

UTAH STATE BULLETIN

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT
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Kenneth A. Hansen, Director
Nancy L. Lancaster, Editor

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Inquiries concerning administrative rules or other contents of the *Bulletin* may be addressed to the responsible agency or to: Division of Administrative Rules, PO Box 141007, Salt Lake City, Utah 84114-1007, telephone (801) 538-3218, FAX (801) 538-1773. To view rules information, and on-line versions of the division's publications, visit: <http://www.rules.state.ut.us/>

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TABLE OF CONTENTS

1. SPECIAL NOTICES

Governor's Proclamation: Calling the Fifty-Third Legislature into an Eighth Extraordinary Session (Senate only)	1
Department of Community and Economic Development, Community Development, Library: Public Notice of Available Utah State Publications	1

2. NOTICES OF PROPOSED RULES

Education

Administration

No. 22717 (New): R277-473. Testing Procedures	3
No. 22718 (Amendment): R277-501. Educator Licensing Renewal	4
No. 22719 (Amendment): R277-702. Procedures for the Utah General Educational Development Certificate	8

Environmental Quality

Drinking Water

No. 22709 (Amendment): R309-114 (Changed to R309-710). Drinking Water Source Protection Funding	9
No. 22711 (Amendment): R309-351 (Changed to R309-705). Utah Federal State Revolving Fund (SRF) Program	11

Natural Resources

Parks and Recreation

No. 22706 (Amendment): R651-611-4. Special Fees	18
---	----

Wildlife Resources

No. 22713 (Amendment): R657-19. Taking Nongame Mammals	20
No. 22714 (Amendment): R657-33. Taking Bear	23

Tax Commission

Property Tax

No. 22710 (Amendment): R865-12L-9. Sellers With No Fixed Place of Business Pursuant to Utah Code Ann. Section 59-12-207	29
---	----

3. NOTICES OF CHANGES IN PROPOSED RULES

Fair Corporation (Utah State)

Administration

No. 22647: R325-2-2. Selection of Exhibitors	32
--	----

4. FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Human Services

Recovery Services

No. 22708: R527-475. State Tax Refund Intercept 34

Natural Resources

Wildlife Resources

No. 22712: R657-19. Taking Nongame Mammals 34

5. NOTICES OF RULES DUE FOR FIVE-YEAR REVIEW 36

6. NOTICES OF RULE EFFECTIVE DATES 44

7. RULES INDEX 46

8. PERMANENT ADMINISTRATIVE RULES REGISTER

2000 Rules Register from the January 1, 2000, *Bulletin* through the April 15, 2000, *Bulletin* 69

SPECIAL NOTICES

PROCLAMATION

WHEREAS, since the close of the 2000 General Session of the 53rd Legislature of the State of Utah, certain matters have arisen which require immediate legislative attention; and

WHEREAS, Article VII, Section 6 of the Constitution of the State of Utah provides that the Governor may, by proclamation, convene the Legislature in Extraordinary Session;

NOW, THEREFORE, I, MICHAEL O. LEAVITT, Governor of the State of Utah, by virtue of the authority vested in me by the Constitution and the Laws of the State of Utah, do by this Proclamation call the Senate only of the 53rd Legislature of the State of Utah into an Eighth Extraordinary Session at the State Capitol in Salt Lake City, Utah, on the 19th day of April, 2000, at 12:00 noon, for the following purpose:

For the Senate to advise and consent to appointments made by the Governor to positions within state government of the State of Utah since the close of the 2000 General Session of the 53rd Legislature of the State of Utah.

IN WITNESS WHEREOF, I have here unto set my hand and cause to be affixed the Great Seal of the State of Utah. Done at the State Capitol in Salt Lake City, Utah, this 4th day of April, 2000.

(STATE SEAL)

MICHAEL O. LEAVITT
Governor

OLENE S. WALKER
Lieutenant Governor

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT COMMUNITY DEVELOPMENT, LIBRARY

PUBLIC NOTICE OF AVAILABLE UTAH STATE PUBLICATIONS

The Utah State Library Division has made available Utah State Publications List No. 00-07, dated March 31, 2000. For copies of the complete list, contact the Utah State Library Division at: 1950 West 250 North, Suite A, Salt Lake City, UT 84116-7901; phone: (801) 715-6777; or the Division of Administrative Rules, PO Box 141007, Salt Lake City, UT 84114-1007; phone: (801) 538-3218; FAX: (801) 538-1773. This list is available on the World Wide Web at: <http://www.state.lib.ut.us/publicat/publicat.htm>.

NOTICES OF PROPOSED RULES

A state agency may file a PROPOSED RULE when it determines the need for a new rule, a substantive change to an existing rule, or a repeal of an existing rule. Filings received between March 16, 2000, 12:00 a.m., and March 31, 2000, 11:59 p.m., are included in this, the April 15, 2000, issue of the *Utah State Bulletin*.

In this publication, each PROPOSED RULE is preceded by a RULE ANALYSIS. This analysis provides summary information about the PROPOSED RULE including the name of a contact person, anticipated cost impact of the rule, and legal cross-references.

Following the RULE ANALYSIS, the text of the PROPOSED RULE is usually printed. New rules or additions made to existing rules are underlined (e.g., example). Deletions made to existing rules are struck out with brackets surrounding them (e.g., ~~example~~). Rules being repealed are completely struck out. A row of dots in the text (••••) indicates that unaffected text was removed to conserve space. If a PROPOSED RULE is too long to print, the Division of Administrative Rules will include only the RULE ANALYSIS. A copy of rules that are too long to print is available from the filing agency or from the Division of Administrative Rules.

The law requires that an agency accept public comment on PROPOSED RULES published in this issue of the *Utah State Bulletin* until at least May 15, 2000. The agency may accept comment beyond this date and will list the last day the agency will accept comment in the RULE ANALYSIS. The agency may also hold public hearings. Additionally, citizens or organizations may request the agency to hold a hearing on a specific PROPOSED RULE. Section 63-46a-5 (1987) requires that a hearing request be received "in writing not more than 15 days after the publication date of the PROPOSED RULE."

From the end of the public comment period through August 13, 2000, the agency may notify the Division of Administrative Rules that it wants to make the PROPOSED RULE effective. The agency sets the effective date. The date may be no fewer than 31 days nor more than 120 days after the publication date of this issue of the *Utah State Bulletin*. Alternatively, the agency may file a CHANGE IN PROPOSED RULE in response to comments received. If the Division of Administrative Rules does not receive a NOTICE OF EFFECTIVE DATE or a CHANGE IN PROPOSED RULE, the PROPOSED RULE filing lapses and the agency must start the process over.

The public, interest groups, and governmental agencies are invited to review and comment on PROPOSED RULES. *Comment may be directed to the contact person identified on the RULE ANALYSIS for each rule.*

PROPOSED RULES are governed by *Utah Code* Section 63-46a-4 (1996); and *Utah Administrative Code* Rule R15-2, and Sections R15-4-3, R15-4-4, R15-4-5, R15-4-9, and R15-4-10.

The Proposed Rules Begin on the Following Page.

Education, Administration
R277-473
 Testing Procedures

NOTICE OF PROPOSED RULE
 (New)

DAR FILE NO.: 22717
 FILED: 03/31/2000, 17:51
 RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of the rule is to provide specific standards for school districts to administer standardized tests.

SUMMARY OF THE RULE OR CHANGE: The rule provides time periods, security measures for testing materials, and for timely return of results to school districts.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 53A-1-603(3)

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: The 1999 Legislature, in H.B. 33, appropriated funds to the Utah State Office of Education to provide procedures, carry out the testing, and provide results to school districts. The appropriation is also for the purpose of other assessment activities.

(DAR Note: H.B. 33 is found at 1999 Utah Laws 336, and was effective July 1, 1999.)

❖LOCAL GOVERNMENTS: Under H.B. 33 and this rule, the State Office of Education takes responsibility for providing test booklets and materials to school districts, scoring tests, and storing test results and answer sheets. This results in an estimated savings to school districts of between \$228 for a small district and \$28,600 for one of the largest districts. This estimated savings is based on an estimated cost of between \$0.25 per secondary student and \$0.45 per elementary student for the reproduction of test materials. Previously, school districts bore the costs of reproducing test booklets and materials and storage.

❖OTHER PERSONS: The rule only assigns responsibilities to the State Office of Education and school districts; therefore no cost or savings.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The rule only assigns responsibilities to the State Office of Education and school districts; therefore, no cost or savings.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: I have reviewed this rule, and I see no fiscal impact on businesses--Steven O. Laing

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

Education
 Administration
 250 East 500 South

Salt Lake City, UT 84111, or
 at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Carol B. Lear at the above address, by phone at (801) 538-7835, by FAX at (801) 538-7768, or by Internet E-mail at clear@usoe.k12.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 05/15/2000.

THIS RULE MAY BECOME EFFECTIVE ON: 05/16/2000

AUTHORIZED BY: Carol B. Lear, Acting Coordinator, School Law

R277. Education, Administration.

R277-473. Testing Procedures.

R277-473-1. Definitions.

A. "Board" means the Utah State Board of Education.

B. "CRT (Criterion Reference Test)" means a test to measure performance against a specific standard. The meaning of the scores is not tied to the performance of other students.

C. "DCS" means the USOE District Computer Services Section.

D. "Last day of school" means the last day classes are held in each school district.

E. "NRT (Norm-reference test)" means a test where the scores are based on comparisons with a nationally representative group of students in the same grade. The meaning of the scores is tied specifically to student performance relative to the performance of the students in the norm group under very specific testing conditions.

F. "Secure test materials" means consumable and nonconsumable test booklets, directions for administering the assessments, kindergarten assessment answer sheets, scoring keys and rubrics.

G. "Standardized tests" means tests required under Utah state law.

H. "USOE" means the Utah State Office of Education.

R277-473-2. Authority and Purpose.

A. This rule is authorized by Utah Constitution Article X, Section 3 which vests general control and supervision of public education in the Board, Section 53A-1-603(3) which directs the Board to adopt rules for the conduct and administration of the testing programs and Section 53A-1-401(3) which permits the Board to adopt rules in accordance with its responsibilities.

B. The purpose of this rule is to provide specific standards and procedures by which school districts shall handle and administer standardized tests.

R277-473-3. Time Periods for Administering and Returning Materials.

A. School districts shall require that all schools within the school district administer CRTs within a continuous three week

period beginning three weeks before the last day of the year or course.

B. School districts shall require that all schools within the school district administer NRTs within the time period specified by the publisher of the test.

C. School districts shall submit all answer sheets for the CRT and NRT tests to DCS for scanning and scoring as follows:

(1) For CRTs, school districts with fewer than 15,000 students shall return answer sheets no later than one week after testing is completed.

(2) For CRTs, school districts with 15,000 or more students shall return answer sheets no later than two weeks after testing is completed.

(3) For NRTs, school districts shall return answer sheets no later than one week after the last day of the testing time period specified by the publisher of the test.

R277-473-4. Security of Testing Materials.

A. The USOE shall maintain a record of all of the secure test materials sent to the school districts.

B. Each school district shall ensure that test materials are secured in an area where only authorized personnel have access.

C. Individual schools within a school district shall secure test materials within three working days of the completion of testing.

D. The USOE may periodically audit school districts to ensure that test materials are properly accounted for and secured.

E. School district employees and school personnel may not copy or in any way reproduce secure test materials without the express permission of the specific test publisher, including the USOE.

R277-473-5. Format for Electronic Submission of Data.

A. DCS shall communicate regularly with school districts regarding required formats for electronic submission of any required data.

B. School districts shall ensure that any computer software for maintaining school district data is, or can be made, compatible with DCS requirements and shall report data as required by the USOE.

R277-473-6. Format for Submission of Answer Sheets and Other Materials.

A. The USOE shall provide a checklist to each school district with clear directions detailing the format in which answer documents are to be collected, reviewed, and returned to the USOE.

B. Each school district shall verify that all the requirements of the testing checklist have been met.

C. CRT data may be submitted in batches in cooperation with the assigned DCS data technician.

R277-473-7. Timing for Return of Results to School Districts.

A. Scanning and scoring shall occur in the order data is received from the school districts.

B. Each school district, in cooperation with the USOE, shall check results and verify their accuracy with DCS.

C. Districts shall not release data until authorized to do so by the USOE.

**KEY: educational testing
2000**

**Art X Sec 3
53A-1-603(3)
53A-1-401(3)**



Education, Administration
R277-501
Educator Licensing Renewal

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 22718

FILED: 03/31/2000, 17:51

RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this amendment is to remove hour requirements from the definition of "full time contract position" and to clarify other credit issues related to professional development.

SUMMARY OF THE RULE OR CHANGE: The changes remove 990 hours from the definition of "full time contract position" and 490 hours from the definition of "half time contract position," and makes other changes related to credit for university or inservice classes.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 53A-6-104

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: No cost or savings to state budget because the changes are technical and have no financial consequences.

❖LOCAL GOVERNMENTS: No cost or savings to local governments (e.g. school districts) because the changes are technical and the issues are new to this rule.

❖OTHER PERSONS: None of the changes create additional costs or savings. They are technical and costs and savings related to the rule as a whole were explained in the original rule filing.

(**DAR Note:** R277-501 was a proposed new rule that is effective as of March 3, 2000. It was published in the February 1, 2000, issue of the *Utah State Bulletin* under DAR No. 22609.)

COMPLIANCE COSTS FOR AFFECTED PERSONS: None of the changes create additional costs or savings. They are technical and costs and savings related to the rule as a whole were explained in the original rule filing.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: I have reviewed this rule, and I see no fiscal impact on businesses--Steven O. Laing

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

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250 East 500 South
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at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Carol B. Lear at the above address, by phone at (801) 538-7835, by FAX at (801) 538-7768, or by Internet E-mail at clear@usoe.k12.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 05/15/2000.

THIS RULE MAY BECOME EFFECTIVE ON: 05/16/2000

AUTHORIZED BY: Carol B. Lear, Acting Coordinator, School Law

R277. Education, Administration.

R277-501. Educator Licensing Renewal.

R277-501-1. Definitions.

A. "Acceptable alternative professional development activities" means activities that do not fall within a specific category under R277-501-3 but are consistent with this rule.

B. "Active educator" means an individual holding a valid license issued by the Board who is employed by a unit of the public education system or an accredited private school in a role covered by the license or an individual who has taught successfully for three of the five years in the educator's renewal cycle.

C. "Active license" means a license that is currently valid for service in a position requiring a license.

D. "Approved Inservice" means training, approved by the USOE under R277-519-3, in which current educators or individuals who have previously received a license may participate to renew a license, teach in another subject area or teach at another grade level.

E. "Board" means the Utah State Board of Education.

F. "College/university course" means a course taken through an institution approved under Section 53A-6-108.

G. "Documentation of professional development activities" means:

(1) an original report card or student transcript for university/college courses;

(2) certificate of completion for an approved inservice, conference, workshop, institute, symposium, educational travel experience and staff development;

(3) summary, explanation, or copy of the product and supervisor's signature, if available, or complete documentation of professional development activities that support district and school policies and further academic pursuit or educational innovations of professional development activities. All agendas, work products, certificates shall be maintained by the educator in the educator's Utah Educator License Renewal Folder;

(4) an agenda or conference program demonstrating sessions and duration of professional development activities.

H. "Educational research" means conducting educational research or investigating education innovations.

I. "Inactive educator" means an individual holding a valid license issued by the Board who was employed by a unit of the public education system or an accredited private school in a role covered by the license for less than three years in the individual's renewal period.

J. "Inactive license" means a license, other than a surrendered, suspended or revoked license, that is currently not valid due to the holder's failure to complete requirements for license renewal.

K. "Level 1 license" means a license issued upon completion of an approved preparation program or an alternative preparation program, or pursuant to an agreement under the NASDTEC Interstate Contract, to candidates who have also met all ancillary requirements established by law or rule.

L. "Level 2 license" means a license issued after satisfaction of all requirements for a Level 1 license and:

(1) requirements established by law or rule; and

(2) three years of successful education experience within a five-year period.

M. "Level 3 license" means a license issued to an educator who holds a current Utah Level 2 license and has also received National Board certification or a doctorate in education or in a field related to a content area in a unit of the public education system or an accredited private school.

N. "License" means an authorization issued by the Board which permits the holder to serve in a professional capacity in a unit of the public education system or an accredited private school.

O. "One half time contract position" means less than full time (minimum [~~990-hour contract position~~]hours defined by district contract) but at least one half time (minimum [~~495-hour contract position~~]hours defined by district contract) employment as an educator in a unit of the public education system or an accredited private school for one school year, or full time for at least one half of the school year.

P. "Professional activities in an educational institution" means active participation in an educational institution consistent with the standards of this rule.

Q. "Professional development plan" means a document prepared by the educator consistent with this rule.

R. "Professional development or license points" means the points accumulated by a Utah license holder through activities approved under this rule for the purpose of satisfying requirements of Section 53A-6-104.

S. "Utah Educator License Renewal Folder" means the folder provided by the USOE or school districts for educators to collect and track professional activities for purposes of license renewal. The license renewal folder may also be developed by an educator upon his own initiative and in an individual format, but shall include adequate documentation of participation in activities approved under this rule.

T. "USOE" means the Utah State Office of Education.

U. "Verification of employment" means official documentation of employment as an educator.

R277-501-2. Authority and Purpose.

A. This rule is authorized by Utah Constitution Article X, Section 3 which vests general control and supervision of public education in the Board, Section 53A-6-104 which requires the

Board to make rules requiring participation in professional development activities in order for educators to retain Utah licensure, and Section 53A-1-401(3) which permits the Board to adopt rules in accordance with its responsibilities.

B. The purpose of this rule is to provide definitions and requirements for an educator to renew a Utah educator license. This rule requires verification of employment, development of a professional development plan and documentation of activities consistent with Section Title 53A, Chapter 6.

R277-501-3. Categories of Acceptable Activities for a[n] Licensed Educator [~~with an Active License~~].

A. A college/university course:

(1) shall be successfully completed with a "C" or better, or a "pass."

(2) Each semester hour equals 18 license points; or

(3) Each quarter hour equals 12 license points.

B. Inservice:

(1) shall be state-approved under R277-519-3.

(2) may be requested from the USOE by:

(a) written request from a private provider on a form supplied by the USOE and received by the appropriate USOE subject specialist at least two weeks prior to the beginning date of the scheduled inservice, or

(b) a request submitted through the computerized inservice program connected to the USOE licensure system.

(i) The computerized process is available in most Utah school districts and area technology centers.

(ii) Such requests shall be made at least two weeks prior to the beginning of the scheduled inservice.

(3) Each clock hour of authorized inservice time equals one professional development point.

(4) The inservice shall be successfully completed through attendance and required project(s).

C. Conferences, workshops, institutes, symposia, educational travel experience or staff-development programs:

(1) Acceptable workshops and programs include those with prior written approval by the USOE, recognized professional associations, district supervisors, or school supervisors regardless of the source of sponsorship or funding.

(2) One license point is awarded for each clock hour of educational participation.

D. Service in professional activities in an educational institution:

(1) Acceptable service includes that in which the license holder contributes to improving achievement in a school, district, or other educational institution, including planning and implementation of an improvement plan.

(2) One license point is awarded for each clock hour of participation.

(3) An inactive educator may earn professional development points by service in professional activities under the supervision of an active administrator.

E. Service in a leadership role in a national, state-wide or district recognized professional education organization:

(1) Acceptable service includes that in which the license holder assumes a leadership role in a professional education organization.

(2) One license point is awarded for each clock hour of participation with a maximum of 10 license points per year.

F. Educational research and innovation that results in a final, demonstrable product:

(1) Acceptable activities include conducting educational research or investigating educational innovations.

(2) This research activity shall follow school and district policy.

(3) An inactive educator may conduct research and receive professional development credit on programs or issues approved by a practicing administrator.

(4) One license point is awarded for each clock hour of participation.

G. Acceptable alternative professional development activities:

(1) Acceptable activities are those that enhance or improve education yet may not fall into a specific category.

(2) These activities shall be approved by an educators' principal/supervisor.

(3) One license point is awarded for each clock hour of participation.

H. Substituting in a unit of the public education system or an accredited private school may be an acceptable alternative professional development activity toward license renewal if the license holder is not an active educator as defined under R277-501B and is paid and authorized as a substitute. A substitute shall earn one point for every two hours of documented substitute time. Verification of hours shall be obtained from the employer or from the supervising principal. A license holder may earn a maximum of 50 professional development points during the renewal period as a substitute.

I. Up to 50 license points may be earned in any one or any combination of categories D, F and G above.

R277-501-4. Required Renewal License Points for Designated License Holders.

A. Level 1 license holder with no licensed educator experience.

(1) An educator desiring to retain active status shall earn at least 100 license points in each three year period.

B. Level 1 license holder with one year licensed educator experience within a three year period.

(1) An active educator shall earn at least 75 license points in each three year period; and

(2) any years taught shall have satisfactory evaluation(s).

C. Level 1 license holder with two years licensed educator experience within a three year period.

(1) An active educator shall earn at least 50 license points in each three year period; and

(2) Any years taught shall have satisfactory evaluation(s).

D. Level 2 license holder:

(1) An active educator shall earn at least 100 license points within each five year period. License points shall be earned in activities defined under this rule that contribute to competence, performance, and effectiveness in the education profession.

(2) An inactive educator shall earn at least 200 license points within a five year period to maintain an active educator license.

(3) An inactive educator who works one year within a five year period shall earn ~~160~~ 165 license points within a five year period to maintain an active educator license.

(4) An inactive educator who works two years within a five year period shall earn ~~120~~130 license points within a five year period to maintain an active educator license.

(5) Credit for any year(s) taught requires satisfactory evaluation(s).

E. Level 3 license holder:

(1) A Level 3 license holder with National Board Certification shall meet the National Board for Professional Teaching Standards (NBPTS) requirements consistent with the NBPTS schedule available from the USOE Educator Licensure Section. A Level 3 license holder shall be responsible to provide verification of NBPTS status prior to the license holder's designated renewal date.

(2) A Level 3 license holder with a doctorate degree in education or in a field related to a content area in a unit of the public education system or an accredited private school shall meet the active or inactive educator Level 2 license holder requirements within a seven year period.

(3) An educator seeking a Level 3 license shall notify the USOE of completion of Level 3 license requirements. Level 3 license criteria apply to the license holder as of the license holder's renewal date following the notification to the USOE.

R277-501-5. Renewal Timeline with Point Requirements for Educator Level 2 License Holders.

A. Level 2 active educators:

(1) A licensed educator whose license expires June 30, 2001 shall earn 20 license points between July 1, 1999 and June 30, 2001 and shall provide verification of employment.

(2) A licensed educator whose license expires June 30, 2002 shall earn 40 license points between July 1, 1999 and June 30, 2002 and shall provide verification of employment.

(3) A licensed educator whose license expires June 30, 2003 shall earn 60 license points between July 1, 1999 and June 30, 2003 and shall provide verification of employment.

(4) A licensed educator whose license expires June 30, 2004 shall earn 80 license points between July 1, 1999 and June 30, 2004 and shall provide verification of employment.

(5) A licensed educator whose license expires June 30, 2005 shall earn 100 license points between July 1, 1999 and June 30, 2005 and shall provide verification of employment.

B. Level 2 inactive educators:

(1) A licensed educator whose license expires on June 30, 2001 shall earn ~~40~~100 license points between July 1, 1999 and June 30, 2001. License holders may receive credit for university/inservice courses taken no more than five years prior to July 1, 1999 under R277-501-6(I).

(2) A licensed educator whose license expires on June 30, 2002 shall earn ~~80~~100 license points between July 1, 1999 and June 30, 2002. License holders may receive credit for university/inservice courses taken no more than five years prior to July 1, 1999 under R277-501-6(I).

(3) A licensed educator whose license expires on June 30, 2003 shall earn 120 license points between July 1, 1999 and June 30, 2003.

(4) A licensed educator whose license expires on June 30, 2004 shall earn 160 license points between July 1, 1999 and June 30, 2004.

(5) A licensed educator whose license expires on June 30, 2005 shall earn 200 license points between July 1, 1999 and June 30, 2005.

R277-501-6. Miscellaneous Renewal Information.

A. A licensed educator shall develop and maintain a professional development plan. The plan:

(1) shall be based on the educator's professional goals and current or anticipated assignment,

(2) shall take into account the goals and priorities of the school/district,

(3) shall be consistent with state laws and district policies, and

(4) may be adjusted as circumstances change.

(5) shall be reviewed and signed by the educator's supervisor.

(6) If an educator is not employed in education at the renewal date, the educator shall:

(a) review the plan and documentation with a professional colleague who may sign the professional development plan and USOE verification form, or

(b) review the professional development plan and personally sign the verification form.

B. Each Utah license holder shall be responsible for maintaining a professional development folder.

(1) It is the educator's responsibility to retain copies of complete documentation of professional development activities with appropriate signatures.

(2) The professional development folder shall be retained by the educator for a minimum of two renewal cycles.

C. The "Verification for License Renewal" form shall be submitted to the USOE Licensing Section, 250 East 500 South, Salt Lake City, Utah 84111 between January 1 and June 30 of the renewal year.

(1) Forms that are not complete or do not bear original signatures shall not be processed.

(2) Failure to submit the verification form consistent with deadlines shall result in beginning anew the administrative licensure process, including all attendant fees and criminal background checks.

(3) The USOE may review or audit verification for license renewal forms or education license renewal folders upon request.

D. License holders may begin to acquire professional development points under this rule as of July 1, 1999.

E. This rule does not explain criteria or provide credit standards for state approved inservice programs. That information is provided in R277-519.

F. Credit for district lane changes or other purposes is determined by a school district and is awarded at a school district's discretion. Professional development credit should not be assumed to be credit for school district purposes, such as salary or lane change credit.

G. A renewal fee set by the USOE shall be charged to educators who seek renewal from an inactive status. Educators with active licenses shall not be charged a renewal fee.

H. The USOE may make exceptions to the provisions of this rule for unique and compelling circumstances.

(1) Exceptions may only be made consistent with the purposes of this rule and the authorizing statutes.

(2) Requests for exceptions shall be made in writing at least 30 days prior to the license holder's renewal date to the Coordinator of Educator Licensing, USOE.

(3) Approval or disapproval shall be made in a timely manner.

I. Licenses awarded under R277-521, Professional Specialist Licensing, are subject to renewal requirements under this rule.

(1) Specialists shall be considered licensed as of September 15, 1999, the effective date of R277-521.

(2) All specialists shall be considered Level 1 license holders.

(3) Years of work experience beginning September 15, 1999 count toward levels of licensure.

KEY: educational program evaluations, educator license renewal*

~~March 3,~~2000

**Art X Sec 3
53A-6-104
53A-1-401(3)**



Education, Administration **R277-702**

Procedures for the Utah General Educational Development Certificate

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 22719

FILED: 03/31/2000, 17:51

RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of the amendment is to emphasize that credits from the GED Test may only be used toward an adult high school diploma.

SUMMARY OF THE RULE OR CHANGE: The amendment clarifies that up to five units of credit for the General Education Development (GED) Test may only be used toward an adult high school diploma.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 53A-1-402(1)(b)

ANTICIPATED COST OR SAVINGS TO:

❖**THE STATE BUDGET:** No cost or savings to state budget because any costs or savings are specific to individual students even though students should not have received credit for GED tests under the unamended rule toward traditional high school diplomas.

❖**LOCAL GOVERNMENTS:** No cost or savings to local government (e.g. school districts) because any costs or savings are specific to individual students, even though students should not have received credit for GED tests under the unamended rule toward traditional high school diplomas.

❖**OTHER PERSONS:** Any costs that individual students may incur due to these clarifications should have been the same under the unamended rule. The changes are for clarification purposes only.

