

**MINUTES OF THE
PUBLIC UTILITIES & TECHNOLOGY STANDING COMMITTEE
Room 225 - State Capitol Building**

January 22, 2003

MEMBERS PRESENT: Rep. Stephen H. Urquart, Chair
Rep. Glenn A. Donnelson, Vice Chair
Rep. Sheryl L. Allen
Rep. Ralph Becker
Rep. Chad E. Bennion
Rep. Brent H. Goodfellow
Rep. Ty McCartney
Rep. Michael E. Noel
Rep. Gordon E. Snow

MEMBERS ABSENT: Rep. Greg J. Curtis
Rep. Michael R. Styler
Rep. David Ure

STAFF PRESENT: Richard North, Policy Analyst
Cherri White, Committee Secretary

VISITORS: List of visitors on file

Representative Urquart called the meeting to order at 9:07 a.m.

H.B. 67 Electronic Equipment Waste Disposal and Recycling Act (*R. Becker*)

The sponsor introduced the bill and explained its intent. Brent Bradford, Deputy Director Department of Environmental Quality, spoke to the bill and addressed questions from the committee.

MOTION: Representative Goodfellow moved to pass the bill out favorably.

SUBSTITUTE

MOTION: Representative Bennion moved to go to the next item on the agenda. The motion failed 4-5-3, with Representatives Bennion, Noel, Snow, and Urquart voting in favor of the motion, and Representatives Allen, Becker, McCartney, Goodfellow, and Donnelson voting against the motion.

SUBSTITUTE

MOTION: Representative Snow moved to amend:

1. Page 2, Line 46: After "board" delete "shall" and insert "may"
2. Page 3, Line 66: After "board" delete "shall" and insert "may"

3. Page 3, Lines 70-73: Delete lines 70 through 73.

The motion passed 6-3-3, with Representatives Allen, Bennion, Noel, Snow, Donnelson, and Urquhart voting in favor of the motion, and Representatives Becker, Goodfellow, and McCartney voting against the motion.

MOTION: Representative Allen moved to amend:

1. Page 1, Line 6: After "**Code to**" delete "**require**" and insert "**encourage**"
2. Page 2, Line 57: After "board" delete "shall" and insert "may"

The motion passed 6-3-3, with Representatives Allen, Bennion, Noel, Snow, Donnelson, and Urquhart voting in favor of the motion, and Representatives Becker, Goodfellow, and McCartney voting against the motion.

MOTION: Representative Goodfellow moved to pass the bill out favorably as amended. The motion passed 6-3-3, with Representatives Allen, Becker, Goodfellow, McCartney, Donnelson, and Urquhart voting in favor of the motion, and Representatives Bennion, Noel, and Snow voting against the motion.

H.B. 40 Protection of Nonpublic Personal Information (D. Aagard)

The sponsor introduced the bill and explained its intent.

MOTION: Representative Bennion moved to amend:

1. Page 1, Line 1: Delete "**PROTECTION OF**" and insert "**NOTICE OF INTENT TO SELL**"
2. Page 1, Line 19: Delete "**PROTECTION OF**" and insert "**NOTICE OF INTENT TO SELL**"
3. Page 1, Line 22: Delete "Protection of" and insert "Notice of Intent to Sell"
4. Page 2, Line 31: After "(2)" delete "Commercial" and insert "(a) Subject to Subsection (2)(b), "commercial""
5. Page 2, Line 32: After line 32 insert:
"(b) "Commercial entity" does not include:
(i) a governmental entity; or
(ii) an entity providing services on behalf of a governmental entity."
6. Page 4, Lines 92-97: Delete lines 92-97 and insert:

"(C) is not compensation received by the commercial entity in consideration of a transaction described in Subsection (5)."

7. Page 5, Line 125: After line 125 insert:
"(5) Notwithstanding the other provisions of this section, a commercial entity is not required to provide notice under this section if:
(a) the disclosure of the nonpublic personal information is related to the third party providing to the commercial entity:
(i) services;
(ii) personal or real property; or
(iii) other thing of value; and
(b) compensation received by the commercial entity as part of the transaction is received by the commercial entity for or in consideration of the transaction described in Subsection (5)(a)."

The motion passed unanimously.

Rick Bickford, Utah Association of Appraisers spoke to the bill.

MOTION: Representative Donnelson moved to adjourn. The motion passed unanimously. The meeting adjourned at 9:57 a.m.

Rep. Stephen H. Urquart, Chair