

MINUTES OF THE SENATE BUSINESS & LABOR STANDING COMMITTEE

Room 215 Senate Building

March 4, 2013

Members Present: Sen. Curtis S. Bramble, Chair
Sen. Gene Davis
Sen. Deidre M. Henderson
Sen. David P. Hinkins
Sen. Karen Mayne
Sen. John L. Valentine
Sen. Todd Weiler

Staff Present: Mr. Bryant R. Howe, Assistant Director
Ms. Karen Allred, Committee Secretary

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

Chair Bramble called the meeting to order at 4:35 p.m.

Approval of Minutes

MOTION: Sen. Davis moved to approve the minutes of March 1, 2013. The motion passed unanimously with Sens. Mayne, Valentine and Weiler absent for the vote.

S.B. 237 Taxation of Short-term Lodging (*J. S. Adams*)

MOTION: Sen. Davis moved to amend the bill as follows:

1. Page 157, Lines 4834 through 4844:

4834 possession, use, or occupancy of the short-term lodging;
4835 (C) remit to the commission , by electronic means in a manner prescribed by the
commission, the tax {-described in Subsection (3)(i)(i)(A)-} due on the
4836 short-term lodging intermediary charge; and
4837 (D) remit to the short-term lodging operator the tax due on the short-term lodging
4838 operator charge;
4839 (ii) the short-term lodging operator shall , by electronic means in a manner
prescribed by the commission, remit to the commission the tax due on the
4840 short-term lodging operator charge;
4841 (iii) the commission may not require:
4842 (A) a short-term lodging operator to remit a tax on a short-term lodging intermediary
4843 charge that was not remitted to the {short-term lodging operator} commission
by the short-term lodging
4844 intermediary; or

The motion passed unanimously with Sens. Mayne, Valentine and Weiler absent for the vote.

Sen. Adams introduced and explained the bill.

Spoke in support of the bill: Bruce Johnson, Commissioner, Utah Tax Commissioner
Roger Tew, Attorney, Lobbyist, Utah League of Cities and Towns
Jordan Garn, Utah Hotel & Lodging Association

MOTION: Sen. Hinkins moved to transmit **S.B. 237** favorably as amended. The motion passed unanimously with Sens. Mayne, Valentine and Weiler absent for the vote.

H.B. 202 Energy Conservation Code Amendments (*B. Wilson*)

MOTION: Sen. Henderson moved to amend the bill as follows:

1. *Page 1, Lines 17 through 18:*

17 Other Special Clauses:

18 This bill { ~~takes effect on July 1, 2013~~ } provides a contingent effective date .

2. *Page 3, Lines 70 through 73:*

70 (2) In IRC, Section N1101.14 (R303.3), all wording after the first sentence is deleted.

71 (3) In IRC, Table N1102.1.1 {~~(402.1.1)~~ (R402.1.1) and Table N1102.1.3 (R402.1.3), the rows for

72 "climate zone 3", "climate zone 5 and Marine 4", and "climate zone 6" are deleted and replaced

73 and a new footnote j is added as follows:

3. *Page 4, Lines 106 through 108:*

106 (11) In IRC, Section N1102.4.4 (R402.4.4), the last sentence is deleted.

107 (12) In IRC, Section N1103.2.2 (R403.2.2), the requirements for {~~duct~~ tightness} total leakage testing

108 are deleted and replaced with the following:

4. *Page 5, Lines 119 through 122:*

119 (13) In IRC, Section N1103.2.2 (R403.2.2), the exception for ~~{duct~~
~~tightness}~~ total leakage testing is
120 deleted and replaced with the following: "Exception: The total leakage test is not required
for
121 systems with all air handlers and at least 50% of all ducts (measured by length) located
entirely
122 within the building thermal envelope."

5. *Page 6, Lines 153 through 155:*

153 (19) In Table N1105.5.2(2) (R405.5.2(2)), the number "0.80" is inserted under
"Forced

154 air systems" for "Distribution system components located in unconditioned space".

155 (20) In IRC, Section M1307.2, the words "In Seismic Design Categories D1 and D2"

(21)The RESCheck Software adopted by the United States Department of Energy and modified to meet the requirements of this section shall be used to verify compliance with this section. The software shall address the Total UA alternative approach and account for Equipment Efficiency Trade-offs when applicable per the standard reference design as amended.

6. *Page 10, Lines 267 through 268*
House Committee Amendments
2-21-2013:

267 (22) In IECC, Table R405.5.2(2), the number "0.80" is inserted under "Forced air
268 systems" for "Distribution system components located in unconditioned space".

(23)The RESCheck Software adopted by the United States Department of Energy and modified to meet the requirements of this section shall be used to verify compliance with this section. The software shall address the Total UA alternative approach and account for Equipment Efficiency Trade-offs when applicable per the standard reference design as amended.

