

**MINUTES OF THE  
HOUSE JUDICIARY STANDING COMMITTEE MEETING**  
20 House Building, Utah State Capitol Complex  
February 13, 2015

**Members Present:** Rep. LaVar Christensen, Chair  
Rep. Fred C. Cox  
Rep. Bruce Cutler  
Rep. Brian M. Greene  
Rep. Craig Hall  
Rep. Brian S. King  
Rep. Curtis Oda  
Rep. V. Lowry Snow

**Members Absent:** Rep. Merrill Nelson, Vice Chair  
Rep. Kevin J. Stratton  
Rep. Mark A. Wheatley

**Staff Present:** Mr. Gregg Girvan, Policy Analyst  
Ms. Linda Black, Committee Secretary

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

Chair Christensen called the meeting to order at 3:55 p.m.

**H.B. 105 Antidiscrimination Modifications (Rep. J. Miller)**

Rep. Miller explained the bill to the committee.

Spoke for the bill: Michelle McOmber, CEO, Utah Medical Association  
Jennifer Dailey, Utah Academy of Family Physicians  
Stephanie Pitcher, citizen  
Michelle Scharf, citizen

Spoke against the bill: Dorothy Bradford, United Women Forum

Spoke to the bill: Marina Lowe, ACLU of Utah

**MOTION:** Rep. Cox moved to replace H.B. 105 with 1st Substitute H.B. 105, Antidiscrimination Modifications. The motion passed unanimously with Rep. Greene absent for the vote.

**MOTION:** Rep. Cox moved to pass the bill out favorably as substituted. The motion passed with Rep. Oda and Chair Christensen voting in opposition.

**H.B. 109 Expungement of Administrative Action (Rep. B. Greene)**

Rep. Greene explained 1st Substitute H.B. 109 to the committee.

**MOTION:** Rep. Greene moved to replace H.B. 109 with 1st Substitute H.B. 109, Expungement of Administrative Action. The motion passed unanimously.

Spoke against the bill: Todd Kiser, Commissioner, Utah Insurance Department  
Mark Steinagel, Director, Division of Professional Licensing

**MOTION:** Chair Christensen moved to amend the bill as follows:

1. *Page 16, Lines 487 through 489:*

487 (1) "Administrative expungement" or "expunge" means to ~~{not allow public~~  
~~access}~~ **no longer make a qualifying record available to the public** .  
488 ~~including through an agency controlled website or other electronic means {.~~ ~~}~~ ~~.~~ ~~{~~  
~~to agency records}~~  
489 ~~{regarding the agency's disciplinary action against an eligible petitioner.}~~

2. *Page 17, Lines 503 through 506:*

503 (4) **(a)** "Qualifying record" means a record of an agency that the agency makes  
available to  
504 the public, including through an agency controlled website or other electronic means,  
regarding  
505 disciplinary action that was a final agency action at least three years before an eligible  
506 petitioner applies to the agency for expungement of the record under this part.  
**(b) "Qualifying record" does not include written minutes, a recording, or any other**  
**record created in compliance with Title 52, Chapter 4, Open and Public Meetings Act.**

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The motion passed unanimously with Rep. Snow absent for the vote.

**MOTION:** Rep. Oda moved to hold the bill. The motion passed unanimously with Rep. Snow absent for the vote.

**H.C.R. 2 Concurrent Resolution Designating Religious Freedom Day (Rep. Brian S. King)**

Rep. King explained the resolution to the committee.

MOTION: Chair Christensen moved to amend the bill as follows:

1. Page 2, Lines 33 through 34:

33 WHEREAS, the right to religious freedom as defined by Jefferson and Madison is  
34 fundamental to the success of a {~~democratic~~} constitutional republic;

2. Page 2, Lines 35 through 39:

35 WHEREAS, the state of Utah was founded upon the principles of respect for the  
religious beliefs or non-beliefs  
36 of all persons, {~~be they Christian or Jewish, Muslim or Hindu, Buddhist or Sikh,~~  
~~atheist or~~  
37 ~~agnostic~~} and the state constitution expressly provides since statehood in 1896 that  
"perfect toleration of religious sentiment is guaranteed" (Article III) and all citizens of  
this state shall enjoy equally all religious rights and privileges (Article IV) ;

38 WHEREAS, {~~millions of~~} people from all parts of the world have come to the  
United States of America and Utah fleeing  
39 religious persecution;

3. Page 2, Line 51:

51 and championed by Thomas Jefferson and James Madison , and the enduring religious  
freedom guaranteed in the United States and Utah constitutions .

The motion passed unanimously with Rep. Hall absent for the vote.

**MOTION:** Chair Christensen moved to pass the resolution out favorably as amended. The motion passed unanimously with Rep. Hall absent for the vote.

**H.B. 183 Uniform Powers of Appointment Act (Rep. V. L. Snow)**

This bill was not heard.

**H.B. 143 Prohibition on Tattooing of Minors (Rep. L. Christensen)**

This bill was not heard.

**H.B. 277 Statute of Limitations for Civil Actions (Rep. K. Ivory)**

This bill was not heard.

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**MOTION:** Rep. Oda moved to adjourn the meeting. The motion passed unanimously with Rep. Hall absent for the vote.

Chair Christensen adjourned the meeting at 6:28: p.m.

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LaVar Christensen, Chair