

**MINUTES OF THE SENATE BUSINESS & LABOR
STANDING COMMITTEE
THURSDAY, FEBRUARY 20, 2003, 4:00 P.M.
ROOM 403, STATE CAPITOL BUILDING**

Members Present: Sen. Parley G. Hellewell, Chair
Sen. Curtis Bramble
Sen. Gene Davis
Sen. Thomas V. Hatch
Sen. Ed Mayne
Sen. Carlene M. Walker

Member Excused: Sen. Michael Waddoups

Member Absent: Sen. Dan Eastman

Staff Present: Mary Catherine Perry, Policy Analyst
Karen Allred, Committee Secretary

Visitors list on file

Committee Chair Hellewell called the meeting to order at 4:30 p.m.

MOTION: Sen. Mayne moved to approve the minutes of February 14 and 19, 2003.

The motion passed unanimously with Sen. Davis absent for the vote.

1. S.B. 205 Tobacco Marketing Practices Restrictions (C. Bramble)

Sen. Bramble explained the bill.

Gayle Stewart, owner, Speedee Mart, and Wayne Klein, Chief, Consumer Enforcement Div., Office of the Attorney General, spoke in support of the bill.

Jim Olsen, President, Utah Food Industry Association, and Gary Thorup, Attorney, Philip Morris, spoke in opposition to the bill.

MOTION: Sen. Walker moved to go to the next item on the agenda.

SUBSTITUTE MOTION: Sen. Bramble moved to pass the bill out favorably.

The motion failed with Sens. Hellewell, Bramble and Hatch voting in favor of the motion and Sens. Walker, Davis and Mayne voting in opposition.

The committee returned to Sen. Walkers' original motion to go to the next item on the agenda.

The motion passed with Sen. Hatch voting in oppositon.

2. S.B. 170 Amendments to Workers' Compensation (C. Bramble)

Lane Summerhays, CEO, Workers Compensation Fund, and Pete Stevens, Assistant Commissioner, Dept. of Insurance, answered questions from the committee.

Dennis Wood, Salt Lake Chamber of Commerce; Lowell Curtis, Risk Manager, Mrs. Fields Famous Brands; Gary Barrus, Vice President, Redman Van & Storage Co.; Brent Copeland, Independent Insurance Agency; Tom Bingham, President, Utah Manufacturers Association; and Ron Casper, State Director, National Federation of Independent Business, spoke in support of the bill.

Cindy Coleman, Manager, Zenith Insurance Company; Kent Streuling, Director, Utah Society for Human Resource Mgt.; Mike Sonntag, American Insurance Association; Eric Leavitt, Ex. Vice Pres., The Leavitt Group; and Gary Thorup, Attorney; spoke in opposition to the bill.

MOTION: Sen. Bramble moved to amend the bill as follows:

1. Page 9,
Lines 247-248: Delete "While designated the residual market carrier, and for five years after the contract terminates in accordance with Section 31A-33a-107, the" and insert "The"
2. Page 9, Line 252: After line 252 insert "(5) While designated the residual market carrier, and for five years after the contract terminates in accordance with Section 31A-331-107, the residual market carrier may not offer health care insurance as defined in Section 31A-1-301(55)."
3. Page 11, Line 314: After "commissioner may" insert "with unanimous consent of the Utah Residual Market Oversight Council"
4. Page 18, Line 526: Delete "January" and insert "July"

The motion passed unanimously.

MOTION: Sen. Davis moved to pass the bill out favorably as amended.

The motion passed with Sen. Hatch voting in opposition.

MOTION: Sen. Bramble moved to pass **S.B. 205** out favorably.

The motion passed with Sen. Walker voting in opposition.

MOTION: Sen. Davis moved to adjourn.

The motion passed unanimously.

Chair Hellewell adjourned the meeting at 6:05 p.m.

Sen. Parley G. Hellewell, Chair