

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

Monday, March 5, 2018 • 7:30 a.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. Travis M. Seegmiller
Rep. R. Curt Webb
Rep. Mark A. Wheatley

Members Absent:

Rep. Mike Schultz
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.

Acting Chair Roberts called the meeting to order at 7:38 a.m.

1 . H.B. 480 County Revolving Loan Fund Amendments (Noel, M.)

Rep. Michael E. Noel presented the bill assisted by Mr. Jeff Hartley, Salt Lake County Economic Development.

MOTION: Rep. Froerer moved to pass H.B. 480 out favorably. The motion passed with a vote of 9 - 1 - 4 .

Yeas-9

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

Nays-1

Rep. M. Roberts

Absent-4

Rep. J. Dunnigan
Rep. J. Knotwell
Rep. M. Schultz
Rep. B. Wilson

2 . S.B. 197 Private Security Amendments (Dayton, M.)

Sen. Margaret Dayton presented the bill.

MOTION: Rep. McKell moved to pass S.B. 197 out favorably. The motion passed with a vote of 10 - 0 - 4 .

Yeas-10

Rep. S. Duckworth
Rep. G. Froerer
Rep. T. Hawkes
Rep. M. McKell
Rep. J. Peterson
Rep. V. Potter
Rep. M. Roberts
Rep. T. Seegmiller

Nays-0

Absent-4

Rep. J. Dunnigan
Rep. J. Knotwell
Rep. M. Schultz
Rep. B. Wilson

Rep. R. Webb
Rep. M. Wheatley

3 . 1st Sub. S.B. 158 Municipal Business Licensing (*Anderegg, J.*)

Sen. Jacob L. Anderegg presented the bill.

Ms. Elaine Augustine, small business owner, spoke for the bill.

MOTION: Rep. Peterson moved to pass 1st Substitute S.B. 158 out favorably. The motion passed with a vote of 10 - 0 - 4 .

Yeas-10

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

Nays-0

Absent-4

Rep. J. Dunnigan
Rep. J. Knotwell
Rep. M. Schultz
Rep. B. Wilson

4 . H.B. 352 Music Therapy Certificate Designation Amendments (*Edwards, R.*)

Rep. Rebecca P. Edwards presented the bill assisted by Ms. Melou Cline, Utah Association of Music Therapists, and Ms. Letha Winger, Utah State University, Music Therapy Program.

Ms. Jaycie Voorhees, Director, Harmony Music Therapy, spoke for the bill.

Ms. Shelley White, licensed clinical social worker, Huntsman Cancer Institute, spoke for the bill.

Ms. Tony Ollerton, Internship Director, Expressive Therapies Utah, spoke for the bill.

MOTION: Rep. Duckworth moved to replace H.B. 352 with 1st Substitute H.B. 352. The motion passed with a vote of 12 - 0 - 2 .

Yeas-12

Rep. S. Duckworth

Nays-0

Absent-2

Rep. M. Schultz

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

Rep. B. Wilson

MOTION: Rep. Wheatley moved to pass 1st Substitute H.B. 352 out favorably. The motion failed with a vote of 5 - 7 - 2 .

Yeas-5

Rep. S. Duckworth
Rep. G. Froerer
Rep. V. Potter
Rep. T. Seegmiller
Rep. M. Wheatley

Nays-7

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

Absent-2

Rep. M. Schultz
Rep. B. Wilson

5 . 1st Sub. S.B. 64 Workers' Compensation Health Care Amendments (*Mayne, K.*)

Sen. Karen Mayne presented the bill assisted by Mr. Dave Davis, President, Utah Food Industry/ Retail Merchants, Workers Compensation Advisory Council, and Mr. Dennis Lloyd, Sr. Vice President, Workers Compensation Fund.

MOTION: Rep. Dunnigan moved to amend 1st Substitute S.B. 64 with Amendment #1. The motion passed with a vote of 12 - 0 - 2 .

Amendment 1
1st Sub. S.B. 64

1. Page 9, Lines 244 through 250:

244 (c) Subject to Subsection (11)(d), for the time period beginning on May [10, 2016] 8,
245 2018, and ending on July 1, [2018] {~~2022~~} 2021, a workers' compensation insurance carrier or
246 self-insured employer that is reimbursing a hospital [that has not entered into a contract
247 described in Subsection (11)(b) shall reimburse the hospital] for covered medical services [at
248 85% of the billed hospital fees for the covered medical services.] shall reimburse the hospital:
249 (i) in accordance with a contract described in Subsection (11)(b); or

250 (ii) (A) if the hospital is located in a county of the first, second, or third class, as classified in Section 17-50-501, at ~~{77%}~~ 75% of the billed hospital fees for the covered medical services ~~{-}~~ ; or
(B) if the hospital is located in a county of the fourth, fifth, or sixth class, as classified in Section 17-50-501, at 85% of the billed hospital fees for the covered medical services.

