PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–100. A concurrent resolution adopted by the Senate of the State of Louisiana urging Congress to establish a National Military Family Relief Fund and create a simple and cost-effective way for taxpayers to lend a helping hand to military families in need; to the Committee on Armed Services.

SENATE CONCURRENT RESOLUTION NO. 43

Whereas, United States service members, especially national guardsmen and reservists, often face a significant salary reduction when called upon to serve our country; and

Whereas, recent studies show that fifty-five percent of married national guard members and reservists report a loss of income in relation to their civilian jobs when they are called to active duty, and fifteen percent experience a pay cut of thirty thousand dollars or more; and

Whereas, national guard members and reservists serving in the Global War On Terrorism make up a larger percentage of frontline fighting forces than in any other war in U.S. history; and

Whereas, all military families deserve thanks and recognition for their sacrifices, and helping to ease the financial pressures that challenge so many of America's finest families must be a top priority; and

Whereas, U.S. Congressman Bill Foster has introduced House Resolution 5941, legislation designed to provide relief for military families that would allow taxpayers to contribute to a National Military Family Relief Fund by filling a voluntary donation in a check-off box on federal income tax forms; and

Whereas, the individually determined donation for the National Military Family Relief Fund would be added to the supporter's tax bill or deducted from a rebate allowing U.S. citizens to support military families without placing any extra burden on the federal budget; and

Whereas, all service members and veterans who are serving, or have served, in Iraq or Afghanistan or other regions of service would be eligible for grants from the National Military Family Relief Fund; and

Whereas, military family relief funds have already been introduced or established in at least twenty-seven states with citizens, corporations and community organizations proving an eagerness to lend a helping hand by generously donating to military families in need. Therefore, be it

Resolved, That the Legislature of Louisiana memorializes the Congress of the United States to approve H.R. 5941 to establish a National Military Family Relief Fund and create a simple and cost-effective way for taxpayers to lend a helping hand to military families in need; be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM–101. A concurrent resolution adopted by the Legislature of the State of Utah expressing support for policies that promote and foster energy innovation development in the state of Utah; to the Committee on Commerce, Science, and Transportation.

HOUSE CONCURRENT RESOLUTION NO. 15

Whereas, 23 U.S.C. Sec. 159 requires states to enact legislation requiring the revocation or suspension of an individual's driver license for at least six months upon conviction of any drug-related offense;

Whereas, 23 U.S.C. Sec. 159 requires withholding 10% of certain federal aid from states that fail to enact this legislation;

Whereas, the federal government should not dictate policy or legislation of this kind for the state;

Whereas, for Utah to be exempt from this federal requirement, the Governor must submit to the United States Secretary of Transportation a written certification that he is opposed to the enactment or enforcement of a law related to revocation of a person's driver license for any drug-related offense, and also submit a written certification that the Utah Legislature has adopted a resolution expressing opposition to the federal requirement; and

Whereas, the state of Utah shall enforce its own driver license law, which provides that Utah's Driver License Division is not required to suspend a person's license for a violation of certain drug-related offenses if the violation did not involve a motor vehicle and the convicted person is participating in, or has successfully completed, substance abuse treatment at a licensed substance abuse treatment program that is approved by the Division of Substance Abuse and Mental Health or is participating in, or has successfully completed, probation through the Department of Corrections Adult Probation and Parole: Now, therefore, be it

Resolved, That the Legislature of the state of Utah, the Governor concurring therein, declare their opposition to the enactment or enforcement of a federal law mandating, in all circumstances, the revocation or suspension of an individual's driver license upon conviction of any drug-related offense; be it further

Resolved, That the Legislature and the Governor declare the state's determination to enforce its own law on the subject, which provides that persons convicted of certain drug-related offenses will not have their driver licenses revoked or suspended if the violation did not involve a motor vehicle and the convicted person is participating in, or has successfully completed, substance abuse treatment at a licensed substance abuse treatment program that is approved by the Division of Substance Abuse and Mental Health or is participating in, or has successfully completed, probation through the Department of Corrections Adult Probation and Parole; be it further

Resolved, That a copy of this resolution be prepared and delivered to the Governor of the state of Utah, and that the Governor submit a copy of the resolution to the United States Secretary of Transportation; be it further

Resolved, That a copy of this resolution be sent to the Utah Department of Transportation and to the members of Utah's congressional delegation.

POM–102. A concurrent resolution adopted by the Legislature of the State of Utah urging Congress to amend federal law to ensure that consumers have the right to access their Fair Isaac Corporation credit scores or any other source for credit scores used by Fannie Mae, Freddie Mac, or Ginnie Mae from the three major credit agencies annually at no cost; to the Committee on Banking, Housing, and Urban Affairs.

HOUSE CONCURRENT RESOLUTION NO. 7

Whereas, under the Fair and Accurate Credit Transactions Act of 2003, consumers are entitled to a free credit report once each year from any credit agency, including the nation's three major credit bureaus, which are Experian, Trans Union, and Equifax;

Whereas, the credit scores used in over 90% of financial transactions, including Fannie Mae, Freddie Mac, and Ginnie Mae, are a version of a Fair Isaac Corporation (FICO) credit score;

Whereas, FICO's website, www.MyFico.com, is the only location where consumers may access their true FICO credit scores;

Whereas, FICO takes the credit information furnished by Experian, Trans Union, and Equifax and calculates that information using an algorithm to develop the three credit scores;

Whereas, after Experian partially severed its relationship with FICO in 2009, consumers can no longer access their FICO/Experian credit score;

Whereas, now consumers can only access their Trans Union/FICO and Equifax/FICO credit scores on FICO's website, and they are charged $14.95 each, while lenders and other creditors can still access all three FICO credit scores from the three major credit agencies;

Whereas, although other companies have developed their own credit scores using their own formulas, ranges, and scores, lenders and creditors and other financial service companies generally do not consider them reliable;

Whereas, these scores generated by other companies are often found to be substantially different than the FICO credit scores, even though they are widely promoted as the actual consumer credit score;

Whereas, current federal law should be changed to address the consumers' right to access their FICO credit scores from the three major credit agencies once each year;

Whereas, when consumers access their free credit report from www.AnnualCreditReport.com, they should be given the right to their FICO credit scores annually at no cost;

Whereas, credit agencies should not be required to bear any pass through costs from FICO in providing free FICO credit scores once each year to consumers;

Whereas, credit agencies should allow consumers the right to access their credit scores from each major credit agency used by Fannie Mae, Freddie Mac, and Ginnie Mae; and

Whereas, by making it possible for consumers to access their credit scores, which are used in almost every financial transaction, true fairness will return to the credit scoring access system: Now, therefore, be it

Resolved, That the Legislature of the state of Utah, the Governor concurring therein, urge the United States Congress to amend federal law to ensure that consumers have the right to access their Fair Isaac Corporation credit scores or any other source for credit scores used by Fannie Mae, Freddie Mac, or Ginnie Mae from the three major credit agencies annually at no cost; be it further

Resolved, That a copy of this resolution be sent to the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, and to the members of Utah's congressional delegation.

POM–103. A concurrent resolution adopted by the Legislature of the State of Utah urging the President and Congress to refrain from designating new national monuments in the San Rafael Swell area, the Cedar Mesa area, and any other area in Utah; to the Committee on Energy and Natural Resources.

SENATE CONCURRENT RESOLUTION NO. 11

Whereas, the Antiquities Act, 16 U.S.C. Sec. 431, empowers the President of the United States to singlehandedly bypass congressional, state, and local land management policies and tie up any federal land in Utah through national monument declarations;

Whereas, a recent confirmed United States Department of Interior (DOI) internal memorandum declares that the 75-by-40 mile San Rafael Swell and surrounding ''canyons, gorges, mesas, and buttes,'' plus an area of unspecified size referred to as the Cedar Mesa area, among others, ''may be good candidates for National Monument designation under the Antiquities Act;''

Whereas, the San Rafael Swell and surrounding areas and the Cedar Mesa area described in the DOI memorandum are in Emery, Wayne, and San Juan Counties, Utah;

Whereas, Article I, Section 8, Clause 17 of the United States Constitution grants the United States government the power to exercise exclusive jurisdiction over the District of Columbia and over all ''places purchased by the consent of the Legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings'';

Whereas, no lands in the San Rafael Swell and Cedar Mesa areas of Utah fit into this category;

Whereas, the United States Constitution delegates to the government of the United States no other power of exclusive jurisdiction over land in Utah, other than that referenced in Article I, Section 8, Clause 17;

Whereas, the Tenth Amendment to the United States Constitution states, ''The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States'';

Whereas, Article IV, Section 4 of the United States Constitution states, ''The United States shall guarantee to every State in the Union a Republican Form of Government'';

