to provide ongoing care to the child.

8. Page 36, Lines 1105 through 1110:

1105 (9) The requirements under Subsection (8) do not apply to the extent that:

1106 (a) federal law or rule permits otherwise; or

1107 (b) the requirements would prohibit the division or a court from placing a child with:

1108 (i) a noncustodial parent, under Section 62A-4a-209 { - or } Δ 78-3a-307 ,or 78-3a-307.5 ; or

1109 (ii) a relative, under Section 62A-4a-209 { - or } Δ 78-3a-307 , or 78-3a-307.5 , pending completion of the

1110 background check described in Subsection (8).

9. Page 38, Line 1151:

1151 Subsections 78-30-3.5(8)(a) through (d).

Section 12. Effective date.

If approved by two-thirds of all members elected to each house, this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto, the date of veto override.

Renumber remaining sections accordingly.

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

H.B. 36, as amended, passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Johnson	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morgan
Morley	Neuenschwander	Newbold	Noel
Oda	Ray	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Brown	Hutchings	King	McGee
Moss	Painter	Riesen	

H.B. 36, as amended, transmitted to the Senate for its consideration.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: January 22, 2008

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 29**, ELECTION LAW – FINANCIAL REPORTING, by Representative B. Daw; and

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 272**, FALSE IMPERSONATION AND REPRESENTATION, by Representative G. Froerer, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 1, Lines 19 through 21:

19 ▶ provides that the criminal provisions described in the preceding paragraph are only

20 violated if the person engages in the prohibited conduct with the intent to defraud or with the intent to

- 21 make a false representation;
2. Page 2, Lines 41 through 42:
- 41 ~~unlawful~~, if the person wears or uses the military medal with the intent to defraud or with the intent to falsely
- 42 represent that the person or another person has been awarded a military medal.
3. Page 2, Lines 46 through 48:
- 46 ~~of Utah or the United States~~, if the person uses the name, title, insignia, ritual, or ceremony
- 47 with the intent to defraud or with the intent to falsely represent that the person or another person was or is a
- 48 member, representative, or officer of the society, order, or organization.

Fred R. Hunsaker, Chair

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

H.B. 29 read the second time by short title and placed on the Third Reading Calendar.

H.B. 272, as amended, read the second time by short title and placed on the Consent Calendar.

THIRD READING CALENDAR

H.B. 55, CAPTIVE INSURANCE COMPANY AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Dunnigan, the House voted to delete **H.B. 55** in title and body and insert **1st Sub. H.B. 55** in lieu thereof.

On motion of Representative D. Clark, the House voted to circle **1st Sub. H.B. 55**.

* * *

H.B. 56, REPEAL PROVISIONS RELATED TO ASSUMPTION OF INDEBTEDNESS ON RESIDENTIAL REAL PROPERTY, read the third time by short title and placed on its final passage.

H.B. 56 passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Johnson	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Neuenschwander	Newbold	Noel
Oda	Ray	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Dougall	Froerer	Hutchings	King
Moss	Painter	Riesen	Walker

H.B. 56 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Dee, the House voted to schedule **H.B. 129**, APPROPRIATION FOR CONSTRUCTION OF A VETERANS' NURSING HOME IN OGDEN, for Time Certain on January 24, 2008 at 11:15 a.m.

THIRD READING CALENDAR

H.B. 60, LEGISLATIVE REVIEW OF HEALTH INSURANCE MANDATES, read the third time by short title and placed on its final passage.

Representative Lockhart proposed the following amendment:

1. Page 3, Line 83:
Delete the colon at the end of the line and insert “: and”

2. Page 3, Line 84:
Delete “; and” and insert a period.
3. Page 3, Line 85:
Delete line 85 in its entirety.

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

H.B. 60, as amended, passed on the following roll call:

Yeas, 60; Nays, 9; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Kiser
Last	Lockhart	Mascaro	Mathis
McIff	Menlove	Morgan	Morley
Neuenschwander	Newbold	Noel	Oda
Ray	Sandstrom	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wimmer	Winn	Curtis

Voting in the negative were: Representatives

Chavez–Houck	Janice Fisher	Hemingway	Johnson
Litvack	McGee	Seelig	Shurtliff
Wiley			

Absent or not voting were: Representatives

Bowman	Hutchings	King	Moss
Painter	Riesen		

H.B. 60, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, and at 12:00 noon, the House voted to adjourn until January 23, 2008, at 10:00 a.m.

JOINT CONVENTION

President John Valentine called the Joint Convention to order at 6:30 p.m., in the Chamber of the Utah House of Representatives and recognized Greg Curtis, Speaker of the House.

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

President Valentine appointed a Joint Committee comprised of Senators Curtis Bramble, Dan Eastman and Mike Dmitrich, and Representatives David Clark, Gordon Snow, and Brad King to notify Governor Jon M. Huntsman, Jr., that the 2008 General Session of the Fifty–Seventh Legislature is in Joint Convention and ready to hear his State–of–the–State address.

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

Senator Curtis Bramble made a motion that the Legislature resolve into a Joint Convention and Committee of the Whole for the purpose of hearing Governor Huntsman’s State–of–the–State address.

The Joint Committee escorted Governor Huntsman to the House rostrum.

STATE–OF–THE–STATE ADDRESS BY GOVERNOR JON HUNTSMAN, JR.

“ASPIRE TO REACH HIGHER”

Lt. Governor Herbert; President Valentine; Speaker Curtis; Members of the Legislature, Supreme Court and Cabinet; My wife and best friend, our First Lady; and all Utahns.

To say that tonight is an historic occasion is an understatement. To be here in this resplendent chamber for the first time, is awe–inspiring!

We are here as the most economically competitive and dynamic state in the nation. We enjoy some of the most pristine and beautiful land our country offers. It is deeply humbling to consider our fortunate circumstances amid national uncertainty.

I am grateful for each one of you, the citizens of this state, for allowing me to serve as your Governor. Thank you for your faith, trust, and encouragement.

The activity of 50,000 visitors, streaming through this magnificent building since its opening has been thrilling. I can't begin to express how motivating it has been to hear student choirs sing daily renditions of patriotic songs. Reverberating through the rotunda and then through my mind. May you always feel welcome here.

This evening we return to this elegant Capitol our forbearers constructed more than ninety years ago to conduct the people's business. Visits by prime ministers and presidents, protestors and petitioners and the echoes of policy debates over the generations serve to reaffirm our core values that were famously enshrined by President Roosevelt in 1941; freedom of speech, freedom of religion, freedom from want and freedom from fear.

This is a defining time in Utah. We are soaring to ever-greater heights. So let's remind ourselves why we stand at the threshold of these extraordinary times.

We are young and industrious. As the youngest state in the nation, we have a vibrancy that cannot be matched. I am amazed at the growth we are experiencing, as is my good friend Mayor Tom Hirschi of Hurricane where the population has tripled in the last 15 years. As the third fastest growing state in the country, we are adding an astonishing 10 people an hour to our population of 2.7 million.

Our economic prowess has been nationally recognized by many respected organizations. We no longer have one of America's top performing economies. We have the nation's premier economy. And during times of uncertainty we will work even harder to keep it that way.

An example of this? One of the world's largest corporations, Proctor and Gamble, chose Box Elder County to build its first domestic manufacturing plant in more than 30 years. Amer Sports, the world's leading winter sports equipment company, moved its headquarters to Ogden, bolstering our competitive outdoor products industry. And now, one of America's fastest growing software companies is our very own, Orem-based, Omniture.

Thanks to the entrepreneurs, innovators and hard-workers of our State, our economy is just beginning to fill the measure of its destiny — as well a State should whose motto is industry.

So, what does all of this mean? Personal income, perhaps the most significant measure of economic performance, rose nearly ten percent last year, outperforming every state in the nation.

Our historically high tax burden is now below the national average. And we have the lowest tax rate since the implementation of the State income tax. Thank

you members of the Legislature; you passed tax reform unanimously last session, and this month, it is a reality!

Our transportation progress is on the move. This year we will celebrate the opening of two major transportation corridors: commuter rail from Salt Lake to Pleasant View; and after years of Interstate-15 gridlock, Legacy Parkway will finally be a reality. Next stop: Utah County!

Utah is increasingly becoming a film destination spot, and (according to my daughters) we are really excited that soon Disney will begin filming High School Musical Three in our State. This is just one of dozens of movies being shot here.

At the other end of the spectrum, we have worked like never before, at every level of government, to “End Meth Now” and stop the scourge of methamphetamine impacting our families and communities. We have more resources committed than at any other time to help fight this dangerous, destructive drug. I want my friends at the House of Hope, most of whom are young single mothers recovering from their addictions, to know the full meaning of that word: Hope.

But most important, the great people of our State continue to allow us to reach higher. People like two heroes who are with us tonight.

During World War II, while under fire on Iwo Jima, he displayed a level of courage which is still legendary today. Ladies and gentleman, please join me in saluting our State’s only surviving Congressional Medal of Honor recipient: United States Marine George Wahlen.

Some have said that George’s generation is America’s greatest. Well, I’m here to tell you a great generation is standing right before us. I’ve witnessed their bravery, in both Iraq and Afghanistan, where thousands of Utahns have served.

Another hero with us tonight completed 59 combat missions in Iraq, during which he was hit six times, leaving him legally blind and deaf. Please join me in recognizing Utah Army National Guardsman, Sgt. Gordon Ewell.

These generations are the greatest because they put service before self, an enduring principle for all of us. As a State, we need to ensure our veterans receive the care they have earned. It is time to build the Ogden Veterans Nursing Home.

The celebration of these exhilarating times must be matched with adequate preparation for the future. As I travel to the far corners of our State, I can feel the desire to reach higher. I sense an aspiration to perform beyond the ordinary. There is hopefulness in the air – it is our most powerful weapon as we anticipate our future.

We aren't an ordinary State, nor do we lack a sense of destiny, and our journey over the next few years will determine just how extraordinary we are. The higher ground we seek will require something from all of us. This begins by recognizing that our world is changing, so too are our needs.

For example, while in Ephraim, having lunch with my son at the Malt Shop, I was approached by a dairy farmer. Thinking maybe he wanted to discuss price subsidies, unfair trade competition or alfalfa prices, I was surprised when his concern was healthcare and how he was going to find health insurance for his employees. I asked him what he was going to do. He said he would do nothing because he had no affordable alternatives.

Later, when riding a bike down Slick Rock in Moab, I had public lands policy on my mind. But from the locals I heard about the need for more qualified and better paid teachers.

Again, recently at Cache County's 150th anniversary, I expected someone to address agricultural issues. Instead, I learned about the need for improved air quality.

Historically, Utahns have always had the desire to reach higher. This great Capitol, dedicated in 1916, stands as a tribute to our early aspirations.

Our ability to reach higher is perfectly illustrated by one story of success. The desire to prevail brought to Utah one of today's finest minds in science and medicine.

He was 4 years old when his mother was incarcerated during World War II, leaving him to wander the streets of Italy. After the War ended, and 18 months of searching, his mother found him in a hospital on his ninth birthday.

Finally reunited, they soon immigrated to the United States. He went on to pursue his education and completed his doctorate at Harvard University. He later joined the faculty at the University of Utah. Now he is known around the world for his genetic research. His discoveries will help end suffering and extend life.

Nothing represents our State better than our own Nobel Prize winner. So I say Bravo, and congratulazioni, to Dr. Mario Capecchi.

But there is a troubling inconsistency emerging here that we should all be mindful of. On one hand, we are one of the nation's most advanced states in medical sciences. On the other hand, we have far too many Utahns who cannot afford adequate health care.

It is unacceptable that a young father in Clarkston, Utah who works for a small business and wants to buy insurance for his family is denied coverage because of minor ailments. Should eczema or post-partum depression preclude a family from getting affordable health insurance?

What business or family in Utah hasn't experienced rising health care costs or, even worse, had to forgo treatment for lack of coverage? In Utah there are now more than 300,000 people without insurance. That's one out of every eight of us. And many more fear that losing or changing a job may leave them without health insurance.

In a state that prides itself on practical solutions, this issue is crying out for a fix.

For decades, the majority of Utahns were given health insurance by their employer. That's just the way it was and everyone assumed it would always be that way. But now the trend has reversed itself. Today only 44 percent of companies in Utah provide health insurance, and premium costs have doubled in just eight years.

We need to take this pressing issue into our own hands as citizens. We cannot wait for Washington's one-size-fits-all plan that does not account for Utah's unique challenges and abilities.

Yes, this is a complex issue. If it were easy someone would have done it by now. Fortunately, we live in a State that believes in solutions.

Last year I called on leaders of the business community to actively engage with advocates, health care providers and insurers to craft an approach to this growing crisis. And they responded.

Thanks to their hard work and the dedication of Representative David Clark and Senator Sheldon Killpack, we now have legislation that provides a framework for a major overhaul to our State's health care system.

This is not just health care reform, but Health System Reform. It addresses every part of the system from individual responsibility to health care accessibility. Our approach must be consumer driven, focused on the individual and the family. We need insurance plans that are affordable and portable.

Whether families face childhood diabetes or a broken bone, they need health care to serve them throughout their challenges of life. We have a fractured system that is economically unsustainable.

This is a multi-year process, to be sure, but let us begin today!

When I began this journey as Governor three years ago, I did so with one clear goal: enhancing economic performance so we could dramatically improve the education our kids receive.

Many argue our educational system has not kept pace with the rapidly transforming world in which we live. And they have a valid point.

The successful workforce of the 21st Century must reach beyond the fundamentals of education. We must be more creative, innovative and flexible in adapting to the frequent changes in the labor market. Our approach to education, and life, must be a partnership with family, community and business.

Today, we are continuing a firm commitment to make historic investments in education. But investment must be coupled with new ideas and reform. We must raise standards, be more imaginative, re-evaluate how we test students and be realistic about our 21st Century workforce needs. Our society must aspire to produce true lifelong learners.

Over the past year and a half, I've visited nearly every one of our 40 school districts. From Jordan to San Juan, and from Ogden to Daggett, it was clear to me that we have some of the greatest people who have dedicated their lives to educating our students. Quality education is driven by quality teachers.

Gratefully, my children have benefited from educators like Li Du, who teaches my son's Chinese class at West High School. At Logan High, students are drawn into the world of mathematics by a truly inspiring teacher and cancer survivor, Joyce Smart.

But we are facing a challenge: this year our State was 400 teachers short of our schools' needs, which doubled last year's shortage. This trend is increasingly corrosive. It is time we put educators back on a pedestal. To do this we must improve two things: compensation and capacity.

Since historically our State has lagged in economic strength, we've always used that excuse to explain our inadequate salaries for teachers.

Those days are gone! And there is light at the end of the tunnel.

Thanks to the good work of the legislature, recent years have seen record increases for education. If we continue our current rate of increasing compensation over the next four years, we as a State, for the first time ever, can surpass the national average.

Also, we must increase the number of educators being trained in our colleges. Right now 2,300 teachers graduate annually. In four years we can, and should, have 1,000 more teachers coming out of our colleges every year to teach in our classrooms.

We must bolster our principals with the accountability and responsibility they need to manage their schools. Principals should be given the ability to reward the good teachers and replace the bad ones. They need the tools to assess accurately how students in their schools are faring.

And by the way, our kids are given way too many standardized tests, with little information flowing back. Let's find a way to allow teachers to do what they do best: teach.

It is amazing to me that, in this age of innovation and education, we have students, buildings and teachers sitting idle for three months every year. Based on any business model, this would be unacceptable.

We don't have a good way to provide year-round contracts to our teachers: let's do it by beginning with math and science. We don't have good options for our kids to remediate or accelerate in their studies during the summer months: let's find them. We aren't ensuring that our students are prepared to meet the workforce needs of tomorrow: let's get it done.

The global economy doesn't take summers off, neither should we.

Tonight I have a card like the one I used during my first State of the State speech in Fillmore's territorial capitol. Our goals remain the same: the economy, education, quality of life and improving government. We've gotten a lot done in three years, but there is much left to accomplish.

We must ensure the safety and security of our citizens and make our prisons safer.

We must improve the air we breathe and capitalize on technology to ensure the long-term viability of our abundant natural resources, like coal, oil and natural gas, while developing renewable alternatives.

We must relieve congestion on the west side of the Salt Lake Valley, by securing the land to build Mountain View Corridor.

We can all learn from those who believe their communities can reach higher. I'm reminded of one of our State's greatest champions, the late Senator Ed Mayne. To his wife Karen, thank you for sharing Eddie's life of selfless service with the State of Utah and now continuing the tradition by taking his Senate seat.

Tonight we have with us Wendy Black, the wife of Dale Black, a hero and friend to everyone, who died while trying to rescue the missing Crandall Canyon miners. Wendy, thank you for being here. We love you and promise your husband's sacrifice, and that of all the miners and their families, is not forgotten.

Hard work, geography, and history have dealt us a fortunate hand. Now it is up to "We, the People" to fulfill our destiny. To those listening tonight, I need your help. We need your help. The words I now speak are just words unless we, as a people, get engaged. The two areas in need of our immediate attention are health system reform and education improvements.

Government can help frame solutions, but it is up to each one of us to get results. We need everyone to stand up and take an active role in the issues that affect their lives.

Let us reach higher by doing some of the little things to conserve energy and help improve our air. Use energy efficient lights. Turn off your car when sitting idle. The small things we do now will make a large difference later.

We must reach higher to bring about real reform. To doctors, pharmacists, business leaders and health providers: Health System Reform will never be a reality without everybody's participation. This is not just about mandates or government intervention. This is about personal responsibility and making an effort to improve our own health by making better decisions.

Parents: let's all reach higher with our kids. Spend more time with them and be a part of their education. Teachers cannot do it alone. We must read with them. Study with them. Or as I did recently with my daughter Gracie, attend Back to School Night. Let's help them realize their full potential.

Young people: reach higher in your aspirations. Beginning tonight consider a career in teaching, engineering or nursing. These fields are critical for the success of our economy. You are the future of this State, and we depend on you.

The power of our State comes from people who are concerned about their government. I draw strength from each of you, and you should be empowered by knowing the citizens are in charge. Government is an individual responsibility. You are the greatest safeguard against depersonalized government and the antidote to apathy. We are truly fortunate to live in the greatest State in America, a land of unparalleled opportunity. But this place we call home can, and should, be even greater. Future generations deserve no less. Preeminence is within our grasp. We must aspire to reach higher.

May God bless America and the great State of Utah!

Goodnight.

* * *

At the conclusion of Governor Huntsman's address, President Valentine thanked Governor Huntsman and asked that the Joint Committee escort him back to his office.

Representative David Clark 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 23, 2008.

THIRD DAY

* * *

MORNING SESSION

The House was called to order by Speaker Curtis at 10:05 a.m.

Roll call showed all members present except Representative Julie Fisher, excused.

Prayer by Representative Craig Frank. Pledge of Allegiance by Kirsten Frank, Representative Frank's daughter and legislative intern.

INTRODUCTION OF BILLS

H.B. 146, School Bus Amendments (C. Johnson), read the first time by short title and referred to the Rules Committee.

H.B. 147, Restrictions on Regulation of Automotive Collection Activities (N. Hendrickson), read the first time by short title and referred to the Rules Committee.

H.B. 148, Aquaculture Revitalization Act (M. Noel), read the first time by short title and referred to the Rules Committee.

H.B. 149, Protective Order Amendments (L. Fowlke), read the first time by short title and referred to the Rules Committee.

H.B. 311, Higher Education Distance Learning Partnerships (B. Last), read the first time by short title and referred to the Rules Committee.

H.B. 314, Sexual Offenses – Definitions (R. Bigelow), read the first time by short title and referred to the Rules Committee.

H.B. 315, Child and Vulnerable Adult Endangerment Provisions (M. Morley), read the first time by short title and referred to the Rules Committee.

H.B. 316, Substance Abuse Treatment for Pregnant Minors (E. Hutchings), read the first time by short title and referred to the Rules Committee.

H.B. 317, Election Day Voter Registration (N. Hansen), read the first time by short title and referred to the Rules Committee.

H.B. 318, Utah Adoption Amendments (R. Chavez–Houck), read the first time by short title and referred to the Rules Committee.

H.B. 319, Review and Appropriation of Grants (D. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 320, Vehicle Impound Yard Requirements (C. Oda), read the first time by short title and referred to the Rules Committee.

H.B. 321, Higher Education Savings Incentive Program Amendments (K. Garn), read the first time by short title and referred to the Rules Committee.

H.B. 322, Local Health Department Funding (S. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 323, Eminent Domain Amendments (A. Tilton), read the first time by short title and referred to the Rules Committee.

H.B. 324, Not-a-drop Drivers Program Amendments (R. Greenwood), read the first time by short title and referred to the Rules Committee.

H.B. 325, Bullying and Hazing (C. Moss), read the first time by short title and referred to the Rules Committee.

H.C.R. 3, Concurrent Resolution – Declaring Love Your Library Week (S. Clark), read the first time by short title and referred to the Rules Committee.

H.R. 2, House Resolution Calling for Withdrawal from NAFTA (G. Donnelson), read the first time by short title and referred to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

January 23, 2008

The Business and Labor Committee recommends **H.B. 37, UTAH BUSINESS RESOURCE CENTERS ACT**, by Representative D. Clark, be replaced and favorably recommends **1st Sub. H.B. 37, UTAH BUSINESS RESOURCE CENTERS ACT**; and

The Business and Labor Committee recommends **H.B. 53, IMPACT OF ADMINISTRATIVE RULES ON SMALL BUSINESSES**, by Representative S. Clark, be replaced and reports a favorable recommendation on **1st Sub. H.B. 53, IMPACT OF ADMINISTRATIVE RULES ON SMALL BUSINESSES** with the following amendments:

- 1. Page 5, Lines 144 through 147:

144 (7) If during the public comment period an agency receives
 comment that the proposed
 145 rule will cost small business more than one day's annual
average gross receipts, and the agency had not
 146 previously performed the analysis in Subsection (6), the agency
shall perform the analysis
 147 described in Subsection (6).

Stephen Clark, Chair

Reports filed. On motion of Representative Stephen Clark, the reports of the Business and Labor Committee were adopted.

1st Sub. H.B. 37 and **1st Sub. H.B. 53** read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker:

January 23, 2008

The Education Committee reports a favorable recommendation on **H.B. 81, TASK FORCE TO STUDY PERFORMANCE INCENTIVES FOR TEACHERS**, by Representative B. Last, with the following amendments:

- 1. Page 1, Line 22:

22 ▶ {~~-\$36,540-~~} \$42,630 from the General Fund
 for fiscal year 2007-08 only.

- 2. Page 2, Lines 29 through 34:

29 (1) There is created the Performance Incentives for Teachers
Task Force consisting of
 30 the following {~~-19~~} 21 members:
 31 (a) five members of the Senate appointed by the president of the
Senate, no more than
 32 three of whom may be from the same political party:
 33 (b) {~~-seven~~} nine members of the House of
Representatives appointed by the speaker of the
 34 House of Representatives, no more than {~~-five~~} seven
of whom may be from the same political party:

3. Page 3, Line 89:

89 (2) {~~-\$21,315~~} \$27,405 to the House of
Representatives to pay for the compensation and expenses

4. Page 3, Lines 62 through 64:

62 (1) The task force shall study and make recommendations
{~~on~~} for the implementation of a goal-driven compensation
system, including how performance

63 incentives may be implemented to motivate teachers in improving
performance and student

64 achievement. ; and

The Education Committee reports a favorable recommendation on **H.B. 118**, VETERANS HIGH SCHOOL DIPLOMAS, by Representative L. Hemingway; and

The Education Committee reports a favorable recommendation on **H.B. 245**, ADMINISTRATION OF MEDICATION TO STUDENTS AMENDMENTS, by Representative R. Lockhart; and

The Education Committee reports a favorable recommendation on **H.B. 269**, SCOTT B. LUNDELL MILITARY SURVIVORS' TUITION WAIVER AMENDMENTS, by Representative M. Morley; and

The Education Committee reports a favorable recommendation on **H.B. 234**, KINDERGARTEN ASSESSMENT AMENDMENTS, by Representative L. Shurtliff, and recommends it be placed on the Consent Calendar; and

Greg Hughes, Chair

Reports filed. On motion of Representative Painter, the reports of the Education Committee were adopted.

H.B. 81, H.B. 118, H.B. 245, and H.B. 269 read the second time by short title and placed on the Third Reading Calendar.

H.B. 234, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker:

January 23, 2008

The Health and Human Services Committee reports a favorable recommendation on **H.B. 15**, CONTROL AND PREVENTION OF SEXUALLY TRANSMITTED DISEASES, by Representative P. Riesen; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 47**, STANDARDS FOR EXCHANGE OF ELECTRONIC HEALTH INFORMATION, by Representative R. Menlove; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 82**, NOTICE OF CHANGES TO THE STATE MEDICAID PLAN, by Representative M. Newbold.

Paul Ray, Chair

Reports filed. On motion of Representative Ray, the reports of the Health and Human Services Committee were adopted.

H.B. 15, **H.B. 47**, and **H.B. 82** read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker:

January 23, 2008

The Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 98**, UTAH EMPLOYMENT VERIFICATION ACT, by Representative G. Donnelson; and

The Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 252**, CHARITABLE SOLICITATIONS ACT AMENDMENTS, by Representative W. Harper, and recommends it be placed on the Consent Calendar.

Michael Noel, Chair

Reports filed. On motion of Representative Noel, the reports of the Public Utilities and Technology Committee were adopted.

H.B. 98 read the second time by short title and placed on the Third Reading Calendar.

H.B. 252 read the second time by short title and placed on the Consent Calendar.

UNFINISHED BUSINESS

On motion of Representative Dunnigan, the House voted to uncircle **1st Sub. H.B. 55**.

1st Sub. H.B. 55, CAPTIVE INSURANCE COMPANY AMENDMENTS, was before the House on its final passage.

1st Sub. H.B. 55 passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Julie Fisher	Greenwood	McIff	Ray
Tilton	Urquhart		

1st Sub. H.B. 55 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Harper, the House voted to reconsider its action on **H.B. 36**.

RECONSIDERATION OF H.B. 36

H.B. 36, CHILD WELFARE AMENDMENTS, was before the House for reconsideration.

Representative Harper proposed the following amendment:

All previous amendments are superseded by the following amendment:

- 1. Page 2, Line 42

42 {~~None~~} This bill provides an immediate effective date.

- 2. Page 2, Line 55:

55 78-30-3.6, as last amended by Laws of Utah 2007, Chapters 152 and 196

ENACTS:

78-3a-307.5, Utah Code Annotated 1953

- 3. Page 4, Lines 112 through 113:

112 (A) a noncustodial parent under Section 62A-4a-209
 {~~or~~} 78-3a-307 , or 78-3a-307.5 ; or

113 (B) a relative, other than a noncustodial parent, under
Section 62A-4a-209 {~~or~~} 78-3a-307 , or
78-3a-307.5 , pending completion of the

- 4. Page 26, Line 790 through Page 27, Line 805:

790 [~~ii~~] The (11) (a) In making the finding described in Subsection
(10)(a), the court

791 shall, at a minimum, order the division to [~~conduct criminal~~
~~background checks described in~~

792 ~~Sections 78-3a-307.1 and 62A-4a-202.4~~];

793 (i) if the child may be placed with a relative {~~;~~

794 (A) } of the child, conduct a background check {~~of~~
~~the noncustodial parent or relative~~ } that includes:

795 {~~I~~} (A) completion of a nonfingerprint-based,
Utah Bureau of Criminal Identification

796 background check of the relative ; {~~and~~}

797 {~~II~~} (B) a completed search, relating to the
relative, of the Management Information System described in Section

798 62A-4a-1003; and

799 {~~B~~ ~~conduct~~} (C) a background check that
complies with the criminal background check

800 provisions described in Section 78-3a-307.1, of each adult
nonrelative, as defined in

801 Subsection 62A-4a-209(1)(a), of the child who resides in the household where the child may be

802 placed;

803 (ii) if the child will be placed with a noncustodial parent of the child, complete {~~the~~

804 same } a background check that includes;

(A) the background check requirements applicable to an emergency placement with a

noncustodial parent {~~as~~ } that are described in {~~Section~~ } Subsections 62A-4a-209 (5) and (7) ;

(B) a completed search, relating to the noncustodial parent of the child, of the Management Information System described in Section 62A-4a-1003; and

(C) a background check that complies with the criminal background check provisions described in Section 78-3a-307.1, of each adult nonrelative, as defined in Subsection 62A-4a-209(1)(a), of the child who resides in the household where the child may be placed;

5. Page 29, Line 877:

877 (B) within {~~one day~~ } three days , excluding weekends and holidays, {~~of~~ } after taking the child into physical

6. Page 31, Line 939:

939 Subsection (4), upon request by the division or the Office of the Guardian ad Litem Director, or upon the court's

7. Page 32, Line 971:

971 parent or relative under Section 62A-4a-209 {~~or~~ } 78-3a-307 ,or 78-3a-307.5 , unless the court finds that

8. Page 32, Lines 976 through 978:

976 (i) a noncustodial parent, under Section 62A-4a-209 {~~or~~ } 78-3a-307 ,or 78-3a-307.5 ; or

977 (ii) a relative, under Section 62A-4a-209 {~~or~~ } 78-3a-307 ,or 78-3a-307.5 , pending completion of the

978 background check described in Subsection (3). Section 9. Section 78-3a-307.5 is enacted to read:

78-3a-307.5 Post-shelter hearing placement of a child who is in division custody.

(1) If the court awards custody of a child to the division under Section 78-3a-307, or as otherwise permitted by law, the division shall determine ongoing placement of the child.

(2) In placing a child under Subsection (1), the division:

(a) except as provided in Subsections (2)(b) and (d), shall comply with the applicable background check provisions described in Section 78-3a-307;

(b) is not required to receive approval from the court prior to making the placement;

(c) shall, within three days, excluding weekends and holidays, after making the placement, give written notice to the court, and all parties to the proceedings, that the placement has been made; and

(d) may place the child with a noncustodial parent or relative of the child, using the same criteria established for an emergency placement under Section 62A-4a-209, pending the results of:

(i) the background check described in Subsection 78-3a-307(16)(a); and

(ii) evaluation with the noncustodial parent or relative to determine the noncustodial parent's or relative's capacity to provide ongoing care to the child.

9. Page 36, Lines 1108 through 1109:

1108 (i) a noncustodial parent, under Section 62A-4a-209 {
or } ~~78-3a-307 or 78-3a-307.5 ; or~~

1109 (ii) a relative, under Section 62A-4a-209 {- or } ~~78-3a-307 or 78-3a-307.5 , pending completion of the~~

10. Page 38, Line 1151:

1151 Subsections 78-30-3.5(8)(a) through (d).

Section 12. Effective Date.

If approved by two-thirds of all members elected to each house, this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto, the date of veto override.

Renumber remaining sections accordingly.

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

H.B. 36, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Johnson	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	Menlove	Morgan	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Julie Fisher	Greenwood	Hutchings	King
McIff	Morley	Ray	Tilton
Urquhart			

H.B. 36, as amended, transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 63, RECODIFICATION OF TITLE 63 STATE AFFAIRS IN GENERAL, read the third time by short title and placed on its final passage.

H.B. 63 passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall

Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Fowlke	Frank	Froerer
Gibson	Gowans	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	Menlove	Morgan	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

S. Clark	Julie Fisher	Garn	Greenwood
McIff	Morley	Ray	Urquhart

H.B. 63 transmitted to the Senate for its consideration.

* * *

H.B. 68, EDUCATOR RELICENSURE INITIATIVE, read the third time by short title and placed on its final passage.

H.B. 68 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Moss	Neuenschwander	Newbold	Noel

Oda	Painter	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

S. Clark	Julie Fisher	Greenwood	Lockhart
Morley	Ray	Urquhart	

H.B. 68 transmitted to the Senate for its consideration.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: January 23, 2008

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 256**, CRIMINAL PENALTIES AMENDMENTS – INCLUDING JESSICA’S LAW, by Representative C. Wimmer; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 264**, PROHIBITION OF CITATION QUOTAS, by Representative N. Hansen.

DeMar “Bud” Bowman, Chair

Reports filed. On motion of Representative Bowman, the reports of the Law Enforcement and Criminal Justice Committee were adopted.

H.B. 256 and **H.B. 264** read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker: January 23, 2008

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 132**, WASTE TIRE RECYCLING AMENDMENTS, by Representative N. Hendrickson; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 294**, APPROPRIATION LIMIT AMENDMENTS – FIRE SUPPRESSION REIMBURSEMENTS, by Representative B. Ferry, with the following amendments:

1. Page 1, Line 2:

2	FIRE	SUPPRESSION
	{ REIMBURSEMENTS }	<u>EXPENSES</u>

2. Page 1, Line 10:

10 This bill exempts certain appropriations for
 {~~reimbursement of~~} fire suppression expenses

3. Page 1, Line 15:

15 provide {~~reimbursements~~} for fire suppression expenses
 from the State

4. Page 2, Line 56:

56 Lands to provide {~~reimbursements~~} for fire suppression
expenses. ; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 249**, VEHICLES COVERED BY NEW MOTOR VEHICLE WARRANTIES, by Representative K. Gibson.

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. 132, **H.B. 294**, as amended and **H.B. 249** read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker:

January 23, 2008

The Transportation Committee reports a favorable recommendation on **H.B. 61**, DESIGNATION OF STATE HIGHWAYS AMENDMENTS, by Representative T. Kiser, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 1, Line 20:

20 ► modifies the definition of SR-89, {~~SR-181,~~} SR-186,
 and SR-270; {~~and~~}
 ► deletes SR-181 from the state highway system;
 ► renames SR-11 as SR-89A; and

2. Page 1, Line 27 through Page 2, Line 28:

27 AMENDS:

72-4-107, as renumbered and amended by Laws of Utah 1998, Chapter 270

28 72-4-114, as last amended by Laws of Utah 2006, Chapter 79

3. Page 2, Line 35:

35 Be it enacted by the Legislature of the state of Utah:

Section 1. Section 72-4-107 is amended to read:

72-4-107. State highways — SR-11 to SR-20.

State highways include:

~~{-(1)-} SR-11. From the Utah-Arizona state line south of Kanab northerly to Route 89 in Kanab.-}~~

~~{-(2)-}~~ (1) SR-12. From Route 89 at Bryce Canyon Junction easterly through Tropic Junction and Escalante then northerly through Boulder and Grover to Route 24 east of Torrey.

~~{-(3)-}~~ (2) SR-13. From Route 91 in Brigham City northerly through Bear River and Haws Corner to 20800 North, northwest of Plymouth, then west to the southbound on- and off-ramps of Route 15 Plymouth Interchange.

~~{-(4)-}~~ (3) SR-14. From Route 130 in Cedar City southeasterly to Route 89 at Long Valley Junction.

~~{-(5)-}~~ (4) SR-15. From the Utah-Arizona state line near St. George to the Utah-Idaho state line south of Malad, Idaho, on interstate Route 15.

~~{-(6)-}~~ (5) SR-16. From the Utah-Wyoming state line northwesterly ten miles through Woodruff then northerly to Route 30 at Sage Creek Junction.

~~{-(7)-}~~ (6) SR-17. From Route 9 in LaVerkin northerly to Route 15 at Anderson Junction.

~~{-(8)-}~~ (7) SR-18. From Route 15 in south St. George northerly to Route 56 at Beryl Junction.

~~{-(9)-}~~ (8) SR-19. From Route 70 west of Green River easterly through Green River to Route 70 near Elgin.

~~{-(10)-}~~ (9) SR-20. From Route 15, 14 miles north of Paragonah easterly to Route 89 at Orton.

Renumber remaining sections accordingly.

- 4. Page 3, Lines 63 through 64:

63 then northerly to the Utah–Idaho state line.

(9) SR–89A. From the Utah–Arizona state line south of Kanab northerly to Route 89 in Kanab.

64 {~~(9)~~} (10) SR–90. From Route 13 in Brigham easterly on 2nd South Street to Route 91.

- 5. Page 3, Lines 68 through 69:

68 {~~(1) SR–181. From Route 152 north on Thirteenth East Street to [Route 186 in Salt~~

69 ~~Lake City]~~ Route 171 in Salt Lake County. }

Todd E. Kiser, Chair

Report filed. On motion of Representative Kiser, the report of the Transportation Committee was adopted.

H.B. 61, as amended, read the second time by short title and placed on the Third Reading Calendar.

THIRD READING CALENDAR

H.B. 71, PARENT–TIME AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Fowlke, the House voted to circle **H.B. 71**.

* * *

H.B. 74, MEDICAID 340b DRUG PRICING PROGRAMS, read the third time by short title and placed on its final passage.

Representative Litvack proposed the following amendment:

- 1. Page 2, Lines 47 through 53

47 (c) work with the Association for Utah Community Health to identify and assist

48 community clinics that do not have 340B drug pricing programs to determine whether, under applicable federal law :

49 (i) {~~whether~~} the patients of the community health center would benefit from establishing

50 a 340B drug pricing program either on site, or through a contract with a pharmacy provider;

51 and

52 (ii) {~~whether~~} the community health center can provide the 340B drug price savings to

53 the community health center's Medicaid patients; and

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

H.B. 74, as amended, passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Biskupski	Bowman	Brown
Chavez-Houck	D. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Urquhart
Walker	Webb	Wheatley	Wiley
Winn	Curtis		

Voting in the negative were: Representatives

Grover	Tilton	Wimmer
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Absent or not voting were: Representatives

Bird	S. Clark	Julie Fisher	Greenwood
Lockhart	Morley		

H.B. 74, as amended, transmitted to the Senate for its consideration.

COMMUNICATION FROM THE SENATE

Mr. Speaker: January 23, 2008

The Senate passed **S.J.R. 4**, JOINT RESOLUTION RECOGNIZING 100TH ANNIVERSARY OF UTAH LEAGUE OF CITIES AND TOWNS, by Senator P. Knudson, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **S.J.R. 4** read the first time by short title and referred to the Rules Committee.

MISCELLANEOUS BUSINESS

On motion of Representative Dee, under suspension of the rules, the House voted to lift **S.J.R. 4** from the Rules Committee, consider it read for the second and third times and placed on the Senate Third Reading Calendar.

* * *

On motion of Representative Dee, the House voted to move to the Senate Third Reading Calendar.

THIRD READING CALENDAR

S.J.R. 4, JOINT RESOLUTION RECOGNIZING 100TH ANNIVERSARY OF UTAH LEAGUE OF CITIES AND TOWNS, was before the House.

S.J.R. 4 passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

- | | | | |
|----------|---------------|-----------|-------------|
| Aagard | Allen | Andersen | Barrus |
| Bigelow | Bird | Biskupski | Bowman |
| Brown | Chavez–Houck | D. Clark | S. Clark |
| Cosgrove | Daw | Dee | Donnelson |
| Dougall | Draxler | Duckworth | Dunnigan |
| Ferry | Janice Fisher | Fowlke | Frank |
| Froerer | Garn | Gibson | Gowans |
| Grover | Hansen | Harper | Hendrickson |
| Herrod | Holdaway | Hughes | Hunsaker |
| Johnson | King | Kiser | Last |
| Litvack | Lockhart | Mascaro | Mathis |

McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Julie Fisher	Greenwood	Hemingway	Hutchings
Tilton			

S.J.R. 4 signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

COMMITTEE OF THE WHOLE

On motion of Representative Dee, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from Bountiful City Mayor Joe Johnson.

On motion of Representative Dee, the Committee of the Whole was dissolved.

RULES COMMITTEE REPORT

Mr. Speaker:

February 23, 2007

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

BUSINESS AND LABOR

H.B. 114	Minimum Wage Provisions (Rep. N. Hansen)
H.B. 253	Higher Education Information Technology Appropriation (Rep. S. Clark)

EDUCATION

H.B. 66	Paraeducator to Teacher Scholarship Program (Rep. R. Menlove)
H.B. 67	Extended Year for Special Educators (Rep. R. Menlove)
H.B. 120	Education Printing Office (Rep. R. Bigelow)
H.B. 270	Utah Science Technology and Research Initiative Centers (Rep. R. Bigelow)
H.J.R. 4	Joint Resolution Urging School Closings to Recognize Veterans Day (Rep. C. Wimmer)

GOVERNMENT OPERATIONS

- H.B. 44** Declaration of Candidacy Revisions (Rep. G. Donnelson)
H.B. 75 Inventory and Review of Commercial Activities
(Rep. C. Frank)
H.B. 238 Campaign Finance Filing Requirements (Rep. G. Hughes)
H.B. 283 Compact Agreement among the States to Elect the
President by National Popular Vote (Rep. N. Hansen)
H.J.R. 3 Resolution Reaffirming the Words, Under God, in the
Pledge of Allegiance (Rep. K. Gibson)
H.R. 1 Resolution Encouraging United States Withdrawal from
Security and Prosperity Partnership of North America
(Rep. S. Sandstrom)

HEALTH AND HUMAN SERVICES

- H.B. 45** Supported Employment Services to a Person with a
Disability (Rep. R. Menlove)
H.B. 46 Adoption and Termination of Parental Rights
(Rep. S. Allen)

JUDICIARY

- H.B. 26** Notary Public Revisions (Rep. G. Donnelson)
H.B. 33 Waivers of Immunity – Exceptions (Rep. G. Hughes)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

- H.B. 10** Disclosure of Identity to Officer (Rep. C. Oda)
H.B. 12 Controlled Substances and Paraphernalia (Rep. C. Oda)
H.B. 14 Discharge of Firearm Amendments (Rep. C. Wimmer)
H.B. 235 County Merit System Amendments (Rep. B. Dee)
H.B. 237 Illegal Immigration Enforcement Act (Rep. G.
Donnelson)
H.B. 262 Recovery of Federal Reimbursement for Costs Associated
with Illegal Immigrants (Rep. K. Morgan)

NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT

- H.B. 40** Safe Drinking Water Revisions (Rep. S. Andersen)

POLITICAL SUBDIVISIONS

- H.B. 41** Campaign Report Amendments (Rep. S. Allen)

REVENUE AND TAXATION

- H.B. 35** Motor and Special Fuel Tax Amendments (Rep. C. Frank)

- H.B. 49** Budget Reserve Account and Disaster Recovery Account Amendments (Rep. W. Harper)
H.B. 58 Severance Tax Amendments (Rep. J. Dougall)
H.B. 106 Clean Air and Efficient Vehicle Tax Incentives (Rep. R. McGee)

TRANSPORTATION

- H.B. 28** Honoring Heroes Special Group License Plate (Rep. P. Ray)
H.B. 62 Clean Fuel Special Group License Plate Amendments (Rep. T. Kiser)
H.B. 115 Appropriation for a Utah Lake Transportation Study (Rep. K. Sumsion)
H.B. 275 Vehicle Towing Requirements (Rep. B. Daw)

WORKFORCE SERVICES & COMMUNITY & ECONOMIC DEVELOPMENT

- H.B. 59** Community and Economic Development Technical Changes (Rep. S. Mascaro)

Stephen Urquhart, Chair

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

RULES COMMITTEE REPORT

Mr. Speaker: February 23, 2007

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

- H.B. 11** Parole Amendments (Rep. C. Oda)
H.B. 18 Material Harmful to Minors Amendments (Rep. P. Ray)
H.B. 20 Economic Development Incentives Modifications (Rep. S. Mascaro)
H.B. 23 Child and Family Protection (Rep. L. Fowlke)
H.B. 27 Lieutenant Governor Powers – Administration of Oaths (Rep. G. Donnelson)
H.B. 34 Email Information Required of Registered Sex Offenders (Rep. J. Bird)
H.B. 38 Education and Outreach Regarding Substances Harmful During Pregnancy (Rep. R. Menlove)
H.B. 42 Water Right Application for Electrical Cooperative (Rep. G. Snow)

- H.B. 43** Allowance of Polling Places for Early Voting (Rep. G. Donnelson)
- H.B. 50** Underground Storage Tank Amendments (Rep. S. Andersen)
- H.B. 57** Transportation Administrative Rules – Criminal and Civil Penalty Amendments (Rep. T. Kiser)
- H.B. 64** Disclosure of Information by the Department of Workforce Services (Rep. P. Neuenschwander)
- H.B. 65** Crime of Strangulation or Smothering (Rep. J. Seelig)

Stephen Urquhart, Chair

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

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, the House voted to move to the House Third Reading Calendar.

THIRD READING CALENDAR

H.B. 79, SUNSET REAUTHORIZATIONS AND AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Newbold proposed the following amendment:

- 1. Page 3, Line 61:
Delete “2011” and reinstate “[2009]”
- 1. Page 2, Lines 53–58:
Delete lines 53 through 58.
- 2. Page 3, Lines 59–61:
Delete lines 59 through 61.

Representative Newbold’s motion to amend failed on the following roll call:

Yeas, 35; Nays, 36; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Brown	Daw	Donnelson
Dougall	Draxler	Dunnigan	Frank
Froerer	Garn	Gibson	Grover

Harper	Herrod	Hughes	Hunsaker
Kiser	Lockhart	Morley	Neuenschwander
Newbold	Noel	Oda	Painter
Sandstrom	Sumsion	Tilton	Walker
Webb	Wimmer	Winn	

Voting in the negative were: Representatives

Allen	Biskupski	Bowman	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Dee
Duckworth	Ferry	Janice Fisher	Fowlke
Gowans	Hansen	Hemingway	Hendrickson
Hutchings	Johnson	King	Last
Litvack	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Ray
Riesen	Seelig	Shurtliff	Snow
Urquhart	Wheatley	Wiley	Curtis

Absent or not voting were: Representatives

Julie Fisher	Greenwood	Holdaway	Moss
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H.B. 79 passed on the following roll call:

Yeas, 53; Nays, 17; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bird	Biskupski	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Dee	Donnelson	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Fowlke
Froerer	Gibson	Gowans	Hemingway
Hendrickson	Holdaway	Hunsaker	Johnson
King	Kiser	Last	Litvack
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Neuenschwander
Painter	Ray	Riesen	Seelig
Shurtliff	Snow	Urquhart	Walker
Webb	Wheatley	Wiley	Winn
Curtis			

Voting in the negative were: Representatives

Bigelow	Daw	Dougall	Frank
Garn	Grover	Harper	Herrod

Hughes	Lockhart	Newbold	Noel
Oda	Sandstrom	Sumsion	Tilton
Wimmer			

Absent or not voting were: Representatives

Julie Fisher	Greenwood	Hansen	Hutchings
Moss			

H.B. 79 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, and at 12:05 p.m., the House voted to adjourn until January 24, 2008, at 10:00 a.m.

FOURTH DAY

* * *

MORNING SESSION

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

Roll call showed all members present.

Prayer by Representative Karen Morgan. Pledge of Allegiance by Representative Morgan's granddaughter, Marissa Morgan.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: January 24, 2008

The Senate passed, as amended, **S.B. 10**, SEARCH WARRANT PROCEDURE AMENDMENTS, by Senator J. Greiner, and it is transmitted for consideration; and

The Senate passed **S.B. 11**, UTAH VENTURE CAPITAL ENHANCEMENT ACT AMENDMENTS, by Senator S. Jenkins, and it is transmitted for consideration; and

The Senate passed **S.B. 12**, ELECTION LAW MODIFICATIONS, by Senator P. Knudson, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **1st Sub. S.B. 13**, CANDIDATE RESIDENCY REQUIREMENTS, by Senator P. Knudson, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 16**, EXONERATION AND INNOCENCE ASSISTANCE, by Senator G. Bell, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 18**, PUBLIC SAFETY RETIREMENT DEATH BENEFIT MODIFICATIONS, by Senator J. Greiner, and it is transmitted for consideration; and

The Senate passed **S.B. 19**, ENHANCED PUBLIC SAFETY RETIREMENT SYSTEMS COLA OPTION, by Senator C. Walker, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 10, S.B. 11, S.B. 12, 1st Sub. S.B. 13, S.B. 16, S.B. 18, and S.B. 19** read the first time by short title and referred to the Rules Committee.

INTRODUCTION OF BILLS

H.B. 150, Authorization for Counties to Provide Supplemental Law Enforcement Services (J. Biskupski), read the first time by short title and referred to the Rules Committee.

H.B. 151, Motor Vehicle Revisions (S. Urquhart), read the first time by short title and referred to the Rules Committee.

H.B. 326, Children's Health Insurance Program – Open Enrollment (G. Curtis), read the first time by short title and referred to the Rules Committee.

H.B. 327, Enticing a Minor by Electronic Means (K. Gibson), read the first time by short title and referred to the Rules Committee.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, under suspension of the rules, the House voted to lift **H.B. 1, MINIMUM SCHOOL PROGRAM BASE BUDGET AMENDMENTS**, 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 D. Clark, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

THIRD READING CALENDAR

H.B. 1, MINIMUM SCHOOL PROGRAM BASE BUDGET AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Holdaway declared a conflict of interest because he is an educator.

H.B. 1 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Barrus	Bigelow
Bird	Biskupski	Bowman	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Andersen	Brown	Dee	McIff
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H.B. 1 transmitted to the Senate for its consideration.

COMMITTEE OF THE WHOLE

On motion of Representative Snow, 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 Snow, the Committee of the Whole was dissolved.

THIRD READING CALENDAR

H.B. 25, ACCESS TO VOTER DATE OF BIRTH RECORDS, read the third time by short title and placed on its final passage.

On motion of Representative Snow, the House voted to circle **H.B. 25**.

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H.B. 29, ELECTION LAW – FINANCIAL REPORTING, read the third time by short title and placed on its final passage.

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

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Biskupski	Bowman	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Lockhart	Mascaro	Mathis
McGee	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	

Absent or not voting were: Representatives

Bigelow	Bird	Gowans	Litvack
McIff	Painter	Urquhart	Curtis

H.B. 29 transmitted to the Senate for its consideration.

SPECIAL ORDER OF BUSINESS

H.B. 129, APPROPRIATION FOR CONSTRUCTION OF A VETERANS’ NURSING HOME IN OGDEN, read the third time by short title and placed on its final passage.

H.B. 129 passed on the following roll call:

Yeas, 75; Nays, 0; Absent or not voting, 0.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

H.B. 129 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 52, RESEARCH ACTIVITIES TAX CREDITS AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 52, as amended, passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Gibson	Greenwood	Grover
Hansen	Hemingway	Herrod	Holdaway
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart

Mascaro	Mathis	McGee	McCliff
Menlove	Morgan	Morley	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Draxler	Garn	Gowans	Harper
Hendrickson	Hughes	Moss	

H.B. 52, as amended, transmitted to the Senate for its consideration.

RULES COMMITTEE REPORT

Mr. Speaker: January 24, 2008

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

BUSINESS AND LABOR

H.B. 83	Securities Amendments (Rep. J. Bird)
H.B. 108	Prosthetic Limb Health Insurance Parity (Rep. D. Litvack)
H.B. 301	Comprehensive Health Insurance Pool Amendments (Rep. J. Dunnigan)
H.J.R. 1	Resolution Addressing International Trade Issues (Rep. S. Allen)

EDUCATION

H.B. 86	Funding of Inmate Postsecondary Education (Rep. J. Draxler)
H.B. 112	Public Education Foundation Amendments (Rep. S. Allen)
H.B. 241	Repeal of Exemptions from Nonresident Tuition (Rep. G. Donnelson)
H.B. 266	Accelerated Learning Program Revisions (Rep. C. Moss)
H.B. 286	Permanent Teacher License Revocation for Sexual Activity with Students (Rep. C. Wimmer)
H.B. 287	Regulation of Teacher – Student Relationships (Rep. S. Sandstrom)

GOVERNMENT OPERATIONS

H.B. 296	Voting Machines Used by Municipalities (Rep. N. Hansen)
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H.C.R. 2 Concurrent Resolution Declaring February 6, 2008
Ronald Reagan Day (Rep. M. Morley)

HEALTH AND HUMAN SERVICES

H.B. 17 Cancer Screening and Mortality Reduction Program
(Rep. P. Ray)

H.B. 101 Amendments to Emergency Injection for Anaphylactic
Reaction Act (Rep. T. Kiser)

H.B. 268 Health Facility Committee Membership (Rep. C. Herrod)

H.J.R. 5 Joint Resolution Urging Support of Medicaid Long-term
Care Funding of Home and Community-based Supports
(Rep. M. Noel)

JUDICIARY

H.B. 90 Expungement Amendments (Rep. R. Webb)

NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT

H.B. 104 Urban Trails Appropriation (Rep. K. Holdaway)

H.B. 125 Department of Agriculture and Food Amendments
(Rep. K. Gibson)

POLITICAL SUBDIVISIONS

H.B. 116 Fluorine in a Privately Owned Water System
(Rep. S. Andersen)

H.B. 291 Off-highway Vehicle Amendments (Rep. M. Noel)

RETIREMENT AND INDEPENDENT ENTITIES

H.B. 250 Public Employee Benefit Approval Provisions
(Rep. J. Dougall)

REVENUE AND TAXATION

H.B. 69 Repeal of Board Leeway for Reading Improvement
(Rep. J. Dougall)

H.B. 248 Amendments to Sales and Use Tax Exemption for Certain
Property Incorporated into Real Property
(Rep. J. Dougall)

H.B. 251 Sales and Use Tax Revisions (Rep. J. Dougall)

H.B. 279 Tax Incentives for Military Members (Rep. W. Harper)

Stephen Urquhart, Chair

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

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

January 24, 2008

The Senate passed **S.B. 1**, STATE AGENCY AND HIGHER EDUCATION BASE BUDGET APPROPRIATIONS, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed, as substituted, **2nd Sub. S.B. 15**, DRIVING UNDER THE INFLUENCE AMENDMENTS, by Senator C. Walker, and it is transmitted for consideration.

Annette B. Moore

Secretary of the Senate

Communications filed. **S.B. 1** and **2nd Sub. S.B. 15** read the first time by short title and referred to the Rules Committee.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, and at 12:05 p.m., the House voted to adjourn until January 25, 2008, at 10:00 a.m.

FIFTH DAY

* * *

MORNING SESSION

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

Roll call showed all members present except Representatives David Clark, Wayne Harper, Bradley Winn, and Larry Wiley, excused.

Prayer by Joe Glenn, Representative Grover's father-in-law. Pledge of Allegiance by Jack Holliday, Representative Grover's grandfather.

INTRODUCTION OF BILLS

H.B. 152, Fund from Impaired and Drug Related Violations (C. Herrod), read the first time by short title and referred to the Rules Committee.

H.B. 153, Impact Fees Amendments (M. Morley), read the first time by short title and referred to the Rules Committee.

H.B. 154, Motorboat Education Requirements (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

H.B. 155, Property Tax – Residential Exemption (G. Froerer), read the first time by short title and referred to the Rules Committee.

H.B. 156, DNA Sample – Felony and Certain Misdemeanor Arrests (K. Gibson), read the first time by short title and referred to the Rules Committee.

H.B. 157, Alcoholic Beverage Control Violations Amendments (C. Oda), read the first time by short title and referred to the Rules Committee.

H.B. 328, Retirement Benefits for Law Enforcement, Firefighters, and Public Service Employees (N. Hansen), read the first time by short title and referred to the Rules Committee.

H.B. 329, High-ability Student Initiative Program (B. Last), read the first time by short title and referred to the Rules Committee.

H.B. 330, State Supplemental Funding for Head Start (L. Shurtliff), read the first time by short title and referred to the Rules Committee.

H.B. 331, Use of Utah Education Network for Telehealth (G. Snow), read the first time by short title and referred to the Rules Committee.

H.B. 332, Use of Public Schools by Community Organizations (G. Hughes), read the first time by short title and referred to the Rules Committee.

H.B. 333, Property Tax Revisions (G. Froerer), read the first time by short title and referred to the Rules Committee.

H.B. 334, Labor Commission – Review of Administrative Decisions (N. Hansen), read the first time by short title and referred to the Rules Committee.

H.B. 335, Mobile Home Park Amendments (K. Holdaway), read the first time by short title and referred to the Rules Committee.

CONSENT CALENDAR

H.B. 126, ELECTION LAW – BALLOT PROPOSITION AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Snow, the House voted to lift **H.B. 126** from the Consent Calendar and place it at the bottom of the House Third Reading Calendar.

* * *

H.B. 272, FALSE IMPERSONATION AND REPRESENTATION, read the third time by short title and placed on its final passage.

H.B. 272, as amended, passed on the following roll call:

Yeas, 60; Nays, 0; Absent or not voting, 15.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Biskupski	Bowman	Chavez–Houck
S. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Hemingway
Hendrickson	Herrod	Holdaway	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove

Morgan	Morley	Moss	Neuenschwander
Noel	Oda	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Walker	Wheatley	Wimmer	Curtis

Absent or not voting were: Representatives

Allen	Brown	D. Clark	Ferry
Janice Fisher	Harper	Hughes	Newbold
Painter	Ray	Tilton	Urquhart
Webb	Wiley	Winn	

H.B. 272, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Fowlke, the House voted to uncircle **H.B. 71**.

H.B. 71, PARENT-TIME AMENDMENTS, was before the House on its final passage.

Representative Fowlke proposed the following amendment:

1. Page 1, Lines 14 through 27

14 This bill:

15 ► changes the following parent-time days from even to
16 odd years:

16 • July 4;

17 • Labor Day; and

18 • ~~{-Thanksgiving-}~~ Fall Break ; ~~{-and~~

19 • ~~second portion of Christmas break; }~~

20 ► changes the following parent-time days from odd to
21 even years:

21 • Memorial Day;

22 • July 24; and

23 • Halloween; ~~{-and~~

24 • ~~first portion of Christmas break;~~

25 ► ~~eliminates the following parent-time days:~~

- 26 • Columbus Day; and
- 27 • ~~Veteran's Day;~~ }

2. Page 8, Lines 219 through 221:

219 (ii) A step-parent, grandparent, or other responsible adult
designated by the
 220 noncustodial parent, may pick up the child if the
{-school} custodial parent is aware of the identity of the
 221 individual, and the parent will be with the child by 6 p.m.

3. Page 9, Lines 246 through 248:

246 (iii) A step-parent, grandparent, or other responsible individual
designated by the
 247 noncustodial parent, may pick up the child if the
{-school} custodial parent is aware of the identity of the
 248 individual, and the parent will be with the child by 6 p.m.

4. Page 9, Line 251 through Page 10, Line 279:

251 (f) In years ending in an odd number, the noncustodial parent is
 entitled to the
 252 following holidays:

* * * *Some lines not shown* * * *

(vi) the fall school break, if applicable, commonly known as
U.E.A. weekend beginning at 6 p.m. on Wednesday until Sunday at 7
p.m. unless the holiday extends for a lengthier period of time to which the
noncustodial parent is completely entitled;

(vii) Veteran's Day holiday beginning 6 p.m. the day before the
holiday until 7 p.m. on the holiday; and

274 {-(vi) Thanksgiving beginning Wednesday at 7 p.m. until
Sunday at 7 p.m.; and }

275 {-[-]} (viii) the first {-[-]} {- (vii) the second }
 portion of the Christmas school vacation {-[-]} as defined in

276 Subsection 30-3-32(3)(b) {-plus-} including Christmas
 Eve and Christmas Day until 1 p.m. {-[-]} {-beginning at 1

277 p.m.} on the day halfway through the holiday, if there are an odd
number of days for the holiday

278 period, or { -at } until 7 p.m. if there are an even
number of days for the holiday period, so long as the
 279 entire holiday is equally divided[;].

5. Page 10, Line 280 through Page 11, Line 311:

280 (g) In years ending in an even number, the noncustodial parent is
 entitled to the

281 following holidays:

** * * Some lines not shown * * **

(v) Columbus Day beginning at 6 p.m. the day before the holiday
until 7 p.m. on the holiday;

297 ~~{ -(v) }~~ (vi) Halloween on October 31 or the day
Halloween is traditionally celebrated in the

298 local community from after school until 9 p.m. if on a school day, or
from 4 p.m. until 9 p.m.;

299 ~~[(v)]~~ ~~{ -(vi) }~~ the fall school break, if applicable, commonly
 known as U.E.A. weekend

300 ~~beginning at 6 p.m. on Wednesday until Sunday at 7 p.m. unless~~
~~the holiday extends for a~~

301 ~~lengthier period of time to which the noncustodial parent is~~
~~completely entitled; and }~~

302 ~~[(vi) Columbus Day beginning at 6 p.m. the day before the~~
~~holiday until 7 p.m. on the~~

303 ~~holiday;]~~

304 ~~{ -[-] }~~ (vii) Thanksgiving holiday beginning Wednesday at
 7 p.m. until Sunday at 7 p.m.;

305 and ~~{ -[-] }~~

306 ~~{ -[-] }~~ (viii) the second ~~{ -[-] }~~ ~~{ -(vii) the first }~~
 portion of the Christmas school vacation~~[, including~~

307 ~~New Year's Day,] as defined in Subsection 30-3-32(3)(b) [plus~~
~~Christmas day beginning at 1~~

308 ~~p.m. until 9 p.m.],~~ ~~{ -including Christmas Eve and Christmas~~
~~day until }~~ beginning 1 p.m. on the day halfway

309 through the holiday, if there are an odd number of days for the
holiday period, or { -until } at 7 p.m. if

310 there are an even number of days for the holiday period, so long
as the entire Christmas holiday

311 is equally divided[;].

6. Page 17, Lines 496 through 512:

(6) In the event finances and distance preclude the exercise of minimum parent-time for the noncustodial parent during the school year, the court should consider awarding more time for the noncustodial parent during the summer time if it is in the best interests of the children.

496 {-(6)-} (7) Upon the motion of any party, the court may order uninterrupted parent-time with

497 the noncustodial parent for a minimum of 30 days during extended parent-time, unless the

498 court finds it is not in the best interests of the child. If the court orders uninterrupted

499 parent-time during a period not covered by this section, it shall specify in its order which parent

500 is responsible for the child's travel expenses.

501 {-(7)-} (8) Unless otherwise ordered by the court the relocating party shall be responsible for

502 all the child's travel expenses relating to Subsections [~~(5)~~] (4)(a) and (b) and 1/2 of the child's

503 travel expenses relating to Subsection [~~(5)~~] (4)(c), provided the noncustodial [~~party~~] parent is

504 current on all support obligations. If the noncustodial [~~party~~] parent has been found in

505 contempt for not being current on all support obligations, [~~he~~] the noncustodial parent shall be

506 responsible for all of the child's travel expenses under Subsection [~~(5)~~] (4), unless the court

507 rules otherwise. Reimbursement by either responsible party to the other for the child's travel

508 expenses shall be made within 30 days of receipt of documents detailing those expenses.

509 {-(8)-} (9) The court may apply this provision to any
preexisting decree of divorce.

510 {-(9)-} (10) Any action under this section may be set
for an expedited hearing.

511 {-(10)-} (11) A parent who fails to comply with the
notice of relocation in Subsection (1) shall

512 be in contempt of the court's order.

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

###

Representative McIff proposed the following amendment:

1. Page 15, Line 454 through Page 17, Line 512

454 Section 6. Section 30-3-37 is amended to read:

455 30-3-37. Relocation.

456 (1) For purposes of this section, "relocation" means
moving {~~When either parent decides to move~~} from the state
[~~of Utah~~] or 150 miles or more

457 from the residence specified in the court's decree
{~~, that~~}

(2) The relocating parent shall provide if possible
60 days

458 advance written notice of the intended relocation to the other
parent. The written notice of

459 relocation shall contain statements affirming the following:

460 (a) the parent-time provisions in Subsection
 {~~-~~} (5) {~~-~~} {~~(4)~~} or a schedule approved by both

461 parties will be followed; and

462 (b) neither parent will interfere with the other's parental rights
pursuant to court

463 ordered parent-time arrangements, or the schedule approved by
both parties.

464 {-(2)-} (3) The court may, upon motion of any party
or upon the court's own motion, schedule

465 a hearing with notice to review the notice of relocation and
parent–time schedule as provided in

466 Section 30–3–35 and make appropriate orders regarding the
parent–time and costs for

467 parent–time transportation.

468 {-(3)-} (4) In determining the parent–time schedule
and allocating the transportation costs, the

469 court shall consider:

470 (a) the reason for the parent’s relocation;

471 (b) the additional costs or difficulty to both parents in exercising
parent–time;

472 (c) the economic resources of both parents; and

473 (d) other factors the court considers necessary and relevant.

474 [~~(4) Upon the motion of any party, the court may order the
parent intending to move to~~

475 ~~pay the costs of transportation for:]~~

476 [~~(a) at least one visit per year with the other parent; and]~~

477 [~~(b) any number of additional visits as determined equitable by
the court.]~~

478 {~~-~~} (5) {~~-~~} {~~(4)~~} Unless otherwise ordered
by the court, upon the relocation, as defined in

479 Subsection (1), of one of the parties the following schedule shall
be the minimum requirements

480 for parent–time with a school–age child:

481 (a) in years ending in an odd number, the child shall spend the
following holidays with

482 the noncustodial parent:

483 (i) Thanksgiving holiday beginning Wednesday until Sunday;
and

484 (ii) [~~the fall school~~] Spring break, if applicable, beginning the
last day of school before

485 the holiday until the day before school resumes;

486 (b) in years ending in an even number, the child shall spend the
following holidays

487 with the noncustodial parent:

488 (i) the entire winter school break period; and

489 (ii) [~~Spring~~] the Fall school break beginning the last day of
school before the holiday

490 until the day before school resumes; [~~and~~]

491 (c) extended parent–time equal to 1/2 of the summer or
off–track time for consecutive

492 weeks. The children should be returned to the custodial home no
later than seven days before

493 school begins; however, this week shall be counted when
determining the amount of

494 parent–time to be divided between the parents for the summer
or off–track period[~~]; and~~

495 (d) at the option and expense of the noncustodial parent, one
weekend per month.

496 (6) Upon the motion of any party, the court may order
uninterrupted parent–time with

497 the noncustodial parent for a minimum of 30 days during
extended parent–time, unless the

498 court finds it is not in the best interests of the child. If the court
orders uninterrupted

499 parent–time during a period not covered by this section, it shall
specify in its order which parent

500 is responsible for the child’s travel expenses.

501 (7) Unless otherwise ordered by the court the relocating party
shall be responsible for

502 all the child’s travel expenses relating to Subsections
{~~1~~} (5) {~~1~~} {~~(4)~~} (a) and (b) and 1/2 of the child’s

503 travel expenses relating to Subsection {~~1~~} (5) {~~1~~}
{~~(4)~~} (c), provided the noncustodial [~~party~~] parent is

504 current on all support obligations. If the noncustodial [~~party~~]
parent has been found in

505 contempt for not being current on all support obligations, [he]
the noncustodial parent shall be

506 responsible for all of the child’s travel expenses under
Subsection {~~1~~} (5) {~~1~~} {~~(4)~~} , unless the court

507 rules otherwise. Reimbursement by either responsible party to
the other for the child’s travel

508 expenses shall be made within 30 days of receipt of documents
detailing those expenses.

509 (8) The court may apply this provision to any preexisting decree
of divorce.

510 (9) Any action under this section may be set for an expedited
hearing.

511 (10) A parent who fails to comply with the notice of relocation
in Subsection {~~(1)~~} (2) shall

512 be in contempt of the court’s order.

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

H.B. 71, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	Duckworth
Dunnigan	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Walker
Wheatley	Wimmer	Curtis	

Absent or not voting were: Representatives

Brown	D. Clark	Donnelson	Ferry
Harper	King	Painter	Ray
Urquhart	Webb	Wiley	Winn

H.B. 71, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Bigelow, under suspension of the House voted to move to the Senate Third Reading Calendar.

* * *

On motion of Representative Bigelow, under suspension of the rules, the House voted to lift **S.B. 1** 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. 1, STATE AGENCY AND HIGHER EDUCATION BASE BUDGET APPROPRIATIONS, read the third time by short title and placed on its final passage.

S.B. 1 passed on the following roll call:

Yeas, 64; Nays, 2; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	Menlove	Morgan	Moss
Neuenschwander	Newbold	Noel	Oda
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Walker	Webb	Wheatley	Curtis

Voting in the negative were: Representatives
Morley Wimmer

Absent or not voting were: Representatives
Brown D. Clark Ferry Harper
McIff Painter Urquhart Wiley
Winn

S.B. 1 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 Snow, the House voted to move to the House Third Reading Calendar.

THIRD READING CALENDAR

1st Sub. H.B. 77, PERSONAL PROPERTY TAX AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Dougall proposed the following amendment:

1. Page 10, Lines 299 through 301
House Committee Amendments 1-22-2008
299 (c) If a taxpayer's expensed personal property is audited in accordance with Subsection
300 59-2-306(3), a taxpayer shall provide proof of the acquisition
 {~~price~~ } cost of the expensed personal
301 property.

2. Page 18, Lines 529 through 535:
529 (1) [~~a~~] Before June 1 of each year, the county assessor of each county shall deliver to
530 the county auditor and the commission the following statements:
531 [~~+~~] (a) a statement containing the aggregate valuation of all taxable real property assessed by a county assessor in accordance with
 Part 3, County Assessment, for {~~in~~}
532 each taxing entity; and

533 ~~[(ii)]~~ (b) a statement containing the taxable value of [~~any~~
 additional] all personal

534 property assessed by the county assessor in accordance with
Part 3, County Assessment, [~~estimated by the county assessor to be~~
 subject to taxation in the current year] from

535 the prior year end values.

3. Page 19, Line 583 through Page 20, Line 584:

583 (Aa) for new growth from real property assessed by a county
assessor in accordance with Part 3, County Assessment and all property
assessed by the commission in accordance with Section 59-2-201 , the
 current calendar year[-]; and

584 (Bb) for new growth from personal property assessed by a
county assessor in accordance with Part 3, County Assessment , the
 prior calendar year.

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

1st Sub. H.B. 77, as amended, passed on the following roll call:

Yeas, 64; Nays, 0; Absent or not voting, 11.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Chavez-Houck	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Urquhart	Webb	Wheatley	Wimmer

Absent or not voting were: Representatives

Brown	D. Clark	Ferry	Harper
McIff	Painter	Tilton	Walker
Wiley	Winn	Curtis	

1st Sub. H.B. 77, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 73, CHILD CARE PROVISIONS, read the third time by short title and placed on its final passage.

H.B. 73, as amended, passed on the following roll call:

Yeas, 64; Nays, 0; Absent or not voting, 11.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Bowman	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wimmer

Absent or not voting were: Representatives

Allen	Biskupski	Brown	D. Clark
Ferry	Harper	McIff	Painter
Wiley	Winn	Curtis	

H.B. 73 transmitted to the Senate for its consideration.

* * *

H.J.R. 2, RESOLUTION ENCOURAGING MANUFACTURED AND MOBILE HOME PARKS AS AFFORDABLE HOUSING, read the third time by short title and placed on its final passage.

Representative Holdaway proposed the following amendment:

1. Page 2, Line 57:

After “Coalition” insert “and ask that this resolution be sent to its members.”

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

H.J.R. 2, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
Menlove	Morley	Moss	Neuenschwander
Newbold	Oda	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wimmer	

Absent or not voting were: Representatives

Brown	D. Clark	Ferry	Harper
Hemingway	McIff	Morgan	Noel
Painter	Wiley	Winn	Curtis

H.J.R. 2, as amended, transmitted to the Senate for its consideration.

* * *

1st Sub. H.B. 37, UTAH BUSINESS RESOURCE CENTERS ACT, 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. 37**.

* * *

1st Sub. H.B. 53, IMPACT OF ADMINISTRATIVE RULES ON SMALL BUSINESSES, read the third time by short title and placed on its final passage.

1st Sub. H.B. 53, as amended, passed on the following roll call:

Yeas, 64; Nays, 0; Absent or not voting, 11.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Chavez-Houck	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Oda	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wimmer

Absent or not voting were: Representatives

Brown	D. Clark	Ferry	Harper
Kiser	McIff	Noel	Painter
Wiley	Winn	Curtis	

1st Sub. H.B. 53, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 81, TASK FORCE TO STUDY PERFORMANCE INCENTIVES FOR TEACHERS, read the third time by short title and placed on its final passage.

H.B. 81, as amended, passed on the following roll call:

Yeas, 63; Nays, 2; Absent or not voting, 10.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman

Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Hemingway
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	Menlove	Morgan	Morley
Moss	Newbold	Oda	Ray
Riesen	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wimmer	

Voting in the negative were: Representatives

Hendrickson King

Absent or not voting were: Representatives

D. Clark	Harper	McIff	Neuenschwander
Noel	Painter	Sandstrom	Wiley
Winn	Curtis		

H.B. 81, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 118, VETERANS HIGH SCHOOL DIPLOMAS, read the third time by short title and placed on its final passage.

H.B. 118 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Hemingway	Hendrickson

Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wimmer

Absent or not voting were: Representatives

D. Clark	Julie Fisher	Harper	Painter
Wiley	Winn	Curtis	

H.B. 118 transmitted to the Senate for its consideration.

* * *

H.B. 245, ADMINISTRATION OF MEDICATION TO STUDENTS AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 245 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wimmer

Absent or not voting were: Representatives

D. Clark	Donnelson	Harper	Painter
Wiley	Winn	Curtis	

H.B. 245 transmitted to the Senate for its consideration.

* * *

H.B. 269, SCOTT B. LUNDELL MILITARY SURVIVORS' TUITION WAIVER AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 269 passed on the following roll call:

Yeas, 63; Nays, 0; Absent or not voting, 12.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Bowman	Brown
Chavez-Houck	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Gibson
Gowans	Greenwood	Grover	Hansen
Hemingway	Herrod	Holdaway	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Oda	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Webb	Wheatley
Wiley	Wimmer	Curtis	

Absent or not voting were: Representatives

Biskupski	D. Clark	Dunnigan	Garn
Harper	Hendrickson	Hughes	Noel
Painter	Urquhart	Walker	Winn

H.B. 269 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Wimmer, the House voted to set **H.B. 256**, CRIMINAL PENALTIES AMENDMENTS – INCLUDING JESSICA'S LAW, for Time Certain on January 31, 2008 at 11:00 a.m.

THIRD READING CALENDAR

H.B. 15, CONTROL AND PREVENTION OF SEXUALLY TRANSMITTED DISEASES, read the third time by short title and placed on its final passage.

Representative Ray proposed the following amendment:

- 1. Page 3, Lines 74 through 77
 - 74 Section 2. Appropriation.
 - 75 As an ongoing appropriation, subject to future budget constraints, there is appropriated
 - 76 from the General Fund for fiscal year 2007–08, \$350,000 to the Department of Health to fund
 - 77 the education, prevention, and treatment efforts only for chlamydia and gonorrhea as authorized by {~~required by~~} Subsection 26–6–3(2).

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

###

Representative Draxler proposed the following amendment:

- 1. Page 3, Line 77:
After “education.” insert “and” and after “prevention.” delete “and treatment”

Representative Draxler’s motion to amend failed on a voice vote.

H.B. 15, as amended, passed on the following roll call:

Yeas, 52; Nays, 15; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Chavez–Houck	Cosgrove	Dee	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Froerer	Garn
Gowans	Greenwood	Hansen	Hemingway
Hendrickson	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser

Last	Litvack	Lockhart	Mascaro
McGee	McIff	Menlove	Morgan
Moss	Noel	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Walker	Wheatley	Wiley	Curtis

Voting in the negative were: Representatives

Daw	Donnelson	Dougall	Frank
Gibson	Grover	Herrod	Mathis
Morley	Neuenschwander	Newbold	Sumsion
Tilton	Webb	Wimmer	

Absent or not voting were: Representatives

Brown	D. Clark	S. Clark	Harper
Oda	Painter	Urquhart	Winn

H.B. 15, as amended, transmitted to the Senate for its consideration.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: January 25, 2008

The Business and Labor Committee reports a favorable recommendation on **H.B. 253**, HIGHER EDUCATION INFORMATION TECHNOLOGY APPROPRIATION, by Representative S. Clark; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 99**, BUSINESS REGISTRATION – OPTIONAL INCLUSION OF OWNERSHIP DATA, by Representative M. Wheatley, and recommends it be placed on the Consent Calendar.

Stephen D. Clark, Chair

Reports filed. On motion of Representative Snow, the reports of the Business and Labor Committee were adopted.

H.B. 253 read the second time by short title and placed on the Third Reading Calendar.

H.B. 99 read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: January 25, 2008

The Education Committee reports a favorable recommendation on **H.J.R. 4**, JOINT RESOLUTION URGING SCHOOL CLOSINGS TO RECOGNIZE

VETERANS DAY, by Representative C. Wimmer, with the following amendments:

1. Page 2, Lines 39 through 42:

39 NOW, THEREFORE, BE IT RESOLVED that the Legislature
of the state of Utah

40 urges the Utah State Board of Education and each individual
school district to adjust school schedules to provide for the closure of

41 public schools on Veterans Day so that Utahns may more fully
honor the men and women, past

42 and present, who have stood in harm's way on our behalf. ; and

The Education Committee reports a favorable recommendation on **H.B. 270**, UTAH SCIENCE TECHNOLOGY AND RESEARCH INITIATIVE CENTERS, by Representative R. Bigelow; and

The Education Committee reports a favorable recommendation on **H.B. 67**, EXTENDED YEAR FOR SPECIAL EDUCATORS, by Representative R. Menlove.

Gregory H. Hughes, Chair

Reports filed. On motion of Representative Hughes, the reports of the Education Committee were adopted.

H.J.R. 4, as amended, **H.B. 270**, and **H.B. 67** read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker:

January 25, 2008

The Health and Human Services Committee reports a favorable recommendation on **H.B. 258**, MEDICAID DRUG UTILIZATION AMENDMENTS, by Representative R. Lockhart, with the following amendments:

1. Page 3, Lines 65 through 68:

65 (c) { ~~Notwithstanding the provisions of Subsection~~
~~58-17b-606(4), the state Medicaid~~

66 ~~drug program may not require the substitution of a generic~~
~~equivalent for an~~

67 immunosuppressive drug without written or oral consent from the health care provider and the

68 patient } The state Medicaid program shall reimburse for a prescription for an immunosuppressive drug as written by the health care provider for a patient who has undergone an organ transplant. For purposes of Subsection 58-17b-606(4), and with respect to patients who have undergone an organ transplant, the prescription for a particular immunosuppressive drug as written by a health care provider meets the criteria of demonstrating to the Department of Health a medical necessity for dispensing the prescribed immunosuppressive drug .

The Health and Human Services Committee reports a favorable recommendation on **H.B. 46**, ADOPTION AND TERMINATION OF PARENTAL RIGHTS, by Representative S. Allen, and recommends it be placed on the Consent Calendar; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 45**, SUPPORTED EMPLOYMENT SERVICES TO A PERSON WITH A DISABILITY, by Representative R. Menlove, 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.

H.B. 258, as amended, read the second time by short title and placed on the Third Reading Calendar.

H.B. 46 and **H.B. 45** read the second time by short title and placed on the Consent Calendar.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: January 25, 2008

The Senate passed, **H.B. 1**, MINIMUM SCHOOL PROGRAM BASE BUDGET AMENDMENTS, 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

Communication filed. **H.B. 1** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker: January 25, 2008
The Senate passed **S.B. 22, TIMING OF BALLOT ITEMS**, by Senator P. Knudson, and it is transmitted for consideration; and

The Senate passed **S.B. 23, REVISION TO POLLING REQUIREMENTS**, by Senator P. Knudson, and it is transmitted for consideration; and

The Senate passed **S.B. 26, FIRE MANAGEMENT AREAS**, by Senator M. Dayton, and it is transmitted for consideration; and

The Senate passed **S.B. 27, TRUSTEES SALE – PROCESS FOR EXCESS PROCEEDS**, by Senator G. Davis, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 22, S.B. 23, S.B. 26, and S.B. 27** read the first time by short title and referred to the Rules Committee.

RULES COMMITTEE REPORT

Mr. Speaker: January 25, 2008
The Rules Committee recommends the following bills and resolutions be assigned to standing committees:

BUSINESS AND LABOR

- H.B. 144** Motor Vehicle Insurance Amendments (Rep. T. Kiser)
- H.B. 293** Certified Private Building Inspector Authorized (Rep. D. Aagard)

EDUCATION

- H.B. 91** Center for the School of the Future Incentives (Rep. J. Draxler)
- H.B. 284** Utah College of Applied Technology Revisions (Rep. K. Holdaway)

GOVERNMENT OPERATIONS

- S.B. 18** Public Safety Retirement Death Benefit Modifications (Sen. J. Greiner)

HEALTH AND HUMAN SERVICES

- H.B. 265** Office of Recovery Services – Electronic Funds Transfer (Rep. P. Ray)

JUDICIARY

- H.B. 70** Expungement Law Amendments (Rep. L. Fowlke)
H.B. 93 Insurance Fraud Amendments (Rep. D. Aagard)
H.B. 97 Court-ordered Restitution for Costs of Incarceration
(Rep. C. Oda)
H.B. 121 County Charges for Services to Incarcerated Persons
(Rep. R. Greenwood)
H.B. 289 Adoption – Investigation and Release of Information
(Rep. K. Sumsion)
S.B. 10 Search Warrant Procedure Amendments (Sen. J. Greiner)

POLITICAL SUBDIVISIONS

- H.B. 107** Emergency Management Administrative Council
(Rep. C. Oda)
H.B. 142 Absentee Ballot Amendments (Rep. J. Mathis)
H.B. 145 Additional State Retirement Benefit (Rep. K. Holdaway)
H.B. 277 Pandemic Preparedness Amendments (Rep. B. Last)

PUBLIC UTILITIES AND TECHNOLOGY

- H.B. 103** Use of State Alternative Fuel Network (Rep. F. Hunsaker)
H.B. 139 Wireless Internet Access Requirements (Rep. B. Daw)
H.B. 300 Telephone Solicitation Amendments (Rep. S. Sandstrom)
H.B. 308 Credit Card or Debit Card Transactions Act
(Rep. W. Harper)

REVENUE AND TAXATION

- H.B. 243** Public Transit District Sales Tax Exemption
(Rep. B. Dee)

TRANSPORTATION

- H.B. 259** Gold Star Family Special Group License Plate
Amendments (Rep. C. Oda)
H.B. 299 Motor Vehicle Code Revisions (Rep. W. Harper)

**WORKFORCE SERVICES AND COMMUNITY AND ECONOMIC
DEVELOPMENT**

- H.B. 48** Mobile Home Owners' Rights (Rep. P. Riesen)

H.B. 135 Grants from Department of Community and Culture
(Rep. S. Allen)

Stephen Urquhart, Chair

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

MISCELLANEOUS BUSINESS

On motion of Representative Snow, and at 12:20 p.m., the House voted to adjourn until January 28, 2008, at 10:00 a.m.

EIGHTH DAY

* * *

MORNING SESSION

The House was called to order by Speaker Curtis at 10:15 a.m.

Roll call showed all members present.

Prayer by Representative Mel Brown. Pledge of Allegiance by Representative Brown's son and legislative intern, Kenny Brown.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: January 25, 2008

The Judiciary Committee reports a favorable recommendation on **H.B. 26**, NOTARY PUBLIC REVISIONS, by Representative G. Donnelson, with the following amendments:

1. Page 1, Lines 14 through 16:

14 ▶ amends the definition of “satisfactory evidence of
identity” to provide that personal

15 identification { ~~issued by another nation must be a~~
~~passport~~} includes a passport, or other identification issued by the
United States government, any state within the United States, or a foreign
government. and that a driving

16 privilege card is not satisfactory evidence of identity;

2. Page 3, Lines 64 through 70:

64 (12) (a) “Satisfactory evidence of identity” means
identification of an individual based

65 on:

66 [~~(a) a current document issued by a federal or state government~~]

67 (i) valid personal identification with the individual's
photograph, signature, and

68 physical description issued by the United States government
{~~or~~} any state within the United

69 States , or a foreign government ; [~~or~~]

70 (ii) a valid passport issued by any nation; or

3. Page 4, Line 96

96

(iii) for a notary seal issued on or after July 1, 2008, the notary's commission number, exactly as indicated on the notary's commission; and

The Judiciary Committee reports a favorable recommendation on **H.B. 33, WAIVERS OF IMMUNITY – EXCEPTIONS**, by Representative G. Hughes, with the following amendments:

1. Page 2, Lines 52 through 55:

52 (ii) except as provided in Subsection (4), with a conscious disregard for the rights of others, failed to disclose evidence that:

53 (A) was known to the person, official, or institution; and

54 (B) was known by the person, official, or institution to be relevant to an issue or matter

55 of inquiry in a judicial or administrative proceeding.

(4) Immunity is not lost under Subsection (3)(c)(ii), if the person, official, or institution failed to disclose evidence described in Subsection (3)(c)(ii), because the person, official, or institution is:

(a) prohibited by law from disclosing the evidence for use in the judicial or administrative proceeding; or

(b) permitted to refuse to disclose the evidence for use in the judicial or administrative proceeding, pursuant to the provisions 45 CFR 164.502(g)(5).

2. Page 4, Lines 101 through 104:

101 (B) except as provided in Subsection (3)(d), with a conscious disregard for the rights of others, failed to disclose evidence that:

102 (I) was known to the employee; and

103 (II) was known by the employee to be relevant to an issue or matter of inquiry in a

104 judicial or administrative proceeding.

(d) The exception, described in Subsection (3)(c)(v)(B), allowing a plaintiff to bring or pursue a civil action or proceeding against an employee, does not apply if the employee failed to disclose evidence

described in Subsection (3)(c)(v)(B), on the grounds that the employee is:

(i) prohibited by law from disclosing the evidence for use in the judicial or administrative proceeding; or

(ii) permitted to refuse to disclose the evidence for use in the judicial or administrative proceeding, pursuant to the provisions of 45 CFR 164.502(g)(5).

Douglas C. Aagard, Chair

Reports filed. On motion of Representative Aagard, the reports of the Judiciary Committee were adopted.

H.B. 26, as amended, and **H.B. 33**, as amended, read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker:

January 25, 2008

The Law Enforcement and Criminal Justice Committee recommends **H.B. 95**, DOCUMENT FRAUD – ESTABLISHING LEGAL STATUS, by Representative K. Morgan, be replaced and favorably recommends **1st Sub. H.B. 95**, DOCUMENT FRAUD – ESTABLISHING LEGAL STATUS; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 237**, ILLEGAL IMMIGRATION ENFORCEMENT ACT, by Representative G. Donnelson; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 10**, DISCLOSURE OF IDENTITY TO OFFICER, by Representative C. Oda, and recommends it be placed on the Consent Calendar; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 12**, CONTROLLED SUBSTANCES AND PARAPHERNALIA, by Representative C. Oda, and recommends it be placed on the Consent Calendar; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 14**, DISCHARGE OF FIREARM AMENDMENTS, by Representative C. Wimmer, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 2, Line 32:

32 76–10–508, as last amended by Laws of Utah 2005, Chapter 220

ENACTS:

Section 76-10-508.1, Utah Code Annotated 1953

2. Page 3, Lines 65 through 67:

65 (x) any offense specified in Part 4, Uniform Commercial Driver License Act, that

66 requires disqualification;

67 (xi) a felony violation of Section 76-10-508 or 76-10-508.1 involving discharging or allowing the

3. Page 3, Lines 83 through 86:

83 (b) The division shall immediately revoke the license of a person upon receiving a

84 record of an adjudication under Title 78, Chapter 3a, Juvenile Court Act of 1996, for [any of

85 ~~the following offenses~~]:

86 (i) a felony violation of Section 76-10-508 or 76-10-508.1 involving discharging or allowing the

4. Page 6, Lines 165 through 166:

165 (v) a felony violation of [~~Subsection~~] Section 76-10-508(2) or 76-10-508.1 regarding discharge of a

166 firearm or dangerous weapon.

5. Page 8, Lines 226 through 227:

226 (b) It ~~{shall be}~~ is a defense to any ~~{-}~~ charge for violating ~~{-}~~ ~~{-misdemeanor violation of-}~~ this

227 section that the person being accused had actual permission of the owner or person in charge of

6. Page 8, Line 229 through Page 9, Line 250:

229 (2) ~~{-}~~ A ~~{-}~~ ~~{-Except as provided in Subsection (3), a}~~ violation of any provision of ~~this~~

230 ~~section~~] Subsection (1) is a class B misdemeanor ~~[unless the actor discharges]~~.

231 ~~{ (3) A person commits a felony offense subject to penalty~~
~~under Subsection (4) if the~~

232 ~~person violates any provision of Subsection (1) by discharging }~~
~~{ a firearm under any of the~~

233 ~~following circumstances not amounting to criminal homicide or~~
~~attempted criminal homicide } [;~~

234 ~~in which case it is a third-degree felony and the convicted person~~
~~shall be sentenced to an~~

235 ~~enhanced minimum term of three years in prison] { -:~~

236 ~~(a) the actor discharges a firearm in the direction of any person~~
~~or persons, knowing or~~

237 ~~having reason to believe that any person may be endangered;~~

238 ~~(b) the actor, with intent to intimidate or harass another or with~~
~~intent to damage a~~

239 ~~habitable structure as defined in Subsection 76-6-101(2),~~
~~discharges a firearm in the direction~~

240 ~~of any building; or~~

241 ~~(c) the actor, with intent to intimidate or harass another,~~
~~discharges a firearm in the~~

242 ~~direction of any vehicle. }~~

243 ~~{ (4) A violation under Subsection (3):~~

244 ~~(a) is a felony of the third degree, punishable by imprisonment~~
~~for a term of not less~~

245 ~~than three years nor more than five years, except as provided in~~
~~Subsection (4)(b) or (c);~~

246 ~~(b) that results in bodily injury to another is a felony of the~~
~~second degree, punishable~~

247 ~~by imprisonment for a term of not less than three years nor more~~
~~than 15 years, except as~~

248 ~~provided in Subsection (4)(c); or~~

249 ~~(c) that results in serious bodily injury to another is a first degree~~
~~felony, punishable by~~

250 ~~imprisonment for a term of not less than three years and which may~~
~~be for life. }~~

7. Page 9, Lines 251 through 259:

251 {~~+~~} (3) {~~+~~} {~~(5)~~} {~~The~~} In
addition to any other penalties, the court shall:

252 (a) notify the Driver License Division of the conviction for
purposes of any revocation,

253 denial, suspension, or disqualification of a driver license under
[~~Section~~] Subsection

254 53-3-220(1)(a)(xi); and

255 (b) specify in court at the time of sentencing the length of the
revocation under

256 Subsection 53-3-225(1)(c).

257 {~~+~~} (4) {~~+~~} {~~(6)~~} This section does not
apply to a person who:

258 (a) [~~who~~] discharges any kind of firearm when that person is in
lawful defense of self

259 or others; [~~or~~]

8. Page 9, Lines 265 through 266:

265 stop at a location other than within the boundaries of the firing
range or training ground

266 described in Subsection {~~(6)~~} (4) (c)(i):

9. Page 9, Line 270:

270 (v) the discharge is not made in violation of Subsection
{~~(3)~~} (1) .

Section 4. Section 76-10-508.1 is enacted to read:

76-10-508.1. Felony Discharge of a firearm Penalties.

(1) Except as provided under Subsection (2) or (3), a person who
discharges a firearm under any of the circumstances not amounting to
criminal homicide or attempted criminal homicide is guilty of a third
degree felony punishable by imprisonment for a term of not less than
three years nor more than five years if:

(a) the actor discharges a firearm in the direction of any person or
persons, knowing or having reason to believe that any person may be
endangered by the discharge of the firearm;

(b) the actor, with intent to intimidate or harass another or with
intent to damage a habitable structure as defined in Section 76-6-101,

discharges a firearm in the direction of any person or habitable structure;
or

(c) the actor, with intent to intimidate or harass another, discharges a firearm in the direction of any vehicle.

(2) A violation of Subsection (1) which causes injury to any person is a second degree felony punishable by imprisonment for a term of not less than three years nor more than fifteen years.

(3) A violation of Subsection (1) which causes serious bodily injury to any person is a first degree felony.

(4) In addition to any other penalties for a violation of this section, the court shall:

(a) notify the Driver License Division of the conviction for purposes of any revocation, denial, suspension, or disqualification of a driver license under Subsection 53-3-220(1)(a)(xi); and

(b) specify in court at the time of sentencing the length of the revocation under Subsection 53-3-225(1)(c).

(5) This section does not apply to a person:

(a) who discharges any kind of firearm when that person is in lawful defense of self or others;

(b) who is performing official duties as provided in Sections 23-20-1.5 or 76-10-523 or as otherwise authorized by law;

(c) discharges a dangerous weapon or firearm from an automobile or other vehicle, if:

(i) the discharge occurs at a firing range or training ground;

(ii) at no time after the discharge does the projectile that is discharged cross over or stop at a location other than within the boundaries of the firing range or training ground described in Subsection (c)(i);

(iii) the discharge is made as practice or training for a lawful purpose;

(iv) the discharge and the location, time, and manner of the discharge are approved by the owner or operator of the firing range or training ground prior to the discharge; and

(v) the discharge is not made in violation of Subsection (1). ; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 235**, COUNTY MERIT SYSTEM AMENDMENTS, by Representative B. Dee, and recommends it be placed on the Consent Calendar.

DeMar “Bud” Bowman, Chair

Reports filed. On motion of Representative Bowman, the reports of the Law Enforcement and Criminal Justice Committee were adopted.

1st Sub. H.B. 95 read the second time by short title and placed on the Third Reading Calendar.

H.B. 237, H.B. 10, H.B. 12, H.B. 14, as amended, and **H.B. 235** read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker:

January 25, 2008

The Transportation Committee reports a favorable recommendation on **H.B. 28**, HONORING HEROES SPECIAL GROUP LICENSE PLATE, by Representative P. Ray; and

The Transportation Committee reports a favorable recommendation on **H.B. 122**, DRIVER LICENSE – APPLICATION OF MINOR AMENDMENTS, by Representative D. Litvack, with the following amendments:

- 1. Page 1, Lines 21 through 22:
 - 21 ▶ limits the liability of a foster parent who signs an application for a foster child’s
 - 22 driver license {~~or furnishes a motor vehicle to a foster child~~} ;
- 2. Page 2, Line 44:
 - 44 {~~53-3-212, as renumbered and amended by Laws of Utah 1993, Chapter 234~~}
- 3. Page 9, Lines 252 through 267:
 - 252 {~~Section 3. Section 53-3-212 is amended to read:~~
 - 253 53-3-212. Owner giving permission and minor liable for damages caused by
 - 254 minor driving a motor vehicle.

255 ~~(1) The owner of a motor vehicle causing or knowingly~~
 256 ~~permitting a person younger~~

257 ~~than 18 years of age to drive the motor vehicle on a highway, or a~~
 258 ~~person who gives or~~

259 ~~furnishes a motor vehicle to the minor, are each jointly and~~
 260 ~~severally liable with the minor for~~

261 ~~any damages caused by the negligence of the minor in driving the~~
 262 ~~motor vehicle.~~

263 ~~(2) This liability provision is in addition to the liability~~
 264 ~~provisions in Section 53-3-211.~~

265 ~~(3) Notwithstanding the requirement under Subsection (1), if a~~
 266 ~~foster parent signs an~~

267 ~~application under Subsection 53-3-211(2) for a minor who is in the~~
 268 ~~legal custody of the~~

269 ~~Division of Child and Family Services and who resides with the~~
 270 ~~foster parent, the foster~~

271 ~~parent's liability may not exceed the greater of:~~

272 ~~(a) minimum liability insurance policy limits established under~~
 273 ~~Section 31A-22-304; or~~

274 ~~(b) the policy limits of the foster parent's liability insurance~~
 275 ~~policy issued in accordance~~

276 ~~with Section 31A-22-302 that were in effect at the time damages~~
 277 ~~were caused by the minor's~~

278 ~~operation of the motor vehicle. }~~

Renumber remaining sections accordingly; and

The Transportation Committee reports a favorable recommendation on **H.B. 275**, VEHICLE TOWING REQUIREMENTS, by Representative B. Daw; and

The Transportation Committee recommends **H.B. 62**, CLEAN FUEL SPECIAL GROUP LICENSE PLATE AMENDMENTS, by Representative T. Kiser, be replaced and reports a favorable recommendation on **1st Sub. H.B. 62**,

CLEAN FUEL SPECIAL GROUP LICENSE PLATE AMENDMENTS and asks that it be placed on the Consent Calendar.

Todd E. Kiser, Chair

Reports filed. On motion of Representative Kiser, the reports of the Transportation Committee were adopted.

H.B. 28, H.B. 122, as amended, and **H.B. 275** read the second time by short title and placed on the Third Reading Calendar.

1st Sub. H.B. 62 read the second time by short title and placed on the Consent Calendar.

INTRODUCTION OF BILLS

H.B. 158, Tax Credit for Military Retired Pay (S. Mascaro), read the first time by short title and referred to the Rules Committee.

H.B. 159, Professional Employer Organization Licensing Act (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

H.B. 160, Charter School Law Revisions (R. Lockhart), read the first time by short title and referred to the Rules Committee.

H.B. 161, Sex Offenders' Contact with Children (R. Greenwood), read the first time by short title and referred to the Rules Committee.

H.B. 162, Utah School Seismic Hazard Inventory (L. Wiley), read the first time by short title and referred to the Rules Committee.

H.B. 163, School Fee Amendments (C. Frank), read the first time by short title and referred to the Rules Committee.

H.B. 165, Sales and Use Tax Exemptions Relating to Aircraft (B. Dee), read the first time by short title and referred to the Rules Committee.

H.B. 166, Minutes of Open and Public Meetings (M. Brown), read the first time by short title and referred to the Rules Committee.

H.B. 336, Authority to Establish State Nonprofit Corporation and Refugee Services Fund (C. Herrod), read the first time by short title and referred to the Rules Committee.

H.B. 337, Access to Childrens Health Insurance Program (P. Ray), read the first time by short title and referred to the Rules Committee.

H.B. 338, Neutrality Required of Poll Workers (R. Chavez–Houck), read the first time by short title and referred to the Rules Committee.

H.B. 339, Human Trafficking Amendments (C. Herrod), read the first time by short title and referred to the Rules Committee.

H.B. 340, Municipal Annexation Amendments (S. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 341, Damage to Underground Utility Facilities Amendments (D. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 343, Exemption of University Housing from Eviction Laws (P. Neuenschwander), read the first time by short title and referred to the Rules Committee.

H.J.R. 8, Joint Resolution Urging Congress to Eliminate Transportation Earmarking That Overrides State Transportation Priorities (Julie Fisher), read the first time by short title and referred to the Rules Committee.

CONSENT CALENDAR

H.B. 234, KINDERGARTEN ASSESSMENT AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 234 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack

Lockhart	Mascaro	Mathis	McGee
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Daw	McIff	Painter
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H.B. 234 transmitted to the Senate for its consideration.

* * *

H.B. 252, CHARITABLE SOLICITATIONS ACT AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 252 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	McGee	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Hansen	Mathis	McIff
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H.B. 252 transmitted to the Senate for its consideration.

* * *

H.B. 61, DESIGNATION OF STATE HIGHWAYS AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 61, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting was: Representative
McIff

H.B. 61, as amended, transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 47, STANDARDS FOR EXCHANGE OF ELECTRONIC HEALTH INFORMATION, read the third time by short title and placed on its final passage.

On motion of Representative Menlove, the House voted to circle **H.B. 47**.

* * *

H.B. 82, NOTICE OF CHANGES TO THE STATE MEDICAID PLAN, read the third time by short title and placed on its final passage.

H.B. 82 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Holdaway	McIff	Painter
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H.B. 82 transmitted to the Senate for its consideration.

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H.B. 98, UTAH EMPLOYMENT VERIFICATION ACT, read the third time by short title and placed on its final passage.

H.B. 98 passed on the following roll call:

Yeas, 54; Nays, 16; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Bowman	Brown

D. Clark	S. Clark	Daw	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Julie Fisher	Frank
Froerer	Garn	Gibson	Greenwood
Grover	Harper	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	King
Kiser	Last	Lockhart	Mascaro
Mathis	Menlove	Morgan	Morley
Neuenschwander	Newbold	Noel	Oda
Riesen	Sandstrom	Shurtliff	Snow
Sumsion	Tilton	Walker	Webb
Wimmer	Curtis		

Voting in the negative were: Representatives

Biskupski	Chavez–Houck	Cosgrove	Janice Fisher
Fowlke	Gowans	Hansen	Hemingway
Hendrickson	Johnson	Litvack	McGee
Moss	Seelig	Wheatley	Wiley

Absent or not voting were: Representatives

McIff	Painter	Ray	Urquhart
Winn			

H.B. 98 transmitted to the Senate for its consideration.

COMMUNICATION FROM THE SENATE

Mr. Speaker: January 28, 2008

The Senate passed **S.C.R. 4**, CONCURRENT RESOLUTION RECOGNIZING UTAH'S NOBEL PRIZE WINNER MARIO CAPECCHI, by Senator J. Valentine, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **S.C.R. 4** read the first time by short title and referred to the Rules Committee.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, under suspension of the rules, the House voted to move to the Senate Third Reading Calendar.

* * *

On motion of Representative D. Clark, under suspension of the rules, the House voted to lift **S.C.R. 4** 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.C.R. 4, CONCURRENT RESOLUTION RECOGNIZING UTAH'S NOBEL PRIZE WINNER MARIO CAPECCHI, read the third time by short title and placed on its final passage.

S.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	Andersen	Bigelow
Bird	Biskupski	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Donnelson	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	Menlove	Morgan	Morley
Moss	Neuenschwander	Noel	Oda
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Barrus	Dee	Dougall	Frank
McIff	Newbold	Painter	

S.C.R. 4 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 D. Clark, the House voted to move to the House Third Reading Calendar.

THIRD READING CALENDAR

H.B. 264, PROHIBITION OF CITATION QUOTAS, read the third time by short title and placed on its final passage.

H.B. 264 passed on the following roll call:

Yeas, 39; Nays, 31; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Allen	Bigelow	Bird	Bowman
Brown	Chavez–Houck	S. Clark	Donnelson
Duckworth	Dunnigan	Janice Fisher	Julie Fisher
Garn	Gowans	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Johnson	King
Litvack	Mathis	McGee	Morgan
Morley	Moss	Riesen	Seelig
Sumsion	Tilton	Urquhart	Walker
Wheatley	Wiley	Wimmer	

Voting in the negative were: Representatives

Aagard	Andersen	Biskupski	D. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	Ferry	Fowlke	Frank
Froerer	Gibson	Greenwood	Hunsaker
Kiser	Last	Lockhart	Mascaro
Menlove	Neuenschwander	Noel	Oda
Ray	Sandstrom	Shurtliff	Snow
Webb	Winn	Curtis	

Absent or not voting were: Representatives

Barrus	Hutchings	McIff	Newbold
Painter			

H.B. 264 transmitted to the Senate for its consideration.

* * *

H.B. 132, WASTE TIRE RECYCLING AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Hendrickson proposed the following amendment:

1. Page 1, Lines 15 through 17

15 ▶ reduces the partial reimbursement paid to landfill
owners for waste tire disposal; and

16 {→ directs that the interest on Waste Tire Recycling Fund
monies be deposited into the

17 fund; and }

2. Page 1, Line 25:

25 { ~~19-6-807, as last amended by Laws of Utah 2005, Chapter
148-~~ }

3. Page 2, Lines 30 through 53:

30 { ~~Section 1. Section 19-6-807 is amended to read:~~

31 ~~19-6-807. Special revenue fund—Creation—Deposits.~~

32 ~~(1) There is created a restricted special revenue fund entitled the
“Waste Tire Recycling~~

33 Fund.”

34 ~~(2) The fund shall consist of:~~

35 ~~(a) the proceeds of the fee imposed under Section 19-6-805;~~

36 ~~(b) [penalties] a penalty collected under this part; [and]~~

37 ~~(c) [assets] an asset transferred to and a loan [repayments]
repayment deposited in the~~

38 fund pursuant to Section 19-6-824[.]; and

39 ~~(d) interest on fund monies.~~

40 ~~(3) Money in the fund shall be used for:~~

41 ~~(a) partial reimbursement [of] for the costs of transporting,
processing, recycling, or~~

42 ~~disposing of a waste [tires] tire as provided in this part; and~~

43 ~~(b) payment of administrative costs of a local health
[departments] department as~~

44 ~~provided in Section 19-6-817[.];~~

45 ~~(c) payment of costs incurred by the Division of Finance in
accounting for and~~

46 ~~tracking outstanding loans made under the Waste Tire Recycling
Industrial Assistance Loan~~

47 ~~Program; and]~~

48 ~~[(d) payment of costs incurred by the Governor's Office of
Economic Development in~~

49 ~~collecting outstanding loans made under the Waste Tire Recycling
Industrial Assistance Loan~~

50 ~~Program.]~~

51 ~~(4) The Legislature may appropriate money from the fund to
pay for costs of the~~

52 ~~Department of Environmental Quality in administering and
enforcing this part.}~~

53 Section ~~{-2-}~~ 1 . Section 19-6-809 is amended to
read:

4. Page 4, Line 113:

113 Section ~~{-3-}~~ 2 . Section 19-6-812 is amended to
read:

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

H.B. 132, as amended, passed on the following roll call:

Yeas, 63; Nays, 0; Absent or not voting, 12.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Bigelow
Bird	Brown	Chavez-Houck	D. Clark
S. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Duckworth
Ferry	Janice Fisher	Julie Fisher	Frank
Froerer	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	Menlove	Morgan
Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Riesen	Sandstrom

Seelig	Shurtliff	Snow	Sumsion
Tilton	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Barrus	Biskupski	Bowman	Dunnigan
Fowlke	Garn	Hughes	McIff
Morley	Painter	Urquhart	Walker

H.B. 132, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative D. Clark, the House voted to uncircle **1st Sub. H.B. 37**.

1st Sub. H.B. 37, UTAH BUSINESS RESOURCE CENTERS ACT, was before the House on its final passage.

Representative D. Clark proposed the following amendment:

1. Page 4, Line 93:
After "with the" insert "Utah"
2. Page 4, Line 107:
After "Subsections (5)" insert "(a)"

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

1st Sub. H.B. 37, as amended, passed on the following roll call:

Yeas, 60; Nays, 9; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Froerer	Garn
Gibson	Gowans	Greenwood	Hansen
Hemingway	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro

Mathis	Menlove	Morgan	Moss
Neuenschwander	Newbold	Noel	Ray
Riesen	Seelig	Shurtliff	Snow
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Winn	Curtis

Voting in the negative were: Representatives

Dougall	Frank	Grover	Herrod
Morley	Oda	Sandstrom	Sumsion
Wimmer			

Absent or not voting were: Representatives

Fowlke	Harper	Hendrickson	McGee
McIff	Painter		

1st Sub. H.B. 37, as amended, transmitted to the Senate for its consideration.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: January 28, 2008

The Government Operations Committee reports a favorable recommendation on **H.B. 44**, DECLARATION OF CANDIDACY REVISIONS, by Representative G. Donnelson, and recommends it be placed on the Consent Calendar; and

The Government Operations Committee reports a favorable recommendation on **H.B. 238**, CAMPAIGN FINANCE FILING REQUIREMENTS, by Representative G. Hughes; and

The Government Operations Committee reports a favorable recommendation on **H.R. 1**, RESOLUTION ENCOURAGING UNITED STATES WITHDRAWAL FROM SECURITY AND PROSPERITY PARTNERSHIP OF NORTH AMERICA, by Representative S. Sandstrom, with the following amendments:

1. Page 2, Lines 50 through 52:

50 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Majority

51 Leader of the United States Senate, the Speaker of the United States House of Representatives,

52 {~~and~~} to the members of Utah's congressional delegation and all members of Congress by electronic means .

Glenn A. Donnelson, Chair

Reports filed. On motion of Representative Snow, the reports of the Government Operations Committee were adopted.

H.B. 44, read the second time by short title and placed on the Consent Calendar.

H.B. 238 and **H.R. 1**, as amended, read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker:

January 28, 2008

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 41**, CAMPAIGN REPORT AMENDMENTS, by Representative S. Allen, with the following amendments:

1. Page 2, Lines 36 through 37:

36 Other Special Clauses:

37 {~~None~~} This bill coordinates with S.B. 21, Campaign Finance Disclosure Revisions, by providing superceding amendments.

2. Page 13, Line 399 through Page 14, Line 422:

399 20A-11-105. Amending financial statements — Fees.

400 (1) For the purposes of this section, "election cycle" means the two year period commencing on March 1 in a regular general election year and ending on the last day of February in the next regular general election year.

 (2) A person may file an amended financial statement to correct any financial statement

401 filed under the requirements of this chapter, using the form required by the election officer.

402 either:

403 (a) voluntarily; or

404 (b) at the direction of the election officer, as provided for in this chapter.

405 {~~(2) The~~ } (3) (a) Subject to the requirements of
Subsection (3)(b), the election officer shall assess an administrative
fee for each amended financial

406 statement filed, which fee shall equal {~~the greater of:~~

407 (a) \$25; or

408 ~~(b)~~ } the total of the following assessments, which shall be
assessed for each change

409 made in the amended financial statement:

410 (i) for a substantive change of the name of an individual or
source making a contribution or public

411 service assistance, 5% of the contribution or public service
assistance;

412 (ii) for a substantive change of the name of a person or
entity receiving disbursement of an

413 expenditure, 5% of the amount of the expenditure;

414 (iii) for a change that results in an increase in the reported
amount of a contribution or

415 public service assistance, 5% of the difference between the
amended financial statement and

416 the previously filed financial statement;

417 (iv) for a change that results in an increase in the reported
amount of an expenditure,

418 5% of the difference between the amended financial statement and
the previously filed

419 financial statement; or

420 (v) for a newly reported contribution, public service assistance,
or expenditure, or a

421 substantive change in {~~both~~} the name and a change
in the amount associated with a contribution, public service

422 assistance, or expenditure, 5% of the contribution, public service
assistance, or expenditure.

(b) The election officer shall waive the first \$50 of fees that are
assessable to a person during an election cycle under Subsection (3)(a),
except in no case shall the election officer enforce collection of a fee that
is less than \$25.

3. Page 24, Lines 739 through 740:

739 (iii) The lieutenant governor shall report all violations of
Subsection [~~(2)~~] (3)(c)(i) to

740 the attorney general.

Section 15. Coordinating H.B. 41 with S.B. 21 -- Superseding
Amendments.

If this H.B. 41 and S.B. 21, Campaign Finance Disclosure
Revisions, both pass, it is the intent of the Legislature that the references
to "September 15" in Subsections 20A-11-103(1)(a)(iv) and (1)(b)(iv)
in this bill be replaced with "August 31". ; and

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 142**, ABSENTEE BALLOT AMENDMENTS, by Representative J. Mathis; and

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 291**, OFF-HIGHWAY VEHICLE AMENDMENTS, by Representative M. Noel, with the following amendments:

1. Page 2, Lines 44 through 45:

44 (ii) if under 18 years of age, is under the direct supervision
of a person who is at least 18 years of age if

45 operating on a public highway that is; ; and

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 107**, EMERGENCY MANAGEMENT ADMINISTRATIVE COUNCIL, by Representative C. Oda, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 3, Line 72:

72 (4) The commissioner of Public Safety and the lieutenant
governor shall serve as ~~{-the chair-}~~ co-chairs of the
council.

Fred R. Hunsaker, Chair

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

H.B. 41, as amended, **H.B. 142**, and **H.B. 291**, as amended, read the second time by short title and placed on the Third Reading Calendar.

H.B. 107, as amended, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker:

January 28, 2008

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 35**, MOTOR AND SPECIAL FUEL TAX AMENDMENTS, by Representative C. Frank, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 4, Lines 90 through 98:

90 (ii) the retailer, wholesaler, or licensed distributor:

91 (A) returns the mixed motor fuel to the refinery for re-refining;
and

92 (B) has paid {~~or is required to pay the tax on~~} the motor
fuel as provided by this part.

93 (b) The claimant shall file a claim for a refund or credit with the
commission within 90

94 days of the date the motor fuel was {~~re-refined~~} returned
to the refinery for re-refinement .

95 (c) Any claimant filing a claim for a refund or credit shall
furnish any or all of the

96 information outlined in this section upon request of the
commission.

97 (d) The burden of proof {~~of the~~} that the motor fuel
was returned to the refinery for re-refinement {~~of the motor~~
fuel} is on the claimant who

98 shall provide evidence {~~of re-refinement of the motor fuel~~}
to the satisfaction of the commission that the motor fuel was returned
to the refinery for re-refinement .

2. Page 4, Lines 107 through 108:

107 (A) the motor fuel mixed with the dyed diesel fuel or special
fuel was {~~re-refined~~} returned to the refinery for
re-refinement ; and

108 (B) motor fuel tax was paid on the
{~~re-refined~~} returned motor fuel.

3. Page 5, Line 138:

138 (1) (a) A retailer, wholesaler, licensed distributor, or
 licensed supplier, who without fault, sustains a loss or

4. Page 6, Line 164:

164 (2) (a) A retailer, wholesaler, ~~{-or-}~~ licensed distributor , or licensed supplier who has paid the tax on special

5. Page 7, Lines 189 through 201:

189 (3) (a) Subject to the conditions and limitations of this section, a retailer, wholesaler, ~~{-or-}~~

190 licensed distributor , or licensed supplier is entitled to a refund or credit of special fuel tax if:

191 (i) dyed diesel fuel or special fuel is mixed with special fuel; and

192 (ii) the retailer, wholesaler, ~~{-or-}~~ licensed distributor , or licensed supplier ;

193 (A) returns the mixed special fuel to the refinery for re-refining; and

194 (B) has paid ~~{-or is required to pay }~~ the tax on the special fuel as provided by this part.

195 (b) The claimant shall file a claim for a refund or credit with the commission within 90

196 days of the date the special fuel was ~~{-re-refined }~~ returned to the refinery for re-refinement .

197 (c) Any claimant filing a claim for a refund or credit shall furnish any or all of the

198 information outlined in this section upon request of the commission.

199 (d) The burden of proof ~~{-of the re-refinement of the special fuel }~~ that the special fuel was returned to the refinery for re-refinement is on the claimant who

200 shall provide evidence ~~{-of re-refinement of the special fuel }~~ to the satisfaction of the

201 commission that the special fuel was returned to the refinery for re-refinement .

6. Page 7, Lines 210 through 211:

210 (A) the special fuel mixed with the dyed diesel fuel or special fuel was ~~{-re-refined }~~ returned to the refinery for re-refinement ; and

211 (B) special fuel tax was paid on the
 { ~~re-refined~~ } returned special fuel ; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 49**, BUDGET RESERVE ACCOUNT AND DISASTER RECOVERY ACCOUNT AMENDMENTS, by Representative W. Harper, with the following amendments:

1. Page 5, Lines 123 through 126:

123 (d) Notwithstanding Subsection {~~(2)~~} (3) , the
 Division of Finance shall hold back the

124 General Fund balance for debt service authorized by this
 Subsection [~~(3)~~] (4) before making

125 any transfers to the General Fund Budget Reserve Account or any
 other designation or

126 allocation of General Fund revenue surplus.

2. Page 5, Lines 138 through 140:

138 [~~(5) All~~] (6) { ~~Except as provided in Subsection (4)(b),~~
 interest } Interest generated from

139 investments of money in the General Fund Budget Reserve
 Account shall be deposited into the

140 account. ; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 106**, CLEAN AIR AND EFFICIENT VEHICLE TAX INCENTIVES, by Representative R. McGee, with the following amendments:

1. Page 7, Lines 185 through 186:

185 [(e)] {~~(f)~~} “Electric-hybrid vehicle” is as defined in 42
 U.S.C. Sec. 13435. }

186 {~~(g)~~} (f) “Fuel economy standards” means that a
vehicle’s combined fuel economy, as

2. Page 7, Lines 196 through 200:

196 [(f)] {~~(h)~~} (g) “Incremental cost” has the same
 meaning as in Section 19-1-402.

197 [(g)] {~~(i)~~} “OEM vehicle” has the same meaning as in
 Section 19-1-402. }

198 {~~(j)~~} (h) “Original purchase” means the purchase
of a vehicle that has never been titled or

199 registered and has been driven less than 7,500 miles.

200 [~~(h)~~] {~~(k)~~} (i) “Special mobile equipment”:

3. Page 7, Line 205:

205 after January 1, [2001] 2009, but beginning on or before December
 31, [2010] {~~2011~~} 2013 , a taxpayer

4. Page 10, Lines 295 through 296:

295 [(e)] {~~(f)~~} “Electric-hybrid vehicle” is as defined in 42
 U.S.C. Sec. 13435. }

296 {~~(g)~~} (f) “Fuel economy standards” means that a
vehicle’s combined fuel economy, as

5. Page 10, Line 306 through Page 11, Line 310:

306 [(f)] {~~(h)~~} (g) “Incremental cost” has the same
 meaning as in Section 19-1-402.

307 [(g)] {~~(i)~~} “OEM vehicle” has the same meaning as in
 Section 19-1-402. }

308 {~~(j)~~} (h) “Original purchase” means the purchase
of a vehicle that has never been titled or

309 registered and has been driven less than 7,500 miles.

310 [~~(h)~~] {~~(k)~~} (i) “Special mobile equipment”:

6. Page 11, Line 315:

315 after January 1, [2001] {~~2008~~} 2009 , but beginning on
 or before December 31, [2010] {~~2011~~} 2013 , a

7. Page 1, Line 14:

After “clean” insert “special” and after “fuel” delete “special”; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 248**, AMENDMENTS TO SALES AND USE TAX EXEMPTION FOR CERTAIN PROPERTY INCORPORATED INTO REAL PROPERTY, by Representative J. Dougall; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 251**, SALES AND USE TAX REVISIONS, by Representative J. Dougall, with the following amendments:

1. Page 1, Lines 11 through 16:

11 This bill:

12 ► repeals certain dates relating to the taxation of food and food ingredients;

13 ► modifies a sales and use tax exemption relating to sales of aircraft manufactured in

14 the state;

► modifies the sales and use tax exemption to which public transit districts and their subcontractors are entitled;

15 ► modifies requirements for calculating the use tax for purposes of a sales and use tax

16 return filed quarterly;

2. Page 35, Lines 1051 through 1054:

1051 (68) sales ;
(a) to a public transit district under Title 17B, Chapter 2a, Part 8, Public Transit

1052 District Act {~~—~~} ; or
(b) of tangible personal property to a subcontractor of a public transit district, {~~including sales of construction~~

1053 ~~materials that are to be~~} if the tangible personal property is:

(i) clearly identified; and

(ii) installed or converted to real property owned by the public transit

1054 district.

John Dougall, Chair

Reports filed. On motion of Representative Dougall, the reports of the Revenue and Taxation Committee were adopted.

H.B. 49, as amended, **H.B. 106**, as amended, **H.B. 248**, and **H.B. 251**, as amended, read the second time by short title and placed on the Third Reading Calendar.

H.B. 35, as amended, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker:

January 28, 2008

The Workforce Services and Community and Economic Development Committee recommends **H.B. 48**, MOBILE HOME OWNERS' RIGHTS, by Representative P. Riesen, et al, be replaced and reports a favorable recommendation on **1st Sub. H.B. 48**, MOBILE HOME OWNERS' RIGHTS with the following amendments:

- 1. Page 5, Lines 124 through 130:

124 (4) (a) During the period of time between the provision of notice under Subsection (1)

125 and the day on which the resident is required to vacate the mobile home park, the mobile home

126 park owner may not increase rent { - no more than twice the percentage amount of any increase in the

127 Consumer Price Index } .

128 { - (b) The Consumer Price Index used in calculating a rent increase under Subsection

129 (4)(a) is the monthly United States Bureau of Labor Statistics Consumer Price Index Average

130 for All Urban Consumers. }

- 2. Page 5, Lines 131 through 133:

131 (5) A town, city, or county may not enact any ordinance governing { - the notices required

132 to mobile home park residents concerning } the closure of a mobile home park { - because of a

133 change in land use or condemnation } . ; and

The Workforce Services and Community and Economic Development Committee recommends **H.B. 135**, GRANTS FROM DEPARTMENT OF COMMUNITY AND CULTURE, by Representative S. Allen, be replaced and favorably recommends **1st Sub. H.B. 135**, GRANTS FROM DEPARTMENT OF COMMUNITY AND CULTURE; and

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.B. 59**, COMMUNITY

AND ECONOMIC DEVELOPMENT TECHNICAL CHANGES, by Representative S. Mascaro, et al, and recommends it be placed on the Consent Calendar.

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. 48, as amended, and **1st Sub. H.B. 135** read the second time by short title and placed on the Third Reading Calendar.

H.B. 59 read the second time by short title and placed on the Consent Calendar.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

January 28, 2008

The Senate passed **S.B. 24**, RETIREMENT DEATH BENEFITS AND DIVORCE REVISIONS, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 30**, CONSUMER SALES PRACTICE ACT AMENDMENTS, by Senator P. Jones, and it is transmitted for consideration; and

The Senate passed **S.B. 33**, DEPARTMENT OF COMMUNITY AND CULTURE – STATE-OWNED ART INVENTORY, by Senator M. Madsen, and it is transmitted for consideration; and

The Senate passed **S.B. 40**, STATE TRADE DATABASE, by Senator M. Madsen, and it is transmitted for consideration; and

The Senate passed **S.C.R. 1**, RESOLUTION SUPPORTING OBESITY AWARENESS, by Senator D. C. Buttars, and it is transmitted for consideration; and

The Senate passed **S.J.R. 1**, RESOLUTION ENCOURAGING THE ADVERTISEMENT OF ALTERNATIVE ROUTES TO TEACHING, by Senator M. Dayton, and it is transmitted for consideration; and

The Senate passed **S.J.R. 3**, RESOLUTION APPROVING COMPENSATION OF IN-SESSION EMPLOYEES, by Senator G. Bell, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 24, S.B. 30, S.B. 33, S.B. 40, S.C.R. 1, S.J.R. 1**, and **S.J.R. 3** read the first time by short title and referred to the Rules Committee.

RULES COMMITTEE REPORT

Mr. Speaker: January 28, 2008

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

BUSINESS AND LABOR

S.B. 27 Trustees Sale – Process for Excess Proceeds
(Sen. G. Davis)

EDUCATION

H.B. 321 Higher Education Savings Incentive Program
Amendments (Rep. K. Garn)

GOVERNMENT OPERATIONS

H.B. 134 Government Immunity Amendments (Rep. D. Aagard)

H.B. 137 State Facility Water Conservation Program
(Rep. L. Wiley)

H.B. 292 Legislative Task Force to Study Radio Communication
System in Utah (Rep. B. Dee)

S.B. 112 Legislative Space in the Capitol (Sen. C. Bramble)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

H.B. 19 Assault on a Peace Officer Penalty Amendments
(Rep. P. Ray)

H.B. 239 Driver License Qualification Amendments
(Rep. G. Donnelson)

NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT

H.B. 117 Instream Flow to Protect Trout Habitat
(Rep. S. Sandstrom)

H.B. 123 Accelerated Learning Programs Amendments
(Rep. B. Ferry)

H.B. 143 Administration of Interstate Water (Rep. M. Brown)

- H.B. 297** Designating Magnesium as the State Metal
(Rep. R. Menlove)
- H.B. 323** Eminent Domain Amendments (Rep. A. Tilton)
- S.B. 26** Fire Management Areas (Sen. M. Dayton)

RETIREMENT & INDEPENDENT ENTITIES

- H.B. 96** Retired Teachers – Return to Work (Rep. D. Bowman)
- S.B. 19** Enhanced Public Safety Retirement Systems Cola Option
(Sen. C. Walker)

REVENUE AND TAXATION

- H.B. 304** Reduction in State Sales and Use Tax Rate on Food and
Food Ingredients (Rep. L. Wiley)

TRANSPORTATION

- H.B. 105** Transportation Infrastructure Loan Fund Amendments
(Rep. J. Fisher)
- H.B. 147** Restrictions on Regulation of Automotive Collection
Activities (Rep. N. Hendrickson)

WORKFORCE SERVICES AND COMMUNITY AND ECONOMIC DEVELOPMENT

- H.J.R. 7** Joint Resolution Recognizing Unreinforced Masonry
Buildings (Rep. L. Wiley)

Stephen Urquhart, Chair

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

RULES COMMITTEE REPORT

Mr. Speaker: January 28, 2008

The Rules Committee recommends that the following bill and resolution be
considered read for the second time and placed on the Third Reading Calendar for
Senate bills:

- S.B. 111** Revisor's Statute (Sen. J. Hickman)
- S.J.R. 2** Resolution Approving the Appointment of Legislative
Fiscal Analyst (Sen. C. Bramble)

Stephen Urquhart, Chair

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

RULES COMMITTEE REPORT

Mr. Speaker:

January 28, 2008

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 276, HEALTH PROFESSIONAL AUTHORITY – DEATH AND DISABILITY** (Rep. B. Last), be replaced with **1st Sub. H.B. 276, HEALTH PROFESSIONAL AUTHORITY – DEATH AND DISABILITY** (Rep. B. Last) and further recommends it be assigned to the Health and Human Services Standing Committee.

Stephen Urquhart, Chair

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

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, and at 12:10 p.m., the House voted to adjourn until January 29, 2008, at 10:00 a.m.

NINTH DAY

* * *

MORNING SESSION

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

Roll call showed all members present except Representative Sheryl Allen, excused.

Prayer and Pledge of Allegiance by Ray Grant, a constituent of Representative Gordon Snow.

THIRD READING CALENDAR

H.B. 249, VEHICLES COVERED BY NEW MOTOR VEHICLE WARRANTIES, read the third time by short title and placed on its final passage.

H.B. 249 passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Biskupski	Bowman	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Herrod
Holdaway	Hunsaker	Hutchings	King
Kiser	Last	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Curtis			

Absent or not voting were: Representatives

Allen	Brown	Dunnigan	Hendrickson
Hughes	Johnson	Litvack	McGee
Morgan	Winn		

H.B. 249 transmitted to the Senate for its consideration.

* * *

H.B. 294, APPROPRIATION LIMIT AMENDMENTS – FIRE SUPPRESSION REIMBURSEMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Ferry, the House voted to delete **H.B. 294** in title and body and insert **1st Sub. H.B. 294** in lieu thereof.

On motion of Representative Hughes, the House voted to circle **1st Sub. H.B. 294**.

* * *

H.B. 11, PAROLE AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 11 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Biskupski	Bowman	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn

Absent or not voting were: Representatives

Allen	Brown	Gibson	Holdaway
Newbold	Noel	Curtis	

H.B. 11 transmitted to the Senate for its consideration.

* * *

H.B. 18, MATERIAL HARMFUL TO MINORS AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Ray, the House voted to delete **H.B. 18** in title and body and insert **1st Sub. H.B. 18** in lieu thereof.

1st Sub. H.B. 18 passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Biskupski	Bowman	Chavez–Houck
D. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Oda
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn		

Absent or not voting were: Representatives

Allen	Brown	S. Clark	Gowans
Holdaway	Noel	Painter	Tilton
Curtis			

1st Sub. H.B. 18 transmitted to the Senate for its consideration.

* * *

H.B. 20, ECONOMIC DEVELOPMENT INCENTIVES MODIFICATIONS, read the third time by short title and placed on its final passage.

H.B. 20 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Biskupski	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Allen	Holdaway	Painter
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H.B. 20 transmitted to the Senate for its consideration.

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H.B. 23, CHILD AND FAMILY PROTECTION, read the third time by short title and placed on its final passage.

H.B. 23 passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Biskupski	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	

Absent or not voting were: Representatives

Allen	Gibson	Gowans	Holdaway
Morley	Painter	Tilton	Curtis

H.B. 23 transmitted to the Senate for its consideration.

* * *

H.B. 27, LIEUTENANT GOVERNOR POWERS – ADMINISTRATION OF OATHS, read the third time by short title and placed on its final passage.

H.B. 27 passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Bowman	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson

Herrod	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	

Absent or not voting were: Representatives

Allen	Biskupski	Gowans	Holdaway
Morley	Painter	Tilton	Curtis

H.B. 27 transmitted to the Senate for its consideration.

* * *

H.B. 34, EMAIL INFORMATION REQUIRED OF REGISTERED SEX OFFENDERS, read the third time by short title and placed on its final passage.

On motion of Representative Bird, the House voted to circle **H.B. 34**.

* * *

H.B. 38, EDUCATION AND OUTREACH REGARDING SUBSTANCES HARMFUL DURING PREGNANCY, read the third time by short title and placed on its final passage.

Representative Menlove proposed the following amendment:

1. Page 1, Line 12
12 This bill amends the Utah { ~~Human Services~~ } Health
Code to establish a public education and

2. Page 1, Lines 17 through 18
17 ► directs the { ~~Division of Substance Abuse and Mental Health, within the~~ } Department
18 of { ~~Human Services,~~ } Health to conduct a public
education and outreach program to inform

3. Page 2 Lines 29 through 30
29 { ~~62A-15-1101, Utah Code Annotated 1953~~

30 ~~62A-15-1102, Utah Code Annotated 1953 } 26-7-4,~~
Utah Code Annotated 1953

4. Page 2, Lines 33 through 47

33 { ~~Section 1. Section 62A-15-1101 is enacted to read:~~

34 ~~Part 11. Education and Outreach~~

35 ~~62A-15-1101. Title.~~

36 ~~This part is known as "Education and Outreach."~~

37 ~~Section 2. Section 62A-15-1102 is enacted to read:~~

38 ~~62A-15-1102. Public education and outreach regarding~~
~~substances harmful~~

39 ~~during pregnancy.~~

40 ~~The division shall conduct a public education and outreach~~
~~program to inform pregnant~~

41 ~~women and women who may become pregnant of:~~

42 ~~(1) the danger of using alcohol, tobacco, or other harmful~~
~~substances during pregnancy;~~

43 ~~(2) treatment and other assistance available to help women~~
~~avoid or stop the use or~~

44 ~~abuse of a substance described in Subsection (1); and~~

45 ~~(3) legal protections provided by law or court rule that prohibit~~
~~information relating to~~

46 ~~treatment received under Subsection (2) from being used as~~
~~evidence against the woman in~~

47 ~~court. }~~

Section 1. Section 26-7-4 is enacted to read:

26-7-4. Public education and outreach regarding substances
harmful during pregnancy.

The department shall, under the direction of the Utah Substance
Abuse and Anti-violence Coordinating Council, created in Section
63-25a-203, and in consultation with the Division of Substance Abuse
and Mental Health, within the Department of Human Services, conduct a
public education and outreach program to inform pregnant women and
women who may become pregnant of:

(1) the danger of using alcohol, tobacco, or other harmful
substances during pregnancy;

(2) treatment and other assistance available to help women avoid or stop the use or abuse of a substance described in Subsection (1); and

(3) legal protections provided by law or court rule that prohibit information relating to treatment received under Subsection (2) from being used as evidence against the woman in court.

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

H.B. 38, as amended, passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Biskupski	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Allen	Painter
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H.B. 38, as amended, transmitted to the Senate for its consideration.

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H.B. 42, WATER RIGHT APPLICATION FOR ELECTRICAL COOPERATIVE, read the third time by short title and placed on its final passage.

H.B. 42 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Biskupski	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Allen	Painter
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H.B. 42 transmitted to the Senate for its consideration.

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H.B. 43, ALLOWANCE OF POLLING PLACES FOR EARLY VOTING, read the third time by short title and placed on its final passage.

H.B. 43 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Biskupski	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall

Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Allen Painter

H.B. 43 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Bird, the House voted to uncircle **H.B. 34**.

H.B. 34, EMAIL INFORMATION REQUIRED OF REGISTERED SEX OFFENDERS, was before the House on its final passage.

Representative Noel proposed the following amendment:

1. Page 1, Lines 25 through 26
 - 25 Other Special Clauses:
 - 26 {~~None~~} This bill takes effect on July 1, 2008.

2. Page 10, Line 279:
 - 279 requirements under this section.
 - (28) Notwithstanding Subsections (2)(c) and (12)(g), a sex offender is not required to provide the department with:
 - (a) the offender’s online identifier and password used exclusively for the offender’s employment on equipment provided by an employer and used to access the employer’s private network; or

(b) online identifiers for the offender’s financial accounts, including any bank, retirement, or investment accounts.

Section 2. Effective date.

This bill takes effect on July 1, 2008.

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

H.B. 34, as amended, passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Biskupski	Bowman	Brown
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Dunnigan	Ferry	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Riesen	Sandstrom
Shurtliff	Snow	Sumsion	Tilton
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Voting in the negative were: Representatives

Chavez–Houck	Janice Fisher	Seelig
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Absent or not voting were: Representatives

Allen	Duckworth	Kiser	Painter
Urquhart			

H.B. 34, as amended, transmitted to the Senate for its consideration.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: January 29, 2008

The Business and Labor Committee reports a favorable recommendation on **H.B. 83**, SECURITIES AMENDMENTS, by Representative J. Bird, et al; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 301**, COMPREHENSIVE HEALTH INSURANCE POOL AMENDMENTS, by Representative J. Dunnigan, with the following amendments:

- 1. Page 2, Lines 50 through 55:
 - 50 (5) "Health benefit plan":
 - 51 (a) is defined in Section 31A-1-301; and
 - 52 (b) does not include a plan that:
 - 53 (i) (A) has a maximum actuarial value less than 100% of the basic health care plan; or
 - 54 {-~~(ii)~~} (B) has a maximum annual limit of \$100,000 or less; {~~-or~~} and
 - 55 {~~-(iii)~~} (ii) meets other criteria established by the board. ; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 144**, MOTOR VEHICLE INSURANCE AMENDMENTS, by Representative T. Kiser, and recommends it be placed on the Consent Calendar; and

The Business and Labor Committee reports a favorable recommendation on **H.J.R. 1**, RESOLUTION ADDRESSING INTERNATIONAL TRADE ISSUES, by Representative S. Allen, and recommends it be placed on the Consent Calendar.

Stephen D. Clark, Chair

Reports filed. On motion of Representative S. Clark, the reports of the Business and Labor Committee were adopted.

H.B. 83, and **H.B. 301**, as amended read the second time by short title and placed on the Third Reading Calendar.

H.B. 144 and **H.J.R. 1** read the second time by short title and placed on the Consent Calendar.

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Mr. Speaker: January 29, 2008

The Education Committee reports a favorable recommendation on **H.B. 85**, TEACHER LOAN PROGRAM, by Representative L. Hemingway, with the following amendments:

1. Page 2, Line 34:
34 (i) teach full time in a school district or charter school within the state;
2. Page 2, Line 47:
47 (i) \$5,000 of the loan principal if the teacher teaches in a school district or charter school for five
3. Page 2, Line 49:
49 (ii) the remaining amount of the loan principal if the teacher teaches in a school district or charter school
4. Page 2, Line 52:
52 (i) does not teach in a school district or charter school for five consecutive years after receiving the loan
5. Page 2, Lines 54 through 55:
54 period not to exceed five years after discontinuing teaching in a school district or charter school ; or
55 (ii) teaches in a school district or charter school for more than five consecutive years but less than ten
6. Page 2, Line 58:
58 years after discontinuing teaching in a school district or charter school ;
7. Page 3, Line 62:
62 time period a teacher teaches in any school district or charter school or combination of school districts or charter schools in the ;
and

The Education Committee reports a favorable recommendation on **H.B. 86**, FUNDING OF INMATE POSTSECONDARY EDUCATION, by Representative J. Draxler; and

The Education Committee reports a favorable recommendation on **H.B. 241**, REPEAL OF EXEMPTIONS FROM NONRESIDENT TUITION, by Representative G. Donnelson; and

The Education Committee reports a favorable recommendation on **H.B. 286**, PERMANENT TEACHER LICENSE REVOCATION FOR SEXUAL ACTIVITY WITH STUDENTS, by Representative C. Wimmer.

Gregory H. Hughes, Chair

Reports filed. On motion of Representative D. Clark, the reports of the Education Committee were adopted.

H.B. 85, as amended, **H.B. 86**, **H.B. 241**, and **H.B. 286** read the second time by short title and placed on the Third Reading Calendar.

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Mr. Speaker:

January 29, 2008

The Health and Human Services Committee reports a favorable recommendation on **H.B. 17**, CANCER SCREENING AND MORTALITY REDUCTION PROGRAM, by Representative P. Ray; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 101**, AMENDMENTS TO EMERGENCY INJECTION FOR ANAPHYLACTIC REACTION ACT, by Representative T. Kiser, with the following amendments:

1. Page 1, Line 15:

15 school may not prohibit or dissuade a teacher or other school employee from receiving training to administer,

2. Page 1, Line 18:

18 epinephrine auto-injector available to any teacher or other school employee who is employed at the school
{-who-} and is

3. Page 1, Line 21:

21 the storage and use of an epinephrine auto-injector, to a teacher or other school employee who volunteers to

4. Page 3, Line 70:

70 (3) A school, school board, or school official may not prohibit or dissuade a teacher or other school employee at

5. Page 3, Line 74:

74 (i) the teacher or school employee is a qualified adult; and

6. Page 3, Line 78:

78 (i) the teacher or school employee is a qualified adult; and

7. Page 3, Line 81:

81 (4) A school, school board, or school official may encourage a teacher or other school employee to volunteer to

8. Page 3, Lines 84 through 85:

84 make an emergency epinephrine auto-injector available to any teacher or other school employee who:

(i) is employed at the school ; and

85 (ii) is { -who is } a qualified adult.

9. Page 3, Line 88:

88 quickly accessed by a teacher or other school employee, who is a qualified adult in the event of an emergency.

(6) No school, school board, or school official shall retaliate or otherwise take adverse action against a teacher or other school employee for:

(a) volunteering under Subsection (2);

(b) engaging in conduct described in Subsection (3); or

(c) failing or refusing to become a qualified adult.

10. Page 4, Line 94:

94 auto-injector, available to any teacher or other school employee who volunteers to become a qualified adult.

11. Page 5, Line 146:

146 (1) A [person] qualified adult who is [designated by] a teacher or other school employee at a public or private ; and

The Health and Human Services Committee recommends **H.B. 119, CONTROLLED SUBSTANCE DATABASE AMENDMENTS**, by Representative B. Daw, be replaced and favorably recommends **1st Sub. H.B. 119, CONTROLLED SUBSTANCE DATABASE AMENDMENTS** ; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 268, HEALTH FACILITY COMMITTEE MEMBERSHIP**, by Representative C. Herrod, with the following amendments:

1. Page 2, Lines 30 through 31:

30 (1) The Health Facility Committee created by Section 26-1-7 consists of [~~13~~] {~~14~~} 15

31 members appointed by the governor with the consent of the Senate. The appointed members

2. Page 2, Lines 39 through 49:

39 (d) one representative of a freestanding ambulatory surgical {~~facilities~~} facility ;

(e) one representative of an ambulatory surgical facility that is affiliated with a hospital;

40 [~~(d)~~] {~~(e)~~} (f)) two representatives of the nursing care facility industry;

41 (e) {~~(f)~~} (g) one registered nurse, licensed to practice under Title 58, Chapter 31b, Nurse

42 Practice Act;

43 [~~(f)~~] {~~(g)~~} (h) one professional in the field of mental retardation not affiliated with a nursing

44 care facility;

45 (g) {~~(h)~~} (i) one licensed architect or engineer with expertise in health care facilities;

46 [~~(h)~~] {~~(i)~~} (j) two representatives of assisted living facilities licensed under this chapter;

47 (i) {~~(j)~~} (k) two consumers, one of whom has an interest in or expertise in geriatric care;

48 and

49 (j) {~~(k)~~} (l) one representative from either a home health care provider or a hospice; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 265, OFFICE OF RECOVERY SERVICES – ELECTRONIC FUNDS TRANSFER**, 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.J.R. 5, JOINT RESOLUTION URGING SUPPORT OF**

MEDICAID LONG-TERM CARE FUNDING OF HOME AND COMMUNITY-BASED SUPPORTS, by Representative M. Noel, 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.

H.B. 17, H.B. 101, as amended, **1st Sub. H.B. 119**, and **H.B. 268**, as amended, read the second time by short title and placed on the Third Reading Calendar.

H.B. 265 and **H.J.R. 5** read the second time by short title and placed on the Consent Calendar.

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Mr. Speaker: January 29, 2008

The Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 103**, USE OF STATE ALTERNATIVE FUEL NETWORK, by Representative F. Hunsaker.

Michael E. Noel, Chair

Report filed. On motion of Representative Noel, the report of the Public Utilities and Technology Committee was adopted.

H.B. 103 read the second time by short title and placed on the Third Reading Calendar.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: January 29, 2008

The Senate passed **S.B. 60**, REPEALING LABOR COMMISSION RESPONSIBILITIES TO OVERSEE EMPLOYMENT AGENCIES, by Senator R. Romero, and it is transmitted for consideration; and

The Senate passed **S.B. 128**, AMENDMENTS TO THE VETERAN'S PROPERTY TAX EXEMPTION, by Senator B. Goodfellow, and it is transmitted for consideration; and

The Senate passed **S.B. 131**, WAGE WITHHOLDING FOR EMPLOYEE CONTRIBUTIONS, by Senator W. Niederhauser, and it is transmitted for consideration.

Annette B. Moore

Secretary of the Senate

Communications filed. **S.B. 60, S.B. 128**, and **S.B. 131** read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

H.B. 50, UNDERGROUND STORAGE TANK AMENDMENTS, read the third time by short title and placed on its final passage.

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

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Bowman	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Herrod	Holdaway	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Allen	Biskupski	Duckworth	Dunnigan
Garn	Hendrickson	Hughes	Morley
Urquhart	Walker		

H.B. 50 transmitted to the Senate for its consideration.

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H.B. 57, TRANSPORTATION ADMINISTRATIVE RULES – CRIMINAL AND CIVIL PENALTY AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Kiser proposed the following amendment:

1. Page 2, Lines 54 through 56
54 (2) The department shall:

55 (a) enforce the provisions of this part {~~or~~} and
administrative rules {~~of the~~} the department
 {~~made~~} makes under this part:

56 and

2. Page 3, Lines 60 through 62:

60 (3) (a) The district court {~~shall have~~} has
jurisdiction to review by trial de novo all final

61 orders of the department under this part resulting from formal and
informal adjudicative

62 proceedings.

3. Page 3, Lines 63 through 64:

63 (b) Venue for judicial review of final orders of the department
 {~~shall be~~} is in the county in

64 which the junkyard is located.

4. Page 3, Lines 65 through 67:

65 (4) If the department is granted a judgment, the department is
entitled to {~~have any~~} take action necessary to cause the

66 nuisance to be abated and is entitled to recover from the
responsible person, firm, or corporation, jointly and

67 severally:

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

H.B. 57, as amended, passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Biskupski	Bowman	Brown
Chavez-Houck	D. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson

Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McCliff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Allen	S. Clark	Duckworth	Urquhart
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H.B. 57, as amended, transmitted to the Senate for its consideration.

RULES COMMITTEE REPORT

Mr. Speaker:

January 29, 2008

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

BUSINESS AND LABOR

H.B. 128	Utah Residential Mortgage Practices Act Amendments (Rep. M. Newbold)
H.B. 290	Municipal Oversight of Rental Dwellings (Rep. G. Froerer)
S.B. 11	Utah Venture Capital Enhancement Act Amendments (Sen. S. Jenkins)
S.B. 30	Consumer Sales Practice Act Amendments (Sen. P. Jones)

EDUCATION

H.B. 127	Community Council Elections (Rep. K. Sumsion)
H.B. 271	Utah Purple Heart Recipients Tuition Act Amendments (Rep. R. Barrus)
H.B. 325	Bullying and Hazing (Rep. C. Moss)
S.J.R. 1	Resolution Encouraging the Advertisement of Alternative Routes to Teaching (Sen. M. Dayton)

GOVERNMENT OPERATIONS

H.B. 309	Election Information Amendments (Rep. J. Dougall)
H.B. 338	Neutrality Required of Poll Workers (Rep. R. Chavez–Houck)

- 1st Sub. S.B. 13** Candidate Residency Requirements (Sen. P. Knudson)
S.B. 40 State Trade Database (Sen. M. Madsen)

HEALTH AND HUMAN SERVICES

- H.B. 281** Grants to Rural Hospitals – Oversight Responsibilities
 (Rep. M. Newbold)
H.B. 303 Phosphorus Limit in Dishwashing Detergent
 (Rep. C. Johnson)
H.B. 326 Children’s Health Insurance Program – Open Enrollment
 (Rep. G. Curtis)

JUDICIARY

- S.B. 16** Exoneration and Innocence Assistance (Sen. G. Bell)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

- H.B. 320** Vehicle Impound Yard Requirements (Rep. C. Oda)

NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT

- H.B. 148** Aquaculture Revitalization Act (Rep. M. Noel)

POLITICAL SUBDIVISIONS

- H.B. 310** Absentee Ballot Revisions (Rep. D. Aagard)
S.B. 12 Election Law Modifications (Sen. P. Knudson)
S.B. 22 Timing of Ballot Items (Sen. P. Knudson)
S.B. 23 Revision to Polling Requirements (Sen. P. Knudson)

RETIREMENT AND INDEPENDENT ENTITIES

- S.B. 24** Retirement Death Benefits and Divorce Revisions
 (Sen. L. Hillyard)

TRANSPORTATION

- H.B. 151** Motor Vehicle Revisions (Rep. S. Urquhart)

WORKFORCE SERVICES AND COMMUNITY AND ECONOMIC DEVELOPMENT

- H.B. 257** Employee Verification (Rep. C. Herrod)
S.B. 33 Department of Community and Culture – State-owned
 Art Inventory (Sen. M. Madsen)

Stephen Urquhart, Chair

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

RULES COMMITTEE REPORT

Mr. Speaker: January 29, 2008

The Rules Committee recommends that, under suspension of the rules, the following resolution be considered read for the second time and placed on the Third Reading Calendar for Senate bills:

S.J.R. 3 Resolution Approving Compensation of In-session
Employees (Sen. G. Bell)

Stephen Urquhart, Chair

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

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: January 29, 2008

The Senate passed, as amended, **S.B. 14**, SMOKING BAN IN MOTOR VEHICLE, by Senator S. McCoy, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 44**, PENALTIES FOR FAILING TO SECURE A LOAD OR LITTERING ON A HIGHWAY, by Senator P. Jones, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 95**, MARKUP ON ALCOHOLIC BEVERAGES, by Senator M. Dmitrich, and it is transmitted for consideration; and

The Senate passed **S.B. 119**, DEPARTMENT OF CORRECTIONS AMENDMENTS, by Senator D. Peterson, and it is transmitted for consideration; and

The Senate passed **S.B. 126**, FILING FEE FOR WRITE-IN CANDIDATES, by Senator P. Knudson, and it is transmitted for consideration.

Annette B. Moore

Secretary of the Senate

Communications filed. **S.B. 14**, **S.B. 44**, **S.B. 95**, **S.B. 119**, and **S.B. 126** read the first time by short title and referred to the Rules Committee.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, and at 12:00 noon, the House voted to adjourn until January 30, 2008, at 10:00 a.m.

TENTH DAY

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MORNING SESSION

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

Roll call showed all members present except Representatives Jennifer Seelig and Carl Duckworth, excused.

Prayer and Pledge of Allegiance by Representative Morley's son, Packer Morley.

COMMITTEE OF THE WHOLE

On motion of Representative Snow, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing from David Koch, artist of the murals in the House chamber.

On motion of Representative Snow, the Committee of the Whole was dissolved.

On motion of Representative McGee, the House voted to include the remarks of David Koch on the pages of today's House Journal.

REMARKS BY DAVID KOCH

Mr. Speaker and members of the House. Thank you for the opportunity to come before you today. I know that your time is very precious, so I will be brief.

I have the document that I received from the Art Selection Committee stating what the topics for the murals for the House of Representatives Chamber would be. I want to read parts of that to you.

The north mural topic is Seraph Young voting in 1870. The south mural is the Engen brothers and the development of the ski and winter recreation industries in Utah. As I contemplated the topics for the murals, I knew nothing of these two events or very little. So I did some extensive research. As I realized the great responsibility I had to paint murals for the Capitol of Utah, I wanted to say something more than just a depiction of an event. So, as this Commission explained, my objective was also to portray opportunity, possibility, vision, and planning and hard work. As I approached this Commission, that was my goal – to

portray those ideals. I would like to briefly explain these two murals and explain the symbolism that I tried to inject in them.

Let's start with the north mural: Seraph Young Votes. These murals have two different levels of meaning. In 1870, Seraph Young was the first woman to vote in the State of Utah. This event took place in the Salt Lake City Hall, which is the same building that is across the street to the South that is now called Council Hall. I was lucky enough to be able to portray that event in the actual location that it took place.

I wanted to paint these ideals as I have explained. I wanted to find a location with two windows because I felt that this painting was about two windows – two windows of opportunity for Utah women and Utah as a whole. Utah women won the right to vote twice in the state of Utah. Luckily this building has the perfect location. I portrayed a window that is open in the background on the left and also a window that is closed in the upper right-hand corner. These windows signify these great events of women gaining the right to vote in Utah. The first window is already open. Without any effort at all by Seraph Young, she was able to vote. I believe she was the first person in line or was the first woman in line and just happened to make the vote. It actually happened without much fanfare. However, the second time that women won the right to vote in Utah, was an event that happened after a long, hard struggle by three women portrayed on the stairs. These women were Emmeline B. Wells, Sarah Kimball and Emily Richards. After they fought a long, hard, uphill battle, they finally were able to get the vote a second time in Utah, and that is what we enjoy today.

Just one more side note, acting Governor Stephen A. Mann was the acting Governor at the time, and he had a few reservations about what was going on. I don't have an exact quote, but I think he mentioned something to the effect, "I hope it will prove wise what we are doing now. Hopefully it has done so." He is portrayed by the man in the lower right corner that looks a little disinterested.

Let's move to the south mural. The first level of meaning of this mural is Alf Engen and his two brothers, Sverre and Corey; they are constructing a ski jump on Ecker Hill. Again, the secondary meaning of this painting that I've tried to portray was that they literally constructed a ramp or a takeoff for Utah's future economy from the decaying mining industry of Utah. As you can see, there are some old mining buildings up in the upper left background and they are using horses to drag timbers down to help construct a ski jump that will launch Utah's future economy with winter recreation.

Many people helped make this transformation, and one of those was a group called the Utah Ski Club represented by the banner hanging on the takeoff. They

were actually instrumental in sponsoring the ski jump events that brought Alf Engen and his brothers to Utah in the first place. The girl that is standing by Alf Engen (she is the one standing on the ski jump) represents the future and the events that would happen in the future. She is wearing a 2002 Olympic Beret. Also, she is wearing a Deseret News Ski School Bib. Alf Engen really loved the youth and he loved teaching the youth. He was instrumental in turning skiing from a spectator sport into a personal recreation sport which everyone could enjoy.

Corey, the boy with the pick, is busy extracting rocks and smoothing the ground for the landing. I thought this was a great symbol for what you do as legislators. You remove obstacles, and smooth the way, so that when the clouds in the background arrive and dump the snows of opportunity onto us, we're prepared and have smoothed the way so that we can take full advantage of those opportunities that come.

Again, if these murals were just merely depictions of events, they wouldn't have any usefulness or meaning, or maybe they would be just merely for decoration. But hopefully, these murals will inspire and motivate. If they can do that for the viewers that see them for the next few years, then they will be worthwhile. Thank you.

CONSENT CALENDAR

H.B. 99, BUSINESS REGISTRATION – OPTIONAL INCLUSION OF OWNERSHIP DATA, read the third time by short title and placed on its final passage.

H.B. 99 passed on the following roll call:

Yeas, 63; Nays, 0; Absent or not voting, 12.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Mathis	McGee	McIff

Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Riesen	Sandstrom	Shurtliff	Snow
Sumsion	Tilton	Webb	Wheatley
Wiley	Winn	Curtis	

Absent or not voting were: Representatives

Brown	Donnelson	Duckworth	Hughes
Lockhart	Mascaro	Painter	Ray
Seelig	Urquhart	Walker	Wimmer

H.B. 99 transmitted to the Senate for its consideration.

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H.B. 45, having received 6 objections, was removed from the Consent Calendar and placed at the bottom of the Third Reading Calendar.

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H.B. 46, ADOPTION AND TERMINATION OF PARENTAL RIGHTS, read the third time by short title and placed on its final passage.

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

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives

Agard	Allen	Barrus	Bigelow
Bird	Biskupski	Bowman	Brown
Chavez-Houck	D. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Riesen	Sandstrom	Shurtliff
Snow	Sumsion	Tilton	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Andersen	S. Clark	Duckworth	Lockhart
Mascaro	Painter	Ray	Seelig
Urquhart	Walker		

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

MISCELLANEOUS BUSINESS

On motion of Representative Bowman, the following Utah Indian Tribal Leaders were introduced: Forrest S. Cuch, Executive Director, Division of Indian Affairs; Kenneth Maryboy, San Juan County Commissioner, Utah Navajos; Ron Groves, B.C. Member, Ute Tribe; Curtis Cesspooch, Business Committee Chair; Mariah Cuch, Ute Tribe Public Relations; Alex Bitsinnie, Vice President, Navajo Mountain Chapter; Earl R. Lee, UNTF/Dine Committee Aneth Chapter and UNHS P.R.; Leo Manheimer, Navajo Mountain Chapter, Navajo Nation; Ella Badoni, Navajo Mountain Chapter, Navajo Nation; Fern Kinsel, Navajo Mountain Chapter, Navajo Nation; Matt Smith, CFO, Silver–Rock Industries; Davis Filfred, Navajo Tribe, Navajo Council; Charles Long, Office of Speaker, Navajo Nation; Leland Pubigee, Northwestern Band of Shoshone Tribe; Jason Walker, Northwestern Band of Shoshone Tribe.

THIRD READING CALENDAR

S.B. 111, REVISOR’S STATUTE, read the third time by short title and placed on its final passage.

On motion of Representative D. Clark, the House voted to circle **S.B. 111**.

* * *

S.J.R. 2, RESOLUTION APPROVING THE APPOINTMENT OF LEGISLATIVE FISCAL ANALYST, read the third time by short title and placed on its final passage.

S.J.R. 2 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson

Dougall	Draxler	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Harper	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Riesen
Sandstrom	Shurtliff	Snow	Sumsion
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Duckworth	Hansen	Hemingway	Painter
Ray	Seelig	Tilton	

S.J.R. 2 signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

* * *

S.J.R. 3, RESOLUTION APPROVING COMPENSATION OF IN-SESSION EMPLOYEES, read the third time by short title and placed on its final passage.

S.J.R. 3 passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez-Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart

Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Ray	Riesen	Sandstrom	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Duckworth	Gowans	Painter	Seelig
Walker			

S.J.R. 3 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 Urquhart, the House voted to uncircle **S.B. 111**.

S.B. 111, REVISOR'S STATUTE, was before the House on its final passage.

S.B. 111 passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Biskupski	Bowman	Brown
Chavez-Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Ray
Riesen	Sandstrom	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Bird	Donnelson	Duckworth	Painter
Seelig			

S.B. 111 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 Snow, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

UNFINISHED BUSINESS

On motion of Representative Menlove, the House voted to uncircle **H.B. 47**.

H.B. 47, STANDARDS FOR EXCHANGE OF ELECTRONIC HEALTH INFORMATION, was before the House on its final passage.

On motion of Representative Menlove, the House voted to delete **H.B. 47** in title and body and insert **1st Sub. H.B. 47**, STANDARDS FOR ELECTRONIC EXCHANGE OF CLINICAL HEALTH INFORMATION, in lieu thereof.

1st Sub. H.B. 47 passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Greenwood
Grover	Hansen	Hemingway	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Oda	Ray	Riesen	Sandstrom
Shurtliff	Snow	Sumsion	Tilton
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Duckworth	Gowans	Harper	Hendrickson
Noel	Painter	Seelig	Urquhart

1st Sub. H.B. 47 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 64, DISCLOSURE OF INFORMATION BY THE DEPARTMENT OF WORKFORCE SERVICES, read the third time by short title and placed on its final passage.

Representative Neuenschwander proposed the following amendment:

1. Page 1, Lines 16 through 17

16 ▶ authorizes the Unemployment Insurance Division to disclose information to the

17 {~~Division of Occupations and Professional Licensing~~} Department of Commerce for certain purposes;

2. Page 3, Lines 70 through 72:

70 (c) an employee of the {~~Division of Occupations and Professional Licensing~~} Department of Commerce for the

71 purpose of carrying out the programs administered by the
72 {~~Division of Occupations and~~

Professional Licensing} Department of Commerce :

Representative Neuenschwander motion to amend passed on a voice vote.

H.B. 64, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez-Houck	D. Clark	S. Clark
Cosgrove	Dee	Donnelson	Dougall
Draxler	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Froerer	Garn
Gibson	Greenwood	Grover	Hansen

Harper	Hemingway	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Riesen	Sandstrom
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Daw	Duckworth	Frank	Gowans
Hendrickson	Painter	Seelig	

H.B. 64 transmitted to the Senate for its consideration.

* * *

H.B. 65, CRIME OF STRANGULATION OR SMOTHERING, read the third time by short title and placed on its final passage.

On motion of Representative Biskupski, the House voted to circle **H.B. 65**.

* * *

H.B. 126, ELECTION LAW – BALLOT PROPOSITION AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 126 passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King

Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Ray	Riesen	Sandstrom	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn		

Absent or not voting were: Representatives

Duckworth	Gibson	Painter	Seelig
Curtis			

H.B. 126 transmitted to the Senate for its consideration.

* * *

H.B. 253, HIGHER EDUCATION INFORMATION TECHNOLOGY APPROPRIATION, read the third time by short title and placed on its final passage.

H.B. 253 passed on the following roll call:

Yeas, 54; Nays, 15; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Agard	Allen	Barrus	Bigelow
Biskupski	Bowman	Brown	Chavez-Houck
D. Clark	S. Clark	Cosgrove	Dee
Donnelson	Draxler	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gowans	Hansen
Hemingway	Hendrickson	Holdaway	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Mathis	McGee
McIff	Menlove	Morgan	Moss
Neuenschwander	Noel	Ray	Riesen
Shurtliff	Snow	Sumsion	Urquhart
Walker	Webb	Wheatley	Wiley
Winn	Curtis		

Voting in the negative were: Representatives

Bird	Daw	Dougall	Greenwood
Grover	Harper	Herrod	Hughes
Mascaro	Morley	Newbold	Oda
Sandstrom	Tilton	Wimmer	

Absent or not voting were: Representatives

Andersen	Duckworth	Gibson	Lockhart
Painter	Seelig		

H.B. 253 transmitted to the Senate for its consideration.

* * *

H.B. 67, EXTENDED YEAR FOR SPECIAL EDUCATORS, read the third time by short title and placed on its final passage.

Representatives Holdaway, Bird, and Hutchings declared conflicts of interest because they are educators or have family members who are educators.

H.B. 67 passed on the following roll call:

Yeas, 62; Nays, 0; Absent or not voting, 13.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Bowman	Brown
Chavez–Houck	D. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Hemingway	Herrod	Holdaway	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Moss	Neuenschwander	Newbold
Noel	Oda	Ray	Riesen
Sandstrom	Shurtliff	Snow	Sumsion
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Biskupski	S. Clark	Duckworth	Dunnigan
Harper	Hendrickson	Hughes	Morley
Painter	Seelig	Tilton	Urquhart
Walker			

H.B. 67 transmitted to the Senate for its consideration.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: January 29, 2008

The Judiciary Committee reports a favorable recommendation on **H.B. 70**, EXPUNGEMENT LAW AMENDMENTS, by Representative L. Fowlke; and

The Judiciary Committee reports a favorable recommendation on **H.B. 93**, INSURANCE FRAUD AMENDMENTS, by Representative D. Aagard, with the following amendments:

1. Page 1, Lines 11 through 12:
 - 11 This bill:
 - ▶ addresses immunity;
 - 12 ▶ expands required reporting of fraudulent insurance acts;
2. Page 2, Lines 38 through 43:
 - 38 (b) An agency referred to in Subsection (1)(a) is one or more of the following:
 - 39 [(a)] (i) the department or [any] a division of the department;
 - 40 [(b)-any] (ii) a federal, state, or government agency established to detect and prevent
 - 41 insurance fraud; { -or- }
 - 42 (iii) a non-profit organization established to detect and prevent insurance fraud; or
 - 43 [(e)-any] { -(iii) } (iv) an agent, employee, or designee of an [entity] agency listed in this
 - 43 Subsection [(1)(a)-or] (1)(b).; and

The Judiciary Committee reports a favorable recommendation on **H.B. 121**, COUNTY CHARGES FOR SERVICES TO INCARCERATED PERSONS, by Representative R. Greenwood, with the following amendments:

1. Page 1, Lines 13 through 17:

13 ► expands a provision relating to health care expenses incurred for persons booked

14 into or committed to a county jail {~~-in a first or second class county-~~} to include health care

15 expenses incurred by health care providers, making those expenses county charges

16 subject to current statutory limits.

17 Monies Appropriated in this Bill; and

The Judiciary Committee reports a favorable recommendation on **H.B. 97**, COURT-ORDERED RESTITUTION FOR COSTS OF INCARCERATION, by Representative C. Oda, and recommends it be placed on the Consent Calendar.

Douglas C. Aagard, Chair

Reports filed. On motion of Representative Bowman, the reports of the Judiciary Committee were adopted.

H.B. 70, **H.B. 93**, as amended, and **H.B. 121**, as amended, read the second time by short title and placed on the Third Reading Calendar.

H.B. 97 read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: January 29, 2008

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 19**, ASSAULT ON A PEACE OFFICER PENALTY AMENDMENTS, by Representative P. Ray; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 262**, RECOVERY OF FEDERAL REIMBURSEMENT FOR COSTS ASSOCIATED WITH ILLEGAL IMMIGRANTS, by Representative K. Morgan, with the following amendments:

1. Page 1, Line 11:

11 This bill directs the {~~-attorney-general-~~} Office of Legislative Research and General Counsel to complete a study of all available remedies the

2. Page 1, Line 16:

16 ▶ directs the {~~attorney general~~} Office of Legislative Research and General Counsel to complete a study of all available remedies to recover

3. Page 1, Line 19:

19 ▶ directs the {~~attorney general~~} Office of Legislative Research and General Counsel to file a written report with the governor, the president

4. Page 2, Line 44:

44 (2) The {~~attorney general~~} Office of Legislative Research and General Counsel shall conduct a study and review of all available state

5. Page 2, Line 47:

47 (3) On or before November 1, 2008, the {~~attorney general~~} Office of Legislative Research and General Counsel shall file a written report with

DeMar “Bud” Bowman, Chair

Reports filed. On motion of Representative Bowman, the reports of the Law Enforcement and Criminal Justice Committee were adopted.

H.B. 19 and **H.B. 262**, as amended, read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker:

January 29, 2008

The Natural Resources, Agriculture, and Environment Committee recommends **H.B. 104**, URBAN TRAILS APPROPRIATION, by Representative K. Holdaway, be replaced and reports a favorable recommendation on **1st Sub. H.B. 104**, URBAN TRAILS APPROPRIATION with the following amendments:

1. Page 1, Lines 12 through 14:

12 ▶ defines an urban trail as a trail located in a county of the first or second class; {~~and~~}

13 ▶ establishes an ongoing appropriation of {~~\$500,000~~} \$250,000 to the Department of Natural

14 Resources for grants to plan and develop urban trails {---} ;
and
 ► establishes a one-time appropriation of \$250,000 to the Department of Natural Resources for grants to plan and develop urban trails.

2. Page 1, Line 17:

► \$250,000 from the General Fund for fiscal year 2008–09 only to the Department of Natural Resources for grants to plan and develop urban trails; and

17 ► as an ongoing appropriation, subject to future budget constraints, {-\$500,000-} \$250,000 to the

3. Page 2, Lines 42 through 43:

42 (1) (a) There is appropriated \$250,000 from the General Fund for fiscal year 2008–09 only to the Department of Natural Resources.

(b) As an ongoing appropriation subject to future budget constraints, there is

43 appropriated from the General Fund for fiscal year 2008–09, {-\$500,000} \$250,000 to the Department of; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 117**, INSTREAM FLOW TO PROTECT TROUT HABITAT, by Representative S. Sandstrom, with the following amendments:

1. Page 2, Lines 55 through 56:

55 (2) (a) Any person entitled to {+-} the {+-} use {+-} of {+-} water may make {a} permanent or temporary

56 {+-} changes {+-} {change} in the:

2. Page 3, Lines 79 through 86:

79 {+-} (5) (a) The state engineer shall follow the same procedures, and the rights and duties

80 of the applicants with respect to applications for permanent changes of point of diversion, place

81 of use, or purpose of use shall be the same, as provided in this title for applications to

82 appropriate water. {—}

83 {—(5) (a) (i) In considering a permanent change application, the state engineer shall

84 follow the same procedures as provided in this title for an application to appropriate water.

85 (ii) The rights and duties of a permanent change applicant are the same as provided in

86 this title for an applicant to appropriate water. }

3. Page 8, Lines 227 through 229:

227 (ii) The state engineer may approve [extensions] an extension of time beyond 50 years

228 for a public agency, if the public agency provides information {—} sufficient to demonstrate {—} {that }

229 {shows } the water will be needed to meet the reasonable future requirements of the public. ; and

The Natural Resources, Agriculture, and Environment Committee recommends **H.B. 125**, DEPARTMENT OF AGRICULTURE AND FOOD AMENDMENTS, by Representative K. Gibson, be replaced and favorably recommends **1st Sub. H.B. 125**, DEPARTMENT OF AGRICULTURE AND FOOD AMENDMENTS; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 143**, ADMINISTRATION OF INTERSTATE WATER, by Representative M. Brown; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 26**, FIRE MANAGEMENT AREAS, by Senator M. Dayton, 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.

1st Sub. H.B. 104, as amended, **H.B. 117**, as amended, **1st Sub. H.B. 125**, and **H.B. 143** 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 placed on the Consent Calendar.

* * *

Mr. Speaker: January 29, 2008

The Transportation Committee reports a favorable recommendation on **H.B. 105**, TRANSPORTATION INFRASTRUCTURE LOAN FUND AMENDMENTS, by Representative Julie Fisher; and

The Transportation Committee reports a favorable recommendation on **H.B. 259**, GOLD STAR FAMILY SPECIAL GROUP LICENSE PLATE AMENDMENTS, by Representative C. Oda, and recommends it be placed on the Consent Calendar.

Todd E. Kiser, Chair

Reports filed. On motion of Representative Kiser, the reports of the Transportation Committee were adopted.

H.B. 105 read the second time by short title and placed on the Third Reading Calendar.

H.B. 259 read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: January 29, 2008

The Government Operations Committee reports a favorable recommendation on **H.B. 296**, VOTING MACHINES USED BY MUNICIPALITIES, by Representative N. Hansen; and

The Government Operations Committee reports a favorable recommendation on **H.C.R. 2**, CONCURRENT RESOLUTION DECLARING FEBRUARY 6, 2008 RONALD REAGAN DAY, by Representative M. Morley; and

The Government Operations Committee reports a favorable recommendation on **H.J.R. 3**, RESOLUTION REAFFIRMING THE WORDS, UNDER GOD, IN THE PLEDGE OF ALLEGIANCE, by Representative K. Gibson; and

The Government Operations Committee reports a favorable recommendation on **S.B. 18**, PUBLIC SAFETY RETIREMENT DEATH BENEFIT MODIFICATIONS, by Senator J. Greiner.

Glenn A. Donnelson, Chair

Reports filed. On motion of Representative Donnelson, the reports of the Government Operations Committee were adopted.

H.B. 296, H.C.R. 2, H.J.R. 3, and S.B. 18 read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker:

January 29, 2008

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 116**, FLUORINE IN A PRIVATELY OWNED WATER SYSTEM, by Representative S. Andersen, with the following amendments:

1. Page 3, Lines 67 through 69:

67 (b) A vote of the corporation's shareholders required by
Subsection (7)(a) does not

68 {-effect the fluoridation of } require another public
water system, including a public water system that {-may }

69 {-provide } provides water to the corporation to add
fluorine to or remove fluorine from the public water system's water
supply ∴ and

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 145**, ADDITIONAL STATE RETIREMENT BENEFIT, by Representative K. Holdaway, with the following amendments:

1. Page 2, Lines 40 through 41:

40 {-(3)The additional benefit provided in Subsection (1) shall
be funded by an increase in

41 the certified contribution rates under Sections 49-12-301 and
49-13-301. }; and

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 277**, PANDEMIC PREPAREDNESS AMENDMENTS, by Representative B. Last, 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. 116, as amended, and **H.B. 145**, as amended, read the second time by short title and placed on the Third Reading Calendar.

H.B. 277, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker:

January 29, 2008

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.J.R. 7, JOINT RESOLUTION RECOGNIZING UNREINFORCED MASONRY BUILDINGS**, by Representative L. Wiley, 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.

H.J.R. 7 read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker:

January 30, 2008

The Business and Labor Committee recommends **H.B. 133, HEALTH SYSTEM REFORM**, by Representative D. Clark, be replaced and reports a favorable recommendation on **1st Sub. H.B. 133, HEALTH SYSTEM REFORM** with the following amendments:

1. Page 3, Line 63:

63 This bill repeals the Health System Reform Task Force on
November 30, {~~2010~~} 2008 .

2. Page 31, Lines 953 through 954:

953 (2) Subject to Subsection (3), and except as provided in
Subsection (4) for taxable years beginning on or after January 1, 2008.

a

954 claimant may claim a nonrefundable tax credit equal to the product
of:

3. Page 32, Line 966:

966 (4) A claimant may not claim a tax credit under this section if
the claimant is eligible to participate in insurance offered under a health
benefit plan maintained and funded in whole or in part by:

(a) the claimant's employer; or

(b) another person's employer.

(5) A claimant may not carry forward or carry back a tax credit under this section.

Stephen D. Clark, Chair

Report filed. On motion of Representative Dunnigan, the report of the Business and Labor Committee was adopted.

1st Sub. H.B. 133, as amended, read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker:

January 30, 2008

The Education Committee reports a favorable recommendation on **H.B. 112**, PUBLIC EDUCATION FOUNDATION AMENDMENTS, by Representative S. Allen; and

The Education Committee reports a favorable recommendation on **H.B. 266**, ACCELERATED LEARNING PROGRAM REVISIONS, by Representative C. Moss, with the following amendments:

1. Page 4, Line 107:

107 (1) the appropriation for ~~{-class size reduction }~~ accelerated learning programs under Subsection 53A-17a-104(2) ~~{-(m)}~~ (w) in

2. Page 4, Line 113:

113 Subsection 53A-17a-104(1) in H.B. 1 shall be increased by ~~{-\$100,000 }~~ \$300,000 .

3. Page 4, Line 118:

118 (1) the appropriation for ~~{-class size reduction }~~ accelerated learning programs under Subsection 53A-17a-104(2) ~~{-(m)}~~ (w) in

4. Page 5, Line 124:

124 Subsection 53A-17a-104(1) in S.B. 2 shall be increased by ~~{-\$100,000 }~~ \$300,000 . ; and

The Education Committee reports a favorable recommendation on **H.B. 321, HIGHER EDUCATION SAVINGS INCENTIVE PROGRAM AMENDMENTS**, by Representative K. Garn.

Gregory H. Hughes, Chair

Reports filed. On motion of Representative Dee, the reports of the Education Committee were adopted.

H.B. 112, H.B. 266, as amended, and **H.B. 321** read the second time by short title and placed on the Third Reading Calendar.

INTRODUCTION OF BILLS

H.B. 80, Administrative Rule Penalty Amendments (B. Ferry), read the first time by short title and referred to the Rules Committee.

H.B. 164, Town Incorporation Process Amendments (M. Brown), read the first time by short title and referred to the Rules Committee.

H.B. 167, A Victim Amicus Bill (R. C. Webb), read the first time by short title and referred to the Rules Committee.

H.B. 168, Health Insurance Market Choices (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

H.B. 169, Custody Evaluation and Parent Coordination (T. Cosgrove), read the first time by short title and referred to the Rules Committee.

H.B. 170, Process for Entering into the Snake Valley Agreement (B. Winn), read the first time by short title and referred to the Rules Committee.

H.B. 171, Driving Privilege Card Amendments (B. Daw), read the first time by short title and referred to the Rules Committee.

H.B. 172, Distribution of Local Option Sales and Use Tax Revenues (B. Dee), read the first time by short title and referred to the Rules Committee.

H.B. 173, Money Management Act Updates (P. Neuenschwander), read the first time by short title and referred to the Rules Committee.

H.B. 231, Local Voter Information Pamphlet Amendments (D. Aagard), read the first time by short title and referred to the Rules Committee.

H.B. 342, Insurance Code Amendments (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

H.B. 344, Alcoholic Beverage Enforcement Provisions (C. Oda), read the first time by short title and referred to the Rules Committee.

H.B. 345, Minimum Age for Public Education Enrollment Amendments (E. Hutchings), read the first time by short title and referred to the Rules Committee.

H.B. 346, Division of Real Estate Related Amendments (G. Froerer), read the first time by short title and referred to the Rules Committee.

H.B. 347, Motor Vehicle Business Regulation Amendments (S. Andersen), read the first time by short title and referred to the Rules Committee.

H.B. 348, Zion National Park Special Group License Plate (B. Last), read the first time by short title and referred to the Rules Committee.

H.B. 349, Open Enrollment Revisions (Julie Fisher), read the first time by short title and referred to the Rules Committee.

H.B. 350, Home School Amendments (C. Wimmer), read the first time by short title and referred to the Rules Committee.

H.B. 351, Individual Income Tax – Health Insurance (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

H.B. 352, Amendments Related to Monies Derived from Navajo Nation Reservation Lands in Utah (D. Clark), read the first time by short title and referred to the Rules Committee.

H.B. 353, Department of Environmental Quality Amendments (C. Johnson), read the first time by short title and referred to the Rules Committee.

H.B. 354, Appraisals for State Land Purchases (J. Draxler), read the first time by short title and referred to the Rules Committee.

H.B. 355, Cigarette Tax Increase and Appropriations for Preventive Health Activities (P. Ray), read the first time by short title and referred to the Rules Committee.

H.B. 356, Taxation of Moist Snuff (R. Lockhart), read the first time by short title and referred to the Rules Committee.

H.B. 357, Public Associations Subject to Government Records Access and Management Act (M. Noel), read the first time by short title and referred to the Rules Committee.

H.B. 358, Custodial Interference Amendments (C. Wimmer), read the first time by short title and referred to the Rules Committee.

H.B. 359, Sales and Use Tax Changes (J. Dougall), read the first time by short title and referred to the Rules Committee.

H.C.R. 4, Concurrent Resolution Encouraging Congressional Action to Designate a New Recipient of Royalties from Navajo Reservation Lands in Utah (D. Clark), read the first time by short title and referred to the Rules Committee.

H.J.R. 9, Resolution Amending Property Tax Provision (P. Ray), read the first time by short title and referred to the Rules Committee.

RULES COMMITTEE REPORT

Mr. Speaker:

January 30, 2008

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

BUSINESS AND LABOR

- H.B. 92** Garnishment Amendments (Rep. J. Draxler)
H.B. 159 Professional Employer Organization Licensing Act (Rep. J. Dunnigan)
H.C.R. 3 Concurrent Resolution – Declaring Love Your Library Week (Rep. S. Clark)
S.B. 95 Markup on Alcoholic Beverages (Sen. M. Dmitrich)

EDUCATION

- H.B. 311** Higher Education Distance Learning Partnerships (Rep. B. Last)
H.B. 330 State Supplemental Funding for Head Start (Rep. L. Shurtliff)

GOVERNMENT OPERATIONS

- H.R. 2** House Resolution Calling for Withdrawal from Nafta (Rep. G. Donnelson)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

- H.B. 260** Controlled Substance Schedule – Amendments (Rep. P. Ray)
H.B. 288 911 Committee (Rep. B. Dee)
H.B. 312 Crime Victim Reparations Revisions (Rep. J. Fisher)
H.B. 314 Sexual Offenses – Definitions (Rep. R. Bigelow)
H.B. 327 Enticing a Minor by Electronic Means (Rep. K. Gibson)
H.C.R. 1 Meth Awareness for Students and Educators Resolution (Rep. C. Oda)

S.B. 119 Department of Corrections Amendments
(Sen. D. Peterson)

POLITICAL SUBDIVISIONS

H.B. 153 Impact Fees Amendments (Rep. M. Morley)
H.B. 261 Local District Primary Elections (Rep. K. Morgan)

RETIREMENT AND INDEPENDENT ENTITIES

S.B. 131 Wage Withholding for Employee Contributions
(Sen. W. Niederhauser)

REVENUE AND TAXATION

H.B. 158 Tax Credit for Military Retired Pay (Rep. S. Mascaro)
S.B. 128 Amendments to the Veteran's Property Tax Exemption
(Sen. B. Goodfellow)

TRANSPORTATION

H.B. 307 Cancer Screening and Mortality Reduction Special Group
License Plate (Rep. C. Moss)
S.B. 44 Penalties for Failing to Secure a Load or Littering on a
Highway (Sen. P. Jones)

Stephen Urquhart, Chair

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

CORRECTED COMMITTEE REPORT

The Judiciary Committee reports a favorable recommendation on **H.B. 33**, WAIVERS OF IMMUNITY – EXCEPTIONS, by Representative G. Hughes, with the following amendments:

1. Page 2, Lines 52 through 55:
 - 52 (ii) except as provided in Subsection (4), with a conscious disregard for the rights of others, failed to disclose evidence that:
 - 53 (A) was known to the person, official, or institution; and
 - 54 (B) was known by the person, official, or institution to be relevant to an issue or matter
 - 55 of inquiry in a judicial or administrative proceeding.
 - (4) Immunity is not lost under Subsection (3)(c)(ii), if the person, official, or institution:

(a) failed to disclose evidence described in Subsection (3)(c)(ii), because the person, official, or institution is prohibited by law from disclosing the evidence; or

(b) (i) pursuant to the provisions of 45 CFR 164.502(g)(5), refused to disclose evidence described in Subsection (3)(c)(ii) to a person who requested the evidence; and

(ii) after refusing to disclose the evidence under Subsection (4)(b)(i), complied with or responded to a valid court order or valid subpoena received by the person, official, or institution to disclose the evidence described in Subsection (3)(c)(ii).

2. Page 4, Lines 101 through 104:

101 (B) except as provided in Subsection (3)(d), with a
conscious disregard for the rights of others, failed to disclose evidence
that:

102 (I) was known to the employee; and

103 (II) was known by the employee to be relevant to an issue or
matter of inquiry in a

104 judicial or administrative proceeding.

(d) The exception, described in Subsection (3)(c)(v)(B),
allowing a plaintiff to bring or pursue a civil action or proceeding against
an employee, does not apply if the employee:

(i) failed to disclose evidence described in Subsection
(3)(c)(v)(B), because the employee is prohibited by law from disclosing
the evidence; or

(ii) (A) pursuant to the provisions of 45 CFR 164.502(g)(5),
refused to disclose evidence described in Subsection (3)(c)(v)(B) to a
person who requested the evidence; and

(B) after refusing to disclose the evidence under Subsection
(3)(d)(ii)(A), complied with or responded to a valid court order or valid
subpoena received by the employee to disclose the evidence described in
Subsection (3)(c)(v)(B).

Douglas C. Aagard, Chair

Report filed. On motion of Representative Aagard, the report of the Judiciary Committee was adopted.

H.B. 33, as amended, read the second time by short title and placed on the Third Reading Calendar.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, and at 12:00 noon, the House voted to adjourn until January 31, 2008, at 10:00 a.m.

ELEVENTH DAY

* * *

MORNING SESSION

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

Roll call showed all members present.

Prayer and Pledge of Allegiance by Representative Jim Gowans.

SPECIAL ORDER OF BUSINESS

Representative D. Clark introduced members of the construction team for the Capitol Restoration Project who were then presented with Citations. They are as follows: Paul Ernst, Parsons, CPB Project Manager; Robert Pett, AIA, Design Principal; Sean Onyon, AIA, Managing Principle; Charles Shepherd, RA, Historical Architect; Karen Ferguson, AAIA, Project Manager; Derrick Larm, Intern Architect; Breanna Brown, Project Coordinator; Lonnie M. Bullard, CEO, Jacobsen Construction; Doug Welling, Managing Principal & President of Jacobsen Construction; David Marshall, Project Manager and General Superintendent; Brent Rowley, Project Engineer/Superintendent; Al Writz, Senior Project Engineer; Mark Chavez, Safety, Health & Environmental Supervisor; Ryan Warner, Project Engineer/Superintendent; Scott Weyland, Project Engineer/Superintendent; Scott Carpentier, Project Engineer/Superintendent; Steve Kempe, Project Engineer/Superintendent; Paul VandeVeegaete, General Foreman; David Harris Hart, Capitol Architect & Executive Director of the Capitol Preservation Board; Allyson Gamble, Director of Communications and Visitors Services; Sarah Whitney, Assistant to the Executive Director; Michelle Poland, Board Secretary; and Judith McConkie, Art Curator of the State Capitol.

