

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

Monday, March 5, 2018 • 4:00 p.m. • 210 Senate Building

**Members Present:**

Sen. Curtis S. Bramble, Chair  
Sen. Gene Davis  
Sen. Daniel Hemmert  
Sen. Don L. Ipson  
Sen. Karen Mayne  
Sen. Todd Weiler

**Members Absent:**

Sen. Ralph Okerlund  
Sen. Jerry W. Stevenson

**Staff Present:**

Mr. Adam J. Sweet, Policy Analyst  
Ms. Karen Allred, 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 Bramble called the meeting to order at 4:14 p.m.

**MOTION:** Sen. Mayne moved to approve the minutes of the March 1, 2018, and March 2, 2018, meetings. The motion passed with a vote of 4 - 0 - 4 .

Yeas-4

Sen. C. Bramble  
Sen. D. Ipson  
Sen. K. Mayne  
Sen. T. Weiler

Nays-0

Absent-4

Sen. G. Davis  
Sen. D. Hemmert  
Sen. R. Okerlund  
Sen. J. Stevenson

**1 . H.B. 364 Employment Law Amendments (*Hawkes, T.*)**

Rep. Timothy D. Hawkes presented the bill.

**MOTION:** Sen. Mayne moved to pass H.B. 364 out favorably. The motion passed with a vote of 4 - 0 - 4 .

Yeas-4

Sen. C. Bramble  
Sen. D. Ipson  
Sen. K. Mayne  
Sen. T. Weiler

Nays-0

Absent-4

Sen. G. Davis  
Sen. D. Hemmert  
Sen. R. Okerlund  
Sen. J. Stevenson

**MOTION:** Sen. Mayne moved to place H.B. 364 on the Consent Calendar. The motion passed with a vote of 4 - 0 - 4 .

Yeas-4

Sen. C. Bramble  
Sen. D. Ipson  
Sen. K. Mayne  
Sen. T. Weiler

Nays-0

Absent-4

Sen. G. Davis  
Sen. D. Hemmert  
Sen. R. Okerlund  
Sen. J. Stevenson

**2 . 3rd Sub. H.B. 323 Licensing and Practice Acts Amendments (*Roberts, M.*)**

Rep. Marc K. Roberts presented the bill.

**MOTION:** Sen. Weiler moved to replace 3rd Substitute H.B. 323 with 4th Substitute H.B. 323. The motion passed with a vote of 5 - 0 - 3 .

Yeas-5

Sen. C. Bramble  
Sen. G. Davis  
Sen. D. Ipson  
Sen. K. Mayne  
Sen. T. Weiler

Nays-0

Absent-3

Sen. D. Hemmert  
Sen. R. Okerlund  
Sen. J. Stevenson

Ms. Candace Daly, Utah Beauty Association, spoke in favor of the bill.

**MOTION:** Sen. Ipson moved to pass 4th Substitute H.B. 323 out favorably. The motion passed with a vote of 4 - 1 - 3 .

Yeas-4

Sen. C. Bramble  
Sen. G. Davis  
Sen. D. Ipson  
Sen. K. Mayne

Nays-1

Sen. T. Weiler

Absent-3

Sen. D. Hemmert  
Sen. R. Okerlund  
Sen. J. Stevenson

**3 . 1st Sub. H.B. 127 Controlled Substance Database Act Amendments (*Fawson, J.*)**

Rep. Justin L. Fawson presented the bill.

Ms. Michelle McOmber, Utah Medical Association, spoke about concerns with the bill.

Mr. Dennis H. Cecchini, Retired Architect who lost a son to opioids, spoke for the bill.

Mr. Paul Rogers, Revere Health Industry, spoke in favor of the bill.

**MOTION:** Sen. Mayne moved to pass 1st Substitute H.B. 127 out favorably. The motion passed with a vote of 5 - 0 - 3 .

Yeas-5

Sen. C. Bramble  
Sen. G. Davis  
Sen. D. Ipson  
Sen. K. Mayne  
Sen. T. Weiler

Nays-0

Absent-3

Sen. D. Hemmert  
Sen. R. Okerlund  
Sen. J. Stevenson

**4 . 1st Sub. H.B. 448 Podiatric Physician Practice Amendments (*Fawson, J.*)**

Rep. Fawson presented the bill.