Whereas, the constitutional guarantee to Utah of a republican form of government is abrogated and violated when the President of the United States purports through the Antiquities Act, 16 U.S.C. Sec. 431, to exercise exclusive jurisdiction with the mere stroke of a pen over lands in the San Rafael and Cedar Mesa areas that do not fit the category of Article I, Section 8, Clause 17, exclusive jurisdiction land;

Whereas, lands in the San Rafael Swell and Cedar Mesa areas of Utah are currently managed by the United States Bureau of Land Management (BLM) pursuant to the Federal Land Policy Management Act (FLPMA) of 1976, and the Act directs the BLM to manage public lands according to Resource Management Plans (RMPs) which ''shall be consistent with State and local plans to the maximum extent [the Secretary of Interior] finds consistent with Federal law and the purpose of [FLPMA]'';

Whereas, the state of Utah and the counties of Emery, Wayne, and San Juan have recently completed an expensive and protracted multi-year FLPMA and National Environmental Policy Act (NEPA) process with the BLM and the public to revise and update the BLM's RMPs in planning areas which include the San Rafael Swell and Cedar Mesa areas;

Whereas, the revised RMPs do not call for the creation of national monuments in the San Rafael Swell and Cedar Mesa areas;

Whereas, creating national monuments in the San Rafael Swell and Cedar Mesa areas would violate and undercut the integrity of the RMPs revision process in Emery, Wayne, and San Juan Counties where the San Rafael Swell and Cedar Mesa areas are situated, and would be inconsistent with the plans and policies of the state of Utah and those counties and their duly elected governmental boards and leaders, all in violation of the constitutional guarantee of a republican form of government as well as violating federal statutory consistency requirements of FLPMA;

Whereas, a presidential proclamation declaring national monuments in the San Rafael Swell and Cedar Mesa areas would single-handedly bypass the revised RMPs and the universal opposition by the duly elected leaders of the state of Utah and the counties where those lands lie;

Whereas, a presidential proclamation of this type would constitute an illegitimate arrogation of exclusive jurisdiction over lands by the President, exceeding the bounds of legitimate and lawful authority permitted by the United States Constitution;

Whereas, the Antiquities Act states, ''The President . . . may reserve as a part [of a national monument] parcels of land, the limits of which in all cases shall be confined to the smallest areas compatible with the proper care and management of the objects to be protected. . . .''

Whereas, the size of the 1996 Grand Staircase National Monument in Garfield and Kane Counties far exceeded ''the smallest areas compatible'' with the feigned object of that monument;

Whereas, the size of the San Rafael Swell area stated in the DOI memo, namely 75-by-40 miles plus surrounding canyons, gorges, mesas, and buttes, is staggering in terms of a national monument;

Whereas, Utah favors protecting the remarkably scenic, recreational, and sensitive areas of the San Rafael Swell and Cedar Mesa areas, however highest and best use of vast tracts of land in those areas is continued grazing and environmentally sensitive energy and mineral development done in such a way as to protect and preserve the scenic and recreational values;

Whereas, as history has demonstrated in the case of the Grand Staircase National Monument, many thousands of acres of important grazing and mineral and other multiple use resources and values have been closed to reasonable development due to the multi-hundred thousand acre national monument designation;

Whereas, Senator Bob Bennett has introduced S. 3016 in the United States Senate, which would prohibit the further extension or establishment of national monuments in Utah, except by express authorization of Congress; and

Whereas, Utah's economy, industry, culture, way of life, and its viability as a sovereign state guaranteed a republican form of government depend on reasonable multiple-use access to the BLM lands in the San Rafael Swell and Cedar Mesa areas of the state, most of which will be taken away through national monument designation: Now, therefore, be it

Resolved, That the Legislature of the state of Utah, the Governor concurring therein, express their opposition to the presidential creation of any large area national monument, as an abuse and violation of the Antiquities Act's smallest-area-compatible mandate; be it further

Resolved, That the Legislature and the Governor oppose the presidential creation of new national monuments in the San Rafael Swell area, Cedar Mesa area, and any other area of Utah; be it further

Resolved, That the Legislature and the Governor declare openly to the United States government that this unchecked exercise of power concentrated in the President portends serious consequences for Utah, as nearly 70% of the State is federally owned; be it further

Resolved, That the Legislature and the Governor declare openly to the United States government that the exercise of this power would essentially coronate the President, giving him the ultimate ability to determine the fate of nearly 70% of the entire state with the mere stroke of an unchecked presidential pen; be it further

Resolved, That the Legislature and the Governor urge Congress to check the President's ability to exercise such power by amending the Antiquities Act to clarify its actual intent, which is to establish small discrete monuments or memorials as existed in Utah prior to the unfortunate creation of the 1996 Grand Staircase National Monument; be it further

Resolved, That the Legislature and the Governor strongly urge the federal government to manage federal public lands in Utah according to state and local government plans, policies, and public input as promised by the Federal Land Policy Management Act of 1976 and the United States constitutional guarantee of a republican form of government on equal footing with all states in the Union, or otherwise convey the federal public lands to Utah for proper care and management, consistent with the original intent of the Constitution's Framers; be it further

Resolved, That the Legislature and the Governor express support for S. 3016, introduced in the United States Senate, which would prohibit the further extension or establishment of national monuments in Utah, except by express authorization of Congress; be it further

Resolved, That copies of this resolution be sent to the President of the United States, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, and to the members of Utah's congressional delegation.

POM–104. A joint resolution adopted by the Legislature of the State of Utah expressing support for the Escalante Heritage/Hole-in-the-Rock Center Board's efforts to preserve the history of the Hole-in-the-Rock pioneers and the settlement of the Escalante area; to the Committee on Energy and Natural Resources.

SENATE JOINT RESOLUTION NO. 1

Whereas, in 1879, citizens of towns throughout Southern Utah answered the call of John Taylor, President of the Church of Jesus Christ of Latter-day Saints, to colonize one of the most remote parts of the Territory of Utah;

Whereas, taking what these colonizers thought would be a shortcut to the San Juan area, they traveled through the frontier town of Escalante, which was settled in 1876, to the Colorado River where they blasted and chiseled out a road in the crack of the canyon wall, descending one thousand feet to the Colorado River;

Whereas, while this was the most difficult part of the trek, it was only one of many difficulties they experienced before reaching their destination and establishing a settlement at Bluff, Utah;

Whereas, what they thought would be a six-week journey took six months;

Whereas, the road these individuals created on their journey became the first road in the Territory of Utah, traveling from west to east, to be funded by the Legislature, though it cost only a few thousand dollars to purchase dynamite to blast through the walls of the Hole-in-the-Rock;

Whereas, during the winter of 1879–80, 250 men, women, and children, trailing over 1,000 head of livestock, blazed a trail through 200 miles of the most rugged terrain in the West;

Whereas, Elizabeth Decker, a member of the colonizing party described it as ''. . . the roughest country you or anybody else ever saw. It's nothing in the world but rocks and holes, hills and hollows'';

Whereas, during their six-month journey, the San Juan colonizers were tempered like fine steel for the formidable task of tilling the land and establishing law and order;

Whereas, in reaching the San Juan area, the colonizers demonstrated unwavering

faith and devotion to duty and set the standard for future generations;

Whereas, in 2002, the Church of Jesus Christ of Latter-day Saints donated nine acres of land in Escalante to build a Heritage Center, and also donated a water meter, which was critical in allowing the project to move ahead;

Whereas, in 2007, the Richfield office of the Utah Department of Transportation granted the Escalante Heritage Center $125,000 to do a feasibility study, which was performed by Landmark Design of Salt Lake City and completed in 2008;

Whereas, in 2009, the Salt Lake City office of the Utah Department of Transportation granted the Escalante Heritage Center $500,000 to build the first of four phases of the project;

Whereas, the Escalante Heritage Center is a nonprofit corporation engaged in raising private and public funds to construct and maintain a center dedicated to preserving the history and heritage of the Hole-in-the-Rock pioneers and the Escalante area;

Whereas, the state transportation improvement program includes $200,000 for preliminary engineering to improve Hole-in-the-Rock Road;

Whereas, the Bureau of Land Management (BLM) has expressly recognized in an administrative determination in 1988 that Garfield County owns an R.S. 2477 right-of-way for the Hole-in-the-Rock Road;

Whereas, Garfield County, Kane County, and the state of Utah have valid documentation that this road has been in existence since 1879 and has been in continuous use for over 131 years;

Whereas, Garfield County, Kane County, and the state of Utah have expended public tax monies to improve and maintain this road and other R.S. 2477 roads in their respective counties for access to BLM and National Park Service-managed lands;

Whereas, Kane County has filed a Quiet Title Action to secure forever the property right to this road and other roads in the county;

Whereas, this case, called the Hole-in-the-Rock Quiet Title Action, will be heard in federal court in the near future;

Whereas, the Garfield County Commission fully supports this endeavor and is the government sponsor of the project;

