

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

Thursday , March 1, 2018 • 4:23 p.m. • 445 State Capitol

**Members Present:**

Rep. James A. Dunnigan, Chair  
Rep. Marc K. Roberts, Vice Chair  
Rep. Susan Duckworth  
Rep. Gage Froerer  
Rep. Timothy D. Hawkes  
Rep. John Knotwell  
Rep. Michael K. McKell  
Rep. Jeremy A. Peterson

Rep. Val K. Potter  
Rep. Mike Schultz  
Rep. Travis M. Seegmiller  
Rep. R. Curt Webb  
Rep. Mark A. Wheatley  
Rep. Brad R. Wilson

**Staff Present:**

Mr. Adam J. Sweet, Policy Analyst  
Ms. Linda Service, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

Chair Dunnigan called the meeting to order at 4:27 p.m.

**1 . S.B. 163 Repeal of International Relations and Trade Commission Provisions (*Bramble, C.*)**

Sen. Curtis S. Bramble presented the bill.

**MOTION:** Rep. Hawkes moved to pass S.B. 163 out favorably. The motion passed with a vote of 10 - 0 - 4 .

Yeas-10

Rep. S. Duckworth  
Rep. J. Dunnigan  
Rep. G. Froerer  
Rep. T. Hawkes  
Rep. J. Knotwell  
Rep. V. Potter  
Rep. M. Roberts  
Rep. R. Webb  
Rep. M. Wheatley  
Rep. B. Wilson

Nays-0

Absent-4

Rep. M. McKell  
Rep. J. Peterson  
Rep. M. Schultz  
Rep. T. Seegmiller

**MOTION:** Rep. Duckworth moved to place S.B. 163 on the Consent Calendar. The motion passed with a vote of 10 - 0 - 4 .

Yeas-10

Rep. S. Duckworth  
Rep. J. Dunnigan  
Rep. G. Froerer  
Rep. T. Hawkes  
Rep. J. Knotwell  
Rep. V. Potter  
Rep. M. Roberts  
Rep. R. Webb  
Rep. M. Wheatley  
Rep. B. Wilson

Nays-0

Absent-4

Rep. M. McKell  
Rep. J. Peterson  
Rep. M. Schultz  
Rep. T. Seegmiller

**2 . H.B. 454 Homeowners Association Modifications (*Froerer, G.*)**

Rep. Froerer presented the the bill assisted by Mr. Michael Johnson, Home Owners Association, and Mr. Peter Christensen, Utah Association of Realtors.

**MOTION:** Rep. Webb moved to replace H.B. 454 with 1st Substitute H.B. 454. The motion passed with a vote of 11 - 0 - 3 .

Yeas-11

Rep. S. Duckworth  
Rep. J. Dunnigan  
Rep. G. Froerer  
Rep. T. Hawkes  
Rep. J. Knotwell  
Rep. M. McKell  
Rep. V. Potter  
Rep. M. Roberts  
Rep. R. Webb  
Rep. M. Wheatley  
Rep. B. Wilson

Nays-0

Absent-3

Rep. J. Peterson  
Rep. M. Schultz  
Rep. T. Seegmiller

**MOTION:** Rep. Webb moved to pass 1st Substitute H.B. 454 out favorably. The motion passed with a vote of 12 - 0 - 2 .

Yeas-12

Rep. S. Duckworth  
Rep. J. Dunnigan  
Rep. G. Froerer  
Rep. T. Hawkes  
Rep. J. Knotwell  
Rep. M. McKell  
Rep. V. Potter  
Rep. M. Roberts  
Rep. T. Seegmiller  
Rep. R. Webb  
Rep. M. Wheatley  
Rep. B. Wilson

Nays-0

Absent-2

Rep. J. Peterson  
Rep. M. Schultz

**3 . S.B. 135 Insurance Contracts Amendments (*Fillmore, L.*)**

Sen. Lincoln Fillmore presented the bill assisted by Mr. Todd Kiser, Commissioner, Insurance Department, and Tanji Northrup, Assistant Commissioner.

