

**MINUTES OF THE SENATE BUSINESS & LABOR  
STANDING COMMITTEE  
MONDAY, FEBRUARY 13, 2006, 8:00 A.M.  
ROOM W015, WEST OFFICE BUILDING  
STATE CAPITOL COMPLEX**

Members Present: Sen. Scott K. Jenkins, Chair  
Sen. Gene Davis  
Sen. Thomas V. Hatch  
Sen. Parley G. Hellewell  
Sen. John W. Hickman  
Sen. Sheldon L. Killpack  
Sen. Ed Mayne  
Sen. Michael Waddoups

Members Absent: Sen. L. Alma Mansell

Staff Present: Allison Morgan, Policy Analyst  
Karen Allred, Committee Secretary

Public Speakers Present: Marc Babbitt, M.D., Director of Healthcare Systems, Utah  
Department of Health  
Dale Zabriski, Utah Manufactured Housing Association  
Paul Newton, Vice Pres., Backman Title/Utah Land Title Association  
Brad Hardy, Vice Pres., NHB Holdings  
Ed Leary, Commissioner, Utah Dept. of Financial Institutions  
Kathy Berg, Director, Division of Corporations and Commercial  
Code, Utah Department of Commerce  
Bruce Johnson, Commissioner, State Tax Commission  
Mickey Braun, Asst. Commissioner, Utah Insurance Department  
Bill G. Bean, Athletic Trainer, University of Utah

A list of visitors and a copy of handouts are filed with the committee minutes.

Chair Jenkins called the meeting to order at 8:04 a.m., and announced that **1st Sub. S.B. 203 Telephone Solicitation Amendments** (*P. Hellewell*), would not be heard today.

**1. 1st Sub. H.B. 254 Child Care Licensing Restrictions** (*M. S. Lawrence*)

Rep. Lawrence introduced the bill.

Marc Babbitt, M.D., Director of Healthcare Systems, Utah Department of Health, spoke in support of the bill.

**MOTION:** Sen. Hatch moved to pass the substitute bill out favorably.

The motion passed unanimously with Sens. Davis and Mayne absent for the vote.

**2. S.B. 107 Title to Manufactured Housing or Mobile Homes (T. Hatch)**

Sen. Hatch introduced the bill.

The following amendments were distributed:

1. *Page 1, Line 13:*

13 This bill:

▶ **requires an owner of a manufactured home or mobile home to apply for a certificate of title within 30 days of the owner's acquisition of the manufactured home or mobile home;**

2. *Page 1, Lines 14 through 19:*

14 ▶ provides that a manufactured home or mobile home that has been converted to  
15 real

15 property is not subject to titling in this state if:

16 • the home is permanently affixed to real property;

• **the home is not registered with the Motor Vehicle Division;**

17 • the home is taxed as an improvement to real estate by the county assessor;  
and

18 • the manufacturer's identification ~~{number is}~~ **numbers are**  
included in the deed or loan **document**

19 recorded with the county recorder; and

3. *Page 1, Line 24:*

24 ~~{None}~~ **This bill coordinates with S.B. 226 by modifying substantive language.**

4. *Page 1, Line 26:*

26 AMENDS:

= **41-1a-503, as renumbered and amended by Chapter 1, Laws of Utah 1992**

5. Page 2, Line 29:

29 Be it enacted by the Legislature of the state of Utah:

**Section 1. Section 41-1a-503 is amended to read:**

**41-1a-503. Certificate of title or Affidavit of Mobile Home Affixture required**

**-- Application by owner.**

(1) The owner of a manufactured home or mobile home shall apply to the division for a certificate of title or an Affidavit of Mobile Home Affixture **within 30 days of the owner's acquisition of the manufactured home or mobile home** .

(2) (a) An owner of a manufactured home or mobile home previously issued a certificate of title who attaches that home to real property shall apply for an Affidavit of Mobile Home Affixture within 30 days of attaching to the property.

(b) Upon application, the division shall issue an Affidavit of Mobile Home Affixture in lieu of a certificate of title.

(c) However, manufactured homes and mobile homes are not exempt from the other requirements of this part.

(3) (a) The owner of a manufactured home or mobile home previously issued an Affidavit of Mobile Home Affixture who separates that home from the real property shall apply for a certificate of title within 30 days of the separation, prior to any transfer of ownership of that home.