(DAR Note: The previous amendment to R277-702 was published under DAR No. 21825 in the February 15, 1999, issue of the *Utah State Bulletin*, and is effective as of March 22, 1999.)

COMPLIANCE COSTS FOR AFFECTED PERSONS: Any costs that individual students may incur due to these clarifications should have been the same under the unamended rule. The changes are for clarification purposes only.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: I have reviewed this rule, and I see no fiscal impact on businesses--Steven O. Laing

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

Education
Administration
250 East 500 South
Salt Lake City, UT 84111, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Carol B. Lear at the above address, by phone at (801) 538-7835, by FAX at (801) 538-7768, or by Internet E-mail at clear@usoe.k12.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 05/15/2000.

THIS RULE MAY BECOME EFFECTIVE ON: 05/16/2000

AUTHORIZED BY: Carol B. Lear, Acting Coordinator, School Law

R277. Education, Administration.

R277-702. Procedures for the Utah General Educational Development Certificate.

R277-702-1. Definitions.

A. "Board" means the Utah State Board of Education.

B. "GED Test" means the General Educational Development Test developed by the American Council on Education.

C. "Utah General Educational Development Certificate" means a certificate issued by the Board acknowledging competency on the part of the certificate holder in the GED test areas.

R277-702-2. Authority and Purpose.

A. This rule is authorized by Utah Constitution Article X, Section 3 which vests general control and supervision of public education in the Board, Section 53A-1-402(1)(b) which directs the Board to adopt rules regarding access to programs, competency levels and graduation requirements, and Section 53A-1-401(3) which allows the Board to adopt rules in accordance with its responsibilities.

B. The purpose of this rule is to describe the standards and procedures for obtaining a Utah General Educational Development Certificate.

R277-702-3. Eligibility for GED Testing.

A. Admission to a GED Test requires the following:

(1) that the applicant be at least 18 years of age and the applicant's graduating class has graduated; or

(2) that if the applicant is 17 or 18 years of age and the applicant's graduating class has not graduated, the GED testing center requires the following:

(a) a letter from the school district within which the applicant resides indicating the applicant is not regularly enrolled in school; and

(b) a letter from the applicant's parent or guardian authorizing the test [~~applicant age 18, or presenting a marriage license, is exempt from this requirement~~] or a marriage certificate from the applicant if the applicant is married.

R277-702-4. Administrative Procedures and Standards for Testing and Certification.

A. The Board contracts with the General Educational Testing Service of the American Council on Education to administer the GED testing program in the state. The Board may contract with educational institutions within the state to administer the tests and provide related testing services. The number and location of the institutions designated as testing centers is determined in a manner that ensures that the test is reasonably accessible to potential applicants. Testing centers [must]shall meet the GED Testing Service requirements in the GED Examiner's Manual.

B. Persons desiring to take a GED Test [must]shall complete an application available from any official GED testing center of the Board and be eligible to take the GED Test under Subsection 3.

C. Persons desiring to obtain a Utah General Educational Development Certificate shall obtain a standard score of at least 40 on each of the five test components of the GED Test and obtain an overall average standard score of 45 on the five tests combined.

R277-702-5. Fee.

A. The Board, or its designee, shall adopt uniform fees for the General Educational Development Certificate and uniform forms, deadlines, and accounting procedures to administer this program.

B. A GED testing center, after consultation with the Board or its designee, shall adopt fees and forms for its GED testing.

R277-702-6. Official Transcripts.

Test scores shall be accepted by the Board when original scores are reported by:

- A. Board-approved GED testing centers;
- B. Transcript service of the Defense Activity for Non-Traditional Educational Support (DANTES);
- C. Veterans Administration hospitals and centers; or
- D. GED Testing Service.

R277-702-7. Adult High School Credit.

A local board of education may adopt standards and procedures for awarding up to five (5) units of credit on the basis of test results which may be applied toward an adult high school diploma only.

KEY: adult education, educational testing, student competency
~~[March 22, 1999]~~2000 53A-1-402(1)(b)
 Notice of Continuation January 14, 1998 53A-1-401(3)



Environmental Quality, Drinking Water
R309-114
(Changed to R309-710)
Drinking Water Source Protection
Funding

NOTICE OF PROPOSED RULE
 (Amendment)
 DAR FILE NO.: 22709
 FILED: 03/28/2000, 16:27
 RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: To establish a final deadline for submitting drinking water source protection funding reimbursement applications to the Division of Drinking Water. This will enable the division to fiscally manage this program more effectively. The establishment of this deadline will not exclude any eligible public water system, since ample notification will be given for each of them to apply for funding reimbursement prior to the deadline which would be established by this change. This change also allows public water systems to apply for funding using a simplified application form that is provided to them by the division. Additionally, this rule is being renumbered to adhere to the new rule numbering format that has been adopted by the division.

SUMMARY OF THE RULE OR CHANGE: This change establishes December 29, 2000, as the final deadline for submitting drinking water source protection funding reimbursement applications to the division. Additionally, the Utah Administrative Code reference number is being changed from R309-114 to R309-710.

(DAR Note: For complete information on the renumbering of Drinking Water rules, contact the Division of Drinking Water. The other renumbering changes will appear in a future *Bulletin*.)

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 19-4-104(1)(a)(iv)

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: There will be a minimal cost to the state to print material associated with the change and to notify affected public water systems. The aggregate cost is estimated to be less than \$500.

❖LOCAL GOVERNMENTS: Since ample notice will be given to affected public water systems, there should be no cost or savings associated with this change.

❖OTHER PERSONS: Some eligible public water systems are privately owned; they will also be given ample notice and there should be no cost or savings associated with this change.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There is no cost associated with this change because enough notice will be given so that all affected public water systems will be able to meet the application deadline for reimbursement funding.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There is no fiscal impact to businesses that will result from this rule amendment--Dianne R. Nielson

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

Environmental Quality
Drinking Water
Airport East #1, Second Floor
150 North 1950 West
PO Box 144830
Salt Lake City, UT 84114-4830, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Sumner Newman at the above address, by phone at (801) 536-4195, by FAX at (801) 536-4211, or by Internet E-mail at snewman@deq.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 05/15/2000.

THIS RULE MAY BECOME EFFECTIVE ON: 06/12/2000

AUTHORIZED BY: Kevin W. Brown, Director, Division of Drinking Water, and Executive Secretary, Drinking Water Board

R309. Environmental Quality, Drinking Water.

R309-~~(H4)~~710. Drinking Water Source Protection Funding.

R309-~~(H4)~~710-1. Authority and Purpose.

(1) Under authority granted in Subsection 19-4-104(1)(a)(iv), the Drinking Water Board adopts this rule which governs the pass through of federal funds to small public water systems to assist them in developing source protection plans required by R309-~~(H3)~~600.

(2) The Federal Safe Drinking Water Act Amendments of 1996 make certain federal funds available to states to assist them in completing source water assessments required by the Act. It is the intent of the Drinking Water Board to pass most of these funds through to small public water systems to assist them by covering part of the costs they incur in preparing Drinking Water Source Protection Plans ("DWSP Plans") required by R309-~~(H3)~~600.

(3) This rule sets forth the guidelines and requirements that the Drinking Water Board and staff will adhere to in determining the eligibility for and amounts of federal funding that small public water systems shall be granted.

R309-~~(H4)~~710-2. Definitions.

(1) "Small public water system" means a public water system serving less than 3,300 persons.

(2) "DDW" means the Department of Environmental Quality, Division of Drinking Water.

R309-~~(H4)~~710-3. Funds Availability - Time Period.

(1) Federal funds shall be available to be granted to small public water systems as soon as this rule becomes effective and federal funds are made available to the State of Utah. Subject to their availability, funds shall be dispersed until all small public water systems meeting the eligibility requirements of this rule have received funds, or until the total amount of funds passed through to water systems equals \$1,000,000, whichever occurs first. In any case, DWSP Plans submitted to DDW after December 31, 1999, shall not receive funding.

(2) Any federal funds set aside for the purposes described in this rule and not used for the same shall be used for other source water assessment or protection purposes or revert to the federal Drinking Water State Revolving Loan Fund as provided for by federal Safe Drinking Water Act.

R309-~~(H4)~~710-4. Funding Amounts.

(1) Small public water systems shall be eligible for 50%, not to exceed \$2,500, of the actual costs for each ground-water source of drinking water for which they prepare and submit to DDW a complete DWSP Plan. Funds shall not be granted until DDW determines that the Plan is complete, i.e., meets all the requirements of R309-~~(H3)~~600.

(2) Systems located in the same geographic areas are encouraged to have their source protection plans prepared together, as a group, by a single consultant or vendor. This should help to reduce costs and increase the effectiveness of plans.

R309-~~(H4)~~710-5. Eligibility Criteria and Application for Funds.

(1) In order to be eligible for these funds, a small public water system must:

(a) Have been in existence as of the initial effective date of R309-~~(H3)~~600 (July 26, 1993);

(b) have more than 50% of the dwelling units served by the system occupied by permanent, year-round residents;

(c) have a median adjusted gross income that is less than the state-wide median adjusted gross income for Utah; however, if a group of small public water systems located in the same geographic area selects a single consultant who prepares and submits all their source protection plans together, and at least 50% of the systems in the group meet this income level criterion, then all systems in the group, or the group as a whole, shall be deemed to meet this criterion;

(d) be a community water system, or a non-transient, non-community water system that is not associated with or owned by a for-profit entity, and is not owned/operated by a federal or state government agency; and

(e) submit complete DWSP Plans to DDW by the due dates indicated in R309-~~(H3)~~600-3. No DWSP Plans submitted to DDW after December 31, 1999 shall be eligible for these funds.

(2) In addition, only DWSP Plans prepared for drinking water sources that were existing (approved by DDW) as of July 26, 1993 shall be eligible for these funds.

(3) Application for Funds - In order to apply for and receive funds, small public water systems must submit an application form which has been obtained from DDW and completed in accordance with its instructions or a letter of application, with the complete DWSP Plan, to DDW. The completed application form or letter of application must be accompanied by documentation of actual costs incurred in preparing the DWSP Plan(s), and certify that these costs are actual and correct. The letter must also certify that the water system meets the eligibility criteria stated above, and be signed by the water system manager or designated person (R309-113-5). All completed applications or letters of application must be received by DDW no later than December 29, 2000. There shall be no exceptions to this deadline.

R309-~~114~~710-6. Order of Dispersal of Funds.

(1) Funds shall be granted to small public water systems by DDW in the order in which complete DWSP Plans along with a letter of application for funds are received by DDW.

(2) Funds shall be dispersed until the total amount granted reaches \$1,000,000, or until all DWSP Plans submitted by December 31, 1999, and determined to be eligible for funding have been funded, whichever occurs first.

KEY: drinking water, environmental health
[~~June 15, 1998~~ May 16, 2000 19-4-104(1)(a)(iv)



Environmental Quality, Drinking Water
R309-351
(Changed to R309-705)
 Utah Federal State Revolving Fund
 (SRF) Program

NOTICE OF PROPOSED RULE

(Amendment)
 DAR FILE No.: 22711
 FILED: 03/30/2000, 09:29
 RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The reason for changes to this rule is to provide clarification to certain areas of the rule; to provide a simple formula (percentage) for the determination of "disadvantaged communities"; to provide clarification of project costs and project obligations; and outline types of security that may be required from privately owned water systems. In addition, the internal numbering of sections and subsections is changed to conform with DAR guidelines, and the rule number itself is changed to conform with a renumbering scheme approved by the Drinking Water Board to allow for forthcoming changes mandated by the federal Safe Drinking Water Act (SDWA).

SUMMARY OF THE RULE OR CHANGE: The entire rule is renumbered internally to conform with Division of Administrative Rules (DAR) guidelines for sections, subsections, etc., and the rule number itself is changed to conform with a scheme approved by the Drinking Water Board which will allow for potential future rules being easily inserted without breaking up the major subject of a group of rules. There is a clarification concerning eligible project costs which includes "interest," but excludes "property condemnation" costs. The previous fixed dollar amount used in determining if an area is a "disadvantaged community" is changed to a percentage of the state's median adjusted gross income, which is further clarified to "exclude zero exemption tax returns." Eligible project obligations is expanded to include preliminary planning, studies, surveys, engineering or architectural fees, and preparation of plans and specifications. Loan agreements and conditions for financial assistance to "private companies" is included as well as clarification concerning when commitments are binding through a commitment agreement. Finally, some "wordsmithing" is done to bring greater clarification to certain areas.

(DAR Note: For complete information on the renumbering of Drinking Water rules, contact the Division of Drinking Water. The other renumbering changes will appear in a future *Bulletin*.)

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Title 73, Chapter 10b, and Title 73, Chapter 10c; and Section 19-4-104

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: None--this is primarily a rule number change to an existing program, and even with the change in definition of a "disadvantaged community," there will be no increased work load to staff, nor any increase or reduction to the state budget as a result of these proposed changes.

❖LOCAL GOVERNMENTS: Little to none--some communities that would not have been considered a "disadvantaged community" by the previous definition may now be considered such and eligible for principal forgiveness or negative interest, reducing their debt service for an approved project.

❖OTHER PERSONS: None--there is no increase or reduction in the impact these changes will have on persons performing engineering work or financial consulting for loan applicants.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Some loan applicants may receive lower interest rates or principal forgiveness as a result of the change in the definition of "disadvantaged community."

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES:

The department agrees that the proposed changes to this rule will have little to no fiscal impact on water systems applying for or receiving financial assistance, unless they are considered "disadvantaged communities"; nor will it impact any of the affiliated businesses such as engineering firms, escrow agents, bond counselors, or financial advisors which provide services to the applicants.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

Environmental Quality
Drinking Water
Second Floor
150 North 1950 West
PO Box 144830
Salt Lake City, UT 84114-4830, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Michael B. Georgeson / William B. Birkes at the above address, by phone at (801) 536-4197 / (801) 536-4201, by FAX at (801) 536-4211, or by Internet E-mail at mgeorges@deq.state.ut.us / bbirkes@deq.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 05/15/2000.

THIS RULE MAY BECOME EFFECTIVE ON: 05/16/2000

AUTHORIZED BY: Kevin W. Brown, Director, Division of Drinking Water, and Executive Secretary, Drinking Water Board

R309. Environmental Quality, Drinking Water.

R309-705[354]. Financial Assistance: [Utah] Federal Drinking Water Project[State] Revolving Loan[Fund (SRF)] Program. R309-705-1. Purpose.

The purpose of this rule is to establish criteria for financial assistance to public drinking water system in accordance with a federal grant established under 42 U.S.C. 300j et seq., federal Safe Drinking Water Act.

R309-705-2[351-1]. Statutory Authority.

The authority for the Department of Environmental Quality acting through the [Utah] Drinking Water Board to issue financial assistance for drinking water projects from a federal capitalization grant is provided in 42 U.S.C. 300j et seq., federal Safe Drinking Water Act, and Title 73, Chapters 10b and 10c[Chapter 10 b-c], Utah Code Unannotated[Annotated].

R309-705-3[351-2]. Definitions.

Definitions for general terms used in this rule are given in R309-110. Definitions for terms specific to this rule are given below.

[A-]"Board" means the Drinking Water Board.

[B-]"Drinking Water Project" means any work or facility necessary or desirable to provide water for human consumption and other domestic uses. Its scope includes collection, treatment, storage, and distribution facilities.

[C-]"Project Costs" include the cost of acquiring and constructing any project including, without limitation: the cost of acquisition and construction of any facility or any modification, improvement, or extension of such facility; any cost incident to the acquisition of any necessary property, easement or right of way, except property condemnation cost, which are not eligible costs; engineering or architectural fees, legal fees, fiscal agents' and

financial advisors' fees; any cost incurred for any preliminary planning to determine the economic and engineering feasibility of a proposed project; costs of economic investigations and studies, surveys, preparation of designs, plans, working drawings, specifications and the inspection and supervision of the construction of any facility; Hardship Grant Assessments and interest accruing on loans made under this program during acquisition and construction of the project; and any other cost incurred by the Board or the Department of Environmental Quality, in connection with the issuance of obligation to evidence any loan made to it under the law.

[D-]"Disadvantaged Communities" are defined as those communities located in an area which has a median adjusted gross income which is[of] less than or equal to 80% of the State's median adjusted gross income[~~\$20,400.00~~], as determined by the Utah State Tax commission from federal individual income tax returns excluding zero exemption returns.

[E-]"Drinking Water Project Obligation" means any bond, note or other obligation issued to finance all or part of the cost of acquiring, constructing, expanding, upgrading or improving a drinking water project, including, but not limited to, preliminary planning, studies, surveys, engineering or architectural fees, and preparation of plans and specifications, as defined by 73-10b-2(6) of the Utah Code Unannotated.

[F-]"Credit Enhancement Agreement" means any agreement entered into between the Board, on behalf of the State, and an eligible water system for the purpose of providing methods and assistance to eligible water systems to improve the security for and marketability of drinking water project obligations.

[G-]"Eligible Water System" means any community drinking water system, either privately or publicly owned; and nonprofit noncommunity water systems.

[H-]"Interest Buy-Down Agreement" means any agreement entered into between the Board, on behalf of the State, and an eligible water system, for the purpose of reducing the cost of financing incurred by an eligible water system on bonds issued by the subdivision for project costs.

[I-]"Financial Assistance" means a project loan, credit enhancement agreement, or interest buy-down agreement.

[J-]"Hardship Grant Assessment" means an assessment applied to loan recipients. The assessment shall be calculated as a percentage of principal. Hardship grant assessment funds shall be subject to the requirements of UAC R309-350 for hardship grants.

[K-]"Negative Interest" means a loan [~~having loan terms~~] with an interest rate at less than zero percent. The repayment schedule for loans having a negative interest rate will be prepared by the Drinking Water Board.

[L-]"Principal Forgiveness" means a loan wherein a portion of the loan amount is "forgiven" upon closing the loan. The terms for principal forgiveness will be as directed by section 4[3] of this rule, and by the Drinking Water Board.

"Interest" means an assessment applied to loan recipients. The assessment shall be calculated as a percentage of principal

R309-705-4[351-3]. Financial Assistance Methods.

(1)[A-] Eligible Activities of the SRF.

Funds within the SRF may be used for loans and other authorized forms of financial assistance. Funds may be used for the construction of publicly or privately owned works or facilities, or

any work that is an eligible project cost as defined by 73-10b-2 of the Utah Code Unannotated.

~~(2)(B)-~~ Types of Financial Assistance Available for Eligible Water Systems.

~~(a)(+)-~~ Loans.

To qualify for "negative interest" or "principal forgiveness", ~~[the Board must make a determination that]~~ the system must qualify as ~~[is]~~ a "disadvantaged community". Upon application, the Board will make a case by case determination whether the system is a "disadvantaged community". To be eligible to be considered as a disadvantaged community, the system must be located in a service area or zip code area which has a median adjusted gross income which is ~~[of]~~ less than or equal to 80% of the State's median adjusted gross income, as determined by the Utah State Tax Commission from federal individual income tax returns excluding zero exemption returns ~~[\$20,400]~~. Additionally, the Board will consider the type of community served by the system, the economic condition of the community, the population characteristics of those served by the system, factors relating to costs, charges and operation of the water system, and other such information as the Board determines relevant to making the decision to recognize the system as a "disadvantaged community".

~~(i)(-)-~~ Hardship Grant Assessment ~~[(Interest) Rate]~~.

The assessment ~~[Loan rates]~~ will be calculated based on the procedures and formulas shown in section 6 of this rule ~~[R309-351-5 of the Utah Administrative Code]~~.

~~(ii)(b)-~~ Repayment.

Annual repayments of principal, interest and/or ~~[and]~~ Hardship Grant Assessment generally commence not later than one year after project completion. Project completion shall be defined as the date ~~[operations of]~~ the funded project is capable of ~~[being initiated]~~ operation. Where a project has been phased or segmented, the repayment requirement applies to the completion of individual phases or segments.

The loan must be fully amortized not later than 20 years after project completion. The yearly amount of the principal repayment is set at the discretion of the Board.

~~(iii)(c)-~~ Principal Forgiveness.

Eligible water systems meeting the definition of "disadvantaged community" may qualify for financial assistance in the form of forgiveness of the principal loan amount. Terms for principal forgiveness will be as determined by Board resolution.

Eligible applicants for "principal forgiveness" financial assistance will be considered by the Board on a case-by-case basis. The Board will consider the type of community served by the system, the economic condition of the community, the population characteristics of those served by the system, factors relating to costs, charges and operation of the water system, and such other information as the Board determines relevant to making the decision to recognize the system as a disadvantaged community.

~~(iv)(d)-~~ Negative Interest Rate.

Eligible water systems meeting the definition of "disadvantaged community" may qualify for financial assistance in the form of a loan with a negative ~~[loan]~~ interest rate, as determined by Board resolution.

Eligible applicants for "negative interest" financial assistance will be considered by the Board on a case-by-case basis. The Board will consider the type of community served by the system, the economic condition of the community, the population

characteristics of those served by the system, factors relating to costs, charges and operation of the water system, and such other information as the Board determines relevant to making the decision to recognize the system as a disadvantaged community.

~~(v)(e)-~~ Dedicated Repayment Source and Security.

Loan recipients must establish one or more dedicated sources of revenue for repayment of the loan. As a condition of financial assistance, the applicant must demonstrate a revenue source and security, as required by the Board.

~~(b)(2)-~~ Refinancing Existing Debt Obligations.

The Board may use funds from the SRF to buy or refinance municipal, inter-municipal or interstate agencies, where the initial debt was incurred and construction started after July 1, 1993. Refinanced projects must comply with the requirements imposed by the Safe Drinking Water Act (SDWA) as though they were projects receiving initial financing from the SRF.

~~(c)(3)-~~ Credit Enhancement Agreements and Interest Buy-Down Agreements.

The Board will determine whether a project may receive all or part of a loan, credit enhancement agreement or interest buy-down agreement. To provide security for project obligations, the Board may agree to purchase project obligations of applicants, or make loans to the applicants. The Board may also consider making loans to the applicants to pay the cost of obtaining letters of credit from various financial institutions, municipal bond insurance, or other forms of insurance or security for project obligations. The Board may also consider other methods of assistance to applicants to properly enhance the marketability of or security for project obligations.

Interest buy-down agreements may consist of any of the following:

~~(i)(a)-~~ A financing agreement between the Board and applicant whereby a specified sum is loaned to the applicant. The loaned funds shall be placed in a trust account, which shall be used exclusively to reduce the cost of financing for the project.

~~(ii)(b)-~~ A financing agreement between the Board and the applicant whereby the proceeds of bonds purchased by the Board is combined with proceeds from publicly issued bonds to finance the project. The rate of interest on bonds purchased by the Board may carry an interest rate lower than the interest rate on the publicly issued bonds, which when blended together will provide a reduced annual debt service for the project.

~~(iii)(c)-~~ Any other legal method of financing which reduces the annual payment amount on publicly issued bonds. The financing alternative chosen should be the one most economically advantageous for the State and the applicant.

~~(3)(e)-~~ Ineligible Projects.

Projects which are ineligible for financial assistance include:

~~(a)(+)-~~ Any project for a water system in significant non-compliance, as measured by a "not approved" rating, unless the project will resolve all outstanding issues causing the non-compliance.

~~(b)(2)-~~ Any project where the Board determines that the applicant lacks the technical, managerial, or financial capability to achieve or maintain SDWA compliance, unless the Board determines that the financial assistance will allow or cause the system to maintain long-term capability to stay in compliance.

~~(c)(3)-~~ Any project meant to finance the expansion of a drinking water system to supply or attract future population growth.

Eligible projects, however, can be designed and funded at a level which will serve the population that a system expects to serve over the useful life of the facility.

~~(d)[4:]~~ Projects which are specifically prohibited from eligibility by Federal guidelines. These include the following:

~~(i)[a:]~~ Dams, or rehabilitation of dams;

~~(ii)[b:]~~ Water rights, ~~unless[except if]~~ the water rights are owned by a system that is being purchased through consolidation as part of a capacity development strategy;

~~(iii)[c:]~~ Reservoirs, except for finished water reservoirs and those reservoirs that are part of the treatment process and are located on the property where the treatment facility is located;

~~(iv)[d:]~~ Laboratory fees for monitoring;

~~(v)[e:]~~ Operation and maintenance costs;

~~(vi)[f:]~~ Projects needed mainly for fire protection[.];

~~g. Projects for systems that lack adequate technical, managerial and financial capability, unless assistance will help ensure compliance;~~

~~h. Projects for systems in significant noncompliance, unless funding will help ensure compliance;]~~

~~(e)[5:]~~ Second home subdivisions, meaning those subdivisions having a majority of non-primary living residents.

R309-705-5[351-4]. Application and Project Initiation Procedures.

The following procedures must normally be followed to obtain financial assistance from the Board:

~~(1)[A:]~~ It is the responsibility of the applicant to obtain the necessary financial, legal and engineering counsel, as deemed acceptable by the Drinking Water Board, to prepare an effective and appropriate financial assistance agreement.

~~(2)[B:]~~ A completed application form and project engineering report, as appropriate, are submitted to the Board.

~~(3)[C:]~~ The staff prepares an engineering, capacity development analysis, and financial feasibility report on the project for presentation to the Board.

~~(4)[D:]~~ The Board "Authorizes" financial assistance for the project on the basis of the feasibility report prepared by the staff. The Board then designates whether a loan, credit enhancement agreement, interest buy-down agreement, or any combination thereof, is to be entered into, and approves the project schedule (see section 7 of this rule). ~~[Reference R309-351-6.]~~

~~(5)[E:]~~ The applicant must demonstrate public support for the project prior to bonding, as deemed acceptable by the Drinking Water Board.

~~(6)[F:]~~ For financial assistance mechanisms where the applicant's bond is purchased by the Board, the project applicant's bond documentation must include an opinion from recognized bond counsel. Counsel must be experienced in bond matters, and must include an opinion that the drinking water project obligation is a valid and binding obligation of the applicant (see section 8 of this rule[R309-351-7]). The opinion must be submitted to the Assistant Attorney General for preliminary approval and the applicant shall publish a Notice of Intent to issue bonds in a newspaper of general circulation pursuant to 11-14-21 of the Utah Code Unannotated[~~the Utah Code Annotated 1953, Section 11-14-21~~]. For financial assistance mechanisms when the applicant's bond is not purchased by the Board, the applicant shall submit a true and correct copy of an opinion from legal counsel, experienced in bond matters, that the

drinking water project obligation is a valid and binding obligation of the applicant.

~~(7)[G:]~~ The Board issues a Plan Approval for plans and specifications, if required, and concurs in bid advertisement.

~~(8)[H:]~~ If a project is designated to be financed by a loan or an interest buy-down agreement, an account supervised by the applicant and the Board will be established by the applicant to assure that loan funds are used only for eligible project costs. If financial assistance for the project is provided by the Board in the form of a credit enhancement or interest buy-down agreement, all project funds will be maintained in a separate account, and a quarterly report of project expenditures will be provided to the Board.

Incremental disbursement bonds will be required. Cash draws will be based on a schedule that coincides with the rate at which project[construction] related costs are expected to be incurred for the project.

~~(9)[I:]~~ For a revenue bond, a User Charge Ordinance, or water rate structure, must be submitted to the Board for review and approval to insure adequate provisions for debt retirement and/or operation and maintenance. For a general obligation bond, a User Charge Ordinance must be submitted to the Board for review and approval to insure the system will have adequate resources to provide acceptable service.

~~(10)~~ A "Private Company" will be required to enter into a Loan Agreement with the Board. The loan agreement will establish the procedures for disbursement of loan proceeds and will set forth the security interests to be granted to the Board by the Applicant to secure the Applicant's repayment obligations.

