

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

Room C450, State Capitol, Utah State Capitol Complex

February 8, 2008

Members Present: Rep. Stephen D. Clark, Chair
Rep. Jim Dunnigan, Vice Chair
Rep. Jackie Biskupski
Rep. Carl W. Duckworth
Rep. Gage Froerer
Rep. Kevin Garn
Rep. Neil A Hansen
Rep. Todd E. Kiser
Rep. Michael T. Morley
Rep. Paul Neuenschwander
Rep. Mark Walker

Members Absent: Rep. David Clark
Rep. Ben Ferry

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

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

Chair S. Clark called the meeting to order at 8:07 a.m.

MOTION: Rep. S. Clark moved to approve the minutes of the February 5, 2008 meeting. The motion passed unanimously, with Rep. Duckworth, Rep. Dunnigan, Rep. Froerer, and Rep. Morley absent for the vote.

H.R. 3 House Resolution Recognizing Utah's Asthma Open Airways Program
(Rep. T. Kiser)

Rep. Kiser introduced the resolution to the committee.

Spoke for the bill: Sue Carey, citizen of Utah County

MOTION: Rep. Hansen moved to pass the resolution out favorably. The motion passed unanimously, with Rep. Duckworth, Rep. Dunnigan, Rep. Froerer, and Rep. Morley absent for the vote.

MOTION: Rep. Kiser moved to place H.R. 3 on the Consent Calendar. The motion passed unanimously, with Rep. Duckworth, Rep. Dunnigan, Rep. Froerer, and Rep. Morley absent for the vote.

S.B. 68 Workers' Compensation - Death Benefits (*Sen. K. Mayne*)

Sen. Mayne introduced the bill to the committee.

Spoke for the bill: Dennis Lloyd, Workers' Compensation Fund

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

**S.B. 100 Motor Vehicle Dealer Disclosure Requirements Amendments
(*Sen. D. Eastman*)**

Sen. Eastman introduced the bill to the committee.

MOTION: Rep. Duckworth moved to pass the bill out favorably. The motion passed unanimously, with Rep. Biskupski, Rep. Dunnigan, Rep. Froerer, and Rep. Kiser absent for the vote.

MOTION: Rep. Duckworth moved to place S.B. 100 on the Consent Calendar. The motion passed unanimously, with Rep. Biskupski, Rep. Dunnigan, Rep. Froerer, and Rep. Kiser absent for the vote.

**S.B. 144 1st Sub Parameters on Governor's Ability to Enter Agreements Binding the
State (*Sen. S. Jenkins*)**

Sen. Jenkins introduced the bill to the committee.

MOTION: Rep. Garn moved to delete in title and body 1st Substitute S.B. 144 and replace it with 2nd Substitute S.B. 144. The motion passed unanimously, with Rep. Biskupski, Rep. Dunnigan, Rep. Froerer and Rep. Kiser absent for the vote.

Spoke to the bill: Kathy VanDame, Wasatch Clean Air Coalition
 Kevin Carter, School and Institutional Trust Land Administration
 Eric Weeks, Office of Legislative Research and General Counsel

MOTION: Rep. Garn moved to pass the bill out favorably. The motion passed, with Rep. Biskupski, Rep. Duckworth, and Rep. Hansen voting in opposition. Rep. Froerer and Rep. Kiser were absent for the vote.

H.B. 92 Garnishment Amendments (Rep. J. Draxler)

MOTION: Rep. Morley moved to delete in title and body H.B. 92 and replace it with 1st Substitute H.B. 92. The motion passed unanimously, with Rep. Biskupski, Rep. Froerer, and Rep. Kiser absent for the vote.

Rep. Draxler introduced the bill to the committee.

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

1. *Page 2, Lines 52 through 55:*

52 (5) An employer who receives a written request for verification of employment,
 which
53 includes a copy of the judgment and judgment information statement, shall ~~{respond to~~
 the
54 ~~request~~ } provide verification within ~~{five}~~ ten days. The response shall
 indicate whether or not the defendant identified in
55 the documentation is a current employee.

The motion to amend passed unanimously.

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

1. *Page 1, Lines 13 through 14:*

13 ▶ allows a person wrongfully served with a writ of garnishment to ask the court for
14 redress from the plaintiff in an amount up to ~~{ \$500 }~~ \$1,000 ; and

2. *Page 2, Lines 33 through 36:*

33 (3) If a plaintiff attempts to garnish the property of a person other than the defendant
 by
34 -serving a garnishment on a garnishee, that person may recover from the plaintiff an
 amount not
35 to exceed ~~{ \$500 }~~ \$1,000 if the person demonstrates to the court that the plaintiff
 failed to exercise
36 reasonable diligence in determining that the person and defendant were the same
 individual.

The motion to amend passed, with Rep. Biskupski, Rep. Dunnigan, Rep. Hansen, and Rep. Kiser voting in opposition.

MOTION: Rep. Garn moved to pass the bill out favorably as amended. The motion passed unanimously, with Rep. Hansen absent for the vote.

H.B. 184 Construction Amendments (Rep. M. Morley)

Rep. Morley introduced the bill to the committee.

Spoke against the bill: Roger Evans, Park City Municipal Plans Examiner

Spoke for the bill: Craig Moody, Utah Construction Suppliers Association

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

1. *Page 1, Lines 17 through 18:*

17 Other Special Clauses:

18 {~~None~~} **This bill takes effect on January 1, 2009.**

2. *Page 2, Lines 47 through 48:*

47 [(e)] (d) A compliance agency may require additional information for the issuance of
a

48 permit for construction.

Section 2. Effective Date

This bill takes effect on January 1, 2009.

The motion to amend passed, with Rep. Froerer, Rep. Garn, and Rep. Morley voting in opposition.

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

H.B. 128 Utah Residential Mortgage Practices Act Amendments (Rep. M. Newbold)

Rep. Newbold introduced the bill to the committee.

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

MOTION: Rep. Morley moved to place H.B. 184 on the Consent Calendar.

SUBSTITUTE

MOTION: Rep. Biskupski moved to place H.B. 184 and H.B. 128 on the Consent Calendar. The motion passed unanimously, with Rep. Dunnigan absent for the vote.

H.B. 293 Certified Private Building Inspector Authorized (*Rep. D. Aagard*)

This bill was not heard.

MOTION: Rep. Neuenschwander moved to adjourn the meeting. The motion passed unanimously, with Rep. Dunnigan absent for the vote.

Chair Clark adjourned the meeting at 9:42 a.m.

Rep. Stephen D. Clark, Chair