CONSENT CALENDAR

H.B. 10, DISCLOSURE OF IDENTITY TO OFFICER, read the third time by short title and placed on its final passage.

H.B. 10 passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown

Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Johnson	King	Kiser
Last	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Webb	Wiley
Wimmer	Curtis		

Absent or not voting were: Representatives

Bowman	Dunnigan	Hutchings	Litvack
Painter	Urquhart	Walker	Wheatley
Winn			

H.B. 10 transmitted to the Senate for its consideration.

* * *

H.B. 12, CONTROLLED SUBSTANCES AND PARAPHERNALIA, read the third time by short title and placed on its final passage.

H.B. 12 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings

Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Curtis			

Absent or not voting were: Representatives

Ray Winn

H.B. 12 transmitted to the Senate for its consideration.

* * *

H.B. 14, DISCHARGE OF FIREARM AMENDMENTS, read the third time by short title and placed on its final passage.

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

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Bowman Dougall

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

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H.B. 235, COUNTY MERIT SYSTEM AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 235 passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Gibson	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Brown Garn Gowans Johnson
Riesen

H.B. 235 transmitted to the Senate for its consideration.

* * *

1st Sub. H.B. 62, CLEAN FUEL SPECIAL GROUP LICENSE PLATE AMENDMENTS, read the third time by short title and placed on its final passage.

1st Sub. H.B. 62 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Garn	Gibson	Gowans	Wheatley
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1st Sub. H.B. 62 transmitted to the Senate for its consideration.

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H.B. 44, DECLARATION OF CANDIDACY REVISIONS, read the third time by short title and placed on its final passage.

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

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Biskupski	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry

Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Allen	Gibson	Holdaway	Shurtliff
Wheatley			

H.B. 44 transmitted to the Senate for its consideration.

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H.B. 107, EMERGENCY MANAGEMENT ADMINISTRATIVE COUNCIL, read the third time by short title and placed on its final passage.

H.B. 107 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley

Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Curtis

Absent or not voting were: Representatives

Gowans	Painter	Winn
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H.B. 107 transmitted to the Senate for its consideration.

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H.B. 35, MOTOR AND SPECIAL FUEL TAX AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 35 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Riesen	Sandstrom
Seelig	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Gowans	Painter	Shurtliff
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H.B. 35 transmitted to the Senate for its consideration.

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H.B. 59, COMMUNITY AND ECONOMIC DEVELOPMENT TECHNICAL CHANGES, read the third time by short title and placed on its final passage.

H.B. 59 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Gowans	Painter
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H.B. 59 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Bigelow, the House voted to lift **S.B. 18** from the Senate Third Reading Calendar and return it to the Rules Committee for fiscal prioritization.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

January 31, 2008

The Judiciary Committee reports a favorable recommendation on **H.B. 90**, EXPUNGEMENT AMENDMENTS, by Representative R. C. Webb, with the following amendments:

1. Page 1, Line 10

10 period for multiple { ~~class A misdemeanors~~ } misdemeanor offenses .

2. Page 1, Lines 14 through 16

14 case of { ~~multiple~~ } ;

• multiple class A misdemeanors, { ~~20~~ } 15 years must elapse before the offenses

15 may be expunged ;

• multiple class B misdemeanors, 12 years must elapse; and multiple class C misdemeanors, six years must elapse .

16 Monies Appropriated in this Bill:

3. Page 3, Lines 74 through 75

74 Criminal Code; [Ø] (e) six years in the case of multiple class C misdemeanors;

75 { ~~(e)-15~~ } (f) 12 years in the case of multiple class B { ~~Ø-class C~~ } misdemeanors[-];

4. Page 3, Line 76

76 { ~~(f)-20~~ } (g) 15 years in the case of multiple class A misdemeanors.

The Judiciary Committee reports a favorable recommendation on **H.B. 289**, ADOPTION – INVESTIGATION AND RELEASE OF INFORMATION, by Representative K. Sumsion; and

The Judiciary Committee reports a favorable recommendation on **S.B. 10**, SEARCH WARRANT PROCEDURE AMENDMENTS, by Senator J. Greiner; and

The Judiciary Committee reports a favorable recommendation on **S.B. 16**, EXONERATION AND INNOCENCE ASSISTANCE, by Senator G. Bell.

Douglas C. Aagard, Chair

Reports filed. On motion of Representative Fowlke, the reports of the Judiciary Committee were adopted.

H.B. 90, as amended, **H.B. 289**, **S.B. 10**, and **S.B. 16** read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker: January 31, 2008

The Law Enforcement and Criminal Justice Committee recommends **H.B. 109**, SEX OFFENDER LAW AMENDMENTS, by Representative G. Hughes, be replaced and reports a favorable recommendation on **1st Sub. H.B. 109**, SEX OFFENDER LAW AMENDMENTS with the following amendments:

1. Page 2, Line 28:

28 This bill appropriates
\$495,000 from the General Fund for fiscal year 2008–09 only, to

2. Page 3, Line 61:

61 (xiii) special population needs including ; ; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 239**, DRIVER LICENSE QUALIFICATION AMENDMENTS, by Representative G. Donnelson; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 320**, VEHICLE IMPOUND YARD REQUIREMENTS, by Representative C. Oda.

DeMar “Bud” Bowman, Chair

Reports filed. On motion of Representative Bowman, the reports of the Law Enforcement and Criminal Justice Committee were adopted.

1st Sub. H.B. 109, as amended, **H.B. 239**, and **H.B. 320** read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker: January 31, 2008

The Natural Resources, Agriculture, and Environment Committee recommends **H.B. 51**, WATER RIGHT FORFEITURE PROTECTION, by

Representative P. Painter, be replaced and favorably recommends **2nd Sub. H.B. 51**, WATER RIGHT FORFEITURE PROTECTION.

Roger E. Barrus, Chair

Report filed. On motion of Representative Barrus, the report of the Natural Resources, Agriculture, and Environment Committee was adopted.

2nd Sub. H.B. 51 read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker:

January 31, 2008

The Transportation Committee recommends **H.B. 72**, MOTORCYCLE LICENSE AND ENDORSEMENT AMENDMENTS, by Representative P. Neuenschwander, be replaced and favorably recommends **1st Sub. H.B. 72**, MOTORCYCLE LICENSE AND ENDORSEMENT AMENDMENTS; and

The Transportation Committee reports a favorable recommendation on **H.B. 151**, MOTOR VEHICLE REVISIONS, by Representative S. Urquhart.

Todd E. Kiser, Chair

Reports filed. On motion of Representative Kiser, the reports of the Transportation Committee were adopted.

1st Sub. H.B. 72 and **H.B. 151** read the second time by short title and placed on the Third Reading Calendar.

SPECIAL ORDER OF BUSINESS

H.B. 256, CRIMINAL PENALTIES AMENDMENTS – INCLUDING JESSICA’S LAW, read the third time by short title and placed on its final passage.

H.B. 256 passed on the following roll call:

Yeas, 75; Nays, 0; Absent or not voting, 0.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke

Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

H.B. 256 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 270, UTAH SCIENCE TECHNOLOGY AND RESEARCH INITIATIVE CENTERS, read the third time by short title and placed on its final passage.

H.B. 270 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion

Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives
 S. Clark Dunnigan

H.B. 270 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, under suspension of the rules, the House voted to lift **S.B. 112, LEGISLATIVE SPACE IN THE CAPITOL**, from the Government Operations Standing Committee, consider it read the second time by short title and place it at the top of the Senate Third Reading Calendar.

* * *

On motion of Representative D. Clark, the House voted to move to the Senate Third Reading Calendar.

THIRD READING CALENDAR

S.B. 112, LEGISLATIVE SPACE IN THE CAPITOL, read the third time by short title and placed on its final passage.

S.B. 112 passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	McGee	McIff
Menlove	Morgan	Morley	Moss

Neuenschwander	Newbold	Noel	Oda
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn		

Absent or not voting were: Representatives

S. Clark	Mathis	Painter	Ray
Curtis			

S.B. 112 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 D. Clark, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

THIRD READING CALENDAR

H.J.R. 4, JOINT RESOLUTION URGING SCHOOL CLOSINGS TO RECOGNIZE VETERANS DAY, read the third time by short title and placed on its final passage.

On motion of Representative Snow, the House voted to circle **H.J.R. 4**.

* * *

H.B. 258, MEDICAID DRUG UTILIZATION AMENDMENTS, 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

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper

Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Winn	

Absent or not voting were: Representatives

S. Clark	Painter	Wimmer	Curtis
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H.B. 258, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Seelig, the House voted to uncircle **H.B. 65**.

H.B. 65, CRIME OF STRANGULATION OR SMOTHERING, was before the House on its final passage.

Representative Harper proposed the following amendment:

1. Page 2, Line 37:
After “(1)(a),” insert “intentionally”

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

H.B. 65, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes

Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Winn		

Absent or not voting were: Representatives

S. Clark	Frank	Painter	Wimmer
Curtis			

H.B. 65, as amended, transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 26, NOTARY PUBLIC REVISIONS, read the third time by short title and placed on its final passage.

H.B. 26, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Winn			

Voting in the negative was: Representative Chavez–Houck

Absent or not voting were: Representatives Dougall Greenwood Sumsion Wimmer Curtis

H.B. 26, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 33, WAIVERS OF IMMUNITY – EXCEPTIONS, read the third time by short title and placed on its final passage.

Representative Hughes proposed the following amendment:

- 1. Page 4, Lines 104a through 104j
House Committee Amendments 1–30–2008
- 104a ~~H~~ → (d) The exception, described in Subsection (3)(c)(v)(B), allowing a plaintiff to bring
- 104b or pursue a civil action or proceeding against an employee, does not apply if the employee {–;}
- 104c ~~(i) —~~ } failed to disclose evidence described in Subsection (3)(c)(v)(B), because the
- 104d employee is prohibited by law from disclosing the evidence {–; ~~or~~}
- 104e ~~(ii) (A) pursuant to the provisions of 45 CFR 164.502(g)(5), refused to disclose~~
- 104f evidence described in Subsection (3)(c)(v)(B) to a person who requested the evidence; and
- 104g ~~(B) — after refusing to disclose the evidence under Subsection (3)(d)(ii)(A).~~
- 104h complied
- 104i with or responded to a valid court order or valid subpoena received by the employee to
- 104j disclose the evidence described in Subsection (3)(c)(v)(B) } . ← H

Representative Hughes’ motion to amend passed on a voice vote.

H.B. 33, as amended, passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Biskupski	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Allen	Dougall	Gibson	Gowans
Ray	Sumsion		

H.B. 33, as amended, transmitted to the Senate for its consideration.

* * *

1st Sub. H.B. 95, DOCUMENT FRAUD, read the third time by short title and placed on its final passage.

Representative Harper proposed the following amendment:

1. Page 2, Lines 49 through 52

49 (b) to specialize in the analysis of fraudulent identification
documents created and

50 prepared for individuals who are seeking to illegally obtain goods
or services or any other thing

51 of value through use of the documents.

(4) For purposes of Subsection (3), "document" includes a document created by an electronic medium or presented through an electronic transmission.

52 Section 2. Appropriation.

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

1st Sub. H.B. 95, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn			

Absent or not voting were: Representatives

Sumsion	Curtis
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1st Sub. H.B. 95, as amended, transmitted to the Senate for its consideration.

RULES COMMITTEE REPORT

Mr. Speaker: January 31, 2008

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

BUSINESS AND LABOR

- H.B. 141** Identity Theft Reporting Information System Amendments (Rep. D. Aagard)
- H.B. 157** Alcoholic Beverage Control Violations Amendments (Rep. C. Oda)
- H.B. 342** Insurance Code Amendments (Rep. J. Dunnigan)

EDUCATION

- H.B. 278** Charter School Funding Amendments (Rep. R. Bigelow)

GOVERNMENT OPERATIONS

- H.B. 231** Local Voter Information Pamphlet Amendments (Rep. D. Aagard)

POLITICAL SUBDIVISIONS

- H.B. 340** Municipal Annexation Amendments (Rep. S. Clark)

REVENUE AND TAXATION

- H.B. 155** Property Tax – Residential Exemption (Rep. G. Froerer)
- H.B. 333** Property Tax Revisions (Rep. G. Froerer)

WORKFORCE SERVICES AND COMMUNITY AND ECONOMIC DEVELOPMENT

- S.B. 60** Repealing Labor Commission Responsibilities to Oversee Employment Agencies (Sen. R. Romero)
Stephen Urquhart, Chair

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

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: January 31, 2008
The Senate passed, **H.B. 78**, TITLE 78 RECODIFICATION AND REVISION, 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 **S.B. 100**, MOTOR VEHICLE DEALER DISCLOSURE REQUIREMENTS AMENDMENTS, by Senator D. Eastman, and it is transmitted for consideration; and

The Senate passed **S.B. 115**, MOTOR VEHICLE SAFETY INSPECTION ADVISORY COUNCIL AMENDMENTS, by Senator D. Eastman, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **H.B. 78** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

Communications filed. **S.B. 100** and **S.B. 115** read the first time by short title and referred to the Rules Committee.

MISCELLANEOUS BUSINESS

On motion of Representative Snow, and at 12:00 noon, the House voted to adjourn until February 1, 2008, at 10:00 a.m.

TWELFTH DAY

* * *

MORNING SESSION

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

Roll call showed all members present except Representatives Brad Daw, Neal Hendrickson, and Brad Winn, excused.

Prayer by Representative Sheryl Allen. Pledge of Allegiance by Representative Allen's grandson, Carter Bruett.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: January 31, 2008

The Senate passed, as amended, **S.B. 99**, AMENDMENTS TO SALES AND USE TAX EXEMPTION FOR PROSTHETIC DEVICES, by Senator W. Niederhauser, and it is transmitted for consideration; and

The Senate passed **S.B. 135**, EXTENDING THE SALES AND USE TAX EXEMPTION FOR POLLUTION CONTROL FACILITIES, by Senator W. Niederhauser, and it is transmitted for consideration; and

The Senate passed **S.C.R. 3**, RESOLUTION SUPPORTING OBSERVANCE OF PEACE OFFICERS MEMORIAL DAY, by Senator J. Greiner, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 99**, **S.B. 135**, and **S.C.R. 3** read the first time by short title and referred to the Rules Committee.

INTRODUCTION OF BILLS

H.B. 174, Traumatic Brain Injury Fund (J. Gowans), read the first time by short title and referred to the Rules Committee.

H.B. 175, Election Law Reforms (N. Hansen), read the first time by short title and referred to the Rules Committee.

H.B. 176, Sex Offender Registration Amendments (K. Grover), read the first time by short title and referred to the Rules Committee.

H.B. 177, County and Municipal Land Use Regulation of Potential Geologic Hazard Areas (M. Morley), read the first time by short title and referred to the Rules Committee.

H.B. 178, Jurisdiction for Prosecution (P. Neuenschwander), read the first time by short title and referred to the Rules Committee.

H.B. 179, Water Right Appropriation Amendments (P. Painter), read the first time by short title and referred to the Rules Committee.

H.B. 180, Study on Taxpayer Advocate Program (K. Grover), read the first time by short title and referred to the Rules Committee.

H.B. 181, Disposition of Potential Evidence (T. Cosgrove), read the first time by short title and referred to the Rules Committee.

H.B. 182, Deadline for Voting Precinct Designation (G. Hughes), read the first time by short title and referred to the Rules Committee.

H.B. 183, Sales and Use Tax Amendments (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 184, Construction Amendments (M. Morley), read the first time by short title and referred to the Rules Committee.

H.B. 185, Western States Presidential Primary Amendments (K. Grover), read the first time by short title and referred to the Rules Committee.

H.B. 186, Property Tax – County Assessment and Collection Amendments (K. McIlff), read the first time by short title and referred to the Rules Committee.

H.B. 187, Death Caused by Illegal Drugs (C. Herrod), read the first time by short title and referred to the Rules Committee.

H.B. 221, Agriculture and Industrial Protection Area Amendments (J. Mathis), read the first time by short title and referred to the Rules Committee.

H.B. 222, Water Quality Board Amendments (P. Painter), read the first time by short title and referred to the Rules Committee.

H.B. 223, Exemption from Licensure by Division of Real Estate (M. Walker), read the first time by short title and referred to the Rules Committee.

H.B. 224, Construction Standards for Type II Assisted Living Facility (R. Lockhart), read the first time by short title and referred to the Rules Committee.

H.B. 225, Proof for a Water Right Application (P. Painter), read the first time by short title and referred to the Rules Committee.

H.B. 226, Disruption of School Activities (C. Moss), read the first time by short title and referred to the Rules Committee.

H.B. 227, Revoking Federal Authority to Use State Lands as a Bird Refuge (B. Ferry), read the first time by short title and referred to the Rules Committee.

H.B. 228, Amendments to Motor Vehicle Provisions (C. Herrod), read the first time by short title and referred to the Rules Committee.

H.B. 229, Protections for Agricultural Practices (M. Morley), read the first time by short title and referred to the Rules Committee.

H.B. 230, Certification of Meth Houses (C. Herrod), read the first time by short title and referred to the Rules Committee.

H.B. 360, Individual Income Tax – Long-term Care Insurance Premiums (B. Last), read the first time by short title and referred to the Rules Committee.

H.B. 361, Anti-seizure Drug Notification (E. Hutchings), read the first time by short title and referred to the Rules Committee.

H.B. 362, Motor Fuel Tax – Off-highway Vehicle Refund Amendments (B. Ferry), read the first time by short title and referred to the Rules Committee.

H.B. 363, Public Education – Arts Enhanced Learning Program (G. Hughes), read the first time by short title and referred to the Rules Committee.

H.B. 364, Promotion of Health Care Coverage (K. Holdaway), read the first time by short title and referred to the Rules Committee.

H.B. 365, Aviation Amendments (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 366, Medicaid Long Term Care Amendments (M. Newbold), read the first time by short title and referred to the Rules Committee.

H.B. 367, Property Tax Assessment of Cable Television Companies (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 368, School Fee Waiver Amendments (J. Draxler), read the first time by short title and referred to the Rules Committee.

H.B. 369, Municipal Rental Fees Amendments (M. Walker), read the first time by short title and referred to the Rules Committee.

H.B. 370, Children's Health Insurance Program Amendments (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

H.B. 371, Digital Certificates for Breathalizers (C. Herrod), read the first time by short title and referred to the Rules Committee.

H.B. 372, Teacher Reemployment after Retirement (E. Hutchings), read the first time by short title and referred to the Rules Committee.

H.B. 374, Child Abuse and Neglect Prevention and Treatment Amendments (P. Ray), read the first time by short title and referred to the Rules Committee.

H.B. 375, Deception Detection Examiners Licensing Act Amendments (R. Barrus), read the first time by short title and referred to the Rules Committee.

H.B. 376, Advisory Redistricting Commission (R. Chavez-Houck), read the first time by short title and referred to the Rules Committee.

H.C.R. 5, Concurrent Resolution Urging Congressional Approval of R.S. 2477 Rights-of-way Recognition Act (M. Brown), read the first time by short title and referred to the Rules Committee.

H.C.R. 6, Concurrent Resolution Honoring the Life and Contributions of President Gordon B. Hinckley (M. Morley), read the first time by short title and referred to the Rules Committee.

H.J.R. 10, Joint Resolution Opposing Designation of Public Lands Currently Urged by Congress and the Bureau of Land Management (A. Tilton), read the first time by short title and referred to the Rules Committee.

H.J.R. 11, Joint Resolution Supporting Statewide Government 211 System Information Directory (E. Hutchings), read the first time by short title and referred to the Rules Committee.

H.R. 3, House Resolution Recognizing Utah's Asthma Open Airways Program (T. Kiser), read the first time by short title and referred to the Rules Committee.

H.R. 4, House Resolution Honoring James L. Sorenson (G. Hughes), read the first time by short title and referred to the Rules Committee.

CONSENT CALENDAR

H.B. 144, MOTOR VEHICLE INSURANCE AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 144 passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Aagard	Allen	Barrus	Bigelow
Bird	Biskupski	Bowman	Chavez-Houck
D. Clark	S. Clark	Cosgrove	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wiley
Wimmer	Curtis		

Absent or not voting were: Representatives

Andersen	Brown	Daw	Gibson
Gowans	Hughes	Moss	Wheatley
Winn			

H.B. 144 transmitted to the Senate for its consideration.

* * *

H.J.R. 1, RESOLUTION ADDRESSING INTERNATIONAL TRADE ISSUES, read the third time by short title and placed on its final passage.

H.J.R. 1 passed on the following roll call:

Yeas, 64; Nays, 0; Absent or not voting, 11.

Voting in the affirmative were: Representatives

Aagard	Allen	Barrus	Bigelow
Bird	Biskupski	Bowman	Brown
D. Clark	S. Clark	Cosgrove	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gowans	Greenwood	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mathis	McGee	McIff	Menlove
Morgan	Morley	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Walker
Webb	Wiley	Wimmer	Curtis

Absent or not voting were: Representatives

Andersen	Chavez–Houck	Daw	Gibson
Grover	Hughes	Mascaro	Moss
Urquhart	Wheatley	Winn	

H.J.R. 1 transmitted to the Senate for its consideration.

* * *

H.B. 265, OFFICE OF RECOVERY SERVICES – ELECTRONIC FUNDS TRANSFER, read the third time by short title and placed on its final passage.

H.B. 265 passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry

Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Urquhart
Walker	Webb	Wiley	Wimmer
Curtis			

Absent or not voting were: Representatives

Daw	Gowans	Hendrickson	Tilton
Wheatley	Winn		

H.B. 265 transmitted to the Senate for its consideration.

* * *

H.J.R. 5, JOINT RESOLUTION URGING SUPPORT OF MEDICAID LONG-TERM CARE FUNDING OF HOME AND COMMUNITY-BASED SUPPORTS, read the third time by short title and placed on its final passage.

H.J.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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez-Houck	D. Clark	S. Clark
Cosgrove	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove

Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Walker	Webb	Wiley	Wimmer
Curtis			

Absent or not voting were: Representatives

Daw	Gowans	Hendrickson	Urquhart
Wheatley	Winn		

H.J.R. 5 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Ferry, the House voted to uncircle **1st Sub. H.B. 294**.

1st Sub. H.B. 294, APPROPRIATION LIMIT AMENDMENTS – FIRE SUPPRESSION, was before the House on its final passage.

1st Sub. H.B. 294 passed on the following roll call:

Yeas, 46; Nays, 24; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Biskupski	Bowman	Brown	Chavez–Houck
S. Clark	Cosgrove	Donnelson	Draxler
Duckworth	Ferry	Janice Fisher	Fowlke
Froerer	Gibson	Gowans	Greenwood
Hansen	Harper	Hemingway	Holdaway
Hunsaker	Hutchings	Johnson	King
Litvack	Mascaro	Mathis	McIff
Menlove	Morgan	Moss	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Walker
Webb	Wiley		

Voting in the negative were: Representatives

Bigelow	Bird	D. Clark	Dee
Dougall	Dunnigan	Julie Fisher	Frank
Garn	Grover	Herrod	Hughes

Kiser	Last	Lockhart	McGee
Morley	Neuenschwander	Newbold	Noel
Sumsion	Tilton	Wimmer	Curtis

Absent or not voting were: Representatives

Daw	Hendrickson	Urquhart	Wheatley
Winn			

1st Sub. H.B. 294 held for possible reconsideration.

SPECIAL RECOGNITION

Representative Holdaway introduced a group of Nationally Board Certified Teachers who were presented Citations.

THIRD READING CALENDAR

H.B. 237, ILLEGAL IMMIGRATION ENFORCEMENT ACT, read the third time by short title and placed on its final passage.

Representative Litvack proposed the following amendment:

1. Page 1, Line 25 through Page 2, Line 28

25 and the requirements of law in relation to the agreement;
 { ~~and~~ }

26 ► provides that certain state or local law enforcement officers are authorized to

27 enforce federal immigration law and perform certain functions of a federal

28 immigration officer { - } ; and

► provides that an employing agency of a state or local law enforcement officer may be held liable for a violation of the constitutional or civil rights of a person if the law enforcement officer, while performing a function of a federal immigration officer, intentionally, knowingly, or recklessly, engages in a violation of the person's constitutional or civil rights.

2. Page 3, Lines 70 through 78

70 (1) A state or local law enforcement officer may enforce federal immigration law and

71 otherwise perform a function of a federal immigration officer if the law enforcement officer:

72 { ~~(1)~~ } (a) is authorized to enforce federal immigration law or perform a function of a federal

73 immigration officer under:

74 { ~~(a)~~ } (i) an agreement described in Section 53–15–103; and

75 { ~~(b)~~ } (ii) 8 U.S.C. Sec. 1357(g); and

76 { ~~(2)~~ } (b) complies with the requirements of:

77 { ~~(a)~~ } (i) the agreement described in Subsection (1)(a); and

78 { ~~(b)~~ } (ii) 8 U.S.C. Sec. 1357(g).

(2) Notwithstanding any provision of law to the contrary, an employing agency of a state or local law enforcement officer may be held liable for a violation of the constitutional or civil rights of a person if the law enforcement officer, while performing a function of a federal immigration officer, intentionally, knowingly, or recklessly, engages in a violation of the person’s constitutional or civil rights.

Representative Litvack’s motion to amend failed on the following roll call:

Yeas, 24; Nays, 42; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Allen	Biskupski	Brown	Chavez–Houck
Cosgrove	Dunnigan	Janice Fisher	Gowans
Hansen	Hemingway	Holdaway	Johnson
King	Litvack	Mascaro	McGee
McIff	Menlove	Morgan	Moss
Riesen	Seelig	Shurtliff	Wiley

Voting in the negative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Bowman	D. Clark	S. Clark
Dee	Donnelson	Dougall	Draxler
Ferry	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Greenwood
Grover	Harper	Herrod	Hughes
Hunsaker	Hutchings	Kiser	Last

Lockhart	Neuenschwander	Newbold	Noel
Oda	Ray	Sandstrom	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wimmer		

Absent or not voting were: Representatives

Daw	Duckworth	Hendrickson	Mathis
Morley	Painter	Wheatley	Winn
Curtis			

H.B. 237 passed on the following roll call:

Yeas, 44; Nays, 25; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	D. Clark	S. Clark
Dee	Donnelson	Dougall	Draxler
Dunnigan	Julie Fisher	Frank	Froerer
Garn	Gibson	Grover	Harper
Herrod	Hughes	Hunsaker	Hutchings
Kiser	Last	Lockhart	Mascaro
Mathis	Morgan	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Sandstrom	Snow	Sumsion	Tilton
Urquhart	Walker	Wimmer	Curtis

Voting in the negative were: Representatives

Biskupski	Bowman	Brown	Chavez–Houck
Cosgrove	Ferry	Janice Fisher	Fowlke
Gowans	Greenwood	Hansen	Hemingway
Holdaway	Johnson	King	Litvack
McGee	McIff	Menlove	Moss
Riesen	Seelig	Shurtliff	Webb
Wiley			

Absent or not voting were: Representatives

Daw	Duckworth	Hendrickson	Morley
Wheatley	Winn		

H.B. 237 transmitted to the Senate for its consideration.

* * *

H.B. 28, HONORING HEROES SPECIAL GROUP LICENSE PLATE, read the third time by short title and placed on its final passage.

Representative Mascaro proposed the following amendment:

- 1. Page 7, Lines 183 through 185

183 **(b) private contributions; and**
 184 **(c) donations or grants from public or private entities** { ~~and~~
 185 **(d) interest and earnings on fund monies** } .

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

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

Yeas, 54; Nays, 13; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	Cosgrove
Dee	Donnelson	Duckworth	Ferry
Janice Fisher	Julie Fisher	Froerer	Gibson
Gowans	Greenwood	Grover	Hansen
Hemingway	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Moss	Neuenschwander	Oda
Painter	Ray	Riesen	Seelig
Shurtliff	Sumsion	Urquhart	Walker
Wiley	Wimmer		

Voting in the negative were: Representatives

S. Clark	Dougall	Draxler	Dunnigan
Fowlke	Frank	Harper	Lockhart
Morley	Newbold	Sandstrom	Snow
Webb			

Absent or not voting were: Representatives

Daw	Garn	Hendrickson	Noel
Tilton	Wheatley	Winn	Curtis

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

* * *

H.B. 122, DRIVER LICENSE – APPLICATION OF MINOR AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Julie Fisher proposed the following amendment:

1. Page 2, Line 34
House Committee Amendments 1–28–2008

34 motor vehicle insurance coverage reimbursements;
{–and–}
▶ requires the Division of Child and Family Services to report to the Transportation Interim Committee; and
2. Page 10, Line 296
House Committee Amendments 1–28–2008:

296 eligible to receive under this section.
(3) The division shall report to the Transportation Interim Committee no later than November 30, 2009:
(a) the number of foster children in the legal custody of the Division of Child and Family Services who have been issued a driver license;
(b) the results and impacts on the division and on foster parents signing for foster a child to receive a driver license; and
(c) the division’s cost of reimbursing foster parents for providing owner’s or operator’s security in accordance with Subsection (1).

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

Representative Grover declared a conflict of interest because he is a foster parent.

H.B. 122, as amended, passed on the following roll call:

Yeas, 60; Nays, 9; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Allen	Andersen	Bigelow	Biskupski
Bowman	Brown	Chavez–Houck	D. Clark
S. Clark	Cosgrove	Dee	Donnelson
Dougall	Draxler	Duckworth	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank

Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Hemingway
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Newbold	Oda
Painter	Ray	Riesen	Seelig
Shurtliff	Snow	Sumsion	Urquhart
Webb	Wiley	Wimmer	Curtis

Voting in the negative were: Representatives

Agard	Barrus	Bird	Dunnigan
Harper	Kiser	Neuenschwander	Sandstrom
Walker			

Absent or not voting were: Representatives

Daw	Hendrickson	Noel	Tilton
Wheatley	Winn		

H.B. 122, as amended, transmitted to the Senate for its consideration.

RULES COMMITTEE REPORT

Mr. Speaker: February 1, 2008

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

BUSINESS AND LABOR

H.B. 298 Transit Fare Reduction (Rep. W. Harper)

H.B. 346 Division of Real Estate Related Amendments
(Rep. G. Froerer)

EDUCATION

H.B. 88 Elementary Education Co-teaching Pilot Program
(Rep. J. Bird)

GOVERNMENT OPERATIONS

H.B. 166 Minutes of Open and Public Meetings (Rep. M. Brown)

HEALTH AND HUMAN SERVICES

S.B. 14 Smoking Ban in Motor Vehicle (Sen. S. McCoy)

S.C.R. 1 Resolution Supporting Obesity Awareness
(Sen. D. Buttars)

H.B. 131 Community Based Self Sufficiency Grants
(Rep. J. Seelig)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

H.B. 154 Motorboat Education Requirements (Rep. J. Dunnigan)

TRANSPORTATION

H.J.R. 8 Joint Resolution Urging Congress to Eliminate
Transportation Earmarking That Overrides State
Transportation Priorities (Rep. J. Fisher)

**WORKFORCE SERVICES AND COMMUNITY AND ECONOMIC
DEVELOPMENT**

H.B. 335 Mobile Home Park Amendments (Rep. K. Holdaway)

H.B. 336 Authority to Establish State Nonprofit Corporation and
Refugee Services Fund (Rep. C. Herrod)

Stephen Urquhart, Chair

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

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, and at 12:10 p.m., the House voted to
adjourn until February 4, 2008, at 10:00 a.m.

FIFTEENTH DAY

* * *

MORNING SESSION

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

Roll call showed all members present except Representatives Brad Last, David Clark, and Stephen Urquhart, excused.

Prayer by Representative Sumsion’s father, Neil Sumsion. Pledge of Allegiance by Jill Stevens, Miss Utah 2007.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 1, 2008

The Senate passed **S.B. 34**, CONFIDENTIALITY OF REPORTS TO DRIVER LICENSE DIVISION, by Senator A. Christensen, and it is transmitted for consideration; and

The Senate passed **S.B. 130**, UTILITY IMPROVEMENT DISTRICT REVISIONS, by Senator K. VanTassell, and it is transmitted for consideration; and

The Senate passed **S.B. 120**, DEPARTMENT OF CORRECTIONS EMPLOYEE VEHICLE USE, by Senator D. Peterson, and it is transmitted for consideration; and

The Senate passed **S.B. 96**, MULTI-CHANNEL VIDEO OR AUDIO SERVICE TAX ACT AMENDMENTS, by Senator W. Niederhauser, and it is transmitted for consideration; and

The Senate passed **S.B. 124**, SALES AND USE TAX – DEFINITIONS OF PERMANENTLY ATTACHED TO REAL PROPERTY AND TANGIBLE PERSONAL PROPERTY, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 58**, WORKERS’ COMPENSATION RELATED AMENDMENTS, by Senator M. Dmitrich, and it is transmitted for consideration; and

The Senate passed, as substituted, **2nd Sub. S.B. 32**, LOCAL GOVERNMENT BONDING ACT, by Senator S. Jenkins, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 31**, INCOME TAX AMENDMENTS, by Senator W. Niederhauser, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 114**, NOTARY PUBLIC REVISION, by Senator G. Bell, and it is transmitted for consideration; and

The Senate passed **S.B. 122**, UNIFORM ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION ACT, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 123**, FILLING VACANCIES IN THE SENATE, by Senator J. Hickman, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 52**, IDENTITY THEFT AMENDMENT, by Senator C. Walker, and it is transmitted for consideration; and

The Senate passed, **H.B. 63**, RECODIFICATION OF TITLE 63 STATE AFFAIRS IN GENERAL, 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, **H.B. 16**, MEDICAID COVERAGE FOR CERTAIN TELEHEALTH SERVICES, by Representative B. Last, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 21**, EMPLOYMENT SECURITY ACT 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, as amended, **1st Sub. H.B. 24**, AMENDMENTS TO UTAH DIGITAL HEALTH SERVICE COMMISSION ACT, by Representative R. Menlove, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 34, S.B. 130, S.B. 120, S.B. 96, S.B. 124, S.B. 58, 2nd Sub. S.B. 32, S.B. 31, S.B. 114, S.B. 122, S.B. 123, and S.B. 52** read the first time by short title and referred to the Rules Committee.

Communications filed. **H.B. 63, H.B. 16, H.B. 21, and H.B. 52** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

Communication filed. **1st Sub. H.B. 24** placed on the Concurrence Calendar.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 1, 2008

The Government Operations Committee reports a favorable recommendation on **H.B. 137**, STATE FACILITY WATER CONSERVATION PROGRAM, by Representative L. Wiley, with the following amendments:

1. Page 3, Lines 65 through 69:

65 (ii) in collaboration with the Division of Facilities Construction
and Management, that

66 establishes {~~mandatory~~} design and construction standards
to improve indoor and outdoor water

67 conservation in a state facility that on or after July 1, 2008 is:

68 (A) constructed; or

69 (B) renovated to improve plumbing or landscaping; and

The Government Operations Committee reports a favorable recommendation on **H.B. 309**, ELECTION INFORMATION AMENDMENTS, by Representative J. Dougall, with the following amendments:

1. Page 5, Lines 127 through 128:

127 (vii) for each referendum qualified for the ballot, a
complete copy of the text of the law being submitted to

128 the voters for their approval or rejection, with all new language
underlined and all deleted language placed within brackets, as
applicable ; and

The Government Operations Committee reports a favorable recommendation on **1st Sub. S.B. 13**, CANDIDATE RESIDENCY REQUIREMENTS, by Senator P. Knudson.

Glenn A Donnelson, Chair

Reports filed. On motion of Representative Donnelson, the reports of the Government Operations Committee were adopted.

H.B. 137, as amended, **H.B. 309**, as amended, and **1st Sub. S.B. 13** read the second time by short title and placed on the Third Reading Calendar.

NOTICE OF BILL TABLED

Mr. Speaker: February 1, 2008

The Government Operations Committee has tabled **H.B. 283**, COMPACT AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY

NATIONAL POPULAR VOTE, by Representative N. Hansen, and has returned it to the Rules Committee.

Glenn A. Donnelson, Chair

Report filed. **H.B. 283** tabled and returned to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 1, 2008

The Political Subdivisions Committee reports a favorable recommendation on **S.B. 12**, ELECTION LAW MODIFICATIONS, by Senator P. Knudson; and

The Political Subdivisions Committee reports a favorable recommendation on **S.B. 22**, TIMING OF BALLOT ITEMS, by Senator P. Knudson; and

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 310**, ABSENTEE BALLOT REVISIONS, by Representative D. Aagard, and recommends it be placed on the Consent Calendar; and

The Political Subdivisions Committee reports a favorable recommendation on **S.B. 23**, REVISION TO POLLING REQUIREMENTS, by Senator P. Knudson, and recommends it be placed on the Consent Calendar; and

Fred R. Hunsaker, Chair

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

S.B. 12 and **S.B. 22** read the second time by short title and placed on the Third Reading Calendar.

H.B. 310 and **S.B. 23** read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: February 1, 2008

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 54**, PROPERTY TAX ASSESSMENT REVISIONS, by Representative W. Harper, with the following amendments:

1. Page 1, Lines 16 through 25:

16 ▶ requires a county assessor of a first, second, or third class county to use a computer

17 assisted mass appraisal system to conduct its annual update of property values;

18 ▶ requires a county assessor to maintain a record of the last {~~appraisal~~} property review date for each

19 parcel of real property located within the county assessor’s county on the county’s

20 computer system;

21 ▶ requires a county assessor to prepare a five-year plan to comply with the statutory

22 appraisal requirements;

23 ▶ requires a county assessor to include the last {~~appraisal~~} property review date for a parcel of property

24 on the property owner’s tax notice; and

25 ▶ makes technical changes.

2. Page 2, Lines 28 through 30:

28 Other Special Clauses:

This bill coordinates with H.B. 186, Property Tax — Assessment and Collection Amendments, by changing technical cross references.

29 This bill takes effect on January 1, 2009.

30 Utah Code Sections Affected:

3. Page 11, Line 332 through Page 12, Line 364:

332 (1) For purposes of this section:

333 (a) “ {~~Appraisal~~ } Property review date” means the date a county assessor completes a detailed review of

334 the property characteristics of a parcel of real property in accordance with Subsection (3)(a).

335 (b) “Corrective action” includes:

336 (i) factoring pursuant to Section 59–2–704;

337 (ii) notifying the state auditor that the county failed to comply with the requirements of

338 this section; or

339 (iii) filing a petition for a court order requiring a county to take action.

340 (c) “Mass appraisal system” means a computer assisted mass appraisal system that :

(i) a

341 county assessor uses to value real property { - } ; and
(ii) includes at least the following system features:

(A) has the ability to update all parcels of real property located within the county each year;

(B) can be programed with specialized criteria;

(C) provides uniform and equal treatment of parcels of real property throughout the county; and

(D) annually updates all parcels of real property within the county.

342 [~~(1) Beginning January 1, 1994, each~~] (2) (a) The county assessor shall annually

343 update property values of property as provided in Section 59-2-301 based on a systematic

344 review of current market data. [~~In addition,~~]

345 (b) The county assessor of a county of the first, second, or third class shall conduct the

346 annual update described in Subsection (2)(a) by using a mass appraisal system on or before the

347 following:

348 (i) for a county of the first class, January 1, 2009;

349 (ii) for a county of the second class, January 1, 2010; and

350 (iii) for a county of the third class, January 1, 2011.

(c) The county assessor and the commission shall jointly certify that the county’s mass appraisal system meets the requirements:

(i) described in Subsection (1)(c); and

(ii) of the commission.

351 (3) (a) In addition to the requirements in Subsection (2) , the county assessor shall

352 complete a detailed review of property characteristics for each property at least once every five

353 years.

354 (b) The county assessor shall maintain on the county’s computer system, a record of the

355 last { ~~appraisal~~ } property review date for each parcel of
356 real property located within the county assessor's county.

357 that:
358 [(a)] (4) (a) The commission shall take corrective action if
359 the commission determines

360 that:
361 (i) a county assessor has not satisfactorily
362 followed the current mass appraisal

363 standards, as provided by law;

364 (ii) the sales-assessment ratio,
365 coefficients of dispersion, or other statistical

366 measures of appraisal performance related to the studies required
367 by Section 59-2-704 are not

368 within the standards provided by law; or

369 (iii) the county assessor has failed to
370 comply with the requirements of [Subsection

371 (4)] this section.

(b) If a county assessor fails to comply with the requirements of this
section for one year, the commission shall assist the county assessor in
fulfilling the requirements of Subsections (2) and (3).

(c) If a county assessor fails to comply with the requirements of this
section for two consecutive years, the county will lose the county's
allocation of the revenue generated statewide from the imposition of the
multicounty assessing and collecting levy authorized in Sections
59-2-906.1 and 59-2-906.2.

4. Page 27, Lines 822 through 825:

822 (A) an authorized officer of a taxing entity for a tax imposed by
823 a taxing entity; or

824 (B) an authorized officer of the state for a tax imposed by the
825 state.

Section 10. Coordinating H.B. 54 with H.B. 186 -- Technical
amendments.

If this H.B. 54 and H.B. 186, Property Tax -- County Assessment
and Collection Amendments, 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, replace the references
in Subsection 59-2-303.1(4)(c) to:

(1) “Section 59-2-906.1” with “Section 59-2-1602”; and

(2) “Section 59-2-906.2” with “Section 59-2-1603”.

824 Section {-10-} 11 . Effective date.

825 This bill takes effect on January 1, 2009.; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 279**, TAX INCENTIVES FOR MILITARY MEMBERS, by Representative W. Harper; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 128**, AMENDMENTS TO THE VETERAN’S PROPERTY TAX EXEMPTION, by Senator B. Goodfellow.

John Dougall, Chair

Reports filed. On motion of Representative Dougall, the reports of the Revenue and Taxation Committee were adopted.

H.B. 54, as amended, **H.B. 279**, and **S.B. 128** read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker:

February 1, 2008

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **S.B. 33**, DEPARTMENT OF COMMUNITY AND CULTURE – STATE-OWNED ART INVENTORY, by Senator M. Madsen, et al.

Steven R. Mascaro, Chair

Report filed. On motion of Representative Julie Fisher, the reports of the Workforce Services and Community and Economic Development Committee were adopted.

S.B. 33 read the second time by short title and referred to the Rules Committee due to fiscal impact.

INTRODUCTION OF BILLS

H.B. 373, Uniform Fees on Vintage Motor Vehicles (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 377, Code of Criminal Procedure Amendments (R. Lockhart), read the first time by short title and referred to the Rules Committee.

H.B. 378, State Accounting and Budgetary Procedures Amendments (R. Bigelow), read the first time by short title and referred to the Rules Committee.

H.C.R. 7, Concurrent Resolution Declaring Colorectal Cancer Awareness Month (E. Hutchings), read the first time by short title and referred to the Rules Committee.

CONSENT CALENDAR

H.B. 97, COURT-ORDERED RESTITUTION FOR COSTS OF INCARCERATION, read the third time by short title and placed on its final passage.

H.B. 97 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Chavez-Houck	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Litvack	Lockhart	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Snow	Sumsion
Tilton	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Brown	D. Clark	Froerer	Last
Mascaro	Shurtliff	Urquhart	

H.B. 97 transmitted to the Senate for its consideration.

* * *

S.B. 26, FIRE MANAGEMENT AREAS, read the third time by short title and placed on its final passage.

S.B. 26 passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Litvack	Lockhart
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Snow	Sumsion	Tilton	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

D. Clark	Last	Mascaro	Shurtliff
Urquhart			

S.B. 26 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

H.B. 259, GOLD STAR FAMILY SPECIAL GROUP LICENSE PLATE AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 259 passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Biskupski	Bowman	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw

Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Litvack	Lockhart	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Allen	D. Clark	Gibson	Last
Mascaro	Urquhart		

H.B. 259 transmitted to the Senate for its consideration.

* * *

H.B. 277, PANDEMIC PREPAREDNESS AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Snow, the House voted to lift **H.B. 277** from the Consent Calendar and place it at the top of the Third Reading Calendar.

* * *

H.J.R. 7, JOINT RESOLUTION RECOGNIZING UNREINFORCED MASONRY BUILDINGS, read the third time by short title and placed on its final passage.

H.J.R. 7 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	S. Clark	Cosgrove

Daw	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	King	Kiser
Litvack	Lockhart	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Snow	Sumsion
Tilton	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

D. Clark	Dee	Johnson	Last
Mascaro	Shurtliff	Urquhart	

H.J.R. 7 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 277, PANDEMIC PREPAREDNESS AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Snow, the House voted to circle **H.B. 277**.

* * *

H.B. 275, VEHICLE TOWING REQUIREMENTS, read the third time by short title and placed on its final passage.

Representative Daw proposed the following amendment:

1. Page 1, Line 14

14 locations; {~~and~~}

▶ provides exceptions to the notice requirements; and

2. Page 3, Line 60:

60 (b) (i) {~~A~~} Except as provided in Subsection (2)(c),
a tow truck operator or tow truck motor carrier may not perform a tow
truck

3. Page 3, Line 65:

65 (B) a multifamily dwelling of more than ~~{-four }~~
eight units.

4. Page 3, Lines 67 through 71:

67 (A) where parking is subject to towing:

68 (B) (I) the name and phone number the tow truck operator
or tow truck motor carrier

69 that performs a tow truck service for the locations listed under
Subsection (2)(b)(i); or

(II) the name of the mobile home park or multifamily dwelling and
the phone number of the mobile home park or multifamily dwelling
manager or management office that authorized the vehicle, vessel, or
outboard motor to be towed; and

70 (C) the Internet website address that provides access to towing
database information in

71 accordance with Section 41-6a-1406.

(c) Signage is not required under Subsection (2)(b) for parking in a
location:

(i) that is prohibited by law;

(ii) that is prohibited by a declaration of the conditions, covenants,
and restrictions or by a contract; or

(iii) if it is reasonably apparent that the location is not open to
parking.

(d) Nothing in this Subsection (2)(b) restricts the ability of a mobile
home park as defined in Section 57-16-3 or a multifamily dwelling from
instituting and enforcing regulations on parking.

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

H.B. 275, 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	Andersen	Barrus
Bird	Biskupski	Bowman	Brown
Chavez-Houck	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher

Julie Fisher	Fowlke	Frank	Froerer
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Litvack	Lockhart
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Voting in the negative was: Representative
Bigelow

Absent or not voting were: Representatives

D. Clark	Garn	Gibson	Gowans
Last	Mascaro	Urquhart	

H.B. 275, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 238, CAMPAIGN FINANCE FILING REQUIREMENTS, read the third time by short title and placed on its final passage.

H.B. 238 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Litvack	Lockhart	Mathis	McGee

McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

D. Clark	S. Clark	Gibson	Last
Mascaro	Painter	Urquhart	

H.B. 238 transmitted to the Senate for its consideration.

* * *

H.R. 1, RESOLUTION ENCOURAGING UNITED STATES WITHDRAWAL FROM SECURITY AND PROSPERITY PARTNERSHIP OF NORTH AMERICA, read the third time by short title and placed on its final passage.

H.R. 1 passed on the following roll call:

Yeas, 57; Nays, 15; Absent or not voting, 3.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Bowman	Brown
S. Clark	Daw	Dee	Donnelson
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	King	Kiser	Lockhart
Mascaro	Mathis	Menlove	Morgan
Morley	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Snow	Sumsion	Tilton
Walker	Webb	Wimmer	Winn
Curtis			

Voting in the negative were: Representatives

Biskupski	Chavez–Houck	Cosgrove	Dougall
Julie Fisher	Hemingway	Johnson	Litvack
McGee	McIff	Moss	Seelig
Shurtliff	Wheatley	Wiley	

Absent or not voting were: Representatives

D. Clark	Last	Urquhart
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H.R. 1 was signed by the Speaker and referred to staff for enrolling and transmission to the Lt. Governor.

* * *

H.B. 41, CAMPAIGN REPORT AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Dunnigan proposed the following amendment:

1. Page 11, Line 330 through Page 12, Line 338

330 ~~[(ii)] (iv) [In addition to the information required by Subsection (1)(a)(i) and in the~~

331 ~~same mailing, ten days before the interim reports for candidates or judges are due, the~~

332 ~~lieutenant governor shall inform the candidate or judge] if the notification is sent to a judge in~~

333 reference to the interim report due before the regular general election. {–or } that voters will be informed that the judge has been disqualified and any votes cast for the judge will not be counted if the report is not timely filed;

(v) if the notification is sent to a candidate in

334 reference to an interim report due before the regular primary election, on September 15, or

335 before the regular general election, that {–if the report is not–} [received in the lieutenant governor’s

336 office by 5 p.m. on the date that it is due] {–timely filed, } voters will be informed that the

337 candidate {–or judge–} has been disqualified and any votes cast for the candidate {–or judge–} will not

338 be counted[-] if the report is not timely filed :

Renumber remaining subsections accordingly.

2. Page 14, Lines 400 through 400b:

400 (1) → For the purposes of this section, “ ~~{-election }~~ fee calculation cycle” means the ~~{-two year -}~~ period

400a ~~{-commencing }~~ that commences on March 1
~~{-in a regular general election }~~ of each year and
~~{-ending }~~ ends on the last day of

400b February ~~{-in the next regular general election }~~ of the following year.

3. Page 14, Lines 422a through 422c

House Committee Amendments 1-28-2008:

422a → (b) The election officer shall waive the first \$50 of fees that are assessable to a

422b person ~~{-during an election cycle }~~ under Subsection (3)(a) during each fee calculation cycle . ~~{-except in no case shall }~~ and the election

422c officer ~~{-enforce collection of a }~~ shall not assess a fee ~~{-that is less than }~~ against a person until the fees that are assessable during the fee calculation cycle total at least \$25. ←

4. Page 24, Lines 740a through 740d

House Committee Amendments 1-28-2008:

740a → Section 15. Coordinating H.B. 41 with S.B. 21 -- Superseding Amendments.

740b If this H.B. 41 and S.B. 21, Campaign Finance Disclosure Revisions, both pass, it is the

740c intent of the Legislature that when the Office of Legislative Research and General Counsel prepares the Utah Code database for publication, the amendments to Section 20A-11-103 supersede the amendments to Section 20A-11-103 in S.B. 21 except that the references to “September 15” in Subsections

740d 20A-11-103(1)(a)(iv) and (1)(b)(iv) in this bill shall be replaced with “August 31”. ←

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

H.B. 41, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez-Houck	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Johnson	Kiser	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	

Voting in the negative was: Representative
Curtis

Absent or not voting were: Representatives

D. Clark	Gowans	Hutchings	King
Last	Moss	Urquhart	

H.B. 41, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

1st Sub. H.B. 294, previously held, was transmitted to the Senate for consideration.

* * *

On motion of Representative Hendrickson, under suspension of the rules, the House voted to allow a bill file be opened concerning a bond for the State Fairpark.

THIRD READING CALENDAR

H.B. 142, ABSENTEE BALLOT AMENDMENTS, 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. 142**.

* * *

H.B. 291, OFF-HIGHWAY VEHICLE AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Snow, the House voted to circle **H.B. 291**.

* * *

H.B. 49, BUDGET RESERVE ACCOUNT AND DISASTER RECOVERY ACCOUNT AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Harper, the House voted to delete **H.B. 49** in title and body and insert **1st Sub. H.B. 49** in lieu thereof.

1st Sub. H.B. 49 passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Biskupski	Bowman	Brown
Chavez-Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hunsaker
Johnson	Kiser	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Bird	Gibson	Hughes	Hutchings
King	Last	Moss	Urquhart

1st Sub. H.B. 49 transmitted to the Senate for its consideration.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 1, 2008

The Business and Labor Committee reports a favorable recommendation on **H.B. 159, PROFESSIONAL EMPLOYER ORGANIZATION LICENSING ACT**, by Representative J. Dunnigan; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 290, MUNICIPAL OVERSIGHT OF RENTAL DWELLINGS**, by Representative G. Froerer, with the following amendments:

1. Page 1, Lines 21 through 22:

21 { ~~• regulating the practice of submetering, ratio~~
utility billing, or other utility cost

22 ~~allocation method; - }~~
2. Page 1, Lines 25 through 27:

25 dwelling was constructed, { ~~other than a smoke detector;~~
~~or - }~~ except as required under the Utah Uniform Building Standards
Act; and

26 { ~~• imposing a civil or criminal penalty on the~~
owner of a rental dwelling for a

27 ~~safety device controlled by a tenant; and - }~~
3. Page 3, Lines 85 through 88:

85 dwelling; or

86 { ~~(b) regulate the practice of submetering, ratio utility~~
billing, or other utility cost

87 allocation method; }

88 { ~~(c) - }~~ (b) except as required under Title 58, Chapter
56, Utah Uniform Building Standards Act, require the owner of a rental
dwelling to retrofit the rental dwelling with or install
4. Page , Line 90 through Page 4, Line 92:

90 constructed { ~~, other than a smoke detector; or~~ } ;

91 { ~~(d) impose a civil or criminal penalty on an owner of a~~
rental dwelling for a safety

92 device controlled by a tenant of the rental dwelling. } ; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 342**, INSURANCE CODE AMENDMENTS, by Representative J. Dunnigan, with the following amendments:

1. Page 43, Line 1326 through Page 44, Line 1339:

1326 (1) {—} (a) {—} {—There—} Subject to
Subsection (1)(b), there is created within the department the Title and
 Escrow Commission that

1327 is comprised of five members appointed by the governor with
 the consent of the Senate as

1328 follows:

1329 {—} (i) {—} {—(a)—} four members shall each:

1330 {—} (A) {—} {—(i)—} be or have been licensed
 under the title insurance line of authority; ~~and~~

1331 {—} (B) {—} {—(ii)—} as of the day on which
 the member is appointed, be or have been licensed

1332 with the search or escrow subline of authority for at least five
 years; and

1333 {—(iii)—} (C) as of the day on which the member is
appointed, not be from the same county as

1334 another member appointed under this Subsection (1)(a) (i) :
and

1335 {—} (ii) {—} {—(b)—} one member shall be a
 member of the general public from any county in the

1336 state.

1337 {—} (b) No more than one commission member may be
 appointed from {—} {—}

1338 [(i) any county in the state; or]

1339 {—} {—(ii) any—} a single company. {—}

2. Page 52, Lines 1582 through 1584:

1582 (4) {—A—} Except for a bank, savings and loan
association, industrial bank, or credit union, a service contract
provider may not sell, or be the obligated party for:

1583 (a) a guaranteed asset protection waiver; {~~or~~ }

1584 (b) a debt cancellation agreement {~~;~~ } ; or

(c) a debt suspension agreement

3. Page 72, Lines 2224 through 2226:

2224 (3) (a) The department may [~~request;~~] require a person applying for a license {~~, for~~

2225 renewal of a license, } or for consent to engage in the business of insurance to submit to a

2226 criminal background check as a condition of receiving a license {~~, renewal,~~ } or consent.

4. Page 81, Lines 2486 through 2488:

2486 (4) (a) The department may require a person applying for a license {~~, for renewal of a~~

2487 license, } or for consent to engage in the business of insurance to submit to a criminal

2488 background check as a condition of receiving a license {~~, renewal,~~ } or consent.

5. Page 83, Lines 2557 through 2559:

2557 (3) (a) The department may require a person applying for a license {~~, for renewal of a~~

2558 license, } or for consent to engage in the business of insurance to submit to a criminal

2559 background check as a condition of receiving a license {~~, renewal,~~ } or consent. ; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 27, TRUSTEES SALE – PROCESS FOR EXCESS PROCEEDS**, by Senator G. Davis; and

The Business and Labor Committee reports a favorable recommendation on **H.C.R. 3, CONCURRENT RESOLUTION – DECLARING LOVE YOUR LIBRARY WEEK**, by Representative S. Clark, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 1, Lines 14 through 15:

14 ► designates {~~–April 13 through 19, 2008–~~} one week in April as “Love Your Library Week” in the state of

15 Utah, to coincide with National Library Week.

2. Page 2, Lines 34 through 36:

34 NOW, THEREFORE, BE IT RESOLVED that the Legislature
of the state of Utah, the

35 Governor concurring therein, designate {~~April 13 through 19,~~
2008-} one week in April as “Love Your Library

36 Week” in the state of Utah, to coincide with National Library
Week. ; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 30**, CONSUMER SALES PRACTICE ACT AMENDMENTS, by Senator P. Jones, and recommends it be placed on the Consent Calendar.

Stephen D. Clark, Chair

Reports filed. On motion of Representative S. Clark, the reports of the Business and Labor Committee were adopted.

H.B. 159, **H.B. 290**, as amended, **H.B. 342**, as amended, and **S.B. 27** read the second time by short title and placed on the Third Reading Calendar.

H.C.R. 3, as amended, and **S.B. 30**, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: February 1, 2008

The Education Committee reports a favorable recommendation on **H.B. 271**, UTAH PURPLE HEART RECIPIENTS TUITION ACT AMENDMENTS, by Representative R. Barrus; and

The Education Committee recommends **H.B. 287**, REGULATION OF TEACHER – STUDENT RELATIONSHIPS, by Representative S. Sandstrom, be replaced and favorably recommends **1st Sub. H.B. 287**, REGULATION OF TEACHER – STUDENT RELATIONSHIPS; and

The Education Committee reports a favorable recommendation on **S.J.R. 1**, RESOLUTION ENCOURAGING THE ADVERTISEMENT OF ALTERNATIVE ROUTES TO TEACHING, by Senator M. Dayton, and recommends it be placed on the Consent Calendar.

Gregory H. Hughes, Chair

Reports filed. On motion of Representative Hughes, the reports of the Education Committee were adopted.

H.B. 271 and **1st Sub. H.B. 287** read the second time by short title and placed on the Third Reading Calendar.

S.J.R. 1 read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: February 1, 2008

The Health and Human Services Committee recommends **1st Sub. H.B. 276**, HEALTH PROFESSIONAL AUTHORITY – DEATH AND DISABILITY, by Representative B. Last, be replaced and reports a favorable recommendation on **2nd Sub. H.B. 276**, HEALTH PROFESSIONAL AUTHORITY – DEATH AND DISABILITY with the following amendments:

1. Page 3, Lines 62 through 69:

62 (13) “Nurse practitioner” means an advanced practice
registered nurse specializing as a

63 nurse practitioner:

64 (a) who has completed an education program regarding the
completion of a certificate

65 of death developed by the department by administrative rule
adopted in accordance with Title

66 63, Chapter 46a, Utah Administrative Rulemaking Act;

67 (b) who is in independent practice {–as } or a group
practice; and

68 (c) who is not employed by a health care facility licensed under
Chapter 21, Health

69 Facility Licensing and Inspection Act. ; and

The Health and Human Services Committee recommends **H.B. 281**, GRANTS TO RURAL HOSPITALS – OVERSIGHT RESPONSIBILITIES, by Representative M. Newbold, be replaced and favorably recommends **1st Sub. H.B. 281**, GRANTS TO RURAL HOSPITALS – OVERSIGHT RESPONSIBILITIES; and

The Health and Human Services Committee recommends **H.B. 326**, CHILDREN’S HEALTH INSURANCE PROGRAM – OPEN ENROLLMENT, by Representative G. Curtis, be replaced and favorably recommends **1st Sub.**

H.B. 326, CHILDREN'S HEALTH INSURANCE PROGRAM – OPEN ENROLLMENT.

Paul Ray, Chair

Reports filed. On motion of Representative Ray, the reports of the Health and Human Services Committee were adopted.

2nd Sub. H.B. 276, as amended, **1st Sub. H.B. 281**, and **1st Sub. H.B. 326** read the second time by short title and placed on the Third Reading Calendar.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

February 4, 2008

The Senate passed, as substituted, **1st Sub. S.B. 144**, PARAMETERS ON GOVERNOR'S ABILITY TO ENTER AGREEMENTS BINDING THE STATE, by Senator S. Jenkins, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 110**, FOREIGN BUSINESS ENTITIES AND TRIBAL LAW, by Senator K. VanTassell, and it is transmitted for consideration; and

The Senate passed **S.B. 146**, AMENDMENT TO UNIFORM ANATOMICAL GIFT ACT, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 21**, CAMPAIGN FINANCE DISCLOSURE REVISIONS, by Senator P. Knudson, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 56**, NATUROPATHIC PHYSICIAN LICENSING AMENDMENTS, by Senator S. McCoy, and it is transmitted for consideration; and

The Senate passed **S.B. 62**, HEALTH INSURANCE – MEDICAL COMPLICATION EXCLUSIONS, by Senator P. Knudson, and it is transmitted for consideration; and

The Senate passed **S.B. 68**, WORKERS' COMPENSATION – DEATH BENEFITS, by Senator K. Mayne, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 155**, PUNITIVE DAMAGES AMENDMENTS, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 66**, UNIFORM EMERGENCY VOLUNTEER HEALTH PRACTITIONERS ACT, by Senator L. Hillyard, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **1st Sub. S.B. 144, 1st Sub. S.B. 110, S.B. 146, 1st Sub. S.B. 21, 1st Sub. S.B. 56, S.B. 62, S.B. 68, S.B. 155, and 1st Sub. S.B. 66** read the first time by short title and referred to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

February 1, 2008

The Retirement and Independent Entities Committee reports a favorable recommendation on **H.B. 39**, DIVESTMENT OF CERTAIN RETIREMENT FUND INVESTMENTS, by Representative Julie Fisher, with the following amendments:

1. Page 2, Line 47 through Page 3, Line 59:

47 **(b) (i)** “Scrutinized company” means a publicly traded foreign company that:

48 **(A) (I)** (Aa) has business operations that involve a contract with or provision of supplies or

49 services to a scrutinized entity;

50 ~~{-(II)}~~ (Bb) has any direct or indirect equity share, consortium, or project commissioned by a

51 scrutinized entity; or

52 ~~{-(III)}~~ (Cc) is involved in a consortium or project commissioned by a scrutinized entity; ~~{-and}~~ }

53 ~~{-(B)-(I)}~~ (II) has more than 5% of the company’s total revenues or assets linked to a

54 scrutinized entity; and

55 ~~{-(II)}~~ (III) has failed to adopt, publicize, and implement a formal plan to reduce the

56 investment to 5% or below within one year; or

57 ~~{-(C)}~~ (B) has, with actual knowledge, on or after August 5, 1996, made an investment of \$20

58 million or more, or any combination of investments which in the aggregate exceeds \$20 million

59 in any 12-month period, in a scrutinized entity.

2. Page 3, Lines 77 through 79:

77 (b) Subject to the provisions of Subsection (2)(c), any divestment of holdings required

78 under Subsection (2)(a) shall be completed in at least the following time frames which shall

79 begin on { ~~May 5, 2008~~ } July 1, 2009 ; and

The Retirement and Independent Entities Committee reports a favorable recommendation on **S.B. 19**, ENHANCED PUBLIC SAFETY RETIREMENT SYSTEMS COLA OPTION, by Senator C. Walker; and

The Retirement and Independent Entities Committee reports a favorable recommendation on **S.B. 24**, RETIREMENT DEATH BENEFITS AND DIVORCE REVISIONS, by Senator L. Hillyard; and

The Retirement and Independent Entities Committee reports a favorable recommendation on **S.B. 131**, WAGE WITHHOLDING FOR EMPLOYEE CONTRIBUTIONS, by Senator W. Niederhauser; and

The Retirement and Independent Entities Committee reports a favorable recommendation on **H.B. 250**, PUBLIC EMPLOYEE BENEFIT APPROVAL PROVISIONS, by Representative J. Dougall, and recommends it be placed on the Consent Calendar.

John Dougall, Chair

Reports filed. On motion of Representative Dougall, the reports of the Retirement and Independent Entities Committee were adopted.

H.B. 39, as amended, **S.B. 24**, and **S.B. 131** read the second time by short title and placed on the Third Reading Calendar.

S.B. 19 read the second time by short title and referred to the Rules Committee due to fiscal impact.

H.B. 250 read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker:

February 4, 2008

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.C.R. 1**, METH AWARENESS FOR STUDENTS AND EDUCATORS RESOLUTION, by Representative C. Oda; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 312**, CRIME VICTIM REPARATIONS REVISIONS, by Representative Julie Fisher, with the following amendments:

1. Page 27, Lines 823 through 824:

823 (2) Records released under Subsection (1) are admissible in a
restitution hearing { ~~if the~~

824 records are prepared in accordance with Utah Rules of Evidence,
Rule 803(6) } ; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 327**, ENTICING A MINOR BY ELECTRONIC MEANS, by Representative K. Gibson, with the following amendments:

1. Page 2, Line 43:

43 (b) A person commits enticement of a minor { ~~over the~~
~~Internet~~ } when the person; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **S.B. 119**, DEPARTMENT OF CORRECTIONS AMENDMENTS, by Senator D. Peterson; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 288**, 911 COMMITTEE, by Representative B. Dee, and recommends it be placed on the Consent Calendar; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 314**, SEXUAL OFFENSES – DEFINITIONS, by Representative R. Bigelow, and recommends it be placed on the Consent Calendar.

DeMar “Bud” Bowman, Chair

Reports filed. On motion of Representative Bowman, the reports of the Law Enforcement and Criminal Justice Committee were adopted.

H.C.R. 1, H.B. 312, as amended, **H.B. 327**, as amended, and **S.B. 119** read the second time by short title and placed on the Third Reading Calendar.

H.B. 288 and **H.B. 314** read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker:

February 4, 2008

The Natural Resources, Agriculture, and Environment Committee recommends **H.B. 40**, SAFE DRINKING WATER REVISIONS, by Representative S. Andersen, be replaced and reports a favorable recommendation on **1st Sub. H.B. 40**, SAFE DRINKING WATER REVISIONS with the following amendments:

1. Page 1, Lines 13 through 15:

13 ► requires a first or second class county to adopt an ordinance to protect a source of public drinking water;

14 ► authorizes a municipality located in a first or second class county to adopt an ordinance to protect a source of public

15 drinking water;

2. Page 3, Line 81:

81 (1) (a) Before May 3, 2010, a first or second class county shall;

3. Page 4, Lines 93 through 94:

93 (b) A municipality in a first or second class county may adopt an ordinance that a first or second class county is required to adopt by this

94 section by following the procedures and requirements of this section.

4. Page 4, Line 110:

110 (c) authorize a retail water supplier or wholesale water supplier to seek enforcement of the ordinance in a district court located; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 123**, ACCELERATED LEARNING PROGRAMS AMENDMENTS, by Representative B. Ferry; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 323**, EMINENT DOMAIN AMENDMENTS, by Representative A. Tilton.

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.B. 40, as amended, **H.B. 123**, and **H.B. 323** read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker:

February 4, 2008

The Transportation Committee reports a favorable recommendation on **H.J.R. 8**, JOINT RESOLUTION URGING CONGRESS TO ELIMINATE TRANSPORTATION EARMARKING THAT OVERRIDES STATE TRANSPORTATION PRIORITIES, by Representative Julie Fisher, with the following amendments:

1. Page 2, Lines 37 through 39:

37 NOW, THEREFORE, BE IT RESOLVED that the Legislature
of the state of Utah

38 urges the United States Congress to eliminate the practice of
earmarking transportation funds

39 that it grants to states.

Be it further resolved that the Legislature of the State of Utah
strongly opposes any increase in the Federal Gas Tax.

Todd E. Kiser, Chair

Reports filed. On motion of Representative Kiser, the reports of the Transportation Committee were adopted.

H.J.R. 8, as amended, read the second time by short title and placed on the Third Reading Calendar.

RULES COMMITTEE REPORT

Mr. Speaker:

February 4, 2008

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

BUSINESS AND LABOR

- H.B. 168** Health Insurance Market Choices (Rep. J. Dunnigan)
- H.B. 334** Labor Commission – Review of Administrative Decisions (Rep. N. Hansen)
- 1st Sub. S.B. 144** Parameters on Governor’s Ability to Enter Agreements Binding the State (Sen. S. Jenkins)

EDUCATION

- H.B. 232** Elementary School Math Initiative (Rep. S. Mascaro)
- H.B. 280** School Finance Amendments (Rep. J. Fisher)
- H.B. 332** Use of Public Schools by Community Organizations (Rep. G. Hughes)

GOVERNMENT OPERATIONS

- H.B. 80** Administrative Rule Penalty Amendments (Rep. B. Ferry)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

- H.B. 267** Controlled Substances Amendments – Suda Controls (Rep. N. Hansen)

NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT

- H.J.R. 10** Joint Resolution Opposing Designation of Public Lands Currently Urged by Congress and the Bureau of Land Management (Rep. A. Tilton)

POLITICAL SUBDIVISIONS

- H.B. 177** County and Municipal Land Use Regulation of Potential Geologic Hazard Areas (Rep. M. Morley)

REVENUE AND TAXATION

- H.B. 359** Sales and Use Tax Changes (Rep. J. Dougall)
- S.B. 99** Amendments to Sales and Use Tax Exemption for Prosthetic Devices (Sen. W. Niederhauser)

TRANSPORTATION

- S.B. 115** Motor Vehicle Safety Inspection Advisory Council Amendments (Sen. D. Eastman)

Stephen Urquhart, Chair

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

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, and at 12:00 noon, the House voted to adjourn until February 5, 2008, at 10:00 a.m.

SIXTEENTH DAY

* * *

MORNING SESSION

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

Roll call showed all members present except Representatives Chris Herrod and Becky Lockhart, excused.

Prayer by Representative Urquhart’s wife, Sara Urquhart. Pledge of Allegiance by Lucy Urquhart, Representative Urquhart’s daughter.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 4, 2008
The Senate passed **S.B. 64**, INCOME TAX – CAPITAL GAIN TRANSACTIONS, by Senator W. Niederhauser, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 137**, MINERAL PRODUCTION TAX WITHHOLDING AMENDMENTS, by Senator W. Niederhauser, and it is transmitted for consideration; and

The Senate passed **S.B. 172**, FUNDING FOR MEDICAID VISION CARE, by Senator A. Christensen, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 64**, **1st Sub. S.B. 137**, and **S.B. 172** read the first time by short title and referred to the Rules Committee.

CONCURRENCE CALENDAR

On motion of Representative Menlove, the House voted to concur in the Senate amendments to **1st Sub. H.B. 24**, AMENDMENTS TO UTAH DIGITAL HEALTH SERVICE COMMISSION ACT.

1st Sub. H.B. 24, 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	Andersen	Barrus	Bigelow
Bird	Biskupski	Bowman	Brown

Chavez–Houck	D. Clark	S. Clark	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Mascaro	McGee	McIff
Menlove	Morgan	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Allen	Cosgrove	Gibson	Herrod
Lockhart	Mathis	Morley	

1st Sub. H.B. 24, as amended by the Senate, transmitted to the Senate for signature of President.

UNFINISHED BUSINESS

On motion of Representative Last, the House voted to uncircle **H.B. 277**.

H.B. 277, PANDEMIC PREPAREDNESS AMENDMENTS, was before the House on its final passage.

H.B. 277 passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Gibson	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson

Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Biskupski	Garn	Gowans	Herrod
Lockhart			

H.B. 277 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 106, CLEAN AIR AND EFFICIENT VEHICLE TAX INCENTIVES, read the third time by short title and placed on its final passage.

H.B. 106, as amended, passed on the following roll call:

Yeas, 58; Nays, 14; Absent or not voting, 3.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Dougall	Draxler	Duckworth
Dunnigan	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Gowans	Hansen
Harper	Hemingway	Hendrickson	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Litvack	Mascaro
McGee	McIff	Menlove	Morgan
Moss	Neuenschwander	Noel	Painter
Ray	Riesen	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Winn	Curtis		

Voting in the negative were: Representatives

Daw	Dee	Donnelson	Ferry
Garn	Gibson	Greenwood	Grover
Last	Mathis	Morley	Oda
Sandstrom	Wimmer		

Absent or not voting were: Representatives

Herrod	Lockhart	Newbold
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H.B. 106, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Noel, the House voted to uncircle **H.B. 291**.

H.B. 291, OFF-HIGHWAY VEHICLE AMENDMENTS, was before the House on its final passage.

H.B. 291 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez-Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Holdaway	Hughes
Hunsaker	Johnson	King	Kiser
Last	Litvack	Mascaro	Mathis
McGee	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Voting in the negative was: Representative

Hutchings

Absent or not voting were: Representatives

Hendrickson Herrod Lockhart McIff
Painter

H.B. 291 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 248, AMENDMENTS TO SALES AND USE TAX EXEMPTION FOR CERTAIN PROPERTY INCORPORATED INTO REAL PROPERTY, read the third time by short title and placed on its final passage.

H.B. 248 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Chavez–Houck Gowans Hendrickson Herrod
Litvack Lockhart Painter

H.B. 248 transmitted to the Senate for its consideration.

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H.B. 251, SALES AND USE TAX REVISIONS, read the third time by short title and placed on its final passage.

H.B. 251, as amended, passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Holdaway	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Garn	Gowans	Herrod	Hughes
Litvack	Lockhart	Painter	

H.B. 251, as amended, transmitted to the Senate for its consideration.

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1st Sub. H.B. 48, MOBILE HOME OWNERS' RIGHTS, read the third time by short title and placed on its final passage.

Representative Riesen proposed the following amendment:

1. Page 1, Lines 23 through 24

23 ▶ provides {~~–a limitation on the amount which rent may increase for a mobile home~~

24 space–} that rent may not increase during the period between the provision of notice of a change in land use or

2. Page 4, Lines 113 through 114:

113 (b) Subsection (1)(a) does not apply to a mobile home park
condemned by { ~~the~~

114 Department of Transportation } a government entity .

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

1st Sub. H.B. 48, as amended, passed on the following roll call:

Yeas, 50; Nays, 21; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Agard	Allen	Barrus	Bigelow
Bird	Biskupski	Bowman	Brown
Chavez–Houck	D. Clark	Cosgrove	Daw
Dee	Draxler	Duckworth	Dunnigan
Janice Fisher	Julie Fisher	Fowlke	Froerer
Gibson	Gowans	Hansen	Harper
Hemingway	Hendrickson	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Litvack	Mascaro	McGee
McIff	Menlove	Morgan	Moss
Neuenschwander	Painter	Ray	Riesen
Seelig	Shurtliff	Urquhart	Walker
Wheatley	Wiley		

Voting in the negative were: Representatives

Andersen	S. Clark	Donnelson	Dougall
Ferry	Frank	Greenwood	Grover
Last	Mathis	Morley	Newbold
Noel	Oda	Sandstrom	Snow
Sumsion	Tilton	Webb	Wimmer
Winn			

Absent or not voting were: Representatives

Garn	Herrod	Lockhart	Curtis
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1st Sub. H.B. 48, as amended, transmitted to the Senate for its consideration.

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1st Sub. H.B. 135, GRANTS FROM DEPARTMENT OF COMMUNITY AND CULTURE, read the third time by short title and placed on its final passage.

Representative Allen proposed the following amendment:

1. Page 2, Lines 27 through 30

27 This bill appropriates:

28 ► as an ongoing appropriation subject to future budget
constraints, {~~-\$7,700,000-~~} \$5,981,100 from

29 the General Fund for fiscal year 2008-09 to the Department of
Community and

30 Culture.

2. Page 6, Lines 171 through 179:

171 As an ongoing appropriation subject to future budget
constraints, there is appropriated

172 from the General Fund for fiscal year 2008-09,
{~~-\$7,700,000~~} \$5,981,100 to the Department of Community

173 and Culture to fund the programmatic component of the grant
programs administered by

174 divisions within the Department under Title 9, Chapters 6, 7, and 8
as follows:

175 (1) {~~-\$4,000,000~~} \$2,986,000 to the Division of
Arts and Museums, {~~-\$2,700,000-~~} \$1,884,000 of which shall
go to

176 the Board of Directors of the Utah Arts Council and
{~~-\$1,300,000~~} \$1,102,000 of which shall go to the Office

177 of Museum Services and the Museum Services Advisory Board;

178 (2) {~~-\$2,700,000-~~} \$2,100,000 to the State Library
Division and the State Library Board; and

179 (3) {~~-\$1,000,000~~} \$895,100 to the Division of State
History and the State History Board.

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

1st Sub. H.B. 135, as amended, passed on the following roll call:

Yeas, 62; Nays, 8; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman

Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Dee	Donnelson	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Froerer	Garn
Gibson	Gowans	Greenwood	Hansen
Harper	Hemingway	Hendrickson	Holdaway
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Seelig	Shurtliff	Snow
Urquhart	Walker	Webb	Wheatley
Wiley	Winn		

Voting in the negative were: Representatives

Daw	Dougall	Frank	Grover
Morley	Sumsion	Tilton	Wimmer

Absent or not voting were: Representatives

Herrod	Hughes	Lockhart	Sandstrom
Curtis			

1st Sub. H.B. 135, as amended, transmitted to the Senate for its consideration.

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H.B. 83, SECURITIES AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 83 passed on the following roll call:

Yeas, 61; Nays, 11; Absent or not voting, 3.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Bowman	Brown	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Ferry	Julie Fisher	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Holdaway	Hughes

Hunsaker	Hutchings	King	Kiser
Last	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Voting in the negative were: Representatives

Allen	Biskupski	Chavez–Houck	D. Clark
S. Clark	Cosgrove	Dunnigan	Janice Fisher
Fowlke	Johnson	Litvack	

Absent or not voting were: Representatives

Herrod	Lockhart	Snow
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H.B. 83 transmitted to the Senate for its consideration.

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H.B. 301, COMPREHENSIVE HEALTH INSURANCE POOL AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 301, as amended, passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel

Oda	Painter	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Walker	Webb	Wheatley
Wiley	Wimmer		

Absent or not voting were: Representatives

Dee	Garn	Gibson	Herrod
Lockhart	Ray	Urquhart	Winn
Curtis			

H.B. 301, as amended, transmitted to the Senate for its consideration.

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H.B. 85, TEACHER LOAN PROGRAM, read the third time by short title and placed on its final passage.

H.B. 85, as amended, passed on the following roll call:

Yeas, 62; Nays, 7; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez-Houck	D. Clark	S. Clark
Cosgrove	Daw	Donnelson	Draxler
Duckworth	Dunnigan	Janice Fisher	Julie Fisher
Froerer	Garn	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Moss	Neuenschwander	Noel	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Urquhart
Walker	Webb	Wheatley	Wiley
Winn	Curtis		

Voting in the negative were: Representatives

Dougall	Frank	Morley	Newbold
Oda	Tilton	Wimmer	

Absent or not voting were: Representatives

Dee	Ferry	Fowlke	Gibson
Herrod	Lockhart		

H.B. 85, as amended, transmitted to the Senate for its consideration.

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H.B. 86, FUNDING OF INMATE POSTSECONDARY EDUCATION, read the third time by short title and placed on its final passage.

Representative Draxler proposed the following amendment:

1. Page 1, Lines 21 through 22

21 ▶ as an ongoing appropriation subject to future budget constraints, \$1,500,000 from

22 the ~~{-General-}~~ Education Fund for fiscal year 2008–09 to the State Board of Regents.

2. Page 2, Lines 30 through 31:

30 (1) As an ongoing appropriation subject to future budget constraints, there is

31 appropriated from the ~~{-General}~~ Education Fund for fiscal year 2008–09, \$1,500,000 to the State Board of

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

###

Representative Sandstrom proposed the following amendment:

1. Page 1, Lines 16 through 17

16 ▶ requires participating inmates to pay affordable tuition to help offset the state costs

17 of providing the education; ~~{-and-}~~

“limits the education to inmates who have a legal presence in the United States; and

2. Page 2, Lines 41 through 43:

41 (3) It is the intent of the Legislature that the institutions of higher education that

42 provide inmate postsecondary education : (a) shall require participating inmates to pay affordable
 43 tuition to help offset the state costs of providing the education ;
and
(b) may only offer the education to an inmate who has a legal presence in the United States .

Representative Sandstrom’s motion to amend passed on the following roll call:

Yeas, 41; Nays, 26; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	D. Clark	S. Clark
Daw	Dee	Dougall	Dunnigan
Julie Fisher	Froerer	Garn	Gibson
Greenwood	Grover	Harper	Holdaway
Hughes	Hutchings	Kiser	Last
Mascaro	Mathis	Morley	Neuenschwander
Newbold	Noel	Oda	Ray
Sandstrom	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wimmer
Winn			

Voting in the negative were: Representatives

Biskupski	Bowman	Brown	Chavez–Houck
Cosgrove	Draxler	Duckworth	Janice Fisher
Hansen	Hemingway	Hendrickson	Hunsaker
Johnson	King	Litvack	McGee
McIff	Menlove	Morgan	Moss
Painter	Riesen	Seelig	Shurtliff
Wheatley	Wiley		

Absent or not voting were: Representatives

Donnelson	Ferry	Fowlke	Frank
Gowans	Herrod	Lockhart	Curtis

H.B. 86, as amended, passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman

Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Gibson	Gowans	Grover
Hansen	Harper	Hemingway	Hendrickson
Holdaway	Hughes	Hunsaker	Hutchings
King	Kiser	Last	Litvack
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Winn		

Voting in the negative were: Representatives

Greenwood Morley Wimmer

Absent or not voting were: Representatives

D. Clark Garn Herrod Johnson
Lockhart Curtis

H.B. 86, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

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

AFTERNOON SESSION

The House was called to order by Speaker Curtis at 2:00 p.m.

INTRODUCTION OF BILLS

H.B. 189, School Community Councils (R. Bigelow), read the first time by short title and referred to the Rules Committee.

H.B. 194, Class Size Reduction in Kindergarten Through Grade Three (K. Morgan), read the first time by short title and referred to the Rules Committee.

H.B. 202, Employee Benefit Amendments (J. Dougall), read the first time by short title and referred to the Rules Committee.

H.B. 203, Judicial Review of State Engineer's Decision (P. Painter), read the first time by short title and referred to the Rules Committee.

H.B. 204, Utah College of Applied Technology Amendments (R. Bigelow), read the first time by short title and referred to the Rules Committee.

H.B. 381, Higher Education Access Enhancement Program (R. Bigelow), read the first time by short title and referred to the Rules Committee.

H.B. 384, Employee Obligations Related to Workers' Compensation (M. Morley), read the first time by short title and referred to the Rules Committee.

H.B. 399, Medication Aide Certified Amendments (R. Lockhart), read the first time by short title and referred to the Rules Committee.

H.B. 400, Condominium and Community Association Provisions (R. C. Webb), read the first time by short title and referred to the Rules Committee.

H.B. 401, Master Plumber Licensing (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

H.B. 407, Community Conscious Internet Provider (M. Morley), read the first time by short title and referred to the Rules Committee.

H.B. 410, Restricted Accounts Amendments (R. Bigelow), read the first time by short title and referred to the Rules Committee.

H.B. 413, Town Incorporation Process Revisions (G. Froerer), read the first time by short title and referred to the Rules Committee.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

February 5, 2008

The Senate passed **S.B. 28**, APPORTIONMENT OF BUSINESS INCOME, ATTRIBUTING SALES TO THE STATE, AND DEDUCTION OF NET LOSSES BY A UNITARY GROUP, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 35**, DIFFERENTIATED PAY FOR TEACHERS, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 39**, MATHEMATICS, SCIENCE, AND TECHNOLOGY EDUCATION TASK FORCE, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 41**, EXTENDED SCHOOL YEAR INCENTIVE, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 53**, USE OF INITIATIVE AND REFERENDUM FOR ADMINISTRATIVE LAND USE AND ZONING MATTERS, by Senator B. Goodfellow, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 54**, INITIATIVE AND REFERENDUM PETITION AMENDMENTS, by Senator B. Goodfellow, and it is transmitted for consideration; and

The Senate passed **S.B. 113**, ACCESS TO RESEARCH WORKERS' PERSONAL INFORMATION, by Senator G. Bell, and it is transmitted for consideration; and

The Senate passed **S.B. 118**, EDUCATION TRANSPORTATION AMENDMENTS, by Senator D. Peterson, and it is transmitted for consideration; and

The Senate passed **S.B. 164**, COMPUTER ASSISTED REMOTE HUNTING PROHIBITED, by Senator M. Waddoups, and it is transmitted for consideration.

Annette B. Moore

Secretary of the Senate

Communications filed. **S.B. 28**, **S.B. 35**, **S.B. 39**, **S.B. 41**, **1st Sub. S.B. 53**, **1st Sub. S.B. 54**, **S.B. 113**, **S.B. 118**, and **S.B. 164** read the first time by short title and referred to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

February 5, 2008

The Government Operations Committee reports a favorable recommendation on **H.B. 292**, LEGISLATIVE TASK FORCE TO STUDY RADIO COMMUNICATION SYSTEM IN UTAH, by Representative B. Dee; and

The Government Operations Committee reports a favorable recommendation on **H.R. 2**, HOUSE RESOLUTION CALLING FOR WITHDRAWAL FROM NAFTA, by Representative G. Donnelson; and

The Government Operations Committee reports a favorable recommendation on **H.B. 231**, LOCAL VOTER INFORMATION PAMPHLET

AMENDMENTS, by Representative D. Aagard, and recommends it be placed on the Consent Calendar.

Glenn A. Donnelson, Chair

Reports filed. On motion of Representative Dee, the reports of the Government Operations Committee were adopted.

H.B. 292 and **H.R. 2** read the second time by short title and placed on the Third Reading Calendar.

H.B. 231 read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker:

February 5, 2008

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 153**, IMPACT FEES AMENDMENTS, by Representative M. Morley; and

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 177**, COUNTY AND MUNICIPAL LAND USE REGULATION OF POTENTIAL GEOLOGIC HAZARD AREAS, by Representative M. Morley; and

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 261**, LOCAL DISTRICT PRIMARY ELECTIONS, by Representative K. Morgan, 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. 153 and **H.B. 177** read the second time by short title and placed on the Third Reading Calendar.

H.B. 261 read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker:

February 5, 2008

The Revenue and Taxation Committee recommends **H.B. 58**, SEVERANCE TAX AMENDMENTS, by Representative J. Dougall, be replaced and favorably recommends **1st Sub. H.B. 58**, SEVERANCE TAX AMENDMENTS; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 69**, REPEAL OF BOARD LEEWAY FOR READING IMPROVEMENT, by Representative J. Dougall, with the following amendments:

1. Page 3, Lines 77 through 80:

77 ~~[(A)] (8) [each existing charter school's prior]~~ The State Board of Education shall

78 distribute K–3 Student Program funds to:

(a) provide qualifying school districts that have necessarily existent small schools, as defined in Section 53A–17a–109, a base amount; and
(b) allocate the remaining funds in an amount proportionate to the current year fall

79 enrollment in grades kindergarten through grade 3[; and] in each qualifying school district or

80 charter school.

John Dougall, Chair

Reports filed. On motion of Representative Dougall, the reports of the Revenue and Taxation Committee were adopted.

1st Sub. H.B. 58 and **H.B. 69**, as amended, read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker:

February 5, 2008

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.B. 335**, MOBILE HOME PARK AMENDMENTS, by Representative K. Holdaway; and

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **S.B. 60**, REPEALING LABOR COMMISSION RESPONSIBILITIES TO OVERSEE EMPLOYMENT AGENCIES, by Senator R. Romero, and recommends it be placed on the Consent Calendar.

Steven R. Mascaro, Chair

Reports filed. On motion of Representative Julie Fisher, the reports of the Workforce Services and Community and Economic Development Committee were adopted.

H.B. 335 read the second time by short title and placed on the Third Reading Calendar.

S.B. 60 read the second time by short title and placed on the Consent Calendar.

RULES COMMITTEE REPORT

Mr. Speaker: February 5, 2008

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

BUSINESS AND LABOR

- H.B. 184** Construction Amendments (Rep. M. Morley)
- H.R. 3** House Resolution Recognizing Utah’s Asthma Open Airways Program (Rep. T. Kiser)
- S.B. 68** Workers’ Compensation – Death Benefits (Sen. K. Mayne)

EDUCATION

- H.B. 160** Charter School Law Revisions (Rep. R. Lockhart)
- H.B. 350** Home School Amendments (Rep. C. Wimmer)

GOVERNMENT OPERATIONS

- H.B. 110** Crime of Discharging a Dangerous Weapon or Firearm Within a Municipality (Rep. N. Hansen)
- H.C.R. 4** Concurrent Resolution Encouraging Congressional Action to Designate a New Recipient of Royalties from Navajo Reservation Lands in Utah (Rep. D. Clark)
- H.C.R. 6** Concurrent Resolution Honoring the Life and Contributions of President Gordon B. Hinckley (Rep. M. Morley)

JUDICIARY

- H.B. 149** Protective Order Amendments (Rep. L. Fowlke)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

- H.B. 161** Sex Offenders’ Contact with Children (Rep. R. Greenwood)
- H.B. 339** Human Trafficking Amendments (Rep. C. Herrod)

POLITICAL SUBDIVISIONS

- H.B. 182** Deadline for Voting Precinct Designation (Rep. G. Hughes)
- 2nd Sub. S.B. 32** Local Government Bonding Act (Sen. S. Jenkins)

PUBLIC UTILITIES AND TECHNOLOGY

- H.B. 295** Public School Electronic Device Policies (Rep. S. Allen)

- H.B. 331** Use of Utah Education Network for Telehealth
(Rep. G. Snow)
- H.B. 341** Damage to Underground Utility Facilities Amendments
(Rep. D. Clark)
- H.B. 353** Department of Environmental Quality Amendments
(Rep. C. Johnson)

REVENUE AND TAXATION

- H.B. 172** Distribution of Local Option Sales and Use Tax Revenues
(Rep. B. Dee)
- H.B. 356** Taxation of Moist Snuff (Rep. R. Lockhart)

TRANSPORTATION

- H.B. 347** Motor Vehicle Business Regulation Amendments
(Rep. S. Andersen)

WORKFORCE SERVICES AND COMMUNITY AND ECONOMIC DEVELOPMENT

- S.B. 58** Workers' Compensation Related Amendments
(Sen. M. Dmitrich)

Stephen Urquhart, Chair

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

RULES COMMITTEE REPORT

Mr. Speaker: February 5, 2008

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 351**, Individual Income Tax – Health Insurance (Rep. J. Dunnigan), be replaced with **1st Substitute H.B. 351**, Individual Income Tax – Health Insurance (Rep. J. Dunnigan), and further recommends it be assigned to Revenue and Taxation Standing Committee.

Stephen Urquhart, Chair

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

THIRD READING CALENDAR

H.B. 241, REPEAL OF EXEMPTIONS FROM NONRESIDENT TUITION, read the third time by short title and placed on its final passage.

On motion of Representative D. Clark, the House voted to circle **H.B. 241**.

* * *

H.B. 286, PERMANENT TEACHER LICENSE REVOCATION FOR SEXUAL ACTIVITY WITH STUDENTS, read the third time by short title and placed on its final passage.

H.B. 286 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez-Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Holdaway	Hunsaker
Johnson	King	Kiser	Last
Litvack	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Donnelson	Herrod	Hughes	Hutchings
Lockhart	Mascaro	Urquhart	

H.B. 286 transmitted to the Senate for its consideration.

* * *

H.B. 17, CANCER SCREENING AND MORTALITY REDUCTION PROGRAM, read the third time by short title and placed on its final passage.

H.B. 17 passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Holdaway
Hunsaker	Johnson	King	Kiser
Last	Litvack	Mathis	McGee
McIff	Menlove	Morgan	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Walker	Webb	Wheatley
Wiley	Winn	Curtis	

Absent or not voting were: Representatives

Herrod	Hughes	Hutchings	Lockhart
Mascaro	Morley	Urquhart	Wimmer

H.B. 17 transmitted to the Senate for its consideration.

* * *

H.B. 101, AMENDMENTS TO EMERGENCY INJECTION FOR ANAPHYLACTIC REACTION ACT, read the third time by short title and placed on its final passage.

H.B. 101, as amended, passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Grover

Hansen	Harper	Hemingway	Hendrickson
Holdaway	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Oda	Painter	Ray
Riesen	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

S. Clark	Julie Fisher	Greenwood	Herrod
Hughes	Lockhart	Mascaro	Noel
Sandstrom			

H.B. 101, as amended, transmitted to the Senate for its consideration.

* * *

1st Sub. H.B. 119, CONTROLLED SUBSTANCE DATABASE AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Daw proposed the following amendment:

1. Page 1, Line 15
 - 15 ▶ defines terms;
 - ▶ provides for education of the public regarding the controlled substance database;
2. Page 1, Line 24
 - 24 information by pharmacies, pharmaceutical facilities, and { ~~physicians~~ } prescribing practitioners;
3. Page 2, Lines 27 through 29
 - 27 ▶ requires the Division of Occupational and Professional Licensing to report on the
 - 28 pilot program and the advisability and cost of implementing the pilot program on a
 - 29 statewide basis and the use of the controlled substance database by prescribing practitioners ;

4. Page 2, Lines 36 through 38

36 ▶ \$175,000 as an ongoing appropriation from the General Fund,
for { the } fiscal year

37 2008–09, to the Division of Occupational and Professional
Licensing; and

38 ▶ \$650,000 from the General Fund, for { the } fiscal year
2008–09 only, to the Division of

5. Page 2, Line 43

43 AMENDS: 26–1–36, as enacted by Laws of Utah 2007, Chapter
200

6. Page 2, Line 48

48 Be it enacted by the Legislature of the state of Utah:

Section 1. Section 26–1–36 is amended to read:

26–1–36. Duty to establish program to reduce deaths and other
harm from prescription opiates used for chronic noncancer pain.

(1) As used in this section, “opiate” means any drug or other
substance having an addiction–forming or addiction–sustaining liability
similar to morphine or being capable of conversion into a drug having
addiction–forming or addiction–sustaining liability.

(2) In addition to the duties listed in Section 26–1–30, the
department shall develop and implement a two–year program in
coordination with the Division of Professional Licensing, the Utah Labor
Commission, and the Utah attorney general, to:

(a) investigate the causes of and risk factors for death and
nonfatal complications of prescription opiate use and misuse in Utah for
chronic pain by utilizing the Utah Controlled Substance Database
created in Section 58–37–7.5;

(b) study the risks, warning signs, and solutions to the risks
associated with prescription opiate medications for chronic pain,
including risks and prevention of misuse and diversion of those
medications; { and }

(c) provide education to health care providers, patients,
insurers, and the general public on the appropriate management of
chronic pain, including the effective use of medical treatment and quality
care guidelines that are scientifically based and peer
reviewed { - } : and

(d) educate the public regarding:

(i) the purpose of the Controlled Substance Database established in Section 58-37-7.5; and

(ii) the requirement that a person's name and prescription information be recorded on the database when the person fills a prescription for a schedule II, III, IV, or V controlled substance.

(3) The department shall report on the development and implementation of the program required in Subsection (2) to the legislative Health and Human Services Interim Committee and the legislative Business and Labor Interim Committee no later than the November interim meetings in 2007 and 2008. Each report shall include:

(a) recommendations on:

(i) use of the Utah Controlled Substance Database created in Section 58-37-7.5 to identify and prevent:

(A) misuse of opiates;

(B) inappropriate prescribing; and

(C) adverse outcomes of prescription opiate medications;

(ii) interventions to prevent the diversion of prescription opiate medications; and

(iii) medical treatment and quality care guidelines that are:

(A) scientifically based; and

(B) peer reviewed; and

(b) (i) a measure of results against expectations under the program as of the date of the report; and

(ii) an analysis of the application of the program, use of the appropriated funds, and the impact and results of the use of the funds.

(4) The report provided under Subsection (3) for the 2008 interim shall also provide a final cumulative analysis of the measurable effectiveness of the program implemented under this section.

7. Page 7, Line 205

205 58-37-7.8. Pilot program for { ~~real-time~~ } real-time
reporting for controlled substance database

8. Page 8, Line 215

215 data from, the database by a pharmacy, a pharmaceutical facility, or
a { ~~physician~~ } prescribing practitioner beginning on

9. Page 8, Line 225

225 (5) (a) All provisions and requirements of the
{ ~~state-wide~~ } statewide database, described in

10. Page 9, Lines 246 through 249

246 (b) the progress made by the division in implementing the pilot program on a statewide

247 basis; { ~~and~~ }

248 (c) the advisability of, and projected costs of, implementing the pilot program on a

249 statewide basis { ~~and~~ } ; and

(d) the use of the database by prescribing practitioner.

11. Page 9, Line 260

260 (i) except as provided in Subsection (11)(d), at the expense of the pharmacy or pharmaceutical facility;

12. Page 9, Lines 270 through 272

270 (i) { ~~is secure~~ } complies with the security standards described in 45 CFR Parts 160, 162, and 164, Health Insurance Reform: Security Standards { ~~and~~ }

271 (ii) does not interfere with the proper functioning of the pharmacy's or pharmaceutical

272 facility's software or computer system { ~~and~~ } ; and

(iii) in order to minimize changes in existing protocols, provides, to the extent practicable, for the transmission of data in the same manner that pharmacies currently transmit information to insurance companies.

(d) The division may, within funds appropriated by the Legislature for this purpose, reimburse a pharmacy for all or part of the costs of the in-house programming described in Subsection (11)(b), if:

(i) the pharmacy requests the reimbursement, in writing;

(ii) the pharmacy provides proof of the costs for the in-house programming to the division;

(iii) the pharmacy requests the reimbursement prior to a deadline established by the division; and

(iv) except as provided in Subsection (11)(e), the division pays an equal reimbursement amount to each pharmacy that complies with Subsections (11)(d)(i) through (iii).

(e) The division may reimburse a pharmacy described in Subsection (11)(d)(iv) for an amount that is less than the reimbursement paid to other pharmacies described in Subsection (11)(d)(iv), if:

(i) the proof of costs for in-house programming provided

by the pharmacy establishes a cost less than the amount reimbursed to the other pharmacies; and

(ii) the amount reimbursed to the pharmacy is equal to the amount established by the proof of costs for in-house programming submitted by the pharmacy.

13. Page 10, Lines 274 through 282

274 (1) There is appropriated:

275 { ~~(1)~~ } (a) as an ongoing appropriation, subject to future budget constraints, \$175,000 from

276 the General Fund for the fiscal year 2008–09, to the Division of Occupational and Professional

277 Licensing to maintain and operate the controlled substance database; and

278 { ~~(2)~~ } (b) \$650,000 from the General Fund, for the fiscal year 2008–09 only, to the Division

279 of Occupational and Professional Licensing to :

(i) implement and operate the pilot program

280 described in this bill ; and

(ii) if any of the funds described in this Subsection (1)(b) are available after paying the costs to implement and operate the pilot program under Subsection (1)(b)(i), reimburse a pharmacy for the costs of in-house programming, in accordance with Subsection 58–37–7.8(11)(d) .

281 { ~~(3)~~ } (2) The \$650,000 appropriated from the General Fund, under Subsection (2), shall be

282 nonlapsing.

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

1st Sub. H.B. 119, 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	Andersen	Barrus
Bigelow	Biskupski	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall

Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Holdaway	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Bird	Herrod	Hughes	Lockhart
Mascaro			

1st Sub. H.B. 119, as amended, transmitted to the Senate for its consideration.

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H.B. 268, HEALTH FACILITY COMMITTEE MEMBERSHIP, read the third time by short title and placed on its final passage.

On motion of Representative Snow, the House voted to circle **H.B. 268**.

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H.B. 103, USE OF STATE ALTERNATIVE FUEL NETWORK, 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	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez-Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan

Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Herrod	Lockhart	Mascaro	Painter
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H.B. 103 transmitted to the Senate for its consideration.

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H.B. 45, SUPPORTED EMPLOYMENT SERVICES TO A PERSON WITH A DISABILITY, read the third time by short title and placed on its final passage.

H.B. 45 passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Mathis	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Ray	Riesen

Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Herrod	Lockhart	Mascaro	McGee
Painter			

H.B. 45 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Snow, and at 3:00 p.m., the House voted to adjourn until February 6, 2008, at 10:00 a.m.

SEVENTEENTH DAY

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MORNING SESSION

The House was called to order by Speaker Curtis at 10:15 a.m.

Roll call showed all members present.

Prayer and Pledge of Allegiance by Representative LaWanna Shurtliff.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 5, 2008

The Senate passed, as substituted, **1st Sub. S.B. 36**, CHARTER AND ONLINE SCHOOLS – PARTICIPATION IN EXTRACURRICULAR ACTIVITIES, by Senator M. Madsen, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 77**, REVISIONS TO GOVERNMENT RECORDS ACCESS MANAGEMENT ACT, by Senator M. Dayton, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 156**, UTAH RELOCATION ASSISTANCE ACT AMENDMENTS, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed **S.C.R. 2**, RESOLUTION PROMOTING LEGISLATORS BACK TO SCHOOL PROGRAM, by Senator M. Dayton, and it is transmitted for consideration; and

The Senate passed, as amended, **1st Sub. H.B. 24**, AMENDMENTS TO UTAH DIGITAL HEALTH SERVICE COMMISSION ACT, by Representative R. Menlove, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **1st Sub. S.B. 36**, **S.B. 77**, **S.B. 156**, and **S.C.R. 2** read the first time by short title and referred to the Rules Committee.

Communication filed. **1st Sub. H.B. 24** placed on Concurrence Calendar.

INTRODUCTION OF BILLS

H.B. 188, Transit Revisions (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 436, English Language Learner Family Literacy Centers Program (G. Hughes), read the first time by short title and referred to the Rules Committee.

H.B. 491, Health Plan Exemption from Selected Requirements (E. Hutchings), read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

S.B. 10, SEARCH WARRANT PROCEDURE AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 10 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Gibson	Gowans	Mascaro	Painter
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S.B. 10 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. 16, EXONERATION AND INNOCENCE ASSISTANCE, read the third time by short title and placed on its final passage.

S.B. 16 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn

Absent or not voting were: Representatives

Gibson	Painter	Curtis
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S.B. 16 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. 13, CANDIDATE RESIDENCY REQUIREMENTS, read the third time by short title and placed on its final passage.

1st Sub. S.B. 13 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson

Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn			

Absent or not voting were: Representatives

Painter Curtis

1st Sub. S.B. 13 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. 12, ELECTION LAW MODIFICATIONS, read the third time by short title and placed on its final passage.

S.B. 12 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last

Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	

Absent or not voting were: Representatives

Litvack	Painter	Tilton	Curtis
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S.B. 12 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. 22, TIMING OF BALLOT ITEMS, read the third time by short title and placed on its final passage.

S.B. 22 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	

Absent or not voting were: Representatives

Draxler	Painter	Tilton	Curtis
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S.B. 22 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. 128, AMENDMENTS TO THE VETERAN'S PROPERTY TAX EXEMPTION, read the third time by short title and placed on its final passage.

S.B. 128 passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gowans	Greenwood	Grover
Hansen	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn			

Absent or not voting were: Representatives

D. Clark	Draxler	Gibson	Harper
Painter	Curtis		

S.B. 128 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

S.B. 27, TRUSTEES SALE – PROCESS FOR EXCESS PROCEEDS, read the third time by short title and placed on its final passage.

S.B. 27 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	

Absent or not voting were: Representatives

D. Clark	Draxler	Painter	Curtis
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S.B. 27 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. 24, RETIREMENT DEATH BENEFITS AND DIVORCE REVISIONS, read the third time by short title and placed on its final passage.

On motion of Representative Urquhart, the House voted to circle **S.B. 24.**

* * *

S.B. 131, WAGE WITHHOLDING FOR EMPLOYEE CONTRIBUTIONS, read the third time by short title and placed on its final passage.

S.B. 131 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Fowlke	Frank
Froerer	Garn	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McCliff
Menlove	Morgan	Morley	Moss
Neuenschwander	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Julie Fisher	Gibson	Newbold
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S.B. 131 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. 119, DEPARTMENT OF CORRECTIONS AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 119 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan

Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Gibson Painter

S.B. 119 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 D. Clark, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

THIRD READING CALENDAR

H.B. 70, EXPUNGEMENT LAW AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 70 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen

Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	

Absent or not voting were: Representatives

Hutchings	Tilton	Winn	Curtis
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H.B. 70 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, the House voted to set **1st Sub. H.B. 133, HEALTH SYSTEM REFORM**, for Time Certain on February 8, 2008 at 2:00 p.m.

* * *

On motion of Representative D. Clark, the House voted to move **H.C.R. 2** to the top of the House Third Reading Calendar.

THIRD READING CALENDAR

H.C.R. 2, CONCURRENT RESOLUTION DECLARING FEBRUARY 6, 2008 RONALD REAGAN DAY, read the third time by short title and placed on its final passage.

H.C.R. 2 passed on the following roll call:

Yeas, 58; Nays, 7; Absent or not voting, 10.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Bowman	Brown
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Frank	Froerer	Garn

Gibson	Gowans	Greenwood	Grover
Harper	Hemingway	Herrod	Hughes
Hunsaker	Kiser	Last	Litvack
Lockhart	Mathis	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Snow
Sumsion	Urquhart	Walker	Webb
Wimmer	Winn		

Voting in the negative were: Representatives

Biskupski	Chavez–Houck	Hansen	Johnson
McGee	Seelig	Wiley	

Absent or not voting were: Representatives

Fowlke	Hendrickson	Holdaway	Hutchings
King	Mascaro	Shurtliff	Tilton
Wheatley	Curtis		

H.C.R. 2 held for possible reconsideration.

* * *

H.B. 93, INSURANCE FRAUD AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Aagard proposed the following amendment:

- 1. Page 3, Lines 86 through 88

86 [(b)] (2) An action brought under Section 31A-2-201,
31A-2-308, or 31A-31-109, for failure to comply with Subsection
(1) shall be commenced

87 within four years from the date on which [the auditor employed by
the title insurer:] a person

88 described in Subsection (1):

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

H.B. 93, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman

Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn

Absent or not voting were: Representatives

Brown	Tilton	Curtis
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H.B. 93, as amended, transmitted to the Senate for its consideration.

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H.B. 121, COUNTY CHARGES FOR SERVICES TO INCARCERATED PERSONS, read the third time by short title and placed on its final passage.

H.B. 121, as amended, passed on the following roll call:

Yeas, 54; Nays, 16; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Allen	Bigelow	Biskupski
Bowman	Chavez–Houck	Cosgrove	Dee
Donnelson	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Froerer	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Holdaway	Hunsaker	Hutchings
Johnson	King	Kiser	Litvack
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Moss	Neuenschwander
Noel	Oda	Painter	Ray

Riesen	Sandstrom	Seelig	Shurtliff
Snow	Walker	Webb	Wheatley
Wiley	Winn		

Voting in the negative were: Representatives

Andersen	Barrus	Bird	D. Clark
S. Clark	Daw	Dougall	Frank
Herrod	Hughes	Last	Morley
Newbold	Sumsion	Urquhart	Wimmer

Absent or not voting were: Representatives

Brown	Garn	Lockhart	Tilton
Curtis			

H.B. 121, as amended, held for possible reconsideration.

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H.B. 19, ASSAULT ON A PEACE OFFICER PENALTY AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 19 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Walker	Webb
Wheatley	Wimmer	Winn	

Absent or not voting were: Representatives

Brown	Urquhart	Wiley	Curtis
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H.B. 19 transmitted to the Senate for its consideration.

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H.B. 262, RECOVERY OF FEDERAL REIMBURSEMENT FOR COSTS ASSOCIATED WITH ILLEGAL IMMIGRANTS, read the third time by short title and placed on its final passage.

H.B. 262, as amended, passed on the following roll call:

Yeas, 62; Nays, 9; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Bowman	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	King	Kiser
Last	Lockhart	Mascaro	Mathis
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Sandstrom
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wiley
Wimmer	Winn		

Voting in the negative were: Representatives

Biskupski	Chavez-Houck	Hemingway	Johnson
Litvack	McGee	Riesen	Seelig
Wheatley			

Absent or not voting were: Representatives

Allen	Brown	Dunnigan	Curtis
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H.B. 262, as amended, transmitted to the Senate for its consideration.

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1st Sub. H.B. 104, URBAN TRAILS APPROPRIATION, read the third time by short title and placed on its final passage.

1st Sub. H.B. 104, as amended, passed on the following roll call:

Yeas, 38; Nays, 29; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Barrus	Bigelow	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Dee	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Fowlke
Froerer	Gowans	Hansen	Hemingway
Hendrickson	Holdaway	Hunsaker	Last
Litvack	McGee	McIff	Menlove
Morgan	Moss	Newbold	Riesen
Seelig	Shurtliff	Snow	Wheatley
Wiley	Curtis		

Voting in the negative were: Representatives

Aagard	Daw	Donnelson	Dougall
Julie Fisher	Frank	Garn	Gibson
Greenwood	Grover	Harper	Herrod
Hughes	Hutchings	Kiser	Lockhart
Mascaro	Mathis	Morley	Noel
Oda	Painter	Ray	Sumsion
Tilton	Urquhart	Webb	Wimmer
Winn			

Absent or not voting were: Representatives

Allen	Andersen	Bird	Johnson
King	Neuenschwander	Sandstrom	Walker

1st Sub. H.B. 104, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, and at 12:10 p.m., the House voted to adjourn until February 7, 2008, at 10:00 a.m.

EIGHTEENTH DAY

* * *

MORNING SESSION

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

Roll call showed all members present.

Prayer by Ross William Menlove, Representative Menlove's son. Pledge of Allegiance by Joshua Rudd, Representative Menlove's nephew.

MISCELLANEOUS BUSINESS

On motion of Representative Menlove, the House voted to recall **1st Sub. H.B. 24** from the Office of Legislative Research and General Counsel for a technical correction.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 7, 2008
The Senate requests the return of **1st Sub. H.B. 24**, AMENDMENTS TO UTAH DIGITAL HEALTH SERVICE COMMISSION ACT, by Representative R. Menlove, for reconsideration.

Annette B. Moore
Secretary of the Senate

Communication filed. On motion of Representative Menlove, the House voted to return **1st Sub. H.B. 24** to the Senate.

* * *

Mr. Speaker: February 6, 2008
The Senate passed, as amended, **S.B. 61**, FINANCIAL AND ECONOMIC LITERACY EDUCATION, by Senator P. Jones, and it is transmitted for consideration; and

The Senate passed **S.B. 75**, PROHIBITING GANG ACTIVITY, by Senator J. Greiner, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 76**, STATE PARKS AND RECREATION AMENDMENTS, by Senator B. Goodfellow, and it is transmitted for consideration; and

The Senate passed **S.B. 151**, TRADEMARK PROTECTION ACT AMENDMENTS, by Senator D. Eastman, and it is transmitted for consideration; and

The Senate passed **S.B. 159**, WORKERS' COMPENSATION AMENDMENTS, by Senator D. Eastman, and it is transmitted for consideration; and

The Senate passed **S.B. 63**, ADULT PROTECTIVE SERVICES AMENDMENTS, by Senator K. VanTassell, and it is transmitted for consideration; and

The Senate passed **S.B. 98**, LICENSING OF SECURITY SERVICES, by Senator D. Eastman, and it is transmitted for consideration; and

The Senate passed **S.B. 103**, HIGHER EDUCATION ENHANCEMENTS, by Senator D. Stowell, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 105**, JUDICIAL PERFORMANCE EVALUATION COMMISSION, by Senator D. C. Buttars, and it is transmitted for consideration; and

The Senate passed **S.B. 108**, OFFSET OF WORKERS' COMPENSATION AND SOCIAL SECURITY, by Senator J. Hickman, and it is transmitted for consideration; and

The Senate passed **S.B. 125**, HIGH SCHOOL VOTER REGISTRATION, by Senator K. VanTassell, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 132**, CONSUMER CREDIT PROTECTION ACT – ATTORNEY GENERAL POWERS, by Senator C. Walker, and it is transmitted for consideration; and

The Senate passed **S.B. 138**, UTAH SUBSTANCE ABUSE AND ANTI-VIOLENCE COORDINATING COUNCIL AMENDMENTS, by Senator D. C. Buttars, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 150**, CRIMINAL PENALTIES REVISIONS, by Senator S. Jenkins, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 61, S.B. 75, S.B. 76, S.B. 151, S.B. 159, S.B. 63, S.B. 98, S.B. 103, S.B. 105, S.B. 108, S.B. 125, S.B. 132, S.B. 138, and S.B. 150** read the first time by short title and referred to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 6, 2008

The Law Enforcement and Criminal Justice Committee recommends **H.B. 154**, MOTORBOAT EDUCATION REQUIREMENTS, by Representative J. Dunnigan, be replaced and favorably recommends **1st Sub. H.B. 154**, MOTORBOAT EDUCATION REQUIREMENTS.

DeMar “Bud” Bowman, Chair

Report filed. On motion of Representative Oda, the report of the Law Enforcement and Criminal Justice Committee was adopted.

1st Sub. H.B. 154 read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker: February 6, 2008

The Natural Resources, Agriculture, and Environment Committee recommends **H.B. 148**, AQUACULTURE REVITALIZATION ACT, by Representative M. Noel, be replaced and reports a favorable recommendation on **1st Sub. H.B. 148**, AQUACULTURE REVITALIZATION ACT with the following amendments:

1. Page 4, Line 113:

113 (v) the private fish pond's {~~general~~} location; and

2. Page 6, Lines 173 through 180:

173 (E) one member from names submitted by the {~~members~~
appointed under Subsections

174 ~~(4)(a)(i)(A) and (B)~~ } Department of Natural Resources and
the Department of Agriculture and Food ;

175 (F) one member from names submitted by {~~the member~~
appointed under

176 ~~Subsection(4)(a)(i)(C)~~ } a nonprofit corporation that
promotes sport fishing ; and

177 (G) one member from names submitted by {~~the member~~
appointed under Subsection

178 ~~(4)(a)(i)(D)~~ } a nonprofit corporation that promotes the
aquaculture industry .

179 (ii) The members appointed under Subsections (4)(a)(i)(E) through (G) shall ~~be~~ :

180 (A) ~~{-be }~~ (I) faculty members of an institution of higher education; ~~{-and }~~ or (II) qualified professionals; and

3. Page 7, Line 184:

184 (III) ecology; ~~{-and }~~ or

4. Page 14, Line 418:

418 prevent an aquatic animal from moving into or out of the private fish pond; ~~{-and }~~

5. Page 14, Line 421:

421 (ii) transported live to another location ~~{-z }~~ ; and (e) the person provides the aquaculture facility with a signed statement that the private fish pond is in compliance with this section.

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.J.R. 10, JOINT RESOLUTION OPPOSING DESIGNATION OF PUBLIC LANDS CURRENTLY URGED BY CONGRESS AND THE BUREAU OF LAND MANAGEMENT**, by Representative A. Tilton, with the following amendments:

1. Page 1, Lines 10 through 13:

10 General Description:

11 This joint resolution of the Legislature urges Congress and the United States Bureau of

12 Land Management not to ~~{-designate new-}~~ limit public access to public lands in Utah ~~{-wilderness areas-}~~ either through ~~{-consistent with the~~

13 ~~provisions of-}~~ wilderness designation in H.R. 1919, the so-called "Hinchey Bill ~~z~~ " or through Bureau of Land Management regulatory processes .

2. Page 2, Lines 41 through 42:

41 federal lands through a wilderness designation;

WHEREAS, the Uintah Basin contains 80 billion barrels of known recoverable shale oil reserves;

WHEREAS, the Uintah Basin contains 12 billion barrels of known

recoverable oil from oil sands;

WHEREAS, oil from domestic oil shale and oil sands production will significantly reduce the United States energy security vulnerability;

WHEREAS, the proposed wilderness area would preclude development of oil shale and oil sands production in areas of the Uintah Basin;

42 WHEREAS, the entire Utah Congressional delegation opposes H.R. 1919;

3. Page 2, Lines 57 through 58:

57 BE IT FURTHER RESOLVED that the Legislature urges the BLM {—to reject calls to

58 ~~restrict—} not to limit the public's access to public lands under its jurisdiction.~~

BE IT FURTHER RESOLVED that the Legislature urges BLM to approve resource management plans without “wilderness characteristics” designations before the end of 2008.

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.B. 148, as amended, and **H.J.R. 10**, as amended, read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker:

February 6, 2008

The Transportation Committee reports a favorable recommendation on **H.B. 307**, CANCER SCREENING AND MORTALITY REDUCTION SPECIAL GROUP LICENSE PLATE, by Representative C. Moss; and

The Transportation Committee reports a favorable recommendation on **S.B. 115**, MOTOR VEHICLE SAFETY INSPECTION ADVISORY COUNCIL AMENDMENTS, by Senator D. Eastman, and recommends it be placed on the Consent Calendar.

Todd E. Kiser, Chair

Reports filed. On motion of Representative Daw, the reports of the Transportation Committee were adopted.

H.B. 307 read the second time by short title and placed on the Third Reading Calendar.

S.B. 115 read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: February 5, 2008

The Business and Labor Committee reports a favorable recommendation on **H.B. 346, DIVISION OF REAL ESTATE RELATED AMENDMENTS**, by Representative G. Froerer, with the following amendments:

- 1. Page 1, Lines 13 through 14:
 - 13 ▶ addresses fines that may be imposed;
 - ▶ addresses rulemaking by the Real Estate Commission;
 - 14 ▶ addresses disciplinary actions that may be imposed under provisions related to real
- 2. Page 2, Lines 36 through 39:
 - 36 AMENDS:
 - 61-2-5.5, as last amended by Laws of Utah 2007, Chapter 325
 - 37 61-2-13, as last amended by Laws of Utah 1991, Chapter 165
 - 61-2-20, as last amended by Laws of Utah 2007, Chapter 325
 - 38 61-2-21, as last amended by Laws of Utah 2007, Chapter 325
 - 39 61-2b-2, as last amended by Laws of Utah 2005, Chapter 199
- 3. Page 3, Line 62:
 - 62 Be it enacted by the Legislature of the state of Utah:
 - Section 1. Section 61-2-5.5 is amended to read:
 - 61-2-5.5. Real Estate Commission.
 - (1) There is created within the division a Real Estate Commission. The commission shall:
 - (a) make rules for the administration of this chapter that are not inconsistent with this chapter, including:
 - (i) licensing of:
 - (A) principal brokers;
 - (B) associate brokers;
 - (C) sales agents;
 - (D) real estate companies; and
 - (E) branch offices;
 - (ii) prelicensing and postlicensing education curricula;
 - (iii) examination procedures;

- (iv) the certification and conduct of:
 - (A) real estate schools;
 - (B) course providers; and
 - (C) instructors;
- (v) proper handling of funds received by real estate licensees;
- (vi) brokerage office procedures and recordkeeping requirements;
- (vii) property management;
- (viii) standards of conduct for real estate licensees;
- {-and-}
- (ix) rules made under Section 61-2-26 regarding an undivided fractionalized long-term estate; and
- (x) if the commission determines necessary, rules as provided in Subsection 61-2-20(3) regarding legal forms;
- (b) establish, with the concurrence of the division, all fees as provided in this chapter and Title 61, Chapter 2a, Real Estate Recovery Fund Act;
- (c) conduct all administrative hearings not delegated by the commission to an administrative law judge or the division relating to the:
 - (i) licensing of any applicant;
 - (ii) conduct of any licensee;
 - (iii) the certification or conduct of any real estate school, course provider, or instructor regulated under this chapter; or
 - (iv) violation of this chapter by any person;
- (d) with the concurrence of the director, impose sanctions as provided in Section 61-2-12;
- (e) advise the director on the administration and enforcement of any matters affecting the division and the real estate sales and property management industries;
- (f) advise the director on matters affecting the division budget;
- (g) advise and assist the director in conducting real estate seminars; and
- (h) perform other duties as provided by:
 - (i) this chapter; and
 - (ii) Title 61, Chapter 2a, Real Estate Recovery Fund Act.
- (2) (a) The commission shall be comprised of five members appointed by the governor and approved by the Senate.
- (b) Four of the commission members shall:
 - (i) have at least five years' experience in the real estate business; and

(ii) hold an active principal broker, associate broker, or sales agent license.

(c) One commission member shall be a member of the general public.

(d) No more than one commission member described in Subsection (2)(b) shall at the time of appointment reside in any given county in the state.

(e) At least one commission member described in Subsection (2)(b) shall at the time of an appointment reside in a county that is not a county of the first or second class.

(3) (a) Except as required by Subsection (3)(b), as terms of current commission members expire, the governor shall appoint each new member or reappointed member to a four-year term ending June 30.

(b) Notwithstanding the requirements of Subsection (3)(a), the governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of commission members are staggered so that approximately half of the commission is appointed every two years.

(c) Upon the expiration of the term of a member of the commission, the member of the commission shall continue to hold office until a successor is appointed and qualified.

(d) A commission member may not serve more than two consecutive terms.

(e) Members of the commission shall annually select one member to serve as chair.

(4) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term.

(5) (a) A member may not receive compensation or benefits for the member's services, but may receive per diem and expenses incurred in the performance of the member's official duties at the rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

(b) A member may decline to receive per diem and expenses for the member's service.

(6) (a) The commission shall meet at least monthly.

(b) The director may call additional meetings:

(i) at the director's discretion;

(ii) upon the request of the chair; or

(iii) upon the written request of three or more commission members.

(7) Three members of the commission constitute a quorum for the transaction of business.

4. Page 3, Line 85:

85 ~~[him]~~ the principal broker of the revocation or suspension of ~~[his]~~ the principal broker license.

Section 3. Section 61-2-20 is amended to read:

61-2-20. Rights and privileges of real estate licensees to fill out forms or documents.

~~{-A-}~~ (1) Except as provided in Subsections (2) and (3),
a real estate licensee may fill out only those legal forms approved by the commission and the attorney general, and those forms provided by statute ~~{-, with the following exceptions:-}~~ ;

~~{-(1)-}~~ (2) (a) (i) A principal broker may fill out any documents associated with the closing of a real estate transaction.

~~{-(b)-}~~ (ii) A branch broker or associate broker may fill out any documents associated with the closing of a real estate transaction if designated to fill out the documents by the principal broker with whom the branch broker or associate broker is affiliated.

~~{-(2)-}~~ (b) A real estate licensee may fill out real estate forms prepared by legal counsel of the buyer, seller, lessor, or lessee.

~~{-(3)-}~~ (c) If the commission and the attorney general have not approved a specific form for the transaction, a principal broker, associate broker, or sales agent may fill out real estate forms prepared by any legal counsel, including legal counsel retained by the brokerage to develop these forms.

(3) The commission may by rule, made in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, provide a process for the use of a legal form under this section if the rule:

(a) provides for the involvement of the commission and attorney general in the creation of a legal form; and

(b) protects the interest of the general public.

Renumber remaining sections accordingly

Stephen Clark, Chair

Report filed. On motion of Representative S. Clark, the report of the Business and Labor Committee was adopted.

H.B. 346, as amended, read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker: February 5, 2008

The Education Committee reports a favorable recommendation on **H.B. 332**, USE OF PUBLIC SCHOOLS BY COMMUNITY ORGANIZATIONS, by Representative G. Hughes.

Gregory H. Hughes, Chair

Report filed. On motion of Representative Hughes, the report of the Education Committee was adopted.

H.B. 332 read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker: February 5, 2008

The Health and Human Services Committee reports a favorable recommendation on **H.B. 131**, COMMUNITY BASED SELF SUFFICIENCY GRANTS, by Representative J. Seelig, with the following amendments:

1. Page 1, Lines 22 through 23:
 22 ▶ as an ongoing appropriation,
 \$ {~~-750,000-~~} \$401,500 from the General Fund for fiscal year
 23 2008-09 to fund the community based grant program.
2. Page 3, Lines 82 through 84:
 82 (vi) to support translation of health materials and information;
 {~~-and~~ }
 83 (vii) to facilitate the person’s access to primary care services
 and providers, including
 84 mental health services ; and
 (viii) to measure and report empirical results of its efforts to satisfy
 the requirements of the grant .
3. Page 5, Lines 138 through 139:
 138 the elderly, persons with low incomes, and persons with chronic
 diseases; {~~-and~~ }
 139 (iv) meets other criteria determined by the department; and
 (v) demonstrates the ability to empirically measure and report the
 results of all grant supported activities;

4. Page 5, Line 144:

144 Department of Human Services; and
 (c) award the money appropriated for the grants in nine different grants as follows:

(i) four grants in the amount of \$50,000 each to be awarded to experienced and established grant applicants; and

(ii) five grants in the amount of \$30,000 each to be awarded to grant applicants that:

(A) are not as established or experienced as the applicants under Subsection (3)(c)(i); or

(B) represent smaller community based approaches than the applicants described in Subsection (3)(c)(i) .

5. Page 5, Lines 149 through 151:

149 As an ongoing appropriation subject to future budget constraints, there is appropriated

150 from the General Fund for fiscal year 2008-09,
 \$ {-750,000 } \$401,500 to the Department of Health to fund

151 the community based grant program authorize by Chapter 18, Part 3, Access to Health Care. ; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 14**, SMOKING BAN IN MOTOR VEHICLE, by Senator S. McCoy; and

The Health and Human Services Committee reports a favorable recommendation on **S.C.R. 1**, RESOLUTION SUPPORTING OBESITY AWARENESS, by Senator D. C. Buttars, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 1, Lines 12 through 17:

12 This concurrent resolution of the Legislature and the Governor designates Obesity

13 Awareness {-Months-} Month in Utah and urges obesity education and prevention.

14 Highlighted Provisions:

15 This resolution:

16 ► designates {-January, February, and March-} April 2008 as Obesity Awareness {-Months-} Month in the

17 state; and

2. Page 2, Lines 54 through 56:

54 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the

55 Governor concurring therein, designate the {~~months~~} month of {~~January, February, and March~~} April 2008 as

56 Obesity Awareness {~~Months~~} Month in the state of Utah.

Paul Ray, Chair

Reports filed. On motion of Representative Ray, the reports of the Health and Human Services Committee were adopted.

H.B. 131, as amended, and **S.B. 14** read the second time by short title and placed on the Third Reading Calendar.

S.C.R. 1, as amended, read the second time by short title and placed on the Consent Calendar.

NOTICE OF BILLS RETURNED TO RULES COMMITTEE

Mr. Speaker: February 5, 2008

The Public Utilities and Technology Committee has returned **H.B. 300**, TELEPHONE SOLICITATION AMENDMENTS, by Representative S. Sandstrom, to the Rules Committee; and

The Public Utilities and Technology Committee recommends **H.B. 308**, CREDIT CARD OR DEBIT CARD TRANSACTIONS ACT, by Representative W. Harper, be replaced with **1st Sub. H.B. 308**, CREDIT CARD OR DEBIT CARD CONTRACTS ACT, and has returned it to the Rules Committee with a recommendation that it be referred to interim study.

Michael E. Noel, Chair

Reports filed. **H.B. 300** and **1st Sub. H.B. 308** returned to the Rules Committee.

INTRODUCTION OF BILLS

H.B. 214, School Testing Specialists (S. Sandstrom), read the first time by short title and referred to the Rules Committee.

H.B. 383, Statewide Capital Outlay Equalization (A. Tilton), read the first time by short title and referred to the Rules Committee.

H.B. 415, Joint Custody Modifications (L. Fowlke), read the first time by short title and referred to the Rules Committee.

H.B. 425, Exemption for Alcoholic Beverage Manufacturing License (C. Johnson), read the first time by short title and referred to the Rules Committee.

H.B. 430, Designation of Second District State Court Building (N. Hansen), read the first time by short title and referred to the Rules Committee.

H.B. 475, Labor Organization Amendments (G. Hughes), read the first time by short title and referred to the Rules Committee.

H.J.R. 12, Joint Resolution Amending the Utah Constitution – Stock Subscriptions (D. Clark), read the first time by short title and referred to the Rules Committee.

H.J.R. 14, Joint Resolution Amending Residential Property Assessment Provisions (G. Froerer), read the first time by short title and referred to the Rules Committee.

RULES COMMITTEE REPORT

Mr. Speaker:

February 6, 2008

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

BUSINESS AND LABOR

S.B. 100 Motor Vehicle Dealer Disclosure Requirements Amendments (Sen. D. Eastman)

EDUCATION

H.B. 274 Utah K–8 Online Virtual School (Rep. B. Ferry)

GOVERNMENT OPERATIONS

H.B. 162 Utah School Seismic Hazard Inventory (Rep. L. Wiley)

H.B. 352 Amendments Related to Monies Derived from Navajo Nation Reservation Lands in Utah (Rep. D. Clark)

H.B. 357 Public Associations Subject to Government Records Access and Management Act (Rep. M. Noel)

JUDICIARY

S.B. 164 Computer Assisted Remote Hunting Prohibited (Sen. M. Waddoups)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

- H.B. 181** Disposition of Potential Evidence (Rep. T. Cosgrove)
- H.B. 344** Alcoholic Beverage Enforcement Provisions (Rep. C. Oda)

NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT

- H.B. 362** Motor Fuel Tax – Off-highway Vehicle Refund Amendments (Rep. B. Ferry)
- H.C.R. 5** Concurrent Resolution Urging Congressional Approval of R.S. 2477 Rights-of-way Recognition Act (Rep. M. Brown)

POLITICAL SUBDIVISIONS

- H.B. 185** Western States Presidential Primary Amendments (Rep. K. Grover)
- H.B. 369** Municipal Rental Fees Amendments (Rep. M. Walker)

REVENUE AND TAXATION

- S.B. 31** Income Tax Amendments (Sen. W. Niederhauser)
- S.B. 124** Sales and Use Tax – Definitions of Permanently Attached to Real Property and Tangible Personal Property (Sen. H. Stephenson)

TRANSPORTATION

- H.B. 348** Zion National Park Special Group License Plate (Rep. B. Last)

Stephen Urquhart, Chair

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

RULES COMMITTEE REPORT

Mr. Speaker: February 6, 2008

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 94**, Public Employees’ Retirement – Spousal Election (Rep. L. Shurtliff) be replaced with **1st Substitute H.B. 94**, Public Employees’ Retirement – Spousal Election, and further recommends it be assigned to the House Retirement and Independent Entities Standing Committee.

Stephen Urquhart, Chair

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

CONSENT CALENDAR

H.B. 310, ABSENTEE BALLOT REVISIONS, read the third time by short title and placed on its final passage.

H.B. 310 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Sumsion
Tilton	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Dunnigan	Snow	Urquhart
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H.B. 310 transmitted to the Senate for its consideration.

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S.B. 23, REVISION TO POLLING REQUIREMENTS, read the third time by short title and placed on its final passage.

S.B. 23 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman

Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Dunnigan	Gowans	Hendrickson	Snow
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S.B. 23 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. 30, CONSUMER SALES PRACTICE ACT AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 30 passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Herrod	Holdaway	Hughes	Hunsaker
Johnson	King	Kiser	Last

Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Sumsion	Tilton	Urquhart	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

D. Clark	Dunnigan	Hendrickson	Hutchings
Snow	Walker		

S.B. 30 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

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H.C.R. 3, CONCURRENT RESOLUTION – DECLARING LOVE YOUR LIBRARY WEEK, read the third time by short title and placed on its final passage.

H.C.R. 3 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Greenwood	Grover	Hansen
Harper	Hemingway	Herrod	Holdaway
Hughes	Hunsaker	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Dunnigan	Garn	Gibson	Gowans
Hendrickson	Hutchings	Oda	

H.C.R. 3 transmitted to the Senate for its consideration.

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S.J.R. 1, RESOLUTION ENCOURAGING THE ADVERTISEMENT OF ALTERNATIVE ROUTES TO TEACHING, read the third time by short title and placed on its final passage.

S.J.R. 1 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Chavez-Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Bowman	Brown	Dunnigan	Hendrickson
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S.J.R. 1 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

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H.B. 250, PUBLIC EMPLOYEE BENEFIT APPROVAL PROVISIONS, read the third time by short title and placed on its final passage.

H.B. 250 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Webb	Wheatley	Wiley	Curtis

Absent or not voting were: Representatives

Dunnigan	Hendrickson	Johnson	Sandstrom
Walker	Wimmer	Winn	

H.B. 250 transmitted to the Senate for its consideration.

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H.B. 288, 911 COMMITTEE, read the third time by short title and placed on its final passage.

H.B. 288 passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Ferry

Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Herrod	Holdaway	Hughes	Hunsaker
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Webb	Wheatley
Wiley	Wimmer	Curtis	

Absent or not voting were: Representatives

Dunnigan	Garn	Hendrickson	Hutchings
Johnson	Oda	Walker	Winn

H.B. 288 transmitted to the Senate for its consideration.

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H.B. 314, SEXUAL OFFENSES – DEFINITIONS, read the third time by short title and placed on its final passage.

H.B. 314 passed on the following roll call:

Yeas, 64; Nays, 0; Absent or not voting, 11.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Herrod	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel

Oda	Painter	Ray	Riesen
Sandstrom	Shurtliff	Snow	Sumsion
Tilton	Webb	Wheatley	Wiley

Absent or not voting were: Representatives

D. Clark	Hendrickson	Holdaway	Last
Menlove	Seelig	Urquhart	Walker
Wimmer	Winn	Curtis	

H.B. 314 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Fowlke, the House voted to uncircle **S.B. 24**.

S.B. 24, RETIREMENT DEATH BENEFITS AND DIVORCE REVISIONS, was before the House on its final passage.

S.B. 24 passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	S. Clark	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Garn
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Walker	Webb
Wheatley	Wiley		

Absent or not voting were: Representatives

D. Clark	Cosgrove	Froerer	Gibson
Hendrickson	Urquhart	Wimmer	Winn
Curtis			

S.B. 24 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 Snow, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

UNFINISHED BUSINESS

On motion of Representative Herrod, the House voted to uncircle **H.B. 268**.

H.B. 268, HEALTH FACILITY COMMITTEE MEMBERSHIP, was before the House on its final passage.

H.B. 268, 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	Andersen	Barrus
Bigelow	Bird	Bowman	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Frank	Froerer	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Noel	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Walker	Webb	Wheatley	Wiley
Wimmer			

Absent or not voting were: Representatives

Biskupski	D. Clark	Fowlke	Garn
Hendrickson	Newbold	Oda	Urquhart
Winn	Curtis		

H.B. 268, as amended, transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 117, INSTREAM FLOW TO PROTECT TROUT HABITAT, read the third time by short title and placed on its final passage.

H.B. 117, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Frank	Froerer
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Webb	Wheatley	Wiley
Wimmer			

Absent or not voting were: Representatives

D. Clark	Fowlke	Garn	Hendrickson
Mathis	Oda	Urquhart	Walker
Winn	Curtis		

H.B. 117, as amended, transmitted to the Senate for its consideration.

* * *

1st Sub. H.B. 125, DEPARTMENT OF AGRICULTURE AND FOOD AMENDMENTS, read the third time by short title and placed on its final passage.

1st Sub. H.B. 125 passed on the following roll call:

Yeas, 63; Nays, 0; Absent or not voting, 12.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Biskupski	Bowman	Brown	Chavez–Houck
S. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Litvack	Lockhart
Mascaro	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Webb
Wheatley	Wiley	Wimmer	

Absent or not voting were: Representatives

Allen	Bird	D. Clark	Fowlke
Hendrickson	Last	Mathis	Oda
Urquhart	Walker	Winn	Curtis

1st Sub. H.B. 125 transmitted to the Senate for its consideration.

* * *

H.B. 143, ADMINISTRATION OF INTERSTATE WATER, read the third time by short title and placed on its final passage.

H.B. 143 passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Biskupski	Bowman	Brown	D. Clark
S. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Frank	Froerer	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Herrod	Holdaway	Hughes

Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer			

Absent or not voting were: Representatives

Allen	Bird	Chavez–Houck	Fowlke
Garn	Hendrickson	Menlove	Riesen
Winn	Curtis		

H.B. 143 transmitted to the Senate for its consideration.

* * *

H.B. 105, TRANSPORTATION INFRASTRUCTURE LOAN FUND AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Morgan proposed the following amendment:

1. Page 2, Lines 32 through 35

32 (2) “Infrastructure assistance” means any use of fund moneys, except an infrastructure

33 loan, to provide financial assistance for transportation projects, including {–to finance leases,

34 fund reserves, make grants, make interest buy–down grants, leases, or loans–} ;

(a) capital reserves and other security for bond or debt instrument financing; or

(b) any letters of credit, lines of credit, bond insurance, or loan guarantees obtained by a

35 public entity to finance transportation projects.

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

H.B. 105, as amended, passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Frank
Froerer	Garn	Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Herrod	Holdaway	Hughes	Hunsaker
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Sandstrom
Seelig	Shurtliff	Snow	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer		

Absent or not voting were: Representatives

Fowlke	Gowans	Hendrickson	Hutchings
Menlove	Riesen	Sumsion	Winn
Curtis			

H.B. 105, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Snow, the House voted to reconsider its action on **H.B. 121**.

RECONSIDERATION OF H.B. 121

H.B. 121, COUNTY CHARGES FOR SERVICES TO INCARCERATED PERSONS, was before the House for reconsideration.

On motion of Representative Snow, the House voted to circle **H.B. 121**.

THIRD READING CALENDAR

H.B. 296, VOTING MACHINES USED BY MUNICIPALITIES, read the third time by short title and placed on its final passage.

H.B. 296 passed on the following roll call:

Yeas, 63; Nays, 0; Absent or not voting, 12.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Biskupski	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Frank	Froerer
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Herrod
Holdaway	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Morley	Moss	Neuenschwander
Newbold	Noel	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	

Absent or not voting were: Representatives

Bird	Fowlke	Garn	Hendrickson
Hughes	Menlove	Morgan	Oda
Sumsion	Tilton	Winn	Curtis

H.B. 296 transmitted to the Senate for its consideration.

* * *

H.J.R. 3, RESOLUTION REAFFIRMING THE WORDS, UNDER GOD, IN THE PLEDGE OF ALLEGIANCE, read the third time by short title and placed on its final passage.

H.J.R. 3 passed on the following roll call:

Yeas, 58; Nays, 5; Absent or not voting, 12.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bowman	Brown	D. Clark
S. Clark	Cosgrove	Daw	Dee
Donnelson	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Frank

Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	King	Kiser
Last	Lockhart	Mathis	McIff
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Painter	Ray
Sandstrom	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wimmer		

Voting in the negative were: Representatives

Biskupski	Chavez–Houck	Johnson	McGee
Wiley			

Absent or not voting were: Representatives

Bird	Dougall	Fowlke	Hendrickson
Litvack	Mascaro	Menlove	Oda
Riesen	Seelig	Winn	Curtis

H.J.R. 3 transmitted to the Senate for its consideration.

* * *

H.C.R. 2, previously held, was transmitted to the Senate.

* * *

H.B. 116, FLUORINE IN A PRIVATELY OWNED WATER SYSTEM, read the third time by short title and placed on its final passage.

H.B. 116, as amended, passed on the following roll call:

Yeas, 56; Nays, 14; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bowman	Brown	D. Clark	S. Clark
Daw	Dee	Donnelson	Dougall
Draxler	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Herrod	Hughes	Hutchings	Kiser

Last	Lockhart	Mathis	McIff
Menlove	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wimmer

Voting in the negative were: Representatives

Allen	Bird	Chavez–Houck	Cosgrove
Duckworth	Hunsaker	Johnson	King
Litvack	Mascaro	McGee	Morgan
Shurtliff	Wiley		

Absent or not voting were: Representatives

Biskupski	Hendrickson	Holdaway	Winn
Curtis			

H.B. 116, as amended, transmitted to the Senate for its consideration.

RULES COMMITTEE REPORT

Mr. Speaker: February 7, 2008

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

BUSINESS AND LABOR

H.B. 223	Exemption from Licensure by Division of Real Estate (Rep. M. Walker)
H.B. 224	Construction Standards for Type II Assisted Living Facility (Rep. R. Lockhart)
H.B. 375	Deception Detection Examiners Licensing Act Amendments (Rep. R. Barrus)
S.B. 52	Identity Theft Amendment (Sen. C. Walker)

EDUCATION

H.B. 163	School Fee Amendments (Rep. C. Frank)
H.B. 189	School Community Councils (Rep. R. Bigelow)
S.B. 35	Differentiated Pay for Teachers (Sen. H. Stephenson)

GOVERNMENT OPERATIONS

H.B. 173	Money Management Act Updates (Rep. P. Neuenschwander)
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JUDICIARY

H.B. 178 Jurisdiction for Prosecution (Rep. P. Neuenschwander)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

- H.B. 156** DNA Sample – Felony and Certain Misdemeanor Arrests (Rep. K. Gibson)
- H.B. 171** Driving Privilege Card Amendments (Rep. B. Daw)
- H.B. 187** Death Caused by Illegal Drugs (Rep. C. Herrod)
- H.B. 247** Domestic Violence and Dating Violence Amendments (Rep. D. Litvack)

NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT

- H.B. 179** Water Right Appropriation Amendments (Rep. P. Painter)
- H.B. 225** Proof for a Water Right Application (Rep. P. Painter)
- 1st Sub. S.B. 110** Foreign Business Entities and Tribal Law (Sen. K. VanTassell)

RETIREMENT AND INDEPENDENT ENTITIES

H.B. 328 Retirement Benefits for Law Enforcement, Firefighters, and Public Service Employees (Rep. N. Hansen)

REVENUE AND TAXATION

- H.B. 183** Sales and Use Tax Amendments (Rep. W. Harper)
- H.B. 365** Aviation Amendments (Rep. W. Harper)
- H.B. 373** Uniform Fees on Vintage Motor Vehicles (Rep. W. Harper)

Stephen Urquhart, Chair

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

RULES COMMITTEE REPORT

Mr. Speaker: February 7, 2008

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 285**, Licensing Eligibility (Rep. S. Sandstrom) be replaced with **1st Substitute H.B. 285**, Licensing Eligibility, and further recommends it be assigned to the House Business and Labor Standing Committee.

Stephen Urquhart, Chair

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

MISCELLANEOUS BUSINESS

On motion of Representative Snow, and at 12:10 p.m., the House voted to adjourn until February 8, 2008, at 10:00 a.m.

NINETEENTH DAY

* * *

MORNING SESSION

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

Roll call showed all members present except Representatives Bud Bowman and Eric Hutchings, excused.

Prayer by Representative Ray. Pledge of Allegiance by Representative Ray's son, Zac Ray.

SPECIAL PRESENTATION

Syracuse Arts Academy performed two musical numbers prior to the start of session. The choir is directed by Julie Ray, Representative Ray's wife, Deanna Gardner, and Laura Bayn, accompanied by Andrea Riding.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 7, 2008

The Senate passed, **H.B. 11**, PAROLE AMENDMENTS, 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. 56**, REPEAL PROVISIONS RELATED TO ASSUMPTION OF INDEBTEDNESS ON RESIDENTIAL REAL PROPERTY, by Representative K. Garn, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 79**, SUNSET REAUTHORIZATIONS AND AMENDMENTS, 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.B. 249**, VEHICLES COVERED BY NEW MOTOR VEHICLE WARRANTIES, 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. 11**, **H.B. 56**, **H.B. 79**, and **H.B. 249** were signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker:

February 7, 2008

The Senate passed, as amended, **1st Sub. H.B. 24**, AMENDMENTS TO UTAH DIGITAL HEALTH SERVICE COMMISSION ACT, by Representative R. Menlove, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 74**, MEDICAID 340B DRUG PRICING PROGRAMS, by Representative D. Litvack, and it is transmitted for further consideration; and

The Senate substituted and passed, **Senate 2nd Sub. H.B. 77**, PERSONAL PROPERTY TAX AMENDMENTS, by Representative J. Dougall, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **1st Sub. H.B. 24**, **H.B. 74**, and **2nd Sub. H.B. 77** placed on the Concurrence Calendar.

* * *

Mr. Speaker:

February 7, 2008

The Senate passed **S.B. 50**, MEDICAL BENEFITS RECOVERY AMENDMENTS, by Senator A. Christensen, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 65**, SOLICITING GANG MEMBERS PROHIBITED, by Senator J. Greiner, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 67**, PROTECTION OF CONSTITUTIONALLY GUARANTEED ACTIVITIES IN CERTAIN PRIVATE VENUES, by Senator M. Madsen, and it is transmitted for consideration; and

The Senate passed, as substituted, **2nd Sub. S.B. 134**, MORTGAGE FRAUD ACT, by Senator S. Killpack, and it is transmitted for consideration; and

The Senate passed **S.B. 139**, UTAH ANTITRUST ACT AMENDMENTS, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 158**, GOVERNOR'S RURAL PARTNERSHIP BOARD AND RURAL COORDINATING COMMITTEE AMENDMENTS, by Senator D. Stowell, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 163**, CERTIFIED PUBLIC ACCOUNTANT LICENSING ACT AMENDMENTS, by Senator C. Bramble, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 50**, **S.B. 65**, **S.B. 67**, **2nd Sub. S.B. 134**, **S.B. 139**, **1st Sub. S.B. 158**, and **S.B. 163** read the first time by short title and referred to the Rules Committee.

INTRODUCTION OF BILLS

H.B. 200, Early Childhood Learning and Evaluation (B. Last), read the first time by short title and referred to the Rules Committee.

H.B. 210, Identity Theft and Other Crimes (S. Sandstrom), read the first time by short title and referred to the Rules Committee.

H.B. 406, Traffic Code Amendments (J. Dunnigan), read the first time by short title and referred to the Rules Committee.

H.B. 411, Title and Escrow Commission Act (R. C. Webb), read the first time by short title and referred to the Rules Committee.

H.B. 412, Below Cost Sales (S. Urquhart), read the first time by short title and referred to the Rules Committee.

H.B. 449, Implementation of Federal Real Id Act (G. Donnelson), read the first time by short title and referred to the Rules Committee.

H.B. 473, Firearms Amendments (C. Oda), read the first time by short title and referred to the Rules Committee.

H.J.R. 15, Joint Resolution Amending Legislative Article (N. Hansen), read the first time by short title and referred to the Rules Committee.

CONSENT CALENDAR

H.B. 231, LOCAL VOTER INFORMATION PAMPHLET AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 231 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Dunnigan	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn

Absent or not voting were: Representatives

Bowman	Duckworth	Ferry	Gibson
Hutchings	Morley	Curtis	

H.B. 231 transmitted to the Senate for its consideration.

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H.B. 261, LOCAL DISTRICT PRIMARY ELECTIONS, read the third time by short title and placed on its final passage.

H.B. 261 passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Janice Fisher
Julie Fisher	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson

Herrod	Holdaway	Hughes	Hunsaker
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn		

Absent or not voting were: Representatives

Bowman	Ferry	Fowlke	Hutchings
Curtis			

H.B. 261 transmitted to the Senate for its consideration.

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S.B. 60, REPEALING LABOR COMMISSION RESPONSIBILITIES TO OVERSEE EMPLOYMENT AGENCIES, read the third time by short title and placed on its final passage.

S.B. 60 passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Janice Fisher
Julie Fisher	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Riesen
Sandstrom	Seelig	Shurtliff	Snow

Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn			

Absent or not voting were: Representatives

Bowman	Ferry	Fowlke	Hutchings
Ray	Curtis		

S.B. 60 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 **H.J.R. 4**.

H.J.R. 4, JOINT RESOLUTION URGING SCHOOL9L CLOSINGS TO RECOGNIZE VETERANS DAY, was before the House on its final passage.

H.J.R. 4, as amended, passed on the following roll call:

Yeas, 41; Nays, 29; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Andersen	Barrus	Bigelow	Bird
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Frank	Froerer
Garn	Greenwood	Grover	Hansen
Harper	Herrod	Hughes	King
Kiser	Last	Litvack	Lockhart
Mathis	Morley	Newbold	Noel
Oda	Painter	Ray	Sandstrom
Seelig	Sumsion	Tilton	Urquhart
Walker	Wheatley	Wimmer	Winn
Curtis			

Voting in the negative were: Representatives

Aagard	Allen	Biskupski	Chavez-Houck
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Gowans
Hemingway	Hendrickson	Holdaway	Hunsaker
Johnson	Mascaro	McGee	McCliff
Menlove	Morgan	Moss	Neuenschwander
Riesen	Shurtliff	Snow	Webb
Wiley			

Absent or not voting were: Representatives

Bowman	Brown	Fowlke	Gibson
Hutchings			

H.J.R. 4, as amended, transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 145, ADDITIONAL STATE RETIREMENT BENEFIT, read the third time by short title and placed on its final passage.

Representative Mathis declared a conflict of interest because his father would be affected by passage of this bill.

H.B. 145, as amended, passed on the following roll call:

Yeas, 61; Nays, 7; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Garn	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Holdaway	Hughes
Hunsaker	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Moss	Neuenschwander	Newbold
Noel	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Walker	Webb	Wheatley	Wiley
Winn			

Voting in the negative were: Representatives

Dougall	Herrod	Morley	Oda
Sumsion	Tilton	Wimmer	

Absent or not voting were: Representatives

Bowman	Brown	Froerer	Gibson
Hutchings	Urquhart	Curtis	

H.B. 145, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Garn, the House voted to allow a bill file to be opened concerning revenue bonds.

THIRD READING CALENDAR

H.B. 112, PUBLIC EDUCATION FOUNDATION AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 112 passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Garn
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McCliff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	

Absent or not voting were: Representatives

Bowman	Brown	Froerer	Gibson
Holdaway	Hutchings	Sandstrom	Curtis

H.B. 112 transmitted to the Senate for its consideration.

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H.B. 266, ACCELERATED LEARNING PROGRAM REVISIONS, read the third time by short title and placed on its final passage.

H.B. 266, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Bowman	Gowans	Hutchings
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H.B. 266, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Tilton, the House voted to set **H.J.R. 10** for Time Certain on February 14, 2008 at 11:00 a.m.

CORRECTED COMMITTEE REPORT

Mr. Speaker: February 5, 2008

The Health and Human Services Committee reports a favorable recommendation on **S.B. 14, SMOKING BAN IN MOTOR VEHICLES**, by Senator S. McCoy.

Paul Ray, Chair

Report filed. On motion of Representative Ray, the corrected report of the Health and Human Services Committee was adopted.

S.B. 14 read the second time by short title and placed on the Third Reading Calendar.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 7, 2008

The Retirement and Independent Entities Committee reports a favorable recommendation on **H.B. 96**, RETIRED TEACHERS – RETURN TO WORK, by Representative D. Bowman, with the following amendments:

1. Page 1, Lines 13 through 15:
 - 13 ▶ amends the six month post retirement wait period, for reemployment with the same
 - 14 agency, to {~~60~~} 7 days for licensed educators who are at least 62 years of age and that retire and are reemployed from the
 - 15 same school district;
2. Page 2, Lines 44 through 47:
 - 44 (v) a retiree of an agency that is a school district and the retiree is:
 - 45 (A) at least 62 years of age;
(B) eligible for an unreduced allowance;
(C) reemployed by the same agency after {~~60~~} 7 days from the retirement date; and
 - 46 {~~(B)~~} (D) a licensed educator under Title 53A, Chapter 6, Educator Licensing and
 - 47 Professional Practices Act.

John Dougall, Chair

Report filed. On motion of Representative Tilton, the report of the Retirement and Independent Entities Committee was adopted.

H.B. 96, as amended, read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker: February 7, 2008

The Government Operations Committee recommends **H.B. 75**, INVENTORY AND REVIEW OF COMMERCIAL ACTIVITIES, by Representative C. Frank, be replaced and favorably recommends **2nd Sub. H.B. 75**, INVENTORY AND REVIEW OF COMMERCIAL ACTIVITIES; and

The Government Operations Committee reports a favorable recommendation on **H.B. 80**, ADMINISTRATIVE RULE PENALTY AMENDMENTS, by Representative B. Ferry; and

The Government Operations Committee recommends **H.B. 166**, MINUTES OF OPEN AND PUBLIC MEETINGS, by Representative M. Brown, be replaced and favorably recommends **1st Sub. H.B. 166**, MINUTES OF OPEN AND PUBLIC MEETINGS; and

The Government Operations Committee reports a favorable recommendation on **S.B. 40**, STATE TRADE DATABASE, by Senator M. Madsen.

Glenn A. Donnelson, Chair

Reports filed. On motion of Representative Donnelson, the reports of the Government Operations Committee were adopted.

2nd Sub. H.B. 75, H.B. 80, 1st Sub. H.B. 166, S.B. 40 read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker:

February 7, 2008

The Political Subdivisions Committee reports a favorable recommendation on **2nd Sub. S.B. 32**, LOCAL GOVERNMENT BONDING ACT, by Senator S. Jenkins; and

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 182**, DEADLINE FOR VOTING PRECINCT DESIGNATION, by Representative G. Hughes, 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.

2nd Sub. S.B. 32 read the second time by short title and placed on the Third Reading Calendar.

H.B. 182 read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker:

February 7, 2008

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 172**, DISTRIBUTION OF LOCAL OPTION SALES AND USE TAX REVENUES, by Representative B. Dee; and

The Revenue and Taxation Committee reports a favorable recommendation on **1st Sub. H.B. 351, INDIVIDUAL INCOME TAX – HEALTH INSURANCE**, by Representative J. Dunnigan, with the following amendments:

1. Page 18, Lines 525 through 531:

525 (b) “Eligible insured individual” means:
 526 (i) the claimant who is insured under a health benefit plan;
 527 (ii) the spouse of the claimant described in Subsection (1)(b)(i)
 if:
 528 (A) the claimant files a single { ~~federal individual income~~
~~tax~~ } return jointly under this chapter with the
 529 claimant’s spouse for the taxable year ; and
 530 (B) the spouse is insured under the health benefit plan described
in Subsection
 531 (1)(b)(i); or

2. Page 19, Lines 553 through 561:

553 (e) “Joint claimant with no dependents” means { ~~–~~
 554 ~~(i)~~ } a husband and wife who:
 555 { ~~–(A)~~ } (i) file a single { ~~federal individual~~
income tax } return jointly under this chapter for the taxable
year; and
 556 { ~~–(B)~~ } (ii) do not claim a dependent under Section
151, Internal Revenue Code, on the
 557 husband’s and wife’s federal individual income tax return for the
taxable year { ~~–; or~~ } ~~–~~
 558 { ~~–(ii) a surviving spouse, as defined in Section 2(a), Internal~~
Revenue Code, who:
 559 (A) files a single federal individual income tax return for the
taxable year; and
 560 (B) does not claim a dependent under Section 151, Internal
Revenue Code, on the
 561 surviving spouse’s federal individual income tax return for the
taxable year. }

3. Page 20, Lines 586 through 590:

586 (3) The maximum amount of a tax credit described in
Subsection (2) a claimant may

587 claim on a return for a taxable year is:

588 (a) for a single claimant with no dependents, \$300;

589 (b) for a joint claimant with no dependents, \$600; or

590 (c) for a claimant with dependents, \$900.; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 356**, TAXATION OF MOIST SNUFF, by Representative R. Lockhart; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 359**, SALES AND USE TAX CHANGES, by Representative J. Dougall; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 99**, AMENDMENTS TO SALES AND USE TAX EXEMPTION FOR PROSTHETIC DEVICES, by Senator W. Niederhauser, and recommends it be placed on the Consent Calendar.

John Dougall, Chair

Reports filed. On motion of Representative Dee, the reports of the Revenue and Taxation Committee were adopted.

H.B. 172, 1st Sub. H.B. 351, as amended, **H.B. 356**, and **H.B. 359** read the second time by short title and placed on the Third Reading Calendar.

S.B. 99 read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker:

February 7, 2008

The Workforce Services and Community and Economic Development Committee recommends **H.B. 336**, AUTHORITY TO ESTABLISH STATE NONPROFIT CORPORATION AND REFUGEE SERVICES FUND, by Representative C. Herrod, be replaced and favorably recommends **1st Sub. H.B. 336**, AUTHORITY TO ESTABLISH REFUGEE SERVICES FUND, and further recommends that it be considered read for the first and second time due to the substantial change to the short title; and

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **S.B. 58, WORKERS' COMPENSATION RELATED AMENDMENTS**, by Senator M. Dmitrich.

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. 336 and S.B. 58 read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker:

February 8, 2008

The Business and Labor Committee recommends **H.B. 92, GARNISHMENT AMENDMENTS**, by Representative J. Draxler, be replaced and reports a favorable recommendation on **1st Sub. H.B. 92, GARNISHMENT AMENDMENTS** with the following amendments:

1. Page 1, Lines 13 through 14:
 - 13 ▶ allows a person wrongfully served with a writ of garnishment to ask the court for
 - 14 redress from the plaintiff in an amount up to
 - {~~-\$500-~~} \$1,000 ; and
2. Page 2, Lines 33 through 36:
 - 33 (3) If a plaintiff attempts to garnish the property of a person other than the defendant by
 - 34 serving a garnishment on a garnishee, that person may recover from the plaintiff an amount not
 - 35 to exceed {~~-\$500~~} \$1,000 if the person demonstrates to the court that the plaintiff failed to exercise
 - 36 reasonable diligence in determining that the person and defendant were the same individual.
3. Page 2, Lines 52 through 55:
 - 52 (5) An employer who receives a written request for verification of employment, which
 - 53 includes a copy of the judgment and judgment information statement, shall {~~respond to the~~

54 ~~request~~ } provide verification within {~~five~~} ten
days. The response shall indicate whether or not the defendant identified
in

55 the documentation is a current employee. ; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 68, WORKERS’ COMPENSATION – DEATH BENEFITS**, by Senator K. Mayne; and

The Business and Labor Committee recommends **1st Sub. S.B. 144, PARAMETERS ON GOVERNOR’S ABILITY TO ENTER AGREEMENTS BINDING THE STATE**, by Senator S. Jenkins, be replaced and favorably recommends **2nd Sub. S.B. 144, PARAMETERS ON GOVERNOR’S ABILITY TO ENTER AGREEMENTS BINDING THE STATE**; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 128, UTAH RESIDENTIAL MORTGAGE PRACTICES ACT AMENDMENTS**, by Representative M. Newbold, and recommends it be placed on the Consent Calendar; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 184, CONSTRUCTION AMENDMENTS**, by Representative M. Morley, with the following amendments and recommends it be placed on the Consent Calendar.

- 1. Page 1, Lines 17 through 18:
 17 Other Special Clauses:
 18 {~~None~~} This bill takes effect on January 1, 2009.
- 2. Page 2, Lines 47 through 48:
 47 [~~e~~] (d) A compliance agency may require additional
 information for the issuance of a
 48 permit for construction.

Section 2. Effective Date
This bill takes effect on January 1, 2009. ; and

The Business and Labor Committee reports a favorable recommendation on **H.R. 3, HOUSE RESOLUTION RECOGNIZING UTAH’S ASTHMA OPEN AIRWAYS PROGRAM**, by Representative T. Kiser, and recommends it be placed on the Consent Calendar; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 100, MOTOR VEHICLE DEALER DISCLOSURE REQUIREMENTS AMENDMENTS**, by Senator D. Eastman, and recommends it be placed on the Consent Calendar.

Stephen D. Clark, Chair

Reports filed. On motion of Representative S. Clark, the reports of the Business and Labor Committee were adopted.

1st Sub. H.B. 92, as amended, **S.B. 68**, **2nd Sub. S.B. 144** read the second time by short title and placed on the Third Reading Calendar.

H.B. 128, H.B. 184, as amended, **H.R. 3**, and **S.B. 100** read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker:

February 8, 2008

The Education Committee reports a favorable recommendation on **H.B. 66, PARAEUCATOR TO TEACHER SCHOLARSHIP PROGRAM**, by Representative R. Menlove, with the following amendments:

1. Page 4, Lines 91 through 92:

91 (7) A scholarship recipient must be continuously employed as a paraeducator by a school district or

92 charter school while pursuing a degree using scholarship monies;
and

The Education Committee recommends **H.B. 127, COMMUNITY COUNCIL ELECTIONS**, by Representative K. Sumsion, be replaced and favorably recommends **2nd Sub. H.B. 127, COMMUNITY COUNCIL ELECTIONS**; and

The Education Committee reports a favorable recommendation on **H.B. 189, SCHOOL COMMUNITY COUNCILS**, by Representative R. Bigelow, with the following amendments:

1. Page 4, Lines 109 through 117:

109 (7) (a) A school community council shall provide the following information:

110 (i) the proposed school community council meeting schedule for the year, provided

- 111 during the first two weeks of the school year;
- 112 (ii) a summary of the school community council’s actions and activities during the first
- 113 half of the school year information, provided at the mid–point of the school year; and
- 114 (iii) a summary of the annual report required under Section 53A–16–101.5 on how the
- 115 school’s School LAND Trust Program monies were used to enhance or improve academic
- 116 excellence at the school and implement a component of the school’s improvement plan.
- 117 provided at the ~~{–conclusion}~~ beginning of the
next school year; and

The Education Committee recommends **H.B. 254**, SCHOOL COMMUNITY COUNCIL AMENDMENTS, by Representative R. Menlove, be replaced and favorably recommends **1st Sub. H.B. 254**, SCHOOL COMMUNITY COUNCIL AMENDMENTS; and

The Education Committee recommends **H.B. 330**, STATE SUPPLEMENTAL FUNDING FOR HEAD START, by Representative L. Shurtliff, be replaced and favorably recommends **1st Sub. H.B. 330**, STATE SUPPLEMENTAL FUNDING FOR HEAD START.

Gregory H. Hughes, Chair

Reports filed. On motion of Representative D. Clark, the reports of the Education Committee were adopted.

H.B. 66, as amended, **2nd Sub. H.B. 127**, **H.B. 189**, as amended, **1st Sub. H.B. 254**, and **1st Sub. H.B. 330** read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker: February 8, 2008

The Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 295**, PUBLIC SCHOOL ELECTRONIC DEVICE POLICIES, by Representative S. Allen, with the following amendments:

1. Page 1, Lines 17 through 19:
17 ▶ ~~{–allows–}~~ requires the State Board of
Education to make rules that provide:

- 18 • additional direction for school district and charter school policies; and
- 19 • a model policy for local boards of education and charter schools.
2. Page 3, Lines 60 through 64:
- 60 (4) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the
- 61 State Board of Education ~~{-may }~~ shall make rules that provide:
- 62 (a) additional direction for school district and charter school policies; and
- 63 (b) a model policy governing the use of electronic devices for consideration or
- 64 guidance to local boards of education and charter schools. ; and

The Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 341**, DAMAGE TO UNDERGROUND UTILITY FACILITIES AMENDMENTS, by Representative D. Clark, with the following amendments:

1. Page 1, Line 21:
- 21 {~~→~~— addresses liability of an excavator; -}
2. Page 3, Lines 64 through 65:
- 64 ~~[(2)]~~ (3) “Emergency” means an occurrence or suspected natural gas leak necessitating immediate action to prevent
- 65 or mitigate loss of, or damage to, life, health, property, or essential public services.
3. Page 5, Lines 140 through 145:
- 140 (b) The requirements of Subsection (1)(a) do not apply:
- 141 (i) if there is an emergency;
- 142 (ii) while gardening; ~~{-}~~ or ~~{-}~~
- 143 (iii) while tilling private ground ~~{-}~~ . ~~{-}~~ ~~{- or~~
- 144 (iv) while probing with an industry approved probe bar to determine the presence or

145 extent of a natural gas leak in the ground. }

4. Page 6, Line 155:

155 (i) location , with reasonable specificity ;

5. Page 7, Line 204:

204 (ii) notify the excavator, by telephonic or electronic message or indication at the excavation site, that

6. Page 9, Line 266:

266 (b) An operator may waive in writing or electronically, the requirement that the excavator determine the exact

7. Page 10, Lines 286 through 289:

286 (b) An excavator is [not] liable for damage {~~to an~~
~~underground facility~~} incurred by an operator if [an operator
 287 has failed to comply with Section 54-8a-5 or 54-8a-9];

288 (i) the operator complies with Section 54-8a-5; and

289 (ii) the damage occurs within 24 inches of the operator's markings.

8. Page 10, Lines 290 through 291:

290 {~~— (3) Notwithstanding Subsection 54-8a-4(1)(b)(i), an~~
~~excavator is liable for damage to~~

291 an underground facility that occurs during an emergency. }

9. Page 10, Lines 297 through 298:

297 (b) immediately call 911 if the excavation
 {~~results~~} may result in {~~the escape of a flammable gas or~~

298 ~~toxic or corrosive gas or liquid, or damages an electrical~~
~~line~~} an immediate risk to human life .

10. Page 11, Lines 311 through 321:

311 (3) Notwithstanding Subsection (2)(a) a penalty under this
chapter may not be

312 imposed {~~—~~

313 (a) } on an excavator or operator unless the
excavator or operator fails to comply with this chapter and damages

314 an underground facility {~~— or~~

- 315 ~~(b) on an operator unless:~~
 316 ~~(i) (A) the operator fails to respond to a location request under~~
~~Section 54-8a-5 in order~~
 317 ~~to prevent damage to the facility; or~~
 318 ~~(B) the operator fails to take reasonable steps, in response to a~~
~~location request, to~~
 319 ~~ensure accurate marking of the facility in order to prevent damage~~
~~to the facility; and~~
 320 ~~(ii) damage occurs to an underground facility as a result of the~~
~~operator's failure under~~
 321 ~~Subsection (3)(b)(i)(A) or (B) } .~~

Michael E. Noel, Chair

Reports filed. On motion of Representative D. Clark, the reports of the Public Utilities and Technology Committee were adopted.

H.B. 295, as amended, and **H.B. 341**, as amended, read the second time by short title and placed on the Third Reading Calendar.

MISCELLANEOUS BUSINESS

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

AFTERNOON SESSION

The House was called to order by Speaker Curtis at 2:10 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 8, 2008

The Senate passed, **H.B. 20**, ECONOMIC DEVELOPMENT INCENTIVES MODIFICATIONS, 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. 27**, LIEUTENANT GOVERNOR POWERS – ADMINISTRATION OF OATHS, by Representative G. Donnelson, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 43**, ALLOWANCE OF POLLING PLACES FOR EARLY VOTING, by Representative G. Donnelson, 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. 55**, CAPTIVE INSURANCE COMPANY AMENDMENTS, by Representative J. Dunnigan, 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. 20, H.B. 27, H.B. 43, and 1st Sub. H.B. 55** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker: February 8, 2008

The Senate passed, as amended, **H.B. 13**, CRIMINAL STATUTE OF LIMITATIONS AMENDMENTS, by Representative C. Wimmer, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 31**, CHILD WELFARE DEFINITIONS, by Representative W. Harper, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 32**, AFFIRMATIVE DEFENSE FOR AGRI–TOURISM ACTIVITY, by Representative M. Morley, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **H.B. 13, H.B. 31, and H.B. 32** placed on the Concurrence Calendar.

* * *

Mr. Speaker: February 8, 2008

The Senate passed **S.B. 92**, REAL PROPERTY RECORDING AMENDMENTS, by Senator D. Stowell, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 152**, PRESUMPTIVE PERSONAL REPRESENTATIVE, by Senator G. Bell, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 92 and S.B. 152**, as amended, read the first time by short title and referred to the Rules Committee.

RULES COMMITTEE REPORT

Mr. Speaker:

February 8, 2008

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

BUSINESS AND LABOR

- H.B. 406** Traffic Code Amendments (Rep. J. Dunnigan)
1st Sub. S.B. 56 Naturopathic Physician Licensing Amendments
 (Sen. S. McCoy)
S.B. 98 Licensing of Security Services (Sen. D. Eastman)

EDUCATION

- H.B. 84** Compensation of Educators with National Board
 Certification (Rep. C. Moss)
H.B. 345 Minimum Age for Public Education Enrollment
 Amendments (Rep. E. Hutchings)
S.B. 41 Extended School Year Incentive (Sen. H. Stephenson)
S.B. 61 Financial and Economic Literacy Education (*P. Jones*)

GOVERNMENT OPERATIONS

- S.B. 77** Revisions to Government Records Access Management
 Act (Sen. M. Dayton)

HEALTH AND HUMAN SERVICES

- H.B. 399** Medication Aide Certified Amendments
 (Rep. R. Lockhart)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

- H.B. 136** Illegal Drug Activity Reporting Hotline Through the
 Office of the Attorney General (Rep. C. Herrod)
H.B. 377 Code of Criminal Procedure Amendments
 (Rep. R. Lockhart)
S.C.R. 3 Resolution Supporting Observance of Peace Officers
 Memorial Day (Sen. J. Greiner)

PUBLIC UTILITIES AND TECHNOLOGY

- S.B. 130** Utility Improvement District Revisions
 (Sen. K. VanTassell)

REVENUE AND TAXATION

- H.B. 180** Study on Taxpayer Advocate Program (Rep. K. Grover)

- H.B. 360** Individual Income Tax – Long-term Care Insurance Premiums (Rep. B. Last)
- H.J.R. 14** Joint Resolution Amending Residential Property Assessment Provisions (Rep. G. Froerer)
- S.B. 28** Apportionment of Business Income, Attributing Sales to the State, and Deduction of Net Losses by a Unitary Group (Sen. H. Stephenson)
- S.B. 64** Income Tax – Capital Gain Transactions (Sen. W. Niederhauser)
- S.B. 96** Multi-channel Video or Audio Service Tax Act Amendments (Sen. W. Niederhauser)
- S.B. 135** Extending the Sales and Use Tax Exemption for Pollution Control Facilities (Sen. W. Niederhauser)
- 1st Sub. S.B. 137** Mineral Production Tax Withholding Amendments (Sen. W. Niederhauser)

TRANSPORTATION

- H.B. 228** Amendments to Motor Vehicle Provisions (Rep. C. Herrod)

Stephen Urquhart, Chair

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

RULES COMMITTEE REPORT

Mr. Speaker: February 8, 2008
 The House Rules Committee recommends that **H.B. 141**, Identity Theft Reporting Information System Amendments (Rep. D. Aagard), be lifted from the Business and Labor Standing Committee and reassigned to the Judiciary Standing Committee.

Stephen Urquhart, Chair

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

SPECIAL ORDER OF BUSINESS

1st Sub. H.B. 133, HEALTH SYSTEM REFORM, read the third time by short title and placed on its final passage.

Representative D. Clark proposed the following amendment:

1. Page 14, Lines 409 through 410

409 the Governor's Office of Economic Development, and the
Legislature to develop {~~and~~

410 implement } the health system reform in accordance with Title
63, Chapter 38f, Part 24, Health

2. Page 30, Lines 901 through 907:

901 (b) "Eligible insured individual" means:

902 (i) the claimant who is insured under a health benefit plan;

903 (ii) the spouse of the claimant described in Subsection (1)(b)(i)
if:

904 (A) the claimant files a single {~~individual income tax~~ }
return jointly under this chapter with the claimant's

905 spouse for the taxable year ; and

906 (B) the spouse is insured under the health benefit plan described
in Subsection

907 (1)(b)(i); or

3. Page 31, Lines 929 through 937

House Committee Amendments 1-30-2008:

929 (e) "Joint claimant with no dependents" means {~~;~~

930 ~~(i)~~ } a husband and wife who:

931 {~~(A)~~ } (i) file a single {~~federal individual~~
income tax } return jointly under this chapter for the taxable
year; and

932 {~~(B)~~ } (ii) do not claim a dependent under Section
151, Internal Revenue Code, on the

933 husband's and wife's federal individual income tax return for the
taxable year {~~;~~ ~~or~~ }

{~~934~~ (ii) a surviving spouse, as defined in Section 2(a),
Internal Revenue Code, who:

935 (A) files a single federal individual income tax return for the
taxable year; and

936 (B) does not claim a dependent under Section 151, Internal
Revenue Code, on the

937—surviving spouse’s federal individual income tax return for the taxable year. —}

- 4. Page 32, Lines 961 through 962
House Committee Amendments 1–30–2008:

961 (3) The maximum amount of a tax credit described in Subsection (2) a claimant may

962 claim on a return for a taxable year is:

- 5. Page 35, Lines 1060 through 1063:

1060 (3) methods to decrease cost shifting from the uninsured and under-insured to the

1061 insured, health care providers and taxpayers, including:

1062 (a) eligibility and benefit levels for entitlement programs;
{–and }

1063 (b) reimbursement rates for entitlement programs; and
(c) the Utah Premium Partnership for Health Insurance Program and the Children’s Health Insurance Program’s enrollment and benefit policies, and whether those policies provide appropriate and effective coverage for children;

- 6. Page 37, Lines 1125 through 1126:

1125 (5) The Office of Legislative Research and General Counsel and the Governor’s Office of Economic Development shall provide staff support

1126 to the task force.

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

1st Sub. H.B. 133, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans

Greenwood	Grover	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Bowman	Hansen	Hutchings
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1st Sub. H.B. 133, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, the House voted to saunter.

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

THIRD READING CALENDAR

H.B. 321, HIGHER EDUCATION SAVINGS INCENTIVE PROGRAM AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Garn proposed the following amendment:

1. Page 11, Lines 333 through 335

333 (1) The financial statements of the Utah Educational Savings
Plan Trust {~~as~~} shall be audited annually by
334 the state auditor or the state auditor's designee {~~shall be~~
included in the state's Comprehensive
335 Annual Financial Report} and reported in accordance with
generally accepted accounting principles .

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

H.B. 321, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Bowman	Hansen	Hutchings	Wiley
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H.B. 321, as amended, transmitted to the Senate for its consideration.

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H.B. 90, EXPUNGEMENT AMENDMENTS, read the third time by short title and placed on its final passage.

H.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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer

Garn	Gibson	Gowans	Greenwood
Grover	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Webb	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Bowman	S. Clark	Hansen	Hutchings
Walker	Wheatley		

H.B. 90, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, and at 3:20 p.m., the House voted to adjourn until February 11, 2008, at 10:00 a.m.

TWENTY-SECOND DAY

* * *

MORNING SESSION

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

Roll call showed all members present except Representative Mark Walker, excused.

Prayer by Pastor Anderson, Wasatch Church in Roy, Utah. Pledge of Allegiance by Representative Richard Greenwood.

INTRODUCTION OF BILLS

H.B. 198, State Agency Energy Efficiency (F. Hunsaker), read the first time by short title and referred to the Rules Committee.

H.B. 405, Amendments to City or Town Sales and Use Tax to Fund Botanical, Cultural, Recreational, and Zoological Organizations or Facilities (S. Sandstrom), read the first time by short title and referred to the Rules Committee.

H.B. 452, Handling of Minor Traffic Accidents (E. Hutchings), read the first time by short title and referred to the Rules Committee.

CONCURRENCE CALENDAR

On motion of Representative Menlove, the House voted to concur in the Senate amendments to **1st Sub. H.B. 24, AMENDMENTS TO UTAH DIGITAL HEALTH SERVICE COMMISSION ACT.**

1st Sub. H.B. 24, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez-Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Frank

Froerer	Garn	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Moss	Neuenschwander
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Tilton	Urquhart	Webb
Wheatley	Wiley	Winn	Curtis

Absent or not voting were: Representatives

Fowlke	Gibson	Morley	Newbold
Sumsion	Walker	Wimmer	

1st Sub. H.B. 24, 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 **H.B. 74**, MEDICAID 340b DRUG PRICING PROGRAMS.

H.B. 74, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Moss	Neuenschwander	Noel	Oda

Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Tilton
Urquhart	Webb	Wheatley	Wiley
Winn	Curtis		

Absent or not voting were: Representatives

Morley	Newbold	Sumsion	Walker
Wimmer			

H.B. 74, as amended by the Senate, transmitted to the Senate for signature of President.

MISCELLANEOUS BUSINESS

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

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

CONCURRENCE CALENDAR

On motion of Representative Dougall, the House voted to concur in the Senate amendments to **2nd Sub. H.B. 77, PERSONAL PROPERTY TAX AMENDMENTS**.

2nd Sub. H.B. 77, 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	Andersen	Barrus	Bigelow
Bird	Biskupski	Brown	Chavez-Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gowans	Greenwood	Grover
Hansen	Harper	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen

Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Allen	Bowman	Gibson	Hemingway
Hutchings	Walker		

2nd Sub. H.B. 77, 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. 13, CRIMINAL STATUTE OF LIMITATIONS AMENDMENTS**.

H.B. 13, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Noel
Oda	Painter	Ray	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Webb	Wheatley
Wiley	Wimmer	Curtis	

Absent or not voting were: Representatives

Newbold	Riesen	Walker	Winn
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H.B. 13, as amended by the Senate, transmitted to the Senate for signature of President.

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On motion of Representative Harper, the House voted to concur in the Senate amendments to **H.B. 31**, CHILD WELFARE DEFINITIONS.

H.B. 31, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Webb	Wheatley
Wiley	Wimmer	Curtis	

Absent or not voting were: Representatives

Hutchings	Riesen	Walker	Winn
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H.B. 31, as amended by the Senate, transmitted to the Senate for signature of President.

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On motion of Representative Morley, the House voted to concur in the Senate amendments to **H.B. 32**, AFFIRMATIVE DEFENSE FOR AGRI–TOURISM ACTIVITY.

H.B. 32, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting was: Representative

Walker

H.B. 32, as amended by the Senate, transmitted to the Senate for signature of President.

THIRD READING CALENDAR

H.B. 289, ADOPTION – INVESTIGATION AND RELEASE OF INFORMATION, 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. 289**.

* * *

1st Sub. H.B. 109, SEX OFFENDER LAW AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Hughes proposed the following amendment:

1. Page 1, Lines 9 through 11
9 This bill modifies the Code of Criminal Procedure to require the Utah Department of
10 Corrections to use a periodic multi-domain assessment tool during a ~~{-one-year-}~~ three-year trial
11 period to evaluate sex offenders who are supervised in the community.
2. Page 1, Line 16:
16 community in Region 3 beginning July 1, 2008 and ending June 30, ~~{-2009-}~~ 2011 ;
3. Page 2, Line 28a
House Committee Amendments 1-31-2008:
28a \$495,000 in non-lapsing funds from the General Fund for fiscal year 2008-09 only, to
4. Page 3, Line 78
House Committee Amendments 1-31-2008:
78 ~~{-one-year}~~ three-year trial period in the management of sex offenders being supervised in the community in
5. Page 4, Line 100:
100 (1) There is appropriated from the General Fund, for fiscal year 2008-09 only, \$495,000 to
6. Page 4, Line 102:
102 conducting a ~~{-one-year}~~ three-year trial of a multi-domain assessment tool, for sex offenders being
7. Page 4, Line 103:
103 supervised in the community, as described in Section 77-27-21.9.
(2) It is the intent of the Legislature that this one-time appropriation be non-lapsing.

Representative Hughes' motion to amend passed on a voice vote.

1st Sub. H.B. 109, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Last	Litvack	Lockhart
Mathis	McGee	McIff	Menlove
Morgan	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Voting in the negative was: Representative
Fowlke

Absent or not voting were: Representatives

Kiser	Mascaro	Morley	Walker
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1st Sub. H.B. 109, as amended, transmitted to the Senate for its consideration.

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H.B. 239, DRIVER LICENSE QUALIFICATION AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 239 passed on the following roll call:

Yeas, 39; Nays, 35; Absent or not voting, 1.

Voting in the affirmative were: Representatives

Agard	Andersen	Barrus	Bigelow
Bird	D. Clark	Daw	Dee
Donnelson	Dougall	Draxler	Julie Fisher
Frank	Froerer	Garn	Greenwood

Grover	Harper	Herrod	Hughes
Hutchings	Kiser	Last	Lockhart
Mathis	Morgan	Morley	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Sandstrom	Sumsion	Tilton
Urquhart	Wimmer	Winn	

Voting in the negative were: Representatives

Allen	Biskupski	Bowman	Brown
Chavez–Houck	S. Clark	Cosgrove	Duckworth
Dunnigan	Ferry	Janice Fisher	Fowlke
Gibson	Gowans	Hansen	Hemingway
Hendrickson	Holdaway	Hunsaker	Johnson
King	Litvack	Mascaro	McGee
McIff	Menlove	Moss	Riesen
Seelig	Shurtliff	Snow	Webb
Wheatley	Wiley	Curtis	

Absent or not voting was: Representative Walker

H.B. 239 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

Claudia Eliason, 2008 Mother of the Year; Ingrid Sorensen, 2008 Mother of Young Children; Gayle Harris, Merit Mother; and Melanie Ballard, Merit Mother, were introduced and presented with Citations recognizing their achievements.

