



# MINUTES

## HOUSE BUSINESS AND LABOR STANDING COMMITTEE

LEGISLATURE

Friday, January 26, 2024 | 2:00 p.m. | 445 State Capitol

**Members Present:**

Rep. A. Cory Maloy, Chair  
Rep. Stephen L. Whyte, Vice Chair  
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. Jordan D. Teuscher  
Rep. Norman K Thurston  
Rep. Ryan D. Wilcox

**Members Absent:**

Rep. Carl R. Albrecht  
Speaker 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](http://www.le.utah.gov).

Chair Maloy called the meeting to order at 2:06 p.m.

**MOTION:** Rep. Whyte moved to approve the minutes of January 23, 2024. The motion passed with a vote of 10 - 0 - 6.

Yeas - 10

Rep. B. Brammer  
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

Nays - 0

Absent - 6

Rep. C. Albrecht  
Rep. W. Brooks  
Rep. J. Burton  
Rep. M. Schultz  
Rep. J. Teuscher  
Rep. R. Wilcox

**1. S.B. 32 Caregiver Compensation Amendments (Harper, W.)**

Sen. Wayne Harper presented the bill.

**MOTION:** Rep. Whyte moved to pass S.B. 32 out favorably. The motion passed with a vote of 10 - 0 - 6.

Yeas - 10

Rep. B. Brammer  
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

Nays - 0

Absent - 6

Rep. C. Albrecht  
Rep. W. Brooks  
Rep. J. Burton  
Rep. M. Schultz  
Rep. J. Teuscher  
Rep. R. Wilcox

Rep. Whyte assumed the chair.

**2. H.B. 240 Certified Nursing Assistant Amendments (Maloy, A. Cory)**

Rep. Maloy presented the bill.

Bobbie Ginn, Legislative Committee Chair, Utah Assisted Living Coalition, spoke in support of the bill.

Diane Forrester-Burke, Utah Nurses Association, spoke in support of the bill.

**MOTION:** Rep. King moved to amend H.B. 240 with Amendment #2. The motion passed with a vote of 8 - 0 - 8.

Amendment 2  
H.B. 240

- 1 . Page 2, Lines 53 through 57:
- 53 (ii) allows an individual to fulfill the supervised training requirement while working in{:
- 54 (A) a nursing care facility;
- 55 (B) a general acute hospital; or
- 56 (C) any other } any health care facility , including a nursing care facility, a general acute hospital, and an
- 57 assisted living facility, the department determines would not violate the  
Omnibus Budget Reconciliation Act of 1987, Pub. L. No. 100-203; and

Yeas - 8

Rep. B. Brammer  
Rep. J. Hawkins  
Rep. B. King  
Rep. A. Maloy  
Rep. A. Matthews  
Rep. C. Musselman  
Rep. T. Peterson  
Rep. S. Whyte

Nays - 0

Absent - 8

Rep. C. Albrecht  
Rep. W. Brooks  
Rep. J. Burton  
Rep. J. Dunnigan  
Rep. M. Schultz  
Rep. J. Teuscher  
Rep. N. Thurston  
Rep. R. Wilcox

**MOTION:** Rep. King moved to pass H.B. 240 out favorably. The motion passed with a vote of 9 - 0 - 7.

Yeas - 9

Rep. B. Brammer  
Rep. J. Dunnigan  
Rep. J. Hawkins  
Rep. B. King  
Rep. A. Maloy  
Rep. A. Matthews  
Rep. C. Musselman  
Rep. T. Peterson  
Rep. S. Whyte

Nays - 0

Absent - 7

Rep. C. Albrecht  
Rep. W. Brooks  
Rep. J. Burton  
Rep. M. Schultz  
Rep. J. Teuscher  
Rep. N. Thurston  
Rep. R. Wilcox

**3. H.B. 40 Division of Consumer Protection Amendments (Maloy, A. Cory)**

Rep. Maloy presented the bill with the assistance of Katie Hass, Director, Division of Consumer Protection.

Renaë Cowley, Utah Media Coalition, spoke in support of the bill.

**MOTION:** Rep. Dunnigan moved to replace H.B. 40 with 1st Substitute H.B. 40. The motion passed with a vote of 10 - 0 - 6.

Yeas - 10

Rep. B. Brammer  
Rep. J. Dunnigan  
Rep. J. Hawkins  
Rep. B. King  
Rep. A. Maloy  
Rep. A. Matthews  
Rep. C. Musselman  
Rep. T. Peterson  
Rep. J. Teuscher  
Rep. S. Whyte

Nays - 0

Absent - 6

Rep. C. Albrecht  
Rep. W. Brooks  
Rep. J. Burton  
Rep. M. Schultz  
Rep. N. Thurston  
Rep. R. Wilcox

**MOTION:**

Rep. Dunnigan moved to pass 1st Substitute H.B. 40 out favorably. The motion passed with a vote of 10 - 0 - 6.

