

**MINUTES OF THE SENATE BUSINESS & LABOR
STANDING COMMITTEE
THURSDAY, JANUARY 22, 2004, 8:00 A.M.
ROOM 403, STATE CAPITOL BUILDING**

Members Present: Sen. Parley G. Hellewell, Chair
 Sen. Curtis Bramble
 Sen. Gene Davis
 Sen. Dan Eastman
 Sen. Thomas V. Hatch
 Sen. Ed Mayne
 Sen. Carlene M. Walker

Members Excused: Sen. Michael Waddoups

Staff Present: Mark Steinagel, Policy Analyst
 Karen Allred, Committee Secretary

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

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

MOTION: Sen. Walker moved to approve the minutes of January 20, 2004.

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

1. S.B. 88 Uniform Building Standards Act - Manufactured Housing Amendments
(L. Hillyard)

Sen. Hillyard presented the bill and **1st Sub. S.B. 88** was distributed.

MOTION: Sen. Eastman moved to adopt **1st Sub. S.B. 88**.

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

Dale Zabriskie, Utah Manufactured Housing Association, further explained the bill.

MOTION: Sen. Walker moved to pass **1st Sub. S.B. 88** out favorably.

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

2. S.B. 75 Consumer Credit Contracts *(G. Bell)*

Sen. Bell presented the bill and handouts were distributed.

The following amendments were distributed:

1. *Page 2, Lines 33 through 39:*

- 33 (b) except as provided in Subsection (2), a creditor may not apply a finance
charge:
34 (i) based on the balance of the account during a previous billing cycle; and
35 (ii) in an amount greater than the finance charge the creditor applied to the account
at
36 the conclusion of the billing cycle described in Subsection (1)(b)(i).
(2) Subsection (1)(b) does not apply to a depository institution as defined in
Section 7-1-103.
37 ~~[(2)]~~ (3) This section does not prevent a creditor from applying a finance
charge because of
38 a debtor's failure to make a regular minimum payment, as defined by the creditor, for any
39 billing cycle.

MOTION: Sen. Walker moved to adopt the amendments.

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

Jim Olsen, Executive Vice President, Utah Retail Merchants Association, recommended to hold the bill.

MOTION: Sen. Bramble moved to go to the next item on the agenda.

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

3. **S.B. 28 Home Inspection - Action Against Inspector** (*P. Julander*)

Sen. Julander presented the bill assisted by Ted Johnson, American Society of Home Inspectors.

1st Sub. S.B. 28 was distributed.

MOTION: Sen. Bramble moved to adopt 1st Sub. S.B. 28.

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

The following amendments were distributed:

1. Page 14, Line 408: After "perform:" delete "and"
2. Page 14, Line 410: Delete " ." insert " ; and"
3. Page 14, Line 411: Insert "(h) be deemed competent to perform home inspections by belonging to a nationally recognized industry organization that requires testing and on going educational credits or renewal of certification as a part of membership."

MOTION: Sen. Mayne moved to adopt the amendments.

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

MOTION: Sen. Bramble moved to go to the next item on the agenda.

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

4. S.B. 83 Uninsured Employers' Fund Amendments (E.Mayne)

Sen. Mayne explained the bill assisted by Joyce Sewell, Administrator, Uninsured Employers Fund.

Tom Bingham, Utah Manufacturers Association, spoke in support of the bill.

MOTION: Sen. Walker moved to pass the bill out favorably and reanalyze the fiscal note.

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

5. S.B. 96 Utah Occupational Safety and Health Act Amendments (E. Mayne)

Sen. Mayne explained the bill assisted by Larry Patrick, Administrator, Utah Occupational Safety & Health Office.

Jim Olsen, Utah Retail Merchants Assoc., spoke in support of the bill.

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

The motion passed unanimously.

6. S.B. 92 Repeal of Unsolicited Commercial and Sexually Explicit Email Act (P. Arent)

Sen. Arent explained the bill.

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

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

MOTION: Sen. Walker moved to adjourn.

The motion passed unanimously.

Chair. Hellewell adjourned the meeting at 9:30 a.m.

Sen. Parley G. Hellewell, Chair