(b) Upon application, the division shall issue a certificate of title in lieu of an Affidavit of Mobile Home Affixture.

6. Page 2, Line 30:

30 Section ~~{+}~~ **2** . Section **41-1a-506** is amended to read:

7. Page 2, Lines 39 through 45:

39 (i) (A) an Affidavit Of Mobile Home Affixture has been issued by the division for  
that

40 home; and

41 ~~{(ii)}~~ (B) the home is permanently affixed to real property~~[-]; or~~

42 (ii) (A) the home is permanently affixed to real property;

(B) the home is not registered with the division;  
43        ~~{(B)}~~    (C)    the home is taxed as an improvement to real estate by the county  
          assessor    as permitted under Section 59-2-1503    ; and  
44        ~~{(C)}~~    (D)    the manufacturer's identification    ~~{number is}~~    numbers  
          are    included in the deed or loan    document    recorded  
45        with the county recorder.

8.    *Page , Line 48:*

48    upon separation.

Section 3. Coordinating S.B. 107 with S.B. 226 -- Modifying  
substantive language.  
If this S.B. 107 and S.B. 226, Registration and Title Provisions, both pass, it is the  
intent of the Legislature that the Office of Legislative Research and General Counsel,  
in preparing the Utah Code database for publication, change the language in  
Subsection 41-1a-503(1) from "30 days" to "45 days".

**MOTION:** Sen. Hickman moved to adopt the amendments.

The motion passed unanimously with Sens. Davis and Mayne absent for the vote.

**MOTION:** Sen. Hatch moved to further amend the bill as follows:

1. Page 1, delete Lines 13 and 24.

2. Page 2, Line 29, after "certificate of title", delete "or an Affidavit of Mobile Home Affixture within 30 days of the owner's acquisition of the manufactured home or mobile home" and insert "unless the manufactured home or mobile home is previously registered under 41-1a-506(1).

3. Page 2, delete Line 48.

The motion passed unanimously with Sens. Davis and Mayne absent for the        vote.

Dale Zabriskie, Utah Manufactured Housing Association, and Paul Newton, Utah Land Title Association spoke in support of the bill.

**MOTION:** Sen. Hickman moved to pass the bill out favorably as amended.

The motion passed unanimously with Sen. Mayne absent for the vote.

**3. H.B. 127 Limited Liability Company Amendments (J. S. Adams)**

Rep. Adams introduced the bill.

Brad Hardy, Vice President, NHB Holdings; Ed Leary, Commissioner, Utah Department of Financial Institutions; and Kathy Berg, Director, Division of Corporations and Commercial Code, Utah Department of Commerce, spoke in support of the bill.

Bruce Johnson, Tax Commission, expressed some concerns with the bill.

**MOTION:** Sen. Killpack moved to pass the bill out favorably.

Sens. Hatch and Killpack declared Conflicts of Interest.

The motion passed unanimously.

**4. H.B. 272 Insurance Law Amendments (T. Kiser)**

Rep. Kiser introduced the bill assisted by Mickey Braun, Assistant Commissioner, Utah Insurance Department.

**MOTION:** Sen. Hellewell moved to pass the bill out favorably.

The motion passed unanimously.

**MOTION:** Sen. Hatch moved that the bill be placed on the Consent Calendar.

The motion passed unanimously.

**5. H.B. 74 Athletic Trainer Licensing Act (P. Ray)**

Sen. Waddoups and Rep. Ray introduced the bill.

Bill G. Bean, Athletic Trainer, University of Utah, answered questions from the committee.

**MOTION:** Sen. Davis moved to pass the bill out favorably.

The motion passed with Chair Jenkins and Sen. Hickman voting in opposition.

**6. H.B. 221 Ambulance and Paramedic Fee Amendments (P. Ray)**

Rep. Ray introduced the bill.

**MOTION:** Sen. Killpack moved to pass the bill favorably.

The motion passed with Sen. Jenkins voting in opposition.

**MOTION:** Sen. Hellewell moved to adjourn.

The motion passed unanimously.

The Chair adjourned the meeting at 8:50 a.m.

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Sen. Scott K. Jenkins, Committee Chair