Yeas - 10

Rep. B. Brammer  
Rep. J. Dunnigan  
Rep. J. Hawkins  
Rep. B. King  
Rep. A. Maloy  
Rep. A. Matthews  
Rep. C. Musselman  
Rep. T. Peterson  
Rep. J. Teuscher  
Rep. S. Whyte

Nays - 0

Absent - 6

Rep. C. Albrecht  
Rep. W. Brooks  
Rep. J. Burton  
Rep. M. Schultz  
Rep. N. Thurston  
Rep. R. Wilcox

Rep. Maloy resumed the chair.

**4. H.B. 285 Labor Union Amendments (*Teuscher, J.*)**

Rep. Teuscher presented the bill with the assistance of Vinnie Vernuccio, Labor Policy Senior Fellow, Workers for Opportunity.

Rep. Brammer raised a point of order.

Rep. Thurston raised a point of order.

Cole Kelly, teacher, spoke in support of the bill.

Sara Jones, Utah Education Association, spoke in opposition to the bill.

Rep. King raised a point of order.

Amelia Powers Gardner, Utah County Commissioner, spoke in support of the bill.

Jack Tidrow, President, Professional Fire Fighters of Utah, spoke in opposition to the bill.

Rusty Cannon, Utah Taxpayers Association, spoke in favor of the bill

Brad Asay, Vice President, Utah AFL-CIO and President, AFT, spoke in opposition to the bill.

Mike Rapich, Colonel, Department of Public Safety, spoke in support of the bill.

Craig Greenberg, First Vice President, UPEA, spoke in opposition to the bill.

Jason Chipman, Director of Legislative Affairs, Libertas Institute, spoke in support of the bill.

Michael Evans, President, Utah School Employees Association, spoke in opposition to the bill.

Janet Sanders, teacher, spoke in opposition to the bill.

Angel Vice, Fiscal Coordinator, AFSCME, spoke in opposition to the bill.

Jenny Graviat, President, Weber Education Association, spoke in opposition to the bill.

Todd Losser, Executive Director, UPEA, spoke in opposition to the bill.

Steven Laude Jr., union member, spoke in opposition to the bill.

Jared Diehl, corrections officers, spoke in opposition to the bill.

Jerry Philpot, AFSCME, spoke in opposition to the bill.

William Myers, Vice President, IBEW, spoke in opposition to the bill.

Christina Ordonez, AFSCME, spoke in opposition to the bill.

Rita Heagren, Vice President, AFT Utah, spoke in opposition to the bill.

Bryce Hays, AFSCME, spoke in opposition to the bill.

Jay Seegmiller, citizen, spoke in opposition to the bill.

Nick Godfrey, IBT, spoke in opposition to the bill.

Jeff Worthington, President, Utah AFL-CIO, spoke in opposition to the bill.

**MOTION:** Rep. Brammer moved to replace H.B. 285 with 2nd Substitute H.B. 285. The motion passed with a vote of 11 - 0 - 5.

Yeas - 11

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

Nays - 0

Absent - 5

Rep. C. Albrecht  
Rep. J. Hawkins  
Rep. C. Musselman  
Rep. M. Schultz  
Rep. R. Wilcox

**MOTION:** Rep. Brammer moved to pass 2nd Substitute H.B. 285 out favorably.

**SUBSTITUTE MOTION:** Rep. Thurston moved to amend 2nd Substitute H.B. 285 by removing the words "each year" on line 124. The substitute motion failed with a vote of 2 - 10 - 4.

Yeas - 2

Rep. J. Dunnigan  
Rep. N. Thurston

Nays - 10

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. J. Teuscher  
Rep. S. Whyte

Absent - 4

Rep. C. Albrecht  
Rep. C. Musselman  
Rep. M. Schultz  
Rep. R. Wilcox

**SUBSTITUTE MOTION:** Rep. Burton moved to amend 2nd Substitute H.B. 285 with Amendment #1. The substitute motion passed with a vote of 7 - 5 - 4.

