



# MINUTES

## SENATE BUSINESS AND LABOR STANDING COMMITTEE

Monday, March 2, 2020 | 7:00 a.m. | 215 Senate Building

**Members Present:**

Sen. Curtis S. Bramble, Chair  
Sen. Jacob L. Anderegg  
Sen. Kirk A. Cullimore  
Sen. Gene Davis  
Sen. Daniel Hemmert

Sen. Don L. Ipson  
Sen. Karen Mayne  
Sen. Daniel McCay

**Staff Present:**

Adam J. Sweet, Policy Analyst  
Brodi Ashton, Committee Secretary

Note: A copy of related materials and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

Chair Bramble called the meeting to order at 7:02 a.m.

**MOTION:** Sen. Mayne moved to approve the minutes of the February 26, 2020, meeting. The motion passed with a vote of 6 - 0 - 2.

Yeas-6

Sen. J. Anderegg  
Sen. C. Bramble  
Sen. K. Cullimore  
Sen. D. Hemmert  
Sen. D. Ipson  
Sen. K. Mayne

Nays-0

Absent-2

Sen. G. Davis  
Sen. D. McCay

**1 . S.B. 192 Amendments Relating to the Military Installation Development Authority (*Stevenson, J.*)**

Sen. Jerry W. Stevenson presented the bill with the assistance of Paul Morris, Executive Director, Military Installation Development Authority.

**MOTION:** Sen. Anderegg moved to pass S.B. 192 out favorably. The motion passed with a vote of 6 - 0 - 2.

Yeas-6

Sen. J. Anderegg  
Sen. C. Bramble  
Sen. K. Cullimore  
Sen. D. Hemmert  
Sen. D. Ipson  
Sen. K. Mayne

Nays-0

Absent-2

Sen. G. Davis  
Sen. D. McCay

**2 . 1st Sub. S.B. 31 Safety Inspections on Secondhand Vehicles (*Riebe, K.*)**

Sen. Kathleen Riebe presented the bill.

**MOTION:** Sen. Anderegg moved to replace 1st Substitute S.B. 31 with 2nd Substitute S.B. 31. The motion passed with a vote of 6 - 0 - 2.

Yeas-6

Sen. J. Anderegg  
Sen. C. Bramble  
Sen. K. Cullimore  
Sen. D. Hemmert  
Sen. D. Ipson  
Sen. K. Mayne

Nays-0

Absent-2

Sen. G. Davis  
Sen. D. McCay

**MOTION:** Sen. Mayne moved to pass 2nd Substitute S.B. 31 out favorably. The motion passed with a vote of 5 - 1 - 2.

Yeas-5

Sen. C. Bramble  
Sen. K. Cullimore  
Sen. D. Hemmert  
Sen. D. Ipson  
Sen. K. Mayne

Nays-1

Sen. J. Anderegg

Absent-2

Sen. G. Davis  
Sen. D. McCay

**3 . 1st Sub. H.B. 290 Occupational Licensing Amendments (Thurston, N.)**

Rep. Norman K. Thurston presented the bill.

**MOTION:** Sen. Hemmert moved to pass 1st Substitute H.B. 290 out favorably. The motion passed with a vote of 6 - 0 - 2.

Yeas-6

Sen. J. Anderegg  
Sen. C. Bramble  
Sen. K. Cullimore  
Sen. D. Hemmert  
Sen. D. Ipson  
Sen. K. Mayne

Nays-0

Absent-2

Sen. G. Davis  
Sen. D. McCay

**4 . S.B. 187 COBRA Amendments (Weiler, T.)**

Sen. Todd Weiler presented the bill with the assistance of Calindy Hayden, resident.

Dave Davis, President, Utah Retail Merchants Association, spoke to the bill.

Candace Daly, Director, Utah National Federation of Independent Business, opposed the bill as drafted.

**MOTION:** Sen. Ipson moved to go to the next item on the agenda.

**5 . H.B. 319 Consumer Lending Amendments (Daw, B.)**

Rep. Brad M. Daw presented the bill.

Wendy Gibson, spokesperson, Utah Consumer Lending Association, spoke to the bill.

