

Background on Select Boards, Commissions, and Committees

The following provides general information regarding select boards, commissions, and committees under the purview of the Business and Labor Interim Committee. For complete details, please refer to the applicable statutes. Also, the summaries in general reflect the relevant statutory provisions, and do not discuss actual practice.

Department of Commerce

Name	Composition	Duties and Relationship with Division or Department
Utah Motor Vehicle Franchise Advisory Board	<ul style="list-style-type: none"> • the executive director • 1 recreational motor vehicle franchisee • 3 new motor vehicle franchisees (from different congressional districts in the state) • 3 members representing motor vehicle franchisors • 3 members of the general public (none of whom shall be related to any franchisee) • 1 representative of the Utah League of Cities and Towns 	<p>Board duties.</p> <p>The advisory board makes recommendations to the executive director on the administration and enforcement of this chapter, including adjudicative and rulemaking proceedings. The executive director, in consultation with the advisory board, shall make rules for the administration of this chapter. In an adjudicative proceeding under this chapter, any order issued by the executive director shall comply with Section 63G-4-208, whether the proceeding is a formal or an informal adjudicative proceeding; and if the order modifies or rejects a finding of fact in a recommendation from the advisory board, shall be made on the basis of information learned from the executive director's personal attendance at the hearing or review of the record developed at the hearing. The advisory board conducts various hearings.</p>
Secondhand Merchandise Advisory Board	<ul style="list-style-type: none"> • 1 representative of the Utah Chiefs of Police Association • 1 representative of the Utah Sheriffs Association • 1 representative of the Statewide Association of Prosecutors • 1 representative of the Utah Municipal Prosecutors' Association • 3 representatives from the pawnshop industry, 3 representatives from the secondhand merchandise business industry, and 1 representative from the coin dealer industry each from a separate pawnshop or dealer, each of which are owned by a separate person or entity • 1 law enforcement officer 	<p>Board duties.</p> <p>The board is required to conduct quarterly training sessions regarding compliance with this chapter and other applicable state laws for any person who owns or is employed by a pawn or secondhand business. The board is also required to monitor and keep a record of the hours of compliance training accrued by each pawn or secondhand business and provide each pawn or secondhand business with a certificate of compliance. The board may propose to the division administrative rules establishing industry standards for best practices, standardized property descriptions, and a roster of software programs for pawn and secondhand businesses setting out minimum basic requirements for functionality. The board may also receive complaints from pawn and secondhand businesses regarding law enforcement agency practices perceived to be inconsistent with this chapter. These complaints may be referred to the Peace Officers Standards and Training Division.</p>

Name	Composition	Duties and Relationship with Division or Department
	<ul style="list-style-type: none"> • 1 law enforcement officer whose work regularly involves pawn and secondhand businesses and who is appointed by the board members • 1 representative from the central database, who is nonvoting 	
Utah Powersport Vehicle Franchise Advisory Board	<ul style="list-style-type: none"> • the executive director; and • six members appointed by the executive director, with the concurrence of the governor, as follows: <ul style="list-style-type: none"> ○ three new powersport vehicle franchisees, each from a different congressional district in the state; and ○ three members representing powersport vehicle franchisors; ○ three members of the general public, none of whom shall be related to any franchisee; or ○ three members consisting of any combination of these representatives 	<p>Advisory board duties.</p> <p>The advisory board has the basic duty of making recommendations to the executive director on the administration and enforcement of this chapter, including adjudicative and rulemaking proceedings. The executive director, in consultation with the advisory board, makes rules for the administration of this chapter. In an adjudicative proceeding under this chapter, any order issued by the executive director shall comply with Section 63G-4-208, whether the proceeding is a formal or an informal adjudicative proceeding and if the order modifies or rejects a finding of fact in a recommendation from the advisory board, shall be made on the basis of information learned from the executive director's personal attendance at the hearing or review of the record developed at the hearing. The advisory board conducts various hearings.</p>
Land Use and Eminent Domain Advisory Board	<ul style="list-style-type: none"> • 1 individual representing special service districts • 1 individual representing municipal government • 1 individual representing county government • 1 individual representing the residential construction industry • 1 individual representing the real estate industry • 1 individual representing the land development community • 1 individual who is a citizen with experience in land use issues, does not hold public office, and is not currently employed, nor has been employed in the previous 12 months, by any of the entities or industries 	<p>Board duties.</p> <p>The executive director with the concurrence of the board shall appoint attorneys to fill legal positions within the Office of the Property Rights Ombudsman. An attorney appointed under this section is an at-will employee who may be terminated without cause by the executive director or the board. The board shall receive reports from the Office of the Property Rights Ombudsman that are requested by the board. The board shall establish rules of conduct and performance for the Office of the Property Rights Ombudsman, and may receive donations or contributions from any source for the Office's benefit and authorize the expenditure of such donations or contributions for the benefit of the Office. The board also has the duty to receive budget recommendations from the Office of the Property Rights Ombudsman and may revise such budget recommendations. The board is also required to maintain a</p>