7. *Page 10, Lines 276 through 277*
House Committee Amendments
2-21-2013:

276 Section 5. Contingent ~~{Effective}~~ effective date.

277 ~~{This bill takes effect on July 1, 2013.}~~ This bill takes effect on the first day of the month following the month in which the Uniform Building Code Commission certifies in writing to the Business and Labor Interim Committee that

the United States Department of Energy has adopted a version of the RESCheck software that can be used to verify compliance to the requirements of this bill.

The motion passed unanimously with Sens. Mayne, Valentine and Weiler absent for the vote.

Rep. Wilson introduced and explained the bill and a handout was distributed.

MOTION: Sen. Hinkins moved to transmit **H.B. 202** favorably as amended. The motion passed unanimously with Sens. Mayne, Valentine and Weiler absent for the vote.

MOTION Sen. Hinkins moved to place **H.B. 202** as amended on the Consent Calendar. The motion passed unanimously with Sens. Mayne, Valentine and Weiler absent for the vote.

H.B. 310 Construction Code Amendments (*B. Wilson*)

Rep. Wilson introduced and explained the bill.

MOTION: Sen. Davis moved to transmit **H.B. 310** favorably. The motion passed unanimously with Sens. Mayne, Valentine and Weiler absent for the vote.

S.B. 256 Preconstruction and Construction Liens Amendments (*S. Jenkins*)

Sen. Jenkins introduced and explained the bill.

MOTION: Sen. Davis moved to transmit **S.B. 256** favorably. The motion passed unanimously with Sens. Mayne, Valentine and Weiler absent for the vote.

MOTION: Sen. Hinkins moved to place **S.B. 256** on the Consent Calendar. The motion passed unanimously with Sens. Mayne, Valentine and Weiler absent for the vote.

S.B. 249 Salvage and Nonrepairable Vehicle Amendments (*S. Urquhart*)

Sen. Urquhart introduced and explained the bill.

Spoke in favor of the bill: Wayne Jones, Executive Director, Used Car Dealers Association
Gary Thorup, Attorney
Robert Lowe, Insurance Auto Auction
Candace Daly, Lobbyist
Holly Richardson, Holly On The Hill

MOTION: Sen. Henderson moved to transmit **S.B. 249** favorably. The motion passed unanimously with Sens. Davis, Mayne and Weiler absent for the vote.

S.B. 261 Amendments Related to Alcoholic Beverage Control (*J. Valentine*)

MOTION: Sen. Valentine moved to amend the bill as follows:

1. *Page 38, Lines 1165 through 1167:*

1165 (11) (a) The commission shall impose, at a minimum, the following penalties for a
1166 violation related to service of an alcoholic product to a minor:

1167 (i) for a first violation {~~1~~} ∴

(A) a mandatory minimum fine of {~~\$3,000~~} **\$2,500** ∴ and

(B) mandatory training under Chapter 5, Part 4, Alcohol Training and Education Act of anyone who is required to be trained under Chapter 5, Part 4, but who has completed the training more than 11 months before the day on which the fine described in Subsection (11)(a)(i)(A) is imposed;

The motion passed unanimously with Sens. Davis, Mayne and Weiler absent for the vote.

Sen. Valentine introduced and explained the bill and answered questions from the committee.

Chair Bramble relinquished the Chair to Sen. Henderson.

MOTION: Sen. Valentine moved to transmit **S.B. 261** favorably.

SUBSTITUTE MOTION: Sen. Weiler moved to proceed to the next item on the agenda. The motion passed with Sens. Davis, Henderson and Weiler voting in favor of the motion, Sens. Valentine and Hinkins voting in opposition and Sens. Bramble and Mayne absent for the vote.

H.B. 238 Cosmetology and Hair Braiding (*J. Dunnigan*)

Rep. Dunnigan introduced and explained the bill and answered questions from the committee.

MOTION: Sen. Davis moved to transmit **H.B. 238** favorably. The motion passed unanimously with Sens. Bramble, Mayne and Valentine absent for the vote.

MOTION: Sen. Davis moved to place **H.B. 238** on the Consent Calendar. The motion passed unanimously with Sens. Bramble, Mayne and Valentine absent for the vote.

H.B. 240 Alcohol Service in Restaurants (*J. Fisher*)

Rep. Fisher introduced and explained the bill.

MOTION: Sen. Hinkins moved to transmit **H.B. 240** favorably. The motion passed unanimously with Sens. Bramble, Mayne and Valentine absent for the vote.

MOTION: Sen. Hinkins moved to place **H.B. 240** on the Consent Calendar. The motion passed unanimously with Sens. Bramble, Mayne and Valentine absent for the vote.

S.B. 251 Truth in Advertising (*B. Shiozawa*)

Sen. Weiler introduced and explained the bill.

MOTION: Sen. Hinkins moved to transmit **S.B. 251** favorably. The motion passed unanimously with Sens. Bramble and Valentine absent for the vote.

MOTION: Sen. Hinkins moved to adjourn. The motion passed unanimously with Sens. Bramble and Valentine absent for the vote. Acting Chair Henderson adjourned the meeting at 5:45 p.m.

Sen. Curtis S. Bramble, Committee Chair