**MOTION:** Sen. Mayne moved to pass H.B. 319 out favorably. The motion passed with a vote of 7 - 0 - 1.

Yeas-7

Sen. J. Anderegg  
Sen. C. Bramble  
Sen. K. Cullimore  
Sen. D. Hemmert  
Sen. D. Ipson  
Sen. K. Mayne  
Sen. D. McCay

Nays-0

Absent-1

Sen. G. Davis

**6 . S.B. 195 Background Checks for Minor Employees (*Fillmore, L.*)**

Sen. Lincoln Fillmore presented the bill.

**MOTION:** Sen. Anderegg moved to pass S.B. 195 out favorably. The motion passed with a vote of 6 - 0 - 2.

Yeas-6

Sen. J. Anderegg  
Sen. C. Bramble  
Sen. K. Cullimore  
Sen. D. Ipson  
Sen. K. Mayne  
Sen. D. McCay

Nays-0

Absent-2

Sen. G. Davis  
Sen. D. Hemmert

Sen. Anderegg assumed the chair.

**7 . S.B. 200 Redistricting Amendments (*Bramble, C.*)**

Sen. Bramble presented the bill with the assistance of Jeff Wright, co-chair, Better Boundaries, and Rebecca Chavez-Houck, Executive Director, Better Boundaries.

**MOTION:** Sen. Bramble moved to pass S.B. 200 out favorably. The motion passed with a vote of 7 - 0 - 1.

Yeas-7

Sen. J. Anderegg  
Sen. C. Bramble  
Sen. K. Cullimore  
Sen. D. Hemmert  
Sen. D. Ipson  
Sen. K. Mayne  
Sen. D. McCay

Nays-0

Absent-1

Sen. G. Davis

Sen. Bramble resumed the chair.

**8 . S.B. 201 Professional Licensing Amendments (*Anderegg, J.*)**

Sen. Anderegg presented the bill.

Paul Avelar, Managing Attorney, Institute for Justice Arizona Office, spoke to the bill.

Heather Andrews, State Director, Americans for Prosperity-Utah, spoke to the bill.

Mark Steinagel, Director, Division of Occupational and Professional Licensing, spoke to the bill.

**MOTION:** Sen. Anderegg moved to pass S.B. 201 out favorably. The motion passed with a vote of 7 - 0 - 1.

Yeas-7

Sen. J. Anderegg  
Sen. C. Bramble  
Sen. K. Cullimore  
Sen. D. Hemmert  
Sen. D. Ipson  
Sen. K. Mayne  
Sen. D. McCay

Nays-0

Absent-1

Sen. G. Davis

Sen. Anderegg assumed the chair.

**9 . S.B. 183 Nonjudicial Foreclosure Amendments (*Bramble, C.*)**

Sen. Bramble presented the bill.

Quinn Sperry, Community Associations Institute and Community Association Law Section - Utah State Bar, spoke to the bill

Karly Walton, attorney, Institute of Real Estate Management, spoke to the bill.

Burt Willie, attorney at Smith Knowles, spoke to the bill.

**MOTION:** Sen. Bramble moved to pass S.B. 183 out favorably. The motion passed with a vote of 6 - 0 - 2.

Yeas-6

Sen. J. Anderegg  
Sen. C. Bramble  
Sen. K. Cullimore  
Sen. D. Hemmert  
Sen. D. Ipson  
Sen. D. McCay

Nays-0

Absent-2

Sen. G. Davis  
Sen. K. Mayne

**10 . S.B. 202 Public Education Financial Reporting Amendments (*Bramble, C.*)**

Sen. Bramble presented the bill.

**MOTION:** Sen. Bramble moved to pass S.B. 202 out favorably. The motion passed with a vote of 6 - 0 - 2.

Yeas-6

Sen. J. Anderegg  
Sen. C. Bramble  
Sen. K. Cullimore  
Sen. D. Hemmert  
Sen. D. Ipson  
Sen. D. McCay

Nays-0

Absent-2

Sen. G. Davis  
Sen. K. Mayne

**11 . S.B. 179 Public Infrastructure District Amendments (*McCay, D.*)**

Sen. Bramble resumed the chair.

Sen. McCay presented the bill.