Ms. Kathleen Kaufman, Utah Nurses Association, spoke for the bill.

Dr. Krista Schonrock, physician and Medical Director, SelectHealth, spoke against the bill.

Ms. Joyce Dolcourt, Legislative Coalition for People with Disabilities, spoke for the bill.

Mr. Kelly Atkinson, Executive Director, Utah Health Insurance Association, spoke against the bill.

**MOTION:** Rep. Hawkes moved to replace S.B. 135 with 1st Substitute S.B. 135. The motion passed with a vote of 9 - 0 - 5 .

Yeas-9

Rep. S. Duckworth  
Rep. J. Dunnigan  
Rep. T. Hawkes  
Rep. V. Potter  
Rep. M. Schultz  
Rep. T. Seegmiller  
Rep. R. Webb  
Rep. M. Wheatley  
Rep. B. Wilson

Nays-0

Absent-5

Rep. G. Froerer  
Rep. J. Knotwell  
Rep. M. McKell  
Rep. J. Peterson  
Rep. M. Roberts

**MOTION:** Rep. Hawkes moved to pass 1st Substitute S.B. 135 out favorably. The motion passed with a vote of 5 - 4 - 5 .

Yeas-5

Rep. S. Duckworth  
Rep. T. Hawkes  
Rep. V. Potter  
Rep. T. Seegmiller  
Rep. B. Wilson

Nays-4

Rep. J. Dunnigan  
Rep. M. Schultz  
Rep. R. Webb  
Rep. M. Wheatley

Absent-5

Rep. G. Froerer  
Rep. J. Knotwell  
Rep. M. McKell  
Rep. J. Peterson  
Rep. M. Roberts

**4 . H.B. 465 Alcoholic Beverage Control Funding Amendments (*Webb, R. C.*)**

Rep. Webb presented the bill.

**MOTION:** Rep. Peterson moved to pass H.B. 465 out favorably. The motion passed with a vote of 10 - 0 - 4 .

Yeas-10

Rep. S. Duckworth  
Rep. J. Dunnigan  
Rep. T. Hawkes  
Rep. J. Peterson  
Rep. V. Potter  
Rep. M. Schultz  
Rep. T. Seegmiller  
Rep. R. Webb  
Rep. M. Wheatley  
Rep. B. Wilson

Nays-0

Absent-4

Rep. G. Froerer  
Rep. J. Knotwell  
Rep. M. McKell  
Rep. M. Roberts

**MOTION:** Rep. Peterson moved to place H.B. 465 on the Consent Calendar. The motion passed with a vote of 10 - 0 - 4 .

Yeas-10

Rep. S. Duckworth  
Rep. J. Dunnigan  
Rep. T. Hawkes  
Rep. J. Peterson  
Rep. V. Potter  
Rep. M. Schultz  
Rep. T. Seegmiller  
Rep. R. Webb  
Rep. M. Wheatley  
Rep. B. Wilson

Nays-0

Absent-4

Rep. G. Froerer  
Rep. J. Knotwell  
Rep. M. McKell  
Rep. M. Roberts

**5 . H.B. 117 Hourly Wage Increase Amendments (*King, B. S.*)**

Rep. Brian S. King presented the bill.

Ms. Christy Clay, Utahns for Fair Wages, spoke for the bill.

Mr. Gentry Boswell, construction business owner, spoke against the bill.

Mr. Bill Tibbitts, Associate Director, Crossroads Urban Center, spoke for the bill.

Ms. Candace Daly, State Director, National Federation of Independent Business, distributed a handout and spoke against the bill.

Ms. Celesta Nagel, Utah Housing Coalition, spoke for the bill.

Ms. Kate Bradshaw, Utah Food Industry Association and Utah Retail Merchants Association, spoke against the bill.

Ms. Dawn Wagner, Utahns for Fair Wages, spoke for the bill.

