



MINUTES

HOUSE BUSINESS AND LABOR STANDING COMMITTEE

Tuesday, February 25, 2020 | 4:00 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. Timothy D. Hawkes
Rep. Brian S. King
Rep. Michael K. McKell
Rep. Calvin R. Musselman

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

Staff Present:

Adam J. Sweet, Policy Analyst
Claire Kirkland, 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 assumed the chair and called the meeting to order at 4:10 p.m.

MOTION: Rep. Quinn moved to approve the minutes of the February 24, 2020, meeting. The motion passed with a vote of 7 - 0 - 8.

Yeas-7

Rep. J. Dunnigan
Rep. B. King
Rep. A. Maloy
Rep. C. Musselman
Rep. T. Quinn
Rep. C. Snider
Rep. M. Wheatley

Nays-0

Absent-8

Rep. B. Brammer
Rep. S. Duckworth
Rep. C. Hall
Rep. T. Hawkes
Rep. M. McKell
Rep. M. Roberts
Rep. M. Schultz
Rep. M. Winder

1 . H.B. 313 Telehealth Parity Amendments (Ballard, M.G.)

Rep. Melissa G. Ballard and Michelle McOmber, Utah Medical Association, presented H.B. 313.

Steven Foxley, Regence Blue Cross Blue Shield, spoke in favor of the bill.

Sarah Woolsey, MD, spoke in favor of the bill.

Kory Holdaway, Utah Home Health Care and Hospice Association, spoke in favor of the bill.

Preston Marx, VP Information Technology, Uintah Basin Healthcare, spoke in favor of the bill.

MOTION: Rep. Quinn moved to replace H.B. 313 with 1st Substitute H.B. 313. The motion passed with a vote of 11 - 0 - 4.

Yeas-11

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

Nays-0

Absent-4

Rep. T. Hawkes
Rep. B. King
Rep. M. Schultz
Rep. M. Winder

MOTION: Rep. McKell moved to pass 1st Substitute H.B. 313 out favorably. The motion passed with a vote of 12 - 0 - 3.

Yeas-12

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

Nays-0

Absent-3

Rep. T. Hawkes
Rep. M. Schultz
Rep. M. Winder

2 . 2nd Sub. S.B. 23 Division of Occupational and Professional Licensing Amendments (*Bramble, C.*)

Sen. Curtis S. Bramble and Mark Steinagel, Director, Division of Occupational and Professional Licensing, presented 2nd Sub. S.B. 23.

MOTION: Rep. Dunnigan moved to pass 2nd Substitute S.B. 23 out favorably. The motion passed with a vote of 14 - 0 - 1.

Yeas-14

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

Nays-0

Absent-1

Rep. M. Schultz

3 . 1st Sub. S.B. 81 Motion Picture Incentives Amendments (*Thatcher, D.*)

Sen. Daniel W. Thatcher presented 2nd Sub. S.B. 81.

Carolyn Leone, Motion Picture Association of Utah, spoke in favor of the bill.

MOTION: Rep. Duckworth moved to pass 1st Substitute S.B. 81 out favorably. The motion passed with a vote of 12 - 1 - 2.

Yeas-12

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

Nays-1

Rep. M. Roberts

Absent-2

Rep. B. King
Rep. M. Schultz

4 . H.B. 157 Wine Services and Amendments (McKell, M.)

Rep. McKell presented H.B. 157.

Tyler Rudd, Central States Counsel, Wine Institute, spoke against the bill.

Sal Petilos, Executive Director, Department of Alcoholic Beverage Control, spoke in favor of the bill.

Dan Stevenson, Chief Legal Officer, Domo, spoke in favor of the bill.

MOTION: Rep. Hawkes moved to replace H.B. 157 with 1st Substitute H.B. 157. The motion passed with a vote of 14 - 0 - 1.

Yeas-14

Rep. B. Brammer
Rep. S. Duckworth
Rep. J. Dunnigan
Rep. C. Hall
Rep. T. Hawkes
Rep. B. King
Rep. A. Maloy
Rep. M. McKell
Rep. C. Musselman
Rep. M. Roberts
Rep. M. Schultz
Rep. C. Snider
Rep. M. Wheatley
Rep. M. Winder

Nays-0

Absent-1

Rep. T. Quinn

MOTION: Rep. Musselman moved to pass 1st Substitute H.B. 157 out favorably. The motion passed with a vote of 14 - 0 - 1.