(a) The Board may require any of the following forms of security interest or additional/other security interests to guarantee repayment of the loan: deed of trust interests in real property, security interests in equipment and water rights, and personal guarantees.

(b) The security requirements will be established after the Board's staff has reviewed and analysed the Applicants financial condition.

(c) These requirements may vary from project to project at the discretion of the Board

(d) The Applicant will also be required to execute a Promissory Note in the face amount of the loan, payable to the order of the lender, and file a Utah Division of Corporations and Commercial Code Financing Statement, Form UCC-1.

(e) The Board may specify that loan proceeds be disbursed incrementally into an escrow account for expected construction costs. Or it may authorize another acceptable disbursement procedure.

~~(11)[J:]~~ The applicant's contract with its engineer must be submitted to the Board for review to, determine that there will be adequate engineering involvement, including project supervision and inspection, to successfully complete the project.

~~(12)[K:]~~ The applicant's attorney must provide an opinion to the Board regarding legal incorporation of the applicant, valid legal title to rights-of-way and the project site, validity and quantity of water rights, and adequacy of bidding and contract documents, as required.

~~(13)[L:]~~ A position fidelity bond must be provided for the treasurer or other local staff handling the repayment funds and revenues produced by the applicant's system.

~~(14)(M)~~ CREDIT ENHANCEMENT AGREEMENT AND INTEREST BUY-DOWN AGREEMENT ONLY - The Board shall issue the credit enhancement agreement or interest buy-down agreement setting forth the terms and conditions of the security or other forms of assistance provided by the agreement and shall notify the applicant to sell the bonds.

~~(15)(N)~~ CREDIT ENHANCEMENT AGREEMENT AND INTEREST BUY-DOWN AGREEMENT ONLY - The applicant shall sell the bonds on the open market and the Board of the terms of sale. If a credit enhancement agreement is being utilized, the bonds sold on the open market shall contain the legend required by ~~[Section 73-10c-6(3)(d)]~~ of the Utah Code ~~Unannotated~~ ~~(1953)~~. If an interest buy-down agreement is being utilized, the bonds sold on the open market shall bear a legend which makes reference to the interest buy-down agreement and states that such agreement does not constitute a pledge of or charge against the general revenues, credit or taxing powers of the state and that the holder of any such bond may look only to the applicant and the funds and revenues pledged by the applicant for the payment of interest and principal on the bonds.

~~(16)(O)~~ The applicant shall open bids for the project.

~~(17)(P)~~ LOAN ONLY - The Board shall give final approval to purchase the bonds and execute the loan contract.

~~(18)(Q)~~ LOAN ONLY - The final closing of the loan is conducted.

~~(19)(R)~~ A preconstruction conference shall be held.

~~(20)(S)~~ The applicant shall issue a written notice to proceed to the contractor.

R309-705-6[351-5]. Applicant Priority System and Selection of Terms of Assistance.

~~(1)(A)~~ Priority Determination.

The Board may, at its option, modify a project's priority rating based on the following considerations:

~~a)(1)~~ The project plans, specifications, contract, financing, etc., of a lesser-rated project are ready for execution.

~~b)(2)~~ Available funding.

~~c)(3)~~ Acute health risk.

~~d)~~ Capacity Development.

The Board will utilize the format shown in Table 1 to prioritize loan applicants.

TABLE 1
Priority System

Deficiency Description	Points Received
Source Quality/Quantity	
Health Risk (select one)	
A. There is evidence that waterborne illnesses have occurred.	25
B. There are reports of illnesses which may be waterborne.	20
C. High potential for waterborne illness exists.	15
D. Moderate potential for waterborne illness	8
E. No evidence of potential health risks	0
Compliance with SDWA (select all that apply)	
A. Source has been determined to be under the influence of surface water.	25

B. System is often out of water due to inadequate source capacity.	20
-or-	
System capacity does not meet the requirements of UPDWR.	10
C. Source has a history of three or more confirmed microbiological violations within the last year.	10
D. Sources are not developed or protected according to UPDWR.	10
E. Source has confirmed MCL chemistry violations within the last year.	10
Total	100

Treatment

Deficiency Description	Points Available
Health Risk/Compliance with SDWA (select all that apply)	
A. Treatment system cannot consistently meet log removal requirements and/or turbidity standards.	25
B. The required disinfection systems are not installed, are inadequate, or fail to provide adequate water quality.	25
C. Treatment system is subject to impending failure, or has failed.	25
-or-	
Treatment system equipment does not meet demands of UPDWR.	15
-or-	
System equipment is projected to become inadequate without upgrades.	5
Total	75

Storage

Deficiency Description	Points Available
Health Risk / Compliance with SDWA (select all that apply)	
A. Storage system is subject to impending failure, or has failed.	25
-or-	
System is old, cannot be easily cleaned, or subject to contamination.	15
B. Storage system is inadequate for existing demands.	20
-or-	
Storage system demand exceeds 90% of storage capacity.	10
C. Applicable contact time requirements cannot be met without an upgrade.	15
D. System suffers from low static pressures.	15
Total	75

Distribution

Deficiency Description	Points Available
Health Risk/Compliance with SDWA (select all that apply)	
A. Distribution system equipment is deteriorated or inadequate for existing demands.	20
-or-	
Distribution system is inadequate to meet 5 year projected demands.	10
B. Applicable disinfectant residual maintenance requirements are not met or high backflow contamination potential exists.	20
C. Project will replace pipe containing unsafe materials (lead, asbestos, etc).	15
D. Minimum dynamic pressure requirements are not met.	10
E. System experiences a heavy leak rate in the distribution lines.	10
Total	75

Priority Rating = (Average Points Received) x (Rate Factor) x (AGI Factor)

Where:

* Rate Factor = (Average System Water Bill/Average State Water Bill)

** AGI Factor = (State Median AGI/System Median AGI)

~~(2)(B-)~~ Financial Assistance Determination. The amount and type of financial assistance offered will be based upon the criteria shown in Table 2. As determined by Board resolution, disadvantaged communities may also receive zero-percent loans, or other financial assistance as described herein.

Effective rate calculation methods will be determined by Board resolution from time to time, using the Revenue Bond Buyer Index (RBBI) as a basis point, the points assigned in Table 2, and a method to reduce the interest rate from a recent RBBI rate down to a potential minimum of zero percent.

TABLE 2

Special Hardship Grant Assessment Rate Reduction Incentives

1. Project will include creation or enhancement of, or compliance with a regionalization plan	25
2. Applicant has, within the last 5 years, developed and implemented a water master plan	25
3. Applicant has a 5-year history of having implemented a replacement or depreciation fund, amounting to 5% of the drinking water budget for O and M, and debt service.	15
4. Applicant has a written emergency response plan.	10
5. Project funding contributed by applicant meets or exceeds 20% of estimated project cost	10
6. Applicant has established a rate structure to encourage water conservation	15
TOTAL POSSIBLE POINTS	100

R309-705-7[351-6]. Project Authorization.

A project may be "Authorized" for a loan, credit enhancement agreement, or interest buy-down agreement in writing by the Board following submission and favorable review of an application form, engineering report (if required), financial capability assessment and Staff feasibility report.

Once the application submittals are reviewed, the staff will prepare a project feasibility report for the Board's consideration in Authorizing a project. The project feasibility report will include an evaluation of the project with regard to the Board's funding priority criteria, and will contain recommendations for the type of financial assistance which may be extended (i.e., for a loan, credit enhancement agreement, or interest buy-down agreement).

The Board may authorize a loan for any work or facility to provide water for human consumption and other domestic uses. Generally, work means planning, engineering design, or other eligible activities defined elsewhere in these rules.

Project Authorization is ~~not a contractual commitment and is~~ conditioned upon the availability of funds at the time of loan closing or signing of the credit enhancement, or interest buy-down and upon adherence to the project schedule approved at that time. The Board, at its own discretion, may require the Applicant to enter into a "Commitment Agreement" with the Board prior to execution of final loan documents or closing of the loan. This Commitment Agreement or Binding Commitment may specify date(s) by which the Applicant must complete the requirements set forth in the Project Authorization Letter. The Commitment Agreement shall

state that if the Department of Environmental Quality acting through the Drinking Water Board is unable to make the Loan by the Loan Date, this Agreement shall terminate without any liability accruing to the Department or the Applicant hereunder. Also, if[4f] the project does not proceed according to the project schedule, the Board may withdraw project Authorization, so that projects which are ready to proceed can obtain necessary funding. Extensions to the project schedule may be considered by the Board, but any extension requested must be fully justified.

R309-705-8[351-7]. Financial Evaluations.

~~(1)(A-)~~ The Board considers it a proper function to assist project applicants in obtaining funding from such financing sources as may be available.

~~(2)(B-)~~ In providing financial assistance in the form of a loan, the Board may purchase bonds of the applicant only if the bonds are accompanied by a legal opinion of recognized municipal bond counsel. Bond counsel must provide an opinion that the bonds are legal and binding under applicable Utah law (including, if applicable, the Utah Municipal Bond Act). For bonds of \$150,000 or less the Board will not require this opinion.

~~(3)(C-)~~ In providing financial assistance in the form of a loan, the Board may purchase either taxable or non-taxable bonds; provided that it shall be the general preference of the Board to purchase bonds issued by the applicant only if the bonds are tax exempt. Tax-exempt bonds must be accompanied by a legal opinion of recognized municipal bond counsel to the effect that the Interest and the Hardship Grant Assessment (also interest) on the bonds is exempt from federal income taxation. Such an opinion must be obtained by the applicant in the following situations:

~~(a)(7-)~~ Bonds which are issued to finance a project which will also be financed in part at any time by the proceeds of other bonds which are exempt from federal income taxation.

~~(b)(2-)~~ Bonds which are not subject to the arbitrage rebate provisions of Section 148 of the Internal Revenue Code of 1986 (or successor provision of similar intent), including, without limitation, bonds covered by the "small governmental units" exemption contained in Section 148(f)(4)(c) of the Internal Revenue Code of 1986 (or any successor provision of similar intent) and bonds which are not subject to arbitrage rebate because the gross proceeds from the loan will be completely expended within six months after the issuance of such bonds.

~~(4)(D-)~~ If more than 25 percent of the project is to serve industry, bond counsel must evaluate the loan to ensure the tax exempt status of the loan fund.

~~(5)(E-)~~ Revenue bonds purchased by the Board shall be secured by a pledge of water system revenues, and it is the general policy of the Board that the pledge of water revenues for the payment of debt service (principal and/or Hardship Grant Assessment) on a particular revenue bond be on a parity with the pledge of those water revenues as security for the debt service payments on all other bonds or other forms of indebtedness which are secured by the water revenues.

~~(6)(F-)~~ If a project is Authorized to receive a loan, the Board will establish the portion of the construction cost to be included in the loan and will set the terms for the loan. It is the Board's intent to avoid repayment schedules which would exceed the design life of the project facilities.

~~(7)(G)~~ Normal engineering and investigation costs incurred by the Department of Environmental Quality (DEQ) or Board during preliminary project investigation and prior to Board Authorization will not become a charge to the applicant if the project is found infeasible, denied by the Board, or if the applicant withdraws the Application prior to the Board's Authorization.

If the credit enhancement agreement or interest buy-down agreement does not involve a loan of funds from the Board, then administrative costs will not be charged to the project. However, if ~~the Board Suthorizes a loan for the project~~~~[is Authorized to receive a loan from the Board]~~, all costs incurred by the DEQ or Board~~[from the beginning of]~~ on the project will be charged ~~[to] against~~ the project and paid by the applicant as a part of the total project cost. Generally, this will include all DEQ and Board costs incurred from the beginning of the preliminary investigations through the end of construction and close-out of the project. If the applicant decides not to build the project after the Board has Authorized the project, all costs ~~accru[ing]~~ed after the Authorization date will be reimbursed by the applicant to the Board.

~~(8)(H)~~ The Board shall determine the date on which the scheduled payments of principal, ~~[and]~~ Hardship Grant Assessment, and interest will be made. In fixing this date, all possible contingencies shall be considered, and the Board may allow the system user up to one year of actual use of the project facilities before the first repayment is required.

~~(9)(I)~~ The applicant shall furnish the Board with acceptable evidence that the applicant is capable of paying its share of the construction costs during the construction period.

~~(10)(J)~~ LOANS AND INTEREST BUY-DOWN AGREEMENTS ONLY - The Board may require, as part of the loan or interest buy-down agreement, that any local funds which are to be used in financing the project be committed to construction prior to or concurrent with the committal of State funds.

~~(11)(K)~~ The Board will not forgive the applicant of any payment after the payment is due.

~~(12)(L)~~ The Board will require that a debt service reserve account be established by the applicant at or before the time that the loan is closed. Deposits to that account shall be made at least annually in the amount of one-tenth of the annual payment on the bond(s) purchased by the Board and shall continue until the total amount in the debt service reserve fund is equal to the annual payment. The debt service reserve account shall be continued until the bond is retired. Failure to maintain the reserve account will constitute a technical default on the bond(s).

~~(13)(M)~~ The Board will require a capital facilities replacement reserve account be established at or before the loan is closed. Deposits to that account shall be made at least annually in the amount of five percent (5%) of the applicant's annual drinking water system budget, including depreciation, unless otherwise specified by the Board at the time of loan authorization, until the loan is repaid. This fund shall not serve as security for the payment of principal or Hardship Grant Assessment on the loan. The applicant shall adopt such resolutions as necessary to limit the use of the fund to construct capital facilities for its water system. The applicant will not need the consent of the Board prior to making any expenditure from the fund. Failure to maintain the reserve account will constitute a technical default on the bond(s) and may result in penalties being assessed.

~~(14)(N)~~ If the Board is to purchase a revenue bond, the Board will require that the applicant's water rates be established such that sufficient net revenue will be raised to provide at least 125% (or such other amount as the Board may determine) of the total annual debt service.

~~(15)(O)~~ A Water Management and Conservation Plan will be required.

R309-705-9[351-8]. Committal of Funds and Approval of Agreements.

After the Board has approved the plans and specifications by the issuance of a Plan Approval, the loan will be considered by the Board for final approval. The Board will determine whether the agreement is in proper order. The Executive Secretary, or designee, may then execute final approval of the loan or credit enhancement agreement if obligations to the Board or other aspects of the project have not changed significantly since the Board's authorization of the loan or credit enhancement, provided all conditions imposed by the Board have been met. If significant changes have occurred the Board will then review the project and, if satisfied, the Board will then commit funds, approve the signing of the contract, credit enhancement agreement, or interest buy-down agreement, and instruct the Executive Secretary to submit a copy of the signed contract or agreement to the Division of Finance.

R309-705-10[351-9]. Construction.

The Division of Drinking Water staff may conduct inspections and will report to the applicant. Contract change orders must be properly negotiated with the contractor and approved in writing. Change orders in excess of \$10,000 must receive prior written approval by the Executive Secretary before execution. Upon successful completion of the project and recommendation of the applicant's engineer, the applicant will request the Executive Secretary to conduct a final inspection. When the project is complete to the satisfaction of the applicant's engineer, the Executive Secretary and the applicant, written approval will be issued by the Executive Secretary to commence using the project facilities.

R309-705-11[351-10]. Compliance with Federal~~[Cross-Cutting]~~ Requirements.

~~(1)(A)~~ Applicants must show the legal, institutional, managerial, and financial capability to construct, operate, and maintain the drinking water system(s) that the project will serve.

~~(2)(B)~~ As required by Federal Code, applicants may be subject to the following ~~["cross-cutting"]~~ federal requirements:

Archeological and Historic Preservation Act of 1974, Pub. L. 86-523, as amended

Clean Air Act, Pub. L. 84-159, as amended

Coastal Barrier Resources Act, Pub. L. 97-348

Coastal Zone Management Act, Pub. L. 92-583, as amended

Endangered Species Act, Pub. L. 92-583

Environmental Justice, Executive Order 12898

Floodplain Management, Executive Order 11988 as amended by Executive Order 12148

Protection of Wetlands, Executive Order 11990

Farmland Protection Policy Act, Pub. L. 97-98

Fish and Wildlife Coordination Act, Pub. L. 85-624

National Environmental Policy Act of 1969 (NEPA), Pub. L. 91-190

National Historic Preservation Act of 1966, PL 89-665, as amended

Safe Drinking Water Act, Pub. L. 93-523, as amended

Wild and Scenic Rivers Act, Pub. L. 90-542, as amended

Age Discrimination Act of 1975, Pub. L. 94-135

Title VI of the Civil Rights Act of 1964, Pub. L. 88-352

Section 13 of the Federal Water Pollution Control Act Amendments of 1972, Pub. L. 92-500 (the Clean Water Act)

Section 504 of the Rehabilitation Act of 1973, Pub. L. 93-112 (including Executive Orders 11914 and 11250)

The Drug-Free Workplace Act of 1988, Pub. L. 100-690 (applies only to the capitalization grant recipient)

Equal Employment Opportunity, Executive Order 11246

Women's and Minority Business Enterprise, Executive Orders 11625, 12138 and 12432

Section 129 of the Small Business Administration[

—]_Reauthorization and Amendment Act of 1988, Pub. L. 100-590

Anti-Lobbying Provisions (40 CFR Part 30)

Demonstration Cities and Metropolitan Development Act of 1966, Pub. L. 89-754, as amended

Procurement Prohibitions under Section 306 of the Clean Water Act and Section 508 of the Clean Water Act, including Executive Order 11738, Administration of the Clean Air Act and the Federal Water Pollution Control Act with Respect to Federal Contracts, Grants, or Loans

Uniform Relocation and Real Property Acquisition Policies Act, Pub. L. 91-646, as amended

Debarment and Suspension, Executive Order 12549

Accounting procedures, whereby applicants agree to maintain a separate project account in accordance with Generally Accepted Accounting Standards and Utah State Uniform Accounting requirements

KEY: SDWA, financial assistance, loans

[August 19, 1997]2000

19-4-104

73-10b

73-10c

◆ ————— ◆

**Natural Resources, Parks and
Recreation
R651-611-4
Special Fees**

**NOTICE OF PROPOSED RULE
(Amendment)**

DAR FILE NO.: 22706

FILED: 03/20/2000, 07:42

RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: To correct fees charged for certain golfing privileges at Palisade State Park and Wasatch Mountain State Park golf courses that were in a previous fee schedule, effective January 3, 2000. This rule amendment will lower certain golf fees by \$0.50. The fees to be lowered include nine holes weekdays (except holidays); nine holes Sr/Jr weekdays (except holidays); and nine holes general public (weekends and holidays). Lowering the fees listed above will save golfers at these courses \$0.50 on each round listed within this text.

(DAR Note: The previous amendment to R651-611 was published under DAR No. 22474 in the November 15, 1999, issue of the *Utah State Bulletin*, and is effective as of January 3, 2000.)

SUMMARY OF THE RULE OR CHANGE: This rule amendment will lower golf fees charged at Palisade and Wasatch Mountain State Park golf courses to represent the amounts that were incorrectly given in the previous fee schedule.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 63-11-17

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: This amendment shows a decrease in the amount of golf fees collected at Palisade State Park Golf Course and Wasatch Mountain State Park Golf Course. That amount will be approximately \$20,000 annually (or \$0.50 per certain rounds of golf), based on current usage by area golfers.

❖LOCAL GOVERNMENTS: Since local government has no authority over state parks, there is no aggregate anticipated cost or savings.

❖OTHER PERSONS: Golfers at these two courses will pay \$0.50 cents less than in the fee schedule adopted January 3, 2000, saving them the same amount the state will decrease in revenue.

COMPLIANCE COSTS FOR AFFECTED PERSONS: At Palisade State Park golf course, each person playing golf will pay \$9 instead of \$9.50 for nine holes weekdays (except holidays); \$8 instead of \$8.50 for nine holes Jr/Sr weekdays (except holidays); and \$10 instead of \$10.50 for nine holes general public, weekends and holidays. At Wasatch Mountain State Park golf course, each person playing golf will pay \$11 instead of \$11.50 for nine holes general public (weekends and holidays); \$9 instead of \$9.50 for nine holes Jr/Sr; and \$10 instead of \$10.50 for nine holes general public. With these changes the public will save about \$20,000 in fees for the golfing year.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The proposed rule will have no fiscal impact on business.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

Natural Resources
Parks and Recreation
116
1594 West North Temple

PO Box 146001
Salt Lake City, UT 84114-6001, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Dee Guess at the above address, by phone at (801) 538-7320, by FAX at (801) 537-3144, or by Internet E-mail at nrdomain.dguess@email.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 05/15/2000.

THIS RULE MAY BECOME EFFECTIVE ON: 05/16/2000

AUTHORIZED BY: David K. Morrow, Deputy Director

R651. Natural Resources, Parks and Recreation.

R651-611. Fee Schedule.

R651-611-4. Special Fees.

A. Golf Course Fees

1. Jordan River rental and green fees

a. Nine holes general public - weekends and holidays - summer - \$6.50

b. Nine holes weekdays (except holidays) - summer - \$5.50

c. Nine holes Jr/Sr weekdays (except holidays)- (summer) - \$4.50

d. Nine holes general public (winter) - \$4.50

e. Nine holes Jr/Sr (winter) - \$3.50

f. All day rate weekdays (winter) - \$8.00

g. All day rate weekends and holidays (winter) - \$10.00

h. 20 round card pass - \$75.00

i. Promotional pass weekdays (except holidays) - \$250.00

j. Companion fee - adult - \$2.00

k. Companion fee - child - \$1.00

l. Motorized cart (9 holes) - Prohibited

m. Pull carts (9 holes) - \$1.00

n. Club rental - \$3.00

o. Summer season is April through October and the winter season is November through March.

2. Palisade rental and green fees.

a. Nine holes general public - weekends and holidays - [~~\$10.50~~]\$10.00

b. Nine holes weekdays (except holidays) - [~~\$9.50~~]\$9.00

c. Nine holes Jr/Sr weekdays (except holidays) [~~\$8.50~~]\$8.00

d. 20 round card pass - \$140.00

e. 20 round card pass (Jr only)- \$100.00

f. Promotional pass - single person (any day) - \$400.00

g. Promotional pass - single person (weekdays only) - \$275.00

h. Promotional pass - couples (any day) - \$650.00

i. Promotional pass - family (any day) - \$850.00

j. Companion fee - walking, non -player - \$4.00

k. Motorized cart (9 holes) - \$8.00

l. Motorized cart (9 holes single rider) - \$4.00

m. Pull carts (9 holes) - \$2.00

n. Club rental (9 holes) - \$5.00

o. School teams - No fee for practice rounds with coach and team roster. Tournaments are \$3.00 per player.

p. Driving range - small bucket - \$2.50

q. Driving range - large bucket - \$3.50

3. Wasatch Mountain rental and green fees.

a. Nine holes general public - [~~\$10.50~~]\$10.00

b. Nine holes general public (weekends and holidays)- [~~\$11.50~~]\$11.00

c. Nine holes Jr/Sr weekdays (except holidays) - [~~\$9.50~~]\$9.00

d. 20 round card pass - \$180.00 - no holidays or weekends

e. Companion fee - walking, non-player - \$4.00

f. Motorized cart (9 holes - mandatory on Mt. course) - \$10.00

g. Motorized cart (9 holes single rider) - \$5.00

h. Pull carts (9 holes) - \$2.25

i. Club rental (9 holes) - \$6.00

j. School teams - No fee for practice rounds with coach and team roster (Wasatch Co. only).

Tournaments are \$3.00 per player.

k. Tournament fee (per player) - \$2.00

l. Driving range - small bucket - \$2.25

m. Driving range - large bucket - \$4.50

4. Green River rental and green fees.

a. Nine holes general public - \$9.00

b. Nine holes Jr/Sr weekdays (except holidays) - \$8.00

c. Eighteen holes general public - \$16.00

d. 20 round card pass - \$130.00

e. Promotional pass - single person (any day) - \$325.00

f. Promotional pass - single person (Jr/Sr weekdays) - \$275.00

g. Promotional pass - couple (any day) - \$600.00

h. Promotional pass - family (any day) - \$750.00

i. Companion fee - walking, non-player - \$4.00

j. Motorized cart (9 holes) - \$8.00

k. Motorized cart (9 holes single rider) - \$4.00

l. Pull carts (9 holes) - \$2.25

m. Club rental (9 holes) - \$5.00

n. School teams - No fee for practice rounds with coach and team roster. Tournaments are \$3.00 per player.

5. Golf course hours are daylight to dark

6. No private, motorized golf carts are allowed, except where authorized by existing contractual agreement.

7. Jr golfers are 17 years and under. Sr golfers are 62 and older.

B. Boat Mooring and Dry Storage

1. Mooring Fees:

a. Day Use - \$5.00

b. Overnight Boat Parking - \$7.00 until 8:00 a.m.

c. Overnight Boat Camping - \$10.00 until 2:00 p.m.

d. Monthly - \$4.00/ft.

e. Monthly with Utilities - (Bear Lake) \$5.00/ft.

f. Monthly with Utilities - (Other Parks) \$4.50/ft.

g. Monthly Off Season - \$2.00/ft

h. Monthly (Off Season with utilities) - \$2.50/ft

2. Dry Storage Fees:

a. Overnight (until 2:00 p.m.) - \$5.00

b. Monthly During Season - \$40.00

c. Off Season - \$20.00

C. Meeting Rooms and Buildings

1. Day Use: 1-4 hours between 8:00 a.m. and 6:00 p.m.

a. Up to 50 persons - \$50.00

b. 51 to 100 persons - \$70.00

c. 101 to 150 persons - \$90.00

- d. Add 50% for after 6:00 p.m.
- e. Fees include day use fee
- 2. Overnight Use 2:00 p.m. until 2:00 p.m., up to 100 people.
 - a. Monday through Thursday - \$100.00
 - b. Friday through Sunday and Holidays - \$150.00
 - c. November through March - Add 10%
- D. Ice and Roller Skating Fees

TABLE 7

Public Hours	Territorial		Utah Lake	
	Two Hour Sessions	Two Hour Sessions	Two Hour Sessions	Two Hour Sessions
1. Adults	\$2.00		\$4.00	
2. Children 6 through 11	\$1.00		\$3.00	
3. Skate Rental	\$1.00		\$1.00	
4. Ice Skate Sharpening			\$3.00	
5. Group Reservations	\$30.00/hour		\$100.00/hour	

- E. Other Miscellaneous Fees
 - 1. Canoe Rental (includes safety equipment).
 - a. Up to one (1) hour - \$ 5.00
 - b. Up to four (4) hours - \$10.00
 - c. All day to 6:00 p.m. \$20.00
 - 2. Paddleboat Rental (includes safety equipment).
 - a. Up to one (1) hour \$10.00
 - b. Up to four (4) hours \$20.00
 - c. All day to 6:00 p.m. \$30.00
 - 3. Cross Country Skiing Trails.
 - a. \$4.00 per person, twelve (12) and older.
 - b. \$2.00 per person, six (6) through eleven (11).
 - 4. Pavilion - 8:00 a.m. - 10:00 p.m. (non -fee areas).
 - a. \$10.00 per day - (single unit).
 - b. \$30.00 per day - (group unit).
 - 5. Recreation Field (non-fee areas) - \$25.00.
 - 6. Sports Equipment Rental - \$10.00.
 - 7. Day Use Shower Fee - \$2.00.
(where facilities can accommodate)
 - 8. Cemetery Fees.
 - a. \$150.00 Veteran or as allowed by Veterans Administration
 - b. \$400.00 Spouse or dependent child (under 18 or handicapped).
 - c. \$200.00 Extra for Saturday burials.
 - d. \$250.00 Extra for Sunday or holiday burials.
 - e. \$200.00 Cleaning deposit for all non-funeral functions.
 - f. \$100.00 Two hour chapel use for funerals.
 - g. \$125.00 Two hour chapel use (non-funeral).
 - h. \$50.00 additional charge for chapel use on Saturday, Sunday and holidays.
 - i. \$300.00 Casket disinterments.
 - j. \$150 Cremation disinterments.
 - 9. Application Fees - Non -refundable PLUS Negotiated Costs.
 - a. Grazing Permit - \$20.00
 - b. Easement - \$50.00
 - c. Construction/Maintenance - \$50.00
 - d. Special Use Permit - \$50.00
 - e. Commercial Filming - \$50.00
 - f. Waiting List - \$10.00
 - 10. Assessment and Assignment Fees.
 - a. Duplicate Document - \$10.00
 - b. Contract Assignment - \$20.00

- c. Returned checks - \$20.00
- d. Staff time - \$40.00/hour
- e. Equipment - \$30.00/hour
- f. Vehicle - \$20.00/hour
- g. Researcher - \$5.00/hour
- h. Photo copy - \$.10/each
- i. Fee collection - \$10.00
- 11. Curation Fees.
 - a. Annual curation agreement \$50.00
 - b. Curation storage Edge of Cedars \$400.00/cubic foot.
 - c. Curation storage other parks \$250.00/cubic foot
 - d. All curation storage fees are one time only.
- 12. Snowmobile Parking Fee - Monte Cristo Trailhead.
 - a. Day use (6:00 a.m. to 10:00 p.m.) - \$3.00
 - b. Overnight (10:00 p.m. to 10:00 p.m.) - \$5.00
 - c. Season Pass (Day use only) - \$30.00
 - d. Season Pass (Overnight) - \$50.00

KEY: parks, fees

~~[January 3,]2000~~

63-11-17-(2)

Notice of Continuation February 10, 1997



Natural Resources, Wildlife Resources

R657-19

Taking Nongame Mammals

NOTICE OF PROPOSED RULE
(Amendment)

DAR FILE NO.: 22713

FILED: 03/30/2000, 10:39

RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule is being amended pursuant to Wildlife Board meetings conducted annually for taking public input and reviewing the division's nongame mammals program.

