

**MINUTES OF THE  
PUBLIC UTILITIES & TECHNOLOGY STANDING COMMITTEE  
Room 223 - State Capitol Building  
February 4, 2002**

**MEMBERS PRESENT:** Rep. John E. Swallow, Chair  
Rep. Doug Aagard, Vice Chair  
Rep. Sheryl L. Allen  
Rep. Chad E. Bennion  
Rep. Brent H. Goodfellow  
Rep. Eric Hutchings  
Rep. Ty McCartney  
Rep. Gordon E. Snow  
Rep. Stephen H. Urquhart

**MEMBERS ABSENT:** Rep. Ralph Becker  
Rep. Martin R. Stephens  
Rep. David Ure

**STAFF PRESENT:** Richard North, Research Analyst  
Sharron Corelli, Committee Secretary

**VISITORS:** List of visitors on file

Vice Chair Aagard called the meeting to order at 8:15 a.m.

Rep. Allen moved to approve the minutes of the January 22, 2002 meeting. The motion passed unanimously with Rep. Bennion absent for the vote.

**H.B. 59      Municipal Telephone Utilities Amendments (D. Cox)**

Rep. Cox introduced the bill and explained it to the committee

Mr. David Irvine, Attorney, Eagle Mountain, spoke for the bill.

**MOTION:** Rep. Allen moved to pass the bill out favorably.

**SUBSTITUTE**

**MOTION:** Rep. Urquhart moved to table the bill. The motion passed with Rep. Allen, Rep. Goodfellow and Rep. Hutchings voting in opposition..

**H.B. 134      Unauthorized Electronic Transactions (A. L. Tyler)**

Rep. Tyler introduced and explained the bill to the committee.

MOTION:      Rep. McCartney moved to adopt the following amendment:

1.    Page 1, Line 18:            Delete "actual"
  
2.    Page 2, Line 42:            After line 42 insert:  
  "(5) Notwithstanding Subsection (3)(b), a person is not liable under Subsection (3)(b) if that person can demonstrate that:  
  (a) there was an authorization for the electronic transfer of funds that was requested by the person;  
  (b) the electronic transfer of funds was inadvertently transferred from an account other than the account for which there was an authorization; and  
  (c) the electronic transfer of funds was reversed for the account that the monies were inadvertently transferred from promptly upon discovery of the inadvertent transfer."

The motion passed unanimously.

MOTION:      Rep. Urquhart moved to amend the bill as follows:

Page 2, Lines 34-35:    renumber accordingly to conform with the deletion of lines 39 & 40.

Page 2, Line 36:            After "\$200;" delete "and"  
  Insert "or"

Page 2, Line 38:            Delete ";" insert ","

Page 2, Lines 39-40:    Delete lines 39 & 40

Page 2, Line 42            At the end of line 42 insert:    "The prevailing party shall be awarded (i) attorney fees; and (ii) court costs."

The motion passes with Rep. Goodfellow voting in opposition and Rep. Allen absent for the vote.

MOTION:      Rep. Bennion moves to further amend the bill as follows:

Page 2, Line 42:            After "fees" insert: ",not more than the principal amount in dispute,"

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

MOTION: Rep. Swallow moves to further amend the bill as follows:

Page 1, Line 25: After line 25 insert: “(iii) in reliance upon a written contract between the customer and the transferor.”

SUBSTITUTE

MOTION: Rep. Snow moved that the bill be held and placed first on the agenda for the next meeting.

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

**H.B. 133 Natural Gas Technician Certification (*G. Snow*)**

Rep. Snow introduced the bill and explained it to the committee.

MOTION: Rep. Snow moved to adopt the following amendment:

1. Page 11, Line 310: After line 310, insert the following:  
"(e) The division may exempt from initial certification requirements adopted under Subsection (2)(c) a person who has passed a test equivalent to the level of testing required by the division for certification, or has completed an apprenticeship program that teaches the installation of gas line appliances and is approved by the Federal Bureau of Apprenticeship Training.

The motion passed unanimously.

Mr. Mark Nelson, Utah Pipe Trades Union, spoke to the bill.

The following people spoke in favor of the bill:

Mr. Jim Paul, Sheet Metal Contractors  
Ms. Emilee Erb, Copper Hills High School  
Mr. Trent Carter, Copper Hills High School

Mr. Larry Facer, Utah Pipe Trades Union, spoke in opposition of the bill.

Rep. Snow assured Rep. Bennion that the intent of the bill only applies to those that come into your home for hire and does not apply to the homeowner.

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MOTION: Rep. Urquhart moved to pass the bill out favorably. The motion passed with Rep. Mc. Cartney voting in opposition.

MOTION: Rep. Bennion moved to adjourn. The motion passed.

Vice Chair Aagard adjourned the meeting at 9:30 a..m.

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Rep. John E. Swallow, Chair