

**MINUTES OF THE SENATE BUSINESS & LABOR
STANDING COMMITTEE
WEDNESDAY, FEBRUARY 7, 2007, 2:30 P.M.
ROOM W015, WEST OFFICE BUILDING
STATE CAPITOL COMPLEX**

Members Present: Sen. Kevin VanTassell, Chair
 Sen. Dan Eastman
 Sen. Bill Hickman
 Sen. Wayne Niederhauser
 Sen. Carlene Walker
 Sen. Gene Davis
 Sen. Ed Mayne

Staff Present: Allison Nicholson, Policy Analyst
 Karen Allred, Committee Secretary

Public Speakers Present: Donald Marano, President, IHI Environmental
 Dennis Lloyd, Senior Vice President/Chief
 Counsel, Workers Compensation Fund, Vice Chair, Rocky
 Mountain Center for Occupational and Environmental Health
 Advisory Board
 Kim Wirthlin, Vice President, Government Relations, University of
 Utah
 Steven G. Johnson, Attorney
 Craig Bickmore, Utah Auto Dealers Association
 Wayne Jones, Executive Director, Independent Auto Dealers
 Association

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

Chair VanTassell called the meeting to order at 2:30 p.m.

Approval of Minutes

MOTION: Sen. Mayne moved to approve the minutes of February 5, 2007.

The motion passed unanimously with Sens. Eastman and Walker absent for the vote.

1. S.B. 234 Occupational and Environmental Health Amendments (E. Mayne)

MOTION: Sen. Mayne moved to delete in title and body S.B. 234 and replace it with

1st Sub. S.B. 234.

The motion passed with Sen. Hickman voting in opposition, and Sens. Eastman and Walker absent for the vote.

Sen. Mayne introduced the substitute bill.

Dan Marano, President, IHI Environmental; Dennis Lloyd, Senior Vice President/Chief Counsel, Workers Compensation Fund, Vice Chair, Rocky Mountain Center for Occupational and Environmental Health Advisory Board; and Kim Wirthlin, Vice President, Government Relations, University of Utah; spoke in support of the bill.

MOTION: Sen. Davis moved to pass out 1st Sub. S.B. 234 favorably.

The motion passed with Sen. Hickman voting in opposition and Sen. Eastman absent for the vote.

2. S.B. 255 Crane Safety Amendments (G. Davis)

The following amendments were distributed:

1. *Page 2, Lines 32 through 35:*

32 (1) (a) (i) [~~Any~~] A person who violates Subsection 58-55-308(2) [~~or~~], Subsection
33 58-55-501(1), (2), (3), (4), (5), (6), (7), (9), (10), (12), (14), or (15), or Subsection
34 58-55-504(2), or who fails to comply with a citation issued under this section after it is
final, is
35 guilty of a class A misdemeanor. [~~Any~~] =

(ii) As used in this section in reference to Subsection 58-55-504(2), "person" means an individual and does not include a sole proprietorship, joint venture, corporation, limited liability company, association, or organization of any type.

2. *Page 5, Lines 145 through 148:*

145 or excavation work that has a power-operated winch, load-line, and boom moving laterally
by
146 the rotation of the machine {+} on a carrier {+} .

147 (ii) It does not include operating a fork lift, digger derrick truck, aircraft, bucket
truck,

148 knuckle boom, side boom, mechanic's truck, or a vehicle or machine not using a
power-operated winch and load-line.

3. *Page 6, Lines 155 through 158:*

155 (b) An individual who violates Subsection (2)(a) is guilty of a class A misdemeanor.

156 (3) ~~{A person}~~ An individual engaged in construction or operation
incidental to petroleum refining or electrical utility construction or maintenance is

157 exempt from the crane operator certification requirement of Subsection (2)(a).

158 [~~(4) An individual who violates Subsection (2) is guilty of a class A misdemeanor.~~]

MOTION: Sen. Davis moved to adopt the amendments.

The motion passed unanimously with Sen. Eastman absent for the vote.

Sen. Davis introduced the bill.

MOTION: Sen. Walker moved to pass the bill out favorably as amended.

The motion passed with Sens. Eastman and Hickman voting in opposition.

3. **H.B. 259 Mechanics Liens on Certain New Development Housing** (*P. Painter*)

Rep. Painter introduced the bill.

Steven G. Johnson, Attorney, further clarified the bill.

MOTION: Sen. Niedehauser moved to pass the bill out favorably.

The motion passed unanimously.

4. **1st Sub. H.B. 96 Motor Vehicle Dealer Amendments** (*P. Painter*)

Rep. Painter explained the bill.

Craig Bickmore, Utah Auto Dealers Association, and Wayne Jones, Executive Director, Independent Auto Dealers Association, spoke in support of the bill.

MOTION: Sen. Davis moved to pass the bill out favorably.

The motion passed unanimously with Sen. Walker absent for the vote.

MOTION: Sen. Niederhauser moved to adjourn.

The motion passed unanimously at 3:10 p.m. with Sen. Walker absent for the vote.

Sen. Kevin VanTassell, Committee Chair