Yeas-14

Rep. B. Brammer
Rep. S. Duckworth
Rep. J. Dunnigan
Rep. C. Hall
Rep. T. Hawkes
Rep. B. King
Rep. A. Maloy
Rep. M. McKell
Rep. C. Musselman
Rep. M. Roberts
Rep. M. Schultz
Rep. C. Snider
Rep. M. Wheatley
Rep. M. Winder

Nays-0

Absent-1

Rep. T. Quinn

5 . 1st Sub. H.B. 23 Tobacco and Electronic Cigarette Amendments (*Hawkins, J.*)

Rep. Jon Hawkins presented 1st Sub. H.B. 23.

Rep. Dunnigan assumed the chair.

MOTION: Rep. Duckworth made a verbal amendment to strike on lines 151 and 288, all of the words after the word "adolescents" until the semicolon. The motion passed with a vote of 11 - 0 - 4.

Yeas-11

Rep. B. Brammer
Rep. S. Duckworth
Rep. J. Dunnigan
Rep. C. Hall
Rep. T. Hawkes
Rep. B. King
Rep. M. Roberts
Rep. M. Schultz
Rep. C. Snider
Rep. M. Wheatley
Rep. M. Winder

Nays-0

Absent-4

Rep. A. Maloy
Rep. M. McKell
Rep. C. Musselman
Rep. T. Quinn

MOTION: Rep. Roberts made a verbal amendment to strike the word "and" on lines 149 and 286 and replace it with the word "or." The motion passed with a vote of 11 - 0 - 4.

Yeas-11

Rep. B. Brammer
Rep. S. Duckworth
Rep. J. Dunnigan
Rep. C. Hall
Rep. T. Hawkes
Rep. B. King
Rep. M. Roberts
Rep. M. Schultz
Rep. C. Snider
Rep. M. Wheatley
Rep. M. Winder

Nays-0

Absent-4

Rep. A. Maloy
Rep. M. McKell
Rep. C. Musselman
Rep. T. Quinn

Darcy Goddard, Salt Lake City District Attorney's Office, spoke in favor of the bill.

Dave Davis, Utah Retail Merchants Association, spoke in favor of the bill.

Gary Thorup, Utah Petroleum Marketers and Retailers Association, spoke to the bill.

John Hill, Utah Petroleum Marketers and Retailers Association, spoke to the bill.

Todd Hougaard, Utah Parent Teacher Association, spoke in favor of the bill.

Kirk Bengel, Utah Association of Local Health Departments, spoke in favor of the bill.

MOTION: Rep. Winder moved to replace 1st Substitute H.B. 23 with 2nd Substitute H.B. 23. The motion passed with a vote of 9 - 0 - 6.

Yeas-9

Rep. S. Duckworth
Rep. J. Dunnigan
Rep. C. Hall
Rep. B. King
Rep. M. McKell
Rep. M. Roberts
Rep. C. Snider
Rep. M. Wheatley
Rep. M. Winder

Nays-0

Absent-6

Rep. B. Brammer
Rep. T. Hawkes
Rep. A. Maloy
Rep. C. Musselman
Rep. T. Quinn
Rep. M. Schultz

MOTION: Rep. Duckworth made a motion to amend 2nd Substitute H.B. 23 with House Committee Amendment #1. The motion passed with a vote of 11 - 0 - 4.

Amendment 1
2nd Sub. H.B. 23

1. Page 5, Line 145 through Page 6, Line 155:

145 (b) A municipality may suspend or revoke a retail tobacco specialty business license
146 issued under this section:
147 (i) if a licensee engages in a pattern of unlawful activity under Title 76, Chapter 10,
148 Part 16, Pattern of Unlawful Activity Act;
149 (ii) if a licensee violates ~~[the regulations]~~ federal law ~~{and}~~ or regulations restricting the
150 sale and distribution of ~~[cigarettes and smokeless tobacco]~~ tobacco products to protect children
151 and adolescents ~~{issued by the United States Food and Drug Administration, 21 C.F.R. Part~~
152 ~~1140}~~;
153 (iii) upon the recommendation of the department or a local health department under
154 Title 26, Chapter 62, Tobacco Retail Permit; or
155 (iv) under any other provision of state law or local ordinance.

