

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

Room 450, State Capitol, Utah State Capitol Complex
February 18, 2011

Members Present: Rep. Jim Dunnigan, Chair
Rep. Dixon Pitcher, Vice Chair
Rep. Jim Bird
Rep. Jackie Biskupski
Rep. Derek Brown
Rep. Susan Duckworth
Rep. Gage Froerer
Rep. Francis Gibson
Rep. Don Ipson
Rep. Todd Kiser
Rep. Brad Last
Rep. Michael Morley
Rep. Curt Webb
Rep. Larry Wiley

Staff Present: Bryant Howe, Assistant Director
Rosemary Young, Committee Secretary

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

Rep. Pitcher called the meeting to order at 2:07 p.m.

H.B. 128 Health Reform Amendments (*Rep. J. Dunnigan*)

MOTION: Rep. Bird moved to replace H.B. 128 with 1st Substitute H.B. 128. The motion passed unanimously with Rep. Biskupski, Rep. Duckworth, Rep. Last, and Rep. Morley absent for the vote.

MOTION: Rep. Dunnigan moved to amend 1st Substitute H.B. 128 as follows:

1. Page 85, Lines 2609 through 2613:

2609 (2) This bill repeals Uncodified Laws of Utah 2010, Chapter 68, Section 50,
2610 Subsection (3), which provided a future effective date of January 1, 2013, for Title 31A,
2611 Chapter 42a, Utah Statewide Risk Adjuster Act.
2612 (3) The Health System Reform Task Force created in Sections ~~{34}~~ 36 and
 ~~{35}~~ 37 of this bill is
2613 repealed on December 30, 2011.

The motion passed unanimously with Rep. Biskkupski, Rep. Duckworth, Rep. Last, and Rep. Morley absent for the vote.

Rep. Dunnigan explained the bill to the committee assisted by Cathy Dupont, Office of Legislative Research and General Counsel. Dave Gessel, Utah Hospital Association, and Michelle McOmber, Utah Medical Association, spoke to the bill.

The following individuals spoke in favor of the bill:

Shelly Braun	Utah's Health Policy Project
Eliana White	Utah Health Plans
Chet Loftis	Regence Blue Cross Blue Shield

MOTION: Rep. Kiser moved to transmit 1st Substitute H.B. 128 with a favorable recommendation. The motion passed unanimously with Rep. Morley absent for the vote.

H.B. 333 Unfair Inducements Related to Insurance Products (Rep. J. Dunnigan)

MOTION: Rep. Dunnigan moved to replace H.B. 333 with 1st Substitute H.B. 333. The motion passed unanimously with Rep. Bird, Rep. Kiser, and Rep. Morley absent for the vote.

MOTION: Rep. Duckworth moved to amend 1st Substitute H.B. 333 as follows:

1. Page 16, Lines 476 through 478:

476 (u) providing information in a form approved by the commissioner
and directly related to determining whether an insurance product
477 sold by the licensee meets the requirements of a third party contract that requires or
references
478 insurance coverage;

The motion passed unanimously with Rep. Bird, Rep. Ipson, Rep. Last, and Rep. Morley absent for the vote.

Rep. Dunnigan explained the bill to the committee assisted by Suzette Green-Wright, Utah Insurance Department. The following individuals spoke in favor of the bill:

Scott Deru	Utah Association of Health Underwriters
Mike Sonntag	Utah Association of Independent Insurance Agents
Dave Bradshaw	American Insurance
Earl Hurst	Moreton & Company

MOTION: Rep. Gibson moved to transmit 1st Substitute H.B. 333 with a favorable recommendation. The motion passed unanimously with Rep. Ipson, Rep. Last, and Rep. Morley absent for the vote.

Rep. Pitcher relinquished the chair to Rep. Dunnigan.

H.B. 85 Alcoholic Beverage Control Act - Sales to Minors (Rep. V. Peterson)

MOTION: Rep. Kiser moved to amend H.B. 85 as follows:

1. Page 2, Lines 29 through 37:

29 (1) (a) A person may not sell, offer for sale, or furnish an alcoholic product to a
minor.

30 (b) A person may not sell, offer for sale, or furnish a product to a minor that {
31 ~~(i) contains, within packaging, such as a carton, case, or other wrapper,~~
~~the~~} specifically packages together for the purpose of producing an alcoholic
product ingredients

32 necessary to:

33 ~~{(A)}~~ (i) make an alcoholic product; or

34 ~~{(B)}~~ (ii) cause a liquid that is not an alcoholic product to become an
alcoholic product {~~;~~ and

35 ~~(ii) the person who sells, offers for sale, or furnishes the product knows can be~~
~~used to:~~

36 ~~(A) make an alcoholic product;~~

37 ~~(B) cause a liquid that is not an alcoholic product to become an alcoholic~~
~~product~~ } .