* * *

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

AFTERNOON SESSION

The House was called to order by Speaker Curtis at 2:00 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 11, 2008

The Senate passed, as amended, **S.B. 17**, CHILD ABUSE AND NEGLECT REGISTRY – MANAGEMENT AND LICENSING INFORMATION SYSTEMS AMENDMENTS, by Senator G. Davis, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 78**, COUNTY PERSONNEL MANAGEMENT ACT AMENDMENTS, by Senator W. Niederhauser, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 94**, BURGLARY OF A RAILROAD CAR, by Senator D. Peterson, and it is transmitted for consideration; and

The Senate passed **S.B. 147**, CANDIDATE FILING REQUIREMENTS, by Senator P. Knudson, and it is transmitted for consideration; and

The Senate passed **S.B. 160**, CANDIDATE REPLACEMENT DEADLINE FOR GENERAL ELECTION, by Senator P. Knudson, and it is transmitted for consideration; and

The Senate passed **S.B. 161**, ADVANCE HEALTH CARE DIRECTIVE AMENDMENTS, by Senator A. Christensen, and it is transmitted for consideration; and

The Senate passed **S.J.R. 5**, JOINT RESOLUTION AMENDING LEGISLATIVE APPORTIONMENT, by Senator C. Bramble, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.J.R. 7**, JOINT RULES RESOLUTION – AUTHORIZING ELECTRONIC COMMITTEE MEETINGS, by Senator L. Hillyard, and it is transmitted for consideration.

Annette B. Moore

Secretary of the Senate

Communications filed. **S.B. 17**, **S.B. 78**, **S.B. 94**, **S.B. 147**, **S.B. 160**, **S.B. 161**, **S.J.R. 5**, and **1st Sub. S.J.R. 7** read the first time by short title and referred to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

February 11, 2008

The Judiciary Committee recommends **H.B. 141**, IDENTITY THEFT REPORTING INFORMATION SYSTEM AMENDMENTS, by Representative D. Aagard, be replaced and favorably recommends **1st Sub. H.B. 141**, IDENTITY THEFT REPORTING INFORMATION SYSTEM AMENDMENTS; and

The Judiciary Committee reports a favorable recommendation on **H.B. 149**, PROTECTIVE ORDER AMENDMENTS, by Representative L. Fowlke, with the following amendments:

1. Page 3, Lines 61 through 62:

61 (g) order the appointment of ~~{-a }~~ the office of the
Guardian Ad Litem to represent the interests of any
 62 minor children of the parties , if abuse or neglect of the minor
children is alleged, or appoint a private Guardian ad Litem, if
appropriate, pursuant to Section 78A-2-228 ;

2. Page 5, Lines 145 through 150:

145 (b) If at that hearing the court does not issue a protective order,
 the ex parte protective

146 order shall expire, unless it is otherwise extended by the court.
Extensions beyond the 20-day

147 period may not be granted unless the
~~{-respondent }~~ petitioner is unable to be present at the hearing,
or ;

148 (i) the respondent has not been served;

149 (ii) the respondent has had the opportunity to present a
defense at the hearing; ~~{-or }~~

150 (iii) the respondent requests that the ex parte order be
extended ; or

(iv) exigent circumstances exist .

3. Page 7, Lines 185 through 186:

185 (2) Notice of a motion to dismiss a protective order shall be
~~{-given to }~~ made by personal service on the petitioner in a

186 protective order action ~~{-in accordance with the }~~ as
provided in Rules 4 and 5, Utah Rules of Civil Procedure.; and

The Judiciary Committee reports a favorable recommendation on **H.B. 178**, JURISDICTION FOR PROSECUTION, by Representative P. Neuenschwander, and recommends it be placed on the Consent Calendar; and

The Judiciary Committee reports a favorable recommendation on **S.B. 164**, COMPUTER ASSISTED REMOTE HUNTING PROHIBITED, by Senator M. Waddoups, and recommends it be placed on the Consent Calendar.

Douglas C. Aagard, Chair

Reports filed. On motion of Representative Aagard, the reports of the Judiciary Committee were adopted.

1st Sub. H.B. 141 and **H.B. 149**, as amended, read the second time by short title and placed on the Third Reading Calendar.

H.B. 178 and **S.B. 164** read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: February 11, 2008

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 161**, SEX OFFENDERS' CONTACT WITH CHILDREN, by Representative R. Greenwood, with the following amendments:

1. Page 1, Line 15:

15 ▶ provides that it is a {~~third degree felony~~} class A misdemeanor for any sex offender whose offense was

2. Page 1, Line 19:

19 child's parent or guardian authorizing the offender to accompany the child; {~~or~~}

3. Page 1, Line 22:

22 child's home; or

- the child is the natural child of the sex offender, and the offender is not prohibited by any court order, or probation or parole provision, from contact with the child;

4. Page 10, Line 286:

286 (2) A sex offender subject to registration under Section {~~77-27-21.7~~} 77-27-21.5 for the commission

5. Page 10, Lines 287 through 288:

287 of an offense committed against a child younger than 14 years of age is guilty of a {~~third degree~~

288 felony} class A misdemeanor if the sex offender requests, invites, or allows a child to accompany the sex offender.

6. Page 10, Line 294:

294 the child only at the date and location specified in the authorization; {~~or~~}

7. Page 10, Line 297:

297 residence, but in no other location ; or
(c) the child is the natural child of the sex offender, and the offender
is not prohibited by any court order, or probation or parole provision,
from contact with the child .

8. Page 10, Lines 299 through 300:

299 under Section {~~77-21-21.7~~} 77-27-21.5 for an
additional five years subsequent to the required registration
 300 under Section {~~77-21-21.7~~} 77-27-21.5 .; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 171**, DRIVING PRIVILEGE CARD AMENDMENTS, by Representative B. Daw; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 181**, DISPOSITION OF POTENTIAL EVIDENCE, by Representative T. Cosgrove, with the following amendments:

1. Page 1, Lines 12 through 14:

12 This bill:
 13 ► allows law enforcement agencies to dispose of sexual
 assault forensic examinations
 14 after 90 days have passed and [~~no case has been filed~~] the victim
has not contacted the law enforcement agency ; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 344**, ALCOHOLIC BEVERAGE ENFORCEMENT PROVISIONS, by Representative C. Oda, with the following amendments:

1. Page 2, Lines 41 through 42:

41 Other Special Clauses:
 42 {~~None~~} This bill coordinates with H.B. 157,
Alcoholic Beverage Control Violations Amendments, to merge
substantive changes.

2. Page 76, Lines 2328 through 2334:

2328 (1) A person in or having charge of [~~any~~] a premises may not
 refuse or fail to admit to

2329 the premises or obstruct the entry of [any];

2330 (a) a member of the commission[-];

2331 (b) an authorized representative of the commission or department[-~~or any~~];

2332 (c) {~~a~~} an agent of the State Bureau of Investigation or other law enforcement officer who demands entry when acting under this title[-]; or

2333 (d) an authorized representative of the attorney general who demands entry when

2334 acting under this title.

3. Page 76, Lines 2335 through 2340:

2335 (2) A person in or having charge of [any] a premises may not interfere with any of the

2336 following who is conducting an investigation under this title at the premises:

2337 (a) a member of the commission;

2338 (b) an authorized representative of the commission or department; [~~or~~]

2339 (c) {~~any~~} an agent of the State Bureau of Investigation or other law enforcement officer[-]; or

2340 (d) an authorized representative of the attorney general.

4. Page 78, Lines 2399 through 2406:

2399 (1) A person having sold, selling, or offering [any] an alcoholic product for sale to the

2400 commission or department may not offer, make, tender, or in any way deliver or transfer [any]

2401 a bribe, gift as defined in Section 67-16-5, or a share of profits to:

2402 (a) [any] a commissioner;

2403 (b) the department director;

2404 (c) [any] a department employee; [~~or~~]

2405 (d) [any] {~~a~~} an agent of the State Bureau of Investigation or other law enforcement officer responsible for the enforcement of this title[-]; or

2406 (e) a representative of the attorney general responsible for the enforcement of this title.

5. Page 79, Lines 2430 through 2444:

2430 (1) It is the duty of the following to diligently enforce this title in their respective

2431 capacities:

2432 (a) the governor~~[, the commissioners,];~~

2433 (b) a commissioner;

2434 (c) the director ~~[and all officials, inspectors, and employees]~~ of the department;

2435 (d) an official, inspector, or employee of the department~~[, all];~~

2436 (e) the attorney general;

2437 (f) a prosecuting ~~[officials]~~ official of the state ~~[and its political subdivisions and of~~

2438 ~~counties, cities, and towns, all peace officers, sheriffs, deputy sheriffs, constables, marshals,] or~~

2439 a political subdivision;

2440 (g) a county, city, or town;

2441 (h) an agent of the State Bureau of Investigation, a peace officer, a sheriff, a deputy sheriff, a constable, a marshal, or a law enforcement

2442 ~~[officials,]~~ official;

2443 (i) a state health ~~[officials,]~~ official; and ~~[all clerks]~~

2444 (j) a clerk of the courts ~~[to diligently enforce this title in their respective capacities].~~

6. Page 80, Lines 2451 through 2459:

2451 (1) (a) For purposes of enforcing this title and commission rules, ~~[all members of the~~

2452 ~~commission, authorized representatives of the commission or department, or any law~~

2453 ~~enforcement or peace officer]~~ the following shall be accorded access, ingress, and egress to and

2454 from all premises or conveyances used in the manufacture, storage, transportation, service, or

2455 sale of [any] an alcoholic product[. They also may open any];

2456 (i) a member of the commission;

2457 (ii) an authorized representative of the commission or department;

2458 (iii) an authorized representative of the attorney general; or

2459 (iv) an agent of the State Bureau of Investigation, a law enforcement officer, or a peace officer.

7. Page 87, Line 2671:

2671 title for three years from the date the license is not renewed.

Section 26. Coordinating H.B. 344 and H.B. 157 -- Merging substantive amendments.

If this H.B. 344 and H.B. 157, Alcoholic Beverage Control Violations Amendments, 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 to:

(1) modify Subsections 32A-1-119.5(2), (3) and (4) enacted in H.B. 157 to read:

“(2) A disciplinary proceeding may not be initiated or maintained by the commission or attorney general on the basis, in whole or in part, of a violation of this title unless a person listed in Subsections 32A-1-105(15)(a)(i) through (vi) against whom the violation is alleged is notified by the department of the violation in accordance with this section.

(3) (a) A nondepartment enforcement agency or nondepartment enforcement officer may not report a violation of this title to the department more than eight business days after the day on which a nondepartment enforcement officer or agency completes an investigation that finds a violation of this title.

(b) If the commission or attorney general wants the right to initiate or maintain a disciplinary proceeding on the basis, in whole or in part, of a violation of this title alleged in a report described in Subsection (3)(a), the department shall notify a person listed in Subsections 32A-1-105(15)(a)(i) through (vi) alleged by the report to have violated this title:

(i) by no later than eight business days of the day on which the department receives the report described in Subsection (3)(a); and

(ii) that the commission or attorney general may initiate or maintain a disciplinary proceeding on the basis, in whole or in part, of the violation.

(4) If the commission or attorney general wants the right to initiate or maintain a disciplinary proceeding on the basis, in whole or in part, of a violation of this title alleged by report of a department compliance officer, the department shall notify a person listed in Subsections 32A-1-105(15)(a)(i) through (vi) alleged by the report to have violated this title:

(a) by no later than eight business days after the day on which the department compliance officer completes an investigation that finds a violation of this title; and

(b) that the commission or attorney general may initiate or maintain a disciplinary proceeding on the basis, in whole or in part, of the violation.”; and

(2) insert a new Subsection (8) in Section 32A-1-119.5 enacted in H.B. 157 to read:

“(8)(a) A report to the department under this section of a violation of this title is considered a report to the attorney general for purposes of Section 32A-1-119.

(b) The department shall forward a report received by the department under this section to the attorney general before the time period required to provide notification under this section to a person listed in Subsections 32A-1-105(15)(a)(i) through (iv).” ; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 377**, CODE OF CRIMINAL PROCEDURE AMENDMENTS, by Representative R. Lockhart, and recommends it be placed on the Consent Calendar; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **S.C.R. 3**, RESOLUTION SUPPORTING OBSERVANCE OF PEACE OFFICERS MEMORIAL DAY, by Senator J. Greiner, and recommends it be placed on the Consent Calendar.

DeMar “Bud” Bowman, Chair

Reports filed. On motion of Representative Bowman, the reports of the Law Enforcement and Criminal Justice Committee were adopted.

H.B. 161, as amended, **H.B. 171**, **H.B. 181**, as amended, **H.B. 344**, as amended, read the second time by short title and placed on the Third Reading Calendar.

H.B. 377 and **S.C.R. 3** read the second time by short title and placed on the Consent Calendar.

NOTICE OF BILL TABLED

Mr. Speaker: February 11, 2008
The Law Enforcement and Criminal Justice Committee has tabled **H.B. 267**, CONTROLLED SUBSTANCES AMENDMENTS – SUDA CONTROLS, by Representative N. Hansen, and has returned it to the Rules Committee.

DeMar “Bud” Bowman, Chair
Report filed. **H.B. 267** returned to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 11, 2008
The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 362**, MOTOR FUEL TAX – OFF-HIGHWAY VEHICLE REFUND AMENDMENTS, by Representative B. Ferry; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.C.R. 5**, CONCURRENT RESOLUTION URGING CONGRESSIONAL APPROVAL OF R.S. 2477 RIGHTS-OF-WAY RECOGNITION ACT, by Representative M. Brown; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **1st Sub. S.B. 110**, FOREIGN BUSINESS ENTITIES AND TRIBAL LAW, by Senator K. VanTassell.

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. 362, **H.C.R. 5**, and **1st Sub. S.B. 110** read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker: February 11, 2008
The Transportation Committee reports a favorable recommendation on **H.B. 348**, ZION NATIONAL PARK SPECIAL GROUP LICENSE PLATE, by Representative B. Last; and

The Transportation Committee recommends **S.B. 44, PENALTIES FOR FAILING TO SECURE A LOAD OR LITTERING ON A HIGHWAY**, by Senator P. Jones, be replaced and reports a favorable recommendation on **1st Sub. S.B. 44, PENALTIES FOR FAILING TO SECURE A LOAD OR LITTERING ON A HIGHWAY** with the following amendments:

1. Page 5, Line 133 through Page 6, Line 153:

133 (2) A vehicle may not be operated or moved on any highway
unless the vehicle is

134 constructed or loaded to prevent its contents from dropping,
sifting, leaking, or otherwise

135 escaping.

136 (3) (a) In addition to the requirements under Subsection (2), a
vehicle carrying dirt,

137 sand, gravel, rock fragments, pebbles, crushed base, aggregate,
{ ~~trash or garbage~~ } any other

138 similar material, or scrap metal shall have a covering over the
entire load unless:

139 (i) the highest point of the load does not extend above the top of
any exterior wall or

140 sideboard of the cargo compartment of the vehicle; and

141 (ii) the outer edges of the load are at least six inches below the
top inside edges of the

142 exterior walls or sideboards of the cargo compartment of the
vehicle.

143 (b) In addition to the requirements under Subsection (2), a
vehicle carrying trash or garbage shall have a covering over the entire
load.

(c) The following material is exempt from the provisions of
Subsection (3)(a):

144 (i) hot mix asphalt;

145 (ii) [~~construction debris or~~] scrap metal if the [~~debris or~~] scrap
metal is a size and in a

146 form not susceptible to being blown out of the vehicle;

147 (iii) material being transported across a highway between two
parcels of property that

148 would be contiguous but for the highway that is being crossed;
and

149 (iv) material listed under Subsection (3)(a) that is enclosed on
all sides by containers,

150 bags, or packaging.

151 {-(e)-} (d) A chemical substance capable of coating
or bonding a load so that the load is

152 confined on a vehicle, may be considered a covering for
purposes of Subsection (3)(a) so long

153 as the chemical substance remains effective at confining the
load.

Todd E. Kiser, Chair

Reports filed. On motion of Representative Kiser, the reports of the
Transportation Committee were adopted.

H.B. 348 and **1st Sub. S.B. 44**, as amended, read the second time by short title
and placed on the Third Reading Calendar.

RULES COMMITTEE REPORTS

Mr. Speaker: February 11, 2008

The House Rules Committee recommends, with written request of the
sponsor, that **H.B. 113**, SCHOOL FINANCIAL DISCLOSURE (Representative
K. Sumsion) be replaced with **1st Sub. H.B. 113**, SCHOOL FINANCIAL
DISCLOSURE (Representative K. Sumsion), and further recommends it be
assigned to the Education Standing Committee.

Stephen Urquhart, Chair

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

* * *

Mr. Speaker: February 11, 2008

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

BUSINESS AND LABOR

H.B. 370 Children's Health Insurance Program Amendments
(Rep. J. Dunnigan)

- H.B. 401** Master Plumber Licensing (Rep. J. Dunnigan)
H.B. 412 Below Cost Sales (Rep. S. Urquhart)
H.J.R. 12 Joint Resolution Amending the Utah Constitution – Stock Subscriptions (Rep. D. Clark)
1st Sub. S.B. 53 Use of Initiative and Referendum for Administrative Land Use and Zoning Matters (Sen. B. Goodfellow)
1st Sub. S.B. 54 Initiative and Referendum Petition Amendments (Sen. B. Goodfellow)
S.B. 114 Notary Public Revision (Sen. G. Bell)
2nd Sub. S.B. 134 Mortgage Fraud Act (Sen. S. Killpack)

EDUCATION

- 1st Sub. H.B. 113** School Financial Disclosure (Rep. K. Sumsion)
H.B. 194 Class Size Reduction in Kindergarten Through Grade Three (Rep. K. Morgan)
H.B. 204 Utah College of Applied Technology Amendments (Rep. R. Bigelow)
H.B. 363 Public Education – Arts Enhanced Learning Program (Rep. G. Hughes)
H.B. 381 Higher Education Access Enhancement Program (Rep. R. Bigelow)
H.B. 475 Labor Organization Amendments (Rep. G. Hughes)

GOVERNMENT OPERATIONS

- H.B. 378** State Accounting and Budgetary Procedures Amendments (Rep. R. Bigelow)
S.B. 146 Amendment to Uniform Anatomical Gift Act (Sen. L. Hillyard)
H.B. 165 Sales and Use Tax Exemptions Relating to Aircraft (Rep. B. Dee)

JUDICIARY

- S.B. 150** Criminal Penalties Revisions (Sen. S. Jenkins)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

- H.B. 102** Child Abuse Homicide Amendments (Rep. C. Wimmer)
H.B. 226 Disruption of School Activities (Rep. C. Moss)
S.B. 34 Confidentiality of Reports to Driver License Division (Sen. A. Christensen)

S.B. 120 Department of Corrections Employee Vehicle Use
(Sen. D. Peterson)

NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT

H.B. 221 Agriculture and Industrial Protection Area Amendments
(Rep. J. Mathis)

H.B. 229 Protections for Agricultural Practices (Rep. M. Morley)

POLITICAL SUBDIVISIONS

H.B. 410 Restricted Accounts Amendments (Rep. R. Bigelow)

S.B. 92 Real Property Recording Amendments (Sen. D. Stowell)

RETIREMENT AND INDEPENDENT ENTITIES

H.B. 372 Teacher Reemployment after Retirement
(Rep. E. Hutchings)

Stephen Urquhart, Chair

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

* * *

Mr. Speaker: February 11, 2008

The Rules Committee recommends that, under suspension of the rules, the following resolution be considered read for the second time and placed on the Third Reading Calendar.

H.R. 4 House Resolution Honoring James L. Sorenson
(Rep. G. Hughes)

Stephen Urquhart, Chair

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

THIRD READING CALENDAR

H.B. 320, VEHICLE IMPOUND YARD REQUIREMENTS, read the third time by short title and placed on its final passage.

H.B. 320 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman

Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Dunnigan Ray

H.B. 320 transmitted to the Senate for its consideration.

* * *

2nd Sub. H.B. 51, WATER RIGHT FORFEITURE PROTECTION, read the third time by short title and placed on its final passage.

Representative Painter proposed the following amendment:

1. Page 6, Line 176

176 continue until the state engineer issues [~~his~~] {~~-an~~} the
state engineer's order on the nonuse application.

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

Representative Painter declared a conflict of interest because he owns water shares.

Representative Brown declared a conflict of interest because he owns water shares and is president of a water company and has many water interests.

Representative Gowans declared a conflict of interest because he is president of an irrigation company.

Representative Noel declared a conflict of interest because he manages a water conservancy district.

Representative Ferry's motion to delete **2nd Sub. H.B. 51** in title and body and insert **3rd Sub. H.B. 51** in lieu thereof failed on a voice vote.

2nd Sub. H.B. 51, 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	Andersen	Barrus
Bigelow	Bird	Bowman	Brown
Chavez–Houck	D. Clark	Cosgrove	Daw
Dee	Donnelson	Draxler	Duckworth
Dunnigan	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Walker	Webb	Wheatley
Wiley	Wimmer	Curtis	

Voting in the negative were: Representatives

Biskupski	S. Clark	Dougall	Ferry
Gibson	Winn		

Absent or not voting were: Representatives

Hutchings	Urquhart
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2nd Sub. H.B. 51, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, and at 3:55 p.m., the House voted to adjourn until February 12, 2008, at 10:00 a.m.

TWENTY-THIRD DAY

* * *

MORNING SESSION

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

Roll call showed all members present.

Prayer by Representative Julie Fisher. Pledge of Allegiance by Wynn Hubrich, a constituent of Representative Fisher.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 11, 2008
The Senate passed, as amended, **H.B. 71**, PARENT-TIME AMENDMENTS, by Representative L. Fowlke, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **H.B. 71** placed on the Concurrence Calendar.

* * *

Mr. Speaker: February 11, 2008
The Senate passed **S.J.R. 6**, JOINT RESOLUTION ENCOURAGING THE GOVERNOR’S BOARD APPOINTMENTS TO REFLECT UTAH GEOGRAPHIC BALANCE, by Senator D. Stowell, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **S.J.R. 6** read the first time by short title and referred to the Rules Committee.

INTRODUCTION OF BILLS

H.B. 192, Property Transaction Amendments (R. Lockhart), read the first time by short title and referred to the Rules Committee.

H.B. 197, Residential Mortgage Loan Closing Act (L. Wiley), read the first time by short title and referred to the Rules Committee.

H.B. 201, Tax Credit for Solar Projects (B. Last), read the first time by short title and referred to the Rules Committee.

H.B. 394, Real Property Purchase – Notification of Water Rights (B. Ferry), read the first time by short title and referred to the Rules Committee.

H.B. 409, Powersport Vehicle Franchise Act Revisions (J. Gowans), read the first time by short title and referred to the Rules Committee.

H.B. 422, Political Subdivision Clerk Amendments (M. Newbold), read the first time by short title and referred to the Rules Committee.

H.B. 426, Government Procurement – Private Proposals (K. Garn), read the first time by short title and referred to the Rules Committee.

H.B. 428, Statewide Standards for Health Care Interpreting (R. Chavez–Houck), read the first time by short title and referred to the Rules Committee.

H.B. 468, Responsibility for Access Devices and Security Breaches (S. Urquhart), read the first time by short title and referred to the Rules Committee.

H.B. 472, Charter School Building and Enrollment Amendments (K. Garn), read the first time by short title and referred to the Rules Committee.

H.B. 497, Revenue Bond Authorization for State Fair Park (N. Hendrickson), read the first time by short title and referred to the Rules Committee.

H.C.R. 8, Concurrent Resolution Supporting the Narrows Water Project in Central Utah (B. Winn), read the first time by short title and referred to the Rules Committee.

CONSENT CALENDAR

S.B. 115, MOTOR VEHICLE SAFETY INSPECTION ADVISORY COUNCIL AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 115 passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman

Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Greenwood
Grover	Hansen	Harper	Hendrickson
Holdaway	Hughes	Hunsaker	Hutchings
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Brown	Gowans	Hemingway	Herrod
Johnson	Newbold		

S.B. 115 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

S.C.R. 1, RESOLUTION SUPPORTING OBESITY AWARENESS, as amended, read the third time by short title and placed on its final passage.

S.C.R. 1, as amended, passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Fowlke	Frank	Froerer
Garn	Gowans	Greenwood	Grover
Hansen	Harper	Hendrickson	Holdaway
Hughes	Hunsaker	Hutchings	King

Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Urquhart	Walker	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Bowman	Julie Fisher	Gibson	Hemingway
Herrod	Johnson	Tilton	Webb

S.C.R. 1, as amended, was returned to the Senate for further consideration.

THIRD READING CALENDAR

1st Sub. H.B. 72, MOTORCYCLE LICENSE AND ENDORSEMENT AMENDMENTS, read the third time by short title and placed on its final passage.

1st Sub. H.B. 72 passed on the following roll call:

Yeas, 61; Nays, 12; Absent or not voting, 2.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Dee	Donnelson	Dougall
Draxler	Dunnigan	Ferry	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Greenwood	Grover	Harper
Herrod	Holdaway	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Moss	Neuenschwander	Newbold	Noel
Painter	Ray	Riesen	Seelig
Shurtliff	Snow	Sumsion	Urquhart
Walker	Webb	Wheatley	Wiley
Winn			

Voting in the negative were: Representatives

Daw	Duckworth	Janice Fisher	Gowans
Hansen	Hendrickson	Hughes	Morley
Sandstrom	Tilton	Wimmer	Curtis

Absent or not voting were: Representatives

Hemingway	Oda
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1st Sub. H.B. 72 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Donnelson, the House voted to uncircle **H.B. 241**.

H.B. 241, REPEAL OF EXEMPTIONS FROM NONRESIDENT TUITION, was before the House on its final passage.

Representative Ray proposed the following amendment:

1. Page 1, Lines 17 through 18

17 equivalent of a high school diploma shall be restricted to those students who register

18 as an entering student before {~~May 1, 2008~~} September 30, 2010 .
2. Page 2, Lines 37 through 38:

37 (i) not earlier than the fall of the 2002–03 academic year[-]; and

38 (ii) before {~~May 1, 2008~~} September 30, 2010 .
3. Page 2, Lines 46 through 49:

46 (5) An institution of higher education shall continue to provide the exemption from

47 paying the nonresident portion of total tuition for a student who entered the institution before

48 {~~May 1, 2008~~} September 30, 2010 , through the time that the student remains admitted as a student at that institution

49 of higher education in a program of study leading to a degree or certificate.

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

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Representative McIff proposed the following amendment:

1. Page 2, Line 30:
Delete "If allowed under federal law,"

Representative McIff'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	Bird	Biskupski
Bowman	Brown	Chavez–Houck	S. Clark
Cosgrove	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Gibson	Gowans
Hansen	Hemingway	Hendrickson	Holdaway
Hunsaker	Hutchings	Johnson	King
Litvack	Mascaro	McGee	McIff
Menlove	Morgan	Moss	Neuenschwander
Riesen	Seelig	Shurtliff	Snow
Webb	Wheatley	Wiley	Wimmer

Voting in the negative were: Representatives

Andersen	Barrus	Bigelow	D. Clark
Daw	Dee	Donnelson	Dougall
Julie Fisher	Fowlke	Frank	Froerer
Garn	Greenwood	Grover	Harper
Herrod	Hughes	Kiser	Last
Lockhart	Mathis	Newbold	Noel
Oda	Painter	Ray	Sandstrom
Sumsion	Tilton	Urquhart	Walker
Winn	Curtis		

Absent or not voting was: Representative
Morley

H.B. 241, as amended, passed on the following roll call:

Yeas, 40; Nays, 35; Absent or not voting, 0.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Daw	Dee	Donnelson

Dougall	Dunnigan	Julie Fisher	Frank
Garn	Gibson	Greenwood	Grover
Harper	Herrod	Hughes	Hutchings
Kiser	Last	Lockhart	Mathis
Morgan	Morley	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Sandstrom	Sumsion	Tilton	Urquhart
Walker	Webb	Wimmer	Curtis

Voting in the negative were: Representatives

Allen	Biskupski	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Draxler	Duckworth	Ferry	Janice Fisher
Fowlke	Froerer	Gowans	Hansen
Hemingway	Hendrickson	Holdaway	Hunsaker
Johnson	King	Litvack	Mascaro
McGee	McIff	Menlove	Moss
Riesen	Seelig	Shurtliff	Snow
Wheatley	Wiley	Winn	

H.B. 241, as amended, held for possible reconsideration.

THIRD READING CALENDAR

H.B. 151, MOTOR VEHICLES REVISIONS, read the third time by short title and placed on its final passage.

On motion of Representative Snow, the House voted to circle **H.B. 151**.

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H.B. 137, STATE FACILITY WATER CONSERVATION PROGRAM, read the third time by short title and placed on its final passage.

H.B. 137, as amended, failed to pass on the following roll call:

Yeas, 31; Nays, 40; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Aagard	Allen	Barrus	Bigelow
Biskupski	Chavez–Houck	Cosgrove	Duckworth
Dunnigan	Janice Fisher	Gowans	Hansen
Hemingway	Hendrickson	Holdaway	Hutchings
Johnson	King	Litvack	Mascaro

McGee	McIff	Menlove	Morgan
Moss	Riesen	Seelig	Shurtliff
Walker	Wheatley	Wiley	

Voting in the negative were: Representatives

Andersen	Bird	Bowman	Brown
D. Clark	S. Clark	Daw	Dee
Donnelson	Dougall	Ferry	Julie Fisher
Fowlke	Frank	Froerer	Gibson
Greenwood	Grover	Harper	Herrod
Hughes	Kiser	Last	Mathis
Morley	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Sandstrom
Snow	Sumsion	Tilton	Urquhart
Webb	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Draxler	Garn	Hunsaker	Lockhart
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H.B. 137, as amended, was filed.

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H.B. 309, ELECTION INFORMATION AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Dougall, the House voted to delete **H.B. 309** in title and body and insert **1st Sub. H.B. 309** in lieu thereof.

1st Sub. H.B. 309 passed on the following roll call:

Yeas, 68; Nays, 3; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Froerer	Garn	Gibson	Greenwood
Grover	Harper	Hemingway	Herrod
Holdaway	Hughes	Hutchings	Johnson
King	Kiser	Last	Litvack

Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Curtis

Voting in the negative were: Representatives

Gowans Hansen Hendrickson

Absent or not voting were: Representatives

Frank Hunsaker Lockhart Winn

1st Sub. H.B. 309 transmitted to the Senate for its consideration.

INTENT LANGUAGE FOR 1ST SUB. H.B. 309

On motion of Representative Dougall, the House voted to print the following intent language upon the pages of the House Journal.

“It is the intent of the Legislature to encourage the Office of the Lieutenant Governor to use Utah businesses, to the extent possible, for the production and distribution of the voter information pamphlet for Utah voters.”

THIRD READING CALENDAR

H.B. 54, PROPERTY TAX ASSESSMENT REVISIONS, read the third time by short title and placed on its final passage.

On motion of Representative Harper, the House voted to delete **H.B. 54** in title and body and insert **2nd Sub. H.B. 54** in lieu thereof.

Representative Draxler proposed the following amendment:

1. Page 1, Lines 13 through 15
 - 13 ▶ defines terms;
 - 14 ▶ requires a county assessor of a first {~~—~~} or second {~~—, or third~~} class county to use a computer
 - 15 assisted mass appraisal system to conduct its annual update of property values;

2. Page 12, Lines 356 through 362:

356 (b) The county assessor of a county of the first { ~~-₂~~ } or
 357 second { ~~-₁ or third~~ } class shall conduct the
annual update described in Subsection (2)(a) by using a mass
appraisal system on or before the
 358 following:
 359 (i) for a county of the first class, January 1, 2009; and
 360 (ii) for a county of the second class, January 1, 2010
 { ~~-₁ and~~ }
 361 { ~~-(iii) for a county of the third class, January 1, 2011.~~ }
 362 (c) The county assessor and the commission shall jointly certify
that the county’s mass

Representative Draxler’s motion to amend failed on the following roll call:

Yeas, 29; Nays, 45; Absent or not voting, 1.

Voting in the affirmative were: Representatives

Brown	Chavez–Houck	Cosgrove	Dee
Draxler	Dunnigan	Ferry	Janice Fisher
Fowlke	Froerer	Gibson	Gowans
Greenwood	Hemingway	Hunsaker	King
Kiser	Last	Mascaro	Mathis
McIff	Menlove	Moss	Neuenschwander
Noel	Painter	Snow	Webb
Wheatley			

Voting in the negative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
D. Clark	S. Clark	Daw	Donnelson
Dougall	Duckworth	Julie Fisher	Frank
Grover	Hansen	Harper	Hendrickson
Herrod	Holdaway	Hughes	Hutchings
Johnson	Litvack	Lockhart	McGee
Morgan	Morley	Newbold	Oda
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Sumsion	Tilton	Urquhart
Walker	Wiley	Wimmer	Winn
Curtis			

Absent or not voting was: Representative
Garn

#

2nd Sub. H.B. 54, as amended, passed on the following roll call:

Yeas, 66; Nays, 7; Absent or not voting, 2.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Duckworth	Dunnigan	Janice Fisher
Julie Fisher	Frank	Froerer	Gibson
Greenwood	Grover	Hansen	Harper
Hemingway	Herrod	Holdaway	Hughes
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Wheatley	Wiley	Wimmer
Winn	Curtis		

Voting in the negative were: Representatives

Draxler	Ferry	Fowlke	Gowans
Hunsaker	Menlove	Webb	

Absent or not voting were: Representatives

Garn	Hendrickson
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2nd Sub. H.B. 54, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

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

AFTERNOON SESSION

The House was called to order by Speaker Curtis at 2:00 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

February 12, 2008

The President of the Senate has signed **H.B. 13**, CRIMINAL STATUTE OF LIMITATIONS AMENDMENTS, by Representative C. Wimmer, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 24**, AMENDMENTS TO UTAH DIGITAL HEALTH SERVICE COMMISSION ACT, by Representative R. Menlove, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 31**, CHILD WELFARE DEFINITIONS, by Representative W. Harper, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 32**, AFFIRMATIVE DEFENSE FOR AGRI–TOURISM ACTIVITY, by Representative M. Morley, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 74**, MEDICAID 340B DRUG PRICING PROGRAMS, 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. 77**, PERSONAL PROPERTY TAX AMENDMENTS, by Representative J. Dougall, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 126**, ELECTION LAW – BALLOT PROPOSITION AMENDMENTS, by Representative C. Johnson, 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. 13**, **1st Sub. H.B. 24**, **H.B. 31**, **H.B. 32**, **H.B. 74**, **2nd Sub. H.B. 77**, and **H.B. 126** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker: February 12, 2008

The Senate passed, as amended, **H.B. 35**, MOTOR AND SPECIAL FUEL TAX AMENDMENTS, by Representative C. Frank, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **H.B. 35** placed on the Concurrence Calendar.

* * *

Mr. Speaker: February 12, 2008

The Senate passed, as amended, **S.B. 37**, HOME SCHOOL AND EXTRA CURRICULAR ACTIVITIES AMENDMENTS, by Senator M. Madsen, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 45**, INVENTORY FOR COMPETITIVE ACTIVITIES OF LOCAL ENTITIES, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 69**, UNIFORM LIMITED COOPERATIVE ASSOCIATION ACT, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed **S.B. 143**, INSURANCE FINANCIAL REQUIREMENTS, by Senator K. VanTassell, and it is transmitted for consideration; and

The Senate passed **S.B. 148**, ENFORCEMENT OF FRONT LICENSE PLATE DISPLAY REQUIREMENT AMENDMENTS, by Senator S. Killpack, and it is transmitted for consideration; and

The Senate passed **S.B. 165**, ALCOHOLIC BEVERAGE SINGLE EVENT PERMITS, by Senator S. McCoy, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 167**, ALCOHOLIC BEVERAGES ON ELECTION DAY, by Senator S. McCoy, and it is transmitted for consideration; and

The Senate passed **S.B. 170**, BOARD OF WATER RESOURCES AMENDMENTS, by Senator D. Stowell, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 179**, SALVAGE VEHICLE AMENDMENTS, by Senator C. Walker, and it is transmitted for consideration; and

The Senate passed **S.B. 225**, GUBERNATORIAL AND LEGISLATIVE SPACE IN THE CAPITOL, by Senator C. Bramble, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 37**, **1st Sub. S.B. 45**, **S.B. 69**, **S.B. 143**, **S.B. 148**, **S.B. 165**, **S.B. 167**, **S.B. 170**, **S.B. 179**, and **S.B. 225** read the first time by short title and referred to the Rules Committee.

RULES COMMITTEE REPORT

Mr. Speaker: February 12, 2008

The Rules Committee recommends the following bill be lifted from the Education Standing Committee and reassigned to the Retirement and Independent Entities Standing Committee:

H.B. 280 School Finance Amendments (Rep. Julie Fisher)
Stephen Urquhart, Chair

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

* * *

Mr. Speaker: February 12, 2008

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 263**, AUTISM AND INFANT AND TODDLER IMMUNE DISORDERS (Representative. E. Hutchings) be replaced with **1st Sub. H.B. 263**, UTAH REGISTRY OF AUTISM AND DEVELOPMENTAL DISABILITIES, and, because of a title change, recommends it be considered read for the first time, and further recommends it be assigned to a standing committee.

Stephen Urquhart, Chair

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

* * *

Mr. Speaker: February 12, 2008

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

BUSINESS AND LABOR

- H.B. 384** Employee Obligations Related to Workers' Compensation
(Rep. M. Morley)
- S.B. 62** Health Insurance – Medical Complication Exclusions
(Sen. P. Knudson)
- S.B. 159** Workers' Compensation Amendments (Sen. D. Eastman)
- S.B. 163** Certified Public Accountant Licensing Act Amendments
(Sen. C. Bramble)

EDUCATION

- H.B. 349** Open Enrollment Revisions (Rep. J. Fisher)
- H.B. 436** English Language Learner Family Literacy Centers
Program (Rep. G. Hughes)

GOVERNMENT OPERATIONS

- S.B. 126** Filing Fee for Write-in Candidates (Sen. P. Knudson)
- S.B. 147** Candidate Filing Requirements (Sen. P. Knudson)

HEALTH AND HUMAN SERVICES

- H.B. 361** Anti-seizure Drug Notification (Rep. E. Hutchings)
- H.B. 491** Health Plan Exemption from Selected Requirements
(Rep. E. Hutchings)
- 1st Sub. S.B. 66** Uniform Emergency Volunteer Health Practitioners Act
(Sen. L. Hillyard)

JUDICIARY

- H.B. 169** Custody Evaluation and Parent Coordination
(Rep. T. Cosgrove)
- S.B. 122** Uniform Adult Guardianship and Protective Proceedings
Jurisdiction Act (Sen. L. Hillyard)
- S.B. 139** Utah Antitrust Act Amendments (Sen. L. Hillyard)
- S.B. 155** Punitive Damages Amendments (Sen. L. Hillyard)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

- H.B. 140** Child Restraint Device Amendments (Rep. T. Cosgrove)
- H.B. 315** Child and Vulnerable Adult Endangerment Provisions
(Rep. M. Morley)

NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT

- H.B. 246** State Tree Redesignated (Rep. J. Draxler)

POLITICAL SUBDIVISIONS

- H.B. 186** Property Tax – County Assessment and Collection Amendments (Rep. K. McIff)
- H.B. 354** Appraisals for State Land Purchases (Rep. J. Draxler)

RETIREMENT AND INDEPENDENT ENTITIES

- H.B. 202** Employee Benefit Amendments (Rep. J. Dougall)

Stephen Urquhart, Chair

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

INTRODUCTION OF BILLS

H.B. 212, State System of Public Education Amendments (J. Dougall), read the first time by short title and referred to the Rules Committee.

H.B. 382, Financing Public Education (M. Newbold), read the first time by short title and referred to the Rules Committee.

H.B. 402, Vehicle to Pull off Highway (F. Hunsaker), read the first time by short title and referred to the Rules Committee.

H.B. 414, Recycling Amendments (T. Cosgrove), read the first time by short title and referred to the Rules Committee.

H.B. 419, Public School Textbook Evaluation Amendments (G. Froerer), read the first time by short title and referred to the Rules Committee.

H.B. 434, Firefighter Special Group License Plate Amendments (R. Menlove), read the first time by short title and referred to the Rules Committee.

H.B. 402, Vehicle to Pull off Highway (F. Hunsaker), read the first time by short title and referred to the Rules Committee.

H.B. 414, Recycling Amendments (T. Cosgrove), read the first time by short title and referred to the Rules Committee.

H.B. 419, Public School Textbook Evaluation Amendments (G. Froerer), read the first time by short title and referred to the Rules Committee.

H.B. 434, Firefighter Special Group License Plate Amendments (R. Menlove), read the first time by short title and referred to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

February 12, 2008

The Government Operations Committee reports a favorable recommendation on **H.B. 352**, AMENDMENTS RELATED TO MONIES DERIVED FROM NAVAJO NATION RESERVATION LANDS IN UTAH, by Representative D. Clark, with the following amendments:

1. Page 8, Lines 223 through 226:

223 (i) beginning on the effective date of this bill, take an action that imposes or may

224 impose a liability or obligation described in Subsection (1)(d) that is:

225 (A) anticipated to be completed on or after January 1, {~~2009~~} 2010 ;or

226 (B) equal to or greater than \$100,000;

2. Page 9, Lines 267 through 269:

267 (4) (a) By no later than May 5, 2008 the repealed board of trustees shall:

268 (i) adopt a list of all {~~liabilities or obligations~~} related assets and liabilities of the repealed trust fund that are not

269 satisfied by May 5, 2008;

3. Page 9, Line 275 through Page 10, Line 280:

275 (b) The state auditor, in addition to completing its Fiscal Year 2007-2008 audit of the

276 repealed Navajo Trust Fund, shall:

277 (i) {~~conduct an inventory~~} verify the list of the related assets and liabilities of the repealed Navajo

278 Trust Fund {~~to be completed~~} adopted by the repealed board of trustees under Subsection (4)(a) by no later than June 30, 2008; and

279 (ii) provide a written copy of the {~~inventory~~} verification to the governor and the Legislature by no

280 later than July 30, 2008.

4. Page 10, Line 301 through Page 11, Line 310:

301 fixed asset is not required by a lease to maintain a fixed asset;
 {~~and~~ }
 302 (d) through the Division of Facilities Construction and
Management, take those steps
 303 necessary to secure the purchase:
 304 (i) of the following that is owned by the repealed Navajo Trust
Fund as of May 5,
 305 2008:
 306 (A) the government service building; or
 307 (B) another fixed asset of the repealed Navajo Trust Fund, if the
sale of the fixed asset
 308 is consistent with the obligations of the state with regard to the
Utah Navajo royalties; and
 309 (ii) (A) in an arms length manner; and
 310 (B) so that fair market compensation is paid to the repealed
Navajo Trust Fund ; and
(e) charge the fund established under Subsection (2)(a) for the expenses
that are necessary and reasonable to comply with the requirements of this
Subsection (7) ; and

The Government Operations Committee reports a favorable recommendation on **H.B. 357**, PUBLIC ASSOCIATIONS SUBJECT TO GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT, by Representative M. Noel; and

The Government Operations Committee reports a favorable recommendation on **H.C.R. 4**, CONCURRENT RESOLUTION ENCOURAGING CONGRESSIONAL ACTION TO DESIGNATE A NEW RECIPIENT OF ROYALTIES FROM NAVAJO RESERVATION LANDS , by Representative D. Clark; and

The Government Operations Committee reports a favorable recommendation on **H.C.R. 6**, CONCURRENT RESOLUTION HONORING THE LIFE AND CONTRIBUTIONS OF PRESIDENT GORDON B. HINCKLEY, by Representative M. Morley.

Glenn A. Donnelson, Chair

Reports filed. On motion of Representative Donnelson, the reports of the Government Operations Committee were adopted.

H.B. 352, as amended, **H.B. 357**, **H.C.R. 4**, and **H.C.R. 6** read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker: February 12, 2008

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 369**, MUNICIPAL RENTAL FEES AMENDMENTS, by Representative M. Walker.

Fred R Hunsaker, Chair

Report filed. On motion of Representative Hunsaker, the report of the Political Subdivisions Committee was adopted.

H.B. 369 read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker: February 12, 2008

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 158**, TAX CREDIT FOR MILITARY RETIRED PAY, by Representative S. Mascaro; and

The Revenue and Taxation Committee recommends **H.B. 304**, REDUCTION IN STATE SALES AND USE TAX RATE ON FOOD AND FOOD INGREDIENTS, by Representative L. Wiley, be replaced and favorably recommends **1st Sub. H.B. 304**, SALES AND USE TAX REVENUES FOR QUALIFIED EMERGENCY FOOD AGENCIES and considered it to have been read for the first time; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 365**, AVIATION AMENDMENTS, by Representative W. Harper, with the following amendments:

- 1. Page 8, Lines 236 through 243:

236 (8) (a) The Utah Division of Aeronautics shall maintain a statewide database of all

237 aircraft based within the state.

238 (b) On or before October 1 of each year, the Utah Division of Aeronautics shall

239 provide the Tax Commission with {~~-access to~~} the data the Tax Commission requires from the database described in Subsection (8)(a).

240 (c) In accordance with Title 63, Chapter 46a, Utah
Administrative Rulemaking Act, the

241 commission may by rule define the contents of the database
described in Subsection (8)(a).

242 (9) The Tax Commission may suspend or revoke a registration if
it determines that the

243 required fee has not been paid and the fee is not paid upon
reasonable notice and demand. ; and

The Revenue and Taxation Committee recommends **H.B. 373**, UNIFORM FEES ON VINTAGE MOTOR VEHICLES, by Representative W. Harper, be replaced and favorably recommends **1st Sub. H.B. 373**, UNIFORM FEES ON VINTAGE MOTOR VEHICLES; and

The Revenue and Taxation Committee reports a favorable recommendation on **1st Sub. S.B. 137**, MINERAL PRODUCTION TAX WITHHOLDING AMENDMENTS, by Senator W. Niederhauser.

John Dougall, Chair

Reports filed. On motion of Representative Dougall, the reports of the Revenue and Taxation Committee were adopted.

H.B. 158, **H.B. 365**, as amended, **1st Sub. H.B. 373**, and **1st Sub. S.B. 137** read the second time by short title and placed on the Third Reading Calendar.

1st Sub. H.B. 304 read the first and second times by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker:

February 12, 2008

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.B. 257**, EMPLOYEE VERIFICATION, by Representative C. Herrod, with the following amendments:

1. Page 1, Lines 9 through 11:

9 This bill modifies provisions related to state affairs in general
 by conditioning ~~{-certain~~

10 ~~economic incentives and}~~ procurement agreements on
 employer participation in a federal

11 employee eligibility verification program.

2. Page 1, Lines 15 through 17:

15 verification program of a newly hired employee’s employment eligibility as a

16 condition for receiving {~~certain economic incentives and~~} procurement contracts

17 including:

3. Page 1, Lines 26 through 27:

26 ENACTS:

27 {~~63-38f-206, Utah Code Annotated 1953~~}

4. Page 2, Line 30 through Page 3, Line 76:

30 Be it enacted by the Legislature of the state of Utah:

31 {~~Section 1. Section 63-38f-206 is enacted to read:~~

32 ~~63-38f-206. Employment eligibility verification as a requirement for receiving~~

33 ~~economic development incentives.~~

34 (1) ~~As used in this section:~~

35 (a) ~~“Economic development incentive” means one or more of the following:~~

36 (i) ~~a loan, grant, or other financial assistance described in Part 9, Industrial Assistance~~

37 ~~Fund;~~

38 (ii) ~~a partial tax rebate described in Part 13, Aerospace and Aviation Zone;~~

39 (iii) ~~a partial tax rebate described in Part 17, Economic Development Incentives Act;~~

40 (iv) ~~an incentive described in Part 18, Motion Picture Incentive Fund;~~

41 (v) ~~monies distributed under Part 19, Economic Development on Military Installations;~~

42 ~~or~~

43 (vi) ~~monies or other incentives distributed under Part 21, Economic Development~~

44 ~~Government Procurement Contracts.~~

45 (b) ~~“Employee” means an individual performing or applying~~
46 ~~for work or service of any~~

47 ~~kind or character for hire.~~

48 (c) ~~“Employer” means a person employing or seeking to~~
49 ~~employ an individual for hire.~~

50 (d) ~~“Employment” means:~~

51 (i) ~~the act of employing; or~~

52 (ii) ~~the state of being employed, engaged, or hired.~~

53 (e) ~~“Federal employment verification program” means a~~
54 ~~program to electronically~~

55 ~~verify employment eligibility that is:~~

56 (i) ~~operated by the United States Department of Homeland~~
57 ~~Security to verify~~

58 ~~information of employees pursuant to the Illegal Immigration~~
59 ~~Reform and Immigrant~~

60 ~~Responsibility Act of 1996, P.L. 104-128, 110 Stat. 3009, Title IV,~~
61 ~~Subtitle A, (as amended~~

62 ~~2002, 2003); or~~

63 (ii) ~~a similar program operated by the United States Department~~
64 ~~of Homeland Security.~~

65 (2) ~~The office shall require as a condition for receipt of an~~
66 ~~economic development~~

67 ~~incentive that an employer certify that the employer:~~

68 (a) ~~participates in a federal employment verification program~~
69 ~~referred to in Subsection~~

70 (1)(e); and

71 (b) ~~has not been found to violate the requirements of the federal~~
72 ~~employment~~

73 ~~verification program by:~~

74 (i) ~~the United States Department of Homeland Security; or~~

75 (ii) ~~the office.~~

66 (3)(a) If the office learns that an employer does not participate
in the federal
67 employment verification program or is found by the United States
Department of Homeland
68 Security to violate the requirements of the federal employment
verification program within one
69 year after the day on which the employer receives or otherwise
claims an economic
70 development incentive, the office may require the employer to
repay to the state up to the full
71 value of the economic development incentive as of the day on
which the employer receives or
72 otherwise claims the economic development incentive.

73 (b) If an employer described in this Subsection (3) receives or
claims an economic
74 development incentive, the employer shall notify the office of a
finding described in Subsection
75 (3)(a) within five business days of the day on which the finding
described in Subsection (3)(a)
76 is final. }

5. Page 3, Line 77:

77 Section {2} 1 . Section 63-56-427 is enacted to
read:

Steven R. Mascaro, Chair

Report filed. On motion of Representative Snow, the report of the Workforce
Services and Community and Economic Development Committee was adopted.

H.B. 257, as amended, read the second time by short title and placed on the
Third Reading Calendar.

THIRD READING CALENDAR

H.B. 279, TAX INCENTIVES FOR MILITARY MEMBERS, read the third
time by short title and placed on its final passage.

H.B. 279 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Biskupski	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Bird	Kiser	Painter
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H.B. 279 transmitted to the Senate for its consideration.

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H.B. 159, PROFESSIONAL EMPLOYER ORGANIZATION LICENSING ACT, read the third time by short title and placed on its final passage.

H.B. 159 passed on the following roll call:

Yeas, 74; Nays, 1; Absent or not voting, 0.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank

Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Voting in the negative was: Representative Dougall

H.B. 159 transmitted to the Senate for its consideration.

* * *

H.B. 290, MUNICIPAL OVERSIGHT OF RENTAL DWELLINGS, read the third time by short title and placed on its final passage.

Representatives Froerer, Barrus, Curtis, and Seelig declared conflicts of interest because they own rental property.

Representative Froerer proposed the following amendment:

1. Page 1, Line 18
House Committee Amendments 2-4-2008
18 • imposing a fee on or after September 1, 2008 for the inspection of a rental dwelling;
2. Page 1, Line 25a
House Committee Amendments 2-4-2008:
25a Utah Uniform Building Standards Act for a structural change to the rental dwelling, or as required in an ordinance adopted before January 1, 2008 ; and ←H
3. Page 3, Lines 73 through 75
House Committee Amendments 2-4-2008:
73 (c) {~~+~~} (i) Notwithstanding Subsection (2)(b),
a {~~+~~} {~~A~~} municipality may until August 31, 2008,
{~~+~~} impose upon an owner

74 subject to Subsection (2)(a) a reasonable inspection {—} {—~~not charge a~~} fee for the inspection of

75 {—} each {—} {—~~a~~} rental dwelling {—} owned by that owner {—} .

(ii) Beginning September 1, 2008, a municipality may not charge a fee for the inspection of a rental dwelling.

- 4. Page 3, Line 88a
House Committee Amendments 2–4–2008:

88a Standards Act. ←^H for a structural change to the rental dwelling, or as required in an ordinance adopted before January 1, 2008, require the owner of a rental dwelling to retrofit the rental dwelling

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

H.B. 290, as amended, passed on the following roll call:

Yeas, 69; Nays, 4; Absent or not voting, 2.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Bigelow
Bird	Biskupski	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Noel	Oda	Painter	Ray
Riesen	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Wheatley	Wiley	Wimmer	Winn
Curtis			

Voting in the negative were: Representatives

Barrus	Ferry	Newbold	Sandstrom
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Absent or not voting were: Representatives
Litvack Webb

H.B. 290, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Urquhart, the House voted to uncircle **H.B. 151**.

H.B. 151, MOTOR VEHICLE REVISIONS, was before the House on its final passage.

Representative Urquhart proposed the following amendment:

1. Page 1, Line 15

15 owner's or operator's security;

▶ provides that the Motor Vehicle Division or a peace officer may not seize and take possession of a vehicle if the operator of the vehicle is not carrying evidence of owner's or operator's security unless the division or peace officer verifies that owner's or operator's security is not in effect for the vehicle through the Uninsured Motorist Identification Database;

2. Page 2, Lines 31 through 43:

31 (1) (a) The division or any peace officer, without a warrant, may seize and take possession

32 of any vehicle, vessel, or outboard motor:

33 ~~{(a)}~~ (i) that the division or the peace officer has reason to believe has been stolen;

34 ~~{(b)}~~ (ii) on which any identification number has been defaced, altered, or obliterated;

35 ~~{(c)}~~ (iii) that has been abandoned in accordance with Section 41-6a-1408;

36 ~~{(d)}~~ (iv) for which the applicant has written a check for registration or title fees that has not

37 been honored by the applicant's bank and that is not paid within 30 days;

38 ~~{(e)}~~ (v) that is placed on the water with improper registration; or

- 39 {-(f)-} (vi) that is being operated on a highway:
- 40 {-(i)-} (A) with registration that has been expired for
more than three months;
- 41 {-(ii)-} (B) having never been properly registered by
the current owner; [œ]
- 42 {-(iii)-} (C) with registration that is suspended or
revoked[-]; or
- 43 {-(iv)-} (D) subject to the restriction in Subsection
(1)(b), without owner's or operator's security in effect for the
vehicle as required under Section 41-12a-301.

(b) The division or any peace officer may not seize and take possession of a vehicle under Subsection (1)(a)(vi)(D) if the operator of the vehicle is not carrying evidence of owner's or operator's security as defined in Section 41-12a-303.2 in the vehicle unless the division or peace officer verifies that owner's or operator's security is not in effect for the vehicle through the Uninsured Motorist Identification Database created in accordance with Section 41-12a-803.

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

H.B. 151, as amended, passed on the following roll call:

Yeas, 74; Nays, 0; Absent or not voting, 1.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez-Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow

Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting was: Representative Donnelson

H.B. 151, as amended, transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 342, INSURANCE CODE AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Dunnigan proposed the following amendment:

1. Page 12, Lines 351 through 354

351 [(e)] (b) "Eligible employee" does not include {—} , unless eligible under Subsection

352 (50)(b): (i) {—} an individual who works on a temporary or substitute basis for a small employer {—} ; {—} {—}

353 {—} (ii) an employer's spouse; or {—}

354 {—} (iii) a dependent of an employer. {—}

2. Page 47, Line 1449 through Page 48, Line 1454:

1449 ~~{-(2)} A captive insurance company may not write a reimbursement policy for a service~~

1450 ~~contract provider that is subject to this chapter. }~~

1451 {—} (2) {—} {-(3)} (a) A service contract may not be issued, sold, or offered for sale unless [a true

1452 and correct copy of the service contract and the provider's reimbursement insurance policy have

1453 been filed with the commissioner. A copy of a contract and policy must be filed] the service

1454 contract provider completes the registration process described in this Subsection {-(3)} (2) .

3. Page 48, Lines 1462 through 1463:

1462 (c) A service provider shall submit the information described in Subsection {-(3)} (2) (b) no

1463 less than 30 days [~~prior to the issuance, sale offering for sale, or use of the~~] before the day on

4. Page 48, Lines 1473 through 1481:

1473 {~~—~~} (3) {~~—~~} {~~—(4)~~} (a) Premiums collected on a service [~~e~~~~on~~~~tr~~~~a~~~~c~~~~t~~s] contract are not subject to

1474 premium taxes.

1475 (b) Premiums collected by [~~issuers~~] an issuer of a reimbursement insurance [~~p~~~~o~~~~l~~~~i~~~~c~~~~i~~~~e~~~~s~~]

1476 policy are subject to premium taxes.

1477 {~~—~~} (4) {~~—~~} {~~—(5)~~} A person marketing, selling, or offering to sell a service [~~e~~~~on~~~~tr~~~~a~~~~c~~~~t~~s] contract

1478 for a service contract [~~p~~~~r~~~~o~~~~v~~~~i~~~~d~~~~e~~~~r~~s] provider that complies with this chapter is exempt from the

1479 licensing requirements of this title.

1480 [~~(5)—Service~~] {~~—(6)~~} (5) A service contract [~~p~~~~r~~~~o~~~~v~~~~i~~~~d~~~~e~~~~r~~s] provider complying with this chapter

1481 [~~are~~] is not required to comply with:

5. Page 52, Lines 1582 through 1584

House Committee Amendments 2–4–2008:

1582 (4) $\hat{H} \rightarrow$ [A] Except for a bank, savings and loan association, industrial bank, or credit

1582a union, a $\leftarrow \hat{H}$ service contract provider , unless licensed by the department, may not sell, or be the obligated party for:

1583 (a) a guaranteed asset protection waiver; $\hat{H} \rightarrow$ [~~or~~] $\leftarrow \hat{H}$

1584 (b) a debt cancellation agreement $\hat{H} \rightarrow$ [~~;~~] or

6. Page 62, Lines 1891 through 1913:

1891 (2) (a) {~~For~~} Except as provided in Subsection (4), for the period beginning on the date of death and ending the day before the day

1892 described in Subsection (3)(b), interest under Subsection (1) shall accrue at a rate no less than:

1893 (i) the rate applicable to policy funds left on deposit; or

- 1894 (ii) if there is no rate described in Subsection (2)(a)(i), at the Two Year Treasury
- 1895 Constant Maturity Rate as published by the Federal Reserve.
- 1896 (b) The rate described in Subsection (2)(a) is the rate in effect on the day on which the
- 1897 death occurs.
- 1898 (c) Interest is payable until the day on which the claim is paid.
- 1899 (3) (a) Unless the claim is paid and except as provided in Subsection (4) ,beginning on the day described in Subsection (3)(b)
- 1900 and ending the day on which the claim is paid, interest shall accrue at the rate in Subsection (2)
- 1901 plus additional interest at the rate of 10% annually.
- 1902 (b) Interest accrues under Subsection (3)(a) beginning with the day that is 31 days from
- 1903 the latest of:
- 1904 (i) the day on which the insurer receives proof of death;
- 1905 (ii) the day on which the insurer receives sufficient information to determine:
- 1906 (A) liability;
- 1907 (B) the extent of the liability; and
- 1908 (C) the appropriate payee legally entitled to the proceeds; and
- 1909 (iii) the day on which:
- 1910 (A) legal impediments to payment of proceeds that depend on the action of parties
- 1911 other than the insurer are resolved; and
- 1912 (B) the insurer receives sufficient evidence of the resolution of the legal impediments
- 1913 described in Subsection (3)(b)(iii)(A).
- (4) A court of competent jurisdiction may require payment of interest from the date of death to the day on which a claim is paid at a rate equal to the sum of:
- (a) the rate specified in Subsection (2); and
- (b) the legal rate identified in Subsection 15-1-1(2).

7. Page 65, Line 2004 through Page 66, Line 2021:

- 2004 (e) in relation to cost-sharing features for prescription drugs:
- 2005 (i) ~~(A)~~ a deductible ~~{-of-}~~ not ~~{-less-than}~~
~~\$500-}~~ to exceed \$1,000 per person; and
- 2006 (B) for family coverage, not to exceed three times the per person deductible provided
- 2007 in Subsection (4)(e)(i)(A); and
- 2008 (ii) (A) a copayment of not less than:
- 2009 (I) the lesser of the cost of the prescription drug or \$15 for the lowest level of cost for
- 2010 prescription drugs;
- 2011 (II) the lesser of the cost of the prescription drug or
~~{-\$30-}~~ \$25 for the second level of cost for
- 2012 prescription drugs; and
- 2013 (III) the lesser of the cost of the prescription drug or
~~{-\$60-}~~ \$35 for the highest level of cost
- 2014 for prescription drugs; or
- 2015 (B) coinsurance of not less than:
- 2016 (I) the lesser of the cost of the prescription drug or 25% for the lowest level of cost for
- 2017 prescription drugs;
- 2018 (II) the lesser of the cost of the prescription drug or 40% for the second level of cost for
- 2019 prescription drugs; and
- 2020 (III) the lesser of the cost of the prescription drug or 60% for the highest level of cost
- 2021 for prescription drugs.

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

H.B. 342, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman

Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Frank Noel

H.B. 342, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 271, UTAH PURPLE HEART RECIPIENTS TUITION ACT AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 271 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Biskupski	Bowman	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Fowlke
Frank	Froerer	Garn	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Litvack	Lockhart

Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn

Absent or not voting were: Representatives

Bird	D. Clark	Donnelson	Julie Fisher
Gibson	Last	Curtis	

H.B. 271 transmitted to the Senate for its consideration.

* * *

1st Sub. H.B. 287, REGULATION OF TEACHER-STUDENT RELATIONSHIPS, read the third time by short title and placed on its final passage.

1st Sub. H.B. 287 passed on the following roll call:

Yeas, 74; Nays, 0; Absent or not voting, 1.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Biskupski	Bowman	Brown
Chavez-Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting was: Representative Bird

1st Sub. H.B. 287 transmitted to the Senate for its consideration.

* * *

2nd Sub. H.B. 276, HEALTH PROFESSIONAL AUTHORITY – DEATH AND DISABILITY, read the third time by short title and placed on its final passage.

2nd Sub. H.B. 276, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

S. Clark	Riesen
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2nd Sub. H.B. 276, as amended, transmitted to the Senate for its consideration.

* * *

1st Sub. H.B. 281, GRANTS TO RURAL HOSPITALS – OVERSIGHT RESPONSIBILITIES, read the third time by short title and placed on its final passage.

1st Sub. H.B. 281 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn			

Absent or not voting were: Representatives

Holdaway Curtis

1st Sub. H.B. 281 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

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

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

THIRD READING CALENDAR

1st Sub. H.B. 326, CHILDREN’S HEALTH INSURANCE PROGRAM – OPEN ENROLLMENT, read the third time by short title and placed on its final passage.

1st Sub. H.B. 326 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Moss	Neuenschwander	Newbold	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Urquhart
Walker	Webb	Wheatley	Wiley
Winn	Curtis		

Voting in the negative were: Representatives

Morley	Tilton	Wimmer
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Absent or not voting were: Representatives

Noel	Sumsion
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1st Sub. H.B. 326 transmitted to the Senate for its consideration.

* * *

H.B. 39, DIVESTMENT OF CERTAIN RETIREMENT FUND INVESTMENTS, 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. 39**.

* * *

H.C.R. 1, METH AWARENESS FOR STUDENTS AND EDUCATORS RESOLUTION, read the third time by short title and placed on its final passage.

H.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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Holdaway Urquhart

H.C.R. 1 transmitted to the Senate for its consideration.

* * *

H.B. 312, CRIME VICTIM REPARATIONS REVISIONS, read the third time by short title and placed on its final passage.

Representative Julie Fisher proposed the following amendment:

1. Page 1, Lines 22 through 23

22 { ~~→ provides that records so released are to be admissible in a~~
~~restitution hearing when~~

23 ~~the records are prepared in accordance with the Utah Rules of~~
~~Evidence;—}~~

2. Page 3, Lines 63 through 67:

63 {~~-78-61-101-~~} 77-38-302 , as enacted by Laws of Utah {~~-2004-~~} 2008 , Chapter {~~-368-~~} 3

64 ENACTS:

65 {~~-63-25a-411.5-~~} 63M-7-511.5 , Utah Code Annotated 1953

66 {~~-63-25a-421.5-~~} 63M-7-521.5 , Utah Code Annotated 1953

67 {~~-63-25a-429, Utah Code Annotated 1953-~~}

3. Page 23, Lines 697 through 698:

697 Section 15. Section {~~-63-25a-411.5-~~} 63M-7-511.5 is enacted to read:

698 {~~-63-25a-411.5~~} 63M-7-511.5 . Limitation of awards.

4. Page 26, Lines 788 through 789:

788 Section 21. Section [~~63-25a-421.5~~] 63M-7-521.5 is enacted to read:

789 {~~-63-25a-421.5~~} 63M-7-521.5 . Payments to medical providers.

5. Page 27, Lines 818 through 824

House Committee Amendments 2-4-2008:

818 {~~-Section 23. Section 63-25a-429 is enacted to read:~~

819 ~~63-25a-429. Release of records.~~

820 ~~(1) Notwithstanding the provisions of Title 63, Chapter 2, Government Records Access~~

821 ~~and Management Act, the office may release records to a prosecuting attorney for use in~~

822 ~~seeking a restitution order as provided in Title 77, Chapter 38a, Crime Victims Restitution Act.~~

823 ~~(2) Records released under Subsection (1) are admissible in a restitution hearing~~ ~~H~~ → [if the

824 ~~records are prepared in accordance with Utah Rules of Evidence, Rule 803(6)] → ~~H~~ . }~~

6. Page 37, Lines 1117 through 1118:

1117 Section 31. Section {~~78-61-101~~} 77-38-302 is amended to read:

1118 {~~78-61-101~~} 77-38-302 . Definitions.

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

H.B. 312, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez-Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Frank	Holdaway	Newbold	Urquhart
Walker			

H.B. 312, as amended, transmitted to the Senate for its consideration.

INTENT LANGUAGE FOR H.B. 312

On motion of Representative Julie Fisher, 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 Office of Crime Victim Reparations work with medical providers and their representatives to development and implement a medical fee schedule agreeable to all parties.”

THIRD READING CALENDAR

H.B. 327, ENTICING A MINORITY BY ELECTRONIC MEANS, read the third time by short title and placed on its final passage.

H.B. 327, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Janice Fisher	Julie Fisher	Fowlke	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Ferry	Frank	Holdaway	Urquhart
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H.B. 327, as amended, transmitted to the Senate for its consideration.

* * *

1st Sub. H.B. 40, SAFE DRINKING WATER REVISIONS, read the third time by short title and placed on its final passage.

On motion of Representative Snow, the House voted to circle **1st Sub. H.B. 40**.

* * *

H.B. 123, ACCELERATED LEARNING PROGRAMS AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Snow, the House voted to circle **H.B. 123**.

* * *

H.B. 323, EMINENT DOMAIN AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Tilton, the House voted to circle **H.B. 323**.

* * *

H.J.R. 8, JOINT RESOLUTION URGING CONGRESS TO ELIMINATE TRANSPORTATION EARMARKING THAT OVERRIDES STATE TRANSPORTATION PRIORITIES, read the third time by short title and placed on its final passage.

H.J.R. 8, as amended, passed on the following roll call:

Yeas, 60; Nays, 9; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
D. Clark	S. Clark	Daw	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Julie Fisher	Fowlke
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Kiser	Last
Mascaro	Mathis	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Shurtliff
Snow	Sumsion	Tilton	Walker
Webb	Wheatley	Wimmer	Winn

Voting in the negative were: Representatives

Chavez-Houck	Cosgrove	Janice Fisher	Hendrickson
Johnson	Litvack	McGee	Seelig
Wiley			

Absent or not voting were: Representatives

Brown	Frank	King	Lockhart
Urquhart	Curtis		

H.J.R. 8, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Andersen, the House voted to uncircle **1st Sub. H.B. 40**.

1st Sub. H.B. 40, SAFE DRINKING WATER REVISIONS, was before the House on its final passage.

1st Sub. H.B. 40, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Johnson	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Walker	Webb
Wheatley	Wiley	Wimmer	Winn

Absent or not voting were: Representatives

Bowman	Frank	Hansen	Hutchings
King	Urquhart	Curtis	

1st Sub. H.B. 40, as amended, transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 292, LEGISLATIVE TASK FORCE TO STUDY RADIO COMMUNICATION SYSTEM IN UTAH, read the third time by short title and placed on its final passage.

H.B. 292 passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Biskupski	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Walker
Webb	Wheatley	Wiley	Wimmer
Winn			

Absent or not voting were: Representatives

Allen	Frank	King	Noel
Urquhart	Curtis		

H.B. 292 transmitted to the Senate for its consideration.

* * *

H.R. 2, HOUSE RESOLUTION CALLING FOR WITHDRAWAL FROM NAFTA, read the third time by short title and placed on its final passage.

H.R. 2 failed on the following roll call:

Yeas, 19; Nays, 45; Absent or not voting, 11.

Voting in the affirmative were: Representatives

Andersen	Donnelson	Duckworth	Janice Fisher
Grover	Hansen	Herrod	Hughes
Hutchings	Lockhart	Mathis	Morley
Newbold	Oda	Ray	Sandstrom
Tilton	Walker	Wimmer	

Voting in the negative were: Representatives

Agaard	Allen	Barrus	Bigelow
Bird	Biskupski	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dougall	Draxler	Dunnigan
Ferry	Julie Fisher	Froerer	Gibson
Gowans	Greenwood	Harper	Hemingway
Hendrickson	Holdaway	Hunsaker	Johnson
Kiser	Last	Litvack	Mascaro
McGee	McIff	Menlove	Moss
Neuenschwander	Riesen	Seelig	Shurtliff
Snow	Sumsion	Webb	Wheatley
Wiley			

Absent or not voting were: Representatives

Dee	Fowlke	Frank	Garn
King	Morgan	Noel	Painter
Urquhart	Winn	Curtis	

H.R. 2 was filed.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 12, 2008

The Senate passed, **H.B. 235**, COUNTY MERIT SYSTEM AMENDMENTS, by Representative B. Dee, 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. 235** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker: February 12, 2008

The Senate passed, as substituted, **1st Sub. S.B. 29**, TRUTH IN TAXATION AMENDMENTS, by Senator W. Niederhauser, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **1st Sub. S.B. 29** read the first time by short title and referred to the Rules Committee.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, and at 5:00 p.m., the House voted to adjourn until February 13, 2008, at 10:00 a.m.

TWENTY-FOURTH DAY

* * *

MORNING SESSION

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

Roll call showed all members present.

Prayer by Representative Biskupski's intern, Patrick Salaz. Pledge of Allegiance by Representative Biskupski.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, the House voted to limit debate to five minutes per speaker to each bill.

INTRODUCTION OF BILLS

H.B. 391, Public School Funding (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 437, Funeral Services Licensing Act Amendments (S. Urquhart), read the first time by short title and referred to the Rules Committee.

H.B. 443, Membership of Occupational and Professional Licensure Review Committee (G. Hughes), read the first time by short title and referred to the Rules Committee.

H.B. 459, Construction Trades Exemption (S. Urquhart), read the first time by short title and referred to the Rules Committee.

H.B. 467, Motor Vehicle Insurance Arbitration Amendments (S. Urquhart), read the first time by short title and referred to the Rules Committee.

H.B. 476, Pay of National Guard Members (G. Hughes), read the first time by short title and referred to the Rules Committee.

H.B. 494, Amendments to the Utah Medical Service System Act (J. Dougall), read the first time by short title and referred to the Rules Committee.

MISCELLANEOUS BUSINESS

On motion of Representative Bigelow, the House voted to lift **S.B. 40, STATE TRADE DATABASE**, from the Third Reading Calendar and return it to the Rules Committee due to fiscal impact.

CONSENT CALENDAR

H.B. 182, DEADLINE FOR VOTING PRECINCT DESIGNATION, read the third time by short title and placed on its final passage.

H.B. 182 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Draxler	Gowans	Moss
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H.B. 182 transmitted to the Senate for its consideration.

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S.B. 99, AMENDMENTS TO SALES AND USE TAX EXEMPTION FOR PROSTHETIC DEVICES, read the third time by short title and placed on its final passage.

S.B. 99 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Gowans	Moss
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S.B. 99 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

H.B. 128, UTAH RESIDENTIAL MORTGAGE PRACTICES ACT AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 128 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke

Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Walker	Webb
Wheatley	Wiley	Wimmer	Curtis

Absent or not voting were: Representatives

Moss	Urquhart	Winn
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H.B. 128 transmitted to the Senate for its consideration.

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H.B. 184, CONSTRUCTION AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 184, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen

Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Moss Urquhart

H.B. 184, as amended, transmitted to the Senate for its consideration.

* * *

H.R. 3, HOUSE RESOLUTION RECOGNIZING UTAH'S ASTHMA OPEN AIRWAYS PROGRAM, read the third time by short title and placed on its final passage.

H.R. 3 passed on the following roll call:

Yeas, 74; Nays, 0; Absent or not voting, 1.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting was: Representative

Urquhart

H.R. 3 was signed by the Speaker and referred to staff for enrolling and transmission to the Lt. Governor.

* * *

S.B. 100, MOTOR VEHICLE DEALER DISCLOSURE REQUIREMENTS AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 100 passed on the following roll call:

Yeas, 69; Nays, 2; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bird	Biskupski	Bowman	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Holdaway	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Seelig	Shurtliff	Snow
Sumsion	Tilton	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Voting in the negative were: Representatives

Bigelow	Hughes
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Absent or not voting were: Representatives

Brown	Herrod	Sandstrom	Urquhart
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S.B. 100 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 Frank, the House voted to concur in the Senate amendments to **H.B. 35, MOTOR AND SPECIAL FUEL TAX AMENDMENTS**.

H.B. 35, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Gowans	Oda	Urquhart
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H.B. 35, as amended by the Senate, transmitted to the Senate for signature of President.

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On motion of Representative Fowlke, the House voted to concur in the Senate amendments to **H.B. 71**, PARENT–TIME AMENDMENTS.

H.B. 71, as amended by the Senate, passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson

Dougall	Draxler	Duckworth	Dunnigan
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Johnson	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Snow
Sumsion	Tilton	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Voting in the negative was: Representative
Ferry

Absent or not voting were: Representatives
Hutchings King Newbold Shurtliff
Urquhart

H.B. 71, as amended by the Senate, transmitted to the Senate for signature of President.

THIRD READING CALENDAR

S.B. 14, SMOKING BAN IN MOTOR VEHICLE, read the third time by short title and placed on its final passage.

Representative Wimmer's motion to lift **S.B. 14** from the Third Reading Calendar and recommit it to the Law Enforcement and Criminal Justice Standing Committee passed on the following roll call:

Yeas, 39; Nays, 31; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Bowman	Brown	D. Clark
S. Clark	Daw	Dee	Donnelson
Dougall	Ferry	Julie Fisher	Fowlke
Frank	Garn	Gibson	Gowans
Grover	Harper	Herrod	Hughes

Kiser	Lockhart	Mathis	Morley
Neuenschwander	Newbold	Noel	Oda
Sandstrom	Snow	Sumsion	Tilton
Walker	Wimmer	Curtis	

Voting in the negative were: Representatives

Allen	Biskupski	Chavez–Houck	Cosgrove
Draxler	Duckworth	Janice Fisher	Froerer
Greenwood	Hansen	Hemingway	Hendrickson
Hunsaker	Hutchings	Johnson	King
Last	Litvack	Mascaro	McGee
Menlove	Morgan	Moss	Ray
Riesen	Seelig	Shurtliff	Urquhart
Webb	Wheatley	Wiley	

Absent or not voting were: Representatives

Dunnigan	Holdaway	McIff	Painter
Winn			

S.B. 14 referred to the Law Enforcement and Criminal Justice Standing Committee.

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2nd Sub. S.B. 32, LOCAL GOVERNMENT BONDING ACT, read the third time by short title and placed on its final passage.

2nd Sub. S.B. 32 passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro

Mathis	McGee	McIff	Menlove
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Ray	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

D. Clark	Dunnigan	Gibson	Morgan
Painter	Riesen		

2nd Sub. S.B. 32 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. 58, WORKERS' COMPENSATION RELATED AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 58 passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez-Houck	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Morgan
Morley	Moss	Neuenschwander	Noel
Oda	Ray	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Winn	Curtis	

Absent or not voting were: Representatives

D. Clark	Gibson	Johnson	Menlove
Newbold	Painter	Riesen	Wimmer

S.B. 58 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

S.B. 68, WORKERS' COMPENSATION – DEATH BENEFITS, read the third time by short title and placed on its final passage.

S.B. 68 passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Morgan
Morley	Moss	Neuenschwander	Noel
Oda	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Webb	Wheatley
Wiley	Wimmer		

Absent or not voting were: Representatives

D. Clark	Draxler	Gibson	Menlove
Newbold	Painter	Walker	Winn
Curtis			

S.B. 68 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

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2nd Sub. S.B. 144, PARAMETERS ON GOVERNOR'S ABILITY TO ENTER AGREEMENTS BINDING THE STATE, read the third time by short title and placed on its final passage.

2nd Sub. S.B. 144 passed on the following roll call:

Yeas, 54; Nays, 18; Absent or not voting, 3.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Bowman	Brown
D. Clark	S. Clark	Daw	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gowans
Greenwood	Grover	Harper	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Kiser	Last	Lockhart	Mathis
McIff	Menlove	Morgan	Morley
Neuenschwander	Newbold	Noel	Oda
Ray	Sandstrom	Snow	Sumsion
Tilton	Walker	Webb	Wimmer
Winn	Curtis		

Voting in the negative were: Representatives

Biskupski	Chavez-Houck	Cosgrove	Janice Fisher
Hansen	Hemingway	Hutchings	Johnson
King	Litvack	Mascaro	McGee
Moss	Riesen	Seelig	Shurtliff
Wheatley	Wiley		

Absent or not voting were: Representatives

Gibson	Painter	Urquhart
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2nd Sub. S.B. 144, as amended, returned to the Senate for further consideration.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

February 13, 2008

The Business and Labor Committee reports a favorable recommendation on **H.B. 223**, EXEMPTION FROM LICENSURE BY DIVISION OF REAL ESTATE, by Representative M. Walker; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 224**, CONSTRUCTION STANDARDS FOR TYPE II ASSISTED LIVING FACILITY, by Representative R. Lockhart; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 401**, MASTER PLUMBER LICENSING, by Representative J. Dunnigan, et al, with the following amendments:

1. Page 9, Lines 252 through 255:

252 (ii) two members shall be licensed plumbing contractors; and

253 [(ii)] (iii) one member shall be from the public at large with no history of involvement

254 in the construction trades {~~-or union affiliation~~ } .

255 (b) (i) The Alarm System Security and Licensing Board consists of five members as

2. Page 13, Lines 394 through 398:

394 (A) considered to hold a current master plumber license under this chapter if licensed

395 as a plumbing contractor and a journeyman plumber . and satisfies the requirements of this Subsection (3)(a) for purposes

396 of renewal or reinstatement of that license under Section 58-55-303; and

397 (B) considered to hold a current residential master plumber license under this chapter if

398 licensed as a residential plumbing contractor and a residential journeyman plumber . and satisfies the requirements of this Subsection; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 406**, TRAFFIC CODE AMENDMENTS, by Representative J. Dunnigan, with the following amendments:

1. Page 3, Lines 65 through 66:

65 (B) is located on a portion of {~~the~~} interstate
15 {~~system~~} that is between milepost 222 and

66 milepost 64.; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 412**, BELOW COST SALES, by Representative S. Urquhart; and

The Business and Labor Committee recommends **S.B. 11**, UTAH VENTURE CAPITAL ENHANCEMENT ACT AMENDMENTS, by Senator S. Jenkins, et al, be replaced and favorably recommends **1st Sub. S.B. 11**, UTAH VENTURE CAPITAL ENHANCEMENT ACT AMENDMENTS; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 375**, DECEPTION DETECTION EXAMINERS LICENSING ACT AMENDMENTS, by Representative R. Barrus, and recommends it be placed on the Consent Calendar; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 95**, MARKUP ON ALCOHOLIC BEVERAGES, by Senator M. Dmitrich, and recommends it be placed on the Consent Calendar.

Stephen D. Clark, Chair

Reports filed. On motion of Representative S. Clark, the reports of the Business and Labor Committee were adopted.

H.B. 223, H.B. 224, H.B. 401, H.B. 406, H.B. 412, and 1st Sub. S.B. 11 read the second time by short title and placed on the Third Reading Calendar.

H.B. 375 and S.B. 95 read the second time by short title and placed on the Consent Calendar.

THIRD READING CALENDAR

1st Sub. S.B. 110, FOREIGN BUSINESS ENTITIES AND TRIBAL LAW, read the third time by short title and placed on its final passage.

1st Sub. S.B. 110 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gowans	Greenwood

Grover	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Dougall	Gibson	Hansen	Holdaway
Morley	Painter	Riesen	

1st Sub. S.B. 110 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 13, 2008

The Education Committee reports a favorable recommendation on **H.B. 160**, CHARTER SCHOOL LAW REVISIONS, by Representative R. Lockhart, with the following amendments:

1. Page 3, Lines 76 through 84:
 - 76 after consultation with the State Charter School Board, the State Board of Education shall
 - 77 make rules that:
 - 78 (1) require a charter school to develop an accountability plan, approved by the State
 - 79 Charter School Board, during its first year of operation;
 - 80 (2) require a charter school authorizer to:
 - 81 (a) {~~conduct periodic visits to its charter schools~~ } visit a charter school at least once during:
 - (i) its first year of operation; and
 - (ii) the review period described under Subsection (3) ; and
 - 82 (b) provide written reports to its charter schools after the visits;
 - and

83 (3) establish a review process that is required of a charter school once every five years

84 by its authorizer. ; and

The Education Committee reports a favorable recommendation on **H.B. 163**, SCHOOL FEE AMENDMENTS, by Representative C. Frank, with the following amendments:

1. Page 1, Line 15:

15 ► allows extracurricular fees under certain conditions;
 {~~and~~}
 ► links an appropriation item to the value of the weighted pupil unit; and

2. Page 8, Line 215:

215 (hh) School Fee Replacement Program, \$13,100,000 (5,211 WPU's) ; and

The Education Committee recommends **H.B. 363**, PUBLIC EDUCATION – ARTS ENHANCED LEARNING PROGRAM, by Representative G. Hughes, be replaced and reports a favorable recommendation on **1st Sub. H.B. 363**, BEVERLEY TAYLOR SORENSON ELEMENTARY ARTS LEARNING PROGRAM with the following amendments:

1. Page 1, Lines 17 through 18:

17 ► requires the State Board of Education to:
 18 • establish a grant program for school and school district arts specialists and coordinators; and

2. Page 2, Lines 49 through 52:

49 (a) establish a grant program to allow school districts and charter schools to hire 100

50 highly qualified, full-time arts
 {~~coordinators~~} specialists to be based at 100 schools;

51 (b) provide up to \$10,000 in one-time funds for each school arts
 {~~coordinator~~} specialist described

52 under Subsection (3)(a) to purchase supplies and equipment;

Gregory H. Hughes, Chair

Reports filed. On motion of Representative D. Clark, the reports of the Education Committee were adopted.

H.B. 160, as amended, and **H.B. 163**, as amended, read the second time by short title and placed on the Third Reading Calendar.

1st Sub. H.B. 363, as amended, read the first and second times by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker: February 13, 2008

The Health and Human Services Committee reports a favorable recommendation on **1st Sub. H.B. 263**, UTAH REGISTRY OF AUTISM AND DEVELOPMENTAL DISABILITIES, by Representative E. Hutchings; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 303**, PHOSPHORUS LIMIT IN DISHWASHING DETERGENT, by Representative C. Johnson, with the following amendments:

- 1. Page 2, Lines 31 through 33:
 - 31 dishwashing detergent that contains 0.5 % or more phosphorus by weight on or after {~~—~~
 - 32 (a) July 1, 2009, in a county of the first or second class; and
 - 33 (b) July 1, 2011, in any county in the state. } July 1, 2010.

The Health and Human Services Committee reports a favorable recommendation on **H.B. 399**, MEDICATION AIDE CERTIFIED AMENDMENTS, by Representative R. Lockhart.

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. 263, **H.B. 303**, as amended, and **H.B. 399** read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker: February 13, 2008

The Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 353**, DEPARTMENT OF ENVIRONMENTAL QUALITY AMENDMENTS, by Representative C. Johnson; and

The Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 130**, UTILITY IMPROVEMENT DISTRICT REVISIONS, by Senator K. VanTassell.

Michael E. Noel, Chair

Reports filed. On motion of Representative Noel, the reports of the Public Utilities and Technology Committee were adopted.

H.B. 353 and **S.B. 130** read the second time by short title and placed on the Third Reading Calendar.

MISCELLANEOUS BUSINESS

H.B. 241, previously held, transmitted to the Senate.

* * *

On motion of Representative Snow, and at 12:00 noon, the House voted to adjourn until February 14, 2008, at 10:00 a.m.

TWENTY-FIFTH DAY

* * *

MORNING SESSION

The House was called to order by Speaker Curtis at 10:05 a.m.

Roll call showed all members present.

Prayer by Emily Brown, Legislative Research and General Counsel attorney.
Pledge of Allegiance by Representative Painter’s intern, Dallin Holt.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 13, 2008
The Senate passed, **1st Sub. H.B. 53**, IMPACT OF ADMINISTRATIVE RULES ON SMALL BUSINESSES, by Representative S. 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. **1st Sub. H.B. 53** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker: February 13, 2008
The Senate passed, as substituted, **3rd Sub. S.B. 48**, EQUALIZATION OF SCHOOL CAPITAL OUTLAY FUNDING, by Senator D. Eastman, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 79**, SMALL BUSINESS ACCESS AMENDMENTS, by Senator R. Romero, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 80**, SKI AND SNOWBOARD EDUCATION, DEVELOPMENT, AND PROMOTION SPECIAL GROUP LICENSE PLATE, by Senator K. VanTassell, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 136**, APPORTIONMENT OF BUSINESS INCOME AMENDMENTS, by Senator W. Niederhauser, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 171**, REPEAL OF CERTAIN REPORTING BY FINANCIAL INSTITUTIONS, by Senator K. VanTassell, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 177**, LOCAL GOVERNMENT DISPOSAL OF REAL PROPERTY ACQUIRED BY EXACTION, by Senator W. Niederhauser, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 181**, OFF-HIGHWAY VEHICLE USE ON PUBLIC HIGHWAYS, by Senator S. Jenkins, and it is transmitted for consideration; and

The Senate passed **S.J.R. 8**, JOINT RULES RESOLUTION – BASE BUDGET AMENDMENTS, by Senator W. Niederhauser, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **3rd Sub. S.B. 48**, **1st Sub. S.B. 79**, **S.B. 80**, **S.B. 136**, **1st Sub. S.B. 171**, **S.B. 177**, **1st Sub. S.B. 181**, and **S.J.R. 8** read the first time by short title and referred to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 13, 2008

The Retirement and Independent Entities Committee reports a favorable recommendation on **H.B. 202**, EMPLOYEE BENEFIT AMENDMENTS, by Representative J. Dougall, with the following amendments:

1. Page 1, Line 25 through Page 2, Line 28:

25 ▶ {–allows–} provides that participating
employers may allow new public safety service employees who are
eligible for the Public Safety

26 Noncontributory Retirement System to elect instead to become a
member of the

27 Public Employees' Noncontributory Retirement System and
receive the difference in

28 cost in their salary; and

2. Page 15, Lines 431 through 442:

431 (3) (a) A participating employer of a public safety service
employee may allow the employee to make the election under

Subsection (3)(b) if the participating employer:

(i) provides notice to the office on forms provided by the office; and

(ii) provides the option in a nondiscriminatory manner to each eligible public safety service employee.

(b) { -A } If allowed by the participating employer under Subsection (3)(a), a public safety service employee who initially enters employment beginning

432 July 1, 2008 with a participating employer may elect to become a member of:

433 (i) this system; or

434 (ii) the Public Employees' Noncontributory Retirement System under Chapter 13,

435 Public Employees' Noncontributory Retirement Act.

436 { -(b) } (c) For a public safety service employee who elects to participate in the Public

437 Employees' Noncontributory Retirement System, the participating employer shall, in addition

438 to any other compensation, pay as part of the employee's compensation an amount equal to the

439 difference in the cost of the two retirement systems, to be calculated as follows:

440 (i) the amount that the participating employer would be required to pay for the

441 employee's retirement benefit if the employee was a member of { -that system } the Public Safety Noncontributory Retirement System based on the

442 retirement contribution rate under the Public Safety Noncontributory Retirement System; ; and

The Retirement and Independent Entities Committee reports a favorable recommendation on **H.B. 280**, SCHOOL FINANCE AMENDMENTS, by Representative Julie Fisher, with the following amendments:

- 1. Page 8, Line 222:

222 ~~retirement-to]~~ provide its own compensation, benefit, and retirement programs.

(5) In setting the value of the weighted pupil unit, the Legislature shall consider a change in the retirement contribution rate. ; and

The Retirement and Independent Entities Committee reports a favorable recommendation on **1st Sub. H.B. 94**, PUBLIC EMPLOYEES' RETIREMENT – SPOUSAL ELECTION, by Representative L. Shurtliff, and recommends it be placed on the Consent Calendar.

John Dougall, Chair

Reports filed. On motion of Representative Dougall, the reports of the Retirement and Independent Entities Committee were adopted.

H.B. 202, as amended, and **H.B. 280**, as amended, read the second time by short title and placed on the Third Reading Calendar.

1st Sub. H.B. 94 read the second time by short title and placed on the Consent Calendar.

INTRODUCTION OF BILLS

H.B. 199, Tax Credits for Energy Efficient Residences (F. Hunsaker), read the first time by short title and referred to the Rules Committee.

H.B. 427, Hunter Education Requirement Exemption for Military Personnel (B. Winn), read the first time by short title and referred to the Rules Committee.

H.B. 445, Nursing Home Amendments (M. Newbold), read the first time by short title and referred to the Rules Committee.

H.B. 456, Fair Campaign Pledge Amendments (E. Hutchings), read the first time by short title and referred to the Rules Committee.

H.B. 470, Amendments to Animal Cruelty Provisions (S. Allen), read the first time by short title and referred to the Rules Committee.

H.B. 488, Kindergarten Program Amendments (K. Morgan), read the first time by short title and referred to the Rules Committee.

H.B. 492, Sex Offender Notification and Registration (P. Ray), read the first time by short title and referred to the Rules Committee.

RULES COMMITTEE REPORT

Mr. Speaker:

February 14, 2008

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

BUSINESS AND LABOR

- H.B. 343** Exemption of University Housing from Eviction Laws
(Rep. P. Neuenschwander)
- H.B. 400** Condominium and Community Association Provisions
(Rep. R. Webb)
- S.B. 143** Insurance Financial Requirements (Sen. K. VanTassell)
- S.B. 156** Utah Relocation Assistance Act Amendments
(Sen. L. Hillyard)
- S.B. 179** Salvage Vehicle Amendments (Sen. C. Walker)

EDUCATION

- H.B. 212** State System of Public Education Amendments
(Rep. J. Dougall)
- H.B. 329** High-ability Student Initiative Program (Rep. B. Last)
- 1st Sub. S.B. 36** Charter and Online Schools – Participation in
Extracurricular Activities (Sen. M. Madsen)
- S.B. 37** Home School and Extra Curricular Activities
Amendments (Sen. M. Madsen)
- S.B. 39** Mathematics, Science, and Technology Education Task
Force (Sen .H. Stephenson)

GOVERNMENT OPERATIONS

- H.B. 449** Implementation of Federal Real Id Act
(Rep. G. Donnelson)
- S.B. 78** County Personnel Management Act Amendments
(Sen. W. Niederhauser)
- S.B. 113** Access to Research Workers’ Personal Information
(Sen. G. Bell)

HEALTH AND HUMAN SERVICES

- H.B. 366** Medicaid Long Term Care Amendments
(Rep. M. Newbold)
- S.B. 17** Child Abuse and Neglect Registry – Management and
Licensing Information Systems Amendments
(Sen. G. Davis)

JUDICIARY

- S.B. 152** Presumptive Personal Representative (Sen. G. Bell)
- H.B. 167** A Victim Amicus Bill (Rep. R. Webb)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

- H.B. 150** Authorization for Counties to Provide Supplemental Law Enforcement Services (Rep. J. Biskupski)
- H.B. 324** Not-a-drop Drivers Program Amendments (Rep. R. Greenwood)
- S.B. 63** Adult Protective Services Amendments (Sen. K. VanTassell)
- S.B. 94** Burglary of a Railroad Car (Sen. D. Peterson)

NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT

- H.B. 203** Judicial Review of State Engineer's Decision (Rep. P. Painter)
- H.C.R. 8** Concurrent Resolution Supporting the Narrows Water Project in Central Utah (Representative. B. Winn)
- S.B. 76** State Parks and Recreation Amendments (Sen. B. Goodfellow)

PUBLIC UTILITIES AND TECHNOLOGY

- S.B. 151** Trademark Protection Act Amendments (Sen. D. Eastman)

REVENUE AND TAXATION

- 1st Sub. S.B. 45** Inventory for Competitive Activities of Local Entities (Sen. H. Stephenson)

TRANSPORTATION

- 2nd Sub. S.B. 15** Driving Under the Influence Amendments (Sen. C. Walker)
- S.B. 148** Enforcement of Front License Plate Display Requirement Amendments (Sen. S. Killpack)

Stephen Urquhart, Chair

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

CONSENT CALENDAR

H.B. 178, JURISDICTION FOR PROSECUTION, read the third time by short title and placed on its final passage.

H.B. 178 passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Winn
Curtis			

Absent or not voting were: Representatives

Garn	Gibson	Gowans	Morgan
Ray	Wimmer		

H.B. 178 transmitted to the Senate for its consideration.

* * *

S.B. 164, COMPUTER ASSISTED REMOTE HUNTING PROHIBITED, read the third time by short title and placed on its final passage.

S.B. 164 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson

Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Winn	Curtis

Absent or not voting were: Representatives

Gowans	Ray	Wimmer
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S.B. 164 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

H.B. 377, CODE OF CRIMINAL PROCEDURE AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 377 passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Riesen	Sandstrom	Seelig

Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Curtis		

Absent or not voting were: Representatives

Gowans	McGee	Ray	Wimmer
Winn			

H.B. 377 transmitted to the Senate for its consideration.

* * *

S.C.R. 3, RESOLUTION SUPPORTING OBSERVANCE OF PEACE OFFICERS MEMORIAL DAY, read the third time by short title and placed on its final passage.

S.C.R. 3 passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Riesen	Sandstrom	Seelig
Shurtliff	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Winn	Curtis		

Absent or not voting were: Representatives

Gowans	McGee	Ray	Snow
Wimmer			

S.C.R. 3 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

THIRD READING CALENDAR

1st Sub. S.B. 44, PENALTIES FOR FAILING TO SECURE A LOAD OR LITTERING ON A HIGHWAY, read the third time by short title and placed on its final passage.

Representative Allen proposed the following amendment:

- 1. Page 4, Lines 113b through 116
House Committee Amendments 2-11-2008

113b (c) ←[^] The following material is exempt from the provisions of Subsection (3)(a):

114 (i) hot mix asphalt;

115 (ii) {—} construction debris or {—} scrap metal if the {—} debris or {—} scrap metal is a size and in a

116 form not susceptible to being blown out of the vehicle;

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

###

Representative Harper proposed the following amendment:

- 1. Page 1, Lines 17 and 18:
Delete lines 17 and 18.
- 2. Page 5, Lines 141-143:
Delete lines 141 through 143 and renumber accordingly.

Representative Harper’s motion to amend passed on the following roll call:

Yeas, 35; Nays, 34; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Andersen	Bigelow	Bird	Biskupski
Bowman	Brown	D. Clark	Daw
Donnelson	Dougall	Dunnigan	Ferry
Frank	Froerer	Garn	Gibson
Grover	Harper	Herrod	Hughes
Hutchings	Last	Lockhart	Mathis

McIff	Morley	Newbold	Noel
Painter	Sandstrom	Snow	Sumsion
Tilton	Wiley	Winn	

Voting in the negative were: Representatives

Aagard	Allen	Barrus	Chavez–Houck
S. Clark	Cosgrove	Dee	Draxler
Duckworth	Janice Fisher	Julie Fisher	Fowlke
Greenwood	Hansen	Hemingway	Hendrickson
Holdaway	Hunsaker	Johnson	King
Litvack	Mascaro	Menlove	Morgan
Moss	Neuenschwander	Oda	Riesen
Seelig	Shurtliff	Urquhart	Walker
Webb	Wheatley		

Absent or not voting were: Representatives

Gowans	Kiser	McGee	Ray
Wimmer	Curtis		

#

1st Sub. S.B. 44, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Sumsion
Tilton	Urquhart	Webb	Wheatley
Wiley	Wimmer	Winn	

Voting in the negative was: Representative

Daw

Absent or not voting were: Representatives

Brown	Gibson	Gowans	Kiser
Snow	Walker	Curtis	

1st Sub. S.B. 44, as amended, returned to the Senate for further consideration.

SPECIAL ORDER OF BUSINESS

H.J.R. 10, JOINT RESOLUTION OPPOSING DESIGNATION OF PUBLIC LANDS CURRENTLY URGED BY CONGRESS AND THE BUREAU OF LAND MANAGEMENT, read the third time by short title and placed on its final passage.

H.J.R. 10, as amended, passed on the following roll call:

Yeas, 58; Nays, 11; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Bowman	D. Clark	S. Clark
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Greenwood	Grover
Hansen	Harper	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
King	Kiser	Last	Lockhart
Mascaro	Mathis	McIff	Menlove
Morgan	Morley	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Sandstrom	Shurtliff	Sumsion	Tilton
Urquhart	Webb	Wheatley	Wiley
Wimmer	Winn		

Voting in the negative were: Representatives

Biskupski	Chavez–Houck	Cosgrove	Janice Fisher
Hemingway	Johnson	Litvack	McGee
Moss	Riesen	Seelig	

Absent or not voting were: Representatives

Allen	Brown	Gowans	Snow
Walker	Curtis		

H.J.R. 10, as amended, transmitted to the Senate for its consideration.

THIRD READING CALENDAR

1st Sub. S.B. 137, MINERAL PRODUCTION TAX WITHHOLDING AMENDMENTS, read the third time by short title and placed on its final passage.

1st Sub. 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	Andersen	Barrus	Bigelow
Bird	Biskupski	Bowman	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Frank	Froerer	Garn
Gibson	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn			

Absent or not voting were: Representatives

Allen	Brown	Fowlke	Gowans
Snow	Curtis		

1st Sub. S.B. 137 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

1st Sub. S.B. 11, UTAH VENTURE CAPITAL ENHANCEMENT ACT AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative D. Clark, the House voted to circle **1st Sub. S.B. 11**.

* * *

S.B. 130, UTILITY IMPROVEMENT DISTRICT REVISIONS, read the third time by short title and placed on its final passage.

On motion of Representative Dee, the House voted to circle **S.B. 130**.

MISCELLANEOUS BUSINESS

On motion of Representative Dee, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

THIRD READING CALENDAR

H.B. 153, IMPACT FEES AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 153 passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Biskupski	Bowman	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Froerer	Garn	Gibson
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Sandstrom
Seelig	Shurtliff	Sumsion	Tilton
Webb	Wheatley	Wiley	Wimmer
Winn			

Absent or not voting were: Representatives

Allen	Brown	Fowlke	Frank
Gowans	Riesen	Snow	Urquhart
Walker	Curtis		

H.B. 153 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Mathis, the House voted to uncircle **H.B. 142**.

H.B. 142, ABSENTEE BALLOT AMENDMENTS, was before the House on its final passage.

H.B. 142 passed on the following roll call:

Yeas, 61; Nays, 7; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bowman	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Greenwood
Grover	Harper	Hemingway	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Lockhart	Mascaro	Mathis	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Shurtliff	Sumsion	Tilton	Walker
Webb	Wheatley	Wiley	Wimmer
Winn			

Voting in the negative were: Representatives

Biskupski	Chavez–Houck	Hansen	Hendrickson
Litvack	McGee	Seelig	

Absent or not voting were: Representatives

Allen	Bird	Brown	Gowans
Snow	Urquhart	Curtis	

H.B. 142 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Harper, the House voted to reconsider its action on **H.B. 153**.

RECONSIDERATION OF H.B. 153

H.B. 153, IMPACT FEES AMENDMENTS, was before the House upon its reconsideration.

Representative Harper proposed the following amendment:

1. Page 1, Line 23

23 provider may prepare or contract to prepare the required impact fee analysis;

▶ makes certain capital facilities plan requirements applicable to amendments to a capital facilities plan;

2. Page 6, Line 157:

157 (ii) Before preparing or amending a capital facilities plan
[for facilities proposed on land located

3. Page 6, Line 159:

159 entity shall provide written notice, as provided in this Subsection (2)(b), of its intent to prepare or amend

4. Page 6, Line 162:

162 (A) indicate that the local political subdivision or private entity intends to prepare or amend a

5. Page 6, Line 181:

181 consider in the process of preparing, adopting, and implementing
or amending a capital facilities plan

6. Page 7, Line 197:

197 (A) before preparing or contracting to prepare or amending or contracting to amend the independent capital facilities plan.

7. Page 7, Lines 204 through 205:

204 (II) stating the local political subdivision's intent to prepare or amend a capital facilities plan; and

205 (III) inviting each of the notice recipients to participate in the preparation of or amendment to the capital

8. Page 7, Lines 207 through 208:

207 (B) before adopting or amending the capital facilities plan:

208 [(A)] (I) give public notice of the plan or amendment according to [this] Subsection (2)(e);

9. Page 7, Line 211:

211 [(F)] (II) make a copy of the plan or amendment , together with a summary designed to be understood

10. Page 7, Line 213:

213 [(H)] (III) place a copy of the plan or amendment and summary in each public library within the local

11. Page 8, Line 215:

215 [(C)] (IV) hold a public hearing to hear public comment on the plan or amendment .

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

H.B. 153, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McCliff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Sumsion	Walker
Webb	Wheatley	Wiley	Wimmer
Winn			

Absent or not voting were: Representatives

Bowman	Brown	Draxler	Gibson
Gowans	King	Snow	Tilton
Urquhart	Curtis		

H.B. 153, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Noel, under suspension of the rules, the House voted to reconsider its action on **H.B. 137**.

RECONSIDERATION OF H.B. 137

H.B. 137, STATE FACILITY WATER CONSERVATION PROGRAM, before the House upon its reconsideration.

H.B. 137, as amended, passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Sumsion	Tilton	Walker	Webb
Wheatley	Wiley	Wimmer	Winn

Absent or not voting were: Representatives

Bowman	Brown	Draxler	King
Snow	Urquhart	Curtis	

H.B. 137, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

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

AFTERNOON SESSION

The House was called to order by Speaker Curtis at 2:05 p.m.

Representative Carol Spackman Moss was excused for the afternoon session.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 14, 2008

The Senate passed, **H.B. 118**, VETERANS HIGH SCHOOL DIPLOMAS, by Representative L. Hemingway, 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. 35**, MOTOR AND SPECIAL FUEL TAX AMENDMENTS, by Representative C. Frank, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 71**, PARENT-TIME AMENDMENTS, by Representative L. Fowlke, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 73**, CHILD CARE PROVIDERS, by Representative K. Morgan, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 82**, NOTICE OF CHANGES TO THE STATE MEDICAID PLAN, 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. 144**, MOTOR VEHICLE INSURANCE 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. 251**, SALES AND USE TAX REVISIONS, 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.B. 259**, GOLD STAR FAMILY SPECIAL GROUP LICENSE PLATE AMENDMENTS, 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. 256**, CRIMINAL PENALTIES AMENDMENTS – INCLUDING JESSICA’S LAW, by Representative C. Wimmer, 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. 294**, APPROPRIATION LIMIT AMENDMENTS – FIRE SUPPRESSION, 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. 1**, RESOLUTION ADDRESSING INTERNATIONAL TRADE ISSUES, 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.J.R. 2**, RESOLUTION ENCOURAGING MANUFACTURED AND MOBILE HOME PARKS AS AFFORDABLE HOUSING, by Representative N. Hendrickson, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **S.C.R. 1**, RESOLUTION SUPPORTING OBESITY AWARENESS, by Senator D. C. Buttars, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **H.B. 118, H.B. 35, H.B. 71, H.B. 73, H.B. 82, H.B. 144, H.B. 251, H.B. 259, H.B. 256, 1st Sub. H.B. 294, H.J.R. 1, and H.J.R. 2** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

Communication filed. **S.C.R. 1** was signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

* * *

Mr. Speaker:

February 14, 2008

The Senate passed, as amended, **S.B. 117**, ANIMAL CRUELTY AMENDMENTS, by Senator A. Christensen, 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.

* * *

Mr. Speaker: February 14, 2008

The Senate passed, as amended, **H.B. 245**, ADMINISTRATION OF MEDICATION TO STUDENTS AMENDMENTS, by Representative R. Lockhart, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 68**, EDUCATOR RELICENSURE INITIATIVE, by Representative R. Menlove, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **H.B. 245** and **H.B. 68** placed on the Concurrence Calendar.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 14, 2008

The Judiciary Committee reports a favorable recommendation on **S.B. 122**, UNIFORM ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION ACT, by Senator L. Hillyard; and

The Judiciary Committee recommends **S.B. 155**, PUNITIVE DAMAGES AMENDMENTS, by Senator L. Hillyard, be replaced and favorably recommends **1st Sub. S.B. 155**, PUNITIVE DAMAGES AMENDMENTS; and

The Judiciary Committee reports a favorable recommendation on **S.B. 139**, UTAH ANTITRUST ACT AMENDMENTS, by Senator L. Hillyard, and recommends it be placed on the Consent Calendar; and

The Judiciary Committee reports a favorable recommendation on **S.B. 150**, CRIMINAL PENALTIES REVISIONS, by Senator S. Jenkins, and recommends it be placed on the Consent Calendar.

Douglas C. Aagard, Chair

Reports filed. On motion of Representative Aagard, the reports of the Judiciary Committee were adopted.

S.B. 122 and **1st Sub. S.B. 155** read the second time by short title and placed on the Third Reading Calendar.

S.B. 139 and **S.B. 150** read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker:

February 14, 2008

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 102**, CHILD ABUSE HOMICIDE AMENDMENTS, by Representative C. Wimmer; and

The Law Enforcement and Criminal Justice Committee recommends **H.B. 136**, ILLEGAL DRUG ACTIVITY REPORTING HOTLINE THROUGH THE OFFICE OF THE ATTORNEY GENERAL, by Representative C. Herrod, be replaced and favorably recommends **1st Sub. H.B. 136**, ILLEGAL DRUG ACTIVITY REPORTING THROUGH THE ATTORNEY GENERAL; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 187**, DEATH CAUSED BY ILLEGAL DRUGS, by Representative C. Herrod, with the following amendments:

1. Page 1, Line 20:

- 20 ▶ provides for treble damages;
 ▶ provides that this bill does not create or impose liability on the parent or guardian of a minor who acts in violation of the provisions of this bill unless the parent or guardian acts in violation of this bill;
 and

2. Page 2, Line 48:

- 48 substances provided or administered to the deceased person, and the defendant.
 (4) This section does not establish liability of or create a cause of action regarding a parent or guardian of a person younger than 18 years of age who acts in violation of this section, unless the parent or guardian acts in violation of this section. ; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 247**, DOMESTIC VIOLENCE AND DATING VIOLENCE AMENDMENTS, by Representative D. Litvack, with the following amendments:

1. Page 1, Line 17:

- 17 • the parties are emancipated or {~~16~~} 18 years of age or older;

2. Page 3, Line 76:

- 76 (ii) is {~~16~~} 18 years of age or older; and ; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 339**, HUMAN TRAFFICKING AMENDMENTS, by Representative C. Herrod, with the following amendments:

- 1. Page 1, Line 26:

26 {~~-76-5-311, Utah Code Annotated 1953-~~}

- 2. Page 4, Lines 111 through 115:

111 {~~-Section 5. Section 76-5-311 is enacted to read:~~

112 76-5-311. Affirmative defense.

113 Human trafficking is an affirmative defense to prosecution of a person for a criminal

114 violation directly related to the defendant's status as a victim of a crime that is a violation of

115 this section. } ; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **S.B. 34**, CONFIDENTIALITY OF REPORTS TO DRIVER LICENSE DIVISION, by Senator A. Christensen; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **S.B. 120**, DEPARTMENT OF CORRECTIONS EMPLOYEE VEHICLE USE, by Senator D. Peterson; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 226**, DISRUPTION OF SCHOOL ACTIVITIES, by Representative C. Moss, and recommends it be placed on the Consent Calendar.

DeMar "Bud" Bowman, Chair

Reports filed. On motion of Representative Bowman, the reports of the Law Enforcement and Criminal Justice Committee were adopted.

H.B. 102, 1st Sub. H.B. 136, H.B. 187, as amended, **H.B. 247**, as amended, **H.B. 339**, as amended, **S.B. 34**, and **S.B. 120** read the second time by short title and placed on the Third Reading Calendar.

H.B. 226 read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker:

February 14, 2008

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 221**, AGRICULTURE AND INDUSTRIAL

PROTECTION AREA AMENDMENTS, by Representative J. Mathis, with the following amendments:

1. Page 1, Line 21:

21 corridor as a final, preferred alternative over land in an agriculture protection area unless there is no other

2. Page 10, Line 283:

283 transportation corridor as a final, preferred alternative on land within an agriculture protection area unless there is no other; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 297**, DESIGNATING MAGNESIUM AS THE STATE METAL, by Representative R. Menlove; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 229**, PROTECTIONS FOR AGRICULTURAL PRACTICES, by Representative M. Morley, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 1, Lines 16 through 18:

16 sound agricultural practices {~~;~~and

17 ▶ provides an exception for air, water, or land pollution, and hazards to another

18 ~~person~~} .

2. Page 2, Lines 47 through 51:

47 constitute a public nuisance under Subsection (1) {~~—unless the [agricultural operation has a~~

48 ~~substantial adverse effect on the public health and safety.] activity:~~

49 (i) causes air, land, or water pollution that creates a substantial adverse effect on the

50 public health and safety; or

51 (ii) constitutes an immediate safety hazard to at least one person } .

3. Page 3, Lines 59 through 63:

59 practices [~~are presumed to be reasonable and~~] do not constitute a nuisance {~~—unless the~~

60 ~~[agricultural operation has]~~ activity:
 61 ~~(a) causes air, land, or water pollution that creates~~ a substantial
 adverse effect on the
 62 ~~public health and safety[-]; or~~
 63 ~~(b) constitutes an immediate safety hazard to at least one~~
~~person } .~~

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. 221, as amended, and **H.B. 297** read the second time by short title and placed on the Third Reading Calendar.

HB. 229, as amended, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: February 14, 2008

The Transportation Committee reports a favorable recommendation on **H.B. 347**, MOTOR VEHICLE BUSINESS REGULATION AMENDMENTS, by Representative S. Andersen, with the following amendments:

- 1. Page 11, Lines 326 through 332:

326 (1) A used motor vehicle dealer whose used motor vehicle
dealer's license has been
 327 suspended ~~{-shall }~~ may liquidate any remaining
inventory by selling the remaining used motor vehicles
 328 to:
 329 (a) a licensed auto auction;
 330 (b) another licensed motor vehicle dealer; or
 331 (c) to any person, but only after the used motor vehicle has been
titled in the name of
 332 the owner, partner, or corporate officer of the used motor vehicle
dealer for at least 12 months.

Todd E. Kiser, Chair

Report filed. On motion of Representative Kiser, the report of the Transportation Committee was adopted.

H.B. 347, as amended, read the second time by short title and placed on the Third Reading Calendar.

NOTICE OF BILL TABLED

Mr. Speaker: February 14, 2008

The Government Operations Committee has tabled **H.B. 110**, CRIME OF DISCHARGING A DANGEROUS WEAPON OR FIREARM WITHIN A MUNICIPALITY, by Representative N. Hansen, and has returned it to the Rules Committee.

Glenn A. Donnelson, Chair

Report filed. **H.B. 110** returned to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 14, 2008

The Government Operations Committee reports a favorable recommendation on **H.B. 165**, SALES AND USE TAX EXEMPTIONS RELATING TO AIRCRAFT, by Representative B. Dee; and

The Government Operations Committee recommends **S.B. 77**, REVISIONS TO GOVERNMENT RECORDS ACCESS MANAGEMENT ACT, by Senator M. Dayton, be replaced and favorably recommends **1st Sub. S.B. 77**, REVISIONS TO GOVERNMENT RECORDS ACCESS MANAGEMENT ACT; and

The Government Operations Committee reports a favorable recommendation on **H.B. 173**, MONEY MANAGEMENT ACT UPDATES, by Representative P. Neuenschwander, and recommends it be placed on the Consent Calendar; and

The Government Operations Committee reports a favorable recommendation on **H.B. 378**, STATE ACCOUNTING AND BUDGETARY PROCEDURES AMENDMENTS, 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. 146**, AMENDMENT TO UNIFORM ANATOMICAL GIFT ACT, by Senator L. Hillyard, and recommends it be placed on the Consent Calendar.

Glenn A. Donnelson, Chair

Reports filed. On motion of Representative Donnelson, the reports of the Government Operations Committee were adopted.

H.B. 165, and **1st Sub. S.B. 77** read the second time by short title and placed on the Third Reading Calendar.

H.B. 173, **H.B. 378**, and **S.B. 146** read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker:

February 14, 2008

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 186**, PROPERTY TAX – COUNTY ASSESSMENT AND COLLECTION AMENDMENTS, by Representative K. McIff, with the following amendments:

1. Page 22, Lines 656 through 659:

656 (9) (a) “Parcel” means an identifiable contiguous unit of real property that is treated as separate for

657 valuation or zoning purposes and includes any improvements on that unit of real property.

658 (b) “Parcel” or “other parcel” does not include an item of personal property.

659 (10) “Receiving county” means a county that:

2. Page 25, Lines 752 through 755:

752 ~~[(ii) the amount of revenue budgeted:]~~

753 ~~[(A) by each receiving county for the calendar year beginning on January 1, 2006;] {–and–}~~

754 ~~[(B) for the county levy described in Subsection (4)(a).]~~

755 (B) except as provided in Subsection (4)(f), for a county that was designated as a; and

The Political Subdivisions Committee recommends **H.B. 354**, APPRAISALS FOR STATE LAND PURCHASES, by Representative J. Draxler, be replaced and favorably recommends **1st Sub. H.B. 354**, APPRAISALS FOR STATE LAND PURCHASES; and

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 410**, RESTRICTED ACCOUNTS AMENDMENTS, by Representative R. Bigelow, with the following amendments:

1. Page 1, Lines 19 through 20:
 - 19 AMENDS:
 - 20 {~~23-14-14.2, as enacted by Laws of Utah 2007, Chapter~~
~~189-~~}
2. Page 2, Lines 33 through 54:
 - 33 {~~Section 1. Section 23-14-14.2 is amended to read:~~
 - 34 ~~23-14-14.2. Wildlife Resources Conservation Easement~~
~~Restricted Account.~~
 - 35 ~~(1) There is created within the General Fund a restricted account~~
~~known as the Wildlife~~
 - 36 ~~Resources Conservation Easement Account.~~
 - 37 ~~(2) The Wildlife Resources Conservation Easement Account~~
~~consists of:~~
 - 38 ~~(a) grants from private foundations;~~
 - 39 ~~(b) grants from local governments, the state, or the federal~~
~~government;~~
 - 40 ~~(c) grants from the Quality Growth Commission created under~~
~~Section 11-38-201;~~
 - 41 ~~(d) donations from landowners for monitoring and managing~~
~~conservation easements;~~
 - 42 and
 - 43 ~~(e) donations from any other person[; and].~~
 - 44 ~~[(f) interest on account monies.]~~
 - 45 ~~(3) (a) The state treasurer shall invest monies in the account~~
~~according to Title 51,~~
 - 46 ~~Chapter 7, State Money Management Act.~~
 - 47 ~~(b) The Division of Finance shall deposit interest or other~~
~~earnings derived from~~
 - 48 ~~investment of account monies into the General Fund.~~
 - 49 ~~[(3)] (4) Upon appropriation by the Legislature, the Division of~~
~~Wildlife Resources~~
 - 50 ~~shall use monies from the account to monitor and manage~~
~~conservation easements held by the~~

51 ~~division.~~

52 ~~[(4)] (5)~~ The division may not receive or expend donations from
the account to acquire

53 ~~conservation easements.~~

54 Section ~~{-2}~~ 1 . Section 41-22-19.5 is amended to
read:

Renumber remaining sections of the bill accordingly; and

The Political Subdivisions Committee recommends **S.B. 92**, REAL PROPERTY RECORDING AMENDMENTS, by Senator D. Stowell, be replaced and favorably recommends **1st Sub. S.B. 92**, REAL PROPERTY RECORDING AMENDMENTS; and

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 185**, WESTERN STATES PRESIDENTIAL PRIMARY AMENDMENTS, by Representative K. Grover, 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. 186, as amended, **1st Sub. H.B. 354**, **H.B. 410**, as amended, **1st Sub. S.B. 92** read the second time by short title and placed on the Third Reading Calendar.

H.B. 185 read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: February 14, 2008

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 360**, INDIVIDUAL INCOME TAX – LONG-TERM CARE INSURANCE PREMIUMS, by Representative B. Last, with the following amendments:

1. Page 17, Lines 517 through 522:

517 (a) “Eligible insured individual” means:

518 (i) the claimant who is insured by long-term care insurance; or

519 (ii) the spouse of the claimant described in Subsection (1)(a)(i)
 520 if:

520 (A) the claimant files a single return jointly under this
 521 chapter with the claimant's spouse for the taxable year ; and

521 (B) the spouse is insured under the long-term care insurance
 522 described in Subsection

522 (1)(a)(i).

2. Page 18, Lines 535 through 548:

535 (c) "Joint claimant" means:

536 (i) a husband and wife who file a single {~~federal individual~~
 537 income tax } return jointly under this chapter for

537 the taxable year; or

538 (ii) a surviving spouse, as defined in Section 2(a), Internal
 539 Revenue Code, who files a

539 single federal individual income tax return for the taxable
 540 year.

540 (d) "Long-term care insurance" is as defined in Section
 541 31A-1-301.

541 (e) "Premium" is as defined in Section 31A-1-301.

542 (f) "Single claimant" means:

543 (i) a single individual who files a single federal individual
 544 income tax return for the taxable

544 year;

545 (ii) a head of household as defined in Section 2(b), Internal
 546 Revenue Code, who files a

546 single federal individual income tax return for the taxable year;
 547 or

547 (iii) a married individual who does not file a single federal
 548 individual income tax return

548 jointly with that married individual's spouse for the taxable
 549 year. ; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 31, INCOME TAX AMENDMENTS**, by Senator W. Niederhauser; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 64**, INCOME TAX – CAPITAL GAIN TRANSACTIONS, by Senator W. Niederhauser; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 96**, MULTI-CHANNEL VIDEO OR AUDIO SERVICE TAX ACT AMENDMENTS, by Senator W. Niederhauser; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 124**, SALES AND USE TAX – DEFINITIONS OF PERMANENTLY ATTACHED TO REAL PROPERTY AND TANGIBLE PERSONAL PROPERTY, by Senator H. Stephenson; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 135**, EXTENDING THE SALES AND USE TAX EXEMPTION FOR POLLUTION CONTROL FACILITIES, by Senator W. Niederhauser.

John Dougall, Chair

Reports filed. On motion of Representative Dougall, the reports of the Revenue and Taxation Committee were adopted.

H.B. 360, as amended, **S.B. 31**, **S.B. 64**, **S.B. 96**, **S.B. 124**, and **S.B. 135** read the second time by short title and placed on the Third Reading Calendar.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, the House voted to move to the Senate Third Reading Calendar.

UNFINISHED BUSINESS

On motion of Representative D. Clark, the House voted to uncircle **1st Sub. S.B. 11**.

1st Sub. S.B. 11, UTAH VENTURE CAPITAL ENHANCEMENT ACT AMENDMENTS, was before the House on its final passage.

1st Sub. S.B. 11 passed on the following roll call:

Yeas, 69; Nays, 2; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Bowman	Brown

Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Voting in the negative were: Representatives

Dougall	Sumsion
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Absent or not voting were: Representatives

Biskupski	Hutchings	Morley	Moss
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1st Sub. S.B. 11, as substituted, returned to the Senate for further consideration.

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On motion of Representative Brown, the House voted to uncircle **S.B. 130**.

S.B. 130, UTILITY IMPROVEMENT DISTRICT REVISIONS, was before the House on its final passage.

S.B. 130 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Biskupski	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank

Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Bird	Hutchings	Moss
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S.B. 130 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, the House voted to lift **S.B. 31**, **S.B. 64**, and **S.B. 96** from the Third Reading Calendar and refer them the Rules Committee due to fiscal impact.

* * *

On motion of Representative Snow, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

UNFINISHED BUSINESS

On motion of Representative Ferry, the House voted to uncircle **H.B. 123**.

H.B. 123, ACCELERATED LEARNING PROGRAMS AMENDMENTS, was before the House on its final passage.

H.B. 123 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman

Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McCliff
Menlove	Morgan	Morley	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	

Absent or not voting were: Representatives

Donnelson	Hutchings	Moss	Curtis
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H.B. 123 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 177, COUNTY AND MUNICIPAL LAND USE REGULATION OF POTENTIAL GEOLOGIC HAZARD AREAS, read the third time by short title and placed on its final passage.

Representative Morley proposed the following amendment:

1. Page 4, Lines 112 through 113

112 (i) to life: {~~or~~}

113 (ii) of substantial loss of real property; or
(iii) of substantial damage to real property.

2. Page 9, Line 263:

263 (ii) prevent ;

(A) the substantial loss of {~~or damage to~~} real
property {~~or~~} ; or

(B) substantial damage to real property.

3. Page 14, Lines 422 through 423:

422 (i) to life: {~~or~~}

423 (ii) of substantial loss of real property; or
(iii) of substantial damage to real property.

4. Page 20, Line 590:

590 (ii) prevent ;
(A) the substantial loss of { ~~or damage to~~ } real
property { } ; or
(B) substantial damage to real property.

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

H.B. 177, as amended, passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Johnson	King	Kiser
Last	Lockhart	Mathis	McGee
Menlove	Morgan	Morley	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	

Absent or not voting were: Representatives

Donnelson	Gowans	Hutchings	Litvack
Mascaro	McIff	Moss	Curtis

H.B. 177, as amended, transmitted to the Senate for its consideration.

* * *

1st Sub. H.B. 58, SEVERANCE TAX AMENDMENTS, read the third time by short title and placed on its final passage.

1st Sub. H.B. 58, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Julie Fisher	Frank	Froerer	Garn
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	

Absent or not voting were: Representatives

Donnelson	Janice Fisher	Fowlke	Gibson
Gowans	Hutchings	Moss	Curtis

1st Sub. H.B. 58, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 69, REPEAL OF BOARD LEEWAY FOR READING IMPROVEMENT, read the third time by short title and placed on its final passage.

H.B. 69, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher

Julie Fisher	Frank	Froerer	Garn
Gibson	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morley	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Voting in the negative was: Representative Morgan

Absent or not voting were: Representatives

Brown	Donnelson	Fowlke	Gowans
Hutchings	Moss	Tilton	

H.B. 69, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 335, MOBILE HOME PARK AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Holdaway, the House voted to circle **H.B. 335**.

* * *

1st Sub. H.B. 154, MOTORBOAT EDUCATION REQUIREMENTS, read the third time by short title and placed on its final passage.

Representative Hansen declared a conflict of interest because he owns a boat.

1st Sub. H.B. 154 failed to pass on the following roll call:

Yeas, 28; Nays, 42; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Barrus	Bigelow	Biskupski	Bowman
Chavez–Houck	S. Clark	Cosgrove	Dunnigan
Janice Fisher	Hemingway	Holdaway	Hunsaker

Johnson	King	Litvack	Lockhart
McGee	Menlove	Morgan	Neuenschwander
Oda	Seelig	Shurtliff	Sumsion
Walker	Webb	Wheatley	Wiley

Voting in the negative were: Representatives

Aagard	Allen	Andersen	Bird
D. Clark	Daw	Dee	Dougall
Draxler	Duckworth	Ferry	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hendrickson	Herrod
Hughes	Kiser	Last	Mascaro
Mathis	McIff	Morley	Noel
Painter	Ray	Riesen	Sandstrom
Snow	Tilton	Urquhart	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Brown	Donnelson	Hutchings	Moss
Newbold			

1st Sub. H.B. 154 was filed.

UNFINISHED BUSINESS

On motion of Representative Tilton, the House voted to uncircle **H.B. 323**.

H.B. 323, EMINENT DOMAIN AMENDMENTS, was before the House on its final passage.

On motion of Representative Tilton, the House voted to delete **H.B. 323** in title and body and insert **1st Sub. H.B. 323** in lieu thereof.

Representative Kiser proposed the following amendment:

- Page 1, Lines 15 through 16
 - 15 ▶ excludes emergency access ways as a public use for which eminent domain may be
 - 16 used if the use for emergency access is a pretext for the use as a foot path, equestrian trail, bicycle path, or walkway ; and
- Page 2, Lines 44 through 47:
 - 44 (i) trails, paths, or other ways ;
 - (A) for walking, hiking, bicycling, equestrian use, or other

45 recreational uses { } ; or
(B) whose primary purpose is as a foot path, equestrian trail, bicycle path, or

46 walkway; and

47 (ii) paths, lanes, or other ways for emergency access , if the emergency access use is a pretext for the use as a foot path, equestrian trail, bicycle path, or walkway ; and

Representative Gibson proposed the following substitute motion to amend:

1. Page 2, Line 47:
Delete line 47.

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

1st Sub. H.B. 323, as amended, passed on the following roll call:

Yeas, 55; Nays, 17; Absent or not voting, 3.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Bowman	Brown
Daw	Dee	Donnelson	Draxler
Duckworth	Dunnigan	Ferry	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Kiser
Last	Lockhart	Mascaro	Mathis
McIff	Menlove	Morgan	Morley
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Sandstrom	Snow
Sumsion	Tilton	Walker	Webb
Wimmer	Winn	Curtis	

Voting in the negative were: Representatives

Biskupski	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Janice Fisher	Hemingway	Holdaway
Johnson	King	Litvack	McGee
Riesen	Seelig	Shurtliff	Wheatley
Wiley			

Absent or not voting were: Representatives

Dougall	Moss	Urquhart
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1st Sub. H.B. 323, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

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

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

THIRD READING CALENDAR

1st Sub. H.B. 148, AQUACULTURE REVITALIZATION ACT, read the third time by short title and placed on its final passage.

1st Sub. H.B. 148, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Morgan	Morley	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Urquhart	Webb
Wheatley	Wiley	Wimmer	Winn

Absent or not voting were: Representatives

Janice Fisher	Hughes	Menlove	Moss
Tilton	Walker	Curtis	

1st Sub. H.B. 148, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 307, CANCER SCREENING AND MORTALITY REDUCTION SPECIAL GROUP LICENSE PLATE, read the third time by short title and placed on its final passage.

On motion of Representative King, the House voted to circle **H.B. 307**.

* * *

H.B. 346, DIVISION OF REAL ESTATE RELATED AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Froerer, the House voted to delete **H.B. 346** in title and body and insert **2nd Sub. H.B. 346** in lieu thereof.

2nd Sub. H.B. 346 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Holdaway	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Winn	Curtis		

Voting in the negative were: Representatives

Herrod	Wimmer
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Absent or not voting were: Representatives

Janice Fisher	Hughes	Moss
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2nd Sub. H.B. 346 transmitted to the Senate for its consideration.

* * *

H.B. 332, USE OF PUBLIC SCHOOLS BY COMMUNITY ORGANIZATIONS, read the third time by short title and placed on its final passage.

On motion of Representative D. Clark, the House voted to circle **H.B. 332**.

* * *

H.B. 131, COMMUNITY BASES SELF SUFFICIENCY GRANTS, read the third time by short title and placed on its final passage.

On motion of Representative Seelig, the House voted to delete **H.B. 131** in title and body and insert **3rd Sub. H.B. 131** in lieu thereof.

Representative Litvack declared a conflict of interest because his place of employment may be able to apply for these grants.

3rd Sub. H.B. 131 passed on the following roll call:

Yeas, 64; Nays, 0; Absent or not voting, 11.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Bowman	Brown
Chavez–Houck	D. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Ferry	Julie Fisher	Fowlke
Frank	Froerer	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Herrod	Holdaway	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Biskupski	S. Clark	Dunnigan	Janice Fisher
Garn	Hendrickson	Hughes	Morley
Moss	Urquhart	Walker	

3rd Sub. H.B. 131 transmitted to the Senate for its consideration.

* * *

H.B. 96, RETIRED TEACHERS – RETURN TO WORK, read the third time by short title and placed on its final passage.

H.B. 96, as amended, passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	Cosgrove
Dee	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

S. Clark	Daw	Donnelson	Janice Fisher
Hughes	Moss	Tilton	Urquhart
Walker			

H.B. 96, as amended, transmitted to the Senate for its consideration.

* * *

2nd Sub. H.B. 75, INVENTORY AND REVIEW OF COMMERCIAL ACTIVITIES, read the third time by short title and placed on its final passage.

On motion of Representative Frank, the House voted to circle **2nd Sub. H.B. 75**.

* * *

H.B. 80, ADMINISTRATIVE RULE PENALTY AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 80 passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Neuenschwander	Newbold
Oda	Painter	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

S. Clark	Janice Fisher	Hughes	Moss
Noel	Ray		

H.B. 80 transmitted to the Senate for its consideration.

RULES COMMITTEE REPORTS

Mr. Speaker:

February 14, 2008

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 364**, Promotion of Health Care Coverage (Rep. K. Holdaway) be replaced with **1st Substitute H.B. 364**, Promotion of Health Care Coverage,

and further recommends it be assigned to the House Health and Human Services Standing Committee.

Stephen Urquhart, Chair

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

* * *

Mr. Speaker: February 14, 2008

The Rules Committee recommends that, under suspension of the rules, the following bill be considered read for the second time and placed on the Third Reading Calendar for Senate bills:

S.B. 225 Gubernatorial and Legislative Space in the Capitol (Sen. C. Bramble).

Stephen Urquhart, Chair

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

* * *

Mr. Speaker: February 14, 2008

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

BUSINESS AND LABOR

H.B. 233 Mortgage Fraud (Rep. P. Ray)

EDUCATION

H.B. 200 Early Childhood Learning and Evaluation (Rep. B. Last)

H.B. 214 School Testing Specialists (Rep. S. Sandstrom)

H.B. 240 Public Education Funding – Block Grant Amendments (Rep. S. Allen)

H.B. 368 School Fee Waiver Amendments (Rep. J. Draxler)

GOVERNMENT OPERATIONS

H.B. 198 State Agency Energy Efficiency (Rep. F. Hunsaker)

S.J.R. 5 Joint Resolution Amending Legislative Apportionment (Sen. C. Bramble)

HEALTH AND HUMAN SERVICES

H.B. 374 Child Abuse and Neglect Prevention and Treatment Amendments (Rep. P. Ray)

H.B. 494 Amendments to the Utah Medical Service System Act
(Rep. J. Dougall)

H.C.R. 7 Concurrent Resolution Declaring Colorectal Cancer
Awareness Month (Rep. E. Hutchings)

JUDICIARY

H.B. 415 Joint Custody Modifications (Rep. L. Fowlke)

H.B. 470 Amendments to Animal Cruelty Provisions
(Rep. S. Allen)

S.B. 105 Judicial Performance Evaluation Commission
(Sen. D. Buttars)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

H.B. 176 Sex Offender Registration Amendments (Rep. K. Grover)

H.B. 210 Identity Theft and Other Crimes (Rep. S. Sandstrom)

H.B. 467 Motor Vehicle Insurance Arbitration Amendments
(Rep. S. Urquhart)

H.B. 473 Firearms Amendments (Rep. C. Oda)

NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT

H.B. 222 Water Quality Board Amendments (Rep. P. Painter)

POLITICAL SUBDIVISIONS

S.B. 65 Soliciting Gang Members Prohibited (Sen. J. Greiner)

S.B. 165 Alcoholic Beverage Single Event Permits (Sen. S.
McCoy)

S.B. 167 Alcoholic Beverages on Election Day (Sen. S. McCoy)

PUBLIC UTILITIES AND TECHNOLOGY

H.B. 371 Digital Certificates for Breathalizers (Rep. C. Herrod)

H.B. 468 Responsibility for Access Devices and Security Breaches
(Rep. S. Urquhart)

REVENUE AND TAXATION

1st Sub. S.B. 29 Truth in Taxation Amendments (Sen. W. Niederhauser)

H.B. 355 Cigarette Tax Increase and Appropriations for Preventive
Health Activities (Rep. P. Ray)

TRANSPORTATION

H.B. 409 Powersport Vehicle Franchise Act Revisions
(Rep. J. Gowans)

S.B. 118 Education Transportation Amendments (Sen. D. Peterson)

Stephen Urquhart, Chair

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

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, and at 5:00 p.m., the House voted to adjourn until February 15, 2008, at 10:00 a.m.

TWENTY-SIXTH DAY

* * *

MORNING SESSION

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

Roll call showed all members present.

Prayer by Sandy Tenney, Chief Clerk. Pledge of Allegiance by Janice Gadd, Journal Clerk.

COMMUNICATION FROM THE SENATE

Mr. Speaker: February 14, 2008
The Senate passed **S.B. 149**, MOTOR VEHICLE LIABILITY POLICY MINIMUM LIMITS, by Senator S. Killpack, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **S.B. 149** read the first time by short title and referred to the Rules Committee.

INTRODUCTION OF BILLS

H.B. 395, Deportation of Eligible Undocumented Immigrant Prisoners (G. Donnelson), read the first time by short title and referred to the Rules Committee.

H.B. 418, Physician Education Admissions (B. Last), read the first time by short title and referred to the Rules Committee.

H.B. 440, Modifications to Government Law (L. Fowlke), read the first time by short title and referred to the Rules Committee.

H.B. 444, Utah State Railroad Museum Authority (N. Hansen), read the first time by short title and referred to the Rules Committee.

H.B. 451, Depredating Wildlife Amendments (S. Sandstrom), read the first time by short title and referred to the Rules Committee.

H.B. 466, Title Insurance Recovery, Education, and Research Fund Act (M. Morley), read the first time by short title and referred to the Rules Committee.

CONCURRENCE CALENDAR

On motion of Representative Menlove, the House voted to concur in the Senate amendments to **H.B. 68**, EDUCATOR RELICENSURE INITIATIVE.

H.B. 68, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Greenwood
Grover	Hansen	Hemingway	Hendrickson
Holdaway	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Urquhart
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Gibson	Gowans	Harper	Herrod
Hughes	Litvack	Sumsion	Tilton
Walker			

H.B. 68, 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 **H.B. 245**, ADMINISTRATION OF MEDICATION TO STUDENTS AMENDMENTS.

H.B. 245, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Greenwood
Grover	Hansen	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	Kiser	Last
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Gibson	Gowans	Harper	King
Litvack	Tilton		

H.B. 245, as amended by the Senate, transmitted to the Senate for signature of President.

THIRD READING CALENDAR

1st Sub. H.B. 166, MINUTES OF OPEN AND PUBLIC MEETINGS, read the third time by short title and placed on its final passage.

On motion of Representative Brown, the House voted to delete **1st Sub. H.B. 166** in title and body and insert **2nd Sub. H.B. 166** in lieu thereof.

2nd Sub. H.B. 166 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman

Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Oda	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Gibson	Gowans	Noel	Painter
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2nd Sub. H.B. 166 transmitted to the Senate for its consideration.

* * *

H.B. 172, DISTRIBUTION OF LOCAL OPTION SALES AND USE TAX REVENUES, read the third time by short title and placed on its final passage.

H.B. 172 passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro

Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Newbold
Noel	Oda	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Brown	Gibson	Gowans	Neuenschwander
Painter			

H.B. 172 transmitted to the Senate for its consideration.

* * *

1st Sub. H.B. 351, INDIVIDUAL INCOME TAX – HEALTH INSURANCE, read the third time by short title and placed on its final passage.

1st Sub. H.B. 351, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wimmer
Winn	Curtis		

Voting in the negative was: Representative Wiley

Absent or not voting were: Representatives

S. Clark Gibson Gowans Painter

1st Sub. H.B. 351, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 356, TAXATION OF MOIST SNUFF, read the third time by short title and placed on its final passage.

H.B. 356 passed on the following roll call:

Yeas, 59; Nays, 13; Absent or not voting, 3.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	D. Clark
S. Clark	Cosgrove	Daw	Dee
Donnelson	Draxler	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gowans	Greenwood
Grover	Hansen	Harper	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Last	Litvack	Lockhart
Mascaro	Mathis	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Ray	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Winn	Curtis	

Voting in the negative were: Representatives

Bowman	Brown	Chavez-Houck	Dougall
Hemingway	Johnson	King	Kiser
McGee	McIff	Riesen	Wiley
Wimmer			

Absent or not voting were: Representatives

Duckworth Gibson Painter

H.B. 356 held for possible reconsideration.

UNFINISHED BUSINESS

On motion of Representative Frank, the House voted to uncircle **2nd Sub. H.B. 75**.

2nd Sub. H.B. 75, INVENTORY AND REVIEW OF COMMERCIAL ACTIVITIES, was before the House on its final passage.

Representative Bigelow proposed the following amendment:

1. Page 5, Lines 139 through 149

139 (1) (a) There is created a Privatization Policy Board composed
of {~~15~~} 17 members.

140 (b) The governor shall appoint board members as follows:

141 (i) two senators, one each from the majority and minority
political parties, from names

142 recommended by the president of the Senate;

143 (ii) two representatives, one each from the majority and
minority political parties, from

144 names recommended by the speaker of the House of of
Representatives;

145 {~~1~~} (iii) two members {~~1~~}

146 {~~(iii) one member~~} representing public employees,
from names recommended by the

147 largest public employees' association;

148 (iv) one member from state management;

149 (v) [~~five~~] {~~seven~~} eight members from the private
business community;

2. Page 6, Lines 169 through 170:

169 (c) {~~Eight~~} Nine members of the board [~~are~~]
constitute a quorum [~~for the purpose of~~

170 ~~organizing the board and conducting the business of the board~~].

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

2nd Sub. H.B. 75, 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	Andersen	Barrus
Bigelow	Bird	Bowman	Brown
D. Clark	S. Clark	Daw	Dee
Donnelson	Dougall	Draxler	Dunnigan
Ferry	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Kiser	Last	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Neuenschwander	Noel	Oda
Sandstrom	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wimmer
Winn	Curtis		

Voting in the negative were: Representatives

Biskupski	Chavez–Houck	Cosgrove	Duckworth
Janice Fisher	Hemingway	Johnson	King
Litvack	McGee	Morgan	Moss
Riesen	Seelig	Shurtliff	Wheatley
Wiley			

Absent or not voting were: Representatives

Holdaway	Newbold	Painter	Ray
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2nd Sub. H.B. 75, as amended, transmitted to the Senate for its consideration.

SPECIAL CITATIONS

Representative Gibson presented special citations from the Governor and the Legislature honoring the families of Utah’s Fallen Soldiers listed below.

Cpl. Eric Sieger, age 18
United States Army
Died at Buhriz, Iraq
February 1, 2007

Sgt. Brandon A. Parr, age 25
United States Army
Died in Baghdad, Iraq
March 3, 2007

SFC Douglas C. Stone, age 49
United States Army Reserves
Died at Tallafar, Iraq
March 11, 2007

Spc. Stephen M. Kowalczyk
United States Army
Died at Muqdadiyah, Iraq
March 14, 2007

Stf. Sgt. Virgil C. Martinez, age 33
United States Army
Died in Kadhimiyah, Iraq
May 6, 2007

Cpl. Michael A. Pursel, age 19
United States Army
Died in Baqubah, Iraq
May 6, 2007

Sgt. Jesse A. Blamires, age 25
United States Army
Died in Sangin Valley, Afghanistan
May 30, 2007

Tech. Sgt. Ryan A. Balmer, age 33
United States Air Force
Died near Kirkuk, Iraq
June 5, 2007

Lt. Col. Glade F. Felix, age 52
United States Air Force Reserve
Died at Qatar, Iraq
June 11, 2007

SFC Nathan L. Winder, age 32
United States Army
Died at Diwaniyah, Iraq
June 26, 2007

Sgt. Nathan S. Barnes, age 23
United States Army
Died near Rushdi Mullah, Iraq
July 17, 2007

James R. Linder, age 33
Utah Army National Guard
Died in Cedar Valley, Utah
August 20, 2007

Clayton Barnes, age 30
Utah Army National Guard
Died in Cedar Valley, Utah
August 20, 2007

SFC Rocky H. Herrera, age 43
United States Army
Died at Jaji, Afghanistan
August 28, 2007

SSG. Larry I. Rougle, age 25
United States Army
Died in Kunar Prov., Afghanistan
October 23, 2007

THIRD READING CALENDAR

H.B. 359, SALES AND USE TAX CHANGES, read the third time by short title and placed on its final passage.

On motion of Representative Dougall, the House voted to circle **H.B. 359**.

* * *

1st Sub. H.B. 336, AUTHORITY TO ESTABLISH REFUGEE SERVICES FUND, read the third time by short title and placed on its final passage.

1st Sub. H.B. 336 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman

Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Oda
Painter	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Gibson	Noel	Ray	Tilton
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1st Sub. H.B. 336 held for possible reconsideration.

UNFINISHED BUSINESS

On motion of Representative Moss, the House voted to uncircle **H.B. 307**.

H.B. 307, CANCER SCREENING AND MORTALITY REDUCTIONS SPECIAL GROUP LICENSE PLATE, was before the House on its final passage.

H.B. 307 passed on the following roll call:

Yeas, 49; Nays, 20; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Allen	Andersen	Barrus	Biskupski
Bowman	Brown	Chavez–Houck	D. Clark
S. Clark	Cosgrove	Dee	Draxler
Duckworth	Ferry	Janice Fisher	Julie Fisher
Fowlke	Garn	Gowans	Hansen
Hemingway	Hendrickson	Holdaway	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Mascaro	Mathis
McGee	McIff	Menlove	Moss

Painter	Riesen	Seelig	Shurtliff
Snow	Sumsion	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn			

Voting in the negative were: Representatives

Bigelow	Bird	Daw	Donnelson
Dougall	Dunnigan	Frank	Froerer
Greenwood	Grover	Harper	Herrod
Hughes	Lockhart	Morley	Neuenschwander
Newbold	Oda	Sandstrom	Tilton

Absent or not voting were: Representatives

Aagard	Gibson	Morgan	Noel
Ray	Curtis		

H.B. 307 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

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

AFTERNOON SESSION

The House was called to order by Speaker Curtis at 2:00 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 15, 2008

The Senate passed, **H.B. 44**, DECLARATION OF CANDIDACY REVISIONS, by Representative G. Donnelson, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 57**, TRANSPORTATION ADMINISTRATIVE RULES – CRIMINAL AND CIVIL PENALTY 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. 59**, COMMUNITY AND ECONOMIC DEVELOPMENT TECHNICAL CHANGES, by Representative S. Mascaro, 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. 61**, DESIGNATION OF STATE HIGHWAYS 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. 107**, EMERGENCY MANAGEMENT ADMINISTRATIVE COUNCIL, 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. 265**, OFFICE OF RECOVERY SERVICES – ELECTRONIC FUNDS TRANSFER, 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. 5**, JOINT RESOLUTION URGING SUPPORT OF MEDICAID LONG-TERM CARE FUNDING OF HOME AND COMMUNITY-BASED SUPPORTS, 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. 44**, **H.B. 57**, **H.B. 59**, **H.B. 61**, **H.B. 107**, **H.B. 265**, and **H.J.R. 5** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker: February 15, 2008

The Senate passed, as substituted, **3rd Sub. S.B. 25**, MUNICIPAL INCORPORATION AMENDMENTS, by Senator D. Stowell, and it is transmitted for consideration; and

The Senate passed, as substituted, **2nd Sub. S.B. 38**, TRANSPARENCY IN GOVERNMENT FINANCE, by Senator W. Niederhauser, and it is transmitted for consideration; and

The Senate passed **S.B. 88**, UNIFORM MODEL REGISTERED AGENT ACT, by Senator L. Hillyard, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **3rd Sub. S.B. 25**, **2nd Sub. S.B. 38**, and **S.B. 88** read the first time by short title and referred to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 15, 2008

The Business and Labor Committee recommends **H.B. 168**, HEALTH INSURANCE MARKET CHOICES, by Representative J. Dunnigan, be replaced

and favorably recommends **1st Sub. H.B. 168**, HEALTH INSURANCE MARKET CHOICES; and

The Business and Labor Committee recommends **H.B. 293**, CERTIFIED PRIVATE BUILDING INSPECTOR AUTHORIZED, by Representative D. Aagard, be replaced and favorably recommends **2nd Sub. H.B. 293**, PRIVATE BUILDING INSPECTOR AUTHORIZED; and

The Business and Labor Committee recommends **H.B. 370**, CHILDREN'S HEALTH INSURANCE PROGRAM AMENDMENTS, by Representative J. Dunnigan, be replaced and favorably recommends **1st Sub. H.B. 370**, CHILDREN'S HEALTH INSURANCE PROGRAM AMENDMENTS; and

The Business and Labor Committee reports a favorable recommendation on **2nd Sub. S.B. 134**, MORTGAGE FRAUD ACT, by Senator S. Killpack; and

The Business and Labor Committee recommends **H.B. 157**, ALCOHOLIC BEVERAGE CONTROL VIOLATIONS AMENDMENTS, by Representative C. Oda, et al, be replaced and reports a favorable recommendation on **1st Sub. H.B. 157**, ALCOHOLIC BEVERAGE CONTROL VIOLATIONS AMENDMENTS and asks that it be placed on the Consent Calendar; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 52**, IDENTITY THEFT AMENDMENT, by Senator C. Walker, and recommends it be placed on the Consent Calendar; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 163**, CERTIFIED PUBLIC ACCOUNTANT LICENSING ACT AMENDMENTS, by Senator C. Bramble, and recommends it be placed on the Consent Calendar.

Stephen Clark, Chair

Reports filed. On motion of Representative Ferry, the reports of the Business and Labor Committee were adopted.

1st Sub. H.B. 168, **2nd Sub. H.B. 293**, **1st Sub. H.B. 370**, and **2nd Sub. S.B. 134** read the second time by short title and placed on the Third Reading Calendar.

1st Sub. H.B. 157, **S.B. 52**, and **S.B. 163** read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker:

February 15, 2008

The Education Committee recommends **H.B. 212**, STATE SYSTEM OF PUBLIC EDUCATION AMENDMENTS, by Representative J. Dougall, be

replaced and favorably recommends **2nd Sub. H.B. 212**, EDUCATOR SALARY ADJUSTMENTS; and

The Education Committee reports a favorable recommendation on **H.B. 349**, OPEN ENROLLMENT REVISIONS, by Representative Julie Fisher, with the following amendments:

1. Page 5, Lines 132 through 145:

132 (6) An enrolled nonresident student shall be permitted to remain
enrolled in ~~the~~

133 ~~nonresident district's schools~~ a school, subject to the same
rules and standards as resident

134 students, without renewed applications in subsequent years
unless one of the following occurs:

135 (a) the student graduates;

136 (b) the student is no longer a Utah resident;

137 (c) the student is suspended or expelled from school; or

138 (d) the district determines that enrollment within the school ~~is~~
question] will exceed

139 ~~[90% of maximum capacity during the coming school year]~~ the
school's open enrollment

140 threshold.

141 (7) (a) Determination of which nonresident students will be
excluded from continued

142 enrollment in a ~~nonresident district~~ school during a
subsequent year under Subsection (6) ~~{-(b)-}~~ (d)

143 is based upon time in the ~~district~~ school, with those most
recently enrolled being excluded

144 first and the use of a lottery system when multiple nonresident
students have the same number

145 of school days in the school.

2. Page 6, Line 172:

172 student transfer made for health or safety reasons.

(11) Notwithstanding Subsections (2) and (6)(d), a student who
is enrolled in a school that is not the student's school of residence.

because school bus service is not provided between the student's neighborhood and school of residence for safety reasons:

(a) shall be allowed to continue to attend the school until the student finishes the highest grade level offered; and

(b) shall be allowed to attend the middle school, junior high school, or high school into which the school's students feed until the student graduates from high school.

3. Page 6, Lines 167 through 172:

167 (10) (a) {– A } Except as provided in Subsection
 168 (10)(c), a student who transfers between schools, whether effective on
 169 the first day of

168 the school year or after the school year has begun, by exercising
 169 an open enrollment option

169 under this section may not transfer to a different school during
 170 the same school year by

170 exercising an open enrollment option under this section.

171 (b) The restriction on transfers specified in Subsection (10)(a)
 172 does not apply to a

172 student transfer made for health or safety reasons.

(c) A local school board may adopt a policy allowing a student to
 173 exercise an open enrollment option more than once in a school year.

4. Page 6, Line 180 through Page 7, Line 185:

180 (2) Standards for accepting or rejecting an application for
 181 enrollment may include:

181 (a) for an elementary school, the capacity of the [program,
 182 class,] grade level[, or

182 school building];

183 (b) maintenance of heterogeneous student populations if
 184 necessary to avoid violation of

184 constitutional or statutory rights of students;

185 (c) not offering {–a–} or having capacity in, an
 186 elementary or secondary special education, Title I school, or other
 187 special program the student requires; [and]

5. Page 7, Lines 207 through 209:

207 (4) (a) The State Board of Education, in consultation with
 208 the Utah High School Activities

208 Association, shall establish policies regarding nonresident
student participation in

209 interscholastic competition.

(b) Nonresident students shall be eligible for extracurricular activities at a public school consistent with eligibility standards as applied to students that reside within the school attendance area, except as provided by policies established under Subsection (4)(a).

6. Page 7, Line 210 through Page 8, Line 216:

210 (5) For each school in the district, the local school board shall
post on the school

211 district's website:

212 (a) the school's maximum capacity;

213 (b) the school's adjusted capacity;

214 (c) the school's projected enrollment used in the calculation of
the open enrollment

215 threshold;

216 (d) actual enrollment { ~~for each semester~~ } on October
1, January 2, and April 1 ;

7. Page 9, Lines 261 through 263:

261 {~~—~~} (ii) In granting interdistrict and intradistrict transfers
to a particular school, the local

262 school board shall take into consideration the fact that an
applicant's brother or sister is

263 attending the school or another school within the district. {~~—~~}

Gregory H. Hughes, Chair

Reports filed. On motion of Representative Lockhart, the reports of the Education Committee were adopted.

2nd Sub. H.B. 212, under suspension of the rules, read the first and second times by short title and placed on the Third Reading Calendar.

H.B. 349 read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker: February 15, 2008

The Health and Human Services Committee reports a favorable recommendation on **H.B. 361**, ANTI-SEIZURE DRUG NOTIFICATION, by Representative E. Hutchings, with the following amendments:

- 1. Page 3, Lines 80 through 89:

80 (7) (a) For purposes of Subsection (7) {-(b)} a
“substitutes” means to substitute:

81 (i) a generic drug for another generic drug;

82 (ii) a generic drug for a nongeneric drug;

83 (iii) a nongeneric drug for another nongeneric drug; or

84 (iv) a nongeneric drug for a generic drug.

85 (b) A prescribing practitioner who makes a finding under
Subsection (5)(a) for a patient with a seizure disorder shall indicate a
prohibition on substitution of a drug product equivalent in the manner
provided in Subsections (5)(a) or (b).

(c) Except as provided in Subsection (7) {-(e)} (d) a
pharmacist or pharmacy intern who cannot dispense the prescribed
drug as written, and who needs to substitute

86 {-substitutes} a drug product equivalent for {-an
epilepsy-} the drug prescribed to {-a} the patient to
treat or

87 prevent seizures shall notify the prescribing practitioner prior to the
substitution.

88 {-(e)} (d) Notification under Subsection
(7) {-(b)} (c) is not required if the drug product equivalent is

89 paid for in whole or in part by Medicaid. ; and

The Health and Human Services Committee recommends **H.B. 491**, HEALTH PLAN EXEMPTION FROM SELECTED REQUIREMENTS, by Representative E. Hutchings, be replaced and reports a favorable recommendation on **1st Sub. H.B. 491**, HEALTH PLAN EXEMPTION FROM SELECTED REQUIREMENTS with the following amendments:

- 1. Page 3, Lines 66 through 73:

66 (2) A health benefit plan is not subject to the sections described
in Subsection (1) if:

- 67 (a) (i) the plan is provided by a foreign insurer; or
 68 (ii) the plan is provided by a domestic insurer;
 69 (b) if the plan is provided by a foreign insurer:
 70 (i) the foreign insurer is an admitted insurer; and
 71 (ii) the plan provides coverage substantially equivalent to a
health benefit plan
 72 provided by the insurer in another state;
 73 (c) (i) each plan enrollee in this state at the time of application;

The Health and Human Services Committee recommends **S.B. 17**, CHILD ABUSE AND NEGLECT REGISTRY – MANAGEMENT AND LICENSING INFORMATION SYSTEMS AMENDMENTS, by Senator G. Davis, be replaced and reports a favorable recommendation on **1st Sub. S.B. 17**, CHILD ABUSE AND NEGLECT REGISTRY – MANAGEMENT AND LICENSING INFORMATION SYSTEMS AMENDMENTS with the following amendments:

1. Page 6, Lines 159 through 161:

159 (d) The Judicial Council shall make rules { ~~in accordance~~
with Title 63, Chapter 46a,
 160 Utah Administrative Rulemaking Act, } that ensure the
confidentiality of the proceedings
 161 described in Subsection (5)(c) and the records related to the
proceedings. ; and

The Health and Human Services Committee reports a favorable recommendation on **1st Sub. S.B. 66**, UNIFORM EMERGENCY VOLUNTEER HEALTH PRACTITIONERS ACT, by Senator L. Hillyard, 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. 361, as amended, **1st Sub. H.B. 491**, as amended, and **1st Sub. S.B. 17**, as amended, read the second time by short title and placed on the Third Reading Calendar.

1st Sub. S.B. 66 read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: February 15, 2008

The Public Utilities and Technology Committee reports a favorable recommendation on **S.B. 151**, TRADEMARK PROTECTION ACT AMENDMENTS, by Senator D. Eastman.

Michael E. Noel, Chair

Report filed. On motion of Representative Noel, the report of the Public Utilities and Technology Committee was adopted.

S.B. 151 read the second time by short title and placed on the Third Reading Calendar.

INTRODUCTION OF BILL

H.B. 493, Stalking Amendments (L. Fowlke), read the first time by short title and referred to the Rules Committee.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 15, 2008

The Senate concurred in the House amendments and passed **1st Sub. S.B. 44**, PENALTIES FOR FAILING TO SECURE A LOAD OR LITTERING ON A HIGHWAY, by Senator P. Jones, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **2nd Sub. S.B. 144**, PARAMETERS ON GOVERNOR’S ABILITY TO ENTER AGREEMENTS BINDING THE STATE, by Senator S. Jenkins, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **1st Sub. S.B. 44** and **2nd Sub. S.B. 144** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, under suspension of the rules, the House voted to move to the Senate Third Reading Calendar.

* * *

On motion of Representative D. Clark, under suspension of the rules, the House voted to lift **S.B. 225** to the top of the Senate Third Reading Calendar.

THIRD READING CALENDAR

S.B. 225, GUBERNATORIAL AND LEGISLATIVE SPACE IN THE CAPITOL, read the third time by short title and placed on its final passage.

S.B. 225 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hunsaker	Hutchings	Johnson
King	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Hughes	Kiser	Painter	Ray
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S.B. 225 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 D. Clark, the House voted to move to the House Third Reading Calendar.

THIRD READING CALENDAR

1st Sub. H.B. 92, GARNISHMENT AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Draxler proposed the following amendment:

- 1. Page 1, Lines 22 through 23
House Committee Amendments 2-8-2008
22 AMENDS:
23 {~~78-7-44~~} 78A-2-216 , as renumbered and
amended by Laws of Utah {~~2001~~} 2008 , Chapter
{~~46~~} 3
- 2. Page 2, Lines 26 through 27:
26 Section 1. Section {~~78-7-44~~} 78A-2-216 is
amended to read:
27 {~~78-7-44~~} 78A-2-216 . Fees for writ of
garnishment -- Single or continuing.

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

1st Sub. H.B. 92, as amended, passed on the following roll call:

Yeas, 64; Nays, 0; Absent or not voting, 11.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Bowman	Brown
Chavez-Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Draxler
Duckworth	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Herrod	Holdaway
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Biskupski	Dougall	Dunnigan	Garn
Hendrickson	Hughes	Morley	Ray
Tilton	Urquhart	Walker	

1st Sub. H.B. 92, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Greenwood, the House voted to uncircle **H.B. 121**.

H.B. 121, COUNTY CHARGES FOR SERVICES TO INCARCERATED PERSONS, was before the House on its final passage.

Representative D. Clark proposed the following amendment:

1. Page 2, Line 58:
Delete “state Medicaid” and insert “Medicare”

Representative D. Clark’s motion to amend failed on a voice vote.

H.B. 121, as amended, passed on the following roll call:

Yeas, 61; Nays, 11; Absent or not voting, 3.

Voting in the affirmative were: Representatives

Agard	Andersen	Barrus	Bird
Biskupski	Bowman	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Dee
Donnelson	Draxler	Duckworth	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hunsaker
Hutchings	Johnson	King	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morley
Moss	Neuenschwander	Noel	Oda
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn			

Voting in the negative were: Representatives

Allen	Bigelow	Daw	Dougall
Dunnigan	Hughes	Kiser	Morgan
Newbold	Sumsion	Curtis	

Absent or not voting were: Representatives
Holdaway Painter Ray

H.B. 121, as amended, transmitted to the Senate for its consideration.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 15, 2008

The Senate passed, **H.B. 12**, CONTROLLED SUBSTANCES AND PARAPHERNALIA, 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. 28**, HONORING HEROES SPECIAL GROUP LICENSE PLATE, 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. 50**, UNDERGROUND STORAGE TANK AMENDMENTS, by Representative S. Andersen, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 64**, DISCLOSURE OF INFORMATION BY THE DEPARTMENT OF WORKFORCE SERVICES, by Representative P. Neuenschwander, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 132**, WASTE TIRE RECYCLING AMENDMENTS, by Representative N. Hendrickson, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 291**, OFF-HIGHWAY VEHICLE AMENDMENTS, 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. 12**, **H.B. 28**, **H.B. 50**, **H.B. 64**, **H.B. 132**, and **H.B. 291** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker: February 15, 2008

The Senate passed, as amended, **H.B. 30**, VEHICLE CONCEALING ILLEGAL ITEMS, by Representative P. Ray, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 42**, WATER RIGHT APPLICATION FOR ELECTRICAL COOPERATIVE, by Representative G. Snow, and it is transmitted for further consideration; and

The Senate passed, as amended, **2nd Sub. H.B. 47**, STANDARDS FOR ELECTRONIC EXCHANGE OF CLINICAL HEALTH INFORMATION, by Representative R. Menlove, and it is transmitted for further consideration; and

The Senate passed, as amended, **1st Sub. H.B. 62**, CLEAN FUEL SPECIAL GROUP LICENSE PLATE AMENDMENTS, by Representative T. Kiser, and it is transmitted for further consideration; and

The Senate substituted and passed, **Senate 1st Sub. H.B. 272**, FALSE IMPERSONATION AND REPRESENTATION, by Representative G. Froerer, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **H.B. 30**, **H.B. 42**, **2nd Sub. H.B. 47**, **1st Sub. H.B. 62**, and **1st Sub. H.B. 272** placed on the Concurrence Calendar.

RULES COMMITTEE REPORTS

Mr. Speaker: February 15, 2008

The Rules Committee recommends that, under suspension of the rules, the following resolution be considered read for the second time and placed on the Third Reading Calendar for Senate bills:

S.C.R. 2 Resolution Promoting Legislators Back to School Program (Sen. M. Dayton)

Stephen Urquhart, Chair

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

* * *

Mr. Speaker: February 15, 2008

The House Rules Committee recommends the following bills be lifted from the Business and Labor Standing Committee and reassigned to the Political Subdivisions Standing Committee:

1st Sub. S.B. 53 Use of Initiative and Referendum for Administrative Land Use and Zoning Matters (Sen. B. Goodfellow)

1st Sub. S.B. 54 Initiative and Referendum Petition Amendments
(Sen. B. Goodfellow)

Stephen Urquhart, Chair

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

* * *

Mr. Speaker: February 15, 2008

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 425**, Exemption for Alcoholic Beverage Manufacturing License (Rep. C. Johnson) be replaced with **1st Substitute H.B. 425**, Exemption for Alcoholic Beverage Manufacturing License, and further recommends it be assigned to the House Government Operations Standing Committee.

Stephen Urquhart, Chair

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

* * *

Mr. Speaker: February 15, 2008

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

BUSINESS AND LABOR

- H.B. 192** Property Transaction Amendments (Rep. R. Lockhart)
- H.B. 426** Government Procurement – Private Proposals (Rep. K. Garn)
- H.B. 459** Construction Trades Exemption (Rep. S. Urquhart)
- S.B. 161** Advance Health Care Directive Amendments (Sen. A. Christensen)

GOVERNMENT OPERATIONS

- H.J.R. 11** Joint Resolution Supporting Statewide Government 211 System Information Directory (Rep. E. Hutchings)

NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT

- H.B. 394** Real Property Purchase – Notification of Water Rights (Rep. B. Ferry)
- S.B. 170** Board of Water Resources Amendments (Sen. D. Stowell)
- S.J.R. 6** Joint Resolution Encouraging the Governor’s Board Appointments to Reflect Utah Geographic Balance (Sen. D. Stowell)

POLITICAL SUBDIVISIONS

- H.B. 437** Funeral Services Licensing Act Amendments
(Rep. S. Urquhart)
- S.B. 125** High School Voter Registration (Sen. K. VanTassell)
- 1st Sub. S.J.R. 7** Joint Rules Resolution – Authorizing Electronic
Committee Meetings (Sen. L. Hillyard)

REVENUE AND TAXATION

- S.B. 136** Apportionment of Business Income Amendments
(Sen. W. Niederhauser)

TRANSPORTATION

- S.B. 149** Motor Vehicle Liability Policy Minimum Limits
(Sen. S. Killpack)

Stephen Urquhart, Chair

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

MISCELLANEOUS BUSINESS

On motion of Representative Dee, and at 3:15 p.m., the House voted to adjourn until February 18, 2008, at 10:00 a.m.

TWENTY-NINTH DAY

* * *

MORNING SESSION

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

Roll call showed all members present except Representatives Carl Duckworth and Steven R. Mascaro, excused.

Prayer and Pledge of Allegiance by Mayor Russell Wall of Taylorsville.

COMMITTEE OF THE WHOLE

On motion of Representative Snow, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of hearing Representative Kerry Gibson and his sister, Melanie Wilcox, sing “God Bless America” and “The Star Spangled Banner.”

On motion of Representative Snow, the Committee of the Whole was dissolved.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 15, 2008

The President of the Senate has signed **H.B. 68**, EDUCATOR RELICENSURE INITIATIVE, by Representative R. Menlove, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 234**, KINDERGARTEN ASSESSMENT AMENDMENTS, by Representative L. Shurtliff, 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. 245**, ADMINISTRATION OF MEDICATION TO STUDENTS AMENDMENTS, by Representative R. Lockhart, and it is transmitted for the signature of the Speaker.

Annette B. Moore

Secretary of the Senate

Communications filed. **H.B. 68**, **H.B. 234**, and **H.B. 245** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

INTRODUCTION OF BILLS

H.B. 190, **State System of Higher Education Amendments** (J. Dougall), read the first time by short title and referred to the Rules Committee.

H.B. 206, Tax Amendments (W. Harper), read the first time by short title and referred to the Rules Committee.

H.B. 216, Annexation Revisions (B. Last), read the first time by short title and referred to the Rules Committee.

H.B. 385, Road and Rights-of-way Amendments (M. Noel), read the first time by short title and referred to the Rules Committee.

CONSENT CALENDAR

H.B. 375, DECEPTION DETECTION EXAMINERS LICENSING ACT AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 375 passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Draxler	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Walker	Webb	Wheatley	Wiley
Wimmer	Winn		

Absent or not voting were: Representatives

Dougall	Duckworth	Mascaro	Urquhart
Curtis			

H.B. 375 transmitted to the Senate for its consideration.

* * *

S.B. 95, MARKUP ON ALCOHOLIC BEVERAGES, read the third time by short title and placed on its final passage.

S.B. 95 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bird	Biskupski	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Draxler	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn

Absent or not voting were: Representatives

Bigelow	Donnelson	Dougall	Duckworth
Mascaro	Painter	Curtis	

S.B. 95 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

THIRD READING CALENDAR

H.B. 66, PARAEDUCATOR TO TEACHER SCHOLARSHIP PROGRAM, read the third time by short title and placed on its final passage.

H.B. 66, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Draxler	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Riesen
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn

Absent or not voting were: Representatives

Dougall	Duckworth	Holdaway	Mascaro
Ray	Sandstrom	Curtis	

H.B. 66, as amended, transmitted to the Senate for its consideration.

* * *

2nd Sub. H.B. 127, COMMUNITY COUNCIL ELECTIONS, read the third time by short title and placed on its final passage.

2nd Sub. H.B. 127 passed on the following roll call:

Yeas, 62; Nays, 6; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Draxler	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Greenwood	Grover	Harper	Hemingway
Herrod	Hughes	Hunsaker	Hutchings

Johnson	Kiser	Last	Litvack
Lockhart	Mathis	McGee	McCliff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Webb	Wheatley	Wiley
Wimmer	Winn		

Voting in the negative were: Representatives

Brown	Gowans	Hansen	Hendrickson
Holdaway	King		

Absent or not voting were: Representatives

Donnelson	Dougall	Duckworth	Mascaro
Ray	Walker	Curtis	

2nd Sub. H.B. 127 transmitted to the Senate for its consideration.

* * *

H.B. 189, SCHOOL COMMUNITY COUNCILS, read the third time by short title and placed on its final passage.

Representative Holdaway proposed the following amendment:

1. Page 5, Lines 126 through 128

126 (C) sending an e-mail message containing the information;

~~{-or }~~

(D) sending the information home with a student with a report card;

(E) making the information available at the school during the school's annual registration period; or

127 ~~{-(D) }~~ (F) using a combination of the methods described in Subsections (7)(b)(ii)(A) through

128 ~~{-(C) }~~ (E) .

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

On motion of Representative Lockhart, the House voted to circle **H.B. 189**.

* * *

1st Sub. H.B. 254, SCHOOL COMMUNITY COUNCIL AMENDMENTS, read the third time by short title and placed on its final passage.

1st Sub. H.B. 254 passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Draxler	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mathis
McGee	McIff	Menlove	Morgan
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	

Absent or not voting were: Representatives

Dougall	Duckworth	Garn	Mascaro
Morley	Ray	Urquhart	Curtis

1st Sub. H.B. 254 transmitted to the Senate for its consideration.

* * *

1st Sub. H.B. 330, STATE SUPPLEMENTAL FUNDING FOR HEAD START, read the third time by short title and placed on its final passage.

1st Sub. H.B. 330 passed on the following roll call:

Yeas, 57; Nays, 7; Absent or not voting, 11.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bird	Biskupski	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke

Frank	Froerer	Garn	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
Kiser	Last	Litvack	Lockhart
Mathis	McGee	McIff	Menlove
Morgan	Moss	Neuenschwander	Newbold
Painter	Riesen	Seelig	Shurtliff
Snow	Urquhart	Webb	Wheatley
Wiley			

Voting in the negative were: Representatives

Donnelson	Morley	Noel	Oda
Sandstrom	Sumsion	Wimmer	

Absent or not voting were: Representatives

Bigelow	Bowman	Duckworth	Gibson
King	Mascaro	Ray	Tilton
Walker	Winn	Curtis	

1st Sub. H.B. 330 transmitted to the Senate for its consideration.

* * *

H.B. 295, PUBLIC SCHOOL ELECTRONIC DEVICE POLICIES, read the third time by short title and placed on its final passage.

H.B. 295, as amended, failed to pass on the following roll call:

Yeas, 33; Nays, 37; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Allen	Biskupski	Bowman	Chavez–Houck
Cosgrove	Ferry	Janice Fisher	Gowans
Hansen	Hemingway	Hendrickson	Holdaway
Hunsaker	Hutchings	Johnson	King
Kiser	Litvack	McGee	McIff
Menlove	Morgan	Moss	Neuenschwander
Noel	Ray	Riesen	Seelig
Shurtliff	Snow	Walker	Wheatley
Wiley			

Voting in the negative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Brown	D. Clark	S. Clark

Daw	Dee	Donnelson	Dougall
Draxler	Julie Fisher	Fowlke	Frank
Froerer	Garn	Greenwood	Grover
Harper	Herrod	Hughes	Last
Lockhart	Mathis	Newbold	Oda
Painter	Sandstrom	Sumsion	Tilton
Urquhart	Webb	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Duckworth	Dunnigan	Gibson	Mascaro
Morley			

H.B. 295, as amended, was filed.

* * *

H.B. 341, DAMAGE TO UNDERGROUND UTILITY FACILITIES AMENDMENTS, read the third time by short title and placed on its final passage.

Representative McIff proposed the following amendment:

1. Page 14, Lines 401 through 403

401 (1) There is created within the commission the Underground
Facilities Damage

402 Dispute Board to arbitrate a dispute arising from ;
(a) an operator's or excavator's violation of this

403 chapter { - } ; and

(b) damage caused by excavation during an emergency.

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

H.B. 341, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez-Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer

Garn	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Bowman	Duckworth	Gibson
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H.B. 341, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

H.B. 356, previously held, transmitted to the Senate.

* * *

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

AFTERNOON SESSION

The House was called to order by Speaker Curtis at 2:00 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 18, 2008

The Senate passed, **H.B. 269**, SCOTT B. LUNDELL MILITARY SURVIVORS' TUITION WAIVER AMENDMENTS, 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

Communication filed. **H.B. 269** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker: February 18, 2008
 The Senate passed, as amended, **H.B. 275**, VEHICLE TOWING REQUIREMENTS, by Representative B. Daw, and it is transmitted for further consideration.

Annette B. Moore
 Secretary of the Senate

Communication filed. **H.B. 275** placed on the Concurrence Calendar.

* * *

Mr. Speaker: February 18, 2008
 The Senate concurred in the House amendments and passed **1st Sub. S.B. 11**, UTAH VENTURE CAPITAL ENHANCEMENT ACT AMENDMENTS, by Senator S. Jenkins, et al, and it is transmitted for the signature of the Speaker.

Annette B. Moore
 Secretary of the Senate

Communication filed. **1st Sub. S.B. 11** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

* * *

Mr. Speaker: February 18, 2008
 The Senate passed, as substituted, **3rd Sub. S.B. 20**, MUNICIPAL GOVERNMENT AMENDMENTS, by Senator C. Walker, and it is transmitted for consideration; and

The Senate passed **S.B. 187**, BAIL IN CAPITAL OFFENSE CASES, by Senator J. Greiner, and it is transmitted for consideration; and

The Senate passed **S.B. 290**, PRIVATE INVESTIGATORS' ACCESS TO DRIVER LICENSURE INFORMATION, by Senator M. Dayton, and it is transmitted for consideration.

Annette B. Moore
 Secretary of the Senate

Communications filed. **3rd Sub. S.B. 20**, **S.B. 187**, and **S.B. 290** read the first time by short title and referred to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 15, 2008

The Judiciary Committee reports a favorable recommendation on **H.B. 167**, A VICTIM AMICUS BILL, by Representative R. C. Webb, with the following amendments:

1. Page 1, Line 9:

9 This bill provides victims of crime the right to {~~file an amicus brief~~} submit a written statement in actions on appeal

2. Page 1, Line 13:

13 ► gives victims of crime the right to {~~file amicus briefs~~} submit a written statement in actions on appeal related to

3. Page 2, Line 32:

32 (c) to {~~file an amicus brief~~} submit a written statement in any action on appeal related to that crime; and ; and

The Judiciary Committee recommends **H.B. 169**, CUSTODY EVALUATION AND PARENT COORDINATION, by Representative T. Cosgrove, be replaced and reports a favorable recommendation on **1st Sub. H.B. 169**, CUSTODY EVALUATION AND PARENT COORDINATION with the following amendments:

1. Page 3, Lines 73 through 84:

73 (2) Licensed professionals in Subsection (1) shall have:

* * * *Some lines not shown* * * *

80 involved in custody decisions; and

81 (b) {~~initial training totaling a minimum of 12 hours, and eight hours annually of~~

82 continuing education, specific to custody evaluation; and

83 (e) } at least {~~24~~} three hours {~~of initial~~} annual training {~~, and 16 hours annually of continuing education.~~

84 on } in domestic violence issues .

2. Page 4, Lines 99 through 106:

99 A custody evaluator who accepts a case shall:

100 (1) ~~{ accept cases referred by the court without regard to the~~
financial situation of the

101 parties;

102 ~~(2)-~~ review with each party the custody evaluator's policies
and procedures, including

103 fees, for conducting an evaluation;

104 ~~{-(3) }~~ (2) provide the court with ~~{-copies of all~~
written documentation and reports } a copy of the written custody
evaluation or report, if one is prepared ; and

105 ~~{-(4) }~~ (3) note in the final report provided to the
court, any missing or incomplete

106 information.

3. Page 4, Lines 111 through 113:

111 (2) The court shall consider the financial situation and the
merits of the claims of both parties in determining

112 payment for the custody evaluator's services, and make a final
determination on the record of

113 the ~~{-amounts }~~ percentage of the evaluator's fee
each party is responsible for paying.

4. Page 5, Lines 121 through 123:

121 (1) "Parent coordinator" means a person appointed by the court
to minimize trauma to

122 the children of divorce by resolving custody ~~{- }~~ and
parent-time related disputes between the parents within the

123 scope of the court's order.

5. Page 5, Lines 135 through 148:

135 (2) Parent coordinators shall have:

136 (a) { -formal } training ~~{-or advanced knowledge }~~
in child development, child and adult

137 psychopathology, interviewing techniques, and family systems;

**** Some lines not shown ****

144 (e) a minimum of ~~{-40 }~~ three hours of initial
training which includes training in parent

145 coordination, family dynamics in separation and divorce,
146 domestic violence, child abuse, and

147 court specific parenting procedures; and

148 (f) {~~an additional 20~~} three hours annually of
149 specialized training which includes maintenance of

150 professional competence in the parenting coordination
151 process, domestic violence, and child abuse.

6. Page 6, Lines 156 through 157:

156 (3) A parent coordinator {~~may~~} should decline
157 appointment if the case is beyond the parent

158 coordinator's skill or expertise.

7. Page 6, Lines 161 through 163:

161 (b) allow the coordinator to make recommendations {~~and~~
162 decisions} necessary to allow

163 as little disruption in the children's home and routine as
164 possible, yet carry out specific court

165 orders regarding parent-time; and

8. Page 6, Lines 168 through 170:

168 continue the coordinator.

169 {~~(6) If one parent requests additional time and the other~~
170 parent declines, the court shall

171 determine the matter. }

9. Page 6, Lines 177 through 179:

177 (3) The parent coordinator shall communicate
178 {~~decisions~~} recommendations in a timely manner in person

179 or by fax, e-mail, or telephone. In the event
180 {~~decisions~~} recommendations are provided orally, a written
181 version

182 shall follow in a timely manner.

10. Page 7, Lines 181 through 182:

181 and standards for decision-making. In addition, each party shall be
182 given a copy of the court's

182 order {~~to~~} appointing the coordinator; and

The Judiciary Committee recommends **S.B. 152**, PRESUMPTIVE PERSONAL REPRESENTATIVE, by Senator G. Bell, be replaced and favorably recommends **1st Sub. S.B. 152**, PRESUMPTIVE PERSONAL REPRESENTATIVE.

Douglas C. Aagard, Chair

Reports filed. On motion of Representative Aagard, the reports of the Judiciary Committee were adopted.

H.B. 167, 1st Sub. H.B. 169, and 1st Sub. S.B. 152 read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker:

February 15, 2008

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 140**, CHILD RESTRAINT DEVICE AMENDMENTS, by Representative T. Cosgrove; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 150**, AUTHORIZATION FOR COUNTIES TO PROVIDE SUPPLEMENTAL LAW ENFORCEMENT SERVICES, by Representative J. Biskupski; and

The Law Enforcement and Criminal Justice Committee recommends **H.B. 156**, DNA SAMPLE – FELONY AND CERTAIN MISDEMEANOR ARRESTS, by Representative K. Gibson, be replaced and favorably recommends **1st Sub. H.B. 156**, DNA SAMPLE – FELONY AND CERTAIN MISDEMEANOR CONVICTIONS; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 315**, CHILD AND VULNERABLE ADULT ENDANGERMENT PROVISIONS, by Representative M. Morley, with the following amendments:

1. Page 6, Line 167 through Page 7, Line 199:

167 (1) As used in this section:

168 {~~(a) “Building” means any structure, other than a habitation~~
~~or vehicle, that is:~~

169 ~~(i) intended to be used, capable of being used, or adapted for~~
~~use, on a permanent or~~

170 ~~temporary basis, for business or storage; or~~

171 ~~(ii) appurtenant to, or connected with, a structure described in Subsection (1)(a)(i). }~~

172 ~~{-(b) }~~ (a) (i) “Chemical substance” means:

173 (A) a substance intended to be used as a precursor in the manufacture of a controlled

174 substance;

175 (B) a substance intended to be used in the manufacture of a controlled substance; or

176 (C) any fumes or by-product resulting from the manufacture of a controlled substance.

177 (ii) Intent under this Subsection (1) {-(b) } (a) may be demonstrated by:

178 (A) the use, quantity, or manner of storage of the substance; or

179 (B) the proximity of the substance to other precursors or to manufacturing equipment.

180 ~~{-(e) }~~ (b) “Child” means a human being who is under 18 years of age.

181 ~~{-(d) }~~ (c) “Controlled substance” is as defined in Section 58-37-2.

182 ~~{-(e) }~~ (d) “Drug paraphernalia” is as defined in Section 58-37a-3.

183 ~~{-(f) }~~ (e) “Exposed to” means {~~to be present in:~~

184 (i) a habitation or vehicle where a controlled substance, chemical substance, or drug

185 paraphernalia is unlawfully present; or

186 (ii) a building, habitation, or vehicle where a controlled substance, chemical substance,

187 or drug paraphernalia is unlawfully used, manufactured, produced, or distributed } that the child or vulnerable adult is able to:

(i) access or view a controlled substance, chemical substance, or drug paraphernalia; or

(ii) smell an odor produced during, or as a result of, the manufacture or production of a controlled substance .

- 188 { ~~(g) “Habitation” means:~~
- 189 ~~(i) a residence or dwelling, including a shed, garage, or other~~
~~appurtenant structure;~~
- 190 ~~(ii) a hotel room or suite;~~
- 191 ~~(iii) a motel room or suite;~~
- 192 ~~(iv) an apartment unit;~~
- 193 ~~(v) a condominium unit; or~~
- 194 ~~(vi) any shelter, structure, watercraft, aircraft, trailer, sleeping~~
~~car, or conveyance used,~~
- 195 ~~intended to be used, or adapted for use, for overnight~~
~~accommodation of a person. }~~
- 196 { ~~(h) }~~ (f) “Prescription” is as defined in Section
58-37-2.
- 197 { ~~(i) }~~ (g) “Vulnerable adult” is as defined in
Subsection 76-5-111(1)(t).
- 198 { ~~(j) “Vehicle” means a device in, on, or by which a person or~~
~~property is or may be~~
- 199 ~~transported, conveyed, or drawn. }~~ ; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 324**, NOT-A-DROP DRIVERS PROGRAM AMENDMENTS, by Representative R. Greenwood; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **S.B. 63**, ADULT PROTECTIVE SERVICES AMENDMENTS, by Senator K. VanTassell; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **S.B. 94**, BURGLARY OF A RAILROAD CAR, by Senator D. Peterson.

DeMar “Bud” Bowman, Chair

Reports filed. On motion of Representative Oda, the reports of the Law Enforcement and Criminal Justice Committee were adopted.