Name	Composition	Duties and Relationship with Division or Department
		resource list of qualified arbitrators and mediators and qualified persons who may be appointed to render advisory opinions.
Architects Licensing Board (DOPL)	4 architects, 1 member of general public	[The following applies to Architects Licensing Board through Online Prescribing, Dispensing, and Facilitation Licensing Board.]
Podiatric Physician Board (DOPL)	4 podiatric physicians, 1 member of general public	Division duties are listed first, followed by board duties. These licensing boards are advisory (see language “recommending” and “assisting”)
Board of Funeral Service (DOPL)	4 funeral service directors, 1 preneed funeral arrangement sales agent, 2 members of general public	Division duties, functions, and responsibilities.
Barbering, Cosmetology/Barbering, Esthetics, Electrology, and Nail Technology Licensing Board (DOPL)	1 barber or cosmetologist/barber, 1 cosmetologist/barber instructor or representative of a cosmetology/barber school, 1 master esthetician, 1 esthetician instructor or representative of licensed esthetics school, 1 nail technician, 1 nail technician instructor or representative of licensed nail technician school, 1 electrologist, 2 members of general public	The duties, functions, and responsibilities of the division include: prescribing, adopting, and enforcing rules to administer this title; investigating the activities of any person whose occupation or profession is regulated or governed by the laws and rules administered and enforced by the division; subpoenaing witnesses, taking evidence, and requiring by subpoena duces tecum the production of any books, papers, documents, records, contracts, recordings, tapes, correspondence, or information relevant to an investigation upon a finding of sufficient need by the director or by the director's designee; taking administrative and judicial action against persons in violation of the laws and rules administered and enforced by the division, including the issuance of cease and desist orders; seeking injunctions and temporary restraining orders to restrain unauthorized activity; giving public notice of board meetings; keeping records of board meetings, proceedings, and actions and making those records available for public inspection upon request; issuing, refusing to issue, revoking, suspending, renewing, refusing to renew, or otherwise acting upon any license; preparing and submitting to the governor and the Legislature an annual report of the division's operations, activities, and goals; preparing and submitting to the executive director a budget of the expenses for the division; establishing the time and place for the administration of examinations; and preparing
Health Facility Administrators Licensing Board (DOPL)	Administrators: 1 from skilled nursing facility, 2 intermediate care facilities, 1 intermediate care facility for people with an intellectual disability; 1 member of general public	
Optometrist Licensing Board (DOPL)	5 optometrists, 2 members of general public	
Utah State Board of Pharmacy (DOPL)	5 pharmacists, 1 pharmacy technician, 1 member of general public	
Environmental Health Scientist Board (DOPL)	4 environmental health scientists, 1 member of general public	

Name	Composition	Duties and Relationship with Division or Department
Professional Engineers and Professional Land Surveyors Licensing Board (DOPL)	4 licensed professional engineers (representative of the various professional engineering disciplines), 1 licensed professional structural engineer, 1 licensed professional land surveyor, 1 member of general public	lists of licensees and making these lists available to the public at cost upon request unless otherwise prohibited by state or federal law.
Physical Therapy Licensing Board (DOPL)	3 licensed physical therapists, 1 physical therapist assistant, 1 member of general public	Boards duties, functions, responsibilities.
Utah Board of Accountancy (DOPL)	4 licensed certified public accountants, 1 member of general public	Each board is responsible for recommending to the director appropriate rules, policy, and budgetary matters. Each board has the duty of approving and establishing a passing score for applicant examinations, screening applicants and recommending licensing, renewal, reinstatement, and relicensure actions to the director. Each board also assists the director in establishing standards of supervision for students or persons in training in the occupation or profession the board represents. When designated by the director, a board may act as presiding officer in conducting hearings associated with adjudicative proceedings and in issuing recommended orders. Certain boards may recommend to the appropriate legislative committee whether the board supports a change to the licensing act.
Veterinary Board (DOPL)	4 veterinarians, 1 member of general public	
Board of Nursing (DOPL)	9 nurses, 2 members of general public	
Board of Recreational Therapy (DOPL)	2 master therapeutic recreation specialists, 1 therapeutic recreation specialist, 1 therapeutic recreation technician, 1 member of general public	Duties, functions, and responsibilities of division in collaboration with board -- Construction Services Commission.
Athletic Trainers Licensing Board (DOPL)	4 licensed athletic trainers, 1 member representative of directing physicians, 1 member of general public with no related interests	The division, in collaboration with the appropriate board, is responsible for defining which schools, colleges, universities, departments of universities, military educational and training programs, or other institutions of learning are reputable and in good standing with the division. In addition, the division and applicable board are required to prescribe license qualifications and rules governing applications for licenses, provide for a fair and impartial method of examination of applicants, define unprofessional conduct, and establish conditions for reinstatement and renewal of licenses.
Speech-language Pathologist and Audiologist Licensing Board (DOPL)	4 speech-language pathologists/audiologists (1 each from 4 types of practice), 1 member of general public	
Occupational Therapy Licensing Board (DOPL)	3 licensed occupational therapists, 1 licensed occupational therapy assistant, 1 member of general public	
Certified Nurse Midwife Board (DOPL)	4 certified nurse midwives, 1 member of general public	For purposes of the Utah Construction Trades Licensing Act, the Construction Services Commission performs the duties, functions, and responsibilities prescribed to the division.

