

**MINUTES OF THE HOUSE BUSINESS AND LABOR
STANDING COMMITTEE**

Room 450, State Capitol, Utah State Capitol Complex
January 25, 2011

Members Present: Rep. Jim Dunnigan, Chair
Rep. Dixon Pitcher, Vice Chair
Rep. Jim Bird
Rep. Jackie Biskupski
Rep. Derek Brown
Rep. Susan Duckworth
Rep. Gage Froerer
Rep. Francis Gibson
Rep. Don Ipson
Rep. Todd Kiser
Rep. Brad Last
Rep. Michael Morley
Rep. Curt Webb
Rep. Larry Wiley

Staff Present: Bryant Howe, Assistant Director
Rosemary Young, Committee Secretary

Note: List of visitors and a copy of handouts are filed with committee minutes.

Rep. Dunnigan called the meeting to order at 2:15 p.m. Committee members and staff introduced themselves.

Bryant Howe, Assistant Director, presented a house Business and Labor Standing Committee 2011 Overview. Rep. Dunnigan reviewed Selected House Standing Committee Procedures.

H.B. 187 State Fire Code Appeals (Rep. M. Morley)

MOTION: Rep. Morley moved to amend H.B. 187 as follows:

1. Page 2, Line 36 through Page 3, Line 60:

- 36 (4) ~~{(a) At the time or before a fire chief or officer inspects a single-family~~
~~residence;~~
37 ~~the fire chief or officer shall provide the owner or builder of the single-family~~
~~residence a~~
38 ~~written notice that states in at least 14-point font: "Decisions relative to this~~
~~inspection are~~
39 ~~subject to review by the chief executive officer of the county, city, or town in which~~
~~this~~

40 single-family residence is located and appeal under the International Fire Code."}
41 ~~{(b)}~~ (a) Subject to Subsection (4) ~~{(c)}~~ (b), a county, city, or
town shall, by ordinance, provide for
42 review of an inspection conducted by the county's, city's, or town's fire chief or officer for a
43 single-family residence within 30 days of the notice of the fire code compliance
inspection .
44 ~~{(c)}~~ (b) Upon request by a person who owns or is building a single-family
residence, a chief
45 executive officer of the county, city, or town in which is located the single-family
residence, or
46 the chief executive officer's designee, shall, with reasonable diligence, review an
inspection
47 described in Subsection (4) ~~{(b)}~~ (a) to determine whether the inspection
constitutes a fair
48 administration of the State Fire Code.
49 ~~{(d)}~~ (c) A review described in this section:
50 (i) is separate and unrelated to an appeal under the International Fire Code;
51 (ii) may not be used to review a matter that may be brought by appeal under the
52 International Fire Code;
53 (iii) may not result in the waiver or modification of a State Fire Code requirement or
54 standard; and
55 (iv) does not prohibit a person from bringing an appeal under the International Fire
56 Code.
57 ~~{(e)}~~ (d) A person who seeks a review described in this Subsection (4) may
not be prohibited
58 by preclusion, estoppel, or otherwise from raising an issue or bringing a claim in an appeal
59 under the International Fire Code on the grounds that the person raised the issue or
brought the
60 claim in the review described in this section.

The motion passed unanimously with Rep. Wiley absent for the vote.

Rep. Morley explained the bill to the committee. Craig Humphreys, President, Utah State Fire Marshalls Association, and Taz Biesinger, Utah Homebuilders Association, spoke in favor of the bill.

MOTION: Rep. Ipson moved to transmit H.B. 187 with a favorable recommendation. The motion passed unanimously.

Rep. Dunnigan invited the fire marshalls present to introduce themselves and thanked them for their service.

H.B. 188 Labor Commission Related Amendments (*Rep. M. Morley*)

Rep. Morley explained the bill to the committee.

MOTION: Rep. Froerer moved to transmit H.B. 188 with a favorable recommendation. The motion passed unanimously with Rep. Gibson and Rep. Wiley absent for the vote.

H.B. 209 Workers' Compensation Premium Assessment (*Rep. M. Morley*)

Rep. Morley, assisted by Alan Hennebold, Utah Labor Commission, explained the bill to the committee.

MOTION: Rep. Last moved to transmit H.B. 209 with a favorable recommendation. The motion passed unanimously with Rep. Webb absent for the vote.

H.B. 43 Errors and Omissions Coverage for Insurance Producers (*Rep. J. Bird*)

Rep. Bird, assisted by Randy Overstreet, Utah Insurance Department, explained the bill to the committee. Neal Gooch, Insurance Commissioner, answered questions from the committee.

MOTION: Rep. Bird moved to transmit H.B. 43 with a favorable recommendation. The motion passed unanimously with Rep. Biskupski, Rep. Froerer, and Rep. Webb absent for the vote.

MOTION: Rep. Ipson moved to adjourn. The motion passed unanimously with Rep. Biskupski, Rep. Froerer, and Rep. Webb absent for the vote.

Rep. Dunnigan adjourned the meeting at 3:13 p.m.

Rep. James Dunnigan, Chair