H.B. 140, H.B. 150, 1st Sub. H.B. 156, H.B. 315, as amended, **H.B. 324, S.B. 63**, and **S.B. 94** read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker: February 15, 2008

The Natural Resources, Agriculture, and Environment Committee recommends **H.B. 203**, JUDICIAL REVIEW OF STATE ENGINEER’S DECISION, by Representative P. Painter, be replaced and favorably recommends **1st Sub. H.B. 203**, JUDICIAL REVIEW OF STATE ENGINEER’S DECISION; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.C.R. 8**, CONCURRENT RESOLUTION SUPPORTING THE NARROWS WATER PROJECT IN CENTRAL UTAH, by Representative B. Winn; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 76**, STATE PARKS AND RECREATION AMENDMENTS, by Senator B. Goodfellow.

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.B. 203, **H.C.R. 8**, and **S.B. 76** read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker: February 15, 2008

The Transportation Committee reports a favorable recommendation on **2nd Sub. S.B. 15**, DRIVING UNDER THE INFLUENCE AMENDMENTS, by Senator C. Walker, with the following amendments:

1. Page 2, Line 53:
 - 53 53-3-223, as last amended by Laws of Utah 2007, Chapter 261
76-5-207, as last amended by Laws of Utah 2006, Chapter 341
2. Page 3, Lines 70 through 71:
 - 70 (b) “Drug” or “drugs” means :
 - (i) a controlled substance as defined in Section 58-37-2;
 - (ii) a drug as defined in Section 58-17b-102; or
 - (iii) any substance that, when knowingly, intentionally, or recklessly taken into the human body, can
 - 71 impair the ability of a person to safely operate a motor vehicle.

3. Page 5, Line 133:

133 Section 41-6a-502 committed on or after July 1, 2008 may be entered as a conviction of

4. Page 5, Lines 139 through 140:

139 (3) (a) (i) If the entry of an impaired driving plea is based on successful completion of

140 probation under Subsection (1)(a), the court shall enter the conviction at the time of the plea.

5. Page 21, Line 623:

623 hearing on the matter which, if held, is governed by Section 53-3-224.

Section 10. Section 76-5-207 is amended to read:

76-5-207. Automobile homicide.

(1) As used in this section {~~-, "motor-~~} means:

(a) "Drug" or "drugs" means:

(i) a controlled substance as defined in Section 58-37-2;

(ii) a drug as defined in Section 58-17b-102; or

(iii) any substance that, when knowingly, intentionally, or recklessly taken into the human body, can impair the ability of a person to safely operate a motor vehicle.

(b) "Motor vehicle" means any self-propelled vehicle and includes any automobile, truck, van, motorcycle, train, engine, watercraft, or aircraft.

(2) (a) Criminal homicide is automobile homicide, a third degree felony, if the person operates a motor vehicle in a negligent manner causing the death of another and:

(i) has sufficient alcohol in his body that a subsequent chemical test shows that the person has a blood or breath alcohol concentration of .08 grams or greater at the time of the test;

(ii) is under the influence of alcohol, any drug, or the combined influence of alcohol and any drug to a degree that renders the person incapable of safely operating a vehicle; or

(iii) has a blood or breath alcohol concentration of .08 grams or greater at the time of operation.

(b) A conviction for a violation of this Subsection (2) is a second degree felony if it is subsequent to a conviction as defined in Subsection 41-6a-501(2).

(c) As used in this Subsection (2), "negligent" means simple negligence, the failure to exercise that degree of care that reasonable and

prudent persons exercise under like or similar circumstances.

(3) (a) Criminal homicide is automobile homicide, a second degree felony, if the person operates a motor vehicle in a criminally negligent manner causing the death of another and:

(i) has sufficient alcohol in his body that a subsequent chemical test shows that the person has a blood or breath alcohol concentration of .08 grams or greater at the time of the test;

(ii) is under the influence of alcohol, any drug, or the combined influence of alcohol and any drug to a degree that renders the person incapable of safely operating a vehicle; or

(iii) has a blood or breath alcohol concentration of .08 grams or greater at the time of operation.

(b) As used in this Subsection (3), "criminally negligent" means criminal negligence as defined by Subsection 76-2-103(4).

(4) The standards for chemical breath analysis as provided by Section 41-6a-515 and the provisions for the admissibility of chemical test results as provided by Section 41-6a-516 apply to determination and proof of blood alcohol content under this section.

(5) Calculations of blood or breath alcohol concentration under this section shall be made in accordance with Subsection 41-6a-502(1).

(6) The fact that a person charged with violating this section is or has been legally entitled to use alcohol or a drug is not a defense.

(7) Evidence of a defendant's blood or breath alcohol content or drug content is admissible except when prohibited by Rules of Evidence or the constitution.

Renumber remaining sections accordingly; and

The Transportation Committee reports a favorable recommendation on **S.B. 148, ENFORCEMENT OF FRONT LICENSE PLATE DISPLAY REQUIREMENT AMENDMENTS**, by Senator S. Killpack.

Todd E. Kiser, Chair

Reports filed. On motion of Representative Kiser, the reports of the Transportation Committee were adopted.

2nd Sub. S.B. 15, as amended, and **S.B. 148** read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker:

February 18, 2008

The Business and Labor Committee reports a favorable recommendation on **H.B. 384**, EMPLOYEE OBLIGATIONS RELATED TO WORKERS' COMPENSATION, by Representative M. Morley, with the following amendments:

1. Page 1, Lines 26 through 27:
 - 26 Other Special Clauses:
 - 27 ~~{None}~~ This bill takes effect on July 1, 2008.

2. Page 4, Line 109:
 - 109 (ii) for just cause; and

3. Page 4, Lines 113 through 114:
 - 113 (C) a violation of a reasonable, written workplace health, safety, licensure, or nondiscrimination rule that is applied in ~~{- a~~
 - 114 nondiscriminatory basis } a manner that is reasonable and nondiscriminatory ;

4. Page 4, Lines 115 through 117:
 - 115 (b) the employee is incarcerated in a correctional facility for a period of time that
 - 116 would result in the termination of the employee's reemployment in accordance with a
 - 117 reasonable, written workplace that is applied in a ~~{- nondiscriminatory basis }~~ a manner that is reasonable and nondiscriminatory ; or

5. Page 5, Lines 127 through 128:
 - 127 (ii) in accordance with a reasonable, written workplace that is applied in ~~{- a~~
 - 128 nondiscriminatory basis } a manner that is reasonable and nondiscriminatory .

6. Page 5, Line 146 through Page 6, Line 160:
 - 146 (c) A reduction or termination of disability compensation under this Subsection (5)

147 takes effect on the day determined by the
commission. { the order described in Subsection (5)(b) is issued by
the commission.

148 except that the following is treated as an offset against future
obligations of the employer or

149 employer's insurance carrier to pay disability compensation to
the employee:

150 (i) if the disability compensation is ordered terminated, the
amount of disability

151 compensation paid to the employee:

152 (A) beginning on the day on which the employee begins to
receive disability

153 compensation; and

154 (B) ending on the day on which the disability compensation is
terminated; or }

155 { (ii) } (d) If the disability compensation is ordered
terminated or reduced, the employer or employer's insurance carrier
shall treat any resulting overpayment as an offset against the employer or
employer's insurance carrier's future obligations to pay disability
compensation to the employee. { if the disability compensation is
ordered reduced, the amount calculated by

156 subtracting from the amount of disability compensation paid to
the employee beginning on the

157 day on which the employee begins to receive disability
compensation, and ending the day on

158 which the disability compensation is reduced, the amount the
employee would have received

159 had the reduction in disability compensation been applied
beginning on the day on which the

160 employee begins to receive disability compensation. }

7. Page 8, Lines 222 through 228:

222 (e) In determining under { Subsection } Subsections

(1) (b) and (c) whether an employee cannot perform other

223 work reasonably available, the following may not be considered:

224 (i) whether the employee is incarcerated in a facility operated by or contracting with a

225 federal, state, county, or municipal government to house a criminal offender in either a secure

226 or nonsecure setting; or

227 (ii) whether the employee is not legally eligible to be employed because of a reason

228 unrelated to the impairment or combination of impairments.

8. Page 11, Lines 330 through 332:

330 (f) If a preponderance of the evidence shows that successful rehabilitation is not

331 possible, the administrative law judge shall order that the employee be paid weekly permanent

332 total disability compensation benefits.

(g) If a preponderance of the evidence shows that successful rehabilitation is possible pursuant to a reemployment plan as prepared by a qualified rehabilitation provider and presented under Subsection (6)(e), an administrative law judge shall order that the employee be denied the payment of weekly permanent total disability compensation benefits regardless of whether the employee is:

(i) incarcerated in a facility operated by or contracting with a federal, state, county, or municipal government to house a criminal offender in either a secure or nonsecure setting; or

(ii) not legally eligible to be employed because of a reason unrelated to the impairment or combination of impairments.

9. Page 15, Line 437:

437 the invalid provision or application.

Section 4. Effective date.

This bill takes effect on July 1, 2008. ; and

The Business and Labor Committee recommends **H.B. 400, CONDOMINIUM AND COMMUNITY ASSOCIATION PROVISIONS**, by Representative R. C. Webb, be replaced and favorably recommends **1st Sub. H.B. 400, CONDOMINIUM AND COMMUNITY ASSOCIATION PROVISIONS**; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 98, LICENSING OF SECURITY SERVICES**, by Senator D. Eastman; and

The Business and Labor Committee reports a favorable recommendation on **1st Sub. S.B. 56**, NATUROPATHIC PHYSICIAN LICENSING AMENDMENTS, by Senator S. McCoy, and recommends it be placed on the Consent Calendar; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 114**, NOTARY PUBLIC REVISION, by Senator G. Bell, and recommends it be placed on the Consent Calendar; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 143**, INSURANCE FINANCIAL REQUIREMENTS, by Senator K. VanTassell, and recommends it be placed on the Consent Calendar; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 179**, SALVAGE VEHICLE AMENDMENTS, by Senator C. Walker, and recommends it be placed on the Consent Calendar.

Stephen D. Clark, Chair

Reports filed. On motion of Representative S. Clark, the reports of the Business and Labor Committee were adopted.

H.B. 384, as amended, **1st Sub. H.B. 400**, and **S.B. 98** read the second time by short title and placed on the Third Reading Calendar.

1st Sub. S.B. 56, **S.B. 114**, **S.B. 143**, and **S.B. 179** read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker:

February 18, 2008

The Education Committee reports a favorable recommendation on **H.B. 194**, CLASS SIZE REDUCTION IN KINDERGARTEN THROUGH GRADE THREE, by Representative K. Morgan; and

The Education Committee reports a favorable recommendation on **H.B. 200**, EARLY CHILDHOOD LEARNING AND EVALUATION, by Representative B. Last; and

The Education Committee recommends **H.B. 278**, CHARTER SCHOOL FUNDING AMENDMENTS, by Representative R. Bigelow, be replaced and favorably recommends **1st Sub. H.B. 278**, CHARTER SCHOOL FUNDING AMENDMENTS; and

The Education Committee reports a favorable recommendation on **H.B. 329**, HIGH-ABILITY STUDENT INITIATIVE PROGRAM, by Representative B. Last; and

The Education Committee reports a favorable recommendation on **S.B. 61**, FINANCIAL AND ECONOMIC LITERACY EDUCATION, by Senator P. Jones, with the following amendments:

1. Page 2, Line 57 through Page 2a, Line 58
Senate 3rd Reading Amendments 2-6-2008:
 - 57 (n) bankruptcy $\hat{H} \rightarrow$ $[\bar{z}]$;
 - 57a (o) free markets and prices ;
 - 57b (p) supply and demand: $\leftarrow \hat{H}$
 - 57c $\hat{H} \rightarrow$ (q) monetary and fiscal policy: $\{-\text{and}\}$
 - 57d (r) effective business plan creation, including using economic analysis in creating a
 - 57e plan $\{\bar{z}\}$;
 - (s) scarcity and choice;
 - (t) opportunity cost and tradeoffs;
 - (u) productivity;
 - (v) entrepreneurism; and
 - (w) economic reasoning. $\leftarrow \hat{H}$
- 58 (2) The State Board of Education shall:
2. Page 3, Line 79b
Senate 3rd Reading Amendments 2-6-2008:
 - 79b communicating to teachers, students and parents key financial
 $\hat{H} \rightarrow$ and economic $\leftarrow \hat{H}$

Gregory H. Hughes, Chair

Reports filed. On motion of Representative Painter, the reports of the Education Committee were adopted.

H.B. 194, **H.B. 200**, **1st Sub. H.B. 278**, and **H.B. 329** read the second time by short title and placed on the Third Reading Calendar.

S.B. 61, as amended, read the second time by short title and referred to the Rules Committee due to fiscal impact.

* * *

Mr. Speaker:

February 18, 2008

The Health and Human Services Committee recommends **1st Sub. H.B. 364**, PROMOTION OF HEALTH CARE COVERAGE, by Representative

K. Holdaway, be replaced and favorably recommends **2nd Sub. H.B. 364**, PROMOTION OF HEALTH CARE COVERAGE; and

The Health and Human Services Committee recommends **H.B. 366**, MEDICAID LONG TERM CARE AMENDMENTS, by Representative M. Newbold, be replaced and favorably recommends **1st Sub. H.B. 366**, MEDICAID LONG TERM CARE AMENDMENTS; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 494**, AMENDMENTS TO THE UTAH MEDICAL SERVICE SYSTEM ACT, by Representative J. Dougall, with the following amendments:

1. Page 4, Lines 95 through 96:

95 (11) “Inter-facility transport” and “non-911” means the
transport of a patient from one facility to

96 another facility;

2. Page 4, Line 103:

103 (c) if the {~~requesting~~} sending facility or the
receiving facility is:

3. Page 10, Lines 277 through 287:

277 (a) “911 ambulance or paramedic services” means either 911
ambulance service, or 911

278 paramedic service, or both and:

279 (i) means {~~;~~}

280 ~~(A)~~ } a response to a 911 call received by a designated
dispatch center that receives 911

281 or E911 calls; {~~+~~} and {~~+~~} {~~or~~}

282 ~~(B) a response to a seven digit telephone call received directly
by an ambulance~~

283 provider licensed under this chapter if the person } is in an
emergency medical condition as

284 defined in Subsection 26-8a-102(5)(a); and

285 (ii) does not mean a seven digit telephone call received directly
by an ambulance

286 provider licensed under this chapter { ~~if the person's medical~~
~~condition is as defined in~~

287 ~~Subsection 26-8a-102(5)(b)~~ } .

4. Page 13, Lines 384 through 387:

384 ~~must demonstrate that non-911 ambulance or paramedic~~
~~service] The political subdivision~~

385 ~~must demonstrate to the department that inter-facility~~
~~{-ambulance or inter facility paramedic } transport services~~
~~and 911 ambulance or paramedic~~

386 services will be provided in the geographic service area, either
 by the current provider, the

387 applicant, or some other method acceptable to the department.

5. Page 13, Lines 396 through 397:

396 (1) This section ;

(a) does not apply to a political subdivision that is the
exclusive licensed

397 provider for inter-facility transport services ; and

(b) only applies to a county of the first class ; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 374**, CHILD ABUSE AND NEGLECT PREVENTION AND TREATMENT AMENDMENTS, by Representative P. Ray, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 1, Lines 14 through 18:

14 ~~► {-provides that before child abuse or neglect~~
~~prevention or treatment programs~~

15 ~~intended to be presented in public schools may be purchased or~~
~~contracted for under~~

16 ~~Title 62A, Chapter 4a, Part 3, Child Abuse and Neglect Prevention~~
~~and Treatment,~~

17 ~~evidence shall be submitted to the division that the program or~~
~~service has been~~

18 ~~approved by the school district's superintendent or the~~
~~superintendent's designee-} provides that a local board of~~

education may grant to the superintendent the authority to approve a child abuse or neglect prevention or treatment service or program which is intended for presentation in a public school ;

2. Page 2, Lines 43 through 47:

43 ~~[Additionally, before]~~ (2) Before any child abuse or neglect prevention or treatment

44 service or program which is intended for presentation in public schools may be purchased or

45 contracted for, evidence shall be submitted to the division that the program or service has been

46 approved by the ~~{-[-]}~~ local board of education ~~{-for-}~~ ~~{-superintendent, or the superintendent's designee }~~ .

47 of each school district which [would] will be utilizing that program or service. The local board of education may grant the approval authority to the superintendent. ; and

The Health and Human Services Committee reports a favorable recommendation on **H.C.R. 7**, CONCURRENT RESOLUTION DECLARING COLORECTAL CANCER AWARENESS MONTH, by Representative E. Hutchings, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 2, Lines 39 through 40:

39 WHEREAS, the American Cancer Society ~~{-is-}~~ the Utah Cancer Action Network, and the Utah Cancer Control Program of the Utah Department of Health are taking ~~{-a-}~~ leadership ~~{-role-}~~ roles in educating the

40 public on the methods of preventing colon cancer and symptoms for its early detection; and

2. Page 2, Lines 48 through 49:

48 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the American

49 Cancer Society Utah Division Inc. the Utah Cancer Action Network. and to the Utah Department of Health.

Paul Ray, Chair

Reports filed. On motion of Representative Ray, the reports of the Health and Human Services Committee were adopted.

2nd Sub. H.B. 364, 1st Sub. H.B. 366, and H.B. 494, as amended, read the second time by short title and placed on the Third Reading Calendar.

H.B. 374, as amended, and **H.C.R. 7** read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: February 18, 2008

The Public Utilities and Technology Committee reports a favorable recommendation on **H.B. 371**, DIGITAL CERTIFICATES FOR BREATHALIZERS, by Representative C. Herrod, and recommends it be placed on the Consent Calendar,

Michael E. Noel, Chair

Report filed. On motion of Representative Noel, the report of the Public Utilities and Technology Committee was adopted.

H.B. 371 read the second time by short title and placed on the Consent Calendar.

MISCELLANEOUS BUSINESS

On motion of Representative Bigelow, the House voted to lift **2nd Sub. S.B. 134, 1st Sub. S.B. 17 and S.B. 151** from the Third Reading Calendar and return them to the Rules Committee due to fiscal impact.

RULES COMMITTEE REPORT

Mr. Speaker: February 18, 2008

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 316**, Substance Abuse Treatment for Pregnant Minors (Rep. E. Hutchings) be replaced with **1st Substitute H.B. 316**, Substance Abuse Treatment for Pregnant Women and Pregnant Minors, and, because of a change in the short title, recommends it be considered read for the first time, and further recommends it be assigned to the House Health and Human Services Standing Committee.

Stephen Urquhart, Chair

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

* * *

Mr. Speaker: February 18, 2008

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

BUSINESS AND LABOR

- H.B. 197** Residential Mortgage Loan Closing Act (Rep. L. Wiley)
H.B. 443 Membership of Occupational and Professional Licensure Review Committee (Rep. G. Hughes)
S.B. 88 Uniform Model Registered Agent Act (Sen. L. Hillyard)
S.B. 132 Consumer Credit Protection Act – Attorney General Powers (Sen. C. Walker)
1st Sub. S.B. 171 Repeal of Certain Reporting by Financial Institutions (Sen. K. VanTassell)

EDUCATION

- H.B. 472** Charter School Building and Enrollment Amendments (Rep. K. Garn)
S.B. 103 Higher Education Enhancements (Sen. D. Stowell)

GOVERNMENT OPERATIONS

- H.B. 456** Fair Campaign Pledge Amendments (Rep. E. Hutchings)
1st Sub. S.B. 158 Governor’s Rural Partnership Board and Rural Coordinating Committee Amendments (Sen. D. Stowell)
S.J.R. 8 Joint Rules Resolution – Base Budget Amendments (Sen. W. Niederhauser)

HEALTH AND HUMAN SERVICES

- H.B. 428** Statewide Standards for Health Care Interpreting (Rep. R. Chavez–Houck)
H.B. 445 Nursing Home Amendments (Rep. M. Newbold)

JUDICIARY

- S.B. 50** Medical Benefits Recovery Amendments (Sen. A. Christensen)
S.B. 69 Uniform Limited Cooperative Association Act (Sen. L. Hillyard)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

- H.B. 282** State Payment and Reimbursement to County Correctional Facilities (Rep. M. Noel)

NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT

- 1st Sub. S.B. 181** Off-highway Vehicle Use on Public Highways (Sen. S. Jenkins)

POLITICAL SUBDIVISIONS

- H.B. 188** Transit Revisions (Rep. W. Harper)
H.B. 405 Amendments to City or Town Sales and Use Tax to Fund Botanical, Cultural, Recreational, and Zoological Organizations or Facilities (Rep. S. Sandstrom)
H.B. 422 Political Subdivision Clerk Amendments (Rep. M. Newbold)
H.B. 440 Modifications to Government Law (Rep. L. Fowlke)
3rd Sub. S.B. 25 Municipal Incorporation Amendments (Sen. D. Stowell)
S.B. 177 Local Government Disposal of Real Property Acquired by Exaction (Sen. W. Niederhauser)

REVENUE AND TAXATION

- H.B. 201** Tax Credit for Solar Projects (Rep. B. Last)
H.B. 383 Statewide Capital Outlay Equalization (Rep. A. Tilton)
H.B. 391 Public School Funding (Rep. W. Harper)

TRANSPORTATION

- H.B. 402** Vehicle to Pull off Highway (Rep. F. Hunsaker)
H.B. 452 Handling of Minor Traffic Accidents (Rep. E. Hutchings)

Stephen Urquhart, Chair

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

INTRODUCTION OF BILLS

H.B. 195, Concealed Firearm Permit Amendments (M. Newbold), read the first time by short title and referred to the Rules Committee.

H.B. 208, Livestock Watering Rights (M. Noel), read the first time by short title and referred to the Rules Committee.

H.B. 380, Insurance Department – Workers’ Compensation Amendments (R. Bigelow), read the first time by short title and referred to the Rules Committee.

H.B. 464, Access to Landlocked Parcels (M. Walker), read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

1st Sub. H.B. 141, IDENTITY THEFT REPORTING INFORMATION SYSTEM AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Aagard, the House voted to circle **1st Sub. H.B. 141**.

* * *

H.B. 149, PROTECTIVE ORDER AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Snow, the House voted to delete **H.B. 149** in title and body and insert **1st Sub. H.B. 149** in lieu thereof.

1st Sub. H.B. 149 passed on the following roll call:

Yeas, 64; Nays, 0; Absent or not voting, 11.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Donnelson	Dougall	Draxler
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Johnson	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Bowman	Dee	Duckworth	Frank
Hansen	Holdaway	Hutchings	King
Kiser	Moss	Sumsion	

1st Sub. H.B. 149 transmitted to the Senate for its consideration.

* * *

H.B. 161, SEX OFFENDERS' CONTACT WITH CHILDREN, read the third time by short title and placed on its final passage.

On motion of Representative Greenwood, the House voted to circle **H.B. 161**.

UNFINISHED BUSINESS

On motion of Representative Aagard, the House voted to uncircle **1st Sub. H.B. 141**.

1st Sub. H.B. 141, IDENTITY THEFT REPORTING INFORMATION SYSTEM AMENDMENTS, was before the House on its final passage.

1st Sub. H.B. 141 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Donnelson	Dougall	Draxler
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Bowman	Dee	Duckworth	Gowans
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1st Sub. H.B. 141 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 171, DRIVING PRIVILEGE CARD AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 171 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez-Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Grover
Hansen	Harper	Hemingway	Hendrickson
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Voting in the negative were: Representatives

Greenwood	Herrod	Sandstrom
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Absent or not voting were: Representatives

Bowman	Duckworth
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H.B. 171 transmitted to the Senate for its consideration.

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H.B. 181, DISPOSITION OF POTENTIAL EVIDENCE, read the third time by short title and placed on its final passage.

Representative Harper proposed the following amendment:

1. Page 1, Line 14:
Delete “90” and insert “120”
2. Page 2, Line 33:
Delete “90” and insert “120”
3. Page 2, Line 41:
Delete “90” and insert “120”

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

H.B. 181, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Walker
Webb	Wheatley	Wiley	Wimmer
Winn			

Voting in the negative was: Representative
Morley

Absent or not voting were: Representatives

Bowman	Duckworth	Herrod	Urquhart
Curtis			

H.B. 181, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Greenwood, the House voted to uncircle **H.B. 161.**

H.B. 161, SEX OFFENDERS' CONTACT WITH CHILDREN, was before the House on its final passage.

Representative Greenwood proposed the following amendment:

- 1. Page 1, Line 16
House Committee Amendments 2-11-2008
16 against a child to request ~~{-or allow-}~~ or solicit a child younger than 14 to accompany the sex
- 2. Page 10, Lines 288 through 288a
House Committee Amendments 2-11-2008:
288 ~~felony~~ class A misdemeanor ~~←H~~ if the sex offender requests, invites, or { allows } solicits a child to
288a accompany the sex offender under circumstances that do not constitute an attempt to violate Section 76-5-301.1, child kidnapping. .

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

H.B. 161, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez-Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff

Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn

Absent or not voting were: Representatives

Bowman	Duckworth	Curtis
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H.B. 161, as amended, transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 344, ALCOHOLIC BEVERAGE ENFORCEMENT PROVISIONS, 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. 344**.

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H.B. 362, MOTOR FUEL TAX – OFF–HIGHWAY VEHICLE REFUND AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 362 passed on the following roll call:

Yeas, 68; Nays, 2; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Dunnigan	Ferry	Janice Fisher
Froerer	Garn	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Voting in the negative were: Representatives

Julie Fisher Fowlke

Absent or not voting were: RepresentativesBowman Duckworth Frank Gibson
Lockhart**H.B. 362** transmitted to the Senate for its consideration.

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H.C.R. 5, CONCURRENT RESOLUTION URGING CONGRESSIONAL APPROVAL OF R.S. 2477 RIGHTS-OF-WAY RECOGNITION ACT, read the third time by short title and placed on its final passage.**H.C.R. 5** passed on the following roll call:**Yeas, 61; Nays, 6; Absent or not voting, 8.****Voting in the affirmative were:** RepresentativesAagard Allen Andersen Barrus
Bigelow Bird Brown D. Clark
S. Clark Daw Dee Donnelson
Dougall Draxler Dunnigan Ferry
Janice Fisher Julie Fisher Fowlke Froerer
Garn Greenwood Grover Hansen
Harper Hemingway Hendrickson Herrod
Holdaway Hughes Hunsaker Hutchings
King Kiser Last Lockhart
Mascaro Mathis Menlove Morgan
Morley Moss Neuenschwander Newbold
Oda Painter Ray Riesen
Sandstrom Shurtliff Snow Sumsion
Tilton Urquhart Walker Webb
Wheatley Wiley Wimmer Winn
Curtis**Voting in the negative were:** RepresentativesBiskupski Chavez-Houck Cosgrove Johnson
Litvack Seelig**Absent or not voting were:** RepresentativesBowman Duckworth Frank Gibson
Gowans McGee McIff Noel

H.C.R. 5 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Hughes, the House voted to uncircle **H.B. 332**.

H.B. 332, USE OF PUBLIC SCHOOLS BY COMMUNITY ORGANIZATIONS, was before the House on its final passage.

H.B. 332 passed on the following roll call:

Yeas, 41; Nays, 31; Absent or not voting, 3.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Chavez–Houck	D. Clark	S. Clark	Daw
Dee	Donnelson	Draxler	Frank
Froerer	Garn	Gibson	Greenwood
Grover	Harper	Herrod	Hughes
Hutchings	Kiser	Last	Lockhart
Mathis	Morley	Moss	Newbold
Noel	Oda	Painter	Ray
Sandstrom	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wimmer
Curtis			

Voting in the negative were: Representatives

Bird	Biskupski	Brown	Cosgrove
Dougall	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Gowans	Hansen
Hemingway	Hendrickson	Holdaway	Hunsaker
Johnson	King	Litvack	Mascaro
McGee	McIff	Menlove	Morgan
Neuenschwander	Riesen	Seelig	Shurtliff
Snow	Wiley	Winn	

Absent or not voting were: Representatives

Allen	Bowman	Duckworth
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H.B. 332 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 348, ZION NATIONAL PARK SPECIAL GROUP LICENSE PLATE, read the third time by short title and placed on its final passage.

On motion of Representative Last, the House voted to delete **H.B. 348** in title and body and insert **1st Sub. H.B. 348** in lieu thereof.

1st Sub. H.B. 348 passed on the following roll call:

Yeas, 51; Nays, 21; Absent or not voting, 3.

Voting in the affirmative were: Representatives

Allen	Andersen	Bigelow	Biskupski
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Dee	Donnelson	Draxler
Ferry	Janice Fisher	Julie Fisher	Fowlke
Froerer	Garn	Gibson	Gowans
Hansen	Hemingway	Hendrickson	Herrod
Holdaway	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Mascaro	McGee	McIff	Menlove
Morgan	Moss	Neuenschwander	Noel
Painter	Ray	Riesen	Seelig
Shurtliff	Snow	Urquhart	Walker
Webb	Wheatley	Wiley	Winn

Voting in the negative were: Representatives

Aagard	Barrus	Bird	Daw
Dougall	Dunnigan	Frank	Greenwood
Grover	Harper	Hughes	Lockhart
Mathis	Morley	Newbold	Oda
Sandstrom	Sumsion	Tilton	Wimmer
Curtis			

Absent or not voting were: Representatives

Bowman	Duckworth	Gibson
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1st Sub. H.B. 348 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, and at 4:00 p.m., the House voted to adjourn until February 19, 2008, at 10:00 a.m.

THIRTIETH DAY

* * *

MORNING SESSION

The House was called to order by Speaker Curtis at 10:15 a.m.

Roll call showed all members present except Representative Carl Duckworth, excused.

Prayer by Elaine Jack, former General President of the Relief Society of the Church of Jesus Christ of Latter-Day Saints. Pledge of Allegiance by Representative Moss' intern, Megan Bitner.

COMMITTEE OF THE WHOLE

On motion of Representative Snow, 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 Snow, the Committee of the Whole was dissolved.

INTRODUCTION OF BILLS

H.B. 435, Public Hearings on Property Tax Increases (G. Froerer), read the first time by short title and referred to the Rules Committee.

H.B. 453, Assessment Area Amendments (F. Hunsaker), read the first time by short title and referred to the Rules Committee.

H.B. 471, Educator Compensation Modifications (G. Hughes), read the first time by short title and referred to the Rules Committee.

CONSENT CALENDAR

1st Sub. H.B. 94, PUBLIC EMPLOYEES' RETIREMENT – SPOUSAL ELECTION, read the third time by short title and placed on its final passage.

1st Sub. H.B. 94 passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Biskupski	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hemingway	Hendrickson	Holdaway
Hunsaker	Hutchings	Johnson	King
Kiser	Litvack	Lockhart	Mascaro
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Winn
Curtis			

Absent or not voting were: Representatives

Bird	Duckworth	Hansen	Harper
Herrod	Hughes	Last	Mathis
Painter	Wimmer		

1st Sub. H.B. 94 transmitted to the Senate for its consideration.

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S.B. 139, UTAH ANTITRUST ACT AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 139 passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Garn
Gibson	Gowans	Greenwood	Grover

Harper	Hemingway	Hendrickson	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

D. Clark	Duckworth	Froerer	Hansen
Herrod	Holdaway	Lockhart	Painter

S.B. 139 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. 150, CRIMINAL PENALTIES REVISIONS, read the third time by short title and placed on its final passage.

S.B. 150 passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Agard	Andersen	Barrus	Bigelow
Bird	Biskupski	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Ray
Riesen	Sandstrom	Seelig	Shurtliff

Snow	Sumsion	Tilton	Urquhart
Webb	Wheatley	Wiley	Winn
Curtis			

Absent or not voting were: Representatives

Allen	Duckworth	Herrod	Painter
Walker	Wimmer		

S.B. 150 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

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H.B. 226, DISRUPTION OF SCHOOL ACTIVITIES, read the third time by short title and placed on its final passage.

H.B. 226 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Curtis

Absent or not voting were: Representatives

Draxler	Duckworth	Froerer	Herrod
Painter	Wimmer	Winn	

H.B. 226 transmitted to the Senate for its consideration.

COMMITTEE OF THE WHOLE

On motion of Representative D. Clark, 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 D. Clark, the Committee of the Whole was dissolved.

CONSENT CALENDAR

H.B. 229, PROTECTIONS FOR AGRICULTURAL PRACTICES, read the third time by short title and placed on its final passage.

H.B. 229, as amended, passed on the following roll call:

Yeas, 62; Nays, 3; Absent or not voting, 10.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Chavez–Houck	S. Clark	Daw	Donnelson
Dougall	Draxler	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hemingway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn		

Voting in the negative were: Representatives

D. Clark	Dee	Curtis
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Absent or not voting were: Representatives

Brown	Cosgrove	Duckworth	Hansen
Harper	Hendrickson	Herrod	Holdaway
Lockhart	Painter		

H.B. 229 transmitted to the Senate for its consideration.

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H.B. 173, MONEY MANAGEMENT ACT UPDATES, read the third time by short title and placed on its final passage.

H.B. 173 passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Chavez-Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Brown	Duckworth	Hansen	Holdaway
McIff	Painter		

H.B. 173 transmitted to the Senate for its consideration.

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H.B. 378, STATE ACCOUNTING AND BUDGETARY PROCEDURES AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 378 passed on the following roll call:

Yeas, 64; Nays, 0; Absent or not voting, 11.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Biskupski	Bowman	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gowans	Greenwood	Grover	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer

Absent or not voting were: Representatives

Allen	Brown	Duckworth	Gibson
Hansen	Holdaway	McIff	Painter
Tilton	Winn	Curtis	

H.B. 378 transmitted to the Senate for its consideration.

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S.B. 146, AMENDMENT TO UNIFORM ANATOMICAL GIFT ACT, read the third time by short title and placed on its final passage.

S.B. 146 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer

Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer

Absent or not voting were: Representatives

Brown	Duckworth	Holdaway	Painter
Tilton	Winn	Curtis	

S.B. 146 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

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H.B. 185, WESTERN STATES PRESIDENTIAL PRIMARY AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 185 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hughes	Hunsaker	Hutchings
Johnson	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Riesen	Sandstrom

Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn

Absent or not voting were: Representatives

Duckworth	Hendrickson	Herrod	Holdaway
King	Painter	Curtis	

H.B. 185 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.R. 4, HOUSE RESOLUTION HONORING JAMES L. SORENSON, read the third time by short title and placed on its final passage.

On motion of Representative Hughes, the House voted to set **H.R. 4** for Time Certain on February 25, 2008 at 11:00 a.m.

UNFINISHED BUSINESS

On motion of Representative Sumsion, the House voted to uncircle **H.B. 289**.

H.B. 289, ADOPTION – INVESTIGATION AND RELEASE OF INFORMATION, was before the House on its final passage.

Representative Sumsion proposed the following amendment:

1. Page 1, Line 17

17 ▶ amends provisions related to the inspection of vital records;

 ▶ establishes a \$400 filing fee for a petition for appointment of a confidential intermediary described in this bill;

2. Page 2, Line 41:

41 26–2–22, as last amended by Laws of Utah 2006, Chapters 55 and 56

78–7–35, as last amended by Laws of Utah 2007, Chapters 301 and 326

3. Page 4, Line 98:

98 since the date of the event upon which the record is based.

Section 2. Section 78–7–35 is amended to read:

 78–7–35. Civil fees of the courts of record — Courts complex design.

(1) (a) The fee for filing any civil complaint or petition invoking the jurisdiction of a court of record not governed by another subsection is \$155.

(b) The fee for filing a complaint or petition is:

(i) \$50 if the claim for damages or amount in interpleader exclusive of court costs, interest, and attorney fees is \$2,000 or less;

(ii) \$95 if the claim for damages or amount in interpleader exclusive of court costs, interest, and attorney fees is greater than \$2,000 and less than \$10,000;

(iii) \$155 if the claim for damages or amount in interpleader is \$10,000 or more;

(iv) \$155 if the petition is filed under Title 30, Chapter 3, Divorce, or Title 30, Chapter 4, Separate Maintenance; ~~{and}~~

(v) \$25 for a motion for temporary separation order filed under Section 30-3-4.5 ~~{-}~~ ; and

(vi) \$400 for a petition for appointment of a confidential intermediary under Section 78-30-20.

(c) The fee for filing a small claims affidavit is:

(i) \$45 if the claim for damages or amount in interpleader exclusive of court costs, interest, and attorney fees is \$2,000 or less; and

(ii) \$70 if the claim for damages or amount in interpleader exclusive of court costs, interest, and attorney fees is greater than \$2,000.

(d) The fee for filing a counter claim, cross claim, complaint in intervention, third party complaint, or other claim for relief against an existing or joined party other than the original complaint or petition is:

(i) \$45 if the claim for relief exclusive of court costs, interest, and attorney fees is \$2,000 or less;

(ii) \$75 if the claim for relief exclusive of court costs, interest, and attorney fees is greater than \$2,000 and less than \$10,000;

(iii) \$105 if the original petition is filed under Subsection (1)(a), the claim for relief is \$10,000 or more, or the party seeks relief other than monetary damages; and

(iv) \$85 if the original petition is filed under Title 30, Chapter 3, Divorce, or Title 30, Chapter 4, Separate Maintenance.

(e) The fee for filing a small claims counter affidavit is:

(i) \$35 if the claim for relief exclusive of court costs, interest, and attorney fees is \$2,000 or less; and

(ii) \$50 if the claim for relief exclusive of court costs, interest, and attorney fees is greater than \$2,000.

(f) The fee for depositing funds under Section 57-1-29 when

not associated with an action already before the court is determined under Subsection (1)(b) based on the amount deposited.

(g) The fee for filing a petition is:

(i) \$75 for trial de novo of an adjudication of the justice court or of the small claims department; and

(ii) \$55 for an appeal of a municipal administrative determination in accordance with Section 10-3-703.7.

(h) The fee for filing a notice of appeal, petition for appeal of an interlocutory order, or petition for writ of certiorari is \$205.

(i) (i) Except for a petition filed under Subsection 77-18-10(2), the fee for filing a petition for expungement is \$65.

(ii) There is no fee for a petition filed under Subsection 77-18-10(2).

(j) (i) Fifteen dollars of the fees established by Subsections (1)(a) through (i) shall be allocated to and between the Judges' Contributory Retirement Trust Fund and the Judges' Noncontributory Retirement Trust Fund, as provided in Title 49, Chapter 17, Judges' Contributory Retirement Act, and Title 49, Chapter 18, Judges' Noncontributory Retirement Act.

(ii) Four dollars of the fees established by Subsections (1)(a) through (i) shall be allocated by the state treasurer to be deposited in the restricted account, Children's Legal Defense Account, as provided in Section 63-63a-8.

(iii) Three dollars of the fees established under Subsections (1)(a) through (e), (1)(g), and (1)(r) shall be allocated to and deposited with the Dispute Resolution Fund as provided in Section 78-31b-9.

(iv) Fifteen dollars of the fees established by Subsections (1)(a), (1)(b)(iii) and (iv), (1)(d)(iii) and (iv), (1)(g)(ii), (1)(h), and (1)(i) shall be allocated by the state treasurer to be deposited in the restricted account, Court Security Account, as provided in Section 63-63c-102.

(v) Five dollars of the fees established by Subsections (1)(b)(i) and (ii), (1)(d)(ii) and (1)(g)(i) shall be allocated by the state treasurer to be deposited in the restricted account, Court Security Account, as provided in Section 63-63c-102.

(k) The fee for filing a judgment, order, or decree of a court of another state or of the United States is \$25.

(l) The fee for filing probate or child custody documents from another state is \$25.

(m) (i) The fee for filing an abstract or transcript of judgment, order, or decree of the Utah State Tax Commission is \$30.

(ii) The fee for filing an abstract or transcript of judgment of a court of law of this state or a judgment, order, or decree of an administrative agency, commission, board, council, or hearing officer of this state or of its political subdivisions other than the Utah State Tax Commission, is \$40.

(n) The fee for filing a judgment by confession without action under Section 78–22–3 is \$25.

(o) The fee for filing an award of arbitration for confirmation, modification, or vacation under Title 78, Chapter 31a, Utah Uniform Arbitration Act, that is not part of an action before the court is \$25.

(p) The fee for filing a petition or counter–petition to modify a decree of divorce is \$40.

(q) The fee for filing any accounting required by law is:

(i) \$10 for an estate valued at \$50,000 or less;

(ii) \$20 for an estate valued at \$75,000 or less but more than \$50,000;

(iii) \$40 for an estate valued at \$112,000 or less but more than \$75,000;

(iv) \$80 for an estate valued at \$168,000 or less but more than \$112,000; and

(v) \$150 for an estate valued at more than \$168,000.

(r) The fee for filing a demand for a civil jury is \$75.

(s) The fee for filing a notice of deposition in this state concerning an action pending in another state under Utah Rule of Civil Procedure 26 is \$25.

(t) The fee for filing documents that require judicial approval but are not part of an action before the court is \$25.

(u) The fee for a petition to open a sealed record is \$25.

(v) The fee for a writ of replevin, attachment, execution, or garnishment is \$35 in addition to any fee for a complaint or petition.

(w) (i) The fee for a petition for authorization for a minor to marry required by Section 30–1–9 is \$5.

(ii) The fee for a petition for emancipation of a minor provided in Title 78, Chapter 3a, Part 10, Emancipation, is \$50.

(x) The fee for a certificate issued under Section 26–2–25 is \$2.

(y) The fee for a certified copy of a document is \$4 per document plus 50 cents per page.

(z) The fee for an exemplified copy of a document is \$6 per document plus 50 cents per page.

(aa) The Judicial Council shall by rule establish a schedule of

fees for copies of documents and forms and for the search and retrieval of records under Title 63, Chapter 2, Government Records Access and Management Act. Fees under this Subsection (1)(aa) shall be credited to the court as a reimbursement of expenditures.

(bb) There is no fee for services or the filing of documents not listed in this section or otherwise provided by law.

(cc) Except as provided in this section, all fees collected under this section are paid to the General Fund. Except as provided in this section, all fees shall be paid at the time the clerk accepts the pleading for filing or performs the requested service.

(dd) The filing fees under this section may not be charged to the state, its agencies, or political subdivisions filing or defending any action. In judgments awarded in favor of the state, its agencies, or political subdivisions, except the Office of Recovery Services, the court shall order the filing fees and collection costs to be paid by the judgment debtor. The sums collected under this Subsection (1)(dd) shall be applied to the fees after credit to the judgment, order, fine, tax, lien, or other penalty and costs permitted by law.

(2) (a) (i) From March 17, 1994 until June 30, 1998, the administrator of the courts shall transfer all revenues representing the difference between the fees in effect after May 2, 1994, and the fees in effect before February 1, 1994, as dedicated credits to the Division of Facilities Construction and Management Capital Projects Fund.

(ii) (A) Except as provided in Subsection (2)(a)(ii)(B), the Division of Facilities Construction and Management shall use up to \$3,750,000 of the revenue deposited in the Capital Projects Fund under this Subsection (2)(a) to design and take other actions necessary to initiate the development of a courts complex in Salt Lake City.

(B) If the Legislature approves funding for construction of a courts complex in Salt Lake City in the 1995 Annual General Session, the Division of Facilities Construction and Management shall use the revenue deposited in the Capital Projects Fund under this Subsection (2)(a)(ii) to construct a courts complex in Salt Lake City.

(C) After the courts complex is completed and all bills connected with its construction have been paid, the Division of Facilities Construction and Management shall use any monies remaining in the Capital Projects Fund under this Subsection (2)(a)(ii) to fund the Vernal District Court building.

(iii) The Division of Facilities Construction and Management may enter into agreements and make expenditures related to this project

before the receipt of revenues provided for under this Subsection (2)(a)(iii).

(iv) The Division of Facilities Construction and Management shall:

(A) make those expenditures from unexpended and unencumbered building funds already appropriated to the Capital Projects Fund; and

(B) reimburse the Capital Projects Fund upon receipt of the revenues provided for under this Subsection (2).

(b) After June 30, 1998, the administrator of the courts shall ensure that all revenues representing the difference between the fees in effect after May 2, 1994, and the fees in effect before February 1, 1994, are transferred to the Division of Finance for deposit in the restricted account.

(c) The Division of Finance shall deposit all revenues received from the court administrator into the restricted account created by this section.

(d) (i) From May 1, 1995 until June 30, 1998, the administrator of the courts shall transfer \$7 of the amount of a fine or bail forfeiture paid for a violation of Title 41, Motor Vehicles, in a court of record to the Division of Facilities Construction and Management Capital Projects Fund. The division of money pursuant to Section 78-3-14.5 shall be calculated on the balance of the fine or bail forfeiture paid.

(ii) After June 30, 1998, the administrator of the courts or a municipality shall transfer \$7 of the amount of a fine or bail forfeiture paid for a violation of Title 41, Motor Vehicles, in a court of record to the Division of Finance for deposit in the restricted account created by this section. The division of money pursuant to Section 78-3-14.5 shall be calculated on the balance of the fine or bail forfeiture paid.

(3) (a) There is created within the General Fund a restricted account known as the State Courts Complex Account.

(b) The Legislature may appropriate monies from the restricted account to the administrator of the courts for the following purposes only:

(i) to repay costs associated with the construction of the court complex that were funded from sources other than revenues provided for under this Subsection (3)(b)(i); and

(ii) to cover operations and maintenance costs on the court complex.

Renumber remaining sections accordingly.

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

###

Representative Harper proposed the following amendment:

1. Page 4, Lines 112 through 114

112 (f) "Bureau" means the Bureau of Vital Statistics within the
Department of Health

113 operating under Title 26, Chapter 2.

(g) "Confidential intermediary" means a person who:

(i) is appointed by the court, under Section 78-30-21, to identify and discreetly contact a birth parent of an adoptee to determine whether the birth parent desires to release identifying information to, or have contact with, the adoptee;

(ii) meets the qualifications established by the Judicial Council, under Section 78-30-22;

(iii) is determined by the court to be qualified to act in a position of trust in relation to fulfilling the duties described in Section 78-30-23; and

(iv) is prohibited from disclosing identifying or contact information, except as provided in Sections 78-30-20 through 78-30-26.

114 {-(g)-} (h) "Genetic and social history" means a comprehensive report, when obtainable, on an

2. Page 5, Line 124:

124 {-(h)-} (i) "Health history" means a comprehensive report of the adoptee's health status at the

3. Page 5, Line 127:

127 {-(i)-} (j) "Identifying information" means the name and address of a birth parent or adult

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

H.B. 289, as amended, failed to pass on the following roll call:

Yeas, 35; Nays, 36; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	D. Clark	S. Clark	Dee
Donnelson	Dougall	Draxler	Fowlke
Frank	Froerer	Garn	Gibson
Grover	Harper	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Kiser
Last	Lockhart	Mathis	Newbold
Noel	Oda	Painter	Ray
Sumsion	Urquhart	Wimmer	

Voting in the negative were: Representatives

Allen	Biskupski	Chavez–Houck	Cosgrove
Daw	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Gowans	Greenwood	Hansen
Hemingway	Hendrickson	Johnson	King
Litvack	Mascaro	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Tilton	Walker
Webb	Wheatley	Wiley	Winn

Absent or not voting were: Representatives

Bowman	Brown	Duckworth	Curtis
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H.B. 289, as amended, was filed.

THIRD READING CALENDAR

H.B. 352, AMENDMENTS RELATED TO MONIES DERIVED FROM NAVAJO NATION RESERVATION LANDS IN UTAH, read the third time by short title and placed on its final passage.

Representative D. Clark proposed the following amendment:

1. Page 9, Lines 268 through 269
House Committee Amendments 2–12–2008
268 (i) adopt a list of all ~~liabilities or obligations~~ related
assets and liabilities ~~of the~~
268a ~~repealed trust fund that are not~~
269 ~~satisfied by May 5, 2008~~ which may include assets and
liabilities that are contingent in nature or amount ;

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

On motion of Representative D. Clark, the House voted to circle **H.B. 352**.

MISCELLANEOUS BUSINESS

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

AFTERNOON SESSION

The House was called to order by Speaker Curtis at 2:00 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

February 19, 2008

The Senate passed, **H.B. 101**, AMENDMENTS TO EMERGENCY INJECTION FOR ANAPHYLACTIC REACTION ACT, 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. 268**, HEALTH FACILITY COMMITTEE MEMBERSHIP, 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. 277**, PANDEMIC PREPAREDNESS AMENDMENTS, by Representative B. Last, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 288**, 911 COMMITTEE, by Representative B. Dee, 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. 101**, **H.B. 268**, **H.B. 277**, and **H.B. 288** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker: February 19, 2008
The Senate substituted, amended, and passed, **Senate 2nd Sub. H.B. 125**, DEPARTMENT OF AGRICULTURE AND FOOD AMENDMENTS, by Representative K. Gibson, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **2nd Sub. H.B. 125** placed on the Concurrence Calendar.

* * *

Mr. Speaker: February 19, 2008
The Senate passed **S.B. 174**, DENTIST AND DENTAL HYGIENIST PRACTICE ACT AMENDMENTS, by Senator P. Knudson, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 198**, CHILD SUPPORT TECHNICAL AMENDMENTS, by Senator G. Bell, and it is transmitted for consideration; and

The Senate passed **S.B. 274**, AMENDMENTS TO UTAH SERVICE MEMBERS' CIVIL RELIEF ACT, by Senator P. Knudson, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 174**, **S.B. 198**, and **S.B. 274** read the first time by short title and referred to the Rules Committee.

**REPORTS OF STANDING COMMITTEES
CORRECTED COMMITTEE REPORT**

Mr. Speaker: February 15, 2008
The Judiciary Committee reports a favorable recommendation on **H.B. 167**, A VICTIM AMICUS BILL, by Representative R. C. Webb, with the following amendments and recommends it be placed on the Consent Calendar.

- 1. Page 1, Line 9:

9 This bill provides victims of crime the right to ~~{file an amicus brief}~~ submit a written statement in actions on appeal

2. Page 1, Line 13:

13 ▶ gives victims of crime the right to {~~file amicus~~
~~briefs~~} submit a written statement in actions on appeal related to

3. Page 2, Line 32:

32 (c) to {~~file an amicus brief~~ } submit a written
statement in any action on appeal related to that crime; and

Douglas C. Aagard, Chair

Report filed. On motion of Representative Aagard, the report of the Judiciary Committee was adopted.

H.B. 167 read the second time by short title and placed on the Third Reading Calendar.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

February 18, 2008

The Judiciary Committee recommends **H.B. 415**, JOINT CUSTODY MODIFICATIONS, by Representative L. Fowlke, be replaced and reports a favorable recommendation on **1st Sub. H.B. 415**, JOINT CUSTODY MODIFICATIONS with the following amendments:

1. Page 2, Line 49 through Page 3, Line 63:

49 {~~—~~} (b) The court shall, in every case, consider joint custody
but may award any form of

50 custody which is determined to be {~~—~~}

51 {~~(b) There shall be a rebuttable presumption that joint legal~~
~~custody, as defined in~~

52 Section 30-3-10.1, is } in the best interest of the child. {~~—, so~~
~~long as the party who desires joint~~

53 legal custody files a proposed parenting plan in accordance with
Sections 30-3-10.8 and

54 30-3-10.9. The presumption may be rebutted by a showing by a
preponderance of the

55 evidence that the following circumstances exist:

56 (i) the parents were not married to each other;

57 (ii) domestic violence in the home or in the presence of the child;

58 ~~(iii) special physical or mental needs of a parent or child, making joint legal custody~~

59 ~~unreasonable;~~

60 ~~(iv) physical distance between the residences of the parents, making joint decision~~

61 ~~making impractical in certain circumstances; or~~

62 ~~(v) any other factor the court considers relevant, including those listed in Section~~

63 ~~30-3-10.2. }~~

2. Page 4, Lines 97 through 99:

97 (5) This section establishes neither a preference nor a presumption for or against ~~{-}~~ joint

98 legal custody, ~~{-}~~ joint physical custody ~~{-}~~ , ~~{-}~~ or sole ~~{-physical}~~ custody, but allows the court and the

99 family the widest discretion to choose a parenting plan that is in the best interest of the child.

3. Page 5, Lines 128 through 132:

128 (c) ~~{-}~~ The agreement shall contain ~~{-}~~ ~~{-An order of joint legal or physical custody shall~~

129 ~~require}~~ a parenting plan incorporating a dispute resolution procedure the parties agree to use ~~{-}~~

130 ~~{-(i) in accordance with Section 30-3-10.9, or as ordered by the court in accordance with~~

131 ~~Subsection 30-3-10.2(5); and -}~~

132 ~~{-(ii)}~~ before seeking enforcement or modification of the terms and conditions of the

Douglas C. Aagard, Chair

Report filed. On motion of Representative Aagard, the report of the Judiciary Committee was adopted.

1st Sub. H.B. 415 read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker:

February 18, 2008

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 210**, IDENTITY THEFT AND OTHER CRIMES, by Representative S. Sandstrom, with the following amendments:

1. Page 1, Lines 14 through 19:

14 ► provides that the Uninsured Motorist Identification Database Program shall be used

15 to assist in the identification and prevention of identity theft and other crimes {~~under~~

16 ~~the direction of the Office of the Attorney General~~} ;

17 ► provides that information in the Uninsured Motorist Identification Database may be

18 disclosed to {~~the Office of the Attorney General~~} a state or local law enforcement agency upon its request for the purpose of

19 investigating and prosecuting identity theft and other crimes; and

2. Page 2, Lines 44 through 46:

44 (e) assist in the identification and prevention of identity theft and other crimes {~~under~~

45 ~~the direction of the Office of the Attorney General~~} .

46 (2) The program shall be administered by the department with the assistance of the

3. Page 5, Lines 129 through 130:

129 (h) upon the request of {~~the Office of the Attorney General~~} a state or local law enforcement agency for the purpose of

130 investigating and prosecuting identity theft and other crimes. ; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 473**, FIREARMS AMENDMENTS, by Representative C. Oda; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 467**, MOTOR VEHICLE INSURANCE

ARBITRATION AMENDMENTS, by Representative S. Urquhart, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 1, Lines 20 through 23:

20 ▶ increases the cap on the award of costs from \$2,500 to \$4,000; and {–

21 ▶——provides that if a trial de novo is requested, the moving party shall pay the

22 nonmoving party’s portion of the costs and fees for the arbitrator or arbitration

23 panel; and–}

2. Page 4, Line 109:

109 (11) {–(a) } An arbitration award issued under this section shall be the final resolution of

3. Page 4, Lines 112 through 118:

112 [(a)] {–(i) } (a) either party, within 20 days after service of the arbitration award:

113 [(i)] {–(A) } (i) files a notice requesting a trial de novo in the district court; and

114 [(ii)] {–(B) } (ii) serves the nonmoving party with a copy of the notice requesting a trial de

115 novo under Subsection (11)(a)(i) {–(A) } ; or

116 [(b)] {–(ii) } (b) the arbitration award has been satisfied.

117 {–(b) If a trial de novo is requested under this Subsection (11), the moving party shall pay

118 the nonmoving party’s portion of the costs and fees for the arbitrator or arbitration panel. }

DeMar “Bud” Bowman, Chair
Reports filed. On motion of Representative Oda, the reports of the Law Enforcement and Criminal Justice Committee were adopted.

H.B. 210, as amended, and **H.B. 473** read the second time by short title and placed on the Third Reading Calendar.

H.B. 467, as amended, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: February 18, 2008

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.B. 170**, BOARD OF WATER RESOURCES AMENDMENTS, by Senator D. Stowell; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **S.J.R. 6**, JOINT RESOLUTION ENCOURAGING THE GOVERNOR'S BOARD APPOINTMENTS TO REFLECT UTAH GEOGRAPHIC BALANCE, by Senator D. Stowell, 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. 170 read the second time by short title and placed on the Third Reading Calendar.

S.J.R. 6 read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: February 18, 2008

The Transportation Committee reports a favorable recommendation on **S.B. 118**, EDUCATION TRANSPORTATION AMENDMENTS, by Senator D. Peterson.

Todd E. Kiser, Chair

Report filed. On motion of Representative Kiser, the report of the Transportation Committee was adopted.

S.B. 118 read the second time by short title and returned to the Rules Committee due to fiscal impact.

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Mr. Speaker: February 19, 2008

The Government Operations Committee reports a favorable recommendation on **H.B. 198**, STATE AGENCY ENERGY EFFICIENCY, by Representative F. Hunsaker; and

The Government Operations Committee reports a favorable recommendation on **H.B. 449**, IMPLEMENTATION OF FEDERAL REAL ID ACT, by Representative G. Donnelson, with the following amendments:

1. Page 1, Lines 19 through 20:

19 ► requires the Driver License Division to report any attempts to implement the

20 provisions of the REAL ID Act of 2005 to the governor and the Legislature's Government Operations Interim Committee .

2. Page 2, Lines 44 through 46:

44 (ii) shall report to the governor and the Legislature's Government Operations Interim Committee, any attempt by an agency or an agent of the United

45 States Department of Homeland Security to secure the implementation of the REAL ID Act

46 through the operations of the division. ; and

The Government Operations Committee recommends **S.B. 113**, ACCESS TO RESEARCH WORKERS' PERSONAL INFORMATION, by Senator G. Bell, be replaced and reports a favorable recommendation on **1st Sub. S.B. 113**, ACCESS TO RESEARCH WORKERS' PERSONAL INFORMATION and asks that it be placed on the Consent Calendar; and

The Government Operations Committee reports a favorable recommendation on **S.B. 126**, FILING FEE FOR WRITE-IN CANDIDATES, by Senator P. Knudson, and recommends it be placed on the Consent Calendar; and

The Government Operations Committee reports a favorable recommendation on **S.B. 147**, CANDIDATE FILING REQUIREMENTS, by Senator P. Knudson; and

The Government Operations Committee reports a favorable recommendation on **S.J.R. 5**, JOINT RESOLUTION AMENDING LEGISLATIVE APPORTIONMENT, by Senator C. Bramble.

Glenn A. Donnelson, Chair

Reports filed. On motion of Representative Donnelson, the reports of the Government Operations Committee were adopted.

H.B. 198, **H.B. 449**, as amended, and **S.B. 147**, read the second time by short title and placed on the Third Reading Calendar.

1st Sub. S.B. 113 and **S.B. 126** read the second time by short title and placed on the Consent Calendar.

S.J.R. 5 read the second time by short title and returned to the Rules Committee due to fiscal impact.

* * *

Mr. Speaker: February 19, 2008

The Political Subdivisions Committee reports a favorable recommendation on **S.B. 65**, SOLICITING GANG MEMBERS PROHIBITED, by Senator J. Greiner; and

The Political Subdivisions Committee reports a favorable recommendation on **S.B. 125**, HIGH SCHOOL VOTER REGISTRATION, by Senator K. VanTassell; and

The Political Subdivisions Committee reports a favorable recommendation on **S.B. 165**, ALCOHOLIC BEVERAGE SINGLE EVENT PERMITS, by Senator S. McCoy; and

The Political Subdivisions Committee reports a favorable recommendation on **S.B. 167**, ALCOHOLIC BEVERAGES ON ELECTION DAY, by Senator S. McCoy; and

The Political Subdivisions Committee reports a favorable recommendation on **1st Sub. S.J.R. 7**, JOINT RULES RESOLUTION – AUTHORIZING ELECTRONIC COMMITTEE MEETINGS, by Senator L. Hillyard.

Fred R Hunsaker, Chair

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

S.B. 65, **S.B. 125**, **S.B. 165**, **S.B. 167**, and **1st Sub. S.J.R. 7** read the second time by short title and placed on the Third Reading Calendar.

H.B. 437 read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: February 19, 2008

The Revenue and Taxation Committee recommends **H.B. 333**, PROPERTY TAX REVISIONS, by Representative G. Froerer, be replaced and favorably

recommends **2nd Sub. H.B. 333**, SENIOR CITIZEN'S HOMEOWNER'S CREDIT and consider the bill to have been read for the first time; and

The Revenue and Taxation Committee recommends **H.B. 391**, PUBLIC SCHOOL FUNDING, by Representative W. Harper, be replaced and favorably recommends **1st Sub. H.B. 391**, PUBLIC SCHOOL FUNDING; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 28**, APPORTIONMENT OF BUSINESS INCOME, ATTRIBUTING SALES TO THE STATE, AND DEDUCTION OF NET LOSSES BY A UNITARY GROUP, by Senator H. Stephenson; and

The Revenue and Taxation Committee reports a favorable recommendation on **1st Sub. S.B. 29**, TRUTH IN TAXATION AMENDMENTS, by Senator W. Niederhauser; and

The Revenue and Taxation Committee reports a favorable recommendation on **1st Sub. S.B. 45**, INVENTORY FOR COMPETITIVE ACTIVITIES OF LOCAL ENTITIES, by Senator H. Stephenson, with the following amendments:

1. Page 2, Lines 30 through 40:

30 (1) As used in this section:

31 (a) "Competitive activity" means an activity engaged in by a
city or an entity created by

32 the city {~~—~~}

33 (i) that is not a core governmental activity; and

34 (ii) } by which the city or an entity created by the city
provides a good or service that is

35 substantially similar to a good or service that is provided by a
person:

36 {~~(A)~~ } (i) who is not an entity of the federal
government, state government, or a political

37 subdivision of the state; and

38 {~~(B)~~ } (ii) within the boundary of the county in
which the city is located.

39 (b) (i) Subject to Subsection (1)(b)(ii), "entity created by the
city" includes:

40 (A) an entity created by an interlocal agreement under Title 11,
Chapter 13, Interlocal

2. Page 2, Lines 46 through 52:

46 (2) The governing body of a city of the first or second class shall
by no later than June

47 30, 2009, create an inventory of activities of the city or an entity
created by the city to ;

(a) classify

48 whether an activity is {~~—~~;

49 ~~(a) —~~ a competitive activity; {~~—or~~

50 ~~(b) an inherently governmental activity~~ } and

(b) identify efforts that have been made to privatize aspects of the
activity .

51 (3) The governing body of a city of the first or second class shall
update the inventory

52 created under this section at least every two years.

3. Page 3, Lines 59 through 68:

59 (1) As used in this section:

60 (a) “Competitive activity” means an activity engaged in by a
county or an entity created

61 by the county {~~—~~;

62 ~~(i) that is not a core governmental activity; and~~

63 ~~(ii) —~~ by which the county or an entity created by the county
provides a good or service

64 that is substantially similar to a good or service that is provided
by a person:

65 {~~—(A)~~ } (i) who is not an entity of the federal
government, state government, or a political

66 subdivision of the state; and

67 {~~—(B)~~ } (ii) within the boundary of the county.

68 (b) (i) Subject to Subsection (1)(b)(ii), “entity created by the
county” includes:

4. Page 3, Lines 75 through 81:

75 (2) The governing body of a county of the first or second class
shall by no later than

76 June 30, 2009, create an inventory of activities of the county or an entity created by the county

77 to ;

(a) classify whether an activity is {~~;~~

78 ~~(a)~~ } a competitive activity; {~~or~~

79 ~~(b) an inherently governmental activity~~ } and

(b) identify efforts that have been made to privatize aspects of the activity .

80 (3) The governing body of a county of the first or second class shall update the

81 inventory created under this section at least every two years. ; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 136**, APPORTIONMENT OF BUSINESS INCOME AMENDMENTS, by Senator W. Niederhauser.

John Dougall, Chair

Reports filed. On motion of Representative Dougall, the reports of the Revenue and Taxation Committee were adopted.

2nd Sub. H.B. 333 read the first and second times by short title and placed on the Third Reading Calendar.

1st Sub. H.B. 391 read the second time by short title and placed on the Third Reading Calendar.

S.B. 28 read the second time by short title and returned to the Rules Committee due to fiscal impact.

1st Sub. S.B. 29, **1st Sub. S.B. 45**, as amended, and **S.B. 136** read the second time by short title and placed on the Third Reading Calendar.

INTRODUCTION OF BILL

H.B. 485, Legislators Health Plan (E. Hutchings), read the first time by short title and referred to the Rules Committee.

RULES COMMITTEE REPORT

Mr. Speaker:

February 19, 2008

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

BUSINESS AND LABOR

- H.B. 466** Title Insurance Recovery, Education, and Research Fund Act (Rep. M. Morley)
1st Sub. S.B. 79 Small Business Access Amendments (Sen. R. Romero)

EDUCATION

- H.B. 419** Public School Textbook Evaluation Amendments (Rep. G. Froerer)

GOVERNMENT OPERATIONS

- H.B. 476** Pay of National Guard Members (Rep. G. Hughes)
2nd Sub. S.B. 38 Transparency in Government Finance (Sen. W. Niederhauser)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

- H.B. 492** Sex Offender Notification and Registration (Rep. P. Ray)
S.B. 187 Bail in Capital Offense Cases (Sen. J. Greiner)
S.B. 290 Private Investigators' Access to Driver Licensure Information (Sen. M. Dayton)

NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT

- H.B. 208** Livestock Watering Rights (Rep. M. Noel)

POLITICAL SUBDIVISIONS

- H.B. 418** Physician Education Admissions (Rep. B. Last)
H.J.R. 9 Resolution Amending Property Tax Provision (Rep. P. Ray)
3rd Sub. S.B. 20 Municipal Government Amendments (Sen. C. Walker)

REVENUE AND TAXATION

- H.B. 190** State System of Higher Education Amendments (Rep. J. Dougall)
H.B. 497 Revenue Bond Authorization for State Fair Park (Rep. N. Hendrickson)

Stephen Urquhart, Chair

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

UNFINISHED BUSINESS

On motion of Representative Bigelow, the House voted to uncircle **H.B. 189**.

H.B. 189, SCHOOL COMMUNITY COUNCILS, was before the House on its final passage.

On motion of Representative Bigelow, the House voted to delete **H.B. 189** in title and body and insert **1st Sub. H.B. 189** in lieu thereof.

1st Sub. H.B. 189 passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Frank	Froerer
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Oda	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn			

Absent or not voting were: Representatives

Duckworth	Fowlke	Garn	Noel
Painter	Curtis		

1st Sub. H.B. 189 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 357, PUBLIC ASSOCIATIONS SUBJECT TO GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT, read the third time by short title and placed on its final passage.

H.B. 357 passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Dunnigan	Ferry	Janice Fisher
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn			

Absent or not voting were: Representatives

Biskupski	Duckworth	Julie Fisher	Fowlke
Painter	Curtis		

H.B. 357 transmitted to the Senate for its consideration.

* * *

H.C.R. 4, CONCURRENT RESOLUTION ENCOURAGING CONGRESSIONAL ACTION TO DESIGNATE A NEW RECIPIENT OF ROYALTIES FROM NAVAJO RESERVATION LANDS IN UTAH, read the third time by short title and placed on its final passage.

H.C.R. 4 passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Agard	Allen	Barrus	Bigelow
Bird	Biskupski	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove

Daw	Dee	Donnelson	Dougall
Draxler	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn		

Absent or not voting were: Representatives

Andersen	Duckworth	Garn	Riesen
Curtis			

H.C.R. 4 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative D. Clark, the House voted to uncircle **H.B. 352**.

H.B. 352, AMENDMENTS RELATED TO MONIES DERIVED FROM NAVAJO NATION RESERVATION LANDS IN UTAH, was before the House on its final passage.

Representative Allen proposed the following amendment:

- Page 10, Lines 290 through 298
House Committee Amendments 2-12-2008

290 (b) {~~fulfill the obligations of the repealed Navajo Trust Fund~~
~~as of June 30, 2008 related~~

291 to } provide monies {~~granted~~} to an individual
enrolled member of the Navajo Nation who:

292 (i) resides in San Juan County;

293 (ii) as of June 30, {~~2008~~ } 2010 , has received
monies {~~from the repealed Navajo Trust Fund~~} under this
Subsection (7)(b) for

294 postsecondary education;

295 (iii) beginning the later of June 30 or the day on which the individual first receives monies under this Subsection (7)(b), is enrolled in postsecondary education for the equivalent of at least two semesters

296 each year; and

297 (iv) meets the eligibility requirements adopted by the repealed board of trustees as of

298 the effective date of this bill;

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

H.B. 352, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	

Absent or not voting were: Representatives

Duckworth	Hemingway	Sandstrom	Curtis
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H.B. 352, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Julie Fisher, the House voted to uncircle **H.B. 39**.

H.B. 39, DIVESTMENT OF CERTAIN RETIREMENT FUND INVESTMENTS, was before the House on its final passage.

Representative Julie Fisher proposed the following amendment:

- 1. Page 1, Line 21

21 ▶ exempts private equity ~~{and}~~ ^z alternative
 investments and commingled funds from application of the
 section;

- 2. Page 2, Line 47 through Page 3, Line 61

House Committee Amendments 2-4-2008:

47 ~~(b)~~ ~~{(i)}~~ “Scrutinized company” means a publicly
 traded foreign company that:

48 ~~{(A)}~~ ~~(i)~~ ^{Ĥ→} ~~(Aa)~~ } (i)(A) ^{←Ĥ} has business
 operations that involve a contract with or provision of

48a supplies or

49 services to a scrutinized entity;

50 ^{Ĥ→} ~~[(H)]~~ ~~{(Bb)}~~ } (B) ^{←Ĥ} has any direct or
 indirect equity share, consortium, or project

50a commissioned by a

51 scrutinized entity; or

52 ^{Ĥ→} ~~[(H)]~~ ~~{(C)}~~ } (C) ^{←Ĥ} is involved in a
 consortium or project commissioned by a scrutinized

52a entity; ^{Ĥ→} [and] ^{←Ĥ}

53 ^{Ĥ→} ~~[(B)-(D)]~~ ~~{(H)}~~ } (ii)(A) ^{←Ĥ} has more than
 5% of the company’s total revenues or assets linked to a

54 scrutinized entity; and

55 ^{Ĥ→} ~~[(H)]~~ ~~{(H)}~~ } (B) ^{←Ĥ} has failed to adopt,
 publicize, and implement a formal plan to reduce the

56 investment to 5% or below within one year; or

57 ~~H~~→ [~~(C)~~] { ~~(B)~~ } ~~(iii)~~ ←~~H~~ has, with actual knowledge, on or after August 5, 1996, made an

57a investment of \$20

58 million or more, or any combination of investments which in the aggregate exceeds \$20 million

59 in any 12-month period, in a scrutinized entity.

60 { ~~(ii) “Scrutinized company” does not mean private equity and other alternative~~

61 investments. }

2. Page 3, Lines 83 through 84

House Committee Amendments 2–4–2008:

83 (c) Notwithstanding the provisions of Subsections (2)(a) and (b), the board :

(i) is not

84 required to divest any holdings at a loss, to be calculated on cost basis {~~-~~} ; and

(ii) is not required to divest from investments in private equity, alternative investments, or commingled funds.

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

H.B. 39, as amended, passed on the following roll call:

Yeas, 43; Nays, 26; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Andersen	Barrus	Biskupski	Bowman
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dougall	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Gibson
Greenwood	Grover	Harper	Herrod
Holdaway	Hughes	Hutchings	Johnson
King	Kiser	Litvack	Mascaro
Mathis	McGee	Menlove	Morgan
Morley	Newbold	Noel	Oda
Painter	Sandstrom	Seelig	Tilton
Wheatley	Wimmer	Winn	

Voting in the negative were: Representatives

Aagard	Allen	Bigelow	Bird
D. Clark	Dee	Draxler	Dunnigan

Ferry	Garn	Gowans	Hansen
Hemingway	Hunsaker	Last	McIff
Moss	Neuenschwander	Ray	Riesen
Shurtliff	Snow	Sumsion	Urquhart
Webb	Wiley		

Absent or not voting were: Representatives

Donnelson	Duckworth	Hendrickson	Lockhart
Walker	Curtis		

H.B. 39, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

Speaker Pro Tem Ferry reassigned **H.J.R. 9** to the Revenue and Taxation Standing Committee.

THIRD READING CALENDAR

H.C.R. 6, CONCURRENT RESOLUTION HONORING THE LIFE AND CONTRIBUTIONS OF PRESIDENT GORDON B. HINCKLEY, read the third time by short title and placed on its final passage.

On motion of Representative Morley, the House voted to circle **H.C.R. 6**.

* * *

H.B. 369, MUNICIPAL RENTAL FEES AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 369 passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Bigelow
Bird	Biskupski	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Herrod	Holdaway	Hughes	Hunsaker

Hutchings	Johnson	King	Kiser
Last	Litvack	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn			

Absent or not voting were: Representatives

Barrus	Duckworth	Hendrickson	Lockhart
Moss	Curtis		

H.B. 369 transmitted to the Senate for its consideration.

* * *

H.B. 158, TAX CREDITS FOR MILITARY RETIRED PAY, read the third time by short title and placed on its final passage.

H.B. 158 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	

Absent or not voting were: Representatives

Duckworth Hendrickson Neuenschwander Curtis

H.B. 158 transmitted to the Senate for its consideration.

* * *

1st Sub. H.B. 304, SALES AND USE TAX REVENUES FOR QUALIFIED EMERGENCY FOOD AGENCIES, read the third time by short title and placed on its final passage.

On motion of Speaker Pro Tem Ferry, and without objection, **1st Sub. H.B. 304** was considered read the first and second times by short title.

1st Sub. H.B. 304 passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn		

Absent or not voting were: Representatives

Duckworth Gibson Hendrickson Ray
Curtis

1st Sub. H.B. 304 transmitted to the Senate for its consideration.

* * *

H.B. 365, AVIATION AMENDMENTS, 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, 49; Nays, 20; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Bowman	Brown
D. Clark	S. Clark	Daw	Donnelson
Dougall	Draxler	Dunnigan	Ferry
Julie Fisher	Fowlke	Frank	Garn
Gowans	Greenwood	Grover	Harper
Herrod	Hughes	Hunsaker	Hutchings
Kiser	Last	Lockhart	Mascaro
Mathis	McIff	Menlove	Morley
Neuenschwander	Newbold	Oda	Painter
Ray	Sandstrom	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wimmer			

Voting in the negative were: Representatives

Biskupski	Chavez–Houck	Cosgrove	Dee
Janice Fisher	Gibson	Hansen	Hemingway
Holdaway	Johnson	King	Litvack
McGee	Morgan	Moss	Riesen
Seelig	Shurtliff	Wheatley	Wiley

Absent or not voting were: Representatives

Duckworth	Froerer	Hendrickson	Noel
Winn	Curtis		

H.B. 365, as amended, transmitted to the Senate for its consideration.

* * *

1st Sub. H.B. 373, UNIFORM FEES ON VINTAGE MOTOR VEHICLES, 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. 373** in title and body and insert **2nd Sub. H.B. 373** in lieu thereof.

2nd Sub. H.B. 373 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer

Absent or not voting were: Representatives

Duckworth	Garn	Hendrickson	Kiser
Morley	Winn	Curtis	

2nd Sub. H.B. 373 transmitted to the Senate for its consideration.

* * *

H.B. 257, EMPLOYEE VERIFICATION, read the third time by short title and placed on its final passage.

Representative Herrod proposed the following amendment:

1. Page 4, Lines 92 through 94

92 (ii) a similar program operated by the United States Department of Homeland Security.

93 (e) “State public procurement unit” includes the State Capitol Preservation Board and its executive director in exercising their procurement power under Section 63C–9–301.

(2) A state public procurement unit shall require as a condition of an agreement to

94 procure supplies, services, or construction that is the subject of a request for proposals or contract bidding that an

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

###

Representative Julie Fisher proposed the following amendment:

- 1. Page 4, Lines 108 through 111

108 (b) If an employer described in this Subsection (3) has an agreement to provide

109 supplies, services, or contraction to a state procurement unit, the employer shall notify the

110 division of the finding described in Subsection (3)(a) within five business days of the day on

111 which the finding described in Subsection (3)(a) is final.

(4)(a) An employer who participates in a federal employment verification program under this section may not be penalized by a state public procurement unit for an inaccuracy in the program as administered by the federal government that applies to an employee of the employer.

(b) The employer shall work with the program administrator, if practicable, to correct the inaccuracy.

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

H.B. 257, as amended, passed on the following roll call:

Yeas, 55; Nays, 13; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Bowman	Brown
D. Clark	S. Clark	Daw	Dee
Donnelson	Dougall	Draxler	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Greenwood
Grover	Hansen	Harper	Herrod

Holdaway	Hughes	Hunsaker	Hutchings
Kiser	Last	Lockhart	Mascaro
Mathis	McIff	Menlove	Morgan
Morley	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Sandstrom
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wimmer	

Voting in the negative were: Representatives

Biskupski	Chavez–Houck	Cosgrove	Hemingway
Johnson	King	Litvack	McGee
Moss	Riesen	Seelig	Wheatley
Wiley			

Absent or not voting were: Representatives

Duckworth	Gibson	Gowans	Hendrickson
Shurtliff	Winn	Curtis	

H.B. 257, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 223, EXEMPTION FROM LICENSURE BY DIVISION OF REAL ESTATE, read the third time by short title and placed on its final passage.

On motion of Representative Froerer, the House voted to delete **H.B. 223** in title and body and insert **1st Sub. H.B. 223** in lieu thereof.

1st Sub. H.B. 223 passed on the following roll call:

Yeas, 68; Nays, 1; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Biskupski	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Greenwood	Grover
Hansen	Harper	Hemingway	Herrod
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee

McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Curtis

Voting in the negative was: Representative Holdaway

Absent or not voting were: Representatives Allen Duckworth Gowans Hendrickson
Painter Winn

1st Sub. H.B. 223 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

S.B. 126, having received five objections, was lifted from the Consent Calendar and placed at the bottom of the Third Reading Calendar.

* * *

On motion of Representative D. Clark, and at 4:00 p.m., the House voted to adjourn until February 20, 2008, at 10:00 a.m.

THIRTY–FIRST DAY

* * *

MORNING SESSION

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

Roll call showed all members present except Representative Richard Greenwood, excused.

Prayer by Representative Neal Hendrickson. Pledge of Allegiance by Representative Hendrickson's grandchildren, Masen Chinn, age 5; Jayden Nielsen, age 5; and Madisyn Chinn, age 9.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 19, 2008

The Senate passed, as substituted, and amended **3rd Sub. S.B. 46**, ANTI–FLOW CONTROL AMENDMENTS, by Senator D. Eastman, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **1st Sub. S.B. 57**, FRANCHISE LAW AMENDMENTS, by Senator D. Eastman, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 59**, WILDLIFE AMENDMENTS, by Senator A. Christensen, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 70**, EMOTIONAL SUPPORT ANIMALS, by Senator S. McCoy, and it is transmitted for consideration; and

The Senate passed **S.B. 91**, BENEFITS TO AMERICAN BOARD CERTIFIED TEACHERS, by Senator M. Madsen, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 93**, LICENSED DIRECT ENTRY MIDWIFE AMENDMENTS, by Senator M. Dayton, and it is transmitted for consideration; and

The Senate passed **S.B. 116**, RETIREMENT OFFICE AMENDMENTS, by Senator C. Walker, and it is transmitted for consideration; and

The Senate passed **S.B. 176**, UNEMPLOYMENT INSURANCE CONTRIBUTION RATES AMENDMENTS, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 180**, REGENTS' SCHOLARSHIP PROGRAM, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 182**, SURVIVAL ACTION UPON INJURY OR DEATH, by Senator M. Waddoups, and it is transmitted for consideration; and

The Senate passed, as substituted, **2nd Sub. S.B. 184**, CHILD CARE LICENSING EXEMPTIONS, by Senator J. Greiner, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 188**, PILOT PROGRAM FOR SUMMER SCHOOL AND AFTER SCHOOL PROGRAMS FOR CHILDREN WITH A DISABILITY, by Senator G. Bell, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **3rd Sub. S.B. 46, 1st Sub. S.B. 57, 1st Sub. S.B. 59, 1st Sub. S.B. 70, S.B. 91, 1st Sub. S.B. 93, S.B. 116, S.B. 176, 1st Sub. S.B. 180, 1st Sub. S.B. 182, 2nd Sub. S.B. 184, and S.B. 188** read the first time by short title and referred to the Rules Committee.

INTRODUCTION OF BILL

H.B. 211, Property Tax Amendments on Agricultural Land (B. Winn), read the first time by short title and referred to the Rules Committee.

CONSENT CALENDAR

1st Sub. H.B. 157, ALCOHOLIC BEVERAGE CONTROL VIOLATIONS AMENDMENTS, read the third time by short title and placed on its final passage.

1st Sub. H.B. 157 passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman

Brown	Chavez–Houck	D. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Moss	Neuenschwander	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

S. Clark	Greenwood	King	Morley
Newbold			

1st Sub. H.B. 157 transmitted to the Senate for its consideration.

* * *

S.B. 52, IDENTITY THEFT AMENDMENT, read the third time by short title and placed on its final passage.

S.B. 52 passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Johnson	Kiser	Last

Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn			

Absent or not voting were: Representatives

S. Clark	Greenwood	Holdaway	King
Shurtliff	Curtis		

S.B. 52 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

S.B. 163, CERTIFIED PUBLIC ACCOUNTANT LICENSING ACT AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 163 passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Chavez-Houck	D. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	McGee
McIff	Menlove	Morgan	Morley
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn		

Absent or not voting were: Representatives

Brown	S. Clark	Greenwood	Holdaway
Mathis	Moss	Seelig	Shurtliff
Curtis			

S.B. 163 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

1st Sub. S.B. 66, UNIFORM EMERGENCY VOLUNTEER HEALTH PRACTITIONERS ACT, read the third time by short title and placed on its final passage.

1st Sub. S.B. 66 passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Grover	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn			

Absent or not voting were: Representatives

S. Clark	Greenwood	Hansen	Holdaway
Shurtliff	Curtis		

1st Sub. S.B. 66 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. 122, UNIFORM ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION ACT, read the third time by short title and placed on its final passage.

S.B. 122 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn

Absent or not voting were: Representatives

S. Clark	Dunnigan	Greenwood	Holdaway
Litvack	Shurtliff	Curtis	

S.B. 122 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

1st Sub. S.B. 155, PUNITIVE DAMAGES AMENDMENTS, read the third time by short title and placed on its final passage.

1st Sub. S.B. 155, as amended, passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Biskupski	Bowman	Chavez–Houck
D. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	

Absent or not voting were: Representatives

Allen	Brown	S. Clark	Greenwood
Holdaway	Litvack	Shurtliff	Curtis

1st Sub. S.B. 155, as amended, was returned to the Senate for further consideration.

* * *

S.B. 34, CONFIDENTIALITY OF REPORTS TO DRIVER LICENSE DIVISION, read the third time by short title and placed on its final passage.

S.B. 34 passed on the following roll call:

Yeas, 42; Nays, 26; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Andersen	Biskupski	Bowman	Brown
Chavez–Houck	Cosgrove	Daw	Dee
Draxler	Duckworth	Dunnigan	Julie Fisher
Gowans	Grover	Hansen	Hemingway
Hendrickson	Herrod	Holdaway	Hunsaker
Hutchings	Johnson	King	Last
Litvack	Mascaro	McGee	McIff

Morgan	Neuenschwander	Noel	Oda
Painter	Ray	Seelig	Shurtliff
Snow	Urquhart	Webb	Wiley
Wimmer	Winn		

Voting in the negative were: Representatives

Aagard	Barrus	Bigelow	Bird
D. Clark	Donnelson	Dougall	Janice Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Harper	Kiser	Lockhart
Mathis	Menlove	Morley	Moss
Newbold	Riesen	Sandstrom	Sumsion
Tilton	Wheatley		

Absent or not voting were: Representatives

Allen	S. Clark	Ferry	Greenwood
Hughes	Walker	Curtis	

S.B. 34 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

S.B. 120, DEPARTMENT OF CORRECTIONS EMPLOYEE VEHICLE USE, read the third time by short title and placed on its final passage.

S.B. 120 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Biskupski	Bowman	Brown
Chavez–Houck	D. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan

Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Urquhart	Webb
Wheatley	Wiley	Wimmer	Winn

Absent or not voting were: Representatives

Allen	S. Clark	Greenwood	Hughes
Tilton	Walker	Curtis	

S.B. 120 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

1st Sub. S.B. 77, REVISIONS TO GOVERNMENT RECORDS ACCESS MANAGEMENT ACT, read the third time by short title and placed on its final passage.

1st Sub. S.B. 77, as amended, passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Biskupski	Bowman	D. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn

Absent or not voting were: Representatives

Allen	Brown	Chavez–Houck	S. Clark
Greenwood	Tilton	Curtis	

1st Sub. S.B. 77, as amended, was returned to the Senate for further consideration.

* * *

1st Sub. S.B. 92, REAL PROPERTY RECORDING AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Webb proposed the following amendment:

1. Page 5, Line 142

142 (2) A document executed after July 1, 1983, {~~+~~} is entitled to {~~+~~} {~~may~~} be recorded in the

2. Page 5, Line 146:

146 1981, {~~+~~} is entitled to {~~+~~} {~~may~~} be recorded in the office of the recorder of the county in which the

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

1st Sub. S.B. 92, as amended, passed on the following roll call:

Yeas, 64; Nays, 0; Absent or not voting, 11.

Voting in the affirmative were: Representatives

Aagard	Andersen	Bigelow	Bird
Biskupski	Bowman	Chavez-Houck	D. Clark
Cosgrove	Daw	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gowans	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn

Absent or not voting were: Representatives

Allen	Barrus	Brown	S. Clark
Dee	Gibson	Greenwood	Grover
Morgan	Tilton	Curtis	

1st Sub. S.B. 92, as amended, was returned to the Senate for further consideration.

* * *

S.B. 124, SALES AND USE TAX – DEFINITIONS OF PERMANENTLY ATTACHED TO REAL PROPERTY AND TANGIBLE PERSONAL PROPERTY, read the third time by short title and placed on its final passage.

S.B. 124 passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Biskupski	Bowman	Chavez–Houck
D. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Froerer	Garn	Gibson
Gowans	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	

Absent or not voting were: Representatives

Allen	Brown	S. Clark	Frank
Greenwood	Noel	Tilton	Curtis

S.B. 124 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

S.B. 135, EXTENDING THE SALES AND USE TAX EXEMPTION FOR POLLUTION CONTROL FACILITIES, read the third time by short title and placed on its final passage.

S.B. 135 passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Biskupski	Bowman	Chavez–Houck
D. Clark	Cosgrove	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Froerer	Garn	Gibson	Gowans
Grover	Hansen	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn		

Absent or not voting were: Representatives

Allen	Brown	S. Clark	Daw
Frank	Greenwood	Harper	Tilton
Curtis			

S.B. 135 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

S.C.R. 2, RESOLUTION PROMOTING LEGISLATORS BACK TO SCHOOL PROGRAM, read the third time by short title and placed on its final passage.

S.C.R. 2 passed on the following roll call:

Yeas, 62; Nays, 0; Absent or not voting, 13.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Biskupski	Bowman	Chavez–Houck	D. Clark

Cosgrove	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Garn	Gowans	Grover	Hansen
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Urquhart	Webb	Wheatley	Wiley
Wimmer	Winn		

Absent or not voting were: Representatives

Allen	Bird	Brown	S. Clark
Daw	Froerer	Gibson	Greenwood
Harper	Riesen	Tilton	Walker
Curtis			

S.C.R. 2 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

1st Sub. S.B. 152, PRESUMPTIVE PERSONAL REPRESENTATIVE, read the third time by short title and placed on its final passage.

On motion of Representative D. Clark, the House voted to circle **1st Sub. S.B. 152**.

* * *

S.B. 63, ADULT PROTECTIVE SERVICES AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 63 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Biskupski	Bowman	Chavez-Houck

D. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wiley	Wimmer	Winn

Absent or not voting were: Representatives

Allen	Brown	S. Clark	Greenwood
Riesen	Wheatley	Curtis	

S.B. 63 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

S.B. 94, BURGLARY OF A RAILROAD CAR, read the third time by short title and placed on its final passage.

S.B. 94 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Chavez-Houck	D. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser

Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Moss	Neuenschwander	Noel
Oda	Painter	Ray	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Brown	S. Clark	Greenwood	Morley
Newbold	Riesen	Wheatley	

S.B. 94 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

S.B. 76, STATE PARKS AND RECREATION AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 76 passed on the following roll call:

Yeas, 67; Nays, 2; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	Cosgrove
Dee	Donnelson	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gowans	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Voting in the negative were: Representatives

Dougall Kiser

Absent or not voting were: Representatives

S. Clark Daw Gibson Greenwood
Morley Snow

S.B. 76 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 20, 2008

The Business and Labor Committee reports a favorable recommendation on **H.B. 343, EXEMPTION OF UNIVERSITY HOUSING FROM EVICTION LAWS**, by Representative P. Neuenschwander; and

The Business and Labor Committee recommends **H.B. 426, GOVERNMENT PROCUREMENT – PRIVATE PROPOSALS**, by Representative K. Garn, be replaced and favorably recommends **1st Sub. H.B. 426, GOVERNMENT PROCUREMENT – PRIVATE PROPOSALS**; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 459, CONSTRUCTION TRADES EXEMPTION**, by Representative S. Urquhart, with the following amendments:

1. Page 3, Lines 76 through 87:

76 (ii) notwithstanding Subsection (1)(h)(i):

77 (A) work in the plumbing and electrical trades on a
78 Subsection (1)(h)(1) project must be performed by a licensed

79 electrician or plumber except as otherwise provided in this section;

80 (B) installation, repair, or replacement of a residential or
81 commercial gas appliance or a

82 combustion system on a Subsection (1)(h)(i) project must be
83 performed by a person who has received certification under

84 Subsection 58–55–308(2) except as otherwise provided in
85 Subsection 58–55–308(2)(d) or

86 58–55–308(3); [~~and~~]

87 (C) installation, repair, or replacement of water-based fire
88 protection systems on a Subsection (1)(h)(i) project must be

84 performed by a licensed fire suppression systems contractor or a licensed journeyman plumber;

(D) 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;

85 and

86 ~~{-(D)}~~ (E) if the total value of the project is greater than \$1,000, the person shall file with the

87 division a one-time affirmation, subject to periodic reaffirmation as established by division ; and

The Business and Labor Committee reports a favorable recommendation on **H.J.R. 12, JOINT RESOLUTION AMENDING THE UTAH CONSTITUTION – STOCK SUBSCRIPTIONS**, by Representative D. Clark, with the following amendments:

1. Page 1, Lines 1 through 2:

1 JOINT RESOLUTION AMENDING THE UTAH
2 CONSTITUTION–STOCK AND BOND SUBSCRIPTIONS

2. Page 1, Lines 10 through 11:

10 This joint resolution of the Legislature proposes to amend the Utah Constitution to

11 amend a provision relating to the subscription to stock or bonds .

3. Page 1, Lines 13 through 16:

13 This resolution proposes to amend the Utah Constitution to:

14 ► authorize the state to subscribe to stock or bonds using funds in the permanent State School

15 Fund and funds derived from federal land grants designated in the Enabling Act,

16 except as limited by statute.

4. Page 2, Lines 38 through 41:

38 (3) Except as limited by statute, the State may subscribe to stock or bonds with:

39 (a) funds in the permanent State School Fund established in Article X, Section 5; and

40 (b) funds derived from federal land grants designated in Sections 8 and 12 of the

41 Enabling Act of the State. ; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 159, WORKERS' COMPENSATION AMENDMENTS**, by Senator D. Eastman.

Stephen D. Clark, Chair

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

H.B. 343, 1st Sub. H.B. 426, H.B. 459, as amended, and **S.B. 159** read the second time by short title and placed on the Third Reading Calendar.

H.J.R. 12, as amended, read the first and second times by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker:

February 20, 2008

The Education Committee recommends **H.B. 284, UTAH COLLEGE OF APPLIED TECHNOLOGY REVISIONS**, by Representative K. Holdaway, be replaced and reports a favorable recommendation on **2nd Sub. H.B. 284, UTAH COLLEGE OF APPLIED TECHNOLOGY REVISIONS** with the following amendments:

1. Page 5, Lines 135 through 140:

135 (iii) the Davis Applied Technology College Campus;

136 { ~~(iv) the Tooele Applied Technology Campus;~~ }

137 { ~~(v)~~ } (iv) the Mountainland Applied Technology College Campus;

138 { ~~(vi)~~ } (v) the Uintah Basin Applied Technology College Campus;

139 { ~~(vii)~~ } (vi) the Southwest Applied Technology College Campus; and

140 { ~~(viii)~~ } (vii) the Dixie Applied Technology College Campus.

2. Page 17, Lines 501 through 503:

501 (d) provide for open–entry, open–exit competency–based applied technology education

502 programs, at the tuition rate approved { ~~by the Utah College of Applied Technology~~ } in accordance with the provisions under Subsection (5) for adults

503 and at no tuition cost to secondary students, that emphasize short–term job training or retraining

3. Page 18, Lines 531 through 534:

531 applied technology education in the region served by Salt Lake Community College, including

532 access to open–entry, open–exit competency–based applied technology education programs at

533 the tuition rate approved { ~~by the Utah College of Applied Technology~~ } in accordance with the provisions under Subsection (5) for adults and at no

534 tuition cost to secondary students.

(5) For the 2008–09 and 2009–10 school years, the Utah College of Applied Technology shall approve Salt Lake Community College’s tuition rate for adult students who transferred from the Salt Lake/Tooele Applied Technology College Campus. ; and

The Education Committee reports a favorable recommendation on **H.B. 311**, HIGHER EDUCATION DISTANCE LEARNING PARTNERSHIPS, by Representative B. Last; and

The Education Committee recommends **H.B. 325**, BULLYING AND HAZING, by Representative C. Moss, be replaced and favorably recommends **1st Sub. H.B. 325**, BULLYING AND HAZING; and

The Education Committee recommends **H.B. 472**, CHARTER SCHOOL BUILDING AND ENROLLMENT AMENDMENTS, by Representative K. Garn, be replaced and reports a favorable recommendation on **1st Sub. H.B. 472**, CHARTER SCHOOL BUILDING AND ENROLLMENT AMENDMENTS with the following amendments:

1. Page 3, Lines 67 through 69:

67 (3) A charter school shall report to school districts, by the last business day in April.

68 May, June, July, and August, the aggregate numbers of
new students, sorted by their resident school
 69 and grade level, who have accepted enrollment in the charter
school. ; and

The Education Committee reports a favorable recommendation on **H.B. 475**, LABOR ORGANIZATION AMENDMENTS, by Representative G. Hughes, with the following amendments:

1. Page 2, Line 51 through Page 3, Line 62:

51 (2) (a) An employee may direct an employer, in writing, [~~that an~~
~~employer]~~ to deduct
 52 from the employee's wages a specified sum for union dues [~~, not to~~
~~exceed 3% per month,~~] to be
 53 paid to a labor organization designated by the employee [~~]~~ if:
 54 { ~~(i) the amount deducted for union dues per month does not~~
~~exceed 3% of the~~
 55 ~~employee's monthly wages;~~
 56 ~~(ii) }~~ (i) the employer promptly begins making
deductions for union dues from the wages of
 57 the employee for the benefit of a labor organization when the
employer receives a written
 58 communication from the employee directing that deductions
begin; and
 59 { ~~(iii) }~~ (ii) the employee is not under any
agreement, contract, or obligation to continue
 60 payments or contributions to the labor organization { ~~;~~
 61 ~~(A) }~~ for any set period in excess of one month { ~~;~~
~~or }~~ ;
 62 { ~~(B) in a total amount exceeding the monthly limit specified~~
~~under Subsection (2)(a)(i).~~ }

Gregory H. Hughes, Chair

Reports filed. On motion of Representative Painter, the reports of the Education committee were adopted.

2nd Sub. H.B. 284, as amended, **H.B. 311**, **1st Sub. H.B. 325**, **1st Sub. H.B. 472**, and **H.B. 475**, as amended, read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker: February 20, 2008

The Health and Human Services Committee reports a favorable recommendation on **1st Sub. H.B. 316**, SUBSTANCE ABUSE TREATMENT FOR PREGNANT WOMEN AND PREGNANT MINORS, by Representative E. Hutchings, and recommends it be placed on the Consent Calendar; and

The Health and Human Services Committee reports a favorable recommendation on **H.B. 445**, NURSING HOME AMENDMENTS, by Representative M. Newbold, with the following amendments and recommends it be placed on the Consent Calendar.

- 1. Page 3, Lines 66 through 67:

66 (f) must obtain Medicaid certification for the licensed Medicaid beds within { ~~two~~ } three years

67 of the date of transfer as documented under Subsection (2)(a)(iii)(B).

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. 316 and **H.B. 445**, as amended, read the second time by short title and placed on the Third Reading Calendar.

MISCELLANEOUS BUSINESS

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

AFTERNOON SESSION

The House was called to order by Speaker Curtis at 2:00 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 20, 2008

The Senate passed, **1st Sub. H.B. 48**, MOBILE HOME OWNERS' RIGHTS, by Representative P. Riesen, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.C.R. 3**, CONCURRENT RESOLUTION – DECLARING LOVE YOUR LIBRARY WEEK, by Representative S. 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. 48** and **H.C.R. 3** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker: February 20, 2008

The Senate passed **S.B. 43**, ADMINISTRATIVE RULES REAUTHORIZATION, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 84**, NET METERING PROGRAMS, by Senator K. VanTassell, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 89**, MITIGATION OF INVASIVE SPECIES, by Senator D. Stowell, and it is transmitted for consideration; and

The Senate passed **S.B. 162**, FEDERAL EDUCATION AGREEMENT REQUIREMENTS, by Senator M. Dayton, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **1st Sub. S.B. 166**, NONDISCRIMINATION AMENDMENTS, by Senator S. McCoy, and it is transmitted for consideration; and

The Senate passed **S.B. 183**, CHILD PORNOGRAPHY AMENDMENT, by Senator D. C. Buttars, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 189**, INDEPENDENT CONTRACTOR DATABASE, by Senator D. Eastman, and it is transmitted for consideration; and

The Senate passed **S.B. 190**, PUBLIC CLASSROOM DISPLAYS, by Senator A. Christensen, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 220, CAUSE OF ACTION FOR DEFECTIVE CONSTRUCTION**, by Senator C. Bramble, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 43, 1st Sub. S.B. 84, 1st Sub. S.B. 89, S.B. 162, 1st Sub. S.B. 166, S.B. 183, S.B. 189, S.B. 190, and S.B. 220** read the first time by short title and referred to the Rules Committee.

INTRODUCTION OF BILLS

H.B. 455, Amendments Relating to Certain Taxes Administered by or License Plates Issued by the State Tax Commission (S. Sandstrom), read the first time by short title and referred to the Rules Committee.

H.B. 486, Wrongful Liens and Wrongful Judgement Liens (J. Gowans), read the first time by short title and referred to the Rules Committee.

H.B. 495, Vehicle Registration Fee for License Plate Recognition Fund (L. Wiley), 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. 30, VEHICLE CONCEALING ILLEGAL ITEMS**.

H.B. 30, as amended by the Senate, passed on the following roll call:

Yeas, 61; Nays, 0; Absent or not voting, 14.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Biskupski	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Frank	Froerer	Garn	Gowans
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	King	Kiser
Last	Litvack	Lockhart	Mascaro
McGee	McIff	Menlove	Morgan
Neuenschwander	Newbold	Oda	Painter

Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Walker
Webb	Wheatley	Wiley	Wimmer
Curtis			

Absent or not voting were: Representatives

Allen	Bowman	Duckworth	Fowlke
Gibson	Greenwood	Johnson	Mathis
Morley	Moss	Noel	Tilton
Urquhart	Winn		

H.B. 30, as amended by the Senate, transmitted to the Senate for signature of President.

* * *

On motion of Representative Snow, the House voted to concur in the Senate amendments to **H.B. 42**, WATER RIGHT APPLICATION FOR ELECTRICAL COOPERATIVE.

H.B. 42, 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	Andersen	Barrus	Bigelow
Bird	Biskupski	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Frank	Froerer	Garn	Gibson
Gowans	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morley	Moss
Neuenschwander	Newbold	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Walker	Webb	Wiley	Wimmer
Curtis			

Absent or not voting were: Representatives

Allen	Bowman	Duckworth	Fowlke
Greenwood	Morgan	Noel	Urquhart
Wheatley	Winn		

H.B. 42, as amended by the Senate, transmitted to the Senate for signature of President.

* * *

On motion of Representative Menlove, the House voted to refuse to concur with the Senate amendments to **2nd Sub. H.B. 47**, STANDARDS FOR ELECTRONIC EXCHANGE OF CLINICAL HEALTH INFORMATION, and to request the Senate to recede from its amendments.

* * *

On motion of Representative Kiser, the House voted to concur in the Senate amendments to **1st Sub. H.B. 62**, CLEAN FUEL SPECIAL GROUP LICENSE PLATE AMENDMENTS.

1st Sub. H.B. 62, 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

Agard	Allen	Andersen	Barrus
Bigelow	Biskupski	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Walker	Webb
Wiley	Curtis		

Absent or not voting were: Representatives

Bird	Bowman	Duckworth	Greenwood
Noel	Urquhart	Wheatley	Wimmer
Winn			

1st Sub. H.B. 62, 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. 272**, FALSE IMPERSONATION AND REPRESENTATION.

1st Sub. H.B. 272, as amended by the Senate, passed on the following roll call:

Yeas, 64; Nays, 0; Absent or not voting, 11.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Biskupski	Brown	Chavez-Houck
S. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Walker
Webb	Wiley	Wimmer	Curtis

Absent or not voting were: Representatives

Bird	Bowman	D. Clark	Duckworth
Greenwood	Lockhart	Noel	Tilton
Urquhart	Wheatley	Winn	

1st Sub. H.B. 272, 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 **H.B. 275, VEHICLE TOWING REQUIREMENTS.**

H.B. 275, 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

Agard	Allen	Andersen	Barrus
Bigelow	Biskupski	Brown	Chavez–Houck
S. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Morgan	Morley	Moss
Neuenschwander	Newbold	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Walker	Webb	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Bird	Bowman	D. Clark	Duckworth
Greenwood	Menlove	Noel	Urquhart
Wheatley			

H.B. 275, as amended by the Senate, transmitted to the Senate for signature of President.

* * *

On motion of Representative Gibson, the House voted to concur in the Senate amendments to **2nd Sub. H.B. 125, DEPARTMENT OF AGRICULTURE AND FOOD AMENDMENTS.**

2nd Sub. H.B. 125, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Draxler
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Walker	Webb	Wheatley	Wiley
Curtis			

Absent or not voting were: Representatives

Bowman	Dougall	Duckworth	Gowans
Greenwood	Menlove	Tilton	Urquhart
Wimmer	Winn		

2nd Sub. H.B. 125, as amended by the Senate, transmitted to the Senate for signature of President.

THIRD READING CALENDAR

2nd Sub. S.B. 15, DRIVING UNDER THE INFLUENCE AMENDMENTS, 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. S.B. 15** in title and body and insert **3rd Sub. S.B. 15** in lieu thereof, on the following roll call:

Yeas, 44; Nays, 24; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Aagard	Andersen	Bigelow	Bird
Biskupski	Brown	Chavez–Houck	Cosgrove

Dee	Donnelson	Draxler	Duckworth
Dunnigan	Janice Fisher	Fowlke	Froerer
Garn	Gowans	Hemingway	Hendrickson
Hunsaker	Johnson	King	Last
Litvack	Lockhart	Mascaro	McGee
McIff	Menlove	Morgan	Moss
Newbold	Painter	Ray	Riesen
Seelig	Shurtliff	Urquhart	Walker
Webb	Wheatley	Wiley	Curtis

Voting in the negative were: Representatives

Allen	Barrus	S. Clark	Daw
Dougall	Julie Fisher	Frank	Grover
Hansen	Harper	Herrod	Holdaway
Hughes	Hutchings	Kiser	Mathis
Morley	Neuenschwander	Noel	Oda
Sandstrom	Sumsion	Tilton	Wimmer

Absent or not voting were: Representatives

Bowman	D. Clark	Ferry	Gibson
Greenwood	Snow	Winn	

3rd Sub. S.B. 15 passed on the following roll call:

Yeas, 63; Nays, 0; Absent or not voting, 12.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Johnson
King	Kiser	Last	Litvack
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Moss	Neuenschwander
Newbold	Noel	Painter	Ray
Riesen	Sandstrom	Seelig	Sumsion
Tilton	Urquhart	Webb	Wheatley
Wiley	Wimmer	Curtis	

Absent or not voting were: Representatives

Bowman	D. Clark	Ferry	Greenwood
Hutchings	Lockhart	Morley	Oda
Shurtliff	Snow	Walker	Winn

3rd Sub. S.B. 15, as amended, was returned to the Senate for further consideration.

* * *

S.B. 148, ENFORCEMENT OF FRONT LICENSE PLATE DISPLAY REQUIREMENT AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 148 passed on the following roll call:

Yeas, 52; Nays, 9; Absent or not voting, 14.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
S. Clark	Daw	Dee	Donnelson
Dougall	Draxler	Dunnigan	Janice Fisher
Julie Fisher	Froerer	Garn	Grover
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
King	Kiser	Last	Lockhart
Mascaro	McGee	McIff	Menlove
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Sandstrom	Seelig	Sumsion	Urquhart
Webb	Wiley	Wimmer	Curtis

Voting in the negative were: Representatives

Chavez-Houck	Cosgrove	Duckworth	Gowans
Hansen	Johnson	Litvack	Morgan
Wheatley			

Absent or not voting were: Representatives

Bowman	D. Clark	Ferry	Fowlke
Frank	Gibson	Greenwood	Mathis
Riesen	Shurtliff	Snow	Tilton
Walker	Winn		

S.B. 148 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

S.B. 98, LICENSING OF SECURITY SERVICES, read the third time by short title and placed on its final passage.

S.B. 98 passed on the following roll call:

Yeas, 66; Nays, 2; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bird	Biskupski	Brown	Chavez–Houck
S. Clark	Cosgrove	Daw	Dee
Donnelson	Draxler	Duckworth	Dunnigan
Ferry	Julie Fisher	Fowlke	Froerer
Garn	Gibson	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Winn	Curtis		

Voting in the negative were: Representatives

Dougall	Wimmer
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Absent or not voting were: Representatives

Bigelow	Bowman	D. Clark	Janice Fisher
Frank	Gowans	Greenwood	

S.B. 98 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

S.B. 170, BOARD OF WATER RESOURCES AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 170 passed on the following roll call:

Yeas, 59; Nays, 0; Absent or not voting, 16.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Ferry
Janice Fisher	Julie Fisher	Froerer	Gibson
Gowans	Grover	Hansen	Harper
Hemingway	Herrod	Holdaway	Hunsaker
Hutchings	Johnson	King	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Moss	Neuenschwander	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Allen	Biskupski	Bowman	Brown
Dunnigan	Fowlke	Frank	Garn
Greenwood	Hendrickson	Hughes	Kiser
Morley	Newbold	Urquhart	Walker

S.B. 170 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

On motion of Representative D. Clark, the House voted to saunter.

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

THIRD READING CALENDAR

S.B. 147, CANDIDATE FILING REQUIREMENTS, read the third time by short title and placed on its final passage.

S.B. 147 passed on the following roll call:

Yeas, 58; Nays, 0; Absent or not voting, 17.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Janice Fisher	Frank
Froerer	Garn	Gibson	Gowans
Grover	Hansen	Harper	Hemingway
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	Kiser	Litvack
McGee	McIff	Menlove	Morgan
Morley	Moss	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Snow	Sumsion
Tilton	Webb	Wheatley	Wiley
Wimmer	Curtis		

Absent or not voting were: Representatives

Bowman	D. Clark	Ferry	Julie Fisher
Fowlke	Greenwood	Hendrickson	King
Last	Lockhart	Mascaro	Mathis
Neuenschwander	Shurtliff	Urquhart	Walker
Winn			

S.B. 147 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

S.B. 65, SOLICITING GANG MEMBERS PROHIBITED, read the third time by short title and placed on its final passage.

S.B. 65 passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Biskupski	Brown	Chavez–Houck
D. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn

Gibson	Gowans	Grover	Hansen
Harper	Hemingway	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Webb	Wheatley	Wiley
Wimmer	Winn		

Absent or not voting were: Representatives

Allen	Bowman	S. Clark	Greenwood
Hendrickson	McIff	Urquhart	Walker
Curtis			

S.B. 65 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

S.B. 125, HIGH SCHOOL VOTER REGISTRATION, read the third time by short title and placed on its final passage.

S.B. 125 passed on the following roll call:

Yeas, 55; Nays, 12; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Brown	D. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Grover
Hansen	Harper	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Kiser
Last	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morley
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Sandstrom	Shurtliff
Snow	Sumsion	Tilton	Webb
Wheatley	Wimmer	Winn	

Voting in the negative were: Representatives

Biskupski	Chavez–Houck	Janice Fisher	Hemingway
Johnson	King	Litvack	Morgan
Moss	Riesen	Seelig	Wiley

Absent or not voting were: Representatives

Bird	Bowman	S. Clark	Greenwood
Holdaway	Urquhart	Walker	Curtis

S.B. 125 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

S.B. 165, ALCOHOLIC BEVERAGE SINGLE EVENT PERMITS, read the third time by short title and placed on its final passage.

S.B. 165 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	Cosgrove	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Webb
Wheatley	Wiley	Wimmer	Winn

Absent or not voting were: Representatives

Bowman	S. Clark	Daw	Greenwood
Urquhart	Walker	Curtis	

S.B. 165 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

S.B. 167, ALCOHOLIC BEVERAGES ON ELECTION DAY, read the third time by short title and placed on its final passage.

S.B. 167 passed on the following roll call:

Yeas, 55; Nays, 13; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Bigelow
Biskupski	Brown	Chavez–Houck	D. Clark
Cosgrove	Dee	Donnelson	Dougall
Duckworth	Janice Fisher	Julie Fisher	Fowlke
Froerer	Garn	Gibson	Gowans
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
McGee	Morgan	Moss	Neuenschwander
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Wheatley
Wiley	Wimmer	Winn	

Voting in the negative were: Representatives

Barrus	Bird	Draxler	Dunnigan
Ferry	Frank	Holdaway	Mathis
McIff	Menlove	Morley	Noel
Webb			

Absent or not voting were: Representatives

Bowman	S. Clark	Daw	Greenwood
Newbold	Oda	Curtis	

S.B. 167 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. 7, JOINT RULES RESOLUTION – AUTHORIZING ELECTRONIC COMMITTEE MEETINGS, read the third time by short title and placed on its final passage.

On motion of Representative D. Clark, the House voted to circle **1st Sub. S.J.R. 7**.

RULES COMMITTEE REPORTS

Mr. Speaker: February 20, 2008

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

BUSINESS AND LABOR

- 1st Sub. S.B. 57** Franchise Law Amendments (Sen. D. Eastman)
S.B. 174 Dentist and Dental Hygienist Practice Act Amendments (Sen. P. Knudson)
S.B. 176 Unemployment Insurance Contribution Rates Amendments (Sen. H. Stephenson)

EDUCATION

- H.B. 414** Recycling Amendments (Rep. T. Cosgrove)
H.B. 488 Kindergarten Program Amendments (Rep. K. Morgan)
S.B. 91 Benefits to American Board Certified Teachers (Sen. M. Madsen)
1st Sub. S.B. 180 Regents' Scholarship Program (Sen. L. Hillyard)
S.B. 188 Pilot Program for Summer School and after School Programs for Children with a Disability (Sen. G. Bell)

HEALTH AND HUMAN SERVICES

- H.B. 322** Local Health Department Funding (Rep. S. Clark)
1st Sub. S.B. 93 Licensed Direct Entry Midwife Amendments (Sen. M. Dayton)
S.B. 138 Utah Substance Abuse and Anti-violence Coordinating Council Amendments (Sen. D. Buttars)
2nd Sub. S.B. 184 Child Care Licensing Exemptions (Sen. J. Greiner)

JUDICIARY

- 1st Sub. S.B. 182** Survival Action upon Injury or Death (Sen. M. Waddoups)
S.B. 198 Child Support Technical Amendments (Sen. G. Bell)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

- H.B. 305** County Sheriff Qualification Amendments (Rep. R. Greenwood)

NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT**1st Sub. S.B. 59** Wildlife Amendments (Sen. A. Christensen)**POLITICAL SUBDIVISIONS****H.B. 199** Tax Credits for Energy Efficient Residences
(Rep. F. Hunsaker)**H.B. 216** Annexation Revisions (Rep. B. Last)**RETIREMENT AND INDEPENDENT ENTITIES****H.B. 138** Sudan Divestment Act (Rep. D. Litvack)**S.B. 116** Retirement Office Amendments (Sen. C. Walker)**TRANSPORTATION****H.B. 146** School Bus Amendments (Rep. C. Johnson)**WORKFORCE SERVICES AND COMMUNITY AND ECONOMIC DEVELOPMENT****S.B. 274** Amendments to Utah Service Members' Civil Relief Act
(Sen. P. Knudson)**H.B. 380** Insurance Department – Workers' Compensation
Amendments (Rep. R. Bigelow)

Stephen Urquhart, Chair

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

* * *

Mr. Speaker: February 20, 2008

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 164**, Town Incorporation Process Amendments (Rep. M. Brown) be replaced with **4th Substitute H.B. 164**, Town Incorporation Process Amendments, and further recommends it be assigned to the House Political Subdivisions Standing Committee; andThe House Rules Committee recommends, with written request of the sponsor, that **H.B. 319**, Review and Appropriation of Grants (Rep. D. Clark) be replaced with **1st Substitute H.B. 319**, Review and Approval of Grants, and because of a short title change, recommends it be considered read for the first time, and further recommends it be assigned to the Government Operations Standing Committee; andThe House Rules Committee recommends, with written request of the sponsor, that **H.B. 407**, Community Conscious Internet Provider

(Rep. M. Morley) be replaced with **1st Substitute H.B. 407**, Community Conscious Internet Provider, and further recommends it be assigned to the House Government Operations Standing Committee.

Stephen Urquhart, Chair

Reports filed. On motion of Representative Urquhart, the reports of the Rules Committee were adopted.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, and at 4:07 p.m., the House voted to adjourn until February 21, 2008, at 10:00 a.m.

THIRTY-SECOND DAY

* * *

MORNING SESSION

The House was called to order by Speaker Curtis at 10:20 a.m.

Roll call showed all members present except Representative Bud Bowman, excused.

Prayer by Elder Dennis B. Neuenschwander, member of the First Quorum of the Seventy, Church of Jesus Christ of Latter-Day Saints, Representative Paul Neuenschwander's brother. Pledge of Allegiance by George B. Neuenschwander, on his 98th birthday, Representative Neuenschwander's father.

COMMITTEE OF THE WHOLE

On motion of Representative Snow, 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 D. Clark, the Committee of the Whole was dissolved.

INTRODUCTION OF BILL

H.B. 454, Regulation of Riparian Overlay Zones (M. Morley), read the first time by short title and referred to the Rules Committee.

CONSENT CALENDAR

H.B. 167, A VICTIM AMICUS BILL, read the third time by short title and placed on its final passage.

H.B. 167, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Chavez-Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler

Dunnigan	Ferry	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Lockhart	Mascaro	McGee	McIff
Menlove	Morgan	Morley	Moss
Oda	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Bowman	Brown	Duckworth	Janice Fisher
Litvack	Mathis	Neuenschwander	Newbold
Noel	Painter		

H.B. 167, as amended, transmitted to the Senate for its consideration.

* * *

1st Sub. S.B. 56, NATUROPATHIC PHYSICIAN AMENDMENTS, read the third time by short title and placed on its final passage.

1st Sub. S.B. 56 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Gibson	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
McGee	McIff	Menlove	Morgan

Morley	Moss	Neuenschwander	Newbold
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Bowman	Garn	Gowans	Mathis
Noel	Oda	Painter	

1st Sub. S.B. 56 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. 114, NOTARY PUBLIC REVISION, read the third time by short title and placed on its final passage.

S.B. 114 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Bowman Painter

S.B. 114 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. 143, INSURANCE FINANCIAL REQUIREMENTS, read the third time by short title and placed on its final passage.

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	Barrus	Bigelow
Bird	Biskupski	Brown	Chavez-Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	McGee	McIff	Menlove
Morgan	Morley	Moss	Noel
Oda	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Urquhart
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Andersen	Bowman	Duckworth	Gibson
Gowans	Mascaro	Mathis	Neuenschwander
Newbold	Painter	Sumsion	Tilton
Walker			

S.B. 143 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. 179, SALVAGE VEHICLE AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 179 passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives

Aagard	Allen	Barrus	Bigelow
Bird	Biskupski	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	McGee	Menlove
Morgan	Morley	Moss	Noel
Oda	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Andersen	Bowman	Duckworth	Gibson
Holdaway	Mathis	McIff	Neuenschwander
Newbold	Painter		

S.B. 179 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

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H.B. 374, CHILD ABUSE AND NEGLECT PREVENTION AND TREATMENT AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 374, 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	Barrus	Bigelow
Bird	Biskupski	Brown	Chavez–Houck

D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Winn	Curtis

Absent or not voting were: Representatives

Andersen	Bowman	Duckworth	Gibson
Mascaro	Mathis	Wimmer	

H.B. 374, as amended, transmitted to the Senate for its consideration.

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H.C.R. 7, CONCURRENT RESOLUTION DECLARING COLORECTAL CANCER AWARENESS MONTH, read the third time by short title and placed on its final passage.

H.C.R. 7, as amended, passed on the following roll call:

Yeas, 63; Nays, 0; Absent or not voting, 12.

Voting in the affirmative were: Representatives

Aagard	Allen	Barrus	Bird
Biskupski	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Mascaro	McGee

McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Andersen	Bigelow	Bowman	Brown
D. Clark	Duckworth	Gowans	Lockhart
Mathis	Ray	Sumsion	Tilton

H.C.R. 7, as amended, transmitted to the Senate for its consideration.

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H.B. 371, DIGITAL CERTIFICATES FOR BREATHALIZERS, read the third time by short title and placed on its final passage.

H.B. 371 passed on the following roll call:

Yeas, 64; Nays, 0; Absent or not voting, 11.

Voting in the affirmative were: Representatives

Aagard	Allen	Barrus	Bigelow
Bird	Biskupski	Chavez–Houck	S. Clark
Cosgrove	Daw	Donnelson	Dougall
Draxler	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Greenwood	Grover
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wimmer	Curtis

Absent or not voting were: Representatives

Andersen	Bowman	Brown	D. Clark
Dee	Duckworth	Gowans	Hansen
Mathis	Wiley	Winn	

H.B. 371 transmitted to the Senate for its consideration.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 20, 2008

The Judiciary Committee reports a favorable recommendation on **S.B. 69**, UNIFORM LIMITED COOPERATIVE ASSOCIATION ACT, by Senator L. Hillyard; and

The Judiciary Committee recommends **S.B. 105**, JUDICIAL PERFORMANCE EVALUATION COMMISSION, by Senator D. C. Buttars, be replaced and favorably recommends **1st Sub. S.B. 105**, JUDICIAL PERFORMANCE EVALUATION COMMISSION.

Douglas C. Aagard, Chair

Reports filed. On motion of Representative Aagard, the reports of the Judiciary Committee were adopted.

S.B. 69 read the second time by short title and placed on the Third Reading Calendar.

1st Sub. S.B. 105 read the second time by short title and returned to the Rules Committee due to fiscal impact.

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Mr. Speaker: February 20, 2008

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 282**, STATE PAYMENT AND REIMBURSEMENT TO COUNTY CORRECTIONAL FACILITIES, by Representative M. Noel; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 492**, SEX OFFENDER NOTIFICATION AND REGISTRATION, by Representative P. Ray, with the following amendments:

- 1. Page 18, Line 539:

539 (m), the convicting court shall within three [~~working~~] business days forward a { certified } copy of ; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **S.B. 187**, BAIL IN CAPITAL OFFENSE CASES, by Senator J. Greiner, and recommends it be placed on the Consent Calendar; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **S.B. 290**, PRIVATE INVESTIGATORS' ACCESS TO

DRIVER LICENSURE INFORMATION, by Senator M. Dayton, and recommends it be placed on the Consent Calendar.

DeMar “Bud” Bowman, Chair

Reports filed. On motion of Representative Oda, the reports of the Law Enforcement and Criminal Justice Committee were adopted.

H.B. 282 and **H.B. 492**, as amended, read the second time by short title and placed on the Third Reading Calendar.

S.B. 187 and **S.B. 290** read the second time by short title and placed on the Consent Calendar.

NOTICE OF BILLS RETURNED TO THE RULES COMMITTEE

Mr. Speaker: February 20, 2008
 The Law Enforcement and Criminal Justice Committee has returned **H.B. 176**, SEX OFFENDER REGISTRATION AMENDMENTS, by Representative K. Grover, to the Rules Committee.

DeMar “Bud” Bowman, Chair

Report filed. **H.B. 176** returned to the Rules Committee.

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Mr. Speaker: February 20, 2008
 The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 246**, STATE TREE REDESIGNATED, by Representative J. Draxler and further recommends that **H.B. 246** be referred to the Rules Committee.

Roger E. Barrus, Chair

Report filed. **H.B. 246** returned to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 20, 2008
 The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **1st Sub. S.B. 181**, OFF-HIGHWAY VEHICLE USE ON PUBLIC HIGHWAYS, by Senator S. Jenkins, with the following amendments:

1. Page 1, Lines 22 through 23b
 Senate 3rd Reading Amendments 2-13-2008:

22 jurisdiction {~~§~~→};

22a • ~~§~~ } as open to street-legal all-terrain
{~~off-highway~~} vehicle use, general

23 off-highway vehicle use, or limited off-highway vehicle use;
{~~§~~→} or

23a • ~~where operating a street-legal all-terrain vehicle on the
highway is prohibited;~~

23b ~~§~~ } and

2. Page 2, Line 41:

41 41-22-10.5, as last amended by Laws of Utah 2004, Chapter
159

53-8-205, as last amended by Laws of Utah 2003, Chapter 108

3. Page 4, Line 89:

89 nonresident tuition or fees; or

4. Page 6, Lines 170 through 171:

170 (3) (a) The following motor vehicles are exempt from this
section:

171 {~~(a)~~} (i) except as provided in Subsection
(3) {~~(e)~~} (b) a new motor vehicle when registered the

5. Page 16, Lines 482 through 486
Senate 3rd Reading Amendments 2-13-2008:

482 (1) (a) Except as provided in Subsection (1)(b) {~~§~~→} and
Subsection 41-22-10.5(2) ~~§~~ } , an

482a all-terrain type I or type II vehicle

483 that meets the requirements of this section may be operated as a
street-legal ATV on a street or

484 highway that {~~;~~}

485 (i) } is a highway with one lane in each direction {~~;~~ and

486 (ii) has a posted speed limit of no more than 50 miles per
hour } .

6. Page 17, Lines 491 through 493:

491 (i) a county of the first class;

492 (ii) a municipality that is within a county of the first class; or

493 (iii) a municipality with a population of ~~§~~ ~~→~~ [20,000]
{ ~~5,000~~ } 7,500 ~~←~~ ~~§~~ or more people.

7. Page 17, Line 513

Senate 3rd Reading Amendments 2-13-2008:

513 (a) one or more headlamps that meet the requirements of
Section 41-6a-1603:

8. Page 17, Line 519

Senate 3rd Reading Amendments 2-13-2008:

519 (f) amber electric turn signals one each side of the front
and rear:

9. Page 18, Line 525:

525 (j) rearview mirrors on the { ~~rights~~ } right and left
side of the driver in accordance with Section

10. Page 18, Line 527:

527 (k) a windshield unless the operator wears eye protection
while operating the vehicle:

11. Page 18, Lines 531 through 532:

531 (n) for vehicles with side-by-side seating, seatbelts for each
vehicle occupant.

(5) An operator of a street-legal all-terrain vehicle, when
operating a street-legal all-terrain vehicle on a highway in accordance
with this section, may not exceed the lesser of:

(a) the posted speed limit; or

(b) 45 miles per hour.

532 { ~~(5)~~ } (6) (a) A nonresident operator of an
off-highway vehicle that is authorized to be

12. Page 18, Line 539:

539 privileges for nonresident users granted under Subsection
{ ~~(5)~~ } (6) (a).

13. Page 25, Lines 762 through 762d

Senate 3rd Reading Amendments 2-13-2008:

762 { ~~(2)~~ ~~§~~ ~~→~~ Notwithstanding the provisions in Subsection
41-6a-1509(1)(a), a municipality

762a ~~or county may adopt ordinances designating certain streets and highways under its respective~~

762b ~~jurisdiction where operating a street-legal all-terrain vehicle on the street or highway is~~

762c ~~prohibited.~~

762d ~~(3)~~ ~~←§~~ (2) A municipality or a county may adopt an ordinance requiring an operator who is

14. Page 25, Line 765

Senate 3rd Reading Amendments 2-13-2008:

765 ~~§~~ ~~→~~ ~~{-+}~~ (3) ~~{-+}~~ { (4) } ~~←§~~ A route designated under Subsection (1) may not be along, across, or within the

15. Page 25, Line 767

Senate 3rd Reading Amendments 2-13-2008:

767 ~~§~~ ~~→~~ ~~{-+}~~ (4) ~~{-+}~~ { (5) } ~~←§~~ Except as provided under Section 41-22-10.3, a person may not operate an

16. Page 26, Line 771:

771 accordance with Section 41-22-5.5.

Section 13. Section 53-8-205 is amended to read:

53-8-205. Safety inspection required -- Frequency of safety inspection -- Safety inspection certificate required -- Out-of-state permits.

(1) (a) Except as provided in Subsection (1)(b), a person may not operate on a highway a motor vehicle required to be registered in this state unless the motor vehicle has passed a safety inspection.

(b) Subsection (1)(a) does not apply to:

(i) ~~{-vehieles-}~~ a vehicle that is exempt from registration under Section 41-1a-205; and

(ii) ~~{-off highway vehieles-}~~ an off-highway vehicle, unless the off-highway vehicle is being registered as a street-legal all-terrain vehicle in accordance with Section 41-6a-1509 .

(2) Except as provided in Subsection (3), the frequency of the safety inspection shall be determined based on the age of the vehicle determined by model year and shall:

(a) be required each year for a vehicle that is eight or more years old on January 1; or

(b) every two years for each vehicle that is less than eight years old on January 1 as follows:

(i) in odd-numbered years for a vehicle with an odd-numbered model year; and

(ii) in even-numbered years for a vehicle with an even-numbered model year;

(c) be made by a safety inspector certified by the division at a safety inspection station authorized by the division;

(d) cover an inspection of the motor vehicle mechanism, brakes, and equipment to ensure proper adjustment and condition as required by department rules; and

(e) include an inspection for the display of license plates in accordance with Section 41-1a-404.

(3) (a) A salvage vehicle as defined in Section 41-1a-1001 is required to pass a safety inspection when an application is made for initial registration as a salvage vehicle.

(b) After initial registration as a salvage vehicle, the frequency of the safety inspection shall correspond with the model year, as provided in Subsection (2).

(4) A safety inspection station shall issue a safety inspection certificate to the owner of :

(a) each motor vehicle that passes a safety inspection under this section ; and

(b) a street-legal all-terrain vehicle that meets all the equipment requirements in Section 41-6a-1509 .

(5) The division may:

(a) authorize the acceptance in this state of a safety inspection certificate issued in another state having a safety inspection law similar to this state; and

(b) extend the time within which a safety inspection certificate must be obtained by the resident owner of a vehicle that was not in this state during the time a safety inspection was required.

Roger E. Barrus, Chair

Report filed. On motion of Representative Barrus, the report of the Natural Resources, Agriculture, and Environment Committee was adopted.

1st Sub. S.B. 181, as amended, read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker:

February 20, 2008

The Transportation Committee reports a favorable recommendation on **H.B. 409**, POWERSPORT VEHICLE FRANCHISE ACT REVISIONS, by Representative J. Gowans; and

The Transportation Committee reports a favorable recommendation on **H.B. 452**, HANDLING OF MINOR TRAFFIC ACCIDENTS, by Representative E. Hutchings, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 1, Lines 13 through 17:

13 ► requires an operator of a vehicle involved in an accident resulting only in damage to

14 another vehicle or property to move the vehicle as soon as it is safely possible off the roadway

15 or freeway main lines, shoulders, medians, or adjacent areas to a location on an exit

16 ramp shoulder, a frontage road, the nearest suitable cross street, or other suitable

17 location that does not obstruct traffic;

2. Page 2, Lines 37 through 39:

37 (i) move the vehicle as soon as it is safely possible off the roadway or freeway main lines.

38 shoulders, medians, or adjacent areas to a location on an exit ramp shoulder, a frontage road,

39 the nearest suitable cross street, or other suitable location that does not obstruct traffic; and ; and

The Transportation Committee reports a favorable recommendation on **H.B. 402**, VEHICLE TO PULL OFF HIGHWAY, by Representative F. Hunsaker, and recommends it be placed on the Consent Calendar.

Todd E. Kiser, Chair

Reports filed. On motion of Representative Kiser, the reports of the Transportation Committee were adopted.

H.B. 409 read the second time by short title and placed on the Third Reading Calendar.

H.B. 452, as amended, and **H.B. 402** read the second time by short title and placed on the Consent Calendar.

THIRD READING CALENDAR

1st Sub. S.B. 29, TRUTH IN TAXATION AMENDMENTS, read the third time by short title and placed on its final passage.

1st Sub. S.B. 29 passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Aagard	Allen	Barrus	Bigelow
Bird	Biskupski	Brown	Chavez–Houck
S. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Snow	Tilton
Urquhart	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Andersen	Bowman	D. Clark	Gowans
Morley	Shurtliff	Sumsion	Walker

1st Sub. S.B. 29 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, INVENTORY FOR COMPETITIVE ACTIVITIES OF LOCAL ENTITIES, read the third time by short title and placed on its final passage.

Representative Dee proposed the following amendment:

1. Page 1, Line 15:
Delete “or second”
2. Page 2, Line 46:
Delete “or second”
3. Page 2, Line 51:
Delete “or second”
4. Page 3, Line 75:
Delete “or second”
5. Page 3, Line 80:
Delete “or second”

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

1st Sub. S.B. 45, as amended, failed to pass on the following roll call:

Yeas, 34; Nays, 36; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	S. Clark
Daw	Donnelson	Dougall	Dunnigan
Julie Fisher	Frank	Froerer	Garn
Greenwood	Grover	Herrod	Hughes
Hutchings	Kiser	Last	Lockhart
Mathis	Newbold	Noel	Oda
Painter	Ray	Sandstrom	Sumsion
Tilton	Urquhart	Walker	Webb
Winn	Curtis		

Voting in the negative were: Representatives

Allen	Bigelow	Bird	Biskupski
Brown	Chavez–Houck	Cosgrove	Dee
Draxler	Duckworth	Ferry	Janice Fisher
Fowlke	Gibson	Gowans	Hansen
Harper	Hemingway	Hendrickson	Holdaway
Hunsaker	Johnson	King	Litvack
McGee	McIff	Menlove	Morgan
Moss	Riesen	Seelig	Shurtliff
Snow	Wheatley	Wiley	Wimmer

Absent or not voting were: Representatives

Bowman	D. Clark	Mascaro	Morley
Neuenschwander			

1st Sub. S.B. 45, as amended, was returned to the Senate for filing.

UNFINISHED BUSINESS

On motion of Representative Urquhart, the House voted to uncircle **1st Sub. S.B. 152**.

1st Sub. S.B. 152, PRESUMPTIVE PERSONAL REPRESENTATIVE, was before the House on its final passage.

1st Sub. S.B. 152, 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	Barrus	Bigelow
Bird	Biskupski	Brown	Chavez–Houck
S. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mathis
McGee	McIff	Menlove	Morgan
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Andersen	Bowman	D. Clark	Mascaro
Morley	Sandstrom	Walker	

1st Sub. S.B. 152, as amended, returned to the Senate for further consideration.

THIRD READING CALENDAR

S.B. 136, APPORTIONMENT OF BUSINESS INCOME AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Dougall, the House voted to delete **S.B. 136** in title and body and insert **1st Sub. S.B. 136** in lieu thereof.

1st Sub. S.B. 136 passed on the following roll call:

Yeas, 60; Nays, 4; Absent or not voting, 11.

Voting in the affirmative were: Representatives

Aagard	Allen	Barrus	Bigelow
Bird	Biskupski	Brown	Chavez–Houck
S. Clark	Cosgrove	Daw	Donnelson
Dougall	Draxler	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Grover
Harper	Hemingway	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn

Voting in the negative were: Representatives

Duckworth	Gowans	Hansen	Hendrickson
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Absent or not voting were: Representatives

Andersen	Bowman	D. Clark	Dee
Greenwood	Herrod	King	Morley
Ray	Sumsion	Curtis	

1st Sub. S.B. 136, as substituted, was returned to the Senate for further consideration.

* * *

S.B. 126, FILING FEE FOR WRITE-IN CANDIDATES, read the third time by short title and placed on its final passage.

On motion of Representative Donnelson, the House voted to return **S.B. 126** to the Rules Committee.

* * *

S.B. 159, WORKERS’ COMPENSATION AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 159 passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn		

Absent or not voting were: Representatives

Bowman	D. Clark	Dee	Johnson
Curtis			

S.B. 159 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 Snow, the House voted to recess until 2:00 p.m.

AFTERNOON SESSION

The House was called to order by Speaker Curtis at 2:00 p.m.

Representative Janice Fisher, excused.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 21, 2008

The President of the Senate has signed **H.B. 30**, VEHICLE CONCEALING ILLEGAL ITEMS, by Representative P. Ray, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 42**, WATER RIGHT APPLICATION FOR ELECTRICAL COOPERATIVE, by Representative G. Snow, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 62**, CLEAN FUEL SPECIAL GROUP LICENSE PLATE AMENDMENTS, by Representative T. Kiser, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **2nd Sub. H.B. 125**, DEPARTMENT OF AGRICULTURE AND FOOD AMENDMENTS, by Representative K. Gibson, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 272**, FALSE IMPERSONATION AND REPRESENTATION, by Representative G. Froerer, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 275**, VEHICLE TOWING REQUIREMENTS, by Representative B. Daw, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 296**, VOTING MACHINES USED BY MUNICIPALITIES, by Representative N. Hansen, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 310**, ABSENTEE BALLOT REVISIONS, by Representative D. Aagard, 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. 30**, **H.B. 42**, **1st Sub. H.B. 62**, **2nd Sub. H.B. 125**, **1st Sub. H.B. 272**, **H.B. 275**, **H.B. 296**, and **H.B. 310** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker: February 21, 2008

The Senate concurred in the House amendments and passed **1st Sub. S.B. 77**, REVISIONS TO GOVERNMENT RECORDS ACCESS MANAGEMENT ACT, by Senator M. Dayton, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **1st Sub. S.B. 92**, REAL PROPERTY RECORDING 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. 155**, PUNITIVE DAMAGES AMENDMENTS, by Senator L. Hillyard, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **1st Sub. S.B. 77**, **1st Sub. S.B. 92**, and **1st Sub. S.B. 155** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

INTRODUCTION OF BILLS

H.B. 463, Motor Cycle Helmet Law Amendments (N. Hansen), read the first time by short title and referred to the Rules Committee.

H.B. 479, Health Care Patient Identity Protections (S. Sandstrom), read the first time by short title and referred to the Rules Committee.

MISCELLANEOUS BUSINESS

On motion of Representative Dee, the House voted to recall **1st Sub. S.B. 45** from the Senate for possible reconsideration on the following roll call:

Yeas, 37; Nays, 29; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	S. Clark
Daw	Dee	Donnelson	Dougall
Dunnigan	Julie Fisher	Frank	Froerer
Garn	Greenwood	Grover	Harper
Herrod	Hughes	Hunsaker	Hutchings
Kiser	Last	Lockhart	Mathis
Morley	Neuenschwander	Newbold	Oda
Painter	Ray	Sandstrom	Sumsion
Walker	Webb	Wimmer	Winn
Curtis			

Voting in the negative were: Representatives

Allen	Bird	Biskupski	Brown
Chavez-Houck	Cosgrove	Draxler	Ferry

Fowlke	Gowans	Hansen	Hemingway
Hendrickson	Holdaway	Johnson	Litvack
Mascaro	McGee	McIff	Menlove
Morgan	Moss	Riesen	Seelig
Shurtliff	Snow	Urquhart	Wheatley
Wiley			

Absent or not voting were: Representatives

Bigelow	Bowman	D. Clark	Duckworth
Janice Fisher	Gibson	King	Noel
Tilton			

MISCELLANEOUS BUSINESS

On motion of Representative Snow, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

THIRD READING CALENDAR

H.B. 224, CONSTRUCTION STANDARDS FOR TYPE II ASSISTED LIVING FACILITY, 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. 224**.

* * *

H.B. 401, MASTER PLUMBING LICENSING, read the third time by short title and placed on its final passage.

H.B. 401, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Draxler
Dunnigan	Ferry	Julie Fisher	Fowlke
Frank	Froerer	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Johnson	King

Kiser	Last	Litvack	Mascaro
Mathis	McGee	Menlove	Morgan
Morley	Moss	Neuenschwander	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Voting in the negative were: Representatives

Dougall	Garn	Lockhart
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Absent or not voting were: Representatives

Bowman	Duckworth	Janice Fisher	Holdaway
McIff	Newbold		

H.B. 401, as amended, transmitted to the Senate for its consideration.

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H.B. 406, TRAFFIC CODE AMENDMENTS, 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, 53; Nays, 15; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Andersen	Biskupski	Chavez–Houck	D. Clark
S. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Greenwood	Grover	Hansen	Harper
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Kiser	Last	Lockhart
McGee	Morgan	Morley	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wiley	Wimmer
Winn			

Voting in the negative were: Representatives

Aagard	Allen	Barrus	Bigelow
Bird	Hemingway	King	Litvack
Mascaro	Mathis	Menlove	Moss
Riesen	Wheatley	Curtis	

Absent or not voting were: Representatives

Bowman	Brown	Janice Fisher	Gowans
Holdaway	Johnson	McIff	

H.B. 406, as amended, transmitted to the Senate for its consideration.

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H.B. 412, BELOW COST SALES, read the third time by short title and placed on its final passage.

H.B. 412 passed on the following roll call:

Yeas, 63; Nays, 8; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	King
Kiser	Last	Lockhart	Mascaro
McGee	McIff	Menlove	Morgan
Morley	Neuenschwander	Noel	Oda
Painter	Ray	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wimmer	Winn	Curtis	

Voting in the negative were: Representatives

Chavez-Houck	Hansen	Johnson	Litvack
Moss	Newbold	Riesen	Wiley

Absent or not voting were: Representatives

Bowman	Janice Fisher	Holdaway	Mathis
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H.B. 412 transmitted to the Senate for its consideration.

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H.B. 160, CHARTER SCHOOL LAW REVISIONS, read the third time by short title and placed on its final passage.

Representative Lockhart proposed the following amendment:

1. Page 2, Line 41:
After “director” insert “with the consent of the superintendent of public instruction”

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

H.B. 160, as amended, passed on the following roll call:

Yeas, 61; Nays, 10; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Ferry	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Greenwood
Grover	Harper	Hemingway	Herrod
Hughes	Hunsaker	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morgan	Morley	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wimmer	Winn
Curtis			

Voting in the negative were: Representatives

Duckworth	Gowans	Hansen	Hendrickson
Holdaway	Hutchings	McGee	Moss
Shurtliff	Wiley		

Absent or not voting were: Representatives

Bowman	D. Clark	Dunnigan	Janice Fisher
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H.B. 160, as amended, transmitted to the Senate for its consideration.

REPORTS OF STANDING COMMITTEES

Mr. Speaker:

February 21, 2008

The Government Operations Committee reports a favorable recommendation on **H.B. 162**, UTAH SCHOOL SEISMIC HAZARD INVENTORY, by Representative L. Wiley, with the following amendments:

1. Page 5, Lines 132 through 133:

132 threshold score.

(8) The state, a school district, a charter school, and their officers and employees are immune from suit for any injury or damage resulting from the exercise or performance or the failure to exercise or perform any action related to seismic safety as a result of the evaluations performed pursuant to this section.

133 Section 3. Section 63–55b–153 is amended to read: ; and

The Government Operations Committee reports a favorable recommendation on **1st Sub. H.B. 425**, EXEMPTION FOR ALCOHOLIC BEVERAGE MANUFACTURING LICENSE, by Representative C. Johnson; and

The Government Operations Committee reports a favorable recommendation on **H.B. 456**, FAIR CAMPAIGN PLEDGE AMENDMENTS, by Representative E. Hutchings; and

The Government Operations Committee reports a favorable recommendation on **H.J.R. 11**, JOINT RESOLUTION SUPPORTING STATEWIDE GOVERNMENT 211 SYSTEM INFORMATION DIRECTORY, by Representative E. Hutchings, and recommends it be placed on the Consent Calendar; and

The Government Operations Committee reports a favorable recommendation on **1st Sub. S.B. 158**, GOVERNOR’S RURAL PARTNERSHIP BOARD AND RURAL COORDINATING COMMITTEE AMENDMENTS, by Senator D. Stowell, and recommends it be placed on the Consent Calendar.

Glenn A. Donnelson, Chair

Reports filed. On motion of Representative Donnelson, the reports of the Government Operations Committee were adopted.

H.B. 162, as amended, **1st Sub. H.B. 425**, **H.B. 456**, and **1st Sub. S.B. 78** read the second time by short title and placed on the Third Reading Calendar.

H.J.R. 11 and **1st Sub. S.B. 158** read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: February 21, 2008

The Political Subdivisions Committee reports a favorable recommendation on **4th Sub. H.B. 164**, TOWN INCORPORATION PROCESS AMENDMENTS, by Representative M. Brown, with the following amendments:

1. Page 2, Lines 26 through 28:

26 ▶ allows a county legislative body { ~~in a first or second class county~~ } the option whether

27 to commission a financial feasibility study with respect to a proposed incorporation

28 of a town and provides a process for commissioning a financial feasibility study;

2. Page 5, Line 136:

136 certification under Subsection { (5) } (6) of a petition filed under Subsection (4).

3. Page 8, Lines 227 through 229:

227 (i) at any time until the county clerk certifies the petition under Subsection { (5) } (6) ; and

228 (ii) by filing a signed, written withdrawal or reinstatement with the county clerk.

(5)(a) If a petition is filed under Subsection (4)(a) proposing to incorporate as a town an area located within a county of the first class, the county clerk shall deliver written notice of the proposed incorporation:

(i) to each owner of private real property owning more than 1% of the assessed value of all private real property within the area proposed to be incorporated as a town; and

(ii) within seven calendar days after the date on which the petition is filed.

(b) A private real property owner described in Subsection (5)(a)(i) may exclude all or part of the owner's property from the area proposed to be incorporated as a town by filing a notice of exclusion:

(i) with the county clerk; and

(ii) within ten calendar days after receiving the clerk's notice under Subsection (5)(a).

(c) The county legislative body shall exclude from the area proposed to be incorporated as a town the property identified in the notice of exclusion under Subsection (5)(b) if exclusion will not leave an unincorporated island within the proposed town.

(d) If the county legislative body excludes property from the area proposed to be incorporated as a town, the county legislative body shall send written notice of the exclusion to the contact sponsor within five days after the exclusion.

229 { ~~(5)~~ } (6) Within 20 days after the filing of a petition under Subsection (4), the county clerk

4. Page 9, Line 245:

245 { ~~(6)~~ } (7) (a) (i) A petition that is rejected under Subsection { ~~(5)~~ } (6) (b)(ii) may be amended to

5. Page 9, Lines 249 through 251:

249 under Subsection { ~~(6)~~ } (7) (a)(i) and then refiled with the county clerk.

250 (b) If a petition is amended and refiled under Subsection { ~~(6)~~ } (6) (a)(i) after having been

251 rejected by the county clerk under Subsection { ~~(5)~~ } (6) (b)(ii):

6. Page 9, Lines 255 through 260:

255 [~~(5)~~] { ~~(7)~~ } (8) (a) (i) The legislative body of [each] a county { ~~of the first or second class~~ } with

256 which a [base] petition is filed under [this section shall] Subsection (4) may, at its option and

257 upon the petition being certified under Subsection { ~~(5)~~ } (6) a commission and pay for a financial

258 feasibility study [as provided in Section 10-2-103].

259 (ii) If the legislative body { ~~of a county of the first or second class~~ } chooses to

260 commission a financial feasibility study, the county legislative body shall:

7. Page 9, Lines 266 through 273:

266 [~~(ii)~~ If] (b) The county legislative body shall approve a petition proposing the

267 incorporation of a town and hold an election for town officers, as provided in Subsection { ~~(8)~~ } (9) .

268 if:

269 { (i) in a county of the first or second class: }

270 { (A) } (i) the county clerk has certified the petition under Subsection { ~~(5)~~ } (4) ; and

271 { (B)-(I)-(Aa) } (ii)(A)(I) the county legislative body has commissioned a financial feasibility study

272 under Subsection { ~~(7)~~ } (8) (a); and

273 { (Bb) } (II) the results of the financial feasibility [study under Subsection ~~(5)(a)(i)~~ meet the

8. Page 10, Lines 277 through 281:

277 { (II) } (B) the county legislative body chooses not to commission a feasibility study { ~~or~~

278 (ii) in a county of the third, fourth, fifth, or sixth class, the county clerk has certified

279 the petition under Subsection ~~(5)~~ } .

280 [(iii)-If] (c) (i) If the legislative body { of a county of the first or second class }

281 commissions a financial feasibility study under Subsection { ~~(7)~~ } (8) (a) and the results of the

9. Page 10, Line 286:

286 (A) deny the petition, subject to Subsection { ~~(7)~~ } (8) (c)(ii);

10. Page 10, Line 289:

289 Subsection { ~~(8)~~ } (9) ; or

11. Page 10, Lines 298 through 299:

298 provided in Subsection { ~~(8)~~ } (9) .

299 (ii) A county legislative body intending to deny a petition under Subsection { ~~(7)~~ } (8) (c)(i)(A)

12. Page 10, Line 304:

304 { (7) } (8) (c)(i)(C)(I) shall comply with those conditions.

13. Page 11, Lines 308 through 318:

308 { ~~(8)~~ } (9) (a) The legislative body of the county in which the proposed new town is located

309 shall [~~appoint a mayor and members of the town council from a list of qualified individuals~~

310 ~~approved by the petition sponsors]~~ hold the election for town officers provided for in

311 Subsection { ~~(7)~~ } (8) within:

312 (i) 45 days after the petition is certified, for an election under Subsection

313 { ~~(7)~~ } (8) (b)(i)(B) {~~(H) or (7)(b)(ii)~~ } ;

314 (ii) 45 days after the feasibility consultant submits the written results of the financial

315 feasibility study, for an election under Subsection
 { ~~(7)~~ } (8) (b) {~~(i)(B)(I)~~ } (ii)(A) ; or

316 (iii) 60 days after the feasibility consultant submits the written results of the financial

317 feasibility study, for an election under Subsection
 { ~~(7)~~ } (8) (c).

318 (b) The officers elected at an election under Subsection
 { ~~(8)~~ } (9) (a) shall take office:

14. Page 11, Line 322:

322 incorporation under Subsection { ~~(11)~~ } (12) , if the election of officers is held on any other date.

15. Page 11, Line 325:

325 [~~(7)~~] { ~~(9)~~ } (10) Each newly incorporated town shall operate under the [~~six-member~~]

16. Page 11, Line 327:

327 [~~(8)~~] { ~~(10)~~ } (11) (a) [~~Each mayor appointed under Subsection (6) shall, within~~] Within seven

17. Page 11, Line 329:

329 { ~~(8)~~ } (9) , the mayor-elect of the new town shall file at least three copies of the articles of

18. Page 12, Line 337:

337 { ~~(11)~~ } (12) A new town is incorporated:

19. Page 12, Line 340:

340 Subsection { ~~(8)~~ } (9) is held on a regular general or municipal general election date; or

20. Page 12, Lines 343 through 344:

343 officers under Subsection { ~~(8)~~ } (9) is held on any other date.

344 { ~~(12)~~ } (13) For each petition filed before the effective date of this section:

21. Page 13, Line 379:

379 10-2-125 { ~~(8)~~ } (9) .

22. Page 13, Line 392:

392 10-2-125 { ~~(8)~~ } (9) , on any date that complies with the requirements of that subsection.

23. Page 15, Lines 430 through 431:

430 date of this section” in Subsection 10-2-125
 { ~~(12)~~ } (13) of this bill with the actual effective date of this

431 bill. ; and

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 405**, AMENDMENTS TO CITY OR TOWN SALES AND USE TAX TO FUND BOTANICAL, CULTURAL, RECREATIONAL, AND ZOOLOGICAL ORGANIZATIONS OR FACILITIES, by Representative S. Sandstrom; and

The Political Subdivisions Committee reports a favorable recommendation on **1st Sub. S.B. 53**, USE OF INITIATIVE AND REFERENDUM FOR ADMINISTRATIVE LAND USE AND ZONING MATTERS, by Senator B. Goodfellow; and

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 440**, MODIFICATIONS TO GOVERNMENT LAW, by Representative L. Fowlke, 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.

4th Sub. H.B. 164, as amended, **H.B. 405**, and **1st Sub. S.B. 53** read the second time by short title and placed on the Third Reading Calendar.

H.B. 440 read the second time by short title and placed on the Consent Calendar.

NOTICE OF BILL RETURNED TO RULES COMMITTEE

Mr. Speaker: February 21, 2008

The Political Subdivisions Committee has returned **H.B. 418**, PHYSICIAN EDUCATION ADMISSIONS, by Representative B. Last, to the Rules Committee.

Fred R Hunsaker, Chair

Report filed. **H.B. 418** returned to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 21, 2008

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 190**, STATE SYSTEM OF HIGHER EDUCATION AMENDMENTS, by Representative J. Dougall; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 201**, TAX CREDIT FOR SOLAR PROJECTS, by Representative B. Last, with the following amendments:

1. Page 8, Line 243:

243 (3) For a taxable year, a tax credit under this section may not exceed \$2,000 on a return .

2. Page 9, Lines 250 through 251:

250 (5) { A } Subject to Section 59-7-614, a tax credit under this section is in addition to any other tax credit allowed by this
251 chapter.

3. Page 15, Line 441:

441 (3) For a taxable year, a tax credit under this section may not exceed \$2,000 on a return .

4. Page 15, Lines 448 through 449:

448 (5) { A } Subject to Section 59-10-1014, a tax credit under this section is in addition to any other tax credit allowed by this

449 chapter. ; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 383**, STATEWIDE CAPITAL OUTLAY EQUALIZATION, by Representative A. Tilton; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 497**, REVENUE BOND AUTHORIZATION FOR STATE FAIR PARK, by Representative N. Hendrickson.

John Dougall, Chair

Reports filed. On motion of Representative Dougall, the reports of the Revenue and Taxation Committee were adopted.

H.B. 190, **H.B. 201**, as amended, **H.B. 383**, and **H.B. 497** read the second time by short title and placed on the Third Reading Calendar.

COMMUNICATION FROM THE SENATE

Mr. Speaker:

February 21, 2008

The Senate refuses to recede from its amendments to **2nd Sub. H.B. 47**, STANDARDS FOR ELECTRONIC EXCHANGE OF CLINICAL HEALTH INFORMATION, by Representative R. Menlove, and has appointed a Conference Committee consisting of Senators P. Knudson, A. Christensen, and G. Davis to meet with a like committee from the House on this bill.

Annette B. Moore

Secretary of the Senate

On motion of Representative Menlove, the House voted to refuse to recede from its amendments to **2nd Sub. H.B. 47**. The Speaker was authorized to appoint a Conference Committee. The Speaker appointed Representatives Menlove, Dougall, and Johnson.

RULES COMMITTEE REPORTS

Mr. Speaker:

February 21, 2008

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 464**, Access to Landlocked Parcels (Rep. M. Walker) be replaced with **1st Substitute H.B. 464**, Access to Landlocked Parcels, and further recommends it be assigned to the House Political Subdivisions Standing Committee.

Stephen Urquhart, Chair

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

* * *

Mr. Speaker: February 21, 2008

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

EDUCATION

H.B. 418 Physician Education Admissions (Rep. B. Last)

GOVERNMENT OPERATIONS

H.B. 454 Regulation of Riparian Overlay Zones (Rep. M. Morley)

S.B. 123 Filling Vacancies in the Senate (Sen. J. Hickman)

HEALTH AND HUMAN SERVICES

1st Sub. S.B. 70 Emotional Support Animals (Sen. S. McCoy)

JUDICIARY

H.B. 493 Stalking Amendments (Rep. L. Fowlke)

S.B. 67 Protection of Constitutionally Guaranteed Activities in Certain Private Venues (Sen. M. Madsen)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

H.B. 395 Deportation of Eligible Undocumented Immigrant Prisoners (Rep. G. Donnelson)

H.B. 479 Health Care Patient Identity Protections (Rep. S. Sandstrom)

NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT

H.B. 227 Revoking Federal Authority to Use State Lands as a Bird Refuge (Rep. B. Ferry)

1st Sub. S.B. 89 Mitigation of Invasive Species (Sen. D. Stowell)

PUBLIC UTILITIES AND TECHNOLOGY

1st Sub. S.B. 84 Net Metering Programs (Sen. K. VanTassell)

RETIREMENT AND INDEPENDENT ENTITIES

3rd Sub. S.B. 48 Equalization of School Capital Outlay Funding (Sen. D. Eastman)

REVENUE AND TAXATION

H.B. 206 Tax Amendments (Rep. W. Harper)

WORKFORCE SERVICES AND COMMUNITY AND ECONOMIC DEVELOPMENT

1st Sub. S.B. 166 Nondiscrimination Amendments (Sen. S. McCoy)

Stephen Urquhart, Chair

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

MISCELLANEOUS BUSINESS

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

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

THIRD READING CALENDAR

H.B. 163, SCHOOL FEE AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Frank, the House voted to circle **H.B. 163**.

* * *

1st Sub. H.B. 363, BEVERLEY TAYLOR SORENSON ELEMENTARY ARTS LEARNING PROGRAM, read the third time by short title and placed on its final passage.

Representative Hughes proposed the following amendment:

1. Page 3, Lines 59 through 61

59 (4) Beverley Taylor Sorenson Elementary Arts Learning
Program monies may not be

60 used to supplant funds for existing programs funded by the state.
but { may } shall be used to augment

61 existing programs.

2. Page 3, Lines 86 through 87:

86 (c) It is the Intent of the Legislature that { a maximum
of } up to 8% of the appropriation under

87 Subsection (2)(a) may be used to { support } pay
indirect costs.

Representative Hughes' motion to amend passed on a voice vote.

1st Sub. H.B. 363, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Bowman	Janice Fisher	Harper	Painter
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1st Sub. H.B. 363, as amended, transmitted to the Senate for its consideration.

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1st Sub. H.B. 263, UTAH REGISTRY OF AUTISM AND DEVELOPMENTAL DISABILITIES, read the third time by short title and placed on its final passage.

1st Sub. H.B. 263 passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove

Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mathis
McGee	Menlove	Morgan	Neuenschwander
Newbold	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Bowman	Janice Fisher	Hughes	Mascaro
McIff	Morley	Moss	Noel

1st Sub. H.B. 263 transmitted to the Senate for its consideration.

* * *

H.B. 303, PHOSPHORUS LIMIT IN DISHWASHING DETERGENT, read the third time by short title and placed on its final passage.

H.B. 303, as amended, passed on the following roll call:

Yeas, 46; Nays, 19; Absent or not voting, 10.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Biskupski	Chavez–Houck	S. Clark	Cosgrove
Dee	Dougall	Draxler	Duckworth
Ferry	Fowlke	Froerer	Gibson
Gowans	Greenwood	Hansen	Harper
Hemingway	Hendrickson	Holdaway	Hughes
Hunsaker	Johnson	King	Kiser
Litvack	Mascaro	McGee	Menlove
Morgan	Moss	Neuenschwander	Newbold
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Walker	Webb	Wheatley
Wiley	Winn		

Voting in the negative were: Representatives

Bird	D. Clark	Daw	Donnelson
Dunnigan	Julie Fisher	Frank	Garn
Grover	Herrod	Last	Lockhart
Mathis	Morley	Oda	Sumsion
Tilton	Urquhart	Wimmer	

Absent or not voting were: Representatives

Bigelow	Bowman	Brown	Janice Fisher
Hutchings	McIff	Noel	Painter
Ray	Curtis		

H.B. 303, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 399, MEDICATION AIDE CERTIFIED AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Lockhart proposed the following amendment:

1. Page 4, Lines 94 through 95

94 (ii) does not include assisting a resident of an assisted living facility a long term care facility, or an intermediate care facility for the mentally retarded to self administer a
 95 medication as regulated by the Department of Health by administrative rule.

2. Page 11, Lines 308 through 310:

308 (b) An administrative penalty imposed pursuant to this section shall be deposited in the
 309 { General Fund as a dedicated credit to be used by the division for the } “Nurse Education and
 310 Enforcement Fund” as provided in Section 58–31b–103.

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

H.B. 399, as amended, passed on the following roll call:

Yeas, 62; Nays, 0; Absent or not voting, 13.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Chavez–Houck

D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Dunnigan	Ferry	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Lockhart
Mascaro	Mathis	McGee	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Oda	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Webb	Wheatley	Wiley
Wimmer	Curtis		

Absent or not voting were: Representatives

Bowman	Brown	Duckworth	Janice Fisher
Herrod	Litvack	McIff	Noel
Painter	Ray	Urquhart	Walker
Winn			

H.B. 399, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 353, DEPARTMENT OF ENVIRONMENTAL QUALITY AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 353 passed on the following roll call:

Yeas, 56; Nays, 9; Absent or not voting, 10.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Biskupski	Chavez-Houck	D. Clark
S. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Julie Fisher	Fowlke
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Lockhart	Mascaro

McGee	Menlove	Morgan	Moss
Neuenschwander	Ray	Riesen	Seelig
Shurtliff	Sumsion	Tilton	Webb
Wheatley	Wiley	Winn	Curtis

Voting in the negative were: Representatives

Frank	Harper	Morley	Newbold
Noel	Oda	Sandstrom	Snow
Wimmer			

Absent or not voting were: Representatives

Bird	Bowman	Brown	Janice Fisher
Litvack	Mathis	McIff	Painter
Urquhart	Walker		

H.B. 353 transmitted to the Senate for its consideration.

* * *

H.B. 202, EMPLOYEE BENEFIT AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 202 passed on the following roll call:

Yeas, 42; Nays, 28; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
D. Clark	S. Clark	Daw	Dee
Donnelson	Dougall	Draxler	Ferry
Julie Fisher	Fowlke	Frank	Froerer
Garn	Grover	Harper	Herrod
Hughes	Hutchings	Kiser	Last
Lockhart	Mathis	Morley	Neuenschwander
Newbold	Noel	Oda	Ray
Sandstrom	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wimmer
Winn	Curtis		

Voting in the negative were: Representatives

Allen	Bird	Biskupski	Brown
Chavez-Houck	Cosgrove	Duckworth	Dunnigan
Gowans	Greenwood	Hansen	Hemingway
Hendrickson	Holdaway	Hunsaker	Johnson

King	Litvack	McGee	McIff
Menlove	Morgan	Moss	Riesen
Seelig	Shurtliff	Wheatley	Wiley

Absent or not voting were: Representatives

Bowman	Janice Fisher	Gibson	Mascaro
Painter			

H.B. 202 transmitted to the Senate for its consideration.

* * *

H.B. 280, SCHOOL FINANCE AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 280, as amended, failed to pass on the following roll call:

Yeas, 34; Nays, 36; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Andersen	D. Clark	S. Clark	Daw
Dee	Donnelson	Dougall	Dunnigan
Julie Fisher	Fowlke	Frank	Greenwood
Grover	Harper	Herrod	Hughes
Hutchings	Kiser	Last	Mascaro
Mathis	Morley	Neuenschwander	Newbold
Noel	Oda	Sandstrom	Sumsion
Tilton	Walker	Webb	Wimmer
Winn	Curtis		

Voting in the negative were: Representatives

Aagard	Allen	Barrus	Bigelow
Bird	Biskupski	Brown	Chavez-Houck
Cosgrove	Draxler	Ferry	Froerer
Garn	Gowans	Hansen	Hemingway
Hendrickson	Holdaway	Hunsaker	Johnson
King	Litvack	Lockhart	McGee
McIff	Menlove	Morgan	Moss
Ray	Riesen	Seelig	Shurtliff
Snow	Urquhart	Wheatley	Wiley

Absent or not voting were: Representatives

Bowman	Duckworth	Janice Fisher	Gibson
Painter			

H.B. 280, as amended, was held for possible reconsideration.

MISCELLANEOUS BUSINESS

On motion of Representative Snow, and at 5:00 p.m., the House voted to adjourn until February 22, 2008, at 9:00 a.m.

THIRTY–THIRD DAY

* * *

MORNING SESSION

The House was called to order by Speaker Curtis at 9:15 a.m.

Roll call showed all members present except Representative Bud Bowman, excused.

Prayer by Representative Mike Noel. Pledge of Allegiance by Representative Noel's grandson and intern, Matt Noel.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 21, 2008

The Senate passed, **H.B. 99**, BUSINESS REGISTRATION – OPTIONAL INCLUSION OF OWNERSHIP DATA, by Representative M. Wheatley, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 103**, USE OF STATE ALTERNATIVE FUEL NETWORK, 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. 117**, INSTREAM FLOW TO PROTECT TROUT HABITAT, 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. 301**, COMPREHENSIVE HEALTH INSURANCE POOL 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. 321**, HIGHER EDUCATION SAVINGS INCENTIVE PROGRAM AMENDMENTS, by Representative K. Garn, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 10**, DISCLOSURE OF IDENTITY TO OFFICER, 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. 14**, DISCHARGE OF FIREARM 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. 23**, CHILD AND FAMILY PROTECTION, 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. 143**, ADMINISTRATION OF INTERSTATE WATER, 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. 99**, **H.B. 103**, **H.B. 117**, **H.B. 301**, **H.B. 321**, **H.B. 10**, **H.B. 14**, **H.B. 23**, and **H.B. 143** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker:

February 21, 2008

The Senate passed, as amended, **1st Sub. H.B. 18**, MATERIAL HARMFUL TO MINORS AMENDMENTS, by Representative P. Ray, and it is transmitted for further consideration; and

The Senate substituted and passed, **Senate 1st Sub. H.B. 46**, ADOPTION AND TERMINATION OF PARENTAL RIGHTS, by Representative S. Allen, and it is transmitted for further consideration; and

The Senate passed, as amended, **1st Sub. H.B. 49**, BUDGET RESERVE ACCOUNT AND DISASTER RECOVERY ACCOUNT AMENDMENTS, by Representative W. Harper, and it is transmitted for further consideration; and

The Senate substituted and passed, **Senate 1st Sub. H.B. 286**, PERMANENT TEACHER LICENSE REVOCATION FOR SEXUAL ACTIVITY WITH STUDENTS, by Representative C. Wimmer, and it is transmitted for further consideration; and

The Senate substituted, amended, and passed, **Senate 1st Sub. H.B. 60**, LEGISLATIVE REVIEW OF HEALTH INSURANCE MANDATES, by Representative J. Dunnigan, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **1st Sub. H.B. 18**, **1st Sub. H.B. 46**, **1st Sub. H.B. 49**, **1st Sub. H.B. 286**, and **1st Sub. H.B. 60** placed on the Concurrence Calendar.

* * *

Mr. Speaker:

February 21, 2008

The Senate passed, as substituted, **1st Sub. S.B. 168**, HIGHWAY FUNDING AMENDMENTS, by Senator D. Stowell, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 205**, UNIFORM INTERSTATE DEPOSITIONS AND DISCOVERY ACT, by Senator L. Hillyard, and it is transmitted for consideration.

Annette B. Moore

Secretary of the Senate

Communications filed. **1st Sub. S.B. 168** and **1st Sub. S.B. 205** read the first time by short title and referred to the Rules Committee.

CONSENT CALENDAR

H.B. 467, MOTOR VEHICLE INSURANCE ARBITRATION AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 467, as amended, passed on the following roll call:

Yeas, 61; Nays, 0; Absent or not voting, 14.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Julie Fisher	Fowlke
Froerer	Garn	Gibson	Greenwood
Grover	Hansen	Harper	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	McGee
McIff	Menlove	Morgan	Morley
Neuenschwander	Newbold	Noel	Painter
Riesen	Sandstrom	Seelig	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Bowman	D. Clark	Donnelson	Janice Fisher
Frank	Gowans	Hemingway	Hendrickson
Mathis	Moss	Oda	Ray
Shurtliff	Wheatley		

H.B. 467, as amended, transmitted to the Senate for its consideration.

* * *

S.J.R. 6, JOINT RESOLUTION ENCOURAGING THE GOVERNOR’S BOARD APPOINTMENTS TO REFLECT UTAH GEOGRAPHIC BALANCE, read the third time by short title and placed on its final passage.

S.J.R. 6 passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Julie Fisher	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Neuenschwander	Newbold	Noel	Painter
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Bowman	Janice Fisher	Fowlke	Frank
Hemingway	Moss	Oda	Ray
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.

* * *

1st Sub. S.B. 113, ACCESS TO RESEARCH WORKERS' PERSONAL INFORMATION, read the third time by short title and placed on its final passage.

1st Sub. S.B. 113 passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Julie Fisher	Fowlke	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Harper	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Painter
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Bowman	Janice Fisher	Frank	Hansen
Hemingway	McIff	Oda	Ray
Wheatley			

1st Sub. S.B. 113, as amended, was returned to the Senate for further consideration.

* * *

H.B. 437, FUNERAL SERVICES LICENSING ACT AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 437 passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Julie Fisher	Fowlke	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hendrickson	Holdaway
Hughes	Hunsaker	Hutchings	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Bowman	Janice Fisher	Frank	Hemingway
Herrod	Johnson	Ray	Wheatley
Wiley			

H.B. 437 transmitted to the Senate for its consideration.

* * *

1st Sub. H.B. 316, SUBSTANCE ABUSE TREATMENT FOR PREGNANT WOMEN AND PREGNANT MINORS, read the third time by short title, without objection, and placed on its final passage.

1st Sub. H.B. 316 passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Dunnigan	Ferry	Julie Fisher
Fowlke	Froerer	Garn	Gibson

Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Bowman	Duckworth	Janice Fisher	Frank
Johnson	Painter	Ray	Wheatley
Wiley			

1st Sub. H.B. 316 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Garn, the House voted to reconsider its action on **H.B. 280**.

RECONSIDERATION OF H.B. 280

H.B. 280, SCHOOL FINANCE AMENDMENTS, was before the House for reconsideration.

H.B. 280 passed on the following roll call:

Yeas, 41; Nays, 28; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Brown
S. Clark	Daw	Donnelson	Dougall
Duckworth	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gowans	Greenwood
Grover	Hansen	Harper	Hendrickson
Herrod	Holdaway	Hughes	Hutchings
Lockhart	Mascaro	McIff	Morley
Neuenschwander	Newbold	Noel	Oda
Ray	Sandstrom	Sumsion	Tilton
Urquhart	Walker	Webb	Wimmer
Winn			

Voting in the negative were: Representatives

Barrus	Bigelow	Bird	Biskupski
Chavez–Houck	D. Clark	Cosgrove	Draxler
Dunnigan	Ferry	Hemingway	Hunsaker
Johnson	King	Kiser	Last
Litvack	Mathis	McGee	Menlove
Morgan	Moss	Riesen	Seelig
Shurtliff	Snow	Wiley	Curtis

Absent or not voting were: Representatives

Bowman	Dee	Janice Fisher	Gibson
Painter	Wheatley		

H.B. 280 transmitted to the Senate for its consideration.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 22, 2008

The Senate adopted the Joint Conference Committee Report dated February 22, 2008, and passed **2nd Sub. H.B. 47, STANDARDS FOR ELECTRONIC EXCHANGE OF CLINICAL HEALTH INFORMATION**, by Representative R. Menlove, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed.

CONFERENCE COMMITTEE REPORT

Mr. Speaker: February 21, 2008

The Joint Conference Committee comprised of Senators Peter C. Knudson, Allen M. Christensen, and Gene Davis, and Representatives Ronda Rudd Menlove, John Dougall, and Christine A. Johnson, recommends **2nd Sub. H.B. 47, STANDARDS FOR ELECTRONIC EXCHANGE OF CLINICAL HEALTH INFORMATION**, by Representative R. Menlove, with the following amendments:

1. Include the Senate committee amendment on Page 3, Line 83, of the Goldenrod copy dated 2–7–2008.
2. Also include the following amendments:
3. Page 1, Lines 19 through 21:
 - 19 ▶ requires the department to report to the Legislature’s Health and Human Services

- 20 Interim Committee concerning the adoption of the standards for the
 {~~secure~~}
- 21 electronic exchange of clinical health information; and
4. Page 3, Lines 76 through 80
 Senate Committee Amendments 2-7-2008:
- 76 (3) (a) Except as provided in Subsection (3)(b), a health care
provider or third party
- 77 payer in Utah is required to use the standards adopted by the
department under the provisions
- 78 of Subsection (2) if the health care provider or third party payer
elects to engage in an
- 79 electronic exchange of clinical health information with another
health care provider { ~~x~~ } or third party
- 80 payer { ~~, or health care recipient~~ } .
5. Page 4, Lines 88 through 93:
- 88 (5) The department shall report on the use of the standards for
the electronic exchange
- 89 of clinical health information to the legislative Health and Human
Services Interim Committee
- 90 no later than October 15, 2008 and no later than every October 15th
thereafter. The report shall
- 91 include publicly available information concerning the costs and
savings for the department,
- 92 third party payers, and health care providers associated with the
standards for the { ~~secure~~ }
- 93 electronic exchange of clinical health records.
6. Page 4, Lines 108 through 118:
- 108 (iii) The commissioner shall coordinate the administrative rules
adopted under the
- 109 provisions of this section with the administrative rules adopted
by the Department of Health for
- 110 the implementation of the standards for the {~~secure~~}
electronic exchange of clinical health

111 information under Section 26-1-37. The department shall
 112 establish procedures for developing
 113 the rules adopted under this section, which ensure that the
 114 Department of Health is given the
 115 opportunity to comment on proposed rules.
 116 (b) The commissioner shall regulate any fees charged by
 117 insurers to the providers for:
 118 (i) uniform claim forms [øF];
 119 (ii) electronic billing[-]; or
 120 (iii) the { secure } electronic exchange of clinical health
 121 information permitted by Section
 122 26-1-37.

Senator Peter C. Knudson
 Senate Chair
 Representative Ronda Rudd Menlove
 House Chair

Report filed. On motion of Representative Menlove, the House voted to adopt the Conference Committee Report.

2nd Sub. H.B. 47 passed on the following roll call:

Yeas, 64; Nays, 1; Absent or not voting, 10.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez-Houck	D. Clark	S. Clark	Cosgrove
Daw	Donnelson	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Webb
Wiley	Wimmer	Winn	Curtis

Voting in the negative was: Representative
Dougall

Absent or not voting were: Representatives

Bowman	Dee	Froerer	Garn
Hughes	Oda	Painter	Ray
Walker	Wheatley		

2nd Sub. H.B. 47 was transmitted to the Senate for signature of the President.

COMMUNICATION FROM THE SENATE

Mr. Speaker: February 22, 2008

The Senate transmits **1st Sub. S.B. 45**, INVENTORY FOR COMPETITIVE ACTIVITIES OF LOCAL ENTITIES, by Senator H. Stephenson, for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed.

UNFINISHED BUSINESS

On motion of Representative Donnelson, the House voted to uncircle **H.B. 25**.

H.B. 25, ACCESS TO VOTER DATE OF BIRTH RECORDS, was before the House on its final passage.

H.B. 25 failed to pass on the following roll call:

Yeas, 6; Nays, 58; Absent or not voting, 11.

Voting in the affirmative were: Representatives

Donnelson	Fowlke	Greenwood	Hutchings
Noel	Ray		

Voting in the negative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Frank
Froerer	Garn	Gibson	Gowans

Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hunsaker	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Painter	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Urquhart	Walker	Webb
Wiley	Curtis		

Absent or not voting were: Representatives

Bowman	Dougall	Julie Fisher	Grover
Hughes	Newbold	Oda	Tilton
Wheatley	Wimmer	Winn	

H.B. 25 was filed.

THIRD READING CALENDAR

H.B. 102, CHILD ABUSE HOMICIDE AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 102 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig

Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Bowman	Ferry	Hughes	Wheatley
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H.B. 102 transmitted to the Senate for its consideration.

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1st Sub. H.B. 136, ILLEGAL DRUG ACTIVITY REPORTING THROUGH THE ATTORNEY GENERAL, read the third time by short title and placed on its final passage.

On motion of Representative Herrod, the House voted to circle **1st Sub. H.B. 136**.

* * *

H.B. 187, DEATH CAUSED BY ILLEGAL DRUGS, read the third time by short title and placed on its final passage.

On motion of Representative Herrod, the House voted to delete **H.B. 187** in title and body and insert **1st Sub. H.B. 187** in lieu thereof.

1st Sub. H.B. 187 passed on the following roll call:

Yeas, 47; Nays, 21; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	D. Clark	S. Clark	Daw
Dee	Donnelson	Dougall	Draxler
Dunnigan	Ferry	Julie Fisher	Frank
Froerer	Garn	Gibson	Greenwood
Grover	Hemingway	Herrod	Hunsaker
Hutchings	King	Kiser	Last
Lockhart	Mathis	Morgan	Morley
Newbold	Noel	Oda	Painter
Ray	Sandstrom	Seelig	Snow
Sumsion	Tilton	Walker	Webb
Wimmer	Winn	Curtis	

Voting in the negative were: Representatives

Bird	Biskupski	Chavez–Houck	Cosgrove
Duckworth	Janice Fisher	Fowlke	Gowans
Hansen	Harper	Hendrickson	Holdaway
Johnson	Litvack	Mascaro	McGee
McIff	Neuenschwander	Riesen	Shurtliff
Wiley			

Absent or not voting were: Representatives

Bowman	Brown	Hughes	Menlove
Moss	Urquhart	Wheatley	

1st Sub. H.B. 187 transmitted to the Senate for its consideration.

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H.B. 247, DOMESTIC VIOLENCE AND DATING VIOLENCE AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Litvack, the House voted to delete **H.B. 247** in title and body and insert **1st Sub. H.B. 247** in lieu thereof.

1st Sub. H.B. 247 failed to pass on the following roll call:

Yeas, 32; Nays, 37; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Allen	Biskupski	Bowman	Chavez–Houck
Cosgrove	Draxler	Duckworth	Dunnigan
Janice Fisher	Julie Fisher	Fowlke	Hansen
Hemingway	Hendrickson	Holdaway	Hutchings
Johnson	King	Kiser	Litvack
Mascaro	McGee	Menlove	Morgan
Moss	Newbold	Ray	Riesen
Seelig	Shurtliff	Wiley	Winn

Voting in the negative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Brown	D. Clark	S. Clark
Daw	Dee	Donnelson	Dougall
Ferry	Frank	Froerer	Garn
Gibson	Greenwood	Grover	Harper
Herrod	Hunsaker	Last	Lockhart
Mathis	McIff	Morley	Neuenschwander

Noel	Oda	Painter	Sandstrom
Snow	Sumsion	Tilton	Webb
Curtis			

Absent or not voting were: Representatives

Gowans	Hughes	Urquhart	Walker
Wheatley	Wimmer		

1st Sub. H.B. 247 transmitted to the Senate for its consideration.

* * *

Speaker Curtis lifted **S.B. 48** and **1st Sub. S.B. 84** from the Retirement and Independent Entities Standing Committee and reassigned them to the Revenue and Taxation Standing Committee.

THIRD READING CALENDAR

H.B. 339, HUMAN TRAFFICKING AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 339, as amended, passed on the following roll call:

Yeas, 74; Nays, 0; Absent or not voting, 1.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting was: Representative Gibson

H.B. 339, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 221, AGRICULTURE AND INDUSTRIAL PROTECTION AREA AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 221, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gowans
Greenwood	Grover	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn			

Absent or not voting were: Representatives

Gibson	Hansen	Litvack	Moss
Tilton	Curtis		

H.B. 221, as amended, transmitted to the Senate for its consideration.

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H.B. 297, DESIGNATING MAGNESIUM AS THE STATE METAL, read the third time by short title and placed on its final passage.

On motion of Representative Menlove, the House voted to circle **H.B. 297**.

MISCELLANEOUS BUSINESS

On motion of Representative Dee, the House voted to reconsider its action on **1st Sub. S.B. 45** on the following roll call:

Yeas, 43; Nays, 28; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bowman	D. Clark	S. Clark	Daw
Dee	Donnelson	Dougall	Draxler
Ferry	Julie Fisher	Frank	Froerer
Garn	Grover	Harper	Herrod
Hughes	Hunsaker	Hutchings	Kiser
Last	Lockhart	Mascaro	Mathis
McIff	Morley	Neuenschwander	Noel
Oda	Painter	Ray	Sandstrom
Snow	Sumsion	Tilton	Walker
Webb	Wimmer	Winn	

Voting in the negative were: Representatives

Allen	Bird	Biskupski	Brown
Chavez–Houck	Cosgrove	Duckworth	Dunnigan
Janice Fisher	Fowlke	Gibson	Gowans
Greenwood	Hemingway	Hendrickson	Holdaway
Johnson	King	Litvack	McGee
Menlove	Morgan	Moss	Riesen
Seelig	Shurtliff	Wheatley	Wiley

Absent or not voting were: Representatives

Hansen	Newbold	Urquhart	Curtis
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RECONSIDERATION OF 1ST SUB. S.B. 45

1st Sub. S.B. 45, INVENTORY FOR COMPETITIVE ACTIVITIES OF LOCAL ENTITIES, was before the House for reconsideration.

1st Sub. S.B. 45, as amended, passed on the following roll call:

Yeas, 40; Nays, 28; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bowman	S. Clark	Daw	Dee

Donnelson	Dougall	Julie Fisher	Frank
Froerer	Garn	Greenwood	Grover
Harper	Herrod	Hughes	Hutchings
Kiser	Last	Lockhart	Mathis
McIff	Morley	Neuenschwander	Noel
Oda	Painter	Ray	Sandstrom
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wimmer	Winn

Voting in the negative were: Representatives

Allen	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	Cosgrove	Duckworth
Dunnigan	Ferry	Janice Fisher	Fowlke
Hemingway	Hendrickson	Holdaway	Johnson
King	Litvack	Mascaro	McGee
Menlove	Morgan	Moss	Riesen
Seelig	Shurtliff	Wheatley	Wiley

Absent or not voting were: Representatives

Draxler	Gibson	Gowans	Hansen
Hunsaker	Newbold	Curtis	

1st Sub. S.B. 45, as amended, was returned to the Senate for further consideration.