2. Page 10, Lines 282 through 292:

282 (b) A county may suspend or revoke a retail tobacco specialty business license issued
283 under this section:
284 (i) if a licensee engages in a pattern of unlawful activity under Title 76, Chapter 10,
285 Part 16, Pattern of Unlawful Activity Act;
286 (ii) if a licensee violates ~~[the regulations]~~ federal law ~~{and}~~ or regulations restricting the
287 sale and distribution of ~~[cigarettes and smokeless tobacco]~~ tobacco products to protect children
288 and adolescents ~~{issued by the United States Food and Drug Administration, 21 C.F.R. Part~~
289 ~~1140}~~;
290 (iii) upon the recommendation of the department or a local health department under
291 Title 26, Chapter 62, Tobacco Retail Permit; or
292 (iv) under any other provision of state law or local ordinance.

Yeas-11

Rep. S. Duckworth
Rep. J. Dunnigan
Rep. C. Hall
Rep. T. Hawkes
Rep. B. King
Rep. M. McKell
Rep. M. Roberts
Rep. M. Schultz
Rep. C. Snider
Rep. M. Wheatley
Rep. M. Winder

Nays-0

Absent-4

Rep. B. Brammer
Rep. A. Maloy
Rep. C. Musselman
Rep. T. Quinn

MOTION: Rep. McKell moved to pass 2nd Substitute H.B. 23 as amended out favorably.

MOTION: Rep. McKell moved to reconsider the committee's actions of Rep. Duckworth's and Rep. Roberts' verbal amendments. The motion passed with a vote of 11 - 0 - 4.

Yeas-11

Rep. S. Duckworth
Rep. J. Dunnigan
Rep. C. Hall
Rep. T. Hawkes
Rep. B. King
Rep. M. McKell
Rep. M. Roberts
Rep. M. Schultz
Rep. C. Snider
Rep. M. Wheatley
Rep. M. Winder

Nays-0

Absent-4

Rep. B. Brammer
Rep. A. Maloy
Rep. C. Musselman
Rep. T. Quinn

MOTION: Rep. McKell moved to replace 1st Substitute H.B. 23 with 2nd Substitute H.B. 23. The motion passed with a vote of 11 - 0 - 4.

Yeas-11

Rep. S. Duckworth
Rep. J. Dunnigan
Rep. C. Hall
Rep. T. Hawkes
Rep. B. King
Rep. M. McKell
Rep. M. Roberts
Rep. M. Schultz
Rep. C. Snider
Rep. M. Wheatley
Rep. M. Winder

Nays-0

Absent-4

Rep. B. Brammer
Rep. A. Maloy
Rep. C. Musselman
Rep. T. Quinn

MOTION: Rep. Duckworth moved to amend 2nd Substitute H.B. 23 with Amendment #1. The motion passed with a vote of 11 - 0 - 4.

Yeas-11

Rep. S. Duckworth
Rep. J. Dunnigan
Rep. C. Hall
Rep. T. Hawkes
Rep. B. King
Rep. M. McKell
Rep. M. Roberts
Rep. M. Schultz
Rep. C. Snider
Rep. M. Wheatley
Rep. M. Winder

Nays-0

Absent-4

Rep. B. Brammer
Rep. A. Maloy
Rep. C. Musselman
Rep. T. Quinn

MOTION: Rep. McKell moved to pass 2nd Substitute H.B. 23 out favorably. The motion passed with a vote of 11 - 0 - 4.

Yeas-11

Rep. S. Duckworth
Rep. J. Dunnigan
Rep. C. Hall
Rep. T. Hawkes
Rep. B. King
Rep. M. McKell
Rep. M. Roberts
Rep. M. Schultz
Rep. C. Snider
Rep. M. Wheatley
Rep. M. Winder

Nays-0

Absent-4

Rep. B. Brammer
Rep. A. Maloy
Rep. C. Musselman
Rep. T. Quinn

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

Yeas-11

Rep. S. Duckworth
Rep. J. Dunnigan
Rep. C. Hall
Rep. T. Hawkes
Rep. B. King
Rep. M. McKell
Rep. M. Roberts
Rep. M. Schultz
Rep. C. Snider
Rep. M. Wheatley
Rep. M. Winder

Nays-0

Absent-4

Rep. B. Brammer
Rep. A. Maloy
Rep. C. Musselman
Rep. T. Quinn

Chair Dunnigan adjourned the meeting at 5:47 p.m.