



MINUTES

HOUSE ECONOMIC DEVELOPMENT AND WORKFORCE SERVICES STANDING COMMITTEE

LEGISLATURE

Wednesday, February 27, 2019 | 4:00 p.m. | 20 House Building

Members Present:

Rep. Mike Winder, Chair
Rep. Derrin R. Owens, Vice Chair
Rep. Suzanne Harrison
Rep. Timothy D. Hawkes
Rep. Karen Kwan
Rep. Karianne Lisonbee
Rep. A. Cory Maloy
Rep. Carol Spackman Moss

Rep. Calvin R. Musselman

Members Absent:

Rep. Francis D. Gibson
Rep. Eric K. Hutchings

Staff Present:

Mr. Steve Benard, Session Secretary
Ms. Julie Humberstone, Policy Analyst

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

Chair Owens called the meeting to order at 4:07 p.m.

Rep. Owens assumed the chair.

MOTION: Rep. Moss moved to approve the minutes. The motion passed with a vote of 5 - 0 - 6.

Yeas-5

Rep. K. Kwan
Rep. K. Lisonbee
Rep. C. Moss
Rep. D. Owens
Rep. M. Winder

Nays-0

Absent-6

Rep. F. Gibson
Rep. S. Harrison
Rep. T. Hawkes
Rep. E. Hutchings
Rep. A. Maloy
Rep. C. Musselman

1 . 1st Sub. H.B. 204 Employment Selection Procedures Act Amendments (*Wheatley, M.*)

Rep. Mark A. Wheatley presented the bill with the assistance of Jonathan Thorne, attorney, Strindberg and Scholnick.

Ms. Dawn Wagner, citizen, spoke in favor of the bill.

Mr. Chris Hill, General Counsel, Utah Labor Commission, spoke to the bill.

MOTION: Rep. Winder moved to amend 1st Substitute H.B. 204 with Amendment #1. The motion passed with a vote of 9 - 0 - 2.

Amendment 1
1st Sub. H.B. 204

1. Page 3, Lines 77 through 84:

77 (ii) in violation of Part 4, Prohibition on Inquiry into Compensation History, the
78 division shall ~~{order that the employer pay a penalty of~~:

79 (A) for the first offense~~{, \$1,000; and }~~, issue a warning;

80 (B) for the second ~~{or subsequent }~~ offense, ~~{ \$5,000. }~~ order that the employer pay a penalty of \$500; and
(C) for the third or subsequent offense, order that the employer pay a penalty of \$1,500.

81 (b) The division shall:

82 (i) retain ~~{-40%}~~ 50% of a penalty payment described in Subsection (3)(a)(ii); and

83 (ii) pay ~~{-60%}~~ 50% of a penalty payment described in Subsection (3)(a)(ii) to the aggrieved
84 individual.

2. Page 4, Lines 112 through 113:



112 (1) An employer may not seek information regarding an applicant's compensation
 113 history from the applicant ~~{-or anyone connected with}~~ , the applicant's current or former employer , or an
employee of the applicant's current or former employer .

Yeas-9

Rep. S. Harrison
 Rep. T. Hawkes
 Rep. K. Kwan
 Rep. K. Lisonbee
 Rep. A. Maloy
 Rep. C. Moss
 Rep. C. Musselman
 Rep. D. Owens
 Rep. M. Winder

Nays-0

Absent-2

Rep. F. Gibson
 Rep. E. Hutchings

MOTION: Rep. Kwan moved to pass 1st Substitute H.B. 204 out favorably. The motion failed with a vote of 4 - 5 - 2.

Yeas-4

Rep. S. Harrison
 Rep. K. Kwan
 Rep. C. Moss
 Rep. M. Winder

Nays-5

Rep. T. Hawkes
 Rep. K. Lisonbee
 Rep. A. Maloy
 Rep. C. Musselman
 Rep. D. Owens

Absent-2

Rep. F. Gibson
 Rep. E. Hutchings

2 . H.B. 378 Regulatory Sandbox (Roberts, M.)

Rep. Marc K. Roberts presented the bill with the assistance of Jill Flygare, Managing Director of Internal Operations, Governor's Office of Economic Development.

Mr. Frank Pignaneli, Utah Association of Financial Services, spoke to the bill.

MOTION: Rep. Hawkes moved to replace H.B. 378 with 1st Substitute H.B. 378. The motion passed with a vote of 9 - 0 - 2.

Yeas-9

Rep. S. Harrison
 Rep. T. Hawkes
 Rep. K. Kwan
 Rep. K. Lisonbee
 Rep. A. Maloy
 Rep. C. Moss
 Rep. C. Musselman
 Rep. D. Owens
 Rep. M. Winder

Nays-0

Absent-2

Rep. F. Gibson
 Rep. E. Hutchings

MOTION: Rep. Hawkes moved to pass 1st Substitute H.B. 378 out favorably. The motion passed with a vote of 9 - 0 - 2.

Yeas-9

Rep. S. Harrison
Rep. T. Hawkes
Rep. K. Kwan
Rep. K. Lisonbee
Rep. A. Maloy
Rep. C. Moss
Rep. C. Musselman
Rep. D. Owens
Rep. M. Winder

Nays-0

Absent-2

Rep. F. Gibson
Rep. E. Hutchings

3 . S.B. 159 Department of Workforce Services Amendments (Weiler, T.)

Rep. Winder presented the bill with the assistance of Kathy Bounous, General Counsel, Department of Workforce Services.

MOTION: Rep. Kwan moved to pass S.B. 159 out favorably. The motion passed with a vote of 9 - 0 - 2.

Yeas-9

Rep. S. Harrison
Rep. T. Hawkes
Rep. K. Kwan
Rep. K. Lisonbee
Rep. A. Maloy
Rep. C. Moss
Rep. C. Musselman
Rep. D. Owens
Rep. M. Winder

Nays-0

Absent-2

Rep. F. Gibson
Rep. E. Hutchings

MOTION: Rep. Winder moved to place S.B. 159 on the Consent Calendar. The motion passed with a vote of 9 - 0 - 2.

Yeas-9

Rep. S. Harrison
Rep. T. Hawkes
Rep. K. Kwan
Rep. K. Lisonbee
Rep. A. Maloy
Rep. C. Moss
Rep. C. Musselman
Rep. D. Owens
Rep. M. Winder

Nays-0

Absent-2

Rep. F. Gibson
Rep. E. Hutchings

MOTION: Rep. Winder moved to adjourn. The motion passed with a vote of 9 - 0 - 2.

Yeas-9

Rep. S. Harrison
Rep. T. Hawkes
Rep. K. Kwan
Rep. K. Lisonbee
Rep. A. Maloy
Rep. C. Moss
Rep. C. Musselman
Rep. D. Owens
Rep. M. Winder

Nays-0

Absent-2

Rep. F. Gibson
Rep. E. Hutchings

Chair Owens adjourned the meeting at 5:46 p.m.