

**MINUTES OF THE HOUSE BUSINESS AND LABOR
STANDING COMMITTEE
Room 450, State Capitol
February 29, 2012**

Members Present: Rep. Jim Dunnigan, Chair
Rep. Dixon Pitcher, Vice Chair
Rep. Jim Bird
Rep. Derek Brown
Rep. Brian Doughty
Rep. Susan Duckworth
Rep. Gage Froerer
Rep. Don Ipson
Rep. Todd Kiser
Rep. Brad Last
Rep. Michael Morley
Rep. Curt Webb
Rep. Larry Wiley
Rep. Brad Wilson

Staff Present: Mr. Bryant Howe, Assistant Director
Ms. Rosemary Young, Committee Secretary

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

Chair Dunnigan called the meeting to order at 4:07 p.m.

MOTION: Rep. Kiser moved to approve the minutes of the February 28, 2012 meeting. The motion passed unanimously with Rep. Brown, Rep. Morley, and Rep. Wiley absent for the vote.

H.J.R. 20 House Joint Resolution on Hearing Impairment (*Rep. R. Edwards*)

Rep. Edwards explained the resolution to the committee assisted by Jan Ferre, Legislative Coalition for People With Disabilities.

MOTION: Rep. Kiser moved to transmit H.J.R. 20 with a favorable recommendation. The motion passed unanimously with Rep. Brown, Rep. Morley, and Rep. Wiley absent for the vote.

MOTION: Rep. Kiser moved to place H.J.R. 20 on the Consent Calendar. The motion passed unanimously with Rep. Brown, Rep. Morley, and Rep. Wiley absent for the vote.

H.B. 388 Unemployment Insurance Exemption (*Rep. J. Peterson*)

Rep. Peterson explained the bill to the committee assisted by Jennifer Godfrey, Salt Lake Community Action Program Head Start.

MOTION: Rep. Froerer moved to transmit H.B. 388 with a favorable recommendation. The motion passed unanimously with Rep. Brown, Rep. Morley, and Rep. Wiley absent for the vote.

MOTION: Rep. Last moved to place H.B. 388 on the Consent Calendar. The motion passed unanimously with Rep. Brown, Rep. Morley, and Rep. Wiley absent for the vote.

H.B. 472 International Relations and Trade Commission Amendments (*Rep. E. Hutchings*)

Rep. Hutchings explained the bill to the committee.

MOTION: Rep. Ipson moved to transmit H.B. 472 with a favorable recommendation. The motion passed unanimously with Rep. Brown, Rep. Doughty, and Rep. Morley absent for the vote.

MOTION: Rep. Duckworth moved to place H.B. 472 on the Consent Calendar. The motion passed unanimously with Rep. Brown, Rep. Doughty, and Rep. Morley absent for the vote.

H.B. 63 Mobile Home Park Residency Act Amendments (*Rep. Janice Fisher*)

MOTION: Rep. Pitcher moved to replace H.B. 63 with 2nd Substitute H.B. 63. The motion passed unanimously with Rep. Brown, Rep. Doughty, and Rep. Morley absent for the vote.

Rep. Fisher explained the bill to the committee assisted by Steve Anderson, Myrah Close, and Ken Parker of the Utah Manufactured Homeowners Action Group.

Spoke against the bill: Rick Bills, Utah Housing Authority
Terry Kallas, mobile home park owner

MOTION: Rep. Wilson moved to amend 2nd Substitute H.B. 63 as follows:

Page 1, lines 20 and 21:	Delete lines 20 and 21
Page 2, lines 30 and 31:	Delete lines 30 and 31
Page 6, lines 174 to 180	Delete lines 174 to 180
Page 7, lines 181 to 197	Delete lines 181 to 197

SUBSTITUTE MOTION: Rep. Duckworth moved to transmit 2nd Substitute H.B. 63 with a favorable recommendation. The motion failed with Rep. Doughty, Rep. Duckworth, Rep. Last, Rep. Wiley, and Rep. Pitcher voting in favor and Rep. Brown and Rep. Morley absent for the vote.

The motion to amend failed with Rep. Bird, Rep. Ipson, Rep. Last, Rep. Webb, Rep. Wilson, and Rep. Dunnigan voting in favor and Rep. Brown and Rep. Morley absent for the vote.

MOTION: Rep. Froerer moved to proceed to the next item on the agenda. The motion passed with Rep. Doughty, Rep. Duckworth, and Rep. Wiley voting in opposition and Rep. Brown and Rep. Morley absent for the vote.

S.B. 88 Pharmacy Distribution Amendments (*Sen. C. Bramble*)

Sen. Bramble explained the bill to the committee.

MOTION: Rep. Kiser moved to transmit S.B. 88 with a favorable recommendation. The motion passed unanimously with Rep. Brown, Rep. Froerer, Rep. Morley, and Rep. Wilson absent for the vote.

MOTION: Rep. Ipson moved to place S.B. 88 on the Consent Calendar. The motion passed unanimously with Rep. Brown, Rep. Froerer, Rep. Morley, and Rep. Wilson absent for the vote.

H.B. 175 Second Hand Item Transactions (*Rep. J. Seelig*)

MOTION: Rep. Pitcher moved to replace H.B. 175 with 2nd Substitute H.B. 175. The motion passed unanimously with Rep. Brown, Rep. Doughty, Rep. Froerer, Rep. Morley, and Rep. Wilson absent for the vote.

Rep. Seelig explained the bill to the committee assisted by Scott Fisher, Salt Lake City Prosecutor's Office and Jodi Hart from the pawn industry.

MOTION: Rep. Ipson moved to transmit 2nd Substitute H.B. 175 with a favorable recommendation. The motion passed unanimously with Rep. Brown, Rep. Froerer, and Rep. Webb absent for the vote.