Whereas, the Mayor and City Council of Escalante fully support the Escalante Heritage Center in its endeavor to preserve the history and heritage of the area;

Whereas, the Mormon Pioneer National Heritage Area project has declared the building of the Escalante Heritage Center its top priority project;

Whereas, the Escalante Heritage Center Board has received letters of support from officials of the Church of Jesus Christ of Latter-day Saints, the offices of both Senators Hatch and Bennett, and the office of Congressman Jim Matheson;

Whereas, the Escalante Heritage Center Board has the support of officials of the Grand Staircase Escalante National Monument, who feel that a science center on one side of the town of Escalante and a history center on the other side would represent bookends of learning for everyone visiting the area; and

Whereas, Garfield County has received a letter of support from the Grand Staircase Escalante National Monument for road improvements: Now, therefore, be it

Resolved, That the Legislature of the state of Utah expresses its support for the Escalante Heritage/Hole-in-the-Rock Center Board's efforts to preserve the history of the Hole-in-the-Rock pioneers and the settlement of the Escalante area, and to construct a building in which to tell the story of these historic pioneers and to improve the road over which they traveled; be it further

Resolved, That a copy of this resolution be sent to the Escalante Heritage Center Board, the Garfield County Commission, the Mayor and City Council of Escalante City, the Richfield and Salt Lake City offices of the Utah Department of Transportation, Landmark Design, the Church of Jesus Christ of Latter-day Saints, and to the members of Utah's congressional delegation.

POM–105. A joint resolution adopted by the Legislature of the State of Utah expressing opposition to participating in the Western Climate Initiative; to the Committee on Energy and Natural Resources.

HOUSE JOINT RESOLUTION NO. 21

Whereas, Utah's location and natural resources are an economic advantage and catalyst for economic growth and opportunity for Utah's citizens through abundant and affordable power, providing the seventh lowest electric rates in the nation;

Whereas, the nation's coal fired power plants provide for half of the United States' electricity demand, and power generated from Utah's abundant and clean burning coal provides for nearly 90% of the state's power needs;

Whereas, participation in the Western Climate Initiative (WCI) requires Utah, through public policy, to reduce carbon dioxide emissions without legislative consultation or public input;

Whereas, there has been no balanced and unbiased economic analysis of the costs associated with carbon reduction mandates, the economic impacts of participation in a regional cap and trade program, and the consequential effect of the increased costs of doing business in Utah;

Whereas, the credibility of global climate science, data, and modeling that cannot explain declining temperatures over the last decade, coupled with indications that the Intergovernmental Panel on Climate Change has incorporated flawed science to push policymakers, requires reevaluation of the ''consensus'' and full scientific scrutiny of the claims;

Whereas, forcing business, industry, and food producers to reduce carbon emissions through government mandates and cap and trade policies will increase the cost of doing business, push companies to do business with lower cost states or nations, and increase consumer costs for electricity, fuel, and food;

Whereas, the Congressional Budget Office warns that the cost of cap and trade policies under consideration for the WCI, and nationally, will be borne by consumers and will place a disproportionately high burden on poorer households;

Whereas, there are growing scientific concerns that simply implementing carbon reduction in Utah, the United States, or in the developed world will not have a significant impact while countries like China, Russia, Mexico, and India are greatly expanding their carbon footprints;

Whereas, carbon capture and sequestration are new technologies not yet proven, not yet commercially demonstrated, and facing legal and regulatory challenges;

Whereas, if all nations globally met a Kyoto-style carbon dioxide reduction, climate temperature would be reduced only 0.07 of a degree by 2050, and tremendous economic growth would be sacrificed for very little global warming gain; and

Whereas, no state or nation has enhanced economic opportunities for its citizens or increased Gross Domestic Product through cap and trade or other radical carbon reduction policies: Now, therefore, be it

Resolved, That the Legislature of the state of Utah urges the Governor to withdraw Utah from the WCI; be it further

Resolved, That a copy of this resolution be sent to Governor Herbert, the WCI, the Governor's Blue Ribbon Advisory Council on Climate Change, the International Panel on Climate Change, the United States Environmental Protection Agency, the Utah Department of Environmental Quality, and to the members of Utah's congressional delegation.

POM–106. A joint resolution adopted by the Legislature of the State of Utah urging the United States Environmental Protection Agency to immediately halt its carbon dioxide reduction policies and programs and withdraw its ''Endangerment Finding'' and related regulations until a full and independent investigation of climate data and global warming science can be substantiated; to the Committee on Energy and Natural Resources.

HOUSE JOINT RESOLUTION NO. 12

Whereas, proposed cap and trade legislation before the United States Congress, together with potential state actions to reduce carbon dioxide (CO_2), would result in significantly higher energy costs to American consumers, business, and industry;

Whereas, the United States Environmental Protection Agency's (EPA) ''Endangerment Finding'' and proposed action to regulate CO_2 under the Clean Air Act is based on questionable climate data and would place significant regulatory and financial burdens on all sectors of the nation's economy at a time when the nation's unemployment rate exceeds 10%;

Whereas, global temperatures have been level and declining in some areas over the past 12 years;

Whereas, the ''hockey stick'' global warming assertion has been discredited and climate alarmists' carbon dioxide-related global warming hypothesis is unable to account for the current downturn in global temperatures;

Whereas, there is a statistically more direct correlation between twentieth century temperature rise and Chlorofluorocarbons (CFCs) in the atmosphere than CO_2;

Whereas, outlawed and largely phased out by 1978, in the year 2000 CFCs began to decline at approximately the same time as global temperatures began to decline;

Whereas, emails and other communications between climate researchers around the globe, referred to as ''Climategate,'' indicate a well organized and ongoing effort to manipulate global temperature data in order to produce a global warming outcome;

Whereas, there has been a concerted effort by climate change alarmists to marginalize those in the scientific community who are skeptical of global warming by manipulating or pressuring peer-reviewed publications to keep contrary or competing scientific viewpoints and findings on global warming from being reviewed and published;

Whereas, the Intergovernmental Panel on Climate Change (IPCC), a blend of government officials and scientists, does no independent climate research but relies on global climate researchers;

Whereas, Earth's climate is constantly changing with recent warming potentially an indication of a return to more normal temperatures following a prolonged cooling period from 1250 to 1860 called the ''Little Ice Age'';

Whereas, more than $7 billion annually in federal government grants may have influenced the climate research focus and findings that have produced a ''scientific consensus'' at research institutions and universities;

Whereas, the recently completed Copenhagen climate change summit resulted in little agreement, especially among growing

CO_2-emitting nations like China and India, and calls on the United States to pay billions of dollars to developing countries to reduce CO_2 emissions at a time when the United States' national debt will exceed $12 trillion;

Whereas, the United States Department of Agriculture estimates that current legislation providing agriculture offsets and carbon credits to reduce CO_2 emissions would result in tree planting on 59 million acres of crop and pasture land, damaging America's food security and rural communities;

Whereas, according to the World Health Organization, 1.6 billion people do not have adequate food and clean water; and

Whereas, global governance related to global warming and reduction of CO_2 would ultimately lock billions of human beings into long-term poverty: Now, therefore, be it

Resolved, That the Legislature of the state of Utah urges the United States Environmental Protection Agency to immediately halt its carbon dioxide reduction policies and programs and withdraw its ''Endangerment Finding'' and related regulations until a full and independent investigation of climate data and global warming science can be substantiated; be it further

Resolved, That a copy of this resolution be sent to the United States Environmental Protection Agency and to the members of Utah's congressional delegation.

POM–107. A concurrent resolution adopted by the Legislature of the State of Utah urging the United States Government and the Secretary of the Interior to provide continued financial assistance to the unincorporated community of Dutch John, Utah; to the Committee on Energy and Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 13

Whereas, the Dutch John Federal Property Disposition and Assistance Act of 1998 disposed of certain federal properties located in Dutch John, Utah, and provided for assistance to Daggett County for the delivery of basic services to the Dutch John community, and for other purposes;

Whereas, for the purpose of defraying costs of administration and provision of basic community services, an annual payment of $300,000, as adjusted by the Secretary of the Interior for changes in the Consumer Price Index for all-urban consumers published by the Department of Labor, has been provided from the Upper Colorado Basin Fund authorized by Section 5 of the Act of April 11, 1956 (70 Stat. 107, chapter 203; 43 U.S.C. 620d), to DaggettCounty, Utah or in accordance with Subsection (c), to Dutch John, Utah, for a period not to exceed 15 years beginning the first January 1 that occurs after the date of the effective date of this resolution;

Whereas, these payments for the purpose of defraying costs of administration and provision of basic community services will terminate December 31, 2013;

Whereas, Dutch John was established in 1958 by the Bureau of Reclamation to provide housing and serve project construction needs for the construction of Flaming Gorge Dam;

Whereas, permanent structures for housing, administrative offices, maintenance, and other public purposes continue to be owned and maintained by the Bureau of Reclamation;