**MOTION:** Rep. Wheatley moved to pass H.B. 117 out favorably. The motion failed with a vote of 2 - 12 - 0 .

Yeas-2

Rep. S. Duckworth  
Rep. M. Wheatley

Nays-12

Rep. J. Dunnigan  
Rep. G. Froerer  
Rep. T. Hawkes  
Rep. J. Knotwell  
Rep. M. McKell  
Rep. J. Peterson  
Rep. V. Potter  
Rep. M. Roberts  
Rep. M. Schultz  
Rep. T. Seegmiller  
Rep. R. Webb  
Rep. B. Wilson

Absent-0

**6 . H.B. 118 Cash Wage Obligation Minimum for Tipped Employees (*King, B. S.*)**

Rep. King presented the bill.

Mr. Daniel MacPauli, Utahns for Fair Wages, spoke for the bill.

Ms. Daley, National Federation of Independent Business in Utah, spoke against the bill.

Mr. Tibbitts spoke for the bill.

Ms. Clay spoke for the bill.

**MOTION:** Rep. Wheatley moved to pass H.B. 118 out favorably. The motion failed with a vote of 2 - 10 - 2 .

Yeas-2

Rep. S. Duckworth  
Rep. M. Wheatley

Nays-10

Rep. J. Dunnigan  
Rep. G. Froerer  
Rep. T. Hawkes  
Rep. J. Knotwell  
Rep. M. McKell  
Rep. V. Potter  
Rep. M. Roberts  
Rep. M. Schultz  
Rep. T. Seegmiller  
Rep. R. Webb

Absent-2

Rep. J. Peterson  
Rep. B. Wilson

**7 . H.B. 255 Extra-jurisdictional Municipal Property (Coleman, K.)**

Rep. Kim F. Coleman presented the bill.

Mr. Roger Tew, Utah League of Cities and Towns, spoke against the bill.

Mr. Tim Tingey, Murray City Corporation, spoke for the bill.

**MOTION:** Rep. Knotwell moved to replace H.B. 255 with 1st Substitute H.B. 255. The motion passed with a vote of 13 - 0 - 1 .

Yeas-13

Rep. S. Duckworth  
Rep. J. Dunnigan  
Rep. G. Froerer  
Rep. T. Hawkes  
Rep. J. Knotwell  
Rep. M. McKell  
Rep. J. Peterson  
Rep. V. Potter  
Rep. M. Roberts  
Rep. M. Schultz  
Rep. T. Seegmiller  
Rep. R. Webb  
Rep. M. Wheatley

Nays-0

Absent-1

Rep. B. Wilson

**MOTION:** Rep. Schultz moved to pass 1st Substitute H.B. 255 out favorably.

**SUBSTITUTE** Rep. Hawkes moved to hold 1st Substitute H.B. 255. The Substitute motion failed with a vote of 5  
**MOTION:** - 9 - 0 .

Yeas-5

Rep. S. Duckworth  
Rep. T. Hawkes  
Rep. V. Potter  
Rep. T. Seegmiller  
Rep. M. Wheatley

Nays-9

Rep. J. Dunnigan  
Rep. G. Froerer  
Rep. J. Knotwell  
Rep. M. McKell  
Rep. J. Peterson  
Rep. M. Roberts  
Rep. M. Schultz  
Rep. R. Webb  
Rep. B. Wilson

Absent-0

Rep. Schultz's motion to pass 1st Substitute H.B. 255 out favorably passed with a vote of 9 - 5 - 0 .

Yeas-9

Rep. J. Dunnigan  
Rep. G. Froerer  
Rep. J. Knotwell  
Rep. M. McKell  
Rep. J. Peterson  
Rep. M. Roberts  
Rep. M. Schultz  
Rep. R. Webb  
Rep. B. Wilson

Nays-5

Rep. S. Duckworth  
Rep. T. Hawkes  
Rep. V. Potter  
Rep. T. Seegmiller  
Rep. M. Wheatley

Absent-0

**8 . H.B. 450 Wastewater Reuse Amendments (Froerer, G.)**

Rep. Froerer presented the bill assisted by Mr. John Flitton, water attorney.

