

**MINUTES OF THE  
BUSINESS AND LABOR INTERIM COMMITTEE**

Wednesday, May 21, 2008 – 2:00 p.m. – Room W025 House Building

**Members Present:**

Rep. Stephen D. Clark, House Chair  
Sen. John W. Hickman  
Sen. Karen Mayne  
Sen. Wayne L. Niederhauser  
Rep. Jackie Biskupski  
Rep. David Clark  
Rep. Carl W. Duckworth  
Rep. Ben C. Ferry  
Rep. Paul A. Neuenschwander  
Rep. Patrick Painter  
Rep. Gordon E. Snow

**Members Absent:**

Sen. Kevin T. VanTassell, Senate Chair  
Sen. Gene Davis  
Sen. Dan R. Eastman  
Rep. James A. Dunnigan  
Rep. Kevin S. Garn  
Rep. Todd E. Kiser  
Rep. Karen W. Morgan  
Rep. Mark W. Walker

**Staff Present:**

Ms. Allison M. Nicholson, Policy Analyst  
Ms. Patricia Owen, Associate General Counsel  
Ms. Phalin L. Flowers, Legislative Secretary

**Note:** A list of others present, a copy of related materials, and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

**1. Committee Business**

Chair S. Clark called the meeting to order at 2:24 p.m. He excused Sen. VanTassell, Rep. Dunnigan, and Rep. Kiser from the meeting.

**MOTION:** Rep. D. Clark moved to approve the minutes of the April 16, 2008 meeting. The motion passed unanimously.

**2. Antidiscrimination Act Modifications**

Rep. Christine Johnson introduced the issue. She referred the Committee to 2008 General Session H.B. 89, "Antidiscrimination Act Amendments," which was included in the mailing packet. Rep. Johnson explained that she brought this legislation before the House Business and Labor Standing Committee during the 2008 General Session and respects the Standing Committee's decision that the bill required additional discussion. She said the bill adds sexual orientation and gender identity to the list of characteristics against which an employer may not discriminate. She also discussed statistics and actions of other states related to this issue.

Ms. Heather Morrison, Director, Antidiscrimination Division, Utah Labor Commission, distributed and discussed "Employment Discrimination Claims Filed from June 1, 2007 through May 21, 2008."

Ms. Ruth Hackford-Peer, Manager of Public Policy, Equality Utah, distributed and discussed "The Need for Workplace Anti-Discrimination Laws that Cover Sexual Orientation and Gender Identity." She spoke in favor of the legislation and the addition of sexual orientation and gender identity to the Utah Antidiscrimination Act (Act).

Ms. Marina Lowe, Staff Attorney, ACLU of Utah, distributed and discussed a letter to the Committee regarding the antidiscrimination legislation. She spoke in favor of including sexual orientation and gender identity to the Act.

Mr. Harris Sondak, Professor, University of Utah, representing Equality Utah, distributed and discussed "Bohemia and Economic Geography." He also distributed a copy of his remarks. He explained his understanding of the economic benefits of fostering a creative environment.

Ms. Monica Whalen, President, Employers Council, explained to the Committee that the clients she represents are employers who would not unfairly discriminate against an employee; however, she said that requiring by law that employers cannot terminate an individual on the basis of sexual orientation and gender identity could potentially create several problems for employers.

Mr. Christopher Scuderi, Executive Director, Transgender Education Advocates of Utah, explained what services the organization provides to employers regarding education concerning transgender individuals. He spoke in favor of adding sexual orientation and gender identity to the Act and gave a personal experience of discrimination.

Ms. Shanti Akayla, private citizen, spoke in support of adding sexual orientation and gender identity to the Act and gave a personal experience of discrimination.

Ms. Anne Marie Oborn, private citizen, spoke against adding sexual orientation and gender identity to the Act.

### **3. Child Credit Records**

Rep. Eric Hutchings introduced the issue. He said that victims of identity theft spend approximately 600 hours trying to regain their identity. He said he would like children's credit reports to be frozen so that credit cannot be unlawfully obtained on the child's Social Security number.

Mr. Richard Hamp, Assistant Attorney General, Utah Attorney General's Office, gave an explanation of Utah's Identity Theft Reporting Information System, or I.R.I.S., and said the Attorney General's Office is interested in working with Rep. Hutchings on his proposal.

Ms. Candace Daly, representing the Consumer Data Industry Association, explained several credit reporting agencies' practices regarding individuals freezing their or their children's credit reports and stated support of protecting an individual's credit ratings, but said that there are still barriers to work through before the issue can be fully solved.

Mr. Ron Mortensen, private citizen, spoke in support of Rep. Hutchings' proposal.

### **4. Other Items / Adjourn**

Chair S. Clark adjourned the meeting at 4:38 p.m.