

**MINUTES OF THE HOUSE BUSINESS AND LABOR
STANDING COMMITTEE**
Room W010, West Office Building, State Capitol Complex
February 21, 2006

Members Present: Rep. Stephen D. Clark, Chair
Rep. Jim Dunnigan, Vice Chair
Rep. J. Stuart Adams
Rep. Jackie Biskupski
Rep. Carl W. Duckworth
Rep. Craig A. Frank
Rep. Neil A. Hansen
Rep. Todd E. Kiser
Rep. Michael T. Morley
Rep. Gordon E. Snow
Rep. Scott L. Wyatt

Members Absent: Rep. David Clark
Rep. Curtis Oda

Staff Present: Allison Morgan, Policy Analyst
Linda Error, Committee Secretary

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

Vice Chair Dunnigan called the meeting to order at 8:08 a.m.

MOTION: Rep. Adams moved to approve the minutes of the February 17, 2006 meeting.
The motion passed unanimously, with Rep. Morley absent for the vote.

1st Sub. S.B. 69 Protection of Information in Consumer Credit Databases (*Sen. C. Walker*)

Sen. Walker introduced the bill and the substitute to the committee.

MOTION: Rep. Kiser moved to delete in title and body 1st Substitute S.B. 69 and replace it with 2nd Substitute S.B. 69. The motion passed unanimously, with Rep. Morley absent for the vote.

2nd Sub. S.B. 69

Spoke to the bill: Kirk Torgensen, Chief Deputy, Attorney General's Office
Chris Parker, Office of Legislative Research and General Counsel

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

1. *Page 3, Line 81 through Page 4, Line 88:*

- 81 13-42-202. Personal information -- Disclosure of system security breach.
- 82 (1) (a) A person who owns or licenses computerized data that includes personal
- 83 information concerning {~~a~~} more than 5,000 {~~Utah resident~~
- 84 ~~;~~} persons shall, when the person becomes aware of a breach of
- 85 system security, conduct in good faith a reasonable and prompt investigation to determine
- 86 the
- 87 likelihood that personal information has been or will be misused.
- 88 (b) If an investigation under Subsection (1)(a) reveals that the misuse of personal
- information has occurred, or is reasonably likely to occur, the person shall provide
- notification
- to each affected Utah resident.
- (c) A person who owns or licenses computerized data that includes personal**
- information concerning 5,000 or fewer persons shall provide notification of a breach**
- of system security to a Utah resident whose personal information is compromised if**
- the person has actual knowledge that the resident's personal information is**
- compromised.**

The motion to amend passed, with Rep. Duckworth, Rep. Hansen, and Rep. Wyatt voting in opposition. Rep. Morley was absent for the vote.

MOTION: Rep. Kiser moved to pass the substitute bill out favorably as amended. The motion passed unanimously.

H.B. 463 Workers' Compensation Amendments (Rep. J. S. Adams)

Rep. Adams introduced the bill and the substitute to the committee

MOTION: Rep. Kiser moved to delete in title and body H.B. 463 and replace it with 2nd Substitute H.B. 463. The motion passed unanimously.

2nd Sub. H.B. 463

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

H.B. 462 Amendments Related to Lending (Rep. D. Hogue)

Rep. Hogue introduced the bill and the substitute to the committee.

MOTION: Rep. Frank moved to delete in title and body H.B. 462 and replace it with 1st Substitute H.B. 462. The motion passed unanimously, with Rep. Wyatt absent for the vote.

1st Sub. H.B. 462

Spoke for the bill: Laura Polacheck, AARP of Utah
Linda Hilton, Coalition of Religious Communities

Spoke against the bill: Kip Cashmore, Vice President, Utah Consumer Lending Association (handout)
James Evans, private citizen

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

1. Page 1, Line 15:

{~~15~~  imposes limitations on interest that may be charged on a title loan, } }

2. Page 6, Lines 169 through 171:

{~~169~~ (5) If a title loan is rolled over, beginning the day after the day on which the original
170 term of the loan ends, the total of interest and fees charged under the title loan during
171 of a rollover may not exceed 8% annual percentage rate. }

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

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

1. Page 4, Line 114:

114 (i) {~~subject to Subsection (5),~~} a complete schedule of any interest or fees charged for a

2. Page 5, Line 126:

126 (iv) {~~subject to Subsection (5),~~} a statement of the total amount of any interest

or fees

3. *Page 5, Line 135:*

135 (A) ~~{subject to Subsection (5).}~~ the amount of any interest rate or fee,
expressed as:

4. *Page 6, Lines 156 through 157:*

156 (c) extend a title loan that exceeds the fair market value of the vehicle securing the
title
157 loan; ~~{+}~~ or ~~{+}~~

5. *Page 6, Lines 162 through 163:*

162 (iii) employment ~~{+}~~ . ~~{+}~~ ~~{;or}~~
163 ~~—(e) charge interest or fees in excess of the interest or fees allowed under~~
~~Subsection (5).}~~

The motion to amend passed unanimously, with Rep. Kiser and Rep. Wyatt absent for the vote.

MOTION: Rep. Duckworth moved to pass the substitute bill out favorably as amended. The motion passed, with Rep. Dunnigan and Rep. Morley voting in opposition.

1st Sub. S.B. 114 Producer and Affiliate Disclosure Amendments (Sen. B. Evans)

Sen. Evans introduced the bill to the committee.

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

1. Page 1, delete line 25
2. Pages 3, 4, 5 and 6, delete new language on lines 64 through 169

SUBSTITUTE

MOTION: Rep. Morley moved to send the bill back to the Rules Committee for prioritization.

MOTION: Rep. Adams moved to adjourn the meeting. The motion passed, with Rep. Duckworth and Rep. Kiser voting in opposition.

H.B. 292 Use of Eminent Domain (*Rep. A. Tilton*)

This bill was not considered.

Vice Chair Dunnigan adjourned the meeting at 9:20 a.m.

Rep. Stephen D. Clark, Chair