SUMMARY OF THE RULE OR CHANGE: Provisions of this rule are being amended to allow the taking of Utah prairie dogs in Millard County if a person obtains a Certificate of Registration (COR). Clarifies that a COR allows the taking of Utah prairie dogs if the taking will not further endanger the existence of this species, but only in cases whereby the Utah prairie dogs are causing damage to agricultural lands in accordance with the U.S. Fish and Wildlife Service, or as provided by a valid Incidental Take permit issued by the U.S. Fish and Wildlife Service. Provisions are being added to establish an open season and areas open for taking white-tailed and Gunnison prairie dogs. This filing also makes other technical changes for consistency and clarity.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 23-13-3, 23-14-18, and 23-14-19

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: These amendments are for clarification, complying with U.S. Fish and Wildlife Service regulations, and providing an open season and areas for taking White-tailed and Gunnison prairie dogs. A license or certificate of registration is not required for taking white-tailed and Gunnison prairie dogs. Therefore, these amendments do not create a cost or savings impact to the state budget or the Division of Wildlife Resources' budget.

❖LOCAL GOVERNMENTS: None--this filing does not create any direct cost or saving impact to local governments because they are not directly affected by the rule. Nor are local governments indirectly impacted because the rule does not create a situation requiring services from local governments.

❖OTHER PERSONS: These amendments are for clarification and complying with federal regulations; therefore, the amendments do not impose any additional requirements on other persons, nor generate a cost or savings impact to other persons.

COMPLIANCE COSTS FOR AFFECTED PERSONS: None--the amendments clarify existing requirements and comply with federal regulations on taking Utah prairie dogs. The amendments also provide an open season and areas for taking white-tailed and Gunnison prairie dogs. A license or certificate of registration is not required for taking white-tailed and Gunnison prairie dogs. Therefore, there are not any additional compliance costs associated with this amendment.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The amendments to this rule do not create an impact on businesses.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

Natural Resources
Wildlife Resources
Suite 2110
1594 West North Temple
PO Box 146301
Salt Lake City, UT 84114-6301, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Debbie Sundell at the above address, by phone at (801) 538-4707, by FAX at (801) 538-4709, or by Internet E-mail at nrdrw.dsundell@email.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 05/15/2000.

THIS RULE MAY BECOME EFFECTIVE ON: 05/16/2000

AUTHORIZED BY: John Kimball, Director

R657. Natural Resources, Wildlife Resources.**R657-19. Taking Nongame Mammals.****R657-19-1. Purpose and Authority.**

(1) Under authority of Sections 23-13-3, 23-14-18 and 23-14-19, this rule provides the standards and requirements for taking and possessing nongame mammals.

(2) A person taking any live nongame mammal for a personal, scientific, educational, or commercial use must comply with R657-3 Collection, Importation, Transportation and Subsequent Possession of Zoological Animals.

R657-19-2. Definitions.

(1) Terms used in this rule are defined in Section 23-13-2.

(2) In addition:

(a) "Noncontrolled species" means a species or subspecies of zoological animal that poses a minimal threat of disease or ecological, environmental, or human health or safety risk.

(b) "Nongame mammal" means:

(i) any species of bats;

(ii) any species of mice, rats, or voles of the families Heteromyidae, Cricetidae, or Zapodidae;

(iii) opossum of the family Didelphidae;

(iv) pikas of the family Ochotonidae;

(v) porcupine of the family Erethizontidae ;

(vi) shrews of the family Soricidae; and

(vii) squirrels, prairie dogs, and marmots of the family Scuridae.

R657-19-3. General Provisions.

(1) A person may not purchase or sell any nongame mammal or its parts.

(2) A certificate of registration must be obtained prior to taking any species designated in Subsection R657-19-4 as prohibited or any species listed in Rule R657-3-24 as prohibited or controlled.

(3) Section 23-20-8 does not apply to the taking of noncontrolled species covered under this rule.

R657-19-4. Controlled Species.

(1) A certificate of registration is required to take any of the following species of nongame mammals:

(a) bats of any species; and

(b) pika - *Ochotona princeps*.

(2) A certificate of registration is required to take any shrew - Soricidae, all species.

(3) A certificate of registration is required to take a Utah prairie dog, *Cynomys parvidens*, in Beaver, Garfield, Iron, Kane, Millard, Piute, Sanpete, Sevier, Washington, and Wayne counties.

(4) A certificate of registration is required to take any of the following species of nongame mammals in Washington County:

(a) cactus mouse - *Peromyscus eremicus*;

(b) kangaroo rats - *Dipodomys*, all species;

(c) Southern grasshopper mouse - *Onychomys torridus*; and

(d) Virgin River montane vole - *Microtus montanus rivularis*, which occurs along stream-side riparian corridors of the Virgin River.

(5) A certificate of registration is required to take any of the following species of nongame mammals in San Juan and Grand counties:

- (a) Abert squirrel - *Sciurus aberti*;
- (b) Northern rock mouse - *Peromyscus nasutus*; and
- (c) spotted ground squirrel - *Spermophilus spilosoma*.

(6) A certificate of registration is not required to take any of the following species of nongame mammals:

- (a) White-tailed prairie dog, *Cynomys leucurus*; and
- (b) Gunnison prairie dog, *Cynomys gunnisoni*.

R657-19-5. Noncontrolled Species.

All nongame mammal species not designated as controlled species in R657-19-4, are designated as noncontrolled species and may be taken as follows:

- (1) A license is not required to take any species of nongame mammals designated as noncontrolled;
- (2) Species of nongame mammals designated as noncontrolled may be taken year-round, 24-hours-a-day.
- (3) There are no bag or possession limits for species of nongame mammals designated as noncontrolled.

R657-19-6. Utah Prairie Dog Provisions.

(1)(a) A person may not take a Utah Prairie dog, *Cynomys parvidens*, without first obtaining a certificate of registration.

(b) A certificate of registration for taking Utah prairie dogs may be issued as provided in Subsection (i) or Subsection (ii), if the taking will not further endanger the existence of the species:

(i) in cases where Utah Prairie dogs are causing damage to agricultural lands as provided in the rules of the U.S. Fish and Wildlife Service; or

(ii) as provided in a valid Incidental Take permit issued by the U.S. Fish and Wildlife Service under an approved Habitat Conservation Plan.

(c) A person may apply for a certificate of registration at the division's southern regional office, [622]1470 North [Main Street]Airport Road, Suite 1, Cedar City, Utah 84720.

(d) After review of the application, a certificate of registration may be issued.

(2)(a) A person may take Utah prairie dogs with a firearm during daylight hours or by trapping as specified on the certificate of registration.

(b) A person may not use any chemical toxicant to take Utah prairie dogs.

(c) In addition to the requirements of this rule, any person taking Utah prairie dogs must comply with local ordinances and laws.

R657-19-7. Areas Open to Taking Utah Prairie Dogs -- Dates Open --Limits on Number of Utah Prairie Dogs Taken.

(1) A person who obtains a valid certificate of registration may take Utah prairie dogs only on private lands within the following counties:

- (a) Beaver;
- (b) Garfield;
- (c) Iron;
- (d) Kane;
- (e) ~~[Piute;~~
- (f) Sanpete;

~~(g) Sevier;~~

~~(h) Washington; and~~

~~(i) Wayne.~~

~~(2)(a) A person may take Utah prairie dogs on private agricultural areas only, where Utah prairie dogs are causing damage to agricultural lands as provided in the certificate of registration:~~

~~(b)]Millard;~~

~~(f) Piute;~~

~~(g) Sanpete;~~

~~(h) Sevier;~~

~~(i) Washington; and~~

~~(j) Wayne.~~

(2) Taking of a Utah prairie dog on any land or by any method, other than as provided in the valid certificate of registration, including any public land, is a violation of state and federal law.

(3) A landowner, lessee, or employee on a regular payroll and not hired specifically to take Utah prairie dogs, and who is specifically named on a valid certificate of registration, may remove Utah prairie dogs, as provided in the certificate of registration.

(4) The taking of any Utah prairie dog outside the areas provided in this section is prohibited, except by division employees while acting in the performance of their assigned duties.

(5) The taking of Utah prairie dogs is limited to the dates designated on the certificate of registration. All dates are confined to June 1 through December 31.

(6)(a) A person may take only the total number of Utah prairie dogs designated in the certificate of registration.

(b) The total range-wide take of Utah prairie dogs causing agricultural damage is limited to no more than 6,000 Utah prairie dogs annually.

(c) If the division determines that taking Utah prairie dogs has an adverse effect on conservation of the species, taking shall be further restricted or prohibited.

R657-19-8. Monthly Reports of Take of Utah Prairie Dogs.

The following information must be reported to the division's southern regional office, [622]1470 North [Main Street]Airport Road, Suite 1, Cedar City, Utah 84720, every 30 days:

- (1) the name and address of the certificate of registration holder;
- (2) the person's certificate of registration number; and
- (3) the location, method of take, and method of disposal of each Utah prairie dog taken during the 30-day period.

R657-19-9. Unlawful Possession of Utah Prairie Dogs.

A person may not possess a Utah prairie dog or its parts, without first obtaining a valid certificate of registration and a federal permit.

R657-19-10. White-tailed and Gunnison Prairie Dogs.

(1)(a) A license or certificate of registration is not required to take either white-tailed or Gunnison prairie dogs.

(b) There are no bag limits for white-tailed or Gunnison prairie dogs for which there is an open season.

(2) White-tailed prairie dogs, *Cynomys leucurus*, may be taken:

(a) in the following counties at any time:

(i) Carbon County;

- (ii) Daggett County;
- (iii) Duchesne County;
- (iv) Emery County;
- (v) Summit County;
- (vi) Uintah County, except in the closed area as provided in Subsection (2)(b)(i); and
- (vii) all areas west and north of the Colorado River in Grand and San Juan counties.

(b) White-tailed prairie dogs, Cynomys leucurus, may not be taken in the following closed area in order to protect the reintroduced population of black-footed ferrets, Mustela nigripes:

(i) Boundary begins at the Utah/Colorado state line and Uintah County Road 403, also known as Stanton Road, northeast of Bonanza; southwest along this road to SR 45 at Bonanza; north along this highway to Uintah County Road 328, also known as Old Bonanza Highway; north along this road to Raven Ridge, just south of US 40; southeast along Raven Ridge to the Utah/Colorado state line; south along this state line to point of beginning.

(3)(a) The taking of Gunnison prairie dogs, Cynomys gunnisoni, is prohibited in all areas south and east of the Colorado River, and north of the Navajo Nation in Grand and San Juan counties from April 1 through June 15.

(b) Gunnison prairie dogs may be taken in the area provided in Subsection (3)(a) from June 16 through March 31.

(c) Gunnison prairie dogs causing agricultural damage or creating a nuisance on private land may be taken at any time, including during the closed season from April 1 through June 15.

R657-19-11. Violation.

(1) Any violation of this rule is a Class C misdemeanor as provided in Section 23-13-11(2).

(2) In addition to this rule any animal designated as a threatened or endangered species is governed by the Endangered Species Act and the unlawful taking of these species may also be a violation of federal law and rules promulgated thereunder.

KEY: wildlife, game laws

[September 9, 1996]2000

Notice of Continuation July 15, 1996

23-13-3

23-14-18

23-14-19

23-14-20



Natural Resources, Wildlife Resources

R657-33

Taking Bear

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 22714

FILED: 03/30/2000, 10:39

RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule is being amended pursuant to Wildlife Board meetings

conducted annually for taking public input and reviewing the division's bear program, and the taking and pursuit of bear.

SUMMARY OF THE RULE OR CHANGE: Provisions of this rule are being amended to eliminate the requirement that a person must obtain a small game license to take bear in accordance with the 1999 Utah Legislature, H.B. 196. Clarification that a person must be 12 years of age or older by the posting date of the bear drawing to apply in the drawing for a bear permit. Provide clarification of the application procedures and requirements, and drawing procedures for obtaining limited entry bear permits. This filing also makes other technical changes for consistency and clarity.

(DAR Note: H.B. 196 is found at 1999 Utah Laws 209, and was effective July 1, 1999.)

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 23-14-18 and 23-14-19

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: The Division of Wildlife Resources (DWR) sold 411 limited entry, and pursuit bear permits to residents, and 65 to nonresidents. The DWR estimates that 25% of the resident permit holders purchased a small game license to only hunt or pursue bear; and 75% of nonresidents purchased a small game license to only hunt or pursue bear. The cost of the resident small game license is \$13, and the cost of the nonresident small game license is \$41. Therefore, the DWR's revenue in license sales will decrease by \$3,348 due to eliminating the small game license requirement.

❖LOCAL GOVERNMENTS: None--this filing does not create any direct cost or saving impact to local governments because they are not directly affected by the rule. Nor are local governments indirectly impacted because the rule does not create a situation requiring services from local governments.

❖OTHER PERSONS: A savings overall to persons of \$3,348 is a result of eliminating the small game license requirement.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The compliance cost for affected persons is decreased for taking or pursuing bear because a person is no longer required to purchase a small game license in addition to a bear permit.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The amendments to this rule do not create an impact on businesses.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

Natural Resources
Wildlife Resources
Suite 2110
1594 West North Temple
PO Box 146301
Salt Lake City, UT 84114-6301, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Debbie Sundell at the above address, by phone at (801) 538-4707, by FAX at (801) 538-4709, or by Internet E-mail at nrdwr.dsundell@email.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 05/15/2000.

THIS RULE MAY BECOME EFFECTIVE ON: 05/16/2000

AUTHORIZED BY: John Kimball, Director

R657. Natural Resources, Wildlife Resources.

R657-33. Taking Bear.

R657-33-1. Purpose and Authority.

(1) Under authority of Sections 23-14-18 and 23-14-19, of the Utah Code, the Wildlife Board has established this rule for taking and pursuing bear.

(2) Specific dates, areas, number of permits, limits and other administrative details which may change annually are published in the proclamation of the Wildlife Board for taking and pursuing bear.

R657-33-2. Definitions.

(1) Terms used in this rule are defined in Section 23-13-2.

(2) In addition:

(a) "Bait" means any lure containing animal, mineral or plant materials.

(b) "Baiting" means the placing, exposing, depositing, distributing or scattering of bait to lure, attract or entice bear on or over any area.

(c) "Bear" means *Ursus americanus*, commonly known as black bear.

(d) "Canned hunt" means that a bear is treed, cornered, held at bay or its ability to escape is otherwise restricted for the purpose of allowing a person who was not a member of the initial hunting party to arrive and take the bear.

(e) "Cub" means a bear less than one year of age.

(f) "Evidence of sex" means the sex organs of a bear, including a penis, scrotum or vulva.

(g) "Green pelt" means the untanned hide or skin of a bear.

(h) "Pursue" means to chase, tree, corner or hold a bear at bay.

(i) "Waiting period" means a specified period of time that a person who has obtained a bear permit must wait before applying for any other bear permit.

~~(j) "Wildlife Habitat Authorization" means a document granting authority to purchase a license or permit.~~

R657-33-3. Permits for Taking Bear.

(1)(a) To take a bear, a person must first obtain an annual Wildlife Habitat Authorization, ~~[a valid small game or combination license,]~~ and a limited entry bear permit for a specified management unit as provided in the proclamation of the Wildlife Board for taking bear.

(b) To pursue bear, a person must first obtain an annual Wildlife Habitat Authorization, ~~[a valid small game or combination license,]~~ and a bear pursuit permit from a division office.

~~[(c) Beginning July 1, 1999, a valid small game or combination license is no longer required before obtaining a limited entry bear permit or a bear pursuit permit.~~

~~—](2) Any limited entry bear permit purchased after the season opens is not valid until seven days after the date of purchase.~~

(3) Residents and nonresidents may apply for limited entry bear permits and purchase bear pursuit permits.

R657-33-4. Purchase of License or Permit by Mail.

(1) A ~~[nonresident]person~~ may purchase a ~~[small game license]Wildlife Habitat Authorization or bear pursuit permit~~ by mail by sending the following information to the Salt Lake division office: full name, complete mailing address, phone number, date of birth, weight, height, sex, color of hair and eyes, driver's license number (if available), proof of hunter education certification and fee.

~~(2)(a) Personal checks[—A person may purchase a pursuit permit by mail by sending the following information to the Salt Lake division office: full name, complete mailing address, phone number, small game or combination license number and fee.~~

~~—(3)(a) Residents may send a personal check], cashier's check or money [order.]orders will be accepted.~~

~~[(b) Nonresidents must send either a cashier's check or money order. Personal checks are not accepted from nonresidents.](b) Personal checks drawn on an out-of-state will not be accepted.~~

(c) Checks must be made payable to the Utah Division of Wildlife Resources.

R657-33-5. Hunting Hours.

Bear may be taken or pursued only between one-half hour before official sunrise through one-half hour after official sunset.

R657-33-6. Firearms and Archery Equipment.

(1) A person may use the following to take bear:

(a) any firearm not capable of being fired fully automatic, except a firearm using a rimfire cartridge; and

(b) a bow and arrows, except a crossbow may not be used.

R657-33-7. Traps and Trapping Devices.

(1) Bear may not be taken with a trap, snare or any other trapping device, except as authorized by the division.

(2) Bear accidentally caught in any trapping device must be released unharmed.

(3)(a) Written permission must be obtained from a division representative to remove the carcass of a bear from any trapping device.

(b) The carcass shall remain the property of the state of Utah and must be surrendered to the division.

R657-33-8. State Parks.

(1) Hunting of any wildlife is prohibited within the boundaries of all state park areas except those designated by the Division of Parks and Recreation in Section R651-603-5.

(2) Hunting with a rifle, handgun or muzzleloader in park areas designated open is prohibited within one mile of all area park facilities, including buildings, camp or picnic sites, overlooks, golf courses, boat ramps and developed beaches.

(3) Hunting with shotguns and archery tackle is prohibited within one quarter mile of the above stated areas.

R657-33-9. Prohibited Methods.

(1) Bear may be taken or pursued only during open seasons and using methods prescribed in this rule and the proclamation of the Wildlife Board for taking and pursuing bear. Otherwise, under

the Wildlife Resources Code, it is unlawful for any person to possess, capture, kill, injure, drug, rope, trap, snare, or in any way harm or transport bear.

(2) After a bear has been pursued, chased, treed, cornered, legally baited or held at bay, a person may not, in any manner, restrict or hinder the animal's ability to escape.

(3) A person may not engage in a canned hunt.

(4) A person may not take any wildlife from an airplane or any other airborne vehicle or device or any motorized terrestrial or aquatic vehicle, including snowmobiles and other recreational vehicles.

R657-33-10. Spotighting.

(1) Except as provided in Section 23-13-17:

(a) a person may not use or cast the rays of any spotlight, headlight or other artificial light to locate protected wildlife while having in possession a firearm or other weapon or device that could be used to take or injure protected wildlife; and

(b) the use of a spotlight or other artificial light in a field, woodland or forest where protected wildlife are generally found is prima facie evidence of attempting to locate protected wildlife.

(2) The provisions of this section do not apply to the use of the headlights of a motor vehicle or other artificial light in a usual manner where there is no attempt or intent to locate protected wildlife.

R657-33-11. Party Hunting.

A person may not take a bear for another person.

R657-33-12. Use of Dogs.

(1) Dogs may be used to take or pursue bear only during open seasons as provided in the proclamation of the Wildlife Board for taking bear.

(2) The owner and handler of dogs used to take or pursue bear must have a valid bear permit or bear pursuit permit in possession while engaged in taking or pursuing bear.

(3) When dogs are used in the pursuit of a bear, the licensed hunter intending to take the bear must be present when the dogs are released and must continuously participate in the hunt thereafter until the hunt is completed.

(4) When dogs are used to take a bear and there is not an open pursuit season, the owner and handler of the dogs must have a valid pursuit permit and be accompanied by a licensed hunter as provided in Subsection (3).

R657-33-13. Certificate of Registration Required for Bear Baiting.

(1) A certificate of registration for baiting must be obtained before establishing a bait station.

(2) Certificates of registration are issued only to holders of valid limited entry bear archery permits.

(3) A certificate of registration may be obtained from the division office within the region where the bait station will be established.

(4) The following information must be provided to obtain a certificate of registration for baiting: township, range, section to the nearest 1/4 section, county, drainage, type of bait used, and written permission from the appropriate landowner for private lands or appropriate land management agency for public lands.

(5)(a) The division recommends that any person interested in baiting on any lands administered by the Forest Service or Bureau of Land Management verify that the lands are open to baiting before applying for a limited entry bear archery permit.

(b) Areas which are open to baiting on National Forests are designated on a map which may be obtained from district offices. Baiting locations and applicable travel restrictions must be verified by the district supervisor prior to applying for a certificate of registration.

(c) Areas generally closed to baiting stations by these federal agencies include:

(i) designated Wilderness Areas;

(ii) heavily used drainages or recreation areas; and

(iii) critical watersheds.

(6) A \$5 handling fee must accompany the application.

(7) Only hunters listed on the certificate of registration may hunt over the bait station and the certificate of registration must be in possession while hunting over the bait station.

(8) Any person tending a bait station must be listed on the certificate of registration.

R657-33-14. Use of Bait.

(1)(a) A person who has obtained a limited entry bear archery permit may use archery tackle only, even when hunting bear away from the bait station.

(b) A person may establish or use only one bait station. The bait station may be used during both open seasons.

(c) Bear lured to a bait station may not be taken with any firearm or the use of dogs.

(d) Bait may not be contained in or include any metal, glass, porcelain, plastic, cardboard, or paper.

(e) The bait station must be marked with a sign provided by the division and posted within 10 feet of the bait.

(2)(a) Bait may be placed only in areas open to hunting and only during the open seasons.

(b) All materials used as bait must be removed within 72 hours after the close of the season or within 72 hours after the person or persons, who are registered for that bait station harvest a bear.

(3) A person may use nongame fish as bait, except those listed as prohibited in Rule R657-13 and the proclamation of the Wildlife Board for Taking Fish and Crayfish. No other species of protected wildlife may be used as bait.

(4)(a) Domestic livestock or its parts, including processed meat scraps, may be used as bait.

(b) A person using domestic livestock or their parts for bait must have in possession:

(i) a certificate from a licensed veterinarian certifying that the domestic livestock or their parts does not have a contagious disease, and stating the cause and date of death; and

(ii) a certificate of brand inspection or other proof of ownership or legal possession.

(5) Bait may not be placed within:

(a) 100 yards of water or a public road or designated trail; or

(b) 1/2 mile of any permanent dwelling or campground.

(6) Violations of this rule and the proclamation of the Wildlife Board for taking and pursuing bear concerning baiting on federal lands may be a violation of federal regulations and prosecuted under federal law.

R657-33-15. Tagging Requirements.

(1) The carcass of a bear must be tagged in accordance with Section 23-20-30.

(2) The carcass of a bear must be tagged with a temporary possession tag before the carcass is moved from or the hunter leaves the site of kill.

(3) A person may not hunt or pursue bear after the notches have been removed from the tag or the tag has been detached from the permit.

(4) The temporary possession tag:

(a) must remain attached to the pelt or unskinned carcass until the permanent possession tag is attached; and

(b) is only valid for 48 hours after the date of kill.

(5) A person may not possess a bear pelt or unskinned carcass without a valid permanent possession tag affixed to the pelt or unskinned carcass. This provision does not apply to a person in possession of a properly tagged carcass or pelt within 48 hours after the kill, provided the person was issued and is in possession of a valid permit.

R657-33-16. Evidence of Sex and Age.

(1) Evidence of sex must remain attached to the carcass or pelt of each bear until a permanent tag has been attached by the division.

(2) The pelt and skull must be presented to the division in an unfrozen condition to allow the division to gather management data.

(3) The division may seize any pelt not accompanied by its skull.

R657-33-17. Permanent Tag.

(1) Each bear must be taken by the permit holder to a conservation officer or division office within 48 hours after the date of kill to have a permanent possession tag affixed to the pelt or unskinned carcass.

(2) A person may not possess a green pelt after the 48-hour check-in period, ship a green pelt out of Utah, or present a green pelt to a taxidermist if the green pelt does not have a permanent possession tag attached.

R657-33-18. Transporting Bear.

Bear that have been legally taken may be transported by the permit holder provided the bear is properly tagged and the permittee possesses a valid ~~small game or combination license and the appropriate~~ permit.

R657-33-19. Exporting Bear from Utah.

(1) A person may export a legally taken bear or its parts if that person has a valid license and permit and the bear is properly tagged with a permanent possession tag.

(2) A person may not ship or cause to be shipped from Utah, a bear pelt without first obtaining a shipping permit issued by an authorized division representative.

R657-33-20. Donating.

(1) A person may donate protected wildlife or their parts to another person in accordance with Section 23-20-9.

(2) A written statement of donation must be kept with the protected wildlife or parts showing:

(a) the number and species of protected wildlife or parts donated;

(b) the date of donation;

(c) the license or permit number of the donor and the permanent possession tag number; and

(d) the signature of the donor.

(3) A green pelt of any bear donated to another person must have a permanent possession tag affixed.

(4) The written statement of donation must be retained with the pelt.

R657-33-21. Purchasing or Selling.

(1) Legally obtained tanned bear hides may be purchased or sold.

(2) A person may not purchase, sell, offer for sale or barter a gall bladder, tooth, claw, paw or skull of any bear.

R657-33-22. Waste of Wildlife.

(1) A person may not waste or permit to be wasted or spoiled any protected wildlife or their parts in accordance with Section 23-20-8.

(2) The skinned carcass of a bear may be left in the field and does not constitute waste of wildlife, however, the division recommends that hunters remove the carcass from the field.

R657-33-23. Livestock Depredation.

