

**MINUTES OF THE
BUSINESS AND LABOR INTERIM COMMITTEE**

Wednesday, November 15, 2006 – 2:00 p.m. – Room W125 House Building

Members Present:

Sen. Scott K. Jenkins, Senate Chair
Rep. Stephen D. Clark, House Chair
Sen. Ed Mayne
Sen. Michael G. Waddoups
Rep. J. Stuart Adams
Rep. Jackie Biskupski
Rep. David Clark
Rep. Carl W. Duckworth
Rep. James A. Dunnigan
Rep. Ben C. Ferry
Rep. Craig A. Frank
Rep. Neil A. Hansen
Rep. Todd E. Kiser

Rep. Michael T. Morley
Rep. Curtis Oda
Rep. Gordon E. Snow
Rep. Scott L. Wyatt

Members Absent:

Sen. Gene Davis
Sen. Dennis Stowell
Sen. John W. Hickman

Staff Present:

Ms. Allison Morgan, Policy Analyst
Ms. Patricia Owen, Associate General Counsel
Ms. Phalin L. Flowers, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Jenkins called the meeting to order at 2:38 p.m.

MOTION: Rep. Hansen moved to approve the minutes of the October 18, 2006 meeting. The motion passed unanimously with Rep. Morley and Rep. Wyatt absent for the vote.

2. Draft Legislation: Lending Registration Acts

Sen. Mayne discussed 2007 General Session draft legislation, "Lending Registration Acts," which was mailed to committee members prior to the meeting.

Mr. Ed Leary, Commissioner, Department of Financial Institutions, distributed and discussed a pamphlet titled "Consumer Guide to Payday Lending in Utah" and a summary of the draft legislation.

Ms. Rachel Lopez, Store Manager, Check City, and spokesperson for UCLA (Utah Consumer Lending Association), spoke in support of the draft legislation. She explained that UCLA supports regulation of payday lending.

Mr. Art Sutherland, Coalition of Religious Communities, spoke generally in favor of legislation regulating payday lending. He suggested that certain language in the legislation be changed to say that the commissioner "will" impose a fine, instead of the commissioner "may" impose a fine.

MOTION: Rep. Kiser moved to pass out 2007 General Session draft legislation, "Lending Registration Acts" as a committee bill with a favorable recommendation. The motion passed unanimously with Rep. Morley and Rep. Wyatt absent for the vote.

3. Privately Owned Health Care Organization Task Force Report

Rep. D. Clark distributed and discussed a draft memo from the chairs of the Task Force (Privately Owned Health Care Organization Task Force). He noted that the report was not approved by the Task Force.

Sen. Waddoups explained that the Task Force heard testimony from many individuals and that a greater understanding of Utah's health care market was achieved.

4. Draft Legislation: Master Plumber Licensing

Chair Jenkins turned the chair over to Rep. S. Clark.

Sen. Jenkins discussed 2007 General Session draft legislation, "Master Plumber Licensing," which was mailed prior to the meeting.

Mr. Robert Dudley, Chair, Board (Plumbing Licensing Board), said the Board has not met to set the credit hours that would be required to equal one year of schooling to obtain a plumbing license.

Mr. Kevin Flannery, Shamrock Plumbing, and President, Utah Plumbing Mechanical Contractors Association, spoke in favor of the draft legislation.

Mr. Robert Bergman, Director, Utah Mechanical Contractors Association, spoke in favor of the draft legislation.

MOTION: Sen. Jenkins moved to pass out 2007 General Session draft legislation, "Master Plumber Licensing" as a committee bill with a favorable recommendation.

SUBSTITUTE MOTION: Rep. Snow moved to refer 2007 General Session draft legislation, "Master Plumber Licensing" to a standing committee without an endorsement from the Committee. The motion failed with Rep. S. Clark, Rep. D. Clark, Rep. Frank, Rep. Kiser, Rep. Oda, Rep. Snow, and Rep. Wyatt voting in favor and Sen. Mayne, Rep. Adams, Rep. Duckworth, Rep. Dunnigan, Rep. Ferry, Rep. Hansen, and Rep. Morley absent for the vote.