**MOTION:** Sen. Ipson moved to pass 1st Substitute H.B. 448 out favorably. The motion passed with a vote of 5 - 0 - 3 .

Yeas-5

Sen. C. Bramble  
Sen. G. Davis  
Sen. D. Ipson  
Sen. K. Mayne  
Sen. T. Weiler

Nays-0

Absent-3

Sen. D. Hemmert  
Sen. R. Okerlund  
Sen. J. Stevenson

**MOTION:** Sen. Ipson moved to place 1st Substitute H.B. 448 on the Consent Calendar. The motion passed with a vote of 5 - 0 - 3 .

Yeas-5

Sen. C. Bramble  
Sen. G. Davis  
Sen. D. Ipson  
Sen. K. Mayne  
Sen. T. Weiler

Nays-0

Absent-3

Sen. D. Hemmert  
Sen. R. Okerlund  
Sen. J. Stevenson

**5 . 2nd Sub. H.B. 382 Radiology Practitioner Amendments (*Spendlove, R.*)**

Rep. Robert M. Spendlove presented the bill with the assistance of Linda Sholl, Physical Therapist.

Mr. Mark Brinton, Utah Medical Association, spoke in opposition to the bill.

Mr. Alan Dayton, Intermountain Healthcare, spoke in favor of the bill.

**MOTION:** Sen. Mayne moved to pass 2nd Substitute H.B. 382 out favorably. The motion passed with a vote of 5 - 0 - 3 .

Yeas-5

Sen. C. Bramble  
Sen. G. Davis  
Sen. D. Ipson  
Sen. K. Mayne

Nays-0

Absent-3

Sen. D. Hemmert  
Sen. R. Okerlund  
Sen. J. Stevenson

Sen. T. Weiler

**6 . H.B. 348 Secondhand Merchandise Dealers Amendments (Edwards, R.)**

Rep. Rebecca P. Edwards presented the bill.

**MOTION:** Sen. Davis moved to amend H.B. 348 with Amendment #4. The motion passed with a vote of 5 - 0 - 3 .

Amendment 4  
H.B. 348

1. Page 1, Lines 12 through 15:

12 This bill:

13 ▶ defines "children's product" and "children's product resale business"; {~~and~~}

▶ **modifies the definition of "identification"; and**

14 ▶ exempts children's product resale businesses from {~~the reporting and holding period~~}

15 requirements regarding secondhand merchandise dealers.

Yeas-5

Sen. C. Bramble  
Sen. G. Davis  
Sen. D. Ipson  
Sen. K. Mayne  
Sen. T. Weiler

Nays-0

Absent-3

Sen. D. Hemmert  
Sen. R. Okerlund  
Sen. J. Stevenson

**MOTION:** Sen. Weiler moved to pass H.B. 348 out favorably. The motion passed with a vote of 5 - 0 - 3 .

Yeas-5

Sen. C. Bramble  
Sen. G. Davis  
Sen. D. Ipson  
Sen. K. Mayne  
Sen. T. Weiler

Nays-0

Absent-3

Sen. D. Hemmert  
Sen. R. Okerlund  
Sen. J. Stevenson

**MOTION:** Sen. Ipson moved to place H.B. 348 on the Consent Calendar. The motion passed with a vote of 5 - 0 - 3 .

Yeas-5

Sen. C. Bramble

Nays-0

Absent-3

Sen. D. Hemmert

Sen. G. Davis  
Sen. D. Ipson  
Sen. K. Mayne  
Sen. T. Weiler

Sen. R. Okerlund  
Sen. J. Stevenson

**7 . H.B. 434 Controlled Substances Act Amendments (*Ray, P.*)**

Rep. Paul Ray presented the bill.

**MOTION:** Sen. Ipson moved to pass H.B. 434 out favorably. The motion passed with a vote of 5 - 0 - 3 .

Yeas-5

Sen. C. Bramble  
Sen. G. Davis  
Sen. D. Ipson  
Sen. K. Mayne  
Sen. T. Weiler

Nays-0

Absent-3

Sen. D. Hemmert  
Sen. R. Okerlund  
Sen. J. Stevenson

**8 . 2nd Sub. H.B. 413 Pest Control Licensing Amendments (*Chew, S.*)**

Rep. Scott H. Chew presented the bill.

