



MINUTES

HOUSE BUSINESS AND LABOR STANDING COMMITTEE

LEGISLATURE

Monday, February 11, 2019 | 3:40 p.m. | 445 State Capitol

Members Present:

Rep. James A. Dunnigan, Chair
Rep. A. Cory Maloy, Vice Chair
Rep. Brady Brammer
Rep. Susan Duckworth
Rep. Craig Hall
Rep. Brian S. King
Rep. John Knotwell
Rep. Michael K. McKell
Rep. Calvin R. Musselman
Rep. Tim Quinn

Rep. Marc K. Roberts
Rep. Casey Snider
Rep. Mark A. Wheatley
Rep. Mike Winder

Members Absent:

Rep. Mike Schultz

Staff Present:

Mr. Adam J. Sweet, Policy Analyst
Ms. An Bradshaw, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Chair Maloy called the meeting to order at 3:44 p.m.

MOTION: Rep. Duckworth moved to approve the minutes. The motion passed with a vote of 9 - 0 - 6.

Yeas-9

Rep. S. Duckworth
Rep. C. Hall
Rep. B. King
Rep. J. Knotwell
Rep. A. Maloy
Rep. C. Musselman
Rep. M. Roberts
Rep. M. Wheatley
Rep. M. Winder

Nays-0

Absent-6

Rep. B. Brammer
Rep. J. Dunnigan
Rep. M. McKell
Rep. T. Quinn
Rep. M. Schultz
Rep. C. Snider

1 . S.B. 69 Consumer Ticket Protection Amendments (*Henderson, D.*)

Sen. Henderson explained the bill to the committee.

MOTION: Rep. Roberts moved to pass S.B. 69 out favorably. The motion passed with a vote of 12 - 0 - 3.

Yeas-12

Rep. B. Brammer
Rep. S. Duckworth
Rep. C. Hall
Rep. B. King
Rep. J. Knotwell
Rep. A. Maloy
Rep. M. McKell
Rep. C. Musselman
Rep. M. Roberts
Rep. C. Snider
Rep. M. Wheatley
Rep. M. Winder

Nays-0

Absent-3

Rep. J. Dunnigan
Rep. T. Quinn
Rep. M. Schultz

2 . 1st Sub. S.B. 82 Dealership Licensing Amendments (*Ipson, D.*)

Sen. Ipson introduced the bill to the committee with the assistance of Mr. Wayne Jones, Executive Director, Used Car Dealers of Utah.

MOTION: Rep. Knotwell moved to amend 1st Substitute S.B. 82 with Amendment #1.
Amendment 1
1st Sub. S.B. 82

- 1. Page 5, Lines 133 through 134:
133 (ii) [The] After receiving the documents described in Subsection (1)(a)(i), the division
134 shall [then] issue a salvage certificate in the insurance company's name.
- 2. Page 6, Lines 173 through 174:
173 (ii) [The] After receiving the documents described in Subsection (1)(c)(i), the division
174 shall [then] issue a salvage certificate in the owner's name.

MOTION: Rep. Knotwell moved to pass 1st Substitute S.B. 82 out favorably. The motion passed with a vote of 12 - 0 - 3.

Yeas-12

Rep. B. Brammer
Rep. S. Duckworth
Rep. C. Hall
Rep. B. King
Rep. J. Knotwell
Rep. A. Maloy
Rep. M. McKell
Rep. C. Musselman
Rep. M. Roberts
Rep. C. Snider
Rep. M. Wheatley
Rep. M. Winder

Nays-0

Absent-3

Rep. J. Dunnigan
Rep. T. Quinn
Rep. M. Schultz

3 . H.B. 258 Sexually Oriented Business License Amendments (Stenquist, J.)

Rep. Stenquist presented the bill to the committee.

MOTION: Rep. McKell moved to amend H.B. 258 with Amendment #1.
Amendment 1
H.B. 258

- 1. Page 3, Lines 81 through 83:
81 (4) ~~{-It}~~ A violation of this section is a class A misdemeanor ~~{to operate a sexually oriented business without~~
82 ~~a~~ business license in a municipality if the municipality requires that the sexually oriented
83 business obtain a business license}.

The motion passed with a vote of 9 - 0 - 6.