THIRD READING CALENDAR

H.B. 347, MOTOR VEHICLE BUSINESS REGULATION AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 347, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Harper	Hemingway	Hendrickson

Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mathis
McGee	McIff	Menlove	Morgan
Moss	Neuenschwander	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	

Voting in the negative were: Representatives

Dougall Morley

Absent or not voting were: Representatives

Draxler Hansen Mascaro Newbold
Seelig Curtis

H.B. 347, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 165, SALES AND USE TAX EXEMPTIONS RELATING TO AIRCRAFT, 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 • sales of parts {~~—~~} and equipment {~~—, or~~
~~supplies~~} for aircraft; or

2. Page 2, Line 57 through Page 3, Line 62:

57 (5) sales of parts {~~—~~} and {~~—~~} { ~~}
equipment {~~—, or supplies~~ } ~~;~~~~

(a) by an establishment described in NAICS Code 336411, 336412,
or 336413 of the 2002 North American Industry Classification System of
the federal Executive Office of the President, Office of Management and
Budget; and

(b) for:

58 { (a) } (i) installation in an aircraft [~~operated by~~
~~common carriers in interstate or foreign~~

59 ~~commerce], including services relating to the installation of~~
parts { ~~} or equipment {~~—, or supplies~~ } in the~~

60 aircraft;

61 { ~~(b)~~ } (ii) renovation of an aircraft; or

62 { ~~(e)~~ } (iii) repair of an aircraft;

3. Page 12, Lines 363 through 364:

363 (31) sales of aircraft {~~—~~} manufactured in Utah {~~—~~if
sold for delivery and use outside Utah

364 where a sales or use tax is not imposed, even if the title is passed
in Utah—} {~~—~~} ;

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

H.B. 165, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Sumsion	Tilton	Urquhart	Webb
Wheatley	Wiley	Wimmer	Winn

Absent or not voting were: Representatives

Chavez–Houck	Garn	Litvack	Moss
Snow	Walker	Curtis	

H.B. 165, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 186, PROPERTY TAX – COUNTY ASSESSMENT AND COLLECTION AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 186, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Harper	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morgan
Morley	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn			

Absent or not voting were: Representatives

Bowman	Hansen	Hemingway	McGee
Moss	Curtis		

H.B. 186, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

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

AFTERNOON SESSION

The House was called to order by Speaker Curtis at 2:10 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 22, 2008

The Senate passed, **H.B. 26**, NOTARY PUBLIC REVISIONS, by Representative G. Donnelson, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 34**, EMAIL INFORMATION REQUIRED OF REGISTERED SEX OFFENDERS, by Representative J. Bird, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 97**, COURT-ORDERED RESTITUTION FOR COSTS OF INCARCERATION, 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. 105**, TRANSPORTATION INFRASTRUCTURE LOAN FUND 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. 271**, UTAH PURPLE HEART RECIPIENTS TUITION ACT 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, **1st Sub. H.B. 281**, GRANTS TO RURAL HOSPITALS – OVERSIGHT RESPONSIBILITIES, 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. 287**, REGULATION OF TEACHER – STUDENT RELATIONSHIPS, 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.C.R. 1**, METH AWARENESS FOR STUDENTS AND EDUCATORS RESOLUTION, by Representative C. Oda, 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. 26**, **H.B. 34**, **H.B. 97**, **H.B. 105**, **H.B. 271**, **1st Sub. H.B. 281**, **1st Sub. H.B. 287**, and **H.C.R. 1** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker: February 22, 2008

The Senate substituted and passed, **Senate 1st Sub. H.B. 33**, WAIVERS OF IMMUNITY – EXCEPTIONS, by Representative G. Hughes, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 112**, PUBLIC EDUCATION FOUNDATION AMENDMENTS, by Representative S. Allen, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.C.R. 2**, CONCURRENT RESOLUTION DECLARING FEBRUARY 6, 2008 RONALD REAGAN DAY, by Representative M. Morley, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **1st Sub. H.B. 33**, **H.B. 112**, and **H.C.R. 2** placed on the Concurrence Calendar.

* * *

Mr. Speaker: February 22, 2008

The Senate concurred in the House amendments and passed **1st Sub. S.B. 136**, APPORTIONMENT OF BUSINESS INCOME AND DEDUCTION OF NET LOSSES BY AN ACQUIRED CORPORATION, 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. 136** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

* * *

Mr. Speaker: February 22, 2008

The Senate passed, as amended, **S.B. 186**, CUSTODY AND PARENT-TIME FOR NON-PARENTS, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed **S.B. 235**, HUMAN REMAINS RELATED AMENDMENTS, by Senator K. VanTassell, and it is transmitted for consideration; and

The Senate passed **1st Sub. S.B. 236**, JUDICIARY AMENDMENTS, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed **S.B. 242**, LAW ENFORCEMENT TRACKING OF DOMESTIC VIOLENCE STATISTICS, by Senator J. Greiner, and it is transmitted for consideration; and

The Senate passed **S.B. 265**, UNLAWFUL DETAINDER AMENDMENTS, by Senator M. Waddoups, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 186, S.B. 235, 1st Sub. S.B. 236, S.B. 242, and S.B. 265** read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: February 22, 2008

The Senate refuses to concur with the House Amendments to **1st Sub. S.B. 152**, PRESUMPTIVE PERSONAL REPRESENTATIVE, by Senator G. Bell, and requests the House recede from its amendments.

Annette B. Moore
Secretary of the Senate

Communications filed. On motion of Representative Urquhart, the House voted to refuse to recede from its amendments to **1st Sub. S.B. 152**. The Speaker was authorized to appoint a Conference Committee. The Speaker appointed Representatives Urquhart, Hunsaker, and McGee.

INTRODUCTION OF BILLS

H.B. 481, Subdivision Approval Amendments (M. Noel), read the first time by short title and referred to the Rules Committee.

H.B. 487, Social Host Liability Act (E. Hutchings), read the first time by short title and referred to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 22, 2008

The Business and Labor Committee reports a favorable recommendation on **H.B. 466**, TITLE INSURANCE RECOVERY, EDUCATION, AND RESEARCH FUND ACT, by Representative M. Morley, with the following amendments:

1. Page 7, Lines 195 through 212:

195 (2) Beginning January 1, 2009, an individual who applies for a
 196 license or renewal of a

196 license as a title insurance producer, shall pay in addition to any
 197 other fee required by this title,

197 an assessment { ~~no~~ } not to exceed \$20, as determined
 198 by the commission by rule made in accordance

198 with Title 63, Chapter 46a, Utah Administrative Rulemaking Act,
 199 except that if the individual

199 holds more than one license, the total of all assessments under this
 200 Subsection (2) may not

200 exceed \$20 in a fiscal year.

201 { ~~(3) (a) Subject to Subsection (3)(b), a title insurance~~
 202 licensee licensed on July 1, 2008

202 shall pay to the department an assessment equal to the greater of:

203 (i) \$1,000; or

204 (ii) 2% of the balance as of July 1, 2008 in the title insurance
 205 licensee's reserve account

205 required under Subsection 31A-23a-204(3).

206 (b) If the aggregate amount collected from title insurance
 207 licensees under Subsection

207 (3)(a) exceeds \$250,000, the commission may reduce the
 208 assessment by an equal percentage

208 for all title insurance licensees required to pay the assessment under
 209 Subsection (3)(a).

209 (c) A title insurance licensee required to pay an assessment
 210 under Subsection (3)(a)

210 shall pay the assessment to the department by no later than
 211 August 1, 2008. }

(3)(a) To be licensed as a title insurance agency on or after July 1,
 212 2008, a person shall pay to the department an assessment of \$1,000
 213 before the day on which the person is licensed as a title insurance agency.

(b)(i) By no later than July 15, 2008, the department shall assess on a title
 214 insurance agency licensed as of June 30, 2008, an amount equal to the
 215 greater of:

(A) \$1,000; or
(B) subject to Subsection (3)(b)(ii), 2% of the balance as of December 31, 2007, in the title insurance agency's reserve account required under Subsection 31A-23a-204(3).
(ii) The department may assess on a title insurance agency an amount less than 2% of the balance described in Subsection (3)(b)(i)(B) if:
(A) before issuing the assessments under this Subsection (3)(b) the department determines that the total of all assessments under Subsection (3)(b)(i) will exceed \$250,000;
(B) the amount assessed on the title insurance agency is not less than \$1,000; and
(C) the department reduces the assessment in a proportionate amount for title insurance agencies assessed on the basis of the 2% of the balance described in Subsection (3)(b)(i)(B).
(iii) A title insurance agency assessed under this Subsection (3)(b) shall pay the assessment by no later than August 1, 2008.

211 (4) The department may not assess a title insurance licensee an assessment for
 212 purposes of the fund if that assessment is not expressly provided for in this section.

2. Page 8, Lines 216 through 228:

216 (2) (a) Except as limited by Subsection (2)(b), monies in the fund in excess of
 217 \$250,000 may be used by the commissioner, with the consent of the commission, to:

218 (i) investigate violations of this chapter related to fraud by a title insurance licensee;

219 (ii) conduct education and research in the field of title insurance; or

220 (iii) { ~~audit or review~~ } examine a title insurance licensee's:

221 (A) escrow and trust account;

222 { ~~(B) financial condition;~~ }

223 { ~~(C)~~ } (B) search and examine procedures; or

224 { ~~(D)~~ } (C) compliance with applicable statutes and rules.

225 (b) The commissioner may not use more than 75% of monies
 226 collected under this

227 chapter in a fiscal year from assessments and interest for the
 228 purposes outlined in this

229 Subsection (2).

230 (3) { ~~An audit~~ } The disclosure of an examination
 231 conducted under this section is { ~~confidential~~ } governed by
 232 Section 31A-2-204 .; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 443**, MEMBERSHIP OF OCCUPATIONAL AND PROFESSIONAL LICENSURE REVIEW COMMITTEE, by Representative G. Hughes, and recommends it be placed on the Consent Calendar; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 132**, CONSUMER CREDIT PROTECTION ACT – ATTORNEY GENERAL POWERS, by Senator C. Walker, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 3, Lines 60 through 62
 Senate Committee Amendments 1-28-2008:

60 (8) (a) The attorney general may inspect and copy all records
 61 related to the business

62 conducted by the person ~~§~~ alleged { ~~to~~ } { who
 63 is found } ~~to~~ to have violated this chapter, including

64 records located outside

65 the state. ; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 156**, UTAH RELOCATION ASSISTANCE ACT AMENDMENTS, by Senator L. Hillyard, and recommends it be placed on the Consent Calendar; and

The Business and Labor Committee reports a favorable recommendation on **1st Sub. S.B. 171**, REPEAL OF CERTAIN REPORTING BY FINANCIAL INSTITUTIONS, by Senator K. VanTassell, and recommends it be placed on the Consent Calendar.

Stephen D. Clark, Chair

Reports filed. On motion of Representative S. Clark, the reports of the Business and Labor Committee were adopted.

H.B. 466, as amended, read the second time by short title and placed on the Third Reading Calendar.

H.B. 443, S.B. 132, as amended, **S.B. 156**, and **1st Sub. S.B. 171** read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: February 22, 2008

The Education Committee reports a favorable recommendation on **H.B. 436**, ENGLISH LANGUAGE LEARNER FAMILY LITERACY CENTERS PROGRAM, by Representative G. Hughes; and

The Education Committee recommends **H.B. 274**, UTAH K-8 ONLINE VIRTUAL SCHOOL, by Representative B. Ferry, be replaced and favorably recommends **1st Sub. H.B. 274**, UTAH K-8 ONLINE VIRTUAL SCHOOL.

Gregory H. Hughes, Chair

Reports filed. On motion of Representative Painter, the reports of the Education Committee were adopted.

H.B. 436 and **1st Sub. H.B. 274** read the second time by short title and placed on the Third Reading Calendar.

* * *

Mr. Speaker: February 22, 2008

The Health and Human Services Committee reports a favorable recommendation on **2nd Sub. S.B. 184**, CHILD CARE LICENSING EXEMPTIONS, by Senator J. Greiner; and

The Health and Human Services Committee reports a favorable recommendation on **S.B. 138**, UTAH SUBSTANCE ABUSE AND ANTI-VIOLENCE COORDINATING COUNCIL AMENDMENTS, by Senator D. C. Buttars, 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.

2nd Sub. S.B. 184 read the second time by short title and placed on the Third Reading Calendar.

S.B. 138 read the second time by short title and placed on the Consent Calendar.

UNFINISHED BUSINESS

On motion of Representative Herrod, the House voted to uncircle **1st Sub. H.B. 136**.

1st Sub. H.B. 136, ILLEGAL DRUG ACTIVITY REPORTING THROUGH THE ATTORNEY GENERAL, was before the House on its final passage.

On motion of Representative Herrod, the House voted to delete **1st Sub. H.B. 136** in title and body and insert **2nd Sub. H.B. 136**, ILLEGAL DRUG ACTIVITY REPORTING SYSTEM, in lieu thereof. On motion of Representative Herrod, the House voted to consider **2nd Sub. H.B. 136** read the first, second, and third times by short title due to a title change.

2nd Sub. H.B. 136 passed on the following roll call:

Yeas, 61; Nays, 0; Absent or not voting, 14.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Fowlke	Frank	Froerer
Garn	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	McGee	McIff
Menlove	Morley	Neuenschwander	Noel
Oda	Painter	Riesen	Sandstrom
Snow	Sumsion	Tilton	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Bowman	Julie Fisher	Gibson	Gowans
Hughes	Mathis	Morgan	Moss
Newbold	Ray	Seelig	Shurtliff
Urquhart	Walker		

2nd Sub. H.B. 136 transmitted to the Senate for its consideration.

* * *

On motion of Representative Morley, the House voted to uncircle **H.C.R. 6**.

H.C.R. 6, CONCURRENT RESOLUTION HONORING THE LIFE AND CONTRIBUTIONS OF PRESIDENT GORDON B. HINCKLEY, was before the House on its final passage.

On motion of Representative Morley, the House voted to delete **H.C.R. 6** in title and body and insert **1st Sub. H.C.R. 6** in lieu thereof.

On motion of Representative Morley, the House voted to set **1st Sub. H.C.R. 6** for Time Certain on February 26, 2008 at 11:00 a.m.

THIRD READING CALENDAR

1st Sub. H.B. 354, APPRAISALS FOR STATE LAND PURCHASES, read the third time by short title and placed on its final passage.

Representative Draxler declared a conflict of interest because he is an appraiser.

1st Sub. H.B. 354 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McCliff
Menlove	Morgan	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Webb
Wheatley	Wiley	Wimmer	Curtis

Absent or not voting were: Representatives

Bowman	Gowans	Morley	Ray
Urquhart	Walker	Winn	

1st Sub. H.B. 354 transmitted to the Senate for its consideration.

* * *

H.B. 410, RESTRICTED ACCOUNTS AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 410, as amended, passed on the following roll call:

Yeas, 47; Nays, 24; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Allen	Andersen	Bigelow	Brown
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Frank	Garn	Gibson	Grover
Harper	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	King	Kiser
Last	Litvack	Lockhart	McGee
Menlove	Morley	Newbold	Oda
Painter	Ray	Sandstrom	Snow
Sumsion	Tilton	Urquhart	Webb
Wimmer	Winn	Curtis	

Voting in the negative were: Representatives

Agard	Barrus	Bird	Biskupski
Chavez–Houck	Duckworth	Fowlke	Froerer
Gowans	Greenwood	Hansen	Hemingway
Hendrickson	Johnson	Mascaro	Mathis
McIff	Morgan	Moss	Neuenschwander
Riesen	Shurtliff	Wheatley	Wiley

Absent or not voting were: Representatives

Bowman	Noel	Seelig	Walker
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H.B. 410, as amended, transmitted to the Senate for its consideration.

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H.B. 360, INDIVIDUAL INCOME TAX – LONG–TERM CARE INSURANCE PREMIUMS, read the third time by short title and placed on its final passage.

H.B. 360, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Sumsion	Tilton
Urquhart	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Bowman	Hutchings	Snow	Walker
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H.B. 360, as amended, transmitted to the Senate for its consideration.

* * *

1st Sub. H.B. 168, HEALTH INSURANCE MARKET CHOICES, 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. 168** in title and body and insert **2nd Sub. H.B. 168** in lieu thereof.

On motion of Representative Dunnigan, the House voted to circle **2nd Sub. H.B. 168**.

* * *

2nd Sub. H.B. 293, PRIVATE BUILDING INSPECTOR AUTHORIZED, read the third time by short title and placed on its final passage.

Representative Aagard proposed the following amendment:

1. Page 2, Line 30
30 inspection with the county or municipality; {~~;-~~}
2. Page 4, Line 106:
106 (III) provide proof of { worker } workers' compensation insurance and errors and omissions
3. Page 5, Line 138:
138 { (A) } (i) the amount of the fee the municipality charges for a building permit when it is
4. Page 5, Line 140:
140 { (B) } (ii) the amount of the fee the municipality charges for a building permit when it is
5. Page 7, Line 202:
202 (III) provide proof of {~~worker~~ } workers' compensation insurance and errors and omissions
6. Page 8, Line 233:
233 { (A) } (i) the amount of the fee the county charges for a building permit when it is
7. Page 8, Line 235:
235 { (B) } (ii) the amount of the fee the county charges for a building permit when it is

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

###

Representative Wiley proposed the following amendment:

1. Page 1, Line 19
19 construction or an improvement or modification of a residence based on the lack of approval from a county or
2. Page 1, Line 22 through Page 2, Line 26:
22 construction improvement, or modification to be in compliance with applicable standards;
23 {~~→ prohibits counties and municipalities from withholding approval of an improvement~~}

24 or modification to an owner’s existing residence based on a lack of approval from a

25 county or municipal building inspector if a building inspector on the inspector list

26 certifies that the improvement or modification complies with applicable standards; - }

3. Page 4, Line 115:

115 (d) A municipality may not withhold approval of new construction or a remodeling based on the

4. Page 4, Line 118:

118 the new construction or remodeling :

5. Page 5, Line 122:

122 certification that the new construction or remodeling complies with applicable standards that the municipality

6. Page 5, Lines 124 through 128:

124 {(e) A municipality may not withhold approval of a remodeling based on a failure to

125 obtain approval of a municipal building inspector if an acknowledged building inspector, hired

126 and paid by the owner, signs a written certification that the remodeling complies with

127 applicable standards that the municipality has established. }

128 { (f) } (e) An acknowledged building inspector shall file each report of a building inspection

7. Page 5, Line 131:

131 { (g) } (f) A municipality may perform a periodic audit of building inspectors on the

8. Page 5, Line 133:

133 { (h) } (g) A municipality may remove a building inspector from the municipality’s inspector

9. Page 5, Line 137:

137 { (i) } (h) Each municipality with an inspector list shall make available to the public:

10. Page 7, Line 211:

211 (d) A county may not withhold approval of new
construction or a remodeling based on the owner's

11. Page 8, Line 214:

214 construction or remodeling ;

12. Page 8, Line 218:

218 certification that the new construction or
remodeling complies with applicable standards that the county has

13. Page 8, Lines 220 through 224:

220 {(e) A county may not withhold approval of a remodeling based
on a failure to obtain

221 approval of a county building inspector if an acknowledged
building inspector, hired and paid

222 by the owner, signs a written certification that the remodeling
complies with applicable

223 standards that the county has established. }

224 { (f) } (e) An acknowledged building inspector shall
file each report of a building inspection

14. Page 8, Line 227:

227 { (g) } (f) A county may perform a periodic audit of
building inspectors on the county's

15. Page 8, Line 229:

229 { (h) } (g) A county may remove a building
inspector from the county's inspector list if the

16. Page 8, Line 232:

232 { (i) } (h) Each county with an inspector list shall
make available to the public:

Representative Wiley's motion to amend failed on the following roll call:

Yeas, 29; Nays, 38; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Allen	Bigelow	Biskupski	Brown
Chavez-Houck	D. Clark	Cosgrove	Duckworth

Dunnigan	Janice Fisher	Fowlke	Gowans
Hansen	Hemingway	Hendrickson	Johnson
King	Kiser	Litvack	McGee
Menlove	Morgan	Moss	Neuenschwander
Riesen	Seelig	Shurtliff	Wheatley
Wiley			

Voting in the negative were: Representatives

Aagard	Andersen	Barrus	S. Clark
Daw	Dee	Donnelson	Dougall
Draxler	Ferry	Julie Fisher	Frank
Froerer	Gibson	Greenwood	Grover
Harper	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Lockhart	Mascaro
Morley	Newbold	Noel	Oda
Painter	Ray	Sandstrom	Sumsion
Tilton	Urquhart	Webb	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Bird	Bowman	Garn	Last
Mathis	McIff	Snow	Walker

2nd Sub. H.B. 293, as amended, passed on the following roll call:

Yeas, 48; Nays, 21; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	D. Clark	S. Clark
Daw	Dee	Donnelson	Dougall
Draxler	Dunnigan	Ferry	Julie Fisher
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Harper
Herrod	Holdaway	Hughes	Hutchings
Last	Lockhart	Mascaro	McIff
Menlove	Morley	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Sandstrom	Sumsion	Tilton	Urquhart
Webb	Wimmer	Winn	Curtis

Voting in the negative were: Representatives

Biskupski	Chavez–Houck	Cosgrove	Duckworth
Janice Fisher	Fowlke	Hansen	Hemingway

Hendrickson	Hunsaker	Johnson	King
Kiser	Litvack	McGee	Morgan
Riesen	Seelig	Shurtliff	Wheatley
Wiley			

Absent or not voting were: Representatives

Bowman	Brown	Mathis	Moss
Snow	Walker		

2nd Sub. H.B. 293, as amended, transmitted to the Senate for its consideration.

* * *

1st Sub. H.B. 370, CHILDREN'S HEALTH INSURANCE PROGRAM AMENDMENTS, read the third time by short title and placed on its final passage.

1st Sub. H.B. 370 passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Chavez-Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Last	Litvack	Mascaro	McGee
McIff	Menlove	Morgan	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Sumsion	Tilton	Urquhart	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Bowman	Brown	Kiser	Lockhart
Mathis	Morley	Seelig	Shurtliff
Snow	Walker		

1st Sub. H.B. 370 transmitted to the Senate for its consideration.

* * *

H.B. 349, OPEN ENROLLMENT REVISIONS, read the third time by short title and placed on its final passage.

Representative Allen proposed the following amendment:

- 1. Page 6, Line 181:
After “school,” insert “or junior high school”

Representative Holdaway proposed the following substitute motion to amend:

- 1. Page 5, Line 127
House Committee Amendments 2–15–2008

127 enrollment~~;~~ ~~and~~.

(c)(i) Notwithstanding the dates established in Subsection (4)(b) for submitting applications and and notifying parents of acceptance or rejection of an application, a local school board may delay the dates if a local school board is not able to make a reasonably accurate projection of the early enrollment school capacity or late enrollment school capacity of a school due to:

(A) school construction or remodeling;

(B) drawing or revision of school boundaries; or

(C) or other circumstances beyond the control of the local school board.

(ii) The delay may extend no later than four weeks beyond the date the local school board is able to make a reasonably accurate projection of the early enrollment school capacity or late enrollment school capacity of a school.

- 2. Page 6a, Line 180 through Page 7, Line 187
House Committee Amendments 2–15–2008:

180 (2) Standards for accepting or rejecting an application for enrollment may include:

181 (a) for an elementary school, the capacity of the [program, class,] grade level~~;~~ ~~or~~

182 ~~school building~~;

183 (b) maintenance of heterogeneous student populations if necessary to avoid violation of

184 constitutional or statutory rights of students;

185 (c) not offering ~~Ĥ~~ → [a] . or having capacity in, an elementary or secondary special

185a education { ~~, Title 1 school,~~ } or other special ← ~~Ĥ~~
program the student requires; [~~and~~]

(d) maintenance of reduced class sizes:

(i) in a Title 1 school that uses federal, state, and local monies to reduce class sizes for the purpose of improving student achievement; or

(ii) in a school that uses school trust monies to reduce class size;

186 {-(d)-} (e) willingness of prospective students to comply with district policies[-]; and

187 {-(e)-} (f) giving priority to intradistrict transfers over interdistrict transfers.

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

H.B. 349, as amended, passed on the following roll call:

Yeas, 63; Nays, 1; Absent or not voting, 11.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Biskupski	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Gibson	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Last	Litvack
Mascaro	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Sumsion
Tilton	Urquhart	Webb	Wheatley
Wiley	Wimmer	Winn	

Voting in the negative was: Representative
Bird

Absent or not voting were: Representatives

Bowman	Garn	Gowans	Kiser
Lockhart	Mathis	McGee	Shurtliff
Snow	Walker	Curtis	

H.B. 349, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Dunnigan, the House voted to uncircle **2nd Sub. H.B. 168**.

2nd Sub. H.B. 168, HEALTH INSURANCE MARKET CHOICES, was before the House on its final passage.

2nd Sub. H.B. 168 passed on the following roll call:

Yeas, 64; Nays, 2; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Last
Litvack	Mascaro	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Sumsion	Tilton	Urquhart
Webb	Wheatley	Wimmer	Winn

Voting in the negative were: Representatives

Julie Fisher	Wiley
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Absent or not voting were: Representatives

Bowman	Donnelson	Kiser	Lockhart
Mathis	Shurtliff	Snow	Walker
Curtis			

2nd Sub. H.B. 168 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

2nd Sub. H.B. 212, EDUCATOR SALARY ADJUSTMENTS, read the third time by short title and placed on its final passage.

2nd Sub. H.B. 212 passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Last	Litvack	Lockhart	Mascaro
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Painter	Ray	Riesen
Sandstrom	Seelig	Sumsion	Tilton
Urquhart	Webb	Wheatley	Wiley
Wimmer	Winn		

Absent or not voting were: Representatives

Bowman	Donnelson	Kiser	Mathis
Oda	Shurtliff	Snow	Walker
Curtis			

2nd Sub. H.B. 212 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, the House voted to lift all bills, including circled bills, from the House Third Reading Calendar and refer them to the Rules Committee for prioritization. Further, as bills are reported out of standing committees, unless referred to the Consent Calendar, they will be considered read the second time and returned to the Rules Committee for

prioritization. The following House Bills were on the House Third Reading Calendar before this motion and are returned to the Rules Committee: **H.B. 335, H.B. 359, H.B. 344, H.B. 224, H.B. 163, H.B. 297, H.B. 361, 1st Sub. H.B. 491, 1st Sub. H.B. 169, H.B. 140, H.B. 150, 1st Sub. H.B. 156, H.B. 315, H.B. 324, 1st Sub. H.B. 203, H.C.R. 8, H.B. 384, 1st Sub. H.B. 400, H.B. 194, H.B. 200, 1st Sub. H.B. 278, H.B. 329, 2nd Sub. H.B. 364, 1st Sub. H.B. 366, H.B. 494, 1st Sub. H.B. 415, H.B. 210, H.B. 473, H.B. 198, H.B. 449, 2nd Sub. H.B. 333, 1st Sub. H.B. 391, H.B. 343, 1st Sub. H.B. 426, H.B. 459, H.J.R. 12, 2nd Sub. H.B. 284, H.B. 311, 1st Sub. H.B. 325, 1st Sub. H.B. 472, H.B. 475, H.B. 282, H.B. 492, H.B. 409, H.B. 162, 1st Sub. H.B. 425, H.B. 456, 4th Sub. H.B. 164, H.B. 405, H.B. 190, H.B. 201, H.B. 383, H.B. 497, H.B. 466, H.B. 436, and 1st Sub. H.B. 274.**

RULES COMMITTEE REPORTS

Mr. Speaker: February 22, 2008

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 174**, Traumatic Brain Injury Fund (Rep. J. Gowans) be replaced with **1st Substitute H.B. 174**, Traumatic Brain Injury Fund, and further recommends it be assigned to the House Health and Human Services Standing Committee.

Stephen Urquhart, Chair

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

* * *

Mr. Speaker: February 22, 2008

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

BUSINESS AND LABOR

H.B. 486 Wrongful Liens and Wrongful Judgement Liens
(Rep. J. Gowans)

EDUCATION

H.B. 382 Financing Public Education (Rep. M. Newbold)

LAW ENFORCEMENT AND CRIMINAL JUSTICE

H.B. 195 Concealed Firearm Permit Amendments
(Rep. M. Newbold)

NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENT

H.B. 385 Road and Rights-of-way Amendments (Rep. M. Noel)

POLITICAL SUBDIVISIONS

- H.B. 435** Public Hearings on Property Tax Increases
(Rep. G. Froerer)
- H.B. 481** Subdivision Approval Amendments (Rep. M. Noel)

Stephen Urquhart, Chair

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

* * *

Mr. Speaker: February 22, 2008

The Rules Committee recommends that the following bills and resolutions be placed on the Third Reading Calendar:

- 1st Sub. H.B. 169** Custody Evaluation and Parent Coordination
(Rep. T. Cosgrove)
- H.B. 150** Authorization for Counties to Provide Supplemental Law Enforcement Services (Rep. J. Biskupski)
- 1st Sub. H.B. 156** DNA Sample – Felony and Certain Misdemeanor Convictions (Rep. K. Gibson)
- H.B. 315** Child and Vulnerable Adult Endangerment Provisions
(Rep. M. Morley)
- 1st Sub. H.B. 203** Judicial Review of State Engineer’s Decision
(Rep. P. Painter)
- H.C.R. 8** Concurrent Resolution Supporting the Narrows Water Project in Central Utah (Rep. B. Winn)
- H.B. 384** Employee Obligations Related to Workers’ Compensation
(Rep. M. Morley)
- H.B. 194** Class Size Reduction in Kindergarten Through Grade Three (Rep. K. Morgan)
- 1st Sub. H.B. 278** Charter School Funding Amendments (Rep. R. Bigelow)
- H.B. 329** High-ability Student Initiative Program (Rep. B. Last)
- H.B. 494** Amendments to the Utah Medical Service System Act
(Rep. J. Dougall)
- 1st Sub. H.B. 415** Joint Custody Modifications (Rep. L. Fowlke)
- H.B. 210** Identity Theft and Other Crimes (Rep. S. Sandstrom)
- H.B. 459** Construction Trades Exemption (Rep. S. Urquhart)
- H.J.R. 12** Joint Resolution Amending the Utah Constitution – Stock and Bond Subscriptions (Rep. D. Clark)
- 1st Sub. H.B. 472** Charter School Building and Enrollment Amendments
(Rep. K. Garn)
- H.B. 475** Labor Organization Amendments (Rep. G. Hughes)

- H.B. 492** Sex Offender Notification and Registration (Rep. P. Ray)
- H.B. 409** Powersport Vehicle Franchise Act Revisions
(Rep. J. Gowans)
- 4th Sub. H.B. 164** Town Incorporation Process Amendments
(Rep. M. Brown)
- H.B. 201** Tax Credit for Solar Projects (Rep. B. Last)

Stephen Urquhart, Chair

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

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 22, 2008

The President of the Senate has signed **2nd Sub. H.B. 47**, STANDARDS FOR ELECTRONIC EXCHANGE OF CLINICAL HEALTH INFORMATION, by Representative R. Menlove, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. **2nd Sub. H.B. 47** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker: February 22, 2008

The President of the Senate has appointed a Conference Committee consisting of Senators G. Bell, M. Waddoups, and F. Fife to meet with a like committee from the House of Representatives to consider or amend **1st Sub. S.B. 152**, PRESUMPTIVE PERSONAL REPRESENTATIVE, by Senator G. Bell.

Annette B. Moore
Secretary of the Senate

Communication filed. The Conference Committee will meet.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, and at 4:20 p.m., the House voted to adjourn until February 25, 2008, at 9:30 a.m.

THIRTY–SIXTH DAY

* * *

MORNING SESSION

The House was called to order by Speaker Curtis at 9:45 a.m.

Roll call showed all members present.

Prayer by Dennis Nordfelt, Mayor of West Valley City. Pledge of Allegiance by Representative Janice Fisher.

COMMUNICATION FROM THE SENATE

Mr. Speaker: February 25, 2008
The Senate passed, as substituted, and amended **1st Sub. S.B. 157, RIGHTS OF CITIZENS TO CARRY FIREARMS IN DECLARED EMERGENCY**, by Senator M. Madsen, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **1st Sub. S.B. 157** read the first time by short title and referred to the Rules Committee.

CONSENT CALENDAR

H.B. 445, NURSING HOME AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 445, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway

Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Bowman Chavez–Houck

H.B. 445, as amended, transmitted to the Senate for its consideration.

CONCURRENCE CALENDAR

On motion of Representative Ray, the House voted to concur in the Senate amendments to **1st Sub. H.B. 18, MATERIAL HARMFUL TO MINORS AMENDMENTS**.

1st Sub. H.B. 18, 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

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen

Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting was: Representative
Hendrickson

1st Sub. H.B. 18, as amended by the Senate, transmitted to the Senate for signature of President.

* * *

On motion of Representative Allen, the House voted to concur in the Senate amendments to **1st Sub. H.B. 46**, ADOPTION AND TERMINATION OF PARENTAL RIGHTS.

1st Sub. H.B. 46, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting was: Representative
Garn

1st Sub. H.B. 46, 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 **1st Sub. H.B. 49**, BUDGET RESERVE ACCOUNT AND DISASTER RECOVERY ACCOUNT AMENDMENTS.

1st Sub. H.B. 49, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

1st Sub. H.B. 49, 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. 60**, LEGISLATIVE REVIEW OF HEALTH INSURANCE MANDATES.

1st Sub. H.B. 60, as amended by the Senate, passed on the following roll call:

Yeas, 74; Nays, 1; Absent or not voting, 0.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn		

Voting in the negative was: Representative

Curtis

1st Sub. H.B. 60, 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. 286**, PERMANENT TEACHER LICENSE REVOCATION FOR SEXUAL ACTIVITY WITH STUDENTS.

1st Sub. H.B. 286, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman

Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting was: Representative Holdaway

1st Sub. H.B. 286, 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. 33**, WAIVERS OF IMMUNITY – EXCEPTIONS.

1st Sub. H.B. 33, 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

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway

Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting was: Representative
D. Clark

1st Sub. H.B. 33, as amended by the Senate, transmitted to the Senate for signature of President.

* * *

On motion of Representative Allen, the House voted to concur in the Senate amendments to **H.B. 112**, PUBLIC EDUCATION FOUNDATION AMENDMENTS.

H.B. 112, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Frank
Froerer	Garn	Gibson	Gowans
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Seelig

Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Fowlke	Greenwood	Sandstrom
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H.B. 112, as amended by the Senate, transmitted to the Senate for signature of President.

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On motion of Representative Morley, the House voted to concur in the Senate amendments to **H.C.R. 2**, CONCURRENT RESOLUTION DECLARING FEBRUARY 6, 2008 RONALD REAGAN DAY.

H.C.R. 2, as amended by the Senate, passed on the following roll call:

Yeas, 59; Nays, 14; Absent or not voting, 2.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Bowman	Brown
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Dunnigan	Ferry	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Greenwood	Grover	Harper	Hemingway
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Kiser	Last	Lockhart
Mascaro	Mathis	McIff	Menlove
Morgan	Morley	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Sandstrom	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wimmer	Winn	Curtis	

Voting in the negative were: Representatives

Biskupski	Chavez-Houck	Duckworth	Janice Fisher
Gowans	Hansen	Hendrickson	King
McGee	Moss	Riesen	Seelig
Wheatley	Wiley		

Absent or not voting were: Representatives

Johnson	Litvack
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H.C.R. 2, as amended by the Senate, transmitted to the Senate for signature of President.

THIRD READING CALENDAR

1st Sub. H.B. 169, CUSTODY EVALUATION AND PARENT COORDINATION, read the third time by short title and placed on its final passage.

Representative Cosgrove proposed the following amendment:

1. Page 3, Lines 67, 68, 70, 72:
Delete the words "in which they practice"
2. Page 5, Lines 130, 131, 134:
Delete the words "in which they practice"

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

1st Sub. H.B. 169, as amended, passed on the following roll call:

Yeas, 58; Nays, 14; Absent or not voting, 3.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez-Houck	D. Clark	S. Clark
Cosgrove	Dee	Donnelson	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	McGee
Menlove	Morgan	Moss	Painter
Ray	Riesen	Seelig	Shurtliff
Sumsion	Urquhart	Walker	Wheatley
Wiley	Winn		

Voting in the negative were: Representatives

Daw	Harper	Mathis	Morley
Neuenschwander	Newbold	Noel	Oda
Sandstrom	Snow	Tilton	Webb
Wimmer	Curtis		

Absent or not voting were: Representatives

Dougall Fowlke McIff

1st Sub. H.B. 169, as amended, transmitted to the Senate for its consideration.

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H.B. 150, AUTHORIZATION FOR COUNTIES TO PROVIDE SUPPLEMENTAL LAW ENFORCEMENT SERVICES, read the third time by short title and placed on its final passage.

H.B. 150 passed on the following roll call:

Yeas, 63; Nays, 10; Absent or not voting, 2.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Donnelson	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Hemingway	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Moss	Neuenschwander	Noel	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Tilton	Webb
Wheatley	Wiley	Winn	

Voting in the negative were: Representatives

D. Clark	Dougall	Harper	Morley
Newbold	Oda	Sumsion	Urquhart
Walker	Curtis		

Absent or not voting were: Representatives

Hendrickson Wimmer

H.B. 150 transmitted to the Senate for its consideration.

* * *

1st Sub. H.B. 156, DNA SAMPLE – FELONY AND CERTAIN MISDEMEANOR CONVICTIONS, read the third time by short title and placed on its final passage.

1st Sub. H.B. 156 failed to pass on the following roll call:

Yeas, 36; Nays, 36; Absent or not voting, 3.

Voting in the affirmative were: Representatives

Aagard	Andersen	Bigelow	Biskupski
Bowman	Brown	Chavez–Houck	Cosgrove
Draxler	Ferry	Janice Fisher	Froerer
Gibson	Greenwood	Hemingway	Holdaway
Hunsaker	King	Litvack	Mascaro
McGee	McIff	Menlove	Morgan
Moss	Oda	Painter	Riesen
Seelig	Shurtliff	Sumsion	Urquhart
Walker	Webb	Wiley	Winn

Voting in the negative were: Representatives

Allen	Barrus	Bird	D. Clark
S. Clark	Daw	Dee	Donnelson
Dougall	Duckworth	Dunnigan	Julie Fisher
Fowlke	Frank	Garn	Gowans
Grover	Hansen	Harper	Herrod
Hughes	Hutchings	Kiser	Last
Lockhart	Mathis	Morley	Neuenschwander
Newbold	Noel	Ray	Sandstrom
Snow	Tilton	Wheatley	Curtis

Absent or not voting were: Representatives

Hendrickson	Johnson	Wimmer
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1st Sub. H.B. 156 was filed.

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H.B. 315, CHILD AND VULNERABLE ADULT ENDANGERMENT PROVISIONS, read the third time by short title and placed on its final passage.

H.B. 315 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	King	Kiser
Last	Litvack	Lockhart	Mathis
McGee	McIff	Menlove	Morgan
Morley	Neuenschwander	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Gibson	Hendrickson	Johnson	Mascaro
Moss	Newbold	Tilton	

H.B. 315 transmitted to the Senate for its consideration.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 22, 2008

The Judiciary Committee recommends **H.B. 470**, AMENDMENTS TO ANIMAL CRUELTY PROVISIONS, by Representative S. Allen, be replaced and favorably recommends **1st Sub. H.B. 470**, AMENDMENTS TO ANIMAL CRUELTY PROVISIONS; and

The Judiciary Committee reports a favorable recommendation on **H.B. 493**, STALKING AMENDMENTS, by Representative L. Fowlke, with the following amendments:

1. Page 6, Lines 169 through 170:
 - 169 (i) acts in which the actor follows, monitors, observes, photographs, surveils, threatens, or

170 communicates to or about a person, or interferes with a person's
property; ; and

The Judiciary Committee reports a favorable recommendation on **1st Sub. S.B. 182, SURVIVAL ACTION UPON INJURY OR DEATH**, by Senator M. Waddoups; and

The Judiciary Committee reports a favorable recommendation on **S.B. 198, CHILD SUPPORT TECHNICAL AMENDMENTS**, by Senator G. Bell, with the following amendments:

1. Page 1, Lines 21 through 22:

21 Other Special Clauses:

22 {~~None~~} This bill provides an immediate effective
date.

2. Page 16, Lines 466 through 467:

466 976 – 1,000 428 433

467 1,001 – 1,050 494

Section 3. Effective date.

If approved by two-thirds of all the members elected to each house,
this bill takes effect upon approval by the governor, or the day following
the constitutional time limit of Utah Constitution Article VII, Section 8,
without the governor's signature, or in the case of a veto, the date of veto
override.

Douglas C. Aagard, Chair

Reports filed. On motion of Representative Aagard, the reports of the Judiciary Committee were adopted.

1st Sub. H.B. 470, H.B. 493, as amended, **1st Sub. S.B. 182**, and **S.B. 198**, as amended, read the second time by short title and returned to the Rules Committee for prioritization.

SPECIAL ORDER OF BUSINESS

H.R. 4, HOUSE RESOLUTION HONORING JAMES L. SORENSON, read the third time by short title and placed on its final passage.

H.R. 4 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Frank	Hendrickson	Noel	Walker
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H.R. 4 was signed by the Speaker and referred to staff for enrolling and transmission to the Lt. Governor.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 22, 2008

The Law Enforcement and Criminal Justice Committee recommends **H.B. 192**, PROPERTY TRANSACTION AMENDMENTS, by Representative R. Lockhart, be replaced and favorably recommends **1st Sub. H.B. 192**, PROPERTY TRANSACTION AMENDMENTS; and

The Law Enforcement and Criminal Justice Committee recommends **H.B. 395**, DEPORTATION OF ELIGIBLE UNDOCUMENTED IMMIGRANT PRISONERS, by Representative G. Donnelson, be replaced and reports a favorable recommendation on **1st Sub. H.B. 395**, DEPORTATION OF ELIGIBLE UNDOCUMENTED IMMIGRANT PRISONERS with the following amendments:

1. Page 2, Lines 27 through 31:
27 { ~~64-13-38.5~~ } 77-27-12.5 , Utah Code Annotated
1953

28

29 Be it enacted by the Legislature of the state of Utah:

30 Section 1. Section ~~{-64-13-38.5-}~~ 77-27-12.5 is
enacted to read:

31 ~~{-64-13-38.5-}~~ 77-27-12.5. Release of prisoner
with detainer -- Eligibility -- Revocation of release. ; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 479**, HEALTH CARE PATIENT IDENTITY PROTECTIONS, by Representative S. Sandstrom, with the following amendments:

1. Page 2, Lines 36 through 40:

36 (2) A hospital:

37 (a) may not refuse services to an individual on the basis that the
individual did not

38 provide identification when requested;

39 (b) may not be penalized for failing to ask for identification;
{ and }

40 (c) is not subject to a private right of action for failing to ask for
identification ; and

(d) must post a notice in the hospital emergency department that
informs patients of their right to treatment for an emergency condition
under the federal Emergency Medical Treatment and Active Labor
Act .; and

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 305**, COUNTY SHERIFF QUALIFICATION AMENDMENTS, by Representative R. Greenwood, and recommends it be placed on the Consent Calendar.

DeMar "Bud" Bowman, Chair

Reports filed. On motion of Representative Bowman, the reports of the Law Enforcement and Criminal Justice Committee were adopted.

1st Sub. H.B. 192, **1st Sub. H.B. 395**, as amended, and **H.B. 479**, as amended, read the second time by short title and returned to the Rules Committee for prioritization.

H.B. 305 read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: February 22, 2008

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 208**, LIVESTOCK WATERING RIGHTS, by Representative M. Noel, with the following amendments:

1. Page 4, Line 93:

- 93 (b) (i) The Department of Agriculture and Food shall :
 (A) file as a lien holder on a grazing permit with the agency
 responsible for managing the public land; and
 (B) hold the livestock watering right ; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **1st Sub. S.B. 59**, WILDLIFE AMENDMENTS, by Senator A. Christensen; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **1st Sub. S.B. 89**, MITIGATION OF INVASIVE SPECIES, by Senator D. Stowell.

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. 208, as amended, **1st Sub. S.B. 59**, and **1st Sub. S.B. 89** read the second time by short title and returned to the Rules Committee for prioritization.

* * *

Mr. Speaker: February 22, 2008

The Transportation Committee recommends **H.B. 242**, LOCAL OPTION TRANSPORTATION CORRIDOR PRESERVATION FEE AMENDMENTS, by Representative W. Harper, be replaced and favorably recommends **1st Sub. H.B. 242**, TRANSPORTATION FUNDING REVISIONS, and further recommends that **1st Sub. H.B. 242** be read for the first and second time by short title.

Todd E. Kiser, Chair

Report filed. On motion of Representative Kiser, the report of the Transportation Committee was adopted.

1st Sub. H.B. 242 read the second time by short title and returned to the Rules Committee for prioritization.

* * *

Mr. Speaker:

February 22, 2008

The Retirement and Independent Entities Committee reports a favorable recommendation on **H.B. 138**, SUDAN DIVESTMENT ACT, by Representative D. Litvack, with the following amendments:

1. Page 1, Lines 18 through 19:

18 ► provides certain exceptions for investments in private equity, alternative investments, or commingled funds.

► requires the board to identify scrutinized companies, provide notice of potential

19 investment withdrawal, and divest from certain entities;

2. Page 3, Lines 72 through 73:

72 (g) (i) “Direct holdings” means all securities of a company that are held directly by the

73 public fund or in an account or fund in which the public fund owns all shares or interests.

(ii) “Direct holdings” does not include investments in private equity, alternative investments, or commingled funds.

3. Page 3, Lines 82 through 85:

82 (j) (i) “Indirect holdings” means all securities of a company held in an account or fund,

83 such as a mutual fund, managed by one or more persons not employed by the public fund, in

84 which the public fund owns shares or interests together with other investors not subject to the

85 provisions of this section.

(ii) “Indirect holdings” does not include investments in private equity, alternative investments, or commingled funds. ; and

The Retirement and Independent Entities Committee reports a favorable recommendation on **S.B. 116**, RETIREMENT OFFICE AMENDMENTS, by Senator C. Walker, and recommends it be placed on the Consent Calendar.

John Dougall, Chair

Reports filed. On motion of Representative Dougall, the reports of the Retirement and Independent Entities Committee were adopted.

H.B. 138, as amended, read the second time by short title and returned to the Rules Committee for prioritization.

S.B. 116 read the second time by short title and placed on the Consent Calendar.

THIRD READING CALENDAR

1st Sub. H.B. 203, JUDICIAL REVIEW OF STATE ENGINEER’S DECISION, read the third time by short title and placed on its final passage.

1st Sub. H.B. 203 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Biskupski	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Webb	Wheatley
Wiley	Wimmer	Winn	

Absent or not voting were: Representatives

Allen	Hendrickson	Walker	Curtis
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1st Sub. H.B. 203 transmitted to the Senate for its consideration.

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H.C.R. 8, CONCURRENT RESOLUTION SUPPORTING THE NARROWS WATER PROJECT IN CENTRAL UTAH, read the third time by short title and placed on its final passage.

H.C.R. 8 passed on the following roll call:

Yeas, 57; Nays, 14; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Bowman	Brown
D. Clark	S. Clark	Daw	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Harper
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Kiser	Last	Lockhart
Mascaro	McGee	McIff	Menlove
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Snow	Tilton
Urquhart	Walker	Webb	Wimmer
Winn			

Voting in the negative were: Representatives

Biskupski	Chavez–Houck	Cosgrove	Janice Fisher
Hansen	Hemingway	King	Litvack
Mathis	Morgan	Seelig	Shurtliff
Wheatley	Wiley		

Absent or not voting were: Representatives

Hendrickson	Johnson	Sumsion	Curtis
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H.C.R. 8 transmitted to the Senate for its consideration.

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H.B. 384, EMPLOYEE OBLIGATIONS RELATED TO WORKERS' COMPENSATION, read the third time by short title and placed on its final passage.

On motion of Representative Morley, the House voted to delete **H.B. 384** in title and body and insert **1st Sub. H.B. 384** in lieu thereof.

1st Sub. H.B. 384 passed on the following roll call:

Yeas, 67; Nays, 1; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	

Voting in the negative was: Representative

Chavez–Houck

Absent or not voting were: Representatives

Gibson	Hendrickson	King	Painter
Ray	Winn	Curtis	

1st Sub. H.B. 384 transmitted to the Senate for its consideration.

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H.B. 194, CLASS SIZE REDUCTION IN KINDERGARTEN THROUGH GRADE THREE, read the third time by short title and placed on its final passage.

Representative Newbold proposed the following amendment:

1. Page 4, Line 114:
Delete “First priority”
2. Page 4, Line 116:
After “grade” delete the period and insert “; or”
3. Page 4, Line 117:
Delete line 117.
4. Page 4, Line 118:
Delete “not all used by the grants described in Subsection (3)(c), second priority” and delete “may” and insert “shall”

5. Page 5, Lines 122 and 123:

Delete lines 122 and 123 and renumber accordingly.

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

H.B. 194, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Painter	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	

Absent or not voting were: Representatives

Hendrickson	Oda	Ray	Curtis
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H.B. 194, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

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

AFTERNOON SESSION

The House was called to order by Speaker Curtis at 2:10 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

February 25, 2008

The Senate passed, **H.B. 128**, UTAH RESIDENTIAL MORTGAGE PRACTICES ACT AMENDMENTS, 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. 159**, PROFESSIONAL EMPLOYER ORGANIZATION LICENSING ACT, 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. 231**, LOCAL VOTER INFORMATION PAMPHLET 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, **H.B. 238**, CAMPAIGN FINANCE FILING REQUIREMENTS, 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. 250**, PUBLIC EMPLOYEE BENEFIT APPROVAL PROVISIONS, 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.B. 261**, LOCAL DISTRICT PRIMARY ELECTIONS, by Representative K. Morgan, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 262**, RECOVERY OF FEDERAL REIMBURSEMENT FOR COSTS ASSOCIATED WITH ILLEGAL IMMIGRANTS, by Representative K. Morgan, 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. 128**, **H.B. 159**, **H.B. 231**, **H.B. 238**, **H.B. 250**, **H.B. 261**, and **H.B. 262** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker:

February 25, 2008

The Senate concurred in the House amendments and passed **1st Sub. S.B. 113**, ACCESS TO RESEARCH WORKERS' PERSONAL

INFORMATION, by Senator G. Bell, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. **1st Sub. S.B. 113** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

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Mr. Speaker: February 25, 2008

The Senate passed, as substituted, and amended **1st Sub. S.B. 72**, JUSTICE COURT AMENDMENTS, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 97**, IMMIGRATION TASK FORCE, by Senator S. Jenkins, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 191**, JUDICIAL CONDUCT COMMISSION AMENDMENTS, by Senator G. Davis, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 192**, SEX OFFENSE AMENDMENTS, by Senator J. Greiner, and it is transmitted for consideration; and

The Senate passed **S.B. 196**, COUNTY AND MUNICIPAL LAND USE AMENDMENTS, by Senator W. Niederhauser, and it is transmitted for consideration; and

The Senate passed **S.B. 239**, OFFICE OF THE ATTORNEY GENERAL – SAFETY NET INITIATIVE, by Senator C. Bramble, and it is transmitted for consideration; and

The Senate passed **S.B. 275**, MILITARY JUSTICE CODE AMENDMENTS, by Senator P. Knudson, and it is transmitted for consideration; and

The Senate passed **S.B. 283**, TRANSPORTATION FUNDING AMENDMENTS, by Senator S. Killpack, and it is transmitted for consideration; and

The Senate passed **S.B. 287**, APPROPRIATION FOR THE SWANSON TACTICAL TRAINING CENTER, by Senator S. Jenkins, and it is transmitted for consideration; and

The Senate passed, as amended, **S.C.R. 5**, CONCURRENT RESOLUTION CALLING FOR CONGRESS TO PASS BALANCED IMMIGRATION REFORM, by Senator H. Stephenson, and it is transmitted for consideration; and

The Senate passed, as amended, **S.J.R. 9**, JOINT RESOLUTION AMENDING RULES OF EVIDENCE RELATING TO INFORMATION CONTAINED IN THE MANAGEMENT INFORMATION SYSTEM, by Senator G. Davis, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **1st Sub. S.B. 72, S.B. 97, 1st Sub. S.B. 191, S.B. 192, S.B. 196, S.B. 239, S.B. 275, S.B. 283, S.B. 287, S.C.R. 5, and S.J.R. 9** read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker:

February 25, 2008

The Senate refuses to concur with the House Amendments to **1st Sub. S.B. 45**, INVENTORY FOR COMPETITIVE ACTIVITIES OF LOCAL ENTITIES, by Senator H. Stephenson, and requests the House recede from its amendments.

Annette B. Moore
Secretary of the Senate

Communication filed.

On motion of Representative Frank, the House voted to refuse to recede from its amendments to **1st Sub. S.B. 45**. The Speaker was authorized to appoint a Conference Committee. The Speaker appointed Representatives Frank, Dee, and Hendrickson.

INTRODUCTION OF BILLS

H.B. 217, Property Tax – Modified Acquisition Value (G. Froerer), read the first time by short title and referred to the Rules Committee.

H.B. 447, Government Entity Changes (K. Holdaway), read the first time by short title and referred to the Rules Committee.

H.B. 477, Licensing of Anesthesiologist Assistants (S. Clark), read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

1st Sub. H.B. 278, CHARTER SCHOOL FUNDING AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Bigelow proposed the following amendment:

1. Page 6, Lines 158 through 177

158 (4) (a) (i) Except as provided in Subsection (4)(a)(ii) and
 159 (iii), a school district shall allocate a

160 portion of school district revenues for each resident student of the
 161 school district who is

162 enrolled in a charter school on October 1 as follows:

163 (A) in fiscal year 2008–09, the allocation shall equal 25% of the
 164 lesser of:

165 (I) district per pupil local revenues; or

166 (II) charter school students' average local revenues;

167 (B) in fiscal year 2009–10, the allocation shall equal 50% of the
 168 lesser of:

169 (I) district per pupil local revenues; or

170 (II) charter school students' average local revenues;

171 (C) in fiscal year 2010–11, the allocation shall equal 75% of the
 172 lesser of:

173 (I) district per pupil local revenues; or

174 (II) charter school students' average local revenues; and

175 (D) beginning in fiscal year 2011–12, the allocation shall equal
 176 100% of the lesser of:

177 (I) district per pupil local revenues; or

178 (II) charter school students' average local revenues.

179 (ii) For the purpose of allocating school district revenues under
 180 Subsection (4)(a)(i), a

181 kindergarten student who is enrolled in less than a full-day
 182 kindergarten program is weighted as

183 .55 of a student.

184 (iii)(A) As used in this section, "virtual charter school" means a
 185 performance-based charter school that delivers synchronous or
 186 asynchronous instruction from a teacher to a student primarily through
 187 the use of technology via the Internet in a virtual or remote setting.

188 (B) A school district's allocation of revenues under this Subsection

(4)(a) for a student enrolled in a virtual charter school may not exceed \$500.

176 { ~~(iii)~~ } (iv) Nothing in this Subsection (4)(a) affects the school bond guarantee program

177 established under Chapter 28, Utah School Bond Guaranty Act.

2. Page 7, Lines 190 through 204:

190 (d) (i) Subject to future budget constraints, the Legislature shall provide an

191 appropriation for charter schools for each student enrolled on October 1 to supplement the

192 allocation of school district revenues under Subsection (4)(a).

193 (ii) Except as provided in Subsections (4)(d)(iii) and (iv), the amount of money

194 provided by the state for a charter school student shall be the sum of:

195 (A) charter school students' average local revenues minus the allocation of school

196 district revenues under Subsection (4)(a); and

197 (B) statewide average debt service revenues.

198 (iii) If the total of a school district's allocation for a charter school student under

199 Subsection (4)(a) and the amount provided by the state under Subsection (4)(d)(ii) is less than

200 \$1427, the state shall provide an additional supplement so that a charter school receives at least

201 \$1427 per student under this Subsection (4).

202 (iv) For the purpose of providing state monies for charter school students under this

203 Subsection (4)(d), a kindergarten student who is enrolled in less than a full-day kindergarten

204 program is weighted as .55 of a student.

(v)(A) Subsections (4)(d)(ii) – (iv) do not apply to virtual charter schools.

(B) If the total of a school district's allocation for a virtual charter school student under Subsection (4)(a) is less than \$500, the state shall

provide an additional supplement so that a virtual charter school receives at least \$500 per student under this Subsection (4).

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

1st Sub. H.B. 278, 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

Andersen	Bigelow	Bowman	D. Clark
S. Clark	Daw	Donnelson	Draxler
Ferry	Frank	Garn	Harper
Herrod	Hughes	Hunsaker	Hutchings
Kiser	Lockhart	Mathis	Newbold
Noel	Oda	Painter	Ray
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wimmer	Winn
Curtis			

Voting in the negative were: Representatives

Aagard	Allen	Barrus	Bird
Biskupski	Brown	Chavez–Houck	Cosgrove
Dee	Dougall	Duckworth	Dunnigan
Janice Fisher	Julie Fisher	Fowlke	Froerer
Gibson	Gowans	Greenwood	Grover
Hansen	Hemingway	Hendrickson	Holdaway
Johnson	King	Last	Litvack
Mascaro	McGee	McIff	Menlove
Morgan	Moss	Neuenschwander	Riesen
Sandstrom	Seelig	Shurtliff	Wheatley
Wiley			

Absent or not voting was: Representative

Morley

1st Sub. H.B. 278, as amended, was filed.

* * *

H.B. 329, HIGH–ABILITY STUDENT INITIATIVE PROGRAM, read the third time by short title and placed on its final passage.

H.B. 329 passed on the following roll call:

Yeas, 64; Nays, 0; Absent or not voting, 11.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Holdaway
Hunsaker	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morgan
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Biskupski	Dunnigan	Garn	Hendrickson
Herrod	Hughes	Hutchings	McGee
Morley	Urquhart	Walker	

H.B. 329 transmitted to the Senate for its consideration.

* * *

H.B. 494, AMENDMENTS TO THE UTAH MEDICAL SERVICE SYSTEM ACT, read the third time by short title and placed on its final passage.

On motion of Representative D. Clark, the House voted to circle **H.B. 494**.

* * *

1st Sub. H.B. 415, JOINT CUSTODY MODIFICATIONS, read the third time by short title and placed on its final passage.

1st Sub. H.B. 415, 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	Andersen	Barrus
Bird	Biskupski	Bowman	Brown

Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Webb	Wheatley	Wiley	Winn
Curtis			

Voting in the negative was: Representative
Wimmer

Absent or not voting were: Representatives
Bigelow Gowans Last Newbold
Walker

1st Sub. H.B. 415, as amended transmitted to the Senate for its consideration.

* * *

H.B. 210, IDENTITY THEFT AND OTHER CRIMES, read the third time by short title and placed on its final passage.

H.B. 210, 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	Andersen	Barrus
Bird	Biskupski	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans

Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Noel	Oda	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Bigelow	Holdaway	Last	Newbold
Painter			

H.B. 210, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 459, CONSTRUCTION TRADES EXEMPTION, read the third time by short title and placed on its final passage.

Representative Dunnigan proposed the following amendment:

1. Page 1, Lines 12 through 16
 - 12 This bill:
 - 13 ► increases the ceiling on the building cost exemption in the Utah Construction
 - 14 Trades Licensing Act from under \$1,000 to under {~~-\$5,000-~~ \$3,000 on alterations, repairs,
 - 15 additions, remodels, or improvements to a building.
 - 16 Monies Appropriated in this Bill:
2. Page 3, Lines 72 through 79

House Committee Amendments 2-25-2008:

 - 72 (h) (i) a person engaged in the alteration, repair, remodeling, or addition to or
 - 73 improvement of a building with a contracted or agreed value of less than [~~\$1,000~~] { \$5,000, } \$3,000.

74 including both labor and materials, and including all changes or additions to the contracted or

75 agreed upon work; and

76 (ii) notwithstanding Subsection (1)(h)(i):

77 (A) work in the plumbing and electrical trades ~~H→~~ on a Subsection (1)(h)(i) project ←H

77a must be performed by a licensed journeyman

78 electrician or journeyman plumber except as otherwise provided in this section;

79 (B) installation, repair, or replacement of a residential or commercial gas appliance or a

- 3. Page 3, Lines 84c through 86
House Committee Amendments 2-25-2008:

84c company agent: ←H
(E) 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.

85 and

86 ~~H→~~ [~~D~~] { ~~E~~ } (F) ←H if the total value of the project is greater than \$1,000, the person shall file

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

H.B. 459, as amended, passed on the following roll call:

Yeas, 48; Nays, 21; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Biskupski	Bowman	Brown	D. Clark
S. Clark	Daw	Dee	Donnelson
Draxler	Dunnigan	Ferry	Julie Fisher
Fowlke	Frank	Froerer	Garn
Greenwood	Grover	Harper	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Last	Lockhart	Mathis	Menlove
Morgan	Morley	Noel	Oda
Ray	Sandstrom	Seelig	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wimmer	Winn	Curtis

Voting in the negative were: Representatives

Bird	Chavez–Houck	Cosgrove	Duckworth
Janice Fisher	Gowans	Hansen	Hemingway
Hendrickson	Johnson	King	Kiser
Litvack	Mascaro	McGee	Moss
Neuenschwander	Riesen	Shurtliff	Wheatley
Wiley			

Absent or not voting were: Representatives

Bigelow	Dougall	Gibson	McIff
Newbold	Painter		

H.B. 459, as amended, transmitted to the Senate for its consideration.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 25, 2008

The Government Operations Committee recommends **1st Sub. H.B. 319**, REVIEW AND APPROVAL OF GRANTS, by Representative D. Clark, be replaced and favorably recommends **2nd Sub. H.B. 319**, REVIEW AND APPROVAL OF GRANTS; and

The Government Operations Committee recommends **1st Sub. H.B. 407**, COMMUNITY CONSCIOUS INTERNET PROVIDER, by Representative M. Morley, be replaced and favorably recommends **2nd Sub. H.B. 407**, COMMUNITY CONSCIOUS INTERNET PROVIDER; and

The Government Operations Committee reports a favorable recommendation on **H.B. 476**, PAY OF NATIONAL GUARD MEMBERS, by Representative G. Hughes; and

The Government Operations Committee reports a favorable recommendation on **2nd Sub. S.B. 38**, TRANSPARENCY IN GOVERNMENT FINANCE, by Senator W. Niederhauser, with the following amendments:

1. Page 8, Line 226 through Page 9, Line 253:

226 63A-3-405. Rulemaking authority.

227 (1) (a) After consultation with the board, and in accordance with Title 63, Chapter 46a,

228 Utah Administrative Rulemaking Act, the Division of Finance shall make rules to:

229 {-(a)} (i) require participating state entities to provide public financial information for

230 inclusion on the Utah Public Finance Website;

231 { ~~(b)(1)~~ } (ii)(A) establish size or budget thresholds
to identify those local entities that qualify as

232 participating local entities as defined in this part;

233 { ~~(ii)~~ } (B) require participating local entities to
provide public financial information in

234 accordance with the requirements of this part, with a specified
content, reporting frequency and

235 form; and

236 { ~~(iii)~~ } (C) require the participating local entity's
website to be accessible by link or other

237 direct route from the Utah Public Finance Website;

238 { ~~(e)~~ } (iii) define, either uniformly for all
participating state entities or participating local

239 entities, or on an entity by entity basis, the term "public financial
information" using the

240 standards provided in Subsection 63A-3-404(2)(c).

241 { ~~(d)~~ } (iv) establish procedures for obtaining,
submitting, reporting, storing, and providing

242 public financial information on the Utah Public Finance Website
and on local entities'

243 websites, which may include a specified reporting frequency and
form; and

244 { ~~(e)~~ } (v) determine the search methods and the
search criteria that shall be made available to

245 the public as part of a website used by a participating local entity
under the requirements of this

246 part, which criteria may include:

247 { ~~(i)~~ } (A) fiscal year;

248 { ~~(ii)~~ } (B) expenditure type;

249 { ~~(iii)~~ } (C) name of the agency;

250 { ~~(iv)~~ } (D) payee;

- 251 { ~~(v)~~ } (E) date;
- 252 { ~~(vi)~~ } (F) amount; and
- 253 { ~~(vii)~~ } (G) any other criteria designated by the
rule { ~~i~~ }

(b) Rules that establish the obligations of participating entities under the authority of Subsection (1)(a) shall give special consideration to the budget and resource limitations of a participating entity that has a current annual budget of less than \$10 million.

Glenn A. Donnelson, Chair

Reports filed. On motion of Representative Donnelson, the reports of the Government Operations Committee were adopted.

2nd Sub. H.B. 319, 2nd Sub. H.B. 407, H.B. 476 read the second time by short title and returned to the Rules Committee for prioritization.

2nd Sub. S.B. 38 read the second time by short title and returned to the Rules Committee due to fiscal impact.

* * *

Mr. Speaker: February 25, 2008

The Political Subdivisions Committee recommends **H.B. 188**, TRANSIT REVISIONS, by Representative W. Harper, be replaced and favorably recommends **1st Sub. H.B. 188**, TRANSIT REVISIONS; and

The Political Subdivisions Committee recommends **H.B. 422**, POLITICAL SUBDIVISION CLERK AMENDMENTS, by Representative M. Newbold, be replaced and favorably recommends **2nd Sub. H.B. 422**, POLITICAL SUBDIVISION CLERK AMENDMENTS; and

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 435**, PUBLIC HEARINGS ON PROPERTY TAX INCREASES, by Representative G. Froerer, with the following amendments:

1. Page 2, Lines 32 through 38:
 - 32 Be it enacted by the Legislature of the state of Utah:
 - 33 Section 1. Section 59-2-919.5 is enacted to read:
 - 34 59-2-919.5. Consolidated advertisement of public hearings.
 - 35 (1) {~~On the same day on which a taxing entity provides the~~
~~notice to the county required~~

36 ~~under Subsection 59-2-918(5) or 59-2-919(7), the~~ } A
taxing entity shall provide to the county

37 auditor the { same } information required by Subsection
59-2-918(5) or 59-2-919(7).

38 (2) If as of July 22, two or more taxing entities notify the county
auditor under ; and

The Political Subdivisions Committee reports a favorable recommendation on **1st Sub. H.B. 464**, ACCESS TO LANDLOCKED PARCELS, by Representative M. Walker; and

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 481**, SUBDIVISION APPROVAL AMENDMENTS, by Representative M. Noel, with the following amendments:

1. Page 1, Lines 12 through 15:

12 ► authorizes an owner of agricultural land within counties
of the third, fourth, fifth, or

13 sixth class to divide from the land up to six parcels of at least
~~{ five acres }~~ one acre each,

14 without complying with subdivision plat requirements or county
subdivision

15 ordinances.

2. Page 3, Line 80:

80 (A) to create six or fewer parcels of at least { five
acres } one acre each; and ; and

The Political Subdivisions Committee reports a favorable recommendation on **1st Sub. S.B. 54**, INITIATIVE AND REFERENDUM PETITION AMENDMENTS, by Senator B. Goodfellow; and

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 216**, ANNEXATION REVISIONS, by Representative B. Last, 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.

1st Sub. H.B. 188, 2nd Sub. H.B. 422, H.B. 435, as amended, **1st Sub. H.B. 464, H.B. 481**, and **1st Sub. S.B. 54**, as amended, read the second time by short title and returned to the Rules Committee for prioritization.

H.B. 216 read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: February 25, 2008

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 183, SALES AND USE TAX AMENDMENTS**, by Representative W. Harper; and

The Revenue and Taxation Committee reports a favorable recommendation on **H.B. 206, TAX AMENDMENTS**, by Representative W. Harper, with the following amendments:

- 1. Page 29, Line 890 through Page 30, Line 896:

890 (c) ~~(i)~~ For purposes of Subsection ~~[(12)]~~ (15)(a)~~[(ii)(A)]~~ (i),
tangible personal property,

891 a product, or a service that is distinct and identifiable does not
include:

892 ~~[(i)]~~ (A) packaging that:

893 ~~[(A)]~~ (I) accompanies the sale of the tangible personal property,
product, or service;

894 and

895 ~~[(B)]~~ (II) is incidental or immaterial to the sale of the tangible
personal property,

896 product, or service;

897 ~~[(ii)]~~ (B) tangible personal property a product, or a service
provided free of charge with the purchase of

898 another item of tangible personal property a product, or a
service ; or

899 ~~[(iii)]~~ (C) an item of tangible personal property, a product,
or a service included in the

900 definition of “purchase price.”

901 ~~[(d)]~~ (ii) For purposes of Subsection ~~[(12)]~~ (15)(c)~~[(ii)]~~(i)(B), an item of tangible

902 personal property a product, or a service is provided free of charge with the purchase of another item of tangible

903 personal property a product, or a service if the sales price of the purchased item of tangible personal property product, or service does not

904 vary depending on the inclusion of the tangible personal property product, or service provided free of charge.

2. Page 94, Lines 2890 through 2894:

2890 (b) notwithstanding Subsection (18)(a), amounts paid or charged for the following

2891 { ~~tangible personal property or products transferred electronically~~ } are subject to the taxes

2892 imposed by this chapter:

2893 (i) (A) subject to Subsection (18)(b)(i)(B), the following { ~~tangible personal property~~ } if

2894 { ~~the tangible personal property is~~ } used in a manner that is incidental to farming;; and

The Revenue and Taxation Committee recommends **3rd Sub. S.B. 48**, EQUALIZATION OF SCHOOL CAPITAL OUTLAY FUNDING, by Senator D. Eastman, be replaced and favorably recommends **4th Sub. S.B. 48**, EQUALIZATION OF SCHOOL CAPITAL OUTLAY FUNDING.

John Dougall, Chair

Reports filed. On motion of Representative Dougall, the reports of the Revenue and Taxation Committee were adopted.

H.B. 183 and **H.B. 206**, as amended, read the second time by short title and returned to the Rules Committee for prioritization.

4th Sub. S.B. 48 read the second time by short title and returned to the Rules Committee due to fiscal impact.

* * *

Mr. Speaker:

February 25, 2008

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **H.B. 380**, INSURANCE

DEPARTMENT – WORKERS’ COMPENSATION AMENDMENTS, by Representative R. Bigelow, with the following amendments:

1. Page 1, Lines 14 through 16:

14 ▶ requires the department to make rules to monitor employers who ~~{–are required to–}~~ can only

15 obtain workers’ compensation from the Workers’ Compensation Fund because of

16 certain underwriting standards or guidelines in the workers’ compensation insurance market ; and

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **1st Sub. S.B. 166, NONDISCRIMINATION AMENDMENTS**, by Senator S. McCoy, with the following amendments:

1. Page 1, Lines 14 through 17:

14 ▶ includes military service as a prohibited basis for discrimination in employment in a

15 manner consistent with the Utah Antidiscrimination Act;

16 ▶ addresses preferences permitted by law ~~{–on the basis of–}~~ because of military service; and

17 ▶ makes technical and conforming amendments.

2. Page 3, Lines 71 through 75

Senate Committee Amendments 2–12–2008:

71 ~~[(9)]~~ (10) “Employment agency” means ~~[any]~~ a person:

72 (a) undertaking to procure ~~{–}~~ employees or opportunities ~~{–}~~ ~~{–an employer or an opportunity }~~

73 to work for ~~{–}~~ any other ~~{–}~~ ~~{–another }~~ person; or

74 (b) holding itself out to be equipped to take an action described in Subsection ~~[(9)]~~

75 (10)(a).

3. Page 6, Line 176:

176 (F) a joint apprenticeship committee; ~~{–and–}~~ or

4. Page 7, Lines 200 through 201:

200 (ii) minimize or eliminate discrimination in employment ~~{–}~~ because ~~{–}~~ ~~{–on the basis }~~ of race,

201 color, sex, religion, national origin, age, [ø] disability, or military service;

5. Page 7, Line 211 through Page 8, Line 213:

211 (i) recommend [any] legislation concerning discrimination
 { - } because { - } { on the basis } of

212 race, sex, color, national origin, religion, age, [ø] disability, or military service to the governor

213 that [it] the division considers necessary; and

6. Page 11, Lines 311 through 314:

311 (a) (i) An employer may not refuse to hire, promote, discharge, demote, or terminate

312 [any] a person, or to retaliate against, harass, or discriminate in matters of compensation or in

313 [~~terms, privileges, and conditions~~] a term, privilege, or condition of employment against [any]

314 a person otherwise qualified, { - } because { - } { on the basis } of:

7. Page 12, Lines 345 through 348:

345 (b) An employment agency may not:

346 (i) refuse to list and properly classify for employment, or refuse to refer an individual

347 for employment, in a known available job for which the individual is otherwise qualified,

348 { - } because { - } { on the basis } of:

8. Page 13, Lines 376 through 378:

376 representation[, ~~because of~~].

377 (ii) An action described in Subsection (1)(c)(i) is prohibited if it is taken { on the basis } because

378 of:

9. Page 14, Lines 419 through 421:

419 (A) deny to, or withhold from, [any] a qualified person, the right to be admitted to, or

420 participate in [any] the apprenticeship training program, on-the-job-training program, or other

421 occupational instruction, training or retraining program
{-[-]} because {-[-]} { on the basis } of:

10. Page 15, Lines 431 through 432:

431 (B) discriminate against or harass [~~any~~] a qualified person in
that person's pursuit of

432 [~~programs~~] a program described in Subsection (1)(f)(i)(A)[~~, or to~~]
{~~-on the basis~~ } because of:

11. Page 15, Lines 442 through 444:

442 (C) discriminate against [~~such a person in the terms, conditions,~~
~~or privileges of~~

443 ~~programs~~] a qualified person in a term, condition, or privilege
described in Subsection

444 (1)(f)(i)(A), {-[-]} because {-[-]} { on the basis }
of:

12. Page 15, Lines 458 through 459:

458 indicating [~~any~~] a preference, limitation, specification, or
discrimination {-[-]} based {-[-]} on {the basis

459 of } :

13. Page 16, Lines 471 through 472:

471 (1)(f)(i)[~~(C)~~](D) may indicate a preference, limitation,
specification, or discrimination {-[-]} based {-[-]}

472 on { the basis of } :

14. Page 18, Lines 541 through 546:

541 (d) (i) This chapter may not be interpreted to require [~~any~~] an
employer, employment

542 agency, labor organization, vocational school, joint
labor-management committee, or

543 apprenticeship program subject to this chapter to grant preferential
treatment {-[-]} to any individual

544 or to any group because {-[-]} { on the basis } of the
race, color, religion, sex, age, national origin, [~~or~~]

545 disability, or military service of [~~the~~] an individual or group on
account of an imbalance

546 [~~which~~] that may exist;

15. Page 20, Lines 587 through 589:

587 (7) It is not a discriminatory or prohibited practice to give a preference to an individual

588 {~~on the basis~~} because of military service if that preference is given in accordance with a federal, state, or

589 local law other than this chapter.

16. Page 21, Lines 642 through 644:

642 (b) (i) Upon receipt of the investigator's report described in Subsection (5)(a), the

643 director or the director's designee may issue a determination and order {~~+~~} based {~~+~~} on { the basis of }

644 the investigator's report.

17. Page 24, Lines 710 through 711:

710 (15) The procedures contained in this section are the exclusive remedy under state law

711 for employment discrimination {~~+~~} based upon {~~+~~} { on the basis of } :

18. Page 24, Lines 722 through 723:

722 (16) (a) The commencement of an action under federal law for relief {~~+~~} based upon any {~~+~~}

723 { on the basis of an } act prohibited by this chapter bars the commencement or continuation of; and

The Workforce Services and Community and Economic Development Committee reports a favorable recommendation on **S.B. 274, AMENDMENTS TO UTAH SERVICE MEMBERS' CIVIL RELIEF ACT**, by Senator P. Knudson, and recommends it be placed on the Consent Calendar.

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. 380, as amended, and **1st Sub. S.B. 166**, as amended, read the second time by short title and returned to the Rules Committee for prioritization.

S.B. 274 read the second time by short title and placed on the Consent Calendar.

RULES COMMITTEE REPORTS

Mr. Speaker: February 25, 2008

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 455**, Amendments Relating to Certain Taxes Administered by or License Plates Issued by the State Tax Commission (Rep. S. Sandstrom) be replaced with **1st Substitute H.B. 455**, Amendments Relating to Certain Taxes Administered by or License Plates Issued by the State Tax Commission, and further recommends it be assigned to the House Government Operations Standing Committee.

Stephen Urquhart, Chair

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

* * *

Mr. Speaker: February 25, 2008

The Rules Committee recommends that the following bills and resolutions be placed on the Third Reading Calendar:

- H.B. 361** Anti-seizure Drug Notification (Rep. E. Hutchings)
- H.B. 224** Construction Standards for Type II Assisted Living Facility (Rep. R. Lockhart)
- H.B. 324** Not-a-drop Drivers Program Amendments (Rep. R. Greenwood)
- 2nd Sub. H.B. 364** Promotion of Health Care Coverage (Rep. K. Holdaway)
- 1st Sub. H.B. 366** Medicaid Long Term Care Amendments (Rep. M. Newbold)
- H.B. 449** Implementation of Federal Real Id Act (Rep. G. Donnelson)
- H.B. 343** Exemption of University Housing from Eviction Laws (Rep. P. Neuenschwander)
- 1st Sub. H.B. 426** Government Procurement – Private Proposals (Rep. K. Garn)
- 1st Sub. H.B. 242** Transportation Funding Revisions (Rep. W. Harper)
- H.B. 311** Higher Education Distance Learning Partnerships (Rep. B. Last)
- H.B. 282** State Payment and Reimbursement to County Correctional Facilities (Rep. M. Noel)

- 1st Sub. H.B. 425** Exemption for Alcoholic Beverage Manufacturing License (Rep. C. Johnson)
- H.B. 405** Amendments to City or Town Sales and Use Tax to Fund Botanical, Cultural, Recreational, and Zoological Organizations or Facilities (Rep. S. Sandstrom)
- H.B. 497** Revenue Bond Authorization for State Fair Park (Rep. N. Hendrickson)
- H.B. 466** Title Insurance Recovery, Education, and Research Fund Act (Rep. M. Morley)
- H.B. 436** English Language Learner Family Literacy Centers Program (Rep. G. Hughes)
- 1st Sub. H.B. 274** Utah K–8 Online Virtual School (Rep. B. Ferry)
- 1st Sub. H.B. 192** Property Transaction Amendments (Rep. R. Lockhart)
- H.B. 206** Tax Amendments (Rep. W. Harper)
- 2nd Sub. H.B. 319** Review and Approval of Grants (Rep. D. Clark)
- H.B. 380** Insurance Department – Workers’ Compensation Amendments (Rep. R. Bigelow)
- H.B. 476** Pay of National Guard Members (Rep. G. Hughes)
- H.B. 479** Health Care Patient Identity Protections (Rep. S. Sandstrom)

Stephen Urquhart, Chair

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

* * *

Mr. Speaker: February 25, 2008
The Rules Committee recommends the following bill be assigned to standing Committee:

POLITICAL SUBDIVISIONS

- H.B. 447** Government Entity Changes (Rep. K. Holdaway)

Stephen Urquhart, Chair

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

CONFERENCE COMMITTEE REPORT

Mr. Speaker: February 25, 2008
The Joint Conference Committee comprised of Senators Bell, Waddoups, and Fife, and Representatives Urquhart, Hunsaker, and McGee, recommends **1st Sub. S.B. 152**, PRESUMPTIVE PERSONAL REPRESENTATIVE, by Senator

G. Bell, be replaced and favorably recommends **2nd Sub. S.B. 152**, PRESUMPTIVE PERSONAL REPRESENTATIVE.

Greg Bell
Stephen Urquhart

Report filed. On motion of Representative Urquhart, the House voted to adopt the Conference Committee Report.

2nd Sub. S.B. 152 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Noel	Oda
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Gibson	Newbold	Painter
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2nd Sub. S.B. 152 was transmitted to the Senate for further consideration.

THIRD READING CALENDAR

H.J.R. 12, JOINT RESOLUTION AMENDING THE UTAH CONSTITUTION– STOCK AND BOND SUBSCRIPTIONS, read the third time by short title and placed on its final passage.

H.J.R. 12, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Riesen	Sandstrom
Seelig	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Curtis	

Absent or not voting were: Representatives

Bowman	Painter	Shurtliff	Winn
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H.J.R. 12, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Ray, the House voted to reconsider its action on **1st Sub. H.B. 156**.

RECONSIDERATION OF 1ST SUB. H.B. 156

1st Sub. H.B. 156, DNA SAMPLE – FELONY AND CERTAIN MISDEMEANOR CONVICTIONS, was before the House for reconsideration.

On motion of Representative Gibson, the House voted to circle **1st Sub. H.B. 156**.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

February 25, 2008

The President of the Senate has appointed a Conference Committee consisting of Senators H. Stephenson, W. Niederhauser, and B. Goodfellow to

meet with a like committee from the House of Representatives to consider or amend **1st Sub. S.B. 45**, INVENTORY FOR COMPETITIVE ACTIVITIES OF LOCAL ENTITIES, by Senator H. Stephenson.

Annette B. Moore
Secretary of the Senate

Communication filed. The conference committee may now meet.

MISCELLANEOUS BUSINESS

On motion of Representative Dee, and at 3:55 p.m., the House voted to adjourn until February 26, 2008, at 9:00 a.m.

THIRTY–SEVENTH DAY

* * *

MORNING SESSION

The House was called to order by Speaker Curtis at 9:45 a.m.

Roll call showed all members present.

Prayer by Dr. Niles W. Herrod, Representative Herrod's father and a veteran of the U.S. Navy. Pledge of Allegiance by Representative Herrod's guest, Lt. Commander Archie D. Smith, retired United States Navy.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 25, 2008

The President of the Senate has signed **1st Sub. H.B. 18**, MATERIAL HARMFUL TO MINORS AMENDMENTS, 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. 33**, WAIVERS OF IMMUNITY – EXCEPTIONS, by Representative G. Hughes, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 46**, ADOPTION AND TERMINATION OF PARENTAL RIGHTS, by Representative S. Allen, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 49**, BUDGET RESERVE ACCOUNT AND DISASTER RECOVERY ACCOUNT 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. 60**, LEGISLATIVE REVIEW OF HEALTH INSURANCE MANDATES, by Representative J. Dunnigan, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 112**, PUBLIC EDUCATION FOUNDATION AMENDMENTS, by Representative S. Allen, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 286**, PERMANENT TEACHER LICENSE REVOCATION FOR SEXUAL ACTIVITY WITH

STUDENTS, 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. 2**, CONCURRENT RESOLUTION DECLARING FEBRUARY 6, 2008 RONALD REAGAN DAY, by Representative M. Morley, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **1st Sub. H.B. 18, 1st Sub. H.B. 33, 1st Sub. H.B. 46, 1st Sub. H.B. 49, 1st Sub. H.B. 60, H.B. 112, 1st Sub. H.B. 286, and H.C.R. 2** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker: February 25, 2008

The Senate passed, as amended, **2nd Sub. H.B. 54**, PROPERTY TAX ASSESSMENT REVISIONS, by Representative W. Harper, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **2nd Sub. H.B. 54** placed on the Concurrence Calendar.

* * *

Mr. Speaker: February 25, 2008

The Senate passed, as substituted, **2nd Sub. S.B. 71**, SCHOOL DISTRICT AMENDMENTS, by Senator C. Walker, and it is transmitted for consideration; and

The Senate passed, as substituted, and amended **1st Sub. S.B. 81**, ILLEGAL IMMIGRATION, by Senator J. Hickman, and it is transmitted for consideration; and

The Senate passed **S.B. 83**, CHECK CASHING AND DEFERRED DEPOSIT LENDING REGISTRATION ACT, by Senator K. Mayne, and it is transmitted for consideration; and

The Senate passed, as substituted, **2nd Sub. S.B. 185**, ECONOMIC INCENTIVE REVISIONS, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed **S.B. 193**, ELECTION LAW CHANGES, by Senator P. Knudson, and it is transmitted for consideration; and

The Senate passed, as substituted, **2nd Sub. S.B. 204**, INCOME TAXATION AMENDMENTS, by Senator W. Niederhauser, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 256**, GOOD SAMARITAN ACT FOR ENGINEERS, by Senator M. Waddoups, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **2nd Sub. S.B. 71, 1st Sub. S.B. 81, S.B. 83, 2nd Sub. S.B. 185, S.B. 193, 2nd Sub. S.B. 204**, and **1st Sub. S.B. 256** read the first time by short title and referred to the Rules Committee.

CONSENT CALENDAR

S.B. 187, BAIL IN CAPITAL OFFENSE CASES, read the third time by short title and placed on its final passage.

S.B. 187 passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Froerer	Garn	Gowans
Greenwood	Grover	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Biskupski	Bowman	Duckworth	Frank
Gibson	Hansen	Lockhart	Shurtliff

S.B. 187 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

S.B. 290, PRIVATE INVESTIGATORS' ACCESS TO DRIVER LICENSURE INFORMATION, read the third time by short title and placed on its final passage.

S.B. 290 passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	Cosgrove
Dee	Donnelson	Dougall	Draxler
Dunnigan	Janice Fisher	Julie Fisher	Fowlke
Froerer	Garn	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

S. Clark	Daw	Duckworth	Ferry
Frank	Gibson	Morgan	Shurtliff

S.B. 290 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

H.B. 402, VEHICLE TO PULL OFF HIGHWAY, read the third time by short title and placed on its final passage.

H.B. 402 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Dee	Donnelson	Dougall
Draxler	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Froerer	Garn
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Daw	Duckworth	Frank	Gibson
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H.B. 402 transmitted to the Senate for its consideration.

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H.B. 452, HANDLING OF MINOR TRAFFIC ACCIDENTS, read the third time by short title and placed on its final passage.

H.B. 452, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman

Chavez–Houck	D. Clark	S. Clark	Cosgrove
Dee	Donnelson	Dougall	Draxler
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Froerer	Garn	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Brown	Daw	Duckworth	Frank
Gibson	McIff	Shurtliff	

H.B. 452, as amended, transmitted to the Senate for its consideration.

* * *

H.J.R. 11, JOINT RESOLUTION SUPPORTING STATEWIDE GOVERNMENT 211 SYSTEM INFORMATION DIRECTORY, read the third time by short title and placed on its final passage.

H.J.R. 11 passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Dee	Donnelson	Dougall
Draxler	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hunsaker	Hutchings
Johnson	King	Kiser	Last

Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Daw	Duckworth	Gibson	Hughes
Moss	Seelig		

H.J.R. 11 transmitted to the Senate for its consideration.

* * *

1st Sub. S.B. 158, GOVERNOR'S RURAL PARTNERSHIP BOARD AND RURAL COORDINATING COMMITTEE AMENDMENTS, read the third time by short title and placed on its final passage.

1st Sub. S.B. 158 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Chavez-Houck	D. Clark	S. Clark	Cosgrove
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gowans	Greenwood	Grover
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Brown	Daw	Gibson	Hansen
Hutchings	Moss	Wiley	

1st Sub. S.B. 158 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

H.B. 440, MODIFICATIONS TO GOVERNMENT LAW, read the third time by short title and placed on its final passage.

H.B. 440 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Gibson	Moss
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H.B. 440 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

1st Sub. H.B. 472, CHARTER SCHOOL BUILDING AND ENROLLMENT AMENDMENTS, read the third time by short title and placed on its final passage.

1st Sub. H.B. 472, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Neuenschwander	Newbold	Noel	Oda
Painter	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Gibson	Moss	Ray	Urquhart
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1st Sub. H.B. 472, as amended, transmitted to the Senate for its consideration.

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H.B. 475, LABOR ORGANIZATION AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Hughes, the House voted to delete **H.B. 475** in title and body and insert **1st Sub. H.B. 475** in lieu thereof.

On motion of Representative Hughes, the House voted to circle **1st Sub. H.B. 475**.

* * *

H.B. 492, SEX OFFENDER NOTIFICATION AND REGISTRATION, read the third time by short title and placed on its final passage.

H.B. 492, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Dee	Donnelson	Dougall
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Daw	Draxler	Gibson	Kiser
Urquhart			

H.B. 492, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 409, POWERSPORT VEHICLE FRANCHISE ACT REVISIONS, read the third time by short title and placed on its final passage.

H.B. 409 passed on the following roll call:

Yeas, 63; Nays, 6; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Dee	Donnelson	Dougall

Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Froerer
Garn	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	Menlove	Morgan	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Riesen	Sandstrom	Seelig
Snow	Walker	Webb	Wheatley
Wiley	Winn	Curtis	

Voting in the negative were: Representatives

Daw	Herrod	Morley	Sumsion
Tilton	Wimmer		

Absent or not voting were: Representatives

Frank	Gibson	McIff	Ray
Shurtliff	Urquhart		

H.B. 409 transmitted to the Senate for its consideration.

* * *

4th Sub. H.B. 164, TOWN INCORPORATION PROCESS AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Brown, the House voted to circle **4th Sub. H.B. 164**.

MISCELLANEOUS BUSINESS

On motion of Representative Dee, the House voted to reconsider its action on **1st Sub. H.B. 278**.

RECONSIDERATION OF 1ST SUB. H.B. 278

1st Sub. H.B. 278, CHARTER SCHOOL FUNDING AMENDMENTS, was before the House for reconsideration.

On motion of Representative D. Clark, the House voted to circle **1st Sub. H.B. 278**.

THIRD READING CALENDAR

H.B. 201, TAX CREDIT FOR SOLAR PROJECTS, read the third time by short title and placed on its final passage.

H.B. 201, 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	Andersen	Barrus
Bird	Bowman	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Curtis			

Absent or not voting were: Representatives

Bigelow	Biskupski	Julie Fisher	Gowans
Johnson	Winn		

H.B. 201, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 361, ANTI–SEIZURE DRUG NOTIFICATION, read the third time by short title and placed on its final passage.

H.B. 361, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Holdaway	Hughes
Hunsaker	Hutchings	King	Kiser
Last	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Gibson	Herrod	Johnson	Litvack
Morley			

H.B. 361, as amended, transmitted to the Senate for its consideration.

COMMITTEE OF THE WHOLE

On motion of Representative D. Clark, the House resolved itself into a Committee of the Whole for the purpose of honoring family of President Gordon B. Hinckley.

SPECIAL ORDER OF BUSINESS

1st Sub. H.C.R. 6, CONCURRENT RESOLUTION HONORING THE LIFE AND CONTRIBUTIONS OF PRESIDENT GORDON B. HINCKLEY, read the third time by short title and placed on its final passage.

1st Sub. H.C.R. 6 passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Bowman	Brown

Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hunsaker	Hutchings	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Biskupski	Hughes	Johnson	McGee
Shurtliff			

1st Sub. H.C.R. 6 transmitted to the Senate for its consideration.

On motion of Representative D. Clark, the Committee of the Whole was dissolved.

THIRD READING CALENDAR

H.B. 224, CONSTRUCTION STANDARDS FOR TYPE II ASSISTED LIVING FACILITY, was before the House on its final passage.

On motion of Representative Lockhart, the House voted to circle **H.B. 224**.

* * *

H.B. 324, NOT–A–DROP DRIVERS PROGRAM AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 324 passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman

Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hutchings
Johnson	King	Kiser	Last
Lockhart	Mascaro	Mathis	McGee
McIff	Morgan	Moss	Neuenschwander
Newbold	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Webb	Wheatley	Wiley	Wimmer
Winn			

Absent or not voting were: Representatives

Dee	Gibson	Hughes	Hunsaker
Litvack	Menlove	Morley	Noel
Walker	Curtis		

H.B. 324 transmitted to the Senate for its consideration.

* * *

2nd Sub. H.B. 364, PROMOTION OF HEALTH CARE COVERAGE, read the third time by short title and placed on its final passage.

Representative Harper proposed the following amendment:

- Page 1, Lines 15 through 16

15 • collaborate with one another to develop a process to
 {~~–identify–~~} promote the health
 16 insurance {~~–status of certain–~~} awareness and coverage
 of children in {~~–public–~~} schools;
- Page 2, Lines 41 through 42:

41 26–18–12. Process to {~~–identify–~~} promote health
 insurance {~~–status of certain–~~} coverage for children --
 42 {~~–Promoting enrollment of children–~~} .
- Page 2, Lines 45 through 49:

45 (a) collaborate with one another to develop a process to
 {~~–identify the~~} promote health insurance

46 { ~~status of a~~ } coverage for a child in { ~~a~~
public } school { ~~at the time~~ } when :

47 (i) the child applies for free or reduced price school lunch;
{ ~~or~~ }

48 (ii) ~~a { certificate of immunization required under Title 53A,
Chapter 11, Part 3,~~

49 Immunization of Students, is submitted on behalf of the
child } child enrolls in or registers in school; and

(iii) other appropriate school related opportunities :

4. Page 2, Lines 54 through 56:

54 (2) The Department of Workforce Services shall promote and
facilitate the enrollment

55 of children identified under Subsection (1)(a) without health
insurance in the Utah Children’s

56 Health Insurance Program { ~~or~~ } the Medicaid
program , or the Utah Premium Partnership for Health Insurance
Program .

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

2nd Sub. H.B. 364, as amended, passed on the following roll call:

Yeas, 57; Nays, 11; Absent or not voting, 7.

Voting in the affirmative were: Representatives

- | | | | |
|--------------|---------------|--------------|----------------|
| Agard | Allen | Andersen | Barrus |
| Bigelow | Biskupski | Bowman | Brown |
| Chavez–Houck | D. Clark | S. Clark | Cosgrove |
| Donnelson | Draxler | Duckworth | Dunnigan |
| Ferry | Janice Fisher | Julie Fisher | Fowlke |
| Froerer | Gowans | Grover | Hansen |
| Harper | Hemingway | Hendrickson | Holdaway |
| Hughes | Hutchings | Johnson | King |
| Kiser | Last | Litvack | Lockhart |
| Mascaro | Mathis | McGee | McIff |
| Menlove | Morgan | Moss | Neuenschwander |
| Newbold | Painter | Ray | Riesen |
| Seelig | Shurtliff | Snow | Urquhart |
| Walker | Webb | Wheatley | Wiley |
| Winn | | | |

Voting in the negative were: Representatives

Daw	Dougall	Frank	Greenwood
Herrod	Morley	Oda	Sandstrom
Sumsion	Tilton	Wimmer	

Absent or not voting were: Representatives

Bird	Dee	Garn	Gibson
Hunsaker	Noel	Curtis	

2nd Sub. H.B. 364, as amended, transmitted to the Senate for its consideration.

* * *

1st Sub. H.B. 366, MEDICAID LONG TERM CARE AMENDMENTS, read the third time by short title and placed on its final passage.

1st Sub. H.B. 366 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	

Absent or not voting were: Representatives

Gibson	Hunsaker	Seelig	Curtis
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1st Sub. H.B. 366 transmitted to the Senate for its consideration.

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H.B. 449, IMPLEMENTATION OF FEDERAL REAL ID ACT, read the third time by short title and placed on its final passage.

H.B. 449, as amended, failed to pass on the following roll call:

Yeas, 31; Nays, 41; Absent or not voting, 3.

Voting in the affirmative were: Representatives

Aagard	Barrus	Daw	Donnelson
Dougall	Duckworth	Julie Fisher	Fowlke
Frank	Froerer	Garn	Greenwood
Grover	Harper	Herrod	Hughes
Hutchings	Lockhart	Mathis	Morley
Newbold	Noel	Oda	Painter
Ray	Sandstrom	Sumsion	Tilton
Walker	Wimmer	Winn	

Voting in the negative were: Representatives

Allen	Andersen	Bigelow	Bird
Biskupski	Bowman	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Dee
Draxler	Dunnigan	Ferry	Janice Fisher
Gowans	Hansen	Hemingway	Hendrickson
Holdaway	Johnson	King	Kiser
Last	Litvack	Mascaro	McGee
McIff	Menlove	Morgan	Moss
Neuenschwander	Riesen	Seelig	Shurtliff
Snow	Urquhart	Webb	Wheatley
Wiley			

Absent or not voting were: Representatives

Gibson	Hunsaker	Curtis
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H.B. 449, as amended, was filed.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 25, 2008

The Business and Labor Committee reports a favorable recommendation on **1st Sub. S.B. 79, SMALL BUSINESS ACCESS AMENDMENTS**, by Senator R. Romero; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 88**, UNIFORM MODEL REGISTERED AGENT ACT, by Senator L. Hillyard; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 174**, DENTIST AND DENTAL HYGIENIST PRACTICE ACT AMENDMENTS, by Senator P. Knudson; and

The Business and Labor Committee reports a favorable recommendation on **S.B. 176**, UNEMPLOYMENT INSURANCE CONTRIBUTION RATES AMENDMENTS, by Senator H. Stephenson; and

The Business and Labor Committee reports a favorable recommendation on **H.B. 486**, WRONGFUL LIENS AND WRONGFUL JUDGEMENT LIENS, by Representative J. Gowans, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 3, Lines 60 through 62:

60 (1) (a) The provisions of Sections 38-9-1, 38-9-3, 38-9-4, and
38-9-6 apply to any

61 recording or filing or any rejected recording or filing of a lien or
notice of interest pursuant to

62 this chapter on or after May 5, {~~1997~~} 2008 .; and

The Business and Labor Committee reports a favorable recommendation on **1st Sub. S.B. 57**, FRANCHISE LAW AMENDMENTS, by Senator D. Eastman, and recommends it be placed on the Consent Calendar.

Stephen D. Clark, Chair

Reports filed. On motion of Representative S. Clark, the reports of the Business and Labor Committee were adopted.

1st Sub. S.B. 79, **S.B. 174**, and **S.B. 176** read the second time by short title and returned to the Rules Committee for prioritization.

S.B. 88 read the second time by short title and returned to the Rules Committee due to fiscal impact.

H.B. 486, as amended, and **1st Sub. S.B. 57**, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker:

February 25, 2008

The Education Committee reports a favorable recommendation on **H.B. 84**, COMPENSATION OF EDUCATORS WITH NATIONAL BOARD CERTIFICATION, by Representative C. Moss, with the following amendments:

- 1. Page 1, Lines 17 through 18:
 17 ▶ {~~requires~~} allows school districts and
 charter schools to provide matching funds to qualify for
 18 the program; and

- 2. Page 2, Lines 44 through 46:
 44 (4) {~~To participate in the program, a~~ } A school
 district or charter school {~~shall~~ } may provide local
 45 matching funds for the program in an amount equal to the state
 program monies provided to
 46 that school district or charter school.

- 3. Page 2, Lines 47 through 50:
 47 (5) The State Board of Education shall distribute money
 appropriated by the
 48 Legislature to school districts and charter schools to pay \$1.500 for
 additional compensation
 49 for teachers who obtain National Board certification {~~subject~~
 to the additional \$1.500 local
 50 match } ; and

The Education Committee reports a favorable recommendation on **H.B. 345**, MINIMUM AGE FOR PUBLIC EDUCATION ENROLLMENT AMENDMENTS, by Representative E. Hutchings, with the following amendments:

- 1. Page 3, Lines 63 through 65:
 63 (b) A board may enroll a child in school who is not at least five
 years of age before
 64 September 2 of the year in which admission is sought if the
 child was previously enrolled and attended a public
 65 school in kindergarten or above as a resident in another state. ; and

The Education Committee reports a favorable recommendation on **H.B. 414**, RECYCLING AMENDMENTS, by Representative T. Cosgrove, with the following amendments:

1. Page 1, Line 9:

9 This bill {~~requires~~} allows certain entities to participate in single stream recycling.

2. Page 1, Line 13:

13 ► {~~requires~~} allows a state agency, school district, or charter school located in a first or second

3. Page 2, Line 31:

31 (2) A school district or charter school located in a first or second class county { ~~shall~~ } may :

4. Page 3, Line 62:

62 (2) A state agency { ~~shall~~ } may ;: and

The Education Committee reports a favorable recommendation on **H.B. 419**, PUBLIC SCHOOL TEXTBOOK EVALUATION AMENDMENTS, by Representative G. Froerer; and

The Education Committee reports a favorable recommendation on **H.B. 488**, KINDERGARTEN PROGRAM AMENDMENTS, by Representative K. Morgan; and

The Education Committee reports a favorable recommendation on **1st Sub. S.B. 36**, CHARTER AND ONLINE SCHOOLS – PARTICIPATION IN EXTRACURRICULAR ACTIVITIES, by Senator M. Madsen; and

The Education Committee reports a favorable recommendation on **S.B. 91**, BENEFITS TO AMERICAN BOARD CERTIFIED TEACHERS, by Senator M. Madsen, with the following amendments:

1. Page 3, Lines 59 through 64:

59 (5) (a) To receive grant monies to provide additional compensation to licensed teachers

60 who obtain the American Board Distinguished Teacher certification, a school district or charter

61 school {~~shall~~} may provide \$1,500 in matching funds for each teacher.

62 (b) (i) A school district or charter school { that provides matching funds as provided in

63 Subsection (5)(a) } shall receive grant monies in the amount of \$1,500 for each American Board

64 Distinguished Teacher, except as provided in Subsection (5)(b)(ii).

Gregory H. Hughes, Chair

Reports filed. On motion of Representative Hughes, the reports of the Education Committee were adopted.

H.B. 84, as amended, **H.B. 345**, as amended, **H.B. 414**, as amended, **H.B. 419**, **H.B. 488**, and **1st Sub. S.B. 36** read the second time by short title and returned to the Rules Committee for prioritization.

S.B. 91, as amended, read the second time by short title and returned to the Rules Committee due to fiscal impact.

NOTICE OF BILL RETURNED TO RULES COMMITTEE

Mr. Speaker: February 25, 2008

The Health and Human Services Committee recommends **H.B. 428**, STATEWIDE STANDARDS FOR HEALTH CARE INTERPRETING, by Representative R. Chavez–Houck, be replaced with **1st Sub. H.B. 428**, STATEWIDE STANDARDS FOR HEALTH CARE INTERPRETING, and has returned it to the Rules Committee with a recommendation that it be referred to interim study.

Paul Ray, Chair

Report filed.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 25, 2008

The Health and Human Services Committee reports a favorable recommendation on **1st Sub. S.B. 70**, EMOTIONAL SUPPORT ANIMALS, by Senator S. McCoy, with the following amendments:

- 1. Page 5, Lines 129 through 131:

129 (1) A mental health therapist may provide a person with a disability with

130 documentation that:

131 (a) is signed by the mental health therapist as defined in Section 58–60–102 ;

2. Page 6, Lines 152 through 155:

~~{ 152 (b) This section does not prohibit an owner or lessor of housing accommodations from~~

~~153 charging a person, including a person with a disability, a reasonable deposit as security for any~~

~~154 damage or wear and tear that might be caused by an emotional support animal if the owner or~~

~~155 lessor would charge a similar deposit to other persons for potential wear and tear. }~~ ; and

The Health and Human Services Committee reports a favorable recommendation on **1st Sub. H.B. 174**, TRAUMATIC BRAIN INJURY FUND, by Representative J. Gowans, 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.

1st Sub. S.B. 70, as amended, read the second time by short title and returned to the Rules Committee for prioritization.

1st Sub. H.B. 174, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker:

February 25, 2008

The Law Enforcement and Criminal Justice Committee reports a favorable recommendation on **H.B. 195**, CONCEALED FIREARM PERMIT AMENDMENTS, by Representative M. Newbold, with the following amendments:

1. Page 2, Line 55:

55 (viii) is qualified to ~~{—}~~ purchase and /or ~~{—}~~ possess a firearm pursuant to Section 76–10–503

DeMar “Bud” Bowman, Chair

Report filed. On motion of Representative Bowman, the report of the Law Enforcement and Criminal Justice Committee was adopted.

H.B. 195, as amended, read the second time by short title and returned to the Rules Committee for prioritization.

* * *

Mr. Speaker:

February 26, 2008

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 227**, REVOKING FEDERAL AUTHORITY TO USE STATE LANDS AS A BIRD REFUGE, by Representative B. Ferry; and

The Natural Resources, Agriculture, and Environment Committee recommends **H.B. 385**, ROAD AND RIGHTS-OF-WAY AMENDMENTS, by Representative M. Noel, be replaced and favorably recommends **1st Sub. H.B. 385**, ROAD AND RIGHTS-OF-WAY AMENDMENTS; and

The Natural Resources, Agriculture, and Environment Committee reports a favorable recommendation on **H.B. 222**, WATER QUALITY BOARD AMENDMENTS, by Representative P. Painter, with the following amendments and recommends it be placed on the Consent Calendar.

1. Page 1, Line 19:

19 {~~None~~} This bill coordinates with S.B. 111, Revisor's Statute, by providing that certain technical amendments in this bill supersede certain technical amendments in S.B. 111.

2. Page 3, Line 89 through Page 4, Line 90:

89 (1) The board {~~—~~} has the following powers and duties[{~~—~~} ,but the board shall give priority to
90 ~~pollution that results in hazards to the public health] { may } :~~

3. Page 7, Line 204:

204 employment history and references as required by the board.

Section 3. Coordinating H.B. 222 with S.B. 111 —Superseding technical amendments.

If this H.B. 222 and S.B. 111, Revisor's Statute, both pass, it is the intent of the Legislature that the amendments to Section 19-5-103 in this bill supersede the amendments to Section 19-5-103 in S.B. 111, when the Office of Legislative Research and General Counsel prepares the Utah Code database for publication.

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. 227 and **1st Sub. H.B. 385** read the second time by short title and returned to the Rules Committee for prioritization.

H.B. 222, as amended, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker:

February 26, 2008

The Transportation Committee recommends **H.B. 146**, SCHOOL BUS AMENDMENTS, by Representative C. Johnson, be replaced and reports a favorable recommendation on **1st Sub. H.B. 146**, SCHOOL BUS AMENDMENTS with the following amendments:

1. Page 1, Lines 15 through 19:

15 ▶ {~~requires~~} directs an operator of a school bus to turn off the bus or vehicle engine upon

16 stopping at a school;

17 ▶ {~~prohibits~~} provides that an operator of a school bus {~~from turning~~} may not:

 • turn a school bus on more than five

18 minutes before departing from a school: or

 • {~~idling~~} idle a school bus {~~within certain locations~~} for more than a {~~certain~~

19 ~~period of time~~} five minutes ; {~~and~~}

 ▶ provides that an operator of a school bus who violates the school bus idling standards is not subject to a criminal penalty; and

2. Page 8, Line 239:

239 School Bus and Operators, 1999 edition.

(4) A person who violates a provision of this section is not subject to a criminal penalty.

Todd E. Kiser, Chair

Report filed. On motion of Representative Kiser, the report of the Transportation Committee was adopted.

1st Sub. H.B. 146, as amended, read the second time by short title and returned to the Rules Committee for prioritization.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, the House voted to recess until 3:00 p.m.

AFTERNOON SESSION

The House was called to order by Speaker Curtis at 3:00 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 26, 2008

The Senate passed, **H.B. 312**, CRIME VICTIM REPARATIONS REVISIONS, 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. 314**, SEXUAL OFFENSES – DEFINITIONS, 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. 327**, ENTICING A MINOR BY ELECTRONIC MEANS, 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. 377**, CODE OF CRIMINAL PROCEDURE AMENDMENTS, 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

Communications filed. **H.B. 312**, **H.B. 314**, **H.B. 327**, and **H.B. 377** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

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Mr. Speaker: February 26, 2008

The Senate substituted and passed, **Senate 1st Sub. H.B. 178**, JURISDICTION FOR PROSECUTION, by Representative P. Neuenschwander, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 184**, CONSTRUCTION AMENDMENTS, by Representative M. Morley, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 342**, INSURANCE CODE AMENDMENTS, by Representative J. Dunnigan, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **1st Sub. H.B. 178**, **H.B. 184**, and **H.B. 342** placed on the Concurrence Calendar.

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Mr. Speaker: February 26, 2008
 The Senate adopted the Joint Conference Committee Report dated February 26, 2008, and passed **2nd Sub. S.B. 152**, PRESUMPTIVE PERSONAL REPRESENTATIVE, by Senator G. Bell, and it is transmitted for the signature of the Speaker.

Annette B. Moore
 Secretary of the Senate

Communication filed. **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: February 26, 2008
 The Senate passed, as substituted, and amended **1st Sub. S.B. 47**, LIMITED PURPOSE LOCAL GOVERNMENT ENTITIES REVISIONS, by Senator D. Stowell, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 197**, PREFERRED DRUG LIST REVISIONS, by Senator A. Christensen, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 202**, ENERGY RESOURCE AND CARBON EMISSION REDUCTION INITIATIVE, by Senator C. Bramble, and it is transmitted for consideration; and

The Senate passed **S.B. 221**, CAPITAL DEVELOPMENT AND IMPROVEMENT AMENDMENTS, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed **S.B. 228**, REGULATION OF WELLS, by Senator M. Dayton, and it is transmitted for consideration; and

The Senate passed **S.B. 234**, MINIMUM SCHOOL PROGRAM AMENDMENTS – COUNSELING AND GUIDANCE PROGRAMS, by Senator M. Dmitrich, and it is transmitted for consideration; and

The Senate passed **S.B. 241**, LOCAL GOVERNMENTAL COOPERATION IN EDUCATION MATTERS, by Senator P. Jones, and it is transmitted for consideration; and

The Senate passed **S.B. 247**, VETERANS PROCUREMENT PROVISIONS, by Senator F. Fife, and it is transmitted for consideration; and

The Senate passed **S.B. 263**, SELF AUTHENTICATION OF DOCUMENTS, by Senator S. McCoy, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 264**, DEVELOPMENT AROUND MILITARY INSTALLATIONS, by Senator S. Killpack, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **1st Sub. S.B. 47**, **1st Sub. S.B. 197**, **1st Sub. S.B. 202**, **S.B. 221**, **S.B. 228**, **S.B. 234**, **S.B. 241**, **S.B. 247**, **S.B. 263**, and **1st Sub. S.B. 264** read the first time by short title and referred to the Rules Committee.

INTRODUCTION OF BILL

H.R. 6, House Resolution Petitioning Congress to Address the Illegal Immigration Crisis (C. Herrod), read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

H.B. 343, EXEMPTION OF UNIVERSITY HOUSING EVICTION LAWS, read the third time by short title and placed on its final passage.

On motion of Representative Neuenschwander, the House voted to delete **H.B. 343** in title and body and insert **1st Sub. H.B. 343** in lieu thereof.

1st Sub. H.B. 343 passed on the following roll call:

Yeas, 62; Nays, 4; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Biskupski	Brown	Chavez–Houck
S. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Duckworth
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Johnson	King	Kiser

Last	Litvack	Lockhart	Mascaro
McIff	Menlove	Morgan	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Seelig
Shurtliff	Snow	Sumsion	Urquhart
Walker	Webb	Wheatley	Wiley
Winn	Curtis		

Voting in the negative were: Representatives

Hutchings	Mathis	Morley	Wimmer
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Absent or not voting were: Representatives

Allen	Bowman	D. Clark	Dunnigan
Gibson	Hunsaker	McGee	Sandstrom
Tilton			

1st Sub. H.B. 343 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Brown, the House voted to uncircle **4th Sub. H.B. 164**.

4th Sub. H.B. 164, TOWN INCORPORATION PROCESS AMENDMENTS, was before the House on its final passage.

On motion of Representative Brown, the House voted to delete **4th Sub. H.B. 164** in title and body and insert **5th Sub. H.B. 164** in lieu thereof.

5th Sub. H.B. 164 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson

King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Bowman Tilton

5th Sub. H.B. 164 transmitted to the Senate for its consideration.

THIRD READING CALENDAR

1st Sub. H.B. 426, GOVERNMENT PROCUREMENT – PRIVATE PROPOSALS, read the third time by short title and placed on its final passage.

On motion of Representative Garn, the House voted to delete **1st Sub. H.B. 426** in title and body and insert **2nd Sub. H.B. 426** in lieu thereof.

2nd Sub. H.B. 426 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig

Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	

Absent or not voting were: Representatives

Bowman	Donnelson	Litvack	Curtis
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2nd Sub. H.B. 426 transmitted to the Senate for its consideration.

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1st Sub. H.B. 242, TRANSPORTATION FUNDING REVISIONS, read the third time by short title and placed on its final passage.

Representative Holdaway proposed the following amendment:

1. Page 1, Line 21

21 renovations, or improvements to certain highways within Salt Lake County; {~~and~~}

► provides that prior to receiving bond proceeds or funds from the County of the First Class State Highway Projects Fund, a municipality or county shall sign and file a written certification with the Department of Transportation certifying that it will use the funds solely for designated projects; and

2. Page 3, Line 81:

81 and Highland Drive.

(c) Prior to a municipality or county receiving funds described in this Subsection (3), the municipality or county shall sign and file a written certification with the department certifying that it will use the funds provided under this Subsection (3) solely for the projects described in Subsection (3)(b).

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

1st Sub. H.B. 242, as amended, passed on the following roll call:

Yeas, 69; Nays, 2; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall

Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Moss	Neuenschwander	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn			

Voting in the negative were: Representatives

Lockhart Newbold

Absent or not voting were: Representatives

Bowman Hendrickson Morley Curtis

1st Sub. H.B. 242 transmitted to the Senate for its consideration.

RULES COMMITTEE REPORTS

Mr. Speaker: February 26, 2008

The House Rules Committee recommends, with written request of the sponsor, that **S.B. 283**, Transportation Funding Amendments (Sen. S. Killpack), be replaced with **1st Sub. S.B. 283**, Transportation Funding Amendments (Sen. S. Killpack), and under suspension of the rules, recommends it be read for the second time and placed on the Third Reading Calendar for Senate bills.

Stephen Urquhart, Chair

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

* * *

Mr. Speaker: February 26, 2008

The Rules Committee recommends that, under suspension of the rules, the following bills and resolutions be considered read for the second time and placed on the Third Reading Calendar for Senate bills:

S.B. 43 Administrative Rules Reauthorization
(Sen. H. Stephenson)

3rd Sub. S.B. 46	Anti-flow Control Amendments (Sen. D. Eastman)
S.B. 162	Federal Education Agreement Requirements (Sen. M. Dayton)
1st Sub. S.B. 168	Highway Funding Amendments (Sen. D. Stowell)
S.B. 186	Custody and Parent-time for Non-parents (Sen. L. Hillyard)
S.B. 189	Independent Contractor Database (Sen. D. Eastman)
1st Sub. S.B. 191	Judicial Conduct Commission Amendments (Sen. G. Davis)
S.B. 192	Sex Offense Amendments (Sen. J. Greiner)
S.B. 196	County and Municipal Land Use Amendments (Sen. W. Niederhauser)
S.B. 235	Human Remains Related Amendments (Sen. K. VanTassell)
1st Sub. S.B. 236	Judiciary Amendments (Sen. L. Hillyard)
S.B. 265	Unlawful Detainer Amendments (Sen. M. Waddoups)
S.B. 275	Military Justice Code Amendments (Sen. P. Knudson)
S.C.R. 5	Concurrent Resolution Calling for Congress to Pass Balanced Immigration Reform (Sen. H. Stephenson)
1st Sub. S.B. 54	Initiative and Referendum Petition Amendments (Sen. B. Goodfellow)
1st Sub. S.B. 59	Wildlife Amendments (Sen. A. Christensen)
1st Sub. S.B. 89	Mitigation of Invasive Species (Sen. D. Stowell)
1st Sub. S.B. 166	Nondiscrimination Amendments (Sen. S. McCoy)
1st Sub. S.B. 182	Survival Action upon Injury or Death (Sen. M. Waddoups)
S.B. 198	Child Support Technical Amendments (Sen. G. Bell)
S.J.R. 9	Joint Resolution Amending Rules of Evidence Relating to Information Contained in the Management Information System (Sen. G. Davis)

Stephen Urquhart, Chair

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

* * *

Mr. Speaker:

February 26, 2008

The House Rules Committee recommends, with written request of the sponsor, that **1st Sub. S.B. 17**, Child Abuse and Neglect Registry – Management and Licensing Information Systems Amendments (Sen. G. Davis), be replaced with **2nd Sub. S.B. 17**, Child Abuse and Neglect Registry – Management and

Licensing Information Systems Amendments (Sen. G. Davis), and further recommends it be placed on the Third Reading Calendar for Senate bills.

Stephen Urquhart, Chair

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

* * *

Mr. Speaker: February 26, 2008

The Rules Committee recommends that, under suspension of the rules, the following bills and resolutions be considered read for the second time and placed on the Third Reading Calendar:

- H.B. 359** Sales and Use Tax Changes (Rep. J. Dougall)
- H.B. 140** Child Restraint Device Amendments (Rep. T. Cosgrove)
- 1st Sub. H.B. 400** Condominium and Community Association Provisions (Rep. R. C. Webb)
- 1st Sub. H.B. 325** Bullying and Hazing (Rep. C. Moss)
- H.B. 456** Fair Campaign Pledge Amendments (Rep. E. Hutchings)
- 1st Sub. H.B. 188** Transit Revisions (Rep. W. Harper)
- H.B. 195** Concealed Firearm Permit Amendments (Rep. M. Newbold)
- H.B. 208** Livestock Watering Rights (Rep. M. Noel)
- H.B. 345** Minimum Age for Public Education Enrollment Amendments (Rep. E. Hutchings)
- 1st Sub. H.B. 395** Deportation of Eligible Undocumented Immigrant Prisoners (Rep. G. Donnelson)
- 1st Sub. H.B. 464** Access to Landlocked Parcels (Rep. M. Walker)
- 1st Sub. H.B. 470** Amendments to Animal Cruelty Provisions (Rep. S. Allen)
- H.B. 481** Subdivision Approval Amendments (Rep. M. Noel)
- H.B. 493** Stalking Amendments (Rep. L. Fowlke)

Stephen Urquhart, Chair

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

* * *

Mr. Speaker: February 26, 2008

The Rules Committee recommends the following bill be assigned to standing committee:

GOVERNMENT OPERATIONS

H.B. 427 Hunter Education Requirement Exemption for Military Personnel (Rep. B. Winn)

Stephen Urquhart, Chair

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

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, and at 4:10 p.m., the House voted to adjourn until February 27, 2008, at 9:00 a.m.

THIRTY-EIGHTH DAY

* * *

MORNING SESSION

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

Roll call showed all members present except Representative Bud Bowman, excused.

Prayer by Dustin Freckleton. Pledge of Allegiance by Representative Sandstrom’s guests, Rhys Homan, Bryan Gilchrist, Adam Gowans, and Don Lederman, Rocky Mountain Renegade Special Needs Ice Hockey team members.

MISCELLANEOUS BUSINESS

On motion of Representative Bigelow, the House voted to lift **S.B. 189** from the Third Reading Calendar and returned to the Rules Committee due to fiscal impact.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 26, 2008

The Senate passed, **H.B. 412**, BELOW COST SALES, by Representative S. Urquhart, 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. 412** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker: February 26, 2008

The Senate passed, as substituted, **3rd Sub. S.B. 211**, ALCOHOL BEVERAGE CONTROL AMENDMENTS, by Senator Curtis Bramble, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **3rd Sub. S.B. 211** read the first time by short title and referred to the Rules Committee.

CONFERENCE COMMITTEE REPORT

Mr. Speaker: February 26, 2008

The Joint Conference Committee comprised of Senators Howard A. Stephenson, Brent H. Goodfellow, and Wayne Niederhauser, and Representatives Craig A. Frank, Brad L. Dee, and Neal B. Hendrickson, recommends **1st Sub. S.B. 45, INVENTORY FOR COMPETITIVE ACTIVITIES OF LOCAL ENTITIES**, by Senator H. Stephenson, be replaced and favorably recommends **2nd Sub. S.B. 45, INVENTORY FOR COMPETITIVE ACTIVITIES OF LOCAL ENTITIES**.

Howard A. Stephenson

Craig A. Frank

Report filed. On motion of Representative Frank, the House voted to adopt the Conference Committee Report.

2nd Sub. S.B. 45 passed on the following roll call:

Yeas, 41; Nays, 22; Absent or not voting, 12.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	D. Clark	S. Clark	Daw
Dee	Donnelson	Dougall	Draxler
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Greenwood	Harper
Herrod	Hunsaker	Hutchings	Kiser
Last	Lockhart	Mathis	McIff
Noel	Oda	Painter	Sandstrom
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wimmer	Winn
Curtis			

Voting in the negative were: Representatives

Bird	Chavez–Houck	Cosgrove	Duckworth
Dunnigan	Ferry	Janice Fisher	Hemingway
Hendrickson	Holdaway	Johnson	King
Litvack	Mascaro	McGee	Menlove
Neuenschwander	Riesen	Seelig	Shurtliff
Wheatley	Wiley		

Absent or not voting were: Representatives

Biskupski	Bowman	Brown	Gowans
Grover	Hansen	Hughes	Morgan
Morley	Moss	Newbold	Ray

2nd Sub. S.B. 45 was transmitted to the Senate for further consideration.

CONCURRENCE CALENDAR

On motion of Representative Harper, the House voted to refuse to concur with the Senate amendments to **2nd Sub. H.B. 54** and to request the Senate to recede from its amendments.

CONSENT CALENDAR

H.B. 443, MEMBERSHIP OF OCCUPATIONAL AND PROFESSIONAL LICENSURE REVIEW COMMITTEE, read the third time by short title and placed on its final passage.

H.B. 443 passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Greenwood
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Lockhart	Mascaro	Mathis
McGee	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Bowman	Gowans	Grover	Litvack
McIff			

H.B. 443 transmitted to the Senate for its consideration.

* * *

S.B. 132, CONSUMER CREDIT PROTECTION ACT – ATTORNEY GENERAL POWERS, read the third time by short title and placed on its final passage.

S.B. 132, 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	Andersen	Barrus
Bird	Biskupski	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Froerer	Garn
Gibson	Greenwood	Hansen	Harper
Hemingway	Hendrickson	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Bigelow	Bowman	Frank	Gowans
Grover	Herrod	Painter	Tilton

S.B. 132, as amended, was returned to the Senate for further consideration.

* * *

S.B. 156, UTAH RELOCATION ASSISTANCE ACT AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 156 passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bird	Biskupski	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Froerer	Garn
Gibson	Greenwood	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Bigelow	Bowman	Frank	Gowans
Grover	Painter		

S.B. 156 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

1st Sub. S.B. 171, REPEAL OF CERTAIN REPORTING BY FINANCIAL INSTITUTIONS, read the third time by short title and placed on its final passage.

1st Sub. S.B. 171 passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bird	Biskupski	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw

Dee	Donnelson	Dougall	Draxler
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Froerer	Garn	Gibson
Gowans	Greenwood	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Bigelow	Bowman	Duckworth	Frank
Grover			

1st Sub. S.B. 171 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

S.B. 138, UTAH SUBSTANCE ABUSE AND ANTI-VIOLENCE COORDINATING COUNCIL AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 138 passed on the following roll call:

Yeas, 61; Nays, 5; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bird	Biskupski	Brown	Chavez-Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Dunnigan
Ferry	Julie Fisher	Fowlke	Froerer
Garn	Gibson	Greenwood	Harper
Hemingway	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Litvack	Lockhart	Mascaro	Mathis

McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wiley	Wimmer
Curtis			

Voting in the negative were: Representatives

Duckworth	Gowans	Hansen	Hendrickson
Wheatley			

Absent or not voting were: Representatives

Bigelow	Bowman	Draxler	Janice Fisher
Frank	Grover	Herrod	Last
Winn			

S.B. 138 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 Neuenschwander, the House voted to concur in the Senate amendments to **1st Sub. H.B. 178, JURISDICTION FOR PROSECUTION.**

1st Sub. H.B. 178, 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	Andersen	Barrus	Bird
Biskupski	Brown	Chavez–Houck	D. Clark
S. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis

McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Allen	Bigelow	Bowman	Grover
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1st Sub. H.B. 178, as amended by the Senate, transmitted to the Senate for signature of President.

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On motion of Representative Morley, the House voted to concur in the Senate amendments to **H.B. 184**, CONSTRUCTION AMENDMENTS.

H.B. 184, 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	Andersen	Barrus
Bird	Biskupski	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Hansen	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Bigelow Bowman Grover Harper

H.B. 184, 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 **H.B. 342**, INSURANCE CODE AMENDMENTS.

H.B. 342, 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	Andersen	Barrus
Bird	Biskupski	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Hansen	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Bigelow Bowman Grover Harper
Mascaro

H.B. 342, as amended by the Senate, transmitted to the Senate for signature of President.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

THIRD READING CALENDAR

H.B. 311, HIGHER EDUCATION DISTANCE LEARNING PARTNERSHIPS, read the third time by short title and placed on its final passage.

H.B. 311 passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bird	Biskupski	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Dunnigan	Ferry	Janice Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Hansen	Harper
Hemingway	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Last	Litvack	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Bigelow	Bowman	Duckworth	Julie Fisher
Grover	Hendrickson	Kiser	Lockhart
Oda	Painter		

H.B. 311 transmitted to the Senate for its consideration.

* * *

H.B. 282, STATE PAYMENT AND REIMBURSEMENT TO COUNTY CORRECTIONAL FACILITIES, read the third time by short title and placed on its final passage.

H.B. 282 passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bird	Biskupski	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Walker
Webb	Wheatley	Wiley	Wimmer
Winn			

Absent or not voting were: Representatives

Bigelow	Bowman	Hughes	Litvack
Urquhart	Curtis		

H.B. 282 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Dougall, the House voted to uncircle **H.B. 494**.

H.B. 494, AMENDMENTS TO THE UTAH MEDICAL SERVICE SYSTEM ACT, was before the House on its final passage.

Representative Dougall proposed the following amendment:

- 1. Page 13, Lines 396 through 397a

House Committee Amendments 2–18–2008

396 (1) This section ~~H~~→ ;

396a (a) ~~←H~~ does not apply to a political subdivision that ;

(i) is the exclusive licensed

397 provider for inter–facility transport services ~~H~~→ ; or

(ii) prior to May 6, 2008, has applied to the Bureau of Emergency

Medical Services for an exclusive license to provide inter-facility transport services: { and }

397a (b) only applies to a county of the first class ←[^]H ; and
(c) does not invalidate a settlement agreement entered into between a political subdivision and a 911 or non-911 provider prior to June 30, 2008 .

2. Page 14, Line 427 through Page 15, Line 433:

427 (c) shall, when receiving a call in response to an emergency medical condition as

428 defined in Subsection 26-8a-102(5)(a):

429 (i) use a priority dispatch system, if available, to gather and transmit information ;

(A) prior to the dispatch of the inter-facility transporter, if required by the political subdivision; and

(B) to the

430 local 911 dispatch that is sufficient for the appropriate dispatch of 911 resources; or

431 (ii) if a priority dispatch system is not available, transmit to the local 911 dispatch

432 center ;

(A) prior to the dispatch of the inter-facility transporter if required by the political subdivision; and

(B) the location of the incident, call back information, and any other information available

433 for the appropriate dispatch of 911 resources.

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

H.B. 494, as amended passed on the following roll call:

Yeas, 64; Nays, 2; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bird
Biskupski	Chavez-Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson

Gowans	Greenwood	Grover	Hansen
Harper	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Mascaro	Mathis
McGee	McIff	Menlove	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Walker	Webb
Wheatley	Wiley	Wimmer	Winn

Voting in the negative were: Representatives

Hemingway	Hendrickson
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Absent or not voting were: Representatives

Allen	Bigelow	Bowman	Brown
Litvack	Lockhart	Morgan	Urquhart
Curtis			

H.B. 494, as amended, transmitted to the Senate for its consideration.

THIRD READING CALENDAR

1st Sub. H.B. 425, EXCEPTIONS FOR ALCOHOLIC BEVERAGE MANUFACTURING LICENSE, read the third time by short title and placed on its final passage.

1st Sub. H.B. 425 passed on the following roll call:

Yeas, 55; Nays, 13; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Biskupski
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Donnelson	Duckworth	Dunnigan
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Gibson	Gowans	Greenwood
Grover	Hansen	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Mascaro	Mathis	McGee	McIff
Moss	Neuenschwander	Oda	Painter
Ray	Riesen	Sandstrom	Seelig

Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	

Voting in the negative were: Representatives

Allen	Bigelow	Brown	D. Clark
Dougall	Draxler	Ferry	Harper
Holdaway	Menlove	Morley	Newbold
Noel			

Absent or not voting were: Representatives

Bird	Bowman	Garn	Litvack
Lockhart	Morgan	Curtis	

1st Sub. H.B. 425 transmitted to the Senate for its consideration.

* * *

H.B. 405, AMENDMENTS TO CITY OR TOWN SALES AND USE TAX TO FUND BOTANICAL, CULTURAL, RECREATIONAL, AND ZOOLOGICAL ORGANIZATIONS OR FACILITIES, read the third time by short title and placed on its final passage.

Representative Sandstrom proposed the following amendment:

1. Page 1, Lines 16 through 18

16 ▶ {~~–extends–~~} addresses the time period for
imposing {~~–or reauthorizing–~~} a city or town option tax for
17 botanical, cultural, recreational, and zoological organizations or
facilities {~~–from eight~~
18 years to ten years–} ;

 ▶ addresses the procedures and requirements for reauthorizing a city or town option tax for botanical, cultural, recreational, and zoological organizations or facilities;

2. Page 4, Line 117 through Page 5, Line 125:

117 (4) (a) A tax authorized under this part {~~–shall be–~~} :

118 (i) except as provided in Subsection (4)(b), shall
be administered, collected, and enforced in
119 accordance with:

120 (A) the same procedures used to administer, collect, and enforce
the tax under:

121 (I) Part 1, Tax Collection; or
 122 (II) Part 2, Local Sales and Use Tax Act; and
 123 (B) Chapter 1, General Taxation Policies; and
 124 (ii) shall be: (A) ~~{-levied-}~~ for a tax under this part
that is in effect on May 5, 2008, imposed for a period of
 {~~-1-~~} eight {~~-1-~~} ~~{-ten }~~ years; or
 (B) for a tax under this part that is not in effect on May 5, 2008,
imposed for a period of ten years; and
 125 ~~{-(B)-}~~ (iii) may be reauthorized ~~{-at the end of~~
~~the [eight-year] ten-year~~ period in accordance
 126 ~~with this section-}~~ in accordance with the same procedures
and requirements of this part for imposing the tax .

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

H.B. 405, as amended, failed to pass on the following roll call:

Yeas, 25; Nays, 45; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Allen	Bigelow	Biskupski	Brown
Chavez-Houck	S. Clark	Cosgrove	Donnelson
Ferry	Janice Fisher	Greenwood	Hendrickson
Hunsaker	Johnson	Litvack	McGee
Morgan	Moss	Neuenschwander	Noel
Riesen	Sandstrom	Seelig	Urquhart
Wheatley			

Voting in the negative were: Representatives

Aagard	Andersen	Bird	D. Clark
Daw	Dee	Dougall	Draxler
Duckworth	Dunnigan	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Grover	Hansen	Harper
Hemingway	Herrod	Holdaway	Hughes
Hutchings	King	Kiser	Last
Mascaro	Mathis	McIff	Menlove
Morley	Newbold	Oda	Painter
Ray	Shurtliff	Snow	Sumsion
Tilton	Walker	Webb	Wiley
Wimmer			

Absent or not voting were: Representatives

Barrus	Bowman	Lockhart	Winn
Curtis			

H.B. 405, as amended, was filed.

* * *

H.B. 497, REVENUE BOND AUTHORIZATION FOR STATE FAIR PARK, 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. 497**.

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H.B. 466, TITLE INSURANCE RECOVERY, EDUCATION, AND RESEARCH FUND ACT, read the third time by short title and placed on its final passage.

H.B. 466, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Newbold	Noel
Oda	Painter	Ray	Riesen
Seelig	Snow	Sumsion	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer			

Absent or not voting were: Representatives

Bowman	D. Clark	Dunnigan	Mascaro
Neuenschwander	Sandstrom	Shurtliff	Tilton
Winn	Curtis		

H.B. 466, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 436, ENGLISH LANGUAGE LEARNER FAMILY LITERACY CENTERS PROGRAM, read the third time by short title and placed on its final passage.

H.B. 436 passed on the following roll call:

Yeas, 55; Nays, 9; Absent or not voting, 11.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Biskupski	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Ferry	Janice Fisher
Julie Fisher	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Herrod	Hughes
Hunsaker	Johnson	Kiser	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Newbold	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Winn	

Voting in the negative were: Representatives

Bird	Hemingway	Hendrickson	Holdaway
Hutchings	Neuenschwander	Shurtliff	Wiley
Wimmer			

Absent or not voting were: Representatives

Bigelow	Bowman	Brown	Clark, D.
Dunnigan	Fowlke	King	Last
Moss	Noel	Curtis	

H.B. 436 transmitted to the Senate for its consideration.

* * *

1st Sub. H.B. 274, UTAH K–8 ONLINE VIRTUAL SCHOOL, read the third time by short title and placed on its final passage.

On motion of Representative Snow, the House voted to circle **1st Sub. H.B. 274**.

* * *

1st Sub. H.B. 192, PROPERTY TRANSACTION AMENDMENTS, read the third time by short title and placed on its final passage.

1st Sub. H.B. 192, as amended, passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Biskupski	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McCliff
Menlove	Morgan	Morley	Neuenschwander
Newbold	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Bigelow	Bird	Bowman	D. Clark
Dunnigan	Hansen	Moss	Noel

1st Sub. H.B. 192, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 206, TAX AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Harper proposed the following amendment:

1. Page 44, Line 1359 through Page 45, Line 1368

1359 (56) (a) “Mobile wireless service” means a telecommunications service, regardless of

1360 the technology used, if:

1361 (i) the origination point of the conveyance, routing, or transmission is not fixed;

1362 (ii) the termination point of the conveyance, routing, or transmission is not fixed; or

1363 (iii) the origination point described in Subsection (56)(a)(i) and the termination point

1364 described in Subsection (56)(a)(ii) are not fixed.

1365 (b) “Mobile wireless service” includes a telecommunications service that is provided

1366 by a commercial mobile radio service provider.

1367 (c) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the

1368 commission may by rule define “commercial mobile radio service provider.”

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

H.B. 206, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	Menlove	Morgan
Neuenschwander	Newbold	Noel	Oda

Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Bowman	Herrod	King	McIff
Morley	Moss	Urquhart	

H.B. 206, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Ferry, the House voted to uncircle **1st Sub. H.B. 274**.

1st Sub. H.B. 274, UTAH K-8 ONLINE VIRTUAL SCHOOL, was before the House on its final passage.

1st Sub. H.B. 274 passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Biskupski	Brown	Chavez-Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn			

Absent or not voting were: Representatives

Bird	Bowman	Kiser	Morgan
Morley	Curtis		

1st Sub. H.B. 274 transmitted to the Senate for its consideration.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 27, 2008

The Senate passed, **H.J.R. 4**, JOINT RESOLUTION URGING SCHOOL CLOSINGS TO RECOGNIZE VETERANS DAY, by Representative C. Wimmer, 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. 4** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker: February 27, 2008

The Senate passed, as amended, **S.B. 200**, PROFESSIONAL ENGINEERS LICENSING AMENDMENTS, by Senator F. Fife, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 208**, TRANSPORTATION CORRIDOR PRESERVATION AMENDMENTS, by Senator S. Killpack, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 209**, METHAMPHETAMINE DECONTAMINATION STANDARDS AND FUNDING, by Senator D. C. Buttars, and it is transmitted for consideration; and

The Senate passed **S.B. 231**, TRANSPORTATION GOVERNANCE, by Senator S. Killpack, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 238**, AQUATIC INVASIVE SPECIES INTERDICTION ACT, by Senator J. Greiner, and it is transmitted for consideration; and

The Senate passed **S.B. 251**, TASK FORCE STUDYING FUNDING FOR FIGHTING FOREST FIRES, by Senator D. Stowell, and it is transmitted for consideration; and

The Senate passed **S.B. 295**, SECURITY ALARM BUSINESS LICENSING AMENDMENTS, by Senator M. Dayton, and it is transmitted for consideration; and

The Senate passed **S.B. 297**, ANIMAL TORTURE AND CRUELTY AMENDMENTS, by Senator A. Christensen, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 200, S.B. 208, S.B. 209, S.B. 231, 1st Sub. S.B. 238, S.B. 251, S.B. 295, and S.B. 297** read the first time by short title and referred to the Rules Committee.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 26, 2008

The Government Operations Committee recommends **1st Sub. H.B. 455**, AMENDMENTS RELATING TO CERTAIN TAXES ADMINISTERED BY OR LICENSE PLATES ISSUED BY THE STATE TAX COMMISSION, by Representative S. Sandstrom, be replaced and favorably recommends **2nd Sub. H.B. 455**, AMENDMENTS RELATING TO CERTAIN TAXES ADMINISTERED BY OR LICENSE PLATES ISSUED BY THE STATE TAX COMMISSION; and

The Government Operations Committee reports a favorable recommendation on **H.B. 427**, HUNTER EDUCATION REQUIREMENT EXEMPTION FOR MILITARY PERSONNEL, by Representative B. Winn, with the following amendments and recommends it be placed on the Consent Calendar.

- 1. Page 2, Lines 30 through 35:

30 (2) A member of the United States Armed Forces, including the Utah National Guard,

31 is exempt from a practical shooting test that may be required under Subsection (1) if the

32 member has { - ;

33 (a) } passed firearms training in the United States Armed Forces or Utah National Guard { - ;

34 and

35 (b) been on active duty within the last six months } ; and

The Government Operations Committee reports a favorable recommendation on **S.B. 123**, FILLING VACANCIES IN THE SENATE, by Senator J. Hickman, and recommends it be placed on the Consent Calendar.

Glenn A. Donnelson, Chair

Reports filed. On motion of Representative Donnelson, the reports of the Government Operations Committee were adopted.

2nd Sub. H.B. 455 read the second time by short title and returned to the Rules Committee for prioritization.

H.B. 427, as amended, and **S.B. 123**, read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker:

February 26, 2008

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 447**, GOVERNMENT ENTITY CHANGES, by Representative K. Holdaway; and

The Political Subdivisions Committee reports a favorable recommendation on **3rd Sub. S.B. 20**, MUNICIPAL GOVERNMENT AMENDMENTS, by Senator C. Walker, with the following amendments:

1. Page 20, Line 606:

606 (i) Subsection 10-3b-303(2)(a), for a municipality operating under the six-member council

2. Page 20, Line 608:

608 (ii) Subsection 10-3b-403(2)(a), for a municipality operating under the five-member council

3. Page 48, Line 1480:

1480 (ii) for a city or town a the [city] council of the city or town [council]. ; and

The Political Subdivisions Committee recommends **3rd Sub. S.B. 25**, MUNICIPAL INCORPORATION AMENDMENTS, by Senator D. Stowell, be replaced and reports a favorable recommendation on **5th Sub. S.B. 25**, MUNICIPAL INCORPORATION AMENDMENTS with the following amendments:

1. Page 2, Line 38:

38 ► provides that town incorporation petitions filed before
{-the effective date of this bill-} January 1, 2008

2. Page 2, Lines 40 through 41:
 40 ▶ allows petition sponsors under certain petitions filed
 before {~~the effective date of this~~
 41 bill~~}~~ January 1, 2008 to choose whether to have the initial
 town officers appointed or elected.
3. Page 10, Line 297:
 297 (13) (a) For each petition filed before { the effective date of
this section } January 1, 2008 ;
4. Page 10, Lines 302 through 303:
(b) Each petition filed on or after January 1, 2008 is subject to and
governed by this section.
 302 { ~~(b)~~ } (c) (i) As used in this Subsection
 (13) { ~~(b)~~ } (c) , “specified petition” means a petition
 303 proposing the incorporation of a town filed before {~~the~~
effective date of this section } January 1, 2008 that is a
5. Page 11, Line 310:
 310 (B) (I) The petition sponsors shall make a choice under
Subsection (3) {~~(b)~~} (c) (ii)(A) by
6. Page 11, Line 317:
 317 (13) { ~~(b)~~ } (c) (ii)(B)(I).
7. Page 13, Line 395 through Page 14, Line 400:
 395 the date of veto override.
 396 { Section 6. Revisor instructions.
 397 It is the intent of the Legislature that the Office of Legislative
Research and General
 398 Counsel, in preparing the Utah Code database for publication,
replace the phrase “the effective
 399 date of this section” in Subsection 10-2-125(13) of this bill
with the actual effective date of this
 400 bill. } ; and

The Political Subdivisions Committee reports a favorable recommendation on **S.B. 177, LOCAL GOVERNMENT DISPOSAL OF REAL PROPERTY ACQUIRED BY EXACTION**, by Senator W. Niederhauser, with the following amendments:

1. Page 1, Lines 14 through 17

Senate Committee Amendments 2-5-2008:

14 ▶ extends from five years to {~~§~~→[15] ~~25~~
←~~§~~} 15 years the period of time that a county or
14a municipality

15 may own surplus real property acquired by exaction in order for the
county or

16 municipality to be subject to a requirement that the county or
municipality offer to

17 reconvey the property to the original owner.

2. Page 2, Lines 36 through 39

Senate Committee Amendments 2-5-2008:

36 (2) (a) If a municipality plans to dispose of surplus real property
that was acquired

37 under this section and has been owned by the municipality for less
than [five] {~~§~~→[15] ~~25~~ ←~~§~~} 15 years,

37a the

38 municipality shall first offer to reconvey the property, without
receiving additional

39 consideration, to the person who granted the property to the
municipality.

3. Page 2, Lines 54 through 57

Senate Committee Amendments 2-5-2008:

54 (2) (a) If a county plans to dispose of surplus real property under
Section 17-50-312

55 that was acquired under this section and has been owned by the
county for less than [five] {~~§~~→[15]

55a ~~25~~ ←~~§~~} 15

56 years, the county shall first offer to reconvey the property, without
receiving additional

57 consideration, to the person who granted the property to the county.

Fred R Hunsaker, Chair

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

H.B. 447, 3rd Sub. S.B. 20, as amended, **5th Sub. S.B. 25**, as amended, and **S.B. 177**, as amended, read the second time by short title and returned to the Rules Committee for prioritization.

* * *

Mr. Speaker: February 26, 2008

The Revenue and Taxation Committee recommends **H.B. 355, CIGARETTE TAX INCREASE AND APPROPRIATIONS FOR PREVENTIVE HEALTH ACTIVITIES**, by Representative P. Ray, be replaced and favorably recommends **2nd Sub. H.B. 355, TAX CHANGES AND APPROPRIATIONS FOR PREVENTIVE HEALTH ACTIVITIES** and consider it to have been read for the first time; and

The Revenue and Taxation Committee reports a favorable recommendation on **1st Sub. S.B. 84, NET METERING PROGRAMS**, by Senator K. VanTassell, and recommends it be placed on the Consent Calendar.

John Dougall, Chair

Reports filed. On motion of Representative Dougall, the reports of the Revenue and Taxation Committee were adopted.

2nd Sub. H.B. 355 read the first and second times by short title and returned to the Rules Committee for prioritization.

1st Sub. S.B. 84 read the second time by short title and returned to the Rules Committee for prioritization.

* * *

Mr. Speaker: February 27, 2008

The Business and Labor Committee recommends **S.B. 161, ADVANCE HEALTH CARE DIRECTIVE AMENDMENTS**, by Senator A. Christensen, be replaced and reports a favorable recommendation on **2nd Sub. S.B. 161, ADVANCE HEALTH CARE DIRECTIVE AMENDMENTS** and asks that it be placed on the Consent Calendar.

Stephen D. Clark, Chair

Report filed. On motion of Representative S. Clark, the report of the Business and Labor Committee was adopted.

2nd Sub. S.B. 161 read the second time by short title and placed on the Consent Calendar.

* * *

Mr. Speaker: February 27, 2008

The Health and Human Services Committee recommends **1st Sub. S.B. 93**, LICENSED DIRECT ENTRY MIDWIFE AMENDMENTS, by Senator M. Dayton, be replaced and favorably recommends **7th Sub. S.B. 93**, LICENSED DIRECT ENTRY MIDWIFE AMENDMENTS.

Paul Ray, Chair

Report filed. On motion of Representative Ray, the report of the Health and Human Services Committee was adopted.

7th Sub. S.B. 93 read the second time by short title and returned to the Rules Committee for prioritization.

MISCELLANEOUS BUSINESS

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

AFTERNOON SESSION

The House was called to order by Speaker Curtis at 2:15 p.m.

Representative Carl Duckworth, excused.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 27, 2008

The Senate passed, as substituted, and amended **3rd Sub. S.B. 85**, WATER RIGHTS BOARD, by Senator D. Stowell, and it is transmitted for consideration; and

The Senate passed **S.B. 243**, THIS IS THE PLACE FOUNDATION – PROCUREMENT CODE EXEMPTION, by Senator B. Goodfellow, and it is transmitted for consideration; and

The Senate passed **S.B. 244**, DIVISION OF PARKS AND RECREATION TO SUPPORT NONPROFIT CORPORATION OR FOUNDATION, by Senator B. Goodfellow, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 253**, COUNTY LAW ENFORCEMENT DUTIES, by Senator M. Waddoups, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **3rd Sub. S.B. 85**, **S.B. 243**, **S.B. 244**, and **S.B. 253** read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

2nd Sub. H.B. 319, REVIEW AND APPROVAL OF GRANTS, read the third time by short title and placed on its final passage.

2nd Sub. H.B. 319 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Shurtliff	Snow	Sumsion
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Bowman	Draxler	Duckworth	McIff
Menlove	Seelig	Tilton	

2nd Sub. H.B. 319 transmitted to the Senate for its consideration.

* * *

H.B. 380, INSURANCE DEPARTMENT – WORKERS’ COMPENSATION AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 380, as amended, passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Andersen	Barrus	Bigelow
Bird	Biskupski	Brown	Chavez–Houck

D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Allen	Bowman	Duckworth	Tilton
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H.B. 380, as amended, transmitted to the Senate for its consideration.

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H.B. 476, PAY OF NATIONAL GUARD MEMBERS, read the third time by short title and placed on its final passage.

Representative Hughes proposed the following amendment:

1. Page 2, Lines 29 through 39

29 39-1-51. Pay of National Guard members.

30 (1) When called into the service of the state and not in the service of the United States,

31 the members of the National Guard shall { ~~receive, without a waiting period~~ } ;

32 (a) receive the same pay and allowance as members of the regular army or regular air force of

33 like rank and length of service[. ~~In addition to the above pay, officers and enlisted personnel~~

34 ~~shall receive~~];

35 (b) elect to:
 (i) receive medical, dental, disability, { and } or death
benefits equal to those received by full-time.

36 permanent state employees; or
 (ii) maintain any medical, dental, disability, or death benefits
already in place; and

37 (c) receive one ration per day[; ~~provided, that this~~].

38 (2) The state {~~shall~~} may not make {~~no~~}
 payments to members of the National Guard [~~in the case~~

39 ~~of~~] for service for which the United States government makes
 payment.

Representative Hughes' motion to amend passed on a voice vote.

H.B. 476, 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	Andersen	Barrus
Biskupski	Brown	Chavez-Houck	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Walker	Webb	Wheatley	Wiley
Wimmer			

Absent or not voting were: Representatives

Bigelow	Bird	Bowman	D. Clark
Duckworth	McGee	Tilton	Urquhart
Winn	Curtis		

H.B. 476, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 479, HEALTH CARE PATIENT IDENTITY PROTECTIONS, read the third time by short title and placed on its final passage.

H.B. 479, as amended, passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Agard	Allen	Barrus	Bird
Biskupski	Brown	Chavez–Houck	D. Clark
S. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Walker	Webb	Wheatley	Wiley
Wimmer	Winn		

Absent or not voting were: Representatives

Andersen	Bigelow	Bowman	Duckworth
Hughes	McGee	Tilton	Urquhart
Curtis			

H.B. 479, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 359, SALES AND USE TAX CHANGES, read the third time by short title and placed on its final passage.

On motion of Representative Dougall, the House voted to delete **H.B. 359** in title and body and insert **2nd Sub. H.B. 359** in lieu thereof and consider it read for the first, second, and third times by short title.

2nd Sub. H.B. 359 passed on the following roll call:

Yeas, 63; Nays, 0; Absent or not voting, 12.

Voting in the affirmative were: Representatives

Aagard	Allen	Barrus	Bird
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	

Absent or not voting were: Representatives

Andersen	Bigelow	Biskupski	Bowman
Duckworth	Hendrickson	McGee	Morgan
Riesen	Tilton	Urquhart	Curtis

2nd Sub. H.B. 359 transmitted to the Senate for its consideration.

* * *

H.B. 140, CHILD RESTRAINT DEVICE AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 140 passed on the following roll call:

Yeas, 44; Nays, 23; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Andersen	Biskupski	Brown	Chavez–Houck
S. Clark	Cosgrove	Dougall	Draxler
Dunnigan	Ferry	Janice Fisher	Fowlke
Froerer	Gibson	Greenwood	Grover
Hansen	Hemingway	Holdaway	Hunsaker

Johnson	King	Last	Litvack
Lockhart	Mascaro	Mathis	McIff
Menlove	Moss	Neuenschwander	Noel
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Sumsion	Tilton	Walker
Webb	Wheatley	Wiley	Winn

Voting in the negative were: Representatives

Agard	Allen	Barrus	Bird
D. Clark	Daw	Dee	Donnelson
Julie Fisher	Frank	Garn	Gowans
Harper	Herrod	Hughes	Hutchings
Kiser	Morley	Newbold	Oda
Snow	Urquhart	Wimmer	

Absent or not voting were: Representatives

Bigelow	Bowman	Duckworth	Hendrickson
McGee	Morgan	Painter	Curtis

H.B. 140 transmitted to the Senate for its consideration.

* * *

1st Sub. H.B. 400, CONDOMINIUM AND COMMUNITY ASSOCIATION PROVISIONS, read the third time by short title and placed on its final passage.

1st Sub. H.B. 400 passed on the following roll call:

Yeas, 68; Nays, 1; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bird	Biskupski	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morgan	Morley

Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn

Voting in the negative was: Representative Fowlke

Absent or not voting were: Representatives

Bigelow	Bowman	Duckworth	McGee
Painter	Curtis		

1st Sub. H.B. 400 transmitted to the Senate for its consideration.

* * *

1st Sub. H.B. 325, BULLYING AND HAZING, read the third time by short title and placed on its final passage.

1st Sub. H.B. 325 passed on the following roll call:

Yeas, 59; Nays, 8; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bird	Biskupski	Brown	Chavez–Houck
S. Clark	Cosgrove	Dee	Dougall
Draxler	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Grover
Hansen	Harper	Hemingway	Hendrickson
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Mascaro	McGee	McIff
Menlove	Morgan	Moss	Neuenschwander
Newbold	Noel	Ray	Riesen
Seelig	Shurtliff	Snow	Sumsion
Urquhart	Walker	Wheatley	Wiley
Wimmer	Winn	Curtis	

Voting in the negative were: Representatives

Daw	Donnelson	Greenwood	Lockhart
Morley	Oda	Sandstrom	Tilton

Absent or not voting were: Representatives

Bigelow	Bowman	D. Clark	Duckworth
Herrod	Mathis	Painter	Webb

1st Sub. H.B. 325 transmitted to the Senate for its consideration.

* * *

H.B. 456, FAIR CAMPAIGN PLEDGE AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 456 passed on the following roll call:

Yeas, 60; Nays, 4; Absent or not voting, 11.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bird	Biskupski	Brown	Chavez–Houck
S. Clark	Cosgrove	Daw	Dee
Donnelson	Draxler	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Greenwood
Grover	Harper	Hemingway	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Ray
Riesen	Sandstrom	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Wiley	Wimmer	Winn	Curtis

Voting in the negative were: Representatives

Gowans	Hansen	Hendrickson	Wheatley
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Absent or not voting were: Representatives

Bigelow	Bowman	D. Clark	Dougall
Duckworth	Herrod	Mascaro	Mathis
Painter	Seelig	Webb	

H.B. 456 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

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

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

THIRD READING CALENDAR

1st Sub. H.B. 188, TRANSIT REVISIONS, read the third time by short title and placed on its final passage.

Representative Allen proposed the following amendment:

- 1. Page 9, Lines 254 through 256

254 (l) direct the internal auditor to conduct audits that the board of trustees determines to

255 be the most critical to the success of the organization; { ~~and~~ }

256 (m) hear audit reports for audits conducted in accordance with Subsection (2)(l) ; and

(n) emphasize pollution mitigation in establishing the policies for district operations .

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

Representative Hughes declared a conflict of interest because he is on the board of UTA.

1st Sub. H.B. 188, as amended, failed to pass on the following roll call:

Yeas, 30; Nays, 38; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Aagard	Allen	Bird	Biskupski
Chavez–Houck	Daw	Donnelson	Dunnigan
Janice Fisher	Julie Fisher	Fowlke	Frank
Gibson	Grover	Hansen	Harper
Hendrickson	Herrod	Holdaway	Johnson
Litvack	Lockhart	Mascaro	Morley
Neuenschwander	Painter	Ray	Seelig
Wiley	Wimmer		

Voting in the negative were: Representatives

Barrus	Bigelow	S. Clark	Cosgrove
Dee	Dougall	Draxler	Ferry
Froerer	Garn	Gowans	Greenwood
Hemingway	Hughes	Hunsaker	Hutchings

King	Last	McGee	McIff
Menlove	Morgan	Moss	Newbold
Noel	Oda	Riesen	Sandstrom
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Winn	Curtis		

Absent or not voting were: Representatives

Andersen	Bowman	Brown	D. Clark
Duckworth	Kiser	Mathis	

1st Sub. H.B. 188, as amended, was filed.

* * *

H.B. 195, CONCEALED FIREARM PERMIT AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 195, as amended, passed on the following roll call:

Yeas, 62; Nays, 0; Absent or not voting, 13.

Voting in the affirmative were: Representatives

Aagard	Allen	Barrus	Bigelow
Bird	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Herrod	Holdaway	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	McGee
McIff	Menlove	Morgan	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Shurtliff	Snow	Sumsion	Tilton
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Andersen	Biskupski	Bowman	D. Clark
Duckworth	Garn	Hendrickson	Hughes
Mathis	Morley	Seelig	Urquhart
Walker			

H.B. 195, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 208, LIVESTOCK WATERING RIGHTS, read the third time by short title and placed on its final passage.

On motion of Representative Noel, the House voted to delete **H.B. 208** in title and body and insert **1st Sub. H.B. 208** in lieu thereof.

1st Sub. H.B. 208 passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives

Aagard	Allen	Barrus	Bigelow
Bird	Biskupski	Brown	Chavez–Houck
S. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Mascaro	McGee	McIff
Menlove	Morgan	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Shurtliff	Snow
Sumsion	Tilton	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Andersen	Bowman	D. Clark	Duckworth
Lockhart	Mathis	Morley	Sandstrom
Seelig	Urquhart		

1st Sub. H.B. 208 transmitted to the Senate for its consideration.

* * *

H.B. 345, MINIMUM AGE FOR PUBLIC EDUCATION ENROLLMENT AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 345, as amended, passed on the following roll call:

Yeas, 57; Nays, 10; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Brown	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Greenwood
Grover	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hunsaker	Hutchings
Kiser	Last	Lockhart	Mascaro
McGee	McIff	Morley	Neuenschwander
Newbold	Noel	Oda	Painter
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wiley	Wimmer	Winn
Curtis			

Voting in the negative were: Representatives

Biskupski	Chavez–Houck	Gowans	Johnson
King	Litvack	Menlove	Morgan
Moss	Wheatley		

Absent or not voting were: Representatives

Bowman	D. Clark	Duckworth	Hansen
Hughes	Mathis	Ray	Riesen

H.B. 345, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Hendrickson, the House voted to uncircle **H.B. 497**.

H.B. 497, REVENUE BOND AUTHORIZATION FOR STATE FAIR PARK, was before the House on its final passage.

H.B. 497 passed on the following roll call:

Yeas, 46; Nays, 20; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Allen	Andersen	Barrus	Bigelow
Bird	Biskupski	Brown	Chavez–Houck
S. Clark	Cosgrove	Dee	Donnelson
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Gibson
Gowans	Hansen	Harper	Hemingway
Hendrickson	Holdaway	Hunsaker	Hutchings
Johnson	King	Litvack	Mascaro
McIff	Menlove	Morgan	Moss
Neuenschwander	Newbold	Riesen	Seelig
Shurtliff	Urquhart	Webb	Wheatley
Wiley	Curtis		

Voting in the negative were: Representatives

Agard	Daw	Dougall	Draxler
Garn	Greenwood	Grover	Herrod
Kiser	Last	Lockhart	Morley
Noel	Oda	Ray	Sandstrom
Sumsion	Tilton	Walker	Wimmer

Absent or not voting were: Representatives

Bowman	D. Clark	Duckworth	Hughes
Mathis	McGee	Painter	Snow
Winn			

H.B. 497 transmitted to the Senate for its consideration.

RULES COMMITTEE REPORTS

Mr. Speaker: February 27, 2008

The Rules Committee recommends that, under suspension of the rules, the following bill be considered read for the second time and placed on the top of the Third Reading Calendar for Senate bills:

1st Sub. S.B. 21 Campaign Finance Disclosure Revisions
(Sen. P. Knudson)

Stephen Urquhart, Chair

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

* * *

Mr. Speaker: February 27, 2008

The House Rules Committee recommends, with written request of the sponsor, that **H.B. 190**, State System of Higher Education Amendments

(Rep. J. Dougall), be replaced with **1st Sub. H.B. 190**, State System of Higher Education Amendments (Rep. J. Dougall), and recommends it be placed on the Third Reading Calendar.

Stephen Urquhart, Chair

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

* * *

Mr. Speaker:

February 27, 2008

The Rules Committee recommends that the following bills and resolutions be placed on the Third Reading Calendar:

- H.B. 473** Firearms Amendments (Rep. C. Oda)
- 2nd Sub. H.B. 284** Utah College of Applied Technology Revisions
(Rep. K. Holdaway)
- 1st Sub. H.B. 385** Road and Rights-of-way Amendments (Rep. M. Noel)
- H.B. 200** Early Childhood Learning and Evaluation (Rep. B. Last)
- 2nd Sub. H.B. 333** Senior Citizen's Homeowner's Credit (Rep. G. Froerer)
- H.B. 138** Sudan Divestment Act (Rep. D. Litvack)
- H.B. 183** Sales and Use Tax Amendments (Rep. W. Harper)
- 1st Sub. H.B. 146** School Bus Amendments (Rep. C. Johnson)
- H.B. 227** Revoking Federal Authority to Use State Lands as a Bird
Refuge (Rep. B. Ferry)
- H.B. 414** Recycling Amendments (Rep. T. Cosgrove)
- H.B. 419** Public School Textbook Evaluation Amendments
(Rep. G. Froerer)
- 2nd Sub. H.B. 422** Political Subdivision Clerk Amendments
(Rep. M. Newbold)
- H.B. 435** Public Hearings on Property Tax Increases
(Rep. G. Froerer)
- H.B. 447** Government Entity Changes (Rep. K. Holdaway)
- 2nd Sub. H.B. 455** Amendments Relating to Certain Taxes Administered by
or License Plates Issued by the State Tax Commission
(Rep. S. Sandstrom)

Stephen Urquhart, Chair

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

* * *

Mr. Speaker: February 27, 2008

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

POLITICAL SUBDIVISIONS

H.B. 453 Assessment Area Amendments (Rep. F. Hunsaker)
Stephen Urquhart, Chair

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

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 27, 2008

The President of the Senate has signed **1st Sub. H.B. 178, JURISDICTION FOR PROSECUTION**, by Representative P. Neuenschwander, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 184, CONSTRUCTION AMENDMENTS**, by Representative M. Morley, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 342, INSURANCE CODE AMENDMENTS**, by Representative J. Dunnigan, and it is transmitted for the signature of the Speaker; and

The Senate adopted the Joint Conference Committee Report dated February 27, 2008, and passed **2nd Sub. S.B. 45, INVENTORY FOR COMPETITIVE ACTIVITIES OF LOCAL ENTITIES**, by Senator H. Stephenson, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **1st Sub. H.B. 178, H.B. 184, and H.B. 342** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

2nd Sub. S.B. 45 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

Mr. Speaker: February 27, 2008

The Senate passed, as substituted, **1st Sub. S.B. 278, TECHNICAL AMENDMENTS TO TITLES 78A AND 78B**, by Senator G. Bell, and it is transmitted for consideration; and

The Senate passed **S.B. 288**, CONDOMINIUM OWNERSHIP ACT AMENDMENTS, by Senator M. Waddoups, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **1st Sub. S.B. 278** and **S.B. 288** read the first time by short title and referred to the Rules Committee.

MISCELLANEOUS BUSINESS

On motion of Representative Urquhart, the House voted that any bills which have not been reported out of House Standing Committees after the conclusion of their last scheduled meeting be reported back to the Rules Committee. Committee reports should indicate what, if any, action was taken by the committee.

* * *

On motion of Representative Snow, and at 5:00 p.m., the House voted to adjourn until February 28, 2008, at 9:00 a.m.

THIRTY-NINTH DAY

* * *

MORNING SESSION

The House was called to order by Speaker Curtis at 9:30 a.m.

Roll call showed all members present except Representatives Bud Bowman and Carl Duckworth, excused.

Prayer and Pledge of Allegiance by Representative Bird's constituent, Mayor Dave Newton, West Jordan.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 27, 2008

The Senate passed, as amended, **H.B. 38**, EDUCATION AND OUTREACH REGARDING SUBSTANCES HARMFUL DURING PREGNANCY, by Representative R. Menlove, and it is transmitted for further consideration; and

The Senate substituted and passed, **Senate 2nd Sub. H.B. 40**, SAFE DRINKING WATER REVISIONS, by Representative S. Andersen, and it is transmitted for further consideration; and

The Senate substituted and passed, **Senate 5th Sub. H.B. 51**, WATER RIGHT AMENDMENTS, by Representative P. Painter, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **H.B. 38**, **2nd Sub. H.B. 40**, and **5th Sub. H.B. 51** placed on the Concurrence Calendar.

INTRODUCTION OF BILL

H.B. 439, Restitution Fund Account (P. Neuenschwander), read the first time by short title and referred to the Rules Committee.

CONSENT CALENDAR

H.B. 305, COUNTY SHERIFF QUALIFICATION AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 305 passed on the following roll call:

Yeas, 64; Nays, 4; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Biskupski	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Greenwood	Grover	Harper
Hemingway	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn

Voting in the negative were: Representatives

Gowans	Hansen	Hendrickson	Mascaro
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Absent or not voting were: Representatives

Bird	Bowman	Duckworth	Noel
Oda	Painter	Curtis	

H.B. 305 transmitted to the Senate for its consideration.

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S.B. 116, RETIREMENT OFFICE AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 116 passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove

Daw	Dee	Donnelson	Dougall
Draxler	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Garn
Gibson	Greenwood	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn		

Absent or not voting were: Representatives

Bowman	Duckworth	Froerer	Gowans
Grover	Noel	Oda	Painter
Curtis			

S.B. 116 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

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H.B. 216, ANNEXATION REVISIONS, read the third time by short title and placed on its final passage.

H.B. 216 passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser

Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Wheatley
Wiley	Wimmer		

Absent or not voting were: Representatives

Bowman	Duckworth	Hansen	Noel
Oda	Painter	Webb	Winn
Curtis			

H.B. 216 transmitted to the Senate for its consideration.

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S.B. 274, AMENDMENTS TO UTAH SERVICE MEMBERS' CIVIL RELIEF ACT, read the third time by short title and placed on its final passage.

S.B. 274 passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez-Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	Menlove	Morgan
Morley	Moss	Newbold	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer		

Absent or not voting were: Representatives

Bowman	Duckworth	Holdaway	McCliff
Neuenschwander	Noel	Oda	Winn
Curtis			

S.B. 274 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

THIRD READING CALENDAR

1st Sub. S.B. 21, CAMPAIGN FINANCE DISCLOSURE REVISIONS, read the third time by short title and placed on its final passage.

1st Sub. S.B. 21 passed on the following roll call:

Yeas, 62; Nays, 3; Absent or not voting, 10.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Biskupski	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Greenwood	Grover	Harper
Hemingway	Herrod	Hughes	Hunsaker
Hutchings	King	Kiser	Last
Lockhart	Mathis	McGee	McCliff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wimmer		

Voting in the negative were: Representatives

Gowans	Hansen	Hendrickson
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Absent or not voting were: Representatives

Bird	Bowman	Duckworth	Holdaway
Johnson	Litvack	Mascaro	Wiley
Winn	Curtis		

1st Sub. S.B. 21 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

S.B. 69, UNIFORM LIMITED COOPERATIVE ASSOCIATION ACT, read the third time by short title and placed on its final passage.

S.B. 69 passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Chavez–Houck
S. Clark	Cosgrove	Daw	Dee
Donnelson	Draxler	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer		

Absent or not voting were: Representatives

Bowman	Brown	D. Clark	Dougall
Duckworth	Grover	Litvack	Winn
Curtis			

S.B. 69 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

1st Sub. S.B. 181, OFF–HIGHWAY VEHICLE USE ON PUBLIC HIGHWAYS, read the third time by short title and placed on its final passage.

Representative Morley proposed the following amendment:

1. Page 1, Lines 15 through 17
House Committee Amendments 2–21–2008

15 ▶ exempts insurance policies purchased to satisfy the
owner's or operator's security

16 requirement for an off-highway vehicle or street-legal
all-terrain vehicle from the requirement to include personal

17 injury protection on the policy;

2. Page 3, Lines 58 through 66:

58 (2) A policy of insurance or combination of policies, purchased
to satisfy the owner's

59 or operator's security requirement of Section 41-12a-301 for a
motorcycle, off-highway vehicle, street-legal all-terrain vehicle,

60 trailer, or semitrailer is not required to have personal injury
protection under Sections

61 31A-22-306 through 31A-22-309.

62 (3) (a) First party medical coverages may be offered or included
in policies issued to

63 motorcycle, off-highway vehicle, street-legal all-terrain
vehicle, trailer, and semitrailer owners or operators.

64 (b) Owners and operators of motorcycles, off-highway
vehicles, street-legal all-terrain vehicles, trailers, and semitrailers are
not covered by

65 personal injury protection coverages in connection with injuries
incurred while operating any

66 of these vehicles.

3. Page 20, Lines 613 through 614:

613 (6) (a) {-A-} (i) Except as provided in Subsection
(6)(a)(ii), a federal motor vehicle safety standard supersedes any
conflicting provision of

614 this chapter.

(ii) Federal motor vehicle safety standards do not supersede the
provisions of Section 41-6a-1509 governing the requirements for and
use of street-legal all-terrain vehicles on highways.

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

1st Sub. S.B. 181, as amended, passed on the following roll call:

Yeas, 55; Nays, 15; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Brown	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Dunnigan	Ferry	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Greenwood	Grover	Harper
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	King	Kiser	Last
Lockhart	Mascaro	Mathis	McIff
Menlove	Morley	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Sandstrom	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wimmer	Curtis	

Voting in the negative were: Representatives

Biskupski	Chavez–Houck	Janice Fisher	Gowans
Hansen	Hemingway	Hendrickson	Johnson
Litvack	McGee	Morgan	Moss
Riesen	Seelig	Wiley	

Absent or not voting were: Representatives

Bowman	D. Clark	Draxler	Duckworth
Winn			

1st Sub. S.B. 181, as amended, was returned to the Senate for further consideration.

* * *

1st Sub. S.B. 78, COUNTY PERSONNEL MANAGEMENT ACT AMENDMENTS, read the third time by short title and placed on its final passage.

1st Sub. S.B. 78, as amended, passed on the following roll call:

Yeas, 62; Nays, 3; Absent or not voting, 10.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove

Daw	Dee	Donnelson	Draxler
Dunnigan	Janice Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Greenwood
Grover	Harper	Hemingway	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Litvack
Lockhart	Mascaro	Mathis	McGee
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer		

Voting in the negative were: Representatives

Gowans	Hansen	Hendrickson
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Absent or not voting were: Representatives

Bowman	Dougall	Duckworth	Ferry
Julie Fisher	Last	McIff	Noel
Winn	Curtis		

1st Sub. S.B. 78, as amended, was returned to the Senate for further consideration.

* * *

1st Sub. S.B. 53, USE OF INITIATIVE AND REFERENDUM FOR ADMINISTRATIVE LAND USE AND ZONING MATTERS, read the third time by short title and placed on its final passage.

1st Sub. S.B. 53 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez-Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood

Grover	Hansen	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	Litvack	Lockhart
Mascaro	Mathis	McGee	McCliff
Menlove	Morgan	Morley	Moss
Neuenschwander	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Webb	Wheatley	Wiley
Wimmer			

Voting in the negative were: Representatives

Kiser	Newbold
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Absent or not voting were: Representatives

Bowman	Duckworth	Harper	King
Last	Walker	Winn	Curtis

1st Sub. S.B. 53 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

2nd Sub. S.B. 184, CHILD CARE LICENSING EXEMPTIONS, 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. S.B. 184** in title and body and insert **3rd Sub. S.B. 184** in lieu thereof.

3rd Sub. S.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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser

Last	Litvack	Lockhart	Mathis
McGee	McIff	Menlove	Morgan
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Bowman	Duckworth	Greenwood	Mascaro
Morley			

3rd Sub. S.B. 184, as substituted by the House, was returned to the Senate for further consideration.

* * *

1st Sub. S.B. 283, TRANSPORTATION FUNDING AMENDMENTS, 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. 283 passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bird	Biskupski	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow

Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn			

Absent or not voting were: Representatives

Bigelow	Bowman	Duckworth	Menlove
Oda	Curtis		

1st Sub. S.B. 283, as substituted by the House, was returned to the Senate for further consideration.

* * *

S.B. 43, ADMINISTRATIVE RULES REAUTHORIZATION, 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. 43 passed on the following roll call:

Yeas, 63; Nays, 0; Absent or not voting, 12.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Urquhart	Webb
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Bowman	Duckworth	Garn	Gibson
Hunsaker	Mascaro	Mathis	Noel
Tilton	Walker	Wheatley	Wiley

S.B. 43 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

3rd Sub. S.B. 46, ANTI-FLOW CONTROL AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Urquhart, the House voted to circle **3rd Sub. S.B. 46**.

* * *

S.B. 162, FEDERAL EDUCATION AGREEMENT REQUIREMENTS, 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. 162 passed on the following roll call:

Yeas, 38; Nays, 33; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Agard	Andersen	Barrus	Bigelow
Brown	D. Clark	S. Clark	Daw
Dee	Donnelson	Dougall	Ferry
Frank	Froerer	Garn	Gibson
Grover	Herrod	Hughes	Kiser
Last	Lockhart	Mascaro	Mathis
Morley	Newbold	Noel	Oda
Painter	Ray	Sandstrom	Sumsion
Tilton	Urquhart	Walker	Webb
Wimmer	Curtis		

Voting in the negative were: Representatives

Allen	Bird	Chavez-Houck	Cosgrove
Draxler	Janice Fisher	Julie Fisher	Fowlke
Gowans	Greenwood	Hansen	Harper
Hemingway	Hendrickson	Holdaway	Hunsaker
Hutchings	Johnson	King	Litvack
McGee	McIff	Menlove	Morgan
Moss	Neuenschwander	Riesen	Seelig
Shurtliff	Snow	Wheatley	Wiley
Winn			

Absent or not voting were: Representatives

Biskupski	Bowman	Duckworth	Dunnigan
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S.B. 162 signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

* * *

1st Sub. 168, HIGHWAY FUNDING AMENDMENTS, 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 circle **1st Sub. S.B. 168**.

* * *

S.B. 186, CUSTODY AND PARENT-TIME FOR NON-PARENTS, 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. 186 passed on the following roll call:

Yeas, 57; Nays, 13; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bird	Brown	Chavez-Houck	D. Clark
S. Clark	Cosgrove	Daw	Dee
Draxler	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Hunsaker	Hutchings	Johnson	King
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Moss	Neuenschwander	Noel
Painter	Ray	Riesen	Seelig
Shurtliff	Snow	Urquhart	Walker
Webb	Wheatley	Wiley	Winn
Curtis			

Voting in the negative were: Representatives

Donnelson	Dougall	Frank	Herrod
Hughes	Kiser	Morley	Newbold
Oda	Sandstrom	Sumsion	Tilton
Wimmer			

Absent or not voting were: Representatives

Bigelow	Biskupski	Bowman	Duckworth
Holdaway			

S.B. 186 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 28, 2008

The Senate concurred in the House amendments and passed **S.B. 132, CONSUMER CREDIT PROTECTION ACT – ATTORNEY GENERAL POWERS**, by Senator C. Walker, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

S.B. 132 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

Mr. Speaker: February 28, 2008

The Senate passed, **2nd Sub. H.B. 127, COMMUNITY COUNCIL ELECTIONS**, 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, **1st Sub. H.B. 141, IDENTITY THEFT REPORTING INFORMATION SYSTEM 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. 149, PROTECTIVE ORDER 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, **1st Sub. H.B. 157, ALCOHOLIC BEVERAGE CONTROL VIOLATIONS AMENDMENTS**, 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, **1st Sub. H.B. 254, SCHOOL COMMUNITY COUNCIL 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, **1st Sub. H.B. 336**, AUTHORITY TO ESTABLISH REFUGEE SERVICES FUND, 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. 185**, WESTERN STATES PRESIDENTIAL PRIMARY AMENDMENTS, by Representative K. Grover, 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. 127, 1st Sub. H.B. 141, 1st Sub. H.B. 149, 1st Sub. H.B. 157, 1st Sub. H.B. 254, 1st Sub. H.B. 336, and H.B. 185** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker: February 28, 2008

The Senate passed, as amended, **1st Sub. H.B. 304**, SALES AND USE TAX REVENUES FOR QUALIFIED EMERGENCY FOOD AGENCIES, by Representative L. Wiley, and it is transmitted for further consideration; and

The Senate substituted and passed, **Senate 1st Sub. H.B. 252**, CHARITABLE SOLICITATIONS ACT AMENDMENTS, by Representative W. Harper, and it is transmitted for further consideration; and

Annette B. Moore
Secretary of the Senate

Communications filed. **1st Sub. H.B. 304, and 1st Sub. H.B. 252** placed on the Concurrence Calendar.

REPORTS OF STANDING COMMITTEES

Mr. Speaker: February 27, 2008

The Political Subdivisions Committee reports a favorable recommendation on **H.B. 453**, ASSESSMENT AREA AMENDMENTS, by Representative F. Hunsaker.

Fred R Hunsaker, Chair

Report filed. On motion of Representative Hunsaker, the report of the Political Subdivisions Committee was adopted.

H.B. 453 read the second time by short title and returned to the Rules Committee for prioritization.

* * *

Mr. Speaker:

February 28, 2008

With committee review, the Business and Labor Committee has returned **H.B. 89**, ANTIDISCRIMINATION ACT AMENDMENTS, by Representative C. Johnson, to the Rules Committee without recommendation; and

With committee review, the Business and Labor Committee has returned **H.B. 108**, PROSTHETIC LIMB HEALTH INSURANCE PARITY, by Representative D. Litvack, to the Rules Committee without recommendation with the following amendments:

1. Page 3, Line 64:

64 schedule: { and }

2. Page 3, Line 67:

67 aggregate to all terms and services covered under the policy ; and
(e) does not apply to a policy that provides benefits solely for:
(i) accident only coverage;
(ii) a specific disease;
(iii) hospital indemnity;
(iv) Medicare supplement;
(v) long term care;
(vi) disability income replacement;
(vii) dental;
(viii) vision; or
(ix) a limited health plan offered under Chapter 8, Health
Maintenance Organizations and Limited Health Plans . ; and

With committee review, the Business and Labor Committee has returned **H.B. 114**, MINIMUM WAGE PROVISIONS, by Representative N. Hansen, to the Rules Committee without recommendation; and

Without committee review, the Business and Labor Committee has returned **H.B. 197**, RESIDENTIAL MORTGAGE LOAN CLOSING ACT, by Representative L. Wiley, to the Rules Committee; and

Without committee review, the Business and Labor Committee has returned **H.B. 233**, MORTGAGE FRAUD, by Representative P. Ray, to the Rules Committee; and

With committee review, the Business and Labor Committee has returned **1st Sub. H.B. 285**, LICENSING ELIGIBILITY, by Representative S. Sandstrom, to the Rules Committee without recommendation; and

With committee review, the Business and Labor Committee recommends **H.B. 298**, TRANSIT FARE REDUCTION, by Representative W. Harper, be replaced with **1st Sub. H.B. 298**, PUBLIC TRANSIT STUDY, and has returned it to the Rules Committee without recommendation; and

Without committee review, the Business and Labor Committee has returned **H.B. 334**, LABOR COMMISSION – REVIEW OF ADMINISTRATIVE DECISIONS, by Representative N. Hansen, to the Rules Committee; and

Without committee review, the Business and Labor Committee has returned **S.B. 62**, HEALTH INSURANCE – MEDICAL COMPLICATION EXCLUSIONS, by Senator P. Knudson, to the Rules Committee.

Stephen D. Clark, Chair

Reports filed. On motion of Representative S. Clark, the reports of the Business and Labor Committee were adopted.

H.B. 89, **H.B. 108**, as amended, **H.B. 114**, **H.B. 197**, **H.B. 233**, **1st Sub. H.B. 285**, **1st Sub. H.B. 298**, **H.B. 334**, and **S.B. 62** returned to the Rules Committee.

* * *

Mr. Speaker:

February 27, 2008

Without committee review, the Education Committee has returned **H.B. 88**, ELEMENTARY EDUCATION CO-TEACHING PILOT PROGRAM, by Representative J. Bird, to the Rules Committee; and

Without committee review, the Education Committee has returned **H.B. 91**, CENTER FOR THE SCHOOL OF THE FUTURE INCENTIVES, by Representative J. Draxler, to the Rules Committee; and

Without committee review the Education Committee has returned **1st Sub. H.B. 113**, SCHOOL FINANCIAL DISCLOSURE, by Representative K. Sumsion, to the Rules Committee; and

With committee review, the Education Committee recommends **H.B. 120**, EDUCATION PRINTING OFFICE, by Representative R. Bigelow, be replaced with **1st Sub. H.B. 120**, EDUCATION MATERIALS CENTER, and has returned it to the Rules Committee without recommendation; and

Without committee review, the Education Committee has returned **H.B. 204**, UTAH COLLEGE OF APPLIED TECHNOLOGY AMENDMENTS, by Representative R. Bigelow, to the Rules Committee; and

Without committee review, the Education Committee has returned **H.B. 214**, SCHOOL TESTING SPECIALISTS, by Representative S. Sandstrom, to the Rules Committee; and

Without committee review, the Education Committee has returned **H.B. 232**, ELEMENTARY SCHOOL MATH INITIATIVE, by Representative S. Mascaro, to the Rules Committee; and

Without committee review, the Education Committee has returned **H.B. 240**, PUBLIC EDUCATION FUNDING – BLOCK GRANT AMENDMENTS, by Representative S. Allen, to the Rules Committee; and

Without committee review, the Education Committee has returned **H.B. 350**, HOME SCHOOL AMENDMENTS, by Representative C. Wimmer, to the Rules Committee; and

Without committee review, the Education Committee has returned **H.B. 368**, SCHOOL FEE WAIVER AMENDMENTS, by Representative J. Draxler, to the Rules Committee; and

Without committee review, the Education Committee has returned **H.B. 381**, HIGHER EDUCATION ACCESS ENHANCEMENT PROGRAM, by Representative R. Bigelow, to the Rules Committee; and

With committee review, the Education Committee has returned **H.B. 382**, FINANCING PUBLIC EDUCATION, by Representative M. Newbold, to the Rules Committee without recommendation; and

The Political Subdivisions Committee has returned **H.B. 418**, PHYSICIAN EDUCATION ADMISSIONS, by Representative B. Last, to the Rules Committee; and

With committee review, the Education Committee has returned **S.B. 35**, DIFFERENTIATED PAY FOR TEACHERS, by Senator H. Stephenson, to the Rules Committee without recommendation; and

Without committee review, the Education Committee has returned **S.B. 37**, HOME SCHOOL AND EXTRA CURRICULAR ACTIVITIES AMENDMENTS, by Senator M. Madsen, to the Rules Committee; and

Without committee review, the Education Committee has returned **S.B. 39**, MATHEMATICS, SCIENCE, AND TECHNOLOGY EDUCATION TASK FORCE, by Senator H. Stephenson, to the Rules Committee; and

Without committee review, the Education Committee has returned **S.B. 41**, EXTENDED SCHOOL YEAR INCENTIVE, by Senator H. Stephenson, to the Rules Committee; and

Without committee review, the Education Committee has returned **S.B. 103**, HIGHER EDUCATION ENHANCEMENTS, by Senator D. Stowell, to the Rules Committee; and

Without committee review, the Education Committee has returned **1st Sub. S.B. 180**, REGENTS' SCHOLARSHIP PROGRAM, by Senator L. Hillyard, to the Rules Committee; and

Without committee review, the Education Committee has returned **S.B. 188**, PILOT PROGRAM FOR SUMMER SCHOOL AND AFTER SCHOOL PROGRAMS FOR CHILDREN WITH A DISABILITY, by Senator G. Bell, to the Rules Committee.

Gregory H. Hughes, Chair

Reports filed. On motion of Representative Painter, the reports of the Education Committee were adopted.

H.B. 88, H.B. 91, 1st Sub. H.B. 113, 1st Sub. H.B. 120, H.B. 204, H.B. 214, H.B. 232, H.B. 240, H.B. 350, H.B. 368, H.B. 381, H.B. 382, H.B. 418, S.B. 35, S.B. 37, S.B. 39, S.B. 41, S.B. 103, 1st Sub. S.B. 180, and S.B. 188 returned to the Rules Committee.

* * *

Mr. Speaker:

February 27, 2008

Without committee review, the Health and Human Services Committee has returned **H.B. 100**, AMENDMENTS TO PRESCRIBING SCHEDULE II DRUGS, by Representative M. Wheatley, to the Rules Committee; and

Without committee review, the Health and Human Services Committee has returned **H.B. 322**, LOCAL HEALTH DEPARTMENT FUNDING, by Representative S. Clark, to the Rules Committee.

Paul Ray, Chair

Reports filed. On motion of Representative Ray, the reports of the Health and Human Services Committee were adopted.

H.B. 100 and H.B. 322 returned to the Rules Committee.

