

MINUTES OF THE SENATE BUSINESS & LABOR STANDING COMMITTEE
THURSDAY, FEBRUARY 18, 2010, 9:00 A.M.
ROOM 215, SENATE BUILDING
STATE CAPITOL COMPLEX

Members Present: Sen. John Valentine, Chair
Sen. Gene Davis
Sen. Dan Liljenquist
Sen. Karen Mayne
Sen. Wayne Niederhauser
Sen. Steve Urquhart
Sen. Kevin VanTassell

Staff Present: Bryant R. Howe, Office of Legislative Research and General Counsel
Karen Allred, Committee Secretary

Public Speakers Present: Kathy Berg, Division Director, Utah Department of Commerce
Thad LeVar, Deputy Director, Utah Department of Commerce
Jim Friedman, President, Sierra Supply

A list of visitors and a copy of handouts are filed with the committee minutes.

Chair Valentine called the meeting to order at 9:13 a.m.

Approval of Minutes

MOTION: Sen. Niederhauser moved to approve the minutes of February 11, and 16, 2010.

The motion passed unanimously with Sen. Liljenquist absent for the vote.

1. **S.B. 274 Online Pharmacy Amendments** (*C. Bramble*)

Sen. Bramble introduced the bill and 1st Sub. S. B. 274 was distributed.

MOTION: Sen. Niederhauser moved to adopt 1st Sub. S.B. 274.

The motion passed unanimously with Sen. Liljenquist absent for the vote.

The following amendments were proposed:

1. *Page 7, Line 209 through Page 8, Line 213:*

- 209 Internet facilitator:
210 (a) an owner;
211 (b) an {~~employer~~ employee ;
212 (c) an officer;

213 (d) a director;

2. *Page 9, Line 271 through Page 10, Line 275:*

271 (k) submit documentation satisfactory to the board regarding public health, safety,
 and

272 welfare demonstrating:

273 (i) how the online prescriber will comply with the requirements of Section
 {~~58-83-303~~} ~~58-83-305~~ ;

274 (ii) the contractual services arrangement between the online prescriber and:

275 (A) the Internet facilitator; and

MOTION: Sen. Davis moved to adopt the amendments.

The motion passed unanimously with Sen. Liljenquist absent for the vote.

MOTION: Sen. Davis moved to transmit 1st Sub. 274 as amended with a favorable recommendation.

The motion passed unanimously with Sen. Liljenquist absent for the vote.

2. **S.B. 173 Business Entity Amendments** (*L. Hillyard*)

Sen. Hillyard explained the bill assisted by Kathy Berg, Division Director, Department of Commerce.

MOTION: Sen. Mayne moved to transmit S.B. 173 with a favorable recommendation.

The motion passed unanimously.

MOTION: Sen. VanTassell moved that S.B. 173 be placed on the Consent Callendar.

The motion passed unanimously.

3. **H.B. 97 Amendments Relating to Deceptive Practices Involving Consumers**
(*M. Poulson*)

Rep. Poulson explained the bill.

Thad LeVar, Deputy Director, Utah Department of Commerce clarified the bill and answered questions from the committee.

Jim Friedman, President, Sierra Supply spoke in favor of the bill.

MOTION: Sen. Davis moved to transmit H.B. 97 with a favorable recommendation.

The motion passed unanimously.

MOTION: Sen. Niederhauser moved to adjourn.

The motion passed unanimously.

Chair Valentine adjourned the meeting at 9:42 a.m.

Sen. John Valentine, Committee Chair