

**MINUTES OF THE HOUSE BUSINESS AND LABOR
STANDING COMMITTEE
Room 450, State Capitol
January 24, 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 2:14 p.m and invited the committee members and staff to introduce themselves. Chair Dunnigan relinquished the chair to Vice Chair Pitcher.

H.B. 61 Portable Electronics Insurance Related Amendments (*Rep. T. Kiser*)

This bill was not heard.

H.B. 39 Amendment to Utah Optometry Practice Act (*Rep. J. Dunnigan*)

MOTION: Rep. Dunnigan moved to amend H. B. 39 as follows:

1. *Page 1, Line 12:*

12 circumstances to sell { ~~eyeglasses~~ an ophthalmic lens without being licensed
under the chapter.

2. *Page 1, Lines 15 through 19:*

15 ▶ allows a person in certain circumstances to sell, fit, adjust, and dispense

 { ~~eyeglasses~~
16 ~~or spectacles~~ } an ophthalmic lens without being licensed under the chapter;

- 17 ▶ requires a prescription for { ~~eyeglasses~~ an ophthalmic lens ; and
18 ▶ specifies the activities that the unlicensed person may engage in regarding the
 sale
19 or dispensing of { ~~eyeglasses or spectacles~~ an ophthalmic lens .

3. *Page 3, Line 88:*

- 88 (3) selling or providing contact lenses { ~~eyeglasses, or spectacles~~ or an
ophthalmic lens } in a manner

4. *Page 4, Lines 94 through 95:*

- 94 Part 8. Contact Lenses and { ~~Eyeglasses~~ Ophthalmic Lenses
95 58-16a-801. Contact lens and { ~~eyeglass~~ ophthalmic lens } seller or
 provider.

5. *Page 5, Lines 124 through 126:*

- 124 (i) provides the { ~~eyeglasses or spectacles~~ ophthalmic lens } consistent
 with and in accordance with { ~~an~~
125 eyeglass } an unexpired prescription from a licensed physician or optometrist;
126 (ii) dispenses the { ~~eyeglasses or spectacles~~ ophthalmic lenses } within or
 from the state;

6. *Page 5, Lines 134 through 136:*

- 134 (i) sell, reproduce, or dispense { ~~eyeglasses or spectacles~~ ophthalmic
lenses } ;
135 (ii) fit or adjust { ~~eyeglasses, spectacles,~~ ophthalmic lenses } or frames;
136 (iii) assist with the selection of frames for { ~~eyeglasses or~~
spectacles } ophthalmic lenses ;

7. *Page 5, Line 139:*

- 139 multi-focal ophthalmic lenses.

8. *Page 5, Line 142:*

- 142 accordance with Subsection (1), or to sell { ~~eyeglasses or spectacles~~ ophthalmic
lenses } in accordance with

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

Rep. Dunnigan explained the bill to the committee.

Spoke for the bill: Cathy McCallum, 1 800 Contacts

MOTION: Rep. Morley moved to transmit H.B. 39 with a favorable recommendation. The motion passed unanimously with Rep. Kiser absent for the vote.

H.B. 29 Insurance Amendments (Rep. J. Dunnigan)

MOTION: Rep. Dunnigan moved to replace H.B. 29 with 1st Substitute H.B. 29. The motion passed unanimously with Rep. Kiser absent for the vote.

Rep. Dunnigan explained the bill to the committee assisted by the following individuals from the Utah Department of Insurance: Tanji Northrup, Suzette Green-Wright, Armand Glick, and Randy Overstreet.

Spoke for the bill: Kelly Atkinson, Utah Health Insurance Association
Chris Purcell, State Farm Insurance

MOTION: Rep. Duckworth moved to transmit 1st Substitute H. B. 29 with a favorable recommendation. The motion passed unanimously with Rep. Brown absent for the vote.

H.B. 33 Fireworks Amendments (Rep. J. Dunnigan)

MOTION: Rep. Dunnigan moved to amend H. B. 33 as follows:

1. Page 1, Line 26 through Page 2, Line 42:

26 53-7-225. Times for sale and discharge of fireworks.

27 (1) A person may sell Class C common state approved explosives [~~may be: (1) sold~~
28 ~~each year~~] in the state as follows:

29 (a) beginning on June [26] 23 and ending on July [26] 27;

30 (b) beginning on December [26] { ~~10~~ 29 } and ending on ~~January~~
31 ~~1~~ } December 31 ; and

31 (c) [~~three~~] two days before and on the Chinese New { ~~Year~~ Year's eve } [~~;~~
and].

32 (2) [~~discharged each year~~] A person may discharge Class C common state approved
33 explosives in the state as follows:

34 (a) between the hours of 11 a.m. and 11 p.m.:

- 35 ~~[(a)]~~ (i) beginning on ~~[June 26]~~ July 1 and ending on July ~~[26;]~~ 7; and
36 (ii) beginning on July 21 and ending on July 27;
37 (b) beginning at 11 a.m. on December 31 and ending at 1 a.m. on the following day;
38 and
39 (c) beginning at 11 a.m. on the Chinese New { ~~Year~~ ~~Year's eve~~ and
 ending at 1 a.m. on the
40 following day.
41 ~~[(b) on January 1 and December 31; and]~~
42 ~~[(c) the day before and on the Chinese New Year.]~~

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

Rep. Dunnigan explained the bill to the committee assisted by Brent Halliday, State Fire Marshall and Mike Mathieu, Ogden Fire Chief and president of Utah State Fire Chiefs Association.

Spoke for the bill: Terry Keefe, Layton Police Chief

MOTION: Rep. Ipson moved to transmit H. B. 33 with a favorable recommendation. The motion passed unanimously with Rep. Brown absent for the vote.

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

Vice Chair Pitcher adjourned the meeting at 3:38 p.m.

Rep. James Dunnigan, Chair