Whereas, during construction of the dam, more than 2,000 people were housed in the town;

Whereas, the Bureau of Reclamation and the United States Forest Service, responsible for land management at Dutch John and surrounding Flaming Gorge National Recreation Area, continue to provide basic services and facilities for the community;

Whereas, basic services for Dutch John, as well as the operating and administrative costs for the town prior to 1998, were financed by the Bureau of Reclamation and the United States Forest Service, then reimbursed by annual power sales revenue;

Whereas, the federal costs of providing the full range of community facilities and services in Dutch John had substantially grown over the years, and in 1998 approached $1 million annually;

Whereas, currently, Daggett County is providing these basic community services to Dutch John, such as road maintenance, water, and sewer;

Whereas, to offset these costs, while a traditional community tax base was being established in Dutch John, Daggett County received an annual subsidy that is to last for 15 years from public power revenues;

Whereas, the Dutch John Federal Property Disposition and Assistance Act of 1998 anticipated that in the initial 15-year period commercial developments would be established that would help finance local services; and

Whereas, the commercial developments that were anticipated to occur in Dutch John to help finance local services have not been established: Now, therefore, be it

Resolved, That the Legislature of the state of Utah, the Governor concurring therein, urge the United States Government and the Secretary of the Interior to provide continued financial assistance to the unincorporated community of Dutch John, Utah, in the amount of at least $500,000 annually, as adjusted by the Secretary of the Interior for changes in the Consumer Price Index for all-urban consumers published by the Department of Labor, from the Upper Colorado River Basin Fund for a period not to exceed 15 years, for the purpose of defraying costs of administration and the provision of basic community services; be it further

Resolved, That a copy of this resolution be sent to the United States Secretary of the Interior, the members of Utah's congressional delegation, the United States Forest Service, the Bureau of Reclamation, and the Daggett County Commission.

POM–108. A concurrent resolution adopted by the Legislature of the State of Utah expressing support for the creation of the Statue of Responsibility Monument and recognizing the state of Utah's claim to the honorable moniker as ''Utah—Birth Place of the Statue of Responsibility''; to the Committee on Energy and Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 16

Whereas, forty years ago, Holocaust survivor and author of ''Man's Search for Meaning'', Dr. Viktor E. Frankl, declared that in order for freedom to endure generation after generation, our liberties need to be lived in terms of responsibleness;

Whereas, Dr. Frankl then challenged America to create a Statue of Responsibility on the West Coast to complement the message of the Statue of Liberty on the East Coast, and that these two monuments would forever stand as visual reminders of the two principles, liberty and responsibility, required to keep freedom's flame burning bright;

Whereas, for a nation to endure, at crucial times in its history, its core values must be revisited, reenergized, and reenthroned;

Whereas, in 1997, internationally renowned Utah sculptor, Gary Lee Price, was commissioned by the Statue of Responsibility Foundation to design the Statue of Responsibility;

Whereas, Mr. Price's design was approved by the Statue of Responsibility Foundation's Board of Trustees in 2005;

Whereas, the Statue of Responsibility Foundation has received over $700,000 of in-kind donation support from over 20 Utah companies for the completion of the project's initial phase, which was completed in 2008;

Whereas, Dr. Viktor Frankl's widow, Eleonore Frankl, along with other national and international dignitaries, sits on the Statue of Responsibility Foundation's International Board of Advisors;

Whereas, the Statue of Responsibility Foundation will begin its national public relations campaign once the host city has been awarded;

Whereas, much of the $300 million cost to build the Statue of Responsibility monument will be raised in the private sector by individuals, supportive non-profit organizations, and public and private corporations;

Whereas, the Statue of Responsibility Foundation is in the process of determining which potential host city on the West Coast will be chosen as the resting spot of the monument, and details of the Statue of Responsibility Monument project can be seen on www.SORfoundation.org;

Whereas, the Statue of Responsibility Foundation will gift to the state of Utah a 30-foot tall replica of the Statue of Responsibility to be located in an appropriate location in the state so that visitors to Utah will be able to see and be reminded of the historic role Utah played in the creation of this historic monument;

Whereas, the Statue of Responsibility Monument will become an educational and tourism landmark, equal to the Statue of Liberty, and their combined messages will stand as beacons of hope and lasting freedom to citizens of all nations;

Whereas, Utah will forever be able to lay claim to the moniker ''Utah—Birth Place of the Statue of Responsibility''; and

Whereas, the value of this moniker to the state of Utah will grow through the years as millions of world visitors tour both the 300-foot tall monument on the West Coast and the 30-foot tall replica in Utah: Now, therefore, be it

Resolved, That the Legislature of the State of Utah, the Governor concurring therein, express support for the creation of the Statue of Responsibility Monument; be it further

Resolved, That the Legislature and the Governor recognize the state of Utah's claim to the honorable moniker as ''Utah—Birth Place of the Statue of Responsibility;'' be it further

Resolved, That the Legislature and the Governor encourage concerned Utahns to assist in the building of what has been called ''the most compelling monument project to freedom of the 21st Century'' in ways that are unique to our private citizens and our corporate citizens; be it further

Resolved, That a copy of this resolution be sent to the Statue of Responsibility Foundation's organizational leaders, the Statue of Responsibility Foundation's Board of Trustees, and to the members of Utah's congressional delegation.

POM–109. A concurrent resolution adopted by the Legislature of the State of Utah urging the President and Congress to refrain from designating new national monuments in the San Rafael Swell area, the Cedar Mesa area, and any other area in Utah; to the Committee on Energy and Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 17

Whereas, the Antiquities Act, 16 U.S.C. Sec. 31, empowers the President of the United States to singlehandedly bypass congressional, state, and local land management policies and tie up any federal land in Utah through national monument declarations;

Whereas, a recent confirmed United States Department of Interior (DOI) internal memorandum declares that the 75-by-40 mile San Rafael Swell and surrounding ''canyons, gorges, mesas, and buttes,'' plus an area of unspecified size referred to as the Cedar Mesa area, among others, ''may be good candidates for National Monument designation under the Antiquities Act'';

Whereas, the San Rafael Swell and surrounding areas and the Cedar Mesa area described in the DOI memorandum are in Emery, Wayne, and San Juan Counties, Utah;

Whereas, Article I, Section 8, Clause 17 of the United States Constitution grants the United States government the power to exercise exclusive jurisdiction over the District of Columbia and over all ''places purchased by the consent of the Legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings'';

Whereas, no lands in the San Rafael Swell and Cedar Mesa areas of Utah fit into this category;

Whereas, the United States Constitution delegates to the government of the United States no other power of exclusive jurisdiction over land in Utah, other than that referenced in Article I, Section 8, Clause 17;

Whereas, the Tenth Amendment to the United States Constitution states, ''The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States'';

Whereas, Article IV, Section 4 of the United States Constitution states, ''The United States shall guarantee to every State in the Union a Republican Form of Government'';

Whereas, the constitutional guarantee to Utah of a republican form of government is abrogated and violated when the President of the United States purports through the Antiquities Act, 16 U.S.C. Sec. 431, to exercise exclusive jurisdiction with the mere stroke of a pen over lands in the San Rafael and Cedar Mesa areas that do not fit the category of Article 1, Section 8, Clause 17, exclusive jurisdiction land;

Whereas, lands in the San Rafael Swell and Cedar Mesa areas of Utah are currently managed by the United States Bureau of Land Management (BLM) pursuant to the Federal Land Policy Management Act (FLPMA) of 1976, and, the Act directs the BLM to manage public lands according to Resource Management Plans (RMPs) which ''shall be consistent with State and local plans to the maximum extent [the Secretary of Interior} finds consistent with Federal law and the purpose of [FLPMA]'';

Whereas, the state of Utah and the counties of Emery, Wayne, and San Juan have recently completed an expensive and protracted multi-year FLPMA and National Environmental Policy Act (NEPA) process with the BLM and the public to revise and update the BLM's RMPs in planning areas which include the San Rafael Swell and Cedar Mesa areas;

Whereas, the revised RMPs do not call for the creation of national monuments in the San Rafael Swell and Cedar Mesa areas;

Whereas, creating national monuments in the San Rafael Swell and Cedar Mesa areas would violate and undercut the integrity of the RMPs revision process in Emery, Wayne, and San Juan Counties where the San Rafael Swell and Cedar Mesa areas are situated, and would be inconsistent with the plans and policies of the state of Utah and those counties and their duly elected governmental boards and leaders, all in violation of the constitutional guarantee of a republican form of government as well as violating federal statutory consistency requirements of FLPMA;

Whereas, a presidential proclamation declaring national monuments in the San Rafael Swell and Cedar Mesa areas would single-handedly bypass the revised RMPs and the universal opposition by the duly elected leaders of the state of Utah and the counties where those lands lie;

Whereas, a presidential proclamation of this type would constitute an illegitimate arrogation of exclusive jurisdiction over lands by the President, exceeding the bounds of legitimate and lawful authority permitted by the United States Constitution;

Whereas, the Antiquities Act states, ''The President . . . may reserve as a part [of a national monument] parcels of land, the limits of which in all cases shall be confined to the smallest areas compatible with the proper care and management of the objects to be protected.

