

**MINUTES OF THE HOUSE
BUSINESS AND LABOR
STANDING COMMITTEE**

Room 405 State Capitol

February 16, 2004

Members Present: Rep. Katherine M. Bryson, Chair
Rep. Michael Morley, Vice Chair
Rep. J. Stuart Adams
Rep. Jackie Biskupski
Rep. Craig W. Buttars
Rep. David Clark
Rep. Stephen D. Clark
Rep. Carl W. Duckworth
Rep. Jim Dunnigan
Rep. Ben C. Ferry
Rep. Neil A Hansen
Rep. Todd E. Kiser
Rep. R. Curt Webb

Staff Present: Mark Steinagel, Policy Analyst
Linda Error, Committee Secretary

Note: List of visitors and a copy of handouts are filed with committee minutes.

Rep. Morley called the meeting to order at 4:25 p.m.

MOTION: Rep. Dunnigan moved to approve the minutes of the February 13, 2004 meeting. The motion passed unanimously, with Rep. Buttars and Rep. Ferry absent for the vote.

MOTION: Rep. Dunnigan moved to proceed to **H.B. 221**, item #3 on the agenda. The motion passed unanimously, with Rep. Buttars, Rep. Ferry, and Rep. Webb absent for the vote.

H.B. 221 Use of Credit Information for Insurance (*Rep. P. Wallace*)

MOTION: Rep. Biskupski moved to table the bill. The motion passed with Rep. S. Clark, Rep. Duckworth, Rep. Hansen, and Rep. Bryson voting in opposition. Rep. Buttars, Rep. Ferry, and Rep. Webb were absent for the vote.

S.B. 123 Court Reporter Amendments (*Sen. L. Hillyard*)

Sen. Hillyard explained the bill, assisted by Laurie Shingle, Utah Court Recorder Association
(handout)

MOTION: Rep. Hansen moved to pass the bill out favorably. The motion passed unanimously, with Rep. Dunnigan and Rep. Webb absent for the vote.

S.B. 113 Administrative Procedures Act Amendments (Sen. L. Hillyard)

Rep. Hillyard explained the bill, assisted by Ray Walker, Regulation and Compliance Officer, Division of Occupational and Professional Licensing.

MOTION: Rep. Buttars moved to pass the bill out favorably. The motion passed unanimously, with Rep. Dunnigan and Rep. Webb absent for the vote.

S.B. 149 Pete Suazo Utah Athletic Commission Act Amendments (Sen. E. Mayne)

Rep. Mayne explained the bill.

MOTION: Rep. Duckworth moved to pass the bill out favorably. The motion passed unanimously, with Rep. Dunnigan and Rep. Webb absent for the vote.

H.B. 292 Vehicle Franchise Amendments (Rep. B. Last)

MOTION: Rep. S. Clark moved to amend the bill as follows:

1. Page 1, Lines 16 through 18:

16 ▶ ~~[[provides]]~~ changes the date that a franchisee must receive written
 notice ~~[[within 12 months, instead of~~
17 24 months,]] of a chargeback levied by a franchisor for sales compensation or a sales
18 incentive for the chargeback to be compensable;

2. Page 8, Lines 227 through 231:

227 (b) Except as provided in Subsection (9)(c), all charge backs levied by a franchisor
 for
228 sales compensation or sales incentives arising out of the sale or lease of a motor vehicle
 sold or leased by
229 a franchisee shall be compensable only if written notice of the charge back is received by
 the
230 franchisee within ~~[24]~~ 12 months immediately following the date when the sales
 incentive program terminates, but no later than 24 months following the date when
 payment for the sales
231 compensation or sales incentive was made by the franchisor to the franchisee .

The motion to amend passed unanimously, with Rep. Dunnigan and Rep. Webb absent for the vote.

Rep. Last explained the bill, assisted by Mark Buchi, attorney, motorcycle industry.

Spoke for the bill: Craig Bickmore, Executive Director, Utah Auto Dealers Association
 Wayne Jones, Executive Director, Utah Power Sports Association

MOTION: Rep. Kiser moved to pass the bill out favorably as amended. The motion passed unanimously, with Rep. Biskupski, Rep. Dunnigan, and Rep. Webb absent for the vote.

H.B. 102 Residential Mortgage Practices Amendments (*Rep. E. Hutchings*)

This bill was not considered.

MOTION: Rep. Bryson moved to adjourn the meeting. The motion passed unanimously, with Rep. Biskupski, Rep. Dunnigan, and Rep. Webb absent for the vote.

Rep. Morley adjourned the meeting at 4:58 p.m.

Rep. Katherine Bryson, Chair