

**MINUTES OF THE HOUSE BUSINESS AND LABOR  
STANDING COMMITTEE**

Room C450, State Capitol, Utah State Capitol Complex  
February 20, 2008

**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. Kevin Garn  
Rep. Neil A Hansen  
Rep. Todd E. Kiser  
Rep. Michael T. Morley  
Rep. Paul Neuenschwander  
Rep. Mark Walker

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

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

Chair Clark called the meeting to order at 8:10 a.m.

**MOTION** Chair Clark moved to approve the minutes of the February 18, 2008 meeting. The motion passed unanimously, with Rep. Duckworth, Rep. Ferry, Rep. Froerer, Rep. Garn, Rep. Morley, and Rep. Walker absent for the vote.

**H.B. 343 Exemption of University Housing from Eviction Laws (*Rep. P. Neuenschwander*)**

Rep. Neuenschwander introduced the bill to the committee with the assistance of Barbara Remsburg, Associate Director of Housing, University of Utah and Robert Payne, Associate General Counsel, University of Utah. (handout)

**MOTION:** Rep. Dunnigan moved to pass the bill out favorably. The motion passed unanimously, with Rep. Garn absent for the vote.

**H.J.R. 12 Joint Resolution Amending the Utah Constitution - Stock Subscriptions (*Rep. D. Clark*)**

Rep. D. Clark introduced the resolution to the committee with the assistance of Ed Alter, Utah State Treasurer and Kimo Esplin, Chief Financial Officer, Huntsman Corporation.

MOTION: Rep. D. Clark moved to amend the resolution as follows:

1. *Page 1, Lines 10 through 11:*

10 This joint resolution of the Legislature proposes to amend the Utah Constitution to  
11 amend a provision relating to the subscription to stock or bond .

2. *Page 1, Lines 13 through 16:*

13 This resolution proposes to amend the Utah Constitution to:  
14 ▶ authorize the state to subscribe to stock or bond using funds in the  
permanent State School  
15 Fund and funds derived from federal land grants designated in the Enabling Act,  
16 except as limited by statute.

3. *Page 2, Lines 38 through 41:*

38 (3) Except as limited by statute, the State may subscribe to stock or bond with:  
39 (a) funds in the permanent State School Fund established in Article X, Section 5; and  
40 (b) funds derived from federal land grants designated in Sections 8 and 12 of the  
41 Enabling Act of the State.

The motion to amend passed unanimously, with Rep. Garn and Rep. Neuenschwander absent for the vote.

Spoke for the resolution: Larry Newton, State Board of Education

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

1. *Page 1, Lines 1 through 2:*

1 JOINT RESOLUTION AMENDING THE UTAH  
2 CONSTITUTION - STOCK AND BOND SUBSCRIPTIONS

2. *Page 1, Lines 10 through 11:*

10 This joint resolution of the Legislature proposes to amend the Utah Constitution to  
11 amend a provision relating to the subscription to stock or bonds .

3. *Page 1, Lines 13 through 16:*

13 This resolution proposes to amend the Utah Constitution to:  
14 ▶ authorize the state to subscribe to stock or bonds using funds in the  
permanent State School

15 Fund and funds derived from federal land grants designated in the Enabling Act,  
16 except as limited by statute.

4. *Page 2, Lines 38 through 41:*

38 (3) Except as limited by statute, the State may subscribe to stock **or bonds** with:  
39 (a) funds in the permanent State School Fund established in Article X, Section 5; and  
40 (b) funds derived from federal land grants designated in Sections 8 and 12 of the  
41 Enabling Act of the State.

The motion to amend passed unanimously, with Rep. Garn and Rep. Neuenschwander absent for the vote.

MOTION: Rep. Kiser moved to pass the resolution out favorably. The motion passed, with Rep. Biskupski, Rep. Duckworth, and Rep. Hansen voting in opposition. Rep. Garn and Rep. Neuenschwander were absent for the vote.

**H.B. 108 Prosthetic Limb Health Insurance Parity (Rep. D. Litvack)**

Rep. Litvack introduced the bill to the committee with the assistance of Tami Stanley, Amputee Coalition of America.

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

1. *Page 3, Line 64:*

64 schedule: ~~{and}~~

2. *Page 3, Line 67:*

67 aggregate to all terms and services covered under the policy **; and**  
**(e) does not apply to a policy that provides benefits solely for:**  
**(i) accident only coverage;**  
**(ii) a specific disease;**  
**(iii) hospital indemnity;**  
**(iv) Medicare supplement;**  
**(v) long term care;**  
**(vi) disability income replacement;**  
**(vii) dental;**  
**(viii) vision; or**  
**(ix) a limited health plan offered under Chapter 8, Health Maintenance**

**Organizations and Limited Health Plans** .

The motion to amend passed unanimously, with Rep. Garn, Rep. Morley, and Rep. Neuenschwander absent for the vote.