Yeas-12

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

Nays-0

Absent-2

Rep. M. Schultz
Rep. B. Wilson

MOTION: Rep. Dunnigan moved to pass 1st Substitute S.B. 64 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. V. Potter
Rep. M. Roberts
Rep. T. Seegmiller
Rep. R. Webb
Rep. M. Wheatley

Nays-0

Absent-2

Rep. M. Schultz
Rep. B. Wilson

MOTION: Rep. Dunnigan moved to place 1st Substitute S.B. 64 on the Consent Calendar. 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. V. Potter
Rep. M. Roberts
Rep. T. Seegmiller
Rep. R. Webb
Rep. M. Wheatley

Rep. M. Schultz
Rep. B. Wilson

6 . 2nd Sub. S.B. 190 Uninsured and Underinsured Motorist Coverage Amendments (*Bramble, C.*)

Sen. Curtis S. Bramble presented the bill.

MOTION: Rep. Dunnigan moved to amend 2nd Substitute S.B. 190 with Amendment #1. The motion passed with a vote of 12 - 0 - 2 .

Amendment 1
2nd Sub. S.B. 190

1. Page 6, Lines 161 through 166:

161 (c) Uninsured motorist coverage:

162 [(i) is secondary to the benefits provided by Title 34A, Chapter 2, Workers'
163 Compensation Act;]

164 { ~~(i) does not cover any benefit paid, agreed to be paid, or ordered to be paid under Title~~
165 ~~34A, Chapter 2, Workers' Compensation Act, including any benefit subject to reimbursement~~
166 ~~in accordance with Subsection 34A-2-106(5);~~ } (i) does not cover any benefit paid or payable under Title 34A, Chapter 2, Workers' Compensation Act, except that the covered person is credited an amount described in Subsection 34A-2-106(5);

2. Page 21, Lines 635 through 640:

635 (c) Underinsured motorist coverage:

636 [(i) is secondary to the benefits provided by Title 34A, Chapter 2, Workers'
637 Compensation Act;]

638 { ~~(i) does not cover any benefit paid, agreed to be paid, or ordered to be paid under Title~~
639 ~~34A, Chapter 2, Workers' Compensation Act, including any benefit subject to reimbursement~~
640 ~~in accordance with Subsection 34A-2-106(5);~~ } (i) does not cover any benefit paid or payable under Title 34A, Chapter 2, Workers' Compensation Act, except that the covered person is credited an amount described in Subsection 34A-2-106(5);

Yeas-12

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

Nays-0

Absent-2

Rep. M. Schultz
Rep. B. Wilson

MOTION: Rep. McKell moved to amend 2nd Substitute S.B. 190 with Amendment #2. The motion passed with a vote of 11 - 0 - 3 .

Amendment 2
2nd Sub. S.B. 190

1. Page 23, Line 697:

697 liability insurer has tendered the policy limit **and the limits have been accepted by the claimant.**

Yeas-11

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

Nays-0

Absent-3

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

Mr. Steve Sullivan, Robert J. Debry and Associates, spoke for the bill.

MOTION: Rep. Hawkes moved to pass 2nd Substitute S.B. 190 out favorably. 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. J. Peterson
Rep. M. Roberts
Rep. T. Seegmiller
Rep. R. Webb
Rep. M. Wheatley

Nays-0

Absent-3

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

MOTION: Rep. McKell moved to place 2nd Substitute S.B. 190 on the Consent Calendar. 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. J. Peterson
Rep. M. Roberts
Rep. T. Seegmiller
Rep. R. Webb
Rep. M. Wheatley

Nays-0

Absent-3

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

7 . H.R. 5 House Resolution on Trade Relations with Israel (*Ivory, K.*)

Rep. Ken Ivory presented the bill.

MOTION: Rep. Peterson moved to pass H.R. 5 out favorably. The motion passed with a vote of 10 - 0 - 4 .

