

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

Room 450, State Capitol, Utah State Capitol Complex

February 1, 2011

Members Present: Rep. Jim Dunnigan, Chair
Rep. Dixon Pitcher, Vice Chair
Rep. Jackie Biskupski
Rep. Jim Bird
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. Pitcher called the meeting to order at 2:06 p.m.

MOTION: Rep..Brown moved to approve the minutes of the January 28, 2011 meeting. The motion passed unanimously with Rep. Biskupski, Rep. Duckworth, Rep. Froerer, Rep Last, Rep. Morley, and Rep. Dunnigan absent for the vote.

**H.B. 238 Radiologic Technologist and Radiology Practical Technician Licensing Act
(Rep. D. Ipson)**

MOTION: Rep. Gibson moved to amend H.B. 238 as follows:

1. Page 3, Line 69:

69 (2) "General supervision" means the supervising radiologist is available to provide immediate communication with the supervised person and is aware of the procedure before it is performed.

(3) "Indirect supervision" means the supervising radiologist:

2. Page 3, Line 75:

75 [(2)] {~~(3)~~} (4) "Practice of radiologic technology" means using radiation

from a radioactive

3. *Page 3, Lines 78 through 79:*

78 ~~{(4)}~~ (5) "Practice of radiologist assistant" means the performance of
non-invasive and
79 minimally invasive radiological procedures:

4. *Page 3, Line 82:*

82 ~~[(7) "Radiology]~~ ~~{(5)}~~ (6) "Radiologic technologist" means a person
licensed under this

5. *Page 3, Line 89:*

89 ~~[(3)]~~ ~~{(6)}~~ (7) "Radiologist" means a physician certified by the American
Board of

6. *Page 4, Line 92:*

92 ~~{(7)}~~ (8) "Radiologist assistant" means a person licensed under this chapter
to engage in the

7. *Page 4, Line 94:*

94 ~~[(4)]~~ ~~{(8)}~~ (9) "Radiology equipment" means any medical radiation device
that emits

8. *Page 4, Line 99:*

99 ~~[(5)]~~ ~~{(9)}~~ (10) "Radiology practical technician" means a person licensed
under this chapter to

9. *Page 4, Line 105:*

105 ~~[(6)]~~ ~~{(10)}~~ (11) "Radiology practitioner" means any person or individual
licensed in this state

10. *Page 4, Line 110:*

110 ~~[(8)]~~ ~~{(11)}~~ (12) "Unlawful conduct" is as defined in ~~[Section]~~ Sections
58-1-501 ~~[includes:]~~

11. *Page 5, Line 121:*

121 ~~[(9)]~~ ~~{(12)}~~ (13) "Unprofessional conduct" is as defined in ~~[Section]~~

Sections 58-1-501 and

12. Page 5, Lines 144 through 145:

144 (1) There is created a [~~Radiology~~] Radiologic Technologist Licensing Board
consisting
145 of {~~seven~~} nine members as follows:

13. Page 5, Lines 149 through 150:

149 [~~(e)~~] (d) {~~one radiologist~~} two radiologists ; {~~and~~} =
(e) one physician licensed under this title who is not a radiologist, and who uses
radiologic services in the physician's practice; and
150 [~~(d)~~] {~~(e)~~} (f) one member from the general public.

14. Page 10, Line 276:

276 assistant and establishing a regular review process by the supervising radiologist for
all work performed by and records kept by the radiologist assistant . The Delegation
of Services Agreement shall:

15. Page 10, Lines 279 through 280:

279 (b) be consistent with radiologist assistant practice guidelines developed by the
American College of Radiology, as supplemented by recognized
280 radiology organizations such as the American Society of Radiology Technicians, and
the American Registry of Radiologic Technologists .

The motion passed unanimously with Rep. Biskupski, Rep. Duckworth, Rep. Last, Rep. Morley, and Rep. Dunnigan absent for the vote.

MOTION: Rep. Ipson moved to amend H.B. 238 as follows:

1. Page 9, Lines 245 through 247:

245 (b) An individual who meets the requirements of Subsections (5)(a)(i) and (iii), but
not
246 Subsection (5)(a)(ii), may be licensed as a radiology assistant under this chapter until
{~~January~~
247 1, 2013,} May 31, 2013, at which time, the individual must have completed the
Bachelor of Science degree in

2. Page 10, Line 301:

301 {~~(4) A license granted under Subsection 58-54-302(5)(b) expires on January 1,~~

~~2013.~~}

The motion passed unanimously with Rep. Last and Rep. Morley absent for the vote.

Rep. Ipson explained the bill to the committee assisted by Brian Adams, Utah Society of Radiology Physician Extenders, who distributed a handout. Ronald Ruff, M.D., Radiologist, spoke in favor of the bill; and Mark Steinagel, Department of Occupational and Professional Licensing, spoke to the bill.

MOTION: Rep. Webb moved to transmit H.B. 238 with a favorable recommendation. The motion passed unanimously with Rep. last absent for the vote.

H.B. 203 Codification of State Construction and Fire Codes (Rep. M. Morley)

MOTION: Rep. Dunnigan moved to amend H.B. 203 as follows:

1. Page 124, Line 3452 through Page 125, Line 3470:

3452 15A-5-303. Amendments and additions to NFPA related to manufacture,
3453 transportation, storage, and retail sales of fireworks.

