

32B-2-201, as last amended by Laws of Utah 2011, Chapters 308 and 334 =

4. *Page 2, Lines 32 through 44:*

32 (2) (a) The commission is composed of five part-time commissioners appointed by
33 the

33 governor with the consent of the Senate.

34 (b) No more than ~~{+}~~ **three** ~~{+}~~ ~~{60% of the}~~ commissioners may be
35 of the same political party.

35 (c) (i) At least ~~{40%}~~ two of the commissioners shall, for at least one year
36 before being

36 appointed and during their term, be ~~{regular}~~ consumers of an alcoholic product
37 purchased from

37 an entity authorized to sell alcoholic products. ~~{As used in this Subsection (2)(c);~~
"regular"

38 means happening or recurring not less than once a month.

39 (ii) The governor shall require an individual to sign an affidavit verifying compliance
40 with Subsection (2)(c)(i) as a condition of appointment under this Subsection (2)(c).

41 (iii) If as of July 1, 2012, there are not at least ~~{40%}~~ two of the
42 commissioners who meet the

42 requirements of Subsection (2)(c)(i), as terms of commissioners expire the governor shall
43 appoint a new commissioner or ~~{a reappointed}~~ reappoint a commissioner in a
44 manner that brings the

44 commission ~~{in}~~ into compliance with this Subsection (2)(c).

(d)(i) No more than two commissioners shall have the same profession or
occupation.

(ii) If as of July 1, 2012, there are more than two commissioners with the same
profession or occupation, as terms of commissioners expire, the governor shall appoint
a new commissioner or reappoint a commissioner in a manner that brings the
commission into compliance with this Subsection (2)(d).

5. *Page 4, Lines 109 through 110:*

109 or portion of a commission meeting that is closed by the commission as authorized by
Sections

110 52-4-204 and 52-4-205.

= **Section 2. Coordinating H.B. 193 with S.B. 66 -- Merging substantive
amendments**

= **If this H.B. 193 and S.B. 66, Alcoholic Beverage Control Related Amendments,
both pass and become law, the Legislature intends that:**

(1) the references in Subsection 32B-2-201(2)(c) to "two" be replaced with "three";

(2) the references in Subsection 32B-2-201(2)(d) to "two" be replaced with "three";

and
(3) the Office of Legislative Research and General Counsel make the changes described in this section when preparing the Utah Code database for publication. =

The motion to amend the bill passed unanimously.

Rep. Doughty explained the bill and the amendment.

MOTION: Rep. Fisher moved to pass H.B. 193 as amended out favorably. The motion passed with Rep. Greenwood, Rep. Sagers, and Rep. Vickers voting in opposition to the motion.

H.B. 502 Incorporation Amendments (*Rep. M. Brown*)

MOTION: Rep. Galvez moved to adopt 1st Substitute H.B. 502. The motion passed unanimously.

Spoke in favor of the bill: Mary Ann Strong, citizen
Ken Bullock, Utah League of Cities and Towns

Spoke in opposition to the bill: Rick Raile, Chair, Emigration Township (handout)
Jan Zogmaister, Weber County Commission
Darla Longhurst-VanZeben, Powder Mountain Homeowners
Michael Jensen, Salt Lake County Council
Jean Gallegos, Association of County Councils Together
Kurt Hoffman, citizen
Roger Dudley, citizen

Rep. Chavez-Houck stated that she is a property owner in the Millcreek area.

MOTION: Rep. Sagers moved to pass 1st Substitute H.B. 502 out favorably. The motion failed with Rep. Oda, Rep. Perry, Rep. Frank, and Rep. Sagers voting in favor of the motion.

H.B. 382 Constitutional Defense Council - Posting of Public Information (*Rep. K. Ivory*)

This bill was not heard.

H.C.R. 3 Concurrent Resolution on Airport Security (*Rep. K. Ivory*)

This bill was not heard.