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Hearing Instrument Specialist Licensing Board (DOPL)	3 hearing instrument specialists, 2 members of general public	<p>ADDITIONAL AUTHORIZED DUTIES – Language specifically enacted in each licensing act (Example: Section 58-5a-201)</p> <p>In addition, the board shall designate one of its members on a permanent or rotating basis to assist the division in reviewing complaints concerning the unlawful or unprofessional conduct of a licensee and advise the division in its investigation of these complaints. A board member who has reviewed a complaint or advised in its investigation may be disqualified from participating with the board when the board serves as a presiding officer in an adjudicative proceeding concerning the complaint.</p> <p>The Advisory Peer Committee has the basic duty of advising the board with respect to the board’s fulfillment of its duties and functions. In addition, the committee has the duty of advising the division with respect to the examination the division is to adopt by rule for the qualification for licensure of a radiology practical technician.</p>
Board of Massage Therapy (DOPL)	4 massage therapists, 1 member of general public	
Dietitian Board (DOPL)	4 certified dietitians, 1 member of general public	
Private Probation Provider Licensing Board (DOPL)	1 representing administrative office of the courts, 1 representing Department of Corrections, 2 licensed as private probation providers, 1 member of general public	
Landscape Architects Board (DOPL)	4 landscape architects, 1 member of general public	
Radiologic Technologist Licensing Board (DOPL)	3 licensed radiologic technologists, 1 licensed radiology practical technician, 1 licensed radiologist assistant, 2 radiologists, 1 physician who is not a radiologist, 1 member of general public	
Advisory Peer Committee (DOPL)	1 physician and surgeon who is not a radiologist and who uses radiology equipment in a rural office-based practice, 1 physician and surgeon who is not a radiologist and who uses radiology equipment in an urban office-based practice, 1 physician and surgeon who is a radiologist practicing in radiology, 1 osteopathic physician, 1 chiropractic physician, 1 podiatric physician, 1 representative of the state agency with primary responsibility for regulation of sources of radiation, 1 representative of a general acute hospital located in a rural area of the state	
Building Inspector Licensing Board (DOPL)	4 building inspectors, 1 member of general public	

Name	Composition	Duties and Relationship with Division or Department
Respiratory Care Licensing Board (DOPL)	1 physician, 3 licensed respiratory care practitioners, 1 member of general public	
Social Worker Licensing Board (DOPL)	1 certified social worker, 3 clinical social workers, 2 social service workers, 1 member of general public	
Marriage and Family Therapist Licensing Board (DOPL)	4 marriage and family therapists, 1 member of general public	
Clinical Mental Health Counselor Licensing Board (DOPL)	4 clinical mental health counselors, 1 member of general public	
Substance Use Disorder Counselor Licensing Board (DOPL)	3 substance use disorder counselors, 3 mental health therapists, 1 member of general public	
Psychologist Licensing Board (DOPL)	4 licensed psychologists, 1 member of general public, 1 licensed behavior analyst	
Security Services Licensing Board (DOPL)	2 officers or owners of a contract security company, 1 officer or owner of an armored car company, 1 nominee of Utah Sheriffs' Association, 1 nominee of Utah Chiefs of Police Association, 2 members of general public	
Deception Detection Examiners Board (DOPL)	3 deception detection examiners, 1 nominee of the Commissioner of Public Safety, 1 nominee of the Utah Peace Officers Association, 1 nominee of the Utah State Bar, 1 member of general public	
Physicians Licensing Board (DOPL)	9 physicians and surgeons, 2 members of general public	

Name	Composition	Duties and Relationship with Division or Department
Osteopathic Physician and Surgeons Licensing Board (DOPL)	4 osteopathic physicians and surgeons, 1 member of general public	
Dentist and Dental Hygienist Licensing Board (DOPL)	6 licensed dentists, 2 licensed dental hygienists, 1 member of general public	
Physician Assistant Licensing Board (DOPL)	3 licensed physicians, 3 physician assistants, 1 member of general public	
Naturopathic Physician Licensing Board (DOPL)	3 licensed naturopathic physicians, 2 members of general public	
Acupuncture Licensing Board (DOPL)	4 licensed acupuncturists, 1 member of general public	
Chiropractic Physician Licensing Board (DOPL)	4 chiropractic physicians, 1 member of general public	
Certified Court Reporters Licensing Board (DOPL)	4 court reporters, 1 member of general public	
Genetic Counselors Licensing Board (DOPL)	4 genetic counselors, 1 member of general public	
Professional Geologist Licensing Board (DOPL)	3 professional geologists, the Utah state geologist, 1 member of general public	
Licensed Direct-entry Midwife Board (DOPL)	4 licensed direct-entry midwives, 1 member of general public	
Vocational Rehabilitation Counselors Licensing Board (DOPL)	4 vocational rehabilitation counselors, 1 member of general public	

