



MINUTES

HOUSE BUSINESS AND LABOR STANDING COMMITTEE

Monday, February 13, 2023 | 8:00 a.m. | 445 State Capitol

Members Present:

Rep. A. Cory Maloy, Chair
Rep. Stephen L. Whyte, Vice Chair
Rep. Carl R. Albrecht
Rep. Brady Brammer
Rep. Walt Brooks
Rep. Jefferson S. Burton
Rep. James A. Dunnigan
Rep. Jon Hawkins
Rep. Brian S. King
Rep. Ashlee Matthews

Rep. Calvin R. Musselman
Rep. Thomas W. Peterson
Rep. Norman K Thurston
Rep. Ryan D. Wilcox

Members Absent:

Rep. Mike Schultz

Staff Present:

Rohnin Randles, Policy Analyst
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.

Chair Whyte called the meeting to order at 8:01 a.m.

MOTION: Rep. Hawkins moved to approve the minutes of the February 6 and February 9, 2023 meetings. The motion passed with a vote of 8 - 0 - 7.

Yeas - 8

Rep. C. Albrecht
Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. J. Hawkins
Rep. C. Musselman
Rep. N. Thurston
Rep. S. Whyte

Nays - 0

Absent - 7

Rep. B. Brammer
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. T. Peterson
Rep. M. Schultz
Rep. R. Wilcox

1. 1st Sub. S.B. 106 Caregiver Compensation Amendments (Harper, W.)

Sen. Wayne Harper presented the bill with the assistance of Lisa Thornton, parent of a child who receives DSPD services, and Tonya Hales, Assistant Deputy Director, Medicaid and Health Financing, Department of Health and Human Services.

Annali Smith, parent, spoke in support of the bill.

Tausha Dingman, parent, spoke in support of the bill.

Pamela Alsop, parent, spoke in support of the bill.

Kim Jensen, parent, spoke in support of the bill.

Andrew Riggle, Disability Law Center, spoke in support of the bill.

Emily Wagner, parent, spoke in opposition to the bill.

MOTION: Rep. Burton moved to pass 1st Substitute S.B. 106 out favorably. The motion passed with a vote of 11 - 0 - 4.

Yeas - 11

Rep. C. Albrecht
Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. B. King
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0

Absent - 4

Rep. B. Brammer
Rep. J. Hawkins
Rep. A. Maloy
Rep. M. Schultz

Rep. Dunnigan assumed the chair.

2. H.B. 406 Land Use, Development, and Management Act Modifications (Whyte, S.)

Rep. Whyte presented the bill with the assistance of Cameron Diehl, Utah League of Cities and Towns.

Mike Ostermiller, representing Property Rights Coalition and Utah Association of Realtors, spoke in support of the bill.

Janet Hemming, Neighborhoods Together, spoke in opposition to the bill and provided a handout.

[HB406maps](#)

Leah Hansen, resident, spoke in opposition to the bill.

MOTION: Rep. Musselman moved to pass H.B. 406 out favorably. The motion passed with a vote of 11 - 0 - 4.

Yeas - 11

Rep. C. Albrecht
Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. B. King
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0

Absent - 4

Rep. B. Brammer
Rep. J. Hawkins
Rep. A. Maloy
Rep. M. Schultz

3. H.B. 364 Housing Affordability Amendments (Whyte, S.)

Rep. Whyte presented the bill with the assistance of: Cameron Diehl; David Damschen, President and CEO, Utah Housing Corporation; and Wayne Niederhauser, State Homeless Services Coordinator. Handouts were provided.

[HB364](#)

Kory Holdaway, representing Salt Lake Habitat for Humanity, spoke in support of the bill.

Philip Gilman, Sugar Creek Capital, spoke in support of the bill.

Kirt Peterson, Horizon Development, spoke in support of the bill.

Mike Ostermiller spoke in support of the bill.

Taz Biesinger, Utah Home Builders Association, spoke in support of the bill.

Bill Knowlton, low-income housing developer, spoke in support of the bill.

MOTION: Rep. Albrecht moved to replace H.B. 364 with 1st Substitute H.B. 364. The motion passed with a vote of 13 - 0 - 2.

Yeas - 13

Rep. C. Albrecht
Rep. B. Brammer
Rep. W. Brooks
Rep. J. Dunnigan
Rep. J. Hawkins
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0

Absent - 2

Rep. J. Burton
Rep. M. Schultz

MOTION: Rep. Musselman moved to pass 1st Substitute H.B. 364 out favorably. The motion passed with a vote of 14 - 0 - 1.

