

**MINUTES OF THE HOUSE
BUSINESS AND LABOR
STANDING COMMITTEE**

Room 405 State Capitol

February 6, 2004

Members Present: Rep. Katherine M. Bryson, Chair
Rep. Michael Morley, Vice Chair
Rep. J. Stuart Adams
Rep. Jackie Biskupski
Rep. Craig W. Buttars
Rep. David Clark
Rep. Stephen D. Clark
Rep. Carl W. Duckworth
Rep. Jim Dunnigan
Rep. Ben C. Ferry
Rep. Neil A Hansen
Rep. Todd E. Kiser
Rep. R. Curt Webb

Staff Present: Mark Steinagel, Policy Analyst
Linda Error, Committee Secretary

Note: List of visitors and a copy of handouts are filed with committee minutes.

Rep. Bryson called the meeting to order at 2:09 p.m.

MOTION: Rep. Hansen moved to approve the minutes of the February 4, 2004 meeting.
The motion passed unanimously, with Rep. Morley absent for the vote.

1st Sub. S.B. 14 Insurance Code Exemption (Sen. G. Bell)

Sen. Bell explained the bill, assisted by Michael Stapley, President, Deseret Mutual Insurance.
(handout)

MOTION: Rep. Buttars moved to pass the bill out favorably. The motion passed
unanimously, with Rep. Adams and Rep. Morley absent for the vote..

H.B. 250 Property and Casualty Insurance Law Amendments (Rep. T. Kiser)

Rep. Kiser moved to amend the bill as follows:

1. Page 4, Lines 107 through 114:

107 (1) Each rate, rating schedule, and rating manual filed [~~with the commissioner~~] for
108 personal lines insurance [~~covering a vehicle or the operation of a vehicle~~] may not permit a

- 109 premium increase due to:
110 (a) a telephone call or other inquiry that does not result in the insured
111 ~~[[demanding]]~~ requesting
112 payment of a claim; or
113 (b) a claim under a policy of insurance covering a motor vehicle or the
114 operation of a motor vehicle resulting from any incident, including acts of vandalism,
in which the
115 person named in the policy or any other person using ~~[[+]]~~ **the** ~~[[+]]~~ ~~[[an]]~~
insured motor vehicle with the
116 express or implied permission of the named insured is not at fault.

The motion to amend passed unanimously, with Rep. Ferry and Rep. Morley absent for the vote.

Rep. Kiser explained the bill, assisted by Brad Tibbitts, Utah Insurance Department, and Chris Purcell, State Farm Insurance.

MOTION: Rep. Webb moved to amend the bill as follows:

1. *Page 18, Lines 539 through 544:*

- 539 (c) Subject to Subsections (5)(a) and (b), before the disbursement of funds
540 any changes
541 to any settlement statement made after the final closing documents are executed
542 shall be **authorized or**
543 acknowledged by signature of **the party or parties affected by the**
544 **change.** ~~[[=~~
545 ~~—(i) all buyers or borrowers;~~
546 ~~—(ii) all sellers; and~~
547 ~~—(iii) the escrow officer.-]]~~

The motion to amend passed unanimously, with Rep. Ferry and Rep. Morley absent for the vote.

MOTION: Rep. Webb moved to pass the bill out favorably as amended. The motion passed unanimously, with Rep. Morley absent for the vote.

H.B. 105 Continuing Education for Contractors (Rep. J. S. Adams)

MOTION: Rep. Adams moved to delete in title and body **H.B. 105** and replace it with **1st Substitute H.B. 105**. The motion passed unanimously, with Rep. Morley absent for the vote.

MOTION: Rep. Adams moved to amend the bill as follows:

Page 4, line 94: After "division." insert "For purposes of this section, the nine additional hours of professional education requirement may be satisfied by employees or principals of the contractor completing four hours of professional education for every one hour of credit in accordance with rules made by the division."

SUBSTITUTE

MOTION: Rep. D. Clark moved to amend the bill. After committee discussion he withdrew the motion.

The original motion to amend passed, with Rep. Biskupski, Rep. Buttars, Rep. Bryson, and Rep. Ferry voting in opposition and Rep. Morley absent for the vote.

Rep. Adams explained the bill.

Spoke for the bill: Taz Biesinger, Utah Home Builders Association
 Jason Von Weller, Building Officials

Spoke to the bill: Craig Jackson, Director, Division of Occupational and Professional Licensing
 Ray Walker, Compliance Officer, Division of Occupational and Professional Licensing

MOTION: Rep. Hansen moved to reconsider the action taken on the previous amendment. The motion passed, with Rep. S. Clark voting in opposition and Rep. Buttars, Rep. D. Clark, and Rep. Morley absent for the vote.

MOTION: Rep. Hansen moved to delete the previous amendment that was adopted by the committee.

SUBSTITUTE

MOTION: Rep. D. Clark moved to proceed to the next item on the agenda. After comments from committee members he withdrew the motion.

The original motion to delete the previous adopted amendment passed, with Rep. Adams, Rep D. Clark, Rep S. Clark, Rep Duckworth, and Rep. Kiser voting in opposition and Rep. Buttars and Rep. Morley absent for the vote.

MOTION: Rep. Dunnigan moved to amend the bill as follows:

1. *Page 4, Lines 90 through 94:*

- 90 (21) if licensed as a contractor, not completing a three-hour core education
class and an
91 additional ~~[[nine]]~~ **three** hours of professional education approved by the
division and the Construction
92 Services Commission within each two-year renewal cycle, unless an exemption
has been
93 granted to the licensee by the Construction Services Commission, with the
concurrence of the
94 division.

