

**MINUTES OF THE
HEALTH AND HUMAN SERVICES STANDING COMMITTEE
ROOM 223, STATE CAPITOL BUILDING**

February 21, 2003

MEMBERS PRESENT: Rep. Mike Thompson, Chair
 Rep. Steven R. Mascaro, Vice-Chair
 Rep. Calvin G. Bird
 Rep. Judy Ann Buffmire
 Rep. D. Gregg Buxton
 Rep. Marda Dillree
 Rep. Patricia W. Jones
 Rep. Brad Last
 Rep. David Litvack

MEMBERS ABSENT: Rep. Rebecca Lockhart

STAFF PRESENT: Mark Andrews, Policy Analyst
 Betty M. Bushman, House Secretary

OTHERS PRESENT: (List of visitors on file)

Chair Thompson called the meeting to order at 7:06 a.m.

MOTION: Representative Litvack moved to approve the minutes of the February 19, 2003 committee meeting. The motion passed unanimously with Representative Buffmire and Representative Buxton absent for the vote.

H.B. 348 Limitation on Alimony (*W. Harper*)

Representative Harper presented the bill to the committee with proposed amendments.

MOTION: Representative Last moved to amend the bill as follows:

1. Page 4, Line 101: After "(h)" insert "(i)"

2. Page 4, Line 104: After line 104, insert:
- "(ii) The payor spouse shall provide written notice via certified mail, return receipt requested, to a recipient spouse of the intention to discontinue alimony payments not less than six months before payments will cease.
- (iii) If the recipient spouse does not object or reply, alimony shall be discontinued at the end of the six month period, and the payor spouse shall file an affidavit with copies of the original written notice and return receipt with the court. Copies of all documents filed with the court shall be delivered to the recipient spouse via certified mail, return receipt requested.
- (iv) If the recipient spouse objects, either party may file a petition with the court to continue or discontinue alimony. The burden before the court to prove that extenuating circumstances exist justifying the continuance of alimony payments shall be upon the recipient spouse. If a petition is filed, alimony shall continue until the court makes a determination."

The motion passed unanimously with Representative Buffmire and Representative Buxton absent for the vote.

Representative Harper explained the bill to the committee.

Ms. Lori W. Nelson, Family Law Section - Utah Bar Association, spoke in opposition to the bill.

Mr. Doug Mortensen, Utah Trial Lawyers Association, spoke to the bill.

Mr. Todd Stone spoke in support of the bill.

MOTION: Representative Mascaro moved to pass the bill out favorably as amended with a recommendation from the committee to the sponsor to confer with the legal staff in resolving some of the objections discussed before the bill is presented to the House as a whole. The motion passed unanimously.

H.B. 308 Health and Human Services Boards and Commission Amendment (*J. Seitz*)

Representative Seitz presented the bill to the committee with proposed amendments.

MOTION: Representative Dillree moved to amend the bill as follows:

1. Page 8, Line 220: Delete "conduct court ordered drug screening tests for"
insert "refer"
2. Page 8, Lines 221 - 222: After "division" insert "to the local substance abuse
authority or other private or public resource for
court-ordered drug screening test" after "individual to"
delete lines 221 and 222 and insert "pay all costs of the
tests unless:"

The motion passed unanimously.

Representative Seitz explained the bill to the committee

MOTION: Representative Buffmire moved to pass the bill out favorably as amended. The motion passed unanimously.

MOTION: Representative Buxton moved to place the bill on the Consent Calendar. The motion passed unanimously.

H.B. 335 Redistribution of Tobacco Fund Amendments (*R. McGee*)

Representative McGee presented the bill to the committee with a proposed substitute to the bill.

MOTION: Representative Jones moved that 1st Substitute H.B. 335 replace H.B. 335. The motion passed unanimously.

Representative McGee explained the substitute bill to the committee with the assistance of Judi Hillman, Utah Issues, and distributed a handout.

Mr. Kelly Atkinson, Executive Director - Utah Health Insurance Association; Ms. Tina Johnson, Legislative Coalition for People With Disabilities; and Ms. Stephanie Gillichbauer spoke in support of the bill.

MOTION: Representative Litvack moved to pass the substitute bill out favorably. The motion passed unanimously with Representative Last absent for the vote.

H.B. 323 Donation of Surplus Computers to Persons with a Disability (*C. Bird*)

Representative Bird presented the bill to the committee with a proposed amendment.

MOTION: Representative Bird moved to amend the bill as follows:

Page 1, Line 1: Before “**DONATION**” insert:
 “**BARRY CLEMENT--WENDELL JOHNSON**”

The motion passed unanimously.

Mr. Kevin Walthers, Legislative Fiscal Analyst, answered questions of committee members regarding the bill.

Speaking in support of the bill were Ms. Joyce Dolcourt, Arc of Utah and Ms. Corey Rowley, Legislative Coalition for People With Disabilities

Mr. Steve Saltzgeber, Director - Fleet Operations and Surplus Services Program, spoke to the bill.

MOTION: Representative Dillree moved to pass the bill out favorably as amended. The motion passed unanimously

3 Sub S.B. 27 Susan Gall Involuntary Commitment Amendments (*L. Blackham, et al*)

Senator Blackham explained the bill to the committee with the assistance of Ms. Vicki Cottrell, National Association for Mental Illness–Utah (NAMI).

Ms. Janet O’Neill; Ms. Fraser Nelson, Executive Director - Disability Law Center; Mr. Jack Tanner, Utah Behavioral Healthcare Network; and Mr. Spencer Jenkins spoke in support of the bill.

MOTION: Representative Litvack moved to pass the bill out favorably. The motion passed unanimously.

S.C.R. 2 Resolution Regarding Clinical Trials for Women’s Health Care (*P. Julander*)

Senator Julander explained the bill to the committee.

MOTION: Representative Jones moved to pass the bill out favorably. The motion passed unanimously.

S.B. 121 Federal Health Insurance Portability and Accountability Act Compliance Amendments, sponsored by Senator Knudson, was not considered in today's meeting.

MOTION: Representative Buffmire moved to adjourn the meeting. The motion passed unanimously.

Chair Thompson adjourned the meeting at 9:14 a.m.

Rep. Mike Thompson
Committee Chair