Yeas - 14

Rep. C. Albrecht
Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. J. Hawkins
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0

Absent - 1

Rep. M. Schultz

4. H.B. 409 State Construction and Fire Codes Amendments (*Peterson, T.*)

Rep. Maloy assumed the chair.

Rep. Petersen presented the bill with the assistance of Ted Black, State Fire Marshall.

Taz Biesinger spoke in support of the bill.

Jay Blaine, Utah Education Association, spoke in support of the bill.

MOTION: Rep. King moved to pass H.B. 409 out favorably. The motion passed with a vote of 12 - 0 - 3.

Yeas - 12

Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. J. Hawkins
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0

Absent - 3

Rep. C. Albrecht
Rep. C. Musselman
Rep. M. Schultz

MOTION: Rep. Thurston moved to place H.B. 409 on the Consent Calendar. The motion passed with a vote of 12 - 0 - 3.

Yeas - 12

Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. J. Hawkins
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0

Absent - 3

Rep. C. Albrecht
Rep. C. Musselman
Rep. M. Schultz

5. H.B. 408 Mobile Business Licensing Amendments (*Spendlove, R.*)

Rep. Robert Spendlove presented the bill with the assistance of Lee Sands, Libertas Institute. A handout was provided.

[Mobile businesses](#)

Zac Stucki, resident, spoke in support of the bill.

MOTION: Rep. Thurston moved to pass H.B. 408 out favorably. The motion passed with a vote of 12 - 0 - 3.

Yeas - 12

Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. J. Hawkins
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0

Absent - 3

Rep. C. Albrecht
Rep. C. Musselman
Rep. M. Schultz

MOTION: Rep. Brammer moved to place H.B. 408 on the Consent Calendar.

After committee discussion, the motion was withdrawn

6. H.B. 399 Corporation Reinstatement Amendments (Loubet, A.)

Rep. Anthony Loubet presented the bill.

MOTION: Rep. Matthews moved to amend H.B. 399 with Amendment #1. The motion passed with a vote of 13 - 0 - 2.

Amendment 1
H.B. 399

- 1. Page 5, Lines 146 through 151:
146 {~~(3) A foreign nonprofit corporation's application for withdrawal may not be filed by the~~
147 ~~division until:~~
148 ~~—(a) all outstanding fees and state tax obligations have been paid; and~~
149 ~~—(b) the division has received a certificate from the State Tax Commission reciting that~~
150 ~~all taxes owed by the foreign nonprofit corporation have been paid.~~}
151 {~~(4)(a)~~ (3) After receiving a foreign nonprofit corporation's application for withdrawal, the

- 2. Page 6, Line 161:
161 {~~(4)(b)~~ (3)(b) the State Tax Commission shall:

- 3. Page 9, Lines 258 through 261:
258 {~~(3) A foreign corporation's application for withdrawal may not be filed by the division~~
259 ~~until all outstanding fees and state tax obligations have been paid and the division has received~~
260 ~~a tax clearance certificate from the State Tax Commission.~~}
261 {~~(4)(a)~~ (3)(a) After receiving a foreign corporation's application for withdrawal, the division

- 4. Page 9, Line 270:
270 (c) If a foreign corporation is not in good standing as described in Subsection {~~(4)(b)~~ (3)(b).

Yeas - 13

Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. J. Hawkins
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0

Absent - 2

Rep. C. Albrecht
Rep. M. Schultz

MOTION: Rep. Matthews moved to pass H.B. 399 out favorably as amended. The motion passed with a vote of 13 - 0 - 2.

Yeas - 13

Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. J. Hawkins
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0

Absent - 2

Rep. C. Albrecht
Rep. M. Schultz

MOTION: Chair Maloy moved to place H.B. 399 on the Consent Calendar. The motion passed with a vote of 13 - 0 - 2.

Yeas - 13

Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. J. Hawkins
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0

Absent - 2

Rep. C. Albrecht
Rep. M. Schultz

MOTION: Rep. Dunnigan moved to adjourn. The motion passed with a vote of 13 - 0 - 2.

Yeas - 13

Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. J. Dunnigan
Rep. J. Hawkins
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. T. Peterson
Rep. N. Thurston
Rep. S. Whyte
Rep. R. Wilcox

Nays - 0

Absent - 2

Rep. C. Albrecht
Rep. M. Schultz

Chair Maloy adjourned the meeting a 10:50 a.m.