

**MINUTES OF THE
PUBLIC UTILITIES & TECHNOLOGY STANDING COMMITTEE
Room 225 - State Capitol Building
February 26, 2003**

MEMBERS PRESENT: Rep. Stephen H. Urquhart, Chair
Rep. Glenn A. Donnelson, Vice Chair
Rep. Sheryl L. Allen
Rep. Ralph Becker
Rep. Chad E. Bennion
Rep. Michael E. Noel
Rep. Gordon E. Snow
Rep. David Ure

MEMBERS ABSENT: Rep. Greg J. Curtis
Rep. Brent H. Goodfellow
Rep. Ty McCartney
Rep. Michael R. Styler

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

VISITORS: List of visitors on file

Representative Urquhart called the meeting to order at 8:10 a.m. and called for a motion to approve the minutes of February 19 and 24, 2003.

MOTION: Representative Becker moved to approve the minutes of February 19 and 24, 2003 with the following amendment:

February 24, 2003, H.B. 89, correct the vote on the amendments to reflect a negative vote for Representative Becker.

The motion passed unanimously.

H.B. 245 Regulation of Telecommunications Carriers (C. Bennion)

The sponsor introduced the bill and explained its intent.

Speaking in favor of the bill:

Roger Ball, Director, Utah Committee of Consumer Services

Speaking against the bill:

Mark Loschky, AT&T Wireless
Russell Sarazen, T-Mobile USA
Des Barker, Sprint Communications

Speaking to the bill:
Steve Mecham, Chair, Public Service Commission

Representative Noel declared a conflict of interest on this bill.

MOTION: Representative Snow moved to go to the next item on the agenda.

SUBSTITUTE

MOTION: Representative Bennion moved to pass the bill out favorably. The motion failed 2-6-4 with Representatives Allen and Bennion voting in favor of the motion, and Representatives Becker, Noel, Snow, Ure, Donnelson, and Urquhart voting against the motion.

Returning to the original motion to move to the next item on the agenda. The motion passed unanimously.

2nd Sub. S.B. 59 Amendments to Unsolicited Commercial and Sexually Explicit Email Act (P. Arent)

The sponsor introduced the bill to the committee, and requested a committee member move Amendment #6, dated February 25, 2003.

MOTION: Representative Becker moved to amend:

1. Page 2, Line 32: After "(4)" insert "(a)"
 2. Page 2, Line 33: At the end of Line 33 insert "(b) 'Email address' does not include an Internet Protocol address"
 3. Page 4, Lines 110-111: After "sexually explicit email" delete ", as the case may be, either directly or through a subsidiary or affiliate"
 4. Page 5, Line 146: After "a list of" delete "consumers" and insert "recipients"
- Senate Committee Amendments
2-17-2003

The motion passed unanimously.

Speaking to the bill:
Larry Bunkle, Email Marketing Association

MOTION: Representative Ure moved to amend:

1. Page 5, Line 131: After “prevailing” delete “recipient or email service provider” and insert “party”

The motion passed 5-3-4, with Representatives Allen, Becker, and Bennion voting against the motion.

MOTION: Representative Becker moved to pass the bill out favorably as amended. The motion passed unanimously.

MOTION: Representative Snow moved to adjourn. The motion passed unanimously, the meeting adjourned at 9:00 a.m.

Rep. Stephen H. Urquhart, Chair