

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

215 Senate Building, Utah State Capitol Complex

March 3, 2016

Members Present: Sen. Curtis S. Bramble, Chair
Sen. J. Stuart Adams
Sen. Deidre M. Henderson
Sen. Karen Mayne
Sen. Todd Weiler

Members Excused: Sen. Gene Davis
Sen. Ralph Okerlund

Staff Present: Mr. Joseph T. Wade, Policy Analyst
Ms. Karen Allred, Committee Secretary

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

Chair Bramble called the meeting to order at 8:02 a.m. and announced that **S.B. 249, Utah Small Business Jobs Act Amendments** will not be heard today.

MOTION: Sen. Henderson moved to approve the minutes of the March 1, 2016, meeting. The motion passed unanimously with Sen. Adams and Sen. Mayne absent for the vote.

S.B. 250 Alcoholic Beverage Policy Amendments (*J. Stevenson*)

MOTION: Sen. Henderson moved to adopt the following amendments:

1. *Page 3, Lines 73 through 77:*

73 (c) Except as provided in Subsection (3)(d) or Subsection 32B-4-415(5) ;
74 (i) a person may not carry from a licensed premises of a retail licensee a sealed
75 container of liquor that has been purchased from the retail licensee ; and
76 (ii) a retail licensee may not permit a patron to carry from the licensed premises a
77 container of liquor that has been purchased from the retail licensee .

2. *Page 9, Lines 270 through 274:*

270 (A) maintain at least 70% of the person's total gross revenues from business directly
271 related to a recreational amenity on or directly adjoining the licensed premises of the beer
272 retailer {or have a contract meeting the requirements of Subsection (2)(e)(v) with a
273 political
274 subdivision that owns and operates a recreational amenity on or directly adjoining
the licensed
premises of the beer retailer} , except that a person may include gross revenue from
business directly related to a recreational amenity that is owned or operated by a political
subdivision if the person has a contract meeting the requirements of Subsection (2)(e)(v)
with the political subdivision ; or

3. Page 10, Lines 296 through 302:

296 (v) A contract described in Subsection (2)(e)(i)(A) shall ~~{provide the following}~~ ;
297 (A) ~~{the total gross revenue from the operations of the recreational amenity by~~
~~the~~
298 ~~political subdivision shall equal or exceed an amount calculated by multiplying the~~
~~beer~~
299 ~~retailer's total gross receipts by 70%}~~ allow the beer retailer to include the total gross
revenue from operations of the recreational amenity in the beer retailer's total gross receipts
for purposes of Subsection (2)(e)(i)(A) ; and
300 (B) give the department ~~{shall have}~~ the authority to audit financial information
of the
301 political subdivision to the extent necessary to confirm that the ~~{-requirement of~~
~~Subsection~~
302 ~~(2)(e)(v)(A) is}~~ requirements of Subsection (2)(e)(i)(A) are met.

The motion passed unanimously with Sen. Adams and Sen. Mayne absent for the vote.

Sen. Stevenson explained the bill to the committee assisted by Nina McDermott, Director of Compliance, Department of Alcoholic Beverage Control.

MOTION: Sen. Henderson moved to pass the bill out favorably as amended. The motion passed unanimously with Sen. Adams and Sen. Mayne absent for the vote.

Sen. Henderson assumed the committee chair.

S.B. 248 Public Notice of Unclaimed Property (C. Bramble)

Sen. Bramble explained the bill to the committee.

MOTION: Sen. Bramble moved to pass the bill out favorably. The motion passed unanimously with Sen. Adams and Sen. Mayne absent for the vote.

S.B. 252 Joint Tenancy Amendments (C. Bramble)

Sen. Bramble explained the bill to the committee.

MOTION: Sen. Bramble moved to pass the bill out favorably. The motion passed unanimously with Sen. Adams absent for the vote.

Sen. Bramble assumed the committee chair.

H.B. 316 6th Sub. Building Code Review and Adoption Amendments (B. Wilson)

Rep. Wilson explained the bill to the committee.

Bryce Bird, Director, Utah Division of Air Quality, further clarified the bill and answered questions from the committee.

MOTION: Sen. Adams moved to adopt the following amendments:

1. *Page 4, Lines 101 through 101a*

House Floor Amendments

2-29-2016:

101 15A-6-102, Utah Code Annotated 1953

101a $\hat{H} \rightarrow$ 15A-6-201, Utah Code Annotated 1953 $\leftarrow \hat{H}$

15A-6-202, Utah Code Annotated 1953

2. *Page 101, Lines 2901o through 2902*

House Floor Amendments

2-29-2016:

2901o (b) the project is designed and stamped by a structural engineer licensed in the

2901p state. $\leftarrow \hat{H}$

Section 44. Section 15A-6-202 is enacted to read:

15A-6-202. Non-polyurethane insulating concrete forms.

(1) Notwithstanding any other provision of this title, a governing body in the state that issues a building permit may not:

(a) deny issuing a building permit to a project solely because the project uses non-polyurethane insulating concrete form block that complies with Subsection (2); or

(b) require a project to apply additional flame retardants to the surface of non-polyurethane insulating concrete form block that has a flame spread that is less than or equal to 25.

(2) A project may use non-polyurethane insulating concrete form block if:

(a) the non-polyurethane insulating concrete form block is manufactured using foam plastic insulation that complies with applicable requirements in Title 15A, State Construction and Fire Codes Act, for flame spread index and smoke development index;

(b) the non-polyurethane insulating concrete form block complies with any other requirements applicable to insulating concrete forms in Title 15A, State Construction and Fire Codes Act; and

(c) the project is designed and stamped by a structural engineer who is licensed in the state.

2902 Section $\hat{H} \rightarrow$ [43] 44 $\leftarrow \hat{H}$. Section **58-11a-502** is amended to read:

RENUMBER REMAINING SECTIONS ACCORDINGLY

The motion to amend passed unanimously.

Spoke to the bill: Harold Jepson, Electrical Engineer
Ingrid Griffee, Utah Moms for Clean Air
Kevin Emerson, Utah Clean Energy

Spoke for the bill: Kathy Van Dame, Breathe Utah
Gary Crane, Utah League of Cities and Towns

Gilbert Gonzalos, Murray Building Official
Bryan Romney, University of Utah Building Official
Coy Porter, State Fire Marshall
Frank Pignanelli, Lobbyist
Taz Biesinger, CEO, Utah Home Builders Association
Casey Vorwaller, Uniform Building Code Commission

Spoke against: Ashley Soltysiak, Healthy Environment Alliance of Utah
Daniel Petrenko, Green Building Council

MOTION: Sen. Mayne moved to pass the bill out favorably as amended. The motion passed unanimously.

H.B. 321 Real Estate Transaction Amendments (*B. Greene*)

Rep. Greene explained the bill to the committee.

Spoke for the bill: H. Brent Stratton, Utah Association of Realtors
Jonny Stewart, Real Estate Division

MOTION: Sen. Henderson moved to pass the bill out favorably. The motion passed unanimously with Sen. Adams absent for the vote.

MOTION: Sen. Mayne moved to place the bill on the Consent Calendar. The motion passed unanimously with Sen. Adams absent for the vote.

MOTION: Sen. Weiler moved to adjourn. The motion passed unanimously.

Chair Bramble adjourned the meeting at 9:25 a.m.