Yeas-10

Rep. S. Duckworth

Nays-0

Absent-4

Rep. T. Hawkes

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Rep. J. Dunnigan
Rep. G. Froerer
Rep. J. Knotwell
Rep. J. Peterson
Rep. V. Potter
Rep. M. Roberts
Rep. T. Seegmiller
Rep. R. Webb
Rep. M. Wheatley

Rep. M. McKell
Rep. M. Schultz
Rep. B. Wilson

MOTION: Rep. Peterson moved to place H.R. 5 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. J. Knotwell
Rep. J. Peterson
Rep. V. Potter
Rep. M. Roberts
Rep. T. Seegmiller
Rep. R. Webb
Rep. M. Wheatley

Nays-0

Absent-4

Rep. T. Hawkes
Rep. M. McKell
Rep. M. Schultz
Rep. B. Wilson

8 . 2nd Sub. S.B. 209 529 Savings Plan Amendments (Harper, W.)

Sen. Wayne A. Harper presented the bill.

MOTION: Rep. Peterson moved to pass 2nd Substitute S.B. 209 out favorably. The motion passed with a vote of 11 - 0 - 3 .

Yeas-11

Rep. S. Duckworth
Rep. J. Dunnigan
Rep. G. Froerer
Rep. J. Knotwell
Rep. M. McKell
Rep. J. Peterson
Rep. V. Potter
Rep. M. Roberts

Nays-0

Absent-3

Rep. T. Hawkes
Rep. M. Schultz
Rep. B. Wilson

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

MOTION: Rep. Peterson moved to place 2nd Substitute S.B. 209 on the Consent Calendar. The motion passed with a vote of 11 - 0 - 3 .

Yeas-11

Nays-0

Absent-3

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

Rep. T. Hawkes
Rep. M. Schultz
Rep. B. Wilson

9 . H.B. 485 Elections Modifications (*McKell, M.*)

MOTION: Rep. Duckworth moved to approve the minutes of the March 1, 2018 meeting. The motion passed with a vote of 10 - 0 - 4 .

Yeas-10

Nays-0

Absent-4

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

Rep. T. Hawkes
Rep. M. McKell
Rep. M. Schultz
Rep. B. Wilson

Rep. McKell presented the bill assisted by Sen. Bramble.

Mr. Justin Lee, Director of Elections, Lt. Governor's Election Office, spoke to the bill.

Mr. Thomas Vaughn, Office of Legislative Research and General Council, spoke to the bill.

Mr. Lee spoke for the bill.

Mr. Phill Wright, member, Utah Republican Party State Central Committee, spoke against the bill.

Mr. Brady Juggler, member, Utah Republican Party State Central Committee, spoke against the bill.

Mr. David Bateman, citizen, spoke against the bill.

Ms. Wendi Baggaley, member, Utah Republican Party State Central Committee, spoke against the bill.

Mr. Chad Bennion, citizen, spoke against the bill.

MOTION: Rep. Duckworth moved to pass H.B. 485 out favorably. The motion passed with a vote of 9 - 3 - 2 .

Yeas-9

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

Nays-3

Rep. J. Knotwell
Rep. M. Roberts
Rep. T. Seegmiller

Absent-2

Rep. M. Schultz
Rep. B. Wilson

10 . H.B. 478 Occupational Licensing Revisions (*Hutchings, E.*)

Rep. Eric K. Hutchings presented the bill.

MOTION: Rep. Peterson moved to pass H.B. 478 out favorably. The motion passed with a vote of 11 - 0 - 3 .

Yeas-11

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

Nays-0

Absent-3

Rep. J. Knotwell
Rep. M. Schultz
Rep. B. Wilson

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Rep. M. McKell
Rep. J. Peterson
Rep. V. Potter
Rep. M. Roberts
Rep. T. Seegmiller
Rep. R. Webb
Rep. M. Wheatley

MOTION: Rep. Dunnigan moved to place H.B. 478 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. Peterson
Rep. V. Potter
Rep. M. Roberts
Rep. T. Seegmiller
Rep. R. Webb
Rep. M. Wheatley

Nays-0

Absent-4

Rep. J. Knotwell
Rep. M. McKell
Rep. M. Schultz
Rep. B. Wilson

MOTION: Rep. Duckworth moved to adjourn. 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. J. Peterson
Rep. V. Potter
Rep. M. Roberts
Rep. T. Seegmiller
Rep. R. Webb
Rep. M. Wheatley

Nays-0

Absent-3

Rep. M. McKell
Rep. M. Schultz
Rep. B. Wilson

Acting Chair Roberts adjourned the meeting at 10:13 a.m.