



MINUTES

HOUSE BUSINESS AND LABOR STANDING COMMITTEE

Thursday, February 16, 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. 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. James A. Dunnigan
- 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 8:09 a.m.

MOTION: Rep. Thurston moved to approve the minutes of February 14, 2023. The motion passed with a vote of 8 - 0 - 7.

Yeas - 8

- Rep. C. Albrecht
- Rep. W. Brooks
- Rep. J. Hawkins
- Rep. B. King
- Rep. A. Maloy
- Rep. C. Musselman
- Rep. N. Thurston
- Rep. S. Whyte

Nays - 0

Absent - 7

- Rep. B. Brammer
- Rep. J. Burton
- Rep. J. Dunnigan
- Rep. A. Matthews
- Rep. T. Peterson
- Rep. M. Schultz
- Rep. R. Wilcox

1. H.B. 64 Waiver of Punitive Damages Amendments (King, Brian S.)

Rep. King presented the bill to the committee.

Mike Sontag, America Property Casualty Insurance Association, spoke to the bill.

MOTION: Rep. Maloy moved to replace H.B. 64 with 1st Substitute H.B. 64. The motion passed with a vote of 12 - 0 - 3.

Yeas - 12

Rep. C. Albrecht
Rep. B. Brammer
Rep. W. Brooks
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 - 3

Rep. J. Burton
Rep. J. Dunnigan
Rep. M. Schultz

MOTION: Rep. Matthews moved to pass 1st Substitute H.B. 64 out favorably.

SUBSTITUTE MOTION: Rep. Hawkins moved to return 1st Substitute H.B. 64 to the Rules Committee for reassignment. The substitute motion passed with a vote of 11 - 2 - 2.

Yeas - 11

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

Nays - 2

Rep. C. Musselman
Rep. R. Wilcox

Absent - 2

Rep. J. Dunnigan
Rep. M. Schultz

2. H.B. 415 Maternal Coverage Amendments (*Matthews, A.*)

Rep. Matthews presented the bill with the assistance of Holly Richardson, citizen. A handout was provided.

[Maternal Coverage Amendments](#)

Chet Loftis, PEHP, answered questions from the committee.

Rep. Maloy assumed the chair.

Ashley Finley, doula, spoke in support of the bill.

MOTION: Rep. Thurston moved to replace H.B. 415 with 1st Substitute H.B. 415. The motion passed with a vote of 9 - 0 - 6.

Yeas - 9

Nays - 0

Absent - 6

Rep. C. Albrecht
Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. N. Thurston

Rep. J. Dunnigan
Rep. J. Hawkins
Rep. T. Peterson
Rep. M. Schultz
Rep. S. Whyte
Rep. R. Wilcox

MOTION: Rep. Thurston moved to amend 1st Substitute H.B. 415 with Amendment #1. The motion passed with a vote of 9 - 0 - 6.

Amendment 1
1st Sub. H.B. 415

1. Page 2, Lines 41 through 50:

41 (b) "Pregnancy and childbirth services" means services provided to a pregnant
42 individual before, during, or shortly after childbirth:

43 (i) by a doula for the services described in Subsections (1)(a)(i) and (ii); and
{-44-}{ ~~(ii) by a direct-entry midwife licensed under Title 58, Chapter 77, Direct-Entry~~
45 ~~Midwife Act, if the direct-entry midwife is engaged in the practice of direct-entry midwifery, as~~
46 ~~defined in Section 58-77-102; or~~}

47 {~~(iii)~~} (ii) at a birthing center that:

48 (A) is licensed under Title 26, Chapter 21, Health Care Facility Licensing and
49 Inspection Act{~~; or~~} or accredited by the Commission for the Accreditation of Birth Centers; and
{-50-}{ ~~(B) is accredited by the Commission for the Accreditation of Birth Centers.~~}

(B) may include services by a direct-entry midwife licensed under Title 58, Chapter 77, Direct-Entry Midwife Act, if the direct-entry midwife is engaged in the practice of direct-entry midwifery, as defined in Section 58-77-102.

2. Page 3, Lines 57 through 60:

57 (3) The program may establish limits for coverage under Subsection (2), including
58 limits based on:

59 (a) the type or number of services provided; {~~and~~}

60 (b) a qualified individual's physical or emotional condition{~~;~~} ; and

(c) conditions for provider participation.

Yeas - 9

Nays - 0

Absent - 6

Rep. C. Albrecht
Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. N. Thurston

Rep. J. Dunnigan
Rep. J. Hawkins
Rep. T. Peterson
Rep. M. Schultz
Rep. S. Whyte
Rep. R. Wilcox

MOTION: Rep. Thurston moved to pass 1st Substitute H.B. 415 out favorably as amended. The motion passed with a vote of 9 - 0 - 6.

