

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

Room 450, State Capitol, Utah State Capitol Complex
February 12, 2010

Members Present: Rep. Jim Dunnigan, Chair
Rep. Patrick Painter, Vice Chair
Rep. Jackie Biskupski
Rep. Stephen Clark
Rep. Susan Duckworth
Rep. Gage Froerer
Rep. Kevin Garn
Rep. Francis Gibson
Rep. Neil Hansen
Rep. Brian King
Rep. Todd Kiser
Rep. Michael Morley
Rep. Brent Wallis
Rep. Curt Webb

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. Dunnigan called the meeting to order at 8:08 a.m.

MOTION: Rep. Kiser moved to approve the minutes of the Feb. 9, 2010 meeting. The motion passed unanimously with Rep. Duckworth, Rep. Froerer, Rep. Garn, Rep. Gibson, Rep. King, and Rep. Painter absent for the vote.

H.B. 183 Construction and Fire Code Related Amendments (*Rep. M. Morley*)

Rep. Morley moved to amend H.B. 183 as follows:

1. Page 14, Lines 406 through 409:

- 406 (a) issuing permits, including open burning permits pursuant to Sections 11-7-1 and
407 19-2-114; ~~{and}~~
408 (b) creating a local board of appeals in accordance with the state fire code ~~{+}~~ ;
~~and~~ ~~{+}~~ ~~{-}~~
409 ~~{+}~~ (c) **establishing, modifying, or deleting fire flow and water supply**
requirements. ~~{+}~~

The motion passed unanimously with Rep. Duckworth, Rep. Froerer, Rep. Garn, Rep. Gibson,

Rep. King, and Rep. Painter absent for the vote.

Rep. Morley introduced the bill and explained it to the committee.

MOTION: Rep. Kiser moved to transmit H.B. 183 as amended with a favorable recommendation. The motion passed unanimously with Rep. Garn, Rep. Gibson, Rep. King, and Rep. Painter absent for the vote.

H.B. 275 Division of Real Estate Amendments (*Rep. G. Froerer*)

MOTION: Rep. Froerer moved to replace H.B. 275 with 1st Substitute H.B. 275. The motion passed unanimously with Rep. Garn and Rep. Painter absent for the vote.

Rep. Froerer, assisted by Deanna, Sabey, Director, Division of Real Estate, introduced the bill and explained it to the committee. Rick Lifferth, Utah Association of Appraisers, and Chris Kyler, Utah Association of Realtors, spoke in favor of the bill. Ron Smith, an appraiser, spoke against the bill; and Thad LeVar, Department of Occupational and Professional Licensing, spoke to the bill.

MOTION: Rep. Morley moved to transmit 1st Sub. H.B. 275 with a favorable recommendation. The motion passed unanimously with Rep. Biskupski and Rep. Garn absent for the vote.

H.J.R. 24 Joint Resolution on Equal Treatment by Government (*Rep. C. Oda*)

Rep. Oda introduced the resolution and called upon Jennifer Gratz and Ward Connerly from the American Civil Rights Institute to tell their experiences and why they support the legislation. Gayle Ruzicka, Eagle Forum, and Michael Sanchez, citizen, spoke in favor of the resolution; and Tony Yapias, Latino Community, and Mark Alvarez, attorney, spoke against the resolution.

MOTION: Rep. Morley moved to transmit H.J.R. 24 with a favorable recommendation.

SUBSTITUTE MOTION: Rep. Hansen moved to amend the resolution by inserting in line 57 after the word "race" the following: "religion, height, weight, looks, dress, language, handicap, age, odor, health, wealth, and economic status." The motion to amend failed with Rep. Biskupski, Rep. Duckworth, and Rep. Hansen voting in favor.

SUBSTITUTE MOTION: Rep. Biskupski moved to send the resolution to interim study. The motion failed with Rep. Biskupski, Rep. Duckworth, Rep. Hansen, and Rep. King voting in favor.

The vote on the original motion to transmit H.J.R. 24 with a favorable recommendation passed

with Rep. Biskupski, Rep. Duckworth, Rep. Hansen, and Rep. King voting in opposition.

S.B. 103 Adverse Possession of Real Property (*Sen. S. Urquhart*) (Rep. D. Ipson)

Sen. Urquhart distributed a handout and was assisted by Mike Wilson, General Manager, Metropolitan Water District of Salt Lake & Sandy, and Shawn Draney, General Counsel, MWDSLS in explaining the bill to the committee.

MOTION: Rep. Painter moved to transmit S.B. 103 with a favorable recommendation. The motion passed unanimously with Rep. Garn and Rep. Morley absent for the vote.

H.B. 181 Condominium Association Common Expenses (*Rep. C. Moss*)

Rep. Moss, assisted by John Richards, Lawfirm, Richards, Kimball & Winn, introduced the bill and explained it to the committee. John Morris, Community Association Institute Legislative Action Committee, spoke in favor of the bill.

MOTION: Rep. Painter moved to transmit H.B. 181 with a favorable recommendation. The motion passed unanimously with Rep. Garn absent for the vote.

MOTION: Rep. Duckworth moved to place H.B. 181 on the Consent Calendar. Rep. Froerer voiced opposition, so a vote was not taken.

H.B. 227 Licensing Eligibility (*Rep. S. Sandstrom*)

MOTION: Rep. Painter moved to replace H.B. 227 with 1st Substitute H.B. 227. The motion passed unanimously with Rep. Duckworth and Rep. Garn absent for the vote.

Rep. Sandstrom distributed a handout and explained the substitute bill to the committee. Mark Alvarez, attorney, and Tony Yapias, Latino Community, spoke against the bill. John Hiskey, Sandy City, spoke to the bill.

MOTION: Rep. Painter moved to transmit 1st Sub. H.B. 227 with a favorable recommendation. The motion passed with Rep. Biskupski, Rep., Duckworth, Rep. Hansen, Rep. King, and Rep. Webb voting in opposition and Rep. Garn absent for the vote.

MOTION: Rep. Morley moved to adjourn. The motion passed unanimously with Rep. Garn absent for the vote. Rep. Dunnigan adjourned the meeting at 10:04 a.m.

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Rep. James Dunnigan, Chair