(1) If a bear is harassing, chasing, disturbing, harming, attacking or killing livestock, or has committed such an act within the past 72 hours:

(a) in depredation cases, the livestock owner, an immediate family member or an employee of the owner on a regular payroll, and not hired specifically to take bear, may kill the bear;

(b) a landowner or livestock owner may notify the division of the depredation or human health and safety concerns, which shall authorize a local hunter to take the offending bear or notify a Wildlife Services specialist, supervised by the USDA Wildlife Program; or

(c) the livestock owner may notify a Wildlife Services specialist of the depredation who may take the depredating bear.

(2) Depredating bear may be taken at any time by a Wildlife Services specialist while acting in the performance of the person's assigned duties and in accordance with procedures approved by the division.

(3) A depredating bear may be taken with any weapon authorized for taking bear.

(4)(a) Any bear taken pursuant to this section must be delivered to a division office or employee within 72 hours.

(b) A bear that is killed in accordance with Subsection (1)(a) shall remain the property of the state, except the division may sell a bear damage permit to a person who has killed a depredating bear if that person wishes to maintain possession of the bear.

(c) A person may acquire only one bear annually.

(5)(a) Hunters interested in taking depredating bear as provided in Subsection (1)(b) may contact the division.

(b) Hunters will be contacted by the division to take depredating bear as needed.

R657-33-24. Questionnaire.

Each permittee who receives a questionnaire should return the questionnaire to the division regardless of success. Returning the

questionnaire helps the division evaluate population trends, harvest success and other valuable information.

R657-33-25. Taking Furbearers.

(1) Furbearers, including badger, beaver, black-footed ferret, bobcat, fisher, red fox, gray fox, kit fox, lynx, marten, mink, otter, ringtail, skunk, weasel, wolf and wolverine may be taken only in accordance with the Furbearer Proclamation.

(2) A person may not disturb, remove or possess a trap, trapping device or any wildlife held in a trap without first obtaining written permission from the trap owner.

R657-33-26. Taking Bear.

(1) A person may take only one bear during the season and from the limited entry area specified on the permit.

(2)(a) A person may not take or pursue a female bear with cubs.

(b) Any bear, except a cub or a sow accompanied by cubs, may be taken during the prescribed seasons.

(3) ~~Permits~~Limited entry permits may be obtained by following the application procedures provided in this rule and the proclamation of the Wildlife Board for taking and pursuing bear.

(4) Season dates, closed areas and limited entry permit areas are published in the proclamation of the Wildlife Board for taking and pursuing bear.

R657-33-27. Bear Pursuit.

(1) Bear may be pursued only by persons who have obtained a bear pursuit permit. The bear pursuit permit does not allow a person to kill a bear.

(2) Pursuit permits may be obtained at Division offices.

~~(3)~~ A person may not:

(a) take or pursue a female bear with cubs;

(b) repeatedly pursue, chase, tree, corner or hold at bay the same bear during the same day; or

(c) possess a firearm or any device that could be used to kill a bear while pursuing bear.

~~(4)~~(4) If eligible, a person who has obtained a bear pursuit permit may also obtain a limited entry bear permit.

~~(5)~~(5) When dogs are used to take a bear and there is not an open pursuit season, the owner and handler of the dogs must have a valid pursuit permit and be accompanied by a licensed hunter as provided in Section R657-33-12(3).

~~(6)~~(6) Season dates, closed areas and bear pursuit permit areas are published in the proclamation of the Wildlife Board for taking and pursuing bear.

R657-33-28. General Application Information.

(1) A person must apply for or obtain an annual wildlife habitat authorization~~[and a small game or combination license]~~ before the division may issue a bear permit.

(2) A person may not apply for or obtain more than one bear permit for the same year, except as provided in Subsection R657-33-27(3).

(3) A person must be 12 years of age or older ~~[prior to]~~by the [last day]posting date of the ~~[application period]~~drawing to apply for a bear permit.

(4) Limited entry bear permits are valid only for the management unit and for the specified season designated on the permit.

R657-33-29. Waiting Period.

(1) Any person who purchases a permit valid for the current season, may not apply for a permit for a period of two years.

(2) Any person who draws a permit for the current season, may not apply for a permit for a period of two years.

R657-33-30. Application Procedure.

(1) Applications are available from license agents and division offices.

(2)(a) Group applications are not accepted. A person may not apply more than once annually.

(b) Applicants may select up to three management unit choices when applying for limited entry bear permits. Management unit choices must be listed in order of preference.

(c) Applicants must specify on the application whether they want a limited entry bear permit or a limited entry bear archery permit.

(i) The application may be rejected if the applicant does not specify either a limited entry bear permit or limited entry bear archery permit.

(ii) Any person obtaining a limited entry bear archery permit must also obtain a certificate of registration if intending to use bait as provided in Section R657-33-14.

(3) A wildlife habitat authorization ~~[and small game or combination license may be obtained]~~may be purchased before applying, or the wildlife habitat authorization will be issued to the applicant upon successfully drawing a permit.~~[Fees]~~

(b) The wildlife habitat authorization number or fee must be submitted with the application.

(4)(a) Applications must be mailed by the date prescribed in the proclamation of the Wildlife Board for taking and pursuing bear. Applications filled out incorrectly or received later than the date prescribed in the bear proclamation may be rejected. Late applications will be returned unopened.

(b) If an error is found on an application, the applicant may be contacted for correction.

(5)(a) Late applications will not be considered in the drawing, but will be processed for the purpose of entering data into the division's draw database to provide:

(i) future preprinted applications;

(ii) notification by mail of late application and other draw opportunities; and

(iii) re-evaluation of division or third-party errors.

(b) The \$5 handling fee will be used to process the late application. Any permit fees submitted with the application will be refunded.

(6) Any person who applies for a hunt that occurs on private land is responsible for obtaining written permission from the landowner to access the property. To avoid disappointment and wasting the permit and fee if access is not obtained, hunters should get permission before applying. The division does not guarantee access and does not have the names of landowners where hunts occur.

~~(6)~~(7) Only a resident may apply for or obtain a resident permit and only a nonresident may apply for or obtain a nonresident permit, except as provided in Section R657-33-32(6)(b).

(8) To apply for a resident permit, a person must establish residency at the time of purchase.

(9) The posting date of the drawing shall be considered the purchase date of a permit.

R657-33-31. Fees.

(1) Each application must include:

(a) the permit fee, which includes the nonrefundable handling fee; and

(b) the wildlife habitat authorization fee, if it has not yet been purchased; ~~and~~

~~(c) the small game or combination license fee, if it has not yet been purchased.]~~

(2)(a) Personal checks, money orders, cashier's checks and credit cards ~~[are accepted from residents.]~~ will be accepted.

~~[(b) Money orders, cashier's checks and credit cards are accepted from nonresidents. Personal checks are not accepted from nonresidents.](b) Personal checks drawn on an out-of-state account will not be accepted.~~

(c) All payments must be made payable to the Utah Division of Wildlife Resources.

(3)(a) Credit cards must be valid at least 30 days after the drawing results are posted.

(b) Handling fees are charged to the credit card when the application is processed. Permit fees are charged after the drawing, if successful.

(4)(a) An application is voidable if the check is returned unpaid from the bank or the credit card is invalid or refused.

(b) The division shall charge a returned check collection fee for any check returned unpaid.

(5) A license or permit received by a person shall be deemed invalid if payment for that license or permit is not received, or a check is returned unpaid from the bank, or the credit card is invalid or refused.

R657-33-32. Drawings and Remaining Permits.

(1) Drawing results will be posted at the Lee Kay Center, Cache Valley Hunter Education Center ~~[and]~~, division offices and on the division Internet address on the date published in the proclamation of the Wildlife Board for taking and pursuing bear.

(2) A list of remaining permits will be available on the date published in the proclamation of the Wildlife Board for taking and pursuing bear.

(3) Permits remaining after the initial drawing are sold only by mail beginning and ending on the dates provided in the proclamation of the Wildlife Board for taking and pursuing bear.

(4) Applications are available from division offices and license agents.

(5) The same application form used for the initial drawing must be used when applying for remaining permits by mail. The handling fees are nonrefundable.

(6)(a) Permits remaining after both drawings will be sold over-the-counter, in person or through the mail on a first-come, first-served basis only from the Salt Lake division office on the date published in the proclamation of the Wildlife Board for taking and pursuing bear.

(b) Residents or nonresidents may purchase any of the remaining permits.

(7) Waiting periods do not apply to the purchase of remaining permits. However, waiting periods are incurred as a result of purchasing remaining permits.

(8)(a) A person may withdraw their application for the bear drawing by requesting such in writing by the date published in the proclamation of the Wildlife Board for taking and pursuing bear.

(b) The applicant must send their notarized signature with a statement requesting that their application be withdrawn to the Salt Lake Division office.

(c) A person may not amend a withdrawn application, nor reapply after the application has been withdrawn.

(d) Handling fees will not be refunded.

R657-33-33. Bonus Points.

(1) A bonus point is awarded for a valid unsuccessful application in the drawing.

(2) Bonus points are forfeited if the person obtains a permit, including any permit obtained after the drawing.

(3) Bonus points are not transferable.

(4) Bonus points are tracked by using the applicant's social security number or division-issued hunter identification number.

R657-33-34. Refunds.

(1)(a) Unsuccessful applicants, who applied in the initial drawing and who applied with a check or money order, will receive a refund in July.

(b) Unsuccessful applicants, who applied for remaining permits and who applied with a check or money order, will receive a refund in August.

(2) Unsuccessful applicants, who applied with a credit card, will not be charged for a permit.

(3) The handling fees are nonrefundable.

R657-33-35. Duplicate License, Wildlife Habitat Authorization and Permit.

Whenever any unexpired license, wildlife habitat authorization, permit, tag or certificate of registration is destroyed, lost or stolen, a person may obtain a duplicate from a division office, for five dollars or half of the price of the original license, wildlife habitat authorization or permit, whichever is less.

KEY: wildlife, bear*, game laws

~~[May 18, 1999]~~2000

23-14-18

Notice of Continuation March 24, 1998

23-14-19

23-13-2



Tax Commission, Auditing
R865-12L-9
Sellers With No Fixed Place of
Business Pursuant to Utah Code Ann.
Section 59-12-207

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 22710

FILED: 03/30/2000, 07:45

RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Section 59-12-207 states that if a retailer has no permanent place of business in the state, the places at which retail sales are consummated shall be determined pursuant to Tax Commission rule.

SUMMARY OF THE RULE OR CHANGE: This proposed amendment places into rule current Tax Commission procedures for determining the locality that should receive sales tax revenues when a sale is made from other than a fixed place of business in Utah.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 59-12-207

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: None--the rule deals only with local sales and use taxes.

❖LOCAL GOVERNMENTS: None--the proposed amendment places current procedure into rule.

❖OTHER PERSONS: None--the proposed amendment places current procedure into rule.

COMPLIANCE COSTS FOR AFFECTED PERSONS: None--the proposed amendment places current procedure into rule.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: None--there will be no fiscal impact because current procedures are put into rule.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

Tax Commission
 Auditing
 Tax Commission Building
 210 North 1950 West
 Salt Lake City, UT 84134, or
 at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Pam Hendrickson at the above address, by phone at (801) 297-3900, by FAX at (801) 297-3919, or by Internet E-mail at phendric@tax.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 05/15/2000.

THIS RULE MAY BECOME EFFECTIVE ON: 05/16/2000

AUTHORIZED BY: Pam Hendrickson, Commissioner

R865. Tax Commission, Auditing.**R865-12L. Local Sales and Use Tax.**

R865-12L-9. Determination of Point of Sale or Use for Sellers [With No] and Purchasers Who Make Sales or Purchases From a Location Other Than a Fixed Place of Business in Utah Pursuant to Utah Code Ann. Section 59-12-207.

A. "Combined sales tax rate" means the sales tax rate that is the sum of the state sales and use tax rate provided under Title 59, Chapter 12, Part 1, the local sales and use tax rate provided under Title 59, Chapter 12, Part 2, and the rates of any of the following county or municipal taxes that have been imposed in the locality:

1. Title 59, Chapter 12, Part 5, Public Transit Tax;

2. Title 59, Chapter 12, Part 7, County Option Funding for Botanical, Cultural, and Zoological Organizations;

3. Title 59, Chapter 12, Part 8, Funding for Rural County Hospitals;

4. Title 59, Chapter 12, Part 10, Highways Tax; and

5. Title 59, Chapter 12, Part 11, County Option Sales and Use Tax.

B. The following transactions shall be reported on Tax Commission form TC-71, Schedule B/D ("Schedule B/D"):

1. sales of goods from vending machines if the vending machines are situated at multiple locations;

2. sales made from a location in Utah other than a fixed place of business in Utah;

3. sales of tangible personal property shipped into the state by vendors that have established Utah sales tax nexus;

4. purchases of tangible personal property for storage, use, or consumption by a purchaser that is required to file a Utah sales and use tax return but only if:

a) the initial delivery of the tangible personal property is from an inventory located outside the state and the storage, use, or consumption of the tangible personal property occurs at a location other than at a fixed place of business in Utah; and

b) Utah use tax was not collected on the purchase of the tangible personal property described in 4.a).

C. A vendor that makes sales from a fixed location in Utah as well as sales that must be filed on Schedule B/D pursuant to B., may not include on the Schedule B/D those sales the vendor makes from a fixed place of business in Utah.

~~[A:]D. [A seller with no fixed or determinable place of business in Utah, making sales from different and variable locations within Utah, will be required to report such sales]Sales or purchases required to be included on Schedule B/D pursuant to B. shall be reported on the basis of:~~

1. the county in which they are made[-], but only if none of the cities within that county has a combined sales tax rate that differs from the county combined sales tax rate; or

2. the city in which they are made, but only if that city has a combined sales tax rate that differs from the county combined sales tax rate.

E. Revenues reported to the Tax Commission on Schedule B/D pursuant to B. shall be allocated to points of sale or use within the reported county based on the proportion of taxable sales or uses attributable to fixed places of business within a particular locality in the county compared to the taxable sales or uses attributable to fixed places of business throughout the county.

[B. Sellers in this category shall report their own purchases of tangible personal property subject to use tax on the basis of the county in Utah in which the tangible personal property is initially delivered.]F. Revenues allocated to points of sale or use under E. shall be distributed to counties, cities, and towns within the state according to the provisions of Title 59, Chapter 12, Sales and Use Tax Act.

KEY: taxation, sales tax, restaurants, collections*

[~~July 3, 1997~~2000

Notice of Continuation May 22, 1997

59-12-207

◆ ————— ◆

End of the Notices of Proposed Rules Section

NOTICES OF CHANGES IN PROPOSED RULES

After an agency has published a PROPOSED RULE in the *Utah State Bulletin*, it may receive public comment that requires the PROPOSED RULE to be altered before it goes into effect. A CHANGE IN PROPOSED RULE allows an agency to respond to comments it receives.

As with a PROPOSED RULE, a CHANGE IN PROPOSED RULE is preceded by a RULE ANALYSIS. This analysis provides summary information about the CHANGE IN PROPOSED RULE including the name of a contact person, anticipated cost impact of the rule, and legal cross-references.

Following the RULE ANALYSIS, the text of the CHANGE IN PROPOSED RULE is usually printed. The text shows only those changes made since the PROPOSED RULE was published in an earlier edition of the *Utah State Bulletin*. Additions made to the rule appear underlined (e.g., example). Deletions made to the rule appear struck out with brackets surrounding them (e.g., [example]). A row of dots in the text (•••••) indicates that unaffected text was removed to conserve space. If a CHANGE IN PROPOSED RULE is too long to print, the Division of Administrative Rules will include only the RULE ANALYSIS. A copy of rules that are too long to print is available from the agency or from the Division of Administrative Rules.

While a CHANGE IN PROPOSED RULE does not have a formal comment period, there is a 30-day waiting period during which interested parties may submit comments. The 30-day waiting period for CHANGES IN PROPOSED RULES published in this issue of the *Utah State Bulletin* ends May 15, 2000. At its option, the agency may hold public hearings.

From the end of the waiting period through August 13, 2000, the agency may notify the Division of Administrative Rules that it wants to make the CHANGE IN PROPOSED RULE effective. When an agency submits a NOTICE OF EFFECTIVE DATE for a CHANGE IN PROPOSED RULE, the PROPOSED RULE as amended by the CHANGE IN PROPOSED RULE becomes the effective rule. The agency sets the effective date. The date may be no fewer than 30 days nor more than 120 days after the publication date of this issue of the *Utah State Bulletin*. Alternatively, the agency may file another CHANGE IN PROPOSED RULE in response to additional comments received. If the Division of Administrative Rules does not receive a NOTICE OF EFFECTIVE DATE or another CHANGE IN PROPOSED RULE, the CHANGE IN PROPOSED RULE filing, along with its associated PROPOSED RULE, lapses and the agency must start the process over.

CHANGES IN PROPOSED RULES are governed by *Utah Code* Section 63-46a-6 (1996); and *Utah Administrative Code* Rule R15-2, and Sections R15-4-3, R15-4-5, R15-4-7, and R15-4-9.

The Changes in Proposed Rules Begin on the Following Page.

Fair Corporation (Utah State),
Administration
R325-2-2
Selection of Exhibitors

NOTICE OF CHANGE IN PROPOSED RULE

DAR FILE NO.: 22647
FILED: 03/24/2000, 13:01
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Upon recommendations from Kent Bishop of the Governor's Office of Planning and Budget, it was recommended that we refer to the statute by its number and clarify that sponsorships can be for any of the buildings or facilities here at the Fairpark throughout the year and not only during the fair itself.

SUMMARY OF THE RULE OR CHANGE: In the 1995 Legislative Session, H.B. 343, which affected Subsection 9-4-1103(5)(a)(ii) required the Utah State Fairpark to "seek corporate sponsorships for the state fair park, and for individual buildings or facilities within the Fairpark." In order to procure many sponsorships, the sponsor will ask for the exclusive right to sell their product at a certain event (for example, the annual State Fair) or at a particular venue (e.g., the Utah State Fairpark). Bringing a new corporate sponsor on from year-to-year with product exclusivity may require Fairpark Management to exclude other companies or vendors who have participated in events at the Fairpark or annual State Fairs in the past. Since sponsorships may change on a year-to-year basis they will not be governed by Commercial Exhibit Rules for renewing exhibitor space leases.

(DAR Note: H.B. 343 is found at 1995 Utah Laws 260, and was effective July 1, 1995.)

(DAR Note: The original proposed amendment upon which this change in proposed rule is based was published in the March 1, 2000, issue of the *Utah State Bulletin*.)

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 63-46a-3(2)

ANTICIPATED COST OR SAVINGS TO:

❖ **THE STATE BUDGET:** None--this rule change only affects companies or individuals who sign on to become exclusive sponsors. The only cost is the negotiated sponsorship amount.

❖ **LOCAL GOVERNMENTS:** None--this rule change only affects companies or individuals who sign on to become exclusive sponsors. The only cost is the negotiated sponsorship amount.

❖ **OTHER PERSONS:** None--this rule change only affects companies or individuals who sign on to become exclusive sponsors. The only cost is the negotiated sponsorship amount.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The only cost to affected persons would be the negotiated sponsorship amount made by a company or individual at their own free will and choice.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The only fiscal impact this rule may have on other businesses would be the lost sales on goods or services from not being able to participate in events at the State Fairpark or participate in the annual State Fair.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

Fair Corporation (Utah State)
Administration
155 North 1000 West
Salt Lake City, UT 84116, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Kelly West at the above address, by phone at (801) 538-8441, by FAX at (801) 538-8455, or by Internet E-mail at kellyw@fiber.net.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 05/31/2000.

THIS RULE MAY BECOME EFFECTIVE ON: 06/01/2000

AUTHORIZED BY: Kelly West, Assistant to the Director

**R325. Fair Corporation (Utah State), Administration.
R325-2. Utah State Fair Commercial Exhibitor Rules.
R325-2-2. Selection of Exhibitors.**

(a) Exhibit space lease agreements shall be negotiated with the Commercial Exhibits Supervisor for the use of Fairpark exhibit space on a year by year basis. Space may be awarded or declined based on a need for variety and best-use determined by the Commercial Exhibits Supervisor, executive director and/or board of directors.

(b) The Commercial Exhibit Supervisor, executive director and/or board of directors may elect to renew exhibit space lease agreements for space to those exhibitors desiring to participate in the next succeeding year's fair. Application forms for such selected exhibitors shall be made available in February. Such a renewal is conditioned upon the previous year's exhibitor's fulfillment of the exhibit space lease agreement, adherence to the rules and regulations as outlined in the Commercial Exhibitor Handbook and regardless of the number of years an exhibitor may have participated in prior Utah State Fairs.

(c) Applications from new or prior exhibitors will be accepted after March 20. The Commercial Exhibit Supervisor, executive director and/or board of directors may limit the numbers of similar types of exhibits in order to give Fairpark patrons the most appropriate variety. Such selection decisions shall be unrelated to an exhibitor's products or services involving content of speech matters.

(d) All commercial exhibit applications shall be considered and accepted on a first-come, first served basis by date received and then alphabetically.

(e) In accordance with Section 9-4-1103 (5)(ii) that the [statutory charge to the] Utah State Fair Corporation[~~to~~] seek [financial . . . self sufficiency" and to "seek Corporate] [S]ponsorships for the State Fairpark["] and for individual buildings or facilities within the Fairpark, the Utah State Fair Corporation may select and[~~reserves the right to~~] sell exclusive sponsorships which may limit commercial exhibit vendors from previous years from participating in the Fair or other times of the year during the period of such exclusive sponsorship. Sponsorships are not governed by Commercial Exhibit rules for renewing exhibitor space leases.

KEY: fairs, rules and procedures

2000

9-4-1103

Notice of Continuation October 29, 1996



End of the Notices of Changes in Proposed Rules Section

FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Within five years of an administrative rule's original enactment or last five-year review, the responsible agency is required to review the rule. This review is designed to remove obsolete rules from the *Utah Administrative Code*.

Upon reviewing a rule, an agency may: repeal the rule by filing a PROPOSED RULE; continue the rule as it is by filing a NOTICE OF REVIEW AND STATEMENT OF CONTINUATION (NOTICE); or amend the rule by filing a PROPOSED RULE and by filing a NOTICE. By filing a NOTICE, the agency indicates that the rule is still necessary.

NOTICES are not followed by the rule text. The rule text that is being continued may be found in the most recent edition of the *Utah Administrative Code*. The rule text may also be inspected at the agency or the Division of Administrative Rules. NOTICES are effective when filed. NOTICES are governed by *Utah Code* Section 63-46a-9 (1996).

Human Services, Recovery Services

R527-475

State Tax Refund Intercept

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE NO.: 22708
FILED: 03/24/2000, 15:08
RECEIVED BY: NL

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Section 59-10-529 of the Utah Code, which deals with disposition of tax overpayments, authorizes crediting tax overpayments (refunds) to any judgment or delinquent child support obligation after any income tax that may be due. It requires that the Office of Recovery Services (ORS) make a determination of delinquency, give notice to the taxpayer of the past-due amount and that the overpayment will be applied to reduce the support arrears, and provide an opportunity for the taxpayer to contest the amount of past-due support. This rule provides how ORS is to make the determination of delinquency. It states that before ORS may intercept a state tax refund, there must be an administrative or judicial judgment for the child support delinquency with a balance owing. It also gives clarification that under Section 30-3-10.6, an installment of child support is considered a judgment on and after the date it is due. The rule also gives detail about how an intercepted tax refund shall be applied to three categories of support debt and how an unobligated spouse who has filed jointly with the obligor (the person who owes the support) may receive his portion of the tax refund.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE-YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: No written comments have been received during or since the last five-year review.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: The state laws upon which this rule are based are still in effect. The clarifications and procedures provided in the rule continue to be necessary for the appropriate implementation of those laws.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

Human Services
Recovery Services
14th Floor, Eaton/Kenway Building
515 East 100 South
PO Box 45011
Salt Lake City, UT 84145-0011, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Wayne Braithwaite at the above address, by phone at (801) 536-8986, by FAX at (801) 536-8509, or Internet E-mail at hsadmin.hsorsslc.wbraithw@email.state.ut.us.

AUTHORIZED BY: Emma Chacon, Director

EFFECTIVE: 03/24/2000



Natural Resources, Wildlife Resources

R657-19

Taking Nongame Mammals

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE NO.: 22712
FILED: 03/30/2000, 10:39
RECEIVED BY: NL

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Under Section 23-14-18, the Wildlife Board is authorized and required to regulate and prescribe the means by which wildlife may be taken.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE-YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: The division has not received any written comments regarding this rule. Any comments received in opposition to the rule are resolved using existing policies and procedures, or the issue is placed on the Regional Advisory Council's and Wildlife Board's agenda for review and discussion during the process for taking public input. The public is welcome to view the Regional Advisory Council minutes, Wildlife Board minutes, and administrative record for this rule at the Division of Wildlife Resources.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: The Division of Wildlife Resources has carefully reviewed the biological data and purposes for which the Wildlife Board allows the taking of species listed in this rule and has determined that such species may be taken without harming the resource, while allowing recreational opportunities and depredation control on private lands.

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:

Natural Resources
Wildlife Resources
Suite 2110
1594 West North Temple
PO Box 146301
Salt Lake City, UT 84114-6301, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Debbie Sundell at the above address, by phone at (801) 538-4707, by FAX at (801) 538-4709, or Internet E-mail at nrdwr.dsundell@state.ut.us.

AUTHORIZED BY: John Kimball, Director

EFFECTIVE: 03/30/2000



End of the Five-Year Notices of Review and Statements of Continuation

NOTICES OF RULES DUE FOR FIVE-YEAR REVIEW

Each rulewriting agency is required by law to review each of its administrative rules within five years of the rule's original effective date or the date of last review (*Utah Code* Section 63-46a-9 (1998)). If the agency finds that it will not meet the deadline for review of the rule (the five-year anniversary date), it may file an extension with the Division of Administrative Rules (Division).

However, if the agency fails to file either the review or the extension by the five-year anniversary date of the rule, or if the agency fails to file a review before the end of the extension period, the rule expires. Upon expiration of the rule, the Division is required to remove the rule from the Utah Administrative Code (*Utah Code* Subsection 63-46a-9(8) (1998)). After the rule expires, the agency may no longer enforce it, and must follow regular rulemaking procedures to re-promulgate the rule if necessary. Following the expiration of a rule, a notice of expiration is published in the *Bulletin*.

The following list is published to provide advance notice of those rules which are due for review after April 15, 2000, through December 31, 2000. Any person affected by a rule is invited to submit comments to the agency that wrote the rule. The text of any of these rules is available for inspection at the Division, on the Internet at <http://www.state.ut.us/publicat/code.htm>, or at any of the state's depository libraries.

ADMINISTRATIVE SERVICES

R15. Administrative Rules.

Administrative Rules
4120 State Office Building
PO Box 141007
Salt Lake City UT 84114-1007

R15-1. Administrative Rule Hearings.
Due: 11/01/2000

R15-2. Public Petitioning for Rulemaking.
Due: 11/01/00

R15-6. Rulemaking Decision and Administrative Record.
Due: 11/01/00

R23. Facilities and Construction Management.

Facilities Construction and Management
4110 State Office Building
Salt Lake City UT 84114

R23-2. Procurement of Architectural and Engineering Services.
Due: 05/08/00

AGRICULTURE

R58. Animal Industry.

Agriculture and Food
Animal Industry
350 North Redwood Rd
PO Box 146500
Salt Lake City UT 84114-6500

R58-17. Aquaculture and Fish Health.
Due: 08/31/00

COMMERCE

R156. Occupational and Professional Licensing.