**MOTION:** Sen. Hemmert moved to pass S.B. 179 out favorably. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

Sen. C. Bramble  
Sen. K. Cullimore  
Sen. D. Hemmert  
Sen. D. Ipson  
Sen. D. McCay

Nays-0

Absent-3

Sen. J. Anderegg  
Sen. G. Davis  
Sen. K. Mayne

**12 . H.B. 270 Interstate Compact for Economic Development (Roberts, M.)**

Rep. Marc K. Roberts presented the bill.

Sen. Hemmert assumed the chair.

**MOTION:** Sen. McCay moved to pass H.B. 270 out favorably.

**SUBSTITUTE MOTION:** Sen. Cullimore moved to go to the next item on the agenda. The substitute motion passed with a vote of 3 - 1 - 4.

Yeas-3

Sen. K. Cullimore  
Sen. D. Hemmert  
Sen. K. Mayne

Nays-1

Sen. D. McCay

Absent-4

Sen. J. Anderegg  
Sen. C. Bramble  
Sen. G. Davis  
Sen. D. Ipson

**13 . 2nd Sub. H.B. 312 Maintenance Funding Practices Act (Dunnigan, J.)**

**MOTION:** Sen. McCay moved to amend 2nd Substitute H.B. 312 with Amendment #1. The motion passed with a vote of 5 - 0 - 3.

Amendment 1  
2nd Sub. H.B. 312

1. Page 4, Lines 96 through 98:

96 (6) "Legal funding" means a payment of \$500,000 or less to an individual in exchange for the right to  
97 receive an amount out of the potential proceeds of any realized settlement, judgment, award, or  
98 verdict the individual may receive in a civil legal action.

Yeas-5

Sen. K. Cullimore  
Sen. D. Hemmert  
Sen. D. Ipson  
Sen. K. Mayne  
Sen. D. McCay

Nays-0

Absent-3

Sen. J. Anderegg  
Sen. C. Bramble  
Sen. G. Davis

Rep. James A. Dunnigan presented the bill

Eric Shuller, President, Alliance for Responsible Consumer Legal Funding, spoke in favor of the bill.

**MOTION:** Sen. Ipson moved to pass 2nd Substitute H.B. 312 out favorably. The motion passed with a vote of 5 - 0 - 3.

Yeas-5  
 Sen. K. Cullimore  
 Sen. D. Hemmert  
 Sen. D. Ipson  
 Sen. K. Mayne  
 Sen. D. McCay

Nays-0

Absent-3  
 Sen. J. Anderegg  
 Sen. C. Bramble  
 Sen. G. Davis

**14 . 1st Sub. H.B. 37 Insurance Amendments (*Dunnigan, J.*)**

Rep. James A. Dunnigan presented the bill.

**MOTION:** Sen. Ipson moved to replace 1st Substitute H.B. 37 with 2nd Substitute H.B. 37. The motion passed with a vote of 5 - 0 - 3.

Yeas-5  
 Sen. K. Cullimore  
 Sen. D. Hemmert  
 Sen. D. Ipson  
 Sen. K. Mayne  
 Sen. D. McCay

Nays-0

Absent-3  
 Sen. J. Anderegg  
 Sen. C. Bramble  
 Sen. G. Davis

Rep. Dunnigan continued the bill presentation.

Sen. Ipson moved to amend 2nd Substitute H.B. 37 with Amendment #2, followed by a motion to pass the bill out favorably. Those motions were placed but could not pass because a quorum was not present.

**MOTION:** Sen. Ipson moved to amend 2nd Substitute H.B. 37 with Amendment #2. The motion passed with a vote of 5 - 0 - 3.

Amendment 2  
 2nd Sub. H.B. 37

1. Page 3, Lines 69 through 71:  
 69 Other Special Clauses:  
 70 {None} This bill provides a special effective date.  
 71 Utah Code Sections Affected:
  
2. Page 162, Lines 4988 through 4990:  
 4988 (a) {"Dentist" means an individual licensed under Title 58, Chapter 69, Dentist and  
 4989 Dental Hygienist Practice Act.  
 4990 ~~(b)~~ "Health care provider" means a person licensed to provide health care under:
  
3. Page 162, Line 4993:  
 4993 ~~(c)~~ (b) "Insurer" means an admitted or authorized insurer, as defined in Section
  
4. Page 162, Line 5000:  
 5000 ~~(d)~~ (c) "Provider" means a health care provider to whom an insurer is obligated to pay
  
