

**MINUTES OF THE
WORKFORCE SERVICES & COMMUNITY & ECONOMIC DEVELOPMENT
STANDING COMMITTEE
TUESDAY, FEBRUARY 18, 2003 - 7:30 A.M.
Room 414/416, State Capitol Building**

Members Present: Sen. David Thomas, Committee Chair
Sen. Thomas Hatch
Sen. Lyle Hillyard
Sen. Scott Jenkins
Sen. Paula Julander
Sen. Ed Mayne
Sen. David Steele
Sen. John Valentine

Staff Present: Jami Momberger, Policy Analyst
Bonnie Brinton, Committee Secretary

Public Speakers Present: G. W. Leonard, General Counsel, Utah State Employees Association
Pat Rust, President, Utah Education Association
Corey Landeen, Utah Public Employees Association
Ray Hintze, Chief Deputy, Attorney General's Office
Nick Hales, Chairman, Department of Alcohol Beverage Control
Earl Dorius, Department of Alcohol Beverage Control
Kincade Bauer, President, Darkhorse Entertainment
Mike Sonntag, Utah Beer Wholesalers Association
Melva Sign, President, Utah Restaurant Association
Steve Barth, Utah Hospitality Association
Daniel Darger, Restaurant Owner
Robert Brown, President, Cheers to You, Private Club
Stewart Campbell, Board, Utah Hospitality Commission
Randy Finnes, President, Barbary Coast
Mark Livingston, Co-Owner, Bogeys, Private Club
Tamara Wharton, Citizen
Janey Brown, Mothers Against Drunk Drivers
Hubert Brown, Owner, Sandy Station, Private Club

Visitor List on File.

Chair Thomas called the meeting to order at 7:40 a.m.

1. Approval of Minutes

MOTION: Sen. Julander moved to approve the minutes of February 14, 2003.

The motion passed unanimously, with Sens. Hatch, Hillyard, Jenkins, Mayne, and Valentine absent for the vote.

2. 1st Sub. H.B. 159 Voluntary Contribution Act Amendments (C. Bennion)

Rep. Bennion presented the bill.

MOTION: Sen. Steele moved to accept the following amendment:

1. Page 4, Lines 108 & 109
House Floor Amendments
2-10-03:

After “purposes” delete “or transfer union dues to a political fund”

The motion passed, with Sens. Thomas and Jenkins voting against the motion, and Sens. Hatch, Hillyard, and Valentine absent for the vote.

Those speaking against the bill are as follows: G. W. Leonard, General Counsel, Utah State Employees Association; Pat Rust, President, Utah Education Association; and Corey Landeen, Utah Public Employees Association.

Ray Hintze, Chief Deputy, Attorney General’s Office, spoke in favor of the bill.

MOTION: Sen. Mayne moved to accept the following amendment:

Page 7, Line 207: After “employees” insert “unless the cost of the deductions are paid for by the recipients”

The motion failed, with Sens. Julander, Mayne, and Steele voting for the motion; and Sen. Hatch absent for the vote.

MOTION: Sen. Hillyard moved to pass 1st Sub. H.B. 159, as amended, out of committee with a favorable recommendation.

The motion passed, with Sens. Julander, Mayne, and Steele voting against the motion.

2. H.B. 14, Tourism Promotion Programs (S. Allen)

Rep. Allen presented the bill.

MOTION: Sen. Steele moved to accept 1st Sub. H.B. 14.

The motion passed unanimously, with Sen. Hatch absent for the vote.

MOTION: Sen. Steele moved to pass 1st Sub. H.B. 14 out of committee with a favorable recommendation.

The motion passed, with Sen. Thomas voting against the motion; and Sen. Hatch absent for the vote.

3. S.B. 153 Alcoholic Beverage Amendments (J. Valentine)

Sen. Valentine presented the bill.

Nick Hales, Chairman, Department of Alcohol Beverage Control, spoke to the bill.

