

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

January 23, 2003

MEMBERS PRESENT: Rep. Stephen H. Urquart, Chair
Rep. Glenn A. Donnelson, Vice Chair
Rep. Sheryl L. Allen
Rep. Ralph Becker
Rep. Chad E. Bennion
Rep. Ty McCartney
Rep. Michael E. Noel
Rep. Michael R. Styler
Rep. David Ure

MEMBERS ABSENT: Rep. Greg J. Curtis
Rep. Brent H. Goodfellow
Rep. Gordon E. Snow

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

VISITORS: List of visitors on file

Vice Chair, Representative Glenn A. Donnelson called the meeting to order at 2:10 p.m.

MOTION: Representative Ure moved to approve the minutes of January 22, 2003. The motion passed unanimously with Representatives Allen, Becker, Bennion, McCartney, and Styler absent for the vote.

H.B. 40 Protection of Nonpublic Personal Information (*D. Aagard*)

This bill was introduced on January 22, 2003 and committee discussion and public input was completed.

MOTION: Representative Urquart moved to amend:

1. Page 2, Line 55: After line 55 insert:
"(c) "Consumer transaction" does not include a transaction related to real property."

2. Pages 4-5, Lines 119-125: Delete lines 119-125 and insert:
"(4) This chapter does not apply if:
(a) a commercial entity discloses nonpublic personal information to a third party;
(b) the commercial entity is subject to a federal law or regulation that governs the disclosure of nonpublic information to a third party; and
(c) the disclosure of nonpublic information to a third party complies with or is authorized by the federal law or regulation described in Subsection (4)(b)."

3. Page 5, Line 130: After "obtained" insert "on or after May 5, 2003,"

The motion passed unanimously with Representatives Allen, Becker, Bennion, McCartney, and Styler absent for the vote.

Speaking in favor of the bill was Francine Giani, Consumer Protection Division. Speaking to the bill and asking questions of its intent was Bill Meaders, Direct Marketing Association.

MOTION: Representative Styler moved to pass the bill out favorably as amended. The motion passed unanimously with Representatives Bennion, and McCartney absent for the vote.

MOTION: Representative Allen moved to adjourn. The motion passed unanimously, with Representative McCartney absent for the vote. The meeting adjourned at 2:30 p.m.

Rep. Glenn A. Donnelson , Vice-Chair