



MINUTES

HOUSE BUSINESS AND LABOR STANDING COMMITTEE

LEGISLATURE

Monday, February 25, 2019 | 8:00 a.m. | 445 State Capitol

Members Present:

- Rep. A. Cory Maloy, Vice Chair
- Rep. Brady Brammer
- Rep. Craig Hall
- Rep. Brian S. King
- Rep. John Knotwell
- Rep. Calvin R. Musselman
- Rep. Tim Quinn
- Rep. Marc K. Roberts
- Rep. Mike Schultz
- Rep. Casey Snider

Rep. Mike Winder

Members Absent:

- Rep. James A. Dunnigan, Chair
- Rep. Susan Duckworth
- Rep. Michael K. McKell
- Rep. Mark A. Wheatley

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.

Vice Chair Maloy called the meeting to order at 8:03 a.m.

MOTION: Rep. Brammer moved to approve the minutes of the February 21, 2019, meeting. The motion passed with a vote of 7 - 0 - 8.

Yeas-7

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

Nays-0

Absent-8

- Rep. S. Duckworth
- Rep. J. Dunnigan
- Rep. C. Hall
- Rep. B. King
- Rep. J. Knotwell
- Rep. M. McKell
- Rep. M. Schultz
- Rep. M. Wheatley

1 . H.B. 323 Impact Fees Amendments (Wilde, L.)

The bill was not heard at the request of the sponsor.

2 . H.B. 267 Prescription Drug Importation Program (Thurston, N.)

Rep. Thurston continued with his presentation of H.B. 267, which was initially presented to the committee on Feb. 21, 2019.

Mr. Danny Harris, Director of Advocacy, AARP, spoke in support of the bill.

Mr. Kelvyn Cullimore, President and CEO, BioUtah, spoke in opposition to the bill.

MOTION: Rep. Roberts moved to amend H.B. 267 with Amendment #1. The motion passed with a vote of 10 - 0 - 5.

Amendment 1
H.B. 267

1. Page 1, Lines 16 through 18:

- 16 ● apply for approval of the prescription drug importation program; **and**
- 17 ● if the program is approved, implement the provisions of the program; { **and** }
- 18 { **—● if approval is denied, study how the state can obtain approval for the program;** }

- 2. Page 2, Line 37:
37 {~~26-66-202, Utah Code Annotated 1953~~}

- 3. Page 3, Line 89 through Page 4, Line 90:
89 (a) the findings of {~~the~~} any prescription drug importation study {~~described in Section~~
-90 ~~26-66-202~~} that is available to the department;

- 4. Page 4, Line 113 through Page 5, Line 142:
113 {~~Section 4. Section 26-66-202 is enacted to read:~~
114 ~~26-66-202. Prescription drug importation study.~~
115 ~~(1) As funding is available, the department shall study how to gain approval by the~~
116 ~~secretary for the state to import certain prescription drugs from Canada for eventual use by~~
117 ~~Utah consumers.~~
118 ~~(2) The study described in Subsection (1) shall include:~~
119 ~~(a) a plan for operating the prescription drug importation program;~~
120 ~~(b) a plan to ensure that prescription drugs imported into the state under the~~
-121 ~~prescription drug importation program meet applicable United States federal and state~~
122 ~~standards for safety and effectiveness;~~
123 ~~(c) examples of prescription drugs with the highest potential for consumer savings~~
124 ~~through importation at the time of the study;~~
125 ~~(d) an estimate of the total potential consumer savings attributable to importation of~~
126 ~~prescription drugs;~~
127 ~~(e) a list of potential wholesalers with whom the state could contract to distribute~~
128 ~~imported prescription drugs;~~
129 ~~(f) proposed amendments to state law to facilitate importation by the state; and~~
130 ~~(g) in coordination with the Office of the Attorney General, proposed amendments to~~
131 ~~state law to inhibit pharmaceutical manufacturers from manipulating the pharmaceutical~~
132 ~~market in the state or adversely affecting consumer access to pharmaceuticals under the~~
133 ~~prescription drug importation program.~~
134 ~~(3) The department shall consult with the Utah State Board of Pharmacy,~~
135 ~~representatives of the pharmaceutical industry, patient advocates, health insurers, and others~~
136 ~~representing persons who could be affected by the prescription drug importation program in~~
137 ~~conducting the study in this section.~~
138 ~~(4) No later than November 1, 2019, the department shall submit a written report to the~~
139 ~~Health and Human Services Interim Committee on the findings and recommendations of the~~
140 ~~study described in this section.~~
141 ~~(5) The department shall seek grant funding to conduct the study described in this~~
142 ~~section.~~}

