

Representative Don E. Bush proposes the following substitute bill:

**UTAH OCCUPATIONAL SAFETY AND HEALTH
ADVISORY COUNCIL AMENDMENTS**

2002 GENERAL SESSION

STATE OF UTAH

Sponsor: Don E. Bush

This act modifies the Utah Labor Code by modifying provisions governing the Utah Occupational Safety and Health Advisory Council.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

34A-6-106, as renumbered and amended by Chapter 375, Laws of Utah 1997

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **34A-6-106** is amended to read:

34A-6-106. Occupational Safety and Health Advisory Council -- Appointment.

(1) (a) There is created a Utah Occupational Safety and Health Advisory Council to assist the division in standard formulation.

(b) Voting members on the council shall be appointed by the commissioner and shall consist of six persons selected upon the basis of their experience and competence in the field of occupational safety and health and shall include:

- (i) two representatives of labor;
- (ii) two representatives of industry; and
- (iii) two representatives of the public.

(c) In addition to the voting members under Subsection (1)(b), the commissioner or the commissioner's designee shall serve as a nonvoting member.

(2) (a) Except as required by Subsection (2)(b), as terms of current council members expire, the commissioner shall appoint each new member or reappointed member to a four-year



26 term.

27 (b) Notwithstanding the requirements of Subsection (2)(a), the commissioner shall, at the
28 time of appointment or reappointment, adjust the length of terms to ensure that the terms of council
29 members are staggered so that approximately half of the council is appointed every two years.

30 (c) The commissioner may reappoint any council member for additional terms.

31 (d) The commissioner or the commissioner's designee shall serve as chair of the council
32 and call all necessary meetings.

33 (3) The council shall [~~confer at least quarterly~~] meet as needed when called by the chair.

34 (4) (a) When a vacancy occurs in the membership for any reason, the replacement shall
35 be appointed for the unexpired term.

36 (b) The commissioner shall terminate the term of any council member who ceases to be
37 a representative as designated by the member's original appointment.

38 (5) The administrator shall furnish the council clerical, secretarial, and other services
39 necessary to conduct the business delegated to the council.

40 (6) (a) Members shall receive no compensation or benefits for their services, but may
41 receive per diem and expenses incurred in the performance of the member's official duties at the
42 rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

43 (b) Members may decline to receive per diem and expenses for their service.