



MINUTES

BUSINESS AND LABOR INTERIM COMMITTEE

LEGISLATURE

Monday, September 18, 2023 | 8:30 a.m. | Zion Room, Holland Building, Utah Tech University

Members Present:

Sen. Curtis S. Bramble, Chair
Rep. A. Cory Maloy, Chair
Sen. Kirk A. Cullimore
Sen. Karen Kwan
Sen. Scott D. Sandall
Sen. Todd D. Weiler
Rep. Melissa G. Ballard
Rep. Brady Brammer
Rep. Walt Brooks
Rep. Jefferson S. Burton
Rep. Jon Hawkins
Rep. Ashlee Matthews
Rep. Jeffrey D. Stenquist
Rep. Mark A. Strong
Rep. Norman K Thurston

Rep. Stephen L. Whyte

Members Absent:

Sen. Daniel McCay
Rep. Brian S. King
Rep. Karianne Lisonbee
Rep. Mike Schultz
Rep. Keven J. Stratton
Rep. Ryan D. Wilcox

Staff Present:

Rohrin Randles, Policy Analyst
Adam J. Sweet, Policy Analyst
Amy Shewan, Associate General Counsel
Austin Weenig, Associate General Counsel
Finn Andrew Rose, Administrative Assistant

Note: A copy of related materials and an audio recording of the meeting can be found at www.le.utah.gov.

Chair Maloy called the meeting to order.

1. Committee Business

MOTION: Sen. Weiler moved to approve the August 9, 2023, minutes. The motion passed with a vote of 11 - 0 - 11.

Yeas - 11

Rep. M. Ballard
Sen. C. Bramble
Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Sen. K. Kwan
Rep. A. Maloy
Sen. S. Sandall
Rep. N. Thurston
Sen. T. Weiler
Rep. S. Whyte

Nays - 0

Absent - 11

Sen. K. Cullimore
Rep. J. Hawkins
Rep. B. King
Rep. K. Lisonbee
Rep. A. Matthews
Sen. D. McCay
Rep. M. Schultz
Rep. J. Stenquist
Rep. K. Stratton
Rep. M. Strong
Rep. R. Wilcox

2. State Construction and Fire Codes

Rep. Thomas Peterson presented on potential changes to the state construction and fire codes and asked the committee to open a bill file to address the potential changes.

Chair Maloy opened the meeting to public comment.

[2A - Synopsis of 2021 IRBC Requirements \(Source: Rob Dalley\)](#)

Robert Dalley, Building Inspector, spoke about 2023 HB 532 and effects of the bill.

Sen. Bramble informed the committee that the chairs were opening a committee bill file on construction code amendments.

Lorraine Robertson, Resident, spoke against the committee bill file.

Paul Blackmore, Owner, Blackrock Engineering, spoke to adopting the full International Code Council's code.

The committee discussed the presentation further.

3. Noncompete Agreements

[4A - Noncompete Agreements \(Source: OLRGC\)](#)

Adam Sweet presented on noncompete agreements.

Amy Shewan presented on noncompete agreements.

Adam Looney, Professor, University of Utah, presented on noncompete agreements in Utah and how they impact the economy.

The committee asked questions of Adam Looney, Adam Sweet, and Amy Shewan.

Sen. Bramble assumed the chair.

MOTION: Rep. Brammer moved to open a committee bill file to remove noncompete agreements. The committee discussed the motion further. The motion failed with a vote of 7 - 9 - 6.

Yea - 7

Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Rep. J. Hawkins
Rep. A. Matthews
Rep. J. Stenquist
Rep. N. Thurston

Nay - 9

Rep. M. Ballard
Sen. C. Bramble
Sen. K. Cullimore
Sen. K. Kwan
Rep. A. Maloy
Sen. S. Sandall
Rep. M. Strong
Sen. T. Weiler
Rep. S. Whyte

Absent - 6

Rep. B. King
Rep. K. Lisonbee
Sen. D. McCay
Rep. M. Schultz
Rep. K. Stratton
Rep. R. Wilcox

4. Foreign Credentialing

[3A - Foreign Credentialing \(Source: Department of Commerce\)](#)

Margaret Busse, Executive Director, Department of Commerce, presented on foreign credentialing and the licensing of immigrants and refugees who have prior training and education.

The committee asked questions of Margaret Busse.

Rep. Maloy assumed the chair.

Ashley Jensen, Governor's Office of Economic Opportunity, spoke to foreign credentialing.

Michelle McComber, Utah Medical Association, spoke on concerns the Utah Medical Association has with foreign credentialing and the state's potential approach to foreign credentialing.

Craig Peterson, Lobbyist, spoke on concerns with foreign credentialing.

5. Non-disparagement Clauses

Sen. Bramble assumed the chair.

[5A - Non-disparagement Clauses \(Source: OLRGC\)](#)

Austin Weenig presented on non-disparagement clauses.

The committee asked questions of Austin Weenig.

Tony Capone, Resident, presented on their recent experience with non-disparagement clauses while trying to build a home.

Taz Biesinger, Utah Home Builders Association, spoke on non-disparagement clauses and the homebuilding industry.

The committee asked questions of Taz Biesinger.

[5B - Consumer Review Fairness \(Source: Division of Consumer Protection\)](#)

Katie Hass, Director, Division of Consumer Protection, presented on the Consumer Review Fairness Act and how the act protects consumers against non-disparagement clauses.

Chair Bramble informed the committee the chairs were opening a committee bill file on non-disparagement clauses.

6. Worker Classification Coordinated Enforcement Council

Rep. Maloy assumed the chair.

Chris Hill, Deputy Commissioner and General Counsel, State Labor Commission, presented on the Worker Classification Coordinated Enforcement Council report and what the Worker Classification Coordinated Enforcement Council does.

The committee asked questions of Chris Hill.

David Spatafore, Resident, spoke to the Worker Classification Coordinated Enforcement Council.

The committee discussed the presentation further.

7. Other Items/Adjourn

MOTION: Rep. Brooks moved to adjourn. The motion passed with a vote of 16 - 0 - 6.

Yeas - 16

Rep. M. Ballard
Sen. C. Bramble
Rep. B. Brammer
Rep. W. Brooks
Rep. J. Burton
Sen. K. Cullimore
Rep. J. Hawkins
Sen. K. Kwan
Rep. A. Maloy
Rep. A. Matthews
Sen. S. Sandall
Rep. J. Stenquist
Rep. M. Strong
Rep. N. Thurston
Sen. T. Weiler
Rep. S. Whyte

Nays - 0Absent - 6

Rep. B. King
Rep. K. Lisonbee
Sen. D. McCay
Rep. M. Schultz
Rep. K. Stratton
Rep. R. Wilcox

Chair Maloy adjourned the meeting.