* * *

Mr. Speaker: February 27, 2008

Without committee review, the Public Utilities and Technology Committee has returned **H.B. 139**, WIRELESS INTERNET ACCESS REQUIREMENTS, by Representative B. Daw, to the Rules Committee; and

Without committee review, the Public Utilities and Technology Committee has returned **H.B. 331**, USE OF UTAH EDUCATION NETWORK FOR TELEHEALTH, by Representative G. Snow, to the Rules Committee; and

Without committee review, the Public Utilities and Technology Committee has returned **H.B. 468**, RESPONSIBILITY FOR ACCESS DEVICES AND SECURITY BREACHES, by Representative S. Urquhart, to the Rules Committee.

Michael E. Noel, Chair

Reports filed. On motion of Representative Noel, the reports of the Public Utilities and Technology Committee were adopted.

H.B. 139, **H.B. 331**, and **H.B. 468** returned to the Rules Committee.

* * *

Mr. Speaker: February 27, 2008

With committee review, the Judiciary Committee has returned **H.B. 111**, CHARITABLE SOLICITATION ACT AMENDMENTS, by Representative J. Gowans, to the Rules Committee without recommendation; and

With committee review, the Judiciary Committee has returned **S.B. 50**, MEDICAL BENEFITS RECOVERY AMENDMENTS, by Senator A. Christensen, to the Rules Committee without recommendation; and

The Judiciary Committee has tabled **S.B. 67**, PROTECTION OF CONSTITUTIONALLY GUARANTEED ACTIVITIES IN CERTAIN PRIVATE VENUES, by Senator M. Madsen, and has returned it to the Rules Committee.

Douglas C. Aagard, Chair

Reports filed. On motion of Representative Aagard, the reports of the Judiciary Committee were adopted.

H.B. 111, **S.B. 50**, and **S.B. 67** returned to the Rules Committee.

* * *

Mr. Speaker: February 27, 2008

Without committee review, the Law Enforcement and Criminal Justice Committee has returned **H.B. 260**, CONTROLLED SUBSTANCE SCHEDULE – AMENDMENTS, by Representative P. Ray, to the Rules Committee; and

With committee review, the Law Enforcement and Criminal Justice Committee has returned **S.B. 14**, SMOKING BAN IN MOTOR VEHICLE, by Senator S. McCoy, to the Rules Committee without recommendation.

DeMar “Bud” Bowman, Chair

Reports filed. On motion of Representative Dee, the reports of the Law Enforcement and Criminal Justice Committee were adopted.

H.B. 260 and **S.B. 14** returned to the Rules Committee.

* * *

Mr. Speaker: February 27, 2008

Without committee review, the Natural Resources, Agriculture, and Environment Committee has returned **H.B. 179**, WATER RIGHT APPROPRIATION AMENDMENTS, by Representative P. Painter, to the Rules Committee; and

Without committee review, the Natural Resources, Agriculture, and Environment Committee has returned **H.B. 225**, PROOF FOR A WATER RIGHT APPLICATION, by Representative P. Painter, to the Rules Committee; and

With committee review, the Natural Resources, Agriculture, and Environment Committee recommends **H.B. 394**, REAL PROPERTY PURCHASE – NOTIFICATION OF WATER RIGHTS, by Representative B. Ferry, be replaced with **1st Sub. H.B. 394**, REAL PROPERTY PURCHASE – NOTIFICATION OF WATER RIGHTS, and has returned it to the Rules Committee without recommendation.

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. 179, **H.B. 225**, and **1st Sub. H.B. 394** returned to the Rules Committee.

* * *

Mr. Speaker:

February 27, 2008

Without committee review, the Transportation Committee has returned **H.B. 115**, APPROPRIATION FOR A UTAH LAKE TRANSPORTATION STUDY, by Representative K. Sumsion, to the Rules Committee; and

With committee review, the Transportation Committee has returned **H.B. 147**, RESTRICTIONS ON REGULATION OF AUTOMOTIVE COLLECTION ACTIVITIES, by Representative N. Hendrickson, to the Rules Committee without recommendation with the following amendments:

1. Page 2, Lines 31 through 32:
 - 31 collector vehicles, whether as a hobby or profession, including the storing of { ~~one or more~~ } up to two parts
 - 32 cars at one time .
2. Page 2, Line 35:
 - (c) "Collector vehicle" means a motor vehicle that is:
 - (i) 25 years old or older;
 - (ii) a limited production vehicle; or
 - (iii) a special interest vehicle.
 - 35 { ~~(e)~~ } (d) "Ordinary public view" means within the natural visual range of an individual on a
3. Page 2, Line 37:
 - 37 { ~~(d)~~ } (e) "Parts car" means a motor vehicle that is not intended to be operated on a road but
4. Page 2, Line 43:
 - 43 (c) trees or shrubbery that block the view year round ; or
5. Page 2, Lines 51 through 52:
 - 51 collector vehicles, whether as a hobby or profession, including the storing of { ~~one or more~~ } up to two parts
 - 52 cars at one time .
6. Page 2, Lines 54 through 55:
 - 54 as a hobby or profession.
 - (c) "Collector vehicle" means a motor vehicle that is:
 - (i) 25 years old or older;
 - (ii) a limited production vehicle; or
 - (iii) a special interest vehicle.

55 { ~~(e)~~ } (d) “Ordinary public view” means within the natural visual range of an individual on a

7. Page 2, Line 57:

57 { ~~(d)~~ } (e) “Parts car” means a motor vehicle that is not intended to be operated on a road but ; and

With committee review, the Transportation Committee recommends **1st Sub. H.B. 228**, AMENDMENTS TO MOTOR VEHICLE PROVISIONS, by Representative C. Herrod, be replaced with **2nd Sub. H.B. 228**, AMENDMENTS TO MOTOR VEHICLE PROVISIONS, with the following amendments, and has returned it to the Rules Committee without recommendation:

1. Page 1, Lines 17 through 20:

17 a person { ~~—~~ :

18 • ~~who has not been granted the privilege to operate a motor vehicle on a highway;~~

19 ~~or~~

20 ~~—•—~~ } whose privilege to operate a motor vehicle on a highway has been denied,

2. Page 3, Lines 68 through 75:

68 (v) authorizing a peace officer to seize and take possession of a vehicle, vessel, or

69 outboard motor in accordance with the requirements of Section 41-1a-1101 if the vehicle,

70 vessel, or outboard motor is being operated on a highway within the highway authority’s

71 jurisdiction by a person { ~~—~~ :

72 (i) who has not been granted the privilege to operate a vehicle on a highway in

73 accordance with Section 53-3-202; or

74 (ii)— } whose privilege to operate a vehicle on a highway has been denied, suspended,

75 revoked, or disqualified .; and

With committee review, the Transportation Committee has returned **H.B. 299**, MOTOR VEHICLE CODE REVISIONS, by Representative

W. Harper, to the Rules Committee without recommendation with the following amendments:

1. Page 1, Line 16:

16 attached to the front of the vehicle; {~~and~~}

▶ provides that 75 cents of the license plate fee shall be deposited in the Department of Public Safety Restricted Account; and

2. Page 4, Lines 111 through 114:

111 (b) The license plate fee collected under this Subsection (1) shall be deposited as

112 follows:

113 [(a)] (i) {~~\$4~~} \$3.25 as provided in Section 41-1a-1201;

(ii) 75 cents in the Department of Public Safety Restricted Account created in Section 53-3-106; and

114 [(b)] {~~(ii)~~} (iii) \$1 in the Transportation Fund.

3. Page 5, Lines 128 through 131:

128 (b) The license plate fee collected under this Subsection (6) shall be deposited as

129 follows:

130 [(a)] (i) {~~\$4~~} \$3.25 as provided in Section 41-1a-1201;

(ii) 75 cents in the Department of Public Safety Restricted Account created in Section 53-3-106; and

131 [(b)] {~~(ii)~~} (iii) \$1 in the Transportation Fund.; and

Without Committee review, the Transportation Committee has returned **S.B. 149**, MOTOR VEHICLE LIABILITY POLICY MINIMUM LIMITS, by Senator S. Killpack, to the Rules Committee.

Todd E. Kiser, Chair

Reports filed. On motion of Representative Snow, the reports of the Transportation Committee were adopted.

H.B. 115, **H.B. 147**, as amended, **2nd Sub. H.B. 228**, as amended, **H.B. 299**, as amended, and **S.B. 149** returned to the Rules Committee.

* * *

Mr. Speaker:

February 27, 2008

With committee review, the Retirement and Independent Entities Committee has returned **H.B. 328**, RETIREMENT BENEFITS FOR LAW

ENFORCEMENT, FIREFIGHTERS, AND PUBLIC SERVICE EMPLOYEES, by Representative N. Hansen, to the Rules Committee without recommendation; and

Without committee review, the Retirement and Independent Entities Committee has returned **H.B. 372, TEACHER REEMPLOYMENT AFTER RETIREMENT**, by Representative E. Hutchings, to the Rules Committee without recommendation.

John Dougall, Chair

Reports filed. On motion of Representative Dougall, the reports of the Retirement and Independent Entities Committee were adopted.

H.B. 328 and **H.B. 372** returned to the Rules Committee.

* * *

Mr. Speaker:

February 26, 2008

Without committee review, the Government Operations Committee has returned **H.B. 76, GOVERNMENT COMPETITION AND PRIVATIZATION ACT**, by Representative C. Frank, to the Rules Committee; and

Without committee review, the Government Operations Committee has returned **H.B. 124, CHANGES TO MUNICIPAL ANNEXATION PROVISIONS**, by Representative L. Shurtliff, to the Rules Committee; and

Without committee review, the Government Operations Committee has returned **H.B. 134, GOVERNMENT IMMUNITY AMENDMENTS**, by Representative D. Aagard, to the Rules Committee; and

With committee review, the Government Operations Committee has returned **H.B. 338, NEUTRALITY REQUIRED OF POLL WORKERS**, by Representative R. Chavez–Houck, to the Rules Committee without recommendation with the following amendments:

1. Page 1, Lines 12 through 14:
 - 12 ▶ prohibits a poll worker from wearing or displaying a logo, insignia, letters, or words
 - 13 that disclose the poll worker’s support of, opposition to, or affiliation with a
 - 14 candidate, political party, or political issue {~~—, corporation, or advocacy organization~~ } ;

2. Page 2, Lines 31 through 34:

- 31 (b) (i) A poll worker, while present at the polling place, may not wear or display, in a
 32 manner that is visible to voters, a logo, insignia, letters, or words that disclose the poll worker's
 33 support of, opposition to, or affiliation with a candidate, political party, or political issue {
 34 corporation, or advocacy organization } ; and

Without committee review, the Government Operations Committee has returned **H.B. 454**, REGULATION OF RIPARIAN OVERLAY ZONES, by Representative M. Morley, to the Rules Committee; and

Without committee review, the Government Operations Committee has returned **S.J.R. 8**, JOINT RULES RESOLUTION – BASE BUDGET AMENDMENTS, by Senator W. Niederhauser, to the Rules Committee.

Glenn A. Donnelson, Chair

Reports filed. On motion of Representative Donnelson, the reports of the Government Operations Committee were adopted.

H.B. 76, H.B. 124, H.B. 134, H.B. 338, as amended, **H.B. 454**, and **S.J.R. 8** returned to the Rules Committee.

* * *

Mr. Speaker:

February 27, 2008

Without committee review, the Political Subdivisions Committee has returned **H.B. 199**, TAX CREDITS FOR ENERGY EFFICIENT RESIDENCES, by Representative F. Hunsaker, to the Rules Committee; and

Without committee review, the Political Subdivisions Committee has returned **H.B. 340**, MUNICIPAL ANNEXATION AMENDMENTS, by Representative S. Clark, 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. 199 and **H.B. 340** returned to the Rules Committee.

* * *

Mr. Speaker:

February 27, 2008

The Revenue and Taxation Committee has returned **H.B. 155, PROPERTY TAX – RESIDENTIAL EXEMPTION**, by Representative G. Froerer, to the Rules Committee without recommendation with the following amendments:

1. Page 4, Lines 100 through 117:

100 property in accordance with Section 59–2–103.

(5) If a county assessor does not allow a property owner a residential exemption in accordance with this section, the property owner may file an application to appeal with the county board of equalization in accordance with the procedures described in Section 59–2–1004.

101 { ~~(5)~~ } (6) (a) A property owner shall pay a penalty described in Subsection { ~~(5)~~ } (6) (b) for each tax

102 year the property owner:

103 (i) knowingly files a statement described in Subsection (2) with false information; or

104 (ii) falsely claims the owner's property is residential property that qualifies for a

105 residential exemption in Section 59–2–103.

106 (b) The penalty described in Subsection { ~~(5)~~ } (6) (a) is an amount equal to the sum of:

107 (i) the property tax that would have been due on the property without the residential

108 exemption for the tax year in which:

109 (A) the property owner received the residential exemption; and

110 (B) violated Subsection { ~~(5)~~ } (6) (a); and

111 (ii) 10% of the amount described in Subsection { ~~(5)~~ } (6) (b)(i).

112 [(4)] { ~~(6)~~ } (7) (a) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking

113 Act, the commission shall make rules providing:

114 (i) the form for the statement described in Subsection [(4)] (2); and

115 (ii) the contents of the form for the statement described in Subsection [(4)] (2).

116 (b) The commission shall make the form described in Subsection [(4)] { ~~(6)~~ } (7) (a) available

117 to counties.; and

Without committee review, the Revenue and Taxation Committee has returned **H.B. 180**, STUDY ON TAXPAYER ADVOCATE PROGRAM, by Representative K. Grover, to the Rules Committee without recommendation; and

Without committee review, the Revenue and Taxation Committee has returned **H.B. 243**, PUBLIC TRANSIT DISTRICT SALES TAX EXEMPTION, by Representative B. Dee, to the Rules Committee without recommendation; and

With committee review, the Revenue and Taxation Committee has returned **H.J.R. 9**, RESOLUTION AMENDING PROPERTY TAX PROVISION, by Representative P. Ray, to the Rules Committee with a recommendation that it be referred to the Utah Tax Review Commission for study; and

With committee review, the Revenue and Taxation Committee has returned **H.J.R. 14**, JOINT RESOLUTION AMENDING RESIDENTIAL PROPERTY ASSESSMENT PROVISIONS, by Representative G. Froerer, to the Rules Committee with a recommendation that it be referred to the Utah Tax Review Commission for study.

John Dougall, Chair

Reports filed. On motion of Representative Dougall, the reports of the Revenue and Taxation Committee were adopted.

H.B. 155, as amended, **H.B. 180**, **H.B. 243**, **H.J.R. 9****H.J.R. 14** returned to the Rules Committee.

MISCELLANEOUS BUSINESS

On motion of Representative Dougall, under suspension of the rules, the House voted to reconsider its action on **H.B. 405**.

RECONSIDERATION OF H.B. 405

H.B. 405, AMENDMENTS TO CITY OR TOWN SALES AND USE TAX TO FUND BOTANICAL, CULTURAL, RECREATIONAL, AND ZOOLOGICAL ORGANIZATIONS OR FACILITIES, was before the House for reconsideration.

On motion of Representative D. Clark, the House voted to circle **H.B. 405**.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 27, 2008

The Senate refuses to recede from its amendments to **2nd Sub. H.B. 54**, PROPERTY TAX ASSESSMENT REVISIONS, by Representative W. Harper, and has appointed a Conference Committee consisting of Senators W. Niederhauser, L. Hillyard, and S. McCoy to meet with a like committee from the House on this bill.

Annette B. Moore
Secretary of the Senate

Communication filed. On motion of Representative Harper, the House voted to authorize the Speaker to appoint a Conference Committee. The Speaker appointed Representatives Harper, Hunsaker, and Litvack.

* * *

Mr. Speaker: February 22, 2008

The Senate refuses to concur with the House Amendments to **3rd Sub. S.B. 15**, DRIVING UNDER THE INFLUENCE AMENDMENTS, by Senator C. Walker, and requests the House recede from its amendments.

Annette B. Moore
Secretary of the Senate

Communication filed. On motion of Representative Ray, the House voted to refuse to recede from its amendments to **3rd Sub. S.B. 15**. The Speaker was authorized to appoint a Conference Committee. The Speaker appointed Representatives Ray, Frank, and Hansen.

MISCELLANEOUS BUSINESS

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

AFTERNOON SESSION

The House was called to order by Speaker Curtis at 2:55 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 28, 2008

The Senate passed, **H.B. 378**, STATE ACCOUNTING AND BUDGETARY PROCEDURES AMENDMENTS, 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

Communication filed. **H.B. 378** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker: February 28, 2008

The Senate passed, as amended, **H.J.R. 10**, JOINT RESOLUTION OPPOSING DESIGNATION OF PUBLIC LANDS CURRENTLY URGED BY CONGRESS AND THE BUREAU OF LAND MANAGEMENT, by Representative A. Tilton, et al, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **H.J.R. 10** placed on the Concurrence Calendar.

* * *

Mr. Speaker: February 28, 2008

The Senate passed, as amended, **1st Sub. S.B. 224**, COAL MINE SAFETY ACT, by Senator M. Dmitrich, and it is transmitted for consideration; and

The Senate passed, as substituted, **1st Sub. S.B. 261**, POLITICAL SUBDIVISION ANNEXATION AMENDMENTS, by Senator M. Waddoups, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 277**, POST-CONVICTION REMEDIES ACT REVISIONS, by Senator G. Bell, and it is transmitted for consideration; and

The Senate passed **S.B. 294**, COMMUNITY DEVELOPMENT AND RENEWAL AMENDMENTS, by Senator C. Bramble, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **1st Sub. S.B. 224**, **1st Sub. S.B. 261**, **S.B. 277**, and **S.B. 294** read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

1st Sub. S.B. 191, JUDICIAL CONDUCT COMMISSION AMENDMENTS, 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. 191 passed on the following roll call:

Yeas, 64; Nays, 0; Absent or not voting, 11.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hutchings	King	Kiser	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Biskupski	Bowman	Duckworth	Frank
Hansen	Holdaway	Hunsaker	Johnson
Last	Moss	Sumsion	

1st Sub. S.B. 191 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

S.B. 192, SEX OFFENSE AMENDMENTS, 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. 192 passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Donnelson	Dougall	Draxler	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Greenwood	Grover	Harper	Hemingway
Herrod	Holdaway	Hughes	Hutchings
Johnson	King	Kiser	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Biskupski	Bowman	Dee	Duckworth
Gowans	Hansen	Hendrickson	Hunsaker
Last			

S.B. 192 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

S.B. 196, COUNTY AND MUNICIPAL LAND USE AMENDMENTS, 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. 196 passed on the following roll call:

Yeas, 59; Nays, 3; Absent or not voting, 13.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bird
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall

Draxler	Dunnigan	Ferry	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Greenwood	Grover	Hansen
Harper	Holdaway	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mathis	McGee	McIff
Menlove	Morley	Moss	Neuenschwander
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Voting in the negative were: Representatives

Janice Fisher	Gowans	Morgan
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Absent or not voting were: Representatives

Allen	Bigelow	Biskupski	Bowman
Brown	Duckworth	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Mascaro
Newbold			

S.B. 196 signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

* * *

S.B. 235, HUMAN REMAINS RELATED AMENDMENTS, 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. 235 passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Brown	Chavez-Houck
D. Clark	S. Clark	Cosgrove	Daw
Donnelson	Dougall	Draxler	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Gibson	Gowans
Greenwood	Grover	Hansen	Harper

Hemingway	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	Menlove
Morgan	Morley	Moss	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Biskupski	Bowman	Dee	Duckworth
Garn	Hendrickson	McIff	Neuenschwander

S.B. 235 signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

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1st Sub. S.B. 236, JUDICIARY AMENDMENTS, 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. 236 passed on the following roll call:

Yeas, 68; Nays, 1; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Donnelson	Dougall	Draxler
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom

Seelig	Shurtliff	Snow	Sumsion
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Voting in the negative was: Representative
Tilton

Absent or not voting were: Representatives

Bowman	Dee	Duckworth	Garn
Hendrickson	Litvack		

1st Sub. S.B. 236 signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

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S.B. 265, UNLAWFUL DETAINER AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative King, the House voted to circle **S.B. 265**.

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S.B. 275, MILITARY JUSTICE CODE AMENDMENTS, 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. 275 passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Chavez-Houck
D. Clark	S. Clark	Cosgrove	Daw
Donnelson	Dougall	Draxler	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Lockhart
Mascaro	Mathis	McGee	Menlove
Morgan	Morley	Moss	Neuenschwander

Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Bowman	Brown	Dee	Duckworth
Garn	Litvack	McIff	Newbold
Snow			

S.B. 275 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. 5, CONCURRENT RESOLUTION CALLING FOR CONGRESS TO PASS BALANCED IMMIGRATION REFORM, 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 Snow, the House voted to circle **S.C.R. 5**.

* * *

1st Sub. S.B. 54, INITIATIVE AND REFERENDUM PETITION AMENDMENTS, 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 Snow, the House voted to circle **1st Sub. S.B. 54**.

* * *

1st Sub. S.B. 59, WILDLIFE AMENDMENTS, 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. 59 passed on the following roll call:

Yeas, 38; Nays, 35; Absent or not voting, 2.

Voting in the affirmative were: Representatives

Andersen	Barrus	Bigelow	D. Clark
S. Clark	Daw	Dee	Donnelson

Draxler	Dunnigan	Julie Fisher	Frank
Froerer	Garn	Gibson	Greenwood
Grover	Herrod	Hughes	Hunsaker
King	Kiser	Last	Lockhart
Morley	Neuenschwander	Newbold	Noel
Oda	Painter	Sandstrom	Seelig
Sumsion	Tilton	Urquhart	Walker
Wimmer	Winn		

Voting in the negative were: Representatives

Agard	Allen	Bird	Biskupski
Brown	Chavez–Houck	Cosgrove	Dougall
Ferry	Janice Fisher	Fowlke	Gowans
Hansen	Harper	Hemingway	Hendrickson
Holdaway	Hutchings	Johnson	Litvack
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Moss	Ray
Riesen	Shurtliff	Snow	Webb
Wheatley	Wiley	Curtis	

Absent or not voting were: Representatives

Bowman	Duckworth
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1st Sub. S.B. 59 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 **1st Sub. S.B. 54**.

1st Sub. S.B. 54, INITIATIVE AND REFERENDUM PETITION AMENDMENTS, was before the House on its final passage. This bill did not have a House standing committee hearing.

1st Sub. S.B. 54 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Dunnigan	Ferry	Janice Fisher

Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	Menlove
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn			

Voting in the negative was: Representative

Curtis

Absent or not voting were: Representatives

Bowman

Duckworth

McIff

Morgan

Tilton

1st Sub. S.B. 54 signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

CORRECTED COMMITTEE REPORT

Mr. Speaker:

February 28, 2008

With committee review, the Natural Resources, Agriculture, and Environment Committee has returned **H.B. 394**, REAL PROPERTY PURCHASE – NOTIFICATION OF WATER RIGHTS, by Representative B. Ferry, to the Rules Committee without recommendation. It was not substituted as previously stated, but was amended as follows:

1. Page 1, Line 10:

10 This bill requires a certain notification to be provided if
 {–a–} an approved or perfected water right is included in a

2. Page 1, Line 14:

14 ► requires a notice to be provided to a purchaser of real
 property if {–a–} an approved or perfected water right is

3. Page 1, Line 17:

17 concerning {–a–} an approved or perfected water right
 included with the sale of real property may be made.

4. Page 2, Lines 30 through 31:

30 If the sale of real property includes { a } an approved or perfected water right, the seller shall provide the buyer with:

31 (1) notice that { a } an approved or perfected water right is included; and

5. Page 2, Line 37:

37 required by Section 57-1-46 concerning the sale of real property that includes { a } an approved or perfected water right.

6. Page 2, Lines 39 through 40:

39 (a) identification of the approved or perfected water right;

40 (b) the possibility for forfeiture of { a } an approved or perfected water right if other provisions of law are not

Roger E. Barrus, Chair

Report filed. On motion of Representative Barrus, the report of the Natural Resources, Agriculture, and Environment Committee was adopted.

H.B. 394 returned to the Rules Committee.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

February 28, 2008

The Senate passed, **1st Sub. H.B. 189**, SCHOOL COMMUNITY COUNCILS, 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, **2nd Sub. H.B. 373**, UNIFORM FEES ON VINTAGE MOTOR VEHICLES, by Representative W. Harper, 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. 189** and **2nd Sub. H.B. 373** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

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Mr. Speaker: February 28, 2008
 The Senate passed, as substituted, and amended **1st Sub. S.B. 296**, FINANCIAL INSTITUTIONS AMENDMENTS, by Senator C. Bramble, and it is transmitted for consideration.

Annette B. Moore
 Secretary of the Senate

Communication filed. **1st Sub. S.B. 296** read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: February 28, 2008
 The President of the Senate has appointed a Conference Committee consisting of Senators C. Walker, M. Waddoups, and K. Mayne to meet with a like committee from the House of Representatives to consider or amend **3rd Sub. S.B. 15**, DRIVING UNDER THE INFLUENCE AMENDMENTS, by Senator C. Walker.

Annette B. Moore
 Secretary of the Senate

Communication filed. The committee may now meet.

UNFINISHED BUSINESS

On motion of Representative Brown, the House voted to uncircle **S.C.R. 5**.

S.C.R. 5, CONCURRENT RESOLUTION CALLING FOR CONGRESS TO PASS BALANCED IMMIGRATION REFORM, was before the House on its final passage.

S.C.R. 5 passed on the following roll call:

Yeas, 63; Nays, 0; Absent or not voting, 12.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Bigelow
Bird	Biskupski	Brown	Chavez–Houck
Cosgrove	Daw	Dougall	Draxler
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover

Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Seelig	Shurtliff	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	

Absent or not voting were: Representatives

Barrus	Bowman	D. Clark	S. Clark
Dee	Donnelson	Duckworth	Hansen
McIff	Sandstrom	Snow	Curtis

S.C.R. 5 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 Ferry, and at 4:20 p.m., the House voted to adjourn until February 29, 2008, at 9:00 a.m.

FORTIETH DAY

* * *

MORNING SESSION

The House was called to order by Speaker Curtis at 9:15 a.m.

Roll call showed all members present except Representatives Bud Bowman and Stephen Urquhart, excused.

Prayer by Representative Aagard's intern, Adam Gardiner. Pledge of Allegiance by Representative Aagard's guest, Morgan Gardiner.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 28, 2008

The Senate passed, **H.C.R. 5**, CONCURRENT RESOLUTION URGING CONGRESSIONAL APPROVAL OF R.S. 2477 RIGHTS-OF-WAY RECOGNITION 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, **1st Sub. H.C.R. 6**, CONCURRENT RESOLUTION HONORING THE LIFE AND CONTRIBUTIONS OF PRESIDENT GORDON B. HINCKLEY, 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.C.R. 7**, CONCURRENT RESOLUTION DECLARING COLORECTAL CANCER AWARENESS MONTH, 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.J.R. 3**, RESOLUTION REAFFIRMING THE WORDS, UNDER GOD, IN THE PLEDGE OF ALLEGIANCE, 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.C.R. 5**, **1st Sub. H.C.R. 6**, **H.C.R. 7**, and **H.J.R. 3** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

INTRODUCTION OF BILL

H.B. 5, Revenue Bond, Capital Facility, and Property Acquisition Authorizations (K. Garn), read the first time by short title and referred to the Rules Committee.

CONCURRENCE CALENDAR

On motion of Representative Menlove, the House voted to concur in the Senate amendments to **H.B. 38, EDUCATION AND OUTREACH REGARDING SUBSTANCES HARMFUL DURING PREGNANCY.**

H.B. 38, 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

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
McGee	Menlove	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Bowman	Dunnigan	Harper	Mathis
McIff	Morgan	Morley	Ray
Urquhart			

H.B. 38, as amended by the Senate, transmitted to the Senate for signature of President.

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On motion of Representative Andersen, the House voted to concur in the Senate amendments to **2nd Sub. H.B. 40**, SAFE DRINKING WATER REVISIONS.

2nd Sub. H.B. 40, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Lockhart	Mascaro
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Shurtliff	Snow
Sumsion	Tilton	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Bowman	Dunnigan	Litvack	Mathis
Seelig	Urquhart		

2nd Sub. H.B. 40, as amended by the Senate, transmitted to the Senate for signature of President.

* * *

On motion of Representative Painter, the House voted to concur in the Senate amendments to **5th Sub. H.B. 51**, WATER RIGHT AMENDMENTS. On motion of Representative Painter, under suspension of the rules, the House voted to consider **5th Sub. H.B. 51** read the first, second, and third times by short title.

5th Sub. H.B. 51, as amended by the Senate, passed on the following roll call:

Yeas, 65; Nays, 5; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Bigelow
Bird	Biskupski	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Draxler	Duckworth
Dunnigan	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	McGee	McIff
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Shurtliff
Snow	Sunsion	Tilton	Walker
Webb	Wheatley	Wiley	Wimmer
Curtis			

Voting in the negative were: Representatives

Barrus	Ferry	Gibson	Menlove
Winn			

Absent or not voting were: Representatives

Bowman	Dougall	Mathis	Seelig
Urquhart			

5th Sub. H.B. 51, as amended by the Senate, transmitted to the Senate for signature of President.

INTENT LANGUAGE FOR 5TH SUB. H.B. 51

On motion of Representative Painter, the House voted to print the following intent language upon the pages of the House Journal.

Because our state policy is to secure the maximum use and benefit of our scarce water resources, a person entitled to the use of water has a continuing obligation to place all of a water right to beneficial use except as provided in Section 73–1–4 as amended by 5th Substitute H.B. 51, “Water Right Amendments.” The forfeiture of all or part of any right to use water for failure to place all or part of the water to beneficial use makes possible the allocation and use of water consistent with long established beneficial use concepts.

Fifth Substitute H.B. 51, “Water Right Amendments,” is not intended to:

- (1) change the way the State Engineer evaluates change applications based on historic beneficial use;
- (2) provide a mechanism for public water suppliers to hoard water beyond the amount of water needed in the next 40 years by persons within the public water supplier’s projected service area;
- (3) validate any invalid water rights;
- (4) promote or allow for speculation in water rights; or
- (5) provide a mechanism for any out-of-state person or entity to acquire water rights in Utah for the purpose of providing water in another state.

The amendments made to Section 73–1–4 by 5th Substitute H.B. 51, “Water Right Amendments,” should be construed to carry out these purposes and policies.

CONCURRENCE CALENDAR

On motion of Representative Harper, the House voted to concur in the Senate amendments to **1st Sub. H.B. 252, CHARITABLE SOLICITATIONS ACT AMENDMENTS.**

1st Sub. H.B. 252, 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

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	Kiser
Last	Lockhart	Mascaro	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Shurtliff	Snow	Sumsion
Tilton	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Bowman	Dee	King	Litvack
Mathis	Seelig	Urquhart	

1st Sub. H.B. 252, as amended by the Senate, transmitted to the Senate for signature of President.

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On motion of Representative Wiley, the House voted to concur in the Senate amendments to **1st Sub. H.B. 304**, SALES AND USE TAX REVENUES FOR QUALIFIED EMERGENCY FOOD AGENCIES.

1st Sub. H.B. 304, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Litvack	Lockhart	Mascaro
McGee	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Shurtliff	Snow	Sumsion
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Bowman	Dee	Last	Mathis
McIff	Seelig	Tilton	Urquhart

1st Sub. H.B. 304, as amended by the Senate, transmitted to the Senate for signature of President.

CONFERENCE COMMITTEE REPORT

Mr. Speaker:

February 28, 2008

The Joint Conference Committee comprised of Senators Carlene M. Walker, Karen Mayne, and Michael G. Waddoups, and Representatives Paul Ray, Craig A. Frank, and Neil A. Hansen, recommends **3rd Sub. S.B. 15**, DRIVING UNDER THE INFLUENCE AMENDMENTS, by Senator C. Walker, be replaced and favorably recommends **4th Sub. S.B. 15**, DRIVING UNDER THE INFLUENCE AMENDMENTS.

Carlene M. Walker

Paul Ray

Report filed. On motion of Representative Ray, the House voted to adopt the Conference Committee Report.

4th Sub. S.B. 15 passed on the following roll call:

Yeas, 70; Nays, 1; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Voting in the negative was: Representative
Hutchings

Absent or not voting were: Representatives

Bowman	Hemingway	Mathis	Urquhart
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4th Sub. S.B. 15 was transmitted to the Senate for signature of the President.

CONSENT CALENDAR

H.B. 486, WRONGFUL LIENS AND WRONGFUL JUDGEMENT LIENS, read the third time by short title and placed on its final passage.

H.B. 486, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Bowman	Mathis	Urquhart
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H.B. 486, as amended, transmitted to the Senate for its consideration.

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1st Sub. S.B. 57, FRANCHISE LAW AMENDMENTS, read the third time by short title and placed on its final passage.

1st Sub. S.B. 57 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
McGee	Menlove	Morgan	Morley
Moss	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Bowman	Garn	Herrod	Mathis
McIff	Neuenschwander	Urquhart	

1st Sub. S.B. 57 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. H.B. 174, TRAUMATIC BRAIN INJURY FUND, read the third time by short title and placed on its final passage.

Representative Gowans declared a conflict of interest because his grandson suffers from this injury.

Representative Dougall declared a potential conflict of interest.

1st Sub. H.B. 174 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove

Daw	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
McGee	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Tilton	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Bowman	Dee	Julie Fisher	Mathis
McIff	Sumsion	Urquhart	

1st Sub. H.B. 174 transmitted to the Senate for its consideration.

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H.B. 222, WATER QUALITY BOARD AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 222, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	McGee	McIff	Menlove

Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Bowman	Dee	Mathis	Urquhart
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H.B. 222, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Snow, under suspension of the rules, the House voted to lift **H.B. 5**, from the Rules Committee, consider it read the second time by short title and placed on the top of the Third Reading Calendar.

THIRD READING CALENDAR

H.B. 5, REVENUE BOND, CAPITAL FACILITY, AND PROPERTY ACQUISITION AUTHORIZATIONS, 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. 5**.

UNFINISHED BUSINESS

On motion of Representative Sandstrom, the House voted to uncircle **H.B. 405**.

H.B. 405, AMENDMENTS TO CITY OR TOWN SALES AND USE TAX TO FUND BOTANICAL, CULTURAL, RECREATIONAL, AND ZOOLOGICAL ORGANIZATIONS OR FACILITIES, was before the House on its final passage.

On motion of Representative Sandstrom, the House voted to delete **H.B. 405** in title and body and insert **1st Sub. H.B. 405** in lieu thereof.

1st Sub. H.B. 405 failed to pass on the following roll call:

Yeas, 36; Nays, 36; Absent or not voting, 3.

Voting in the affirmative were: Representatives

Allen	Biskupski	Brown	Chavez–Houck
S. Clark	Cosgrove	Draxler	Ferry

Julie Fisher	Fowlke	Froerer	Gibson
Greenwood	Grover	Herrod	Hunsaker
Hutchings	Johnson	King	Litvack
Lockhart	Mascaro	McGee	McIff
Morgan	Moss	Neuenschwander	Painter
Riesen	Sandstrom	Seelig	Shurtliff
Webb	Wheatley	Wiley	Curtis

Voting in the negative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	D. Clark	Daw	Donnelson
Dougall	Duckworth	Dunnigan	Janice Fisher
Frank	Garn	Gowans	Hansen
Harper	Hemingway	Hendrickson	Holdaway
Hughes	Kiser	Last	Mathis
Menlove	Morley	Newbold	Noel
Oda	Ray	Snow	Sumsion
Tilton	Walker	Wimmer	Winn

Absent or not voting were: Representatives

Bowman	Dee	Urquhart
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1st Sub. H.B. 405 was filed.

THIRD READING CALENDAR

1st Sub. H.B. 190, STATE SYSTEM OF HIGHER EDUCATION AMENDMENTS, 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. H.B. 190**.

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1st Sub. H.B. 395, DEPORTATION OF ELIGIBLE UNDOCUMENTED IMMIGRANT PRISONERS, read the third time by short title and placed on its final passage.

1st Sub. H.B. 395, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown

Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Donnelson	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Bowman	Dee	Dougall	Litvack
Urquhart			

1st Sub. H.B. 395, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Gibson, the House voted to uncircle **1st Sub. H.B. 156**.

1st Sub. H.B. 156, DNA SAMPLE – FELONY AND CERTAIN MISDEMEANOR CONVICTIONS, was before the House on its final passage.

On motion of Representative Gibson, the House voted to circle **1st Sub. H.B. 156**.

THIRD READING CALENDAR

1st Sub. H.B. 464, ACCESS TO LANDLOCKED PARCELS, read the third time by short title and placed on its final passage.

Representative Walker proposed the following amendment:

1. Page 1, Line 9

9 This bill modifies {~~county and municipal land use provisions~~} a provision relating to the Office of the Property Rights Ombudsman .

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

1st Sub. H.B. 464, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Walker	Webb	Wheatley
Wiley	Wimmer		

Absent or not voting were: Representatives

Bowman	Painter	Urquhart	Winn
Curtis			

1st Sub. H.B. 464, as amended, transmitted to the Senate for its consideration.

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1st Sub. H.B. 470, AMENDMENTS TO ANIMAL CRUELTY PROVISIONS, read the third time by short title and placed on its final passage.

Representative Allen proposed the following amendment:

1. Page 4, Line 110:
Before the word “dog” and before the word “cat” insert the word “domestic”

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

1st Sub. H.B. 470, as amended, passed on the following roll call:

Yeas, 61; Nays, 6; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Draxler	Duckworth
Dunnigan	Janice Fisher	Julie Fisher	Fowlke
Froerer	Garn	Gibson	Greenwood
Grover	Hansen	Hemingway	Herrod
Holdaway	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Moss
Neuenschwander	Newbold	Noel	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Voting in the negative were: Representatives

Donnelson	Frank	Hughes	Morley
Oda	Tilton		

Absent or not voting were: Representatives

Bowman	Dougall	Ferry	Gowans
Harper	Hendrickson	Painter	Urquhart

1st Sub. H.B. 470, as amended, transmitted to the Senate for its consideration.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 29, 2008

The Senate passed, **H.B. 129**, APPROPRIATION FOR CONSTRUCTION OF A VETERANS' NURSING HOME IN OGDEN, 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. 375**, DECEPTION DETECTION EXAMINERS LICENSING ACT 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, **H.B. 70**, EXPUNGEMENT LAW 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. 90**, EXPUNGEMENT 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, **1st Sub. H.B. 92**, GARNISHMENT 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. 153**, IMPACT FEES AMENDMENTS, 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. 129, H.B. 375, H.B. 70, H.B. 90, 1st Sub. H.B. 92, and H.B. 153** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

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Mr. Speaker:

February 29, 2008

The Senate concurred in the House amendments and passed **1st Sub. S.B. 78**, COUNTY PERSONNEL MANAGEMENT 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. 184**, CHILD CARE LICENSING EXEMPTIONS, by Senator J. Greiner, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **1st Sub. S.B. 181**, OFF-HIGHWAY VEHICLE USE ON PUBLIC HIGHWAYS, by Senator S. Jenkins, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **1st Sub. S.B. 283**, TRANSPORTATION FUNDING AMENDMENTS, by Senator S. Killpack, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **1st Sub. S.B. 78**, **3rd Sub. S.B. 184**, **1st Sub. S.B. 181**, and **1st Sub. S.B. 283** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

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Mr. Speaker: February 29, 2008
The Senate passed **S.J.R. 12**, JOINT RESOLUTION HONORING HILL AIR FORCE BASE'S 388TH AND 419TH FIGHTER WINGS, by Senator S. Killpack, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **S.J.R. 12** read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: February 29, 2008
The Senate substituted and passed, **Senate 1st Sub. H.B. 371**, DIGITAL CERTIFICATES FOR BREATHALIZERS, by Representative C. Herrod, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **1st Sub. H.B. 371** placed on the Concurrence Calendar.

MISCELLANEOUS BUSINESS

On motion of Representative Dee, the House voted to lift **S.J.R. 12** from the Rules Committee, consider it read for the second time by short title and placed on the top of the Senate Third Reading Calendar.

* * *

On motion of Representative Dee, the House voted to move to the Senate Third Reading Calendar.

THIRD READING CALENDAR

S.J.R. 12, JOINT RESOLUTION HONORING HILL AIR FORCE BASE'S 388TH AND 419TH FIGHTER WINGS, read the third time by short title and placed on its final passage.

S.J.R. 12 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez-Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Bowman	Gibson	Hendrickson	Urquhart
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S.J.R. 12 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 Snow, under suspension of the rules, the House voted to remove the following Senate Bills from the Senate Third Reading Calendar and refer them to the Rules Committee: **1st Sub. S.J.R. 7, 3rd Sub. S.B. 46, 1st Sub. S.B. 168, S.B. 265, 1st Sub. S.B. 89, 1st Sub. S.B. 166, 1st Sub. S.B. 182, S.B. 198, S.J.R. 9, and 2nd Sub. S.B. 17.**

* * *

On motion of Representative Bigelow, the House voted to lift, under suspension of the rules, **S.B. 19, S.B. 103, and 1st Sub. S.B. 224** 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 Snow, the House voted to move to the House Third Reading Calendar.

THIRD READING CALENDAR

H.B. 481, SUBDIVISION APPROVAL AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Draxler proposed the following amendment:

1. Page 1, Lines 12 through 13
House Committee Amendments 2-25-2008
12 ▶ authorizes an owner of agricultural land within counties
of the { ~~third, fourth,~~ } fifth { ~~,~~ } or
13 sixth class to divide from the land { ~~up to six parcels~~ } a
parcel of at least $\hat{H} \rightarrow$ [~~five acres~~] one acre $\leftarrow \hat{H}$ { ~~each~~ } ,
2. Page 3, Line 77
House Committee Amendments 2-25-2008:
77 (B) is located in the unincorporated area of a county of the
{ ~~third, fourth,~~ } fifth { ~~a~~ } or sixth
3. Page 3, Lines 80 through 81
House Committee Amendments 2-25-2008:
80 (A) to create { ~~six or fewer parcels~~ } a parcel of at
least $\hat{H} \rightarrow$ [~~five acres~~] one acre $\leftarrow \hat{H}$ { ~~each~~ } ; and
81 (B) that results in the land from which the { ~~parcels~~
are } parcel is divided remaining as agricultural
4. Page 3, Line 86
House Committee Amendments 2-25-2008:
86 a recordable deed describing by metes and bounds
{ each } the parcel divided from the agricultural

5. Page 4, Line 91:

91 minor subdivision under this Subsection (4) if { ~~six parcels~~
~~have~~ } a parcel has previously been divided from

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

H.B. 481, as amended, passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Biskupski	Chavez–Houck	D. Clark
S. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Gibson
Gowans	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Mascaro	Mathis	McGee	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Allen	Bowman	Brown	Garn
Greenwood	Lockhart	McIff	Menlove
Urquhart			

H.B. 481, as amended, transmitted to the Senate for its consideration.

* * *

H.B. 493, STALKING AMENDMENTS, read the third time by short title and placed on its final passage.

H.B. 493, as amended, passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Biskupski	Chavez–Houck	D. Clark
S. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	Menlove	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Allen	Bowman	Brown	Hughes
McIff	Morgan	Urquhart	

H.B. 493, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, the House voted to set **H.B. 473** for Time Certain on March 3, 2008 at 11:30 a.m.

UNFINISHED BUSINESS

On motion of Representative Dougall, the House voted to uncircle **1st Sub. H.B. 190**.

1st Sub. H.B. 190, STATE SYSTEM OF HIGHER EDUCATION AMENDMENTS, was before the House on its final passage.

On motion of Representative Snow, under suspension of the rules, the House voted to lift **1st Sub. H.B. 190** from the Third Reading Calendar and refer it to interim study.

THIRD READING CALENDAR

2nd Sub. H.B. 284, UTAH COLLEGE OF APPLIED TECHNOLOGY REVISIONS, read the third time by short title and placed on its final passage.

Representative Harper proposed the following amendment:

- 1. Page 5, Line 131:
Delete “may” and insert “shall”

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

On motion of D. Clark, the House voted to lift **2nd Sub. H.B. 284** from the Third Reading Calendar and refer it to interim study on the following roll call:

Yeas, 43; Nays, 28; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Biskupski	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Dunnigan	Janice Fisher	Julie Fisher	Frank
Froerer	Garn	Gibson	Grover
Herrod	Hughes	Hutchings	Kiser
Last	Lockhart	Mathis	McIff
Morley	Moss	Newbold	Noel
Oda	Ray	Riesen	Sandstrom
Shurtliff	Sumsion	Tilton	Walker
Wiley	Wimmer	Curtis	

Voting in the negative were: Representatives

Allen	Bird	Brown	Chavez–Houck
Draxler	Duckworth	Ferry	Fowlke
Gowans	Greenwood	Hansen	Harper
Hemingway	Hendrickson	Holdaway	Hunsaker
Johnson	King	Litvack	Mascaro
Menlove	Morgan	Neuenschwander	Painter
Seelig	Snow	Webb	Wheatley

Absent or not voting were: Representatives

Bowman	McGee	Urquhart	Winn
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MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, under suspension of the rules, the House voted to move to the Senate Third Reading Calendar.

On motion of Representative D. Clark, under suspension of the rules, the House voted to lift **4th Sub. S.B. 48** 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 D. Clark, the House voted to recess until 2:00 p.m.

AFTERNOON SESSION

The House was called to order by Speaker Curtis at 2:50 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 28, 2008

The President of the Senate has signed **H.B. 38**, EDUCATION AND OUTREACH REGARDING SUBSTANCES HARMFUL DURING PREGNANCY, by Representative R. Menlove, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **2nd Sub. H.B. 40**, SAFE DRINKING WATER REVISIONS, by Representative S. Andersen, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 45**, SUPPORTED EMPLOYMENT SERVICES TO A PERSON WITH A DISABILITY, by Representative R. Menlove, 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 **5th Sub. H.B. 51**, WATER RIGHT AMENDMENTS, by Representative P. Painter, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 173**, MONEY MANAGEMENT ACT UPDATES, by Representative P. Neuenschwander, 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. 252**, CHARITABLE SOLICITATIONS ACT 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. 304**, SALES AND USE TAX REVENUES FOR QUALIFIED EMERGENCY FOOD AGENCIES, by Representative L. Wiley, and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 326**, CHILDREN'S HEALTH INSURANCE PROGRAM – OPEN ENROLLMENT, by Representative G. Curtis, 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. 38, 2nd Sub. H.B. 40, H.B. 45, 5th Sub. H.B. 51, H.B. 173, 1st Sub. H.B. 252, 1st Sub. H.B. 304, and 1st Sub. H.B. 326** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker: February 29, 2008

The Senate adopted the Joint Conference Committee Report dated February 29, 2008, and passed **4th Sub. S.B. 15**, DRIVING UNDER THE INFLUENCE AMENDMENTS, by Senator C. Walker, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. **4th Sub. S.B. 15** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

* * *

Mr. Speaker: February 29, 2008

The Senate passed **S.B. 298**, STATE LAND ACQUISITION, by Senator J. Hickman, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **S.B. 298** read the first time by short title and referred to the Rules Committee.

CONCURRENCE CALENDAR

On motion of Representative Tilton, the House voted to concur in the Senate amendments to **H.J.R. 10**, JOINT RESOLUTION OPPOSING DESIGNATION OF PUBLIC LANDS CURRENTLY URGED BY CONGRESS AND THE BUREAU OF LAND MANAGEMENT.

H.J.R. 10, as amended by the Senate, passed on the following roll call:

Yeas, 54; Nays, 8; Absent or not voting, 13.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Brown	D. Clark	S. Clark
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Mascaro	Mathis	Menlove
Morley	Neuenschwander	Newbold	Noel
Painter	Ray	Snow	Tilton
Walker	Webb	Wheatley	Wiley
Wimmer	Curtis		

Voting in the negative were: Representatives

Biskupski	Chavez–Houck	Hemingway	Litvack
McGee	Moss	Riesen	Shurtliff

Absent or not voting were: Representatives

Bird	Bowman	Cosgrove	Janice Fisher
Lockhart	McIff	Morgan	Oda
Sandstrom	Seelig	Sumsion	Urquhart
Winn			

H.J.R. 10, as amended by the Senate, transmitted to the Senate for signature of President.

THIRD READING CALENDAR

4th Sub. S.B. 48, EQUALIZATION OF SCHOOL CAPITAL OUTLAY FUNDING, read the third time by short title and placed on its final passage.

Representative Tilton's motion to delete **4th Sub. S.B. 48** in title and body and insert **6th Sub. S.B. 48** in lieu thereof failed on the following roll call:

Yeas, 29; Nays, 38; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bird
Cosgrove	Daw	Donnelson	Dougall

Dunnigan	Ferry	Julie Fisher	Fowlke
Frank	Grover	Hansen	Harper
Hughes	Hutchings	King	Kiser
Morley	Neuenschwander	Newbold	Noel
Painter	Ray	Sumsion	Tilton
Curtis			

Voting in the negative were: Representatives

Allen	Biskupski	Brown	Chavez–Houck
D. Clark	S. Clark	Dee	Draxler
Duckworth	Janice Fisher	Froerer	Garn
Gibson	Gowans	Greenwood	Hemingway
Hendrickson	Herrod	Holdaway	Hunsaker
Johnson	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	Menlove
Morgan	Moss	Riesen	Seelig
Shurtliff	Snow	Webb	Wheatley
Wiley	Winn		

Absent or not voting were: Representatives

Bigelow	Bowman	McIff	Oda
Sandstrom	Urquhart	Walker	Wimmer

On motion of Representative Tilton, the House voted to delete **4th Sub. S.B. 48** in title and body and insert **5th Sub. S.B. 48** in lieu thereof.

Representative McIff proposed the following amendment:

- 1. Page 20, Lines 597 through 603

597 imposed by any school district within the state for a fiscal year.
 (5) “Property tax base per ADM” means the quotient of:
(a) a school district’s derived net taxable value; divided by
(b) the school district’s ADM for the same year.

598 { ~~(5)~~ } (6) “Property tax yield per ADM” means:
 599 (a) the product of:

600 (i) a school district’s derived net taxable value; and
 601 (ii) the highest combined capital levy rate for the fiscal year of
the March 31 referenced

602 in Subsection (3)(a); divided by

603 (b) the school district’s ADM for the same fiscal year.

(7) “Statewide average property tax base per ADM” means the
quotient of:

(a) the sum of all school districts' derived net taxable value; divided by
(b) the sum of all school districts' ADM statewide for the same year.

2. Page 22, Lines 659 through 660:

659 (ii) the highest combined capital levy rate.
(5)(a) The State Board of Education shall allocate:
(i) a minimum of \$200,000 to each school district with a property tax base per ADM less than or equal to the statewide average property tax base per ADM;
(ii) a minimum of \$100,000 to each school district with a property tax base per ADM that is:
(A) greater than the statewide average property tax base per ADM;
and
(B) less than or equal to two times the statewide average property tax base per ADM; and
(iii) a minimum of \$50,000 to each school district with a property tax base per ADM that is:
(A) greater than two times the statewide average property tax base per ADM; and
(B) less than or equal to five times the statewide average property tax base per ADM.
(b) The State Board of Education shall incorporate the minimum allocations described in Subsection (5)(a) in its calculation of the foundation guarantee level per ADM determined in accordance with Subsection (1).

660 Section 20. Section 53A-21-301 is enacted to read:

3. Page 22, Line 674 through Page 23, Line 681:

674 year statewide average property tax base per student.
675 { ~~(c) "Property tax base per student" means the quotient of:~~
676 (i) a school district's derived net taxable value; divided by
677 (ii) the school district's ADM.
678 (d) "Statewide average property tax base per student" means the quotient of:
679 (i) the sum of all school districts' derived net taxable value; divided by

680 (ii) the sum of total school district ADM statewide for the same
year. }

681 Section 21. Section 53A-21-302 is enacted to read:
Representative McIff’s motion to amend passed on a voice vote.

###

Representative Tilton proposed the following amendment:

- 1. Page 46, Lines 1416 through 1419

1416 (b) “Contributing divided school district” means a school
district located within a

1417 qualifying divided school district that in a fiscal year receives
less revenue from the distribution

1418 described in { ~~Subsection 53A-16-107.1(1)~~ } Section
53A-2-118.3 than it would have received during the same fiscal

1419 year from a levy imposed within the school district of .0006 per
dollar of taxable value.

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

5th Sub. S.B. 48, as amended, passed on the following roll call:

Yeas, 52; Nays, 21; Absent or not voting, 2.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Brown	D. Clark
S. Clark	Daw	Donnelson	Dougall
Draxler	Duckworth	Ferry	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Herrod	Hughes
Hunsaker	Kiser	Last	Lockhart
Mascaro	Mathis	McIff	Menlove
Morley	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Sandstrom
Snow	Sumsion	Tilton	Walker
Webb	Wimmer	Winn	Curtis

Voting in the negative were: Representatives

Biskupski	Chavez-Houck	Cosgrove	Dee
Dunnigan	Janice Fisher	Hemingway	Hendrickson

Holdaway	Hutchings	Johnson	King
Litvack	McGee	Morgan	Moss
Riesen	Seelig	Shurtliff	Wheatley
Wiley			

Absent or not voting were: Representatives

Bowman	Urquhart
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5th Sub. S.B. 48, as amended, was returned to the Senate for further consideration.

* * *

S.B. 19, ENHANCED PUBLIC SAFETY RETIREMENT SYSTEMS COLA OPTION, read the third time by short title and placed on its final passage.

S.B. 19 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez-Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Bowman	Fowlke	Hughes	Urquhart
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S.B. 19 signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

* * *

S.B. 103, HIGHER EDUCATION ENHANCEMENTS, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

Representative Holdaway moved to delete **S.B. 103** in title and body and insert **1st Sub. S.B. 103** in lieu thereof.

Representative Bigelow made a substitute motion to delete **S.B. 103** in title and body and insert **2nd Sub. S.B. 103** in lieu thereof. Representative Bigelow's substitute motion to amend passed on a voice vote.

2nd Sub. S.B. 103 passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Bowman	Hutchings	Oda	Painter
Urquhart			

2nd Sub. S.B. 103, as amended, was returned to the Senate for further consideration.

* * *

1st Sub. S.B. 224, COAL MINE SAFETY ACT, read the third time by short title and placed on its final passage.

1st Sub. S.B. 224 passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Herrod	Holdaway	Hughes
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Bowman	Hendrickson	Hunsaker	Morley
Urquhart			

1st Sub. S.B. 224 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 following bills were lifted from the Rules Committee, consider them read the second time by short title and placed on the Senate Third Reading Calendar: **S.B. 209, S.B. 247, S.B. 88, S.B. 239, 1st Sub. S.B. 105, S.B. 271, 2nd Sub. S.B. 134, 1st Sub. S.B. 72.**

* * *

On motion of Representative D. Clark, the House voted to move to the House Third Reading Calendar.

THIRD READING CALENDAR

1st Sub. H.B. 385, ROAD AND RIGHTS-OF-WAY AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Noel proposed the following amendment:

- 1. Page 1, Lines 13 through 16

13 ▶ provides that if a political subdivision of the state transfers an R.S. 2477 right-of-

14 way {~~or a portion of an R.S. 2477 right of way to the federal government or an agency of the~~

15 federal government} , the R.S. 2477 right-of-way {~~or portion of the R.S. 2477 right-of-way~~} shall

16 {~~automatically~~} revert to the state; {~~and~~}

▶ provides that if an R.S. 2477 right-of-way reverts to the state, the state has no maintenance responsibilities and has certain liability protections; and

- 2. Page 2, Lines 33 through 38:

33 (b) If any R.S. 2477 right-of-way is abandoned or transferred by a political subdivision of the state,

34 the right-of-way shall revert to the state.

35 {~~(3) If a political subdivision of the state transfers an R.S. 2477 right of way or a~~

36 portion of an R.S. 2477 right-of way to the federal government or an agency of the federal

37 government, the R.S. 2477 right of way or portion of the R.S. 2477 right of way shall

38 automatically revert to the state. }

(c) If an R.S. 2477 right-of-way reverts to the state in accordance with Subsection (2)(b), the state has no maintenance responsibilities and has the liability protections provided under Section 72-5-306.

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

1st Sub. H.B. 385, as amended, passed on the following roll call:

Yeas, 49; Nays, 16; Absent or not voting, 10.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Brown	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Ferry	Julie Fisher
Fowlke	Froerer	Garn	Gibson
Greenwood	Grover	Harper	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
King	Kiser	Last	Mascaro
Mathis	McIff	Menlove	Morley
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Sandstrom	Snow
Sumsion	Tilton	Webb	Wheatley
Wimmer			

Voting in the negative were: Representatives

Biskupski	Chavez-Houck	Duckworth	Janice Fisher
Gowans	Hansen	Hemingway	Hendrickson
Johnson	Litvack	McGee	Morgan
Moss	Riesen	Seelig	Wiley

Absent or not voting were: Representatives

Bowman	D. Clark	Dunnigan	Frank
Lockhart	Shurtliff	Urquhart	Walker
Winn	Curtis		

1st Sub. H.B. 385, as amended, transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Gibson, the House voted to uncircle **1st Sub. H.B. 156**.

1st Sub. H.B. 156, DNA SAMPLE – FELONY AND CERTAIN MISDEMEANOR CONVICTIONS, was before the House on its final passage.

Representative Ray proposed the following amendment:

1. Page 1, Lines 14 through 15

14 ► requires that a DNA specimen shall be obtained from a
person convicted of {~~an~~} any
15 {~~assault, which is a~~} class B misdemeanor domestic
violence offense , in addition to current requirements for

2. Page 2, Line 46:

46 (ii) on and after May 5, 2008, { assault, a } any class
B misdemeanor { ~~under Section 76-5-102-~~ } that is the
commission of, or the attempt to commit, a domestic violence offense as
defined in Section 77-36-1 .

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

1st Sub. H.B. 156, as amended, passed on the following roll call:

Yeas, 49; Nays, 18; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bird	Biskupski	Brown	Chavez-Houck
S. Clark	Cosgrove	Donnelson	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Froerer	Gibson
Gowans	Greenwood	Hansen	Hemingway
Hendrickson	Herrod	Holdaway	Hunsaker
Johnson	King	Litvack	Mascaro
McGee	McIff	Menlove	Morgan
Moss	Neuenschwander	Noel	Oda
Painter	Ray	Seelig	Shurtliff
Sumsion	Tilton	Webb	Wheatley
Wiley			

Voting in the negative were: Representatives

Bigelow	D. Clark	Daw	Dee
Dougall	Garn	Grover	Harper
Hughes	Hutchings	Kiser	Last
Mathis	Morley	Newbold	Sandstrom
Snow	Wimmer		

Absent or not voting were: Representatives

Bowman	Frank	Lockhart	Riesen
Urquhart	Walker	Winn	Curtis

1st Sub. H.B. 156, as amended, transmitted to the Senate for its consideration.

THIRD READING CALENDAR

H.B. 200, EARLY CHILDHOOD LEARNING AND EVALUATION, read the third time by short title and placed on its final passage.

On motion of Representative Snow, the House voted to delete **H.B. 200** in title and body and insert **1st Sub. H.B. 200** in lieu thereof.

1st Sub. H.B. 200 failed to pass on the following roll call:

Yeas, 31; Nays, 37; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Andersen	Bigelow	D. Clark	S. Clark
Daw	Dee	Donnelson	Dougall
Draxler	Ferry	Fowlke	Garn
Gibson	Gowans	Grover	Harper
Hutchings	King	Kiser	Last
Lockhart	Menlove	Newbold	Noel
Ray	Snow	Tilton	Webb
Wheatley	Winn	Curtis	

Voting in the negative were: Representatives

Aagard	Allen	Barrus	Bird
Biskupski	Brown	Chavez–Houck	Cosgrove
Duckworth	Dunnigan	Janice Fisher	Julie Fisher
Frank	Froerer	Greenwood	Hansen
Hemingway	Hendrickson	Herrod	Holdaway
Hunsaker	Johnson	Litvack	Mascaro
Mathis	McGee	McIff	Morgan
Morley	Moss	Neuenschwander	Oda
Riesen	Sandstrom	Seelig	Shurtliff
Wiley			

Absent or not voting were: Representatives

Bowman	Hughes	Painter	Sumsion
Urquhart	Walker	Wimmer	

1st Sub. H.B. 200 was filed.

* * *

2nd Sub. H.B. 333, SENIOR CITIZEN'S HOMEOWNER'S CREDIT, read the third time by short title and placed on its final passage.

2nd Sub. H.B. 333 passed on the following roll call:

Yeas, 62; Nays, 0; Absent or not voting, 13.

Voting in the affirmative were: Representatives

Allen	Andersen	Barrus	Bigelow
Bird	Biskupski	Brown	Chavez–Houck
S. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hunsaker	Hutchings
Johnson	King	Kiser	Litvack
Lockhart	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Ray	Sandstrom	Seelig	Shurtliff
Snow	Webb	Wheatley	Wiley
Winn	Curtis		

Absent or not voting were: Representatives

Aagard	Bowman	D. Clark	Hughes
Last	Mascaro	Painter	Riesen
Sumsion	Tilton	Urquhart	Walker
Wimmer			

2nd Sub. H.B. 333 transmitted to the Senate for its consideration.

* * *

H.B. 138, SUDAN DIVESTMENT ACT, read the third time by short title and placed on its final passage.

On motion of Representative King, the House voted to refer **H.B. 138** for interim study.

* * *

H.B. 183, SALES AND USE TAX AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Harper, the House voted to delete **H.B. 183** in title and body and insert **1st Sub. H.B. 183** in lieu thereof.

1st Sub. H.B. 183 passed on the following roll call:

Yeas, 58; Nays, 8; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bird	Biskupski	Brown	Chavez–Houck
S. Clark	Cosgrove	Daw	Donnelson
Dougall	Draxler	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Gibson	Greenwood	Grover
Hansen	Harper	Hemingway	Herrod
Holdaway	Hunsaker	Hutchings	Johnson
King	Last	Litvack	Lockhart
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Tilton	Webb	Wheatley
Wiley	Winn		

Voting in the negative were: Representatives

Bigelow	Dee	Duckworth	Garn
Hendrickson	Hughes	Kiser	Curtis

Absent or not voting were: Representatives

Bowman	D. Clark	Gowans	Mascaro
Painter	Sumsion	Urquhart	Walker
Wimmer			

1st Sub. H.B. 183 transmitted to the Senate for its consideration.

* * *

MISCELLANEOUS BUSINESS

On motion of Representative Bigelow, the House voted to lift **S.B. 271** from the Senate Third Reading Calendar and return it to the Rules Committee. On motion of Representative Bigelow, the House voted to lift **S.B. 277** from the Rules Committee, consider it read the second time by short title and placed on the Senate Third Reading Calendar.

THIRD READING CALENDAR

1st Sub. H.B. 146, SCHOOL BUS AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Johnson, the House voted to delete **1st Sub. H.B. 146** in title and body and insert **2nd Sub. H.B. 146** in lieu thereof.

Representative Johnson proposed the following amendment:

- 1. Page 1, Lines 18 through 20

18 This bill appropriates:

19 ▶ for the fiscal year 2008–09 only,
 {~~–\$200,000–~~} \$100,000 from the Uniform School Fund to the

20 State Board of Education for a clean school bus purchase or retrofit program.

- 2. Page 8, Lines 214 through 220:

214 (1) There is appropriated from the Uniform School Fund for fiscal year 2008–09 only.

215 {~~–\$200,000–~~} \$100,000 to the State Board of Education.

216 (2) The appropriation under Subsection (1) is nonlapsing.

217 (3) The State Board of Education shall use funds appropriated under Subsection (1) to

218 provide matching funds for grants awarded by the federal government or private sources to

219 local school districts for the purchase or retrofit of clean school buses as defined in 42 U.S.C.

220 Sec. 16091.

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

2nd Sub. H.B. 146, as amended, passed on the following roll call:

Yeas, 55; Nays, 11; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Froerer	Garn
Gowans	Greenwood	Harper	Hemingway

Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Last
Litvack	McGee	McIff	Menlove
Morgan	Moss	Neuenschwander	Newbold
Ray	Riesen	Seelig	Shurtliff
Snow	Tilton	Webb	Wheatley
Wiley	Winn	Curtis	

Voting in the negative were: Representatives

Frank	Gibson	Grover	Hansen
Hendrickson	Mathis	Morley	Noel
Sandstrom	Sumsion	Wimmer	

Absent or not voting were: Representatives

Bowman	Dougall	Kiser	Lockhart
Mascaro	Oda	Painter	Urquhart
Walker			

2nd Sub. H.B. 146, as amended, transmitted to the Senate for its consideration.

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H.B. 227, REVOKING FEDERAL AUTHORITY TO USE STATE LANDS AS A BIRD REFUGE, read the third time by short title and placed on its final passage.

H.B. 227 passed on the following roll call:

Yeas, 62; Nays, 3; Absent or not voting, 10.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Lockhart	Mathis

McIff	Menlove	Morgan	Moss
Neuenschwander	Newbold	Noel	Oda
Ray	Riesen	Sandstrom	Shurtliff
Snow	Sumsion	Webb	Wheatley
Wiley	Curtis		

Voting in the negative were: Representatives

Dougall	McGee	Morley
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Absent or not voting were: Representatives

Bowman	Litvack	Mascaro	Painter
Seelig	Tilton	Urquhart	Walker
Wimmer	Winn		

H.B. 227 transmitted to the Senate for its consideration.

UNFINISHED BUSINESS

On motion of Representative Hughes, the House voted to uncircle **1st Sub. H.B. 475** on the following roll call:

Yeas, 37; Nays, 29; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	D. Clark	S. Clark	Daw
Dee	Donnelson	Dougall	Draxler
Ferry	Julie Fisher	Fowlke	Frank
Froerer	Garn	Greenwood	Grover
Harper	Herrod	Hughes	Kiser
Last	Lockhart	Mathis	Morley
Neuenschwander	Newbold	Noel	Oda
Snow	Sumsion	Tilton	Webb
Curtis			

Voting in the negative were: Representatives

Bird	Biskupski	Brown	Chavez-Houck
Cosgrove	Duckworth	Dunnigan	Janice Fisher
Gowans	Hansen	Hemingway	Hendrickson
Holdaway	Hunsaker	Hutchings	Johnson
King	Litvack	McGee	McIff
Morgan	Moss	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Wheatley
Wiley			

Absent or not voting were: Representatives

Bowman	Gibson	Mascaro	Menlove
Painter	Urquhart	Walker	Wimmer
Winn			

1st Sub. H.B. 475, LABOR ORGANIZATION AMENDMENTS, was before the House on its final passage.

1st Sub. H.B. 475 failed to pass on the following roll call:

Yeas, 31; Nays, 35; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
D. Clark	S. Clark	Daw	Donnelson
Dougall	Draxler	Ferry	Julie Fisher
Frank	Froerer	Garn	Greenwood
Grover	Harper	Herrod	Hughes
Kiser	Last	Lockhart	Morley
Newbold	Noel	Oda	Sumsion
Tilton	Webb	Curtis	

Voting in the negative were: Representatives

Allen	Bird	Biskupski	Brown
Chavez-Houck	Cosgrove	Dee	Duckworth
Dunnigan	Janice Fisher	Gibson	Gowans
Hansen	Hemingway	Hendrickson	Holdaway
Hunsaker	Hutchings	Johnson	King
Litvack	Mathis	McGee	McIff
Menlove	Morgan	Moss	Neuenschwander
Ray	Riesen	Seelig	Shurtliff
Snow	Wheatley	Wiley	

Absent or not voting were: Representatives

Bowman	Fowlke	Mascaro	Painter
Sandstrom	Urquhart	Walker	Wimmer
Winn			

1st Sub. H.B. 475 was filed.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: February 29, 2008

The Senate passed, **H.B. 122**, DRIVER LICENSE – APPLICATION OF MINOR AMENDMENTS, by Representative D. Litvack, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 151**, MOTOR VEHICLE REVISIONS, by Representative S. Urquhart, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 177**, COUNTY AND MUNICIPAL LAND USE REGULATION OF POTENTIAL GEOLOGIC HAZARD AREAS, 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. 19**, ASSAULT ON A PEACE OFFICER PENALTY 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, **2nd Sub. H.B. 75**, INVENTORY AND REVIEW OF COMMERCIAL ACTIVITIES, 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. 102**, CHILD ABUSE HOMICIDE AMENDMENTS, by Representative C. Wimmer, 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. 122**, **H.B. 151**, **H.B. 177**, **H.B. 19**, **2nd Sub. H.B. 75**, and **H.B. 102** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker: February 29, 2008

The Senate substituted and passed, **Senate 1st Sub. H.B. 36**, CHILD WELFARE AMENDMENTS, by Representative W. Harper, and it is transmitted for further consideration; and

The Senate substituted and passed, **Senate 2nd Sub. H.B. 29**, ELECTION LAW – FINANCIAL REPORTING, by Representative B. Daw, and it is transmitted for further consideration; and

The Senate passed, as amended, **1st Sub. H.B. 330**, STATE SUPPLEMENTAL FUNDING FOR HEAD START, by Representative L. Shurtliff, and it is transmitted for further consideration; and

The Senate passed, as amended, **1st Sub. H.B. 263**, UTAH REGISTRY OF AUTISM AND DEVELOPMENTAL DISABILITIES, by Representative E. Hutchings, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 93**, INSURANCE FRAUD AMENDMENTS, by Representative D. Aagard, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 86**, FUNDING OF INMATE POSTSECONDARY EDUCATION, by Representative J. Draxler, and it is transmitted for further consideration; and

The Senate passed, as amended, **1st Sub. H.B. 37**, UTAH BUSINESS RESOURCE CENTERS ACT, by Representative D. Clark, and it is transmitted for further consideration; and

The Senate passed, as amended, **1st Sub. H.B. 119**, CONTROLLED SUBSTANCE DATABASE AMENDMENTS, by Representative B. Daw, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **1st Sub. H.B. 36**, **2nd Sub. H.B. 29**, **1st Sub. H.B. 330**, **1st Sub. H.B. 263**, **H.B. 93**, **H.B. 86**, **1st Sub. H.B. 37**, and **1st Sub. H.B. 119** placed on the Concurrence Calendar.

* * *

Mr. Speaker:

February 29, 2008

The Senate passed, as amended, **S.B. 237**, COMMERCIAL AIRLINE AND AIRPORT TAXATION AMENDMENTS, by Senator W. Niederhauser, and it is transmitted for consideration; and

The Senate passed, as substituted, **3rd Sub. S.B. 269**, WATER RIGHTS – OMBUDSMAN, by Senator D. Stowell, and it is transmitted for consideration; and

The Senate passed, as substituted, **3rd Sub. S.B. 245**, FUNDING RELATING TO AIRPORTS, HIGHWAYS, AND PUBLIC TRANSIT, by Senator C. Bramble, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 237**, **3rd Sub. S.B. 269**, and **3rd Sub. S.B. 245** read the first time by short title and referred to the Rules Committee.

RULES COMMITTEE REPORT

Mr. Speaker: February 29, 2008

The Rules Committee recommends that, under suspension of the rules, the following bills and resolutions be considered read for the second time and placed on the Third Reading Calendar for Senate bills.

- | | |
|--------------------------|---|
| S.B. 200 | Professional Engineers Licensing Amendments
(Sen. F. Fife) |
| 1st Sub. S.B. 81 | Illegal Immigration (Sen. J. Hickman) |
| S.B. 208 | Transportation Corridor Preservation Amendments
(Sen. S. Killpack) |
| S.B. 220 | Cause of Action for Defective Construction
(Sen. C. Bramble) |
| S.B. 263 | Self Authentication of Documents (Sen. S. McCoy) |
| S.B. 288 | Condominium Ownership Act Amendments
(Sen. M. Waddoups) |
| S.B. 295 | Security Alarm Business Licensing Amendments
(Sen. M. Dayton) |
| S.B. 297 | Animal Torture and Cruelty Amendments
(Sen. A. Christensen) |
| 3rd Sub. S.B. 211 | Alcoholic Beverage Control Amendments
(Sen. C. Bramble) |
| S.B. 177 | Local Government Disposal of Real Property Acquired by
Exaction (Sen. W. Niederhauser) |
| 1st Sub. S.B. 202 | Energy Resource and Carbon Emission Reduction
Initiative (Sen. C. Bramble) |
| 1st Sub. S.B. 264 | Development Around Military Installations
(Sen. S. Killpack) |
| S.B. 265 | Unlawful Detainer Amendments (Sen. M. Waddoups) |

1st Sub. S.B. 197 Preferred Drug List Revisions (Sen. A. Christensen)

Stephen Urquhart, Chair

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

MISCELLANEOUS BUSINESS

1st Sub. S.B. 59, passed and signed by the Speaker on February 28, 2008, returned to the Senate for signature of the President and enrolling.

On motion of Representative D. Clark, and at 5:50 p.m., the House voted to adjourn until March 3, 2008, at 9:00 a.m.

FORTY–THIRD DAY

* * *

MORNING SESSION

The House was called to order by Speaker Curtis at 9:15 a.m.

Roll call showed all members present except Representatives Bud Bowman and LaWanna Shurtliff, excused.

Prayer by Representative Neal Hansen. Pledge of Allegiance by Representative Hansen's daughter and intern, Jenny Hansen.

CONCURRENCE CALENDAR

On motion of Representative Herrod, the House voted to concur in the Senate amendments to **1st Sub. H.B. 371, DIGITAL CERTIFICATES FOR BREATHALIZERS.**

1st Sub. H.B. 371, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Bowman Lockhart Shurtliff

1st Sub. H.B. 371, 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 **1st Sub. H.B. 36**, CHILD WELFARE AMENDMENTS.

1st Sub. H.B. 36, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Bowman Kiser Shurtliff

1st Sub. H.B. 36, 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. 263**, UTAH REGISTRY OF AUTISM AND DEVELOPMENT DISABILITIES.

1st Sub. H.B. 263, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Bowman	Shurtliff
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1st Sub. H.B. 263, as amended by the Senate, transmitted to the Senate for signature of President.

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On motion of Representative Aagard, the House voted to concur in the Senate amendments to **H.B. 93**, INSURANCE FRAUD AMENDMENTS.

H.B. 93, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown

Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Bowman	Seelig	Shurtliff
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H.B. 93, as amended by the Senate, transmitted to the Senate for signature of President.

* * *

On motion of Representative Draxler, the House voted to concur in the Senate amendments to **H.B. 86**, FUNDING OF INMATE POSTSECONDARY EDUCATION.

H.B. 86, as amended by the Senate, passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	Cosgrove	Daw
Dee	Donnelson	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings

Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	McGee
McIff	Menlove	Morgan	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Snow	Sumsion	Urquhart
Walker	Webb	Wheatley	Wiley
Winn	Curtis		

Voting in the negative were: Representatives

Dougall	Greenwood	Mathis	Morley
Tilton	Wimmer		

Absent or not voting were: Representatives

Bowman	S. Clark	Shurtliff
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H.B. 86, as amended by the Senate, transmitted to the Senate for signature of President.

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On motion of Representative D. Clark, the House voted to concur in the Senate amendments to **1st Sub. H.B. 37**, UTAH BUSINESS RESOURCE CENTERS ACT.

1st Sub. H.B. 37, 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

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Froerer	Garn
Gibson	Gowans	Greenwood	Hansen
Harper	Hemingway	Hendrickson	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Moss	Neuenschwander
Newbold	Painter	Ray	Riesen

Seelig	Snow	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Winn	Curtis		

Voting in the negative were: Representatives

Dougall	Frank	Grover	Herrod
Morley	Noel	Oda	Sandstrom
Sumsion	Wimmer		

Absent or not voting were: Representatives

Bowman	Holdaway	Shurtliff
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1st Sub. H.B. 37, 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. 29**, ELECTION LAW – FINANCIAL REPORTING.

2nd Sub. H.B. 29, 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

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	King	Kiser	Last
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Snow	Sumsion
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Bowman	Dee	Holdaway	Johnson
Litvack	Shurtliff	Tilton	

2nd Sub. H.B. 29, 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. 119**, CONTROLLED SUBSTANCE DATABASE AMENDMENTS.

1st Sub. H.B. 119, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez-Houck	D. Clark	S. Clark	Cosgrove
Daw	Donnelson	Dougall	Draxler
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Sandstrom	Seelig	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Bowman	Dee	Duckworth	Litvack
Riesen	Shurtliff		

1st Sub. H.B. 119, as amended by the Senate, transmitted to the Senate for signature of President.

CONSENT CALENDAR

H.B. 427, HUNTER EDUCATION REQUIREMENT EXEMPTION FOR MILITARY PERSONNEL, read the third time by short title and placed on its final passage.

H.B. 427, 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	Andersen	Barrus
Bird	Biskupski	Chavez–Houck	D. Clark
S. Clark	Cosgrove	Daw	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Sandstrom
Seelig	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Bigelow	Bowman	Brown	Dee
Lockhart	Riesen	Shurtliff	

H.B. 427, as amended, transmitted to the Senate for its consideration.

* * *

S.B. 123, FILLING VACANCIES IN THE SENATE, read the third time by short title and placed on its final passage.

S.B. 123 failed to pass on the following roll call:

Yeas, 37; Nays, 34; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Aagard	Allen	Barrus	Biskupski
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Donnelson	Duckworth	Dunnigan
Ferry	Fowlke	Froerer	Gowans
Greenwood	Hansen	Hendrickson	Holdaway
Hutchings	King	Litvack	Lockhart
Mascaro	McIff	Menlove	Morgan
Moss	Oda	Painter	Sandstrom
Seelig	Webb	Wheatley	Wiley
Winn			

Voting in the negative were: Representatives

Andersen	Bigelow	Bird	Daw
Dougall	Draxler	Janice Fisher	Julie Fisher
Frank	Garn	Gibson	Grover
Harper	Hemingway	Herrod	Hughes
Hunsaker	Johnson	Kiser	Last
Mathis	McGee	Morley	Neuenschwander
Newbold	Noel	Ray	Snow
Sumsion	Tilton	Urquhart	Walker
Wimmer	Curtis		

Absent or not voting were: Representatives

Bowman	Dee	Riesen	Shurtliff
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S.B. 123 was returned to the Senate for filing.

* * *

2nd Sub. S.B. 161, ADVANCE HEALTH CARE DIRECTIVE, read the third time by short title and placed on its final passage.

2nd Sub. S.B. 161, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher

Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Sandstrom	Seelig
Snow	Sumsion	Tilton	Urquhart
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Bowman	Dee	Riesen	Shurtliff
Walker			

2nd Sub. S.B. 161, as amended, was returned to the Senate for further consideration.

* * *

1st Sub. S.B. 84, NET METERING PROGRAMS, read the third time by short title and placed on its final passage.

1st Sub. S.B. 84 passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove

Morgan	Morley	Moss	Newbold
Noel	Oda	Ray	Seelig
Snow	Sumsion	Urquhart	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Bowman	Frank	Holdaway	Neuenschwander
Painter	Riesen	Sandstrom	Shurtliff
Tilton	Walker		

1st Sub. S.B. 84 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. 209, METHAMPHETAMINE DECONTAMINATION STANDARDS AND FUNDING, read the third time by short title and placed on its final passage.

Representative Lockhart proposed the following amendment:

1. Page 1, Line 24:
Delete "\$500,00" and insert "\$178,500"
2. Page 4, Line 95:
Delete "\$500.00" and insert "\$178.500"

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

S.B. 209, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez-Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart

Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Ray	Sandstrom	Seelig	Snow
Sumsion	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn

Absent or not voting were: Representatives

Bowman	Frank	Painter	Riesen
Shurtliff	Tilton	Curtis	

S.B. 209, as amended, was returned to the Senate for further consideration.

COMMUNICATION FROM THE SENATE

Mr. Speaker:

March 3, 2008

The Senate requests the return of **1st Sub. H.B. 330**, STATE SUPPLEMENTAL FUNDING FOR HEAD START, by Representative L. Shurtliff, for reconsideration.

Annette B. Moore

Secretary of the Senate

Communication filed. **1st Sub. H.B. 330** was returned to the Senate.

THIRD READING CALENDAR

S.B. 247, VETERANS PROCUREMENT PROVISIONS, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

Representative Biskupski proposed the following amendment:

1. Page 1, Line 13:
Delete "\$50,000" and insert "\$30,000"
2. Page 1, Line 18:
Delete "\$50,000" and insert "\$30,000"
3. Page 1, Line 27:
Delete "\$50,000" and insert "\$30,000"

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

S.B. 247, as amended, passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Garn	Gowans	Greenwood	Grover
Hansen	Harper	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Sandstrom	Seelig
Snow	Sumsion	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Bowman	Froerer	Gibson	Hemingway
McGee	Painter	Riesen	Shurtliff
Tilton	Urquhart		

S.B. 247, as amended, was returned to the Senate for further consideration.

* * *

S.B. 88, UNIFORM MODEL REGISTERED AGENT ACT, read the third time by short title and placed on its final passage.

S.B. 88 passed on the following roll call:

Yeas, 64; Nays, 0; Absent or not voting, 11.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover

Harper	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Sandstrom	Seelig
Snow	Sumsion	Tilton	Walker
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Bowman	Donnelson	Janice Fisher	Hansen
Hemingway	Painter	Riesen	Shurtliff
Urquhart	Webb	Wheatley	

S.B. 88 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

S.B. 239, OFFICE OF THE ATTORNEY GENERAL – SAFETY NET INITIATIVE, read the third time by short title and placed on its final passage.

S.B. 239 passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Ray
Riesen	Sandstrom	Seelig	Snow

Sumsion	Tilton	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Bowman	Holdaway	McGee	Painter
Shurtliff	Urquhart		

S.B. 239 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

1st Sub. S.B. 105, JUDICIAL PERFORMANCE EVALUATION COMMISSION, 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. S.B. 105** in title and body and insert **2nd Sub. S.B. 105** in lieu thereof.

2nd Sub. S.B. 105 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Menlove
Morgan	Moss	Neuenschwander	Newbold
Noel	Oda	Ray	Riesen
Sandstrom	Seelig	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Voting in the negative was: Representative

McGee

Absent or not voting were: Representatives

Bowman	D. Clark	Morley	Painter
Shurtliff			

2nd Sub. S.B. 105, as substituted, was returned to the Senate for further consideration.

* * *

S.B. 277, POST-CONVICTION REMEDIES ACT REVISIONS, 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. 277 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
S. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn

Absent or not voting were: Representatives

Bowman	Chavez-Houck	D. Clark	Harper
Hemingway	Shurtliff	Curtis	

S.B. 277 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

2nd Sub. S.B. 134, MORTGAGE FRAUD ACT, read the third time by short title and placed on its final passage.

Representative Ray proposed the following amendment:

- 1. Page 1, Lines 15 through 17

15 ▶ requires the attorney general to hire a mortgage fraud
 prosecutor {~~-, paralegal, and two~~
 16 ~~investigators with primary responsibilities of investigating and~~
~~prosecuting~~
 17 ~~mortgage fraud~~ } ;

- 2. Page 4, Line 117 through Page 5, Line 131:

117 ~~67-5-26.~~ Real estate fraud prosecutor {~~-, paralegal, and~~
~~investigators~~} .

118 (1) The state attorney general shall employ { ~~;~~ }

119 { ~~(a)~~ } an attorney licensed to practice law in Utah who:

120 { ~~(i)~~ } (a) has knowledge of the law related to
mortgage fraud; and

121 { ~~(ii)~~ } (b) preferably also has background or
expertise in investigating and prosecuting

122 mortgage fraud { ~~;~~ } ;

123 {~~-(b) a paralegal; and~~

124 (c) at least two investigators who have background or expertise
in investigating

125 mortgage fraud. }

126 (2) { ~~(a)~~ } The primary responsibility of the attorney
employed under Subsection (1) { ~~(a)~~ } is

127 the prosecution of real estate fraud.

128 {~~-(b) The primary responsibility of each person employed~~
under Subsection (1)(c) is the

129 investigation of real estate fraud. }

130 (3) The state attorney general may employ clerks, interns, or
other personnel as

131 necessary to assist the attorney employed under Subsection
(1) { ~~(a)~~ } .

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

On motion of Representative Lockhart, the House voted to circle **2nd Sub. S.B. 134.**

* * *

1st Sub. S.B. 72, JUSTICE COURT AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Noel proposed the following amendment:

- 1. Page 1, Line 5, Lines 127 through 132

127 [~~(3)~~] (2) Justice court judges are not required to be admitted to
practice law in the state

128 as a qualification to hold office but shall have at the minimum a
{~~+~~} diploma of graduation from

129 high school or its equivalent {~~-~~} { Bachelor of Arts or
Bachelor of Science degree from an

130 accredited four year college or university. This requirement does
not apply to justice court

131 judges holding office on [July 1, 1989] or before January 1, 2009,
who successfully complete

132 continuing education requirements under Section
78A-7-205 } .

Representative Noel’s motion to amend passed on the following roll call:

Yeas, 38; Nays, 28; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Andersen	Barrus	Bird	Brown
D. Clark	Daw	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Frank
Froerer	Garn	Gowans	Greenwood
Grover	Hansen	Harper	Herrod
Hughes	Hutchings	Kiser	Last
Lockhart	Mathis	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Sandstrom	Sumsion
Tilton	Webb		

Voting in the negative were: Representatives

Aagard	Allen	Bigelow	Biskupski
Chavez–Houck	S. Clark	Cosgrove	Dee
Ferry	Janice Fisher	Gibson	Hemingway
Holdaway	Hunsaker	Johnson	King
Litvack	Mascaro	McGee	McIff
Menlove	Morgan	Riesen	Seelig
Snow	Wheatley	Wiley	Winn

Absent or not voting were: Representatives

Bowman	Julie Fisher	Fowlke	Hendrickson
Shurtliff	Urquhart	Walker	Wimmer
Curtis			

1st Sub. S.B. 72, as amended, passed on the following roll call:

Yeas, 60; Nays, 10; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Brown	Chavez–Houck
S. Clark	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Frank
Froerer	Garn	Gowans	Grover
Hansen	Harper	Hemingway	Hendrickson
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Moss	Neuenschwander	Newbold	Painter
Ray	Riesen	Sandstrom	Seelig
Snow	Sumsion	Tilton	Walker
Webb	Wheatley	Wiley	Winn

Voting in the negative were: Representatives

Biskupski	D. Clark	Cosgrove	Gibson
Greenwood	Herrod	Morley	Noel
Oda	Urquhart		

Absent or not voting were: Representatives

Bowman	Fowlke	Shurtliff	Wimmer
Curtis			

1st Sub. S.B. 72, as amended, was returned to the Senate for further consideration.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 3, 2008

The Senate passed, **H.B. 167**, A VICTIM AMICUS BILL, 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. 182**, DEADLINE FOR VOTING PRECINCT DESIGNATION, 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, **1st Sub. H.B. 309**, ELECTION INFORMATION AMENDMENTS, 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.B. 374**, CHILD ABUSE AND NEGLECT PREVENTION AND TREATMENT 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. 401**, MASTER PLUMBER LICENSING, by Representative J. Dunnigan, 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. 10**, JOINT RESOLUTION OPPOSING DESIGNATION OF PUBLIC LANDS CURRENTLY URGED BY CONGRESS AND THE BUREAU OF LAND MANAGEMENT, by Representative A. Tilton, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **H.B. 167**, **H.B. 182**, **1st Sub. H.B. 309**, **H.B. 374**, **H.B. 401**, and **H.J.R. 10** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker: March 3, 2008

The Senate substituted and passed, **Senate 1st Sub. H.B. 121**, COUNTY CHARGES FOR SERVICES TO INCARCERATED PERSONS, by Representative R. Greenwood, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 437**, FUNERAL SERVICES LICENSING ACT AMENDMENTS, by Representative S. Urquhart, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **1st Sub. H.B. 121** and **H.B. 437** placed on the Concurrence Calendar.

UNFINISHED BUSINESS

On motion of Representative Ray, the House voted to uncircle **2nd Sub. S.B. 134**.

2nd Sub. S.B. 134, MORTGAGE FRAUD ACT, was before the House on its final passage.

2nd Sub. S.B. 134 passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Biskupski	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Frank	Froerer	Garn
Gibson	Greenwood	Grover	Hansen
Harper	Hemingway	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Winn		

Absent or not voting were: Representatives

Allen	Bowman	Fowlke	Gowans
Hendrickson	Morley	Shurtliff	Wimmer
Curtis			

2nd Sub. S.B. 134, as amended, was returned to the Senate for further consideration.

SPECIAL ORDER OF BUSINESS

H.B. 473, FIREARMS AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Urquhart proposed the following amendment:

1. Page 1, Lines 13 through 15
 - 13 ▶ provides a definition for a concealed firearm permit that permits, but does not
 - 14 require, the concealment of the firearm on the permittee with an exception ; and
 - 15 ▶ makes certain technical changes.
2. Page 3, Lines 83 through 85:
 - 83 (3) (a) “Concealed firearm permit” means a permit issued pursuant to Section 53–5–704
 - 84 that permits, but does not require, concealment of the firearm on the permittee , except as otherwise provided in Subsection (3)(b)(i).
 - (b)(i) The permittee shall conceal the firearm on the permittee if carrying it on about school premises under Subsection 76–10–505.5(3)(a)
 - (ii) Violation of Subsection (3)(b)(i) is an infraction, except that it is not a violation of Subsection(3)(b)(i) or Subsection 76–10–505.5(3)(a) if a permittee inadvertently, unintentionally, or accidentally exposes the firearm while carrying it on or about the school premises .
 - 85 [(3)] (4) “Criminal history background check” means a criminal background check

Representative Litvack proposed the following substitute motion to amend:

1. Refer to the above proposed amendment with the following changes.
 - Page 1, Line 13:
Delete “but does not” and insert “and”
 - Page 1, Line 14:
Delete “require” and insert “requires” and delete “with an exception”
 - Page 3, Line 84:
Delete “but does not” and insert “and” and delete “require” and insert

“requires”

Page 3, Line 84:

Delete “. except as otherwise provided in Subsection (3)(b)(i).”

Delete section (b)(I) and renumber accordingly.

Representative Litvack’s substitute motion to amend failed on a voice vote.

Representative Urquhart’s motion to amend passed on the following roll call:

Yeas, 41; Nays, 29; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Dee	Draxler	Dunnigan	Ferry
Janice Fisher	Froerer	Gowans	Hemingway
Holdaway	Hunsaker	Hutchings	Johnson
King	Last	Litvack	Mascaro
McGee	Menlove	Morgan	Moss
Neuenschwander	Riesen	Seelig	Snow
Urquhart	Webb	Wheatley	Wiley
Winn			

Voting in the negative were: Representatives

Daw	Donnelson	Dougall	Duckworth
Julie Fisher	Fowlke	Frank	Garn
Gibson	Greenwood	Grover	Hansen
Harper	Hendrickson	Herrod	Hughes
Kiser	Mathis	Morley	Newbold
Noel	Oda	Painter	Ray
Sandstrom	Sumsion	Tilton	Walker
Wimmer			

Absent or not voting were: Representatives

Bowman	Lockhart	McIff	Shurtliff
Curtis			

H.B. 473, as amended, passed on the following roll call:

Yeas, 60; Nays, 11; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Brown	D. Clark

S. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Grover	Hansen	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	King	Kiser	Last
Lockhart	Mascaro	Mathis	McGee
Menlove	Morley	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Seelig	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Voting in the negative were: Representatives

Biskupski	Chavez–Houck	Janice Fisher	Greenwood
Hemingway	Johnson	Litvack	Morgan
Moss	Riesen	Sandstrom	

Absent or not voting were: Representatives

Bowman	Harper	McIff	Shurtliff
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H.B. 473, 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. 2** and **H.B. 4** from the Rules Committee, consider them read the first and second times by short title and placed at the top of the House Third Reading Calendar.

MISCELLANEOUS BUSINESS

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

AFTERNOON SESSION

The House was called to order by Speaker Curtis at 2:15 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 3, 2008

The President of the Senate has signed **2nd Sub. H.B. 29**, ELECTION LAW – FINANCIAL REPORTING, by Representative B. Daw, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 36**, CHILD WELFARE 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. 37**, UTAH BUSINESS RESOURCE CENTERS ACT, by Representative D. Clark, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 86**, FUNDING OF INMATE POSTSECONDARY EDUCATION, by Representative J. Draxler, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 93**, INSURANCE FRAUD AMENDMENTS, by Representative D. Aagard, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 119**, 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 **1st Sub. H.B. 263**, UTAH REGISTRY OF AUTISM AND DEVELOPMENTAL DISABILITIES, by Representative E. Hutchings, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 371**, DIGITAL CERTIFICATES FOR BREATHALIZERS, by Representative C. Herrod, and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 323**, EMINENT DOMAIN AMENDMENTS, by Representative A. Tilton, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 352**, AMENDMENTS RELATED TO MONIES DERIVED FROM NAVAJO NATION RESERVATION LANDS IN UTAH, 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.C.R. 4**, CONCURRENT RESOLUTION ENCOURAGING CONGRESSIONAL ACTION TO DESIGNATE A NEW RECIPIENT OF ROYALTIES FROM NAVAJO RESERVATION LANDS , 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. **2nd Sub. H.B. 29, 1st Sub. H.B. 36, 1st Sub. H.B. 37, H.B. 86, H.B. 93, 1st Sub. H.B. 119, 1st Sub. H.B. 263, 1st Sub.**

H.B. 371, 1st Sub. H.B. 323, H.B. 352, H.C.R. 4 signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker: March 3, 2008

The Senate passed, as amended, **H.B. 171, DRIVING PRIVILEGE CARD AMENDMENTS**, by Representative B. Daw, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **H.B. 171** placed on the Concurrence Calendar.

* * *

Mr. Speaker: March 3, 2008

The Senate concurred in the House amendments and passed **5th Sub. S.B. 48, EQUALIZATION OF SCHOOL CAPITAL OUTLAY FUNDING**, by Senator D. Eastman, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. **5th Sub. S.B. 48** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

INTRODUCTION OF BILL

H.B. 490, Legislative Task Forces and Study Priorities (D. Clark), read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

S.B. 200, PROFESSIONAL ENGINEERS LICENSING AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 200 passed on the following roll call:

Yeas, 44; Nays, 24; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Biskupski	Brown	Chavez–Houck

Cosgrove	Draxler	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Froerer	Gibson
Gowans	Greenwood	Hansen	Hemingway
Hendrickson	Holdaway	Hunsaker	Johnson
King	Kiser	Litvack	Mascaro
McGee	McIff	Menlove	Morgan
Moss	Neuenschwander	Painter	Riesen
Sandstrom	Seelig	Urquhart	Walker
Webb	Wheatley	Wiley	Winn

Voting in the negative were: Representatives

Bird	D. Clark	S. Clark	Daw
Donnelson	Dougall	Fowlke	Frank
Garn	Grover	Harper	Herrod
Hutchings	Last	Lockhart	Mathis
Morley	Newbold	Noel	Snow
Sumsion	Tilton	Wimmer	Curtis

Absent or not voting were: Representatives

Bowman	Dee	Duckworth	Hughes
Oda	Ray	Shurtliff	

S.B. 200 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

1st Sub. S.B. 81, ILLEGAL IMMIGRATION, read the third time by short title and placed on its final passage.

Representative Morley proposed the following amendment:

1. Page 13, Lines 391 through 392

Senate 3rd Reading Amendments 2–25–2008

391 to enter into a contract with a public employer.

(b)(i) For purposes of compliance with Subsection (3)(a), a contractor is individually responsible for verifying the employment status of only new employees who work under the contractor’s supervision or direction and not those who work for another contractor or subcontractor, except as otherwise provided in Subsection (3)(b)(i).

(ii) Each contractor or subcontractor who works under or for another contractor shall certify to the main contractor by affidavit that the contractor or subcontractor has verified through the Status

Verification System the employment status of each new employee of the respective contractor or subcontractor.

392 {~~(b)~~ -} (c) Subsection (3)(a) does not apply to a contract:

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

###

Representative Litvack proposed the following amendment:

1. Page 12, Lines 356 through 358

356 (b) Subsection (3) does not apply to a driving privilege card issued or renewed under

357 Section 53-3-207.

(6) This section shall be enforced without regard to race, religion, gender, ethnicity, or national origin.

358 Section 6. Section 63-99a-103 is enacted to read:

2. Page 13, Lines 383 through 385

Senate 3rd Reading Amendments 2-25-2008:

383 (2) (a) Each public employer shall register with and use a Status Verification System to

384 verify the federal employment authorization status of a new employee.

(b) This section shall be enforced without regard to race, religion, gender, ethnicity, or national origin.

385 (3) (a) Beginning July 1, 2009:

3. Page 18, Lines 526 through 530:

526 federal, state, or local government entity.

527 {~~(d) This Subsection (3) allows for a private right of action by a natural or legal person~~

528 lawfully domiciled in this state to file for a writ of mandamus to compel a noncompliant local

529 or state governmental agency to comply with the reporting laws of this Subsection (3). }

530 Section 10. Section 76-10-2701 is enacted to read:

The motion was divided. Items 1 and 2 passed and item 3 failed, all on voice votes.

###

Representative McIff proposed the following amendment:

1. Page 18, Lines 535 through 538

535 (2) It is unlawful for a person to:

536 (a) transport, move, or attempt to transport {– in this
state } into this state or for a distance of greater than 100 miles
within the state an alien for commercial

537 advantage or private financial gain, knowing or in reckless
disregard of the fact that the alien is

53 8 in the United States in violation of federal law, in furtherance of
the illegal presence of the

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

###

Representative Sandstrom proposed the following amendment:

1. Page 3, Lines 66 through 67

Senate 3rd Reading Amendments 2–25–2008

66 Other Special Clauses:

66a {–~~Ŝ~~→ This bill takes effect on July 1, 2009. ←~~Ŝ~~–}

67 This bill coordinates with H.B. 63, Recodification of Title 63
 State Affairs in General,

2. Page 19, Lines 558 through 560

Senate 3rd Reading Amendments 2–25–2008:

558 denomination or organization for at least one year.

559 Section 11. {–~~Ŝ~~→ Effective date.

559a This bill takes effect on July 1, 2009.

559b Section 12. ~~Ŝ~~} Coordinating S.B. 81 with H.B. 63 —
 Technical renumbering.

560 If this S.B. 81 and H.B. 63, Recodification of Title 63 State
Affairs in General, both

Representative Sandstrom's motion to amend failed on a voice vote.

###

Representative S. Clark proposed the following amendment:

1. Page 12, Line 362:
After "staffing agency," insert "trade unions"

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

1st Sub. S.B. 81, as amended, passed on the following roll call:

Yeas, 56; Nays, 15; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Brown	D. Clark
S. Clark	Daw	Dee	Donnelson
Dougall	Draxler	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Greenwood
Grover	Harper	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Kiser
Last	Lockhart	Mascaro	Mathis
McIff	Menlove	Morgan	Morley
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Sandstrom	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wimmer	Curtis

Voting in the negative were: Representatives

Biskupski	Chavez-Houck	Cosgrove	Gowans
Hansen	Hemingway	Johnson	King
Litvack	McGee	Moss	Riesen
Seelig	Wheatley	Wiley	

Absent or not voting were: Representatives

Bowman	Duckworth	Hendrickson	Winn
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1st Sub. S.B. 81, as amended, was returned to the Senate for further consideration.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

THIRD READING CALENDAR

H.B. 2, NEW FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS ACT, 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.**

* * *

H.B. 4, STATE AGENCY AND HIGHER EDUCATION COMPENSATION AMENDMENTS, 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. 4.**

UNFINISHED BUSINESS

On motion of Representative Garn, the House voted to uncircle **H.B. 5.**

H.B. 5, REVENUE BONS, CAPITOL FACILITY, AND PROPERTY ACQUISITION AUTHORIZATIONS, was before the House on its final passage.

H.B. 5 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Voting in the negative was: Representative
Dougall

Absent or not voting were: Representatives
Bowman Gibson

H.B. 5 transmitted to the Senate for its consideration.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 3, 2008
The Senate passed, as amended, **1st Sub. H.B. 242**, TRANSPORTATION FUNDING REVISIONS, by Representative W. Harper, and it is transmitted for further consideration; and

The Senate passed, as amended, **1st Sub. H.B. 330**, STATE SUPPLEMENTAL FUNDING FOR HEAD START, by Representative L. Shurtliff, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **1st Sub. H.B. 242** and **1st Sub. H.B. 330** placed on the Concurrence Calendar.

* * *

Mr. Speaker: March 3, 2008
The Senate passed, as substituted, and amended **1st Sub. S.B. 299**, REVISION TO LOCAL GOVERNMENT, by Senator G. Bell, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **1st Sub. S.B. 299** read the first time by short title and referred to the Rules Committee.

CONCURRENCE CALENDAR

On motion of Representative Shurtliff, the House voted to concur in the Senate amendments to **1st Sub. H.B. 330**, STATE SUPPLEMENTAL FUNDING FOR HEAD START.

1st Sub. H.B. 330, as amended by the Senate, passed on the following roll call:

Yeas, 61; Nays, 11; Absent or not voting, 3.

Voting in the affirmative were: Representatives

Allen	Andersen	Barrus	Bigelow
Bird	Biskupski	Chavez–Houck	D. Clark
S. Clark	Cosgrove	Dee	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Moss	Neuenschwander	Noel
Painter	Ray	Riesen	Seelig
Shurtliff	Snow	Urquhart	Walker
Webb	Wheatley	Wiley	Winn
Curtis			

Voting in the negative were: Representatives

Daw	Donnelson	Frank	Lockhart
Morley	Newbold	Oda	Sandstrom
Sumsion	Tilton	Wimmer	

Absent or not voting were: Representatives

Aagard	Bowman	Brown
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1st Sub. H.B. 330, 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 **1st Sub. H.B. 242**, TRANSPORTATION FUNDING REVISIONS.

1st Sub. H.B. 242, as amended by the Senate, passed on the following roll call:

Yeas, 71; Nays, 2; Absent or not voting, 2.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown

Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Voting in the negative were: Representatives

Janice Fisher Newbold

Absent or not voting were: Representatives

Bowman Neuenschwander

1st Sub. H.B. 242, as amended by the Senate, transmitted to the Senate for signature of President.

UNFINISHED BUSINESS

On motion of Representative Bigelow, the House voted to uncircle **H.B. 4**.

H.B. 4, STATE AGENCY AND HIGHER EDUCATION COMPENSATION AMENDMENTS, was before the House on its final passage.

Representative Bigelow proposed the following amendment:

1. Page 2, Line 48:
Delete “and higher”
2. Page 2, Line 49:
Delete “education” and after “June 28, 2008;” insert “a two percent cost of living allowance plus funding equivalent to a one percent cost of living allowance to be used for discretionary salary increases for higher education employees except those at Snow College, Dixie State College, and the College of Eastern Utah;”

3. Page 2, Line 50:
After “higher education employees” insert “except those at Snow College, Dixie State College, and the College of Eastern Utah; funding equivalent to a three percent cost of living allowance plus health insurance plan increases for higher education employees at Snow College, Dixie State College, and the College of Eastern Utah”
4. Page 2, Line 53:
After “fiscal year 2009.” insert “Amounts provided to Snow College, Dixie State College, and the College of Eastern Utah may be used either for a two percent cost of living allowance plus discretionary salary increases equivalent to a one percent cost of living allowance plus health insurance plan cost increase, or only for cost of living allowances contingent upon changes in employee health insurance plans consistent with those for state employees outlined in Section 2.”
5. Page 35, Line 1288:
After “fiscal year 2009.” delete “Availability” and insert “Expenditure”

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

H.B. 4, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff

Snow	Sumsion	Tilton	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Voting in the negative was: Representative Hansen

Absent or not voting were: Representatives Bowman Morley Moss Urquhart

H.B. 4, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Snow, the House voted to move to the Senate Third Reading Calendar.

S.B. 208, TRANSPORTATION CORRIDOR PRESERVATION AMENDMENTS, 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 Dee, the House voted to delete **S.B. 208** in title and body and insert **1st Sub. S.B. 208** in lieu thereof.

1st Sub. S.B. 208, as substituted, passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	McGee	McCliff
Menlove	Morgan	Morley	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig

Shurtliff	Snow	Sumsion	Tilton
Urquhart	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Bowman	Mathis	Moss	Walker
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1st Sub. S.B. 208, as substituted by the House, was returned to the Senate for further consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Bigelow, under suspension of the rules, the House voted to lift **1st Sub. S.B. 180** 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. 180, REGENTS' SCHOLARSHIP PROGRAM, read the third time by short title and placed on its final passage.

On motion of Representative Bigelow, the House voted to circle **1st Sub. S.B. 180**.

* * *

S.B. 220, CAUSE OF ACTION FOR DEFECTIVE CONSTRUCTION, 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 Urquhart, the House voted to delete **S.B. 220** in title and body and insert **1st Sub. S.B. 220** in lieu thereof.

Representative McIff proposed the following amendment:

1. Page 2, Lines 28 through 29

28 (1) Except as provided in Subsection (2), an action for defective design or construction

29 is limited to breach of the contract , whether written or otherwise, including both express and implied warranties .

2. Page 2, Line 33:

33 (3) For purposes of { ~~this section~~ } Subsection (2) , property damage does not include:

3. Page 2, Lines 37 through 39:

37 (4) Except as provided in Subsection (2) and (6) , an action for defective design or construction

38 may be brought only by a person in privity of contract with the original contractor, architect,

39 engineer, or the real estate developer.

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

Representative Ray declared a conflict of interest because he was just appointed to the Realtor board and it is not yet listed on his conflict form.

1st Sub. S.B. 220, as substituted and amended, passed on the following roll call:

Yeas, 64; Nays, 9; Absent or not voting, 2.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Brown	D. Clark
S. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Ferry
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wiley	Wimmer	Winn	Curtis

Voting in the negative were: Representatives

Biskupski	Chavez–Houck	Duckworth	Janice Fisher
Hemingway	Johnson	McGee	Seelig
Wheatley			

Absent or not voting were: Representatives

Bowman	Dunnigan
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1st Sub. S.B. 220, as substituted and amended, was returned to the Senate for further consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Snow, and at 4:55 p.m., the House voted to adjourn until March 4, 2008, at 8:00 a.m.

FORTY-FOURTH DAY

* * *

MORNING SESSION

The House was called to order by Speaker Curtis at 8:50 a.m.

Roll call showed all members present except Representatives Bud Bowman and Lynn Hemingway, excused.

Prayer by Tyson Heaton, Representative Newbold's intern. Pledge of Allegiance by Representative Merlynn Newbold.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 3, 2008

The Senate passed, **H.B. 186**, PROPERTY TAX – COUNTY ASSESSMENT AND COLLECTION 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. 316**, SUBSTANCE ABUSE TREATMENT FOR PREGNANT WOMEN AND PREGNANT MINORS, 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, **2nd Sub. H.B. 319**, REVIEW AND APPROVAL OF GRANTS, 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. **H.B. 186**, **1st Sub. H.B. 316**, and **2nd Sub. H.B. 319** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker: March 3, 2008

The Senate substituted and passed, **Senate 2nd Sub. H.B. 80**, ADMINISTRATIVE RULE PENALTY AMENDMENTS, by Representative B. Ferry, and it is transmitted for further consideration; and

The Senate substituted and passed, **Senate 3rd Sub. H.B. 104**, URBAN TRAILS APPROPRIATION, by Representative K. Holdaway, and it is transmitted for further consideration; and

The Senate substituted and passed, **Senate 1st Sub. H.B. 202**, EMPLOYEE BENEFIT AMENDMENTS, by Representative J. Dougall, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **2nd Sub. H.B. 80**, **3rd Sub. H.B. 104**, and **1st Sub. H.B. 202** placed on the Concurrence Calendar.

* * *

Mr. Speaker: March 3, 2008

The Senate passed **S.B. 5**, EXECUTIVE COMPENSATION REVISIONS, by Senator C. Bramble, and it is transmitted for consideration; and

The Senate passed, as amended, **S.B. 286**, TRANSPORTATION AND TRANSIT AMENDMENTS, by Senator S. Killpack, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 5** and **S.B. 286** read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker: March 3, 2008

The Senate adopted the Joint Conference Committee Report dated March 3, 2008, and passed **3rd Sub. H.B. 54**, PROPERTY TAX ASSESSMENT REVISIONS, by Representative W. Harper, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed.

CONFERENCE COMMITTEE REPORT

Mr. Speaker: March 3, 2008

The Joint Conference Committee comprised of Senators Wayne Niederhauser, Lyle Hillyard, and Scott McCoy, and Representatives Wayne

A. Harper, Fred Hunsaker, and David Litvack, recommends **2nd Sub. H.B. 54**, PROPERTY TAX ASSESSMENT REVISIONS, by Representative W. Harper, be replaced and favorably recommends **3rd Sub. H.B. 54**, PROPERTY TAX ASSESSMENT REVISIONS.

Wayne Niederhauser
Senate Chair
Wayne Harper
House Chair

Report filed. On motion of Representative Harper, the House voted to adopt the Conference Committee Report.

3rd Sub. H.B. 54 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Bowman Gibson

3rd Sub. H.B. 54 was transmitted to the Senate for signature of the President.

CONCURRENCE CALENDAR

On motion of Representative Greenwood, the House voted to concur in the Senate amendments to **1st Sub. H.B. 121**, COUNTY CHARGES FOR SERVICES TO INCARCERATED PERSONS.

1st Sub. H.B. 121, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez-Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Bowman	Gibson
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1st Sub. H.B. 121, as amended by the Senate, transmitted to the Senate for signature of President.

* * *

On motion of Representative Urquhart, the House voted to concur in the Senate amendments to **H.B. 437**, FUNERAL SERVICES LICENSING ACT AMENDMENTS.

H.B. 437, 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	Andersen	Barrus
Bird	Biskupski	Chavez–Houck	D. Clark
S. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gowans	Greenwood	Hansen	Harper
Hemingway	Herrod	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Bigelow	Bowman	Brown	Gibson
Grover	Hendrickson	Holdaway	

H.B. 437, 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 **H.B. 171**, DRIVING PRIVILEGE CARD AMENDMENTS.

H.B. 171, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall

Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting was: Representative
Bowman

H.B. 171, 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 **2nd Sub. H.B. 80**, ADMINISTRATIVE RULE PENALTY AMENDMENTS.

2nd Sub. H.B. 80, 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

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes

Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Bowman	Garn
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2nd Sub. H.B. 80, as amended by the Senate, transmitted to the Senate for signature of President.

* * *

On motion of Representative Holdaway, the House voted to concur in the Senate amendments to **3rd Sub. H.B. 104**, URBAN TRAILS APPROPRIATION.

3rd Sub. H.B. 104, as amended by the Senate, passed on the following roll call:

Yeas, 46; Nays, 24; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Allen	Andersen	Bigelow	Bird
Biskupski	Brown	Chavez–Houck	D. Clark
S. Clark	Cosgrove	Dee	Draxler
Duckworth	Dunnigan	Ferry	Julie Fisher
Froerer	Garn	Grover	Hansen
Harper	Hemingway	Hendrickson	Holdaway
Hunsaker	Johnson	King	Last
Litvack	Lockhart	Mascaro	McGee
McIff	Menlove	Morgan	Moss
Neuenschwander	Newbold	Riesen	Seelig
Snow	Urquhart	Webb	Wheatley
Wiley	Curtis		

Voting in the negative were: Representatives

Aagard	Barrus	Daw	Donnelson
Dougall	Frank	Gibson	Gowans

Greenwood	Herrod	Hughes	Hutchings
Kiser	Mathis	Morley	Noel
Oda	Painter	Ray	Sandstrom
Sumsion	Tilton	Wimmer	Winn

Absent or not voting were: Representatives

Bowman	Janice Fisher	Fowlke	Shurtliff
Walker			

3rd Sub. H.B. 104, 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 **1st Sub. H.B. 202**, EMPLOYEE BENEFIT AMENDMENTS.

1st Sub. H.B. 202, as amended by the Senate, passed on the following roll call:

Yeas, 62; Nays, 7; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Donnelson	Dougall	Draxler
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Greenwood	Grover	Harper
Hemingway	Herrod	Hughes	Hunsaker
Hutchings	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morley
Moss	Neuenschwander	Newbold	Oda
Painter	Ray	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wimmer
Winn	Curtis		

Voting in the negative were: Representatives

Duckworth	Gowans	Hansen	Hendrickson
Holdaway	Wheatley	Wiley	

Absent or not voting were: Representatives

Bowman	Dee	Johnson	Morgan
Noel	Riesen		

1st Sub. H.B. 202, as amended by the Senate, transmitted to the Senate for signature of President.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, under suspension of the rules, the House voted to lift **H.B. 490** from the Rules Committee, consider it read the second time by short title and placed at the top of the House Third Reading Calendar.

UNFINISHED BUSINESS

On motion of Representative Walker, the House voted to uncircle **1st Sub. S.B. 180**.

1st Sub. S.B. 180, REGENTS SCHOLARSHIP PROGRAM, was before the House on its final passage.

Representative Walker proposed the following amendment:

1. Page 1, Lines 21 through 25

21 This bill appropriates:

22 ► for fiscal year 2008–09 only,
 {–\$50,000,000–} \$500,000 from the Education Fund to the
 State

23 Board of Regents; and

24 ► as an ongoing appropriation subject to future budget
 constraints, {–\$7,500,000–} \$400,000 from

25 the Education Fund for fiscal year 2008–09 to the State Board of
 Regents.

2. Page 4, Lines 88 through 90:

88 (2) A student who is awarded the Base Regents' Scholarship
established in Section

89 53B–8–109 may also be awarded each of the supplemental awards
established in Sections

90 53B-8-110 {~~53B-8-111~~} and {~~53B-8-112~~} 53B-8-111 .

3. Page 4, Line 118:

118 (b) the cumulative grade point average required in Sections
53B-8-109 and {~~53B-8-112~~} 53B-8-111 ;

4. Page 5, Lines 127 through 133:

127 (8) (a) The Legislature shall make an annual appropriation from
the Education Fund to

128 the State Board of Regents for the costs associated with the
Regents' Scholarship Program

129 authorized under this section and Sections 53B-8-109,
53B-8-110, {~~53B-8-111~~} and
{~~53B-8-112~~} 53B-8-111 .

130 (b) Notwithstanding the provisions of this section and Sections
53B-8-109, 53B-8-110,

131 {~~53B-8-111~~} and {~~53B-8-112~~} 53B-8-111 .
if the appropriation under Subsection (8)(a) is insufficient to cover

132 the costs associated with the Regents' Scholarship Program, the
State Board of Regents may

133 limit or reduce the Base Regents' Scholarships and
supplemental awards.

5. Page 7, Lines 196 through 204:

196 {~~Section 5. Section 53B-8-111 is enacted to read:~~

197 ~~53B-8-111. Supplemental scholarship award -- First
generation college student.~~

198 ~~(1) A student who qualifies for the Base Regents' Scholarship in
accordance with the~~

199 ~~provisions of Section 53B-8-109 shall be awarded an
additional \$1,000 if the student submits a~~

200 ~~notarized affidavit attesting that neither of the student's parents
nor the student's legal guardian~~

201 ~~completed an associate's or bachelor's degree in college.~~

202 ~~(2) An award under this section may not be used to diminish or
reduce any state~~

203 ~~need-based financial aid for which the student may qualify based on personal or family income. }~~

204 Section ~~{-6-}~~ 5 . Section ~~{-53B-8-112-}~~ 53B-8-111 is enacted to read:

6. Page 8, Line 241 through Page 9, Line 244:

241 Section ~~{-7-}~~ 6 . One-time appropriation.

242 (1) There is appropriated { \$50,000,000 } \$500,000 from the Education Fund for fiscal year 2008-09

243 only, to the State Board of Regents to fund the { -Base Regents' Scholarships and supplemental

244 awards } Regents' Scholarship Program established in { -Sections 53B-8-109, 53B-8-110, 53B-8-111, and 53B-8-112 } Section 53B-8-108 .

7. Page 9, Lines 247 through 257:

247 Section ~~{-8-}~~ 7 . Ongoing appropriation.

248 (1) As an ongoing appropriation subject to future budget constraints, there is

249 appropriated from the Education Fund for fiscal year 2008-09, { \$7,500,000 } \$400,000 to the State Board of

250 Regents { -

251 (2) It is the intent of the Legislature that:

252 (a) \$500,000 of the appropriation under Subsection (1) shall be used to administer the

253 Regents' Scholarship Program; and

254 (b) \$7,000,000 of the appropriation under Subsection (1) shall be used to fund the Base

255 Regents' Scholarships and supplemental awards established in Sections 53B-8-109, 53B-8-110,

256 53B-8-111, and 53B-8-112 } to fund the Regents' Scholarship Program established in Section 53B-8-108 .

257 Section ~~{-9-}~~ 8 . Effective date.

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

1st Sub. S.B. 180, as amended, passed on the following roll call:

Yeas, 67; Nays, 2; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Biskupski	Chavez–Houck	D. Clark
S. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Winn	Curtis	

Voting in the negative were: Representatives

Morley	Wimmer
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Absent or not voting were: Representatives

Allen	Bowman	Brown	Garn
Hughes	Sandstrom		

1st Sub. S.B. 180, as amended, was returned to the Senate for further consideration.

THIRD READING CALENDAR

S.B. 263, SELF AUTHENTICATION OF DOCUMENTS, read the third time by short title and placed on its final passage.

Representative McIff proposed the following amendment:

1. Page 1, Lines 8 through 12

8 General Description:

9 This bill renumbers Section 46–5–101 to
 { ~~78B–5–828~~ } 78B–5–705 .

10 Highlighted Provisions:

11 This bill:

12 ► rennumbers Section 46-5-101 to
{-78B-5-828-} 78B-5-705 .

2. Page 1, Lines 18 through 20:

18 RENUMBERS AND AMENDS:

19 {-78B-5-828-} 78B-5-705 , (Renumbered from
46-5-101, as enacted by Laws of Utah 2007, Chapter

20 278)

3. Page 1, Lines 23 through 25:

23 Section 1. Section {-78B-5-828-} 78B-5-705 ,
which is renumbered from Section 46-5-101 is

24 renumbered and amended to read:

25 [46-5-101]. {-78B-5-828-} 78B-5-705 .
Self-authentication of documents.

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

S.B. 263, as amended, passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez-Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hendrickson	Herrod	Holdaway	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Lockhart	Mascaro	Mathis
McIff	Menlove	Morgan	Morley
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Bowman	Hemingway	Hughes	Litvack
McGee	Moss	Walker	

S.B. 263, as amended, was returned to the Senate for further consideration.

* * *

S.B. 288, CONDOMINIUM OWNERSHIP ACT AMENDMENTS, 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. 288 passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Greenwood	Grover
Hansen	Harper	Hendrickson	Herrod
Holdaway	Hunsaker	Hutchings	King
Kiser	Last	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Neuenschwander	Newbold
Noel	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Bowman	Daw	Gowans	Hemingway
Hughes	Johnson	Litvack	Moss
Oda			

S.B. 288 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

S.B. 295, SECURITY ALARM BUSINESS LICENSING AMENDMENTS, 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. 295 passed on the following roll call:

Yeas, 54; Nays, 14; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	S. Clark	Cosgrove	Dee
Donnelson	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Fowlke	Froerer
Gibson	Gowans	Greenwood	Grover
Hendrickson	Herrod	Holdaway	Hunsaker
Hutchings	King	Kiser	Last
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Neuenschwander	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn		

Voting in the negative were: Representatives

Daw	Dougall	Julie Fisher	Frank
Garn	Hansen	Harper	Lockhart
Morley	Newbold	Noel	Oda
Sumsion	Curtis		

Absent or not voting were: Representatives

Bowman	D. Clark	Hemingway	Hughes
Johnson	Litvack	Moss	

S.B. 295 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

S.B. 297, ANIMAL TORTURE AND CRUELTY AMENDMENTS, 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. 297 passed on the following roll call:

Yeas, 62; Nays, 6; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Hemingway	Herrod	Holdaway
Hunsaker	Hutchings	Kiser	Last
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Neuenschwander
Newbold	Noel	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Voting in the negative were: Representatives

Donnelson	Frank	Hughes	Morley
Oda	Tilton		

Absent or not voting were: Representatives

Bowman	Harper	Hendrickson	Johnson
King	Litvack	Moss	

S.B. 297 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

3rd Sub. S.B. 211, ALCOHOLIC BEVERAGE CONTROL AMENDMENTS, 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 Dee, the House voted to circle **3rd Sub. S.B. 211**.

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S.B. 177, LOCAL GOVERNMENT DISPOSAL OF REAL PROPERTY ACQUIRED BY EXACTION, read the third time by short title and placed on its final passage.

On motion of Representative D. Clark, the House voted to circle **S.B. 177**.

* * *

1st Sub. S.B. 202, ENERGY RESOURCE AND CARBON EMISSION REDUCTION INITIATIVE, read the third time by short title and placed on its final passage.

1st Sub. S.B. 202 passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Webb	Wheatley
Wiley	Winn	Curtis	

Absent or not voting were: Representatives

Bowman	Janice Fisher	Hansen	Litvack
Lockhart	Moss	Walker	Wimmer

1st Sub. S.B. 202 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 D. Clark, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

THIRD READING CALENDAR

H.B. 490, LEGISLATIVE TASK FORCES AND STUDY PRIORITIES, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

Representative Holdaway proposed the following amendment:

1. Page , Line 71:
After line 71:
Insert "the Utah College of Applied Technology;" and renumber accordingly.

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

H.B. 490, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Bowman	Garn	Morley	Tilton
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H.B. 490, as amended, transmitted to the Senate for its consideration.

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H.B. 414, RECYCLING AMENDMENTS, 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. 414**.

UNFINISHED BUSINESS

On motion of Representative Bigelow, the House voted to uncircle **H.B. 2**.

H.B. 2, NEW FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS ACT, was before the House on its final passage.

Representative Bigelow proposed the following amendment:

1. Page 113, Line 4274:
Delete “Exchange of Land requires extensive staff time, legal involvement & governor endorsement” and insert “Exchange of land requires extensive staff time, legal involvement & governor endorsement”
2. Page 121, Line 4593:
Delete “Handling Fees (includes licenses and CORs) (Handling fees may be assessed exchanges)10.00” and insert “Handling Fees (includes licenses, CORs, and exchanges) 10.00”

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

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Representative Holdaway proposed the following amendment:

1. Page 27, Line 984:
Delete “1,041,600” and insert “241,600”
2. Page 27, Line 988:
Delete “918,000” and insert “118,000”
3. Page 30, Line 1131:
Delete “(3,000,000)” and insert “(2,200,000)”
4. Page 30, Line 1133:
Delete “(3,000,000)” and insert “(2,200,000)”

Representative Holdaway’s motion to amend failed on a voice vote.

H.B. 2, as amended, passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Gibson	Gowans
Greenwood	Grover	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Winn	Curtis

Voting in the negative were: Representatives

Hansen Wimmer

Absent or not voting was: Representative

Garn

H.B. 2, as amended, transmitted to the Senate for its consideration.

RULES COMMITTEE REPORT

Mr. Speaker:

March 4, 2008

The Rules Committee recommends that, under suspension of the rules, the following bills and resolutions be considered read for the second time and placed on the Third Reading Calendar for Senate bills.

S.J.R. 5	Joint Resolution Amending Legislative Apportionment (Sen. C. Bramble)
S.B. 189	Independent Contractor Database (Sen. D. Eastman)
1st Sub. S.B. 296	Financial Institutions Amendments (Sen. C. Bramble)

S.B. 286	Transportation and Transit Amendments (Sen. S. Killpack)
S.B. 62	Health Insurance – Medical Complication Exclusions (Sen. P. Knudson)
S.B. 294	Community Development and Renewal Amendments (Sen. C. Bramble)
S.B. 231	Transportation Governance (Sen. S. Killpack)
S.B. 151	Trademark Protection Act Amendments (Sen. D. Eastman)
S.B. 174	Dentist and Dental Hygienist Practice Act Amendments (Sen. P. Knudson)
S.B. 83	Check Cashing and Deferred Deposit Lending Registration Act (Sen. K. Mayne)
S.B. 193	Election Law Changes (Sen. P. Knudson)
S.B. 149	Motor Vehicle Liability Policy Minimum Limits (Sen. S. Killpack)
3rd Sub. S.B. 46	Anti-flow Control Amendments (Sen. D. Eastman)
3rd Sub. S.B. 245	Funding Relating to Airports, Highways, and Public Transit (Sen. C. Bramble)
3rd Sub. S.B. 20	Municipal Government Amendments (Sen. C. Walker)
2nd Sub. S.B. 185	Economic Incentive Revisions (Sen. L. Hillyard)
2nd Sub. S.B. 71	School District Amendments (Sen. C. Walker)
2nd Sub. S.B. 17	Child Abuse and Neglect Registry – Management and Licensing Information Systems Amendments (Sen. G. Davis)

Stephen Urquhart, Chair

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

MISCELLANEOUS BUSINESS

On motion of Representative Snow, the House voted to move to the Senate Third Reading Calendar.

* * *

On motion of Representative Hemingway, the House voted to reconsider its action on **S.B. 123, FILLING VACANCIES IN THE SENATE**. The motion failed on the following roll call:

Yeas, 28; Nays, 42; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Allen	Barrus	Biskupski
Chavez–Houck	Cosgrove	Duckworth	Janice Fisher

Fowlke	Gowans	Hansen	Hemingway
Hendrickson	Holdaway	Hutchings	Johnson
King	Litvack	McGee	Menlove
Morgan	Moss	Oda	Riesen
Seelig	Shurtliff	Wheatley	Wiley

Voting in the negative were: Representatives

Andersen	Bigelow	Bird	D. Clark
S. Clark	Daw	Dee	Donnelson
Dougall	Draxler	Dunnigan	Ferry
Julie Fisher	Frank	Froerer	Gibson
Greenwood	Grover	Harper	Herrod
Hughes	Kiser	Last	Mascaro
Mathis	McIff	Morley	Neuenschwander
Newbold	Noel	Painter	Ray
Sandstrom	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Bowman	Brown	Garn	Hunsaker
Lockhart			

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 4, 2008

The President of the Senate has signed **1st Sub. H.B. 242**, TRANSPORTATION FUNDING REVISIONS, by Representative W. Harper, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 290**, MUNICIPAL OVERSIGHT OF RENTAL DWELLINGS, by Representative G. Froerer, 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. 330**, STATE SUPPLEMENTAL FUNDING FOR HEAD START, by Representative L. Shurtliff, and it is transmitted for the signature of the Speaker; and

The Senate passed, **2nd Sub. H.B. 346**, DIVISION OF REAL ESTATE RELATED 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. 365**, AVIATION AMENDMENTS, by Representative W. Harper, 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. 242**, **H.B. 290**, **1st Sub. H.B. 330**, **2nd Sub. H.B. 346**, and **H.B. 365** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

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Mr. Speaker: March 4, 2008

The Senate concurred in the House amendments and passed **1st Sub. S.B. 72**, JUSTICE COURT 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 **2nd Sub. S.B. 103**, HIGHER EDUCATION ENHANCEMENTS, by Senator D. Stowell, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **2nd Sub. S.B. 105**, JUDICIAL PERFORMANCE EVALUATION COMMISSION, by Senator D. C. Buttars, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **2nd Sub. S.B. 134**, MORTGAGE FRAUD ACT, by Senator S. Killpack, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **2nd Sub. S.B. 161**, ADVANCE HEALTH CARE DIRECTIVE AMENDMENTS, by Senator A. Christensen, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **1st Sub. S.B. 208**, TRANSPORTATION CORRIDOR PRESERVATION AMENDMENTS, by Senator S. Killpack, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **S.B. 209**, METHAMPHETAMINE DECONTAMINATION STANDARDS AND FUNDING, by Senator D. C. Buttars, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **1st Sub. S.B. 220**, CAUSE OF ACTION FOR DEFECTIVE CONSTRUCTION, by Senator C. Bramble, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **S.B. 247, VETERANS PROCUREMENT PROVISIONS**, by Senator F. Fife, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **1st Sub. S.B. 72, 2nd Sub. S.B. 103, 2nd Sub. S.B. 105, 2nd Sub. S.B. 134, 2nd Sub. S.B. 161, 1st Sub. S.B. 208, S.B. 209, 1st Sub. S.B. 220, and S.B. 247** 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 Snow, the House voted to saunter.

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

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 4, 2008

The Senate passed, **2nd Sub. H.B. 146, SCHOOL BUS 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.B. 258, MEDICAID DRUG UTILIZATION 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. 459, CONSTRUCTION TRADES EXEMPTION**, by Representative S. Urquhart, 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. 146, H.B. 258, and H.B. 459** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

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Mr. Speaker: March 4, 2008

The Senate substituted, amended, and passed, **Senate 1st Sub. H.B. 106, CLEAN AIR AND EFFICIENT VEHICLE TAX INCENTIVES**, by Representative R. McGee, and it is transmitted for further consideration; and

The Senate substituted and passed, **Senate 2nd Sub. H.B. 133**, HEALTH SYSTEM REFORM, by Representative D. Clark, and it is transmitted for further consideration; and

The Senate substituted, amended, and passed, **Senate 1st Sub. H.B. 332**, USE OF PUBLIC SCHOOLS BY COMMUNITY ORGANIZATIONS, by Representative G. Hughes, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.J.R. 7**, JOINT RESOLUTION RECOGNIZING UNREINFORCED MASONRY BUILDINGS, by Representative L. Wiley, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **1st Sub. H.B. 106**, **2nd Sub. H.B. 133**, **1st Sub. H.B. 332**, and **H.J.R. 7** placed on the Concurrence Calendar.

THIRD READING CALENDAR

S.J.R. 5, JOINT RESOLUTION AMENDING LEGISLATIVE APPORTIONMENT, read the third time by short title and placed on its final passage.

S.J.R. 5 passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Biskupski	Bowman	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Noel
Oda	Ray	Riesen	Sandstrom
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Winn	Curtis	

Absent or not voting were: Representatives

Bird	Brown	Gibson	Mascaro
Newbold	Painter	Seelig	Wimmer

S.J.R. 5 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 Morley, the House voted to uncircle **S.B. 177**.

S.B. 177, LOCAL GOVERNMENT DISPOSAL OF REAL PROPERTY ACQUIRED BY EXACTION, was before the House on its final passage.

S.B. 177, 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	Andersen	Barrus
Biskupski	Bowman	Chavez–Houck	D. Clark
S. Clark	Cosgrove	Daw	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mathis	McGee	McIff	Menlove
Morgan	Morley	Neuenschwander	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Bigelow	Bird	Brown	Dee
Gibson	Hughes	Mascaro	Moss
Newbold			

S.B. 177, as amended, was returned to the Senate for further consideration.

THIRD READING CALENDAR

S.B. 189, INDEPENDENT CONTRACTOR DATABASE, 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 Snow, the House voted to circle **S.B. 189**.

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1st Sub. S.B. 296, FINANCIAL INSTITUTIONS AMENDMENTS, read the third time by short title and placed on its final passage.

1st Sub. S.B. 296 passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Biskupski	Bowman	Chavez–Houck	D. Clark
S. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Shurtliff	Snow
Sumsion	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Bigelow	Bird	Brown	Mascaro
Seelig	Tilton		

1st Sub. S.B. 296 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. 286, TRANSPORTATION AND TRANSIT AMENDMENTS, 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. 286 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Biskupski	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Donnelson	Dougall	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	Last	Litvack	Lockhart
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Voting in the negative were: Representatives

Draxler	Kiser	Newbold
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Absent or not voting were: Representatives

Bird	Dee	Gowans	King
Mascaro	Urquhart		

S.B. 286 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 Kiser, the House voted to uncircle **S.B. 189**.

S.B. 189, INDEPENDENT CONTRACTOR DATABASE, was before the House on its final passage.

S.B. 189 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Biskupski	Bowman	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Greenwood	Grover
Hansen	Harper	Hemingway	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Voting in the negative were: Representatives

Dougall	Hendrickson
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Absent or not voting were: Representatives

Bird	Gowans	Mascaro
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S.B. 189 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. 62, HEALTH INSURANCE – MEDICAL COMPLICATION EXCLUSIONS, read the third time by short title and placed on its final passage.

On motion of Representative Last, the House voted to delete **S.B. 62** in title and body and insert **1st Sub. S.B. 62** in lieu thereof.

1st Sub. S.B. 62 passed on the following roll call:

Yeas, 57; Nays, 15; Absent or not voting, 3.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Bigelow
Biskupski	Bowman	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Dee
Donnelson	Dougall	Draxler	Duckworth
Ferry	Janice Fisher	Fowlke	Frank
Froerer	Gowans	Greenwood	Grover
Hansen	Hemingway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	Menlove	Morgan
Morley	Moss	Neuenschwander	Noel
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Urquhart
Walker	Webb	Wheatley	Wiley
Curtis			

Voting in the negative were: Representatives

Barrus	Bird	Daw	Dunnigan
Gibson	Harper	Hendrickson	Herrod
Holdaway	McIff	Newbold	Oda
Sumsion	Tilton	Wimmer	

Absent or not voting were: Representatives

Julie Fisher	Garn	Winn
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1st Sub. S.B. 62, as substituted, was returned to the Senate for further consideration.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 4, 2008

The Senate passed, **H.B. 341**, DAMAGE TO UNDERGROUND UTILITY FACILITIES AMENDMENTS, 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, **1st Sub. H.B. 192**, PROPERTY TRANSACTION 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. 399**, MEDICATION AIDE CERTIFIED 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. 160**, CHARTER SCHOOL LAW REVISIONS, 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 **1st Sub. H.B. 121**, COUNTY CHARGES FOR SERVICES TO INCARCERATED PERSONS, by Representative R. Greenwood, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 171**, DRIVING PRIVILEGE CARD AMENDMENTS, by Representative B. Daw, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 202**, EMPLOYEE BENEFIT AMENDMENTS, by Representative J. Dougall, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 437**, FUNERAL SERVICES LICENSING ACT AMENDMENTS, by Representative S. Urquhart, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **3rd Sub. H.B. 54**, PROPERTY TAX ASSESSMENT REVISIONS, 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. 80**, ADMINISTRATIVE RULE PENALTY AMENDMENTS, by Representative B. Ferry, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **3rd Sub. H.B. 104**, URBAN TRAILS APPROPRIATION, by Representative K. Holdaway, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 410**, RESTRICTED ACCOUNTS AMENDMENTS, 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. 341, 1st Sub. H.B. 192, H.B. 399, H.B. 160, 1st Sub. H.B. 121, H.B. 171, 1st Sub. H.B. 202, H.B. 437, 3rd Sub. H.B. 54, 2nd Sub. H.B. 80, 3rd Sub. H.B. 104, and H.B. 410** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Bigelow, under suspension of the rules, the House voted to lift **S.B. 5** from the Rules Committee, consider it read the second time by short title and placed at the top of the Senate Third Reading Calendar.

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

AFTERNOON SESSION

The House was called to order by Speaker Curtis at 2:20 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 4, 2008

The Senate passed, **1st Sub. H.B. 174**, TRAUMATIC BRAIN INJURY FUND, by Representative J. Gowans, 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. **1st Sub. H.B. 174** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

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Mr. Speaker: March 4, 2008

The Senate passed, as amended, **5th Sub. H.B. 164**, TOWN INCORPORATION PROCESS AMENDMENTS, by Representative M. Brown, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **5th Sub. H.B. 164** placed on the Concurrence Calendar.

THIRD READING CALENDAR

S.B. 5, EXECUTIVE COMPENSATION REVISIONS, 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. 5 passed on the following roll call:

Yeas, 53; Nays, 4; Absent or not voting, 18.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Biskupski	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Draxler	Duckworth	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Gibson
Greenwood	Harper	Hemingway	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Johnson	King	Last	Litvack
Lockhart	Mathis	McGee	McIff
Morgan	Moss	Neuenschwander	Noel
Oda	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Tilton	Urquhart
Walker	Webb	Wiley	Winn
Curtis			

Voting in the negative were: Representatives

Bird	Dougall	Kiser	Ray
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Absent or not voting were: Representatives

Allen	Bowman	Brown	Dunnigan
Froerer	Garn	Gowans	Grover
Hansen	Holdaway	Mascaro	Menlove
Morley	Newbold	Painter	Sumsion
Wheatley	Wimmer		

S.B. 5 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 Urquhart, the House voted to uncircle **3rd Sub. S.B. 211**.

3rd Sub. S.B. 211, ALCOHOLIC BEVERAGE CONTROL AMENDMENTS, was before the House on its final passage.

Representative Mascaro's motion to return **3rd Sub. S.B. 211** to the Rules Committee failed on a voice vote.

3rd Sub. S.B. 211 passed on the following roll call:

Yeas, 54; Nays, 19; Absent or not voting, 2.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Brown	D. Clark
S. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Garn	Greenwood
Grover	Herrod	Holdaway	Hunsaker
Hutchings	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McIff	Menlove	Morgan	Morley
Neuenschwander	Newbold	Noel	Painter
Ray	Riesen	Sandstrom	Snow
Sumsion	Urquhart	Walker	Webb
Winn	Curtis		

Voting in the negative were: Representatives

Biskupski	Chavez–Houck	Froerer	Gibson
Gowans	Hansen	Harper	Hemingway
Hendrickson	Hughes	Johnson	McGee
Oda	Seelig	Shurtliff	Tilton
Wheatley	Wiley	Wimmer	

Absent or not voting were: Representatives

Bowman	Moss
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3rd Sub. S.B. 211 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. 294, COMMUNITY DEVELOPMENT AND RENEWAL AMENDMENTS, 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 Urquhart, the House voted to circle **S.B. 294**.

* * *

S.B. 231, TRANSPORTATION GOVERNANCE, read the third time by short title and placed on its final passage.

Representative Allen proposed the following amendment:

- 1. Page 1, Lines 23 through 26

23 ▶ requires the board of trustees of a public transit district to:

24 • direct the internal auditor to conduct internal audits that the board of trustees

25 determines are critical to the success of the organization;
 {~~and~~}

26 • hear audit reports of the audits conducted as directed by the board; and

 • emphasize pollution mitigation in establishing the policies for district operations; and

- 2. Page 8, Line 242 through Page 9, Line 245:

242 (i) direct the internal auditor appointed under Section 17B-2a-810 to conduct audits

243 that the board of trustees determines to be the most critical to the success of the organization;

244 {~~and~~ }

245 (j) hear audit reports for audits conducted in accordance with Subsection (2)(i) ; and

(k) emphasize pollution mitigation in establishing the policies for district operations .

Representative Allen’s motion to amend failed on a voice vote.

S.B. 231 passed on the following roll call:

Yeas, 67; Nays, 0; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Aagard	Allen	Barrus	Bigelow
Biskupski	Brown	Chavez-Houck	D. Clark
S. Clark	Cosgrove	Daw	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Holdaway

Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Andersen	Bird	Bowman	Dee
Herrod	Morley	Moss	Walker

S.B. 231 signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

COMMUNICATION FROM THE SENATE

Mr. Speaker:

March 4, 2008

The Senate substituted, amended, and passed, **Senate 4th Sub. H.B. 131**, COMMUNITY BASED SELF SUFFICIENCY PROGRAM, by Representative J. Seelig, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **4th Sub. H.B. 131** placed on the Concurrence Calendar.

THIRD READING CALENDAR

S.B. 151, TRADEMARK PROTECTION ACT AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Seelig declared a conflict of interest.

On motion of Representative Dougall, the House voted to delete **S.B. 151** in title and body and insert **2nd Sub. S.B. 151** in lieu thereof.

2nd Sub. S.B. 151 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown

Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Donnelson	Dougall	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Greenwood	Grover	Hansen
Harper	Hemingway	Holdaway	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Noel	Oda	Painter	Ray
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Voting in the negative were: Representatives

Draxler	Gowans	Hendrickson
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Absent or not voting were: Representatives

Bowman	Dee	Herrod	Hughes
Newbold	Riesen		

2nd Sub. S.B. 151, as substituted, was returned to the Senate for further consideration.

CONCURRENCE CALENDAR

On motion of Representative McGee, the House voted to concur in the Senate amendments to **1st Sub. H.B. 106**, CLEAN AIR AND EFFICIENT VEHICLE TAX INCENTIVES.

1st Sub. H.B. 106, as amended by the Senate, passed on the following roll call:

Yeas, 56; Nays, 15; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Dougall
Draxler	Duckworth	Dunnigan	Janice Fisher
Julie Fisher	Fowlke	Frank	Garn

Gowans	Grover	Hansen	Harper
Hemingway	Hendrickson	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	McGee	McIff	Morgan
Moss	Neuenschwander	Noel	Painter
Ray	Riesen	Seelig	Shurtliff
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Winn	Curtis

Voting in the negative were: Representatives

Daw	Donnelson	Ferry	Froerer
Gibson	Greenwood	Herrod	Mathis
Menlove	Morley	Oda	Sandstrom
Snow	Sumsion	Wimmer	

Absent or not voting were: Representatives

Bowman	Cosgrove	Dee	Newbold
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1st Sub. H.B. 106, 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 **2nd Sub. H.B. 133**, HEALTH SYSTEM REFORM.

2nd Sub. H.B. 133, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Chavez-Houck
D. Clark	S. Clark	Daw	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Hughes	Hunsaker	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee

McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Bowman	Brown	Cosgrove	Dee
Ferry	Gowans	Herrod	Holdaway
Hutchings	Newbold	Noel	Walker

2nd Sub. H.B. 133, 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. 332**, USE OF PUBLIC SCHOOLS BY COMMUNITY ORGANIZATIONS.

1st Sub. H.B. 332, as amended by the Senate, passed on the following roll call:

Yeas, 38; Nays, 30; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Chavez-Houck	D. Clark	S. Clark	Daw
Donnelson	Draxler	Frank	Froerer
Garn	Greenwood	Grover	Harper
Herrod	Hughes	Hutchings	Kiser
Last	Lockhart	McIff	Morgan
Noel	Oda	Painter	Ray
Sandstrom	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wimmer
Winn	Curtis		

Voting in the negative were: Representatives

Allen	Bird	Biskupski	Brown
Dougall	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Gowans
Hansen	Hemingway	Hendrickson	Holdaway

Hunsaker	Johnson	King	Litvack
Mascaro	McGee	Menlove	Moss
Neuenschwander	Riesen	Seelig	Shurtliff
Wheatley	Wiley		

Absent or not voting were: Representatives

Bowman	Cosgrove	Dee	Gibson
Mathis	Morley	Newbold	

1st Sub. H.B. 332, 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.J.R. 7**, JOINT RESOLUTION RECOGNIZING UNREINFORCED MASONRY BUILDINGS.

H.J.R. 7, as amended by the Senate, passed on the following roll call:

Yeas, 65; Nays, 1; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez-Houck	D. Clark	S. Clark	Cosgrove
Daw	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	King	Last	Litvack
Lockhart	Mascaro	McGee	Menlove
Morgan	Moss	Neuenschwander	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Voting in the negative was: Representative

Urquhart

Absent or not voting were: Representatives

Bowman	Dee	Gibson	Johnson
Kiser	Mathis	McIff	Morley
Newbold			

H.J.R. 7, as amended by the Senate, transmitted to the Senate for signature of President.

* * *

On motion of Representative Brown, the House voted to concur in the Senate amendments to **5th Sub. H.B. 164**, TOWN INCORPORATION PROCESS AMENDMENTS.

5th Sub. H.B. 164, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez-Houck	D. Clark	S. Clark	Cosgrove
Daw	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	McGee
McIff	Menlove	Morgan	Moss
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Bowman	Dee	Gibson	Hutchings
Mathis	Morley	Neuenschwander	Newbold

5th Sub. H.B. 164, 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 **4th Sub. H.B. 131, COMMUNITY BASED SELF SUFFICIENCY PROGRAM.**

4th Sub. H.B. 131, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
McGee	McIff	Menlove	Morgan
Morley	Moss	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Bowman	Gibson	Mascaro	Mathis
Neuenschwander	Newbold		

4th Sub. H.B. 131, as amended by the Senate, transmitted to the Senate for signature of President.

COMMUNICATION FROM THE SENATE

Mr. Speaker:

March 4, 2008

The Senate requests the return of **H.B. 352**, AMENDMENTS RELATED TO MONIES DERIVED FROM NAVAJO NATION RESERVATION LANDS IN UTAH, by Representative D. Clark, for reconsideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **H.B. 352** returned to the Senate.

THIRD READING CALENDAR

S.B. 174, DENTIST AND DENTAL HYGIENIST PRACTICE ACT AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 174 passed on the following roll call:

Yeas, 56; Nays, 12; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Donnelson	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Frank
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Hemingway	Hendrickson
Holdaway	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	McGee	McIff
Morgan	Moss	Neuenschwander	Noel
Painter	Ray	Sandstrom	Shurtliff
Snow	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Winn

Voting in the negative were: Representatives

Daw	Dougall	Fowlke	Froerer
Harper	Hughes	Mathis	Menlove
Morley	Oda	Sumsion	Wimmer

Absent or not voting were: Representatives

Bowman	Dee	Herrod	Newbold
Riesen	Seelig	Curtis	

S.B. 174 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

S.B. 83, CHECK CASHING AND DEFERRED DEPOSIT LENDING REGISTRATION ACT, read the third time by short title and placed on its final passage.

S.B. 83 passed on the following roll call:

Yeas, 66; Nays, 2; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Brown	Chavez-Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Litvack	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Moss	Neuenschwander	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Shurtliff	Snow	Sumsion	Urquhart
Walker	Webb	Wheatley	Wiley
Winn	Curtis		

Voting in the negative were: Representatives

Morley Wimmer

Absent or not voting were: Representatives

Biskupski	Bowman	Last	Lockhart
Newbold	Seelig	Tilton	

S.B. 83 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 Urquhart, the House voted to uncircle **S.B. 294**.

S.B. 294, COMMUNITY DEVELOPMENT AND RENEWAL AMENDMENTS, was before the House on its final passage.

Representative Urquhart proposed the following amendment:

1. Page 1, Line 17
17 site; ~~{-and-}~~
2. Page 1, Line 19:
19 blight do not need to be found ~~{-}~~ ; and
▶ provides that the mayor of a municipality operating under a council-mayor form of government serves as the executive director of an agency created by that municipality and exercises the executive powers of the agency.
3. Page 1, Lines 22 through 23:
22 Other Special Clauses:
23 ~~{-None-}~~ This bill coordinates with S.B. 20, Municipal Government Amendments, by technically merging amendments.
4. Page 1, Line 27:
27 17C-2-102, as last amended by Laws of Utah 2007, Chapter 364
17C-1-203, as renumbered and amended by Laws of Utah 2006, Chapter 359
5. Page 12, Lines 345 through 346:
345 (iii) the property is located within the survey area.
Section 3, Section 17C-1-203 is amended to read:
17C-1-203. Agency board -- Quorum.
(1) The governing body of an agency is a board consisting of the current members of the legislative body of the community that created the agency.
(2) A majority of board members constitutes a quorum for the transaction of agency business.
(3) An agency board may not adopt a resolution, pass a motion, or take any other official board action without the concurrence of at least a majority of the board members present at a meeting at which a quorum is present.
(4) The mayor of a municipality operating under a council-mayor form of government, as described in Subsection 10-3-101(2):
(a) serves as the executive director of an agency created by the

municipality; and

(b) exercises the executive powers of the agency.

Renumber remaining sections accordingly.

5. Page 14, Line 416:

416 tenant who becomes a developer.

Section 6. Coordinating S.B. 294 with S.B. 20 -- Technically merging amendments.

If this S.B. 294 and S.B. 20, Municipal Government Amendments, 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, modify Subsection 17C-1-203(4), as amended in this bill, to read:

“(4) The mayor of a municipality operating under a council–mayor form of government, as defined in Section 10–3b–102:

(a) serves as the executive director of an agency created by the municipality; and

(b) exercises the executive powers of the agency.”

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

Representative Curtis declared a conflict of interest because his law firm represents the developer that has been awarded the bid.

S.B. 294, as amended, passed on the following roll call:

Yeas, 41; Nays, 27; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Brown	D. Clark	S. Clark
Cosgrove	Dee	Donnelson	Draxler
Dunnigan	Ferry	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Greenwood	Hemingway	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	King
Mascaro	Mathis	Noel	Oda
Painter	Ray	Sandstrom	Snow
Sumsion	Urquhart	Walker	Webb
Winn			

Voting in the negative were: Representatives

Bird	Biskupski	Chavez–Houck	Daw
Dougall	Duckworth	Janice Fisher	Gowans

Grover	Hansen	Harper	Hendrickson
Johnson	Kiser	Litvack	McGee
Menlove	Morgan	Morley	Moss
Neuenschwander	Riesen	Shurtliff	Tilton
Wheatley	Wimmer	Curtis	

Absent or not voting were: Representatives

Bowman	Last	Lockhart	McIff
Newbold	Seelig	Wiley	

S.B. 294, as amended, was returned to the Senate for further consideration.

THIRD READING CALENDAR

S.B. 193, ELECTION LAW CHANGES, 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. 193 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives
Bowman Seelig

S.B. 193 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

S.B. 149, MOTOR VEHICLE LIABILITY POLICY MINIMUM LIMITS, 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 Urquhart, the House voted to circle **S.B. 149.**

* * *

3rd Sub. S.B. 46, ANTI-FLOW CONTROL AMENDMENTS, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

Representative Urquhart proposed the following amendment:

- 1. Page 2, Line 45

45 (b) { is } collected at or near the residence by:

- 2. Page 2, Lines 49 through 52:

49 { ~~(5)~~ "Private solid waste management facility" means a facility that is:

50 (a) owned or operated by a person who is not a public entity; and

51 (b) a solid waste disposal, reduction, transfer, or conversion facility. }

52 [(4)] { ~~(6)~~ } (5) "Public entity" means:

- 3. Page 3, Line 60:

60 { ~~(7)~~ } (6) "Requirement" means an ordinance, policy, rule, mandate, or other directive that

- 4. Page 3, Line 62:

62 { ~~(8)~~ } (7) "Residence" means an improvement to real property used or occupied as a primary

- 5. Page 3, Line 64:

64 [~~(5)~~] { ~~(9)~~ } (8) "Resource recovery" means the separation, extraction, recycling, or recovery

6. Page 3, Line 66:

66 [(6)] { ~~(10)~~ } (9) “Short-term agreement” means [any] a contract or agreement having a term

7. Page 3, Line 68:

68 [(7)] { ~~(11)~~ } (10) (a) “Solid waste” means [all] a putrescible [and] or nonputrescible [materials]

8. Page 3, Line 84:

84 [(8)] { ~~(12)~~ } (11) “Solid waste management” means the purposeful and systematic collection,

9. Page 3, Line 86:

86 [(9)] { ~~(13)~~ } (12) “Solid waste management facility” means [any] a facility employed for solid

10. Page 7, Lines 193 through 194

Senate 3rd Reading Amendments 2-19-2008:

193 (b) § → [fewer than two] { ~~one business entity operates all the~~ ← § ~~private solid waste~~

193a ~~management facilities~~ } § → [that are owned by

194 ~~different entities exist~~ ← § no more than one landfill exists within:

11. Page 7, Line 196

Senate 3rd Reading Amendments 2-19-2008:

196 (ii) { ~~50~~ } 125 miles outside the public entity’s jurisdiction, as measured from the landfill’s primary entrance by following the shortest route of ordinary travel by motor vehicle ; or

12. Page 7, Lines 203 through 204

Senate 3rd Reading Amendments 2-19-2008:

203 (4) A person { ~~that is~~ } engaged in solid waste management { ~~and~~ } that is aggrieved by a violation

204 of this section may seek judicial review of the violation in a court of competent jurisdiction.

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

###

Representative Oda proposed the following amendment:

- 1. Page 7, Line 200:
Delete “2013” and insert “2010”

Representative Oda’s motion to amend failed on a voice vote.

3rd Sub. S.B. 46, as amended, passed on the following roll call:

Yeas, 52; Nays, 17; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Barrus	Bird	Brown
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Julie Fisher	Fowlke
Frank	Gibson	Gowans	Grover
Hansen	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
King	Kiser	Lockhart	Mascaro
Mathis	McIff	Morley	Moss
Neuenschwander	Noel	Painter	Ray
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wimmer	Winn

Voting in the negative were: Representatives

Allen	Biskupski	Chavez–Houck	Ferry
Janice Fisher	Froerer	Garn	Greenwood
Johnson	Last	Litvack	McGee
Menlove	Morgan	Oda	Riesen
Curtis			

Absent or not voting were: Representatives

Andersen	Bigelow	Bowman	Harper
Newbold	Wiley		

3rd Sub. S.B. 46, as amended, was returned to the Senate for further consideration.

* * *

3rd Sub. S.B. 245, FUNDING RELATING TO AIRPORTS, HIGHWAYS, AND PUBLIC TRANSIT, read the third time by short title and placed on its final passage.

On motion of Representative D. Clark, the House voted to circle **3rd Sub. S.B. 245**.

* * *

3rd Sub. S.B. 20, MUNICIPAL GOVERNMENT AMENDMENTS, read the third time by short title and placed on its final passage.

3rd Sub. S.B. 20, as amended, passed on the following roll call:

Yeas, 64; Nays, 8; Absent or not voting, 3.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bird	Biskupski	Brown	Chavez–Houck
D. Clark	S. Clark	Daw	Dee
Donnelson	Dougall	Draxler	Dunnigan
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Gibson	Greenwood	Grover
Harper	Hemingway	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Voting in the negative were: Representatives

Cosgrove	Duckworth	Ferry	Gowans
Hansen	Hendrickson	King	Menlove

Absent or not voting were: Representatives

Bigelow	Bowman	Garn
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3rd Sub. S.B. 20, as amended, was returned to the Senate for further consideration.

* * *

2nd Sub. S.B. 185, ECONOMIC INCENTIVE REVISIONS, 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 King, the House voted to circle **2nd Sub. S.B. 185**.

* * *

2nd Sub. S.B. 71, SCHOOL DISTRICT AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Hughes proposed the following amendment:

1. Page 1, Line 21
 - 21 allocation;
 - ▶ modifies a provision relating to the reimbursement of transition team and other costs and expenses;
2. Page 2, Line 34:
 - 34 without the consent of specified boards or bodies; {~~and~~}
 - ▶ clarifies application of the changes in this bill to the procedure to create a new district; and
3. Page 2, Line 39:
 - 39 This bill provides an immediate effective date.
This bill provides revisor instructions.
4. Page 2, Lines 44 through 45:
 - 44 53A-2-118.1, as last amended by Laws of Utah 2007, First Special Session, Chapters 1,
 - 45 2, and 4
53A-2-121, as last amended by Laws of Utah 2007, Chapter 215
Uncodified Material Affected:
ENACTS UNCODIFIED MATERIAL
5. Page 2, Line 51:
 - 51 (1) "Allocation date" means ;
 - (a) October 31 immediately before the creation election date { } ;or
 - (b) another date that the transition teams under Section 53A-1-118.1 mutually agree to.
6. Page 16, Lines 465 through 467:
 - 465 (ii) All costs and expenses of the transition team that represents a new district { ;

466 ~~(A)~~ } shall~~[-(A)]~~ initially be borne by:

467 ~~{-(I)-}~~ (A) the city whose legislative body appoints the transition team, if the transition team is

7. Page 16, Lines 469 through 473:

469 ~~{-(H)-}~~ (B) the interlocal agreement participants, if the transition team is appointed by the

470 legislative bodies of interlocal agreement participants ~~{-; and-}~~ and

471 ~~{-(B)-}~~ (iii) The new district may, to a maximum of \$500,000, { -be reimbursed to -} reimburse the city or interlocal agreement

472 participants ~~{ -by the new district -}~~ [within one year after the new district begins providing

473 educational services] for:

(A) transition team costs and expenses; and

(B) startup costs and expenses incurred by the city or interlocal agreement participants on behalf of the new district .

8. Page 18, Lines 528 through 529:

528 (ii) the school district board of the new district.

(8) This section applies to and governs all actions and proceedings relating to and following the creation of a new district, whether the election under Subsection 53A-2-118(5) on the proposal to create a new school district occurs before or after the effective date of this section, including:

(a) the election of school district board members; and

(b) transition team duties and responsibilities, whether the transition team is appointed before or after the effective date of this section.

Section 4. Section 53A-2-121 is amended to read:

53A-2-121. Indebtedness on property within new school district.

(1) (a) The boards of the remaining and new districts shall determine the portion of the existing district's bonded indebtedness and other indebtedness for which the property within the new district remains subject to the levy of taxes to pay a proportionate share of the existing district's outstanding indebtedness.

(b) The proportionate share of the existing district's outstanding

indebtedness for which property within the new district remains subject to the levy of taxes shall be calculated by determining the proportion that the total assessed valuation of the property within the new district bears to the total assessed valuation of the existing district .

(i) in the year immediately preceding the date the new district was created {~~---~~} or

(ii) at a time mutually agreed upon by the school district board of the new district and the school district board of the remaining district.

(c) The agreement reflecting the determinations made under this Subsection (1) shall take effect upon being filed with the county legislative body and the State Board of Education.

(2) The board of the remaining district shall continue to levy a tax on property within the new district sufficient to pay the new district’s proportionate share of the indebtedness determined under this section, and shall annually report the amount of the proceeds of the tax to the business administrator of the new district.

(3) (a) The boards of the remaining and new districts shall determine by mutual agreement the disposition of bonds approved but not issued by the existing district before the creation of the new district based primarily on the representation made to the voters at the time of the bond election.

(b) Before a determination is made under Subsection (3)(a), a remaining district may not issue bonds approved but not issued before the creation of the new district if property in the new district would be subject to the levy of a tax to pay the bonds.

529

Section {~~4~~} 5 . Effective date.

9. Page 18, Line 533:

533 the date of veto override.

Section 6. 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, replace the phrase “the effective date of this section” in Subsection 53A-2-118.1(8) of this bill with the actual effective date of this bill.

###

Representative Mascaro proposed the following substitute motion to amend:

- 1. Page 2, Line 51

51 (1) “Allocation date” means {~~October 31 immediately before~~ } June 30 of the second calendar year after the creation election date.

Representative Mascaro’s substitute motion to amend failed on the following roll call:

Yeas, 34; Nays, 35; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Allen	Barrus	Bird
Biskupski	Brown	Chavez–Houck	Cosgrove
Duckworth	Dunnigan	Janice Fisher	Gowans
Hansen	Harper	Hemingway	Hendrickson
Holdaway	Hutchings	Johnson	King
Kiser	Litvack	Mascaro	McGee
McIff	Menlove	Moss	Newbold
Ray	Riesen	Shurtliff	Sumsion
Wheatley	Wimmer		

Voting in the negative were: Representatives

Andersen	D. Clark	S. Clark	Daw
Dee	Donnelson	Dougall	Draxler
Ferry	Fowlke	Frank	Froerer
Garn	Greenwood	Grover	Herrod
Hughes	Hunsaker	Last	Lockhart
Mathis	Morgan	Morley	Neuenschwander
Noel	Oda	Painter	Sandstrom
Snow	Tilton	Urquhart	Walker
Webb	Winn	Curtis	

Absent or not voting were: Representatives

Bigelow	Bowman	Julie Fisher	Gibson
Seelig	Wiley		

###

Representative Harper proposed the following substitute motion to amend:

Include Representative Hughes’ amendments plus the following:

- 1. Page 2, Line 51

51 (1) “Allocation date” means {~~October 31 immediately before~~ } ;

(a) June 30 of the second calendar year after the creation election date ;_or
(b) another date that the transition teams under Section 53A-1-118.1 mutually agree to .

The amendment was divided. Representative Hughes’ motion to amend passed on a voice vote.

Representative Harper’s substitute motion to amend passed on the following roll call:

Yeas, 40; Nays, 31; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Aagard	Allen	Barrus	Bird
Biskupski	Chavez–Houck	Cosgrove	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Gowans	Hansen	Harper
Hemingway	Hendrickson	Holdaway	Hutchings
Johnson	King	Kiser	Litvack
Mascaro	McGee	McIff	Menlove
Moss	Neuenschwander	Newbold	Ray
Riesen	Seelig	Shurtliff	Snow
Sumsion	Wheatley	Wiley	Wimmer

Voting in the negative were: Representatives

Andersen	Brown	D. Clark	S. Clark
Daw	Dee	Donnelson	Dougall
Draxler	Frank	Froerer	Garn
Gibson	Greenwood	Grover	Herrod
Hughes	Hunsaker	Lockhart	Mathis
Morgan	Morley	Noel	Painter
Sandstrom	Tilton	Urquhart	Walker
Webb	Winn	Curtis	

Absent or not voting were: Representatives

Bigelow	Bowman	Last	Oda
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###

Representative Bird proposed the following amendment:

1. Page 16, Line 487–490:
Delete lines 487 through 490.

Representative Bird'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

Allen	Bigelow	Bird	Chavez-Houck
Cosgrove	Duckworth	Dunnigan	Janice Fisher
Julie Fisher	Froerer	Gibson	Gowans
Hansen	Harper	Hemingway	Hendrickson
Holdaway	Mascaro	Menlove	Moss
Neuenschwander	Newbold	Riesen	Shurtliff
Wheatley	Wimmer		

Voting in the negative were: Representatives

Aagard	Andersen	Barrus	Biskupski
Brown	D. Clark	S. Clark	Daw
Dee	Donnelson	Dougall	Draxler
Ferry	Fowlke	Frank	Greenwood
Grover	Herrod	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Litvack	Lockhart	Mathis	McGee
Morgan	Morley	Noel	Oda
Painter	Ray	Sandstrom	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Winn	Curtis	

Absent or not voting were: Representatives

Bowman	Garn	Last	McIff
Seelig	Wiley		

###

Representative Newbold proposed the following amendment:

1. Page 2, Line 39

39 This bill provides an {~~immediate~~} effective date of July 1, 2009 .

2. Page 18, Lines 530 through 533:

530 ~~{If approved by two-thirds of all the members elected to each house, this bill takes effect~~

531 ~~upon approval by the governor, or the day following the constitutional time limit of Utah~~

532 ~~Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,~~

533 ~~the date of veto override.~~ } This bill takes effect on July 1, 2009.

Representative Newbold's motion to amend failed on the following roll call:

Yeas, 33; Nays, 34; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Agard	Allen	Barrus	Bird
Biskupski	Brown	Cosgrove	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Gibson	Gowans	Hansen	Harper
Hemingway	Hendrickson	Holdaway	Hutchings
Mascaro	Mathis	McIff	Menlove
Moss	Neuenschwander	Newbold	Riesen
Shurtliff	Snow	Sumsion	Wheatley
Wimmer			

Voting in the negative were: Representatives

Andersen	Chavez-Houck	D. Clark	S. Clark
Daw	Dee	Donnelson	Dougall
Draxler	Fowlke	Frank	Froerer
Garn	Greenwood	Grover	Herrod
Hughes	Hunsaker	Johnson	Kiser
Litvack	Lockhart	Morgan	Morley
Noel	Painter	Ray	Sandstrom
Tilton	Urquhart	Walker	Webb
Winn	Curtis		

Absent or not voting were: Representatives

Bigelow	Bowman	King	Last
McGee	Oda	Seelig	Wiley

###

Representative Wimmer proposed the following amendment:

1. Page 7, Line 198:
Delete "50,000" and insert "35,000"
2. Page 8, Line 219:
Delete "50,000" and insert "35,000"

Representative Wimmer's motion to amend failed on the following roll call:

Yeas, 34; Nays, 35; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Andersen	Brown	Daw
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Frank	Gibson	Gowans
Greenwood	Grover	Herrod	Hughes
Hunsaker	Hutchings	Kiser	Lockhart
Mascaro	Mathis	Morgan	Morley
Newbold	Oda	Painter	Snow
Sumsion	Tilton	Urquhart	Webb
Wimmer	Winn		

Voting in the negative were: Representatives

Allen	Barrus	Bird	Biskupski
Chavez-Houck	D. Clark	S. Clark	Cosgrove
Dee	Ferry	Janice Fisher	Julie Fisher
Fowlke	Froerer	Garn	Hansen
Harper	Hemingway	Hendrickson	Holdaway
Johnson	Litvack	McGee	Moss
Neuenschwander	Noel	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Walker
Wheatley	Wiley	Curtis	

Absent or not voting were: Representatives

Bigelow	Bowman	King	Last
McIff	Menlove		

###

Representative Daw proposed the following amendment:

1. Page 2, Line 34
 - 34 without the consent of specified boards or bodies; ~~{and}~~
 - modifies provisions relating to the composition of the school district boards of the new district and remaining district; and
2. Page 11, Lines 311 through 312:
 - 311 (3) (a) If a proposal under this section is approved by voters:
 - (i)(A) subject to Subsection (3)(e):
 - (I) each member of the board of the existing district who resides

within the boundary of the new school district shall serve as an initial member of the new district board; and

(II) each member of the board of the existing district who resides within the boundary of the remaining school district shall serve as an initial member of the remaining district board; and

312 {-(i)-} (B) an election shall be held on the June special election date, as provided in Section

- 3. Page 11, Lines 315 through 316:

315 {-(A)-} (I) all other members to the board of the new school district; and

316 {-(B)-} (II) all other members to the board of the remaining district;

- 4. Page 12, Lines 338 through 340:

338 (b) Each member {~~-elected to-~~} of a school district board of a new district and remaining

339 district {~~-at an election-~~} under Subsection (3)(a)(i) shall take office on July 15 immediately

340 following the election under Subsection (3)(a)(i)(B) .

- 5. Page 12, Lines 341 through 343:

341 (c) (i) Subject to Subsection (3)(c)(ii), the terms of the initial members of the school

342 district board of the new district and remaining district {~~-who are elected at an election under~~

343 ~~Subsection (3)(a)(i)-~~} shall be staggered and adjusted by the county legislative body so that:

- 6. Page 12, Lines 348 through 349:

348 (ii) (A) The term of a member {~~-elected to a school district board at an election-~~} under

349 Subsection (3)(a)(i) may not be less than 17 months.

- 7. Page 12, Line 351:

351 member elected to a school district board at an election under Subsection (3)(a)(i) (B) held in an

- 8. Page 12, Line 357:

357 (ii) Notwithstanding the {~~-election-~~} existence of a board for the new district and a board for the

9. Page 12, Line 365:

365 (B) a remaining district.

(e) If two or more members of an existing school district board reside within the same local school board district, as established by the county legislative body under Section 20A-14-201, of the new district or remaining district:

(i) those board members shall stand for election at the same election at which the other board members are elected under Subsection (3)(a)(i)(B); and

(ii) the board member receiving the highest number of votes is elected to the board of the new district or remaining district, as the case may be, for the local school board district in which the board member resides.

Representative Daw motion to amend passed on a voice vote.

2nd Sub. S.B. 71, as amended, passed on the following roll call:

Yeas, 47; Nays, 25; Absent or not voting, 3.

Voting in the affirmative were: Representatives

Agard	Andersen	Barrus	Brown
D. Clark	S. Clark	Daw	Dee
Donnelson	Dougall	Draxler	Dunnigan
Ferry	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Greenwood
Grover	Herrod	Hughes	Hunsaker
Hutchings	Last	Lockhart	Mathis
McIff	Menlove	Morgan	Morley
Neuenschwander	Noel	Oda	Painter
Ray	Sandstrom	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Winn	Curtis	

Voting in the negative were: Representatives

Allen	Bird	Biskupski	Chavez-Houck
Cosgrove	Janice Fisher	Gowans	Hansen
Harper	Hemingway	Hendrickson	Holdaway
Johnson	King	Kiser	Litvack
Mascaro	McGee	Moss	Newbold
Riesen	Seelig	Wheatley	Wiley
Wimmer			

Absent or not voting were: Representatives

Bigelow Bowman Duckworth

2nd Sub. S.B. 71, as amended, was returned to the Senate for further consideration.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 4, 2008

The Senate passed, **H.B. 352**, AMENDMENTS RELATED TO MONIES DERIVED FROM NAVAJO NATION RESERVATION LANDS IN UTAH, 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.B. 361**, ANTI-SEIZURE DRUG NOTIFICATION, 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. 476**, PAY OF NATIONAL GUARD MEMBERS, 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.J.R. 12**, JOINT RESOLUTION AMENDING THE UTAH CONSTITUTION – STOCK AND BOND SUBSCRIPTIONS, 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. **H.B. 352**, **H.B. 361**, **H.B. 476**, and **H.J.R. 12** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker: March 4, 2008

The Senate substituted, amended, and passed, **Senate 1st Sub. H.B. 172**, CITY OR TOWN OPTION SALES AND USE TAX, by Representative B. Dee, and it is transmitted for further consideration; and

The Senate passed, as amended, **1st Sub. H.B. 325**, BULLYING AND HAZING, by Representative C. Moss, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **1st Sub. H.B. 172** and **1st Sub. H.B. 325** placed on the Concurrence Calendar.

MISCELLANEOUS BUSINESS

On motion of Representative Snow, the House voted to recess until 6:00 p.m.

EVENING SESSION

The House was called to order by Speaker Curtis at 6:10 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

March 4, 2008

The Senate passed, as substituted, and amended **1st Sub. S.B. 2**, MINIMUM SCHOOL PROGRAM BUDGET AMENDMENTS, by Senator H. Stephenson, with the following amendments:

1. Page 2, Lines 34 through 35

34 enhance the academic growth of high-ability students;
 {~~and~~}

- 35 • the English Language Learner Family Literacy Centers Program; and
- career and technical education online assessment;

2. Page 21, Line 631:

631 (mm) USTAR Centers, {~~-\$6,900,000~~} \$6,500,000 ;

3. Page 37, Lines 1112 through 1115:

1112 as provided in Section 53A-1a-501.6; {~~and~~}

1113 (d) \$4,700,000 from the Uniform School Fund Teacher Salary Supplement Restricted

1114 Account for the Teacher Salary Supplement Program in accordance with the provisions under

1115 Sections 53A-17a-156 and 53A-17a-157 {~~—~~} ; and
(e) \$400,000 to the State Board of Education for career and technical education online assessment.

and it is transmitted for consideration; and

The Senate passed **S.B. 3**, CURRENT FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS ACT, by Senator L. Hillyard, and it is transmitted for consideration; and

The Senate passed **S.B. 4**, GENERAL OBLIGATION BOND AUTHORIZATION, by Senator S. Jenkins, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **1st Sub. S.B. 2**, **S.B. 3**, and **S.B. 4** read the first time by short title and referred to the Rules Committee.

THIRD READING CALENDAR

2nd Sub. S.B. 17, CHILD ABUSE AND NEGLECT REGISTRY – MANAGEMENT AND LICENSING INFORMATION SYSTEMS AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Harper, the House voted to delete **2nd Sub. S.B. 17** in title and body and insert **3rd Sub. S.B. 17** in lieu thereof.

3rd Sub. S.B. 17 passed on the following roll call:

Yeas, 64; Nays, 7; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Froerer	Garn	Gibson	Gowans
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Moss	Neuenschwander
Newbold	Noel	Oda	Ray
Riesen	Seelig	Shurtliff	Snow
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Winn	Curtis

Voting in the negative were: Representatives

Dougall	Julie Fisher	Fowlke	Frank
Greenwood	Sandstrom	Sumsion	

Absent or not voting were: Representatives

Bowman	Morley	Painter	Wimmer
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3rd Sub. S.B. 17, as amended, was returned to the Senate for further consideration.

* * *

1st Sub. S.B. 264, DEVELOPMENT AROUND MILITARY INSTALLATIONS, read the third time by short title and placed on its final passage.

1st Sub. S.B. 264 passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Urquhart
Walker	Webb	Wheatley	Wiley
Winn	Curtis		

Absent or not voting were: Representatives

Bowman	Menlove	Painter	Tilton
Wimmer			

1st Sub. S.B. 264 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

S.B. 265, UNLAWFUL DETAINER AMENDMENTS, 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. 265 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Winn	Curtis	

Absent or not voting were: Representatives

Bowman	Gibson	Painter	Wimmer
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S.B. 265 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 4, 2008

The Rules Committee recommends that, under suspension of the rules, the following bills and resolutions be considered read for the second time and placed on the Third Reading Calendar for Senate bills.

- 1st Sub. S.B. 261** Political Subdivision Annexation Amendments
(Sen. M. Waddoups)
- 1st Sub. S.B. 205** Uniform Interstate Depositions and Discovery Act
(Sen. L. Hillyard)
- 1st Sub. S.B. 299** Revision to Local Government (Sen. G. Bell)
- S.B. 198** Child Support Technical Amendments (Sen. G. Bell)

- 1st Sub. S.B. 278** Technical Amendments to Titles 78a and 78b
(Sen. G. Bell)
- 1st Sub. S.B. 157** Rights of Citizens to Carry Firearms in Declared
Emergency (Sen. M. Madsen)
- 1st Sub. S.B. 36** Charter and Online Schools – Participation in
Extracurricular Activities (Sen. M. Madsen)
- 1st Sub. S.B. 89** Mitigation of Invasive Species (Sen. D. Stowell)
- S.B. 237** Commercial Airline and Airport Taxation Amendments
(Sen. W. Niederhauser)
- 7th Sub. S.B. 93** Licensed Direct Entry Midwife Amendments
(Sen. M. Dayton)
- S.B. 75** Prohibiting Gang Activity (Sen. J. Greiner)
- 1st Sub. S.B. 238** Aquatic Invasive Species Interdiction Act
(Sen. J. Greiner)
- S.B. 243** This Is the Place Foundation – Procurement Code
Exemption (Sen. B. Goodfellow)
- 1st Sub. S.B. 79** Small Business Access Amendments (Sen. R. Romero)
- S.B. 253** County Law Enforcement Duties (Sen. M. Waddoups)

Stephen Urquhart, Chair

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

RULES COMMITTEE REPORT

Mr. Speaker:

March 4, 2008

The House Rules Committee recommends, with written request of the sponsor, that **2nd Sub. S.B. 38**, Transparency in Government Finance (Sen. W. Niederhauser), be replaced with **4th Sub. S.B. 38**, Transparency in Government (Sen. W. Niederhauser), and under suspension of the rules, due to a title change, be considered read for the first and second time and placed on the Third Reading Calendar for Senate bills.

Stephen Urquhart, Chair

Report filed. On motion of Representative Urquhart, the report of the Rules Committee was adopted. **4th Sub. S.B. 38** was placed at the top of the Senate Third Reading Calendar after the circled bills.

MISCELLANEOUS BUSINESS

On motion of Representative Snow, under suspension of the rules, the House voted to lift **S.B. 3**, **S.B. 4**, and **1st Sub. S.B. 2**, from the Rules Committee,

consider them read the second time by short title and placed at the top of the Senate Third Reading Calendar.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 4, 2008

The President of the Senate has signed **1st Sub. H.B. 106**, CLEAN AIR AND EFFICIENT VEHICLE TAX INCENTIVES, by Representative R. McGee, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **2nd Sub. H.B. 133**, HEALTH SYSTEM REFORM, by Representative D. Clark, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **4th Sub. H.B. 131**, COMMUNITY BASED SELF SUFFICIENCY PROGRAM, by Representative J. Seelig, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **5th Sub. H.B. 164**, TOWN INCORPORATION PROCESS AMENDMENTS, by Representative M. Brown, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 332**, USE OF PUBLIC SCHOOLS BY COMMUNITY ORGANIZATIONS, by Representative G. Hughes, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.J.R. 7**, JOINT RESOLUTION RECOGNIZING UNREINFORCED MASONRY BUILDINGS, by Representative L. Wiley, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **1st Sub. H.B. 106**, **2nd Sub. H.B. 133**, **4th Sub. H.B. 131**, **5th Sub. H.B. 164**, **1st Sub. H.B. 332**, and **H.J.R. 7** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

THIRD READING CALENDAR

S.B. 3, CURRENT FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS ACT, read the third time by short title and placed on its final passage.

S.B. 3 passed on the following roll call:

Yeas, 68; Nays, 1; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bird	Biskupski	Chavez–Houck	D. Clark
S. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mathis	McGee
Menlove	Morgan	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Voting in the negative was: Representative

Hansen

Absent or not voting were: Representatives

Bigelow	Bowman	Brown	Mascaro
McIff	Morley		

S.B. 3 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

S.B. 4, GENERAL OBLIGATION BOND AUTHORIZATION, read the third time by short title and placed on its final passage. The bill was considered read the first and second times by short title.

S.B. 4 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove

Dee	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Winn
Curtis			

Voting in the negative were: Representatives

Daw	Donnelson	Dougall	Herrod
Lockhart	Sumsion	Wimmer	

Absent or not voting were: Representatives

Bowman	Morley	Moss
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S.B. 4 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

1st Sub. S.B. 2, MINIMUM SCHOOL PROGRAM BUDGET AMENDMENTS, read the third time by short title and placed on its final passage.

On motion of Representative Snow, the House voted to circle **1st Sub. S.B. 2**.

UNFINISHED BUSINESS

On motion of Representative Bigelow, the House voted to uncircle **2nd Sub. S.B. 185**.

2nd Sub. S.B. 185, ECONOMIC INCENTIVE REVISIONS, was before the House on its final passage.

2nd Sub. S.B. 185 passed on the following roll call:

Yeas, 69; Nays, 0; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Bowman	Herrod	Holdaway	Litvack
Morley	Wiley		

2nd Sub. S.B. 185 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 Julie Fisher, the House voted to reconsider its action on **3rd Sub. S.B. 46**.

RECONSIDERATION OF 3RD SUB. S.B. 46

3rd Sub. S.B. 46, ANTI–FLOW CONTROL AMENDMENTS, was before the House for reconsideration.

Representative Julie Fisher proposed the following amendment:

1. Page 7, Line 194

House Floor Amendments 3–4–2008

194 different entities exist ←§ H→ no more than one landfill
that may take the solid waste exists ←H within:

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

3rd Sub. S.B. 46, as amended, passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Voting in the negative were: Representatives

Chavez-Houck Litvack

Absent or not voting were: Representatives

Bowman Hemingway Morley

3rd Sub. S.B. 46, as amended, was returned to the Senate for further consideration.

THIRD READING CALENDAR

4th Sub. S.B. 38, TRANSPARENCY IN GOVERNMENT, read the third time by short title and placed on its final passage.

On motion of Representative Dougall, the House voted to circle **4th Sub. S.B. 38**.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

March 4, 2008

The Senate passed **H.B. 206**, TAX AMENDMENTS, by Representative W. Harper, with the following amendments:

1. Page 26, Lines 773 through 778:

773 ~~[(4)]~~ (6) “Agreement sales and use tax” means a tax imposed under:

774 (a) Subsection 59–12–103(2)(a)(i) (A) ;

775 (b) Subsection 59–12–103(2)(b)(i);

776 (c) Subsection 59–12–103(2)(c)(i);

777 ~~[(d) Subsection 59–12–103(2)(d)(i);]~~

778 ~~[(e)]~~ (d) Subsection 59–12–103(2)~~[(e)(ii)]~~ (d)(i)(A) (I) ;

2. Page 75, Lines 2316 through 2318:

2316 (2) (a) Except as provided in Subsections (2)(b) through (e), a state tax and a local tax

2317 is imposed on a transaction described in Subsection (1) equal to the sum of:

2318 (i) a state tax imposed on the transaction at a tax rate equal to the sum of ;

(A) 4.65%; and

(B) the tax rate the state imposes in accordance with Part 18, Additional State Sales and Use Tax Act, if the location of the transaction as determined under Sections 59–12–211 through 59–12–215 is in a county in which the state imposes the tax under Part 18, Additional State Sales and Use Tax Act; and

3. Page 76, Line 2348 through Page 77, Line 2358:

2348 ~~[(e)]~~ (d) (i) ~~[A state tax and a local tax is imposed on an entire]~~
For a bundled

2349 transaction ~~[as provided in this Subsection (2)(e) if the bundled transaction]~~ that is attributable

2350 to food and food ingredients and tangible personal property other than food and food

2351 ingredients~~[-(ii) If the tax on a bundled transaction described in Subsection (2)(e)(i) is~~

2352 ~~collected by a seller other than a seller that collects a tax in accordance with Subsection~~

2353 ~~59-12-107(1)(b), beginning on January 1, 2007], a state tax and a local tax is imposed on the~~

2354 entire bundled transaction equal to the sum of:

2355 (A) a state tax imposed on the entire bundled transaction
{-at-} equal to the sum of:

(I) the tax rate described in

2356 Subsection (2)(a)(i) (A) ; and

(II) the tax rate the state imposes in accordance with Part 18, Additional State Sales and Use Tax Act, if the location of the transaction as determined under Sections 59-12-211 through 59-12-215 is in a county in which the state imposes the tax under Part 18, Additional State Sales and Use Tax Act; and

2357 (B) a local tax imposed on the entire bundled transaction at the sum of the tax rates

2358 described in Subsection (2)(a)(ii).

