

**MINUTES OF THE
BUSINESS AND LABOR INTERIM COMMITTEE**
Wednesday, June 17, 2009 – 9:00 a.m. – Room 210 Senate Building

Members Present:

Sen. John L. Valentine, Senate Chair
Rep. James A. Dunnigan, House Chair
Sen. Gene Davis
Sen. Daniel R. Liljenquist
Sen. Karen Mayne
Sen. Wayne L. Niederhauser
Rep. Jackie Biskupski
Rep. Stephen D. Clark
Rep. Jack R. Draxler
Rep. Susan Duckworth
Rep. Gage Froerer
Rep. Francis D. Gibson

Rep. Neil A. Hansen
Rep. Todd E. Kiser
Rep. David Litvack
Rep. Steven R. Mascaro
Rep. Michael T. Morley
Rep. Patrick Painter
Rep. C. Brent Wallis

Staff Present:

Mr. Bryant R. Howe, Assistant Director
Ms. Patricia Owen, Associate General Counsel
Ms. Phalin L. Flowers, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Valentine called the meeting to order at 9:04 a.m.

MOTION: Rep. Draxler moved to approve the minutes of the May 20, 2009 meeting. The motion passed unanimously with Sen. Davis, Rep. Clark, Rep. Duckworth, Rep. Dunnigan, Rep. Litvack, Rep. Morley, and Rep. Painter absent for the vote.

2. Sunset Review: Comparison Tables Produced by the Insurance Department

Mr. Howe discussed "Overview: Legislative Oversight and Sunset Act," which was included in the mailing packet, and overviewed the sunset review process.

Mr. Brad Tibbits, Director, Life, Property, and Casualty Insurance Division, Utah Insurance Department, discussed "Annual Private Passenger Automobile & Homeowner's Insurance Comparison Tables," which were included in the mailing packet. He explained that the comparison tables contain valuable information for consumers and recommended that the Committee reauthorize the statute that requires the production of the comparison tables.

MOTION: Rep. Dunnigan moved to defer action on this agenda item until the next meeting and requested that the Utah Insurance Department provide a complete and comprehensive estimate of the costs to produce the comparison tables. The motion passed unanimously with Sen. Davis, Rep. Clark, and Rep. Painter absent for the vote.

3. Implementation of 2009 General Session S.B. 211, "Building Code Amendments"

Ms. Owen distributed and discussed "Procedures for Adoption of a State Construction Code."

Mr. Ron Morris, State Fire Marshall, and Mr. Ted Black, Chair, Utah Fire Prevention Board, explained the activities of the Utah Fire Prevention Board in updating the state fire code.

Mr. Taz Biesinger, Utah Home Builders Association, reported that the stakeholders have been meeting to agree on a process for adopting state fire and building codes.

Mr. Quin Davis, President, Utah Chapter, International Code Council, Building Inspector for Wasatch County and Mr. Bill Green, President, Bonneville Chapter, International Code Council, Building Inspector for West Valley City, recognized the importance of advisory committees and encouraged the Committee to review and approve the suggestions of the Uniform Building Code Commission.

Mr. Pete Crow, International Association of Plumbing Mechanical Officials in Utah, expressed concern that his organization has not been given due process regarding hearings on the Uniform Plumbing Code.

Mr. Scott Adams, Assistant Fire Chief, Park City Fire District, encouraged the Committee to keep provisions regarding fire safety in the same area of the *Utah Code*.

MOTION: Rep. Mascaro moved to direct staff to make a presentation at the next meeting of the time lines required in 2009 General Session S.B. 211, "Building Code Amendments," to help the Committee in their decision on how to proceed in the process of adopting a state fire code and state building code. The motion passed unanimously with Rep. Painter absent for the vote.

Chair Valentine turned the chair over to Rep. Dunnigan.

4. Issues Related to Transactions: Division of Real Estate

Mr. Howe distributed and discussed "Overview of the Division of Real Estate."

Mr. Mark Steinagel, former Director, Division of Real Estate (Division), overviewed the Division's efforts to implement 2009 General Session H.B. 152, "Appraisal Management Company Regulation," and 2009 General Session S.B. 31, "Utah Residential Mortgage Practices and Licensing Act."

Mr. Ron Smith, Chair, Real Estate Appraiser Licensing and Certification Board, spoke to the Committee on the processes followed by appraisers, including the code of conduct. He also discussed restrictions on communications with appraisers.

Chair Dunnigan turned the chair to Sen. Valentine.

Rep. Ryan Wilcox spoke to the Committee on the problem of foreclosure consultants fraud and explained that he will return at a later meeting with draft legislation for the Committee to review.

5. Recodification of the Alcoholic Beverage Control Act

Ms. Owen distributed and discussed "Example: New Title 32B, Alcoholic Beverage Control Act" and "Possible Recodification of Title 32A, Alcoholic Beverage Control Act."

Mr. Dennis Kellen, Executive Director, and Mr. Earl Dorius, Deputy Director, Licensing and Compliance, Department of Alcoholic Beverage Control, spoke in support of streamlining and clarifying the alcoholic beverage control act to simplify compliance.

6. Other Items / Adjourn

Rep. Dunnigan discussed 111th Congress, 1st Session, H.R. 2743 and "Dealers Say They Were Led Astray in Chrysler's Final Days," *The Washington Post*, June 16, 2009, which were distributed to the Committee. He said staff is preparing a letter in support of the congressional legislation, and that the letter will be sent to Utah's congressional delegation.

MOTION: Sen. Davis moved to adjourn the meeting. The motion passed unanimously with Sen. Liljenquist, Rep. Gibson, Rep. Hansen, Rep. Litvack, and Rep. Morley absent for the vote.

Chair Valentine adjourned the meeting at 11:47 a.m.