Commerce
Occupational and Professional Licensing
Fourth Floor, Heber M. Wells Building
160 East 300 South
PO Box 146741
Salt Lake City UT 84114-6741

R156-63. Security Personnel Licensing Act Rules.
Due: 10/16/00

R156-65. Burglar Alarm Security and Licensing Act Rules.
Due: 10/16/00

R162. Real Estate.

Commerce
Real Estate
Second Floor, Heber M. Wells Building
160 East 300 South
PO Box 146711
Salt Lake City UT 84114-6711

R162-10. Administrative Procedures.
Due: 12/01/00

EDUCATION

R277. Administration.

Education
250 East 500 South
Salt Lake City UT 84111

R277-444. Distribution of Funds to Arts and Sciences Organizations.
Due: 10/16/00

R277-459. Teachers' Supplies and Materials Appropriation.
Due: 07/27/00

NOTICES OF RULES DUE FOR FIVE-YEAR REVIEW

R277-464. Highly Impacted Schools.
Due: 07/27/00

R277-465. Character Education Funding.
Due: 10/16/00

R277-520. Rule on Appropriate Assignment of Teachers.
Due: 08/15/00

R277-752. Teenage Pregnancy Prevention Funding.
Due: 10/16/00

ENVIRONMENTAL QUALITY

R307. Air Quality.

Environmental Quality
Air Quality
150 North 1950 West
PO Box 144820
Salt Lake City UT 84114-4820

R307-115. General Conformity.
Due: 10/12/00

R307-170. Continuous Emission Monitoring Systems Program.
Due: 08/15/00

R307-205. Fugitive Emissions and Fugitive Dust.
Due: 08/15/00

R309. Drinking Water.

Environmental Quality
Drinking Water
Second Floor
150 North 1950 West
PO Box 1144830
Salt Lake City UT 84114-4830

R309-150. Water System Rating Criteria.
Due: 09/13/00

R309-302. Required Certification Rules for Backflow Technicians in the State of Utah.
Due: 06/15/00

HEALTH

R380. Administration.

Health
Administration
Cannon Health Building
288 North 1460 West
PO Box 144004
Salt Lake City UT 84114-4004

R380-40. Local Health Department Minimum Performance Standards.
Due: 09/01/00

R414. Health Care Financing, Coverage and Reimbursement Policy.

Health
Health Care Financing,
Coverage and Reimbursement Policy
Cannon Health Building
288 North 1460 West
PO Box 143102
Salt Lake City UT 84114-3102

R414-19A. Coverage for Dialysis Services by a Free-Standing State Licensed Dialysis Facility.
Due: 08/15/00

R414-33. Targeted Case Management Services.
Due: 08/15/00

R414-33A. Targeting Case Management for the Chronically Mentally Ill.
Due: 08/15/00

HUMAN SERVICES

R510. Aging and Adult Services.

Human Services
Aging and Adult Services
Room 325
120 North 200 West
PO Box 45500
Salt Lake City UT 84145-0500

R510-104. Nutrition Programs for the Elderly.
Due: 07/17/00

R510-401. Caregiver Respite Services for Caregivers or Care Receivers 60 Years of Age and Over.
Due: 11/14/00

R512. Child and Family Services.

Human Services
Child and Family Services
Room 225
120 North 200 West
Salt Lake City UT 84103

R512-70. Composition and Operations of the Consumer Hearing Panel, and the Requirements for Filing a Complaint with the Panel.
Due: 11/21/00

R512-75. Rules Governing Adjudication of Consumer Complaints.
Due: 11/21/00

NOTICES OF RULES DUE FOR FIVE-YEAR REVIEW

R527. Recovery Services.

Human Services
Recovery Services
Fourteenth Floor, Eaton/Kenway Building
515 East 100 South
PO Box 45011
Salt Lake City UT 84145-0011

R527-67. Locate, Use of Subpoena Duces Tecum.
Due: 08/01/00

R527-394. Posting Bond or Security.
Due: 11/15/00

R527-450. Federal Tax Refund Intercept.
Due: 12/01/00

INSURANCE

R590. Administration.

Insurance
Administration
3110 State Office Building
Salt Lake City UT 84114

R590-130. Rules Governing Advertisements of Insurance.
Due: 11/01/00

R590-140. Reference Filings of Rate Service Organization Prospective Loss Costs.
Due: 06/01/00

R590-164. Uniform Health Billing Rule.
Due: 07/01/00

R590-171. Surplus Lines Procedures Rule.
Due: 09/01/00

R590-172. Notice to Uninsurable Applicants for Health Insurance.
Due: 08/11/00

R590-174. Diskette Filing of Annual and Quarterly Statements.
Due: 12/19/00

MONEY MANAGEMENT COUNCIL

R628. Administration.

Money Management Council
Administration
215 State Capitol
PO Box 140510
Salt Lake City UT 84114-0510

R628-4. Bonding of Public Treasurers.
Due: 11/01/00

R628-11. Maximum Amount of Public Funds Allowed to Be Held by Any Qualified Depository.
Due: 11/15/00

R628-12. Certification of Qualified Depositories for Public Funds.
Due: 11/15/00

R628-13. Collateralization of Public Funds.
Due: 11/15/00

R628-16. Certification as a Dealer.
Due: 11/15/00

NATURAL RESOURCES

R645. Oil, Gas and Mining; Coal.

Natural Resources
Oil, Gas and Mining; Coal
Suite 1210
1594 West North Temple
PO Box 145801
Salt Lake City UT 84114-5801

R645-105. Blaster Training, Examination and Certification.
Due: 06/15/00

R645-400. Inspection and Enforcement: Division Authority and Procedures.
Due: 06/15/00

R652. Forestry, Fire and State Lands.

Natural Resources
Forestry, Fire and State Lands
Suite 3520
1594 West North Temple
PO Box 145703
Salt Lake City UT 84114-5703

R652-120. Wildland Fire.
Due: 05/15/00

R657. Wildlife Resources.

Natural Resources
Wild Life Resources
Suite 2110
1594 West North Temple
PO Box 146301
Salt Lake City UT 84114-6301

R657-15. Closure of Gunnison, Cub and Hat Islands.
Due: 06/01/00

R657-21. Cooperative Wildlife Management Units for Small Game and Waterfowl.
Due: 06/01/00

NOTICES OF RULES DUE FOR FIVE-YEAR REVIEW

R657-24. Compensation for Mountain Lion and Bear Damage.
Due: 11/01/00

PUBLIC SAFETY

R708. Driver License.

Public Safety
Driver License
Calvin Rampton Complex
4510 South 2700 West
PO Box 30560
Salt Lake City UT 84130-0560

R708-32. Uninsured Motorist Database.
Due: 07/03/00

R714. Highway Patrol.

Public Safety
Highway Patrol
First Floor, Calvin L Rampton Complex
4501 South 2700 West
PO Box 141100
Salt Lake City UT 84114-1100

R714-500. Chemical Analysis Standards and Training.
Due: 12/01/00

R724. Law Enforcement and Technical Services, Regulatory Licensing.

Public Safety
Law Enforcement and Technical Services
Regulatory Licensing
Second Floor, Calvin L Rampton Complex
4501 South 2700 West
PO Box 14280
Salt Lake City UT 84114-8230

R724-9. Licensing of Private Investigators.
Due: 11/14/00

R728. Peace Officer Standards and Training.

Public Safety
Peace Officer Standards and Training
4525 South 2700 West
PO Box 141775
Salt Lake City UT 84114-1775

R728-205. Council Resolution of Public Safety Retirement Eligibility.
Due: 08/15/00

PUBLIC SERVICE COMMISSION

R746. Administration.

Public Service Commission
Administration
Fourth Floor, Heber M Wells Building
160 East 300 South
Salt Lake City UT 84111

R746-341. Lifeline Rule.
Due: 11/15/00

R746-407. Annualization of Test-year Date.
Due: 11/15/00

REGENTS (BOARD OF)

R765. Administration.

Board of Regents
Administration
3 Triad Center, Suite 550
355 West North Temple
Salt Lake City, UT 84180-2105

R765-626. Lender-of-Last-Resort Program.
Due: 07/11/00

TRANSPORTATION

R930. Preconstruction.

Transportation
Preconstruction
Calvin Rampton Complex
4501 South 2700 West
PO Box 148380
Salt Lake City UT 84114-8380

R930-6. Rules for the Accommodation of Utility Facilities and the control and Protection of State Highway Rights-of-Way.
Due: 08/28/00

WORKFORCE SERVICES

R994. Workforce Information and Payment Services.

Workforce Services
Workforce Information and Payment Services
Fourth Floor
140 East 300 South
PO Box 45249
Salt Lake City UT 84145

R994-207. Unemployment.
Due: 11/15/00

End of the Notices of Rules Due for Five-Year Review

NOTICES OF RULE EFFECTIVE DATES

These are the effective dates of PROPOSED RULES or CHANGES IN PROPOSED RULES published in earlier editions of the *Utah State Bulletin*. These effective dates are at least 31 days and not more than 120 days after the date the following rules were published.

Abbreviations

AMD = Amendment
CPR = Change in Proposed Rule
NEW = New Rule
R&R = Repeal and Reenact
REP = Repeal

Alcoholic Beverage Control

Administration

No. 22639 (AMD): R81-1-7. Disciplinary Hearings.
Published: February 15, 2000
Effective: March 27, 2000

Commerce

Occupational and Professional Licensing

No. 22645 (AMD): R156-1-308a. Renewal Dates.
Published: February 15, 2000
Effective: March 20, 2000

Real Estate

No. 22624 (AMD): R162-10. Administrative Procedures.
Published: February 15, 2000
Effective: March 20, 2000

No. 22626 (AMD): R162-106. Professional Conduct.
Published: February 15, 2000
Effective: March 20, 2000

Securities

No. 22642 (NEW): R164-2. Investment Adviser - Unlawful Acts.
Published: February 15, 2000
Effective: March 20, 2000

No. 22643 (AMD): R164-4. Licensing Requirements.
Published: February 15, 2000
Effective: March 20, 2000

No. 22644 (AMD): R164-14. Exemptions.
Published: February 15, 2000
Effective: March 20, 2000

Environmental Quality

Water Quality

No. 22566 (AMD): R317-2. Standards of Quality for Waters of the State.
Published: January 1, 2000
Effective: March 17, 2000

Health

Health Care Financing, Coverage and Reimbursement Policy

No. 22513 (CPR): R414-61. Home and Community Based Waivers.
Published: February 15, 2000
Effective: March 20, 2000

Health Systems Improvement, Primary Care and Rural Health

No. 22622 (AMD): R434-20. Special Population Health Care Provider Financial Assistance Program.
Published: February 15, 2000
Effective: March 24, 2000

Human Services

Administration, Administrative Services, Licensing
No. 22629 (AMD): R501-12. Foster Care Rules.
Published: February 15, 2000
Effective: March 17, 2000

Recovery Services

No. 22628 (AMD): R527-34-1. Non-AFDC Services.
Published: February 15, 2000
Effective: March 24, 2000

Natural Resources

Parks and Recreation

No. 22613 (AMD): R651-205. Zoned Waters.
Published: February 15, 2000
Effective: March 27, 2000

School and Institutional Trust Lands

Administration

No. 22618 (R&R): R850-11. Procurement.
Published: February 15, 2000
Effective: March 17, 2000

Tax Commission

Property Tax

No. 22627 (AMD): R884-24P-33. 2000 Personal Property Valuation Guides and Schedules Pursuant to Utah Code Ann. Section 59-2-301.
Published: February 15, 2000
Effective: March 28, 2000

Transportation

Operations, Traffic and Safety
No. 22617 (AMD): R920-50. Tramway Operations
Safety Rules.
Published: February 15, 2000
Effective: March 24, 2000

End of the Notices of Rule Effective Dates Section

RULES INDEX BY AGENCY (CODE NUMBER) AND BY KEYWORD (SUBJECT)

The *Rules Index* is a cumulative index that reflects all effective changes to Utah's administrative rules. The current *Index* lists changes made effective from January 2, 2000, including notices of effective date received through March 31, 2000, the effective dates of which are no later than April 15, 2000. The *Rules Index* is published in the *Utah State Bulletin* and in the annual *Index of Changes*. Nonsubstantive changes, while not published in the *Bulletin*, do become part of the *Utah Administrative Code (Code)* and are included in this *Index*, as well as 120-Day (Emergency) rules that do not become part of the *Code*. The rules are indexed by Agency (Code Number) and Keyword (Subject).

A copy of the *Rules Index* is available for public inspection at the Division of Administrative Rules (4120 State Office Building, Salt Lake City, UT), or may be viewed online at the Division's web site (<http://www.rules.state.ut.us/>).

RULES INDEX - BY AGENCY (CODE NUMBER)

ABBREVIATIONS

AMD = Amendment	NSC = Nonsubstantive rule change
CPR = Change in proposed rule	REP = Repeal
EMR = Emergency rule (120 day)	R&R = Repeal and reenact
NEW = New rule	* = Text too long to print in <i>Bulletin</i> , or repealed text not printed in <i>Bulletin</i>
5YR = Five-Year Review	
EXD = Expired	

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
AGRICULTURE AND FOOD					
<u>Regulatory Services</u>					
R70-310	Grade A Pasteurized Milk	22657	5YR	02/10/2000	2000-5/64
R70-630	Water Vending Machine	22596	5YR	01/11/2000	2000-3/91
R70-630	Water Vending Machine	22597	AMD	03/03/2000	2000-3/5
ALCOHOLIC BEVERAGE CONTROL					
<u>Administration</u>					
R81-1-7	Disciplinary Hearings	22639	AMD	03/27/2000	2000-4/4
CAPITOL PRESERVATION BOARD (STATE)					
<u>Administration</u>					
R131-1	Procurement of Architectural and Engineering Services	22572	NEW	03/13/2000	2000-2/5
R131-2	Capitol Hill Facility Use	22568	NEW	03/13/2000	2000-2/4
R131-7	State Capitol Preservation Board Master Planning Policy	22574	NEW	03/13/2000	2000-2/7

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
COMMERCE					
<u>Occupational and Professional Licensing</u>					
R156-1-205	Advisory Peer Committees - Direct to Appoint with Concurrence of Board - Terms of Office - Vacancies in Office - Removal from Office - Quorum Requirements - Appointment of Chairman - Division to Provide Secretary - Compliance with Open and Public Meetings Act - Compliance with Utah Administrative Procedures Act - No Provision for Per Diem and Expenses	22587	AMD	02/15/2000	2000-2/8
R156-1-308a	Renewal Dates	22645	AMD	03/20/2000	2000-4/12
R156-17a	Pharmacy Practice Act Rules	22318	AMD	see CPR	99-17/10
R156-17a	Pharmacy Practice Act Rules	22318	CPR	02/15/2000	2000-2/17
R156-31b-304	Quality Review Program	22576	AMD	02/15/2000	2000-2/10
R156-31b-304	Quality Review Program	22663	NSC	02/24/2000	Not Printed
R156-31c-201	Issuing a License	22577	AMD	02/15/2000	2000-2/11
R156-56	Utah Uniform Building Standard Act Rules	22398	AMD	see CPR	99-20/15
R156-56	Utah Uniform Building Standard Act Rules	22398	CPR	02/15/2000	2000-2/21
R156-56-602	Factory Built Housing Dealer Bonds	22478	AMD	see CPR	99-22/7
R156-56-602	Factory Built Housing Dealer Bonds	22478	CPR	02/15/2000	2000-2/24
R156-56-706	Amendments to the IPC	22449	AMD	see CPR	99-21/7
R156-56-706	Amendments to the IPC	22449	CPR	01/18/2000	99-24/47
R156-57	Respiratory Care Practices Act Rules	22482	AMD	01/04/2000	99-23/13
R156-61	Psychologist Licensing Act Rules	22588	AMD	02/15/2000	2000-2/12
R156-66	Utah Professional Boxing Regulation Act Rules	22589	AMD	02/15/2000	2000-2/14
R156-71	Naturopathic Physician Practice Act Rules	22507	AMD	01/04/2000	99-23/14
<u>Real Estate</u>					
R162-6	Licensee Conduct	22514	AMD	01/27/2000	99-24/10
R162-10	Administrative Procedures	22624	AMD	03/20/2000	2000-4/14
R162-106	Professional Conduct	22626	AMD	03/20/2000	2000-4/16
<u>Securities</u>					
R164-2	Investment Adviser - Unlawful Acts	22642	NEW	03/20/2000	2000-4/18
R164-4	Licensing Requirements	22643	AMD	03/20/2000	2000-4/29
R164-14	Exemptions	22644	AMD	03/20/2000	2000-4/20
EDUCATION					
<u>Administration</u>					
R277-404	Year-Round School and Effective Facility Use Program	22563	REP	02/01/2000	2000-1/8
R277-430	Capital Outlay Equalization Qualification	22564	REP	02/01/2000	2000-1/10
R277-472	Reading Performance Improvement Awards Program	22593	NSC	01/25/2000	Not Printed
R277-501	Educator Licensing Renewal	22609	NEW	03/03/2000	2000-3/8
R277-507	Driver Education Endorsement	22528	AMD	02/01/2000	2000-1/11
R277-607	Truancy Prevention	22610	AMD	03/03/2000	2000-3/11

RULES INDEX

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R277-904	Applied Technology Center and Service Region Standards and Operating Procedures	22611	AMD	03/03/2000	2000-3/13
ENVIRONMENTAL QUALITY					
<u>Air Quality</u>					
R307-110	General Requirements: State Implementation Plan	22623	NSC	02/25/2000	Not Printed
R307-110-19	Section XI, Other Control Measure for Mobile Sources	22553	AMD	02/10/2000	2000-1/14
R307-110-19	Section XI, Other Control Measures for Mobile Sources	22660	NSC	02/25/2000	Not Printed
R307-115	General Conformity	22688	NSC	03/20/2000	Not Printed
R307-121-2	Amount of Credit	22686	NSC	03/20/2000	Not Printed
R307-122-2	Amount of Credit	22687	NSC	03/20/2000	Not Printed
R307-403-8	Offsets: Banking of Emission Offset Credit	22607	NSC	01/25/2000	Not Printed
<u>Radiation Control</u>					
R313-12	General Provisions	22598	AMD	03/10/2000	2000-3/27
R313-15	Standards for Protection Against Radiation	22599	AMD	03/10/2000	2000-3/34
R313-16	General Requirements Applicable to the Installation, Registration, Inspection, and Use of Radiation Machines	22600	AMD	03/10/2000	2000-3/56
R313-22	Specific Licenses	22601	AMD	03/10/2000	2000-3/59
R313-25	License Requirements for Land Disposal of Radioactive Waste - General Provisions	22602	AMD	03/10/2000	2000-3/77
R313-34	Requirements for Irradiators	22603	AMD	03/10/2000	2000-3/86
<u>Solid and Hazardous Waste</u>					
R315-1-1	Utah Hazardous Waste Definitions and References	22537	NSC	01/25/2000	Not Printed
R315-2	General Requirements - Identification and Listing of Hazardous Waste	22538	NSC	01/25/2000	Not Printed
R315-2-9	Characteristics of Hazardous Waste	22653	NSC	02/25/2000	Not Printed
R315-3	Application and Plan Approval Procedures for Hazardous Waste Treatment, Storage, and Disposal Facilities	22539	NSC	01/25/2000	Not Printed
R315-3-20	Hazardous Waste Incinerator Plan Approvals	22654	NSC	02/25/2000	Not Printed
R315-5	Hazardous Waste Generator Requirements	22541	NSC	01/25/2000	Not Printed
R315-7	Interim Status Requirements for Hazardous Waste Treatment, Storage, and Disposal Facilities	22541	NSC	01/25/2000	Not Printed
R315-8	Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities	22543	NSC	01/25/2000	Not Printed
R315-13	Land Disposal Restrictions	22544	NSC	01/25/2000	Not Printed
R315-16	Standards for Universal Waste Management	22545	NSC	01/25/2000	Not Printed
R315-50	Appendices	22546	NSC	01/25/2000	Not Printed
R315-101	Cleanup Action and Risk-Based Closure Standards	22547	NSC	01/25/2000	Not Printed

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>Water Quality</u>					
R317-2	Standards of Quality for Waters of the State	22566	AMD	03/17/2000	2000-1/15
R317-4	Onsite Wastewater Systems	22490	NEW	02/16/2000	99-23/16
R317-4	Onsite Wastewater Systems	22691	NSC	03/20/2000	Not Printed
R317-501	Individual Wastewater Disposal Systems	22491	REP	02/16/2000	99-23/45
R317-502	Individual Disposal Wastewater Systems - General Requirements	22492	REP	02/16/2000	99-23/48
R317-503	Soil and Ground Water Requirements	22493	REP	02/16/2000	99-23/56
R317-504	Building Sewer	22494	REP	02/16/2000	99-23/58
R317-505	Septic Tanks	22495	REP	02/16/2000	99-23/59
R317-506	Discharge to Absorption System	22496	REP	02/16/2000	99-23/63
R317-507	Absorption Systems	22497	REP	02/16/2000	99-23/65
R317-508	Plan Information for Individual Wastewater Disposal Systems	22498	REP	02/16/2000	99-23/73
R317-509	Design, Installation, and Maintenance of Sewage Holding Tanks	22499	REP	02/16/2000	99-23/75
R317-510	Review Criteria for Establishing the Feasibility of Proposed Housing Subdivisions and Other Similar Developments	22500	REP	02/16/2000	99-23/77
R317-511	Percolation Test Requirements	22501	REP	02/16/2000	99-23/80
R317-512	Approved Building Sewer Pipe and Distribution Pipe for Individual Wastewater Disposal Systems	22502	REP	02/16/2000	99-23/82
R317-513	Recommendations for the Maintenance of Septic Tanks and Absorption Systems	22503	REP	02/16/2000	99-23/84
HEALTH					
<u>Health Care Financing, Coverage and Reimbursement Policy</u>					
R414-1	Utah Medicaid Program	22512	AMD	01/26/2000	99-24/13
R414-58	Children's Organ Transplants	22529	AMD	02/17/2000	2000-1/29
R414-61	Home and Community Based Waivers	22513	AMD	see CPR	99-24/15
R414-61	Home and Community Based Waivers	22513	CPR	03/30/2000	2000-4/69
R414-303	Coverage Groups	22378	AMD	see CPR	99-19/25
R414-303	Coverage Groups	22378	CPR	01/26/2000	99-24/52
R414-304	Income and Budgeting	22703	EMR	03/09/2000	2000-7/19
<u>Health Systems Improvement, Health Facility Licensure</u>					
R432-7	Specialty Hospital - Psychiatric Hospital Construction	22630	5YR	02/01/2000	2000-4/70
R432-8	Specialty Hospital - Chemical Dependency/Substance Abuse Construction	22631	5YR	02/01/2000	2000-4/70
R432-9	Specialty Hospital - Rehabilitation Construction Rule	22632	5YR	02/01/2000	2000-4/71
R432-10	Specialty Hospital - Chronic Disease Construction Rule	22633	5YR	02/01/2000	2000-4/72
R432-11	Orthopedic Hospital Construction	22634	5YR	02/01/2000	2000-4/72
R432-12	Small Health Care Facility (Four to Sixteen Beds) Construction Rule	22635	5YR	02/01/2000	2000-4/73

RULES INDEX

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R432-13	Freestanding Ambulatory Surgical Center Construction Rule	22636	5YR	02/01/2000	2000-4/73
R432-14	Birthing Center Construction Rule	22637	5YR	02/01/2000	2000-4/74
R432-30	Adjudicative Procedure	22638	5YR	02/01/2000	2000-4/74
R432-270	Assisted Living Facilities	22655	5YR	02/09/2000	2000-5/64
<u>Health Systems Improvement, Primary Care and Rural Health</u>					
R434-20	Special Population Health Care Provider Financial Assistance Program	22622	AMD	03/24/2000	2000-4/31
<u>Epidemiology and Laboratory Services, Laboratory Improvement</u>					
R444-14	Rules for the Certification of Environmental Laboratories	22516	AMD	03/01/2000	99-24/16
HOUSING FINANCE AGENCY					
<u>Administration</u>					
R460-1	Authority and Purpose	22682	5YR	02/23/2000	2000-6/46
R460-4	Additional Servicing Rules	22683	5YR	02/23/2000	2000-6/46
R460-6	Adjudicative Proceedings	22684	5YR	02/23/2000	2000-6/47
R460-7	Public Petitions for Declaratory Orders	22685	5YR	02/23/2000	2000-6/47
HUMAN SERVICES					
<u>Administration, Administrative Services, Licensing</u>					
R501-12	Foster Care Rules	22629	AMD	03/17/2000	2000-4/38
<u>Aging and Adult Services</u>					
R510-302	Adult Protective Services	22619	5YR	01/24/2000	2000-4/75
<u>Recovery Services</u>					
R527-5	Release of Information	22555	AMD	02/01/2000	2000-1/33
R527-10	Disclosure of Information to the Office of Recovery Services	22692	5YR	03/01/2000	2000-6/48
R527-24	Good Cause	22487	REP	01/10/2000	99-23/86
R527-34-1	Non-AFDC Services	22628	AMD	03/24/2000	2000-4/42
R527-40	Retained Support	22656	5YR	02/10/2000	2000-5/65
R527-200	Administrative Procedures	22556	AMD	02/01/2000	2000-1/37
R527-475	State Tax Refund Intercept	22488	AMD	01/10/2000	99-23/87
R527-475	State Tax Refund Intercept	22708	5YR	03/24/2000	2000-8/34
INSURANCE					
<u>Administration</u>					
R590-88	Prohibited Transactions Between Agents and Unauthorized Multiple Employer Trusts	22665	5YR	02/15/2000	2000-5/66
R590-128	Unfair Discrimination Based on the Failure to Maintain Automobile Insurance. (Revised.)	22666	5YR	02/15/2000	2000-5/66
R590-132	Insurance Treatment of Human Immunodeficiency Virus (HIV) Infection	22667	5YR	02/15/2000	2000-5/67

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R590-170	Fiduciary and Trust Account Obligations	22489	AMD	see CPR	99-23/88
R590-170	Fiduciary and Trust Account Obligations	22489	CPR	03/07/2000	2000-2/25
R590-196	Bail Bond Surety Fee Standards, Collateral Standards, and Disclosure Form	22417	NEW	see CPR	99-20/28
R590-196	Bail Bond Surety Fee Standards, Collateral Standards, and Disclosure Form	22417	CPR	02/01/2000	99-24/53
R590-197	Treatment of Guaranty Association Assessments as Qualified Assets	22416	NEW	01/25/2000	99-20/30
R590-197	Treatment of Guaranty Association Assessments as Qualified Assets	22621	NSC	02/25/2000	Not Printed
R590-198	Valuation of Life Insurance Policies Rule	22506	NEW	01/04/2000	99-23/90
R590-198	Valuation of Life Insurance Policies Rule	22595	NSC	01/25/2000	Not Printed
LABOR COMMISSION					
<u>Antidiscrimination and Labor, Antidiscrimination</u>					
R606-1-2	Definitions	22673	NSC	03/20/2000	Not Printed
R606-2-2	Guidelines	22674	NSC	03/20/2000	Not Printed
R606-3-2	Procedures and Prohibitions	22675	NSC	03/20/2000	Not Printed
R606-5-2	Procedures and Prohibitions	22676	NSC	03/20/2000	Not Printed
<u>Antidiscrimination and Labor, Fair Housing</u>					
R608-1-3	Reliance on Federal Law	22591	NSC	01/25/2000	Not Printed
<u>Industrial Accidents</u>					
R612-8	Designation of the Initial Assessment of Noncompliance Penalties as an "Informal" Proceeding	22592	5YR	01/03/2000	2000-3/91
<u>Occupational Safety and Health</u>					
R614-1-4	Incorporation of Federal Standards	22524	NSC	01/25/2000	Not Printed
R614-1-10	Discrimination	22672	NSC	03/20/2000	Not Printed
LIEUTENANT GOVERNOR					
<u>Elections</u>					
R623-1	Lieutenant Governor's Procedure for Regulation of Lobbyist Activities	22590	NSC	01/25/2000	Not Printed
R623-1	Lieutenant Governor's Procedure for Regulation of Lobbyist Activities	22612	AMD	03/03/2000	2000-3/89
NATURAL RESOURCES					
<u>Oil, Gas and Mining: Coal</u>					
R645-301-500	Engineering	22214	AMD	see CPR	99-16/32
R645-301-500	Engineering	22214	CPR	02/01/2000	2000-1/64
<u>Parks and Recreation</u>					
R651-205	Zoned Waters	22613	AMD	03/27/2000	2000-4/51
R651-611	Fee Schedule	22474	AMD	01/03/2000	99-22/17