The original motion failed with Sen. Jenkins, Sen. Waddoups, Rep. Biskupski, and Rep. S. Clark voting in favor and Sen. Mayne, Rep. Adams, Rep. Duckworth, Rep. Dunnigan, Rep. Ferry, Rep. Hansen, and Rep. Morley absent for the vote.

Chair S. Clark turned the chair back to Sen. Jenkins.

5. Insurer Receivership Act

Rep. Dunnigan introduced the issue and gave an update on the progress of legislation that would enact a new insurer receivership act.

Mr. Neal Gooch, Deputy Commissioner, Utah Insurance Department, distributed and discussed a chart outlining changes to *Utah Code Ann.*, Title 27.

Mr. Mike Sontag, representing the Association (American Insurance Association), explained that while the Association has several reservations with the draft language at this point, it is working with Rep. Dunnigan to solve those issues.

6. Disaster Recovery

Rep. Oda discussed 2007 General Session draft legislation, "Disaster Recovery Funding," which was mailed prior to the meeting.

MOTION: Rep. Oda moved to pass out 2007 General Session draft legislation, "Disaster Recovery Funding" as a committee bill. The motion passed unanimously with Sen. Mayne, Rep. Adams, Rep. Duckworth, and Rep. Hansen absent for the vote.

7. Sunrise Process

Ms. Morgan discussed 2007 General Session draft legislation, "Occupational and Professional Licensure Review Committee," 2007 General Session draft legislation, "Senate Rules Resolution - Occupational and Professional Licensure Review Committee Summary Report," and 2007 General Session draft legislation, "House Rules Resolution - Occupational and Professional Licensure Review Committee Summary Report," which were mailed prior to the meeting.

MOTION: Rep. Morely moved to pass out 2007 General Session draft legislation, "Occupational and Professional Licensure Review Committee," 2007 General Session draft legislation, "Senate Rules Resolution - Occupational and Professional Licensure Review Committee Summary Report," and 2007 General Session draft legislation, "House Rules Resolution - Occupational and Professional Licensure Review Committee Summary Report" as committee bills. The motion passed unanimously with Sen. Mayne, Rep. Adams, Rep. Biskupski, Rep. Duckworth, Rep. Dunnigan, Rep. Hansen, and Rep. Kiser absent for the vote.

8. Technical Amendments

Ms. Owen discussed 2007 General Session draft legislation, "Technical Amendments to Assumption of Indebtedness on Residential Real Property," 2007 General Session draft legislation, "Warranty Deed - Technical Amendments," and 2007 General Session draft legislation, "Deceptive Trade Practices Amendments," which were mailed prior to the meeting. She explained that these bills update language in the Utah Code.

MOTION: Rep. Ferry moved to pass out 2007 General Session draft legislation, "Warranty Deed - Technical Amendments" as a committee bill. The motion passed unanimously with Sen. Mayne, Rep. Adams, Rep. Biskupski, Rep. Duckworth, Rep. Dunnigan, Rep. Hansen, and Rep. Kiser absent for the vote.

MOTION: Rep. Frank moved to pass out 2007 General Session draft legislation, "Technical Amendments to Assumption of Indebtedness on Residential Real Property" and 2007 General Session draft legislation, "Deceptive Trade Practices Amendments" as committee bills. The motion passed unanimously with Sen. Mayne, Rep. Adams, Rep. Biskupski, Rep. Duckworth, Rep. Dunnigan, Rep. Hansen, and Rep. Kiser absent for the vote.

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9. Other Items / Adjourn

MOTION: Rep D. Clark moved to adjourn the meeting. The motion passed unanimously with Sen. Mayne, Rep. Adams, Rep. Biskupski, Rep. Duckworth, Rep. Dunnigan, Rep. Hansen, and Rep. Kiser absent for the vote.

Chair Jenkins adjourned the meeting at 4:19 p.m.