



# MINUTES

## HOUSE BUSINESS AND LABOR STANDING COMMITTEE

Tuesday, February 16, 2021 | 8:00 a.m. | 30 House Building

**Members Present:**

Rep. Joel Ferry, Chair  
Rep. Walt Brooks, Vice Chair  
Rep. Brady Brammer  
Rep. James A. Dunnigan  
Rep. Brian S. King  
Rep. A. Cory Maloy  
Rep. Ashlee Matthews  
Rep. Calvin R. Musselman  
Rep. Casey Snider  
Rep. Mark A. Strong

Rep. Jordan D. Teuscher  
Rep. Norman K. Thurston  
Rep. Mark A. Wheatley

**Members Absent:**

Rep. Timothy D. Hawkes  
Rep. Jon Hawkins  
Rep. Mike Schultz

**Staff Present:**

Adam J. Sweet, Policy Analyst  
Jordan Gage, 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 Brooks called the meeting to order at 8:04 a.m.

**MOTION:** Rep. Snider moved to approve the minutes from the February 11, 2021, meeting. The motion passed with a vote of 9 - 0 - 7.

Yeas-9

Rep. W. Brooks  
Rep. J. Ferry  
Rep. B. King  
Rep. A. Matthews  
Rep. C. Musselman  
Rep. C. Snider  
Rep. M. Strong  
Rep. N. Thurston  
Rep. M. Wheatley

Nays-0

Absent-7

Rep. B. Brammer  
Rep. J. Dunnigan  
Rep. T. Hawkes  
Rep. J. Hawkins  
Rep. A. Maloy  
Rep. M. Schultz  
Rep. J. Teuscher

**1 . H.B. 94 Microenterprise Home Kitchen Amendments (Watkins, C.)**

Rep. Watkins presented the bill.

Committee discussion took place on the bill.

Mariana Last-Bills, private citizen, spoke in favor of the bill.

Paula Milby, private citizen, spoke to the bill.

**MOTION:** Rep. Thurston moved to replace H.B. 94 with 1st Substitute H.B. 94. The motion passed with a vote of 11 - 0 - 5.

Yeas-11

Rep. W. Brooks  
Rep. J. Ferry  
Rep. B. King  
Rep. A. Maloy  
Rep. A. Matthews  
Rep. C. Musselman  
Rep. C. Snider  
Rep. M. Strong  
Rep. J. Teuscher  
Rep. N. Thurston  
Rep. M. Wheatley

Nays-0

Absent-5

Rep. B. Brammer  
Rep. J. Dunnigan  
Rep. T. Hawkes  
Rep. J. Hawkins  
Rep. M. Schultz

**MOTION:** Rep. Matthews moved to amend 1st Substitute H.B. 94 with Amendment #1. The motion passed with a vote of 11 - 0 - 5.

Amendment 1  
1st Sub. H.B. 94

1. Page 5, Lines 135 through 142:

135 (ii) food that is sold or provided to a customer may not be consumed onsite at the microenterprise home kitchen operation ~~{or~~

136 offsite if the food is:

(iii) food that is sold or provided to a customer shall be picked up by the consumer or delivered within a safe time period based on

137 holding equipment capacity;

138 ~~{(iii)}~~ (iv) food preparation may not involve processes that require a HACCP plan, or the

139 production, service, or sale of raw milk or raw milk products;

140 ~~{(iv)}~~ (v) molluscan shellfish may not be served or sold; and

141 ~~{(v)}~~ (vi) the operator may only sell or provide food directly to consumers and may not sell or

142 provide food to any wholesaler or retailer.

2. Page 7, Lines 181 through 184:

181 (i) sinks be supplied with hot and cold potable water from:

182 (A) an approved public water ~~{source; or}~~ system as defined in Section 19-4-102;

(B) if the local health department with jurisdiction over the microenterprise home kitchen has regulations regarding the safety of drinking water, a source that meets the local health department's regulations regarding the safety of drinking water; or

183 ~~{(B)}~~ (C) a water source that is tested at least once per month for bacteriologic quality, and at

184 least once in every three year period for lead and copper; and

3. Page 8, Line 238:

238 department may charge and collect from the ~~{farm}~~ microenterprise home kitchen a fee for that inspection.

Yeas-11

Rep. W. Brooks  
Rep. J. Ferry  
Rep. B. King  
Rep. A. Maloy  
Rep. A. Matthews  
Rep. C. Musselman  
Rep. C. Snider  
Rep. M. Strong  
Rep. J. Teuscher  
Rep. N. Thurston  
Rep. M. Wheatley

Nays-0

Absent-5

Rep. B. Brammer  
Rep. J. Dunnigan  
Rep. T. Hawkes  
Rep. J. Hawkins  
Rep. M. Schultz

**MOTION:** Rep. Thurston moved to pass 1st Substitute H.B. 94 out favorably. The motion passed with a vote of 11 - 0 - 5.