Yeas - 9

Rep. C. Albrecht
Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. N. Thurston

Nays - 0

Absent - 6

Rep. J. Dunnigan
Rep. J. Hawkins
Rep. T. Peterson
Rep. M. Schultz
Rep. S. Whyte
Rep. R. Wilcox

3. H.B. 419 Tobacco Regulation Amendments (Dailey-Provost, J.)

H.B. 419 was not heard at the request of the sponsor.

4. H.B. 359 Animal Care Amendments (Thurston, N.)

Rep. Thurston presented the bill with the assistance of Dr. Amanda Price, State Veterinarian.

Terry Camp, Utah Farm Bureau Association, spoke to the bill.

Justin Stewart, Policy Analyst, Salt Lake County Animal Services, spoke in support of the bill.

Amanda Frutos, citizen, spoke in opposition to the bill.

Rachel Heatley, Humane Society of Utah, spoke in support of the bill.

MOTION: Rep. Thurston moved to replace H.B. 359 with 2nd Substitute H.B. 359. The motion passed with a vote of 8 - 0 - 7.

Yeas - 8

Rep. C. Albrecht
Rep. B. Brammer
Rep. J. Burton
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. N. Thurston

Nays - 0

Absent - 7

Rep. W. Brooks
Rep. J. Dunnigan
Rep. J. Hawkins
Rep. T. Peterson
Rep. M. Schultz
Rep. S. Whyte
Rep. R. Wilcox

MOTION: Rep. Thurston moved to amend 2nd Substitute H.B. 359 with Amendment #1. The motion passed with a vote of 8 - 0 - 7.

Amendment 1
2nd Sub. H.B. 359

1 . Page 6, Lines 170 through 179:

170 (7) (a) A dog breeder or animal care facility:

171 (i) shall ensure that a pregnant dog receives reasonable veterinary care, including at
172 least one prenatal or postpartum visit with a licensed veterinarian;

173 (ii) shall keep records documenting the health, { behavioral issues } dangerous behaviors, and medical care
for

174 an animal in the dog breeder's or animal care facility's possession;

175 (iii) shall ensure that no female dog produces more than one litter in any twelve-month
176 period{:-}, unless a licensed veterinarian has examined the female dog and has determined that it is safe to
produce more than one litter in a twelve-month period;

177 (iv) may not violate Subsection (2); and

178 (v) shall take adequate measures, including vaccination and sanitation, to prevent the
179 spread of canine disease.

Yeas - 8

Rep. C. Albrecht
Rep. B. Brammer
Rep. J. Burton
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. N. Thurston

Nays - 0

Absent - 7

Rep. W. Brooks
Rep. J. Dunnigan
Rep. J. Hawkins
Rep. T. Peterson
Rep. M. Schultz
Rep. S. Whyte
Rep. R. Wilcox

MOTION: Rep. Thurston moved to amend 2nd Substitute H.B. 359 with Amendment #2. The motion passed with a vote of 8 - 0 - 7.

Amendment 2
2nd Sub. H.B. 359

1. Page 1, Lines 10 through 18:
- 10 Highlighted Provisions:
- 11 This bill:
- 12 ▶ defines terms;
- 13 ▶ { ~~authorizes the department to adopt a fee schedule to cover administrative costs for~~
- 14 ~~enforcement of animal care violations;~~}
- 15 ▶ authorizes the department to impose civil penalties on a person for certain
- 16 violations;
- 17 ▶ establishes requirements for animal care; and
- 18 ▶ criminalizes a violation of the animal care requirements.

Yeas - 8

Rep. C. Albrecht
Rep. B. Brammer
Rep. J. Burton
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. N. Thurston

Nays - 0

Absent - 7

Rep. W. Brooks
Rep. J. Dunnigan
Rep. J. Hawkins
Rep. T. Peterson
Rep. M. Schultz
Rep. S. Whyte
Rep. R. Wilcox

MOTION: Rep. Brammer moved to pass 2nd Substitute H.B. 359 out favorably as amended. The motion passed with a vote of 9 - 0 - 6.

Yeas - 9

Rep. C. Albrecht
Rep. B. Brammer
Rep. J. Burton
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. N. Thurston
Rep. R. Wilcox

Nays - 0

Absent - 6

Rep. W. Brooks
Rep. J. Dunnigan
Rep. J. Hawkins
Rep. T. Peterson
Rep. M. Schultz
Rep. S. Whyte

MOTION: Rep. Thurston moved to adjourn. The motion passed with a vote of 9 - 0 - 6.

Yeas - 9

Rep. C. Albrecht
Rep. B. Brammer
Rep. J. Burton
Rep. B. King
Rep. A. Maloy
Rep. A. Matthews
Rep. C. Musselman
Rep. N. Thurston
Rep. R. Wilcox

Nays - 0

Absent - 6

Rep. W. Brooks
Rep. J. Dunnigan
Rep. J. Hawkins
Rep. T. Peterson
Rep. M. Schultz
Rep. S. Whyte

Chair Maloy adjourned the meeting at 9:31 a.m.