

**MINUTES OF THE SENATE BUSINESS & LABOR  
STANDING COMMITTEE  
MONDAY, JANUARY 28, 2008, 9:00 A.M.  
ROOM W015, WEST OFFICE BUILDING  
STATE CAPITOL COMPLEX**

Members Present: Sen. Kevin VanTassell, Chair  
Sen. Dan Eastman  
Sen. Bill Hickman  
Sen. Wayne Niederhauser  
Sen. Carlene Walker  
Sen. Karen Mayne

Members Absent: Sen. Gene Davis

Staff Present: Allison Nicholson, Policy Analyst  
Karen Allred, Committee Secretary

Public Speakers Present: Richard Hamp, Office of the Attorney General  
Steve Sullivan, attorney, Utah Trial Lawyers Association  
Chris Purcell, State Farm Insurance  
Mike Sonntag, Bear River Insurance  
Gary R. Thorup, attorney, Holme, Roberts & Owen

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

Chair VanTassell called the meeting to order at 9:00 a.m.

**Approval of Minutes**

**MOTION:** Sen. Walker moved to approve the minutes of the January 24, 2008 meeting.

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

**1. S.B. 132 Consumer Credit Protection Act - Attorney General Powers (C. Walker)**

Sen. Walker introduced the bill.

Richard Hamp, Office of the Attorney General, further explained the bill.

**MOTION :** Sen. Hickman moved to amend the bill as follows:

Page 3, line 66, delete the word "alleged" and insert "who is found".

The motion carried unanimously with Sen. Eastman absent for the vote.

**MOTION:** Sen. Hickman moved to amend the bill as follows:

Page 3, lines 63 and 71, delete the word "alleged" and insert "who is found".

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

**MOTION:** Sen. Hickman moved to amend the bill as follows:

Page 3, line 73, delete the word "alleged" and insert "who is found".

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

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

The motion passed unanimously.

**2. S.B. 149 Motor Vehicle Liability Policy Minimum (S. Killpack)**

Sen. Killpack introduced the bill.

Steve Sullivan, attorney, spoke in support of the bill.

Chris Purcell, State Farm Insurance; Mike Sonntag, Bear River Insurance; and Gary R. Thorup, attorney, Holme, Roberts & Owen; spoke to the bill.

**MOTION:** Sen. Hickman moved to pass the bill out favorably.

The motion passed with Sens. VanTassell, Eastman, Hickman, and Walker voting in favor, Sen. Mayne voting in opposition, and Sen. Neiderhauser absent for the vote.

**3. H.B. 21 Employment Security Act Amendments (S. Mascaro)**

Rep. Mascaro introduced the bill.

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

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

**4. H.B. 56 Repeal Provisions Related to Assumption of Indebtedness on Residential Real Property (K. Garn)**

Rep. Garn introduced the bill.

**MOTION:** Sen. Hickman moved to pass the bill out favorably.

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

**MOTION:** Sen. Hickman moved to reconsider the Committee's actions on **S.B. 132**.

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

**MOTION:** Sen. Hickman moved to amend the bill as follows:

1. *Page 2, Lines 49 through 50:*

49           (a) investigate the actions of any person ~~{-alleged-}~~ **who is found** to violate  
              Section 13-44-201 or  
50       13-44-202;

2. *Page 3, Lines 60 through 73:*

60           (8) (a) The attorney general may inspect and copy all records related to the business  
61       conducted by the person ~~{-alleged-}~~ **who is found** to have violated this chapter,  
              including records located outside  
62       the state.

63           (b) For records located outside of the state, the person ~~{-alleged-}~~ **who is**  
              **found** to have violated this  
64       chapter shall pay the attorney general's expenses to inspect the records, including travel  
              costs.

65           (c) Upon notification from the attorney general of the attorney general's intent to  
66       inspect records located outside of the state, the person ~~{-alleged-}~~ **who is found** to  
              have violated this chapter  
67       shall pay the attorney general \$500, or a higher amount if \$500 is estimated to be  
              insufficient,  
68       to cover the attorney general's expenses to inspect the records.

69           (d) The attorney general shall deposit any amounts received under this Subsection (8)  
70       in the Attorney General Litigation Fund established in Section 76-10-922.

- 71           (e) To the extent an amount paid to the attorney general by a person  
              ~~{alleged}~~ who is found to have  
72 violated this chapter is not expended by the attorney general, the amount shall be refunded  
              to  
73 the person ~~{alleged}~~ who is found to have violated this chapter.

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

**MOTION:** Sen. Mayne moved to adjourn.

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

Chair VanTassell adjourned the meeting at 9:46 a.m.

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Sen. Kevin VanTassell, Committee Chair