The motion passed unanimously with Rep. Bird, Rep. Ipson, Rep. Last, and Rep. Morley absent for the vote.

Rep. Peterson explained the bill to the committee accompanied by John Freeman, Department of Alcoholic Beverage Control. Kate Bradshaw, Utah Food Industry, spoke in favor of the bill.

MOTION: Rep. Froerer moved to transmit H.B. 85 with a favorable recommendation. The motion passed with Rep. Bird, Rep. Wiley, and Rep. Pitcher voting in opposition and Rep. Ipson, Rep. Last, and Rep. Morley absent for the vote.

1st Sub. S.B. 101 Utah Uniform Securities Act Enforcement (Sen. B. McAdams) (Rep. J. Bird)

Sen. McAdams explained the bill to the committee assisted by Keith Woodwell, Division of Securities. Rep. Bird declared a conflict of interest.

MOTION: Rep. Kiser moved to transmit 1st Substitute S.B. 101 with a favorable recommendation. The motion passed unanimously with Rep. Ipson and Rep. Last absent for the vote.

H.B. 326 Trust Deed Foreclosure Changes (Rep. L. Christensen)

MOTION: Rep. Wiley moved to amend H.B. 326 as follows:

1. Page 2, Line 56 through Page 3, Line 60:

56 their successors in interest {+} . {+} {~~;~~and
57 ~~—(e) within 10 days after being executed, be submitted for recording to the office~~
58 ~~of the~~
59 ~~recorder of the county in which the trust property is located.~~}
59 (3) (a) If not previously recorded {~~because the 10-day period under Subsection~~
60 ~~(2)(e)~~
60 ~~has not lapsed,~~} at the time of recording a notice of default, the successor trustee shall
file for

2. Page 3, Line 87:

87 by owner-occupied property, a successor lender who would be entitled, in the event of
a default, to direct a trustee to sell the trust property shall file for recording in the
office of the

3. Page 5, Line 146:

146 the loan, including regarding {~~a loan modification or forbearance~~} all
reasonably available alternatives to foreclosure ; and

4. Page 5, Line 150:

150 terms of the loan or any other reasonably available alternative to foreclosure .

5. Page 6, Line 164:

164 {~~options~~} alternatives to foreclosure;

The motion passed unanimously with Rep. Ipson and Rep. Last absent for the vote.

Rep. Christensen explained the bill to the committee. Sarah Burns, citizen, spoke in favor of the bill.

MOTION: Rep. Gibson moved to hold H.B. 326. The motion passed unanimously with Rep. Ipson, Rep. Last, and Rep. Pitcher absent for the vote.

H.B. 101 Mobile Home Park Residency Act Amendments (Rep. Janice Fisher)

MOTION: Rep. Biskupski moved to replace H.B. 101 with 1st Substitute H.B. 101. The motion passed unanimously with Rep. Duckworth, Rep. Froerer, Rep. Ipson, Rep. Last, and Rep. Pitcher absent for the vote.

MOTION: Rep. Biskupski moved to amend 1st Substitute H.B. 101 as follows:

1. *Page 10, Lines 279 through 280:*

279 (b) the mobile home park owner ~~{provides}~~ delivers or mails to
each resident a 90-day notice of assessment.

280 ~~{by registered or certified mail, }~~ that includes:

The motion passed unanimously with Rep. Duckworth, Rep. Froerer, Rep. Ipson, Rep. Last, and Rep. Pitcher absent for the vote.

Rep. Fisher explained the bill to the committee assisted by Steve Anderson, Utah Manufactured Homeowners Action Group. The following individuals spoke in favor of the bill:

Ken Parker	Utah Manufactured Homeowners Action Group
Shelly Catch	Manufactured homeowner
Collette Hadlock	Homeowners Association

The following individuals spoke in opposition to the bill:

Dale Zabriskie	Utah Housing Alliance
Ben Hoopes	Kingsley Management
Derek Wilson	American Residential Communities

MOTION: Rep. Bird moved to adjourn. The motion failed with Rep. Duckworth, Rep. Gibson, Rep. Kiser, Rep. Wiley, and Rep. Dunnigan voting in opposition and Rep. Froerer, Rep. Ipson, Rep. Last, and Rep. Pitcher absent for the vote.

MOTION: Rep. Biskupski moved to transmit 1st Substitute H.B. 101 with a favorable recommendation.

SUBSTITUTE MOTION: Rep. Gibson moved to adjourn. The motion passed with Rep. Duckworth, Rep. Wiley, and Rep. Dunnigan voting in opposition and Rep. Froerer, Rep. Ipson, Rep. Last, and Rep. Pitcher absent for the vote.

Rep. Dunnigan adjourned the meeting at 4:53 p.m.

Rep. James Dunnigan, Chair