Whereas, the size of the 1996 Grand Staircase National Monument in Garfield and Kane Counties far exceeded ''the smallest areas compatible'' with the feigned object of that monument;

Whereas, the size of the San Rafael Swell area stated in the DOI memo, namely 75-by-40 miles plus surrounding canyons, gorges, mesas, and buttes, is staggering in terms of a national monument;

Whereas, Utah favors protecting the remarkably scenic, recreational, and sensitive areas of the San Rafael Swell and Cedar Mesa areas, however the highest and best use of vast tracts of land in those areas is continued grazing and environmentally sensitive energy and mineral development done in such a way as to protect and preserve the scenic and recreational values;

Whereas, as history has demonstrated in the case of the Grand Staircase National Monument, many thousands of acres of important grazing and mineral and other multiple use resources and values have been closed to reasonable development due to the multi-hundred thousand acre national monument designation;

Whereas, Senator Bob Bennett has introduced S. 3016 in the United States Senate, which would prohibit the further extension or establishment of national monuments in Utah, except by express authorization of Congress; and

Whereas, Utah's economy, industry, culture, way of life, and its viability as a sovereign state guaranteed a republican form of government depend on reasonable multiple-use access to the BLM lands in the San Rafael Swell and Cedar Mesa areas of the State, most of which will be taken away through national monument designation: Now, therefore, be it

Resolved, That the Legislature of the state of Utah, the Governor concurring therein, express their opposition to the presidential creation of any large area national monument, as an abuse and violation of the Antiquities Act's smallest-area-compatible mandate; be it further

Resolved, That the Legislature and the Governor oppose the presidential creation of new national monuments in the San Rafael Swell area, Cedar Mesa area, and any other area of Utah; be it further

Resolved, That the Legislature and the Governor declare openly to the United States government that this unchecked exercise of power concentrated in the President portends serious consequences for Utah, as nearly 70% of the State is federally owned; be it further

Resolved, That the Legislature and the Governor declare openly to the United States government that the exercise of this power would essentially coronate the President, giving him the ultimate ability to determine the fate of nearly 70% of the entire state with the mere stroke of an unchecked presidential pen; be it further

Resolved, That the Legislature and the Governor urge Congress to check the President's ability to exercise such power by amending the Antiquities Act to clarify its actual intent, which is to establish small discrete monuments or memorials as existed in Utah prior to the unfortunate creation of the 1996 Grand Staircase National Monument; be it further

Resolved, That the Legislature and the Governor strongly urge the federal government to manage federal public lands in Utah according to state and local government plans, policies, and public input as promised by the Federal Land Policy Management Act of 1976 and the United States constitutional guarantee of a republican form of government on equal footing with all states in the Union, or otherwise convey the federal public lands to Utah for proper care and management, consistent with the original intent of the Constitution's Framers; be it further

Resolved, That the Legislature and the Governor express support for S 3016, introduced in the United States Senate, which would prohibit the further extension or establishment of national monuments in Utah, except by express authorization of Congress; be it further

Resolved, That the Legislature and the Governor express strong opposition to presidential or congressional action that would unnecessarily restrict and reduce public access to federal lands; be it further

Resolved, That copies of this resolution be sent to the President of the United States, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, and to the members of Utah's congressional delegation.

POM–110. A resolution adopted by the House of Representatives of the State of Utah expressing support for policies that promote and foster energy innovation development in the state of Utah; to the Committee on Energy and Natural Resources.

HOUSE RESOLUTION NO. 8

Whereas, energy innovation research and development is occurring in universities within the state dealing with creative and revolutionary ways of gathering and utilizing energy from a vast array of sources including solar power, get thermal power, bio fuels, oil shale, underground storage, hydrogen-upgrading, carbon sequestration, carbon capture, nuclear power, and computer simulation of the energy industry;

Whereas, many agencies and organizations in the state are developing and promoting energy innovation, such as the Utah Geological Survey, the State Energy Program, the Governor's Energy Office, USTAR, the Governor's Office of Economic Development, the Department of Workforce Services, the Department of Administrative Services' Division of Facilities Construction and Management, the Department of Natural Resources' Division of Oil, Gas, and Mining, the Utah Petroleum Association, and the Utah Mining Association;

Whereas, Utah has the potential to be a world leader in energy innovation and the potential to export its technological advances to other states and countries;

Whereas, Utah also has the potential to dramatically improve the health, well-being, and general quality of life for people not just in the state but across the world through implementing innovative new technologies and processes that have the capacity to produce cheap, reliable, and clean energy supplies;

Whereas, another part of Utah's energy policy is to promote the development of resources and infrastructure sufficient to meet the state's growing energy demands, while contributing to the regional and national energy supply and reducing dependence on international energy sources;

Whereas, another part of Utah's energy policy is to have adequate, reliable, affordable, sustainable, and clean energy resources;

Whereas, a focus on energy innovation, development, and commercialization in the state has the potential to create jobs and attract future business to Utah; and

Whereas, energy innovation has the potential to significantly increase the state's education fund through the wise use of the state's trust lands: Now, therefore, be it

Resolved, That the House of Representatives of the state of Utah expresses support for policies that promote and foster energy innovation development in the state of Utah to increase employment, potentially increase education funding, and make the state a national and international leader in new processes and technologies; be it further

Resolved, That a copy of this resolution be sent to Utah Geological Survey, the State Energy program, the Governor's Energy Office, USTAR, the Governor's Office of Economic Development, the Department of Workforce Services, the Division of Facilities Construction and Management, the Division of Oil, Gas, and Mining, the Utah Petroleum Association, the Utah Mining Association, and to the members of Utah's congressional delegation.

POM–111. A joint resolution adopted by the Legislature of the State of Utah urging recovery plan funds be spent on products made or services performed in the United States; to the Committee on Finance.

SENATE JOINT RESOLUTION NO. 5

Whereas, the nation's economic downturn is having a critical impact on everyday Americans who are struggling to maintain or find jobs in an increasingly difficult environment;

Whereas, these Americans are the taxpayers that provide the revenue needed to operate essential government services;

Whereas, Congress approved and President Obama signed into law a taxpayer-sponsored economic recovery package that will provide billions of dollars to help economically devastated cities and states immediately provide jobs to millions of out-of-work Americans through considerable infrastructure rebuilding, green energy projects, and other projects that will require manufactured components;

Whereas, taxpayer dollars should be spent to maximize the creation of American jobs and restore the economic vitality of our communities;

Whereas, any domestically produced products that are purchased with economic recovery plan monies will immediately help struggling American families and will help stabilize the greater economy; and

Whereas, any economic recovery plan spending should, to every extent possible, include a commitment from the citizens of Utah and its elected representatives to buy materials, goods, and services for projects from companies that produce within the United States, thus employing the very workers that pay the taxes for the economic recovery spending plan: Now, therefore, be it

Resolved, That the Legislature of the state of Utah endorses the efforts of its citizens and government, to work to maximize the creation of American jobs and restore economic growth and opportunity by spending recovery plan funds on products and services that both create jobs and help keep Americans employed; be it further

Resolved, That the Legislature of the state of Utah expresses its commitment to purchase only products and services that are made or performed in the United States whenever and wherever possible with any economic recovery monies provided the state of Utah by American taxpayers, as long as the cost of the product or service is competitive and its quality is equal or comparable to others; be it further

Resolved, That the Legislature of the state of Utah supports publishing any requests to waive these procurement priorities so as to give American workers and producers the opportunity to identify and provide the American products and services that will maximize the success of the nation's economic recovery program; be it further

Resolved, That a copy of this resolution be sent to the President of the United States, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, and to the members of Utah's congressional delegation.