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Hunting Guides and Outfitters Licensing Board (DOPL)	3 hunting guides and outfitters, 1 member of the Wildlife Board, 1 person appointed by the Wildlife Board	
Online Prescribing, Dispensing, and Facilitation Licensing Board (DOPL)	2 physicians, 2 pharmacists, 2 members of general public, 1 licensed Internet facilitator	
Construction Services Commission (DOPL)	1 licensed general engineering contractor; 1 licensed general building contractor; 2 licensed residential and small commercial contractors; the 3 chair persons from: the Plumbers Licensing Board, the Alarm System Security and Licensing Board, and the Electricians Licensing Board; 2 members of general public	<p>The Construction Services Commission is not advisory, but shares policy authority with the Division Director.</p> <p>Construction Services Commission functions The commission, with the concurrence of the director, has rulemaking authority to adopt rules to administer and enforce this chapter. Rulemaking authority includes rules relating to the licensing of various licensees, examination requirements and administration of the examinations, standards of supervision for students or persons in training, and standards of conduct for various licensees. The commission shall approve or disapprove fees adopted by the division. The commission also has the duty to conduct all administrative hearings relating to the licensing of any applicant not heard by the applicable board or delegated to an administrative law judge. With the concurrence of the director, the commission is authorized to impose sanctions against licensees and certificate holders. The commission is also to advise the director on the administration and enforcement of any matters affecting the division and the construction industry and on the division's budgetary matters. The commission shall advise and assist trade associations in conducting construction trade seminars and industry education and promotion and perform other duties as provided by this chapter.</p>
Plumbers Licensing Board (DOPL)	2 master or journeyman plumbers, 2 licensed plumbing contractors, 1 member of general public	<p>These boards are like the advisory licensing boards except that they advise the Construction Services Commission, rather than the Division.</p>

Name	Composition	Duties and Relationship with Division or Department
Alarm Systems Security and Licensing Board (DOPL)	3 officers or owners of a licensed alarm business, 1 nominee of the Utah Peace Officers Association, 1 member of general public	<p>Boards duties.</p> <p>Each board is responsible for recommending to the commission appropriate rules and making recommendations on commission policy and budgetary matters. Other responsibilities for each board include approving and establishing a passing score for applicant examinations and overseeing the screening of applicants for licensing, renewal, reinstatement, and relicensure. Each board may also assist the commission in establishing standards of supervision for students or persons in training to become qualified to obtain a license in the occupation or profession the board represents. When authorized by the commission, each board also has the duty to act as a presiding officer in conducting hearings associated with the adjudicative proceedings and in issuing recommended orders.</p>
Electricians Licensing Board (DOPL)	1 master or journeyman electrician representing a union organization, 1 master or journeyman electrician with no union affiliation, 1 licensed electrical contractor representing a union, 1 licensed electrical contractor with no union affiliation, 1 member of general public	
Uniform Building Code Commission (DOPL)	1 from nominees of Utah League of Cities and Towns and the Utah Association of Counties, 1 licensed building inspector, 1 licensed professional engineer, 1 licensed architect, 1 fire official, 1 general contractor, 1 electrical contractor, 1 plumbing contractor, 2 members of general public, 1 member from Division of Facilities Construction Management	<p>Uniform Building Code Commission</p> <p>Reports annually to the Business and Labor Interim Committee. The commission has the duty to offer an opinion regarding the interpretation of or the application of a code if a person submits a request for an opinion. The commission also acts as an appeals board. The commission may also establish advisory peer committees on either a standing or ad hoc basis to advise the commission with respect to matters related to construction and building codes and assist the division in overseeing code-related training. The commission has the duty to recommend whether the Legislature should amend or repeal one or more provisions of a State Construction Code, or in a year of a regularly scheduled update of a nationally recognized code, adopt a construction code with any modifications. The commission also has the authority to amend the State Construction Code if the commission determines that waiting for legislative action would cause an imminent peril to the public health, safety, or welfare, or place a person in violation of federal or other state law. If the commission amends the State Construction Code, the commission is required to file the text of the amendment and an analysis that includes the specific reasons and justifications for the commission's findings with the division.</p>
Unified Code Analysis Council	Council created jointly by the Uniform Building Code Commission and the Utah Fire Prevention Board. Jointly, by rule, the commission and board shall provide for members and procedures.	