MOTION: Sen. Valentine moved to accept the following amendments to S.B. 153:

1. Page 52, Line 1605:Delete line 1605 and insert:
"under \$5,000 \$750
equals or exceeds \$5,000 but less than \$10,000 \$900
2. Page 60, Line 1851:After "(a)" insert "(i)" reinstate "Liquor" and insert "may be sold only at prices fixed by the commission.
(ii) Liquor may not be sold at discount prices on any date or at any time.
(b)"
3. Page 61, Line 1861:Delete "(b)" and insert "(c)"
4. Page 61, Line 1863:Delete "(c)" and insert "(d)"
5. Page 61, Line 1865:Delete "(d)" and insert "(e)"
6. Page 61, Line 1867:Delete "(e)" and insert "(f)"
7. Page 61, Line 1869:Delete "(f)" and insert "(g)"

8. Page 75, Line 2303:After "(11)(a)" insert:
"(i) Liquor may be sold only at prices fixed by the commission.
(ii) Liquor may not be sold at discount prices on any date or at any
time.
(b)"
9. Page 75, Line 2312:Delete "(b)" and insert "(c)"
10. Page 75, Line 2314:Delete "(c)" and insert "(d)"
11. Page 75, Line 2316:Delete "(d)" and insert "(e)"
12. Page 75, Line 2318:Delete "(e)" and insert "(f)"
13. Page 75, Line 2320:Delete "(f)" and insert "(g)"
14. Page 82, Line 2534:After "license" insert "in calendar year 2003"
15. Page 90, Line 2770:After line 2770 insert:
"(10) Alcoholic beverages may not be sold except in connection
with an order of food prepared, sold, and served at the restaurant."
16. Page 90, Line 2771:Delete "(10)" and insert "(11)"
17. Page 90, Line 2776:Delete "(11)(a)" and insert:
"(12)(a)(i) Wine and heavy beer may be sold only at prices fixed by
the commission.
(ii) Wine and heavy beer may not be sold at discount prices on any
date or at any time.
(b)"
18. Page 90, Line 2778:Delete "(b)" and insert "(c)"
19. Page 90, Line 2780:Delete "(c)" and insert "(d)"
20. Page 90, Line 2782:Delete "(d)" and insert "(e)"
21. Page 90, Line 2784:Delete "(e)" and insert "(f)"
22. Page 90, Line 2786:Delete "(f)" and insert "(g)"

23. Page 91, Line 2788:Delete "(12)" and insert "(13)"
24. Page 91, Line 2790:Delete "(13)" and insert "(14)"
25. Page 91, Line 2794:Delete "(13)(a)" and insert "(14)(a)"
26. Page 91, Line 2798:Delete "(13)(b)(i)" and insert "(14)(b)(i)"
27. Page 91, Line 2804:Delete "(14)(a)" and insert "(15)(a)" and delete "(14)(b)" and insert "(15)(b)"
28. Page 91, Line 2809:Delete "(14)(a)" and insert "(15)(a)"
29. Page 91, Line 2811:Delete "(15)" and insert "(16)"
30. Page 91, Line 2813:Delete "(15)(a)" and insert "(16)(a)"
31. Page 91, Line 2815:Delete "(16)" and insert "(17)"
32. Page 92, Line 2818:Delete "(17)" and insert "(18)"
33. Page 92, Line 2822:Delete "(18)" and insert "(19)"
34. Page 92, Line 2827:Delete "(19)" and insert "(20)"
35. Page 92, Line 2834:Delete "(19)(a)" and insert "(20)(a)"
36. Page 93, Line 2852:Delete "(20)" and insert "(21)" and delete "(19)" and insert "(20)"
37. Page 93, Line 2853:Delete "(19)" and insert "(20)"
38. Page 93, Line 2854:Delete "(21)" and insert "(22)"
39. Page 93, Line 2860:Delete "(21)(a)" and insert "(22)(a)"
40. Page 93, Line 2861:Delete "(21)(a)" and insert "(22)(a)"
41. Page 93, Line 2862:Delete "(22)" and insert "(23)"

42. Page 93, Line 2865:Delete "(23)" and insert "(24)"
43. Page 93, Line 2879:Delete "(23)(a)" and insert "(24)(a)"
44. Page 94, Line 2889:Delete "(23)(a)" and insert "(24)(a)"
45. Page 94, Line 2898:Delete "(24)" and insert "(25)"
46. Page 94, Line 2903:Delete "(24)(a)" and insert "(25)(a)"
47. Page 94, Line 2905:Delete "(24)(c)(iii)" and insert "(25)(c)(iii)"
48. Page 95, Line 2912:Delete "(24)(a)" and insert "(25)(a)"
49. Page 95, Line 2925:Delete "(25)" and insert "(26)"
50. Page 95, Line 2927:Delete "(26)" and insert "(27)"
51. Page 95, Line 2929:Delete "(27)" and insert "(28)"
52. Page 95, Line 2934:Delete "(28)" and insert "(29)"
53. Page 95, Line 2937:Delete "(28)(a)" and insert "(29)(a)"
54. Page 95, Line 2939:Delete "(29)" and insert "(30)"
55. Page 107, Line 3293:After "(9)(a)"
"(i) Liquor may be sold only at prices fixed by the commission.
(ii) Liquor may not be sold at discount prices on any date or at any
time.
(b)"
56. Page 107, Line 3295:Delete "(b)" and insert "(c)"
57. Page 107, Line 3297:Delete "(c)" and insert "(d)"
58. Page 107, Line 3299:Delete "(d)" and insert "(e)"
59. Page 107, Line 3301: Delete "(e)" and insert "(f)"

