

**MINUTES OF THE
HOUSE JUDICIARY STANDING COMMITTEE MEETING**
20 House Building, Utah State Capitol Complex
February 4, 2014

Members Present: Rep. Kay L. McIff, Chair
Rep. Lee B. Perry, Vice Chair
Rep. Patrice Arent
Rep. LaVar Christensen
Rep. Brian M. Greene
Rep. Craig Hall
Rep. Eric K. Hutchings
Rep. Brian S. King
Rep. V. Lowry Snow

Staff Present: Ms. Chelsea Lloyd, Policy Analyst
Ms. Linda Black, Committee Secretary

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

Chair McIff called the meeting to order at 4:05 p.m.

H.B. 53 Restitution Amendments (Rep. J. Peterson)

Rep. J. Peterson explained the bill.

MOTION: Rep. Perry moved to amend the bill as follows:

1. Page 2, Lines 37 through 38:

- 37 (c) Notwithstanding Subsection (2)(a) **(ii)** , the court retains jurisdiction to make
and
38 enforce orders related to restitution.

The motion passed unanimously with Rep. Christensen, Rep. Hall, Rep. Hutchings, and Rep. Snow absent for the vote.

MOTION: Rep. Perry moved to pass the bill out favorably as amended. The motion passed unanimously with Rep. Hall, Rep. Hutchings, and Rep. Snow absent for the vote.

H.B. 247 Court Parking Facilities (Rep. L. Wiley)

Rep. Wiley explained the bill to the committee.

Spoke to the bill: Mr. Roger Griffin, attorney, Weber County

MOTION: Rep. Greene moved to move to the next agenda item. The motion passed unanimously with Rep. Hall and Rep. Perry absent for the vote.

H.J.R. 5 Uniform Building Code Commission Review of Proposed Building Code Changes Joint Resolution (Rep. J. Nielson)

Rep. Nielson explained th bill to the committee.

MOTION: Rep. Greene moved to amend the bill as follows:

1. Page 2, Line 45 through Page 3, Line 63:

- 45 {~~WHEREAS, the UBCC is recognized in Utah Code Section 15-A-1-203 as the~~
46 ~~only~~
47 ~~entity to advise the Division of Occupational and Professional Licensing (DOPL) with~~
48 ~~respect~~
49 ~~to DOPL's responsibilities in administering the construction codes for the state of~~
50 ~~Utah;~~
51 ~~—WHEREAS, the state statute delegates construction code interpretation and~~
52 ~~opinions to~~
53 ~~the UBCC;~~
54 ~~—WHEREAS, it would seem appropriate that, if not required by law, any action to~~
55 ~~change the construction code should be submitted to the commission for its opinion;~~
56 ~~—WHEREAS, once vetted, the commission's opinion is then submitted to the~~
 ~~Business~~
 ~~and Labor Interim Committee for a ruling as to whether the proposed code change~~
 ~~should be~~
 ~~prepared for potential legislative action; and~~
 ~~—WHEREAS, following this process will establish and ensure that life, safety,~~
 ~~good~~
 ~~construction practice, public welfare, and a common sense of order is followed when~~

57 ~~construction code changes are proposed through legislation:~~
58 ~~—NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of~~
~~Utah~~
59 ~~recognizes the Uniform Building Code Commission as the only entity to advise the~~
~~Division of~~
60 ~~Occupational and Professional Licensing with respect to the division's responsibilities~~
~~in~~
61 ~~administering the construction codes for the state of Utah. }~~
62 { ~~BE IT FURTHER~~ } NOW, THEREFORE, BE IT RESOLVED that the
Legislature of the state of Utah recognizes that
63 any action to change the state construction code { ~~should~~ } may be submitted to
the Uniform Building

The motion passed unanimously with Rep. Hall and Rep. Perry absent for the vote.

MOTION: Chair McIff moved to further amend the bill as follows:

1. *Page 1, Line 17:*

17 ▶ recognizes the Uniform Building Code Commission as { ~~the only~~
~~entity~~ } empowered to advise the

The motion passed unanimously with Rep. Christensen, Rep. Hutchings, and Rep. Perry absent for the vote.

Spoke to the bill: Mr. Bryan M. Romney, Utah Building Code Advisor

Spoke for the bill: Mr. Darrel Bostwick, Association of Builders and Contractors
 Mr. Brent Ursenbach, Utah Building Code Advisor
 Ms. Heather Wilson, Executive Director, American Institute of Architects

MOTION: Rep. Snow moved to pass the bill out favorably as amended. The motion passed unanimously with Rep. Hutchings and Rep. Perry absent for the vote.

H.B. 270 **Peace Officer Certificates** (*Rep. R. Greenwood*)

Rep. Greenwood explained the bill to the committee.

Spoke for the bill: Mr. Scott Stephenson, Peace Officers Standards and Training

MOTION: Rep. Arent moved to pass the bill out favorably. The motion passed unanimously with Rep. Perry absent for the vote.

MOTION: Rep. Arent moved to place H.B. 270 on the Consent Calendar. The motion passed unanimously with Rep. Perry absent for the vote.

H.B. 287 Arbitration for Dog Bites Amendments (*Rep. L. Christensen*)

Rep. Christensen explained the bill to the committee.

Spoke for the bill: Mr. Kenneth Christensen, attorney
Mr. Roger Griffin, representing Craig Swapp and Associates

MOTION: Rep. King moved to pass the bill out favorably. The motion passed unanimously with Rep. Hutchings and Rep. Perry absent for the vote.

MOTION: Rep. Snow moved to adjourn the meeting. The motion passed unanimously with Rep. Hutchings and Rep. Perry absent for the vote.

Chair McIff adjourned the meeting at 5:35 p.m.