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Controlled Substance Advisory Committee (DOPL)	<ul style="list-style-type: none"> • Director of Department of Health • State Medical Examiner • Commissioner of Department of Public Safety • 1 physician designated by Physicians Licensing Board • 1 pharmacist designated by Utah State Board of Pharmacy • 1 dentist designated by Dentist and Dental Hygienist Licensing Board • 1 physician (appointed by governor) • 1 psychiatrist (appointed by governor) • 1 individual with expertise in substance abuse addiction (appointed by governor) • 1 representative designated by Statewide Association of Prosecutors • 1 naturopathic physician (appointed by governor) • 1 advanced practice registered nurse (appointed by governor) • 1 member of general public (appointed by governor) 	<p>The division, in consultation with the commission, may approve, without adopting, one or more approved codes, including a specific edition of a construction code, for use by a compliance agency.</p> <p>Duties of the committee. The committee serves as a consultative and advisory body to the Legislature regarding the movement of a controlled substance from one schedule or list to another, the removal of a controlled substance from any schedule or list, and the designation and the placement of the substance in a designated schedule or list. The committee is required to submit to the Health and Human Services Interim Committee a written report describing any substances recommended by the committee for scheduling, rescheduling, listing, or deletion from the schedules or list and the reasons for the recommendation. The committee’s duties do not include tobacco products or alcoholic beverages.</p>
Residence Lien Recovery Fund Advisory Board (DOPL)	3 licensed contractors, 3 managers of major suppliers of construction materials, 1 member of general public	<p>This board is an advisory board to the Division with its duties reflecting a unique purpose for its creation.</p> <p>Board duties. The duties of the board are to advise the division with respect to informal adjudication of any claim for payment from the fund and any request for a certificate of compliance received by the division. The board acts as the presiding officer in formal adjudicative proceedings held before the division with respect to any claim made for payment from the fund. The</p>

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		<p>board also advises the division with respect to the general operation of the fund, the amount and frequency of any assessment, the amount of any fees required, the availability and advisability of using funds for purchase of surety bonds to guarantee payment to qualified beneficiaries, and the limitation on the fund balance under Section 38-11-206. The board also has the duty to review the administrative expenditures made by the division and report its findings to the executive director.</p>
<p>Utah Securities Commission (Division of Securities)</p>	<p>Appointed by the Governor and confirmed by the Senate, comprised of:</p> <ul style="list-style-type: none"> • Two securities professionals holding active Utah licenses; • One member of the Securities Section of the Utah State Bar; • One officer or director of a non-SEC-reporting business entity; and • One member of the general public. 	<p>Securities Commission duties.</p> <p>The commission is required to formulate and make recommendations to the director regarding policy and budgetary matters, and submit recommendations regarding registration requirements. The commission also acts in an advisory capacity to the director with respect to the exercise of the director's duties, powers, and responsibilities. The commission also has the duty to review rules made by the division for the purpose of concurrence.</p> <p>Examples of policy powers of the commission include the following. The commission has the authority to conduct an administrative hearing that is not delegated by the commission to an administrative law judge or the division and may impose a sanction as provided in this chapter. The commission may delegate to the division the authority to impose a sanction. A person who is subject to the sanction may petition the commission for review of the sanction.</p> <p>A person who is sanctioned by the division may seek agency review by the executive director only after the commission reviews the division's action. The commission may issue an order suspending or revoking a license; barring or censuring a licensee or an officer, director, partner, or person occupying a similar status or performing similar functions for a licensee from employment with a licensed broker-dealer or investment adviser; restricting or limiting a licensee as to a function or activity of the business for which a license is required in this state; imposing a fine; or taking any combination of actions. The director may deny a license. Upon approval by a majority of the commission, the director, by means of an adjudicative proceeding may issue a stop order that denies</p>

Name	Composition	Duties and Relationship with Division or Department
		effectiveness to, or suspends or revokes the effectiveness of, any securities registration statement and may impose a fine if the director makes certain findings.
Residential Mortgage Regulatory Commission (Division of Real Estate)	4 licensees, 1 member of general public – appointed by the executive director and approved by the governor	<p>Commission duties.</p> <p>The commission has the basic duty to advise the division concerning matters related to the administration and enforcement of this chapter. Examples of additional powers of the commission include the following. The commission is required to concur in the licensure or denial of licensure of a person under this chapter. The commission may delegate to the division the authority to review a class or category of application for an initial or renewed license; determine whether an applicant meets the qualifications for licensure; conduct a necessary hearing on an application; and approve or deny a license application without concurrence by the commission. The commission may also take disciplinary action with the concurrence of the director. With the concurrence of the division, the commission is responsible for determining the appropriate number of hours of prelicensing education required to obtain a license, the subject matters of the prelicensing education required, the appropriate number of hours of continuing education required to renew a license, and the subject matter of courses acceptable for continuing education purposes.</p> <p>The commission may appoint a committee to make recommendations concerning approval of prelicensing education and continuing education courses. In addition, the commission and the division shall make the Utah-specific education requirements available electronically through one or more distance education methods approved by the commission and division and make rule establishing procedures under which a licensee may be exempted from a Utah-specific continuing education requirement.</p>
Real Estate Appraiser Licensing and Certification Board (Division of Real Estate)	1 state-licensed or state-certified appraiser who may be either a residential or general licensee or certificate holder, 1 state-certified residential appraiser, 1 state-certified general appraiser, 1	<p>The area of real estate appraiser regulation is subject to significant federal law, which is arguably a check on the board’s authority.</p> <p>Duties of Division.</p>

