

**MINUTES OF THE HOUSE BUSINESS AND LABOR
STANDING COMMITTEE**
Room W010, West Office Building, State Capitol Complex
January 27, 2006

Members Present: Rep. Stephen D. Clark, Chair
Rep. Jim Dunnigan, Vice Chair
Rep. J. Stuart Adams
Rep. Jackie Biskupski
Rep. David Clark
Rep. Carl W. Duckworth
Rep. Craig A. Frank
Rep. Neil A Hansen
Rep. Todd E. Kiser
Rep. Michael T. Morley
Rep. Curtis Oda
Rep. Scott L. Wyatt

Members Absent: Rep. Gordon E. Snow

Staff Present: Allison Morgan, Policy Analyst
Linda Error, Committee Secretary

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

Vice Chair Dunnigan called the meeting to order at 8:05 a.m.

MOTION: Rep. Kiser moved to approve the minutes of the January 24, 2006 meeting. The motion passed unanimously, with Rep. Adams, Rep. Biskupski, Rep. D. Clark, Rep. S. Clark, and Rep. Morley absent for the vote.

H.B. 110 Airport Security Amendments (*Rep. G. Hughes*)

Rep. Hughes introduced the bill to the committee.

Assisted by: Dave Buhler, Chairman, Salt Lake City Council
Earl Morris, United States Department of Homeland Security
Jodi Howick, Senior Salt Lake City Attorney, Airport Division

Rep. Kiser moved to amend the bill as follows:

1. Page 2, Lines 46 through 47:

- 46 • allow the ground transportation service provider a chance to respond to a denial;

47 ~~{and}~~

► provides that a denial or termination of a right to provide ground transportation service does not affect the right of another ground transportation service provider who provides ground transportation service for the same business;

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2. Page 4, Lines 102 through 106:

102 (3) "Ground transportation service" means transporting passengers for hire or as a
courtesy in connection with a business over public

103 streets pursuant to a license with the city.

104 (4) (a) "Ground transportation service provider" means a ~~{person}~~ driver
who provides ground

105 transportation service where the pickup or drop-off of a passenger occurs at an airport
under a

106 city's authority.

3. Page 4, Lines 117 through 119:

117 (1) A city may by ordinance require a ground transportation service provider to
submit to a criminal

118 background check as a condition of providing ground transportation service to an airport
under

119 the city's authority.

4. Page 5, Lines 126 through 131:

126 (b) If requested by a city that has adopted an ordinance in accordance with
Subsection (1), the division shall request the Department of Public Safety to
127 complete a Federal Bureau of Investigation criminal background check through a national
128 criminal history system for each background check requested by a city under this section.

129 (c) (i) If a city has adopted an ordinance in accordance with Subsection (1),
the ~~{A}~~ city may make a ground transportation service provider's access to provide
130 ground transportation service to an airport conditional pending completion of a criminal
131 background check under this section.

5. Page 6, Lines 169 through 176:

169 (1) If a city denies or terminates the right of a ground transportation service

provider to
170 provide ground transportation service to an airport because of information obtained
through a
171 criminal background check under this part, the city shall:
172 ~~{(1)}~~ (a) notify the ground transportation service provider in writing of the
reasons for the
173 denial or termination; and
174 ~~{(2)}~~ (b) give the ground transportation service provider an opportunity to
respond to the
175 reasons and to seek review of the denial or termination through administrative procedures
176 established by the city.

(2) If a ground transportation service provider is denied access to provide ground transportation service to an airport, the denial shall not impact the right of another ground transportation service provider who provides ground transportation service for the same business.

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

Vice Chair Dunnigan relinquished the chair to Chair S. Clark.

Rep. Adams moved to amend the bill as follows:

1. *Page 5, Lines 142 through 145:*

142 (3) Each city that requests a criminal background check under Subsection (1) shall
143 prepare criteria for which criminal activity will preclude ground transportation service to
the
144 airport and shall provide written notice to the ground transportation service provider who
is the
145 subject of the criminal background check that the background check has been requested.
= **(4) The legislative body of a city may by a majority vote of its members overrule**
a decision made by the mayor or a city employee establishing the criteria for
precluding the right of a ground transportation service provider under Subsection
(3).

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

MOTION: Rep. Adams moved to pass the bill out favorably as amended. The motion passed unanimously.

H.B. 308 Insurance Policy and Contract Law Amendments (*Rep. T. Kiser*)

Rep. Kiser introduced the bill to the committee, with the assistance of John E. "Mickey" Braun, Assistant Commissioner, Utah Insurance Department.

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

MOTION: Rep. Oda moved that H.B. 308 be placed on the Consent Calendar. The motion passed unanimously, with Rep. Biskupski absent for the vote.

S.B. 115 Continuing Education in Insurance (*Sen. T. Hatch*)

Rep. Kiser introduced the bill to the committee.

Spoke to the bill: John E. "Mickey" Braun, Assistant Commissioner, Utah Insurance Department.

MOTION: Rep. Morley moved to proceed to the next item on the agenda.

SUBSTITUTE

MOTION: Rep. D. Clark moved to pass the bill out favorably. The motion passed unanimously, with Rep. Adams, Rep. Biskupski, Rep. Dunnigan, and Rep. Frank absent for the vote.

H.B. 65 Consumer Protection Agency (*Rep. M. S. Lawrence*)

Rep. Lawrence introduced the bill to the committee.

MOTION: Rep. Wyatt moved to delete in title and body H.B. 65 and replace it with 1st Substitute H.B. 65. The motion passed unanimously, with Rep. Biskupski, Rep. Dunnigan, and Rep. Frank absent for the vote.

Those supporting the bill: Candance Daly, National Federation of Independent Business
Robin Riggs, Salt Lake Chamber of Commerce
Jim Olson, Utah Retail Merchants Association
Craig Bickmore, Utah Automobile Dealers' Association

MOTION: Rep. Dunnigan moved to pass the substitute bill out favorably. The motion passed unanimously.

S.B. 108 Ethics in Dental Advertising (*Sen. P. Knudson*)

Sen. Knudson introduced the bill to the committee, with the assistance of Dr. Mark H. Blaisdell, President, Utah Dental Association.

Sen. Knudson declared a conflict of interest.

Spoke for the bill: Dr. Brian Graf, orthodontist, Orem, Utah

Spoke to the bill: Craig Jackson, Director, Division of Occupational and Professional Licensing

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

MOTION: Rep. Frank moved to adjourn the meeting. The motion passed unanimously, with Rep. D. Clark and Rep. Hansen absent for the vote.

Chair S. Clark adjourned the meeting at 9:36 a.m.