5. Page 167, Line 5163 through Page 168, Line 5177:  
 5163 (16) (a) { (i) An insurer shall remit in full the payment the insurer is obligated to pay to a  
 5164 dentist or insured.  
 5165 ~~(ii) An insurer's payment under this Subsection (16)(a) may not be reduced for fees~~  
 5166 incurred for the method of payment, regardless of the payment method.  
 5167 ~~(b)~~ An insurer may offer the remittance of payment through a credit card or other  
 5168 similar arrangement {, if the dentist or insured is not charged a fee.}  
 5169 ~~(c)~~ (b) (i) A {dentist} health care provider may elect not to receive remittance through a credit card or  
 other  
 5170 similar arrangement.  
 5171 (ii) An insurer:

5172 (A) shall permit a ~~{dentist's}~~ health care provider's election described in Subsection ~~{(e)}~~ (b) (i) to apply to the  
5173 ~~{~~~~dentist's}~~ health care provider's entire practice; and  
5174 (B) may not require a ~~{dentist's}~~ health care provider's election described in Subsection ~~{(e)}~~ (b) (i) to be made on a  
5175 patient-by-patient basis.  
5176 ~~{(d)}~~ (c) An insurer may not require a ~~{dentist}~~ health care provider or insured to accept remittance through a credit  
5177 card or other similar arrangement.

6. Page 202, Line 6250:  
6250 subcontractor hold the administrator harmless for an action arising under this section.  
Section 60. Effective date.

This bill takes effect on May 12, 2020, except that Section 31A-17-404 takes effect on January 1, 2021.

Yeas-5

Nays-0

Absent-3

Sen. K. Cullimore  
Sen. G. Davis  
Sen. D. Hemmert  
Sen. D. Ipson  
Sen. K. Mayne

Sen. J. Anderegg  
Sen. C. Bramble  
Sen. D. McCay

**MOTION:** Sen. Ipson moved to pass 2nd Substitute H.B. 37 out favorably. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

Nays-0

Absent-3

Sen. K. Cullimore  
Sen. G. Davis  
Sen. D. Hemmert  
Sen. D. Ipson  
Sen. K. Mayne

Sen. J. Anderegg  
Sen. C. Bramble  
Sen. D. McCay

Sen. Cullimore assumed the chair.

**15 . 1st Sub. H.B. 333 Limited Purpose Local Government Entity Amendments (Handy, S.)**

Rep. Stephen G. Handy presented the bill.

**MOTION:** Sen. Ipson moved to pass 1st Substitute H.B. 333 out favorably. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

Nays-0

Absent-3

Sen. K. Cullimore  
Sen. G. Davis  
Sen. D. Hemmert  
Sen. D. Ipson  
Sen. K. Mayne

Sen. J. Anderegg  
Sen. C. Bramble  
Sen. D. McCay

**16 . S.B. 186 Family Medical Unpaid Leave Provisions (Hemmert, D.)**

Sen. Hemmert presented the bill.

Elizabeth Garbe, United Way of Salt Lake, spoke in favor of the bill.

Candace Daly, Director, Utah National Federation of Independent Business, spoke against the bill.

Marina Lowe, Legislative and Policy Counsel, ACLU of Utah, spoke in favor of the bill.

Dave Davis, President, Utah Retail Merchants Association, spoke in opposition to the bill.

**MOTION:** Sen. Davis moved to pass S.B. 186 out favorably. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

Sen. K. Cullimore  
Sen. G. Davis  
Sen. D. Hemmert  
Sen. D. Ipson  
Sen. K. Mayne

Nays-0

Absent-3

Sen. J. Anderegg  
Sen. C. Bramble  
Sen. D. McCay

**MOTION:** Sen. Hemmert moved to adjourn. The motion passed with a vote of 5 - 0 - 3.

Yeas-5

Sen. K. Cullimore  
Sen. G. Davis  
Sen. D. Hemmert  
Sen. D. Ipson  
Sen. K. Mayne

Nays-0

Absent-3

Sen. J. Anderegg  
Sen. C. Bramble  
Sen. D. McCay

Sen. Cullimore adjourned the meeting at 9:22 a.m.