Name	Composition	Duties and Relationship with Division or Department
	<p>member who is certified as either a state-certified residential appraiser or a state-certified general appraiser, 1 member of general public</p>	<p>Examples of duties of the division in relationship to the board include the following. The division shall hold public hearings under the direction of the board. The division shall provide administrative assistance to the board by providing to the board the facilities, equipment, supplies, and personnel that are required to enable the board to carry out the board's responsibilities under this chapter. The division shall assist the board in improving the quality of the continuing education available to a person licensed, certified, or registered under this chapter. The division shall assist the board with respect to the proper interpretation or explanation of the Uniform Standards of Professional Appraisal Practice as required by Section 61-2g-403 when an interpretation or explanation becomes necessary in the enforcement of this chapter. The division, with the concurrence of the board, shall establish and collect fees for its services under this chapter.</p> <p>Duties of board.</p> <p>Examples of the duties of the board include the following. The board has the duty of providing technical assistance to the division relating to real estate appraisal standards and real estate appraiser qualifications. The board also has the duty to determine the experience and education requirements appropriate for a person licensed or certified under this chapter. The board is to determine the appraisal related acts that may be performed by a trainee on the basis of the trainee's education and experience; clerical staff; and a person who does not hold a license or certification and assists an appraiser licensed or certified under this chapter in providing appraisal services or consultation services. The board shall determine the procedures for a trainee to register and to renew a registration with the division; and develop one or more programs to upgrade and improve the experience, education, and examinations as required under this chapter. The board also has the duty to consider the proper interpretation or explanation of the Uniform Standards of Professional Appraisal Practice when an interpretation or explanation is necessary to enforce this chapter. The board has the authority to conduct an administrative hearing not delegated to an</p>

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		<p>administrative law judge in connection with a disciplinary proceeding concerning a person required to be licensed, certified, or registered under this chapter. Any decision issued that contains findings of fact and conclusions of law, and the implementation of any disciplinary action, is required to be issued with the concurrence of the division. The board shall require and pass upon proof necessary to determine the honesty, competency, integrity, truthfulness, and general fitness to command the confidence of the community of an applicant for original licensure, certification, or registration; and renewal licensure, certification, or registration. The board may delegate to the division the authority to review a class or category of applications for an original or renewed license, certification, or registration; determine whether an applicant meets the qualifications for licensure, certification, or registration; conduct any necessary hearing on an application for an original or renewed license, certification, or registration; and approve or deny an application for an original or renewed license, certification, or registration. The board also has duties under the Appraisal Management Company Registration and Regulation Act.</p>
Real Estate Commission	<p>4 active principal broker, associate broker, or sales agent licensees (at least one shall reside in a county that is not a county of the first or second class),1 member of general public</p> <p>The Real Estate Commission could be affected by the <i>North Carolina Dental Board</i> decision. The division is already working on language to fix the potential problems for the 2016 Legislative session.</p>	<p>Commission duties. Examples of duties of the commission include the following. The commission has the duty to make rules for the administration of this chapter including licensing, registration, education curricula, examination procedures, proper handling of money received by a licensee, recordkeeping requirements, property management, and other standards of conduct. The commission shall establish, with the concurrence of the division, a fee provided for in this chapter, except a fee imposed under the Real Estate Education, Research, and Recovery Fund Act. The commission may conduct an administrative hearing not delegated to an administrative law judge or the division relating to the licensing of an applicant; conduct of a licensee; the certification or conduct of a real estate school, course provider, or instructor; or a violation of this chapter by any person. With the concurrence of the director, the commission may impose a sanction. The commission is also responsible for advising the director on the administration and enforcement of matters affecting</p>

Name	Composition	Duties and Relationship with Division or Department
		the division and the real estate sales and property management industries and matters affecting the division's budget.

Department of Alcoholic Beverage Control

Name	Composition	Duties and Relationship with Division or Department
Alcoholic Beverage Control Commission	7 part-time commissioners, no more than 4 of same political party; appointed by Governor with the consent of the Senate	<p>In summary, the department makes recommendations to the commission and the commission makes final decisions on most items, unless otherwise stated in statute.</p> <p>Powers and duties of the commission. The commission is the general policymaking body on the subject of alcoholic product control. The commission has the power to adopt and issue policies, rules, and procedures. The commission may set policy that establishes criteria and procedures for:</p> <ul style="list-style-type: none"> • issuing, denying, not renewing, suspending, or revoking a package agency, license, permit, or certificate of approval • determining the location of a state store, package agency, or retail licensee • deciding the number and location of state stores, package agencies, and retail licensees in the state • issuing, denying, suspending, revoking, or not renewing the following package agencies, licenses, permits, or certificates of approval for the purchase, storage, sale, offer for sale, furnishing, consumption, manufacture, and distribution of an alcoholic product • issuing, denying, suspending, or revoking conditional licenses for the purchase, storage, sale, furnishing, consumption, manufacture, and distribution of an alcoholic product • fixing prices at which liquor is sold • issuing and distributing price lists showing the price to be paid by a purchaser for each class, variety, or brand of liquor • requiring the director to follow sound management principles and