POM–112. A concurrent resolution adopted by the Legislature of the State of Utah urging Congress to improve federal—state consultation on international trade, including improving the availability of data to states necessary to evaluate the impact of free trade agreements on economic development within the states and state authority; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 1

Whereas, the economic prosperity of the United States is best served by embracing free and fair trade in global markets, investing in innovative research and technologies, and providing assistance to workers impacted by technology and trade trends;

Whereas, expanding trade opportunities for American workers and businesses depends on cooperation between the federal government and the states;

Whereas, the trade liberalization efforts of the early 1990s and trade agreements such as the North American Free Trade Agreement and the World Trade Organization Uruguay Round agreements have increased the need for state policymakers to play a greater role in international trade decisions;

Whereas, trade liberalization has transformed the historical state-federal division of power into one of necessary and critical partnership, and thereby taxed state agency resources in determining the impact on state laws and regulations;

Whereas, state sovereignty should be preserved by the federal government in trade promotion activities;

Whereas, states often lack a clearly defined institutional trade policy structure and resources, making it difficult to handle requests from trading partners and federal agencies, and to articulate to a unified state stance on trade issues;

Whereas, recent trade agreements have proceeded beyond just discussion of tariffs and quotas and now substantially address and affect government regulation, taxation, procurement, and economic development policies that are historically legislated and implemented at state and local levels;

Whereas, recent trade agreements that proceed beyond tariffs and quotas intersect with traditional areas of state authority under the Tenth Amendment of the United States Constitution, such as regulating the environment, health, and safety and, thus, have a major impact on the states' continuing authority to legislate and regulate in these areas;

Whereas, international lawsuits may be brought against the United States alleging that its states and localities have violated trade agreements;

Whereas, international trade agreements must ensure that non-discriminatory state laws and regulations adopted for a public purpose and with due process are not preempted or otherwise undermined and weakened by international sanctions or penalties;

Whereas, states' interests must be paramount during the negotiation of international agreements given the direct impact on their police powers, policies, and programs;

Whereas, there is a need for a strong federal-state trade policy consultation mechanism;

Whereas, the Intergovernmental Policy Advisory Committee, a state-supported advisory committee to the United States Trade Representative, plays an important role in providing state input to the United States Trade Representative but which is limited in its effectiveness by an inability to share classified information with relevant state officials and members of the general public;

Whereas, compartmentalization of information within the Intergovernmental Policy Advisory Committee prevents members from gathering important and relevant information from those state officials and members of the general public;

Whereas, in August 2004, the Intergovernmental Policy Advisory Committee recommended that a federal-state International Trade Policy Commission would be an ideal resource for objective trade policy analysis and would foster communication among federal and state trade policy officials;

Whereas, the creation of an effective federal-state trade policy infrastructure would assist states in understanding the scope of federal trade efforts, would assist federal agencies in understanding the various state trade processes, and would give states meaningful input into the development and implementation of United States Trade Representative's activities;

Whereas, federal-state consultation should include the timely and comprehensive sharing of information on the substance and likely impact of trade agreements on state laws and regulations, appropriate use of the state single points of contact, improved trade data to assess the impact of proposed and existing agreements, and a reasonable opportunity for meaningful input by the states; and

Whereas, in 2006, the Utah State Legislature statutorily created the Utah International Trade Commission to study and make recommendations to the Legislature concerning the impact of international agreements adopted by the United States on the Legislature's constitutional power to regulate state affairs, public and private, and to promote Utah exports: Now, therefore, be it

Resolved, That the Legislature of the state of Utah, the Governor concurring therein, urge Congress to improve federal-state consultation on international trade, including improving the availability of data to states necessary to evaluate the impact of free trade agreements on economic development within the states and state authority; be it further

Resolved, That copies of this resolution be sent to the members of Utah's Congressional Delegation, the Office of the United States Trade Representative, the Intergovernmental Policy Advisory Committee, the U.S. Senate Finance Committee, the U.S. House Ways and Means Committee, the Speaker of the U.S. House of Representatives, and the President of the U.S. Senate.

POM–113. A joint resolution adopted by the Legislature of the State of Utah urging Congress to refrain from instituting a new federal review, oversight, or preemption of state health laws, refrain from creating a federal health insurance exchange or connector, and refrain from creating a federal health insurance public plan option; to the Committee on Finance.

HOUSE JOINT RESOLUTION NO. 11

Whereas, the Tenth Amendment to the United States Constitution states, ''The

powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people'';

Whereas, the states primarily regulate today's health insurance market, provide aggressive oversight on all aspects of this market, and enforce consumer protection as well as ensure local, responsive presence for consumers;

Whereas, the state-based system of health insurance regulation has served all interests well;

Whereas, the United States Congress is considering legislation that may impose restrictions on states' ability to regulate health plans, including overriding already adopted state patient protections;

Whereas, Congress is considering legislation that would mandate the purchase of health care insurance by all Americans and require those who do not comply to pay a fine, in effect unfairly forcing Americans to buy health insurance;

Whereas, the creation of a new federal system of regulation for health insurance would be inefficient, unnecessary, not cost-effective, and an additional burden on the health care delivery system;

Whereas, private sector health plans are leaders in innovations to improve quality, benefits, and customer service that government-sponsored health plans have been slow to adopt;

Whereas, Congress is considering legislation that would create a federal health insurance exchange or connector to facilitate the purchase of health insurance by individuals and small employers, including offering a new public plan option;

Whereas, a federal exchange would create conflicting state and federal rules, resulting in consumer confusion and leading to adverse selection;

Whereas, a federal exchange would require substantial resources to create a new federal entity that duplicates functions currently performed by states;

Whereas, a federal exchange would undermine states' oversight role in health insurance and cause a substantial shift in the regulation of the health insurance market from the states to the federal government;

Whereas, a federal exchange would undermine state authority to design programs that reflect local needs;

Whereas, a new public plan would not improve competition, but would result in an uneven playing field that would shift costs to the private sector and undermine private plans;

Whereas, a new public health insurance plan would be subject to constant federal changes; and

Whereas, a new public plan is unnecessary in light of the private sector's product offerings and innovations: Now, therefore, be it

Resolved, That the Legislature of the state of Utah urges the United States Congress to refrain from instituting a new federal review, oversight, or preemption of state health insurance laws, refrain from creating a federal health insurance exchange or connector, and refrain from creating a federal health insurance public plan option; be it further

Resolved, That copies of this resolution be sent to the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, and to the members of Utah's congressional delegation.

POM–114. A concurrent resolution adopted by the Legislature of the State of Utah urging Congress to refuse to enact, and the President of the United States to refuse to sign, any legislation that imposes further restrictions on any state's ability to regulate the payment and delivery of health care, imposes additional financial burden related to health care on any state, or limits the ability of consumers and businesses to create innovative models for higher quality, lower cost health care; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 8

Whereas, people's health affects not only their sense of well being, but their capacity to contribute to their families, to their employers, and to society at large;

Whereas, the improvement and maintenance of individual health depends to a significant extent on the widespread availability of affordable, high quality health care;

Whereas, the widespread availability of affordable, high quality health care is threatened by long-term runaway spending in a system that too often delivers suboptimal care;

Whereas, runaway spending and suboptimal care are attributable to various factors, but are perpetuated to a large extent by a third-party payer system that fails to reward individual effort to preserve and improve one's health and that fails to reward delivery of the most effective care at the lowest cost;

Whereas, for many years, Utah has been laying the foundation for genuine long-term health system reform;

Whereas, this foundation includes the creation of the Utah Health Data Authority in 1990 and the subsequent collection and publication of hospital charges by facility and adjusted for risk;

Whereas, this foundation includes the establishment in 1993 of the Utah Health Information Network, a nationally recognized statewide system for processing health insurance claims at a small fraction of the cost often charged by other claims processors;

Whereas, this foundation includes the 2005 requirement that the Utah Health Data Authority publish reports that compare health care facilities based on charges, quality, and safety;

Whereas, this foundation includes the 2007–08 development of an all-payer database that will report payments, as opposed to charges, for entire episodes of medical care, and will ultimately allow consumers to choose from among competing providers of treatments for any particular condition based on outcomes, price, and other attributes important to the consumer;

Whereas, this foundation includes the 2008–09 creation of the first statewide system in the nation for standardized electronic exchange of clinical health information across provider systems, including exchange of diagnostic test results and electronic medical record information;

Whereas, this foundation includes the 2008 creation of the Health System Reform Task Force, a legislative body that has engaged consumers, employers, doctors, hospitals, and insurers in a voluntary, cooperative effort spanning two years, and involving thousands of hours, to develop a strategic plan for health system reform;

Whereas, this foundation includes the 2009–10 creation of payment and delivery reform demonstration projects designed to align third-party payment structures with provider practices that result in the highest quality of care for both chronic and acute conditions;

Whereas, this foundation includes the 2009 creation of the nation's second-only health insurance exchange, a virtual marketplace where employees may enroll under a defined contribution arrangement, select from a range of plans broader than what an employer traditionally offers, and fund premiums with contributions from multiple sources;

Whereas, this foundation outlined above is the result of an iterative process of creation and refinement that has relied heavily on the input of all major stakeholders in the health care system and has been established largely on the basis of cooperation and consensus rather than compulsion;

Whereas, many of the perverse incentives that plague our health care system are rooted in federal Medicare and Medicaid payment policies, which exert a disproportionate influence on the privately funded portions of our health care system;

Whereas, federal proposals for health system reform recently considered by Congress emphasize enrollment expansion rather than cost containment, much like boarding additional passengers on an already sinking Titanic;

Whereas, those proposals include laudable authorizations for payment and delivery reform demonstration projects but otherwise largely lack significant cost containment provisions;

