

**MINUTES OF THE SENATE BUSINESS & LABOR
STANDING COMMITTEE
TUESDAY, FEBRUARY 10, 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. Ed Mayne
Sen. Carlene M. Walker
Sen. Michael Waddoups

Members Excused: Sen. Thomas V. Hatch

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

Public Speakers Present: Janice Auger, Mayor, City of Taylorsville
Lincoln Shurtz, Utah League of Cities and Towns
Dale Zabriskie, Utah Manufactured Housing Association
Donald Saulier, Chairman, Utah Mobile Homeowners Action Group
Terry Kallas, mobile home park owner
Gail Fotheringham, mobile home owner
Mike Ostermiller, realtor
Merwin Stewart, Commissioner, Department of Insurance

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

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

MOTION: Sen. Walker moved to approve the minutes of February 6, 2004.

The motion passed unanimously with Sens. Eastman, Waddoups, and Davis absent for the vote.

Sen. Mayne announced that **S.B. 57 Corporate Accountability** (*E. Mayne*) will not be ready to be heard today.

1. S.B. 33 Mobile Home Park Residency Act (*E. Mayne*)

Sen. Mayne explained the bill assisted by Janice Auger, Mayor, Taylorsville.

Lincoln Shurtz, Utah League of Cities and Towns; Donald Saulier, Chair, Utah Mobile Homeowners Action Group; and Gail Fotheringham, mobile home owner, spoke in support of the bill.

Dale Zabriskie, Utah Manufactured Housing Association; Terry Kallas, mobile home park owner; and Mike Ostermiller, realtor, spoke in opposition to the bill.

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

The motion passed unanimously with Sens. Eastman, Waddoups, and Davis absent for the vote.

2. S.B. 58 Alcoholic Beverage Control Amendments (J. Valentine)

Sen. Valentine explained the bill and the following amendments were distributed:

1. Page 20, Lines 601 through 604:

601 (v) the winery described in Subsection (10)(b)(i):
602 ~~[(A) manages the restaurant;~~
603 ~~—(B) operates and]]~~ (A) owns the restaurant; or
604 ~~[(C) leases;]]~~ (B) operates the restaurant;

2. Page 51, Lines 1576 through 1577:

1576 (b) An applicant need not meet the requirements of
 ~~[[Subsection]]~~ Subsections (1)(a)(i), (ii), (iii), (iv),
1577 and (vi) if the applicant is:

3. Page 54, Line 1669 through Page 55, Line 1671:

1669 (ii) Beer sold pursuant to Subsection (3) [[(a)]] (d) (i) shall be in a size of
 container that does
1670 not exceed two liters, except that beer may not be sold to an individual attendee in a
 container
1671 size that exceeds one liter.

4. Page 64, Lines 1952 through 1953:

1952 (iii) at the discretion of the private club, may be credited toward
 ~~[[monthly]]~~ membership

1953 dues if the governing body approves the applicant as a member.

5. *Page 67, Lines 2048 through 2052:*

- 2048 (A) the club's lounge, bar, and alcoholic beverage consumption area is:
2049 (I) not accessible to minors;
2050 (II) clearly defined; and
2051 (III) separated from the dance or concert hall area by walls, multiple floor
levels, or
2052 other substantial physical barriers;

6. *Page 82, Lines 2509 through 2514:*

- 2509 described in Subsections (2)(h)(i) through (vi); [and]
2510 (viii) state agency; or
2511 (ix) political subdivision of the state including:
2512 (A) a county; or
2513 (B) a municipality [[-]] : and
2514 (i) any other information as the commission or department may direct.

7. *Page 93, Lines 2859 through 2863:*

- 2859 (ii) the commission may order the removal of the manufacturer's, supplier's, or
2860 importer's products from the department's sales list and a suspension of the
department's
2861 purchase of those products for a period determined by the commission if the
manufacturer,
2862 supplier, or importer;
2863 (A) directly committed the violation[;] : or

8. *Page 119, Lines 3668 through 3676:*

- 3668 (2) (a) "Industry member" means;
3669 (i) an alcoholic beverage manufacturer[;];
3670 (ii) a producer[;];
3671 (iii) a supplier[;];
3672 (iv) an importer[;];
3673 (v) a wholesaler[;];

- 3674 (vi) a bottler[;]; ~~[[or]]~~
3675 (vii) a warehouser and bottler[;]; or
3676 (viii) for a person described in ~~[[Subsection]]~~ Subsections (2)(a)(i)
 through (vii), any of its;

MOTION: Sen. Walker moved to adopt the amendments.

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

MOTION: Sen. Walker moved to pass the bill out favorably as amended.

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

3. S.B. 162 Interstate Insurance Product Regulation - Compact (J. Valentine)

Sen. Valentine explained the bill and the following amendments were distributed:

1. *Page 19, Line 584 through Page 20, Line 587:*

584 b. Product approvals by the Commission or product self-certifications, or any
585 Advertisement in connection with such product, that are in force on the effective date of
586 termination shall remain in force in the Defaulting State in the same manner as if the
587 Defaulting State had withdrawn voluntarily pursuant to Section 1 of this
 ~~[[Article]]~~ article .

2. *Page 20, Lines 604 through 605:*

604 a. Nothing herein prevents the enforcement of any other law of a Compacting State,
605 except as provided in Paragraph b of this ~~[[Article]]~~ section .

MOTION: Sen. Waddoups moved to adopt the amendments.

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

Merwin Stewart, Commissioner, Dept. of Insurance spoke in support of the bill.

MOTION: Sen. Waddoups moved to pass the bill out favorably as amended.

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

MOTION: Sen. Walker moved to adjourn.

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

Chair Hellewell adjourned the meeting at 9:40 a.m.

Sen. Parley G. Hellewell, Chair