

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

Room 450, State Capitol, Utah State Capitol Complex
February 14, 2011

Members Present: Rep. Jim Dunnigan, Chair
Rep. Dixon Pitcher, Vice Chair
Rep. Jim Bird
Rep. Jackie Biskupski
Rep. Derek Brown
Rep. Susan Duckworth
Rep. Gage Froerer
Rep. Francis Gibson
Rep. Don Ipson
Rep. Todd Kiser
Rep. Brad Last
Rep. Michael Morley
Rep. Curt Webb
Rep. Larry Wiley

Staff Present: Bryant Howe, Assistant Director
Rosemary Young, Committee Secretary

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

Rep. Pitcher called the meeting to order at 4:04 p.m.

MOTION: Rep. Duckworth moved to approve the minutes of the meeting of February 10, 2011. The motion passed unanimously with Rep. Biskupski, Rep. Froerer, Rep. Gibson, and Rep. Last absent for the vote.

H.B. 253 Employment of Unauthorized Aliens (*Rep. C. Herrod*)

MOTION: Rep. Kiser moved to replace H.B. 253 with 1st Substitute H.B. 253. The motion passed unanimously.

Rep. Herrod explained the bill to the committee assisted by Ron Mortensen, Davis 9/12 Project. Tim Wheelwright, immigration attorney with Durham, Jones, and Pinegar, spoke to the bill.

The following individuals spoke in favor of the bill:

Gaylan Stewart	UFIRE
Michael Sanchez	Utah Minuteman Project
Dana Anderson	Citizen

The following individuals spoke against the bill:

Marina Lowe	ACLU
Michael Picardi	Citizen
Wesley Smith	Salt Lake Chamber
Robert Babcock	Babcock Scott & Babcock

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

1. Page 6, Lines 170 through 173:

170 Section 5. Section **34A-12-202** is enacted to read:
171 34A-12-202. Verification of employment eligibility.
172 (1) On and after July 1, 2011, a private employer employing ~~{5}~~ **15** or more
employees
173 within the state for each working day in each of 20 calendar weeks or more in the current
or

The motion passed with Rep. Duckworth, Rep. Gibson, Rep. Kiser, Rep. Last, Rep. Morley, and Rep. Dunnigan voting in opposition.

MOTION: Rep. Wiley moved to amend the bill by replacing "three years" in line 179 to "90 days."

SUBSTITUTE MOTION: Rep. Last moved to amend the bill as follows:

176 (2) A private employer shall keep a record of the verification required by Subsection
177 (1) for the longer of:
178 (a) the duration of the employee's employment: ~~{or}~~
179 (b) at least three years from the date of ~~{verification}~~ **employment; or**
(c) one year from the date of termination of the employee's employment .

The motion passed unanimously with Rep. Biskupski absent for the vote.

MOTION: Rep. Kiser moved to transmit 1st Substitute H.B. 253 with a favorable recommendation. The motion passed with Rep. Bird, Rep. Brown, Rep. Webb, and Rep. Wiley voting in opposition and Rep. Biskupski absent for the vote.

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MOTION: Rep. Gibson moved to adjourn. The motion passed unanimously with Rep. Biskupski absent for the vote.

Rep. Pitcher adjourned the meeting at 5:40 p.m.

Rep. James Dunnigan, Chair