**MOTION:** Sen. Mayne moved to pass 2nd Substitute H.B. 413 out favorably. The motion passed with a vote of 5 - 0 - 3 .

Yeas-5

Sen. C. Bramble  
Sen. G. Davis  
Sen. D. Ipson  
Sen. K. Mayne  
Sen. T. Weiler

Nays-0

Absent-3

Sen. D. Hemmert  
Sen. R. Okerlund  
Sen. J. Stevenson

**9 . 1st Sub. H.B. 241 Post-employment Restrictions Amendments (*Schultz, M.*)**

**MOTION:** Sen. Davis moved to replace 1st Substitute H.B. 241 with 2nd Substitute H.B. 241 The motion passed with a vote of 5 - 0 - 3 .

Yeas-5

Sen. C. Bramble  
Sen. G. Davis

Nays-0

Absent-3

Sen. D. Hemmert  
Sen. R. Okerlund

Sen. D. Ipson  
Sen. K. Mayne  
Sen. T. Weiler

Sen. J. Stevenson

Rep. Hawkes began to present the bill and was accompanied by Sen. Hemmert.

Mr. Tim Ermish, General Manager, Fox 13, spoke in opposition to the bill.

Mr. Jason Mathis, Executive Vice President, Salt Lake Chamber, spoke in opposition to the bill.

Mr. Bob Evans, Anchor, Fox 13, spoke in opposition to the bill.

Mr. Wesley Smith, Free Enterprise Utah, spoke in opposition to the bill.

Mr. Allan Sullivan, Deseret Management, spoke in opposition to the bill.

Mr. Bill Gephart, Private Business Owner, spoke in favor of the bill.

Ms. Anne Sward Hansen, broadcast industry, spoke in favor of the bill.

Mr. Glen Beeby, Reporter, ABC 4, spoke in favor of the bill.

**MOTION:** Sen. Davis moved to pass 2nd Substitute H.B. 241 out favorably. The motion passed with a vote of 3 - 2 - 3 .

Yeas-3

Sen. C. Bramble  
Sen. G. Davis  
Sen. K. Mayne

Nays-2

Sen. D. Ipson  
Sen. T. Weiler

Absent-3

Sen. D. Hemmert  
Sen. R. Okerlund  
Sen. J. Stevenson

**10 . 1st Sub. S.B. 239 Utah Science Technology and Research Initiative Amendments (*Hemmert, D.*)**

**MOTION:** Sen. Hemmert moved to replace 1st Substitute S.B. 239 with 2nd Substitute S.B. 239. The motion passed with a vote of 5 - 0 - 3 .

Yeas-5

Sen. C. Bramble  
Sen. G. Davis  
Sen. D. Ipson  
Sen. K. Mayne

Nays-0

Absent-3

Sen. D. Hemmert  
Sen. R. Okerlund  
Sen. J. Stevenson

Sen. T. Weiler

Sen. Hemmert presented the bill.

David Pershing, President, University of Utah, spoke to the bill.

Mr. Neil Ambercrombie, Director of Government Relations, Utah State University, spoke to the bill.

**MOTION:** Sen. Mayne moved to pass 2nd Substitute S.B. 239 out favorably. The motion passed with a vote of 5 - 1 - 2 .

Yeas-5

Sen. C. Bramble

Sen. G. Davis

Sen. D. Hemmert

Sen. D. Ipson

Sen. K. Mayne

Nays-1

Sen. T. Weiler

Absent-2

Sen. R. Okerlund

Sen. J. Stevenson

**MOTION:** Sen. Davis moved to refer remaining bills in the committee to the Senate Rules Committee for filing. The motion passed with a vote of 5 - 0 - 3 .

Yeas-5

Sen. C. Bramble

Sen. G. Davis

Sen. D. Ipson

Sen. K. Mayne

Sen. T. Weiler

Nays-0

Absent-3

Sen. D. Hemmert

Sen. R. Okerlund

Sen. J. Stevenson

**MOTION:** Sen. Davis moved to adjourn. The motion passed with a vote of 5 - 0 - 3 .

Yeas-5

Sen. C. Bramble

Sen. G. Davis

Sen. D. Ipson

Sen. K. Mayne

Sen. T. Weiler

Nays-0

Absent-3

Sen. D. Hemmert

Sen. R. Okerlund

Sen. J. Stevenson

Chair Bramble adjourned the meeting at 5:44 p.m.