Mr. Thomas Holstrom, General Manager, Central Valley Water Reclamation Facility, spoke against the bill.

Mr. Craig Jackson, farmer, spoke for the bill.

Rep. Roberts assumed the chair.

Mr. Fred W. Finlinson, attorney, representing water conservancy districts, spoke against the bill.

Mr. Randy Marriott, Warren Canal, spoke for the bill.

Rep. Dunnigan resumed the chair.

Mr. Boyd Clayton, Division of Water Rights, spoke to the bill.

Rep. Roberts assumed the chair.

Rep. Dunnigan resumed the chair.

**MOTION:** Rep. Wilson moved to replace H.B. 450 with 1st Substitute H.B. 450. The motion passed with a vote of 14 - 0 - 0 .

Yeas-14

Nays-0

Absent-0

Rep. S. Duckworth  
Rep. J. Dunnigan  
Rep. G. Froerer  
Rep. T. Hawkes  
Rep. J. Knotwell  
Rep. M. McKell  
Rep. J. Peterson  
Rep. V. Potter  
Rep. M. Roberts  
Rep. M. Schultz  
Rep. T. Seegmiller  
Rep. R. Webb  
Rep. M. Wheatley  
Rep. B. Wilson

**MOTION:** Rep. Wilson moved to pass 1st Substitute H.B. 450 out favorably.

**SUBSTITUTE MOTION:** Rep. Hawkes moved to go to the next item on the agenda. The Substitute motion passed with a vote of 8 - 6 - 0 .

Yeas-8

Nays-6

Absent-0

Rep. S. Duckworth  
Rep. T. Hawkes  
Rep. J. Knotwell  
Rep. M. McKell  
Rep. J. Dunnigan  
Rep. G. Froerer  
Rep. M. Roberts  
Rep. M. Schultz



Rep. J. Peterson  
Rep. V. Potter  
Rep. T. Seegmiller  
Rep. M. Wheatley

Rep. R. Webb  
Rep. B. Wilson

**9 . H.B. 472 Medicaid Expansion Revisions (*Spendlove, R.*)**

Rep. Robert M. Spendlove presented the bill.

Mr. Daniel Cheung, Office of Legislative Research and General Council, and Mr. Nate Checketts, Department of Health, answered committee questions.

Ms. Heather Williamson, Americans for Prosperity, Utah, spoke against the bill.

Mr. Alan Dayton, Intermountain HealthCare, spoke for the bill.

Mr. Lincoln Nehring, Voices for Utah Children, spoke to the bill.

Ms. Pamela Atkinson, Community Advocate, spoke for the bill.

Ms. Stacy Stanford, Utah Health Policy Project, spoke against the bill.

Mr. Tibbetts spoke for the bill.

**MOTION:** Rep. Knotwell moved to amend H.B. 472 with Amendment #1. The motion passed with a vote of 12 - 0 - 2 .

Amendment 1  
H.B. 472

1. Page 2, Line 30:

30 {~~None~~} **This bill provides a coordination clause.**

2. Page 3, Line 61:

61 26-36c-210, Utah Code Annotated 1953

**Utah Code Sections Affected by Coordination Clause:**  
**26-36b-103, as enacted by Laws of Utah 2016, Chapter 279**

3. Page 4, Line 93:

93 (ii) who are not eligible for enrollment in the Medicaid program **, with the exception of the Primary Care Network program,** on May 8, 2018.