3454 **(1) For purposes of this section and subject to Subsection (2), the Utah Fire
Prevention Board shall adopt standards by rule for the retail sales of consumer
fireworks, and in doing so, shall consider the applicable provisions of NFPA 1124,
Chapter 7, Retail Sales of Consumer Fireworks.**

**(2) NFPA 1124 Manufacture, Transportation, Storage, and Retail Sales of
Fireworks and**

3455 Pyrotechnic Articles:

3456 ~~{(1)}~~ **(a)** In NFPA 1124, Chapter 7, Section 7.2, Special Limits for Retail
Sales of Consumer

3457 Fireworks, Subsection 7.2.8 is added as follows: "Display of Class C common state
approved

3458 explosives inside of buildings protected throughout with an automatic fire sprinkler system

3459 shall not exceed 25% of the area of the retail sales floor or exceed 600 square feet,
whichever is

3460 less."

3461 ~~{(2)}~~ **(b)** In NFPA 1124, Chapter 7, Section 7.2, Special Limits for Retail
Sales of Consumer

3462 Fireworks, Subsection 7.2.9 is added as follows: "Rack storage of Class C common state
approved explosives inside of buildings is prohibited."

3464 ~~{(3)}~~ **(c)** NFPA 1124, Chapter 7, Section 7.3.1, Exempt Amounts,
Subsection 7.3.1.1, is

3465 deleted and rewritten as follows: "Display of Class C common state approved explosives
inside

- 3466 of buildings not protected with an automatic fire sprinkler system shall not exceed 125
3467 pounds
3468 of pyrotechnic composition."
3468 ~~{(4)}~~ (d) NFPA 1124, Chapter 7, Section 7.3.15.2, Height of Sales
 Displays, Subsection
3469 7.3.15.2.2, is amended as follows: On line three delete "12 ft. (3.66m)" and replace it with
 "6
3470 ft.".

The motion passed with Rep. Wiley voting in opposition and Rep. Last absent for the vote.

MOTION: Rep. Dunnigan moved to further amend H.B. 203 as follows:

1. *Page 2, Lines 30 through 31:*

- 30 Other Special Clauses:
31 This bill takes effect on July 1, 2011.

This bill coordinates with H.B. 260, Mechanics' Liens Revisions, to technically merge substantive amendments.

2. *Page 6, Line 178:*

- 178 58-56-21, as last amended by Laws of Utah 2010, Chapter 310

Utah Code Sections Affected by Coordination Clause:
15A-1-209, Utah Code Annotated 1953

3. *Page 213, Lines 6187 through 6188:*

- 6187 Section 131. Effective date.
6188 This bill takes effect on July 1, 2011.

Section 132. Coordinating H.B. 203 with H.B. 260 -- Technically merging substantive amendments. If this H.B. 203, Codification of State Construction and Fire Codes, and H.B. 260, Mechanics' Liens Revisions, both pass, it is the intent of the Legislature that the Office of Legislative Research and General Counsel in preparing the Utah Code database for publication:

(1) modify Subsection 15A-1-209(3)(b) to read:

"(b) The standardized building permit form created under this Subsection (3) shall include fields for indicating the following information:

(i) the name and address of the owner of the property on which the project will occur;

(ii) the name and address of the contractor for the project;

(iii) (A) the address of the project; or

(B) a general description of the project;

(iv) the county in which the property on which the project will occur is located;

(v) the tax parcel identification number of the property; and

(vi) whether the permit applicant is an original contractor or owner-builder."; and

(2) change the citation in Subsection (3)(f)(ii) from "Subsection (3)(b)(iii)" to "Subsection (3)(b)(vi)."

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

Rep. Morley explained the bill to the committee. Brent Halladay, Acting Utah State Fire Marshall, spoke in favor of the bill.

MOTION: Rep. Biskupski moved to transmit H.B. 203 with a favorable recommendation. The motion passed with Rep. Wiley voting in opposition and Rep. Last absent for the vote.

H.B. 47 Contract Cancellation Option on Purchase of Used Vehicle (*Rep. J. Bird*)

Rep. Bird explained the bill to the committee assisted by Melanie Briggs, West Jordan City Clerk, relating a personal experience. Craig Bickmore, New Car Dealers Association, and Wayne Jones, Independent Auto Dealers Association, spoke against the bill.

MOTION: Rep. Bird moved to transmit H.B. 47 with a favorable recommendation. The motion failed with Rep. Bird voting in favor.

H.B. 61 Home Business Workers' Compensation Amendments (*Rep. R. Barrus*)

MOTION: Rep. Morley moved to replace H.B. 61 with 1st Substitute H.B. 61. The motion passed unanimously with Rep. Bird and Rep. Froerer absent for the vote.

Rep. Barrus explained the bill to the committee. Dennis Lloyd, Workers Compensation Fund, and Alan Hennebold, Utah Labor Commission, spoke to the bill. Tom Bingham, Utah Manufacturers Association, spoke against the bill.

MOTION: Rep. Last moved to adjourn. The motion passed unanimously with Rep. Bird and Rep. Froerer absent for the vote.

Rep. Pitcher adjourned the meeting at 3:46 p.m.