RULES INDEX

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>Natural Resources</u>					
R652-70-2400	Recreational Use of Navigable Rivers	22428	AMD	02/29/2000	99-21/47
<u>Wildlife Resources</u>					
R657-5	Taking Big Game	22519	AMD	see CPR	99-24/25
R657-5	Taking Big Game	22519	CPR	02/01/2000	2000-1/66
R657-6	Taking Upland Game	22520	AMD	01/18/2000	99-24/35
R657-13	Taking Fish and Crayfish	22392	AMD	01/03/2000	99-20/31
R657-19	Taking Nongame Mammals	22712	5YR	03/30/2000	2000-8/34
R657-38	Dedicated Hunter Program	22521	AMD	01/18/2000	99-24/38
R657-47	Trust Fund Permits	22562	NEW	02/01/2000	2000-1/40
PROFESSIONAL PRACTICES ADVISORY COMMISSION					
<u>Administration</u>					
R686-100	Professional Practices Advisory Commission, Rules of Procedure: Complaints and Hearings	22504	AMD	01/05/2000	99-23/96
R686-103	Professional Practices and Conduct for Utah Educators	22505	AMD	01/05/2000	99-23/105
PUBLIC SAFETY					
<u>Driver License</u>					
R708-14	Adjudicative Proceedings For Driver License Actions Involving Alcohol and Drugs	22536	AMD	02/01/2000	2000-1/43
<u>Fire Marshal</u>					
R710-1	Concerns Servicing Portable Fire Extinguishers	22557	AMD	02/01/2000	2000-1/44
R710-2	Rules Pursuant to the Utah Fireworks Act	22558	AMD	02/01/2000	2000-1/50
R710-6	Liquefied Petroleum Gas Rules	22559	AMD	02/01/2000	2000-1/52
R710-7	Concerns Servicing Automatic Fire Suppression Systems	22560	AMD	02/01/2000	2000-1/54
R710-8	Day Care Rules	22561	AMD	02/01/2000	2000-1/57
PUBLIC SERVICE COMMISSION					
<u>Administration</u>					
R746-360-2	Definitions	22530	NSC	01/25/2000	Not Printed
R746-401	Rules Governing Reporting of Construction, Purchase, Acquisition, Sale, Transfer or Disposition of Assets by Certain Utilities	22550	NSC	01/25/2000	Not Printed
REGENTS (BOARD OF)					
<u>Administration</u>					
R765-604	New Century Scholarship	22052	NEW	see CPR	99-11/63
R765-604	New Century Scholarship	22052	CPR	02/04/2000	99-20/53
SCHOOL AND INSTITUTIONAL TRUST LANDS					
<u>Administration</u>					
R850-10	Expedited Rulemaking	22594	5YR	01/04/2000	2000-3/92

CODE REFERENCE	TITLE	FILE NUMBER	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
R850-11	Procurement	22618	R&R	03/17/2000	2000-4/53
R850-130-400	Application Procedures	22664	NSC	02/25/2000	Not Printed
TAX COMMISSION					
<u>Property Tax</u>					
R884-24P-33	2000 Personal Property Valuation Guides and Schedules Pursuant to Utah Code Ann. Section 59-2-301	22627	AMD	03/28/2000	2000-4/56
R884-24P-44	Farm Machinery and Equipment Exemption Pursuant to Utah Code Ann. Sections 59-2-102 and 59-2-1101	22508	AMD	01/20/2000	99-23/107
R884-24P-62	Valuation of State Assessed Utility and Transportation Properties Pursuant to Utah Code Ann. Section 59-2-201	22522	AMD	01/20/2000	99-24/40
TRANSPORTATION					
<u>Motor Carrier, Ports of Entry</u>					
R912-14	Changes in Utah's Oversize/Overweight Permit Program - Semitrailer Exceeding 48 Feet Length	22531	AMD	02/15/2000	2000-1/59
<u>Operation, Traffic and Safety</u>					
R920-50	Tramway Operation Safety Rules	22617	AMD	03/24/2000	2000-4/64
WORKFORCE SERVICES					
<u>Workforce Information and Payment Services</u>					
R994-202-103	Employee Leasing Companies	22548	AMD	02/02/2000	2000-1/60

RULES INDEX - BY KEYWORD (SUBJECT)

ABBREVIATIONS

AMD = Amendment
 CPR = Change in proposed rule
 EMR = Emergency rule (120 day)
 NEW = New rule
 5YR = Five-Year Review
 EXD = Expired
 NSC = Nonsubstantive rule change
 REP = Repeal
 R&R = Repeal and reenact
 * = Text too long to print in *Bulletin*, or repealed text not printed in *Bulletin*

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
ACADEMIC PERFORMANCE					
Education, Administration	22593	R277-472	NSC	01/25/2000	Not Printed

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>ADJUDICATIVE PROCEEDINGS</u>					
Public Safety, Driver License	22536	R708-14	AMD	02/01/2000	2000-1/43
<u>ADMINISTRATIVE LAW</u>					
Human Services, Recovery Services	22556	R527-200	AMD	02/01/2000	2000-1/37
<u>ADMINISTRATIVE PROCEDURES</u>					
Natural Resources; Forestry, Fire and State Lands	22428	R652-70-2400	AMD	02/29/2000	99-21/47
School and Institutional Trust Lands, Administration	22594	R850-10	5YR	01/04/2000	2000-3/92
	22664	R850-130-400	NSC	02/25/2000	Not Printed
<u>ADULT EDUCATION</u>					
Education, Administration	22611	R277-904	AMD	03/03/2000	2000-2/13
<u>ADULT PROTECTIVE SERVICES</u>					
Human Services, Aging and Adult Services	22619	R510-302	5YR	01/24/2000	2000-4/75
<u>AFDC (Aid to Families with Dependent Children)</u>					
Human Services, Recovery Services	22487	R527-24	REP	01/10/2000	99-23/86
<u>AIR POLLUTION</u>					
Environmental Quality, Air Quality	22623	R307-110	NSC	02/25/2000	Not Printed
	22553	R307-110-19	AMD	02/10/2000	2000-1/14
	22660	R307-110-19	NSC	02/25/2000	Not Printed
	22688	R307-115	NSC	03/20/2000	Not Printed
	22686	R307-121-2	NSC	03/20/2000	Not Printed
	22687	R307-122-2	NSC	03/20/2000	Not Printed
<u>AIR QUALITY</u>					
Environmental Quality, Air Quality	22607	R307-403-8	NSC	01/25/2000	Not Printed
<u>ALCOHOLIC BEVERAGES</u>					
Alcoholic Beverage Control, Administration	22639	R81-1-7	AMD	03/27/2000	2000-4/4
<u>ALTERNATIVE ONSITE WASTEWATER SYSTEMS</u>					
Environmental Quality, Water Quality	22490	R317-4	NEW	02/16/2000	99-23/16
	22691	R317-4	NSC	03/20/2000	Not Printed
<u>ALTERNATIVE SYSTEMS</u>					
Environmental Quality, Water Quality	22491	R317-501	REP	02/16/2000	99-23/45
<u>APPLIED TECHNOLOGY EDUCATION</u>					
Education, Administration	22611	R277-904	AMD	03/03/2000	2000-3/13
<u>APPRAISAL</u>					
Tax Commission, Property Tax	22627	R884-24P-33	AMD	03/28/2000	2000-4/56
	22508	R884-24P-44	AMD	01/20/2000	99-23/107
	22522	R884-24P-62	AMD	01/20/2000	99-24/40
<u>ARCHITECTS</u>					
Capitol Preservation Board (State), Administration	22572	R131-1	NEW	03/13/2000	2000-2/5
<u>BIG GAME SEASONS</u>					
Natural Resources, Wildlife Resources	22519	R657-5	AMD	see CPR	99-24/25
	22519	R657-5	CPR	02/01/2000	2000-1/66

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>BIRDS</u>					
Natural Resources, Wildlife Resources	22520	R657-6	AMD	01/18/2000	99-24/35
<u>BOATING</u>					
Natural Resources, Parks and Recreation	22613	R651-205	AMD	03/27/2000	2000-4/51
<u>BOXING</u>					
Commerce, Occupational and Professional Licensing	22589	R156-66	AMD	02/15/2000	2000-2/14
<u>BROAD SCOPE</u>					
Environmental Quality, Radiation Control	22601	R313-22	AMD	03/10/2000	2000-3/59
<u>BUDGETING</u>					
Health, Health Care Financing, Coverage and Reimbursement Policy	22703	R414-304	EMR	03/09/2000	2000-7/19
<u>BUILDING CODES</u>					
Commerce, Occupational and Professional Licensing	22398	R156-56	AMD	see CPR	99-20/15
	22398	R156-56	CPR	02/15/2000	2000-2/21
	22478	R156-56-602	AMD	see CPR	99-22/7
	22478	R156-56-602	CPR	02/15/2000	2000-2/24
	22449	R156-56-706	AMD	see CPR	99-21/7
	22449	R156-56-706	CPR	01/18/2000	99-24/47
<u>BUILDING INSPECTION</u>					
Commerce, Occupational and Professional Licensing	22398	R156-56	AMD	see CPR	99-20/15
	22398	R156-56	CPR	02/15/2000	2000-2/21
	22478	R156-56-602	AMD	see CPR	99-22/7
	22478	R156-56-602	CPR	02/15/2000	2000-2/24
	22449	R156-56-706	AMD	see CPR	99-21/7
	22449	R156-56-706	CPR	01/18/2000	99-24/47
<u>CAPITAL OUTLAY EQUALIZATION</u>					
Education, Administration	22564	R277-430	REP	02/01/2000	2000-1/10
<u>CAPITOL-PRESERVATION</u>					
Capitol Preservation Board (State), Administration	22572	R131-1	NEW	03/13/2000	2000-2/5
<u>CHILD SUPPORT</u>					
Human Services, Recovery Services	22555	R527-5	AMD	02/01/2000	2000-1/33
	22692	R527-10	5YR	03/01/2000	2000-6/48
	22487	R527-24	REP	01/10/2000	99-23/86
	22628	R527-34-1	AMD	03/24/2000	2000-4/42
	22656	R527-40	5YR	02/10/2000	2000-5/65
	22556	R527-200	AMD	02/01/2000	2000-1/37
	22488	R527-475	AMD	01/10/2000	99-23/87
	22708	R527-475	5YR	03/24/2000	2000-8/34
<u>COAL MINES</u>					
Natural Resources; Oil, Gas and Mining; Coal	22214	R645-301-500	AMD	see CPR	99-16/32
	22214	R645-301-500	CPR	02/01/2000	2000-1/64

RULES INDEX

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>COMPULSORY EDUCATION</u>					
Education, Administration	22610	R277-607	AMD	03/03/2000	2000-3/11
<u>CONDUCT</u>					
Commerce, Real Estate	22626	R162-106	AMD	03/20/2000	2000-4/16
Professional Practices Advisory Commission, Administration	22504	R686-100	AMD	01/05/2000	99-23/96
<u>CONFIDENTIALITY</u>					
Human Services, Recovery Services	22555	R527-5	AMD	02/01/2000	2000-1/33
<u>CONSTRUCTION CONTRACTS</u>					
Labor Commission, Antidiscrimination and Labor, Antidiscrimination	22675	R606-3-2	NSC	03/20/2000	Not Printed
<u>CONTAMINATION</u>					
Environmental Quality, Radiation Control	22599	R313-15	AMD	03/10/2000	2000-3/34
<u>CONTESTS</u>					
Commerce, Occupational and Professional Licensing	22589	R156-66	AMD	02/15/2000	2000-2/14
<u>CONTRACTORS</u>					
Commerce, Occupational and Professional Licensing	22398	R156-56	AMD	see CPR	99-20/15
	22398	R156-56	CPR	02/15/2000	2000-2/21
	22478	R156-56-602	AMD	see CPR	99-22/7
	22478	R156-56-602	CPR	02/15/2000	2000-2/24
	22449	R156-56-706	AMD	see CPR	99-21/7
	22449	R156-56-706	CPR	01/18/2000	99-24/47
Labor Commission, Antidiscrimination and Labor, Antidiscrimination	22765	R606-3-2	NSC	03/20/2000	Not Printed
<u>CONTRACTS</u>					
Public Service Commission, Administration	22550	R746-401	NSC	01/25/2000	Not Printed
<u>COVERAGE GROUPS</u>					
Health, Health Care Financing, Coverage and Reimbursement Policy	22378	R414-303	AMD	see CPR	99-19/25
	22378	R414-303	CPR	01/26/2000	99-24/52
<u>DAY CARE</u>					
Public Safety, Fire Marshal	22561	R710-8	AMD	02/01/2000	2000-1/57
<u>DECOMMISSIONING</u>					
Environmental Quality, Radiation Control	22601	R313-22	AMD	03/10/2000	2000-3/59
<u>DEFINITIONS</u>					
Environmental Quality, Radiation Control	22598	R313-12	AMD	03/10/2000	2000-3/27
<u>DISCIPLINARY ACTIONS</u>					
Professional Practices Advisory Commission, Administration	22505	R686-103	AMD	01/05/2000	99-23/105
<u>DISCRIMINATION</u>					
Labor Commission, Antidiscrimination and Labor, Antidiscrimination	22673	R606-1-2	NSC	03/20/2000	Not Printed
	22674	R606-2-2	NSC	03/20/2000	Not Printed
	22675	R606-3-2	NSC	03/20/2000	Not Printed

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	22676	R606-5-2	NSC	03/20/2000	Not Printed
Labor Commission, Antidiscrimination and Labor, Fair Housing	22591	R608-1-3	NSC	01/25/2000	Not Printed
<u>DIVERSION PROGRAMS</u>					
Commerce, Occupational and Professional Licensing	22587	R156-1-205	AMD	02/15/2000	2000-2/8
	22645	R156-1-308a	AMD	03/20/2000	2000-4/12
<u>DOMESTIC VIOLENCE</u>					
Human Services, Aging and Adult Services	22619	R510-302	5YR	01/24/2000	2000-4/75
<u>DRIVER EDUCATION</u>					
Education, Administration	22528	R277-507	AMD	02/01/2000	2000-1/11
<u>EDUCATIONAL PROGRAM EVALUATIONS</u>					
Education, Administration	22609	R277-501	NEW	03/03/2000	2000-3/8
<u>EDUCATION FACILITIES</u>					
Education, Administration	22563	R277-404	REP	02/01/2000	2000-1/8
<u>EDUCATOR LICENSE RENEWAL</u>					
Education, Administration	22609	R277-501	NEW	03/03/2000	2000-3/8
<u>EDUCATOR LICENSURE</u>					
Education, Administration	22528	R277-507	AMD	02/01/2000	2000-1/11
<u>EDUCATORS</u>					
Professional Practices Advisory Commission, Administration	22505	R686-103	AMD	01/05/2000	99-23/105
<u>ELDERLY</u>					
Human Services, Aging and Adult Services	22619	R510-302	5YR	01/24/2000	2000-4/75
<u>EMPLOYMENT</u>					
Labor Commission, Antidiscrimination and Labor, Antidiscrimination	22673	R606-1-2	NSC	03/20/2000	Not Printed
	22674	R606-2-2	NSC	03/20/2000	Not Printed
	22676	R606-5-2	NSC	03/20/2000	Not Printed
Workforce Services, Workforce Information and Payment Services	22548	R994-202-103	AMD	02/02/2000	2000-1/60
<u>EMPLOYMENT AGENCIES</u>					
Labor Commission, Antidiscrimination and Labor, Antidiscrimination	22676	R606-5-2	NSC	03/20/2000	Not Printed
<u>ENGINEERS</u>					
Capitol Preservation Board (State), Administration	22572	R131-1	NEW	03/13/2000	2000-2/5
<u>ENVIRONMENTAL PROTECTION</u>					
Environmental Quality, Air Quality	22688	R307-115	NSC	03/20/2000	Not Printed
<u>ETHICS</u>					
Natural Resources, Wildlife Resources	22521	R657-38	AMD	01/18/2000	99-24/38
<u>EXEMPTIONS</u>					
Environmental Quality, Radiation Control	22598	R313-12	AMD	03/10/2000	2000-3/27
<u>EXTINGUISHERS</u>					
Public Safety, Fire Marshal	22557	R710-1	AMD	02/01/2000	2000-1/44

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>FACILITIES USE</u>					
Capitol Preservation Board (State), Administration	22568	R131-2	NEW	03/13/2000	2000-1/4
<u>FAIR HOUSING</u>					
Labor Commission, Antidiscrimination and Labor, Fair Housing	22591	R608-1-3	NSC	01/25/2000	Not Printed
<u>FEES</u>					
Natural Resources, Parks and Recreation	22474	R651-611	AMD	01/03/2000	99-22/17
<u>FINANCIAL DISCLOSURE</u>					
Health, Health Care Financing, Coverage and Reimbursement Policy	22703	R414-304	EMR	03/09/2000	2000-7/19
<u>FINANCIAL INFORMATION</u>					
Human Services, Recovery Services	22692	R527-10	5YR	03/01/2000	2000-6/48
<u>FIREPLACE</u>					
Environmental Quality, Air Quality	22687	R307-122-2	NSC	03/20/2000	Not Printed
<u>FIRE PREVENTION</u>					
Public Safety, Fire Marshal	22557	R710-1	AMD	02/01/2000	2000-1/44
	22560	R710-7	AMD	02/01/2000	2000-1/54
	22561	R710-8	AMD	02/01/2000	2000-1/57
<u>FIREWORKS</u>					
Public Safety, Fire Marshal	22558	R710-2	AMD	02/01/2000	2000-1/50
<u>FISH</u>					
Natural Resources, Wildlife Resources	22392	R657-13	AMD	01/03/2000	99-20/31
<u>FISHING</u>					
Natural Resources, Wildlife Resources	22392	R657-13	AMD	01/03/2000	99-20/31
<u>FOOD INSPECTION</u>					
Agriculture and Food, Regulatory Services	22657	R70-310	5YR	02/10/2000	2000-5/64
	22596	R70-630	5YR	01/11/2000	2000-3/91
	22597	R70-630	AMD	03/03/2000	2000-3/5
<u>FOSTER CARE</u>					
Human Services, Administration, Administrative Services, Licensing	22629	R501-12	AMD	03/17/2000	2000-4/38
<u>GAME LAWS</u>					
Natural Resources, Wildlife Resources	22519	R657-5	AMD	see CPR	99-24/25
	22519	R657-5	CPR	02/01/2000	2000-1/66
	22520	R657-6	AMD	01/18/2000	99-24/35
	22712	R657-19	5YR	03/30/2000	2000-8/34
<u>GENERAL CONFORMITY</u>					
Environmental Quality, Air Quality	22688	R307-115	NSC	03/20/2000	Not Printed
<u>GOOD CAUSE</u>					
Human Services, Recovery Services	22487	R527-24	REP	01/10/2000	99-23/86
<u>GOVERNMENT PURCHASING</u>					
School and Institutional Trust Lands, Administration	22618	R850-11	R&R	03/17/2000	2000-4/53

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>GRANTS</u>					
Health, Health Systems Improvement, Primary Care and Rural Health	22622	R434-20	AMD	03/24/2000	2000-4/31
<u>HAZARDOUS WASTE</u>					
Environmental Quality, Solid and Hazardous Waste	22537	R315-1-1	NSC	01/25/2000	Not Printed
	22538	R315-2	NSC	01/25/2000	Not Printed
	22653	R315-2-9	NSC	02/25/2000	Not Printed
	22539	R315-3	NSC	01/25/2000	Not Printed
	22654	R315-3-20	NSC	02/25/2000	Not Printed
	22541	R315-5	NSC	01/25/2000	Not Printed
	22542	R315-7	NSC	01/25/2000	Not Printed
	22543	R315-8	NSC	01/25/2000	Not Printed
	22544	R315-13	NSC	01/25/2000	Not Printed
	22545	R315-16	NSC	01/25/2000	Not Printed
	22546	R315-50	NSC	01/25/2000	Not Printed
	22547	R315-101	NSC	01/25/2000	Not Printed
<u>HEALTH FACILITIES</u>					
Health, Health Systems Improvement, Health Facility Licensure	22630	R432-7	5YR	02/01/2000	2000-4/70
	22631	R432-8	5YR	02/01/2000	2000-4/70
	22632	R432-9	5YR	02/01/2000	2000-4/71
	22633	R432-10	5YR	02/01/2000	2000-4/72
	22634	R432-11	5YR	02/01/2000	2000-4/72
	22635	R432-12	5YR	02/01/2000	2000-4/73
	22636	R432-13	5YR	02/01/2000	2000-4/73
	22637	R432-14	5YR	02/01/2000	2000-4/74
	22638	R432-30	5YR	02/01/2000	2000-4/ 74
	22655	R432-270	5YR	02/09/2000	2000-5/64
<u>HEALTH INSURANCE</u>					
Human Services, Recovery Services	22692	R527-10	5YR	03/01/2000	2000-6/48
<u>HEARINGS</u>					
Professional Practices Advisory Commission, Administration	22504	R686-100	AMD	01/05/2000	99-23/96
<u>HIGHER EDUCATION</u>					
Regents (Board of), Administration	22052	R765-604	NEW	see CPR	99-11/63
	22052	R765-604	CPR	02/04/2000	99-20/53
<u>HOUSING</u>					
Labor Commission, Antidiscrimination and Labor, Fair Housing	22591	R608-1-3	NSC	01/25/2000	Not Printed
<u>HOUSING FINANCE</u>					
Housing Finance Agency, Administration	22682	R460-1	5YR	02/23/2000	2000-6/46
	22683	R460-4	5YR	02/23/2000	2000-6/46
	22684	R460-6	5YR	02/23/2000	2000-6/47
	22685	R460-7	5YR	02/23/2000	2000-6/47

RULES INDEX

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>HUMAN SERVICES</u>					
Human Services, Administration, Administrative Services, Licensing	22629	R501-12	AMD	03/17/2000	2000-4/38
<u>HUNTING</u>					
Natural Resources, Wildlife Resources	22521	R657-38	AMD	01/18/2000	99-24/38
<u>INCOME</u>					
Health, Health Care Financing, Coverage and Reimbursement Policy	22378	R414-303	AMD	see CPR	99-19/25
	22378	R414-303	CPR	01/26/2000	99-24/52
	22703	R414-304	EMR	03/09/2000	2000-7/19
<u>INFORMAL ADJUDICATIVE PROCEEDINGS</u>					
Labor Commission, Industrial Accidents	22592	R612-8	5YR	01/03/2000	2000-3/91
<u>INSPECTIONS</u>					
Environmental Quality, Radiation Control	22598	R313-12	AMD	03/10/2000	2000-3/27
	22600	R313-16	AMD	03/10/2000	2000-3/56
<u>INSURANCE</u>					
Insurance, Administration	22489	R590-170	AMD	see CPR	99-23/88
	22489	R590-170	CPR	03/07/2000	2000-2/25
	22417	R590-196	NEW	see CPR	99-20/28
	22417	R590-196	CPR	02/01/2000	99-24/53
<u>INSURANCE COMPANIES</u>					
Insurance, Administration	22666	R590-128	5YR	02/15/2000	2000-5/66
	22506	R590-198	NEW	01/04/2000	99-23/90
	22595	R590-198	NSC	01/25/2000	Not Printed
<u>INSURANCE LAW</u>					
Insurance, Administration	22665	R590-88	5YR	02/15/2000	2000-5/66
	22667	R590-132	5YR	02/15/2000	2000-5/67
	22416	R590-197	NEW	01/25/2000	99-20/30
	22621	R590-197	NSC	02/25/2000	Not Printed
<u>IRRADIATOR</u>					
Environmental Quality, Radiation Control	22603	R313-34	AMD	03/10/2000	2000-3/86
<u>LABORATORIES</u>					
Health, Epidemiology and Laboratory Services, Laboratory Improvement	22516	R444-14	AMD	03/01/2000	99-24/16
<u>LICENSING</u>					
Commerce, Occupational and Professional Licensing	22587	R156-1-205	AMD	02/15/2000	2000-2/8
	22645	R156-1-308a	AMD	03/20/2000	2000-4/12
	22318	R156-17a	AMD	see CPR	99-17/10
	22318	R156-17a	CPR	02/15/2000	2000-2/17
	22576	R156-31b-304	AMD	02/15/2000	2000-2/10
	22663	R156-31b-304	NSC	02/24/2000	Not Printed
	22577	R156-31c-201	AMD	02/15/2000	2000-2/11
	22398	R156-56	AMD	see CPR	99-20/15
	22398	R156-56	CPR	02/15/2000	2000-2/21

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
	22478	R156-56-602	AMD	see CPR	99-22/7
	22478	R156-56-602	CPR	02/15/2000	2000-2/24
	22449	R156-56-706	AMD	see CPR	99-21/7
	22449	R156-56-706	CPR	01/18/2000	99-24/47
	22482	R156-57	AMD	01/04/2000	99-23/13
	22588	R156-61	AMD	02/15/2000	2000-2/12
	22589	R156-66	AMD	02/15/2000	2000-2/14
	22507	R156-71	AMD	01/04/2000	99-23/14
Human Services, Administration, Administrative Services, Licensing	22629	R501-12	AMD	03/17/2000	2000-4/38
<u>LIQUEFIED PETROLEUM GAS</u>					
Public Safety, Fire Marshal	22559	R710-6	AMD	02/01/2000	2000-1/52
<u>LOBBYIST</u>					
Lieutenant Governor, Elections	22590	R623-1	NSC	01/25/2000	Not Printed
	22612	R623-1	AMD	03/03/2000	2000-3/88
<u>MATERIALS HANDLING</u>					
School and Institutional Trust Lands, Administration	22664	R850-130-400	NSC	02/25/2000	Not Printed
<u>MEDICAID</u>					
Health, Health Care Financing, Coverage and Reimbursement Policy	22512	R414-1	AMD	01/26/2000	99-24/13
	22513	R414-61	AMD	see CPR	99-24/15
	22513	R414-61	CPR	03/30/2000	2000-4/69
<u>MOTOR VEHICLES</u>					
Environmental Quality, Air Quality	22686	R307-121-2	NSC	03/20/2000	Not Printed
<u>NATUROPATHIC PHYSICIANS</u>					
Commerce, Occupational and Professional Licensing	22507	R156-71	AMD	01/04/2000	99-23/14
<u>NATUROPATHS</u>					
Commerce, Occupational and Professional Licensing	22507	R156-71	AMD	01/04/2000	99-23/14
<u>NONATTAINMENT</u>					
Environmental Quality, Air Quality	22607	R307-403-8	NSC	01/25/2000	Not Printed
<u>NURSES</u>					
Commerce, Occupational and Professional Licensing	22576	R156-31b-304	AMD	02/15/2000	2000-2/10
	22663	R156-31b-304	NSC	02/24/2000	Not Printed
	22577	R156-31c-201	AMD	02/15/2000	2000-2/11
<u>OCCUPATIONAL LICENSING</u>					
Commerce, Occupational and Professional Licensing	22587	R156-1-205	AMD	02/15/2000	2000-2/8
	22645	R156-1-308a	AMD	03/20/2000	2000-4/12
<u>OFFSET</u>					
Environmental Quality, Air Quality	22607	R307-403-8	NSC	01/25/2000	Not Printed
<u>ONSITE WASTEWATER SYSTEMS</u>					
Environmental Quality, Water Quality	22490	R317-4	NEW	02/16/2000	99-23/16
	22691	R317-4	NSC	03/20/2000	Not Printed