Yeas-9

Rep. B. Brammer
Rep. S. Duckworth
Rep. B. King
Rep. A. Maloy
Rep. M. McKell
Rep. C. Musselman
Rep. C. Snider
Rep. M. Wheatley
Rep. M. Winder

Nays-0

Absent-6

Rep. J. Dunnigan
Rep. C. Hall
Rep. J. Knotwell
Rep. T. Quinn
Rep. M. Roberts
Rep. M. Schultz

MOTION: Rep. McKell moved to move to next agenda item. The motion passed with a vote of 10 - 0 - 5.

Yeas-10

Rep. B. Brammer
Rep. S. Duckworth
Rep. B. King
Rep. A. Maloy
Rep. M. McKell
Rep. C. Musselman
Rep. T. Quinn
Rep. C. Snider
Rep. M. Wheatley
Rep. M. Winder

Nays-0

Absent-5

Rep. J. Dunnigan
Rep. C. Hall
Rep. J. Knotwell
Rep. M. Roberts
Rep. M. Schultz

4 . H.J.R. 16 Joint Resolution on Right to Pursue Trade, Vocation, Occupation, or Career (Thurston, N.)

Rep. Thurston explained the resolution to the committee.

Rep. Dunnigan assumed the chair.

MOTION: Rep. Winder moved to amend H.J.R. 16 with Amendment #1. The motion passed with a vote of 11 - 0 - 4.

Amendment 1
H.J.R. 16

1. Page 1, Lines 25 through 26:
25 protect against identifiable, likely, and {~~significant~~} meaningful harm to the financial well-being, health, or
26 safety of the public.

Yeas-11

Rep. B. Brammer
Rep. S. Duckworth
Rep. J. Dunnigan
Rep. B. King
Rep. A. Maloy
Rep. M. McKell
Rep. C. Musselman
Rep. T. Quinn
Rep. C. Snider
Rep. M. Wheatley
Rep. M. Winder

Nays-0

Absent-4

Rep. C. Hall
Rep. J. Knotwell
Rep. M. Roberts
Rep. M. Schultz

Mr. David Spatafore, Capstone Strategies, representing many organizations and cities, spoke against the resolution.

MOTION: Rep. McKell moved to pass H.J.R. 16 out favorably.

The motion passed with a vote of 7 - 4 - 4.

Yeas-7

Rep. B. Brammer
Rep. A. Maloy
Rep. M. McKell
Rep. C. Musselman
Rep. T. Quinn
Rep. C. Snider
Rep. M. Winder

Nays-4

Rep. S. Duckworth
Rep. J. Dunnigan
Rep. B. King
Rep. M. Wheatley

Absent-4

Rep. C. Hall
Rep. J. Knotwell
Rep. M. Roberts
Rep. M. Schultz

5 . H.B. 226 Occupational Licensing Revisions (Thurston, N.)

Rep. Thurston explained the bill to the committee and utilized a PowerPoint presentation.

Rep. Maloy assumed the chair.

Mr. Mark Brinton, General Counsel and Director of Government Affairs, Utah Medical Association, spoke in support of the bill.

Ms. Candace Daly, lobbyist for several professional and occupational organizations, spoke against the bill.

MOTION: Rep. Brammer moved to amend H.B. 226 with Amendment #1. The motion passed with a vote of 10 - 0 - 5.

Amendment 1
H.B. 226

1. Page 3, Lines 77 through 84:

77 (b) ~~(For)~~ Subject to Subsection (5)(c), for an occupation or profession regulated by this title that has a time-based

78 licensing requirement, the director, after consultation with the appropriate board, may by
79 division rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
80 Act, allow an applicant to complete a competency-based licensing requirement as an alternative
81 to completing the time-based licensing requirement.

(c) If a time-based licensing requirement involves a program that must be approved or accredited by a specific entity or board, the director may only allow an applicant to complete a competency-based licensing requirement as an alternative to completing the time-based licensing requirement under Subsection (5)(b) if the competency-based requirement is approved or accredited by the specific entity or board as a replacement or alternative to the time-based licensing requirement.

82 ~~(c)~~ (d) By October 1 of each year, the director shall provide a written report to the
83 Occupational and Professional Licensure Review Committee describing any competency-based
84 licensing requirements implemented under this Subsection (5).

Yeas-10

Rep. B. Brammer
Rep. S. Duckworth
Rep. B. King
Rep. J. Knotwell
Rep. A. Maloy
Rep. M. McKell
Rep. C. Musselman
Rep. T. Quinn
Rep. C. Snider
Rep. M. Winder

Nays-0

Absent-5

Rep. J. Dunnigan
Rep. C. Hall
Rep. M. Roberts
Rep. M. Schultz
Rep. M. Wheatley

MOTION: Rep. Knotwell moved to pass H.B. 226 out favorably. The motion passed with a vote of 8 - 2 - 5.