Spoke against the bill: Kelly Atkinson, Utah Health Insurance Association

Spoke for the bill: Dr. James Webster, physician, University of Utah and Veteran's Administration Hospitals

MOTION: Rep. Ferry moved to proceed to the next item on the agenda.

**SUBSTITUTE**

MOTION: Rep. Hansen moved to pass the bill out favorably. The motion failed, with Rep. Biskupski, Rep. Duckworth, and Rep. Hansen voting in favor. Rep. D. Clark was absent for the vote.

The original motion to proceed to the next item on the agenda passed, with Rep. Biskupski and Rep. Hansen voting in opposition. Rep. D. Clark was absent for the vote.

**S.B. 159 Workers' Compensation Amendments (Sen. D. Eastman)**

Sen. Eastman introduced the bill to the committee with the assistance of Dennis Lloyd, Workers Compensation Fund of Utah. (handout)

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

**H.B. 426 Government Procurement - Private Proposals (Rep. K. Garn)**

Rep. Garn introduced the bill to the committee with the assistance of Jerry Oldroyd, attorney, Ballard Spahr Andrews and Ingersoll.

MOTION: Rep. Garn moved to delete in title and body H.B. 426 and replace it with 1st Substitute H.B. 426. The motion passed unanimously, with Rep. D. Clark absent for the vote.

Spoke to the bill: Joe Campbell, Utah Press Association  
Chris Parker, Office of Legislative Research and General Counsel

MOTION: Rep. Froerer moved to pass the bill out favorably. The motion passed with Rep. Hansen voting in opposition. Rep. D. Clark was absent for the vote.

**H.B. 459 Construction Trades Exemption (Rep. S. Urquhart)**

Rep. Urquhart introduced the bill to the committee.

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

1. Page 3, Lines 76 through 87:

- 76 (ii) notwithstanding Subsection (1)(h)(i):  
77 (A) work in the plumbing and electrical trades on a Subsection (1)(h)(1)  
project must be performed by a licensed  
78 electrician or plumber except as otherwise provided in this section;  
79 (B) installation, repair, or replacement of a residential or commercial gas appliance  
or a  
80 combustion system on a Subsection (1)(h)(i) project must be performed by a person  
who has received certification under  
81 Subsection 58-55-308(2) except as otherwise provided in Subsection 58-55-308(2)(d) or  
82 58-55-308(3); ~~and~~  
83 (C) installation, repair, or replacement of water-based fire protection systems on a  
Subsection (1)(h)(i) project must be  
84 performed by a licensed fire suppression systems contractor or a licensed journeyman  
plumber;   
(D) installation, repair, or replacement of an alarm system on a Subsection  
(1)(h)(i) project must be performed by a licensed alarm business or company or a  
licensed alarm company agent;  
85 and  
86 ~~(D)~~ (E) if the total value of the project is greater than \$1,000, the person  
shall file with the  
87 division a one-time affirmation, subject to periodic reaffirmation as established by division

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

Spoke against the bill: Rob Jolley, Utah Subcontractors Council  
John Simonsen, President, Big Bear Electric

Scott Marsell, Chief Building Official, Sandy City  
Craig Moody, Utah Construction Suppliers Association  
Tony Oakman, President, Rocky Mountain Gas Association

Spoke to the bill: David Stanley, Division of Occupational and Professional  
Licensing

MOTION: Rep. Biskupski moved to adjourn the meeting. The motion failed, with Rep. Biskupski, Rep. Duckworth, Rep. Dunnigan, Rep. Hansen, and Rep. Neuschwander voting in favor. Rep. D. Clark and Rep. S. Clark were absent for the vote.

MOTION: Rep. Garn moved to pass the bill our favorably. The motion passed, with Rep. Biskupski, Rep. Duckworth, and Rep. Dunnigan voting in opposition. Rep. D. Clark, Rep. S. Clark, Rep. Hansen, and Rep. Kiser were absent for the vote.

**H.B. 443      Membership of Occupational and Professional Licensure Review Committee**  
***(Rep. G. Hughes)***

This bill was not heard.

MOTION: Rep. Froerer moved to adjourn the meeting. The motion passed unanimously, with Rep. D. Clark, Rep. S. Clark, Rep. Hansen, and Rep. Kiser absent for the vote.

Vice Chair Dunnigan adjourned the meeting at 10:10 a.m.

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Rep. Stephen D. Clark