MOTION: Rep. Wiley moved to place 2nd Substitute H.B. 175 on the Consent Calendar. The motion was not voted on.

1st Sub. S.B. 68 New Automobile Franchise Act Amendments (*Sen. S. Jenkins*)

MOTION: Rep. Pitcher moved to amend 1st Substitute S.B. 68 as follows:

1. Page 10, Lines 277 through 284:

277 (B) that has been granted to more than one other franchisee of the franchisor in the

278 state[-];
279 (nn) coerce ~~{-or require-}~~ a franchisee ~~{-, including-}~~ to establish, or
provide by agreement, program, or incentive
280 provision ~~{-, to-}~~ that a franchisee must establish . a price at which the
franchisee is required to sell a product or service
281 that is:
282 (i) sold in connection with the franchisee's sale of a motor vehicle; and
283 (ii) (A) in the case of a product, not manufactured, provided, or distributed by the
284 franchisor or an affiliate; or

The motion passed unanimously with Rep. Brown and Rep. Froerer absent for the vote.

Sen. Jenkins explained the bill to the committee assisted by Craig Bickmore, New Car Dealers of Utah, who distributed a handout and introduced car dealers who were present at the meeting.

Spoke for the bill: Lincoln Shurtz, General Motors Manufacturers
Doug Foxley, Auto Alliance

MOTION: Rep. Bird moved to transmit 1st Substitute S.B. 68 with a favorable recommendation. The motion passed unanimously with Rep. Brown and Rep. Froerer absent for the vote.

1st Sub. S.B. 243 Repeal of Illegal Drug Stamp Tax Act (Sen. D. Thatcher)

Sen. Thatcher explained the bill to the committee.

MOTION: Rep. Webb moved to transmit 1st Substitute S.B. 243 with a favorable recommendation. The motion passed unanimously with Rep. Bird, Rep. Froerer, and Rep. Pitcher absent for the vote.

MOTION: Rep. Wiley moved to place 1st Substitute S.B. 243 on the Consent Calendar. The motion passed unanimously with Rep. Bird, Rep. Froerer, and Rep. Pitcher absent for the vote.

1st Sub. S.B. 101 Acupuncture Licensing Act Amendments (Sen. D. Hinkins)

Sen. Hinkins explained the bill to the committee.

MOTION: Rep. Wilson moved to transmit 1st Substitute S.B. 101 with a favorable recommendation. The motion passed unanimously with Rep. Pitcher absent for the vote.

MOTION: Rep. Bird moved to place 1st Substitute S.B. 101 on the Consent Calendar. The motion passed unanimously with Rep. Pitcher absent for the vote.

S.B. 252 Amendments to Dentist Practice Act (*Sen. D. Hinkins*)

Sen. Hinkins explained the bill to the committee.

MOTION: Rep. Morley moved to transmit S.B. 252 with a favorable recommendation. The motion passed unanimously with Rep. Kiser and Rep. Pitcher absent for the vote.

MOTION: Rep. Ipson moved to place S.B. 252 on the Consent Calendar. The motion passed unanimously with Rep. Kiser and Rep. Pitcher absent for the vote.

S.B. 173 Utah Fit Premises Modifications (*Sen. B. McAdams*)

Sen. McAdams explained the bill to the committee.

MOTION: Rep. Froerer moved to transmit S.B. 173 with a favorable recommendation. The motion passed with Rep. Dunnigan voting in opposition and Rep. Pitcher absent for the vote.

H.B. 423 Department of Alcoholic Beverage Control Privatization Task Force (*Rep. C. Frank*)

This bill was not heard.

H.B. 211 Insurance Coverage for Amino Acid-based Formula (*Rep. C. Moss*)

Rep. Moss explained the bill to the committee assisted by Tammy Zundel, Utah Eosinophilic Disorders Association.

Spoke for the bill: Michelle Fogg, Utah Food Allergy Network
Clint Schmidt, Utah Food Allergy Network
Jarom Becar, Utah Food Allergy Network
Ashley Becar, mother

Spoke against the bill: Travis Wood, Utah Health Plans
Kelly Atkinson, Utah Health Insurance Association
Brian Allen, America's Health Insurance Plans
Michael Kaufman, Regence Blue Cross
Scott Deru, Utah Association of Health Underwriters

Spoke to the bill: Eliana White, Select Health

MOTION: Rep. Wiley moved to transmit H.B. 211 with a favorable recommendation. The motion failed with Rep. Doughty, Rep. Duckworth, and Rep. Wiley voting in favor and Rep. Pitcher absent for the vote.

1st Sub. H.B. 64 Amendments to Public Employee Health Care (Rep. B. Doughty)

Rep. Doughty explained the bill to the committee assisted by Judy Hansen, citizen.

Spoke against the bill: Richard Herd, Utah Association of Health Underwriters
 Travis Wood, Utah Health Plans
 Gayle Ruzicka, Eagle Forum
 Laura Bunker, United Families Utah

MOTION: Rep. Wiley moved to table 1st Substitute H.B. 64 and return it to Rules Committee for interim study.

Rep. Morley requested that the motion be divided.

The motion to table H.B. 64 passed unanimously with Rep. Pitcher absent for the vote.

The motion to refer to interim study failed with Rep. Brown, Rep. Doughty, Rep. Duckworth, Rep. Froerer, and Rep. Wiley voting in favor and Rep. Pitcher absent for the vote.

MOTION: Rep. Ipson moved to adjourn. The motion passed unanimously with Rep. Pitcher absent for the vote.

Chair Dunnigan adjourned the meeting at 7:43 p.m.

Rep. James Dunnigan, Chair