Whereas, those proposals include many provisions to improve quality of care but fall short of the systemic changes needed to fully link outcomes and payment;

Whereas, states have consistently proven themselves laboratories of policy innovation, in spite of sometimes stifling federal regulatory restrictions;

Whereas, the best hope for health system reform lies with individual states, where an iterative process of experimentation, evaluation, and modification will minimize the unintended consequences of one-size-fits-all national policies and will produce results worth replicating; and

Whereas, states are in need of additional financial resources and flexibility to experiment rather than additional benefit mandates, Medicaid eligibility mandates, and rating restrictions, all of which will inevitably drive up health care spending and costs to states: Now, therefore, be it

Resolved, That the Legislature of the state of Utah, the Governor concurring therein, urge Congress to refuse to enact, and the President of the United States to refuse to sign, any legislation that imposes further restrictions on any state's ability to regulate the payment and delivery of health care, imposes additional financial burden related to health care on any state, or limits the ability of consumers and businesses to create innovative models for higher quality, lower cost health care; be it further

Resolved, That the Legislature and the Governor urge that Congress pass, and the President sign, legislation that grants states greater flexibility under federal laws and regulations related to health care and encourages states to create health reform demonstration projects with the potential for replication elsewhere; be it further

Resolved, That the Legislature and the Governor urge that should Congress pass, and the President sign, legislation that further restricts states in any manner, the legislation recognize states' efforts to reform health care by grandfathering any state laws, regulations, or practices intended to contain costs, improve quality, increase consumerism, or otherwise implement health system reform concepts; be it further

Resolved, That a copy of this resolution be sent to the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, the President of the United States, and the members of Utah's Congressional delegation.

POM–115. A concurrent resolution adopted by the Senate of the State of Louisiana urging Congress to review the GPO and WEP Social Security benefit reductions and to consider eliminating or reducing them by enacting the Social Security Fairness Act of 2009, the Public Servant Retirement Protection Act of 2009, the Windfall Elimination Provision Relief Act of 2009, or a similar instrument; to the Committee on Finance.

SENATE CONCURRENT RESOLUTION NO. 6

Whereas, the Congress of the United States has enacted both the Government Pension Offset (GPO), reducing the spousal and survivor Social Security benefit, and the Windfall Elimination Provision (WEP), reducing the earned Social Security benefit for any person who also receives a public pension benefit; and

Whereas, the intent of Congress in enacting the GPO and the WEP provisions was to address concerns that a public employee who had worked primarily in federal, state, or local government employment might receive a public pension in addition to the same Social Security benefit as a person who had worked only in employment covered by Social Security throughout his career; and

Whereas,the purpose of Congress in enacting these reduction provisions was to provide a disincentive for public employees to receive two pensions; and

Whereas, the GPO negatively affects a spouse or survivor receiving a federal, state, or local government retirement or pension benefit who would also be entitled to a Social Security benefit earned by a spouse; and

Whereas, the GPO formula reduces the spousal or survivor Social Security benefit by two-thirds of the amount of the federal, state, or local government retirement or pension benefit received by the spouse or survivor, in many cases completely eliminating the Social Security benefit; and

Whereas, nine out of ten public employees affected by the GPO lose their entire spousal benefits, even though their spouses paid Social Security taxes for many years; and

Whereas, the GPO often reduces spousal benefits so significantly it can make the difference between self-sufficiency and poverty; and

Whereas, the GPO has a harsh effect on thousands of citizens and undermines the original purpose of the Social Security dependent/survivor benefit; and

Whereas, the GPO negatively impacts approximately 21,900 Louisianans; and

Whereas, the WEP applies to those persons who have earned federal, state, or local government retirement or pension benefits, in addition to working in employment covered under Social Security and paying into the Social Security system; and

Whereas, the WEP reduces the earned Social Security benefit using an averaged indexed monthly earnings formula and may reduce Social Security benefits for affected persons by as much as one-half of the retirement benefit earned as a public servant in employment not covered under Social Security; and

Whereas, the WEP causes hard-working individuals to lose a significant portion of the social security benefits that they earn themselves; and

Whereas, the WEP negatively impacts approximately 18,300 Louisianans; and

Whereas,because of these calculation characteristics, the GPO and the WEP have a disproportionately negative effect on employees working in lower-wage government jobs, like policemen, firefighters, teachers, and state employees; and

Whereas, many workers rely on Social Security Administration Annual Statements that fail to take into account the GPO and WEP when projecting benefits; and

Whereas, because the Social Security benefit statements do not calculate the GPO and the WEP, many public employees in Louisiana are unaware that their expected Social Security benefits shown on such statements will be significantly lower or nonexistent due to the service in public employment; and

Whereas, these provisions also have a greater adverse effect on women than on men because of the gender differences in salary that continue to plague our nation and the longer life expectancy of women; and

Whereas, Louisiana is making every effort to improve the quality of life of its citizens and to encourage them to live here lifelong, yet the current GPO and WEP provisions compromise that quality of life; and

Whereas, retired individuals negatively affected by GPO and WEP have significantly less money to support their basic needs and sometimes have to turn to government assistance programs; and

Whereas, the GPO and the WEP penalize individuals who have dedicated their lives to public service by taking away benefits they have earned; and

Whereas, our nation should respect, not penalize, public service; and

Whereas, the number of people affected by GPO and WEP is growing every day as more and more people reach retirement age; and

Whereas, the GPO and WEP are established in federal law and repeal of the GPO and the WEP can only be enacted by the United States Congress: Now therefore, be it

Resolved, That the Legislature of Louisiana does hereby memorialize the Congress of the United States to review the GPO and the WEP Social Security benefit reductions and to consider eliminating or reducing them by enacting the Social Security Fairness Act of 2009 (H.R. 235 or S. 484), the Public Servant Retirement Protection Act of 2009 (H.R. 1221, S. 490), the Windfall Elimination Provision Relief Act of 2009 (H.R. 2145), or a similar instrument; be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

POM–116. A resolution adopted by the House of Representatives of the State of Utah strongly urging the President to submit the Comprehensive Test Ban Treaty to the United States Senate and the United States Senate to promptly give its advice and consent for ratification of the Comprehensive Test Ban Treaty; to the Committee on Foreign Relations.

HOUSE RESOLUTION NO. 4

Whereas, a global halt to nuclear weapons testing has been a bipartisan objective of the United States since the late 1950s when President Dwight D. Eisenhower sought a comprehensive nuclear test ban;

Whereas, the United States has not conducted a nuclear weapons test since the United States suspended testing and joined with the Union of Soviet Socialist Republics in a nuclear weapons testing moratorium in September 1992;

Whereas, the Comprehensive Test Ban Treaty (CTBT) was opened for signature on September 24, 1996, and President Bill Clinton was the first head of state to sign the Treaty;

Whereas, no nuclear tests have been conducted since that time by the United States, Russia, or China;

Whereas, as of June 2009, 180 states have signed the CTBT and 148 have ratified it;

Whereas, ratification of the CTBT would signal a strong commitment by the United States to fulfill its obligations under the Nuclear Non-Proliferation Treaty, prompt ratification by other states which is necessary for the Treaty to enter into force, reinforce the global taboo against nuclear weapons testing, and set an example for the rest of the world;

Whereas, a global verifiable ban on nuclear weapons testing would prevent potential nuclear powers from proof testing smaller nuclear bombs that can be delivered on ballistic missiles;

Whereas, United States ratification of the CTBT would be a significant step towards preventing the spread of nuclear weapons, reducing nuclear weapons arsenals worldwide, and building confidence among nations that abolition of nuclear weapons can someday be achieved;

Whereas, after 1,030 nuclear test explosions, further nuclear weapons testing is not necessary to maintain the integrity, effectiveness, and deterrence value of the existing United States nuclear weapons stockpile, nor is there any new military requirement for new types of United States nuclear warheads;

Whereas, the United States government acknowledges that 433 of 824 United States underground tests have vented radiation to the atmosphere;

Whereas, as part of its recognition of the 50th anniversary of nuclear weapons testing at the Nevada Test Site, in the 2001 General Session, the 54th Legislature of the state of Utah expressed, ''the fervent desire and commitment to assure that such a legacy will never be repeated'';

Whereas, resumption of United States nuclear weapons testing would place persons downwind of the Nevada test location at risk of exposure to radioactive emissions from possible venting;

Whereas, citizens of Utah living downwind of the Nevada Test Site have already suffered significant health effects as a result of nuclear weapons testing;

Whereas, in the best interests of their children and grandchildren, Utah's remaining ''downwinders'' continue to fight the resumption of any nuclear weapons testing;

Whereas, past nuclear weapons testing at the Nevada Test Site has devastated the health and livelihoods of thousands of Utahns;