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		<p>submit a report ensuring that sound management principles are being followed and policies established by the commission are being observed</p> <ul style="list-style-type: none"> • receiving, considering, and acting upon the reports, recommendations, and matters submitted by the director to the commission • prescribing the conduct, management, and equipment of premises upon which an alcoholic product may be stored, sold, offered for sale, furnished, or consumed • taking disciplinary action against a person subject to administrative action <p>The commission has the plenary power to establish a state store, issue authority to act as a package agent or operate a package agency, and issue or deny a license, permit, or certificate of approval.</p> <p>The commission also has two subcommittees: Compliance, Licensing, and Enforcement Subcommittee/Operations and Procurement Subcommittee.</p>
Alcoholic Beverage Control Advisory Board	<p>Voting members appointed by the commission:</p> <ul style="list-style-type: none"> • Full-service restaurant licensee • Limited-service restaurant licensee • Beer-only restaurant licensee • Social club licensee • Fraternal club licensee • Dining club licensee • Wholesaler licensee • On-premise banquet licensee • On-premise beer retailer licensee • Reception center licensee • Chair of the Utah Substance Abuse Advisory Council or designee as a voting member • Chair of the commission or designee as a nonvoting member 	<p>Advisory board duties.</p> <p>The advisory board shall meet no more than quarterly as called by the chair for the purpose of advising the commission and the department, with discussion limited to administrative rules made under this title.</p>

Department of Financial Institutions

Name	Composition	Duties and Relationship with Division or Department
State Board of Financial Institutions	<ul style="list-style-type: none"> • Commissioner • Representative from commercial banking business • Representative from consumer lending, money services business, or escrow agency business • Representative from industrial bank business • Representative from credit union business • 1 general public well qualified to consider economic and financial issues 	<p>Board duties.</p> <p>The board has the duty of advising the commissioner with respect to the exercise of the commissioner's duties, powers, and responsibilities, and the organization and performance of the department and its employees. In addition, the board recommends annually to the governor and the Legislature a budget for the requirements of the department in carrying out its duties, functions, and responsibilities under this title. The Board of Financial Institutions acts as an advisory board and does not have the authority to take action on behalf of the state. The department seeks advice from time to time with respect to proposed legislation and administrative rules. All adjudicative or enforcement authority resides with the commissioner.</p>
Board of Bank Advisors	<p>5 individuals appointed by the governor: each member of the board shall be an individual who is familiar with and associated with banks organized under this chapter; and at least three of the members of the board must have had three or more years of experience as a bank executive officer and be selected from a list submitted to the governor by an association in this state representing commercial banks</p>	<p>Board duties.</p> <p>The board has the duty to advise the governor and commissioner on problems relating to banks organized under this chapter and to foster the interest and cooperation of banks in the improvement of their services to the people of the state. The board does not have the authority to take action on behalf of the state. The department seeks advice from time to time with respect to proposed legislation and administrative rules. All adjudicative or enforcement authority resides with the commissioner.</p>
Board of Credit Union Advisors	<p>5 individuals appointed by the governor: members of the advisory board shall be individuals who are familiar with and associated in the field of credit unions and at least three of the members of the advisory board shall be persons who have had three or more years of experience as a credit union officer and shall be selected from a list submitted to the governor by a bona fide trade association of authorized credit unions recognized by the commissioner</p>	<p>Board duties.</p> <p>The board has the duty to advise the governor and commissioner on problems relating to credit unions and to foster the interest and cooperation of credit unions in the improvement of their services to the people of the state. The board does not have the authority to take action on behalf of the state. The department seeks advice from time to time with respect to proposed legislation and administrative rules. All adjudicative or enforcement authority resides with the commissioner.</p>

Department of Insurance

Name	Composition	Duties and Relationship with Division or Department
Bail Bond Surety Oversight Board	4 licensed bail bond agents from different agencies, 2 members of general public, 1 attorney, 1 non-voting Utah Insurance Department employee (all appointed by the Utah Insurance Commissioner)	<p>Board responsibilities.</p> <p>The Board's purpose is to facilitate the discussion of issues and solutions between the bail bond industry and the Department. The Board brings issues to the Department's attention and both parties discuss them with the industry in open meetings that are required to be held not less than quarterly. The Board has no rulemaking authority, but it does make rule recommendations to the Commissioner. Specifically, it recommends rules regarding licensing, bail bond limits, standards for conduct, procedures for resolving unprofessional conduct, and sanctioning unprofessional conduct. The Board also screens company and agent license applications and recommends actions regarding granting, renewing, suspending, revoking, and reinstating licenses. The Board may conduct investigations of allegations of unprofessional conduct on the part of persons or bail bond sureties involved in the business of bail bond surety insurance and provide the results of the investigations to the commissioner with recommendations for action and any appropriate sanctions.</p>
Title and Escrow Commission	2 employees of a title insurer, 2 employees of an agency title insurance provider, 1 member of general public; apply through Office of Boards and Commissions then recommended by Utah Insurance Commissioner	<p>Duties of the Commissioner and the Title Escrow Commission.</p> <p>The Commission is required to hold open meetings not less than monthly. The meetings are a forum for stakeholders in the title industry to interface with the Utah Insurance Department on issues and concerns affecting the industry and residents of Utah. The Commission has rulemaking authority, except for rules regarding the adjudicative process. It is authorized to make rules regarding rating standards and methods, licensing requirements for title licensees, continuing education requirements, and standards for conduct. All rules made by the commission require concurrence with the Commissioner. If concurrence is not reached, the Commissioner has final authority on the matter. The commission also consults with the Commissioner regarding the imposition of penalties on enforcement matters, and concurrence must be sought before action is taken. If concurrence cannot be reached, the Commissioner has final authority. The Commissioner has final say in rulemaking and in enforcement matters. In both rulemaking and enforcement, state statute requires that the Commission and the Commissioner attempt to reach concurrence prior to taking final action. However, if concurrence is not reached, only the Commissioner has final authority to take action.</p>
Risk Adjuster Board	3-5 representatives of insurers participating in the State's defined contribution market, 1 representative	<p>Powers and duties of board.</p> <p>The board is an advisory body only that makes recommendations to the Commissioner. The board has the power to create and oversee a mechanism through which Utah's participating</p>

