

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

Room 450, State Capitol, Utah State Capitol Complex

February 9, 2011

**Members Present:** Rep. Jim Dunnigan, Chair  
Rep. Dixon Pitcher, Vice Chair  
Rep. Jim Bird  
Rep. Jackie Biskupski  
Rep. Derek Brown  
Rep. Susan Duckworth  
Rep. Gage Froerer  
Rep. Francis Gibson  
Rep. Don Ipson  
Rep. Todd Kiser  
Rep. Michael Morley  
Rep. Curt Webb  
Rep. Larry Wiley

**Members Absent:** Rep. Brad Last

**Staff Present:** Bryant Howe, Assistant Director  
Rosemary Young, Committee Secretary

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

Rep. Pitcher called the meeting to order at 2:11 p.m.

**MOTION:** Rep. Wiley moved to approve the minutes of the February 7, 2011 meeting. The motion passed unanimously with Rep. Brown, Rep. Froerer, Rep. Gibson, and Rep. Morley absent for the vote.

**H.B. 180 Debt Collection Data Match with Worker Registry (*Rep. D. Clark*)**

Rep. Clark explained the bill to the committee. Dave Davis, Workforce Services Unemployment Advisory Council, spoke in favor of the bill. The following people spoke to the bill:

Candace Daly	National Federation of independent Business
	Utah Association of Collectors
Bill Starks	Unemployment Insurance Director/DWS
John Reidhead	Department of Administrative Services/Finance
Robert Johnson	Office of State Debt Collection

**MOTION:** Rep. Kiser moved to transmit H.B. 180 with a favorable recommendation. The motion passed with Rep. Bird, Rep. Froerer, Rep. Gibson, and Rep. Morley voting in opposition.

**1st Sub. S.B. 98      Securities Related Amendments (Sen. B. McAdams) (Rep. J. Bird)**

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

**MOTION:** Rep. Bird moved to transmit 1st Sub. S.B. 98 with a favorable recommendation. The motion passed unanimously.

**H.B. 93      Mortgage and Real Estate Licensure Exemptions for Attorneys (Rep. L. Christensen)**

**MOTION:** Rep. Ipson moved to amend H.B. 93 as follows:

*1. Page 4, Lines 94 through 113:*

94            (m) an attorney admitted to practice law in this state~~[(i) if the attorney is not~~  
95    principally engaged in the business of negotiating residential mortgage loans; and (ii)]  
          when  
96    the attorney ~~{renders services}~~ **engages in loan modification assistance** in the  
          course of the attorney's practice as an attorney.

97            (3) An individual who will engage in an activity as a mortgage loan originator is  
98    exempt from this chapter only if the individual is an employee or agent exempt under  
99    Subsection (2)(g).

100            ~~[(4)(a) Notwithstanding Subsection (2)(m)(i), an attorney exempt from this chapter~~  
101    ~~may not engage in conduct described in Section 61-2c-301 when transacting business of~~  
102    ~~residential mortgage loans.]~~

103            ~~[(b) If an attorney exempt from this chapter violates Subsection (4)(a), the attorney:]~~

104            ~~[(i) is not subject to enforcement by the division under Part 4, Enforcement; and]~~

105            ~~[(ii) is subject to disciplinary action generally applicable to an attorney admitted to~~  
106    ~~practice law in this state.]~~

107            ~~{+}~~ ~~{(c)}~~ **(4)** **If the division receives a complaint**  
          ~~{alleging}~~ **regarding** **an attorney exempt from this chapter**  
108    ~~{is in violation of Subsection (4)(a)}~~ **, the division shall forward the complaint to**  
          **the Utah State**

109    **Bar for disciplinary action.** ~~{+}~~

110            ~~{+}~~ (5) ~~{+}~~ ~~{(4)}~~ (a) An individual who is exempt under Subsection  
          (2) or (3) may voluntarily

111    obtain a license under this chapter by complying with Part 2, Licensure.

- 112 (b) An individual who voluntarily obtains a license pursuant to this Subsection  
{+} (5) {+} {~~4~~}
- 113 shall comply with all the provisions of this chapter.

The motion passed unanimously with Rep. Biskupski and Rep. Gibson absent for the vote.

Rep. Christensen explained the changes to the bill to the committee. Nathan Pierce, Utah Association of Mortgage Brokers, spoke in favor of the bill.

**MOTION:** Rep. Kiser moved to transmit H.B. 93 with a favorable recommendation. The motion passed unanimously with Rep. Gibson absent for the vote.

**H.C.R. 1 Concurrent Resolution Urging Congress to Address Employment Related Child Identity Theft (Rep. S. Duckworth)**

Rep. Duckworth explained the resolution to the committee.

**MOTION:** Rep. Biskupski moved to transmit H.C.R 1 with a favorable recommendation. The motion passed unanimously with Rep. Gibson absent for the vote.

**MOTION:** Rep. Wiley moved to place H.C.R. 1 on the Consent Calendar. The motion passed unanimously with Rep. Gibson absent for the vote.

**MOTION:** Rep. Wiley moved to adjourn. The motion passed unanimously with Rep. Gibson absent for the vote.

Rep. Pitcher adjourned the meeting at 3:16 p.m.