Amendment 1  
2nd Sub. H.B. 285

1. Page 2, Lines 50 through 53:

50 (iii) "Labor organization" does not include~~{;}~~ an organization governed by the National Labor Relations Act, 29 U.S.C. Sec. 151 et seq. or the Railroad Labor Act, 45 U.S.C. Sec. 151 et seq.  
51 ~~{(A) an organization governed by the National Labor Relations Act, 29 U.S.C. Sec. 151~~  
52 ~~et seq. or the Railroad Labor Act, 45 U.S.C. Sec. 151 et seq.; or~~  
53 ~~{(B) an organization composed solely of public safety employees.}~~

2. Page 2, Line 56 through Page 3, Line 63:

56 ~~{(e) "Public safety employee" means a public employee who is:~~  
57 ~~— (i) a law enforcement officer as defined in Section 53-13-103;~~  
58 ~~— (ii) a correctional officer as defined in Section 53-13-104;~~  
59 ~~— (iii) a dispatcher as defined in Section 53-6-102; or~~  
60 ~~— (iv) a firefighter.}~~  
61 ~~{(f)}~~ (e) "Third party election facilitator" means an entity that, as part of the entity's  
62 operations, provides impartial election administration, including ballot preparation, tabulation,  
63 and results certification.

3. Page 8, Lines 238 through 241:

238 ~~{(2) Subsection 34-32-1(2) does not apply if the public employee is a public safety~~  
239 ~~employee as defined in Section 34-20-15.}~~  
240 ~~{+}(2){+}{-(3)}~~ Nothing in this chapter is intended to, or may be construed to, preempt any  
241 requirement of federal law.

Yeas - 7

Rep. J. Burton  
Rep. J. Dunnigan  
Rep. B. King  
Rep. A. Matthews  
Rep. T. Peterson  
Rep. N. Thurston  
Rep. S. Whyte

Nays - 5

Rep. B. Brammer  
Rep. W. Brooks  
Rep. J. Hawkins  
Rep. A. Maloy  
Rep. J. Teuscher

Absent - 4

Rep. C. Albrecht  
Rep. C. Musselman  
Rep. M. Schultz  
Rep. R. Wilcox

**MOTION:** Rep. Peterson moved to hold 2nd Substitute H.B. 285. The motion failed with a vote of 6 - 6 - 4.

Yeas - 6

Rep. J. Burton  
Rep. J. Dunnigan  
Rep. B. King  
Rep. A. Matthews  
Rep. T. Peterson  
Rep. N. Thurston

Nays - 6

Rep. B. Brammer  
Rep. W. Brooks  
Rep. J. Hawkins  
Rep. A. Maloy  
Rep. J. Teuscher  
Rep. S. Whyte

Absent - 4

Rep. C. Albrecht  
Rep. C. Musselman  
Rep. M. Schultz  
Rep. R. Wilcox

**MOTION:** Rep. Brammer moved to pass 2nd Substitute H.B. 285 out favorably as amended.

The motion passed with a vote of 8 - 4 - 4.

Yeas - 8

Rep. B. Brammer  
Rep. W. Brooks  
Rep. J. Burton  
Rep. J. Hawkins  
Rep. A. Maloy  
Rep. T. Peterson  
Rep. J. Teuscher  
Rep. S. Whyte

Nays - 4

Rep. J. Dunnigan  
Rep. B. King  
Rep. A. Matthews  
Rep. N. Thurston

Absent - 4

Rep. C. Albrecht  
Rep. C. Musselman  
Rep. M. Schultz  
Rep. R. Wilcox

**5. H.B. 315 Amending Governing Documents Modifications (Moss, C.)**

The bill was not heard.

**6. H.B. 145 Veterinary Telehealth Amendments (Gricius, S.)**

Rep. Stephanie Gricius presented the bill.

Casey Hill, Utah Veterinary Medical Association, spoke in support of the bill.

**MOTION:** Rep. Peterson moved to replace H.B. 145 with 1st Substitute H.B. 145. The motion passed with a vote of 12 - 0 - 4.

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. J. Teuscher  
Rep. N. Thurston  
Rep. S. Whyte

Nays - 0

Absent - 4

Rep. C. Albrecht  
Rep. C. Musselman  
Rep. M. Schultz  
Rep. R. Wilcox

**MOTION:** Rep. Whyte moved to pass 1st Substitute H.B. 145 out favorably. The motion passed with a vote of 12 - 0 - 4.

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. J. Teuscher  
Rep. N. Thurston  
Rep. S. Whyte

Nays - 0

Absent - 4

Rep. C. Albrecht  
Rep. C. Musselman  
Rep. M. Schultz  
Rep. R. Wilcox

**MOTION:** Rep. Thurston moved to adjourn. The motion passed with a vote of 12 - 0 - 4.

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. J. Teuscher  
Rep. N. Thurston  
Rep. S. Whyte

Nays - 0

Absent - 4

Rep. C. Albrecht  
Rep. C. Musselman  
Rep. M. Schultz  
Rep. R. Wilcox

Chair Maloy adjourned the meeting at 4:48 p.m.