Yeas-10

- Rep. B. Brammer
- Rep. C. Hall
- Rep. B. King
- Rep. J. Knotwell
- Rep. A. Maloy
- Rep. C. Musselman
- Rep. M. Roberts
- Rep. M. Schultz
- Rep. C. Snider
- Rep. M. Winder

Nays-0

Absent-5

- Rep. S. Duckworth
- Rep. J. Dunnigan
- Rep. M. McKell
- Rep. T. Quinn
- Rep. M. Wheatley

MOTION:

Rep. Roberts moved to pass H.B. 267 out favorably as amended. The motion passed with a vote of 7 - 3 - 5.

Yeas-7

Rep. B. Brammer
Rep. A. Maloy
Rep. C. Musselman
Rep. M. Roberts
Rep. M. Schultz
Rep. C. Snider
Rep. M. Winder

Nays-3

Rep. C. Hall
Rep. B. King
Rep. J. Knotwell

Absent-5

Rep. S. Duckworth
Rep. J. Dunnigan
Rep. M. McKell
Rep. T. Quinn
Rep. M. Wheatley

3 . H.B. 329 Homeowner Association Provisions Amendments (*Moss, C.*)

Rep. Moss presented the bill to the committee with the assistance of Mr. John Richards, Utah Legislative Action Committee, Community Associations Institute.

Mr. Michael Johnson, Chair, Utah Legislative Action Committee, Community Associations Institute, spoke in support of the bill.

Mr. Mike Ostermiller, Utah Association of Realtors and Utah Property Rights Coalition, spoke to the bill.

MOTION: Rep. Musselman moved to hold H.B. 329.

The motion passed with a vote of 8 - 0 - 7.

Yeas-8

Rep. B. Brammer
Rep. C. Hall
Rep. B. King
Rep. J. Knotwell
Rep. A. Maloy
Rep. C. Musselman
Rep. M. Roberts
Rep. M. Schultz

Nays-0

Absent-7

Rep. S. Duckworth
Rep. J. Dunnigan
Rep. M. McKell
Rep. T. Quinn
Rep. C. Snider
Rep. M. Wheatley
Rep. M. Winder

4 . S.B. 87 Procurement of Design Professionals Amendments (*Escamilla (Robles), L.*)

Sen. Escamilla presented the bill with the assistance of Ms. Amy Coombs, American Society of Interior Designers and International Interior Design Association.

MOTION: Rep. Schultz moved to pass S.B. 87 out favorably. The motion passed with a vote of 8 - 0 - 7.

Yeas-8

Rep. B. Brammer
Rep. C. Hall
Rep. B. King
Rep. J. Knotwell
Rep. A. Maloy
Rep. C. Musselman
Rep. M. Roberts
Rep. M. Schultz

Nays-0

Absent-7

Rep. S. Duckworth
Rep. J. Dunnigan
Rep. M. McKell
Rep. T. Quinn
Rep. C. Snider
Rep. M. Wheatley
Rep. M. Winder

5 . H.B. 341 Real Estate Fund Amendments (*Barlow, S.*)

Rep. Barlow requested the bill be returned to the Rules Committee.

MOTION: Rep. Roberts moved to return H.B. 341 to the Rules Committee The motion passed with a vote of 8 - 0 - 7.

Yeas-8

Rep. B. Brammer
Rep. C. Hall
Rep. B. King
Rep. J. Knotwell
Rep. A. Maloy
Rep. C. Musselman
Rep. M. Roberts
Rep. M. Schultz

Nays-0

Absent-7

Rep. S. Duckworth
Rep. J. Dunnigan
Rep. M. McKell
Rep. T. Quinn
Rep. C. Snider
Rep. M. Wheatley
Rep. M. Winder

MOTION: Rep. Knotwell moved to adjourn. The motion passed with a vote of 7 - 0 - 8.

Yeas-7

Rep. B. Brammer
Rep. C. Hall
Rep. B. King
Rep. J. Knotwell
Rep. A. Maloy
Rep. C. Musselman
Rep. M. Roberts

Nays-0

Absent-8

Rep. S. Duckworth
Rep. J. Dunnigan
Rep. M. McKell
Rep. T. Quinn
Rep. M. Schultz
Rep. C. Snider
Rep. M. Wheatley
Rep. M. Winder

Vice Chair Maloy adjourned the meeting at 9:09 a.m