Yeas-8

Rep. B. Brammer
Rep. J. Knotwell
Rep. A. Maloy
Rep. M. McKell
Rep. C. Musselman
Rep. T. Quinn
Rep. C. Snider
Rep. M. Winder

Nays-2

Rep. S. Duckworth
Rep. B. King

Absent-5

Rep. J. Dunnigan
Rep. C. Hall
Rep. M. Roberts
Rep. M. Schultz
Rep. M. Wheatley

6 . H.B. 258 Sexually Oriented Business License Amendments (*Stenquist, J.*)

MOTION: Rep. Knotwell moved to reconsider the committee's actions on H.B. 258. The motion passed with a vote of 10 - 0 - 5.

Yeas-10

Rep. B. Brammer
Rep. S. Duckworth
Rep. B. King
Rep. J. Knotwell
Rep. A. Maloy
Rep. M. McKell
Rep. C. Musselman
Rep. T. Quinn
Rep. M. Wheatley
Rep. M. Winder

Nays-0

Absent-5

Rep. J. Dunnigan
Rep. C. Hall
Rep. M. Roberts
Rep. M. Schultz
Rep. C. Snider

MOTION: Rep. McKell moved to amend H.B. 258 with Amendment #1. The motion passed with a vote of 10 - 0 - 5.

Amendment 1
H.B. 258

1. Page 3, Lines 81 through 83:

81 (4) ~~{it}~~ A violation of this section is a class A misdemeanor { to operate a sexually oriented business without
82 business license in a municipality if the municipality requires that the sexually oriented
83 business obtain a business license }.

Yeas-10

Rep. B. Brammer
Rep. S. Duckworth
Rep. B. King
Rep. J. Knotwell
Rep. A. Maloy
Rep. M. McKell
Rep. C. Musselman
Rep. T. Quinn
Rep. M. Wheatley
Rep. M. Winder

Nays-0

Absent-5

Rep. J. Dunnigan
Rep. C. Hall
Rep. M. Roberts
Rep. M. Schultz
Rep. C. Snider

MOTION: Rep. McKell moved to amend H.B. 258 with Amendment #2. The motion passed with a vote of 11 - 0 - 4.

Amendment 2
H.B. 258

1. Page 3, Lines 81 through 83:

81 (4) It is a class A misdemeanor to operate a sexually oriented business without a
82 business license in a municipality if the municipality requires that the sexually oriented
83 business obtain a business license.

(5) A prosecutor or city attorney may prosecute an alleged violation of this section.

Yeas-11

Rep. B. Brammer
Rep. S. Duckworth
Rep. B. King
Rep. J. Knotwell
Rep. A. Maloy
Rep. M. McKell
Rep. C. Musselman
Rep. T. Quinn
Rep. C. Snider
Rep. M. Wheatley
Rep. M. Winder

Nays-0

Absent-4

Rep. J. Dunnigan
Rep. C. Hall
Rep. M. Roberts
Rep. M. Schultz

MOTION: Rep. Winder moved to pass H.B. 258 out favorably. The motion passed with a vote of 10 - 1 - 4.

Yeas-10

Rep. B. Brammer
Rep. S. Duckworth
Rep. J. Knotwell
Rep. A. Maloy
Rep. M. McKell
Rep. C. Musselman
Rep. T. Quinn
Rep. C. Snider
Rep. M. Wheatley
Rep. M. Winder

Nays-1

Rep. B. King

Absent-4

Rep. J. Dunnigan
Rep. C. Hall
Rep. M. Roberts
Rep. M. Schultz

MOTION: Rep. Musselman moved to adjourn. The motion passed with a vote of 11 - 0 - 4.

Yeas-11

Rep. B. Brammer
Rep. S. Duckworth
Rep. B. King
Rep. J. Knotwell
Rep. A. Maloy
Rep. M. McKell
Rep. C. Musselman
Rep. T. Quinn
Rep. C. Snider
Rep. M. Wheatley
Rep. M. Winder

Nays-0

Absent-4

Rep. J. Dunnigan
Rep. C. Hall
Rep. M. Roberts
Rep. M. Schultz

Chair Maloy adjourned the meeting at 5:01 p.m.