4. Page 6, Line 174:  
174 including a privately owned hospital whose inpatient admissions are predominantly for :
5. Page 7, Line 198:  
198 the earlier of the effective {~~date~~} dates of the coverage provided through:
6. Page 8, Line 242:  
242 (i) an \$11,900,000 cap {~~on the hospital's share~~} for the programs specified in Subsections
7. Page 9, Line 247:  
247 which at least one of the programs specified in Subsection (1){~~a~~} are not in effect for the full
8. Page 10, Lines 302 through 303:  
302 Subsection (1)(b).  
(d) The division may, by rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, adjust the formula described in Subsection (1)(c) to address unforeseen circumstances in the administration of the assessment under this chapter.  
303 {~~d~~} e Any quarterly changes to the uniform assessment rate shall be applied uniformly to
9. Page 12, Line 363:  
363 (a) the method of calculating the {~~percentages~~} amounts designated in Subsection (3); and
10. Page 16, Line 489:  
489 (b) the division shall disburse money in the {special revenue fund} Medicaid Expansion Fund in accordance with
11. Page 16, Line 492:  
492 (c) the division shall refund any money remaining in the {special revenue fund} Medicaid Expansion Fund after the
12. Page 17, Lines 496 through 497:  
496 (d) the division shall deposit any money remaining in the {special revenue fund} Medicaid Expansion Fund after the  
497 disbursements described in Subsections (2)(b) and (c) into the General Fund by the end of the fiscal year that the assessment is suspended.
13. Page 25, Line 753:  
753 (b) the division shall disburse money in the {special revenue fund} Medicaid Expansion Fund that was derived from
14. Page 25, Line 757:

757 (c) the division shall refund any money remaining in the {~~special revenue fund~~} Medicaid Expansion  
758 Fund after the

15. Page 25, Lines 760 through 762:

760 fiscal years {~~;~~ ~~and~~} .

761 {~~(d) the division shall deposit any money remaining in the special revenue fund after the~~

762 ~~disbursements described in Subsections (2)(b) and (c) into the General Fund.~~}

16. Page 26, Line 777:

777 [(9)] (8) Title 26, Chapter 56, Hemp Extract Registration Act, is repealed July 1, 2021.

Section 29. Coordinating H.B. 472 with H.B. 14 -- Superseding technical and substantive amendments.

If this H.B. 472 and H.B. 14, Substance Abuse Treatment Facility Patient Brokering, both pass and become law, it is the intent of the Legislature that the amendments to Section 26-36b-103 in this bill supersede the amendments to Section 26-36b-103 in H.B. 14, when the Office of Legislative Research and General Counsel prepares the Utah Code database for publication.

Section 30. Coordinating H.B. 472 with S.B. 125 -- Superseding technical and substantive amendments.

If this H.B. 472 and S.B. 125, Child Welfare Amendments, both pass and become law, it is the intent of the Legislature that the amendments to Section 26-36b-103 in this bill supersede the amendments to Section 26-36b-103 in S.B. 125, when the Office of Legislative Research and General Counsel prepares the Utah Code database for publication.

Yeas-12

Rep. S. Duckworth  
Rep. J. Dunnigan  
Rep. G. Froerer  
Rep. T. Hawkes  
Rep. J. Knotwell  
Rep. M. McKell  
Rep. J. Peterson  
Rep. M. Roberts  
Rep. M. Schultz  
Rep. R. Webb  
Rep. M. Wheatley  
Rep. B. Wilson

Nays-0

Absent-2

Rep. V. Potter  
Rep. T. Seegmiller

**MOTION:** Rep. Duckworth moved to pass H.B. 472 out favorably. The motion passed with a vote of 9 - 3 - 2 .

Yeas-9

Rep. S. Duckworth  
Rep. J. Dunnigan  
Rep. T. Hawkes  
Rep. M. McKell  
Rep. J. Peterson  
Rep. M. Schultz  
Rep. R. Webb  
Rep. M. Wheatley  
Rep. B. Wilson

Nays-3

Rep. G. Froerer  
Rep. J. Knotwell  
Rep. M. Roberts

Absent-2

Rep. V. Potter  
Rep. T. Seegmiller

**10 . 2nd Sub. S.B. 184 Pharmacist Dispensing Authority Amendments (*Weiler, T.*)**

Sen. Todd Weiler presented the bill assisted by Ms. Shannon Tuttle.

Mr. Mark Britton, Utah Medical Association, spoke for the bill.

Ms. Kaufman spoke for the bill.