4. Page 78, Lines 2391 through 2397:

2391 [~~(f)~~] (e) Subject to Subsections (2)[~~(g)~~] (f) and [~~(h)~~] (g), a tax rate repeal or tax rate

2392 change for a tax rate imposed under the following shall take effect on the first day of a calendar

2393 quarter:

2394 (i) Subsection (2)(a)(i) (A) ;

2395 (ii) Subsection (2)(b)(i);

2396 (iii) Subsection (2)(c)(i); or

2397 (iv) Subsection (2)(d)(i)(A) (I) [;].

5. Page 78, Lines 2400 through 2407:

2400 [~~(g)~~] (f) (i) [~~For a transaction described in Subsection (2)(g)(iii),~~
a] A tax rate increase

2401 shall take effect on the first day of the first billing period that begins after the effective date of

2402 the tax rate increase if the billing period for the transaction begins before the effective date of a

2403 tax rate increase imposed under:

2404 (A) Subsection (2)(a)(i) (A) ;

2405 (B) Subsection (2)(b)(i);

2406 (C) Subsection (2)(c)(i); or

2407 (D) Subsection (2)(d)(i)(A) (I) [;].

6. Page 78, Line 2410 through Page 79, Line 2418:

2410 (ii) [~~For a transaction described in Subsection (2)(g)(iii), the~~
The repeal of a tax or a

2411 tax rate decrease shall take effect on the first day of the last
billing period that began before the

2412 effective date of the repeal of the tax or the tax rate decrease if
the billing period for the

2413 transaction begins before the effective date of the repeal of the
tax or the tax rate decrease

2414 imposed under:

2415 (A) Subsection (2)(a)(i) (A) ;

2416 (B) Subsection (2)(b)(i);

2417 (C) Subsection (2)(c)(i); or

2418 (D) Subsection (2)(d)(i)(A) (I) [;].

7. Page 79, Lines 2432 through 2441:

2432 [~~(h)~~] (g) (i) For a tax rate described in Subsection (2)[~~(h)~~] (g)(ii),
if a tax due on a

2433 catalogue sale is computed on the basis of sales and use tax rates
published in the catalogue, a

2434 tax rate repeal or change in a tax rate takes effect:

2435 (A) on the first day of a calendar quarter; and

2436 (B) beginning 60 days after the effective date of the tax rate
repeal or tax rate change.

2437 (ii) Subsection (2)[~~(h)~~] (g)(i) applies to the tax rates described in
the following:

2438 (A) Subsection (2)(a)(i) (A) ;

- 2439 (B) Subsection (2)(b)(i);
- 2440 (C) Subsection (2)(c)(i); or
- 2441 (D) Subsection (2)(d)(i)(A) (I) [;].

8. Page 80, Lines 2446 through 2451:

- 2446 (3) (a) Except as provided in Subsections (4) through [~~(10)~~] (9), the following state
- 2447 taxes shall be deposited into the General Fund:
- 2448 (i) the tax imposed by Subsection (2)(a)(i) (A) ;
- 2449 (ii) the tax imposed by Subsection (2)(b)(i);
- 2450 (iii) the tax imposed by Subsection (2)(c)(i); or
- 2451 (iv) the tax imposed by Subsection (2)(d)(i)(A) (I) [;].

9. Page 85, Lines 2615 through 2625:

- 2615 [~~(9)~~] (8) (a) Notwithstanding Subsection (3)(a), in addition to the amount deposited in
- 2616 Subsection (7)(a), and until Subsection [~~(9)~~] (8)(b) applies, for a fiscal year beginning on or
- 2617 after July 1, 2007, the Division of Finance shall deposit into the Centennial Highway Fund
- 2618 Restricted Account created by Section 72-2-118 a portion of the taxes listed under Subsection
- 2619 (3)(a) equal to 8.3% of the revenues collected from the following taxes, which represents a
- 2620 portion of the approximately 17% of sales and use tax revenues generated annually by the sales
- 2621 and use tax on vehicles and vehicle-related products:
- 2622 (i) the tax imposed by Subsection (2)(a)(i) (A) ;
- 2623 (ii) the tax imposed by Subsection (2)(b)(i);
- 2624 (iii) the tax imposed by Subsection (2)(c)(i); and
- 2625 (iv) the tax imposed by Subsection [~~(2)(e)(ii)(A)~~] (2)(d)(i)(A) (I) .

10. Page 85, Line 2626 through Page 86, Line 2638:

- 2626 (b) Notwithstanding Subsection (3)(a) and in addition to the amounts deposited under

2627 Subsection (7)(b), when the highway general obligation bonds have been paid off and the

2628 highway projects completed that are intended to be paid from revenues deposited in the

2629 Centennial Highway Fund Restricted Account as determined by the Executive Appropriations

2630 Committee under Subsection 72-2-118(6)(d), the Division of Finance shall deposit into the

2631 Transportation Investment Fund of 2005 created by Section 72-2-124 a portion of the taxes

2632 listed under Subsection (3)(a) equal to 8.3% of the revenues collected from the following taxes,

2633 which represents a portion of the approximately 17% of sales and use tax revenues generated

2634 annually by the sales and use tax on vehicles and vehicle-related products:

2635 (i) the tax imposed by Subsection (2)(a)(i) (A) ;

2636 (ii) the tax imposed by Subsection (2)(b)(i);

2637 (iii) the tax imposed by Subsection (2)(c)(i); and

2638 (iv) the tax imposed by Subsection ~~[(2)(e)(ii)(A)]~~ (2)(d)(i)(A) (I) .

11. Page 278, Lines 8601 through 8602:

8601 (b) (i) ~~[For a transaction described in Subsection (9)(b)(iii), if]~~ If
the billing period for

8602 ~~{-the-}~~ a transaction begins before the effective date of the enactment of the tax or tax rate increase

12. Page 278, Lines 8606 through 8607:

8606 (ii) ~~[For a transaction described in Subsection (9)(b)(iii), if]~~ If
the billing period for ~~{-the-}~~ a

8607 transaction begins before the effective date of the repeal of the tax or the tax rate decrease

13. Page 279, Lines 8644 through 8645:

8644 (e) (i) ~~[For a transaction described in Subsection (9)(e)(iii), if]~~ If
the billing period for

8645 ~~{the}~~ a transaction begins before the effective date of the enactment of the tax or a tax rate increase

14. Page 280, Lines 8649 through 8650:

8649 (ii) [~~For a transaction described in Subsection (9)(e)(iii), if~~ If the billing period for ~~{the}~~ a

8650 transaction begins before the effective date of the repeal of the tax or the tax rate decrease

and it is transmitted to the House for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **H.B. 206**, as amended, placed on the Concurrence Calendar.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, and at 7:00 p.m., the House voted to adjourn until March 5, 2008, at 8:00 a.m.

FORTY–FIFTH DAY

* * *

MORNING SESSION

The House was called to order by Speaker Curtis at 8:10 a.m.

Roll call showed all members present except Representative Bud Bowman, excused.

Prayer by Tyson Hafen, Representative David Clark's intern. Pledge of Allegiance by Emily Bergeson, Assistant to the Speaker.

COMMITTEE OF THE WHOLE

On motion of Representative Walker, the House resolved itself into a Committee of the Whole, with the Speaker as Chairman, for the purpose of witnessing Representatives Walker and Webb's intern, Jeffrey Henrie, propose to Julianne Draper.

On motion of Representative D. Clark, the Committee of the Whole was dissolved.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 4, 2008

The Senate passed, as amended, **H.B. 339**, HUMAN TRAFFICKING AMENDMENTS, by Representative C. Herrod, and it is transmitted for further consideration; and

The Senate substituted and passed, **Senate 3rd Sub. H.B. 359**, TAX CHANGES, by Representative J. Dougall, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **H.B. 339**, as amended, and **3rd Sub. H.B. 359** placed on the Concurrence Calendar.

* * *

Mr. Speaker: March 5, 2008

The Senate concurred in the House amendments and passed **3rd Sub. S.B. 20**, MUNICIPAL GOVERNMENT AMENDMENTS, by Senator C. Walker, 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**, HEALTH INSURANCE – MEDICAL COMPLICATION EXCLUSIONS, 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. 177**, LOCAL GOVERNMENT DISPOSAL OF REAL PROPERTY ACQUIRED BY EXACTION, by Senator W. Niederhauser, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **1st Sub. S.B. 180**, REGENTS' SCHOLARSHIP PROGRAM, 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. 263**, SELF AUTHENTICATION OF DOCUMENTS, by Senator S. McCoy, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **S.B. 294**, COMMUNITY DEVELOPMENT AND RENEWAL AMENDMENTS, by Senator C. Bramble, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **3rd Sub. S.B. 20**, **1st Sub. S.B. 62**, **S.B. 177**, **1st Sub. S.B. 180**, **S.B. 263**, and **S.B. 294** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

* * *

Mr. Speaker: March 4, 2008

The Senate passed, as amended, **S.B. 281**, USE OF MINIMUM SCHOOL PROGRAM NONLAPSING BALANCES, by Senator H. Stephenson, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **S.B. 281** read the first time by short title and referred to the Rules Committee.

* * *

Mr. Speaker:

March 4, 2008

The Senate refuses to concur with the House Amendments to **2nd Sub. S.B. 151**, TRADEMARK PROTECTION ACT AMENDMENTS, by Senator D. Eastman, and requests the House recede from its amendments.

Annette B. Moore

Secretary of the Senate

Communication filed. Representative Dougall's motion to recede failed on a voice vote. On motion of Representative Dougall, the House voted to refuse to recede from its amendments to **2nd Sub. S.B. 151**. The Speaker was authorized to appoint a Conference Committee. The Speaker appointed Representatives Dougall, Snow, and Litvack.

CONCURRENCE CALENDAR

On motion of Representative Dee, the House voted to concur in the Senate amendments to **1st Sub. H.B. 172**, CITY OR TOWN OPTION SALES AND USE TAX. Due to a title change the bill will be considered read the first, second, and third times by short title.

1st Sub. H.B. 172, as amended by the Senate, passed on the following roll call:

Yeas, 61; Nays, 5; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez-Houck	D. Clark	Cosgrove	Daw
Dee	Donnelson	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hunsaker	Hutchings	Johnson
King	Kiser	Litvack	Mathis
McGee	Menlove	Morgan	Moss
Neuenschwander	Noel	Oda	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wiley	Winn
Curtis			

Voting in the negative were: Representatives

Dougall	Lockhart	Morley	Newbold
Wimmer			

Absent or not voting were: Representatives

Bowman	S. Clark	Greenwood	Hughes
Last	Mascaro	McIff	Painter
Wheatley			

1st Sub. H.B. 172, as amended by the Senate, transmitted to the Senate for signature of President.

* * *

On motion of Representative Moss, the House voted to concur in the Senate amendments to **1st Sub. H.B. 325**, BULLYING AND HAZING.

1st Sub. H.B. 325, as amended by the Senate, passed on the following roll call:

Yeas, 53; Nays, 10; Absent or not voting, 12.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bigelow
Bird	Biskupski	Brown	Chavez–Houck
D. Clark	Cosgrove	Dee	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Grover	Hansen
Harper	Hemingway	Hendrickson	Holdaway
Hunsaker	Hutchings	Johnson	King
Litvack	Mathis	McGee	Menlove
Morgan	Moss	Neuenschwander	Newbold
Noel	Ray	Riesen	Seelig
Shurtliff	Snow	Sumsion	Urquhart
Walker	Wiley	Wimmer	Winn
Curtis			

Voting in the negative were: Representatives

Daw	Donnelson	Greenwood	Herrod
Kiser	Lockhart	Morley	Oda
Sandstrom	Webb		

Absent or not voting were: Representatives

Allen	Bowman	S. Clark	Dougall
Draxler	Hughes	Last	Mascaro
McIff	Painter	Tilton	Wheatley

1st Sub. H.B. 325, 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. 206**, TAX AMENDMENTS.

H.B. 206, 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

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hunsaker	Hutchings
Johnson	King	Kiser	Litvack
Lockhart	Mascaro	Mathis	McGee
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wiley
Wimmer	Winn	Curtis	

Absent or not voting were: Representatives

Bowman	S. Clark	Garn	Hughes
Last	McIff	Painter	Wheatley

H.B. 206, 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 **H.B. 339**, HUMAN TRAFFICKING AMENDMENTS.

H.B. 339, 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	Andersen	Barrus
Bird	Biskupski	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Kiser	Litvack	Lockhart
Mascaro	Mathis	McGee	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Bigelow	Bowman	Daw	Johnson
King	Last	McIff	Painter
Wheatley			

H.B. 339, 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 **3rd Sub. H.B. 359**, TAX CHANGES.

3rd Sub. H.B. 359, as amended by the Senate, passed on the following roll call:

Yeas, 49; Nays, 23; Absent or not voting, 3.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Brown	D. Clark
S. Clark	Cosgrove	Daw	Dee
Dougall	Draxler	Dunnigan	Ferry
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Harper	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Lockhart	Mascaro	Mathis	McIff
Menlove	Newbold	Noel	Oda
Painter	Sandstrom	Snow	Sumsion
Urquhart	Walker	Webb	Winn
Curtis			

Voting in the negative were: Representatives

Biskupski	Chavez–Houck	Donnelson	Duckworth
Janice Fisher	Hansen	Hemingway	Johnson
King	Kiser	Litvack	McGee
Morgan	Morley	Moss	Neuenschwander
Ray	Riesen	Seelig	Shurtliff
Wheatley	Wiley	Wimmer	

Absent or not voting were: Representatives

Bowman	Last	Tilton
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3rd Sub. H.B. 359, as amended by the Senate, transmitted to the Senate for signature of President.

MISCELLANEOUS BUSINESS

On motion of Representative Snow, under suspension of the rules, the House voted to lift **H.B. 198** from the Rules Committee, consider it read the second time and placed at the top of the House Third Reading Calendar.

* * *

On motion of Representative Snow, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

THIRD READING CALENDAR

H.B. 198, STATE AGENCY ENERGY EFFICIENCY, read the third time by short title and placed on its final passage.

On motion of Representative Hunsaker, the House voted to delete **H.B. 198** in title and body and insert **1st Sub. H.B. 198** in lieu thereof.

1st Sub. H.B. 198 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn	Curtis	

Voting in the negative was: Representative Holdaway

Absent or not voting were: Representatives

Bowman	Garn	Menlove
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1st Sub. H.B. 198 transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Snow, the House voted to move to the Senate Third Reading Calendar.

THIRD READING CALENDAR

1st Sub. S.B. 261, POLITICAL SUBDIVISION ANNEXATION AMENDMENTS, read the third time by short title and placed on its final passage.

1st Sub. S.B. 261 passed on the following roll call:

Yeas, 64; Nays, 0; Absent or not voting, 11.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Donnelson	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Gibson	Greenwood
Grover	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Mascaro	Mathis	McGee
Menlove	Morgan	Morley	Moss
Neuenschwander	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Bowman	Dee	Dougall	Draxler
Garn	Gowans	Hansen	Hughes
Lockhart	McIff	Newbold	

1st Sub. S.B. 261 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

1st Sub. S.B. 205, UNIFORM INTERSTATE DEPOSITIONS AND DISCOVERY ACT, read the third time by short title and placed on its final passage.

1st Sub. S.B. 205 passed on the following roll call:

Yeas, 64; Nays, 0; Absent or not voting, 11.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove

Daw	Dee	Donnelson	Dougall
Duckworth	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Hansen
Harper	Hemingway	Hendrickson	Herrod
Hunsaker	Hutchings	Johnson	King
Kiser	Lockhart	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Noel	Oda
Painter	Ray	Riesen	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Bowman	Draxler	Dunnigan	Grover
Holdaway	Hughes	Last	Litvack
Mascaro	Newbold	Sandstrom	

1st Sub. S.B. 205 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 5, 2008

The President of the Senate has appointed a Conference Committee consisting of Senators D. Eastman, W. Niederhauser, and S. McCoy to meet with a like committee from the House of Representatives to consider or amend **2nd Sub. S.B. 151, TRADEMARK PROTECTION ACT AMENDMENTS**, by Senator D. Eastman.

Annette B. Moore

Secretary of the Senate

Communication filed. The Conference Committee may now meet.

UNFINISHED BUSINESS

On motion of Representative Dougall, the House voted to uncircle **4th Sub. S.B. 38**.

4th Sub. S.B. 38, TRANSPARENCY IN GOVERNMENT, was before the House on its final passage.

On motion of Representative Dougall, the House voted to delete **4th Sub. S.B. 38** in title and body and insert **6th Sub. S.B. 38** in lieu thereof.

6th Sub. S.B. 38 passed on the following roll call:

Yeas, 66; Nays, 0; Absent or not voting, 9.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bird	Biskupski	Brown	Chavez–Houck
S. Clark	Cosgrove	Dee	Donnelson
Dougall	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Riesen	Seelig
Shurtliff	Snow	Sumsion	Tilton
Walker	Webb	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Bigelow	Bowman	D. Clark	Daw
Hendrickson	Painter	Sandstrom	Urquhart
Wheatley			

6th Sub. S.B. 38, as amended, was returned to the Senate for further consideration.

MISCELLANEOUS BUSINESS

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

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

UNFINISHED BUSINESS

On motion of Representative Last, the House voted to uncircle **1st Sub. S.B. 2**.

1st Sub. S.B. 2, MINIMUM SCHOOL PROGRAM BUDGET AMENDMENTS, was before the House on its final passage.

Representative Last proposed the following amendment:

1. Page 30, Lines 918 through 920

918 (3) (a) The State Board of Education shall distribute money appropriated under this section

919 to school districts, charter schools, and the Utah Schools for the Deaf and the Blind for stipends

920 for special educators in the amount of \$200 per day for up to ten additional working days.

(b) Money distributed under this section shall include, in addition to the \$200 per day stipend, money for the following employer–paid benefits:

- (i) retirement;
- (ii) workers' compensation;
- (iii) Social Security; and
- (iv) Medicare.

Representative Morgan proposed the following substitute motion to amend:

1. Page 1, Lines 15 through 16

15 ► establishes a ceiling for the state contribution to the maintenance and operations

16 portion of the Minimum School Program for fiscal year 2008–09 of
 {~~–\$2,495,183,979–~~} \$2,497,683,979 ;

2. Page 1, Lines 23 through 24:

23 {~~• a pilot project using a home-based educational technology program to develop~~

24 ~~school readiness skills of preschool children;}~~

3. Page 2, Line 26:

26 concepts;

- the K–3 Class Size Reduction Incentive Program;

4. Page 2, Line 47:

47 • {~~–\$2,436,864,479–~~} \$2,439,364,499 from the Uniform School Fund for fiscal year 2008–09;

5. Page 2, Line 51:

51 • {~~–\$280,000–~~} \$1,280,000 from the Uniform School Fund for fiscal year 2007–08 only; and

6. Page 2, Line 53:

53 • {~~-\$3,469,580-~~} \$969,580 from the Uniform
School Fund for fiscal year 2008-09;

7. Page 2, Line 55:

55 {~~•—\$1,000,000 from the Uniform School Fund for fiscal
year 2007-08 only;~~ }

8. Page 3, Lines 76 through 83:

76 {~~53A-1a-1001, Utah Code Annotated 1953~~

77 ~~53A-1a-1002, Utah Code Annotated 1953~~

78 ~~53A-1a-1003, Utah Code Annotated 1953~~

79 ~~53A-1a-1004, Utah Code Annotated 1953~~

80 ~~53A-1a-1005, Utah Code Annotated 1953~~

81 ~~53A-1a-1006, Utah Code Annotated 1953~~

82 ~~53A-1a-1007, Utah Code Annotated 1953-}~~

83 ~~53A-13-110, Utah Code Annotated 1953~~

53A-17a-124.8, Utah Code Annotated 1953

9. Page 11, Line 316 through Page 15, Line 456:

Delete lines 316 – 456

10. Page 19, Lines 569 through 572:

569 (1) The total contribution of the state toward the cost of the
minimum school program

570 may not exceed the sum of [~~\$2,273,574,120~~]
{ \$2,495,183,979 } \$2,497,683,979 for the fiscal year
beginning July

571 1, [~~2007~~] 2008, except as otherwise provided by the Legislature
through supplemental

572 appropriations.

11. Page 21, Lines 633 through 635:

633 (~~oo~~) state-supported board leeway, \$71,575,858; {~~-and~~ }

634 (~~pp~~) state-supported board leeway for K-3 Reading
Improvement Program,

635 \$15,000,000 {~~-z~~ } ; and

(qq) K-3 Class Size Reduction Incentive Program, \$2,500,000.

12. Page 22, Lines 666 through 667:

666 (b) The State Board of Education shall develop uniform and consistent policies for

667 school districts to follow in utilizing advanced placement monies.

Section 16. Section 53A-17a-124.8 is enacted to read:

53A-17a-124.8. K-3 Class Size Reduction Incentive Program.

(1) As used in this section:

(a) "Average class size by grade" shall be determined in accordance with the provisions of Section 53A-3-602.5.

(b) "Target class size" means:

(i) for kindergarten:

(A) an average class size for the school that does not exceed 18 students; and

(B) a class in the school that does not exceed 20 students;

(ii) for first grade:

(A) an average class size for the school that does not exceed 20 students; and

(B) a class in the school that does not exceed 22 students; and

(iii) for second or third grade:

(A) an average class size for the school that does not exceed 22 students; and

(B) a class in the school that does not exceed 24 students.

(2) Subject to monies appropriated for the K-3 Class Size Reduction Incentive Program, the State Board of Education shall establish a grant program as provided in this section to assist schools to reduce average class size by grade for kindergarten through grade 3 to the target class size.

(3) (a) A school may apply for K-3 Class Size Reduction Incentive Program grants, with each grade individually considered, if a grade's average class size by grade is larger than the target class size.

(b) A grant application shall indicate how the monies will be used to reach a target class size.

(c) Grants shall be awarded:

(i) to reduce an eligible grade's average class size to the target class size, prioritized within this category based upon the highest average class size by grade; or

(ii) to allow schools that are limited by facilities or other constraints from qualifying for the grants described in Subsection (3)(c)(i) to hire paraeducators who shall work in the classrooms of a grade.

(4) Once awarded, a grant is intended to be ongoing, provided that

the grade's average class size by grade remains within the target class size.

(5) If a participating school does not meet the target class size for a grade for which a grant is received or if a school uses grant monies in a manner that is inconsistent with the provisions of this section, the school is liable for reimbursing the State Board of Education for the amount of grant monies received from the State Board of Education.

(6) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the State Board of Education shall make rules:

(a) establishing procedures and deadlines for applying for and awarding grants;

(b) specifying how grant monies shall be allocated among schools that qualify to receive the grants; and

(c) requiring reporting of grant money expenditures and evidence showing that the grant monies have been used to reduce average class size by grade for kindergarten through grade 3.

(7) The State Board of Education shall provide a report by December 1 of each year to the Public Education Appropriations Subcommittee on the K-3 Class Size Reduction Incentive Program.

(8) The Legislature shall provide for an annual adjustment in the appropriation for the K-3 Class Size Reduction Incentive Program based upon the report under Subsection (7) and the requirements of schools under this section.

13. Page 36, Line 1092:

1092 { (4) Title 53A, Chapter 1a, Part 10, UPSTART, is repealed July 1, 2014. }

14. Page 36, Lines 1101 through 1108:

1101 { (a) \$2,500,000 to the State Board of Education for UPSTART as provided in Title

1102 53A, Chapter 1a, Part 10, UPSTART, including costs of:

1103 (i) a home-based educational technology program provided by a contractor;

1104 (ii) computers, peripheral equipment, and Internet service for families who cannot

1105 afford the equipment and service;

1106 (iii) administrative and technical support provided by school districts;

1107 ~~(iv) an audit of the contractor’s use of funds appropriated for UPSTART; and~~

1108 ~~(v) an evaluation of the home-based educational technology program; }~~

15. Page 37, Lines 1138 through 1139:

1138 ~~(b) \$1,000,000 from the Uniform School Fund to the State Board of Education for~~

1139 ~~{UPSTART as provided in Title 53A, Chapter 1a, Part 10, UPSTART} the K-3 Class Size Reduction Incentive Program as provided in Section 53A-17a-124.8 ; and~~

16. Page 39, Lines 1196 through 1203:

1196 ~~This bill takes effect on July 1, 2008, except { :~~

1197 ~~(1) if approved by two-thirds of all the members elected to each house, Sections~~

1198 ~~53A-1a-1001 through 53A-1a-1007 take effect upon approval by the governor, or the day~~

1199 ~~following the constitutional time limit of Utah Constitution Article VII, Section 8, without the~~

1200 ~~governor’s signature, or in the case of a veto, the date of veto override; and~~

1201 ~~(2) }~~ the following sections take effect on May 5, 2008:

1202 { ~~(a) }~~ (1) Section 53A-17a-156; and

1203 { ~~(b) }~~ (2) Uncodified Section 29, One-time appropriations for fiscal year 2007-08.

Representative Morgan’s substitute motion to amend failed on the following roll call:

Yeas, 36; Nays, 38; Absent or not voting, 1.

Voting in the affirmative were: Representatives

Aagard	Allen	Barrus	Bird
Biskupski	Bowman	Brown	Chavez-Houck
Cosgrove	Duckworth	Dunnigan	Janice Fisher
Julie Fisher	Fowlke	Froerer	Hansen
Hemingway	Hendrickson	Holdaway	Hutchings
Johnson	King	Litvack	Mascaro

McGee	McIff	Morgan	Moss
Neuenschwander	Oda	Riesen	Seelig
Shurtliff	Wheatley	Wiley	Winn

Voting in the negative were: Representatives

Andersen	Bigelow	D. Clark	S. Clark
Daw	Dee	Donnelson	Dougall
Draxler	Ferry	Frank	Garn
Gibson	Gowans	Greenwood	Grover
Harper	Herrod	Hughes	Hunsaker
Kiser	Last	Lockhart	Mathis
Menlove	Newbold	Noel	Painter
Ray	Sandstrom	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wimmer	Curtis		

Absent or not voting was: Representative
Morley

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

###

Representative Holdaway proposed the following amendment:

1. Page 2, Lines 27 through 28

27 • {~~the Teacher Salary Supplement Program to provide a~~
salary supplement to an
28 eligible teacher;-} additional compensation to recruit and
retain educators;

2. Page 3, Line 85:

85 {~~53A-17a-157, Utah Code Annotated 1953-~~}

3. Page 21, Line 626:

626 (hh) { ~~Teacher Salary Supplement Restricted Account,~~
~~\$4,700,000~~ } Additional compensation to recruit and retain
educators, \$5,000,000 ;

4. Page 27, Line 806:

806 Section 19. Section 53A-17a-156 is enacted to read:
53A-17a-156. Additional compensation to recruit and retain

educators.

(1) As used in this section, “educator” means a person employed by a school district or charter school who holds:

(a) a license issued under Title 53A, Chapter 6, Educator Licensing and Professional Practices Act; and

(b) a position as a:

(i) classroom teacher;

(ii) speech pathologist;

(iii) guidance counselor;

(iv) audiologist;

(v) psychologist; or

(vi) social worker.

(2) Subject to future budget constraints, the Legislature shall annually appropriate money to the State Board of Education to provide additional compensation to educators who fill positions for which a school district or charter school has great difficulty in recruiting or retaining qualified personnel.

(3) The State Board of Education shall distribute money appropriated for additional compensation to recruit and retain educators to school districts and charter schools in proportion to the number of full-time-equivalent educator positions in a school district or charter school as compared to the total number of full-time-equivalent educator positions in school districts and charter schools.

(4) A school district or charter school shall use money distributed under Subsection (3) to award additional compensation to educators who fill positions for which the school district or charter school has great difficulty in recruiting or retaining qualified personnel, as authorized by the local school board or charter school governing board.

(5) A school district or charter school shall annually submit a report to the State Board of Education specifying how money for additional compensation to recruit or retain educators was used.

- 5. Page 27, Line 807 through Page 29, Line 886:
Delete all of lines 807 through 886 and renumber remaining sections accordingly
- 6. Page 37, Lines 1116 through 1119:
1116 ~~{ (2) As an ongoing appropriation subject to future budget constraints, there is~~
1117 appropriated from the General Fund for fiscal year 2008-09, \$250,000 from the General Fund

1118 ~~to the Department of Human Resource Management for administration of the Teacher Salary~~

1119 ~~Supplement Program established in Section 53A-17a-156. }~~

7. Page 37, Lines 1135 through 1140:

1135 { ~~(a)~~ \$50,000 from the General Fund to the Department of Human Resource

1136 ~~Management for costs to administer the Teacher Salary Supplement Program established in~~

1137 ~~Section 53A-17a-156; }~~

1138 { ~~(b)~~ } (a) \$1,000,000 from the Uniform School Fund to the State Board of Education for

1139 UPSTART as provided in Title 53A, Chapter 1a, Part 10, UPSTART; and

1140 { ~~(e)~~ } (b) \$280,000 from the Uniform School Fund to the State Board of Education for library

Representative Bigelow proposed the following substitute motion to amend:

1. Page 8, Lines 215 through 217

215 (4) (a) (i) Except as provided in { Subsections } Subsection (4)(a)(ii) { and (iii) } , a school district shall

216 allocate a portion of school district revenues for each resident student of the school district who

217 is enrolled in a charter school on October 1 as follows:

2. Page 8, Lines 233 through 238:

233 { ~~(iii) (A) As used in this section, "virtual charter school" means a performance-based~~

234 ~~charter school that delivers synchronous or asynchronous instruction from a teacher to a~~

235 ~~student primarily through the use of technology via the Internet in a virtual or remote setting.~~

236 ~~(B) A school district's allocation of revenues under this Subsection (4)(a) for a student~~

237 ~~enrolled in a virtual charter school may not exceed \$500.~~

238 ~~(iv)~~ } (iii) Nothing in this Subsection (4)(a) affects the school bond guarantee program

3. Page 9, Lines 267 through 270:

267 { ~~(v) (A) Subsections (4)(d)(ii) through (iv) do not apply to virtual charter schools.~~

268 (B) If the total of a school district's allocation for a virtual charter school student under

269 Subsection (4)(a) is less than \$500, the state shall provide an additional supplement so that a

270 virtual charter school receives at least \$500 per student under this Subsection (4). }

4. Page 21, Line 626:

626 (hh) Teacher Salary Supplement Restricted Account,
 { ~~\$4,700,000~~ } \$4,300,000 ;

5. Page 21, Line 631

Senate Floor Amendments 3-4-2008:

Reinstate "\$6,900,000" and delete "\$6,500,000"

6. Page 37, Lines 1113 through 1114:

1113 (d) { ~~\$4,700,000~~ } \$4,300,000 from the Uniform School Fund Teacher Salary Supplement Restricted

1114 Account for the Teacher Salary Supplement Program in accordance with the provisions under

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

###

Representative Holdaway proposed the following amendment:

1. Page 2, Lines 27 through 28

27 • { ~~the Teacher Salary Supplement Program to provide a salary supplement to an~~

28 ~~eligible teacher; -~~ } additional compensation to recruit and retain educators;

2. Page 3, Line 85:

85 { ~~53A-17a-157, Utah Code Annotated 1953-~~ }

3. Page 21, Line 626:

626 (hh) { ~~Teacher Salary Supplement Restricted Account,~~
~~\$4,700,000~~ } Additional compensation to recruit and retain
educators, \$5,000,000 ;

4. Page 27, Line 806:

806 Section 19. Section 53A–17a–156 is enacted to read:

53A–17a–156. Additional compensation to recruit and retain
educators.

(1) As used in this section, “educator” means a person employed by
a school district or charter school who holds:

(a) a license issued under Title 53A, Chapter 6, Educator Licensing
and Professional Practices Act; and

(b) a position as a:

(i) classroom teacher;

(ii) speech pathologist;

(iii) guidance counselor;

(iv) audiologist;

(v) psychologist; or

(vi) social worker.

(2) Subject to future budget constraints, the Legislature shall
annually appropriate money to the State Board of Education to provide
additional compensation to educators who fill positions for which a
school district or charter school has great difficulty in recruiting or
retaining qualified personnel.

(3) The State Board of Education shall distribute money
appropriated for additional compensation to recruit and retain educators
to school districts and charter schools in proportion to the number of
full–time–equivalent educator positions in a school district or charter
school as compared to the total number of full–time–equivalent educator
positions in school districts and charter schools.

(4) A school district or charter school shall use money distributed
under Subsection (3) to award additional compensation to educators who
fill positions for which the school district or charter school has great
difficulty in recruiting or retaining qualified personnel, as authorized by
the local school board or charter school governing board.

(5) A school district or charter school shall annually submit a report
to the State Board of Education specifying how money for additional
compensation to recruit or retain educators was used.

- 5. Page 27, Line 807 through Page 29, Line 886:
Delete all of lines 807 through 886 and renumber remaining sections accordingly
- 6. Page 37, Lines 1116 through 1119:
 1116 { ~~(2) As an ongoing appropriation subject to future budget constraints, there is~~
 1117 ~~appropriated from the General Fund for fiscal year 2008-09, \$250,000 from the General Fund~~
 1118 ~~to the Department of Human Resource Management for administration of the Teacher Salary~~
 1119 ~~Supplement Program established in Section 53A-17a-156. }~~
- 7. Page 37, Lines 1135 through 1140:
 1135 { ~~(a) \$50,000 from the General Fund to the Department of Human Resource~~
 1136 ~~Management for costs to administer the Teacher Salary Supplement Program established in~~
 1137 ~~Section 53A-17a-156; }~~
 1138 { ~~(b)~~ } (a) \$1,000,000 from the Uniform School Fund to the State Board of Education for
 1139 UPSTART as provided in Title 53A, Chapter 1a, Part 10, UPSTART; and
 1140 { ~~(c)~~ } (b) \$280,000 from the Uniform School Fund to the State Board of Education for library

Representative Holdaway’s motion to amend failed on the following roll call:

Yeas, 37; Nays, 38; Absent or not voting, 0.

Voting in the affirmative were: Representatives

Allen	Bird	Biskupski	Bowman
Brown	Chavez-Houck	Cosgrove	Duckworth
Dunnigan	Ferry	Janice Fisher	Gowans
Greenwood	Hansen	Harper	Hemingway
Hendrickson	Holdaway	Hunsaker	Hutchings
Johnson	King	Litvack	Mascaro
Mathis	McGee	McIff	Morgan

Moss	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Webb	Wheatley
Wiley			

Voting in the negative were: Representatives

Aagard	Andersen	Barrus	Bigelow
D. Clark	S. Clark	Daw	Dee
Donnelson	Dougall	Draxler	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Grover	Herrod	Hughes
Kiser	Last	Lockhart	Menlove
Morley	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Sumsion
Tilton	Urquhart	Walker	Wimmer
Winn	Curtis		

###

Representative Fowlke proposed the following amendment:

1. Page 8, Line 218:
Delete "in fiscal year 2008-09."
2. Page 8, Lines 221-229:
Delete lines 221 through 229.

Representative Daw proposed the following substitute motion to amend:

Include Representative Fowlke's proposed amendment plus the following:

1. Page 1, Lines 15 through 16
15 ▶ establishes a ceiling for the state contribution to the maintenance and operations
16 portion of the Minimum School Program for fiscal year 2008-09 of
 {~~-\$2,495,183,979-~~} \$2,496,542,506 ;
2. Page 2, Line 47:
47 • {~~-\$2,436,864,479-~~} \$2,438,223,006 from the Uniform School Fund for fiscal year 2008-09;
3. Page 6, Lines 164 through 169:
164 (E) a capital outlay levy imposed under Section 53A-16-107; and

165 ~~(F) a voted capital outlay levy imposed under Section 53A-16-110;~~

166 ~~{ (G) state support for a voted levy program provided under Section 53A-17a-133;~~

167 ~~(H) state support for a board levy program provided under Section 53A-17a-134; and~~

168 ~~(I) state ongoing appropriations to the Capital Outlay Foundation and Enrollment~~

169 ~~Growth Programs created in Section 53A-21-102; } and~~

4. Page 9, Line 249:

249 ~~(ii) the revenue sources listed in Subsections (1)(b)(i)(A) through { (I) } (F) based on the~~

5. Page 9, Line 251:

251 ~~Subsections (1)(b)(i)(A) through { (I) } (F) .~~

6. Page 19, Lines 569 through 572:

569 (1) The total contribution of the state toward the cost of the minimum school program

570 may not exceed the sum of [\$2,273,574,120] { ~~\$2,495,183,979~~ } \$2,496,542,506 for the fiscal year beginning July

571 1, [2007] 2008, except as otherwise provided by the Legislature through supplemental

572 appropriations.

7. Page 21, Line 619:

619 (cc) charter schools, pursuant to Section 53A-1a-513, [~~\$28,509,000~~] { ~~\$35,599,119~~ } \$36,957,646 ;

The motion was divided.

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

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

###

Representative D. Clark proposed the following amendment, under suspension of the rules:

1. Page 1, Line 16:
Delete "\$2,495,183,979" and insert "\$2,496,142,369"
2. Page 19, Line 570:
Delete "\$2,495,183,979" and insert "\$2,496,142,369"

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

1st Sub. S.B. 2, as amended, passed on the following roll call:

Yeas, 63; Nays, 12; Absent or not voting, 0.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Bowman
Brown	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Harper	Hendrickson
Herrod	Hughes	Hunsaker	Hutchings
Kiser	Last	Lockhart	Mascaro
Mathis	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wimmer	Winn	Curtis	

Voting in the negative were: Representatives

Chavez-Houck	Hansen	Hemingway	Holdaway
Johnson	King	Litvack	McGee
Seelig	Shurtliff	Wheatley	Wiley

1st Sub. S.B. 2, as amended, was returned to the Senate for further consideration.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

March 5, 2008

The President of the Senate has signed **1st Sub. H.B. 172, CITY OR TOWN OPTION SALES AND USE TAX**, by Representative B. Dee, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 206**, 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. 325**, BULLYING AND HAZING, by Representative C. Moss, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 339**, HUMAN TRAFFICKING AMENDMENTS, by Representative C. Herrod, and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 72**, MOTORCYCLE LICENSE AND ENDORSEMENT AMENDMENTS, by Representative P. Neuenschwander, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 248**, AMENDMENTS TO SALES AND USE TAX EXEMPTION FOR CERTAIN PROPERTY INCORPORATED INTO REAL PROPERTY, 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. **1st Sub. H.B. 172**, **H.B. 206**, **1st Sub. H.B. 325**, **H.B. 339**, **1st Sub. H.B. 72**, and **H.B. 248** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker:

March 5, 2008

The Senate concurred in the House amendments and passed **3rd Sub. S.B. 17**, CHILD ABUSE AND NEGLECT REGISTRY – MANAGEMENT AND LICENSING INFORMATION SYSTEMS AMENDMENTS, by Senator G. Davis, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **3rd Sub. S.B. 46**, ANTI-FLOW CONTROL AMENDMENTS, by Senator D. Eastman, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **3rd Sub. S.B. 17** and **3rd Sub. S.B. 46** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

* * *

Mr. Speaker:

March 5, 2008

The Senate passed, as amended, **H.B. 66**, PARAEDUCATOR TO TEACHER SCHOLARSHIP PROGRAM, by Representative R. Menlove, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 15**, CONTROL AND PREVENTION OF SEXUALLY TRANSMITTED DISEASES, by Representative P. Riesen, and it is transmitted for further consideration; and

The Senate passed, as amended, **1st Sub. H.B. 109**, SEX OFFENDER LAW AMENDMENTS, by Representative G. Hughes, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 165**, SALES AND USE TAX EXEMPTIONS RELATING TO AIRCRAFT, by Representative B. Dee, and it is transmitted for further consideration; and

The Senate substituted and passed, **Senate 2nd Sub. H.B. 22**, EXPEDITED PARENT-TIME ENFORCEMENT, by Representative Julie Fisher, and it is transmitted for further consideration; and

The Senate passed, as amended, **2nd Sub. H.B. 364**, PROMOTION OF HEALTH CARE COVERAGE, by Representative K. Holdaway, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **H.B. 66**, **H.B. 15**, **1st Sub. H.B. 109**, **H.B. 165**, **2nd Sub. H.B. 22**, and **2nd Sub. H.B. 364** placed on the Concurrence Calendar.

* * *

Mr. Speaker:

March 5, 2008

The Senate passed **S.C.R. 6**, CONCURRENT RESOLUTION ON THE RECONSTRUCTION OF INTERSTATE 15, by Senator J. Valentine, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **S.C.R. 6** read the first time by short title and referred to the Rules Committee.

MISCELLANEOUS BUSINESS

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

AFTERNOON SESSION

The House was called to order by Speaker Curtis at 2:20 p.m.

CONFERENCE COMMITTEE REPORT

Mr. Speaker: March 5, 2008

The Joint Conference Committee comprised of Senators Dan Eastman, Greg Bell, and Scott McCoy, and Representatives John Dougall, Gordon Snow, and David Litvack, recommends **2nd Sub. S.B. 151, TRADEMARK PROTECTION ACT AMENDMENTS**, by Senator D. Eastman, be replaced and favorably recommends **3rd Sub. S.B. 151, TRADEMARK PROTECTION ACT AMENDMENTS**.

Dan Eastman
Senate Chair
John Dougall
House Chair

Report filed. On motion of Representative Dougall, the House voted to adopt the Conference Committee Report.

3rd Sub. S.B. 151 passed on the following roll call:

Yeas, 55; Nays, 7; Absent or not voting, 13.

Voting in the affirmative were: Representatives

Agaard	Allen	Andersen	Barrus
Bigelow	Brown	Chavez–Houck	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Froerer	Gibson
Greenwood	Grover	Hansen	Harper
Hemingway	Herrod	Holdaway	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morley
Moss	Neuenschwander	Noel	Oda
Riesen	Sandstrom	Shurtliff	Snow
Sumsion	Walker	Webb	Wheatley
Wiley	Wimmer	Curtis	

Voting in the negative were: Representatives

D. Clark	Draxler	Frank	Gowans
Hendrickson	Newbold	Tilton	

Absent or not voting were: Representatives

Bird	Biskupski	Bowman	Duckworth
Garn	Hughes	Litvack	Morgan
Painter	Ray	Seelig	Urquhart
Winn			

3rd Sub. S.B. 151 was transmitted to the Senate for further action.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 5, 2008

The Senate passed, **H.B. 349**, OPEN ENROLLMENT REVISIONS, 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. 380**, INSURANCE DEPARTMENT – WORKERS’ COMPENSATION 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, **1st Sub. H.B. 384**, EMPLOYEE OBLIGATIONS RELATED TO WORKERS’ COMPENSATION, 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. 443**, MEMBERSHIP OF OCCUPATIONAL AND PROFESSIONAL LICENSURE REVIEW COMMITTEE, 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. **H.B. 349**, **H.B. 380**, **1st Sub. H.B. 384**, and **H.B. 443** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

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Mr. Speaker:

March 5, 2008

The Senate passed, as amended, **H.B. 221**, AGRICULTURE AND INDUSTRIAL PROTECTION AREA AMENDMENTS, by Representative J. Mathis, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **H.B. 221** placed on the Concurrence Calendar.

CONCURRENCE CALENDAR

Representative Riesen's motion to refuse to concur with the Senate amendments to **H.B. 15** and to request the Senate to recede from its amendments failed on the following roll call:

Yeas, 36; Nays, 37; Absent or not voting, 2.

Voting in the affirmative were: Representatives

Aagard	Allen	Bird	Biskupski
Brown	Chavez-Houck	Cosgrove	Dee
Draxler	Janice Fisher	Fowlke	Gowans
Hansen	Hemingway	Hendrickson	Holdaway
Hunsaker	Johnson	King	Last
Litvack	Mascaro	McGee	McIff
Menlove	Morgan	Moss	Neuenschwander
Ray	Riesen	Seelig	Shurtliff
Snow	Wheatley	Wiley	Winn

Voting in the negative were: Representatives

Andersen	Barrus	Bigelow	D. Clark
S. Clark	Daw	Donnelson	Dougall
Dunnigan	Ferry	Julie Fisher	Frank
Froerer	Garn	Gibson	Greenwood
Grover	Harper	Herrod	Hughes
Hutchings	Kiser	Lockhart	Mathis
Morley	Newbold	Noel	Oda
Painter	Sandstrom	Sumsion	Tilton
Urquhart	Walker	Webb	Wimmer
Curtis			

Absent or not voting were: Representatives

Bowman	Duckworth
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H.B. 15 will remain on the Concurrence Calendar.

THIRD READING CALENDAR

1st Sub. S.B. 299, REVISION TO LOCAL GOVERNMENT, 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's motion to delete **1st Sub. S.B. 299** in title and body and insert **2nd Sub. S.B. 299** in lieu thereof, failed on the following roll call:

Yeas, 34; Nays, 36; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Agard	Andersen	Barrus	Daw
Donnelson	Dougall	Draxler	Dunnigan
Fowlke	Frank	Gibson	Greenwood
Grover	Harper	Herrod	Hughes
Hutchings	Kiser	Last	Lockhart
Mathis	Morley	Newbold	Noel
Oda	Painter	Ray	Sandstrom
Sumsion	Tilton	Walker	Webb
Wimmer	Winn		

Voting in the negative were: Representatives

Allen	Bird	Biskupski	Brown
Chavez-Houck	S. Clark	Cosgrove	Dee
Ferry	Janice Fisher	Julie Fisher	Froerer
Garn	Gowans	Hansen	Hemingway
Hendrickson	Holdaway	Hunsaker	Johnson
King	Litvack	Mascaro	McGee
McIff	Menlove	Morgan	Moss
Neuenschwander	Riesen	Seelig	Shurtliff
Snow	Urquhart	Wheatley	Wiley

Absent or not voting were: Representatives

Bigelow	Bowman	D. Clark	Duckworth
Curtis			

1st Sub. S.B. 299 passed on the following roll call:

Yeas, 61; Nays, 9; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bird	Brown	S. Clark	Cosgrove

Daw	Dee	Donnelson	Dougall
Draxler	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	King	Kiser	Last
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wimmer
Winn			

Voting in the negative were: Representatives

Biskupski	Chavez–Houck	Dunnigan	Johnson
Litvack	Newbold	Seelig	Wheatley
Wiley			

Absent or not voting were: Representatives

Bigelow	Bowman	D. Clark	Duckworth
Curtis			

1st Sub. S.B. 299 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 Dee, under suspension of the rules, the House voted to lift the following Senate Bills from the Rules Committee, consider them read the second time by short title and placed at the top of the Senate Third Reading Calendar under the circled bills: **1st Sub. S.B. 47, S.B. 298, S.B. 108, S.B. 221, S.B. 176, 1st Sub. S.B. 158, 1st Sub. S.J.R. 8, S.B. 242, 1st Sub. S.B. 168, S.B. 228, S.B. 25, S.B. 37, S.C.R. 6, S.J.R. 9, S.B. 244, 1st Sub. S.B. 70, S.B. 190, S.B. 80, S.B. 241, and S.B. 182.**

CONCURRENCE CALENDAR

On motion of Representative Menlove, the House voted to concur in the Senate amendments to **H.B. 66, PARAEDUCATOR TO TEACHER SCHOLARSHIP PROGRAM.**

H.B. 66, as amended by the Senate, passed on the following roll call:

Yeas, 64; Nays, 0; Absent or not voting, 11.

Voting in the affirmative were: Representatives

Allen	Andersen	Barrus	Bigelow
Bird	Biskupski	Brown	Chavez–Houck
S. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Dunnigan
Janice Fisher	Julie Fisher	Fowlke	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Winn

Absent or not voting were: Representatives

Aagard	Bowman	D. Clark	Duckworth
Ferry	Frank	Last	Painter
Ray	Wimmer	Curtis	

H.B. 66, as amended by the Senate, transmitted to the Senate for signature of President.

* * *

On motion of Representative Hughes, the House voted to refuse to concur with the Senate amendments to **H.B. 109** and to request the Senate to recede from its amendments.

* * *

On motion of Representative Dee, the House voted to concur in the Senate amendments to **H.B. 165**, SALES AND USE TAX EXEMPTIONS RELATING TO AIRCRAFT.

H.B. 165, 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	Andersen	Barrus
Bigelow	Bird	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Draxler	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	

Absent or not voting were: Representatives

Biskupski	Bowman	Dougall	Duckworth
Noel	Oda	Painter	Curtis

H.B. 165, as amended by the Senate, transmitted to the Senate for signature of President.

* * *

On motion of Representative Holdaway, the House voted to concur in the Senate amendments to **2nd Sub. H.B. 364**, PROMOTION OF HEALTH CARE COVERAGE.

2nd Sub. H.B. 364, as amended by the Senate, passed on the following roll call:

Yeas, 56; Nays, 12; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Dee

Draxler	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Froerer	Garn
Gibson	Gowans	Hansen	Hemingway
Hendrickson	Holdaway	Hughes	Hunsaker
Hutchings	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Moss	Neuenschwander	Newbold	Noel
Oda	Ray	Riesen	Seelig
Shurtliff	Snow	Urquhart	Walker
Webb	Wheatley	Winn	Curtis

Voting in the negative were: Representatives

Daw	Donnelson	Dougall	Frank
Greenwood	Grover	Herrod	Morley
Sandstrom	Sumsion	Tilton	Wimmer

Absent or not voting were: Representatives

Biskupski	Bowman	Duckworth	Harper
Johnson	Painter	Wiley	

2nd Sub. H.B. 364, as amended by the Senate, transmitted to the Senate for signature of President.

MISCELLANEOUS BUSINESS

On motion of Representative McGee, the House voted to recall **1st Sub. H.B. 106** from the Office of Legislative Research and General Counsel.

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On motion of Representative McGee, the House voted to reconsider its action on **1st Sub. H.B. 106**.

RECONSIDERATION OF 1ST SUB. H.B. 106

1st Sub. H.B. 106, CLEAN AIR AND EFFICIENT VEHICLE TAX INCENTIVES, was before the House for a technical correction.

On motion of Representative McGee, the House voted to concur in the Senate amendments to **1st Sub. H.B. 106**.

1st Sub. H.B. 106 passed on the following roll call:

Yeas, 55; Nays, 14; Absent or not voting, 6.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	Duckworth
Dunnigan	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Grover	Harper
Hemingway	Herrod	Holdaway	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
McGee	McIff	Morgan	Moss
Neuenschwander	Newbold	Noel	Ray
Riesen	Seelig	Shurtliff	Snow
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Winn	

Voting in the negative were: Representatives

Donnelson	Ferry	Gibson	Gowans
Greenwood	Hansen	Hendrickson	Mathis
Menlove	Morley	Oda	Sandstrom
Sumsion	Wimmer		

Absent or not voting were: Representatives

Bowman	S. Clark	Garn	Hughes
Painter	Curtis		

1st Sub. H.B. 106, transmitted to the Senate for signature of the President.

MISCELLANEOUS BUSINESS

On motion of Representative Bigelow, the House voted to lift **1st Sub. S.B. 89** to top of the Senate Third Reading Calendar.

THIRD READING CALENDAR

1st Sub. S.B. 89, MITIGATION OF INVASIVE SPECIES, read the third time by short title and placed on its final passage.

Representative D. Clark proposed the following amendment:

1. Page 1, Lines 20 through 21
20 Monies Appropriated in this Bill:

21 {~~None~~} This bill appropriates \$2,000,000 from the General Fund for fiscal year 2008–09 to the Invasive Species Mitigation Fund.

2. Page 3, Line 87:

87 (ii) habitat for wildlife or livestock.

Section 3. Appropriation.

There is appropriated \$2,000,000 from the General Fund for fiscal year 2008–09 only to the Invasive Species Mitigation Fund.

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

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Representative Bigelow proposed the following amendment:

1. Page 2, Line 56:

Delete “: and”

2. Page 3, Lines 57–60:

Delete lines 57 through 60.

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

###

Representative D. Clark proposed the following amendment:

1. Page 3, Line 61:

Delete “(4)” and insert “(3)”

2. Page 3, Line 62:

Delete “(5)” and insert “(4)”

3. Page 3, Line 73:

Delete “(5)” and insert “(4)”

4. Page 3, Line 75:

Delete “(6)” and insert “(5)”

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

1st Sub. S.B. 89, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown

Chavez–Houck	D. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Oda	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn			

Absent or not voting were: Representatives

Bowman	S. Clark	Newbold	Noel
Painter	Curtis		

1st Sub. S.B. 89, as amended, was returned to the Senate for further consideration.

CONCURRENCE CALENDAR

On motion of Representative Riesen, the House voted to concur in the Senate amendments to **H.B. 15**, CONTROL AND PREVENTION OF SEXUALLY TRANSMITTED DISEASES.

H.B. 15, as amended by the Senate, passed on the following roll call:

Yeas, 50; Nays, 17; Absent or not voting, 8.

Voting in the affirmative were: Representatives

Aagard	Allen	Bird	Biskupski
Brown	Chavez–Houck	S. Clark	Cosgrove
Dee	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Froerer	Gowans	Greenwood	Hansen
Harper	Hemingway	Hendrickson	Holdaway
Hunsaker	Hutchings	Johnson	Kiser
Last	Litvack	Lockhart	Mascaro

McGee	McIff	Menlove	Morgan
Moss	Neuenschwander	Noel	Oda
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Walker	Wheatley
Wiley	Winn		

Voting in the negative were: Representatives

Andersen	Barrus	D. Clark	Donnelson
Dougall	Frank	Gibson	Grover
Herrod	Hughes	Mathis	Morley
Sumsion	Tilton	Urquhart	Webb
Wimmer			

Absent or not voting were: Representatives

Bigelow	Bowman	Daw	Garn
King	Newbold	Painter	Curtis

H.B. 15, as amended by the Senate, transmitted to the Senate for signature of President.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, the House voted to saunter.

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

THIRD READING CALENDAR

1st Sub. S.B. 47, LIMITED PURPOSE LOCAL GOVERNMENT ENTITIES REVISIONS, 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. 47 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans

Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Bowman Morley

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.

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S.B. 298, STATE LAND ACQUISITION, read the third time by short title and placed on its final passage.

On motion of Representative Snow, the House voted to circle **S.B. 298**.

* * *

S.B. 108, OFFSET OF WORKERS' COMPENSATION AND SOCIAL SECURITY, 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. 108 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans

Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn			

Absent or not voting were: Representatives

Bowman Curtis

S.B. 108 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. 221, CAPITAL DEVELOPMENT AND IMPROVEMENT AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 221 passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez-Houck	D. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Painter	Ray

Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Wiley
Wimmer	Winn		

Absent or not voting were: Representatives

Bowman	S. Clark	Duckworth	Oda
Curtis			

S.B. 221 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

S.B. 176, UNEMPLOYMENT INSURANCE CONTRIBUTION RATES AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 176 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	

Absent or not voting were: Representatives

Bowman	Gowans	Hughes	Curtis
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S.B. 176 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 Dee, under suspension of the rules, the House voted to return all uncircled bills on the Senate Third Reading Calendar to Rules. The following bills were placed on the Senate Third Reading Calendar: **S.C.R. 6, S.B. 228, S.B. 198, 1st Sub. S.B. 278, 1st Sub. S.B. 157, 1st Sub. S.B. 36, S.B. 237, 7th Sub. S.B. 93, S.B. 75, 1st Sub. S.B. 238, S.B. 243, 1st Sub. S.B. 179, S.B. 253, S.B. 242, 1st Sub. S.B. 168, S.B. 37, S.J.R. 9, S.B. 244, 1st Sub. S.B. 70, S.B. 190, S.B. 80, S.B. 241, 1st Sub. S.B. 182, S.B. 234, and 1st Sub. S.B. 197.**

THIRD READING CALENDAR

S.C.R. 6, CONCURRENT RESOLUTION ON THE RECONSTRUCTION OF INTERSTATE 15, read the third time by short title and placed on its final passage.

On motion of Representative Dee, the House voted to circle **S.C.R. 6**.

* * *

S.B. 228, REGULATION OF WELLS, 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. 228 passed on the following roll call:

Yeas, 70; Nays, 0; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff

Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Bowman	Hughes	Painter	Ray
Webb			

S.B. 228 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 Urquhart, the House voted to uncircle **S.B. 149**.

S.B. 149, MOTOR VEHICLE LIABILITY POLICY MINIMUM LIMITS, was before the House on its final passage.

Representative McIff proposed the following amendment:

1. Page 2, Line 36:
Reinstate “~~\$25,000~~” and delete “\$30,000”
2. Page 2, Line 39:
Delete “\$60,000” and insert “\$65,000”
3. Page 2, Line 43:
Delete “\$80,000” and insert “\$85,000”

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

###

Representative Biskupski proposed the following amendment:

1. Page 2, Line 41:
Reinstate “~~\$15,000~~” and delete “\$20,000”
2. Page 2, Line 43:
Refer to Representative McIff’s amendment:
Reinstate “~~\$80,000~~” and delete “\$85,000”

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

###

Representative Ferry proposed the following amendment:

1. Page 1, Line 15:
Delete "July 1, 2008" and insert "January 1, 2009"
2. Page 1, Line 22:
Delete "July 1, 2008" and insert "January 1, 2009"
3. Page 3, Lines 83–84:
Delete "July 1, 2008" and insert "January 1, 2009"
4. Page 5, Line 132:
Delete "July 1, 2008" and insert "January 1, 2009"

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

Representatives Oda and Kiser declared conflicts of interest because they work in the insurance industry.

S.B. 149, as amended, passed on the following roll call:

Yeas, 44; Nays, 28; Absent or not voting, 3.

Voting in the affirmative were: Representatives

Allen	Andersen	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Dougall	Duckworth
Dunnigan	Fowlke	Frank	Froerer
Garn	Gowans	Grover	Hansen
Hemingway	Hendrickson	Herrod	Holdaway
Johnson	King	Last	Litvack
Lockhart	McGee	McIff	Morgan
Moss	Noel	Riesen	Sandstrom
Seelig	Snow	Tilton	Urquhart
Walker	Webb	Wiley	Winn

Voting in the negative were: Representatives

Aagard	Barrus	Bigelow	Bird
Donnelson	Draxler	Ferry	Janice Fisher
Julie Fisher	Gibson	Greenwood	Harper
Hughes	Hunsaker	Hutchings	Kiser
Mascaro	Mathis	Menlove	Neuenschwander
Newbold	Oda	Ray	Shurtliff
Sumsion	Wheatley	Wimmer	Curtis

Absent or not voting were: Representatives

Bowman

Morley

Painter

S.B. 149, as amended, was returned to the Senate for further consideration.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker:

March 5, 2008

The Senate passed, **H.B. 222**, WATER QUALITY BOARD 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, **1st Sub. H.B. 109**, SEX OFFENDER LAW AMENDMENTS, 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.B. 15**, CONTROL AND PREVENTION OF SEXUALLY TRANSMITTED DISEASES, by Representative P. Riesen, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **2nd Sub. H.B. 364**, PROMOTION OF HEALTH CARE COVERAGE, by Representative K. Holdaway, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **1st Sub. H.B. 106**, CLEAN AIR AND EFFICIENT VEHICLE TAX INCENTIVES, by Representative R. McGee, et al, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 66**, PARAEDUCATOR TO TEACHER SCHOLARSHIP PROGRAM, by Representative R. Menlove, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 165**, SALES AND USE TAX EXEMPTIONS RELATING TO AIRCRAFT, by Representative B. Dee, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 445**, NURSING HOME AMENDMENTS, 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. 4**, STATE AGENCY AND HIGHER EDUCATION COMPENSATION 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, **1st Sub. H.B. 198**, STATE AGENCY ENERGY EFFICIENCY, 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. 140**, CHILD RESTRAINT DEVICE AMENDMENTS, by Representative T. Cosgrove, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 216**, ANNEXATION REVISIONS, by Representative B. Last, 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 **3rd Sub. H.B. 359**, TAX CHANGES, by Representative J. Dougall, and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 406**, TRAFFIC CODE AMENDMENTS, by Representative J. Dunnigan, 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. 222, 1st Sub. H.B. 109, H.B. 15, 2nd Sub. H.B. 364, 1st Sub. H.B. 106, H.B. 66, H.B. 165, H.B. 445, H.B. 4, 1st Sub. H.B. 198, H.B. 140, H.B. 216, 3rd Sub. H.B. 359, and H.B. 406** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker:

March 5, 2008

The Senate refuses to concur with the House Amendments to **1st Sub. S.B. 2**, MINIMUM SCHOOL PROGRAM BUDGET AMENDMENTS, by Senator H. Stephenson, and requests the House recede from its amendments.

Annette B. Moore
Secretary of the Senate

Communication filed. On motion of Representative Last, the House voted to refuse to recede from its amendments to **1st Sub. S.B. 2** and authorize the Speaker to appoint a Conference Committee. The Speaker appointed Representatives Last, Bigelow, and Litvack.

* * *

Mr. Speaker: March 5, 2008

The Senate concurred in the House amendments and passed **1st Sub. S.B. 89**, MITIGATION OF INVASIVE SPECIES, by Senator D. Stowell, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **2nd Sub. S.B. 71**, SCHOOL DISTRICT AMENDMENTS, by Senator C. Walker, and it is transmitted for the signature of the Speaker; and

The Senate adopted the Joint Conference Committee Report dated March 5, 2008, and passed **3rd Sub. S.B. 151**, TRADEMARK PROTECTION ACT AMENDMENTS, by Senator D. Eastman, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **1st Sub. S.B. 89**, **2nd Sub. S.B. 71**, and **3rd Sub. S.B. 151** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

* * *

Mr. Speaker: March 5, 2008

The Senate passed, as amended, **H.B. 5**, REVENUE BOND, CAPITAL FACILITY, AND PROPERTY ACQUISITION AUTHORIZATIONS, by Representative K. Garn, and it is transmitted for further consideration; and

The Senate passed, as amended, **H.B. 2**, NEW FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS ACT, by Representative R. Bigelow, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communications filed. **H.B. 5** and **H.B. 2** placed on the Concurrence Calendar.

CONCURRENCE CALENDAR

On motion of Representative Bigelow, the House voted to refuse to concur with the Senate amendments to **H.B. 2** and to request the Senate to recede from its amendments.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, the House voted to recess until 6:00 p.m.

EVENING SESSION

The House was called to order by Speaker Curtis at 7:15 p.m.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 5, 2008

The Senate passed, **1st Sub. H.B. 472**, CHARTER SCHOOL BUILDING AND ENROLLMENT AMENDMENTS, by Representative K. Garn, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 347**, MOTOR VEHICLE BUSINESS REGULATION AMENDMENTS, by Representative S. Andersen, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 467**, MOTOR VEHICLE INSURANCE ARBITRATION AMENDMENTS, by Representative S. Urquhart, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 492**, SEX OFFENDER NOTIFICATION AND REGISTRATION, 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. 303**, PHOSPHORUS LIMIT IN DISHWASHING DETERGENT, by Representative C. Johnson, 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. 472**, **H.B. 347**, **H.B. 467**, **H.B. 492**, and **H.B. 303** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker: March 5, 2008

The Senate concurred in the House amendments and passed **1st Sub. S.B. 81**, ILLEGAL IMMIGRATION, by Senator J. Hickman, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **6th Sub. S.B. 38**, TRANSPARENCY IN GOVERNMENT, by Senator W. Niederhauser, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **1st Sub. S.B. 81** and **6th Sub. S.B. 38** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

* * *

Mr. Speaker: March 5, 2008

The Senate passed, as amended, **1st Sub. H.B. 203**, JUDICIAL REVIEW OF STATE ENGINEER'S DECISION, by Representative P. Painter, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **1st Sub. H.B. 203** placed on the Concurrence Calendar.

* * *

Mr. Speaker: March 5, 2008

The Senate refuses to recede from its amendments to **H.B. 2**, NEW FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS ACT, by Representative R. Bigelow, and has appointed a Conference Committee consisting of Senators L. Hillyard, M. Waddoups, and S. McCoy to meet with a like committee from the House on this bill.

Annette B. Moore
Secretary of the Senate

Communication filed. On motion of Representative Bigelow, the Speaker was authorized to appoint a Conference Committee consisting of Representatives Bigelow, Hughes, and Riesen.

* * *

Mr. Speaker: March 5, 2008

The President of the Senate has appointed a Conference Committee consisting of Senators H. Stephenson, S. Jenkins, and K. Mayne to meet with a like committee from the House of Representatives to consider or amend **1st Sub. S.B. 2, MINIMUM SCHOOL PROGRAM BUDGET AMENDMENTS**, by Senator H. Stephenson.

Annette B. Moore
Secretary of the Senate

Communication filed. The Conference Committee may now meet.

CONFERENCE COMMITTEE REPORT

Mr. Speaker: March 5, 2008

The Joint Conference Committee comprised of Senators Howard Stephenson, Scott Jenkins, and Karen Mayne, and Representatives Bradley Last, Ron Bigelow, and David Litvack, recommends **1st Sub. S.B. 2, MINIMUM SCHOOL PROGRAM BUDGET AMENDMENTS**, by Senator H. Stephenson, be replaced and favorably recommends **2nd Sub. S.B. 2, MINIMUM SCHOOL PROGRAM BUDGET AMENDMENTS**.

Howard Stephenson
Senate Chair
Bradley Last
House Chair

Report filed. On motion of Representative Last, the House voted to adopt the Conference Committee Report.

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

Yeas, 61; Nays, 12; Absent or not voting, 2.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bird	Biskupski	Brown	D. Clark
S. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Harper
Hendrickson	Herrod	Holdaway	Hughes

Hunsaker	Hutchings	Kiser	Last
Lockhart	Mascaro	Mathis	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wimmer	Winn
Curtis			

Voting in the negative were: Representatives

Chavez–Houck	Duckworth	Hansen	Hemingway
Johnson	King	Litvack	McGee
Seelig	Shurtliff	Wheatley	Wiley

Absent or not voting were: Representatives

Bigelow	Bowman
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2nd Sub. S.B. 2 returned to the Senate for further consideration.

CONCURRENCE CALENDAR

On motion of Representative Julie Fisher, the House voted to concur in the Senate amendments to **2nd Sub. H.B. 22**, EXPEDITED PARENT–TIME ENFORCEMENT

2nd Sub. H.B. 22, 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

Aagard	Allen	Andersen	Barrus
Bird	Biskupski	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Garn	Gibson
Gowans	Greenwood	Grover	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Johnson	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander

Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Winn	Curtis	

Voting in the negative was: Representative
Wimmer

Absent or not voting were: Representatives

Bigelow	Bowman	Dougall	Froerer
Hansen	Hutchings	King	

2nd Sub. H.B. 22, 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. 221**, AGRICULTURE AND INDUSTRIAL PROTECTION AREA AMENDMENTS.

H.B. 221, 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

Agard	Allen	Andersen	Barrus
Bird	Biskupski	Chavez-Houck	D. Clark
S. Clark	Cosgrove	Daw	Donnelson
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Urquhart	Walker	Webb
Wheatley	Winn	Curtis	

Absent or not voting were: Representatives

Bigelow	Bowman	Brown	Dee
Dougall	Tilton	Wiley	Wimmer

H.B. 221, as amended by the Senate, transmitted to the Senate for signature of President.

* * *

On motion of Representative Painter, the House voted to concur in the Senate amendments to **1st Sub. H.B. 203**, JUDICIAL REVIEW OF STATE ENGINEER’S DECISION.

1st Sub. H.B. 203, 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	Barrus	Bird
Biskupski	Brown	Chavez–Houck	D. Clark
S. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting were: Representatives

Andersen	Bigelow	Bowman	Greenwood
Newbold			

1st Sub. H.B. 203, as amended by the Senate, transmitted to the Senate for signature of President.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, 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.

THIRD READING CALENDAR

S.B. 281, USE OF MINIMUM SCHOOL PROGRAM NONLAPSING BALANCES, 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 Dougall, the House voted to delete **S.B. 281** in title and body and insert **1st Sub. S.B. 281** in lieu thereof.

1st Sub. S.B. 281, as amended, passed on the following roll call:

Yeas, 58; Nays, 13; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Gibson
Gowans	Greenwood	Grover	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Lockhart
Mascaro	Mathis	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wimmer	Winn		

Voting in the negative were: Representatives

Chavez–Houck	Duckworth	Garn	Hansen
Johnson	King	Last	Litvack
McGee	Seelig	Shurtliff	Wheatley
Wiley			

Absent or not voting were: Representatives

Bowman	Kiser	Newbold	Curtis
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1st Sub. S.B. 281, as amended, was returned to the Senate for further consideration.

UNFINISHED BUSINESS

On motion of Representative D. Clark, the House voted to uncircle **3rd Sub. S.B. 245**.

3rd Sub. S.B. 245, FUNDING RELATING TO AIRPORTS, HIGHWAYS, AND PUBLIC TRANSIT, was before the House on its final passage.

On motion of Representative D. Clark, the House voted to delete **3rd Sub. S.B. 245** in title and body and insert **5th Sub. S.B. 245** in lieu thereof.

5th Sub. S.B. 245 passed on the following roll call:

Yeas, 66; Nays, 2; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bird	Biskupski	Brown	Chavez–Houck
D. Clark	Cosgrove	Daw	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Harper	Hemingway
Hendrickson	Herrod	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer		

Voting in the negative were: Representatives

Dee	Donnelson
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Absent or not voting were: Representatives

Bigelow	Bowman	S. Clark	Hansen
Holdaway	Winn	Curtis	

5th Sub. S.B. 245, as amended, was returned to the Senate for further consideration.

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On motion of Representative D. Clark, the House voted to uncircle **S.B. 298**.

S.B. 298, STATE LAND ACQUISITION, was before the House on its final passage.

On motion of Representative D. Clark, the House voted to delete **S.B. 298** in title and body and insert **2nd Sub. S.B. 298** in lieu thereof.

2nd Sub. S.B. 298 passed on the following roll call:

Yeas, 60; Nays, 8; Absent or not voting, 7.

Voting in the affirmative were: Representatives

Allen	Andersen	Bird	Biskupski
Brown	Chavez–Houck	D. Clark	S. Clark
Cosgrove	Daw	Dee	Dougall
Duckworth	Dunnigan	Ferry	Julie Fisher
Fowlke	Frank	Froerer	Gibson
Gowans	Greenwood	Grover	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McIff	Morgan
Morley	Moss	Neuenschwander	Newbold
Noel	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wheatley	Winn

Voting in the negative were: Representatives

Aagard	Barrus	Donnelson	Draxler
Janice Fisher	Hansen	McGee	Wiley

Absent or not voting were: Representatives

Bigelow	Bowman	Garn	Hutchings
Menlove	Wimmer	Curtis	

2nd Sub. S.B. 298, as amended, was returned to the Senate for further consideration.

THIRD READING CALENDAR

S.B. 198, CHILD SUPPORT TECHNICAL AMENDMENTS, read the third time by short title and placed on its final passage.

S.B. 198, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Froerer
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Winn	

Absent or not voting were: Representatives

Bowman	Frank	Garn	Curtis
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S.B. 198, as amended, was returned to the Senate for further consideration.

* * *

1st Sub. S.B. 278, TECHNICAL AMENDMENTS TO TITLES 78A AND 78B, 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 Aagard, the House voted to delete **1st Sub. S.B. 278** in title and body and insert **2nd Sub. S.B. 278** in lieu thereof.

2nd Sub. S.B. 278 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown

Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Bowman Garn

2nd Sub. S.B. 278, as amended, was returned to the Senate for further consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Dee, the House voted to lift **S.B. 242** to the top of the Senate Third Reading Calendar.

THIRD READING CALENDAR

S.B. 242, LAW ENFORCEMENT TRACKING OF DOMESTIC VIOLENCE STATISTICS, 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, 62; Nays, 10; Absent or not voting, 3.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Dee
Donnelson	Dougall	Draxler	Dunnigan

Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Gibson	Greenwood
Grover	Harper	Hemingway	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
Johnson	King	Kiser	Last
Litvack	Lockhart	Mascaro	McGee
McIff	Menlove	Morgan	Moss
Neuenschwander	Newbold	Oda	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Voting in the negative were: Representatives

Daw	Duckworth	Gowans	Hansen
Hendrickson	Mathis	Morley	Noel
Painter	Tilton		

Absent or not voting were: Representatives

Bowman	Brown	Garn
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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. 157, RIGHTS OF CITIZENS TO CARRY FIREARMS IN DECLARED EMERGENCY, 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. 157 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Biskupski	Brown	D. Clark
S. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson

Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
Mathis	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Voting in the negative were: Representatives
Chavez–Houck McGee

Absent or not voting were: Representatives
Bird Bowman McIff

1st Sub. 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 D. Clark, the House voted to lift **1st Sub. S.B. 238** to the top of the Senate Third Reading Calendar.

THIRD READING CALENDAR

1st Sub. S.B. 238, AQUATIC INVASIVE SPECIES INTERDICTION ACT, 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. 238 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway

Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Bowman Garn

1st Sub. S.B. 238 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 Dougall, the House voted to uncircle **S.C.R. 6**.

S.C.R. 6, CONCURRENT RESOLUTION ON THE RECONSTRUCTION OF INTERSTATE 15, was before the House 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	Allen	Andersen	Barrus
Bird	Brown	Chavez–Houck	D. Clark
S. Clark	Cosgrove	Daw	Dee
Donnelson	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hunsaker	Hutchings
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel

Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Webb
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Bigelow	Biskupski	Bowman	Hughes
Johnson	Walker	Wheatley	

S.C.R. 6 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 5, 2008
 The Senate requests the return of **H.B. 5**, REVENUE BOND, CAPITAL FACILITY, AND PROPERTY ACQUISITION AUTHORIZATIONS, by Representative K. Garn, for reconsideration.

Annette B. Moore
 Secretary of the Senate

Communication filed. On motion of Representative Dee, the House voted to return **H.B. 5** to the Senate.

* * *

Mr. Speaker: March 5, 2008
 The Senate passed, **1st Sub. H.B. 464**, ACCESS TO LANDLOCKED PARCELS, by Representative M. Walker, 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. 203**, JUDICIAL REVIEW OF STATE ENGINEER'S DECISION, by Representative P. Painter, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **2nd Sub. H.B. 22**, EXPEDITED PARENT-TIME ENFORCEMENT, by Representative Julie Fisher, and it is transmitted for the signature of the Speaker; and

The President of the Senate has signed **H.B. 221**, AGRICULTURE AND INDUSTRIAL PROTECTION AREA AMENDMENTS, by Representative J. Mathis, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **1st Sub. H.B. 464**, **1st Sub. H.B. 203**, **2nd Sub. H.B. 22**, and **H.B. 221** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker: March 5, 2008

The Senate concurred in the House amendments and passed **5th Sub. S.B. 245**, FUNDING RELATING TO AIRPORTS, HIGHWAYS, AND PUBLIC TRANSIT, by Senator C. Bramble, and it is transmitted for the signature of the Speaker; and

The Senate concurred in the House amendments and passed **S.B. 149**, MOTOR VEHICLE LIABILITY POLICY MINIMUM LIMITS, by Senator S. Killpack, and it is transmitted for the signature of the Speaker; and

The Senate adopted the Joint Conference Committee Report dated March 5, 2008, and passed **2nd Sub. S.B. 2**, MINIMUM SCHOOL PROGRAM BUDGET AMENDMENTS, by Senator H. Stephenson, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **5th Sub. S.B. 245**, **S.B. 149**, and **2nd Sub. S.B. 2** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

* * *

Mr. Speaker: March 5, 2008

The Senate substituted and passed **Senate 4th Sub. H.B. 426**, GOVERNMENT PROCUREMENT – PRIVATE PROPOSALS, by Representative K. Garn, and with the following amendments:

1. Page 23, Line 698:

698 **(b)** A detailed proposal that is to be
 { review } reviewed by the committee shall be submitted to
 the

2. Page 26, Lines 786 through 792:

786 63M-1-2412. Private Proposal Restricted
 { Account } Special Revenue Fund -- Fees.

787 (1) There is created a restricted special revenue fund within the office called the Private

788 Proposal Restricted Special Revenue Fund.

789 (2) Monies collected from the payment of a fee required by this part shall be deposited

790 in the Private Proposal Restricted Special Revenue Fund.

791 (3) { ~~Subject to appropriation by the Legislature,~~
~~the~~ } The board or the committee may use the

792 monies in the Private Proposal Restricted
 { Account } Special Revenue Fund to offset:

and it is transmitted for further consideration; and

The Senate substituted and passed, **Senate 1st Sub. H.B. 490**, LEGISLATIVE TASK FORCES AND STUDY PRIORITIES, by Representative D. Clark, and it is transmitted for further consideration.

Annette B. Moore

Secretary of the Senate

Communications filed. **4th Sub. H.B. 426** and **1st Sub. H.B. 490** placed on the Concurrence Calendar.

MISCELLANEOUS BUSINESS

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

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

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 5, 2008

The Senate passed, **1st Sub. H.B. 223**, EXEMPTION FROM LICENSURE BY DIVISION OF REAL ESTATE, by Representative M. Walker, 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. **1st Sub. H.B. 223** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker: March 5, 2008

The Senate adopted the Joint Conference Committee Report dated March 5, 2008, and passed **H.B. 2**, NEW FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS ACT, by Representative R. Bigelow, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **H.B. 2** placed on the Concurrence Calendar.

* * *

Mr. Speaker: March 5, 2008

The Senate concurred in the House amendments and passed **S.B. 198**, CHILD SUPPORT TECHNICAL AMENDMENTS, by Senator G. Bell, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. **S.B. 198** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

* * *

Mr. Speaker: March 5, 2008

The Senate passed **S.J.R. 11**, MASTER STUDY RESOLUTION, by Senator C. Bramble, and it is transmitted for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. **S.J.R. 11** read the first time by short title and referred to the Rules Committee.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

THIRD READING CALENDAR

H.B. 3, APPROPRIATIONS ADJUSTMENTS, read the third time by short title and placed on its final passage. **H.B. 3** considered read the first, second, and third times by short title under suspension of the rules.

Representative Bigelow proposed the following amendment:

1. Page 15, Line 529:
Delete Lines 529 through Line531
2. Page 27, Line 1006:
Delete line 1006
3. Page 27, Line 1008:
Delete "(1,350,000)" and insert "250,000"

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

###

Representative Biskupski proposed the following amendment:

1. Page 17, Line 620:
Delete "320,000" and insert "255,000"
2. Page 17, Line 622:
Delete "70,000" and insert "5,000"
3. Page 17, Line 636:
Delete "10,000" and insert "75,000"
4. Page 18, Line 638:
Delete "10,000" and insert "75,000"

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

###

Representative Brown proposed the following amendment:

1. Page 17, Line 626:
Delete "495,500" and insert "525,500"

- 2. Page 17, Line 628:
Delete “388,500” and insert “418,300”
- 3. Page 17, Line 629:
After line 629 insert:
“It is the intent of the Legislature that \$30,000 in General Fund one-time appropriated to The Division of Arts and Museums for grants to non-profits be used to fund the Desert Star Playhouse.”

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

###

Representative Garn proposed the following amendment:

- 1. Page 11, Line 402:
Delete “3,800,000” and insert “3,250,000”
- 2. Page 11, Line 404:
Delete line 404
- 3. Page 11, Line 405:
After line 405 insert:
“ITEM 56A To Capital Budget – Land Banking
From State Debt Collection Fund (233,000)
From Contingency Reserve Fund (1,000,000)
Schedule of Programs:
Land Banking (1,233,000)

ITEM 56B To Capital Budget – Land Banking
From General Fund, One-time 550,000
From State Debt Collection Fund 233,000
From Contingency Reserve Fund 1,000,000
Schedule of Programs:
UVSC Land Purchase 1,783,000”

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

###

Representative Allen proposed the following amendment:

- 1. Page 18, Line 642:
Delete “266,000” and insert “416,000”
- 2. Page 18, Line 644:
Delete “216,000” and insert “366,000”

3. Page 18, Line 645:
After line 645 insert:
“It is the intent of the Legislature that \$150,000 in General Fund One–Time appropriated to Community Assistance be used for KUED.”
4. Page 18, Line 670:
Delete “350,000” and insert “200,000” and after line 670 insert
From Beginning Non–lapsing Appropriations Balances \$150,000”

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

H.B. 3, as amended, passed on the following roll call:

Yeas, 64; Nays, 6; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Donnelson	Dougall	Draxler
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Harper
Hemingway	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Last	Litvack	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Moss	Neuenschwander
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Winn	Curtis

Voting in the negative were: Representatives

Duckworth	Hansen	Morley	Newbold
Wiley	Wimmer		

Absent or not voting were: Representatives

Bowman	Dee	Dunnigan	Hendrickson
Noel			

H.B. 3, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, the House voted to move to the Senate Third Reading Calendar.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 5, 2008

The Senate concurred in the House amendments and passed **2nd Sub. S.B. 298**, STATE LAND ACQUISITION, by Senator J. Hickman, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. **2nd Sub. S.B. 298** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

* * *

Mr. Speaker: March 5, 2008

The Senate refuses to concur with the House Amendments to **1st Sub. S.B. 281**, USE OF MINIMUM SCHOOL PROGRAM NONLAPSING BALANCES, by Senator H. Stephenson, and requests the House recede from its amendments.

Annette B. Moore
Secretary of the Senate

Communication filed.

CONFERENCE COMMITTEE REPORT

Mr. Speaker: March 5, 2008

The Joint Conference Committee comprised of Senators Hillyard, Waddoups, and McCoy, and Representatives Bigelow, Hughes, and Riesen, recommends **H.B. 2**, NEW FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS ACT, by Representative R. Bigelow, with the following amendments:

1. Page 4, Line 138,
Goldenrod 03-05-2008:
Delete "3,500,000" insert "2,000,000"
2. Page 4, Line 140,
Goldenrod 03-05-2008:

Delete “3,500,000” insert “2,000,000” and after
Line 140, insert:

“The Legislature intends that the Department of Corrections spend up to 3,000,000 in nonlapsing balances for jail contracting in addition to the 2,000,000 appropriated in this item.”

- 3. Page 4, Line 142,
Goldenrod 03–05–2008:
Delete “3,500,000” insert “2,000,000”
- 4. Page 4, Line 144,
Goldenrod 03–05–2008:
Delete “3,500,000” insert “2,000,000”; and

Lyle W. Hillyard
Senate Chair
Ron Bigelow
House Chair

Report filed. On motion of Representative Bigelow, the House voted to adopt the Conference Committee Report.

H.B. 2, as amended, passed on the following roll call:

Yeas, 67; Nays, 4; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Garn	Gibson	Greenwood	Grover
Harper	Hemingway	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Winn	Curtis	

Voting in the negative were: Representatives

Duckworth	Hansen	Wiley	Wimmer
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Absent or not voting were: Representatives

Bowman	Gowans	Hendrickson	Moss
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H.B. 2, as amended, was transmitted to the Senate for signature of the President.

CONCURRENCE CALENDAR

On motion of Representative Garn, the House voted to concur in the Senate amendments to **4th Sub. H.B. 426**, GOVERNMENT PROCUREMENT – PRIVATE PROPOSALS.

4th Sub. H.B. 426, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Bowman	Lockhart
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4th Sub. H.B. 426, as amended by the Senate, transmitted to the Senate for signature of President.

THIRD READING CALENDAR

1st Sub. S.B. 36, CHARTER AND ONLINE SCHOOLS – PARTICIPATION IN EXTRACURRICULAR ACTIVITIES, read the third time by short title and placed on its final passage.

On motion of Representative Frank, the House voted to circle **1st Sub. S.B. 36**.

* * *

S.B. 237, COMMERCIAL AIRLINE, AND AIRPORT TAXATION AMENDMENTS, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

Representative D. Clark proposed the following amendment:

1. Page 1, Lines 22 through 24
Senate 3rd Reading Amendments 2–29–2008
 - 22 ▶ provides a sales and use tax exemption for sales of certain construction materials
 - 23 purchased ~~§~~ § on or after July 1, 2010, ~~§~~ by or on behalf of an international airport;
 - ▶ provides a sales and use tax exemption for sales of certain construction materials purchased on or after July 1, 2008, by or on behalf of a new airport located within a county of the second class; and
 - 24 ▶ makes technical changes.
2. Page 42, Lines 1273 through 1283
Senate 3rd Reading Amendments 2–29–2008:
 - 1273 district[-]; { ~~and~~ }
 - 1274 (69) sales of construction materials:
 - 1275 (a) ~~§~~ { (a) } purchased on or after July 1, 2010;
 - 1275a (b) ~~§~~ purchased by, on behalf of, or for the benefit of an international airport:
 - 1276 (i) located within a county of the first class; and
 - 1277 (ii) that has a United States customs office on its premises; and
 - 1278 § ~~→~~ [(b)] (c) ~~§~~ if the construction materials are:

- 1279 (i) clearly identified;
- 1280 (ii) segregated; and
- 1281 (iii) installed or converted to real property;
- 1282 (A) owned or operated by the international airport described in Subsection (69) §→ [(a)] (b) ←§ ; and
- 1283 (B) located at the international airport described in Subsection (69) §→ [(a)] (b) ←§ ; and
- (70) sales of construction materials:
 - (a) purchased on or after July 1, 2008;
 - (b) purchased by, on behalf of, or for the benefit of a new airport:
 - (i) located within a county of the second class; and
 - (ii) that is owned or operated by a city in which an airline as defined in Section 59-2-102 is headquartered; and
 - (c) if the construction materials are:
 - (i) clearly identified;
 - (ii) segregated; and
 - (iii) installed or converted to real property;
 - (A) owned or operated by the new airport described in Subsection (70)(b);
 - (B) located at the new airport described in Subsection (70)(b); and
 - (C) as part of the construction of the new airport described in Subsection (70)(b) .

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

S.B. 237, as amended, passed on the following roll call:

Yeas, 52; Nays, 19; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bird	Brown	D. Clark	S. Clark
Cosgrove	Daw	Dee	Donnelson
Dougall	Draxler	Dunnigan	Ferry
Julie Fisher	Fowlke	Frank	Froerer
Gibson	Greenwood	Grover	Hemingway
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Kiser	Last	Lockhart
Mascaro	Mathis	McIff	Menlove
Morgan	Neuenschwander	Noel	Oda

Painter	Ray	Sandstrom	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Webb	Wimmer	Winn

Voting in the negative were: Representatives

Biskupski	Chavez–Houck	Duckworth	Janice Fisher
Gowans	Hansen	Harper	Hendrickson
Johnson	King	Litvack	McGee
Moss	Newbold	Riesen	Seelig
Wheatley	Wiley	Curtis	

Absent or not voting were: Representatives

Bigelow	Bowman	Garn	Morley
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S.B. 237, as amended, was returned to the Senate for further consideration.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 5, 2008

The Senate passed, **H.B. 493**, STALKING 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, **1st Sub. H.B. 366**, MEDICAID LONG TERM CARE AMENDMENTS, 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. 5**, REVENUE BOND, CAPITAL FACILITY, AND PROPERTY ACQUISITION AUTHORIZATIONS, by Representative K. Garn, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 210**, IDENTITY THEFT AND OTHER CRIMES, 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, **1st Sub. H.B. 370**, CHILDREN'S HEALTH INSURANCE PROGRAM AMENDMENTS, by Representative J. Dunnigan, 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. 493**, **1st Sub. H.B. 366**, **H.B. 5**, **H.B. 210**, and **1st Sub. H.B. 370** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

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Mr. Speaker: March 5, 2008

The Senate concurred in the House amendments and passed **2nd Sub. S.B. 278, TECHNICAL AMENDMENTS TO TITLES 78A AND 78B**, by Senator G. Bell, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. **2nd Sub. S.B. 278** 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 reconsider its action on **H.B. 3**.

RECONSIDERATION OF H.B. 3

On motion of Representative D. Clark, under suspension of the rules, the House voted to move to the House Third Reading Calendar.

H.B. 3, APPROPRIATIONS ADJUSTMENTS, was before the House for reconsideration.

Representative Bigelow proposed the following amendment:

1. Page 27, Line 1006:
Reinstate line 1006.
2. Page 27, Line 1008:
Reinstate "(1,350,000)" and delete "255,000"

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

H.B. 3, as amended, passed on the following roll call:

Yeas, 64; Nays, 6; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall

Draxler	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	McGee	McIff
Menlove	Morgan	Moss	Neuenschwander
Newbold	Oda	Painter	Ray
Riesen	Sandstrom	Seelig	Shurtliff
Snow	Sumsion	Tilton	Urquhart
Walker	Wheatley	Winn	Curtis

Voting in the negative were: Representatives

Duckworth	Dunnigan	Hansen	Morley
Wiley	Wimmer		

Absent or not voting were: Representatives

Bowman	Ferry	Mathis	Noel
Webb			

H.B. 3, as amended, transmitted to the Senate for its consideration.

MISCELLANEOUS BUSINESS

On motion of Representative Frank, the House voted to move to the Senate Third Reading Calendar.

UNFINISHED BUSINESS

On motion of Representative Frank, the House voted to uncircle **1st Sub. S.B. 36**.

1st Sub. S.B. 36, CHARTER AND ONLINE SCHOOLS – PARTICIPATION IN EXTRACURRICULAR ACTIVITIES, was before the House on its final passage.

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

Yeas, 54; Nays, 10; Absent or not voting, 11.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bird	Chavez–Houck	D. Clark	S. Clark

Daw	Donnelson	Dougall	Draxler
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Grover	Hemingway	Herrod
Holdaway	Hughes	Hunsaker	Johnson
Kiser	Last	Litvack	Lockhart
Mascaro	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Wimmer
Winn	Curtis		

Voting in the negative were: Representatives

Cosgrove	Duckworth	Gowans	Hansen
Hendrickson	Hutchings	King	McGee
Wheatley	Wiley		

Absent or not voting were: Representatives

Bigelow	Biskupski	Bowman	Brown
Dee	Greenwood	Harper	Mathis
Noel	Walker	Webb	

1st Sub. S.B. 36 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 D. Clark, under suspension of the rules, the House voted to lift **S.J.R. 11**, **S.B. 253**, and **S.B. 41** from the Rules Committee consider them read the second time by short title and placed at the top of the Senate Third Reading Calendar.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 5, 2008

The Senate passed, **H.B. 356**, TAXATION OF MOIST SNUFF, 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. 466**, TITLE INSURANCE RECOVERY, EDUCATION, AND RESEARCH FUND ACT, 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. 356** and **H.B. 466** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker: March 5, 2008

The Senate requests the return of **1st Sub. S.B. 281, USE OF MINIMUM SCHOOL PROGRAM NONLAPSING BALANCES**, by Senator H. Stephenson, for reconsideration.

Annette B. Moore
Secretary of the Senate

Communication filed. On motion of Representative D. Clark, the House voted to return the bill to the Senate.

* * *

Mr. Speaker: March 5, 2008

The Senate substituted and passed, **Senate 3rd Sub. H.B. 58, SEVERANCE TAX AMENDMENTS**, by Representative J. Dougall, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. On motion of Representative Dougall, the House voted to concur in the Senate amendments to **3rd Sub. H.B. 58**.

3rd Sub. H.B. 58, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans

Grover	Hansen	Harper	Hemingway
Hendrickson	Hughes	Hunsaker	Hutchings
Johnson	Kiser	Lockhart	Mascaro
Mathis	McGee	McIff	Menlove
Morgan	Morley	Moss	Neuenschwander
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Curtis	

Absent or not voting were: Representatives

Bowman	Greenwood	Herrod	Holdaway
King	Last	Litvack	Winn

3rd Sub. H.B. 58, as amended by the Senate, transmitted to the Senate for signature of President.

THIRD READING CALENDAR

S.J.R. 11, MASTER STUDY RESOLUTION, read the third time by short title and placed on its final passage.

S.J.R. 11 passed on the following roll call:

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

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans
Grover	Hansen	Harper	Hemingway
Hendrickson	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Mascaro	Mathis	McGee
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Ray	Riesen	Sandstrom

Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wiley	Wimmer	Winn	Curtis

Absent or not voting were: Representatives

Bowman	Greenwood	Herrod	Litvack
Lockhart	McIff	Wheatley	

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. 253, COUNTY LAW ENFORCEMENT DUTIES, read the third time by short title and placed on its final passage.

S.B. 253 passed on the following roll call:

Yeas, 55; Nays, 15; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bird	Brown	Daw	Dee
Donnelson	Dougall	Draxler	Dunnigan
Ferry	Julie Fisher	Fowlke	Frank
Froerer	Gibson	Gowans	Greenwood
Grover	Harper	Hemingway	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
King	Kiser	Last	Lockhart
Mascaro	Mathis	McGee	McIff
Menlove	Morgan	Morley	Moss
Neuenschwander	Newbold	Noel	Oda
Painter	Riesen	Sandstrom	Snow
Sumsion	Tilton	Urquhart	Webb
Wimmer	Winn	Curtis	

Voting in the negative were: Representatives

Bigelow	Biskupski	Chavez-Houck	Cosgrove
Duckworth	Janice Fisher	Hansen	Hendrickson
Johnson	Litvack	Ray	Seelig
Shurtliff	Wheatley	Wiley	

Absent or not voting were: Representatives

Bowman	D. Clark	S. Clark	Garn
Walker			

S.B. 253 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

S.B. 41, EXTENDED SCHOOL YEAR INCENTIVE, read the third time by short title and placed on its final passage.

On motion of Representative Last, the House voted to delete **S.B. 41** in title and body and insert **1st Sub. S.B. 41, INTERNATIONAL EDUCATION INITIATIVE – CRITICAL LANGUAGES PROGRAM**, in lieu thereof.

On motion of Representative Last, under suspension of the rules, **1st Sub. S.B. 41** was considered read the first, second, and third times by short title.

On motion of Representative Last, the House voted to circle **1st Sub. S.B. 41**.

* * *

On motion of Representative Litvack, the House voted to lift **S.J.R. 9** and **S.B. 244** to the top of the Senate Third Reading Calendar.

THIRD READING CALENDAR

S.J.R. 9, JOINT RESOLUTION AMENDING RULES OF EVIDENCE RELATING TO INFORMATION CONTAINED IN THE MANAGEMENT INFORMATION SYSTEM, read the third time by short title and placed on its final passage. This bill did not have a House standing committee hearing.

Representative Ferry proposed the following amendment:

1. Page 2, Lines 52 through 53
Senate Committee Amendments 2–22–2008
52 (a) (4) “Restricted information” means a report, information
 { contained in } from a report, or a
53 finding of unreliability relating to a report, maintained in the
 Management Information System.

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

S.J.R. 9, as amended, passed on the following roll call:

Yeas, 65; Nays, 0; Absent or not voting, 10.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Brown	Chavez–Houck
D. Clark	S. Clark	Cosgrove	Daw
Dee	Donnelson	Dougall	Draxler
Duckworth	Dunnigan	Ferry	Janice Fisher
Julie Fisher	Fowlke	Frank	Froerer
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Lockhart	Mascaro
McGee	McIff	Menlove	Morgan
Morley	Moss	Neuenschwander	Newbold
Oda	Painter	Riesen	Sandstrom
Seelig	Sumsion	Tilton	Urquhart
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Biskupski	Bowman	Garn	Mathis
Noel	Ray	Shurtliff	Snow
Walker	Webb		

S.J.R. 9, as amended, was returned to the Senate for further consideration.

* * *

S.B. 244, DIVISION OF PARKS AND RECREATION TO SUPPORT NONPROFIT CORPORATION OR FOUNDATION, read the third time by short title and placed on its final passage.

S.B. 244 passed on the following roll call:

Yeas, 74; Nays, 0; Absent or not voting, 1.

Voting in the affirmative were: Representatives

Agard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank

Froerer	Garn	Gibson	Gowans
Greenwood	Grover	Hansen	Harper
Hemingway	Hendrickson	Herrod	Holdaway
Hughes	Hunsaker	Hutchings	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Moss	Neuenschwander	Newbold	Noel
Oda	Painter	Ray	Riesen
Sandstrom	Seelig	Shurtliff	Snow
Sumsion	Tilton	Urquhart	Walker
Webb	Wheatley	Wiley	Wimmer
Winn	Curtis		

Absent or not voting was: Representative
Bowman

S.B. 244 was signed by the Speaker in open session and returned to the Senate for signature of the President and enrolling.

* * *

7th Sub. S.B. 93, LICENSED DIRECT ENTRY MIDWIFE AMENDMENTS, read the third time by short title and placed on its final passage.

Representative Allen proposed the following amendment:

1. Page 6, Lines 150 and 151:
Delete "recommended" and insert "selected" and delete line 151
2. Page 6, Lines 155 through 177:
Delete lines 155 through 177 and replace with the following:

“(3) (a) The division shall submit the following to the advisory committee:

(i) administrative rules adopted by the division prior to March 1, 2008 under the provisions of Section 58-77-601; and

(ii) any administrative rule proposed by the division after March 1, 2008 under the provisions of Section 58-77-601.

(b) If the division does not incorporate a recommendation of the advisory committee into an administrative rule, the division shall provide a written report to the Legislative Administrative Rules Review Committee which explains why the division did not adopt a recommendation of the advisory committee.

(4) The division shall adopt administrative rules regarding conditions that require:

(a) mandatory consultation with a physician licensed under Chapter 67, Utah Medical Practice Act, or Chapter 68, Utah Osteopathic Medical Practice Act, upon:

(i) miscarriage after 14 weeks;

(ii) failure to deliver by 42 completed weeks of gestation;

(iii) a baby in the breech position after 36 weeks gestation;

(iv) any sign or symptom of:

(A) placenta previa; or

(B) deep vein thrombosis or pulmonary embolus; or

(v) any other condition or symptom that may place the health of the pregnant woman or unborn child at unreasonable risk as determined by the division by rule;

(b) mandatory transfer of patient care before the onset of labor to a physician licensed under Chapter 67, Utah Medical Practice Act, or Chapter 68, Utah Osteopathic Medical Practice Act, upon evidence of:

(i) placenta previa after 27 weeks;

(ii) diagnosed deep vein thrombosis or pulmonary embolism;

(iii) multiple gestation;

(iv) no onset of labor after 43 completed weeks of gestation;

(v) more than two prior c-sections, unless restricted by the division by rule;

(vi) prior c-section with a known classical or inverted-T or J incision;

(vii) prior c-section without an ultrasound that rules out placental implantation over the uterine scar;

(viii) prior c-section without a signed informed consent document detailing the risks of vaginal birth after caesarean;

(ix) prior c-section with a gestation greater than 42 weeks;

(x) Rh isoimmunization with an antibody titre of greater than 1:8 in a mother carrying an Rh positive baby or a baby of unknown Rh type;

(xi) any other condition that could place the life or long-term health of the pregnant woman or unborn child at risk;

(c) mandatory transfer of care during labor and an immediate transfer in the manner specifically set forth in Subsections 58-77-601(4)(a), (b), or (c) upon evidence of:

(i) undiagnosed multiple gestation, unless delivery is imminent;

(ii) prior c-section with cervical dilation progress in the current labor of less than 1 cm in three hours once labor is active;

(iii) fetus in breech presentation during labor unless delivery is imminent;

(iv) inappropriate fetal presentation as determined by the licensed Direct-entry Midwife;
(v) non-reassuring fetal heart pattern indicative of fetal distress that does not immediately respond to treatment by the Direct-entry midwife unless delivery is imminent;
(vi) moderate thick, or particulate meconium in the amniotic fluid unless delivery is imminent;
(vii) failure to deliver after three hours of pushing unless delivery is imminent; or
(viii) any other condition that could place the life or long-term health of the pregnant woman or unborn child at significant risk if not acted upon immediately; and
(d) mandatory transfer of care after delivery and immediate transfer of the mother or infant in the manner specifically set forth in Subsections 58-77-601 (4)(a), (b), or (c) upon evidence of any condition that could place the life or long-term health of the mother or infant at significant risk if not acted upon immediately.”

Renumber remaining subsections accordingly.

3. Page 7, Line 182:
Delete “to serve as chair of the committee” and insert “and one of the non-Direct-entry midwife members to serve as co-chairs of the committee.”
4. Page 7, Line 188:
After “members” delete “present at a meeting”
5. Page 8, Lines 220 through 227:
Amend the following subsections as shown:
“(a) (i) limit the licensed Direct-entry midwife’s practice to a normal pregnancy, labor, postpartum, newborn and interconceptual care, which for purposes of this section means a normal labor:
{ (i) } (A) that is not pharmacologically induced;
{ (ii) } (B) that is low risk at the start of labor;
{ (iii) } (C) that remains low risk through out the course of labor and delivery; { ~~and~~ }
{ (iv) } (D) in which the infant is born spontaneously in the vertex position between 37 and 43 completed weeks of pregnancy;
and
(E) except as provided in Subsection (2)(a)(ii), in which after delivery, the mother and infant remain low risk; and
(ii) the limitation of Subsection (2)(a)(i) does not prohibit a licensed”

Direct-entry midwife from delivering an infant when there is:
(A) intrauterine fetal demise; or
(B) a fetal anomaly incompatible with life; and ”

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

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Representative Johnson proposed the following amendment:

1. Page 5, Line 149:
 Before the semi-colon at the end of the line insert “or Chapter 68, Utah Osteopathic Medical Practice Act”

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

7th Sub. S.B. 93, as amended, passed on the following roll call:

Yeas, 66; Nays, 4; Absent or not voting, 5.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	Cosgrove	Daw
Dee	Dougall	Draxler	Duckworth
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Johnson
King	Kiser	Last	Litvack
Lockhart	Mascaro	Mathis	McGee
McIff	Menlove	Morgan	Morley
Newbold	Noel	Oda	Painter
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Curtis		

Voting in the negative were: Representatives

Donnelson	Frank	Hutchings	Wimmer
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Absent or not voting were: Representatives

Bowman	S. Clark	Moss	Neuenschwander
Winn			

7th Sub. S.B. 93, as amended, was returned to the Senate for further consideration.

UNFINISHED BUSINESS

On motion of Representative Last, the House voted to uncircle **1st Sub. S.B. 41**.

1st Sub. S.B. 41, INTERNATIONAL EDUCATION INITIATIVE – CRITICAL LANGUAGES PROGRAM, was before the House on its final passage.

1st Sub. S.B. 41, 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	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Donnelson	Dougall	Draxler
Dunnigan	Ferry	Janice Fisher	Julie Fisher
Fowlke	Frank	Froerer	Garn
Gibson	Gowans	Greenwood	Grover
Hansen	Harper	Hemingway	Hendrickson
Herrod	Holdaway	Hughes	Hunsaker
Hutchings	Johnson	King	Kiser
Last	Litvack	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Neuenschwander	Newbold	Oda
Painter	Ray	Riesen	Sandstrom
Seelig	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Curtis	

Absent or not voting were: Representatives

Bowman	Dee	Duckworth	Lockhart
Moss	Noel	Shurtliff	Winn

1st Sub. S.B. 41, as amended, was returned to the Senate for further consideration.

COMMUNICATIONS FROM THE SENATE

Mr. Speaker: March 5, 2008

The President of the Senate has signed **H.B. 2**, NEW FISCAL YEAR SUPPLEMENTAL APPROPRIATIONS ACT, by Representative R. Bigelow, and it is transmitted for the signature of the Speaker; and

The Senate passed, **1st Sub. H.B. 208**, LIVESTOCK WATERING RIGHTS, 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. 305**, COUNTY SHERIFF QUALIFICATION AMENDMENTS, by Representative R. Greenwood, which has been signed by the President and it is transmitted for the signature of the Speaker; and

The Senate passed, **H.B. 369**, MUNICIPAL RENTAL FEES AMENDMENTS, by Representative M. Walker, 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. 187**, DEATH CAUSED BY ILLEGAL DRUGS, 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. 348**, ZION NATIONAL PARK SPECIAL GROUP LICENSE PLATE, 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. 2**, **1st Sub. H.B. 208**, **H.B. 305**, **H.B. 369**, **1st Sub. H.B. 187**, and **1st Sub. H.B. 348** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker: March 5, 2008

The Senate substituted and passed, **Senate 2nd Sub. H.B. 148**, AQUACULTURE REVITALIZATION ACT, by Representative M. Noel, and it is transmitted for further consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. On motion of Representative Noel, the House voted to concur in the Senate amendments to **2nd Sub. H.B. 148**.

2nd Sub. H.B. 148, as amended by the Senate, passed on the following roll call:

Yeas, 53; Nays, 1; Absent or not voting, 21.

Voting in the affirmative were: Representatives

Aagard	Andersen	Barrus	Bird
Brown	Chavez–Houck	S. Clark	Cosgrove
Daw	Dee	Donnelson	Duckworth
Ferry	Janice Fisher	Julie Fisher	Fowlke
Garn	Gibson	Greenwood	Grover
Hansen	Harper	Hendrickson	Herrod
Holdaway	Hunsaker	Hutchings	Johnson
Kiser	Last	Litvack	Lockhart
Mascaro	McIff	Menlove	Morgan
Morley	Newbold	Noel	Oda
Painter	Ray	Riesen	Seelig
Snow	Sumsion	Tilton	Walker
Webb	Wheatley	Wiley	Wimmer
Curtis			

Voting in the negative was: Representative

Neuenschwander

Absent or not voting were: Representatives

Allen	Bigelow	Biskupski	Bowman
D. Clark	Dougall	Draxler	Dunnigan
Frank	Froerer	Gowans	Hemingway
Hughes	King	Mathis	McGee
Moss	Sandstrom	Shurtliff	Urquhart
Winn			

2nd Sub. H.B. 148, as amended by the Senate, transmitted to the Senate for signature of the President.

* * *

Mr. Speaker:

March 5, 2008

The Senate passed **H.B. 486**, WRONGFUL LIENS AND WRONGFUL JUDGEMENT LIENS, by Representative J. Gowans, with the following amendments:

1. Page 3, Lines 60 through 64
House Committee Amendments 2–26–2008

60 (1) (a) The provisions of Sections 38-9-1, 38-9-3, 38-9-4, and
 38-9-6 apply to any
 61 recording or filing or any rejected recording or filing of a lien
 { or notice of interest } pursuant to
 62 this chapter on or after May 5, ~~H~~→ { - } 1997 { + }
 { 2008 } ←~~H~~ .
 63 (b) The provisions of Sections 38-9-1 and 38-9-7 apply to all
 liens of record regardless
 64 of the date the lien { or notice of interest } was recorded or
 filed.

(c) Notwithstanding Subsections (1)(a) and (b), the provisions of
 this chapter applicable to the filing of a notice of interest do not apply to a
 notice of interest filed before May 5, 2008.

and it is transmitted to the House for further consideration.

Annette B. Moore
 Secretary of the Senate

Communication filed. On motion of Representative Gowans, the House
 voted to concur in the Senate amendments to **H.B. 486**.

H.B. 486, 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	Andersen	Barrus
Bird	Biskupski	Brown	Chavez-Houck
S. Clark	Cosgrove	Daw	Dee
Donnelson	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Froerer
Garn	Gibson	Gowans	Greenwood
Grover	Hansen	Harper	Hemingway
Hendrickson	Herrod	Holdaway	Hughes
Hunsaker	Hutchings	Johnson	King
Kiser	Litvack	Mascaro	Mathis
McGee	McIff	Menlove	Morgan
Morley	Neuenschwander	Noel	Oda
Ray	Riesen	Sandstrom	Seelig
Shurtliff	Snow	Sumsion	Tilton
Urquhart	Walker	Webb	Wheatley
Wiley	Wimmer	Curtis	

Absent or not voting were: Representatives

Bigelow	Bowman	D. Clark	Dougall
Draxler	Frank	Last	Lockhart
Moss	Newbold	Painter	Winn

H.B. 486, as amended by the Senate, transmitted to the Senate for signature of the President.

* * *

Mr. Speaker: March 5, 2008

The Senate passed **H.B. 282**, STATE PAYMENT AND REIMBURSEMENT TO COUNTY CORRECTIONAL FACILITIES, by Representative M. Noel, with the following amendments:

1. Page 1, Lines 15 through 16
 - 15 ▶ modifies the formula for calculating the final state daily incarceration rate; {~~and~~}
 - 16 ▶ reduces the percentage of the final state daily incarceration rate that is paid to a county as reimbursement for housing a state probationary inmate or a state parole inmate; and
 2. Page 4, Lines 102 through 104:
 - 102 (2) Within funds appropriated by the Legislature for this purpose, the department shall
 - 103 reimburse a county that houses a state probationary inmate or a state parole inmate at a rate of
 - 104 {~~50~~} 42.1 % of the final state daily incarceration rate.
- and it is transmitted to the House for consideration.

Annette B. Moore
Secretary of the Senate

Communication filed. On motion of Representative Noel, the House voted to concur in the Senate amendments to **H.B. 282**.

H.B. 282, 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	Andersen	Barrus
Bird	Biskupski	Brown	Chavez-Houck

S. Clark	Cosgrove	Daw	Dee
Donnelson	Draxler	Duckworth	Dunnigan
Ferry	Janice Fisher	Julie Fisher	Fowlke
Frank	Froerer	Garn	Gibson
Gowans	Greenwood	Grover	Hansen
Harper	Hemingway	Hendrickson	Herrod
Holdaway	Hughes	Hunsaker	Hutchings
King	Kiser	Last	Litvack
Mascaro	Mathis	McIff	Menlove
Morgan	Morley	Newbold	Noel
Oda	Painter	Ray	Sandstrom
Seelig	Shurtliff	Snow	Sumsion
Tilton	Urquhart	Walker	Webb
Wheatley	Wiley	Wimmer	Winn
Curtis			

Absent or not voting were: Representatives

Bigelow	Bowman	D. Clark	Dougall
Johnson	Lockhart	McGee	Moss
Neuenschwander	Riesen		

H.B. 282, as amended by the Senate, transmitted to the Senate for signature of the President.

* * *

Mr. Speaker: March 5, 2008

The Senate passed, **H.B. 3**, APPROPRIATIONS ADJUSTMENTS, by Representative R. Bigelow, 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 **4th Sub. H.B. 426**, GOVERNMENT PROCUREMENT – PRIVATE PROPOSALS, by Representative K. Garn, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **H.B. 3** and **4th Sub. H.B. 426** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker: March 5, 2008

The Senate concurred in the House amendments and passed **1st Sub. S.B. 281**, USE OF MINIMUM SCHOOL PROGRAM NONLAPSING

BALANCES, by Senator H. Stephenson, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. **1st Sub. 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 5, 2008

The President of the Senate has signed **3rd Sub. H.B. 58, SEVERANCE TAX AMENDMENTS**, by Representative J. Dougall, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communication filed. **3rd Sub. H.B. 58** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

MISCELLANEOUS BUSINESS

On motion of Representative Dee, the House voted to lift **1st Sub. S.B. 168** to the top of the Senate Third Reading Calendar.

THIRD READING CALENDAR

1st Sub. S.B. 168, HIGHWAY FUNDING AMENDMENTS, 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. 168 passed on the following roll call:

Yeas, 69; Nays, 2; Absent or not voting, 4.

Voting in the affirmative were: Representatives

Aagard	Allen	Andersen	Barrus
Bigelow	Bird	Biskupski	Brown
Chavez–Houck	D. Clark	S. Clark	Cosgrove
Daw	Dee	Donnelson	Dougall
Draxler	Duckworth	Dunnigan	Ferry
Janice Fisher	Julie Fisher	Fowlke	Frank
Froerer	Garn	Gibson	Gowans

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. 148**, AQUACULTURE REVITALIZATION ACT, by Representative M. Noel, et al, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **1st Sub. H.B. 354, H.B. 486, H.B. 282, H.B. 427** , and **2nd Sub. H.B. 148** signed by the Speaker and referred to staff for enrolling and transmission to the Governor.

* * *

Mr. Speaker: March 6, 2008

The Senate concurred in the House amendments and passed **S.B. 237**, COMMERCIAL AIRLINE AND AIRPORT TAXATION 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 **7th Sub. S.B. 93**, LICENSED DIRECT ENTRY MIDWIFE AMENDMENTS, by Senator M. Dayton, 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**, INTERNATIONAL EDDUCATION INITIATIVE – CRITICAL LANGUAGES PROGRAM, by Senator H. Stephenson, and it is transmitted for the signature of the Speaker.

Annette B. Moore
Secretary of the Senate

Communications filed. **S.B. 237, 7th Sub. S.B. 93, and 1st Sub. S.B. 41** signed by the Speaker and returned to the Senate for signature of the President, enrolling, and transmission to the Governor.

COMMUNICATION FROM THE SENATE

Mr. Speaker: March 5, 2008

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:

- H.B. 17** Cancer Screening and Mortality Reduction Program
(Rep. P. Ray)
- H.B. 39** Divestment of Certain Retirement Fund Investments
(Rep. Julie Fisher)
- H.B. 41** Campaign Report Amendments (Rep. S. Allen)
- H.B. 65** Crime of Strangulation or Smothering (Rep. J. Seelig)
- H.B. 67** Extended Year for Special Educators (Rep. R. Menlove)
- 1st Sub. H.B. 69** Repeal of Board Leeway for Reading Improvement
(Rep. J. Dougall)

H.B. 81	Task Force to Study Performance Incentives for Teachers (Rep. B. Last)
H.B. 83	Securities Amendments (Rep. J. Bird)
H.B. 85	Teacher Loan Program (Rep. L. Hemingway)
1st Sub. H.B. 94	Public Employees' Retirement – Spousal Election (Rep. L. Shurtliff)
1st Sub. H.B. 95	Document Fraud (Rep. K. Morgan)
H.B. 96	Retired Teachers – Return to Work (Rep. D. Bowman)
H.B. 98	Utah Employment Verification Act (Rep. G. Donnelson)
H.B. 116	Fluorine in a Privately Owned Water System (Rep. S. Andersen)
H.B. 123	Accelerated Learning Programs Amendments (Rep. B. Ferry)
1st Sub. H.B. 135	Grants from Department of Community and Culture (Rep. S. Allen)
2nd Sub. H.B. 136	Illegal Drug Activity Reporting System (Rep. C. Herrod)
H.B. 137	State Facility Water Conservation Program (Rep. L. Wiley)
H.B. 142	Absentee Ballot Amendments (Rep. J. Mathis)
H.B. 145	Additional State Retirement Benefit (Rep. K. Holdaway)
H.B. 150	Authorization for Counties to Provide Supplemental Law Enforcement Services (Rep. J. Biskupski)
1st Sub. H.B. 156	DNA Sample – Felony and Certain Misdemeanor Convictions (Rep. K. Gibson)
H.B. 158	Tax Credit for Military Retired Pay (Rep. S. Mascaro)
H.B. 161	Sex Offenders' Contact with Children (Rep. R. Greenwood)
2nd Sub. H.B. 166	Minutes of Open and Public Meetings (Rep. M. Brown)
2nd Sub. H.B. 168	Health Insurance Market Choices (Rep. J. Dunnigan)
1st Sub. H.B. 169	Custody Evaluation and Parent Coordination (Rep. T. Cosgrove)
H.B. 181	Disposition of Potential Evidence (Rep. T. Cosgrove)
1st Sub. H.B. 183	Sales and Use Tax Amendments (Rep. W. Harper)
H.B. 194	Class Size Reduction in Kindergarten Through Grade Three (Rep. K. Morgan)
H.B. 195	Concealed Firearm Permit Amendments (Rep. M. Newbold)
H.B. 201	Tax Credit for Solar Projects (Rep. B. Last)
2nd Sub. H.B. 212	Educator Salary Adjustments (Rep. J. Dougall)
H.B. 226	Disruption of School Activities (Rep. C. Moss)

- H.B. 227** Revoking Federal Authority to Use State Lands as a Bird Refuge (Rep. B. Ferry)
- 1st Sub. H.B. 229** Protections for Agricultural Practices (Rep. M. Morley)
- H.B. 237** Illegal Immigration Enforcement Act
(Rep. G. Donnelson)
- H.B. 239** Driver License Qualification Amendments
(Rep. G. Donnelson)
- H.B. 241** Repeal of Exemptions from Nonresident Tuition
(Rep. G. Donnelson)
- H.B. 253** Higher Education Information Technology Appropriation
(Rep. S. Clark)
- H.B. 257** Employee Verification (Rep. C. Herrod)
- H.B. 264** Prohibition of Citation Quotas (Rep. N. Hansen)
- H.B. 266** Accelerated Learning Program Revisions (Rep. C. Moss)
- H.B. 270** Utah Science Technology and Research Initiative Centers
(Rep. R. Bigelow)
- 1st Sub. H.B. 274** Utah K–8 Online Virtual School (Rep. B. Ferry)
- 2nd Sub. H.B. 276** Health Professional Authority – Death and Disability
(Rep. B. Last)
- H.B. 279** Tax Incentives for Military Members (Rep. W. Harper)
- H.B. 280** School Finance Amendments (Rep. Julie Fisher)
- H.B. 292** Legislative Task Force to Study Radio Communication System in Utah (Rep. B. Dee)
- 2nd Sub. H.B. 293** Private Building Inspector Authorized (Rep. D. Aagard)
- H.B. 307** Cancer Screening and Mortality Reduction Special Group License Plate (Rep. C. Moss)
- H.B. 311** Higher Education Distance Learning Partnerships
(Rep. B. Last)
- H.B. 315** Child and Vulnerable Adult Endangerment Provisions
(Rep. M. Morley)
- H.B. 320** Vehicle Impound Yard Requirements (Rep. C. Oda)
- H.B. 324** Not-a-drop Drivers Program Amendments
(Rep. R. Greenwood)
- H.B. 329** High-ability Student Initiative Program (Rep. B. Last)
- 2nd Sub. H.B. 333** Senior Citizen’s Homeowner’s Credit (Rep. G. Froerer)
- 1st Sub. H.B. 343** Exemption of University Housing from Eviction Laws
(Rep. P. Neuenschwander)
- H.B. 345** Minimum Age for Public Education Enrollment Amendments (Rep. E. Hutchings)
- 1st Sub. H.B. 351** Individual Income Tax – Health Insurance
(Rep. J. Dunnigan)

- H.B. 353** Department of Environmental Quality Amendments (Rep. C. Johnson)
- H.B. 357** Public Associations Subject to Government Records Access and Management Act (Rep. M. Noel)
- H.B. 360** Individual Income Tax – Long-term Care Insurance Premiums (Rep. B. Last)
- H.B. 362** Motor Fuel Tax – Off-highway Vehicle Refund Amendments (Rep. B. Ferry)
- H.B. 363** Public Education – Arts Enhanced Learning Program (Rep. G. Hughes)
- 1st Sub. H.B. 385** Road and Rights-of-way Amendments (Rep. M. Noel)
- 1st Sub. H.B. 395** Deportation of Eligible Undocumented Immigrant Prisoners (Rep. G. Donnelson)
- 1st Sub. H.B. 400** Condominium and Community Association Provisions (Rep. R. C. Webb)
- H.B. 402** Vehicle to Pull off Highway (Rep. F. Hunsaker)
- H.B. 409** Powersport Vehicle Franchise Act Revisions (Rep. J. Gowans)
- 1st Sub. H.B. 415** Joint Custody Modifications (Rep. L. Fowlke)
- 1st Sub. H.B. 425** Exemption for Alcoholic Beverage Manufacturing License (Rep. C. Johnson)
- H.B. 436** English Language Learner Family Literacy Centers Program (Rep. G. Hughes)
- H.B. 440** Modifications to Government Law (Rep. L. Fowlke)
- H.B. 452** Handling of Minor Traffic Accidents (Rep. E. Hutchings)
- H.B. 456** Fair Campaign Pledge Amendments (Rep. E. Hutchings)
- 1st Sub. H.B. 470** Amendments to Animal Cruelty Provisions (Rep. S. Allen)
- H.B. 473** Firearms Amendments (Rep. C. Oda)
- H.B. 479** Health Care Patient Identity Protections (Rep. S. Sandstrom)
- H.B. 481** Subdivision Approval Amendments (Rep. M. Noel)
- H.B. 494** Amendments to the Utah Medical Service System Act (Rep. J. Dougall)
- H.B. 497** Revenue Bond Authorization for State Fair Park (Rep. N. Hendrickson)
- H.C.R. 8** Concurrent Resolution Supporting the Narrows Water Project in Central Utah (Rep. B. Winn)
- H.J.R. 8** Joint Resolution Urging Congress to Eliminate Transportation Earmarking That Overrides State Transportation Priorities (Rep. Julie Fisher)

H.J.R. 11 Joint Resolution Supporting Statewide Government 211
System Information Directory (Rep. E. Hutchings)

Annette B. Moore
Secretary of the Senate

Communication filed.

RULES COMMITTEE REPORT

Mr. Speaker: March 5, 2008

I am directed to inform the Utah House of Representatives that the Committee on Rules has struck the enacting clause on the following House Bills and Resolutions:

H.B. 25	Access to Voter Date of Birth Records (G. Donnelson)
H.B. 76	Government Competition and Privatization Act (C. Frank)
H.B. 84	Compensation of Educators with National Board Certification (J. Bird)
H.B. 87	Primary Seat Belt Law (R. Greenwood)
H.B. 88	Elementary Education Co-Teaching Pilot Program (J. Bird)
H.B. 89	Antidiscrimination Act Amendments (C. Johnson)
H.B. 91	Center for the School of the Future Incentives (J. Draxler)
H.B. 100	Amendments to Prescribing Schedule II Drugs (M. Wheatley)
H.B. 108	Prosthetic Limb Health Insurance Parity (D. Litvack)
H.B. 110	Crime of Discharging a Dangerous Weapon or Firearm Within a Municipality (N. Hansen)
H.B. 111	Charitable Solicitations Act Amendments (J. Gowans)
1st Sub. H.B. 113	School Financial Disclosure (K. Sumsion)
H.B. 114	Minimum Wage Provisions (N. Hansen)
H.B. 115	Appropriation for a Utah Lake Transportation Study (K. Sumsion)
1st Sub. H.B. 120	Education Materials Center (R. Bigelow)
H.B. 124	Changes to Municipal Annexation Provisions (L. Shurtliff)
H.B. 130	State Ethics Commission (R. McGee)
H.B. 134	Government Immunity Amendments (D. Aagard)
H.B. 138	Sudan Divestment Act (F. Litvack)
H.B. 139	Wireless Internet Access Requirements (B. Daw)
H.B. 147	Restrictions on Regulation of Automotive Collection Activities (N. Hendrickson)

- H.B. 152** Fund from Impaired and Drug Related Violations (C. Herrod)
- 1st Sub. H.B. 154** Motorboat Education Requirements (J. Dunnigan)
- H.B. 155** Property Tax – Residential Exemption (G. Froerer)
- H.B. 162** Utah Seismic Hazard Inventory (L. Wiley)
- H.B. 163** School Fee Amendments (C. Frank)
- H.B. 170** Process for Entering into the Snake Valley Agreement (B. Winn)
- H.B. 175** Election Law Reforms (N. Hansen)
- H.B. 176** Sex Offender Registration Amendments (K. Grover)
- H.B. 179** Water Right Appropriation Amendments (P. Painter)
- H.B. 180** Study of Taxpayer Advocate Program (K. Grover)
- 1st Sub. H.B. 188** Transit Revisions (W. Harper)
- 1st Sub. H.B. 190** State System of Higher Education Amendments (J. Dougall)
- H.B. 197** Residential Mortgage Loan Closing Act (L. Wiley)
- H.B. 199** Tax Credits for Energy Efficient Residences (F. Hunsaker)
- 1st Sub. H.B. 200** Early Childhood Learning and Evaluation (B. Last)
- H.B. 204** Utah College of Applied Technology Amendments (R. Bigelow)
- H.B. 211** Property Tax Amendments for Agricultural Land (B. Winn)
- H.B. 214** School Testing Specialists (S. Sandstrom)
- H.B. 217** Property Tax – Modified Acquisition Value (G. Floerer)
- H.B. 224** Construction Standards for Type II Assisted Living Facility (R. Lockhart)
- H.B. 225** Proof for a Water Right Application (P. Painter)
- 1st Sub. H.B. 228** Amendments to Motor Vehicle Provisions (C. Herrod)
- H.B. 230** Certification of Meth Houses (C. Herrod)
- H.B. 232** Elementary School Math Initiative (S. Mascaro)
- H.B. 233** Mortgage Fraud (P. Ray)
- H.B. 240** Public Education Funding – Block Grant Amendments (S. Allen)
- H.B. 243** Public Transit District Sales Tax Exemption (B. Dee)
- H.B. 246** State Tree Redesignated (J. Draxler)
- 1st Sub. H.B. 247** Domestic Violence and Dating Violence Amendments (D. Litvack)
- H.B. 255** State Office of Education Human Resource Management Amendments (R. Menlove)
- H.B. 260** Controlled Substance Schedule – Amendments (P. Ray)

- H.B. 267** Controlled Substances Amendments – SUDA Controls (N. Hansen)
- H.B. 273** Time Limitation for Prosecution of Environmental Crimes (C. Wimmer)
- 1st Sub. H.B. 278** Charter School Funding Amendments (R. Bigelow)
- H.B. 283** Compact Agreement Among the States to Elect the President by National Popular Vote (N. Hansen)
- 2nd Sub. H.B. 284** Utah College of Applied Technology Revisions (K. Holdaway)
- 1st Sub. H.B. 285** Licensing Eligibility (S. Sandstrom)
- H.B. 289** Adoption – Investigation and Release of Information (K. Sumsion)
- H.B. 295** Public School Electronic Device Policies (S. Allen)
- H.B. 297** Designating Magnesium as the State Metal (R. Menlove)
- 1st Sub. H.B. 298** Public Transit Study (W. Harper)
- H.B. 299** Motor Vehicle Code Revisions (W. Harper)
- H.B. 300** Telephone Solicitation Amendments (S. Sandstrom)
- H.B. 302** Citizenship Determination of Incarcerated Individuals (S. Sandstrom)
- H.B. 306** Attorney’s Lien Amendments (R. Webb)
- 1st Sub. H.B. 308** Credit Card or Debit Card Contracts Act (W. Harper)
- H.B. 313** Motor Fuel and Special Fuel Tax – Indexing for Inflation (W. Harper)
- H.B. 317** Election Day Voter Registration (N. Hansen)
- H.B. 318** Utah Adoption Amendments (R. Chavez–Houck)
- H.B. 322** Local Health Department Funding (S. Clark)
- H.B. 328** Retirement Benefits for Law Enforcement, Firefighters, and Public Service Employees (N. Hansen)
- H.B. 331** Use of Utah Education Network for Telehealth (G. Snow)
- H.B. 334** Labor Commission – Review of Administrative Decisions (N. Hansen)
- H.B. 335** Mobile Home Park Amendments (K. Holdaway)
- H.B. 337** Access to Childrens Health Insurance Program (P. Ray)
- H.B. 338** Neutrality Required of Poll Workers (Rebecca Chavez–Houck)
- H.B. 340** Municipal Annexation Amendments (S. Clark)
- H.B. 344** Alcoholic Beverage Enforcement Provisions (C. Oda)
- H.B. 350** Home School Amendments (C. Wimmer)
- 2nd Sub. H.B. 355** Tax Changes and Appropriations for Preventive Health Activities (P. Ray)
- H.B. 358** Custodial Interference Amendments (C. Wimmer)

- H.B. 367** Property Tax Assessment of Cable Television Companies (W. Harper)
- H.B. 368** School Fee Waiver Amendments (J. Draxler)
- H.B. 372** Teacher Reemployment After Retirement (E. Hutchings)
- H.B. 376** Advisory Redistricting Commission (R. Chavez–Houck)
- H.B. 381** Higher Education Access Enhancement Program (R. Bigelow)
- 1st Sub. H.B. 382** Financing Public Education (M. Newbold)
- H.B. 383** Statewide Capital Outlay Equalization (A. Tilton)
- 1st Sub. H.B. 391** Public School Funding (W. Harper)
- H.B. 394** Real Property Purchase – Notification of Water Rights (B. Ferry)
- 1st Sub. H.B. 405** Amendments to City or Town Sales and Use Tax to Fund Botanical, Cultural, Recreational, and Zoological Organizations or Facilities (S. Sandstrom)
- 2nd Sub. H.B. 407** Community Conscious Internet Provider (M. Morley)
- H.B. 411** Title and Escrow Commission Act (R. Webb)
- H.B. 413** Town Incorporation Process Revisions (G. Froerer)
- H.B. 414** Recycling Amendments (T. Cosgrove)
- H.B. 418** Physician Education Admissions (B. Last)
- H.B. 419** Public School Textbook Evaluation Amendments (G. Froerer)
- 2nd Sub. H.B. 422** Political Subdivision Clerk Amendments (M. Newbold)
- 1st Sub. H.B. 428** Statewide Standards for Health Care Interpreting (R. Chavez–Houck)
- H.B. 430** Designation of Second District State Court Building (N. Hansen)
- H.B. 434** Firefighter Special Group License Plate Amendments (R. Menlove)
- H.B. 435** Public Hearings on Property Tax Increases (G. Floerer)
- H.B. 439** Restitution Fund Account (P. Neuenschwander)
- H.B. 444** Utah State Railroad Museum Authority (N. Hansen)
- H.B. 447** Government Entity Changes (K. Holdaway)
- H.B. 449** Implementation of Federal Real ID Act (G. Donnelson)
- H.B. 451** Depredating Wildlife Amendments (S. Sandstrom)
- H.B. 453** Assessment Area Amendments (F. Hunsaker)
- H.B. 454** Regulation of Riparian Overlay Zones (M. Morley)
- 2nd Sub. H.B. 455** Amendments Relating to Certain Taxes Administered by or License Plates Issued by the State Tax Commission (S. Sandstrom)
- H.B. 463** Motor Cycle Helmet Law Amendments (N. Hansen)

- H.B. 468** Responsibility for Access Devices and Security Breaches (S. Urquhart)
- H.B. 471** Educator Compensation Modifications (G. Hughes)
- 1st Sub. H.B. 475** Labor Organization Amendments (G. Hughes)
- H.B. 477** Licensing of Anesthesiologist Assistants (S. Clark)
- H.B. 485** Legislators Health Plan (E. Hutchings)
- H.B. 487** Social Host Liability Act (E. Hutchings)
- H.B. 488** Kindergarten Program Amendments (K. Morgan)
- 1st Sub. H.B. 490** Legislative Task Forces and Study Priorities (D. Clark)
- 1st Sub. H.B. 491** Health Plan Exemption from Selected Requirements (E. Hutchings)
- H.B. 495** Vehicle Registration Fee for License Plate Recognition Fund (L. Wiley)
- H.J.R. 6** Joint Resolution Consenting to Creation of New State Within Utah (N. Hendrickson)
- H.J.R. 9** Resolution Amending Property Tax Provision (P. Ray)
- H.J.R. 14** Joint Resolution Amending Residential Property Assessment Provisions (G. Froerer)
- H.J.R. 15** Joint Resolution Amending Legislative Article (N. Hansen)
- H.R. 2** House Resolution Calling for Withdrawal from NAFTA (G. Donnelson)
- H.R. 6** House Resolution Petitioning Congress to Address the Illegal Immigration Crisis (C. Herrod)
- Stephen Urquhart, Chair

Report filed.

RULES COMMITTEE REPORT

Mr. Speaker:

March 5, 2008

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:

- S.B. 14** Smoking Ban in Motor Vehicle (S. McCoy)
- S.B. 18** Public Safety Retirement Death Benefit Modifications (J. Greiner)
- 5th Sub. S.B. 25** Municipal Incorporation Amendments (D. Stowell)
- S.B. 28** Apportionment of Business Income, Attributing Sales to the State and Deduction of Net Losses by a Unitary Group (H. Stephenson)
- S.B. 31** Income Tax Amendments (W. Niederhauser)

S.B. 33	Department of Community and Culture–State–Owned Art Inventory (M. Madsen)
S.B. 35	Differentiated Pay for Teachers (H. Stephenson)
S.B. 37	Home School and Extra Curricular Activities Amendments (M. Madsen)
S.B. 39	Mathematics, Science, and Technology Education Task Force (H. Stephenson)
S.B. 40	State Trade Database (M. Madsen)
S.B. 50	Medical Benefits Recovery Amendments (A. Christensen)
S.B. 61	Financial and Economic Literacy Education (P. Jones)
S.B. 64	Income Tax – Capital Gain Transactions (W. Niederhauser)
S.B. 67	Protection of Constitutionally Guaranteed Activities in Certain Private Venues (M. Madsen)
1st Sub. S.B. 70	Emotional Support Animals (S. McCoy)
S.B. 75	Prohibiting Gang Activity (J. Greiner)
1st Sub. S.B. 79	Small Business Access Amendments (R. Romero)
S.B. 80	Ski and Snowboard Education, Development, and Promotion Special Group License Plate (K. VanTassell)
3rd Sub. S.B. 85	Water Rights Board (D. Stowell)
S.B. 91	Benefits to American Board Certified Teachers (M. Madsen)
1st Sub. S.B. 96	Multi–Channel Video or Audio Service Tax Act Amendments (W. Niederhauser)
S.B. 97	Immigration Task Force (S. Jenkins)
S.B. 117	Animal Cruelty Amendments (A. Christensen)
S.B. 118	Education Transportation Amendments (D. Peterson)
S.B. 126	Filing Fee for Write–In Candidates (P. Knudson)
S.B. 160	Candidate Replacement Deadline for General Election (P. Knudson)
1st Sub. S.B. 166	Nondiscrimination Amendments (S. McCoy)
S.B. 172	Funding for Medicaid Vision Care (A. Christensen)
1st Sub. S.B. 182	Survival Action Upon Injury or Death (M. Waddoups)
S.B. 183	Child Pornography Amendment (D. Buttars)
S.B. 188	Pilot Program for Summer School and After School Programs for Children With a Disability (G. Bell)
S.B. 190	Public Classroom Displays (A. Christensen)
1st Sub. S.B. 197	Preferred Drug List Revisions (A. Christensen)
2nd Sub. S.B. 204	Income Tax Amendments (W. Niederhauser)
S.B. 234	Minimum School Program Amendments–Counseling and Guidance Programs (M. Dmitrich)

- S.B. 241** Local Governmental Cooperation in Education Matters
(P. Jones)
- S.B. 243** This is the Place Foundation–Procurement Code
Exemption (B. Goodfellow)
- S.B. 251** Task Force Studying Funding for Fighting Forest Fires
(D. Stowell)
- 1st Sub. S.B. 256** Good Samaritan Act for Engineers (M. Waddoups)
- 3rd Sub. S.B. 269** Water Rights – Ombudsman (D. Stowell)
- S.B. 287** Appropriation for the Swanson Tactical Training Center
(S. Jenkins)
- 1st Sub. S.J.R. 7** Joint Rules Resolution – Authorizing Electronic
Committee Meetings (L. Hillyard)
- 1st Sub. S.J.R. 8** Joint Rules Resolution – Base Budget Amendments
(W. Niederhauser)

Stephen Urquhart, Chair

Report filed.

MISCELLANEOUS BUSINESS

On motion of Representative D. Clark, 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 D. Clark, 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 had finished its business and was prepared to adjourn sine die. The Speaker appointed Representatives Allen, Froerer, and McGee.

On motion of Representative King, 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 had completed its business and was prepared to adjourn sine die. The Speaker appointed Representatives Neuenschwander, Sandstrom, and Johnson.

Speaker Curtis 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 2008 General Session of the Fifty–Seventh Legislature.

On motion of Representative Newbold, the House authorized sixteen hours pay for session and full–time employees in appreciation for the work they have done.

Representative Neuenschwander reported that his committee had waited upon the Senate and informed them that the House of Representatives had completed its business and was prepared to adjourn sine die.

Representative Allen reported that her committee, with a like committee from the Senate, had notified the Governor that the Legislature was prepared to adjourn sine die. Governor Jon M. Huntsman, Jr., spoke to the House briefly.

Senators Walker, Mayne, and Jenkins reported that the Senate has completed its business and was prepared to adjourn sine die.

On motion of Representative D. Clark, and at 12:15 a.m., the 2008 General Session of the Fifty-Seventh Legislature adjourned sine die.

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H.B. 75 — INVENTORY AND REVIEW OF COMMERCIAL ACTIVITIES (<i>C. Frank</i>)	
Read the first time by short title and referred to the Rules Committee.	61
Assigned to standing committee	135
Substituted	410
Read the second time	411
Read the third time	559
Circled	559
Uncircled	570
Amendments	570
Transmitted to the Senate	571
Signed by the Speaker and transmitted to the Governor	1005
H.B. 76 — GOVERNMENT COMPETITION AND PRIVATIZATION ACT (<i>C. Frank</i>)	
Read the first time by short title and referred to the Rules Committee.	61
Assigned to standing committee	73
Returned to Rules Committee	948
Enacting Clause Stricken	1225
H.B. 77 — PERSONAL PROPERTY TAX AMENDMENTS (<i>J. Dougall</i>)	
Read the first time by short title and referred to the Rules Committee.	61
Assigned to standing committee	74
Substituted	96
Amendments	96
Read the second time	97
Read the third time	159
Amendments	159
Transmitted to the Senate	161
Placed on Concurrence Calendar	402
Concurrence	431
Signed by the Speaker and transmitted to the Governor	464
H.B. 78 — TITLE 78 RECODIFICATION AND REVISION (<i>J. Biskupski</i>)	
Read the first time by short title and referred to the Rules Committee.	61
Read the second time	82
Read the third time	84
Circled	85
Uncircled	90
Amendments	91
Transmitted to the Senate	92
Signed by the Speaker and transmitted to the Governor	277
H.B. 79 — SUNSET REAUTHORIZATIONS AND AMENDMENTS (<i>D. Clark</i>)	
Read the first time by short title and referred to the Rules Committee.	61
Read the second time	83
Read the third time	137
Amendments	137
Transmitted to the Senate	139
Signed by the Speaker and transmitted to the Governor	401

H.B. 80 — ADMINISTRATIVE RULE PENALTY AMENDMENTS (<i>B. Ferry</i>)	
Read the first time by short title and referred to the Rules Committee.	251
Assigned to standing committee	323
Read the second time	411
Read the third time	560
Transmitted to the Senate	560
Placed on Concurrence Calendar	1049
Concurrence	1053
Signed by the Speaker and transmitted to the Governor	1078
H.B. 81 — TASK FORCE TO STUDY PERFORMANCE INCENTIVES FOR TEACHERS (<i>B. Last</i>)	
Read the first time by short title and referred to the Rules Committee.	61
Assigned to standing committee	72
Amendments	119
Read the second time	120
Read the third time	163
Transmitted to the Senate	164
Enacting Clause Stricken	1222
H.B. 82 — NOTICE OF CHANGES TO THE STATE MEDICAID PLAN (<i>M. Newbold</i>)	
Read the first time by short title and referred to the Rules Committee.	61
Assigned to standing committee	73
Read the second time	121
Read the third time	187
Transmitted to the Senate	187
Signed by the Speaker and transmitted to the Governor	536
H.B. 83 — SECURITIES AMENDMENTS (<i>J. Bird</i>)	
Read the first time by short title and referred to the Rules Committee.	61
Assigned to standing committee	145
Read the second time	219
Read the third time	333
Transmitted to the Senate	334
Enacting Clause Stricken	1222
H.B. 84 — COMPENSATION OF EDUCATORS WITH NATIONAL BOARD CERTIFICATION (<i>C. Moss</i>)	
Read the first time by short title and referred to the Rules Committee.	61
Assigned to standing committee	422
Amendments	863
Read the second time	865
Returned to Rules Committee	865
Enacting Clause Stricken	1225
H.B. 85 — TEACHER LOAN PROGRAM (<i>L. Hemingway</i>)	
Read the first time by short title and referred to the Rules Committee.	62
Assigned to standing committee	72
Amendments	219
Read the second time	221
Read the third time	335
Transmitted to the Senate	336
Enacting Clause Stricken	1222

H.B. 86 — FUNDING OF INMATE POSTSECONDARY EDUCATION (<i>J. Draxler</i>)	
Read the first time by short title and referred to the Rules Committee.	62
Assigned to standing committee	145
Read the second time	221
Read the third time	336
Amendments	336
Transmitted to the Senate	338
Placed on Concurrence Calendar	1006
Concurrence	1012
Signed by the Speaker and transmitted to the Governor	1033
H.B. 87 — PRIMARY SEAT BELT LAW (<i>R. Greenwood</i>)	
Read the first time by short title and referred to the Rules Committee.	62
Enacting Clause Stricken	1225
H.B. 88 — ELEMENTARY EDUCATION CO-TEACHING PILOT PROGRAM (<i>J. Bird</i>)	
Read the first time by short title and referred to the Rules Committee.	62
Assigned to standing committee	291
Returned to Rules Committee	941
Enacting Clause Stricken	1225
H.B. 89 — ANTIDISCRIMINATION ACT AMENDMENTS (<i>C. Johnson</i>)	
Read the first time by short title and referred to the Rules Committee.	62
Assigned to standing committee	72
Returned to Rules Committee	939
Enacting Clause Stricken	1225
H.B. 90 — EXPUNGEMENT AMENDMENTS (<i>R. C. Webb</i>)	
Read the first time by short title and referred to the Rules Committee.	62
Assigned to standing committee	146
Amendments	265
Read the second time	266
Read the third time	427
Transmitted to the Senate	428
Signed by the Speaker and transmitted to the Governor	979
H.B. 91 — CENTER FOR THE SCHOOL OF THE FUTURE INCENTIVES (<i>J. Draxler</i>)	
Read the first time by short title and referred to the Rules Committee.	62
Assigned to standing committee	171
Returned to Rules Committee	941
Enacting Clause Stricken	1225
H.B. 92 — GARNISHMENT AMENDMENTS (<i>J. Draxler</i>)	
Read the first time by short title and referred to the Rules Committee.	62
Assigned to standing committee	253
Substituted	414
Amendments	414
Read the second time	416
Read the third time	584
Amendments	585
Transmitted to the Senate	586
Signed by the Speaker and transmitted to the Governor	979

H.B. 93 — INSURANCE FRAUD AMENDMENTS (<i>D. Aagard</i>)	
Read the first time by short title and referred to the Rules Committee.	62
Assigned to standing committee	172
Amendments	242
Read the second time	243
Read the third time	365
Amendments	365
Transmitted to the Senate	366
Placed on Concurrence Calendar	1006
Concurrence	1011
Signed by the Speaker and transmitted to the Governor	1033
H.B. 94 — PUBLIC EMPLOYEES' RETIREMENT – SPOUSAL ELECTION (<i>L. Shurtliff</i>)	
Read the first time by short title and referred to the Rules Committee.	62
Substituted	383
Assigned to standing committee	383
Read the second time	520
Read the third time	630
Transmitted to the Senate	631
Enacting Clause Stricken	1222
H.B. 95 — DOCUMENT FRAUD – ESTABLISHING LEGAL STATUS (<i>K. Morgan</i>)	
Read the first time by short title and referred to the Rules Committee.	62
Assigned to standing committee	73
Substituted	176
Read the second time	181
Read the third time	274
Amendments	274
Transmitted to the Senate	275
Enacting Clause Stricken	1222
H.B. 96 — RETIRED TEACHERS – RETURN TO WORK (<i>D. Bowman</i>)	
Read the first time by short title and referred to the Rules Committee.	62
Assigned to standing committee	206
Amendments	410
Read the second time	410
Read the third time	559
Transmitted to the Senate	559
Enacting Clause Stricken	1222
H.B. 97 — COURT-ORDERED RESTITUTION FOR COSTS OF INCARCERATION (<i>C. Oda</i>)	
Read the first time by short title and referred to the Rules Committee.	62
Assigned to standing committee	172
Read the second time	243
Read the third time	301
Transmitted to the Senate	301
Signed by the Speaker and transmitted to the Governor	775

H.B. 98 — UTAH EMPLOYMENT VERIFICATION ACT (<i>G. Donnelson</i>)	
Read the first time by short title and referred to the Rules Committee.	62
Assigned to standing committee	74
Read the second time	121
Read the third time	187
Transmitted to the Senate	188
Enacting Clause Stricken	1222
H.B. 99 — BUSINESS REGISTRATION – OPTIONAL INCLUSION OF OWNERSHIP DATA (<i>M. Wheatley</i>)	
Read the first time by short title and referred to the Rules Committee.	62
Assigned to standing committee	72
Read the second time	168
Read the third time	232
Transmitted to the Senate	233
Signed by the Speaker and transmitted to the Governor	755
H.B. 100 — AMENDMENTS TO PRESCRIBING SCHEDULE II DRUGS (<i>M. Wheatley</i>)	
Read the first time by short title and referred to the Rules Committee.	63
Assigned to standing committee	73
Returned to Rules Committee	941
Enacting Clause Stricken	1225
H.B. 101 — AMENDMENTS TO EMERGENCY INJECTION FOR ANAPHYLACTIC REACTION ACT (<i>T. Kiser</i>)	
Read the first time by short title and referred to the Rules Committee.	63
Assigned to standing committee	146
Amendments	221
Read the second time	224
Read the third time	346
Transmitted to the Senate	347
Signed by the Speaker and transmitted to the Governor	646
H.B. 102 — CHILD ABUSE HOMICIDE AMENDMENTS (<i>C. Wimmer</i>)	
Read the first time by short title and referred to the Rules Committee.	63
Assigned to standing committee	449
Read the second time	539
Read the third time	765
Transmitted to the Senate	766
Signed by the Speaker and transmitted to the Governor	1005
H.B. 103 — USE OF STATE ALTERNATIVE FUEL NETWORK (<i>F. Hunsaker</i>)	
Read the first time by short title and referred to the Rules Committee.	63
Assigned to standing committee	172
Read the second time	224
Read the third time	352
Transmitted to the Senate	353
Signed by the Speaker and transmitted to the Governor	755

H.B. 104 — URBAN TRAILS APPROPRIATION (<i>K. Holdaway</i>)	
Read the first time by short title and referred to the Rules Committee.	63
Assigned to standing committee	146
Substituted	244
Amendments	244
Read the second time	246
Read the third time	368
Transmitted to the Senate	369
Placed on Concurrence Calendar	1049
Concurrence	1054
Signed by the Speaker and transmitted to the Governor	1078
H.B. 105 — TRANSPORTATION INFRASTRUCTURE LOAN FUND AMENDMENTS (<i>Julie Fisher</i>)	
Read the first time by short title and referred to the Rules Committee.	63
Assigned to standing committee	206
Read the second time	247
Read the third time	394
Amendments	394
Transmitted to the Senate	395
Signed by the Speaker and transmitted to the Governor	775
H.B. 106 — CLEAN AIR AND EFFICIENT VEHICLE TAX INCENTIVES (<i>R. McGee</i>)	
Read the first time by short title and referred to the Rules Committee.	63
Assigned to standing committee	136
Amendments	200
Read the second time	202
Read the third time	327
Transmitted to the Senate	328
Recalled	1160
Placed on Concurrence Calendar	1072
Concurrence	1084
Reconsideration	1160
Concurrence	1160
Signed by the Speaker and transmitted to the Governor	1115, 1172
H.B. 107 — EMERGENCY MANAGEMENT ADMINISTRATIVE COUNCIL (<i>C. Oda</i>)	
Read the first time by short title and referred to the Rules Committee.	63
Assigned to standing committee	172
Amendments	197
Read the second time	197
Read the third time	262
Transmitted to the Senate	263
Signed by the Speaker and transmitted to the Governor	576
H.B. 108 — PROSTHETIC LIMB HEALTH INSURANCE PARITY (<i>D. Litvack</i>)	
Read the first time by short title and referred to the Rules Committee.	63
Assigned to standing committee	145
Amendments	938
Returned to Rules Committee	939
Enacting Clause Stricken	1225

H.B. 109 — SEX OFFENDER LAW AMENDMENTS (<i>G. Hughes</i>)	
Read the first time by short title and referred to the Rules Committee.	63
Assigned to standing committee	73
Substituted	266
Amendments	266
Read the second time	266
Read the third time	434
Amendments	434
Transmitted to the Senate	436
Placed on Concurrence Calendar	1152
Refuse to Concur	1158
Signed by the Speaker and transmitted to the Governor	1172
H.B. 110 — CRIME OF DISCHARGING A DANGEROUS WEAPON OR FIREARM WITHIN A MUNICIPALITY (<i>N. Hansen</i>)	
Read the first time by short title and referred to the Rules Committee.	63
Assigned to standing committee	343
Returned to Rules Committee	542
Enacting Clause Stricken	1225
H.B. 111 — CHARITABLE SOLICITATION ACT AMENDMENTS (<i>J. Gowans</i>)	
Read the first time by short title and referred to the Rules Committee.	63
Assigned to standing committee	73
Returned to Rules Committee	942
Enacting Clause Stricken	1225
H.B. 112 — PUBLIC EDUCATION FOUNDATION AMENDMENTS (<i>S. Allen</i>)	
Read the first time by short title and referred to the Rules Committee.	63
Assigned to standing committee	145
Read the second time	251
Read the third time	408
Transmitted to the Senate	408
Placed on Concurrence Calendar	776
Concurrence	804
Signed by the Speaker and transmitted to the Governor	845
H.B. 113 — SCHOOL FINANCIAL DISCLOSURE (<i>K. Sumsion</i>)	
Read the first time by short title and referred to the Rules Committee.	63
Substituted	448
Assigned to standing committee	448, 449
Returned to Rules Committee	941
Enacting Clause Stricken	1225
H.B. 114 — MINIMUM WAGE PROVISIONS (<i>N. Hansen</i>)	
Read the first time by short title and referred to the Rules Committee.	64
Assigned to standing committee	134
Returned to Rules Committee	939
Enacting Clause Stricken	1225

H.B. 115 — APPROPRIATION FOR A UTAH LAKE TRANSPORTATION STUDY (<i>K. Sumsion</i>)	
Read the first time by short title and referred to the Rules Committee.	64
Assigned to standing committee	136
Returned to Rules Committee	946
Enacting Clause Stricken	1225
H.B. 116 — FLUORINE IN A PRIVATELY OWNED WATER SYSTEM (<i>S. Andersen</i>)	
Read the first time by short title and referred to the Rules Committee.	64
Assigned to standing committee	146
Amendments	248
Read the second time	248
Read the third time	397
Transmitted to the Senate	398
Enacting Clause Stricken	1222
H.B. 117 — INSTREAM FLOW TO PROTECT TROUT HABITAT (<i>S. Sandstrom</i>)	
Read the first time by short title and referred to the Rules Committee.	64
Assigned to standing committee	205
Amendments	245
Read the second time	246
Read the third time	392
Transmitted to the Senate	392
Signed by the Speaker and transmitted to the Governor	755
H.B. 118 — VETERANS HIGH SCHOOL DIPLOMAS (<i>L. Hemingway</i>)	
Read the first time by short title and referred to the Rules Committee.	64
Assigned to standing committee	72
Read the second time	120
Read the third time	164
Transmitted to the Senate	165
Signed by the Speaker and transmitted to the Governor	536
H.B. 119 — CONTROLLED SUBSTANCE DATABASE AMENDMENTS (<i>B. Daw</i>)	
Read the first time by short title and referred to the Rules Committee.	64
Assigned to standing committee	73
Substituted	222
Read the second time	224
Read the third time	347
Amendments	347
Transmitted to the Senate	352
Placed on Concurrence Calendar	1006
Concurrence	1015
Signed by the Speaker and transmitted to the Governor	1033
H.B. 120 — EDUCATION MATERIALS CENTER (<i>R. Bigelow</i>)	
Read the first time by short title and referred to the Rules Committee.	64
Assigned to standing committee	134
Substituted	939
Returned to Rules Committee	941
Enacting Clause Stricken	1225

H.B. 121 — COUNTY CHARGES FOR SERVICES TO INCARCERATED PERSONS*(R. Greenwood)*

Read the first time by short title and referred to the Rules Committee.	64
Assigned to standing committee	172
Amendments	242
Read the second time	243
Read the third time	366
Held	367
Reconsideration	395
Circled	395
Uncircled	586
Amendments	586
Transmitted to the Senate	587
Placed on Concurrence Calendar	1029
Concurrence	1051
Signed by the Speaker and transmitted to the Governor	1078

H.B. 122 — DRIVER LICENSE – APPLICATION OF MINOR AMENDMENTS *(D. Litvack)*

Read the first time by short title and referred to the Rules Committee.	64
Assigned to standing committee	74
Amendments	181
Read the second time	183
Read the third time	290
Amendments	290
Transmitted to the Senate	291
Signed by the Speaker and transmitted to the Governor	1005

H.B. 123 — ACCELERATED LEARNING PROGRAMS AMENDMENTS *(B. Ferry)*

Read the first time by short title and referred to the Rules Committee.	64
Assigned to standing committee	205
Read the second time	322
Read the third time	493
Circled	494
Uncircled	549
Transmitted to the Senate	550
Enacting Clause Stricken	1222

H.B. 124 — CHANGES TO MUNICIPAL ANNEXATION PROVISIONS *(L. Shurtliff)*

Read the first time by short title and referred to the Rules Committee.	64
Assigned to standing committee	73
Returned to Rules Committee	948
Enacting Clause Stricken	1225

H.B. 125 — DEPARTMENT OF AGRICULTURE AND FOOD AMENDMENTS *(K. Gibson)*

Read the first time by short title and referred to the Rules Committee.	64
Assigned to standing committee	146
Substituted	246
Read the second time	246
Read the third time	392
Transmitted to the Senate	393
Placed on Concurrence Calendar	647
Concurrence	699
Signed by the Speaker and transmitted to the Governor	731

H.B. 126 — ELECTION LAW – BALLOT PROPOSITION AMENDMENTS (*C. Johnson*)

- Read the first time by short title and referred to the Rules Committee. 64
- Assigned to standing committee 73
- Read the second time 95
- Read the third time 149, 239
- Placed on calendar 149
- Transmitted to the Senate 240
- Signed by the Speaker and transmitted to the Governor 464

H.B. 127 — COMMUNITY COUNCIL ELECTIONS (*K. Sumsion*)

- Read the first time by short title and referred to the Rules Committee. 64
- Assigned to standing committee 227
- Substituted 416
- Read the second time 417
- Read the third time 594
- Transmitted to the Senate 595
- Signed by the Speaker and transmitted to the Governor 937

H.B. 128 — UTAH RESIDENTIAL MORTGAGE PRACTICES ACT AMENDMENTS
(*M. Newbold*)

- Read the first time by short title and referred to the Rules Committee. 65
- Assigned to standing committee 227
- Read the second time 416
- Read the third time 501
- Transmitted to the Senate 502
- Signed by the Speaker and transmitted to the Governor 819

H.B. 129 — APPROPRIATION FOR CONSTRUCTION OF A VETERANS’ NURSING HOME
IN OGDEN (*B. Dee*)

- Read the first time by short title and referred to the Rules Committee. 65
- Assigned to standing committee 73
- Read the second time 95
- Time Certain 106
- Read the third time 143
- Transmitted to the Senate 144
- Signed by the Speaker and transmitted to the Governor 979

H.B. 130 — STATE ETHICS COMMISSION (*R. McGee*)

- Read the first time by short title and referred to the Rules Committee. 65
- Enacting Clause Stricken 1225

H.B. 131 — COMMUNITY BASED SELF SUFFICIENCY GRANTS (*J. Seelig*)

- Read the first time by short title and referred to the Rules Committee. 65
- Assigned to standing committee 292
- Amendments 379
- Read the second time 381
- Read the third time 558
- Substituted 558
- Transmitted to the Senate 559
- Placed on Concurrence Calendar 1083
- Concurrence 1089
- Signed by the Speaker and transmitted to the Governor 1115

H.B. 132 — WASTE TIRE RECYCLING AMENDMENTS (<i>N. Hendrickson</i>)	
Read the first time by short title and referred to the Rules Committee.	65
Assigned to standing committee	73
Read the second time	129
Read the third time	190
Amendments	190
Transmitted to the Senate	193
Signed by the Speaker and transmitted to the Governor	587
H.B. 133 — HEALTH SYSTEM REFORM (<i>D. Clark</i>)	
Read the first time by short title and referred to the Rules Committee.	65
Assigned to standing committee	72
Substituted	249
Amendments	249
Read the second time	250
Time Certain	364
Read the third time	423
Amendments	423
Transmitted to the Senate	426
Placed on Concurrence Calendar	1072
Concurrence	1085
Signed by the Speaker and transmitted to the Governor	1115
H.B. 134 — GOVERNMENT IMMUNITY AMENDMENTS (<i>D. Aagard</i>)	
Read the first time by short title and referred to the Rules Committee.	65
Assigned to standing committee	205
Returned to Rules Committee	948
Enacting Clause Stricken	1225
H.B. 135 — GRANTS FROM DEPARTMENT OF COMMUNITY AND CULTURE (<i>S. Allen</i>)	
Read the first time by short title and referred to the Rules Committee.	65
Assigned to standing committee	173
Substituted	203
Read the second time	204
Read the third time	331
Amendments	332
Transmitted to the Senate	333
Enacting Clause Stricken	1222
H.B. 136 — ILLEGAL DRUG ACTIVITY REPORTING SYSTEM (<i>C. Herrod</i>)	
Read the first time by short title and referred to the Rules Committee.	65
Assigned to standing committee	422
Substituted	538
Read the second time	539
Read the third time	766
Uncircled	766, 782
Read the first time by short title and referred to Rules Committee	782
Read the second time	782
Read the third time	782
Transmitted to the Senate	782
Enacting Clause Stricken	1222

H.B. 137 — STATE FACILITY WATER CONSERVATION PROGRAM (<i>L. Wiley</i>)	
Read the first time by short title and referred to the Rules Committee.	65
Assigned to standing committee	205
Amendments	295
Read the second time	295
Read the third time	459
Failed	460
Reconsideration	534
Transmitted to the Senate	534
Enacting Clause Stricken	1222
H.B. 138 — SUDAN DIVESTMENT ACT (<i>D. Litvack</i>)	
Read the first time by short title and referred to the Rules Committee.	65
Assigned to standing committee	710
Amendments	814
Read the second time	815
Returned to Rules Committee	815
Placed on calendar	919
Read the third time	999
Referred for interim study	999
Enacting Clause Stricken	1225
H.B. 139 — WIRELESS INTERNET ACCESS REQUIREMENTS (<i>B. Daw</i>)	
Read the first time by short title and referred to the Rules Committee.	87
Assigned to standing committee	172
Returned to Rules Committee	942
Enacting Clause Stricken	1225
H.B. 140 — CHILD RESTRAINT DEVICE AMENDMENTS (<i>T. Cosgrove</i>)	
Read the first time by short title and referred to the Rules Committee.	87
Assigned to standing committee	467
Read the second time	606, 877
Returned to Rules Committee	795
Read the third time	910
Transmitted to the Senate	911
Signed by the Speaker and transmitted to the Governor	1172
H.B. 141 — IDENTITY THEFT REPORTING INFORMATION SYSTEM AMENDMENTS (<i>D. Aagard</i>)	
Read the first time by short title and referred to the Rules Committee.	87
Assigned to standing committee	276, 423
Substituted	438
Read the second time	440
Read the third time	621
Circled	621
Uncircled	622
Transmitted to the Senate	623
Signed by the Speaker and transmitted to the Governor	937

H.B. 142 — ABSENTEE BALLOT AMENDMENTS (<i>J. Mathis</i>)	
Read the first time by short title and referred to the Rules Committee.	87
Assigned to standing committee	172
Read the second time	197
Read the third time	310
Circled	311
Uncircled	531
Transmitted to the Senate	531
Enacting Clause Stricken	1222
H.B. 143 — ADMINISTRATION OF INTERSTATE WATER (<i>M. Brown</i>)	
Read the first time by short title and referred to the Rules Committee.	88
Assigned to standing committee	205
Read the second time	246
Read the third time	393
Transmitted to the Senate	394
Signed by the Speaker and transmitted to the Governor	755
H.B. 144 — MOTOR VEHICLE INSURANCE AMENDMENTS (<i>T. Kiser</i>)	
Read the first time by short title and referred to the Rules Committee.	88
Assigned to standing committee	171
Read the second time	219
Read the third time	282
Transmitted to the Senate	282
Signed by the Speaker and transmitted to the Governor	536
H.B. 145 — ADDITIONAL STATE RETIREMENT BENEFIT (<i>K. Holdaway</i>)	
Read the first time by short title and referred to the Rules Committee.	88
Assigned to standing committee	172
Amendments	248
Read the second time	248
Read the third time	407
Transmitted to the Senate	408
Enacting Clause Stricken	1222
H.B. 146 — SCHOOL BUS AMENDMENTS (<i>C. Johnson</i>)	
Read the first time by short title and referred to the Rules Committee.	117
Assigned to standing committee	710
Substituted	868
Amendments	868
Read the second time	868
Returned to Rules Committee	868
Placed on calendar	919
Read the third time	1000
Substituted	1001
Amendments	1001
Transmitted to the Senate	1002
Signed by the Speaker and transmitted to the Governor	1071

H.B. 147 — RESTRICTIONS ON REGULATION OF AUTOMOTIVE COLLECTION ACTIVITIES (<i>N. Hendrickson</i>)	
Read the first time by short title and referred to the Rules Committee.	117
Assigned to standing committee	206
Amendments	944
Returned to Rules Committee	946
Enacting Clause Stricken	1225
H.B. 148 — AQUACULTURE REVITALIZATION ACT (<i>M. Noel</i>)	
Read the first time by short title and referred to the Rules Committee.	117
Assigned to standing committee	228
Substituted	372
Amendments	372
Read the second time	374
Read the third time	556
Transmitted to the Senate	556
Concurrence	1214
Signed by the Speaker and transmitted to the Governor	1221
H.B. 149 — PROTECTIVE ORDER AMENDMENTS (<i>L. Fowlke</i>)	
Read the first time by short title and referred to the Rules Committee.	117
Assigned to standing committee	343
Amendments	438
Read the second time	440
Read the third time	621
Substituted	621
Transmitted to the Senate	622
Signed by the Speaker and transmitted to the Governor	937
H.B. 150 — AUTHORIZATION FOR COUNTIES TO PROVIDE SUPPLEMENTAL LAW ENFORCEMENT SERVICES (<i>J. Biskupski</i>)	
Read the first time by short title and referred to the Rules Committee.	141
Assigned to standing committee	522
Read the second time	606
Returned to Rules Committee	795
Placed on calendar	796
Read the third time	807
Transmitted to the Senate	807
Enacting Clause Stricken	1222
H.B. 151 — MOTOR VEHICLE REVISIONS (<i>S. Urquhart</i>)	
Read the first time by short title and referred to the Rules Committee.	141
Assigned to standing committee	228
Read the second time	267
Read the third time	459
Circled	459
Uncircled	479
Amendments	479
Transmitted to the Senate	481
Signed by the Speaker and transmitted to the Governor	1005

H.B. 152 — FUND FROM IMPAIRED AND DRUG RELATED VIOLATIONS (<i>C. Herrod</i>)	
Read the first time by short title and referred to the Rules Committee.	148
Enacting Clause Stricken	1226
H.B. 153 — IMPACT FEES AMENDMENTS (<i>M. Morley</i>)	
Read the first time by short title and referred to the Rules Committee.	148
Assigned to standing committee	254
Read the second time	341
Read the third time	530
Reconsideration	532
Amendments	532
Transmitted to the Senate	531, 534
Signed by the Speaker and transmitted to the Governor	979
H.B. 154 — MOTORBOAT EDUCATION REQUIREMENTS (<i>J. Dunnigan</i>)	
Read the first time by short title and referred to the Rules Committee.	148
Assigned to standing committee	292
Substituted	372
Read the second time	372
Read the third time	553
Failed	554
Enacting Clause Stricken	1226
H.B. 155 — PROPERTY TAX – RESIDENTIAL EXEMPTION (<i>G. Froerer</i>)	
Read the first time by short title and referred to the Rules Committee.	148
Assigned to standing committee	276
Amendments	949
Returned to Rules Committee	950
Enacting Clause Stricken	1226
H.B. 156 — DNA SAMPLE – FELONY AND CERTAIN MISDEMEANOR CONVICTIONS (<i>K. Gibson</i>)	
Read the first time by short title and referred to the Rules Committee.	148
Assigned to standing committee	399
Substituted	604
Read the second time	606
Returned to Rules Committee	795
Placed on calendar	796
Read the third time	808
Failed	808
Reconsideration	842
Circled	842, 976
Uncircled	976
Amendments	996
Transmitted to the Senate	998
Enacting Clause Stricken	1222

H.B. 157 — ALCOHOLIC BEVERAGE CONTROL VIOLATIONS AMENDMENTS (<i>C. Oda</i>)	
Read the first time by short title and referred to the Rules Committee.	148
Assigned to standing committee	276
Substituted	577
Read the second time	577
Read the third time	674
Transmitted to the Senate	675
Signed by the Speaker and transmitted to the Governor	937
H.B. 158 — TAX CREDIT FOR MILITARY RETIRED PAY (<i>S. Mascaro</i>)	
Read the first time by short title and referred to the Rules Committee.	183
Assigned to standing committee	254
Read the second time	472
Read the third time	666
Transmitted to the Senate	667
Enacting Clause Stricken	1222
H.B. 159 — PROFESSIONAL EMPLOYER ORGANIZATION LICENSING ACT (<i>J. Dummigan</i>)	
Read the first time by short title and referred to the Rules Committee.	183
Assigned to standing committee	253
Read the second time	315
Read the third time	476
Transmitted to the Senate	477
Signed by the Speaker and transmitted to the Governor	819
H.B. 160 — CHARTER SCHOOL LAW REVISIONS (<i>R. Lockhart</i>)	
Read the first time by short title and referred to the Rules Committee.	183
Assigned to standing committee	343
Amendments	513
Read the second time	515
Read the third time	736
Amendments	736
Transmitted to the Senate	737
Signed by the Speaker and transmitted to the Governor	1078
H.B. 161 — SEX OFFENDERS' CONTACT WITH CHILDREN (<i>R. Greenwood</i>)	
Read the first time by short title and referred to the Rules Committee.	183
Assigned to standing committee	343
Amendments	440
Read the second time	445
Read the third time	622
Circled	622
Uncircled	625
Amendments	625
Transmitted to the Senate	626
Enacting Clause Stricken	1222

H.B. 162 — UTAH SCHOOL SEISMIC HAZARD INVENTORY (<i>L. Wiley</i>)	
Read the first time by short title and referred to the Rules Committee.	183
Assigned to standing committee	382
Amendments	737
Read the second time	737
Returned to Rules Committee	795
Enacting Clause Stricken	1226
H.B. 163 — SCHOOL FEE AMENDMENTS (<i>C. Frank</i>)	
Read the first time by short title and referred to the Rules Committee.	183
Assigned to standing committee	398
Amendments	514
Read the second time	515
Returned to Rules Committee	795
Read the third time	746
Circled	746
Enacting Clause Stricken	1226
H.B. 164 — TOWN INCORPORATION PROCESS AMENDMENTS (<i>M. Brown</i>)	
Read the first time by short title and referred to the Rules Committee.	251
Substituted	710, 872
Assigned to standing committee	710
Amendments	738
Read the second time	743
Returned to Rules Committee	795
Placed on calendar	797
Read the third time	854
Circled	854
Uncircled	872
Transmitted to the Senate	873
Placed on Concurrence Calendar	1079
Concurrence	1088
Signed by the Speaker and transmitted to the Governor	1115
H.B. 165 — SALES AND USE TAX EXEMPTIONS RELATING TO AIRCRAFT (<i>B. Dee</i>)	
Read the first time by short title and referred to the Rules Committee.	183
Assigned to standing committee	449
Read the second time	543
Read the third time	772
Amendments	772
Transmitted to the Senate	773
Placed on Concurrence Calendar	1152
Concurrence	1158
Signed by the Speaker and transmitted to the Governor	1172
H.B. 166 — MINUTES OF OPEN AND PUBLIC MEETINGS (<i>M. Brown</i>)	
Read the first time by short title and referred to the Rules Committee.	183
Assigned to standing committee	291
Substituted	411
Read the second time	411
Read the third time	566
Substituted	566
Transmitted to the Senate	567
Enacting Clause Stricken	1222

H.B. 167 — A VICTIM AMICUS BILL (<i>R. C. Webb</i>)	
Read the first time by short title and referred to the Rules Committee.	251
Assigned to standing committee	521
Amendments	601, 647
Read the second time	604, 648
Read the third time	712
Transmitted to the Senate	713
Signed by the Speaker and transmitted to the Governor	1028
H.B. 168 — HEALTH INSURANCE MARKET CHOICES (<i>J. Dunnigan</i>)	
Read the first time by short title and referred to the Rules Committee.	251
Assigned to standing committee	323
Substituted	577
Read the second time	577
Read the third time	785
Substituted	785
Circled	785
Uncircled	793
Transmitted to the Senate	794
Enacting Clause Stricken	1222
H.B. 169 — CUSTODY EVALUATION AND PARENT COORDINATION (<i>T. Cosgrove</i>)	
Read the first time by short title and referred to the Rules Committee.	251
Assigned to standing committee	467
Substituted	601
Amendments	601
Read the second time	604
Returned to Rules Committee	795
Placed on calendar	796
Read the third time	806
Amendments	806
Transmitted to the Senate	807
Enacting Clause Stricken	1222
H.B. 170 — PROCESS FOR ENTERING INTO THE SNAKE VALLEY AGREEMENT (<i>B. Winn</i>)	
Read the first time by short title and referred to the Rules Committee.	251
Enacting Clause Stricken	1226
H.B. 171 — DRIVING PRIVILEGE CARD AMENDMENTS (<i>B. Daw</i>)	
Read the first time by short title and referred to the Rules Committee.	251
Assigned to standing committee	399
Read the second time	445
Read the third time	623
Transmitted to the Senate	623
Placed on Concurrence Calendar	1034
Concurrence	1052
Signed by the Speaker and transmitted to the Governor	1078

H.B. 172 — DISTRIBUTION OF LOCAL OPTION SALES AND USE TAX REVENUES (<i>B. Dee</i>)	
Read the first time by short title and referred to the Rules Committee.	251
Assigned to standing committee	344
Read the second time	413
Read the third time	567
Transmitted to the Senate	568
Placed on Concurrence Calendar	1109
Read the first time by short title	1128
Read the second time	1128
Read the third time	1128
Concurrence	1128
Signed by the Speaker and transmitted to the Governor	1151
H.B. 173 — MONEY MANAGEMENT ACT UPDATES (<i>P. Neuenschwander</i>)	
Read the first time by short title and referred to the Rules Committee.	251
Assigned to standing committee	398
Read the second time	543
Read the third time	635
Transmitted to the Senate	635
Signed by the Speaker and transmitted to the Governor	987
H.B. 174 — TRAUMATIC BRAIN INJURY FUND (<i>J. Gowans</i>)	
Read the first time by short title and referred to the Rules Committee.	278
Substituted	795
Assigned to standing committee	795
Read the second time	866
Read the third time	972
Transmitted to the Senate	973
Signed by the Speaker and transmitted to the Governor	1079
H.B. 175 — ELECTION LAW REFORMS (<i>N. Hansen</i>)	
Read the first time by short title and referred to the Rules Committee.	278
Enacting Clause Stricken	1226
H.B. 176 — SEX OFFENDER REGISTRATION AMENDMENTS (<i>K. Grover</i>)	
Read the first time by short title and referred to the Rules Committee.	278
Assigned to standing committee	562
Returned to Rules Committee	720
Enacting Clause Stricken	1226
H.B. 177 — COUNTY AND MUNICIPAL LAND USE REGULATION OF POTENTIAL GEOLOGIC HAZARD AREAS (<i>M. Morley</i>)	
Read the first time by short title and referred to the Rules Committee.	279
Assigned to standing committee	323
Read the second time	341
Read the third time	550
Amendments	550
Transmitted to the Senate	551
Signed by the Speaker and transmitted to the Governor	1005

H.B. 178 — JURISDICTION FOR PROSECUTION (<i>P. Neuenschwander</i>)	
Read the first time by short title and referred to the Rules Committee.	279
Assigned to standing committee	399
Read the second time	440
Read the third time	522
Transmitted to the Senate	523
Placed on Concurrence Calendar	869
Concurrence	885
Signed by the Speaker and transmitted to the Governor	920
H.B. 179 — WATER RIGHT APPROPRIATION AMENDMENTS (<i>P. Painter</i>)	
Read the first time by short title and referred to the Rules Committee.	279
Assigned to standing committee	399
Returned to Rules Committee	943
Enacting Clause Stricken	1226
H.B. 180 — STUDY ON TAXPAYER ADVOCATE PROGRAM (<i>K. Grover</i>)	
Read the first time by short title and referred to the Rules Committee.	279
Assigned to standing committee	422
Returned to Rules Committee	950
Enacting Clause Stricken	1226
H.B. 181 — DISPOSITION OF POTENTIAL EVIDENCE (<i>T. Cosgrove</i>)	
Read the first time by short title and referred to the Rules Committee.	279
Assigned to standing committee	383
Amendments	441
Read the second time	445
Read the third time	623
Amendments	624
Transmitted to the Senate	624
Enacting Clause Stricken	1222
H.B. 182 — DEADLINE FOR VOTING PRECINCT DESIGNATION (<i>G. Hughes</i>)	
Read the first time by short title and referred to the Rules Committee.	279
Assigned to standing committee	343
Read the second time	411
Read the third time	500
Transmitted to the Senate	500
Signed by the Speaker and transmitted to the Governor	1028
H.B. 183 — SALES AND USE TAX AMENDMENTS (<i>W. Harper</i>)	
Read the first time by short title and referred to the Rules Committee.	279
Assigned to standing committee	399
Read the second time	834
Returned to Rules Committee	834
Placed on calendar	919
Read the third time	999
Substituted	999
Transmitted to the Senate	1000
Enacting Clause Stricken	1222

H.B. 184 — CONSTRUCTION AMENDMENTS (<i>M. Morley</i>)	
Read the first time by short title and referred to the Rules Committee	279
Assigned to standing committee	343
Amendments	415
Read the second time	416
Read the third time	502
Transmitted to the Senate	503
Placed on Concurrence Calendar	869
Concurrence	886
Signed by the Speaker and transmitted to the Governor	920
H.B. 185 — WESTERN STATES PRESIDENTIAL PRIMARY AMENDMENTS (<i>K. Grover</i>)	
Read the first time by short title and referred to the Rules Committee.	279
Assigned to standing committee	383
Read the second time	545
Read the third time	637
Transmitted to the Senate	638
Placed on Concurrence Calendar	937
H.B. 186 — PROPERTY TAX – COUNTY ASSESSMENT AND COLLECTION AMENDMENTS (<i>K. McIff</i>)	
Read the first time by short title and referred to the Rules Committee.	279
Assigned to standing committee	468
Amendments	543
Read the second time	545
Read the third time	774
Transmitted to the Senate	774
Signed by the Speaker and transmitted to the Governor	1048
H.B. 187 — DEATH CAUSED BY ILLEGAL DRUGS (<i>C. Herrod</i>)	
Read the first time by short title and referred to the Rules Committee.	279
Assigned to standing committee	399
Amendments	538
Read the second time	539
Read the third time	766
Substituted	766
Transmitted to the Senate	767
Signed by the Speaker and transmitted to the Governor	1214
H.B. 188 — TRANSIT REVISIONS (<i>W. Harper</i>)	
Read the first time by short title and referred to the Rules Committee.	355
Assigned to standing committee	620
Substituted	831
Read the second time	833, 877
Returned to Rules Committee	833
Read the third time	914
Amendments	914
Failed	915
Enacting Clause Stricken	1226

H.B. 189 — SCHOOL COMMUNITY COUNCILS (<i>R. Bigelow</i>)	
Read the first time by short title and referred to the Rules Committee.	338
Assigned to standing committee	398
Amendments	416
Read the second time	417
Read the third time	595
Amendments	595
Circled	595
Uncircled	658
Substituted	659
Transmitted to the Senate	659
Signed by the Speaker and transmitted to the Governor	961
H.B. 190 — STATE SYSTEM OF HIGHER EDUCATION AMENDMENTS (<i>J. Dougall</i>)	
Read the first time by short title and referred to the Rules Committee.	591
Assigned to standing committee	658
Read the second time	744
Returned to Rules Committee	795
Substituted	919
Returned to Rules Committee	919
Read the third time	975
Circled	975
Uncircled	984
Referred to interim study	984
Enacting Clause Stricken	1226
H.B. 192 — PROPERTY TRANSACTION AMENDMENTS (<i>R. Lockhart</i>)	
Read the first time by short title and referred to the Rules Committee.	453
Assigned to standing committee	589
Substituted	811
Read the second time	812
Returned to Rules Committee	812
Placed on calendar	840
Read the third time	896
Transmitted to the Senate	896
Signed by the Speaker and transmitted to the Governor	1078
H.B. 194 — CLASS SIZE REDUCTION IN KINDERGARTEN THROUGH GRADE THREE (<i>K. Morgan</i>)	
Read the first time by short title and referred to the Rules Committee.	338
Assigned to standing committee	449
Read the second time	614
Returned to Rules Committee	795
Placed on calendar	796
Read the third time	817
Amendments	817
Transmitted to the Senate	818
Enacting Clause Stricken	1222

H.B. 195 — CONCEALED FIREARM PERMIT AMENDMENTS (<i>M. Newbold</i>)	
Read the first time by short title and referred to the Rules Committee.	620
Assigned to standing committee	795
Amendments	866
Read the second time	866, 877
Returned to Rules Committee	866
Read the third time	915
Transmitted to the Senate	916
Enacting Clause Stricken	1222
H.B. 197 — RESIDENTIAL MORTGAGE LOAN CLOSING ACT (<i>L. Wiley</i>)	
Read the first time by short title and referred to the Rules Committee.	453
Assigned to standing committee	619
Returned to Rules Committee	939
Enacting Clause Stricken	1226
H.B. 198 — STATE AGENCY ENERGY EFFICIENCY (<i>F. Hunsaker</i>)	
Read the first time by short title and referred to the Rules Committee.	429
Assigned to standing committee	561
Read the second time	653, 1132
Returned to Rules Committee	795
Read the third time	1132
Substituted	1133
Transmitted to the Senate	1133
Signed by the Speaker and transmitted to the Governor	1172
H.B. 199 — TAX CREDITS FOR ENERGY EFFICIENT RESIDENCES (<i>F. Hunsaker</i>)	
Read the first time by short title and referred to the Rules Committee.	520
Assigned to standing committee	710
Returned to Rules Committee	948
Enacting Clause Stricken	1226
H.B. 200 — EARLY CHILDHOOD LEARNING AND EVALUATION (<i>B. Last</i>)	
Read the first time by short title and referred to the Rules Committee.	403
Assigned to standing committee	561
Read the second time	614
Returned to Rules Committee	795
Placed on calendar	919
Read the third time	998
Substituted	998
Failed	998
Enacting Clause Stricken	1226
H.B. 201 — TAX CREDIT FOR SOLAR PROJECTS (<i>B. Last</i>)	
Read the first time by short title and referred to the Rules Committee.	454
Assigned to standing committee	620
Amendments	743
Read the second time	744
Returned to Rules Committee	795
Placed on calendar	797
Read the third time	855
Transmitted to the Senate	855
Enacting Clause Stricken	1222

H.B. 202 — EMPLOYEE BENEFIT AMENDMENTS (<i>J. Dougall</i>)	
Read the first time by short title and referred to the Rules Committee	338
Assigned to standing committee	468
Amendments	518
Read the second time	520
Read the third time	751
Transmitted to the Senate	752
Placed on Concurrence Calendar	1049
Concurrence	1055
Signed by the Speaker and transmitted to the Governor	1078
H.B. 203 — JUDICIAL REVIEW OF STATE ENGINEER'S DECISION (<i>P. Painter</i>)	
Read the first time by short title and referred to the Rules Committee	339
Assigned to standing committee	522
Substituted	607
Read the second time	607
Returned to Rules Committee	795
Placed on calendar	796
Read the third time	815
Transmitted to the Senate	815
Placed on Concurrence Calendar	1175
Concurrence	1179
Signed by the Speaker and transmitted to the Governor	1189
H.B. 204 — UTAH COLLEGE OF APPLIED TECHNOLOGY AMENDMENTS (<i>R. Bigelow</i>)	
Read the first time by short title and referred to the Rules Committee	339
Assigned to standing committee	449
Returned to Rules Committee	941
Enacting Clause Stricken	1226
H.B. 206 — TAX AMENDMENTS (<i>W. Harper</i>)	
Read the first time by short title and referred to the Rules Committee	592
Assigned to standing committee	745
Amendments	833, 896, 1120
Read the second time	834
Returned to Rules Committee	834
Placed on calendar	840
Read the third time	896
Transmitted to the Senate	898
Placed on Concurrence Calendar	1125
Concurrence	1130
Signed by the Speaker and transmitted to the Governor	1151
H.B. 208 — LIVESTOCK WATERING RIGHTS (<i>M. Noel</i>)	
Read the first time by short title and referred to the Rules Committee	620
Assigned to standing committee	658
Amendments	813
Read the second time	813, 877
Returned to Rules Committee	813
Read the third time	916
Substituted	916
Transmitted to the Senate	916
Signed by the Speaker and transmitted to the Governor	1214

