

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

Room 405 State Capitol

February 19, 2004

(REVISED)

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. Carl W. Duckworth
Rep. Jim Dunnigan
Rep. Ben C. Ferry
Rep. Neil A Hansen
Rep. Todd E. Kiser
Rep. R. Curt Webb

Members Absent: Rep. Stephen D. Clark

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. Bryson called the meeting to order at 8:10 a.m.

MOTION: Rep. D. Clark moved to approve the minutes of the February 16, 2004. The motion passed unanimously, with Rep. Adams, Rep. Biskupski, Rep. Ferry, Rep. Hansen, and Rep. Morley absent for the vote.

S.B. 147 Condominium Amendments (*Sen. M. Waddoups*)

Sen. Waddoups explained the bill.

Spoke for the bill: John D. Richards, Community Association Institute

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

H.B. 173 Liability Insurance for Contractors - Monitoring System (*Rep. M. Morley*)

MOTION: Rep. Morley moved to amend the bill as follows:

1. Page 4, line 97: After "(1)" delete "There" and insert "Subject to receiving adequate funding through a legislative appropriation, there"
2. Page 17, line 508: Reinstate "through gross negligence or a pattern of negligence"

The motion to amend passed unanimously, with Rep. Ferry absent for the vote.

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

Spoke to the bill: Gary Thorpe, Property and Casualty Insurers of America
Mike Sontagg, American Insurance Association

MOTION: Rep. Hansen moved to proceed to the next item on the agenda. The motion passed unanimously, with Rep. Adams absent for the vote.

H.B. 357 Continuing Education for Real Estate Professionals (Rep. J. S. Adams)

Rep. Adams explained the bill.

Spoke for the bill: Mike Ostermiller, Utah Association of Realtors

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

S.B. 144 Corporations Sole Amendments (Sen. L. Hillyard)

Sen. Hillyard explained the bill assisted by, Kathy Berg, Department of Commerce, Division of Corporations.

Rep. Bryson Relinquished the chair to Rep. Morley.

MOTION: Rep. D. Clark moved to pass the bill out favorably.

SUBSTITUTE

MOTION: Rep. Ferry moved to amend the bill as follows:

1. Page 6, Lines 162 through 178:

162 ~~[[Section 8. Section 16-7-17 is enacted to read:~~

- 163 ~~16-7-17. Conversion or dissolution of corporation sole formed on or after~~
 ~~January~~
164 ~~1, 1990.~~
- 165 ~~(1) On or before December 31, 2006, a corporation sole formed on or after~~
 ~~January 1,~~
166 ~~1990 shall:~~
- 167 ~~(a) dissolve pursuant to Section 16-7-12; or~~
168 ~~(b) convert to a nonprofit corporation by:~~
- 169 ~~(i) filing an amendment to the articles of incorporation of the corporation sole~~
 ~~with the~~
170 ~~Division of Corporations and Commercial Code; and~~
171 ~~(ii) complying with all the requirements of incorporation under Title 16,~~
 ~~Chapter 6a,~~
172 ~~Utah Revised Nonprofit Corporation Act.~~
- 173 ~~(2) A corporation sole becomes a nonprofit corporation on the day on which~~
 ~~the~~
174 ~~corporation sole complies with Subsection (1)(b):~~
- 175 ~~(3) The Division of Corporations and Commercial Code:~~
- 176 ~~(a) shall use any reasonable means to notify a corporation sole described in~~
 ~~Subsection~~
177 ~~(1) of the requirements of this section; and~~
- 178 ~~(b) may dissolve a corporation sole that does not comply with this section.]]~~

The motion to amend passed, with Rep. Buttars, Rep. D. Clark, and Rep Duckworth voting in opposition, and Rep. Bryson and Rep. Dunnigan absent for the vote.

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

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

Rep. Morley adjourned the meeting at 9:20 a.m.