**MOTION:** Rep. Duckworth moved to pass 2nd Substitute S.B. 184 out favorably. The motion passed with a vote of 10 - 0 - 4 .

Yeas-10

Rep. S. Duckworth  
Rep. J. Dunnigan  
Rep. G. Froerer  
Rep. T. Hawkes  
Rep. J. Knotwell  
Rep. M. McKell  
Rep. J. Peterson  
Rep. M. Roberts  
Rep. R. Webb  
Rep. M. Wheatley

Nays-0

Absent-4

Rep. V. Potter  
Rep. M. Schultz  
Rep. T. Seegmiller  
Rep. B. Wilson

**MOTION:** Rep. Hawkes moved to place 2nd Substitute S.B. 184 on the Consent Calendar. The motion passed with a vote of 10 - 0 - 4 .

Yeas-10

Rep. S. Duckworth  
Rep. J. Dunnigan  
Rep. G. Froerer

Nays-0

Absent-4

Rep. V. Potter  
Rep. M. Schultz  
Rep. T. Seegmiller

Rep. T. Hawkes  
Rep. J. Knotwell  
Rep. M. McKell  
Rep. J. Peterson  
Rep. M. Roberts  
Rep. R. Webb  
Rep. M. Wheatley

Rep. B. Wilson

**11 . 2nd Sub. S.B. 20 Misdemeanor Amendments (*Thatcher, D.*)**

Rep. Roberts presented the bill.

**MOTION:** Rep. Knotwell moved to pass 2nd Substitute S.B. 20 out favorably. The motion passed with a vote of 12 - 0 - 2 .

Yeas-12

Rep. S. Duckworth  
Rep. J. Dunnigan  
Rep. G. Froerer  
Rep. T. Hawkes  
Rep. J. Knotwell  
Rep. M. McKell  
Rep. J. Peterson  
Rep. M. Roberts  
Rep. M. Schultz  
Rep. T. Seegmiller  
Rep. R. Webb  
Rep. M. Wheatley

Nays-0

Absent-2

Rep. V. Potter  
Rep. B. Wilson

**MOTION:** Rep. Peterson moved to place 2nd Substitute S.B. 20 on the Consent Calendar. The motion passed with a vote of 12 - 0 - 2 .

Yeas-12

Rep. S. Duckworth  
Rep. J. Dunnigan  
Rep. G. Froerer  
Rep. T. Hawkes  
Rep. J. Knotwell  
Rep. M. McKell  
Rep. J. Peterson  
Rep. M. Roberts

Nays-0

Absent-2

Rep. V. Potter  
Rep. B. Wilson

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Rep. M. Schultz  
Rep. T. Seegmiller  
Rep. R. Webb  
Rep. M. Wheatley

**MOTION:** Rep. McKell moved to approve the minutes of the February 26, 2018 and February 28, 2018 meetings. The motion passed with a vote of 12 - 0 - 2 .

Yeas-12

Nays-0

Absent-2

Rep. S. Duckworth  
Rep. J. Dunnigan  
Rep. G. Froerer  
Rep. T. Hawkes  
Rep. J. Knotwell  
Rep. M. McKell  
Rep. J. Peterson  
Rep. M. Roberts  
Rep. M. Schultz  
Rep. T. Seegmiller  
Rep. R. Webb  
Rep. M. Wheatley

Rep. V. Potter  
Rep. B. Wilson

**MOTION:** Rep. Knotwell moved to adjourn. The motion passed with a vote of 12 - 0 - 2 .

Yeas-12

Nays-0

Absent-2

Rep. S. Duckworth  
Rep. J. Dunnigan  
Rep. G. Froerer  
Rep. T. Hawkes  
Rep. J. Knotwell  
Rep. M. McKell  
Rep. J. Peterson  
Rep. M. Roberts  
Rep. M. Schultz  
Rep. T. Seegmiller  
Rep. R. Webb  
Rep. M. Wheatley

Rep. V. Potter  
Rep. B. Wilson

Chair Dunnigan adjourned the meeting at 8:08 p.m.