Whereas, in 2005, the 58th Legislature of the state of Utah voted in support of a Concurrent Resolution Opposing Nuclear Testing, articulating that, ''The state of Utah has an obligation to its citizens, especially those who have suffered so much, to do all in its power to ensure that the lingering wounds from nuclear testing are not reopened to afflict both current and future generations'';

Whereas, the Legislature of the state of Utah supports a strong military defense, but atomic weapons tests are not a necessary component of that defense;

Whereas, United States' citizens must not be subjected to the hazards of future nuclear weapons tests;

Whereas, the CTBT Organization effectively monitors compliance with the CTBT through an International Monitoring System, consisting of 337 stations using state-of-the-art seismic, hydroacoustic, infrasound and radionuclide technologies and capable of detecting and identifying a nuclear weapons test explosion anywhere in the world within hours;

Whereas, the CTBT is effectively verifiable and would improve the United States' ability to detect, deter, and respond to potential surreptitious nuclear weapons testing by other nations;

Whereas, Article 9 of the CTBT permits withdrawal by the United States in case extraordinary future developments, including

the need to respond to a violation by another nation, were to jeopardize our supreme national interests;

Whereas, independent expert assessments commissioned by the National Nuclear Security Administration have concluded that measures under the Stockpile Stewardship Program and Life Extension Program can support certification of today's nuclear warheads as safe, secure, and reliable for decades without the need to resort to underground nuclear weapons testing and

Whereas, the CTBT would increase international safety and security and is in the best interests of Utah, the United States, and the world: Now, therefore, be it

Resolved, That the House of Representatives of the state of Utah strongly urges the President of the United States to submit the Comprehensive Test Ban Treaty to the United States Senate; be it further

Resolved, That the House of Representatives of the state of Utah strongly urges the United States Senate to promptly give its advice and consent for ratification of the Comprehensive Test Ban Treaty; be it further

Resolved, That a copy of this resolution be sent to the President of the United States, the Majority Leader of the United States Senate, and to Utah Senators ORRIN HATCH and BOB BENNETT.

POM–117. A concurrent resolution adopted by the Legislature of the State of Utah reaffirming friendship with the people of Taiwan and urging the Obama Administration to support Taiwan's meaningful participation in the United Nations specialized agencies, programs, and conventions; to the Committee on Foreign Relations.

HOUSE CONCURRENT RESOLUTION NO. 11

Whereas, July 23, 2010, will mark the 30th anniversary of a sister state relationship between Utah and Taiwan;

Whereas, for the past 30 years, four sister county and sister city relationships with Taiwan have also been strengthened, resulting in better mutual understanding of the economic, social, and cultural heritages of Utah and Taiwan;

Whereas, in 2008, Taiwan was Utah's third largest export market;

Whereas, Utah exports to Taiwan have reached $727,000,000, an increase of over 244% since 2007;

Whereas, Utah companies still have substantial opportunities to expand their businesses and cooperation with Taiwan;

Whereas, Utah has already attracted investment from several Taiwanese companies, and there is significant potential for Taiwanese enterprises to further boost investment and create jobs in Utah;

Whereas, in May 2009, the World Health Organization invited Taiwan to attend the 62nd World Health Assembly as an observer;

Whereas, this development raises the possibility for Taiwan to be meaningfully involved in other United Nations specialized agencies, programs, and conventions;

Whereas, Taiwan is a key air transport hub in the Asia-Pacific region, with approximately 2,600 weekly flights to and from neighboring countries;

Whereas, the Taipei Flight Information Region under Taiwan's jurisdiction currently serves 12 international and four domestic routes and has 1,350,000 controlled flights passing through every year;

Whereas, the 2008 statistics from Airports Council International ranked Taiwan's Taoyuan International Airport as the world's 11th largest airport by international cargo volume, and 19th in terms of international passengers services; and

Whereas, given Taiwan's prominent role in regional air control and transport services, it would be beneficial for Taiwan to have meaningful participation in the International Civil Aviation Organization, in order to safeguard the traveling of passengers from home and abroad: Now, therefore, be it

Resolved, That the Legislature of the state of Utah, the Governor concurring therein, reaffirm their friendship with the people of Taiwan and urge the Obama Administration to support Taiwan's meaningful participation in United Nations specialized agencies, programs, and conventions; be it further

Resolved, That the Legislature and the Governor express support for a strong and deepening relationship between Utah and Taiwan; be it further

Resolved, That copies of this resolution be sent to the President of the United States and to the government of Taiwan.

POM–118. A joint resolution adopted by the Legislature of the State of Utah expressing opposition to the establishment of a National Commission on State Workers' Compensation Laws; to the Committee on Health, Education, Labor, and Pensions.

HOUSE JOINT RESOLUTION NO. 10

Whereas, state workers' compensation laws should provide an injured worker with all reasonable and necessary medical treatment that promotes expeditious healing, a return to work, a fair level of income benefits during disability, and protection against lost wages;

Whereas, state workers' compensation laws should assure that employees receive just compensation at a cost affordable to employers;

Whereas, the state-based workers' compensation system has proven over the near-century of its existence to be an effective means of protecting injured workers against the costs of industrial injury, while protecting employers against the unlimited and unpredictable costs of workplace liability;

Whereas, a state-based benefit delivery system reflects the nature and cost of employment in individual states and is an exemplar of the federal system, in which power is dispersed among the states, facilitating timely response and the ability to tailor remedies to state-specific conditions;

Whereas, the imposition of federal oversight and development of federal mandates on the state workers' compensation system should be opposed, including any proposed legislation that would unnecessarily increase the federal bureaucracy and create federal regulation in an area where states are currently providing adequate oversight;

Whereas, federal requirements on the state-based system would create unnecessary imbalances and unintended consequences for a system that has been operating effectively for decades;

Whereas, a state workers' compensation system, its administration, legal precedents, funding, and fiscal accountability, which is intricately linked to each state's economy, is a much more effective approach m dealing with workers' compensation issues;

Whereas, the state-based system provides the ability to experiment creatively and borrow from experiences in other states without the burden of a rigid, nationwide, one-size-fits-all federal program that is slow to change and administratively cumbersome;

Whereas, the rights of states and their respective legislatures and stakeholders to review the performance of state-based workers' compensation systems should be preserved;

Whereas, it is not the province of Congress to interfere with the state administration of workers' compensation: Now, therefore, be it

Resolved, That the Legislature of the state of Utah expresses strong support for the current state-based workers' compensation system and opposes any proposed federal legislation that would lead to broadening the federal role in that system; be it further

Resolved, That the Legislature of the state of Utah opposes H.R. 635, introduced in the 111th United States Congress, that would establish a National Commission on State Workers' Compensation Laws, because the Commission's evaluation is intended, and will assuredly lead, to recommendations that would erode the independence of the state-based workers' compensation benefit delivery system, would seek to impose federal benefit delivery system rules, which Congress would be expected to approve, that inherently interfere with state benefit systems, would increase system costs nationwide, and would frustrate efforts of the states to contain costs; be it further

Resolved, That a copy of this resolution be sent to the President of the United States, the Majority Leader of the United States Senate, the Speaker of the United States House of Representatives, and to the members of Utah's congressional delegation.

POM–119. A joint resolution adopted by the Legislature of the State of Utah urging the United States Department of Veterans Affairs to prioritize Utah for the construction of another veterans' nursing home; to the Committee on Veterans' Affairs.

HOUSE JOINT RESOLUTION NO. 9

Whereas, there is greet need for the construction of an additional nursing home for veterans in Utah;

Whereas, Utah is still significantly below the nation's average for the total number of needed veterans' nursing homes statewide;

Whereas, due to the heavy numbers of veterans in the state of Utah, the United States Department of Veterans Affairs should prioritize Utah for the construction of an additional veterans' nursing home;

Whereas, Utah should also be prioritized based on the absolute promise of the United States Department of Veterans Affairs to reimburse the state for the Veterans' Nursing Home in Ogden;

Whereas, any and all efforts by the state of Utah to continue to help veterans acquire properties and build a home in central and southern Utah should be encouraged;

Whereas, the citizens of Utah and the citizens of the United States owe a debt to our veterans of the past, present, and future; and

Whereas, constructing an additional veterans' nursing home will demonstrate a measure of gratitude for their service: Now, therefore, be it

Resolved, That the Legislature of the state of Utah strongly encourages the United States Department of Veterans Affairs to prioritize Utah for the construction of another veteran' nursing home; be it further

Resolved, That the Legislature of the state of Utah encourages any and all efforts by the state of Utah to continue helping veterans acquire properties and build a veterans' nursing home in central and southern Utah; be it further

Resolved, That copies of this resolution be sent to the United States Department of Veterans Affairs, the Utah Department of Veteran's Affairs, and to the members of Utah's congressional delegation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. AKAKA, from the Committee on Veterans' Affairs, without amendment:

S. 3378. An original bill to authorize health care for individuals exposed to environmental hazards at Camp Lejeune and the