60. Page 119, Line 3676:Delete line 3676 and insert:
"under \$10,000 \$1,000
equals or exceeds \$10,000 but less than \$25,000 \$1,250"
61. Page 136, Line 4185:After "(30)(a)"
"(i) Liquor may be sold only at prices fixed by the commission.
(ii) Liquor may not be sold at discount prices on any date or at any
time.
(b)"
62. Page 136, Line 4187: Delete "(b)" and insert "(c)"
63. Page 136, Line 4189:Delete "(c)" and insert "(d)"
64. Page 136, Line 4191:Delete "(d)" and insert "(e)"
65. Page 136, Line 4193: Delete "(e)" and insert "(f)"
66. Page 136, Line 4195:Delete "(f)" and insert "(g)"
67. Page 136, Line 4197:Delete "(g)" and insert "(h)"
68. Page 159, Line 4916:After "(m)(i)" insert:
"(A) Liquor may be sold only at prices fixed by the commission.
(B) Liquor may not be sold at discount prices on any date or at any
time.
(ii)"
69. Page 159, Line 4918: Delete "(ii)" and insert "(iii)"
70. Page 159, Line 4920:Delete "(iii)" and insert "(iv)"
71. Page 159, Line 4922:Delete "(iv)" and insert "(v)"
72. Page 159, Line 4924: Delete "(v)" and insert "(vi)"
73. Page 232, Line 7180:Delete "or"
74. Page 232, Line 7182:After "time" insert "; or (e) allow any person
on the premise of the following to have more than one spirituous

liquor beverage at a time:
(i) a restaurant liquor license;
(ii) limited restaurant license;
(iii) an on-premise banquet license; or
(iv) a single event permit"

75. Page 266, Lines 8233-34:Delete "Driver License Division" and insert "Liquor Law Enforcement Unit"

The motion passed unanimously, with Sens. Hatch and Mayne absent for the vote.

Earl Dorius, Department of Alcohol Beverage Control, spoke to the bill.
Kincade Bauer, President, Darkhorse Entertainment, spoke to the bill.

Those speaking for the bill are as follows: Mike Sonntag, Utah Beer Wholesalers Association; Melva Sign, President, Utah Restaurant Association; Steve Barth, Utah Hospitality Association.

Those speaking against the bill are as follows: Daniel Darger, Restaurant Owner; Robert Brown, President, Cheers to You, Private Club; Stewart Campbell, Board Member, Utah Hospitality Commission; Randy Finnes, President, Barbary Coast; Mark Livingston, Co-Owner, Bogeys, Private Club; Tamara Wharton, Citizen; Janey Brown, Mothers Against Drunk Drivers; and Hubert Brown, Owner, Sandy Station, Private Club.

MOTION: Sen. Valentine moved to accept the following amendments:

1. Page 4, Line 100: Delete line 100
2. Pages 220-221, Lines 6801-6837: Delete lines 6801-6837

The motion passed unanimously, with Sen. Mayne absent for the vote.

MOTION: Sen. Hillyard moved to pass S.B. 153 out of committee with a favorable recommendation.

Sen. Julander stated that she would vote against the motion because she felt there has not been enough public input regarding S.B. 153.

The motion passed, with Sens. Julander and Steele voting against the bill; and Sen. Mayne absent for the vote.

MOTION: Sen. Hillyard moved to adjourn the meeting.

The motion passed unanimously, with Sen. Mayne absent for the vote.

Chair Thomas adjourned the meeting at 10:00 a.m.

Minutes were reported by Bonnie Brinton, Secretary.

Sen. David Thomas, Committee Chair