H.B. 310 State and Political Subdivision Employment Amendments (Rep. D. McCay)

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

1. *Page 1, Lines 10 through 12:*

10 This bill prohibits a state or political subdivision from considering seniority as ~~{a~~
11 ~~primary}~~ the sole factor when determining whether to terminate an employee
while conducting a
12 reduction in force.

2. *Page 1, Lines 15 through 17:*

15 ▶ prohibits the following from considering or establishing a policy requiring
16 consideration of seniority as ~~{a primary}~~ the sole factor when determining
whether to
17 terminate an employee while conducting a reduction in force:

3. *Page 2, Lines 54 through 58:*

54 10-3-1014. Seniority as ~~{primary}~~ sole factor prohibited when conducting
reductions in
55 force.
56 A civil service commission may not make a rule or regulation requiring that a
57 department head conducting a reduction in force consider seniority as ~~{a~~
primary} the sole factor when
58 determining whether to terminate an employee.

4. *Page 3, Lines 84 through 85:*

84 (b) While conducting a reduction in force, a municipality may not consider seniority
as
85 {a primary} the sole factor when determining whether to terminate an
employee.

5. *Page 4, Lines 105 through 106:*

105 (8) provision of a reduction in force policy that does not consider seniority as ~~{a~~
primary} the sole
106 factor when determining whether to terminate an employee.

6. *Page 5, Lines 127 through 135:*

127 17-30-16. Reductions in force -- Seniority may not be ~~{primary}~~ sole
factor --

128 Reemployment register.

129 (1) When necessary because of lack of funds or work [an officer may], the appointing
130 authority, with the approval of the commission, [be] may temporarily [paid] lay off an
officer.

131 [Such layoff shall be made according to the lowest rating of the officers of the class of
position

132 affected, calculated upon seniority under a method prescribed by the commission.]

133 (2) While conducting a reduction in force, an appointing authority or the merit
system

134 commission may not consider seniority as {a primary} the sole factor when
determining whether to

135 terminate an officer.

7. *Page 9, Lines 260 through 261:*

260 (c) A county conducting a reduction in force may not consider seniority as {a
primary} the sole

261 factor when determining whether to terminate an employee.

8. *Page 10, Lines 281 through 283:*

281 (2) Except as provided in Section 17B-2a-813, a local district conducting a reduction
in

282 force may not consider seniority as {a primary} the sole factor when
determining whether to terminate an

283 employee.

9. *Page 10, Lines 301 through 303:*

301 (c) An institution president or board of trustees may not establish a policy that
requires

302 an institution conducting a reduction in force to consider seniority as {a
primary} the sole factor when

303 determining whether to terminate an employee.

10. *Page 13, Lines 384 through 387:*

384 (b) The campus board of directors or the Utah College of Applied Technology Board
385 of Trustees may not establish a policy that requires an institution conducting a reduction in

386 force to consider seniority as {a primary} the sole factor when determining
whether to terminate an

387 employee.

11. Page 18, Line 526:

526 67-19-18.5. Reductions in force -- Seniority may not be {~~primary~~} sole
factor.

12. Page 18, Lines 537 through 539:

537 (2) Notwithstanding any other provision of law, an employer conducting a reduction
in
538 force may not consider seniority as {~~a primary~~} the sole factor when
determining whether to terminate an
539 employee.

The motion to amend the bill passed unanimously with Rep. Chavez-Houck and Rep. Vickers absent for the vote.

Rep. McCay introduced the amended bill to the committee.

Spoke in opposition to the bill: Mike Lee, Unified Police Federation
Patty Rich, American Federation of State, County, & Municipal
Employees
Tony Allred, Professional Firefighters of Utah
Jan Johnson, Utah Alliance of Government Employees

MOTION: Rep. Frank moved to adjourn the meeting. The motion passed unanimously with Rep. Chavez-Houck and Rep. Vickers absent for the vote.

Chair Powell adjourned the meeting at 10:00 a.m.

Rep. Kraig Powell, Chair