H.B. 210 — IDENTITY THEFT AND OTHER CRIMES (<i>S. Sandstrom</i>)	
Read the first time by short title and referred to the Rules Committee	403
Assigned to standing committee	562
Amendments	650
Read the second time	651
Returned to Rules Committee	795
Placed on calendar	796
Read the third time	826
Transmitted to the Senate	827
Signed by the Speaker and transmitted to the Governor	1200
H.B. 211 — PROPERTY TAX AMENDMENTS ON AGRICULTURAL LAND (<i>B. Winn</i>)	
Read the first time by short title and referred to the Rules Committee	674
Enacting Clause Stricken	1226
H.B. 212 — EDUCATOR SALARY ADJUSTMENTS (<i>J. Dougall</i>)	
Read the first time by short title and referred to the Rules Committee	468
Assigned to standing committee	521
Substituted	578
Read the first time by short title	580
Read the second time	580
Read the third time	794
Transmitted to the Senate	794
Enacting Clause Stricken	1222
H.B. 214 — SCHOOL TESTING SPECIALISTS (<i>S. Sandstrom</i>)	
Read the first time by short title and referred to the Rules Committee	381
Assigned to standing committee	561
Returned to Rules Committee	941
Enacting Clause Stricken	1226
H.B. 216 — ANNEXATION REVISIONS (<i>B. Last</i>)	
Read the first time by short title and referred to the Rules Committee	592
Assigned to standing committee	710
Read the second time	833
Read the third time	924
Transmitted to the Senate	925
Signed by the Speaker and transmitted to the Governor	1172
H.B. 217 — PROPERTY TAX – MODIFIED ACQUISITION VALUE (<i>G. Froerer</i>)	
Read the first time by short title and referred to the Rules Committee	821
Enacting Clause Stricken	1226

H.B. 221 — AGRICULTURE AND INDUSTRIAL PROTECTION AREA AMENDMENTS*(J. Mathis)*

Read the first time by short title and referred to the Rules Committee.	279
Assigned to standing committee	450
Amendments	540
Read the second time	541
Read the third time	769
Transmitted to the Senate	769
Placed on Concurrence Calendar	1155
Concurrence	1178
Signed by the Speaker and transmitted to the Governor	1189

H.B. 222 — WATER QUALITY BOARD AMENDMENTS *(P. Painter)*

Read the first time by short title and referred to the Rules Committee.	279
Assigned to standing committee	562
Amendments	867
Read the second time	868
Read the third time	973
Transmitted to the Senate	974
Signed by the Speaker and transmitted to the Governor	1172

H.B. 223 — EXEMPTION FROM LICENSURE BY DIVISION OF REAL ESTATE *(M. Walker)*

Read the first time by short title and referred to the Rules Committee.	279
Assigned to standing committee	398
Read the second time	512
Read the third time	671
Substituted	671
Transmitted to the Senate	672
Signed by the Speaker and transmitted to the Governor	1191

H.B. 224 — CONSTRUCTION STANDARDS FOR TYPE II ASSISTED LIVING FACILITY*(R. Lockhart)*

Read the first time by short title and referred to the Rules Committee.	280
Assigned to standing committee	398
Read the second time	512
Returned to Rules Committee	795
Placed on calendar	839
Read the third time	733
Circled	733, 857
Enacting Clause Stricken	1226

H.B. 225 — PROOF FOR A WATER RIGHT APPLICATION *(P. Painter)*

Read the first time by short title and referred to the Rules Committee.	280
Assigned to standing committee	399
Returned to Rules Committee	943
Enacting Clause Stricken	1226

H.B. 226 — DISRUPTION OF SCHOOL ACTIVITIES (<i>C. Moss</i>)	
Read the first time by short title and referred to the Rules Committee.	280
Assigned to standing committee	449
Read the second time	539
Read the third time	633
Transmitted to the Senate	633
Enacting Clause Stricken	1222
H.B. 227 — REVOKING FEDERAL AUTHORITY TO USE STATE LANDS AS A BIRD REFUGE (<i>B. Ferry</i>)	
Read the first time by short title and referred to the Rules Committee.	280
Assigned to standing committee	745
Read the second time	867
Returned to Rules Committee	867
Placed on calendar	919
Read the third time	1002
Transmitted to the Senate	1003
Enacting Clause Stricken	1223
H.B. 228 — AMENDMENTS TO MOTOR VEHICLE PROVISIONS (<i>C. Herrod</i>)	
Read the first time by short title and referred to the Rules Committee.	280
Assigned to standing committee	423
Amendments	945
Substituted	945
Returned to Rules Committee	946
Enacting Clause Stricken	1226
H.B. 229 — PROTECTIONS FOR AGRICULTURAL PRACTICES (<i>M. Morley</i>)	
Read the first time by short title and referred to the Rules Committee.	280
Assigned to standing committee	450
Amendments	540
Read the second time	541
Read the third time	634
Transmitted to the Senate	635
Enacting Clause Stricken	1223
H.B. 230 — CERTIFICATION OF METH HOUSES (<i>C. Herrod</i>)	
Read the first time by short title and referred to the Rules Committee.	280
Enacting Clause Stricken	1226
H.B. 231 — LOCAL VOTER INFORMATION PAMPHLET AMENDMENTS (<i>D. Aagard</i>)	
Read the first time by short title and referred to the Rules Committee.	251
Assigned to standing committee	276
Read the second time	341
Read the third time	403
Transmitted to the Senate	404
Signed by the Speaker and transmitted to the Governor	819

H.B. 232 — ELEMENTARY SCHOOL MATH INITIATIVE (<i>S. Mascaro</i>)	
Read the first time by short title and referred to the Rules Committee.	65
Assigned to standing committee	323
Returned to Rules Committee	941
Enacting Clause Stricken	1226
H.B. 233 — MORTGAGE FRAUD (<i>P. Ray</i>)	
Read the first time by short title and referred to the Rules Committee.	65
Assigned to standing committee	561
Returned to Rules Committee	939
Enacting Clause Stricken	1226
H.B. 234 — KINDERGARTEN ASSESSMENT AMENDMENTS (<i>L. Shurtliff</i>)	
Read the first time by short title and referred to the Rules Committee.	65
Assigned to standing committee	72
Read the second time	120
Read the third time	184
Transmitted to the Senate	185
Signed by the Speaker and transmitted to the Governor	591
H.B. 235 — COUNTY MERIT SYSTEM AMENDMENTS (<i>B. Dee</i>)	
Read the first time by short title and referred to the Rules Committee.	66
Assigned to standing committee	135
Read the second time	181
Read the third time	260
Transmitted to the Senate	260
Signed by the Speaker and transmitted to the Governor	497
H.B. 237 — ILLEGAL IMMIGRATION ENFORCEMENT ACT (<i>G. Donnelson</i>)	
Read the first time by short title and referred to the Rules Committee.	66
Assigned to standing committee	135
Read the second time	181
Read the third time	286
Amendments	286
Transmitted to the Senate	288
Enacting Clause Stricken	1223
H.B. 238 — CAMPAIGN FINANCE FILING REQUIREMENTS (<i>G. Hughes</i>)	
Read the first time by short title and referred to the Rules Committee.	66
Assigned to standing committee	135
Read the second time	195
Read the third time	306
Transmitted to the Senate	307
Signed by the Speaker and transmitted to the Governor	819
H.B. 239 — DRIVER LICENSE QUALIFICATION AMENDMENTS (<i>G. Donnelson</i>)	
Read the first time by short title and referred to the Rules Committee.	66
Assigned to standing committee	205
Read the second time	266
Read the third time	436
Transmitted to the Senate	437
Enacting Clause Stricken	1223

H.B. 240 — PUBLIC EDUCATION FUNDING – BLOCK GRANT AMENDMENTS (<i>S. Allen</i>)	
Read the first time by short title and referred to the Rules Committee.	66
Assigned to standing committee	561
Returned to Rules Committee	941
Enacting Clause Stricken	1226
H.B. 241 — REPEAL OF EXEMPTIONS FROM NONRESIDENT TUITION (<i>G. Donnelson</i>)	
Read the first time by short title and referred to the Rules Committee.	66
Assigned to standing committee	145
Read the second time	221
Read the third time	344
Circled	344
Uncircled	457
Amendments	457
Held	459
Transmitted to the Senate	516
Enacting Clause Stricken	1223
H.B. 242 — TRANSPORTATION FUNDING REVISIONS (<i>W. Harper</i>)	
Read the first time by short title and referred to the Rules Committee.	66
Assigned to standing committee	74
Substituted	813
Read the first time by short title	813
Read the second time	813
Returned to Rules Committee	813
Placed on calendar	839
Read the third time	874
Amendments	874
Transmitted to the Senate	875
Placed on Concurrence Calendar	1040
Concurrence	1041
Signed by the Speaker and transmitted to the Governor	1070
H.B. 243 — PUBLIC TRANSIT DISTRICT SALES TAX EXEMPTION (<i>B. Dee</i>)	
Read the first time by short title and referred to the Rules Committee.	66
Assigned to standing committee	172
Returned to Rules Committee	950
Enacting Clause Stricken	1226
H.B. 245 — ADMINISTRATION OF MEDICATION TO STUDENTS AMENDMENTS (<i>R. Lockhart</i>)	
Read the first time by short title and referred to the Rules Committee.	66
Assigned to standing committee	72
Read the second time	120
Read the third time	165
Transmitted to the Senate	166
Placed on Concurrence Calendar	537
Concurrence	565
Signed by the Speaker and transmitted to the Governor	591

H.B. 246 — STATE TREE REDESIGNATED (<i>J. Draxler</i>)	
Read the first time by short title and referred to the Rules Committee.	66
Assigned to standing committee	467
Returned to Rules Committee	720
Enacting Clause Stricken	1226
H.B. 247 — DOMESTIC VIOLENCE AND DATING VIOLENCE AMENDMENTS (<i>D. Litvack</i>)	
Read the first time by short title and referred to the Rules Committee.	66
Assigned to standing committee	399
Amendments	538
Read the second time	539
Read the third time	767
Substituted	767
Failed	768
Enacting Clause Stricken	1226
H.B. 248 — AMENDMENTS TO SALES AND USE TAX EXEMPTION FOR CERTAIN PROPERTY INCORPORATED INTO REAL PROPERTY (<i>J. Dougall</i>)	
Read the first time by short title and referred to the Rules Committee.	66
Assigned to standing committee	146
Read the second time	202
Read the third time	329
Transmitted to the Senate	329
Signed by the Speaker and transmitted to the Governor	1151
H.B. 249 — VEHICLES COVERED BY NEW MOTOR VEHICLE WARRANTIES (<i>K. Gibson</i>)	
Read the first time by short title and referred to the Rules Committee.	66
Assigned to standing committee	74
Read the second time	129
Read the third time	208
Transmitted to the Senate	209
Signed by the Speaker and transmitted to the Governor	401
H.B. 250 — PUBLIC EMPLOYEE BENEFIT APPROVAL PROVISIONS (<i>J. Dougall</i>)	
Read the first time by short title and referred to the Rules Committee.	66
Assigned to standing committee	146
Read the second time	319
Read the third time	387
Transmitted to the Senate	388
Signed by the Speaker and transmitted to the Governor	819
H.B. 251 — SALES AND USE TAX REVISIONS (<i>J. Dougall</i>)	
Read the first time by short title and referred to the Rules Committee.	67
Assigned to standing committee	146
Amendments	201
Read the second time	202
Read the third time	329
Transmitted to the Senate	330
Signed by the Speaker and transmitted to the Governor	536

H.B. 252 — CHARITABLE SOLICITATIONS ACT AMENDMENTS (<i>W. Harper</i>)	
Read the first time by short title and referred to the Rules Committee.	67
Assigned to standing committee	74
Read the second time	121
Read the third time	185
Transmitted to the Senate	186
Placed on Concurrence Calendar	937
Concurrence	968
Signed by the Speaker and transmitted to the Governor	987
H.B. 253 — HIGHER EDUCATION INFORMATION TECHNOLOGY APPROPRIATION (<i>S. Clark</i>)	
Read the first time by short title and referred to the Rules Committee.	67
Assigned to standing committee	134
Read the second time	168
Read the third time	240
Transmitted to the Senate	241
Enacting Clause Stricken	1223
H.B. 254 — SCHOOL COMMUNITY COUNCIL AMENDMENTS (<i>R. Menlove</i>)	
Read the first time by short title and referred to the Rules Committee.	67
Assigned to standing committee	72
Substituted	417
Read the second time	417
Read the third time	595
Transmitted to the Senate	596
Signed by the Speaker and transmitted to the Governor	937
H.B. 255 — STATE OFFICE OF EDUCATION HUMAN RESOURCE MANAGEMENT AMENDMENTS (<i>R. Menlove</i>)	
Read the first time by short title and referred to the Rules Committee.	67
Enacting Clause Stricken	1226
H.B. 256 — CRIMINAL PENALTIES AMENDMENTS – INCLUDING JESSICA’S LAW (<i>C. Wimmer</i>)	
Read the first time by short title and referred to the Rules Committee.	67
Assigned to standing committee	73
Read the second time	128
Time Certain	166
Read the third time	267
Transmitted to the Senate	268
Signed by the Speaker and transmitted to the Governor	536
H.B. 257 — EMPLOYEE VERIFICATION (<i>C. Herrod</i>)	
Read the first time by short title and referred to the Rules Committee.	67
Assigned to standing committee	228
Amendments	472
Read the second time	475
Read the third time	669
Amendments	669
Transmitted to the Senate	671
Enacting Clause Stricken	1223

H.B. 258 — MEDICAID DRUG UTILIZATION AMENDMENTS (*R. Lockhart*)

- Read the first time by short title and referred to the Rules Committee. 67
- Assigned to standing committee 73
- Amendments 169
- Read the second time 170
- Read the third time 270
- Transmitted to the Senate 271
- Signed by the Speaker and transmitted to the Governor 1071

H.B. 259 — GOLD STAR FAMILY SPECIAL GROUP LICENSE PLATE AMENDMENTS
(*C. Oda*)

- Read the first time by short title and referred to the Rules Committee. 67
- Assigned to standing committee 172
- Read the second time 247
- Read the third time 302
- Transmitted to the Senate 303
- Signed by the Speaker and transmitted to the Governor 536

H.B. 260 — CONTROLLED SUBSTANCE SCHEDULE – AMENDMENTS (*P. Ray*)

- Read the first time by short title and referred to the Rules Committee. 67
- Assigned to standing committee 253
- Returned to Rules Committee 943
- Enacting Clause Stricken 1226

H.B. 261 — LOCAL DISTRICT PRIMARY ELECTIONS (*K. Morgan*)

- Read the first time by short title and referred to the Rules Committee. 67
- Assigned to standing committee 254
- Read the second time 341
- Read the third time 404
- Transmitted to the Senate 405
- Signed by the Speaker and transmitted to the Governor 819

H.B. 262 — RECOVERY OF FEDERAL REIMBURSEMENT FOR COSTS ASSOCIATED WITH
ILLEGAL IMMIGRANTS (*K. Morgan*)

- Read the first time by short title and referred to the Rules Committee. 67
- Assigned to standing committee 135
- Amendments 243
- Read the second time 244
- Read the third time 368
- Transmitted to the Senate 368
- Signed by the Speaker and transmitted to the Governor 819

H.B. 263 — UTAH REGISTRY OF AUTISM AND DEVELOPMENTAL DISABILITIES
(*E. Hutchings*)

- Read the first time by short title and referred to the Rules Committee. 67
- Read the first time 466
- Substituted 466
- Read the second time 515
- Read the third time 747
- Transmitted to the Senate 748
- Placed on Concurrence Calendar 1006
- Concurrence 1010
- Signed by the Speaker and transmitted to the Governor 1033

H.B. 264 — PROHIBITION OF CITATION QUOTAS (<i>N. Hansen</i>)	
Read the first time by short title and referred to the Rules Committee.	67
Assigned to standing committee	73
Read the second time	128
Read the third time	190
Transmitted to the Senate	190
Enacting Clause Stricken	1223
H.B. 265 — OFFICE OF RECOVERY SERVICES – ELECTRONIC FUNDS TRANSFER (<i>P. Ray</i>)	
Read the first time by short title and referred to the Rules Committee.	68
Assigned to standing committee	171
Read the second time	224
Read the third time	283
Transmitted to the Senate	284
Signed by the Speaker and transmitted to the Governor	576
H.B. 266 — ACCELERATED LEARNING PROGRAM REVISIONS (<i>C. Moss</i>)	
Read the first time by short title and referred to the Rules Committee.	68
Assigned to standing committee	145
Amendments	250
Read the second time	251
Read the third time	408
Transmitted to the Senate	409
Enacting Clause Stricken	1223
H.B. 267 — CONTROLLED SUBSTANCES AMENDMENTS – SUDA CONTROLS (<i>N. Hansen</i>)	
Read the first time by short title and referred to the Rules Committee.	68
Assigned to standing committee	323
Returned to Rules Committee	446
Enacting Clause Stricken	1227
H.B. 268 — HEALTH FACILITY COMMITTEE MEMBERSHIP (<i>C. Herrod</i>)	
Read the first time by short title and referred to the Rules Committee.	68
Assigned to standing committee	146
Amendments	222
Read the second time	224
Read the third time	352
Circled	352
Uncircled	391
Transmitted to the Senate	391
Signed by the Speaker and transmitted to the Governor	646
H.B. 269 — SCOTT B. LUNDELL MILITARY SURVIVORS' TUITION WAIVER AMENDMENTS (<i>M. Morley</i>)	
Read the first time by short title and referred to the Rules Committee.	68
Assigned to standing committee	72
Read the second time	120
Read the third time	166
Transmitted to the Senate	166
Signed by the Speaker and transmitted to the Governor	599

H.B. 270 — UTAH SCIENCE TECHNOLOGY AND RESEARCH INITIATIVE CENTERS	
<i>(R. Bigelow)</i>	
Read the first time by short title and referred to the Rules Committee.	68
Assigned to standing committee	134
Read the second time	169
Read the third time	268
Transmitted to the Senate	269
Enacting Clause Stricken	1223
H.B. 271 — UTAH PURPLE HEART RECIPIENTS TUITION ACT AMENDMENTS <i>(R. Barrus)</i>	
Read the first time by short title and referred to the Rules Committee.	68
Assigned to standing committee	227
Read the second time	316
Read the third time	485
Transmitted to the Senate	486
Signed by the Speaker and transmitted to the Governor	775
H.B. 272 — FALSE IMPERSONATION AND REPRESENTATION <i>(G. Froerer)</i>	
Read the first time by short title and referred to the Rules Committee.	68
Assigned to standing committee	74
Amendments	104
Read the second time	105
Read the third time	149
Transmitted to the Senate	150
Placed on Concurrence Calendar	588
Concurrence	698
Signed by the Speaker and transmitted to the Governor	731
H.B. 273 — TIME LIMITATION FOR PROSECUTION OF ENVIRONMENTAL CRIMES	
<i>(C. Wimmer)</i>	
Read the first time by short title and referred to the Rules Committee.	68
Enacting Clause Stricken	1227
H.B. 274 — UTAH K-8 ONLINE VIRTUAL SCHOOL <i>(B. Ferry)</i>	
Read the first time by short title and referred to the Rules Committee.	68
Assigned to standing committee	382
Substituted	781
Read the second time	781
Returned to Rules Committee	795
Placed on calendar	840
Read the third time	895
Circled	896
Uncircled	898
Transmitted to the Senate	899
Enacting Clause Stricken	1223

H.B. 275 — VEHICLE TOWING REQUIREMENTS (<i>B. Daw</i>)	
Read the first time by short title and referred to the Rules Committee.	68
Assigned to standing committee	136
Read the second time	183
Read the third time	304
Amendments	304
Transmitted to the Senate	306
Placed on Concurrence Calendar	600
Concurrence	699
Signed by the Speaker and transmitted to the Governor	731
H.B. 276 — HEALTH PROFESSIONAL AUTHORITY – DEATH AND DISABILITY (<i>B. Last</i>)	
Read the first time by short title and referred to the Rules Committee.	68
Substituted	207, 316
Amendments	316
Read the second time	317
Read the third time	487
Transmitted to the Senate	487
Enacting Clause Stricken	1223
H.B. 277 — PANDEMIC PREPAREDNESS AMENDMENTS (<i>B. Last</i>)	
Read the first time by short title and referred to the Rules Committee.	68
Assigned to standing committee	172
Read the second time	248
Read the third time	303, 304
Placed on calendar	303
Circled	304
Uncircled	326
Transmitted to the Senate	327
Signed by the Speaker and transmitted to the Governor	646
H.B. 278 — CHARTER SCHOOL FUNDING AMENDMENTS (<i>R. Bigelow</i>)	
Read the first time by short title and referred to the Rules Committee.	68
Assigned to standing committee	276
Substituted	613
Read the second time	614
Returned to Rules Committee	795
Placed on calendar	796
Read the third time	821
Amendments	822
Circled	854
Failed	824
Reconsideration	854
Enacting Clause Stricken	1227
H.B. 279 — TAX INCENTIVES FOR MILITARY MEMBERS (<i>W. Harper</i>)	
Read the first time by short title and referred to the Rules Committee.	69
Assigned to standing committee	146
Read the second time	300
Read the third time	475
Transmitted to the Senate	476
Enacting Clause Stricken	1223

H.B. 280 — SCHOOL FINANCE AMENDMENTS (<i>Julie Fisher</i>)	
Read the first time by short title and referred to the Rules Committee.	69
Assigned to standing committee	323, 466
Amendments	519
Read the second time	520
Read the third time	752
Failed	753
Held	753
Reconsideration	760
Transmitted to the Senate	761
Enacting Clause Stricken	1223
H.B. 281 — GRANTS TO RURAL HOSPITALS – OVERSIGHT RESPONSIBILITIES (<i>M. Newbold</i>)	
Read the first time by short title and referred to the Rules Committee.	69
Assigned to standing committee	228
Substituted	316
Read the second time	317
Read the third time	488
Transmitted to the Senate	488
Signed by the Speaker and transmitted to the Governor	775
H.B. 282 — STATE PAYMENT AND REIMBURSEMENT TO COUNTY CORRECTIONAL FACILITIES (<i>M. Noel</i>)	
Read the first time by short title and referred to the Rules Committee.	69
Assigned to standing committee	619
Read the second time	720
Returned to Rules Committee	795
Placed on calendar	839
Read the third time	888
Transmitted to the Senate	889, 1218
Amendments	1217
Concurrence	1217
Signed by the Speaker and transmitted to the Governor	1221
H.B. 283 — COMPACT AGREEMENT AMONG THE STATES TO ELECT THE PRESIDENT BY NATIONAL POPULAR VOTE (<i>N. Hansen</i>)	
Read the first time by short title and referred to the Rules Committee.	69
Assigned to standing committee	135
Returned to Rules Committee	296
Enacting Clause Stricken	1227

H.B. 284 — UTAH COLLEGE OF APPLIED TECHNOLOGY REVISIONS (<i>K. Holdaway</i>)	
Read the first time by short title and referred to the Rules Committee.	69
Assigned to standing committee	171
Substituted	690
Amendments	690
Read the second time	692
Returned to Rules Committee	795
Placed on calendar	919
Read the third time	985
Amendments	985
Referred to interim study	985
Enacting Clause Stricken	1227
H.B. 285 — LICENSING ELIGIBILITY (<i>S. Sandstrom</i>)	
Read the first time by short title and referred to the Rules Committee.	69
Substituted	399
Assigned to standing committee	399
Returned to Rules Committee	939
Enacting Clause Stricken	1227
H.B. 286 — PERMANENT TEACHER LICENSE REVOCATION FOR SEXUAL ACTIVITY WITH STUDENTS (<i>C. Wimmer</i>)	
Read the first time by short title and referred to the Rules Committee.	69
Assigned to standing committee	145
Read the second time	221
Read the third time	345
Transmitted to the Senate	345
Placed on Concurrence Calendar	755
Concurrence	802
Signed by the Speaker and transmitted to the Governor	845
H.B. 287 — REGULATION OF TEACHER – STUDENT RELATIONSHIPS (<i>S. Sandstrom</i>)	
Read the first time by short title and referred to the Rules Committee.	69
Assigned to standing committee	145
Substituted	315
Read the second time	316
Read the third time	486
Transmitted to the Senate	487
Signed by the Speaker and transmitted to the Governor	775
H.B. 288 — 911 COMMITTEE (<i>B. Dee</i>)	
Read the first time by short title and referred to the Rules Committee.	69
Assigned to standing committee	253
Read the second time	321
Read the third time	388
Transmitted to the Senate	389
Signed by the Speaker and transmitted to the Governor	646

H.B. 289 — ADOPTION – INVESTIGATION AND RELEASE OF INFORMATION (*K. Sumsion*)

- Read the first time by short title and referred to the Rules Committee. 69
- Assigned to standing committee 172
- Read the second time 266
- Read the third time 434
- Circled 434
- Uncircled 638
- Amendments 638
- Failed 645
- Enacting Clause Stricken 1227

H.B. 290 — MUNICIPAL OVERSIGHT OF RENTAL DWELLINGS (*G. Froerer*)

- Read the first time by short title and referred to the Rules Committee. 69
- Assigned to standing committee 227
- Amendments 312
- Read the second time 315
- Read the third time 477
- Amendments 477
- Transmitted to the Senate 479
- Signed by the Speaker and transmitted to the Governor 1070

H.B. 291 — OFF-HIGHWAY VEHICLE AMENDMENTS (*M. Noel*)

- Read the first time by short title and referred to the Rules Committee. 69
- Assigned to standing committee 146
- Amendments 197
- Read the second time 197
- Read the third time 311
- Circled 311
- Uncircled 328
- Transmitted to the Senate 329
- Signed by the Speaker and transmitted to the Governor 587

H.B. 292 — LEGISLATIVE TASK FORCE TO STUDY RADIO COMMUNICATION SYSTEM
IN UTAH (*B. Dee*)

- Read the first time by short title and referred to the Rules Committee. 70
- Assigned to standing committee 205
- Read the second time 341
- Read the third time 495
- Transmitted to the Senate 496
- Enacting Clause Stricken 1223

H.B. 293 — PRIVATE BUILDING INSPECTOR AUTHORIZED (*D. Aagard*)

- Read the first time by short title and referred to the Rules Committee. 70
- Assigned to standing committee 171
- Substituted 577
- Read the second time 577
- Read the third time 785
- Amendments 786
- Transmitted to the Senate 790
- Enacting Clause Stricken 1223

H.B. 294 — APPROPRIATION LIMIT AMENDMENTS – FIRE SUPPRESSION (<i>B. Ferry</i>)	
Read the first time by short title and referred to the Rules Committee.	70
Assigned to standing committee	74
Amendments	128
Read the second time	129
Read the third time	209
Substituted	209
Circled	209
Uncircled	285
Held	286
Transmitted to the Senate	310
Signed by the Speaker and transmitted to the Governor	536
H.B. 295 — PUBLIC SCHOOL ELECTRONIC DEVICE POLICIES (<i>S. Allen</i>)	
Read the first time by short title and referred to the Rules Committee.	70
Assigned to standing committee	343
Amendments	417
Read the second time	420
Read the third time	597
Failed	598
Enacting Clause Stricken	1227
H.B. 296 — VOTING MACHINES USED BY MUNICIPALITIES (<i>N. Hansen</i>)	
Read the first time by short title and referred to the Rules Committee.	70
Assigned to standing committee	145
Read the second time	248
Read the third time	395
Transmitted to the Senate	396
Signed by the Speaker and transmitted to the Governor	731
H.B. 297 — DESIGNATING MAGNESIUM AS THE STATE METAL (<i>R. Menlove</i>)	
Read the first time by short title and referred to the Rules Committee.	70
Assigned to standing committee	206
Read the second time	541
Returned to Rules Committee	795
Read the third time	769
Circled	770
Enacting Clause Stricken	1227
H.B. 298 — PUBLIC TRANSIT STUDY (<i>W. Harper</i>)	
Read the first time by short title and referred to the Rules Committee.	70
Assigned to standing committee	291
Substituted	939
Returned to Rules Committee	939
Enacting Clause Stricken	1227
H.B. 299 — MOTOR VEHICLE CODE REVISIONS (<i>W. Harper</i>)	
Read the first time by short title and referred to the Rules Committee.	70
Assigned to standing committee	172
Amendments	946
Returned to Rules Committee	946
Enacting Clause Stricken	1227

H.B. 300 — TELEPHONE SOLICITATION AMENDMENTS (<i>S. Sandstrom</i>)	
Read the first time by short title and referred to the Rules Committee.	70
Assigned to standing committee	172
Returned to Rules Committee	381
Enacting Clause Stricken	1227
H.B. 301 — COMPREHENSIVE HEALTH INSURANCE POOL AMENDMENTS (<i>J. Dunnigan</i>)	
Read the first time by short title and referred to the Rules Committee.	70
Assigned to standing committee	145
Amendments	219
Read the second time	219
Read the third time	334
Transmitted to the Senate	335
Signed by the Speaker and transmitted to the Governor	755
H.B. 302 — CITIZENSHIP DETERMINATION OF INCARCERATED INDIVIDUALS (<i>S. Sandstrom</i>)	
Read the first time by short title and referred to the Rules Committee.	70
Enacting Clause Stricken	1227
H.B. 303 — PHOSPHORUS LIMIT IN DISHWASHING DETERGENT (<i>C. Johnson</i>)	
Read the first time by short title and referred to the Rules Committee.	70
Assigned to standing committee	228
Amendments	515
Read the second time	515
Read the third time	748
Transmitted to the Senate	749
Signed by the Speaker and transmitted to the Governor	1174
H.B. 304 — SALES AND USE TAX REVENUES FOR QUALIFIED EMERGENCY FOOD AGENCIES (<i>L. Wiley</i>)	
Read the first time by short title and referred to the Rules Committee.	70
Assigned to standing committee	206
Substituted	471
Read the first time by short title	472, 667
Read the second time	472, 667
Read the third time	667
Transmitted to the Senate	667
Placed on Concurrence Calendar	937
Concurrence	969
Signed by the Speaker and transmitted to the Governor	987
H.B. 305 — COUNTY SHERIFF QUALIFICATION AMENDMENTS (<i>R. Greenwood</i>)	
Read the first time by short title and referred to the Rules Committee.	71
Assigned to standing committee	709
Read the second time	812
Read the third time	922
Transmitted to the Senate	923
Signed by the Speaker and transmitted to the Governor	1214

H.B. 306 — ATTORNEY'S LIEN AMENDMENTS (<i>R. C. Webb</i>)	
Read the first time by short title and referred to the Rules Committee.	71
Enacting Clause Stricken	1227
H.B. 307 — CANCER SCREENING AND MORTALITY REDUCTION SPECIAL GROUP	
LICENSE PLATE (<i>C. Moss</i>)	
Read the first time by short title and referred to the Rules Committee.	88
Assigned to standing committee	254
Read the second time	374
Read the third time	557
Circled	557
Uncircled	574
Transmitted to the Senate	575
Enacting Clause Stricken	1223
H.B. 308 — CREDIT CARD OR DEBIT CARD TRANSACTIONS ACT (<i>W. Harper</i>)	
Read the first time by short title and referred to the Rules Committee.	88
Assigned to standing committee	172
Substituted	381
Returned to Rules Committee	381
Enacting Clause Stricken	1227
H.B. 309 — ELECTION INFORMATION AMENDMENTS (<i>J. Dougall</i>)	
Read the first time by short title and referred to the Rules Committee.	88
Assigned to standing committee	227
Amendments	295
Read the second time	295
Read the third time	460
Substituted	460
Transmitted to the Senate	461
Intent Language	461
Signed by the Speaker and transmitted to the Governor	1028
H.B. 310 — ABSENTEE BALLOT REVISIONS (<i>D. Aagard</i>)	
Read the first time by short title and referred to the Rules Committee.	88
Assigned to standing committee	228
Read the second time	296
Read the third time	384
Transmitted to the Senate	384
Signed by the Speaker and transmitted to the Governor	731
H.B. 311 — HIGHER EDUCATION DISTANCE LEARNING PARTNERSHIPS (<i>B. Last</i>)	
Read the first time by short title and referred to the Rules Committee.	117
Assigned to standing committee	253
Read the second time	692
Returned to Rules Committee	795
Placed on calendar	839
Read the third time	888
Transmitted to the Senate	888
Enacting Clause Stricken	1223

H.B. 312 — CRIME VICTIM REPARATIONS REVISIONS (<i>Julie Fisher</i>)	
Read the first time by short title and referred to the Rules Committee.	88
Assigned to standing committee	253
Amendments	320, 490
Read the second time	321
Read the third time	490
Intent Language	492
Transmitted to the Senate	492
Signed by the Speaker and transmitted to the Governor	869
H.B. 313 — MOTOR FUEL AND SPECIAL FUEL TAX – INDEXING FOR INFLATION (<i>W. Harper</i>)	
Read the first time by short title and referred to the Rules Committee.	88
Enacting Clause Stricken	1227
H.B. 314 — SEXUAL OFFENSES – DEFINITIONS (<i>R. Bigelow</i>)	
Read the first time by short title and referred to the Rules Committee.	117
Assigned to standing committee	253
Read the second time	321
Read the third time	389
Transmitted to the Senate	390
Signed by the Speaker and transmitted to the Governor	869
H.B. 315 — CHILD AND VULNERABLE ADULT ENDANGERMENT PROVISIONS (<i>M. Morley</i>)	
Read the first time by short title and referred to the Rules Committee.	117
Assigned to standing committee	467
Amendments	604
Read the second time	606
Returned to Rules Committee	795
Placed on calendar	796
Read the third time	808
Transmitted to the Senate	809
Enacting Clause Stricken	1223
H.B. 316 — SUBSTANCE ABUSE TREATMENT FOR PREGNANT WOMEN AND PREGNANT MINORS (<i>E. Hutchings</i>)	
Read the first time by short title and referred to the Rules Committee.	117
Substituted	618
Read the first time by short title and referred to Rules Committee	618
Assigned to standing committee	618
Read the second time	693
Read the third time	759
Transmitted to the Senate	760
Signed by the Speaker and transmitted to the Governor	1048
H.B. 317 — ELECTION DAY VOTER REGISTRATION (<i>N. Hansen</i>)	
Read the first time by short title and referred to the Rules Committee.	117
Enacting Clause Stricken	1227

H.B. 318 — UTAH ADOPTION AMENDMENTS (<i>R. Chavez–Houck</i>)	
Read the first time by short title and referred to the Rules Committee.	118
Enacting Clause Stricken	1227
H.B. 319 — REVIEW AND APPROVAL OF GRANTS (<i>D. Clark</i>)	
Read the first time by short title and referred to the Rules Committee.	118, 710
Substituted	710
Assigned to standing committee	710
Substituted	829
Read the second time	831
Returned to Rules Committee	831
Placed on calendar	840
Read the third time	906
Transmitted to the Senate	906
Signed by the Speaker and transmitted to the Governor	1048
H.B. 320 — VEHICLE IMPOUND YARD REQUIREMENTS (<i>C. Oda</i>)	
Read the first time by short title and referred to the Rules Committee.	118
Assigned to standing committee	228
Read the second time	266
Read the third time	450
Transmitted to the Senate	451
Enacting Clause Stricken	1223
H.B. 321 — HIGHER EDUCATION SAVINGS INCENTIVE PROGRAM AMENDMENTS (<i>K. Garn</i>)	
Read the first time by short title and referred to the Rules Committee.	118
Assigned to standing committee	205
Read the second time	251
Read the third time	426
Amendments	426
Transmitted to the Senate	427
Signed by the Speaker and transmitted to the Governor	755
H.B. 322 — LOCAL HEALTH DEPARTMENT FUNDING (<i>S. Clark</i>)	
Read the first time by short title and referred to the Rules Committee.	118
Assigned to standing committee	709
Returned to Rules Committee	941
Enacting Clause Stricken	1227
H.B. 323 — EMINENT DOMAIN AMENDMENTS (<i>A. Tilton</i>)	
Read the first time by short title and referred to the Rules Committee.	118
Assigned to standing committee	206
Read the second time	322
Read the third time	494
Circled	494
Uncircled	554
Substituted	554
Amendments	554
Transmitted to the Senate	556
Signed by the Speaker and transmitted to the Governor	1034

H.B. 324 — NOT-A-DROP DRIVERS PROGRAM AMENDMENTS (<i>R. Greenwood</i>)	
Read the first time by short title and referred to the Rules Committee.	118
Assigned to standing committee	522
Read the second time	606
Returned to Rules Committee	795
Placed on calendar	839
Read the third time	857
Transmitted to the Senate	858
Enacting Clause Stricken	1223
H.B. 325 — BULLYING AND HAZING (<i>C. Moss</i>)	
Read the first time by short title and referred to the Rules Committee.	118
Assigned to standing committee	227
Substituted	691
Read the second time	692, 877
Returned to Rules Committee	795
Read the third time	912
Transmitted to the Senate	913
Placed on Concurrence Calendar	1109
Concurrence	1129
Signed by the Speaker and transmitted to the Governor	1151
H.B. 326 — CHILDREN'S HEALTH INSURANCE PROGRAM – OPEN ENROLLMENT (<i>G. Curtis</i>)	
Read the first time by short title and referred to the Rules Committee.	141
Assigned to standing committee	228
Substituted	317
Read the second time	317
Read the third time	488
Transmitted to the Senate	489
Signed by the Speaker and transmitted to the Governor	987
H.B. 327 — ENTICING A MINOR BY ELECTRONIC MEANS (<i>K. Gibson</i>)	
Read the first time by short title and referred to the Rules Committee.	141
Assigned to standing committee	253
Amendments	320
Read the second time	321
Read the third time	493
Transmitted to the Senate	493
Signed by the Speaker and transmitted to the Governor	869
H.B. 328 — RETIREMENT BENEFITS FOR LAW ENFORCEMENT, FIREFIGHTERS, AND PUBLIC SERVICE EMPLOYEES (<i>N. Hansen</i>)	
Read the first time by short title and referred to the Rules Committee.	148
Assigned to standing committee	399
Returned to Rules Committee	947
Enacting Clause Stricken	1227

H.B. 329 — HIGH-ABILITY STUDENT INITIATIVE PROGRAM (<i>B. Last</i>)	
Read the first time by short title and referred to the Rules Committee.	148
Assigned to standing committee	521
Read the second time	614
Returned to Rules Committee	795
Placed on calendar	796
Read the third time	824
Transmitted to the Senate	825
Enacting Clause Stricken	1223
H.B. 330 — STATE SUPPLEMENTAL FUNDING FOR HEAD START (<i>L. Shurtliff</i>)	
Read the first time by short title and referred to the Rules Committee.	148
Assigned to standing committee	253
Substituted	417
Read the second time	417
Read the third time	596
Transmitted to the Senate	597
Placed on Concurrence Calendar	1006, 1040
Returned to the Senate	1020
Concurrence	1040
Signed by the Speaker and transmitted to the Governor	1070
H.B. 331 — USE OF UTAH EDUCATION NETWORK FOR TELEHEALTH (<i>G. Snow</i>)	
Read the first time by short title and referred to the Rules Committee.	149
Assigned to standing committee	344
Returned to Rules Committee	942
Enacting Clause Stricken	1227
H.B. 332 — USE OF PUBLIC SCHOOLS BY COMMUNITY ORGANIZATIONS (<i>G. Hughes</i>)	
Read the first time by short title and referred to the Rules Committee.	149
Assigned to standing committee	323
Read the second time	379
Read the third time	558
Circled	558
Uncircled	628
Transmitted to the Senate	628
Placed on Concurrence Calendar	1072
Concurrence	1086
Signed by the Speaker and transmitted to the Governor	1115
H.B. 333 — SENIOR CITIZEN'S HOMEOWNER'S CREDIT (<i>G. Froerer</i>)	
Read the first time by short title and referred to the Rules Committee.	149
Assigned to standing committee	276
Substituted	655
Read the first time by short title and referred to Rules Committee	657
Read the second time	657
Returned to Rules Committee	795
Placed on calendar	919
Read the third time	998
Transmitted to the Senate	999
Enacting Clause Stricken	1223

H.B. 334 — LABOR COMMISSION – REVIEW OF ADMINISTRATIVE DECISIONS (<i>N. Hansen</i>)	
Read the first time by short title and referred to the Rules Committee.	149
Assigned to standing committee	323
Returned to Rules Committee	939
Enacting Clause Stricken	1227
H.B. 335 — MOBILE HOME PARK AMENDMENTS (<i>K. Holdaway</i>)	
Read the first time by short title and referred to the Rules Committee.	149
Assigned to standing committee	292
Read the second time	342
Returned to Rules Committee	795
Read the third time	553
Circled	553
Enacting Clause Stricken	1227
H.B. 336 — AUTHORITY TO ESTABLISH REFUGEE SERVICES FUND (<i>C. Herrod</i>)	
Read the first time by short title and referred to the Rules Committee.	183
Assigned to standing committee	292
Substituted	413
Read the first time by short title	414
Read the second time	414
Read the third time	573
Held	574
Signed by the Speaker and transmitted to the Governor	937
H.B. 337 — ACCESS TO CHILDRENS HEALTH INSURANCE PROGRAM (<i>P. Ray</i>)	
Read the first time by short title and referred to the Rules Committee.	184
Enacting Clause Stricken	1227
H.B. 338 — NEUTRALITY REQUIRED OF POLL WORKERS (<i>R. Chavez–Houck</i>)	
Read the first time by short title and referred to the Rules Committee.	184
Assigned to standing committee	227
Amendments	947
Returned to Rules Committee	948
Enacting Clause Stricken	1227
H.B. 339 — HUMAN TRAFFICKING AMENDMENTS (<i>C. Herrod</i>)	
Read the first time by short title and referred to the Rules Committee.	184
Assigned to standing committee	343
Amendments	539
Read the second time	539
Read the third time	768
Transmitted to the Senate	769
Placed on Concurrence Calendar	1126
Concurrence	1131
Signed by the Speaker and transmitted to the Governor	1151

H.B. 340 — MUNICIPAL ANNEXATION AMENDMENTS (<i>S. Clark</i>)	
Read the first time by short title and referred to the Rules Committee	184
Assigned to standing committee	276
Returned to Rules Committee	948
Enacting Clause Stricken	1227
H.B. 341 — DAMAGE TO UNDERGROUND UTILITY FACILITIES AMENDMENTS (<i>D. Clark</i>)	
Read the first time by short title and referred to the Rules Committee	184
Assigned to standing committee	344
Amendments	418
Read the second time	420
Read the third time	598
Amendments	598
Transmitted to the Senate	599
Signed by the Speaker and transmitted to the Governor	1078
H.B. 342 — INSURANCE CODE AMENDMENTS (<i>J. Dunnigan</i>)	
Read the first time by short title and referred to the Rules Committee	251
Assigned to standing committee	276
Amendments	313
Read the second time	315
Read the third time	481
Amendments	481
Transmitted to the Senate	485
Placed on Concurrence Calendar	869
Concurrence	887
Signed by the Speaker and transmitted to the Governor	920
H.B. 343 — EXEMPTION OF UNIVERSITY HOUSING FROM EVICTION LAWS (<i>P. Neuenschwander</i>)	
Read the first time by short title and referred to the Rules Committee	184
Assigned to standing committee	521
Read the second time	690
Returned to Rules Committee	795
Placed on calendar	839
Read the third time	871
Substituted	871
Transmitted to the Senate	872
Enacting Clause Stricken	1223
H.B. 344 — ALCOHOLIC BEVERAGE ENFORCEMENT PROVISIONS (<i>C. Oda</i>)	
Read the first time by short title and referred to the Rules Committee	251
Assigned to standing committee	383
Amendments	441
Read the second time	445
Returned to Rules Committee	795
Read the third time	626
Circled	626
Enacting Clause Stricken	1227

H.B. 345 — MINIMUM AGE FOR PUBLIC EDUCATION ENROLLMENT AMENDMENTS (<i>E. Hutchings</i>)	
Read the first time by short title and referred to the Rules Committee.	252
Assigned to standing committee	422
Amendments	863
Read the second time	865, 877
Returned to Rules Committee	865
Read the third time	916
Transmitted to the Senate	917
Enacting Clause Stricken	1223
H.B. 346 — DIVISION OF REAL ESTATE RELATED AMENDMENTS (<i>G. Froerer</i>)	
Read the first time by short title and referred to the Rules Committee.	252
Assigned to standing committee	291
Amendments	375
Read the second time	378
Read the third time	557
Substituted	557
Transmitted to the Senate	558
Signed by the Speaker and transmitted to the Governor	1070
H.B. 347 — MOTOR VEHICLE BUSINESS REGULATION AMENDMENTS (<i>S. Andersen</i>)	
Read the first time by short title and referred to the Rules Committee.	252
Assigned to standing committee	344
Amendments	541
Read the second time	542
Read the third time	771
Transmitted to the Senate	772
Signed by the Speaker and transmitted to the Governor	1174
H.B. 348 — ZION NATIONAL PARK SPECIAL GROUP LICENSE PLATE (<i>B. Last</i>)	
Read the first time by short title and referred to the Rules Committee.	252
Assigned to standing committee	383
Read the second time	448
Read the third time	628
Substituted	629
Transmitted to the Senate	629
Signed by the Speaker and transmitted to the Governor	1214
H.B. 349 — OPEN ENROLLMENT REVISIONS (<i>Julie Fisher</i>)	
Read the first time by short title and referred to the Rules Committee.	252
Assigned to standing committee	467
Amendments	578
Read the second time	580
Read the third time	791
Amendments	791
Transmitted to the Senate	793
Signed by the Speaker and transmitted to the Governor	1154

H.B. 350 — HOME SCHOOL AMENDMENTS (<i>C. Wimmer</i>)	
Read the first time by short title and referred to the Rules Committee.	252
Assigned to standing committee	343
Returned to Rules Committee	941
Enacting Clause Stricken	1227
H.B. 351 — INDIVIDUAL INCOME TAX – HEALTH INSURANCE (<i>J. Dunnigan</i>)	
Read the first time by short title and referred to the Rules Committee.	252
Substituted	344
Assigned to standing committee	344
Amendments	412
Read the second time	413
Read the third time	568
Transmitted to the Senate	569
Enacting Clause Stricken	1223
H.B. 352 — AMENDMENTS RELATED TO MONIES DERIVED FROM NAVAJO NATION RESERVATION LANDS IN UTAH (<i>D. Clark</i>)	
Read the first time by short title and referred to the Rules Committee.	252
Assigned to standing committee	382
Amendments	469
Read the second time	471
Read the third time	645
Amendments	645, 661
Circled	646
Uncircled	661
Transmitted to the Senate	662
Returned to the Senate	1090
Signed by the Speaker and transmitted to the Governor	1034, 1109
H.B. 353 — DEPARTMENT OF ENVIRONMENTAL QUALITY AMENDMENTS (<i>C. Johnson</i>)	
Read the first time by short title and referred to the Rules Committee.	252
Assigned to standing committee	344
Read the second time	516
Read the third time	750
Transmitted to the Senate	751
Enacting Clause Stricken	1224
H.B. 354 — APPRAISALS FOR STATE LAND PURCHASES (<i>J. Draxler</i>)	
Read the first time by short title and referred to the Rules Committee.	252
Assigned to standing committee	468
Substituted	543
Read the second time	545
Read the third time	783
Transmitted to the Senate	784
Signed by the Speaker and transmitted to the Governor	1221

H.B. 355 — TAX CHANGES AND APPROPRIATIONS FOR PREVENTIVE HEALTH ACTIVITIES (<i>P. Ray</i>)	
Read the first time by short title and referred to the Rules Committee.	252
Assigned to standing committee	562
Substituted	904
Read the first time by short title	904
Read the second time	904
Returned to Rules Committee	904
Enacting Clause Stricken	1227
H.B. 356 — TAXATION OF MOIST SNUFF (<i>R. Lockhart</i>)	
Read the first time by short title and referred to the Rules Committee.	252
Assigned to standing committee	344
Read the second time	413
Read the third time	569
Transmitted to the Senate	599
Held	570
Signed by the Speaker and transmitted to the Governor	1204
H.B. 357 — PUBLIC ASSOCIATIONS SUBJECT TO GOVERNMENT RECORDS ACCESS AND MANAGEMENT ACT (<i>M. Noel</i>)	
Read the first time by short title and referred to the Rules Committee.	252
Assigned to standing committee	382
Read the second time	471
Read the third time	659
Transmitted to the Senate	660
Enacting Clause Stricken	1224
H.B. 358 — CUSTODIAL INTERFERENCE AMENDMENTS (<i>C. Wimmer</i>)	
Read the first time by short title and referred to the Rules Committee.	252
Enacting Clause Stricken	1227
H.B. 359 — TAX CHANGES (<i>J. Dougall</i>)	
Read the first time by short title and referred to the Rules Committee.	253
Assigned to standing committee	323
Read the second time	413, 877
Returned to Rules Committee	795
Read the third time	573, 909
Substituted	909
Circled	573
Read the third time	909
Read the first time by short title	909
Read the second time	909
Transmitted to the Senate	910
Placed on Concurrence Calendar	1126
Concurrence	1131
Signed by the Speaker and transmitted to the Governor	1172

H.B. 360 — INDIVIDUAL INCOME TAX – LONG–TERM CARE INSURANCE PREMIUMS

(B. Last)

Read the first time by short title and referred to the Rules Committee. 280
 Assigned to standing committee 423
 Amendments 545
 Read the second time 547
 Read the third time 784
 Transmitted to the Senate 785
 Enacting Clause Stricken 1224

H.B. 361 — ANTI–SEIZURE DRUG NOTIFICATION *(E. Hutchings)*

Read the first time by short title and referred to the Rules Committee. 280
 Assigned to standing committee 467
 Amendments 581
 Read the second time 582
 Returned to Rules Committee 795
 Placed on calendar 839
 Read the third time 855
 Transmitted to the Senate 856
 Signed by the Speaker and transmitted to the Governor 1109

H.B. 362 — MOTOR FUEL TAX – OFF–HIGHWAY VEHICLE REFUND AMENDMENTS

(B. Ferry)

Read the first time by short title and referred to the Rules Committee. 280
 Assigned to standing committee 383
 Read the second time 446
 Read the third time 626
 Transmitted to the Senate 627
 Enacting Clause Stricken 1224

H.B. 363 — PUBLIC EDUCATION – ARTS ENHANCED LEARNING PROGRAM *(G. Hughes)*

Read the first time by short title and referred to the Rules Committee. 280
 Assigned to standing committee 449
 Substituted 514
 Amendments 514
 Read the first time by short title 515
 Read the second time 515
 Read the third time 746
 Amendments 746
 Transmitted to the Senate 747
 Enacting Clause Stricken 1224

H.B. 364 — PROMOTION OF HEALTH CARE COVERAGE (<i>K. Holdaway</i>)	
Read the first time by short title and referred to the Rules Committee.	280
Substituted	560
Assigned to standing committee	560
Substituted	615
Read the second time	618
Returned to Rules Committee	795
Placed on calendar	839
Read the third time	858
Amendments	858
Transmitted to the Senate	860
Placed on Concurrence Calendar	1152
Concurrence	1159
Signed by the Speaker and transmitted to the Governor	1172
H.B. 365 — AVIATION AMENDMENTS (<i>W. Harper</i>)	
Read the first time by short title and referred to the Rules Committee.	280
Assigned to standing committee	399
Amendments	471
Read the second time	472
Read the third time	668
Transmitted to the Senate	668
Signed by the Speaker and transmitted to the Governor	1070
H.B. 366 — MEDICAID LONG TERM CARE AMENDMENTS (<i>M. Newbold</i>)	
Read the first time by short title and referred to the Rules Committee.	280
Assigned to standing committee	521
Substituted	615
Read the second time	618
Returned to Rules Committee	795
Placed on calendar	839
Read the third time	860
Transmitted to the Senate	861
Signed by the Speaker and transmitted to the Governor	1200
H.B. 367 — PROPERTY TAX ASSESSMENT OF CABLE TELEVISION COMPANIES (<i>W. Harper</i>)	
Read the first time by short title and referred to the Rules Committee.	281
Enacting Clause Stricken	1228
H.B. 368 — SCHOOL FEE WAIVER AMENDMENTS (<i>J. Draxler</i>)	
Read the first time by short title and referred to the Rules Committee.	281
Assigned to standing committee	561
Returned to Rules Committee	941
Enacting Clause Stricken	1228
H.B. 369 — MUNICIPAL RENTAL FEES AMENDMENTS (<i>M. Walker</i>)	
Read the first time by short title and referred to the Rules Committee.	281
Assigned to standing committee	383
Read the second time	471
Read the third time	665
Transmitted to the Senate	666
Signed by the Speaker and transmitted to the Governor	1214

H.B. 370 — CHILDREN'S HEALTH INSURANCE PROGRAM AMENDMENTS (<i>J. Dunnigan</i>)	
Read the first time by short title and referred to the Rules Committee.	281
Assigned to standing committee	448
Substituted	577
Read the second time	577
Read the third time	790
Transmitted to the Senate	791
Signed by the Speaker and transmitted to the Governor	1200
H.B. 371 — DIGITAL CERTIFICATES FOR BREATHALIZERS (<i>C. Herrod</i>)	
Read the first time by short title and referred to the Rules Committee.	281
Assigned to standing committee	562
Read the second time	618
Read the third time	718
Transmitted to the Senate	719
Placed on Concurrence Calendar	980
Concurrence	1009
Signed by the Speaker and transmitted to the Governor	1034
H.B. 372 — TEACHER REEMPLOYMENT AFTER RETIREMENT (<i>E. Hutchings</i>)	
Read the first time by short title and referred to the Rules Committee.	281
Assigned to standing committee	450
Returned to Rules Committee	947
Enacting Clause Stricken	1228
H.B. 373 — UNIFORM FEES ON VINTAGE MOTOR VEHICLES (<i>W. Harper</i>)	
Read the first time by short title and referred to the Rules Committee.	300
Assigned to standing committee	399
Substituted	472
Read the second time	472
Read the third time	668
Substituted	668
Transmitted to the Senate	669
Signed by the Speaker and transmitted to the Governor	961
H.B. 374 — CHILD ABUSE AND NEGLECT PREVENTION AND TREATMENT AMENDMENTS (<i>P. Ray</i>)	
Read the first time by short title and referred to the Rules Committee.	281
Assigned to standing committee	561
Amendments	616
Read the second time	618
Read the third time	716
Transmitted to the Senate	717
Signed by the Speaker and transmitted to the Governor	1028
H.B. 375 — DECEPTION DETECTION EXAMINERS LICENSING ACT AMENDMENTS (<i>R. Barrus</i>)	
Read the first time by short title and referred to the Rules Committee.	281
Assigned to standing committee	398
Read the second time	512
Read the third time	592
Transmitted to the Senate	592
Signed by the Speaker and transmitted to the Governor	979

H.B. 376 — ADVISORY REDISTRICTING COMMISSION (<i>R. Chavez–Houck</i>)	
Read the first time by short title and referred to the Rules Committee.	281
Enacting Clause Stricken	1228
H.B. 377 — CODE OF CRIMINAL PROCEDURE AMENDMENTS (<i>R. Lockhart</i>)	
Read the first time by short title and referred to the Rules Committee.	300
Assigned to standing committee	422
Read the second time	446
Read the third time	524
Transmitted to the Senate	525
Signed by the Speaker and transmitted to the Governor	869
H.B. 378 — STATE ACCOUNTING AND BUDGETARY PROCEDURES AMENDMENTS (<i>R. Bigelow</i>)	
Read the first time by short title and referred to the Rules Committee.	301
Assigned to standing committee	449
Read the second time	543
Read the third time	635
Transmitted to the Senate	636
Signed by the Speaker and transmitted to the Governor	952
H.B. 380 — INSURANCE DEPARTMENT – WORKERS’ COMPENSATION AMENDMENTS (<i>R. Bigelow</i>)	
Read the first time by short title and referred to the Rules Committee.	620
Assigned to standing committee	710
Amendments	835
Read the second time	838
Returned to Rules Committee	838
Placed on calendar	840
Read the third time	906
Transmitted to the Senate	907
Signed by the Speaker and transmitted to the Governor	1154
H.B. 381 — HIGHER EDUCATION ACCESS ENHANCEMENT PROGRAM (<i>R. Bigelow</i>)	
Read the first time by short title and referred to the Rules Committee.	339
Assigned to standing committee	449
Returned to Rules Committee	941
Enacting Clause Stricken	1228
H.B. 382 — FINANCING PUBLIC EDUCATION (<i>M. Newbold</i>)	
Read the first time by short title and referred to the Rules Committee.	468
Assigned to standing committee	795
Returned to Rules Committee	941
Enacting Clause Stricken	1228
H.B. 383 — STATEWIDE CAPITAL OUTLAY EQUALIZATION (<i>A. Tilton</i>)	
Read the first time by short title and referred to the Rules Committee.	382
Assigned to standing committee	620
Read the second time	744
Returned to Rules Committee	795
Enacting Clause Stricken	1228

H.B. 384 — EMPLOYEE OBLIGATIONS RELATED TO WORKERS' COMPENSATION*(M. Morley)*

Read the first time by short title and referred to the Rules Committee.	339
Assigned to standing committee	467
Amendments	610
Substituted	816
Read the second time	613
Returned to Rules Committee	795
Placed on calendar	796
Read the third time	816
Transmitted to the Senate	817
Signed by the Speaker and transmitted to the Governor	1154

H.B. 385 — ROAD AND RIGHTS-OF-WAY AMENDMENTS *(M. Noel)*

Read the first time by short title and referred to the Rules Committee.	592
Assigned to standing committee	795
Substituted	867
Read the second time	867
Returned to Rules Committee	867
Placed on calendar	919
Read the third time	995
Amendments	995
Transmitted to the Senate	996
Enacting Clause Stricken	1224

H.B. 391 — PUBLIC SCHOOL FUNDING *(W. Harper)*

Read the first time by short title and referred to the Rules Committee.	499
Assigned to standing committee	620
Substituted	655
Read the second time	657
Returned to Rules Committee	795
Enacting Clause Stricken	1228

H.B. 394 — REAL PROPERTY PURCHASE – NOTIFICATION OF WATER RIGHTS *(B. Ferry)*

Read the first time by short title and referred to the Rules Committee.	454
Assigned to standing committee	589
Returned to Rules Committee	943
Amendments	960
Returned to Rules Committee	961
Enacting Clause Stricken	1228

H.B. 395 — DEPORTATION OF ELIGIBLE UNDOCUMENTED IMMIGRANT PRISONERS*(G. Donnelson)*

Read the first time by short title and referred to the Rules Committee.	564
Assigned to standing committee	745
Substituted	811
Amendments	811
Read the second time	812, 877
Returned to Rules Committee	812
Read the third time	975
Transmitted to the Senate	976
Enacting Clause Stricken	1224

H.B. 399 — MEDICATION AIDE CERTIFIED AMENDMENTS (<i>R. Lockhart</i>)	
Read the first time by short title and referred to the Rules Committee.	339
Assigned to standing committee	422
Read the second time	515
Read the third time	749
Amendments	749
Transmitted to the Senate	750
Signed by the Speaker and transmitted to the Governor	1078
H.B. 400 — CONDOMINIUM AND COMMUNITY ASSOCIATION PROVISIONS (<i>R. C. Webb</i>)	
Read the first time by short title and referred to the Rules Committee.	339
Assigned to standing committee	521
Substituted	612
Read the second time	613, 877
Returned to Rules Committee	795
Read the third time	911
Transmitted to the Senate	912
Enacting Clause Stricken	1224
H.B. 401 — MASTER PLUMBER LICENSING (<i>J. Dunnigan</i>)	
Read the first time by short title and referred to the Rules Committee.	339
Assigned to standing committee	449
Amendments	511
Read the second time	512
Read the third time	733
Transmitted to the Senate	734
Signed by the Speaker and transmitted to the Governor	1028
H.B. 402 — VEHICLE TO PULL OFF HIGHWAY (<i>F. Hunsaker</i>)	
Read the first time by short title and referred to the Rules Committee.	468
Assigned to standing committee	620
Read the second time	726
Read the third time	848
Transmitted to the Senate	848
Enacting Clause Stricken	1224
H.B. 405 — AMENDMENTS TO CITY OR TOWN SALES AND USE TAX TO FUND BOTANICAL, CULTURAL, RECREATIONAL, AND ZOOLOGICAL ORGANIZATIONS OR FACILITIES (<i>S. Sandstrom</i>)	
Read the first time by short title and referred to the Rules Committee.	429
Assigned to standing committee	620
Read the second time	743
Returned to Rules Committee	795
Placed on calendar	840
Read the third time	892
Amendments	892
Circled	951
Uncircled	974
Substituted	974
Failed	894, 975
Reconsideration	950
Enacting Clause Stricken	1228

H.B. 406 — TRAFFIC CODE AMENDMENTS (<i>J. Dunnigan</i>)	
Read the first time by short title and referred to the Rules Committee.	403
Assigned to standing committee	422
Amendments	511
Read the second time	512
Read the third time	734
Transmitted to the Senate	735
Signed by the Speaker and transmitted to the Governor	1172
H.B. 407 — COMMUNITY CONSCIOUS INTERNET PROVIDER (<i>M. Morley</i>)	
Read the first time by short title and referred to the Rules Committee.	339
Substituted	710
Assigned to standing committee	711
Substituted	829
Read the second time	831
Returned to Rules Committee	831
Enacting Clause Stricken	1228
H.B. 409 — POWERSPORT VEHICLE FRANCHISE ACT REVISIONS (<i>J. Gowans</i>)	
Read the first time by short title and referred to the Rules Committee.	454
Assigned to standing committee	562
Read the second time	725
Returned to Rules Committee	795
Placed on calendar	797
Read the third time	853
Transmitted to the Senate	854
Enacting Clause Stricken	1224
H.B. 410 — RESTRICTED ACCOUNTS AMENDMENTS (<i>R. Bigelow</i>)	
Read the first time by short title and referred to the Rules Committee.	339
Assigned to standing committee	450
Amendments	543
Read the second time	545
Read the third time	784
Transmitted to the Senate	784
Signed by the Speaker and transmitted to the Governor	1078
H.B. 411 — TITLE AND ESCROW COMMISSION ACT (<i>R. C. Webb</i>)	
Read the first time by short title and referred to the Rules Committee.	403
Enacting Clause Stricken	1228
H.B. 412 — BELOW COST SALES (<i>S. Urquhart</i>)	
Read the first time by short title and referred to the Rules Committee.	403
Assigned to standing committee	449
Read the second time	512
Read the third time	735
Transmitted to the Senate	736
Signed by the Speaker and transmitted to the Governor	879
H.B. 413 — TOWN INCORPORATION PROCESS REVISIONS (<i>G. Froerer</i>)	
Read the first time by short title and referred to the Rules Committee.	339
Enacting Clause Stricken	1228

H.B. 414 — RECYCLING AMENDMENTS (<i>T. Cosgrove</i>)	
Read the first time by short title and referred to the Rules Committee.	468
Assigned to standing committee	709
Amendments	864
Read the second time	865
Returned to Rules Committee	865
Placed on calendar	919
Read the third time	1066
Circled	1066
Enacting Clause Stricken	1228
H.B. 415 — JOINT CUSTODY MODIFICATIONS (<i>L. Fowlke</i>)	
Read the first time by short title and referred to the Rules Committee.	382
Assigned to standing committee	562
Substituted	648
Amendments	648
Read the second time	649
Returned to Rules Committee	795
Placed on calendar	796
Read the third time	825
Transmitted to the Senate	826
Enacting Clause Stricken	1224
H.B. 418 — PHYSICIAN EDUCATION ADMISSIONS (<i>B. Last</i>)	
Read the first time by short title and referred to the Rules Committee.	564
Assigned to standing committee	658, 745
Returned to Rules Committee	743, 941
Enacting Clause Stricken	1228
H.B. 419 — PUBLIC SCHOOL TEXTBOOK EVALUATION AMENDMENTS (<i>G. Froerer</i>)	
Read the first time by short title and referred to the Rules Committee.	468
Assigned to standing committee	658
Read the second time	865
Returned to Rules Committee	865
Placed on calendar	919
Enacting Clause Stricken	1228
H.B. 422 — POLITICAL SUBDIVISION CLERK AMENDMENTS (<i>M. Newbold</i>)	
Read the first time by short title and referred to the Rules Committee.	454
Assigned to standing committee	620
Substituted	831
Read the second time	833
Returned to Rules Committee	833
Placed on calendar	919
Enacting Clause Stricken	1228

H.B. 425 — EXEMPTION FOR ALCOHOLIC BEVERAGE MANUFACTURING LICENSE	
<i>(C. Johnson)</i>	
Read the first time by short title and referred to the Rules Committee.	382
Substituted	589
Assigned to standing committee	589
Read the second time	737
Returned to Rules Committee	795
Placed on calendar	840
Read the third time	891
Transmitted to the Senate	892
Enacting Clause Stricken	1224
H.B. 426 — GOVERNMENT PROCUREMENT – PRIVATE PROPOSALS <i>(K. Garn)</i>	
Read the first time by short title and referred to the Rules Committee.	454
Assigned to standing committee	589
Substituted	688, 873
Read the second time	690
Returned to Rules Committee	795
Placed on calendar	839
Read the third time	873
Transmitted to the Senate	874
Amendments	1189
Placed on Concurrence Calendar	1190
Concurrence	1197
Signed by the Speaker and transmitted to the Governor	1218
H.B. 427 — HUNTER EDUCATION REQUIREMENT EXEMPTION FOR MILITARY PERSONNEL <i>(B. Winn)</i>	
Read the first time by short title and referred to the Rules Committee.	520
Assigned to standing committee	878
Amendments	900
Read the second time	901
Read the third time	1016
Transmitted to the Senate	1016
Signed by the Speaker and transmitted to the Governor	1221
H.B. 428 — STATEWIDE STANDARDS FOR HEALTH CARE INTERPRETING	
<i>(R. Chavez–Houck)</i>	
Read the first time by short title and referred to the Rules Committee.	454
Assigned to standing committee	619
Substituted	865
Returned to Rules Committee	865
Enacting Clause Stricken	1228
H.B. 430 — DESIGNATION OF SECOND DISTRICT STATE COURT BUILDING <i>(N. Hansen)</i>	
Read the first time by short title and referred to the Rules Committee.	382
Enacting Clause Stricken	1228
H.B. 434 — FIREFIGHTER SPECIAL GROUP LICENSE PLATE AMENDMENTS <i>(R. Menlove)</i>	
Read the first time by short title and referred to the Rules Committee.	468
Enacting Clause Stricken	1228

H.B. 435 — PUBLIC HEARINGS ON PROPERTY TAX INCREASES (<i>G. Froerer</i>)	
Read the first time by short title and referred to the Rules Committee.	630
Assigned to standing committee	796
Amendments	831
Read the second time	833
Returned to Rules Committee	833
Placed on calendar	919
Enacting Clause Stricken	1228
H.B. 436 — ENGLISH LANGUAGE LEARNER FAMILY LITERACY CENTERS PROGRAM (<i>G. Hughes</i>)	
Read the first time by short title and referred to the Rules Committee.	356
Assigned to standing committee	467
Read the second time	781
Returned to Rules Committee	795
Placed on calendar	840
Read the third time	895
Transmitted to the Senate	895
Enacting Clause Stricken	1224
H.B. 437 — FUNERAL SERVICES LICENSING ACT AMENDMENTS (<i>S. Urquhart</i>)	
Read the first time by short title and referred to the Rules Committee.	499
Assigned to standing committee	590
Read the second time	654
Read the third time	758
Transmitted to the Senate	759
Placed on Concurrence Calendar	1029
Concurrence	1051
Signed by the Speaker and transmitted to the Governor	1078
H.B. 439 — RESTITUTION FUND ACCOUNT (<i>P. Neuenschwander</i>)	
Read the first time by short title and referred to the Rules Committee.	922
Enacting Clause Stricken	1228
H.B. 440 — MODIFICATIONS TO GOVERNMENT LAW (<i>L. Fowlke</i>)	
Read the first time by short title and referred to the Rules Committee.	564
Assigned to standing committee	620
Read the second time	743
Read the third time	851
Transmitted to the Senate	851
Enacting Clause Stricken	1224
H.B. 443 — MEMBERSHIP OF OCCUPATIONAL AND PROFESSIONAL LICENSURE REVIEW COMMITTEE (<i>G. Hughes</i>)	
Read the first time by short title and referred to the Rules Committee.	499
Assigned to standing committee	619
Read the second time	781
Read the third time	881
Transmitted to the Senate	882
Signed by the Speaker and transmitted to the Governor	1154

H.B. 444 — UTAH STATE RAILROAD MUSEUM AUTHORITY (<i>N. Hansen</i>)	
Read the first time by short title and referred to the Rules Committee.	564
Enacting Clause Stricken	1228
H.B. 445 — NURSING HOME AMENDMENTS (<i>M. Newbold</i>)	
Read the first time by short title and referred to the Rules Committee.	520
Assigned to standing committee	619
Amendments	693
Read the second time	693
Read the third time	798
Transmitted to the Senate	799
Signed by the Speaker and transmitted to the Governor	1172
H.B. 447 — GOVERNMENT ENTITY CHANGES (<i>K. Holdaway</i>)	
Read the first time by short title and referred to the Rules Committee.	821
Assigned to standing committee	840
Read the second time	904
Returned to Rules Committee	904
Placed on calendar	919
Enacting Clause Stricken	1228
H.B. 449 — IMPLEMENTATION OF FEDERAL REAL ID ACT (<i>G. Donnelson</i>)	
Read the first time by short title and referred to the Rules Committee.	403
Assigned to standing committee	521
Amendments	653
Read the second time	653
Returned to Rules Committee	795
Placed on calendar	839
Read the third time	861
Failed	861
Enacting Clause Stricken	1228
H.B. 451 — DEPREDATING WILDLIFE AMENDMENTS (<i>S. Sandstrom</i>)	
Read the first time by short title and referred to the Rules Committee.	564
Enacting Clause Stricken	1228
H.B. 452 — HANDLING OF MINOR TRAFFIC ACCIDENTS (<i>E. Hutchings</i>)	
Read the first time by short title and referred to the Rules Committee.	429
Assigned to standing committee	620
Amendments	725
Read the second time	726
Read the third time	848
Transmitted to the Senate	849
Enacting Clause Stricken	1224
H.B. 453 — ASSESSMENT AREA AMENDMENTS (<i>F. Hunsaker</i>)	
Read the first time by short title and referred to the Rules Committee.	630
Assigned to standing committee	920
Read the second time	937
Returned to Rules Committee	937
Enacting Clause Stricken	1228

H.B. 454 — REGULATION OF RIPARIAN OVERLAY ZONES (<i>M. Morley</i>)	
Read the first time by short title and referred to the Rules Committee.	712
Assigned to standing committee	745
Returned to Rules Committee	948
Enacting Clause Stricken	1228
H.B. 455 — AMENDMENTS RELATING TO CERTAIN TAXES ADMINISTERED BY OR LICENSE PLATES ISSUED BY THE STATE TAX COMMISSION (<i>S. Sandstrom</i>)	
Read the first time by short title and referred to the Rules Committee.	695
Substituted	839, 900
Assigned to standing committee	839
Read the second time	901
Returned to Rules Committee	901
Placed on calendar	919
Enacting Clause Stricken	1228
H.B. 456 — FAIR CAMPAIGN PLEDGE AMENDMENTS (<i>E. Hutchings</i>)	
Read the first time by short title and referred to the Rules Committee.	520
Assigned to standing committee	619
Read the second time	737, 877
Returned to Rules Committee	795
Read the third time	913
Transmitted to the Senate	913
Enacting Clause Stricken	1224
H.B. 459 — CONSTRUCTION TRADES EXEMPTION (<i>S. Urquhart</i>)	
Read the first time by short title and referred to the Rules Committee.	499
Assigned to standing committee	589
Amendments	688, 827
Read the second time	690
Returned to Rules Committee	795
Placed on calendar	796
Read the third time	827
Transmitted to the Senate	829
Signed by the Speaker and transmitted to the Governor	1071
H.B. 463 — MOTOR CYCLE HELMET LAW AMENDMENTS (<i>N. Hansen</i>)	
Read the first time by short title and referred to the Rules Committee.	732
Enacting Clause Stricken	1228
H.B. 464 — ACCESS TO LANDLOCKED PARCELS (<i>M. Walker</i>)	
Read the first time by short title and referred to the Rules Committee.	620
Substituted	744
Assigned to standing committee	744
Read the second time	833, 877
Returned to Rules Committee	833
Read the third time	976
Amendments	976
Transmitted to the Senate	977
Signed by the Speaker and transmitted to the Governor	1189

H.B. 466 — TITLE INSURANCE RECOVERY, EDUCATION, AND RESEARCH FUND ACT	
<i>(M. Morley)</i>	
Read the first time by short title and referred to the Rules Committee.	564
Assigned to standing committee	658
Amendments	777
Read the second time	781
Returned to Rules Committee	795
Placed on calendar	840
Read the third time	894
Transmitted to the Senate	895
Signed by the Speaker and transmitted to the Governor	1204
H.B. 467 — MOTOR VEHICLE INSURANCE ARBITRATION AMENDMENTS <i>(S. Urquhart)</i>	
Read the first time by short title and referred to the Rules Committee.	499
Assigned to standing committee	562
Amendments	651
Read the second time	652
Read the third time	756
Transmitted to the Senate	757
Signed by the Speaker and transmitted to the Governor	1174
H.B. 468 — RESPONSIBILITY FOR ACCESS DEVICES AND SECURITY BREACHES	
<i>(S. Urquhart)</i>	
Read the first time by short title and referred to the Rules Committee.	454
Assigned to standing committee	562
Returned to Rules Committee	942
Enacting Clause Stricken	1229
H.B. 470 — AMENDMENTS TO ANIMAL CRUELTY PROVISIONS <i>(S. Allen)</i>	
Read the first time by short title and referred to the Rules Committee.	520
Assigned to standing committee	562
Substituted	809
Read the second time	810, 877
Returned to Rules Committee	810
Read the third time	977
Amendments	977
Transmitted to the Senate	978
Enacting Clause Stricken	1224
H.B. 471 — EDUCATOR COMPENSATION MODIFICATIONS <i>(G. Hughes)</i>	
Read the first time by short title and referred to the Rules Committee.	630
Enacting Clause Stricken	1229

H.B. 472 — CHARTER SCHOOL BUILDING AND ENROLLMENT AMENDMENTS (<i>K. Garn</i>)	
Read the first time by short title and referred to the Rules Committee.	454
Assigned to standing committee	619
Substituted	691
Amendments	691
Read the second time	692
Returned to Rules Committee	795
Placed on calendar	796
Read the third time	851
Transmitted to the Senate	852
Signed by the Speaker and transmitted to the Governor	1174
H.B. 473 — FIREARMS AMENDMENTS (<i>C. Oda</i>)	
Read the first time by short title and referred to the Rules Committee.	403
Assigned to standing committee	562
Read the second time	651
Returned to Rules Committee	795
Placed on calendar	919
Time Certain	984
Read the third time	1030
Amendments	1030
Transmitted to the Senate	1032
Enacting Clause Stricken	1224
H.B. 475 — LABOR ORGANIZATION AMENDMENTS (<i>G. Hughes</i>)	
Read the first time by short title and referred to the Rules Committee.	382
Assigned to standing committee	449
Amendments	692
Read the second time	692
Returned to Rules Committee	795
Placed on calendar	796
Substituted	852
Read the third time	852
Circled	852
Failed	1004
Uncircled	1003
Enacting Clause Stricken	1229
H.B. 476 — PAY OF NATIONAL GUARD MEMBERS (<i>G. Hughes</i>)	
Read the first time by short title and referred to the Rules Committee.	499
Assigned to standing committee	658
Read the second time	831
Returned to Rules Committee	831
Placed on calendar	840
Read the third time	907
Amendments	907
Transmitted to the Senate	909
Signed by the Speaker and transmitted to the Governor	1109
H.B. 477 — LICENSING OF ANESTHESIOLOGIST ASSISTANTS (<i>S. Clark</i>)	
Read the first time by short title and referred to the Rules Committee.	821
Enacting Clause Stricken	1229

H.B. 479 — HEALTH CARE PATIENT IDENTITY PROTECTIONS (*S. Sandstrom*)

- Read the first time by short title and referred to the Rules Committee. 732
- Assigned to standing committee 745
- Amendments 812
- Read the second time 812
- Returned to Rules Committee 812
- Placed on calendar 840
- Read the third time 909
- Transmitted to the Senate 909
- Enacting Clause Stricken 1224

H.B. 481 — SUBDIVISION APPROVAL AMENDMENTS (*M. Noel*)

- Read the first time by short title and referred to the Rules Committee. 777
- Assigned to standing committee 796
- Amendments 832
- Read the second time 833, 877
- Returned to Rules Committee 833
- Read the third time 982
- Amendments 982
- Transmitted to the Senate 983
- Enacting Clause Stricken 1224

H.B. 485 — LEGISLATORS HEALTH PLAN (*E. Hutchings*)

- Read the first time by short title and referred to the Rules Committee. 657
- Enacting Clause Stricken 1229

H.B. 486 — WRONGFUL LIENS AND WRONGFUL JUDGEMENT LIENS (*J. Gowans*)

- Read the first time by short title and referred to the Rules Committee. 695
- Assigned to standing committee 795
- Amendments 862, 1215
- Read the second time 862
- Read the third time 971
- Transmitted to the Senate 971
- Concurrence 1216
- Signed by the Speaker and transmitted to the Governor 1221

H.B. 487 — SOCIAL HOST LIABILITY ACT (*E. Hutchings*)

- Read the first time by short title and referred to the Rules Committee. 777
- Enacting Clause Stricken 1229

H.B. 488 — KINDERGARTEN PROGRAM AMENDMENTS (*K. Morgan*)

- Read the first time by short title and referred to the Rules Committee. 520
- Assigned to standing committee 709
- Read the second time 865
- Returned to Rules Committee 865
- Enacting Clause Stricken 1229

H.B. 490 — LEGISLATIVE TASK FORCES AND STUDY PRIORITIES (<i>D. Clark</i>)	
Read the first time by short title and referred to the Rules Committee.	1034
Read the second time	1056
Read the third time	1065
Amendments	1065
Transmitted to the Senate	1065
Placed on Concurrence Calendar	1190
Enacting Clause Stricken	1229
H.B. 491 — HEALTH PLAN EXEMPTION FROM SELECTED REQUIREMENTS (<i>E. Hutchings</i>)	
Read the first time by short title and referred to the Rules Committee.	356
Assigned to standing committee	467
Substituted	581
Amendments	581
Read the second time	582
Returned to Rules Committee	795
Enacting Clause Stricken	1229
H.B. 492 — SEX OFFENDER NOTIFICATION AND REGISTRATION (<i>P. Ray</i>)	
Read the first time by short title and referred to the Rules Committee.	520
Assigned to standing committee	658
Amendments	719
Read the second time	720
Returned to Rules Committee	795
Placed on calendar	797
Read the third time	852
Transmitted to the Senate	853
Signed by the Speaker and transmitted to the Governor	1174
H.B. 493 — STALKING AMENDMENTS (<i>L. Fowlke</i>)	
Read the first time by short title and referred to the Rules Committee.	583
Assigned to standing committee	745
Amendments	809
Read the second time	810, 877
Returned to Rules Committee	810
Read the third time	983
Transmitted to the Senate	984
Signed by the Speaker and transmitted to the Governor	1200
H.B. 494 — AMENDMENTS TO THE UTAH MEDICAL SERVICE SYSTEM ACT (<i>J. Dougall</i>)	
Read the first time by short title and referred to the Rules Committee.	499
Assigned to standing committee	562
Amendments	615, 889
Read the second time	618
Returned to Rules Committee	795
Placed on calendar	796
Read the third time	825
Circled	825
Uncircled	889
Transmitted to the Senate	891
Enacting Clause Stricken	1224

H.B. 495 — VEHICLE REGISTRATION FEE FOR LICENSE PLATE RECOGNITION FUND
(L. Wiley)
 Read the first time by short title and referred to the Rules Committee. 695
 Enacting Clause Stricken 1229

H.B. 497 — REVENUE BOND AUTHORIZATION FOR STATE FAIR PARK *(N. Hendrickson)*
 Read the first time by short title and referred to the Rules Committee. 454
 Assigned to standing committee 658
 Read the second time 744
 Returned to Rules Committee 795
 Placed on calendar 840
 Read the third time 894
 Circled 894
 Uncircled 917
 Transmitted to the Senate 918
 Enacting Clause Stricken 1224

H.C.R. 1 — METH AWARENESS FOR STUDENTS AND EDUCATORS RESOLUTION (<i>C. Oda</i>)	
Read the first time by short title and referred to the Rules Committee.	71
Assigned to standing committee	253
Read the second time	321
Read the third time	489
Transmitted to the Senate	490
Signed by the Speaker and transmitted to the Governor	775
H.C.R. 2 — CONCURRENT RESOLUTION DECLARING FEBRUARY 6, 2008 RONALD REAGAN DAY (<i>M. Morley</i>)	
Read the first time by short title and referred to the Rules Committee.	88
Assigned to standing committee	146
Read the second time	248
Read the third time	364
Held	365
Transmitted to the Senate	397
Placed on Concurrence Calendar	776
Concurrence	805
Signed by the Speaker and transmitted to the Governor	845
H.C.R. 3 — CONCURRENT RESOLUTION – DECLARING LOVE YOUR LIBRARY WEEK (<i>S. Clark</i>)	
Read the first time by short title and referred to the Rules Committee.	118
Assigned to standing committee	253
Amendments	314
Read the second time	315
Read the third time	386
Transmitted to the Senate	387
Signed by the Speaker and transmitted to the Governor	694
H.C.R. 4 — CONCURRENT RESOLUTION ENCOURAGING CONGRESSIONAL ACTION TO DESIGNATE A NEW RECIPIENT OF ROYALTIES FROM NAVAJO RESERVATION LANDS IN UTAH (<i>D. Clark</i>)	
Read the first time by short title and referred to the Rules Committee.	253
Assigned to standing committee	343
Read the second time	471
Read the third time	660
Transmitted to the Senate	661
Signed by the Speaker and transmitted to the Governor	1034
H.C.R. 5 — CONCURRENT RESOLUTION URGING CONGRESSIONAL APPROVAL OF R.S. 2477 RIGHTS-OF-WAY RECOGNITION ACT (<i>M. Brown</i>)	
Read the first time by short title and referred to the Rules Committee.	281
Assigned to standing committee	383
Read the second time	446
Read the third time	627
Transmitted to the Senate	628
Signed by the Speaker and transmitted to the Governor	964

H.C.R. 6 — CONCURRENT RESOLUTION HONORING THE LIFE AND CONTRIBUTIONS OF PRESIDENT GORDON B. HINCKLEY (<i>M. Morley</i>)	
Read the first time by short title and referred to the Rules Committee.	281
Assigned to standing committee	343
Read the second time	471
Read the third time	665
Circled	665
Uncircled	783
Substituted	783
Read the third time	856
Time Certain	783
Transmitted to the Senate	857
Signed by the Speaker and transmitted to the Governor	964
H.C.R. 7 — CONCURRENT RESOLUTION DECLARING COLORECTAL CANCER AWARENESS MONTH (<i>E. Hutchings</i>)	
Read the first time by short title and referred to the Rules Committee.	301
Assigned to standing committee	562
Amendments	617
Read the second time	618
Read the third time	717
Transmitted to the Senate	718
Signed by the Speaker and transmitted to the Governor	964
H.C.R. 8 — CONCURRENT RESOLUTION SUPPORTING THE NARROWS WATER PROJECT IN CENTRAL UTAH (<i>B. Winn</i>)	
Read the first time by short title and referred to the Rules Committee.	454
Assigned to standing committee	522
Read the second time	607
Returned to Rules Committee	795
Placed on calendar	796
Read the third time	815
Transmitted to the Senate	816
Enacting Clause Stricken	1224

H.J.R. 1 — RESOLUTION ADDRESSING INTERNATIONAL TRADE ISSUES (<i>S. Allen</i>)	
Read the first time by short title and referred to the Rules Committee.	71
Assigned to standing committee	145
Read the second time	219
Read the third time	282
Transmitted to the Senate	283
Signed by the Speaker and transmitted to the Governor	536
H.J.R. 2 — RESOLUTION ENCOURAGING MANUFACTURED AND MOBILE HOME PARKS AS AFFORDABLE HOUSING (<i>N. Hendrickson</i>)	
Read the first time by short title and referred to the Rules Committee.	71
Assigned to standing committee	75
Read the second time	100
Read the third time	161
Amendments	162
Transmitted to the Senate	162
Signed by the Speaker and transmitted to the Governor	536
H.J.R. 3 — RESOLUTION REAFFIRMING THE WORDS, UNDER GOD, IN THE PLEDGE OF ALLEGIANCE (<i>K. Gibson</i>)	
Read the first time by short title and referred to the Rules Committee.	71
Assigned to standing committee	135
Read the second time	248
Read the third time	396
Transmitted to the Senate	397
Signed by the Speaker and transmitted to the Governor	964
H.J.R. 4 — JOINT RESOLUTION URGING SCHOOL CLOSINGS TO RECOGNIZE VETERANS DAY (<i>C. Wimmer</i>)	
Read the first time by short title and referred to the Rules Committee.	71
Assigned to standing committee	134
Amendments	169
Read the second time	169
Read the third time	270
Circled	270
Uncircled	406
Transmitted to the Senate	407
Signed by the Speaker and transmitted to the Governor	899
H.J.R. 5 — JOINT RESOLUTION URGING SUPPORT OF MEDICAID LONG-TERM CARE FUNDING OF HOME AND COMMUNITY-BASED SUPPORTS (<i>M. Noel</i>)	
Read the first time by short title and referred to the Rules Committee.	71
Assigned to standing committee	146
Read the second time	224
Read the third time	284
Transmitted to the Senate	285
Signed by the Speaker and transmitted to the Governor	576
H.J.R. 6 — JOINT RESOLUTION CONSENTING TO CREATION OF NEW STATE WITHIN UTAH (<i>N. Hendrickson</i>)	
Read the first time by short title and referred to the Rules Committee.	71
Enacting Clause Stricken	1229

H.J.R. 7 — JOINT RESOLUTION RECOGNIZING UNREINFORCED MASONRY BUILDINGS (<i>L. Wiley</i>)	
Read the first time by short title and referred to the Rules Committee.	88
Assigned to standing committee	206
Read the second time	249
Read the third time	303
Transmitted to the Senate	304
Placed on Concurrence Calendar	1072
Concurrence	1087
Signed by the Speaker and transmitted to the Governor	1115
H.J.R. 8 — JOINT RESOLUTION URGING CONGRESS TO ELIMINATE TRANSPORTATION EARMARKING THAT OVERRIDES STATE TRANSPORTATION PRIORITIES (<i>Julie Fisher</i>)	
Read the first time by short title and referred to the Rules Committee.	184
Assigned to standing committee	292
Amendments	322
Read the second time	322
Read the third time	494
Transmitted to the Senate	495
Enacting Clause Stricken	1224
H.J.R. 9 — RESOLUTION AMENDING PROPERTY TAX PROVISION (<i>P. Ray</i>)	
Read the first time by short title and referred to the Rules Committee.	253
Assigned to standing committee	658, 665
Returned to Rules Committee	950
Enacting Clause Stricken	1229
H.J.R. 10 — JOINT RESOLUTION OPPOSING DESIGNATION OF PUBLIC LANDS CURRENTLY URGED BY CONGRESS AND THE BUREAU OF LAND MANAGEMENT (<i>A. Tilton</i>)	
Read the first time by short title and referred to the Rules Committee.	281
Assigned to standing committee	323
Amendments	373
Read the second time	374
Placed on Time Certain	409
Read the third time	528
Transmitted to the Senate	528
Placed on Concurrence Calendar	952
Concurrence	987
Signed by the Speaker and transmitted to the Governor	1028
H.J.R. 11 — JOINT RESOLUTION SUPPORTING STATEWIDE GOVERNMENT 211 SYSTEM INFORMATION DIRECTORY (<i>E. Hutchings</i>)	
Read the first time by short title and referred to the Rules Committee.	281
Assigned to standing committee	589
Read the second time	738
Read the third time	849
Transmitted to the Senate	850
Enacting Clause Stricken	1225

H.J.R. 12 — JOINT RESOLUTION AMENDING THE UTAH CONSTITUTION – STOCK SUBSCRIPTIONS (<i>D. Clark</i>)	
Read the first time by short title and referred to the Rules Committee.	382
Assigned to standing committee	449
Amendments	689
Read the first time by short title	690
Read the second time	690
Returned to Rules Committee	795
Placed on calendar	796
Read the third time	841
Transmitted to the Senate	842
Signed by the Speaker and transmitted to the Governor	1109
H.J.R. 14 — JOINT RESOLUTION AMENDING RESIDENTIAL PROPERTY ASSESSMENT PROVISIONS (<i>G. Froerer</i>)	
Read the first time by short title and referred to the Rules Committee.	382
Assigned to standing committee	423
Returned to Rules Committee	950
Enacting Clause Stricken	1229
H.J.R. 15 — JOINT RESOLUTION AMENDING LEGISLATIVE ARTICLE (<i>N. Hansen</i>)	
Read the first time by short title and referred to the Rules Committee.	403
Enacting Clause Stricken	1229

H.R. 1 — RESOLUTION ENCOURAGING UNITED STATES WITHDRAWAL FROM SECURITY AND PROSPERITY PARTNERSHIP OF NORTH AMERICA (<i>S. Sandstrom</i>)	
Read the first time by short title and referred to the Rules Committee.	71
Assigned to standing committee	135
Amendments	194
Read the second time	195
Read the third time	307
Signed by the Speaker and transmitted to the Lt. Governor	308
H.R. 2 — HOUSE RESOLUTION CALLING FOR WITHDRAWAL FROM NAFTA (<i>G. Donnelson</i>)	
Read the first time by short title and referred to the Rules Committee.	118
Assigned to standing committee	253
Read the second time	341
Read the third time	496
Failed	497
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Assigned to standing committee	423
Read the second time	547
Returned to Rules Committee	549
Enacting Clause Stricken	1230
S.B. 97 — IMMIGRATION TASK FORCE (<i>S. Jenkins</i>)	
Read the first time by short title and referred to Rules Committee	821
Enacting Clause Stricken	1230
S.B. 98 — LICENSING OF SECURITY SERVICES (<i>D. Eastman</i>)	
Read the first time by short title and referred to Rules Committee	371
Assigned to standing committee	422
Read the second time	613
Read the third time	703
Signed by the Speaker and returned to the Senate	703
S.B. 99 — AMENDMENTS TO SALES AND USE TAX EXEMPTION FOR PROSTHETIC DEVICES (<i>W. Niederhauser</i>)	
Read the first time by short title and referred to Rules Committee	278
Assigned to standing committee	323
Read the second time	413
Read the third time	500
Signed by the Speaker and returned to the Senate	501
S.B. 100 — MOTOR VEHICLE DEALER DISCLOSURE REQUIREMENTS AMENDMENTS (<i>D. Eastman</i>)	
Read the first time by short title and referred to Rules Committee	277
Assigned to standing committee	382
Read the second time	416
Read the third time	504
Signed by the Speaker and returned to the Senate	504

S.B. 103 — HIGHER EDUCATION ENHANCEMENTS (<i>D. Stowell</i>)	
Read the first time by short title and referred to Rules Committee	371
Assigned to standing committee	619
Returned to Rules Committee	941
Read the second time	982
Read the third time	993
Substituted	993
Returned to the Senate	993
Signed by the Speaker and returned to the Senate	1071
S.B. 105 — JUDICIAL PERFORMANCE EVALUATION COMMISSION (<i>D. C. Buttars</i>)	
Read the first time by short title and referred to Rules Committee	371
Assigned to standing committee	562
Substituted	719, 1023
Read the second time	719, 994
Returned to Rules Committee	719
Read the third time	1023
Returned to the Senate	1024
Signed by the Speaker and returned to the Senate	1071
S.B. 108 — OFFSET OF WORKERS' COMPENSATION AND SOCIAL SECURITY (<i>J. Hickman</i>)	
Read the first time by short title and referred to Rules Committee	371
Read the second time	1157
Read the third time	1165
Signed by the Speaker and returned to the Senate	1166
S.B. 110 — FOREIGN BUSINESS ENTITIES AND TRIBAL LAW (<i>K. VanTassell</i>)	
Read the first time by short title and referred to Rules Committee	318
Assigned to standing committee	399
Read the second time	446
Read the third time	512
Signed by the Speaker and returned to the Senate	513
S.B. 111 — REVISOR'S STATUTE (<i>J. Hickman</i>)	
Read the first time by short title and referred to Rules Committee	87
Read the second time	206
Read the third time	234
Circled	234
Uncircled	236
Signed by the Speaker and returned to the Senate	237
S.B. 112 — LEGISLATIVE SPACE IN THE CAPITOL (<i>C. Bramble</i>)	
Read the first time by short title and referred to Rules Committee	87
Assigned to standing committee	205
Read the second time	269
Read the third time	269
Signed by the Speaker and returned to the Senate	270

S.B. 113 — ACCESS TO RESEARCH WORKERS' PERSONAL INFORMATION (<i>G. Bell</i>)	
Read the first time by short title and referred to Rules Committee	340
Assigned to standing committee	521
Substituted	653
Read the second time	654
Read the third time	758
Returned to the Senate	758
Signed by the Speaker and returned to the Senate	820
S.B. 114 — NOTARY PUBLIC REVISION (<i>G. Bell</i>)	
Read the first time by short title and referred to Rules Committee	294
Assigned to standing committee	449
Read the second time	613
Read the third time	714
Signed by the Speaker and returned to the Senate	715
S.B. 115 — MOTOR VEHICLE SAFETY INSPECTION ADVISORY COUNCIL AMENDMENTS (<i>D. Eastman</i>)	
Read the first time by short title and referred to Rules Committee	277
Assigned to standing committee	323
Read the second time	375
Read the third time	454
Signed by the Speaker and returned to the Senate	455
S.B. 116 — RETIREMENT OFFICE AMENDMENTS (<i>C. Walker</i>)	
Read the first time by short title and referred to Rules Committee	674
Assigned to standing committee	710
Read the second time	815
Read the third time	923
Signed by the Speaker and returned to the Senate	924
S.B. 117 — ANIMAL CRUELTY AMENDMENTS (<i>A. Christensen</i>)	
Read the first time by short title and referred to Rules Committee	536
Enacting Clause Stricken	1230
S.B. 118 — EDUCATION TRANSPORTATION AMENDMENTS (<i>D. Peterson</i>)	
Read the first time by short title and referred to Rules Committee	340
Assigned to standing committee	563
Read the second time	652
Enacting Clause Stricken	1230
S.B. 119 — DEPARTMENT OF CORRECTIONS AMENDMENTS (<i>D. Peterson</i>)	
Read the first time by short title and referred to Rules Committee	229
Assigned to standing committee	254
Read the second time	321
Read the third time	362
Signed by the Speaker and returned to the Senate	363

S.B. 120 — DEPARTMENT OF CORRECTIONS EMPLOYEE VEHICLE USE (<i>D. Peterson</i>)	
Read the first time by short title and referred to Rules Committee	294
Assigned to standing committee	450
Read the second time	539
Read the third time	680
Signed by the Speaker and returned to the Senate	681
S.B. 122 — UNIFORM ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION ACT (<i>L. Hillyard</i>)	
Read the first time by short title and referred to Rules Committee	294
Assigned to standing committee	467
Read the second time	537
Read the third time	678
Signed by the Speaker and returned to the Senate	678
S.B. 123 — FILLING VACANCIES IN THE SENATE (<i>J. Hickman</i>)	
Read the first time by short title and referred to Rules Committee	294
Assigned to standing committee	745
Read the second time	901
Read the third time	1016
Motion to reconsider	1068
Failed	1016
Returned to the Senate	1017
S.B. 124 — SALES AND USE TAX – DEFINITIONS OF PERMANENTLY ATTACHED TO REAL PROPERTY AND TANGIBLE PERSONAL PROPERTY (<i>H. Stephenson</i>)	
Read the first time by short title and referred to Rules Committee	294
Assigned to standing committee	383
Read the second time	547
Read the third time	683
Signed by the Speaker and returned to the Senate	683
S.B. 125 — HIGH SCHOOL VOTER REGISTRATION (<i>K. VanTassell</i>)	
Read the first time by short title and referred to Rules Committee	371
Assigned to standing committee	590
Read the second time	654
Read the third time	706
Signed by the Speaker and returned to the Senate	707
S.B. 126 — FILING FEE FOR WRITE-IN CANDIDATES (<i>P. Knudson</i>)	
Read the first time by short title and referred to Rules Committee	229
Assigned to standing committee	467
Read the second time	654
Placed on calendar	672
Read the third time	729
Returned to Rules Committee	729
Enacting Clause Stricken	1230

S.B. 128 — AMENDMENTS TO THE VETERAN’S PROPERTY TAX EXEMPTION*(B. Goodfellow)*

Read the first time by short title and referred to Rules Committee	224
Assigned to standing committee	254
Read the second time	300
Read the third time	360
Signed by the Speaker and returned to the Senate	360

S.B. 130 — UTILITY IMPROVEMENT DISTRICT REVISIONS *(K. VanTassell)*

Read the first time by short title and referred to Rules Committee	294
Assigned to standing committee	422
Read the second time	516
Read the third time	530
Circled	530
Uncircled	548
Signed by the Speaker and returned to the Senate	549

S.B. 131 — WAGE WITHHOLDING FOR EMPLOYEE CONTRIBUTIONS *(W. Niederhauser)*

Read the first time by short title and referred to Rules Committee	224
Assigned to standing committee	254
Read the second time	319
Read the third time	361
Signed by the Speaker and returned to the Senate	362

S.B. 132 — CONSUMER CREDIT PROTECTION ACT – ATTORNEY GENERAL POWERS*(C. Walker)*

Read the first time by short title and referred to Rules Committee	371
Assigned to standing committee	619
Amendments	780
Read the second time	781
Read the third time	882
Returned to the Senate	882
Signed by the Speaker and returned to the Senate	936

S.B. 134 — MORTGAGE FRAUD ACT *(S. Killpack)*

Read the first time by short title and referred to Rules Committee	403
Assigned to standing committee	449
Read the second time	577, 994
Returned to Rules Committee	618
Read the third time	1025
Amendments	1025
Circled	1026
Uncircled	1029
Returned to the Senate	1030
Signed by the Speaker and returned to the Senate	1071

S.B. 135 — EXTENDING THE SALES AND USE TAX EXEMPTION FOR POLLUTION CONTROL FACILITIES *(W. Niederhauser)*

Read the first time by short title and referred to Rules Committee	278
Assigned to standing committee	423
Read the second time	547
Read the third time	683
Signed by the Speaker and returned to the Senate	684

S.B. 136 — APPORTIONMENT OF BUSINESS INCOME AND DEDUCTION OF NET LOSSES BY AN ACQUIRED CORPORATION (<i>W. Niederhauser</i>)	
Read the first time by short title and referred to Rules Committee	518
Assigned to standing committee	590
Read the second time	657
Read the third time	728
Substituted	729
Returned to the Senate	729
Signed by the Speaker and returned to the Senate	776
S.B. 137 — MINERAL PRODUCTION TAX WITHHOLDING AMENDMENTS (<i>W. Niederhauser</i>)	
Read the first time by short title and referred to Rules Committee	325
Assigned to standing committee	423
Read the second time	472
Read the third time	529
Signed by the Speaker and returned to the Senate	529
S.B. 138 — UTAH SUBSTANCE ABUSE AND ANTI-VIOLENCE COORDINATING COUNCIL AMENDMENTS (<i>D. C. Buttars</i>)	
Read the first time by short title and referred to Rules Committee	371
Assigned to standing committee	709
Read the second time	781
Read the third time	884
Signed by the Speaker and returned to the Senate	885
S.B. 139 — UTAH ANTITRUST ACT AMENDMENTS (<i>L. Hillyard</i>)	
Read the first time by short title and referred to Rules Committee	403
Assigned to standing committee	467
Read the second time	537
Read the third time	631
Signed by the Speaker and returned to the Senate	632
S.B. 143 — INSURANCE FINANCIAL REQUIREMENTS (<i>K. VanTassell</i>)	
Read the first time by short title and referred to Rules Committee	466
Assigned to standing committee	521
Read the second time	613
Read the third time	715
Signed by the Speaker and returned to the Senate	715
S.B. 144 — PARAMETERS ON GOVERNOR'S ABILITY TO ENTER AGREEMENTS BINDING THE STATE (<i>S. Jenkins</i>)	
Read the first time by short title and referred to Rules Committee	318
Assigned to standing committee	323
Substituted	415
Read the second time	416
Read the third time	510
Returned to the Senate	510
Signed by the Speaker and returned to the Senate	583

S.B. 146 — AMENDMENT TO UNIFORM ANATOMICAL GIFT ACT (<i>L. Hillyard</i>)	
Read the first time by short title and referred to Rules Committee	318
Assigned to standing committee	449
Read the second time	543
Read the third time	636
Signed by the Speaker and returned to the Senate	637
S.B. 147 — CANDIDATE FILING REQUIREMENTS (<i>P. Knudson</i>)	
Read the first time by short title and referred to Rules Committee	438
Assigned to standing committee	467
Read the second time	653
Read the third time	704
Signed by the Speaker and returned to the Senate	705
S.B. 148 — ENFORCEMENT OF FRONT LICENSE PLATE DISPLAY REQUIREMENT AMENDMENTS (<i>S. Killpack</i>)	
Read the first time by short title and referred to Rules Committee	466
Assigned to standing committee	522
Read the second time	609
Read the third time	702
Signed by the Speaker and returned to the Senate	703
S.B. 149 — MOTOR VEHICLE LIABILITY POLICY MINIMUM LIMITS (<i>S. Killpack</i>)	
Read the first time by short title and referred to Rules Committee	564
Assigned to standing committee	590
Returned to Rules Committee	946
Read the second time	1068
Read the third time	1095
Circled	1095
Uncircled	1169
Amendments	1169
Returned to the Senate	1171
Signed by the Speaker and returned to the Senate	1189
S.B. 150 — CRIMINAL PENALTIES REVISIONS (<i>S. Jenkins</i>)	
Read the first time by short title and referred to Rules Committee	371
Assigned to standing committee	449
Read the second time	537
Read the third time	632
Signed by the Speaker and returned to the Senate	633
S.B. 151 — TRADEMARK PROTECTION ACT AMENDMENTS (<i>D. Eastman</i>)	
Read the first time by short title and referred to Rules Committee	371
Assigned to standing committee	522
Read the second time	583, 1068
Returned to Rules Committee	618
Read the third time	1083
Substituted	1083, 1153
Returned to the Senate	1084, 1154
Other Action	1135
Refuse to Recede/Conference Committee appointed	1128
Joint Conference Committee Report	1153
Signed by the Speaker and returned to the Senate	1173

S.B. 152 — PRESUMPTIVE PERSONAL REPRESENTATIVE (<i>G. Bell</i>)	
Read the first time by short title and referred to Rules Committee	421
Assigned to standing committee	521
Substituted	604, 841
Read the second time	604
Read the third time	685
Circled	685
Uncircled	728
Returned to the Senate	728
Refuse to Recede/Conference Committee appointed	777
Other Action	797
Joint Conference Committee Report	841
Signed by the Speaker and returned to the Senate	870
S.B. 155 — PUNITIVE DAMAGES AMENDMENTS (<i>L. Hillyard</i>)	
Read the first time by short title and referred to Rules Committee	318
Assigned to standing committee	467
Substituted	537
Read the second time	537
Read the third time	678
Returned to the Senate	679
Signed by the Speaker and returned to the Senate	732
S.B. 156 — UTAH RELOCATION ASSISTANCE ACT AMENDMENTS (<i>L. Hillyard</i>)	
Read the first time by short title and referred to Rules Committee	355
Assigned to standing committee	521
Read the second time	781
Read the third time	882
Signed by the Speaker and returned to the Senate	883
S.B. 157 — RIGHTS OF CITIZENS TO CARRY FIREARMS IN DECLARED EMERGENCY (<i>M. Madsen</i>)	
Read the first time by short title and referred to Rules Committee	798
Read the second time	1114
Read the third time	1185
Signed by the Speaker and returned to the Senate	1186
S.B. 158 — GOVERNOR'S RURAL PARTNERSHIP BOARD AND RURAL COORDINATING COMMITTEE AMENDMENTS (<i>D. Stowell</i>)	
Read the first time by short title and referred to Rules Committee	403
Assigned to standing committee	619
Read the second time	738, 1157
Read the third time	850
Signed by the Speaker and returned to the Senate	851
S.B. 159 — WORKERS' COMPENSATION AMENDMENTS (<i>D. Eastman</i>)	
Read the first time by short title and referred to Rules Committee	371
Assigned to standing committee	467
Read the second time	690
Read the third time	729
Signed by the Speaker and returned to the Senate	730

S.B. 160 — CANDIDATE REPLACEMENT DEADLINE FOR GENERAL ELECTION (<i>P. Knudson</i>)	
Read the first time by short title and referred to Rules Committee	438
Enacting Clause Stricken	1230
S.B. 161 — ADVANCE HEALTH CARE DIRECTIVE AMENDMENTS (<i>A. Christensen</i>)	
Read the first time by short title and referred to Rules Committee	438
Assigned to standing committee	589
Substituted	904
Read the second time	904
Read the third time	1017
Returned to the Senate	1018
Signed by the Speaker and returned to the Senate	1071
S.B. 162 — FEDERAL EDUCATION AGREEMENT REQUIREMENTS (<i>M. Dayton</i>)	
Read the first time by short title and referred to Rules Committee	695
Read the second time	876
Read the third time	934
Signed by the Speaker and returned to the Senate	935
S.B. 163 — CERTIFIED PUBLIC ACCOUNTANT LICENSING ACT AMENDMENTS (<i>C. Bramble</i>)	
Read the first time by short title and referred to Rules Committee	403
Assigned to standing committee	467
Read the second time	577
Read the third time	676
Signed by the Speaker and returned to the Senate	677
S.B. 164 — COMPUTER ASSISTED REMOTE HUNTING PROHIBITED (<i>M. Waddoups</i>)	
Read the first time by short title and referred to Rules Committee	340
Assigned to standing committee	382
Read the second time	440
Read the third time	523
Signed by the Speaker and returned to the Senate	524
S.B. 165 — ALCOHOLIC BEVERAGE SINGLE EVENT PERMITS (<i>S. McCoy</i>)	
Read the first time by short title and referred to Rules Committee	466
Assigned to standing committee	562
Read the second time	654
Read the third time	707
Signed by the Speaker and returned to the Senate	708
S.B. 166 — NONDISCRIMINATION AMENDMENTS (<i>S. McCoy</i>)	
Read the first time by short title and referred to Rules Committee	695
Assigned to standing committee	746
Amendments	835
Read the second time	838, 876
Returned to Rules Committee	838, 981
Enacting Clause Stricken	1230

S.B. 167 — ALCOHOLIC BEVERAGES ON ELECTION DAY (<i>S. McCoy</i>)	
Read the first time by short title and referred to Rules Committee	466
Assigned to standing committee	562
Read the second time	654
Read the third time	708
Signed by the Speaker and returned to the Senate	708
S.B. 168 — HIGHWAY FUNDING AMENDMENTS (<i>D. Stowell</i>)	
Read the first time by short title and referred to Rules Committee	756
Read the second time	876, 1157
Circled	935
Read the third time	935, 1219
Returned to Rules Committee	981
Signed by the Speaker and transmitted to the Governor	1220
S.B. 170 — BOARD OF WATER RESOURCES AMENDMENTS (<i>D. Stowell</i>)	
Read the first time by short title and referred to Rules Committee	466
Assigned to standing committee	589
Read the second time	652
Read the third time	703
Signed by the Speaker and returned to the Senate	704
S.B. 171 — REPEAL OF CERTAIN REPORTING BY FINANCIAL INSTITUTIONS (<i>K. VanTassell</i>)	
Read the first time by short title and referred to Rules Committee	518
Assigned to standing committee	619
Read the second time	781
Read the third time	883
Signed by the Speaker and returned to the Senate	884
S.B. 172 — FUNDING FOR MEDICAID VISION CARE (<i>A. Christensen</i>)	
Read the first time by short title and referred to Rules Committee	325
Enacting Clause Stricken	1230
S.B. 174 — DENTIST AND DENTAL HYGIENIST PRACTICE ACT AMENDMENTS (<i>P. Knudson</i>)	
Read the first time by short title and referred to Rules Committee	647
Assigned to standing committee	709
Read the second time	862, 1068
Read the third time	1090
Signed by the Speaker and returned to the Senate	1091
S.B. 176 — UNEMPLOYMENT INSURANCE CONTRIBUTION RATES AMENDMENTS (<i>H. Stephenson</i>)	
Read the first time by short title and referred to Rules Committee	674
Assigned to standing committee	709
Read the second time	862, 1157
Read the third time	1167
Signed by the Speaker and returned to the Senate	1168

S.B. 177 — LOCAL GOVERNMENT DISPOSAL OF REAL PROPERTY ACQUIRED BY EXACTION (<i>W. Niederhauser</i>)	
Read the first time by short title and referred to Rules Committee	518
Assigned to standing committee	620
Amendments	902
Read the second time	904, 1007
Returned to Rules Committee	904
Read the third time	1063
Circled	1064
Uncircled	1073
Returned to the Senate	1073
Signed by the Speaker and returned to the Senate	1127
S.B. 179 — SALVAGE VEHICLE AMENDMENTS (<i>C. Walker</i>)	
Read the first time by short title and referred to Rules Committee	466
Assigned to standing committee	521
Read the second time	613
Read the third time	715
Signed by the Speaker and returned to the Senate	716
S.B. 180 — REGENTS' SCHOLARSHIP PROGRAM (<i>L. Hillyard</i>)	
Read the first time by short title and referred to Rules Committee	674
Assigned to standing committee	709
Returned to Rules Committee	941
Read the second time	1045
Read the third time	1045
Circled	1045
Uncircled	1056
Amendments	1056
Returned to the Senate	1059
Signed by the Speaker and returned to the Senate	1127
S.B. 181 — OFF-HIGHWAY VEHICLE USE ON PUBLIC HIGHWAYS (<i>S. Jenkins</i>)	
Read the first time by short title and referred to Rules Committee	518
Assigned to standing committee	619
Amendments	720
Read the second time	724
Read the third time	927
Amendments	927
Returned to the Senate	929
Signed by the Speaker and returned to the Senate	980
S.B. 182 — SURVIVAL ACTION UPON INJURY OR DEATH (<i>M. Waddoups</i>)	
Read the second time	1157
Read the first time by short title and referred to Rules Committee	674
Assigned to standing committee	709
Read the second time	810, 876
Returned to Rules Committee	810, 981
Enacting Clause Stricken	1230
S.B. 183 — CHILD PORNOGRAPHY AMENDMENT (<i>D. C. Buttars</i>)	
Read the first time by short title and referred to Rules Committee	695
Enacting Clause Stricken	1230

S.B. 184 — CHILD CARE LICENSING EXEMPTIONS (<i>J. Greiner</i>)	
Read the first time by short title and referred to Rules Committee	674
Assigned to standing committee	709
Read the second time	781
Read the third time	931
Substituted	931
Returned to the Senate	932
Signed by the Speaker and returned to the Senate	980
S.B. 185 — ECONOMIC INCENTIVE REVISIONS (<i>L. Hillyard</i>)	
Read the first time by short title and referred to Rules Committee	846
Read the second time	1068
Read the third time	1098
Circled	1099
Uncircled	1117
Signed by the Speaker and returned to the Senate	1118
S.B. 186 — CUSTODY AND PARENT-TIME FOR NON-PARENTS (<i>L. Hillyard</i>)	
Read the first time by short title and referred to Rules Committee	777
Read the second time	876
Read the third time	935
Signed by the Speaker and returned to the Senate	936
S.B. 187 — BAIL IN CAPITAL OFFENSE CASES (<i>J. Greiner</i>)	
Read the first time by short title and referred to Rules Committee	600
Assigned to standing committee	658
Read the second time	720
Read the third time	846
Signed by the Speaker and returned to the Senate	847
S.B. 188 — PILOT PROGRAM FOR SUMMER SCHOOL AND AFTER SCHOOL PROGRAMS FOR CHILDREN WITH A DISABILITY (<i>G. Bell</i>)	
Read the first time by short title and referred to Rules Committee	674
Assigned to standing committee	709
Returned to Rules Committee	941
Enacting Clause Stricken	1230
S.B. 189 — INDEPENDENT CONTRACTOR DATABASE (<i>D. Eastman</i>)	
Read the first time by short title and referred to Rules Committee	695
Read the second time	876, 1067
Returned to Rules Committee	879
Read the third time	1074
Circled	1074
Uncircled	1075
Signed by the Speaker and returned to the Senate	1076
S.B. 190 — PUBLIC CLASSROOM DISPLAYS (<i>A. Christensen</i>)	
Read the first time by short title and referred to Rules Committee	695
Read the second time	1157
Enacting Clause Stricken	1230

S.B. 191 — JUDICIAL CONDUCT COMMISSION AMENDMENTS (<i>G. Davis</i>)	
Read the first time by short title and referred to Rules Committee	821
Read the second time	876
Read the third time	953
Signed by the Speaker and returned to the Senate	953
S.B. 192 — SEX OFFENSE AMENDMENTS (<i>J. Greiner</i>)	
Read the first time by short title and referred to Rules Committee	821
Read the second time	876
Read the third time	953
Signed by the Speaker and returned to the Senate	954
S.B. 193 — ELECTION LAW CHANGES (<i>P. Knudson</i>)	
Read the first time by short title and referred to Rules Committee	846
Read the second time	1068
Read the third time	1094
Signed by the Speaker and returned to the Senate	1095
S.B. 196 — COUNTY AND MUNICIPAL LAND USE AMENDMENTS (<i>W. Niederhauser</i>)	
Read the first time by short title and referred to Rules Committee	821
Read the second time	876
Read the third time	954
Signed by the Speaker and returned to the Senate	955
S.B. 197 — PREFERRED DRUG LIST REVISIONS (<i>A. Christensen</i>)	
Read the first time by short title and referred to Rules Committee	871
Read the second time	1008
Enacting Clause Stricken	1230
S.B. 198 — CHILD SUPPORT TECHNICAL AMENDMENTS (<i>G. Bell</i>)	
Read the first time by short title and referred to Rules Committee	647
Assigned to standing committee	709
Amendments	810
Read the second time	810, 876, 1113
Returned to Rules Committee	810, 981
Read the third time	1182
Returned to the Senate	1183
Signed by the Speaker and returned to the Senate	1191
S.B. 200 — PROFESSIONAL ENGINEERS LICENSING AMENDMENTS (<i>F. Fife</i>)	
Read the first time by short title and referred to Rules Committee	900
Read the second time	1007
Read the third time	1034
Signed by the Speaker and returned to the Senate	1035
S.B. 202 — ENERGY RESOURCE AND CARBON EMISSION REDUCTION INITIATIVE (<i>C. Bramble</i>)	
Read the first time by short title and referred to Rules Committee	871
Read the second time	1007
Read the third time	1064
Signed by the Speaker and returned to the Senate	1064

S.B. 204 — INCOME TAXATION AMENDMENTS (<i>W. Niederhauser</i>)	
Read the first time by short title and referred to Rules Committee	846
Enacting Clause Stricken	1230
S.B. 205 — UNIFORM INTERSTATE DEPOSITIONS AND DISCOVERY ACT (<i>L. Hillyard</i>)	
Read the first time by short title and referred to Rules Committee	756
Read the second time	1113
Read the third time	1134
Signed by the Speaker and returned to the Senate	1135
S.B. 208 — TRANSPORTATION CORRIDOR PRESERVATION AMENDMENTS (<i>S. Killpack</i>)	
Read the first time by short title and referred to Rules Committee	900
Read the second time	1007
Read the third time	1044
Substituted	1044
Returned to the Senate	1045
Signed by the Speaker and returned to the Senate	1071
S.B. 209 — METHAMPHETAMINE DECONTAMINATION STANDARDS AND FUNDING (<i>D. C. Buttars</i>)	
Read the first time by short title and referred to Rules Committee	900
Read the second time	994
Read the third time	1019
Amendments	1019
Returned to the Senate	1020
Signed by the Speaker and returned to the Senate	1071
S.B. 211 — ALCOHOLIC BEVERAGE CONTROL AMENDMENTS (<i>C. Bramble</i>)	
Read the first time by short title and referred to Rules Committee	879
Read the second time	1007
Read the third time	1063
Circled	1063
Uncircled	1080
Signed by the Speaker and returned to the Senate	1081
S.B. 220 — CAUSE OF ACTION FOR DEFECTIVE CONSTRUCTION (<i>C. Bramble</i>)	
Read the first time by short title and referred to Rules Committee	695
Read the second time	1007
Read the third time	1045
Substituted	1045
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HB 3	Appropriations Adjustments Governor Signed on 3/20/2008 Effective Date: 3/20/2008	R. Bigelow
HB 4	State Agency and Higher Education Compensation Amendments Governor Signed on 3/20/2008 Effective Date: 7/1/2008	R. Bigelow
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- HB 46 **Adoption and Termination of Parental Rights** S. Allen
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HB 68	Educator Relicensure Initiative Governor Signed on 3/17/2008 Effective Date: 5/5/2008	R. Menlove
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HB 86	Funding of Inmate Postsecondary Education Governor Signed on 3/14/2008 Effective Date: 7/1/2008	J. Draxler
HB 87	Primary Seat Belt Law House/ enacting clause struck on 3/5/2008	R. Greenwood
HB 88	Elementary Education Co-teaching Pilot Program House/ enacting clause struck on 3/5/2008	J. Bird
HB 89	Antidiscrimination Act Amendments House/ enacting clause struck on 3/5/2008	C. Johnson
HB 90	Expungement Amendments Governor Signed on 3/18/2008 Effective Date: 5/5/2008	R. Webb
HB 91	Center for the School of the Future Incentives House/ enacting clause struck on 3/5/2008	J. Draxler
HB 92	Garnishment Amendments Governor Signed on 3/17/2008 Effective Date: 5/5/2008	J. Draxler
HB 93	Insurance Fraud Amendments Governor Signed on 3/17/2008 Effective Date: 5/5/2008	D. Aagard
HB 94	Public Employees' Retirement – Spousal Election House/ filed on 3/5/2008	L. Shurtliff
HB 95	Document Fraud House/ filed on 3/5/2008	K. Morgan
HB 96	Retired Teachers – Return to Work House/ filed on 3/5/2008	D. Bowman
HB 97	Court-ordered Restitution for Costs of Incarceration Governor Signed on 3/17/2008 Effective Date: 5/5/2008	C. Oda

HB 98	Utah Employment Verification Act House/ filed on 3/5/2008	G. Donnelson
HB 99	Business Registration – Optional Inclusion of Ownership Data Governor Signed on 3/18/2008 Effective Date: 5/5/2008	M. Wheatley
HB 100	Amendments to Prescribing Schedule II Drugs House/ enacting clause struck on 3/5/2008	M. Wheatley
HB 101	Amendments to Emergency Injection for Anaphylactic Reaction Act Governor Signed on 3/14/2008 Effective Date: 5/5/2008	T. Kiser
HB 102	Child Abuse Homicide Amendments Governor Signed on 3/17/2008 Effective Date: 5/5/2008	C. Wimmer
HB 103	Use of State Alternative Fuel Network Governor Signed on 3/14/2008 Effective Date: 5/5/2008	F. Hunsaker
HB 104	Urban Trails Appropriation Governor Signed on 3/18/2008 Effective Date: 5/5/2008	K. Holdaway
HB 105	Transportation Infrastructure Loan Fund Amendments Governor Signed on 3/20/2008 Effective Date: 5/5/2008	J. Fisher
HB 106	Clean Air and Efficient Vehicle Tax Incentives Governor Signed on 3/17/2008 Effective Date: 1/1/2009	R. McGee
HB 107	Emergency Management Administrative Council Governor Signed on 3/17/2008 Effective Date: 5/5/2008	C. Oda

HB 108	Prosthetic Limb Health Insurance Parity House/ enacting clause struck on 3/5/2008	D. Litvack
HB 109	Sex Offender Law Amendments Error in Enrolled Bill Signed by the Governor on 5/14/2008 Effective Date: 5/5/2008	G. Hughes
HB 110	Crime of Discharging a Dangerous Weapon or Firearm Within a Municipality House/ enacting clause struck on 3/5/2008	N. Hansen
HB 111	Charitable Solicitation Act Amendments House/ enacting clause struck on 3/5/2008	J. Gowans
HB 112	Public Education Foundation Amendments Governor Signed on 3/18/2008 Effective Date: 5/5/2008	S. Allen
HB 113	School Financial Disclosure House/ enacting clause struck on 3/5/2008	K. Sumsion
HB 114	Minimum Wage Provisions House/ enacting clause struck on 3/5/2008	N. Hansen
HB 115	Appropriation for a Utah Lake Transportation Study House/ enacting clause struck on 3/5/2008	K. Sumsion
HB 116	Fluorine in a Privately Owned Water System House/ filed on 3/5/2008	S. Andersen
HB 117	Instream Flow to Protect Trout Habitat Governor Signed on 3/18/2008 Effective Date: 5/5/2008	S. Sandstrom
HB 118	Veterans High School Diplomas Governor Signed on 3/18/2008 Effective Date: 5/5/2008	L. Hemingway
HB 119	Controlled Substance Database Amendments Governor Signed on 3/18/2008 Effective Date: 7/1/2008	B. Daw

HB 120	Education Materials Center House/ enacting clause struck on 3/5/2008	R. Bigelow
HB 121	County Charges for Services to Incarcerated Persons Governor Signed on 3/17/2008 Effective Date: 5/5/2008	R. Greenwood
HB 122	Driver License – Application of Minor Amendments Governor Signed on 3/18/2008 Effective Date: 5/5/2008	D. Litvack
HB 123	Accelerated Learning Programs Amendments House/ filed on 3/5/2008	B. Ferry
HB 124	Changes to Municipal Annexation Provisions House/ enacting clause struck on 3/5/2008	L. Shurtliff
HB 125	Department of Agriculture and Food Amendments Governor Signed on 3/17/2008 Effective Date: 5/5/2008	K. Gibson
HB 126	Election Law – Ballot Proposition Amendments Governor Signed on 3/18/2008 Effective Date: 5/5/2008	C. Johnson
HB 127	Community Council Elections Governor Signed on 3/17/2008 Effective Date: 5/5/2008	K. Sumsion
HB 128	Utah Residential Mortgage Practices Act Amendments Governor Signed on 3/17/2008 Effective Date: 5/5/2008	M. Newbold
HB 129	Appropriation for Construction of a Veterans’ Nursing Home in Ogden Governor Signed on 3/18/2008 Effective Date: 5/5/2008	B. Dee

HB 130	State Ethics Commission House/ enacting clause struck on 3/5/2008	R. McGee
HB 131	Community Based Self Sufficiency Program Governor Signed on 3/17/2008 Effective Date: 5/5/2008	J. Seelig
HB 132	Waste Tire Recycling Amendments Governor Signed on 3/14/2008 Effective Date: 5/5/2008	N. Hendrickson
HB 133	Health System Reform Governor Signed on 3/19/2008 Effective Date: 5/5/2008	D. Clark
HB 134	Government Immunity Amendments House/ enacting clause struck on 3/5/2008	D. Aagard
HB 135	Grants from Department of Community and Culture House/ filed on 3/5/2008	S. Allen
HB 136	Illegal Drug Activity Reporting System House/ filed on 3/5/2008	C. Herrod
HB 137	State Facility Water Conservation Program House/ filed on 3/5/2008	L. Wiley
HB 138	Sudan Divestment Act House/ enacting clause struck on 3/5/2008	D. Litvack
HB 139	Wireless Internet Access Requirements House/ enacting clause struck on 3/5/2008	B. Daw
HB 140	Child Restraint Device Amendments Governor Signed on 3/17/2008 Effective Date: 5/5/2008	T. Cosgrove
HB 141	Identity Theft Reporting Information System Amendments Governor Signed on 3/17/2008 Effective Date: 5/5/2008	D. Aagard

HB 142	Absentee Ballot Amendments House/ filed on 3/5/2008	J. Mathis
HB 143	Administration of Interstate Water Governor Signed on 3/14/2008 Effective Date: 5/5/2008	M. Brown
HB 144	Motor Vehicle Insurance Amendments Governor Signed on 3/17/2008 Effective Date: 5/5/2008	T. Kiser
HB 145	Additional State Retirement Benefit House/ filed on 3/5/2008	K. Holdaway
HB 146	School Bus Amendments Governor Signed on 3/14/2008 Effective Date: 7/1/2008	C. Johnson
HB 147	Restrictions on Regulation of Automotive Collection Activities House/ enacting clause struck on 3/5/2008	N. Hendrickson
HB 148	Aquaculture Revitalization Act Governor Signed on 3/14/2008 Effective Date: 5/5/2008	M. Noel
HB 149	Protective Order Amendments Governor Signed on 3/17/2008 Effective Date: 5/5/2008	L. Fowlke
HB 150	Authorization for Counties to Provide Supplemental Law Enforcement Services House/ filed on 3/5/2008	J. Biskupski
HB 151	Motor Vehicle Revisions Governor Signed on 3/17/2008 Effective Date: 5/5/2008	S. Urquhart
HB 152	Fund from Impaired and Drug Related Violations House/ enacting clause struck on 3/5/2008	C. Herrod

HB 153	Impact Fees Amendments Governor Signed on 3/14/2008 Effective Date: 5/5/2008	M. Morley
HB 154	Motorboat Education Requirements House/ enacting clause struck on 3/5/2008	J. Dunnigan
HB 155	Property Tax – Residential Exemption House/ enacting clause struck on 3/5/2008	G. Froerer
HB 156	DNA Sample – Felony and Certain Misdemeanor Convictions House/ filed on 3/5/2008	K. Gibson
HB 157	Alcoholic Beverage Control Violations Amendments Governor Signed on 3/18/2008 Effective Date: 5/5/2008	C. Oda
HB 158	Tax Credit for Military Retired Pay House/ filed on 3/5/2008	S. Mascaro
HB 159	Professional Employer Organization Licensing Act Governor Signed on 3/18/2008 Effective Date: 5/5/2008	J. Dunnigan
HB 160	Charter School Law Revisions Governor Signed on 3/18/2008 Effective Date: 5/5/2008	R. Lockhart
HB 161	Sex Offenders’ Contact with Children House/ filed on 3/5/2008	R. Greenwood
HB 162	Utah School Seismic Hazard Inventory House/ enacting clause struck on 3/5/2008	L. Wiley
HB 163	School Fee Amendments House/ enacting clause struck on 3/5/2008	C. Frank
HB 164	Town Incorporation Process Amendments Governor Signed on 3/5/2008 Effective Date: 3/5/2008	M. Brown

HB 165	Sales and Use Tax Exemptions Relating to Aircraft Governor Signed on 3/18/2008 Effective Date: 7/1/2008	B. Dee
HB 166	Minutes of Open and Public Meetings House/ filed on 3/5/2008	M. Brown
HB 167	A Victim Amicus Bill Governor Signed on 3/18/2008 Effective Date: 5/5/2008	R. Webb
HB 168	Health Insurance Market Choices House/ filed on 3/5/2008	J. Dunnigan
HB 169	Custody Evaluation and Parent Coordination House/ filed on 3/5/2008	T. Cosgrove
HB 170	Process for Entering into the Snake Valley Agreement House/ enacting clause struck on 3/5/2008	B. Winn
HB 171	Driving Privilege Card Amendments Governor Signed on 3/18/2008 Effective Date: 7/1/2008	B. Daw
HB 172	City or Town Option Sales and Use Tax Governor Signed on 3/18/2008 Effective Date: 5/5/2008	B. Dee
HB 173	Money Management Act Updates Governor Signed on 3/18/2008 Effective Date: 5/5/2008	P. Neuenschwander
HB 174	Traumatic Brain Injury Fund Governor Signed on 3/18/2008 Effective Date: 5/5/2008	J. Gowans
HB 175	Election Law Reforms House/ enacting clause struck on 3/5/2008	N. Hansen

HB 176	Sex Offender Registration Amendments House/ enacting clause struck on 3/5/2008	K. Grover
HB 177	County and Municipal Land Use Regulation of Potential Geologic Hazard Areas Governor Signed on 3/18/2008 Effective Date: 5/5/2008	M. Morley
HB 178	Jurisdiction for Prosecution Governor Signed on 3/18/2008 Effective Date: 5/5/2008	P. Neuenschwander
HB 179	Water Right Appropriation Amendments House/ enacting clause struck on 3/5/2008	P. Painter
HB 180	Study on Taxpayer Advocate Program House/ enacting clause struck on 3/5/2008	K. Grover
HB 181	Disposition of Potential Evidence House/ filed on 3/5/2008	T. Cosgrove
HB 182	Deadline for Voting Precinct Designation Governor Signed on 3/14/2008 Effective Date: 5/5/2008	G. Hughes
HB 183	Sales and Use Tax Amendments House/ filed on 3/5/2008	W. Harper
HB 184	Construction Amendments Governor Signed on 3/18/2008 Effective Date: 7/1/2008	M. Morley
HB 185	Western States Presidential Primary Amendments Governor Signed on 3/18/2008 Effective Date: 5/5/2008	K. Grover
HB 186	Property Tax – County Assessment and Collection Amendments Governor Signed on 3/18/2008 Effective Date: 1/1/2009	K. McIff

HB 187	Death Caused by Illegal Drugs Governor Signed on 3/18/2008 Effective Date: 5/5/2008	C. Herrod
HB 188	Transit Revisions House/ failed on 2/27/2008	W. Harper
HB 189	School Community Councils Governor Signed on 3/18/2008 Effective Date: 7/1/2008	R. Bigelow
HB 190	State System of Higher Education Amendments House/ enacting clause struck on 3/5/2008	J. Dougall
HB 192	Property Transaction Amendments Governor Signed on 3/18/2008 Effective Date: 5/5/2008	R. Lockhart
HB 194	Class Size Reduction in Kindergarten Through Grade Three House/ filed on 3/5/2008	K. Morgan
HB 195	Concealed Firearm Permit Amendments House/ filed on 3/5/2008	M. Newbold
HB 197	Residential Mortgage Loan Closing Act House/ enacting clause struck on 3/5/2008	L. Wiley
HB 198	State Agency Energy Efficiency Governor Signed on 3/18/2008 Effective Date: 5/5/2008	F. Hunsaker
HB 199	Tax Credits for Energy Efficient Residences House/ enacting clause struck on 3/5/2008	F. Hunsaker
HB 200	Early Childhood Learning and Evaluation House/ failed on 2/29/2008	B. Last
HB 201	Tax Credit for Solar Projects House/ filed on 3/5/2008	B. Last

HB 202	Employee Benefit Amendments Governor Signed on 3/18/2008 Effective Date: 3/18/2008	J. Dougall
HB 203	Judicial Review of State Engineer's Decision Governor Signed on 3/17/2008 Effective Date: 5/5/2008	P. Painter
HB 204	Utah College of Applied Technology Amendments House/ enacting clause struck on 3/5/2008	R. Bigelow
HB 206	Tax Amendments Governor Signed on 3/19/2008 Effective Date: 1/1/2009	W. Harper
HB 208	Livestock Watering Rights Governor Signed on 3/25/2008 Effective Date: 5/5/2008	M. Noel
HB 210	Identity Theft and Other Crimes Governor Signed on 3/17/2008 Effective Date: 5/5/2008	S. Sandstrom
HB 211	Property Tax Amendments on Agricultural Land House/ enacting clause struck on 3/5/2008	B. Winn
HB 212	Educator Salary Adjustments House/ filed on 3/5/2008	J. Dougall
HB 214	School Testing Specialists House/ enacting clause struck on 3/5/2008	S. Sandstrom
HB 216	Annexation Revisions Governor Signed on 3/17/2008 Effective Date: 5/5/2008	B. Last
HB 217	Property Tax – Modified Acquisition Value House/ enacting clause struck on 3/5/2008	G. Froerer

HB 221	Agriculture and Industrial Protection Area Amendments Governor Signed on 3/17/2008 Effective Date: 5/5/2008	J. Mathis
HB 222	Water Quality Board Amendments Governor Signed on 3/18/2008 Effective Date: 5/5/2008	P. Painter
HB 223	Exemption from Licensure by Division of Real Estate Governor Signed on 3/17/2008 Effective Date: 5/5/2008	M. Walker
HB 224	Construction Standards for Type II Assisted Living Facility House/ enacting clause struck on 3/5/2008	R. Lockhart
HB 225	Proof for a Water Right Application House/ enacting clause struck on 3/5/2008	P. Painter
HB 226	Disruption of School Activities House/ filed on 3/5/2008	C. Moss
HB 227	Revoking Federal Authority to Use State Lands as a Bird Refuge House/ filed on 3/5/2008	B. Ferry
HB 228	Amendments to Motor Vehicle Provisions House/ enacting clause struck on 3/5/2008	C. Herrod
HB 229	Protections for Agricultural Practices House/ filed on 3/5/2008	M. Morley
HB 230	Certification of Meth Houses House/ enacting clause struck on 3/5/2008	C. Herrod
HB 231	Local Voter Information Pamphlet Amendments Governor Signed on 3/17/2008 Effective Date: 5/5/2008	D. Aagard

HB 232	Elementary School Math Initiative House/ enacting clause struck on 3/5/2008	S. Mascaro
HB 233	Mortgage Fraud House/ enacting clause struck on 3/5/2008	P. Ray
HB 234	Kindergarten Assessment Amendments Governor Signed on 3/17/2008 Effective Date: 5/5/2008	L. Shurtliff
HB 235	County Merit System Amendments Governor Signed on 3/17/2008 Effective Date: 5/5/2008	B. Dee
HB 237	Illegal Immigration Enforcement Act House/ filed on 3/5/2008	G. Donnelson
HB 238	Campaign Finance Filing Requirements Governor Signed on 2/28/2008 Effective Date: 2/28/2008	G. Hughes
HB 239	Driver License Qualification Amendments House/ filed on 3/5/2008	G. Donnelson
HB 240	Public Education Funding – Block Grant Amendments House/ enacting clause struck on 3/5/2008	S. Allen
HB 241	Repeal of Exemptions from Nonresident Tuition House/ filed on 3/5/2008	G. Donnelson
HB 242	Transportation Funding Revisions Governor Signed on 3/18/2008 Effective Date: 7/1/2008	W. Harper
HB 243	Public Transit District Sales Tax Exemption House/ enacting clause struck on 3/5/2008	B. Dee
HB 245	Administration of Medication to Students Amendments Governor Signed on 3/17/2008 Effective Date: 5/5/2008	R. Lockhart

HB 246	State Tree Redesignated House/ enacting clause struck on 3/5/2008	J. Draxler
HB 247	Domestic Violence and Dating Violence Amendments House/ enacting clause struck on 3/5/2008	D. Litvack
HB 248	Amendments to Sales and Use Tax Exemption for Certain Property Incorporated into Real Property Governor Signed on 3/17/2008 Effective Date: 7/1/2008	J. Dougall
HB 249	Vehicles Covered by New Motor Vehicle Warranties Governor Signed on 3/17/2008 Effective Date: 5/5/2008	K. Gibson
HB 250	Public Employee Benefit Approval Provisions Governor Signed on 3/17/2008 Effective Date: 5/5/2008	J. Dougall
HB 251	Sales and Use Tax Revisions Governor Signed on 2/19/2008 Effective Date: 2/19/2008	J. Dougall
HB 252	Charitable Solicitations Act Amendments Governor Signed on 3/17/2008 Effective Date: 5/5/2008	W. Harper
HB 253	Higher Education Information Technology Appropriation House/ filed on 3/5/2008	S. Clark
HB 254	School Community Council Amendments Governor Signed on 3/17/2008 Effective Date: 5/5/2008	R. Menlove
HB 255	State Office of Education Human Resource Management Amendments House/ enacting clause struck on 3/5/2008	R. Menlove

- HB 256 **Criminal Penalties Amendments – Including Jessica’s Law** C. Wimmer
Governor Signed on 3/17/2008
Effective Date: 5/5/2008
- HB 257 **Employee Verification** C. Herrod
House/ filed on 3/5/2008
- HB 258 **Medicaid Drug Utilization Amendments** R. Lockhart
Governor Signed on 3/17/2008
Effective Date: 5/5/2008
- HB 259 **Gold Star Family Special Group License Plate Amendments** C. Oda
Governor Signed on 3/17/2008
Effective Date: 5/5/2008
- HB 260 **Controlled Substance Schedule – Amendments** P. Ray
House/ enacting clause struck on 3/5/2008
- HB 261 **Local District Primary Elections** K. Morgan
Governor Signed on 3/17/2008
Effective Date: 5/5/2008
- HB 262 **Recovery of Federal Reimbursement for Costs Associated with Illegal Immigrants** K. Morgan
Governor Signed on 3/17/2008
Effective Date: 5/5/2008
- HB 263 **Utah Registry of Autism and Developmental Disabilities** E. Hutchings
Governor Signed on 3/14/2008
Effective Date: 5/5/2008
- HB 264 **Prohibition of Citation Quotas** N. Hansen
House/ filed on 3/5/2008
- HB 265 **Office of Recovery Services – Electronic Funds Transfer** P. Ray
Governor Signed on 3/14/2008
Effective Date: 5/5/2008

HB 266	Accelerated Learning Program Revisions House/ filed on 3/5/2008	C. Moss
HB 267	Controlled Substances Amendments – Suda Controls House/ enacting clause struck on 3/5/2008	N. Hansen
HB 268	Health Facility Committee Membership Governor Signed on 3/14/2008 Effective Date: 5/5/2008	C. Herrod
HB 269	Scott B. Lundell Military Survivors’ Tuition Waiver Amendments Governor Signed on 3/17/2008 Effective Date: 5/5/2008	M. Morley
HB 270	Utah Science Technology and Research Initiative Centers House/ filed on 3/5/2008	R. Bigelow
HB 271	Utah Purple Heart Recipients Tuition Act Amendments Governor Signed on 3/17/2008 Effective Date: 5/5/2008	R. Barrus
HB 272	False Impersonation and Representation Governor Signed on 3/17/2008 Effective Date: 5/5/2008	G. Froerer
HB 273	Time Limitation for Prosecution of Environmental Crimes House/ enacting clause struck on 3/5/2008	C. Wimmer
HB 274	Utah K–8 Online Virtual School House/ filed on 3/5/2008	B. Ferry
HB 275	Vehicle Towing Requirements Governor Signed on 3/14/2008 Effective Date: 5/5/2008	B. Daw
HB 276	Health Professional Authority – Death and Disability House/ filed on 3/5/2008	B. Last

HB 277	Pandemic Preparedness Amendments Governor Signed on 3/14/2008 Effective Date: 5/5/2008	B. Last
HB 278	Charter School Funding Amendments House/ enacting clause struck on 3/5/2008	R. Bigelow
HB 279	Tax Incentives for Military Members House/ filed on 3/5/2008	W. Harper
HB 280	School Finance Amendments House/ filed on 3/5/2008	J. Fisher
HB 281	Grants to Rural Hospitals – Oversight Responsibilities Governor Signed on 3/17/2008 Effective Date: 5/5/2008	M. Newbold
HB 282	State Payment and Reimbursement to County Correctional Facilities Governor Signed on 3/17/2008 Effective Date: 5/5/2008	M. Noel
HB 283	Compact Agreement among the States to Elect the President by National Popular Vote House/ enacting clause struck on 3/5/2008	N. Hansen
HB 284	Utah College of Applied Technology Revisions House/ enacting clause struck on 3/5/2008	K. Holdaway
HB 285	Licensing Eligibility House/ enacting clause struck on 3/5/2008	S. Sandstrom
HB 286	Permanent Teacher License Revocation for Sexual Activity with Students Governor Signed on 3/17/2008 Effective Date: 5/5/2008	C. Wimmer
HB 287	Regulation of Teacher – Student Relationships Governor Signed on 3/17/2008 Effective Date: 5/5/2008	S. Sandstrom

HB 288	911 Committee Governor Signed on 3/14/2008 Effective Date: 5/5/2008	B. Dee
HB 289	Adoption – Investigation and Release of Information House/ failed on 2/19/2008	K. Sumsion
HB 290	Municipal Oversight of Rental Dwellings Governor Signed on 3/14/2008 Effective Date: 5/5/2008	G. Froerer
HB 291	Off-highway Vehicle Amendments Governor Signed on 3/14/2008 Effective Date: 5/5/2008	M. Noel
HB 292	Legislative Task Force to Study Radio Communication System in Utah House/ filed on 3/5/2008	B. Dee
HB 293	Private Building Inspector Authorized House/ filed on 3/5/2008	D. Aagard
HB 294	Appropriation Limit Amendments – Fire Suppression Governor Signed on 3/17/2008 Effective Date: 5/5/2008	B. Ferry
HB 295	Public School Electronic Device Policies House/ failed on 2/18/2008	S. Allen
HB 296	Voting Machines Used by Municipalities Governor Signed on 3/14/2008 Effective Date: 5/5/2008	N. Hansen
HB 297	Designating Magnesium as the State Metal House/ enacting clause struck on 3/5/2008	R. Menlove
HB 298	Public Transit Study House/ enacting clause struck on 3/5/2008	W. Harper

HB 299	Motor Vehicle Code Revisions House/ enacting clause struck on 3/5/2008	W. Harper
HB 300	Telephone Solicitation Amendments House/ enacting clause struck on 3/5/2008	S. Sandstrom
HB 301	Comprehensive Health Insurance Pool Amendments Governor Signed on 3/19/2008 Effective Date: 5/5/2008	J. Dunnigan
HB 302	Citizenship Determination of Incarcerated Individuals House/ enacting clause struck on 3/5/2008	S. Sandstrom
HB 303	Phosphorus Limit in Dishwashing Detergent Governor Signed on 3/14/2008 Effective Date: 5/5/2008	C. Johnson
HB 304	Sales and Use Tax Revenues for Qualified Emergency Food Agencies Governor Signed on 3/17/2008 Effective Date: 5/5/2008	L. Wiley
HB 305	County Sheriff Qualification Amendments Governor Signed on 3/18/2008 Effective Date: 5/5/2008	R. Greenwood
HB 306	Attorney's Lien Amendments House/ enacting clause struck on 3/5/2008	R. Webb
HB 307	Cancer Screening and Mortality Reduction Special Group License Plate House/ filed on 3/5/2008	C. Moss
HB 308	Credit Card or Debit Card Contracts Act House/ enacting clause struck on 3/5/2008	W. Harper
HB 309	Election Information Amendments Governor Signed on 3/14/2008 Effective Date: 5/5/2008	J. Dougall

HB 310	Absentee Ballot Revisions Governor Signed on 3/17/2008 Effective Date: 5/5/2008	D. Aagard
HB 311	Higher Education Distance Learning Partnerships House/ filed on 3/5/2008	B. Last
HB 312	Crime Victim Reparations Revisions Governor Signed on 3/18/2008 Effective Date: 7/1/2008	J. Fisher
HB 313	Motor Fuel and Special Fuel Tax – Indexing for Inflation House/ enacting clause struck on 3/5/2008	W. Harper
HB 314	Sexual Offenses – Definitions Governor Signed on 3/18/2008 Effective Date: 5/5/2008	R. Bigelow
HB 315	Child and Vulnerable Adult Endangerment Provisions House/ filed on 3/5/2008	M. Morley
HB 316	Substance Abuse Treatment for Pregnant Women and Pregnant Minors Governor Signed on 3/17/2008 Effective Date: 5/5/2008	E. Hutchings
HB 317	Election Day Voter Registration House/ enacting clause struck on 3/5/2008	N. Hansen
HB 318	Utah Adoption Amendments House/ enacting clause struck on 3/5/2008	R. Chavez–Houck
HB 319	Review and Approval of Grants Governor Signed on 3/17/2008 Effective Date: 5/5/2008	D. Clark
HB 320	Vehicle Impound Yard Requirements House/ filed on 3/5/2008	C. Oda

HB 321	Higher Education Savings Incentive Program Amendments Governor Signed on 3/17/2008 Effective Date: 5/5/2008	K. Garn
HB 322	Local Health Department Funding House/ enacting clause struck on 3/5/2008	S. Clark
HB 323	Eminent Domain Amendments Governor Signed on 3/18/2008 Effective Date: 5/5/2008	A. Tilton
HB 324	Not-a-drop Drivers Program Amendments House/ filed on 3/5/2008	R. Greenwood
HB 325	Bullying and Hazing Governor Signed on 3/17/2008 Effective Date: 5/5/2008	C. Moss
HB 326	Children's Health Insurance Program – Open Enrollment Governor Signed on 3/19/2008 Effective Date: 5/5/2008	G. Curtis
HB 327	Enticing a Minor by Electronic Means Governor Signed on 3/18/2008 Effective Date: 5/5/2008	K. Gibson
HB 328	Retirement Benefits for Law Enforcement, Firefighters, and Public Service Employees House/ enacting clause struck on 3/5/2008	N. Hansen
HB 329	High-ability Student Initiative Program House/ filed on 3/5/2008	B. Last
HB 330	State Supplemental Funding for Head Start Governor Signed on 3/17/2008 Effective Date: 7/1/2008	L. Shurtliff
HB 331	Use of Utah Education Network for Telehealth House/ enacting clause struck on 3/5/2008	G. Snow

HB 332	Use of Public Schools by Community Organizations Governor Signed on 3/17/2008 Effective Date: 5/5/2008	G. Hughes
HB 333	Senior Citizen's Homeowner's Credit House/ filed on 3/5/2008	G. Froerer
HB 334	Labor Commission – Review of Administrative Decisions House/ enacting clause struck on 3/5/2008	N. Hansen
HB 335	Mobile Home Park Amendments House/ enacting clause struck on 3/5/2008	K. Holdaway
HB 336	Authority to Establish Refugee Services Fund Governor Signed on 3/17/2008 Effective Date: 3/17/2008	C. Herrod
HB 337	Access to Childrens Health Insurance Program House/ enacting clause struck on 3/5/2008	P. Ray
HB 338	Neutrality Required of Poll Workers House/ enacting clause struck on 3/5/2008	R. Chavez–Houck
HB 339	Human Trafficking Amendments Governor Signed on 3/18/2008 Effective Date: 5/5/2008	C. Herrod
HB 340	Municipal Annexation Amendments House/ enacting clause struck on 3/5/2008	S. Clark
HB 341	Damage to Underground Utility Facilities Amendments Governor Signed on 3/18/2008 Effective Date: 5/5/2008	D. Clark
HB 342	Insurance Code Amendments Governor Signed on 3/18/2008 Effective Date: 5/5/2008	J. Dunnigan

HB 354	Appraisals for State Land Purchases Governor Signed on 3/17/2008 Effective Date: 5/5/2008	J. Draxler
HB 355	Tax Changes and Appropriations for Preventive Health Activities House/ enacting clause struck on 3/5/2008	P. Ray
HB 356	Taxation of Moist Snuff Governor Signed on 3/17/2008 Effective Date: 7/1/2008	R. Lockhart
HB 357	Public Associations Subject to Government Records Access and Management Act House/ filed on 3/5/2008	M. Noel
HB 358	Custodial Interference Amendments House/ enacting clause struck on 3/5/2008	C. Wimmer
HB 359	Tax Changes Governor Signed on 3/19/2008 Effective Date: 5/5/2008	J. Dougall
HB 360	Individual Income Tax – Long-term Care Insurance Premiums House/ filed on 3/5/2008	B. Last
HB 361	Anti-seizure Drug Notification Governor Signed on 3/17/2008 Effective Date: 5/5/2008	E. Hutchings
HB 362	Motor Fuel Tax – Off-highway Vehicle Refund Amendments House/ filed on 3/5/2008	B. Ferry
HB 363	Beverly Taylor Sorenson Elementary Arts Learning Program House/ filed on 3/5/2008	G. Hughes
HB 364	Promotion of Health Care Coverage Governor Signed on 3/19/2008 Effective Date: 5/5/2008	K. Holdaway

- HB 365 **Aviation Amendments** W. Harper
Governor Signed on 3/17/2008
Effective Date: 1/1/2009
- HB 366 **Medicaid Long Term Care Amendments** M. Newbold
Governor Signed on 3/18/2008
Effective Date: 3/18/2008
- HB 367 **Property Tax Assessment of Cable
Television Companies** W. Harper
House/ enacting clause struck on 3/5/2008
- HB 368 **School Fee Waiver Amendments** J. Draxler
House/ enacting clause struck on 3/5/2008
- HB 369 **Municipal Rental Fees Amendments** M. Walker
Governor Signed on 3/17/2008
Effective Date: 5/5/2008
- HB 370 **Children's Health Insurance
Program Amendments** J. Dunnigan
Governor Signed on 3/17/2008
Effective Date: 5/5/2008
- HB 371 **Digital Certificates for Breathalizers** C. Herrod
Governor Signed on 3/17/2008
Effective Date: 5/5/2008
- HB 372 **Teacher Reemployment after Retirement** E. Hutchings
House/ enacting clause struck on 3/5/2008
- HB 373 **Uniform Fees on Vintage Motor Vehicles** W. Harper
Governor Signed on 3/17/2008
Effective Date: 1/1/2009
- HB 374 **Child Abuse and Neglect Prevention
and Treatment Amendments** P. Ray
Governor Signed on 3/14/2008
Effective Date: 5/5/2008
- HB 375 **Deception Detection Examiners
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HB 376	Advisory Redistricting Commission House/ enacting clause struck on 3/5/2008	R. Chavez–Houck
HB 377	Code of Criminal Procedure Amendments Governor Signed on 3/17/2008 Effective Date: 5/5/2008	R. Lockhart
HB 378	State Accounting and Budgetary Procedures Amendments Governor Signed on 3/17/2008 Effective Date: 5/5/2008	R. Bigelow
HB 380	Insurance Department – Workers’ Compensation Amendments Governor Signed on 3/18/2008 Effective Date: 5/5/2008	R. Bigelow
HB 381	Higher Education Access Enhancement Program House/ enacting clause struck on 3/5/2008	R. Bigelow
HB 382	Financing Public Education House/ enacting clause struck on 3/5/2008	M. Newbold
HB 383	Statewide Capital Outlay Equalization House/ enacting clause struck on 3/5/2008	A. Tilton
HB 384	Employee Obligations Related to Workers’ Compensation Governor Signed on 3/18/2008 Effective Date: 7/1/2008	M. Morley
HB 385	Road and Rights–of–way Amendments House/ filed on 3/5/2008	M. Noel
HB 391	Public School Funding House/ enacting clause struck on 3/5/2008	W. Harper
HB 394	Real Property Purchase – Notification of Water Rights House/ enacting clause struck on 3/5/2008	B. Ferry

HB 395	Deportation of Eligible Undocumented Immigrant Prisoners House/ filed on 3/5/2008	G. Donnelson
HB 399	Medication Aide Certified Amendments Governor Signed on 3/17/2008 Effective Date: 5/5/2008	R. Lockhart
HB 400	Condominium and Community Association Provisions House/ filed on 3/5/2008	R. Webb
HB 401	Master Plumber Licensing Governor Signed on 3/17/2008 Effective Date: 5/5/2008	J. Dunnigan
HB 402	Vehicle to Pull off Highway House/ filed on 3/5/2008	F. Hunsaker
HB 405	Amendments to City or Town Sales and Use Tax to Fund Botanical, Cultural, Recreational, and Zoological Organizations or Facilities House/ failed on 2/29/2008	S. Sandstrom
HB 406	Traffic Code Amendments Governor Signed on 3/18/2008 Effective Date: 5/5/2008	J. Dunnigan
HB 407	Community Conscious Internet Provider House/ enacting clause struck on 3/5/2008	M. Morley
HB 409	Powersport Vehicle Franchise Act Revisions House/ filed on 3/5/2008	J. Gowans
HB 410	Restricted Accounts Amendments Governor Signed on 3/17/2008 Effective Date: 7/1/2008	R. Bigelow
HB 411	Title and Escrow Commission Act House/ enacting clause struck on 3/5/2008	R. Webb

HB 412	Below Cost Sales Governor Signed on 3/18/2008 Effective Date: 5/5/2008	S. Urquhart
HB 413	Town Incorporation Process Revisions House/ enacting clause struck on 3/5/2008	G. Froerer
HB 414	Recycling Amendments House/ enacting clause struck on 3/5/2008	T. Cosgrove
HB 415	Joint Custody Modifications House/ filed on 3/5/2008	L. Fowlke
HB 418	Physician Education Admissions House/ enacting clause struck on 3/5/2008	B. Last
HB 419	Public School Textbook Evaluation Amendments House/ enacting clause struck on 3/5/2008	G. Froerer
HB 422	Political Subdivision Clerk Amendments House/ enacting clause struck on 3/5/2008	M. Newbold
HB 425	Exemption for Alcoholic Beverage Manufacturing License House/ filed on 3/5/2008	C. Johnson
HB 426	Government Procurement – Private Proposals Governor Signed on 3/18/2008 Effective Date: 5/5/2008	K. Garn
HB 427	Hunter Education Requirement Exemption for Military Personnel Governor Signed on 3/17/2008 Effective Date: 5/5/2008	B. Winn
HB 428	Statewide Standards for Health Care Interpreting House/ enacting clause struck on 3/5/2008	R. Chavez–Houck
HB 430	Designation of Second District State Court Building House/ enacting clause struck on 3/5/2008	N. Hansen

HB 434	Firefighter Special Group License Plate Amendments House/ enacting clause struck on 3/5/2008	R. Menlove
HB 435	Public Hearings on Property Tax Increases House/ enacting clause struck on 3/5/2008	G. Froerer
HB 436	English Language Learner Family Literacy Centers Program House/ filed on 3/5/2008	G. Hughes
HB 437	Funeral Services Licensing Act Amendments Governor Signed on 3/18/2008 Effective Date: 5/5/2008	S. Urquhart
HB 439	Restitution Fund Account House/ enacting clause struck on 3/5/2008	P. Neuenschwander
HB 440	Modifications to Government Law House/ filed on 3/5/2008	L. Fowlke
HB 443	Membership of Occupational and Professional Licensure Review Committee Governor Signed on 3/17/2008 Effective Date: 5/5/2008	G. Hughes
HB 444	Utah State Railroad Museum Authority House/ enacting clause struck on 3/5/2008	N. Hansen
HB 445	Nursing Home Amendments Governor Signed on 3/17/2008 Effective Date: 5/5/2008	M. Newbold
HB 447	Government Entity Changes House/ enacting clause struck on 3/5/2008	K. Holdaway
HB 449	Implementation of Federal Real Id Act House/ failed on 2/26/2008	G. Donnelson
HB 451	Depredating Wildlife Amendments House/ enacting clause struck on 3/5/2008	S. Sandstrom

HB 452	Handling of Minor Traffic Accidents House/ filed on 3/5/2008	E. Hutchings
HB 453	Assessment Area Amendments House/ enacting clause struck on 3/5/2008	F. Hunsaker
HB 454	Regulation of Riparian Overlay Zones House/ enacting clause struck on 3/5/2008	M. Morley
HB 455	Amendments Relating to Certain Taxes Administered by or License Plates Issued by the State Tax Commission House/ enacting clause struck on 3/5/2008	S. Sandstrom
HB 456	Fair Campaign Pledge Amendments House/ filed on 3/5/2008	E. Hutchings
HB 459	Construction Trades Exemption Governor Signed on 3/18/2008 Effective Date: 5/5/2008	S. Urquhart
HB 463	Motor Cycle Helmet Law Amendments House/ enacting clause struck on 3/5/2008	N. Hansen
HB 464	Access to Landlocked Parcels Governor Signed on 3/14/2008 Effective Date: 5/5/2008	M. Walker
HB 466	Title Insurance Recovery, Education, and Research Fund Act Governor Signed on 3/17/2008 Effective Date: 7/1/2008	M. Morley
HB 467	Motor Vehicle Insurance Arbitration Amendments Governor Signed on 3/17/2008 Effective Date: 5/5/2008	S. Urquhart
HB 468	Responsibility for Access Devices and Security Breaches House/ enacting clause struck on 3/5/2008	S. Urquhart

HB 470	Amendments to Animal Cruelty Provisions House/ filed on 3/5/2008	S. Allen
HB 471	Educator Compensation Modifications House/ enacting clause struck on 3/5/2008	G. Hughes
HB 472	Charter School Building and Enrollment Amendments Governor Signed on 3/17/2008 Effective Date: 5/5/2008	K. Garn
HB 473	Firearms Amendments House/ filed on 3/5/2008	C. Oda
HB 475	Labor Organization Amendments House/ failed on 2/29/2008	G. Hughes
HB 476	Pay of National Guard Members Governor Signed on 3/14/2008 Effective Date: 5/5/2008	G. Hughes
HB 477	Licensing of Anesthesiologist Assistants House/ enacting clause struck on 3/5/2008	S. Clark
HB 479	Health Care Patient Identity Protections House/ filed on 3/5/2008	S. Sandstrom
HB 481	Subdivision Approval Amendments House/ filed on 3/5/2008	M. Noel
HB 485	Legislators Health Plan House/ enacting clause struck on 3/5/2008	E. Hutchings
HB 486	Wrongful Liens and Wrongful Judgement Liens Governor Signed on 3/17/2008 Effective Date: 5/5/2008	J. Gowans
HB 487	Social Host Liability Act House/ enacting clause struck on 3/5/2008	E. Hutchings

HB 488	Kindergarten Program Amendments House/ enacting clause struck on 3/5/2008	K. Morgan
HB 490	Legislative Task Forces and Study Priorities House/ enacting clause struck on 3/5/2008	D. Clark
HB 491	Health Plan Exemption from Selected Requirements House/ enacting clause struck on 3/5/2008	E. Hutchings
HB 492	Sex Offender Notification and Registration Governor Signed on 3/18/2008 Effective Date: 5/5/2008	P. Ray
HB 493	Stalking Amendments Governor Signed on 3/18/2008 Effective Date: 5/5/2008	L. Fowlke
HB 494	Amendments to the Utah Medical Service System Act House/ filed on 3/5/2008	J. Dougall
HB 495	Vehicle Registration Fee for License Plate Recognition Fund House/ enacting clause struck on 3/5/2008	L. Wiley
HB 497	Revenue Bond Authorization for State Fair Park House/ filed on 3/5/2008	N. Hendrickson
HCR 1	Meth Awareness for Students and Educators Resolution Governor Signed on 2/29/2008 Effective Date: 2/29/2008	C. Oda
HCR 2	Concurrent Resolution Declaring February 6, 2008 Ronald Reagan Day Governor Signed on 3/17/2008 Effective Date: 3/17/2008	M. Morley
HCR 3	Concurrent Resolution – Declaring Love Your Library Week Governor Signed on 3/19/2008 Effective Date: 3/19/2008	S. Clark

- HCR 4 **Concurrent Resolution Encouraging Congressional Action to Designate a New Recipient of Royalties from Navajo Reservation Lands in Utah** D. Clark
Governor Signed on 3/19/2008
Effective Date: 3/19/2008
- HCR 5 **Concurrent Resolution Urging Congressional Approval of R.S. 2477 Rights-of-way Recognition Act** M. Brown
Governor Signed on 3/18/2008
Effective Date: 3/18/2008
- HCR 6 **Concurrent Resolution Honoring the Life and Contributions of President Gordon B. Hinckley** M. Morley
Governor Signed on 3/17/2008
Effective Date: 3/17/2008
- HCR 7 **Concurrent Resolution Declaring Colorectal Cancer Awareness Month** E. Hutchings
Governor Signed on 3/14/2008
Effective Date: 3/14/2008
- HCR 8 **Concurrent Resolution Supporting the Narrows Water Project in Central Utah** B. Winn
House/ filed on 3/5/2008
- HJR 1 **Resolution Addressing International Trade Issues** S. Allen
House/ to Lieutenant Governor on 2/21/2008
Effective Date: 2/14/2008
- HJR 2 **Resolution Encouraging Manufactured and Mobile Home Parks as Affordable Housing** N. Hendrickson
House/ to Lieutenant Governor on 2/25/2008
Effective Date: 2/14/2008
- HJR 3 **Resolution Reaffirming the Words, Under God, in the Pledge of Allegiance** K. Gibson
House/ to Lieutenant Governor on 3/13/2008
Effective Date: 2/28/2008

- HJR 4 **Joint Resolution Urging School Closings to Recognize Veterans Day** C. Wimmer
House/ to Lieutenant Governor on 2/29/2008
Effective Date: 2/27/2008
- HJR 5 **Joint Resolution Urging Support of Medicaid Long-term Care Funding of Home and Community-based Supports** M. Noel
House/ to Lieutenant Governor on 3/13/2008
Effective Date: 2/15/2008
- HJR 6 **Joint Resolution Consenting to Creation of New State Within Utah** N. Hendrickson
House/ enacting clause struck on 3/5/2008
- HJR 7 **Joint Resolution Recognizing Unreinforced Masonry Buildings** L. Wiley
House/ to Lieutenant Governor on 3/13/2008
Effective Date: 3/4/2008
- HJR 8 **Joint Resolution Urging Congress to Eliminate Transportation Earmarking That Overrides State Transportation Priorities** J. Fisher
House/ filed on 3/5/2008
- HJR 9 **Resolution Amending Property Tax Provision** P. Ray
House/ enacting clause struck on 3/5/2008
- HJR 10 **Joint Resolution Opposing Designation of Public Lands Currently Urged by Congress and the Bureau of Land Management** A. Tilton
House/ to Lieutenant Governor on 3/13/2008
Effective Date: 2/29/2008
- HJR 11 **Joint Resolution Supporting Statewide Government 211 System Information Directory** E. Hutchings
House/ filed on 3/5/2008
- HJR 12 **Joint Resolution Amending the Utah Constitution – Stock and Bond Subscriptions** D. Clark
House/ to Lieutenant Governor on 3/18/2008
Effective Date: 1/1/2009

- HJR 14 **Joint Resolution Amending Residential Property Assessment Provisions** G. Froerer
House/ enacting clause struck on 3/5/2008
- HJR 15 **Joint Resolution Amending Legislative Article** N. Hansen
House/ enacting clause struck on 3/5/2008
- HR 1 **Resolution Encouraging United States Withdrawal from Security and Prosperity Partnership of North America** S. Sandstrom
House/ to Lieutenant Governor on 2/6/2008
Effective Date: 2/4/2008
- HR 2 **House Resolution Calling for Withdrawal from NAFTA** G. Donnelson
House/ failed on 2/12/2008
- HR 3 **House Resolution Recognizing Utah's Asthma Open Airways Program** T. Kiser
House/ to Lieutenant Governor on 2/25/2008
Effective Date: 2/13/2008
- HR 4 **House Resolution Honoring James L. Sorenson** G. Hughes
House/ to Lieutenant Governor on 2/28/2008
Effective Date: 2/25/2008
- HR 6 **House Resolution Petitioning Congress to Address the Illegal Immigration Crisis** C. Herrod
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- Child Abuse Homicide Amendments, Wimmer, C. HB 102 (P)
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- Appropriation for Construction of a Veterans’ Nursing
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- Domestic Violence and Dating Violence Amendments,
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- Law Enforcement Tracking of Domestic Violence
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- Protective Order – Crime of Inducing Breach, McCoy, S. SB 154 (F)

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- Confidentiality of Reports to Driver License Division,
 Christensen, A. SB 34 (P)
- Driver License – Application of Minor
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- Driver License Qualification Amendments, Donnelson, G. HB 239 (F)
- Driving Privilege Card Amendments, Daw, B. HB 171 (P)
- Implementation of Federal Real Id Act, Donnelson, G. HB 449 (F)
- Motorboat Education Requirements, Dunnigan, J. HB 154 (F)
- Motorcycle License and Endorsement Amendments,
 Neuenschwander, P. HB 72 (P)
- Not-a-Drop Drivers Program Amendments, Greenwood, R. HB 324 (F)
- Private Investigators' Access to Driver Licensure
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DRIVING UNDER THE INFLUENCE (DUI)

- Digital Certificates for Breathalizers, Herrod, C. HB 371 (P)
- Driving Under the Influence Amendments, Walker, C. SB 15 (P)
- Driving Under the Influence Revisions, Frank, C. HB 219 (F)
- Not-a-Drop Drivers Program Amendments, Greenwood, R. HB 324 (F)

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- Community and Economic Development Technical
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- Economic Development Incentives Modifications, Mascaro, S. HB 20 (P)
- Economic Incentive Revisions, Hillyard, L. SB 185 (P)
- Enterprise Zone – Tax Credit Amendments, VanTassell, K. SB 252 (F)
- Motion Picture Incentive Fund, Hickman, J. SB 250 (F)
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- State Land Acquisition, Hickman, J. SB 298 (P)
- State Trade Database, Madsen, M. SB 40 (F)
- Utah Business Resource Centers Act, Clark, D. HB 37 (P)
- Utah State Railroad Museum Authority, Hansen, N. HB 444 (F)
- Utah Venture Capital Enhancement Act Amendments, Jenkins, S. SB 11 (P)

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- Accelerated Learning Program Revisions, Moss, C. HB 266 (F)
- Accelerated Learning Programs Amendments, Ferry, B. HB 123 (F)
- Administration of Medication to Students Amendments,
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- Appropriation for Head Start, Fife, F. SB 214 (F)
- Benefits to American Board Certified Teachers, Madsen, M. SB 91 (F)
- Beverley Taylor Sorenson Elementary Arts Learning
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- Bullying and Hazing, Moss, C. HB 325 (P)
- Candidate Residency Requirements, Knudson, P. SB 13 (P)
- Capital Outlay Equalization, Eastman, D. SB 282 (F)
- Capital Outlay Equalization for Divided School
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- Center for the School of the Future Incentives, Draxler, J. HB 91 (F)
- Certification by Paraeducators, Hutchings, E. HB 484 (F)
- Charter and Online Schools – Participation in Extracurricular
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- Charter School Building and Enrollment Amendments, Garn, K. . . HB 472 (P)
- Charter School Funding Amendments, Bigelow, R. HB 278 (F)
- Charter School Law Revisions, Lockhart, R. HB 160 (P)
- Child Care Licensing Exemptions, Greiner, J. SB 184 (P)
- Class Size Reduction in Kindergarten Through Grade
 Three, Morgan, K. HB 194 (F)
- Community Council Elections, Sumsion, K. HB 127 (P)
- Compensation of Educators with National Board
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- Differentiated Pay for Teachers, Stephenson, H. SB 35 (F)
- Disruption of School Activities, Moss, C. HB 226 (F)
- Early Childhood Learning and Evaluation, Last, B. HB 200 (F)
- Education Advisory Councils, Jones, P. SB 140 (F)
- Education Materials Center, Bigelow, R. HB 120 (F)
- Education Revisions, Dee, B. HB 461 (F)
- Education Transportation Amendments, Peterson, D. SB 118 (F)
- Educator Compensation Modifications, Hughes, G. HB 471 (F)
- Educator Relicensure Initiative, Menlove, R. HB 68 (P)
- Educator Salary Adjustments, Dougall, J. HB 212 (F)
- Elementary Education Co-teaching Pilot Program, Bird, J. HB 88 (F)
- Elementary School Math Initiative, Mascaro, S. HB 232 (F)
- English Language Learner Family Literacy Centers
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- Equalization of School Capital Outlay Funding, Eastman, D. SB 48 (P)
- Exemption of University Housing from Eviction Laws,
 Neuenschwander, P. HB 343 (F)
- Extended Year for Special Educators, Menlove, R. HB 67 (F)
- Federal Education Agreement Requirements, Dayton, M. SB 162 (P)
- Financial and Economic Literacy Education, Jones, P. SB 61 (F)
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- Funding of Inmate Postsecondary Education, Draxler, J. HB 86 (P)
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- High School Graduation Requirements, Madsen, M. SB 142 (F)
- High School Voter Registration, VanTassell, K. SB 125 (P)
- High-ability Student Initiative Program, Last, B. HB 329 (F)
- Higher Education Access Enhancement Program, Bigelow, R. . . . HB 381 (F)
- Higher Education Distance Learning Partnerships, Last, B. HB 311 (F)
- Higher Education Enhancements, Stowell, D. SB 103 (P)
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- Higher Education Savings Incentive Program
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- Home School Amendments, Wimmer, C. HB 350 (F)
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- International Education Initiative – Critical Languages
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- Joint Resolution Amending the Utah Constitution –
 Stock and Bond Subscriptions, Clark, D. HJR 12 (P)
- Joint Resolution Urging School Closings to Recognize
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- Kindergarten Assessment Amendments, Shurtliff, L. HB 234 (P)
- Kindergarten Program Amendments, Morgan, K. HB 488 (F)
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- Mathematics, Science, and Technology Education Task Force,
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- Meth Awareness for Students and
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- Minimum Age for Public Education Enrollment
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- Minimum School Program Amendments – Counseling and
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- Minimum School Program Base Budget Amendments, Last, B. HB 1 (P)
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- Alcoholic Beverages on Election Day, McCoy, S. SB 167 (P)
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- Campaign Finance Filing Requirements, Hughes, G. HB 238 (P)
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- Candidate Filing Requirements, Knudson, P. SB 147 (P)
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- Deadline for Voting Precinct Designation, Hughes, G. HB 182 (P)
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- Election Information Amendments, Dougall, J. HB 309 (P)
- Election Law – Ballot Proposition Amendments, Johnson, C. HB 126 (P)
- Election Law – Financial Reporting, Daw, B. HB 29 (P)
- Election Law Changes, Knudson, P. SB 193 (P)
- Election Law Modifications, Knudson, P. SB 12 (P)
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- Fair Campaign Pledge Amendments, Hutchings, E. HB 456 (F)
- Filing Fee for Write–in Candidates, Knudson, P. SB 126 (F)
- Filling Vacancies in the Senate, Hickman, J. SB 123 (F)
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- Money Management Act Updates, Neuenschwander, P. HB 173 (P)
- Municipal and Campaign Election Laws, Sumsion, K. HB 438 (F)
- Neutrality Required of Poll Workers, Chavez–Houck, R. HB 338 (F)
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- Recodification of Title 63 State Affairs in General, Aagard, D. HB 63 (P)
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Licensing of Anesthesiologist Assistants, Clark, S.	HB 477 (F)
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- Highway Abandonment Amendments, Peterson, D. SB 203 (F)
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- Income Tax – Capital Gain Transactions, Niederhauser, W. SB 64 (F)
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- Judiciary Amendments, Hillyard, L. SB 236 (P)
- Jurisdiction for Prosecution, Neuenschwander, P. HB 178 (P)
- Justice Court Amendments, Hillyard, L. SB 72 (P)
- Parent–time Amendments, Fowlke, L. HB 71 (P)
- Post–conviction Remedies Act Revisions, Bell, G. SB 277 (P)
- Presumptive Personal Representative, Bell, G. SB 152 (P)
- Process Servers – Age Restrictions, Greiner, J. SB 266 (F)
- Protective Order – Crime of Inducing Breach, McCoy, S. SB 154 (F)
- Protective Order Amendments, Fowlke, L. HB 149 (P)
- Punitive Damages Amendments, Hillyard, L. SB 155 (P)
- Self Authentication of Documents, McCoy, S. SB 263 (P)
- Small Business Access Amendments, Romero, R. SB 79 (F)
- Survival Action upon Injury or Death, Waddoups, M. SB 182 (F)
- Technical Amendments to Titles 78a and 78b, Bell, G. SB 278 (P)
- Title 78 Recodification and Revision, Biskupski, J. HB 78 (P)
- Trustees Sale – Process for Excess Proceeds, Davis, G. SB 27 (P)
- Uniform Adult Guardianship and Protective
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- Uniform Interstate Depositions and
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- Unlawful Detainer Amendments, Waddoups, M. SB 265 (P)
- Utah Antitrust Act Amendments, Hillyard, L. SB 139 (P)
- Utah Substance Abuse and Anti–violence Coordinating
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- Veterans Procurement Provisions, Fife, F. SB 247 (P)
- Voiding Transactions Against Public Policy, Dayton, M. SB 292 (F)
- Wrongful Death Amendments, McCoy, S. SB 73 (F)

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- Antidiscrimination Act Amendments, Johnson, C. HB 89 (F)
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 Garnishment Amendments, Draxler, J. HB 92 (P)
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- Access to Landlocked Parcels, Walker, M. HB 464 (P)
- Agriculture and Industrial Protection
 - Area Amendments, Mathis, J. HB 221 (P)
- Boundary Line Agreements and Adjustments, Morley, M. HB 462 (F)
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 - Amendments, Niederhauser, W. SB 196 (P)
- County and Municipal Land Use Regulation of Potential
 - Geologic Hazard Areas, Morley, M. HB 177 (P)
- Economic Analysis and Reporting of Cost of Land Use
 - Regulation, Madsen, M. SB 86 (F)
- Environmentally Restricted Zoning Districts, Buttars, D. C. SB 226 (F)
- Local Government Disposal of Real Property Acquired
 - by Exaction, Niederhauser, W. SB 177 (P)
- Private Building Inspector Authorized, Aagard, D. HB 293 (F)
- Private Lands Privacy Act Amendments, Peterson, D. SB 257 (F)
- Protection of Personal Property Rights from Citizen's
 - Referenda, Buttars, D. C. SB 201 (F)
- Regulation of Riparian Overlay Zones, Morley, M. HB 454 (F)
- Safe Drinking Water Revisions, Andersen, S. HB 40 (P)
- Subdivision Approval Amendments, Noel, M. HB 481 (F)
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- Exemption of University Housing from Eviction Laws,
 - Neuenschwander, P. HB 343 (F)
- Mobile Home Owners' Rights, Riesen, P. HB 48 (P)
- Mobile Home Park Residency Act Amendments, McCoy, S. SB 230 (F)
- Municipal Oversight of Rental Dwellings, Froerer, G. HB 290 (P)
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- Amendments to Animal Cruelty Provisions, Allen, S. HB 470 (F)
- Animal Cruelty Amendments, Christensen, A. SB 117 (F)
- Animal Torture and Cruelty Amendments, Christensen, A. SB 297 (P)
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- Assault on a Peace Officer Penalty Amendments, Ray, P. HB 19 (P)

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- Bail in Capital Offense Cases, Greiner, J. SB 187 (P)
- Burglary of a Railroad Car, Peterson, D. SB 94 (P)
- Certification of Meth Houses, Herrod, C. HB 230 (F)
- Child Abuse Homicide Amendments, Wimmer, C. HB 102 (P)
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- Child Pornography Amendment, Buttars, D. C. SB 183 (F)
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- Concealed Firearm Permit Amendments, Newbold, M. HB 195 (F)
- Controlled Substance Schedule – Amendments, Ray, P. HB 260 (F)
- Controlled Substances Amendments –
 - Suda Controls, Hansen, N. HB 267 (F)
- Controlled Substances and Paraphernalia, Oda, C. HB 12 (P)
- Corrections Amendments, Hickman, J. SB 280 (F)
- County Law Enforcement Duties, Waddoups, M. SB 253 (P)
- County Sheriff Qualification Amendments, Greenwood, R. HB 305 (P)
- Court–ordered Restitution for Costs of Incarceration, Oda, C. HB 97 (P)
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 - Within a Municipality, Hansen, N. HB 110 (F)
- Crime of Strangulation or Smothering, Seelig, J. HB 65 (F)
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 - Jessica’s Law, Wimmer, C. HB 256 (P)
- Criminal Penalties Revisions, Jenkins, S. SB 150 (P)
- Custodial Interference Amendments, Wimmer, C. HB 358 (F)
- Cyber Harassment, Neuenschwander, P. HB 408 (F)
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- Digital Certificates for Breathalizers, Herrod, C. HB 371 (P)
- Discharge of Firearm Amendments, Wimmer, C. HB 14 (P)
- Disclosure of Identity to Officer, Oda, C. HB 10 (P)
- Disposition of Potential Evidence, Cosgrove, T. HB 181 (F)
- Disruption of School Activities, Moss, C. HB 226 (F)
- DNA Sample – Felony and Certain
 - Misdemeanor Convictions, Gibson, K. HB 156 (F)
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- Exoneration and Innocence Assistance, Bell, G. SB 16 (P)
- Expungement Amendments, Webb, R. C. HB 90 (P)
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- False Impersonation and Representation, Froerer, G. HB 272 (P)
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- Fund from Impaired and Drug Related Violations, Herrod, C. HB 152 (F)
- Human Trafficking Amendments, Herrod, C. HB 339 (P)
- Identity Theft Amendment, Walker, C. SB 52 (P)
- Identity Theft and Other Crimes, Sandstrom, S. HB 210 (P)
- Illegal Immigration, Hickman, J. SB 81 (P)
- Jail Amendments, Garn, K. HB 478 (F)
- Jurisdiction for Prosecution, Neuenschwander, P. HB 178 (P)
- Law Enforcement Tracking of Domestic
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- Material Harmful to Minors Amendments, Ray, P. HB 18 (P)
- Medical Malpractice Arbitration, Urquhart, S. HB 191 (F)
- Metal Theft Amendments and Penalties, Greiner, J. SB 194 (F)
- Mortgage Fraud, Ray, P. HB 233 (F)
- Mortgage Fraud Act, Killpack, S. SB 134 (P)
- Parole Amendments, Oda, C. HB 11 (P)
- Penalty for Violent Crime in the
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- Private Investigators' Access to Driver Licensure
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- Prohibiting Gang Activity, Greiner, J. SB 75 (F)
- Prohibition of Citation Quotas, Hansen, N. HB 264 (F)
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- Retirement Benefits for Law Enforcement, Firefighters, and
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Joint Resolution Urging Support of Medicaid	
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Master Study Resolution, Bramble, C.	SJR011 (P)

Resolution Approving Compensation of In-session Employees, Bell, G.	SJR 3 (P)
Resolution Approving the Appointment of Legislative Fiscal Analyst, Bramble, C.	SJR 2 (P)
Resolution Reaffirming the Words, Under God, in the Pledge of Allegiance, Gibson, K.	HJR 3 (P)
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Clean Fuel Special Group License
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Firefighter Special Group License Plate Amendments,
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Gold Star Family Special Group License
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Honoring Heroes Special Group License Plate, Ray, P. HB 28 (P)

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MINES AND MINING

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- Motor Vehicle Amendments, Painter, P. HB 218 (F)
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**APPOINTMENT LETTERS
FOR NEW MEMBERS**

APPOINTMENTS BY THE GOVERNOR

Mr. Richard Greenwood
3704 West 6050 South
Roy, UT 84067

Dear Mr. Greenwood:

April 27, 2007

It is my pleasure to appoint you to the Utah House of Representatives, to fill the seat in House District 12, which was vacated by Gregg Buxton. I am confident that as a State Representative you will serve our state and the citizens in your district with discernment and decorum.

Sincerely,

Jon M. Huntsman, Jr.
Governor

Communication filed.

* * *

Bradley A. Winn
651 East 100 North
Ephraim, UT 84627

Dear Mr. Winn:

July 25, 2007

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 Richard Wheeler. I am confident that as a State Representative you will serve our state and the citizens in your district with discernment and decorum.

Sincerely,

Jon M. Huntsman, Jr.
Governor

Communication filed.

* * *

1510

Curt Webb
500 Hillsborough Drive
Providence, UT 84332

Dear Mr. Webb:

September 17, 2007

It is my pleasure to appoint you to the Utah House of Representatives, to fill the seat in House District 5, which was vacated by Scott Wyatt. I am confident that as a State Representative you will serve our state and the citizens in your district with discernment and decorum.

Sincerely,

Jon M. Huntsman, Jr.
Governor

Communication filed.

* * *

Rebecca J. Chavez-Houck
643 16th Avenue
Salt Lake City, UT 84103

Dear Ms. Chavez-Houck:

January 1, 2008

It is my pleasure to appoint you to the Utah House of Representatives, to fill the seat in House District 24, which was vacated by the Honorable Ralph Becker. 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,

Jon M. Huntsman, Jr.
Governor

Communication filed.

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