Yeas-11

Rep. W. Brooks  
Rep. J. Ferry  
Rep. B. King  
Rep. A. Maloy  
Rep. A. Matthews  
Rep. C. Musselman  
Rep. C. Snider  
Rep. M. Strong  
Rep. J. Teuscher  
Rep. N. Thurston  
Rep. M. Wheatley

Nays-0

Absent-5

Rep. B. Brammer  
Rep. J. Dunnigan  
Rep. T. Hawkes  
Rep. J. Hawkins  
Rep. M. Schultz

**2 . H.B. 77 Aviation Liability Insurance Amendments (Acton, C.K.)**

[HB77 Handout](#)

Rep. Acton presented the bill.

Committee discussion took place on the bill.

**MOTION:** Rep. Teuscher moved to pass H.B. 77 out favorably. The motion passed with a vote of 10 - 3 - 3.

Yeas-10

Rep. B. Brammer  
Rep. J. Dunnigan  
Rep. J. Ferry  
Rep. B. King  
Rep. A. Matthews  
Rep. C. Musselman  
Rep. C. Snider  
Rep. M. Strong  
Rep. J. Teuscher  
Rep. M. Wheatley

Nays-3

Rep. W. Brooks  
Rep. A. Maloy  
Rep. N. Thurston

Absent-3

Rep. T. Hawkes  
Rep. J. Hawkins  
Rep. M. Schultz

**SUBSTITUTE MOTION:** Rep. Maloy moved to go to the next item on the agenda. The substitute motion failed with a vote of 4 - 7 - 5.

Yeas-4

Rep. W. Brooks  
Rep. J. Ferry  
Rep. A. Maloy  
Rep. N. Thurston

Nays-7

Rep. J. Dunnigan  
Rep. B. King  
Rep. A. Matthews  
Rep. C. Musselman  
Rep. M. Strong  
Rep. J. Teuscher  
Rep. M. Wheatley

Absent-5

Rep. B. Brammer  
Rep. T. Hawkes  
Rep. J. Hawkins  
Rep. M. Schultz  
Rep. C. Snider

**3 . 1st Sub. S.B. 19 Expanded Infertility Treatment Coverage Pilot Program Amendments (Escamilla, L.)**

Sen. Escamilla presented the bill with the assistance of Chet Loftis, Executive Director, PEHP, and Brenda Spearman, Executive Director, Infertility Resource Center.

Committee discussion took place on the bill.

**MOTION:** Rep. Ferry moved to pass 1st Substitute S.B. 19 out favorably. The motion passed with a vote of 12 - 1 - 3.

Yeas-12

Rep. B. Brammer  
Rep. W. Brooks  
Rep. J. Dunnigan  
Rep. J. Ferry  
Rep. B. King  
Rep. A. Maloy  
Rep. A. Matthews  
Rep. C. Snider  
Rep. M. Strong  
Rep. J. Teuscher  
Rep. N. Thurston  
Rep. M. Wheatley

Nays-1

Rep. C. Musselman

Absent-3

Rep. T. Hawkes  
Rep. J. Hawkins  
Rep. M. Schultz

**4 . 1st Sub. S.B. 75 Community Association Fund Amendments (Fillmore, L.)**

Sen. Fillmore presented the bill.

Committee discussion took place on the bill.

Doug Thompson, Secretary and Treasurer, Homeowners Association of Utah spoke to the bill.

**MOTION:** Rep. Thurston moved to pass 1st Substitute S.B. 75 out favorably. The motion passed with a vote of 13 - 0 - 3.

Yeas-13

Rep. B. Brammer  
Rep. W. Brooks  
Rep. J. Dunnigan  
Rep. J. Ferry  
Rep. B. King  
Rep. A. Maloy  
Rep. A. Matthews  
Rep. C. Musselman  
Rep. C. Snider  
Rep. M. Strong  
Rep. J. Teuscher  
Rep. N. Thurston  
Rep. M. Wheatley

Nays-0

Absent-3

Rep. T. Hawkes  
Rep. J. Hawkins  
Rep. M. Schultz

**MOTION:** Rep. Teuscher moved to place 1st Substitute S.B. 75 on the Consent Calendar.

Rep. Teuscher rescinded the motion to place 1st Substitute S.B. 75 on the Consent Calendar.

**MOTION:** Rep. Thurston moved to adjourn. The motion passed with a vote of 13 - 0 - 3.

Yeas-13

Rep. B. Brammer  
Rep. W. Brooks  
Rep. J. Dunnigan  
Rep. J. Ferry  
Rep. B. King  
Rep. A. Maloy  
Rep. A. Matthews  
Rep. C. Musselman  
Rep. C. Snider  
Rep. M. Strong  
Rep. J. Teuscher  
Rep. N. Thurston  
Rep. M. Wheatley

Nays-0

Absent-3

Rep. T. Hawkes  
Rep. J. Hawkins  
Rep. M. Schultz

Chair Brooks adjourned the meeting at 9:42 a.m.