Name	Composition	Duties and Relationship with Division or Department
	<p>of an individual employee or employer, 1 representative of the Office of Consumer Health Services, 1 employee of Public Employees Health Plan appointed by PEHP director, 1 representative of the Utah Insurance department appointed by the Commissioner; unless noted, the board members are appointed by the Governor and confirmed by the Senate</p>	<p>insurers can compete fairly on Avenue H, Utah's small group defined contribution market. The board's powers include the ability to establish appropriate insurance rate adjustments, underwriting policies and actuarial functions related to the operation of the defined contribution market, the ability to contract with vendors to perform the provisions of the statute and other administrative duties, with the approval of the Commissioner, and the ability to take legal action as necessary.</p> <p>Powers of the commissioner. The Commissioner has sole rulemaking authority to approve the Board's recommended plan of operation if the Commissioner determines that the plan is consistent with the duties of the board and it is a fair and reasonable administration of the risk adjuster program. There are no statutory requirements for reaching concurrence on any matters.</p>

Labor Commission

Name	Composition	Duties and Relationship with Division or Department
<p>Workers' Compensation Advisory Council (WCAC)</p>	<p>10 voting members- 5 employer representatives and 5 employee representatives; 5 nonvoting members – 1 rep from Workers' Compensation Fund, 1 rep from a private insurance carrier, 1 rep from a health care provider, the Insurance Commissioner, the Labor Commissioner</p>	<p>Advisory council duties. The basic duty of the WCAC is to advise the Commission, the Industrial Accidents Division, and the Legislature on the laws related to workers' compensation and occupational disease and the administration of these laws and related rules. The WCAC is also charged with reviewing workers' compensation insurance premiums and recommending changes when appropriate. The WCAC serves in an advisory capacity and has no regulatory authority. While it advises on rules and statutory changes, it does not have rulemaking authority and cannot engage in enforcement actions, with or without the Commission's involvement. The Commission, through the Commissioner, is the only entity authorized to take action on behalf of the state and has the final say on rulemaking. The only enforcement activity related to workers' compensation is in regards to ensuring all employers carry appropriate workers' compensation coverage for their employees. The WCAC has no authority to enforce compliance or a role in doing so.</p>

Name	Composition	Duties and Relationship with Division or Department
Mine Safety Technical Advisory Council (MSTAC)	<p>13 voting members – 1 rep. of coal miner union; 2 with coal mining experience; 2 reps. of coal mine operators; 1 rep. of industry trade association; 2 from local law enforcement agencies or medical service providers; 3 from seismology, mining engineering, mine safety, or related; 2 reps. of entities engaged in mine safety training</p> <p>5 nonvoting members – the exec. dir. of the Department of Natural Resources, the commissioner of the Department of Public Safety, rep. of the Mine Safety and Health Administration, rep. of the Bureau of Land Management</p>	<p>Advisory council duties.</p> <p>The basic duties of the MSTAC include advising and making recommendations to the Commission, the Office of Coal Mine Safety, and the Legislature on the safety of coal mines and mining in Utah, the prevention of coal mine accidents, coal miner certification, and other issues related to coal mine safety. MSTAC serves in an advisory capacity and has no regulatory, rulemaking, or enforcement authority. The Commission, through the Commissioner, is the only entity authorized to take action on behalf of the state regarding an MSTAC recommendation. The Commissioner has the final say on rulemaking.</p>
Coal Mine Certification Panel	<p>Commissioner and at least 8 other members consisting of individuals who manage coal mine operations and hourly coal mining employees</p>	<p>Panel duties.</p> <p>An individual must pass a Utah certification test in order to work in certain coal mining occupations. The basic duty of the Panel is to administer the certification test to qualified applicants. The Panel also interviews applicants for certain temporary certifications and makes a recommendation to the Commission regarding the applicant’s eligibility. The Panel has no regulatory, rulemaking, or enforcement authority. The Commission, through the Commissioner, is the only entity authorized to grant a certificate to an applicant who passes the certification test or who meets the qualifications for a temporary certificate.</p>