

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

Wednesday, May 19, 2010 – 2:00 p.m. – Room 210 Senate Building

**Members Present:**

Sen. John L. Valentine, Senate Chair  
Rep. James A. Dunnigan, House Chair  
Sen. Gene Davis  
Sen. Daniel R. Liljenquist  
Sen. Karen Mayne  
Sen. Wayne L. Niederhauser  
Rep. Jackie Biskupski  
Rep. Jack R. Draxler  
Rep. Gage Froerer  
Rep. Stephen G. Handy  
Rep. Neil A. Hansen  
Rep. Todd E. Kiser  
Rep. David Litvack

Rep. Steven R. Mascaro  
Rep. Michael T. Morley  
Rep. C. Brent Wallis

**Members Absent:**

Rep. Stephen D. Clark  
Rep. Susan Duckworth  
Rep. Francis D. Gibson  
Rep. Patrick Painter

**Staff Present:**

Mr. Bryant R. Howe, Assistant Director  
Ms. Patricia Owen, Associate General Counsel  
Ms. Amanda K. Majers, 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 Valentine called the meeting to order at 2:21 p.m. Rep. Duckworth was excused from the meeting. Chair Valentine introduced Rep. Handy as a new member of the Committee, and mentioned that Rep. Clark is retiring from the Legislature.

Mr. Howe discussed "Open and Public Meetings Act, Title 52, Chapter 4, Utah Code, 2010 Training -- Summary of Key Provisions," which was distributed to the Committee prior to the meeting.

**2. Review of Study Items for the 2010 Interim**

Mr. Howe discussed "2010 Business and Labor Interim Committee - Items from the Master Study Resolution and Sunset Reviews and Required Reports," which was distributed prior to the meeting.

**3. Sunset Reviews**

Mr. Howe distributed and discussed "Overview: Legislative Oversight and Sunset Act."

**A. Catastrophic Coverage of Mental Health Conditions**

Mr. Neal Gooch, Commissioner, Utah Insurance Department, gave an overview of the issue.

Ms. Tanji Northrup, Health Division Director, Utah Insurance Department, recommended that the Committee provide for the continuation of the catastrophic mental health coverage program.

Committee questions and discussion followed.

**MOTION:** Rep. Dunnigan moved to remove Section 31A-22-625, Catastrophic Coverage of Mental Health Conditions from the Sunset Act and to direct staff to prepare legislation to make conforming amendments. The motion passed unanimously, with Sen. Davis, Sen. Liljenquist, Rep. Biskupski, Rep. Kiser, and Rep. Morley absent for the vote.

**MOTION:** Rep. Wallis moved to reconsider the last action. The motion passed unanimously, with Sen. Davis, Sen. Liljenquist, Rep. Biskupski, Rep. Kiser, and Rep. Morley absent for the vote.

Ms. Jan Ferre, Chair, Legislative Coalition for People with Disabilities, representing the National Alliance for the Mentally Ill, encouraged the Committee to provide for the continuation of the catastrophic mental health coverage program.

**MOTION:** Rep. Dunnigan moved to remove Section 31A-22-625, Catastrophic Coverage of Mental Health Conditions from the Sunset Act and to direct staff to prepare legislation to make conforming amendments. The motion passed unanimously, with Sen. Davis, Sen. Liljenquist, Rep. Kiser, and Rep. Morley absent for the vote.

#### **B. Assessment on Title Insurance Agencies or Title Insurers**

Mr. Neal Gooch, Commissioner, Utah Insurance Department, provided background on the issue and encouraged the Committee to reauthorize title insurance related assessments.

Mr. Jerry Houghton, Tooele Title, and Chair, Title and Escrow Commission, recommended that certain changes be considered when reauthorizing the assessments. Chair Valentine requested that a proposal concerning recommended changes to Section 31A-23a-415 be prepared for the Committee's consideration.

Mr. Glen Roberts, Past President, Utah Land Title Association, also spoke regarding the need for reauthorization with possible changes. Chair Valentine requested again that a proposal concerning recommended changes to Section 31A-23a-415 be prepared for the Committee's consideration.

Mr. Gooch indicated that the Utah Insurance Department would consider including this issue in its "clean up" bill.

#### **4. Alcoholic Beverage Control Act Related Issues**

Ms. Owen distributed and discussed "Technical Issues: Title 32B, Alcoholic Beverage Control Act."

Mr. Earl Dorius, Regulatory Director, Department of Alcoholic Beverage Control, spoke to the technical issues.

**MOTION:** Rep. Dunnigan moved to direct staff to draft legislation making the technical amendments and incorporating the issues raised in "Technical Issues: Title 32B, Alcoholic Beverage Control Act." The motion passed unanimously, with Sen. Davis, Rep. Froerer, Rep. Morley, and Rep. Wallis absent for the vote.

Mr. Dorius discussed "Utah Department of Alcoholic Beverage Control Proposed Rule, Section R81-7-1," "Utah Department of Alcoholic Beverage Control Proposed Rule, Section R81-10B-1," and "Utah Department of Alcoholic Beverage Control Memorandum - Proposed Single Event Permit Rule Amendments," which were distributed to the Committee prior to the meeting.

Sen. Davis asked for a report on how many liquor licenses for various license types are available. Mr. Dorius distributed and discussed a handout, "UDABC Licensing Quotas, Commission Meeting, May 25, 2010."

Mr. Randy Barton, Director, Park City Performances, spoke to issues businesses face when obtaining event permits and operating under them.

Mr. Dorius and Mr. Barton answered questions from the Committee.

## **5. Utah Common Interest Ownership Act**

Sen. Niederhauser discussed 2010 General Session S.B. 182, "Utah Common Interest Ownership Act," which was distributed to the Committee prior to the meeting.

Mr. Bruce Jenkins, Vice Chair, Utah CAI Legislative Action Committee, discussed a handout entitled, "Utah Common Ownership Interest Act - UCIOA / SB 182 (Introduction and Summary)," which he had previously emailed to the Committee, and answered questions from the Committee.

Rep. Litvack asked Mr. Jenkins to provide a document of key provisions and a summary of 2010 General Session S.B. 182, "Utah Common Interest Ownership Act."

Mr. Craig Moody, Utah CAI Legislative Action Committee, spoke to the continued efforts to prepare legislation.

Ms. Karen Silver, Salt Lake Community Action Program, spoke to the issues that could be considered in preparing legislation.

## **6. Other Items / Adjourn**

**MOTION:** Rep. Litvack moved to adjourn the meeting. The motion passed unanimously, with Rep. Froerer, Rep. Mascaro, and Rep. Wallis absent for the vote.

Chair Valentine adjourned the meeting at 4:30 p.m.