

**MINUTES OF THE SENATE BUSINESS & LABOR STANDING COMMITTEE
FRIDAY, FEBRUARY 18, 2011
ROOM 215, SENATE BUILDING**

Members Present: Sen. John Valentine, Chair
Sen. Curt Bramble
Sen. David Hinkins
Sen. Dan Liljenquist
Sen. Steve Urquhart
Sen. Kevin VanTassell
Sen. Gene Davis
Sen. Karen Mayne

Staff Present: Bryant R. Howe, Assistant Director
Karen Allred, Committee Secretary

Public Speakers Present: Keith Woodwell, Director, Utah Division of Securities
Michael W. Boswell, Executive Vice President, R. C. Willey
Home Furnishings, Division of Finance
Kirk Cullimore, Attorney
Brett Nilsson, Senior Vice President, Buckner Insurance
Alan Hennebold, Deputy Commissioner, Utah Labor Commission
Richard Burke, Attorney, Utah Association for Justice
Craig Moody, Lobbyist, Utah Association for Justice
Randy Hammond, President, Secure Data Corporation

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

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

Approval of Minutes

MOTION: Sen. Van Tassell moved to approve minutes of the February 15, 2011, meeting.

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

1. **1st Sub. S.B. 100 Securities Fraud Reporting Program Act** (B. McAdams)

MOTION: Sen. Van Tassell moved to delete in body and title 1st Sub. S.B. 100 and replace it with 2nd Sub. S.B. 100.

The motion passed unanimously with Sens. Bramble and Liljenquist absent for the vote.

Sen. McAdams explained the bill assisted by Keith Woodwell, Director, Division of Securities.

The following amendment was proposed:

1. *Page 8, Lines 230 through 232:*

230 (f) knows that, or has a reckless disregard as to whether, the disclosure is of original
231 information that is false or frivolous { ~~; or~~}

232 (g) has a legal duty to report the original information to the commission or
division ; **or**

(h) the employer or entity in the covered judicial or administrative action that relates to the information provided by the reporter is subject to the jurisdiction of the Securities and Exchange Commission under Section 21F of the Securities Exchange Act, 15 U.S.C. Sec. 78u-6, and regulations issued under that section .

MOTION: Sen. Urquhart moved to adopt the amendment.

The motion passed unanimously with Sens. Bramble and Liljenquist absent for the vote.

MOTION: Sen. Mayne moved to transmit 2nd Sub. S.B. 100 with a favorable recommendation.

The motion passed unanimously with Sens. Bramble and Liljenquist absent for the vote.

2. **S.B. 272 Secured Creditor Amendments** (*D. Liljenquist*)

Sen. Liljenquist explained the bill.

Michael W. Boswell, Executive Vice President, R. C. Willey Home Furnishings, Division of Finance, and Kirk Cullimore, Attorney spoke in support the bill.

MOTION: Sen. Urquhart moved to transmit S.B. 272 with a favorable recommendation.

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

3. **H.B. 79 Property and Casualty Certificate of Insurance Act** (*T. Kiser*)

Rep. Kiser explained the bill and a handout was distributed.

Brett Nilsson, Senior Vice President, Buckner Insurance spoke in support of the bill.

MOTION: Sen. Van Tassell moved to transmit H.B. 79 with a favorable recommendation.

The motion passed unanimously.

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

The motion passed unanimously.

4. **H.B. 55 Volunteer Search and Rescue Workers' Compensation Claims**
(*K. Powell*)

Sen. Van Tassell explained the bill.

Chair Valentine declared a conflict of interest.

Alan Hennebold, Deputy Commissioner, Utah Labor Commission spoke in support of the bill.

MOTION: Sen. Davis moved to transmit H.B. 55 with a favorable recommendation.

The motion passed unanimously.

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

The motion passed unanimously.

5. **1st Sub. H.B. 61 Home Business Workers' Compensation Amendments** (*R. Barrus*)

Rep. Barrus explained the bill.

Alan Hennebold, Deputy Commissioner, Utah Labor Commission and Richard Burke, Attorney, Utah Association for Justice spoke to the bill.

MOTION: Sen. Urquhart moved to proceed to the next item on the agenda.

The motion passed unanimously.

It was announced that **H.B. 251 Alarm System Amendments** (*L. Hemingway*) would not be heard today.

6. **1st Sub. H.B. 212 Charges by Health Providers for Medical Records** (*F. Gibson*)

MOTION: Sen. Van Tassell moved to remove in body and title 1st Sub. H.B.212 and replace it with 2nd Sub. H.B. 212.

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

Rep. Gibson explained the bill.

Craig Moody, Lobbyist, Utah Association for Justice spoke in support of the bill.

Randy Hammond, President, Secure Data Corporation spoke to the bill.

MOTION: Sen. Urquhart moved to transmit 2nd Sub. H.B. 212 with a favorable recommendation.

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

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

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

MOTION: Sen. Davis moved to adjourn.

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

Chair Valentine adjourned the meeting at 9:25 a.m.

Sen. John Valentine, Committee Chair