

**MINUTES OF THE HOUSE BUSINESS AND LABOR
STANDING COMMITTEE**
Room W010, West Office Building, State Capitol Complex
February 21, 2007

Members Present: Rep. Stephen D. Clark, Chair
Rep. Jim Dunnigan, Vice Chair
Rep. Jackie Biskupski
Rep. David Clark
Rep. Carl W. Duckworth
Rep. Ben Ferry
Rep. Gage Froerer
Rep. Neil A Hansen
Rep. Todd E. Kiser
Rep. Michael T. Morley
Rep. Paul Neuenschwander
Rep. Mark Walker

Members Absent: Rep. Kevin Garn

Staff Present: Allison Nicholson, Policy Analyst
Linda Error, Committee Secretary

Note: List of visitors and a copy of handouts are filed with committee minutes.

Vice Chair Dunnigan called the meeting to order at 7:37 a.m.

MOTION: Rep. Hansen moved to approve the minutes of the February 19, 2007 meeting. The motion passed unanimously, with Rep. D. Clark, Rep. S. Clark, Rep. Ferry, Rep. Morley, and Rep. Walker absent for the vote.

S.B. 107 Notice of Available Charity Care (*Sen. M. Waddoups*)

Sen. Waddoups introduced the bill to the committee.

Spoke to the bill: Judi Hilman, Executive Director, Utah Health Policy Project

Spoke for the bill: Bill Barnes, Intermountain Health Care

MOTION: Rep. Hansen moved to pass the bill out favorably. The motion passed unanimously, with Rep. D. Clark, Rep. S. Clark, Rep. Ferry, Rep. Morley, and Rep. Walker absent for the vote.

S.B. 101 Credit Services Organizations Act Changes (Sen. L. Hillyard)

Rep. Menlove introduced the bill to the committee.

Spoke for the bill: Kevin Olson, Division of Consumer Protection

MOTION: Rep. Froerer moved to pass the bill out favorably. The motion passed unanimously, with Rep. D. Clark, Rep. S. Clark, Rep. Ferry, Rep. Morley, and Rep. Walker absent for the vote.

MOTION: Rep. Biskupski moved that **S.B. 101** be placed on the Consent Calendar. The motion passed unanimously, with Rep. D. Clark, Rep. S. Clark, Rep. Ferry, Rep. Morley, and Rep. Walker absent for the vote.

S.B. 166 Notary Public Amendments (Sen. R. Romero)

Sen. Romero introduced the bill to the committee.

MOTION: Rep. Hansen moved to pass the bill out favorably. The motion passed unanimously, with Rep. D. Clark, Rep. Ferry, Rep. Morley, and Rep. Walker absent for the vote.

MOTION: Rep. Hansen moved that **S.B. 166** be placed on the Consent Calendar. The motion passed unanimously, with Rep. D. Clark, Rep. Ferry, Rep. Morley, and Rep. Walker absent for the vote.

H.B. 90 Garnishment Fees (Rep. F. Hunsaker)

Rep. Hunsaker introduced the bill to the committee with the assistance of Candace Daly, State Director, National Federation of Independent Business.

Spoke for the bill: Mark Olson, Attorney, Utah Association of Collectors

MOTION: Rep. Duckworth moved to amend the bill as follows:

1. Page 2, Lines 41 through 50:

41 (3) An employer who is served with a continuing garnishment may deduct a
processing

42 fee of up to \$25 {~~each~~} the first time a payment is made , and a fee of up to
\$10 for each time thereafter .

* * * Some lines not shown * * *

- 49 (4) The processing fee shall be included in the {~~nonexempt~~} exempt
 amount subject to
50 garnishment.

The motion passed unanimously, with Rep. D. Clark, Rep. Ferry, Rep. Morley, and Rep. Walker absent for the vote.