2. *Page 7, Line 192:*

- 192 This bill takes effect on ~~[[January 1]]~~ **August 1** , 2005.

The motion to amend passed unanimously, with Rep. Buttars and Rep. Morley absent for the vote.

MOTION: Rep. Ferry moved to pass the bill out favorably as amended. The motion passed, with Rep. Bryson and Rep. D. Clark voting in opposition and Rep. Buttars and Rep Morley absent for the vote.

S.B. 34 Occupational Therapists Amendments (Sen. G. Davis)

Sen. Davis explained the bill.

MOTION: Rep. Hansen moved to pass the bill out favorably. The motion passed, with Rep. Buttars, Rep Duckworth, and Rep. Morley absent for the vote.

S.B. 43 Recreational Therapy Practice Amendments (Sen. G. Davis)

Sen. Davis explained the bill, assisted by Trish DeYoung, Utah Recreational Therapy Association

MOTION: Rep. Biskupski, moved to amend the bill as follows:

1. Page 2, Line 29
Senate Committee Amendment
dated 1-27-2004: After line 29 insert:
"**63-55-258**, as last amended by Chapters 49 and 254, Laws of Utah 2003"

2. Page 6, Line 159
Senate Committee Amendment
dated 1-27-2004: After line 159 insert:
"Section 5. Section **63-55-258** is amended to read:
63-55-258. Repeal dates, Title 58.
(1) Title 58, Chapter 3a, Architects Licensing Act, is repealed July 1, 2013.
(2) Title 58, Chapter 5a, Podiatric Physician Licensing Act, is repealed July 1, 2007.
(3) Title 58, Chapter 9, Funeral Services Licensing Act, is repealed July 1, 2008.
(4) Title 58, Chapter 13, Health Care Providers Immunity from Liability Act, is repealed July 1, 2006.
(5) Title 58, Chapter 15, Health Facility Administrator Act, is repealed July 1, 2005.
(6) Title 58, Chapter 16a, Utah Optometry Practice Act, is repealed July 1, 2009.
(7) Title 58, Chapter 17a, Pharmacy Practice Act, is repealed July 1, 2006.
(8) Title 58, Chapter 20a, Environmental Health Scientist Act, is repealed July 1, 2013.
(9) Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act, is repealed July 1, 2005.
(10) Title 58, Chapter 24a, Physical Therapist Practice Act, is repealed July 1, 2013.
(11) Title 58, Chapter 26a, Certified Public Accountant Licensing Act, is repealed July 1, 2007.
(12) Title 58, Chapter 28, Veterinary Practice Act, is repealed July 1, 2004.
(13) Title 58, Chapter 31b, Nurse Practice Act, is repealed July 1, 2005.
(14) Title 58, Chapter 37, Utah Controlled Substances Act, is repealed July 1, 2007.

- (15) Title 58, Chapter 37a, Utah Drug Paraphernalia Act, is repealed July 1, 2007.
- (16) Title 58, Chapter 37b, Imitation Controlled Substances Act, is repealed July 1, 2007.
- (17) Title 58, Chapter 40, Recreational Therapy Practice Act, is repealed July 1, [~~2005~~] 2013.
- (18) Title 58, Chapter 41, Speech-language Pathology and Audiology Licensing Act, is repealed July 1, 2009.
- (19) Title 58, Chapter 42a, Occupational Therapy Practice Act, is repealed July 1, 2005.
- (20) Title 58, Chapter 44a, Nurse Midwife Practice Act, is repealed July 1, 2010.
- (21) Title 58, Chapter 46a, Hearing Instrument Specialist Licensing Act, is repealed July 1, 2013.
- (22) Title 58, Chapter 47b, Massage Therapy Practice Act, is repealed July 1, 2004.
- (23) Title 58, Chapter 49, Dietitian Certification Act, is repealed July 1, 2005.
- (24) Title 58, Chapter 53, Landscape Architects Licensing Act, is repealed July 1, 2008.
- (25) Title 58, Chapter 59, Professional Employer Organization Licensing Act, is repealed July 1, 2007.
- (26) Title 58, Chapter 67, Utah Medical Practice Act, is repealed July 1, 2006.
- (27) Title 58, Chapter 68, Utah Osteopathic Medical Practice Act, is repealed July 1, 2006.
- (28) Title 58, Chapter 69, Dentist and Dental Hygienist Practice Act, is repealed July 1, 2006.
- (29) Title 58, Chapter 71, Naturopathic Physician Practice Act, is repealed July 1, 2006.
- (30) Title 58, Chapter 72, Acupuncture Licensing Act, is repealed July 1, 2007.
- (31) Title 58, Chapter 73, Chiropractic Physician Practice Act, is repealed July 1, 2006."

Renumber remaining sections accordingly.

The motion to amend passed unanimously, with Rep. Buttars, Rep, Duckworth, and Rep. Morley absent for the vote.

Spoke for the bill: Warren Walker, Utah Health Association

Sandra Negley, clinical instructor, Utah Recreational Therapy Association

MOTION: Rep. Hansen moved to pass the bill out favorably. The motion passed unanimously, with Rep. Buttars and Rep. Morley absent for the vote.

MOTION: Rep. Biskupski moved to adjourn the meeting. The motion passed unanimously, with Rep. Buttars and Rep. Morley absent for the vote.

Rep. Bryson adjourned the meeting at 4:05 p.m.

Rep. Katherine Bryson, Chair