

**MINUTES OF THE SENATE BUSINESS & LABOR STANDING COMMITTEE
MONDAY, FEBRUARY 23, 2009
ROOM 215, SENATE BUILDING
STATE CAPITOL COMPLEX**

Members Present: Sen. John Valentine, Chair
Sen. Gene Davis
Sen. Dan Liljenquist
Sen. Karen Mayne
Sen. Wayne Niederhauser
Sen. Steve Urquhart
Sen. Kevin VanTassell

Staff Present: Phil Dean, Policy Analyst
Nicholle Heidrich, Committee Secretary

Public Speakers Present: Gilbert Gonzalez, Building Official for Murray City
Roger Evans, Assistant Building Official for Park City
Sarah Wright, Executive Director for Utah Clean Energy
Scott Marzell, Building Official for Sandy City
Robert Bannman, UMCA
Ron Morris, State Fire Marshall with DPS/SFMO
Chris Gamvroulas, with Ivory Homes
Paul Bauer, Layton UTY
Ty McCutcheon, Kennecott Land
Taz Besinger, Utah Home Builder's Association

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

Chair Valentine called the meeting to order at 8:38 a.m.

1. **SB0268 Title and Escrow Commission Related Amendments**

Sen. Valentine introduced and explained SB0268.

MOTION: Sen. Valentine moved to pass SB0268 out of committee with a favorable recommendation.

The motion passed unanimously, with Sen. Niederhauser absent for the vote.

2. **HB0154 State Construction Registry Amendments**

MOTION: Sen. Urquhart moved to adopt the following amendment to HB0154.

1. *Page 8, Lines 216 through 219:*

216 (B) A preliminary notice attached to an untimely ~~{, but otherwise valid,}~~ notice
of
217 commencement is valid if there is also a valid and timely notice of commencement for the
218 project ~~[to which the preliminary notice may attach]~~ filed by a party authorized in Section
219 38-1-31.

2. *Page 9, Lines 268 through 269:*

268 (c) Subject to Subsection ~~{(1)}~~ (2) (d), a person required by this section to
give preliminary
269 notice is only required to give one notice for each project.

The motion passed unanimously.

Rep. Morley introduced and explained HB0154.

MOTION: Sen. Urquhart moved pass HB0154 as amended out of committee with a favorable recommendation.

The motion passed unanimously, with Sen. Niederhauser absent for the vote.

3. **HB0271 Worker's Compensation - Uninsured Employer's Fund**

Sen. Morley introduced and explained HB0271.

MOTION: Sen. Mayne moved to adopt the following amendment to HB0271.

The motion passed unanimously, with Sen. Niederhauser absent for the vote.

1. *Page 1, Lines 23 through 25:*

23 Other Special Clauses:

This bill takes effect July 1, 2010.

24 This bill coordinates with H.B. 39, Utah Injured Worker Reemployment Act, to merge
25 substantive amendments.

2. *Page 25, Lines 750 through 752:*

750 If this H.B. 271 and H.B. 39, Utah Injured Worker Reemployment Act, both pass, it
is
751 the intent of the Legislature that the Office of Legislative Research and General Counsel,
in
752 preparing **for publication** the Utah Code database ~~{for publication}~~ **that**

takes effect on July 1, 2010 :

3. *Page 25, Lines 766 through 767:*

766 (C) Title 34A, Chapter 3, Occupational Disease Act; or

767 (D) Title 34A, Chapter 8a, Utah Injured Worker Reemployment Act."

Section 11. Effective date.

This bill takes effect July 1, 2010.

MOTION: Sen. Mayne moved to pass HB0271 as amended out of committee with a favorable recommendation.

The motion passed unanimously, with Sen. Niederhauser absent for the vote.

4. **SB0211 Building Code Amendment**

Sen. Bramble and Taz Besinger introduced and explained SB0211.

MOTION: Sen. Van Tassell moved to adopt amendment SB0211.

The motion passed unanimously, with Sen. Niederhauser absent at the time of the vote.

1. *Page 11, Lines 326 through 328:*

326 (o) in accordance with Section 58-56-4, make a report to the Business and Labor

327 Interim Committee by :

(i) no later than November 30 of each year recommending **any amendments to the currently adopted fire code; and**

(ii) no later than November 30 in a year of a regularly scheduled update cycle of a nationally promulgated fire code recommending the adoption of,

328 amendment to, or repeal of {~~a~~} **the updated** nationally promulgated fire code.

2. *Page 17, Lines 519 through 520:*

519 (d) {~~An~~} **If not formally adopted by the Legislature at its next annual**

general session, an adopted code adopted under this Subsection (4) is repealed effective at midnight

520 on the last day that the Legislature adjourns sine die at its next annual general session.

3. *Page 18, Lines 526 through 535:*

526 (b) {~~If the board adopts a fire code under Subsection (5)(a), the board shall file with the~~

527 **division:**

528 ~~—(i) the text of the adopted fire code; and~~

529 ~~(ii) an analysis that includes the specific reasons and justifications for its findings.~~
530 ~~(c)~~ The board shall ~~{, in accordance with Subsection (5)(b)}~~ ;
531 (i) publish the adopted fire code; and
532 (ii) notify the Business and Labor Interim Committee of the adoption, including a copy
533 ~~{of the board's analysis described in Subsection (5)(b)}~~ of an analysis by the board
identifying specific reasons and justifications for its findings ;
534 (d) ~~{A}~~ If not formally adopted by the Legislature at its next annual general
session, a fire code adopted under this Subsection (5) is repealed effective at midnight on
535 the last day that the Legislature adjourns sine die at its next annual general session.

Gibert Gonzalez spoke to the bill.

Roger Evans, Sara Wright, Scott Marzell, and Paul Bauer spoke against SB0211.

Robert Bannman, Ron Morris, Chris Gamvrovlas, and Ty McCutcheon spoke in favor of SB0211.

MOTION: Sen. Niederhauser moved to pass SB0211 as amended out of committee with a favorable recommendation.

The motion passed unanimously.

MOTION: Sen. VanTassell moved to adjourn.

The motion passed unanimously.

Chair Valentine adjourned the meeting at 9:36 a.m.

Minutes were reported by Nicholle Heidrich, Committee Secretary.

Sen. John Valentine, Committee Chair