MOTION: Rep. Neuenschwander moved to amend the bill as follows:

1. *Page 1, Line 16:*

- 16 • \$100 if the employer has {~~less than~~} 100 employees or less ; or

The motion to amend passed unanimously, with Rep. D. Clark, Rep. Ferry, Rep. Morley, and Rep. Walker absent for the vote.

MOTION: Rep. Neuenschwander moved to pass the bill out favorably. The motion passed unanimously, with Rep. D. Clark, Rep. Morley, and Rep. Walker absent for the vote.

S.B. 159 Labor Organizations Amendments (*Sen. H. Stephenson*)

Sen. Stephenson introduced the bill to the committee.

Vice Chair Dunnigan relinquished the chair to Chair S. Clark.

MOTION: Rep. Dunnigan moved to amend the bill as follows:

1. *Page 1, Lines 19 through 20:*

- 19 amount; {~~and~~} =
 ▶ provides that a labor organization is not liable to an employee for terminating services or benefits that are only available to members of the labor organization when the employee requests that the employer cease making deductions for union dues benefitting the labor organization; and
20 ▶ makes technical changes.

2. *Page 3, Line 59 through Page 3, Line 65:*

- 59 (b) (i) An employer shall promptly cease making deductions for union dues from the
60 wages of an employee for the benefit of a labor organization when the employer receives a
61 written communication from the employer directing that the deductions cease.

62 (ii) An employee's request that the employer cease making deductions shall not be
63 conditioned upon the labor organization's:

64 (A) receipt of advance notice of the request; or

65 (B) prior consent to cessation of the deductions. =

(iii) A labor organization is not liable for any claim for services or benefits that are available only to members of the labor organization and that are terminated as a result of an employee's request that the employer cease making deductions for union dues for the benefit of the labor organization.

The motion to amend passed unanimously, with Rep. D. Clark, Rep. Morley, and Rep. Walker absent for the vote.

Vice Chair Dunnigan resumed the chair.

Spoke for the bill: Pat Fender, American Federation of Teachers of Utah

Spoke to the bill: Susan Kuziak, Executive Director, Utah Education Association
 Geoff Leonard, Utah Schools Employee Association

MOTION: Rep. Ferry moved to pass the bill out favorably as amended. The motion passed with Rep. Biskupski and Rep. Hansen voting in opposition. Rep. D. Clark, Rep. S. Clark, Rep. Morley, and Rep. Walker absent for the vote.

H.B. 430 Public Employees Union Financial Responsibility Act (Rep. G. Hughes)

Rep. Hughes introduced the bill to the committee.

Spoke against the bill: Kelly Atkinson, Fraternal Order of Police
 Geoff Leonard, Utah Schools Employees Association
 Vik Arnold, Utah Education Association

MOTION: Rep. D.Clark moved to pass the bill out favorably.

SUBSTITUTE

MOTION: Rep. Hansen moved to amend the bill as follows:

Page 3, Line 84 after organization insert and United Way

The motion to amend failed, with Rep. Duckworth and Rep. Hansen voting in favor.

SUBSTITUTE

MOTION: Rep. Biskupski moved to send H.B. 430 to interim study.. The motion passed, with Rep. D. Clark, Rep. S. Clark, Rep. Kiser, Rep. Morley, and Rep. Walker voting in opposition.

H.B. 406 Income Tax Credits for Certain Health Insurance Premiums Paid by a Small Employer (*Rep. W. Harper*)

Rep. Harper introduced the bill to the committee.

MOTION: Rep. S. Clark moved to pass the bill out favorably. The motion passed, with Rep. Biskupski, Rep. Hansen, and Rep. Neuenschwander voting in opposition.

H.B. 183 Employee Noncompetition Contracts (*Rep. L. Fowlke*)

This bill was not heard.

MOTION: Rep. Froerer moved to adjourn the meeting. The motion passed unanimously.

Vice Chair Dunnigan adjourned the meeting at 9:05 a.m.

Rep. Stephen D. Clark, Chair