

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

Room 450, State Capitol, Utah State Capitol Complex  
February 10, 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 4:08 p.m.

**MOTION:** Rep. Kiser moved to approve the minutes of the February 9, 2011 meeting. The motion passed unanimously.

**H.B. 73 Motor Carrier Transportation Contract Indemnity Agreements (Rep. D. Ipson)**

Rep. Ipson explained the bill to the committee assisted by Dan England, C. R. England Trucking. Dale Ipson, Utah Trucking Association, and Rob Jolley, Utah Trucking Association, spoke in favor of the bill. Lee Peacock, Utah Petroleum Association, and Shelly Teuscher, Tesoro, spoke against the bill.

**MOTION:** Rep. Kiser moved to transmit H.B. 73 with a favorable recommendation. The motion passed with Rep. Morley voting in opposition.

**H.B. 91 Real Estate Related Amendments (Rep. G. Froerer)**

**MOTION:** Rep. Froerer moved to replace H.B. 91 with 1st Substitute H.B. 91. The motion passed unanimously.

**MOTION:** Rep. Froerer moved to amend H.B. 91 as follows:

1. Page 2, Line 33:

33                    { ~~• addressing adherence to standards;~~ }

2. Page 4, Line 90:

90           { ~~61-2e-302, as enacted by Laws of Utah 2009, Chapter 269~~ }

3. Page 63, Line 1937 through Page 64, Line 1950:

1937           { ~~Section 29. Section 61-2e-302 is amended to read:~~  
1938   — ~~61-2e-302. Adherence to standards.~~  
1939   — ~~(1) An appraisal management company required to be registered under this~~  
          ~~chapter~~  
1940   ~~shall have a system in place to review the work of an appraiser who performs a real~~  
          ~~estate~~  
1941   ~~appraisal activity for the appraisal management company on a periodic basis to~~  
          ~~ensure that a~~  
1942   ~~real estate appraisal activity is conducted in accordance with applicable appraisal~~  
          ~~standards.~~  
1943   — ~~(2) As part of the registration process under Part 2, Registration, an appraisal~~  
1944   ~~management company shall biennially provide an explanation of the system~~  
          ~~described in~~  
1945   ~~Subsection (1) in the form prescribed by the division.~~  
1946   — ~~(3) The board may make rules, made in accordance with Title 63G, Chapter 3,~~  
          ~~Utah~~  
1947   ~~Administrative Rulemaking Act, as necessary to implement the requirements of 15~~  
          ~~U.S.C. Sec.~~  
1948   ~~1639e(i), except that the rules may not apply to an appraisal management company~~  
          ~~that is a~~  
1949   ~~subsidiary owned and controlled by a financial institution regulated by a federal~~  
          ~~financial~~  
1950   ~~institution regulatory agency. }~~

**Renumber Remaining Sections Accordingly**

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

Rep. Froerer explained the bill to the committee assisted by Deanna Sabey, Director, Division of Real Estate, who distributed a handout.

**MOTION:** Rep. Duckworth moved to transmit 1st Substitute H.B. 91 with a favorable recommendation. The motion passed with Rep. Bird voting in opposition and Rep. Ipson absent for the vote.

Rep. Dunnigan relinquished the chair to Rep. Bird.

**H.B. 256      Children's Health Insurance and Medicaid Administrative Simplification (*Rep. J. Dunnigan*)**

**MOTION:** Rep. Ipson moved to replace H.B. 256 with 1st Substitute H.B. 256. The motion passed with Rep. Gibson voting in opposition and Rep. Froerer and Rep. Morley absent for the vote.

Rep. Dunnigan explained the bill to the committee assisted by Lincoln Nehring, Voices for Utah Children. Elizabeth Garbe, United Way of Salt Lake, and Justin Allen, Premier Access, spoke in favor of the bill.

**MOTION:** Rep. Kiser moved to transmit 1st Substitute H.B. 256 with a favorable recommendation. The motion passed with Rep. Gibson voting in opposition and Rep. Morley absent for the vote.

Rep. Dunnigan resumed the chair.

**H.B. 115      Mechanics' Liens Amendments (*Rep. M. Morley*)**

**MOTION:** Rep. Morley moved to replace H.B. 115 with 1st Substitute H.B. 115. The motion passed unanimously with Rep. Duckworth and Rep. Last absent for the vote.

Rep. Morley explained the bill to the committee. The following individuals spoke in favor of the bill:

Bruce Reading	American Institute of Architects
Howard Headlee	Utah Bankers Association
Darrel Bostwick	Bostwick & Price, P.C.
Rich Thorn	Associated General Contractors of Utah

**MOTION:** Rep. Wiley moved to transmit 1st Substitute H.B. 115 with a favorable recommendation. The motion passed unanimously with Rep. Last absent for the vote.

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

Rep. Dunnigan adjourned the meeting at 5:57 p.m.

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Rep. James Dunnigan, Chair