RULES INDEX

KEYWORD AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>ORGAN TRANSPLANTS</u>					
Health, Health Care Financing, Coverage and Reimbursement Policy	22529	R414-58	AMD	02/17/2000	2000-1/29
<u>OVERPAYMENT</u>					
Human Services, Recovery Services	22556	R527-200	AMD	02/01/2000	2000-1/37
<u>OZONE</u>					
Environmental Quality, Air Quality	22623	R307-110	NSC	02/25/2000	Not Printed
	22553	R307-110-19	AMD	02/10/2000	2000-1/14
	22660	R307-110-19	NSC	02/25/2000	Not Printed
<u>PARKS</u>					
Natural Resources, Parks and Recreation	22474	R651-611	AMD	01/03/2000	99-22/17
<u>PARTICULATE MATTER</u>					
Environmental Quality, Air Quality	22623	R307-110	NSC	02/25/2000	Not Printed
	22553	R307-110-19	AMD	02/10/2000	2000-1/14
	22660	R307-110-19	NSC	02/25/2000	Not Printed
<u>PASSENGER TRAMWAYS</u>					
Transportation, Operations, Traffic and Safety	22617	R920-50	AMD	03/24/2000	2000-4/64
<u>PENALTIES</u>					
Labor Commission, Industrial Accidents	22592	R612-8	5YR	01/03/2000	2000-3/91
<u>PERMITS</u>					
Natural Resources; Forestry, Fire and State Lands	22428	R652-70-2400	AMD	02/29/2000	99-21/47
School and Institutional Trust Lands, Administration	22664	R850-130-400	NSC	02/25/2000	Not Printed
Transportation, Motor Carrier, Ports of Entry	22531	R912-14	AMD	02/15/2000	2000-1/59
<u>PERSONAL PROPERTY</u>					
Tax Commission, Property Tax	22627	R884-24P-33	AMD	03/28/2000	2000-4/56
	22508	R884-24P-44	AMD	01/20/2000	99-23/107
	22522	R884-24P-62	AMD	01/20/2000	99-24/40
<u>PHARMACIES</u>					
Commerce, Occupational and Professional Licensing	22318	R156-17a	AMD	see CPR	99-17/10
	22318	R156-17a	CPR	02/15/2000	2000-2/17
<u>PHARMACISTS</u>					
Commerce, Occupational and Professional Licensing	22318	R156-17a	AMD	see CPR	99-17/10
	22318	R156-17a	CPR	02/15/2000	2000-2/17
<u>PLANNING-BUDGETING</u>					
Capitol Preservation Board (State), Administration	22574	R131-7	NEW	03/13/2000	2000-2/7
<u>PRIVACY LAW</u>					
Human Services, Recovery Services	22555	R527-5	AMD	02/01/2000	2000-1/33
<u>PROCUREMENT</u>					
Capitol Preservation Board (State), Administration	22572	R131-1	NEW	03/13/2000	2000-2/5

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>PROFESSIONAL EDUCATION</u>					
Education, Administration	22528	R277-507	AMD	02/01/2000	2000-1/11
<u>PROPERTY TAX</u>					
Tax Commission, Property Tax	22627	R884-24P-33	AMD	03/28/2000	2000-4/56
	22508	R884-24P-44	AMD	01/20/2000	99-23/107
	22522	R884-24P-62	AMD	01/20/2000	99-24/40
<u>PSYCHOLOGISTS</u>					
Commerce, Occupational and Professional Licensing	22588	R156-61	AMD	02/15/2000	2000-2/12
<u>PUBLIC BUILDINGS</u>					
Capitol Preservation Board (State), Administration	22568	R131-2	NEW	03/13/2000	2000-1/4
	22574	R131-7	NEW	03/13/2000	2000-2/7
<u>PUBLIC SCHOOLS</u>					
Education, Administration	22564	R277-430	REP	02/01/2000	2000-1/10
<u>PUBLIC UTILITIES</u>					
Public Service Commission, Administration	22530	R746-360-2	NSC	01/25/2000	Not Printed
	22550	R746-401	NSC	01/25/2000	Not Printed
<u>RABBITS</u>					
Natural Resources, Wildlife Resources	22520	R657-6	AMD	01/18/2000	99-24/35
<u>RADIATION</u>					
Environmental Quality, Radiation Control	22602	R313-25	AMD	03/10/2000	2000-3/77
	22603	R313-34	AMD	03/10/2000	2000-3/86
<u>RADIATION SAFETY</u>					
Environmental Quality, Radiation Control	22603	R313-34	AMD	03/10/2000	2000-3/86
<u>RADIOACTIVE MATERIAL</u>					
Environmental Quality, Radiation Control	22599	R313-15	AMD	03/10/2000	2000-3/34
	22601	R313-22	AMD	03/10/2000	2000-3/59
<u>RADIOACTIVE WASTE DISPOSAL</u>					
Environmental Quality, Radiation Control	22602	R313-25	AMD	03/10/2000	2000-3/77
<u>READING</u>					
Education, Administration	22593	R277-472	NSC	01/25/2000	Not Printed
<u>REAL ESTATE APPRAISAL</u>					
Commerce, Real Estate	22626	R162-106	AMD	03/20/2000	2000-4/16
<u>REAL ESTATE BUSINESS</u>					
Commerce, Real Estate	22514	R162-6	AMD	01/27/2000	99-24/10
	22624	R162-10	AMD	03/20/2000	2000-4/14
<u>RECLAMATION</u>					
Natural Resources; Oil, Gas and Mining; Coal	22214	R645-301-500	AMD	see CPR	99-16/32
	22214	R645-301-500	CPR	02/01/2000	2000-1/64
<u>RECREATION</u>					
Natural Resources, Wildlife Resources	22521	R657-38	AMD	01/18/2000	99-24/38

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>RESPIRATORY CARE</u>					
Commerce, Occupational and Professional Licensing	22482	R156-57	AMD	01/04/2000	99-23/13
<u>RULEMAKING PROCEDURES</u>					
School and Institutional Trust Lands, Administration	22594	R850-10	5YR	01/04/2000	2000-3/92
<u>RULES AND PROCEDURE</u>					
Public Service Commission, Administration	22550	R746-401	NSC	01/25/2000	Not Printed
<u>SAFETY</u>					
Environmental Quality, Radiation Control	22599	R313-15	AMD	03/10/2000	2000-3/34
Labor Commission, Occupational Safety and Health	22524	R614-1-4	NSC	01/25/2000	Not Printed
	22672	R614-1-10	NSC	03/20/2000	Not Printed
<u>SCHOLARSHIP</u>					
Health, Health Systems Improvement, Primary Care and Rural Health	22622	R434-20	AMD	03/24/2000	2000-4/31
Regents (Board of), Administration	22052	R765-604	NEW	see CPR	99-11/63
	22052	R765-604	CPR	02/04/2000	99-20/53
<u>SECONDARY EDUCATION</u>					
Regents (Board of), Administration	22052	R765-604	NEW	see CPR	99-11/63
	22052	R765-604	CPR	02/04/2000	99-20/53
<u>SECURITIES</u>					
Commerce, Securities	22642	R164-2	NEW	03/20/2000	2000-4/18
	22643	R164-4	AMD	03/20/2000	2000-4/20
	22644	R164-14	AMD	03/20/2000	2000-4/29
<u>SECURITIES REGULATION</u>					
Commerce, Securities	22642	R164-2	NEW	03/20/2000	2000-4/18
	22643	R164-4	AMD	03/20/2000	2000-4/20
	22644	R164-14	AMD	03/20/2000	2000-4/29
<u>SEPTIC SYSTEMS</u>					
Environmental Quality, Water Quality	22491	R317-501	REP	02/16/2000	99-23/45
<u>SEPTIC TANKS</u>					
Environmental Quality, Water Quality	22490	R317-4	NEW	02/16/2000	99-23/16
	22691	R317-4	NSC	03/20/2000	Not Printed
<u>SHELTER CARE FACILITIES</u>					
Human Services, Aging and Adult Services	22619	R510-302	5YR	01/24/2000	2000-4/75
<u>SMALL BUSINESS ASSISTANCE PROGRAM</u>					
Environmental Quality, Air Quality	22623	R307-110	NSC	02/25/2000	Not Printed
	22553	R307-110-19	AMD	02/10/2000	2000-1/14
	22660	R307-110-19	NSC	02/25/2000	Not Printed
<u>SOVEREIGN LANDS</u>					
Natural Resources; Forestry, Fire and State Lands	22428	R652-70-2400	AMD	02/29/2000	99-21/47
<u>SPECIFIC LICENSES</u>					
Environmental Quality, Radiation Control	22601	R313-22	AMD	03/10/2000	2000-3/59

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>STATE BUILDINGS</u>					
Capitol Preservation Board (State), Administration	22574	R131-7	NEW	03/13/2000	2000-2/7
<u>STOVE</u>					
Environmental Quality, Air Quality	22687	R307-122-2	NSC	03/20/2000	Not Printed
<u>SURVEY</u>					
Environmental Quality, Radiation Control	22603	R313-34	AMD	03/10/2000	2000-3/86
<u>SYSTEMS</u>					
Public Safety, Fire Marshal	22560	R710-7	AMD	02/01/2000	2000-1/54
<u>TAXATION</u>					
Tax Commission, Property Tax	22627	R884-24P-33	AMD	03/28/2000	2000-4/56
	22508	R884-24P-44	AMD	01/20/2000	99-23/107
	22522	R884-24P-62	AMD	01/20/2000	99-24/40
<u>TAX EXEMPTIONS</u>					
Environmental Quality, Air Quality	22686	R307-121-2	NSC	03/20/2000	Not Printed
	22687	R307-122-2	NSC	03/20/2000	Not Printed
<u>TEACHER CERTIFICATION</u>					
Professional Practices Advisory Commission, Administration	22504	R686-100	AMD	01/05/2000	99-23/96
<u>TELECOMMUNICATIONS</u>					
Public Service Commission, Administration	22530	R746-360-2	NSC	01/25/2000	Not Printed
<u>TIME</u>					
Labor Commission, Antidiscrimination and Labor, Antidiscrimination	22673	R606-1-2	NSC	03/20/2000	Not Printed
	22674	R606-2-2	NSC	03/20/2000	Not Printed
Labor Commission, Antidiscrimination and Labor, Fair Housing	22591	R608-1-3	NSC	01/25/2000	Not Printed
<u>TRAMWAY PERMITS</u>					
Transportation, Operations, Traffic and Safety	22617	R920-50	AMD	03/24/2000	2000-4/64
<u>TRAMWAYS</u>					
Transportation, Operations, Traffic and Safety	22617	R920-50	AMD	03/24/2000	2000-4/64
<u>TRANSPORTATION SAFETY</u>					
Transportation, Operations, Traffic and Safety	22617	R920-50	AMD	03/24/2000	2000-4/64
<u>TRUANCY</u>					
Education, Administration	22610	R277-607	AMD	03/03/2000	2000-3/11
<u>TRUCKS</u>					
Transportation, Motor Carrier, Ports of Entry	22531	R912-14	AMD	02/15/2000	2000-1/59
<u>UNEMPLOYMENT COMPENSATION</u>					
Workforce Services, Workforce Information and Payment Services	22548	R994-202-103	AMD	02/02/2000	2000-1/60
<u>UNINSURED EMPLOYERS</u>					
Labor Commission, Industrial Accidents	22592	R612-8	5YR	01/03/2000	2000-3/91

RULES INDEX

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>UNITS</u>					
Environmental Quality, Radiation Control	22598	R313-12	AMD	03/10/2000	2000-3/27
<u>UNIVERSAL SERVICE</u>					
Public Service Commission, Administration	22530	R746-360-2	NSC	01/25/2000	Not Printed
<u>WASTE DISPOSAL</u>					
Environmental Quality, Radiation Control	22599	R313-15	AMD	03/10/2000	2000-3/34
<u>WASTE WATER</u>					
Environmental Quality, Water Quality	22490	R317-4	NEW	02/16/2000	99-23/16
	22691	R317-4	NSC	03/20/2000	Not Printed
	22491	R317-501	REP	02/16/2000	99-23/45
	22492	R317-502	REP	02/16/2000	99-23/48
	22493	R317-503	REP	02/16/2000	99-23/56
	22494	R317-504	REP	02/16/2000	99-23/58
	22495	R317-505	REP	02/16/2000	99-23/59
	22496	R317-506	REP	02/16/2000	99-23/63
	22497	R317-507	REP	02/16/2000	99-23/65
	22498	R317-508	REP	02/16/2000	99-23/73
	22499	R317-509	REP	02/16/2000	99-23/75
	22500	R317-510	REP	02/16/2000	99-23/77
	22501	R317-511	REP	02/16/2000	99-23/80
	22502	R317-512	REP	02/16/2000	99-23/82
	22503	R317-513	REP	02/16/2000	99-23/84
<u>WATER POLLUTION</u>					
Environmental Quality, Water Quality	22566	R317-2	AMD	03/17/2000	2000-1/15
<u>WATER QUALITY STANDARDS</u>					
Environmental Quality, Water, Quality	22566	R317-2	AMD	03/17/2000	2000-1/15
<u>WELFARE FRAUD</u>					
Human Services, Recovery Services	22556	R527-200	AMD	02/01/2000	2000-1/37
<u>WILDLIFE</u>					
Natural Resources, Wildlife Resources	22519	R657-5	AMD	see CPR	99-24/25
	22519	R657-5	CPR	02/01/2000	2000-1/66
	22520	R657-6	AMD	01/18/2000	99-24/35
	22392	R657-13	AMD	01/03/2000	99-20/31
	22712	R657-19	5YR	03/30/2000	2000-8/34
	22521	R657-38	AMD	01/18/2000	99-24/38
	22562	R657-47	NEW	02/01/2000	2000-1/40
<u>WILDLIFE LAW</u>					
Natural Resources, Wildlife Resources	22392	R657-13	AMD	01/03/2000	99-20/31
<u>WILDLIFE PERMITS</u>					
Natural Resources, Wildlife Resources	22562	R657-47	NEW	02/01/2000	2000-1/40
<u>WORKER'S COMPENSATION</u>					
Labor Commission, Industrial Accidents	22592	R612-8	5YR	01/03/2000	2000-3/91

<u>KEYWORD</u> AGENCY	FILE NUMBER	CODE REFERENCE	ACTION	EFFECTIVE DATE	BULLETIN ISSUE/PAGE
<u>X-RAY</u> Environmental Quality, Radiation Control	22600	R313-16	AMD	03/10/2000	2000-3/56
<u>YEAR-ROUND SCHOOLS</u> Education, Administration	22563	R277-404	REP	02/01/2000	2000-1/8

End of the Rules Index Section

PERMANENT ADMINISTRATIVE RULES REGISTER

Because of the small number of filings and to meet the minimum number of pages for publication, the Division of Administrative Rules (Division) is including the *2000 Rules Register* from the January 1, 2000, *Bulletin* through the April 15, 2000, *Bulletin* in this issue of the *Bulletin*.

The *Rules Register* is the official record of receipt of all administrative rules and rule changes filed with the Division and is always available for inspection at the Division.

The *Rules Register* Begins on the Following Page.

RULES REGISTER

Filings received for the January 1, 2000, Bulletin

DAR File #	Date/Time Filed	Authorized by	Agency	Title of Rule/Section	Pages	Code Citation	Date Published	Effective Date
22524	12/02/1999 10:07	R. Lee Ellertson	Labor Commissioner, Occupational Safety and Health	Nonsubstantive Change--Incorporation of Federal Standards	4	R614-1-4	Not Printed	01/25/2000
22525	12/02/1999 16:25	Carol B. Lear	Education, Administration	Nonsubstantive Change--Distribution of Funds to Arts and Sciences Organizations	5	R277-444	Not Printed	12/24/1999
22526	12/02/1999 16:25	Carol B. Lear	Education, Administration	Nonsubstantive Change--The State School Building Program	4	R277-451	Not Printed	12/24/1999
22527	12/02/1999 16:25	Carol B. Lear	Education, Administration	Nonsubstantive Change--Oversight of School Inspections	3	R277-471	Not Printed	12/24/1999
22528	12/02/1999 16:25	Carol B. Lear	Education, Administration	Proposed Rule (Amendment)--Driver Education Endorsement	3	R277-507	01/01/2000	02/01/2000
22529	12/03/1999 10:22	Rod L. Betit	Health, Health Care Financing, Coverage and Reimbursement Policy	Proposed Rule (Amendment)--Children's Organ Transplants	3	R414-58	01/01/2000	02/17/2000
22530	12/06/1999 14:10	Barbara Stroud	Public Service Commission, Administration	Nonsubstantive Change--Definitions	4	R746-360-2	Not Printed	01/25/2000
22531	12/07/1999 07:53	Tamy L. Scott	Transportation, Ports of Entry	Proposed Rule (Amendment)--Changes in Utah's Oversize/Overweight Permit Program - Semi trailer Exceeding 48 Feet Length	2	R912-14	01/01/2000	02/15/2000
22532	12/07/1999 11:38	Rick Sprott	Environmental Quality, Air Quality	Nonsubstantive Change--Section XXI, General Conformity	4	R307-110-30	Not Printed	12/23/1999
22533	12/07/1999 11:38	Rick Sprott	Environmental Quality, Air Quality	Nonsubstantive Change--Determining Conformity	4	R307-115-1	Not Printed	Withdrawn by Agency 01/12/2000
22534	12/09/1999 11:15	Rod L. Betit	Health, Health Systems Improvement, Emergency Medical Services	Proposed Rule (Amendment)--Emergency Medical Services Grants Program Rules	3	R426-6	01/01/2000	
22535	12/09/1999 11:16	Rod L. Betit	Health, Health Systems Improvement, Emergency Medical Services	Five-Year Review--Emergency Medical Services Do Not Resuscitate	1	R426-100	01/01/2000	12/09/1999
22536	12/09/1999 16:23	David A. Beach	Public Safety, Driver License	Proposed Rule (Amendment)--Judicial Proceedings For Driver License Actions Involving Alcohol and Drugs	2	R708-14	01/01/2000	02/01/2000
22537	12/10/1999 10:43	Dennis R. Downs	Environmental Safety, Solid and Hazardous Waste	Nonsubstantive Change--Utah Hazardous Waste Definitions and References	4	R315-1-1	Not Printed	01/25/2000
22538	12/10/1999 10:43	Dennis R. Downs	Environmental Safety, Solid and Hazardous Waste	Nonsubstantive Change--General Requirements - Identification and Listing of Hazardous Waste	10	R315-2	Not Printed	01/25/2000

RULES REGISTER

DAR File #	Date/Time Filed	Authorized by	Agency	Title of Rule/Section	Pages	Code Citation	Date Published	Effective Date
22539	12/10/1999 10:43	Dennis R. Downs	Environmental Safety, Solid and Hazardous Waste	Nonsubstantive Change-Application and Plan Approval Procedures for Hazardous Waste Treatment, Storage, and Disposal Facilities	13	R315-3	Not Printed	01/25/2000
22540	12/10/1999 10:43	Dennis R. Downs	Environmental Safety, Solid and Hazardous Waste	Nonsubstantive Change-Hazardous Waste Manifest	4	R315-4	Not Printed	12/31/1999
22541	12/10/1999 10:43	Dennis R. Downs	Environmental Safety, Solid and Hazardous Waste	Nonsubstantive Change-Hazardous Waste Generator Requirements	3	R315-5	Not Printed	01/25/2000
22542	12/10/1999 10:43	Dennis R. Downs	Environmental Safety, Solid and Hazardous Waste	Nonsubstantive Change-Interim Status Requirements for Hazardous Waste Treatment, Storage, and Disposal Facilities	10	R315-7	Not Printed	01/25/2000
22543	12/10/1999 10:43	Dennis R. Downs	Environmental Safety, Solid and Hazardous Waste	Nonsubstantive Change-Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities	11	R315-8	Not Printed	01/25/2000
22544	12/10/1999 10:43	Dennis R. Downs	Environmental Safety, Solid and Hazardous Waste	Nonsubstantive Change-Land Disposal Restrictions	3	R315-13	Not Printed	01/25/2000
22545	12/10/1999 10:43	Dennis R. Downs	Environmental Safety, Solid and Hazardous Waste	Nonsubstantive Change-Standards for Universal Waste Management	6	R315-16	Not Printed	01/25/2000
22546	12/10/1999 10:43	Dennis R. Downs	Environmental Safety, Solid and Hazardous Waste	Nonsubstantive Change-Appendices	3	R315-50	Not Printed	01/25/2000
22547	12/10/1999 10:43	Dennis R. Downs	Environmental Safety, Solid and Hazardous Waste	Nonsubstantive Change-Cleanup Action and Risk-Based Closure Standards	4	R315-101	Not Printed	01/25/2000
22214	12/10/1999 14:19	Ronald W. Daniels	Natural Resources: Oil, Gas and Mining: Coal	Change in Proposed Rule-Engineering	3	R645-301-500	01/01/2000	02/01/2000
22548	12/13/1999 10:35	Robert C. Gross	Workforce Services, Workforce Information and Payment Services	Proposed Rule (Amendment)-Employee Leasing Companies	3	R994-202-103	01/01/2000	02/02/2000
22549	12/13/1999 13:20	Barbara Stroud	Public Service Commission, Administration	Five-Year Review-Rules Governing Reporting of Construction, Purchase, Acquisition, Sale, Transfer or Disposition of Assets by Certain Public Utilities	1	R746-401	01/01/2000	12/13/1999
22550	12/13/1999 13:48	Barbara Stroud	Public Service Commission, Administration	Nonsubstantive Change-Rules Governing Reporting of Construction, Purchase, Acquisition, Sale, Transfer or Disposition of Assets by Certain Public Utilities	5	R746-401	Not Printed	01/25/2000

RULES REGISTER

DAR File #	Date/Time Filed	Authorized by	Agency	Title of Rule/Section	Pages	Code Citation	Date Published	Effective Date
22551	12/14/1999 10:24	Jilene Whitby	Insurance, Administration	Five-Year Review-Individual and Small Employer Health Insurance Rule	1	R590-167	01/01/2000	12/14/1999
22552	12/14/1999 11:45	Rick Sprott	Environmental Quality, Air Quality	Proposed Rule (Amendment)-Section IX, Control Measures for Area and Point Sources, Part B, Sulfur Dioxide	2	R307-110-11	01/01/2000	
22553	12/14/1999 11:45	Rick Sprott	Environmental Quality, Air Quality	Proposed Rule (Amendment)-Section XI, Other Control Measures for Mobile Sources	2	R307-110-19	01/01/2000	02/10/2000
22554	12/14/1999 14:27	John Andrews	School and Institutional Trust Lands, Administration	Proposed Rule (Repeal and Reenact)-Procurement		R850-11	Not Printed	Withdrawn by Agency 12/21/1999
22555	12/14/1999 16:28	Emma Chacon	Human Services, Recovery Services	Proposed Rule (Amendment)-Release of Information	5	R527-5	01/01/2000	02/01/2000
22556	12/14/1999 16:28	Emma Chacon	Human Services, Recovery Services	Proposed Rule (Amendment)-Administrative Procedures	4	R527-200	01/01/2000	02/01/2000
22557	12/15/1999 14:00	Brent R. Halladay	Public Safety, Fire Marshal	Proposed Rule (Amendment)-Concerns Servicing Portable Fire Extinguishers	7	R710-1	01/01/2000	02/01/2000
22558	12/15/1999 14:00	Brent R. Halladay	Public Safety, Fire Marshal	Proposed Rule (Amendment)-Rules Pursuant to Utah Fireworks Act	3	R710-2	01/01/2000	02/01/2000
22559	12/15/1999 14:00	Brent R. Halladay	Public Safety, Fire Marshal	Proposed Rule (Amendment)-Liquefied Petroleum Gas Rules	3	R710-6	01/01/2000	02/01/2000
22560	12/15/1999 14:00	Brent R. Halladay	Public Safety, Fire Marshal	Proposed Rule (Amendment)-Concerns Servicing Automatic Fire Suppression Systems	4	R710-7	01/01/2000	02/01/2000
22561	12/15/1999 14:00	Brent R. Halladay	Public Safety, Fire Marshal	Proposed Rule (Amendment)-Day Care Rules	3	R710-8	01/01/2000	02/01/2000
22519	12/15/1999 15:09	John Kimball	Natural Resources, Wildlife Resources	Change in Proposed Rule-Taking Big Game	2	R657-5	01/01/2000	02/01/2000
22562	12/15/1999 15:09	John Kimball	Natural Resources, Wildlife Resources	Proposed Rule (New)-Trust Fund Permits	4	R657-47	01/01/2000	02/01/2000
22563	12/15/1999 16:48	Carol B. Lear	Education, Administration	Proposed Rule (Repeal)-Year Round School and Effective Facility Use Program	3	R277-404	01/01/2000	02/01/2000
22564	12/15/1999 16:48	Carol B. Lear	Education, Administration	Proposed Rule (Repeal)-Capital Outlay Equalization Qualification	2	R277-430	01/01/2000	02/01/2000
22565	12/15/1999 16:48	Carol B. Lear	Education, Applied Technology Education (Board for), Rehabilitation	Five-Year Review-Certification Requirements for Interpreters for the Hearing Impaired	1	R280-203	01/01/2000	12/15/1999

RULES REGISTER

DAR File #	Date/Time Filed	Authorized by	Agency	Title of Rule/Section	Pages	Code Citation	Date Published	Effective Date
22566	12/15/1999 17:13	Dianne R. Nielson	Environmental Quality, Water Quality	Proposed Rule (Amendment)-Standards of Quality for Waters of the State	15	R317-2	01/01/2000	03/17/2000
22567	12/15/1999 18:10	David H. Hart	Capitol Preservation Board (State), Administration	120-Day (Emergency) Rule-Capitol Hill Facility Use	4	R131-2	01/01/2000	12/15/1999
22568	12/15/1999 18:10	David H. Hart	Capitol Preservation Board (State), Administration	Proposed Rule (New)-Capitol Hill Facility Use	5	R131-2	01/01/2000	03/13/2000

Filings received for the January 15, 2000, Bulletin

DAR File #	Date/Time Filed	Authorized by	Agency	Title of Rule/Section	Pages	Code Citation	Date Published	Effective Date
22569	12/16/1999 10:57	Pam Hendrickson	Tax Commission, Property Tax	120-Day (Emergency) Rule-2000 Personal Property Valuation Guides and Schedules Pursuant to Utah Code Ann. Section 59-2-301	8	R884-24P-33	01/15/2000	12/16/1999 for 120 days
22318	12/16/1999 14:23	A. Gary Bowen	Commerce, Occupational and Professional Licensing	Change in Proposed Rule-Pharmacy Practice Act Rules	5	R156-17a	01/15/2000	02/15/2000
22478	12/16/1999 14:23	A. Gary Bowen	Commerce, Occupational and Professional Licensing	Change in Proposed Rule-Factory Built Housing Dealer Bonds	2	R156-56-602	01/15/2000	02/15/2000
22398	12/16/1999 14:23	A. Gary Bowen	Commerce, Occupational and Professional Licensing	Change in Proposed Rule-Utah Uniform Building Standard Act Rules	4	R156-56	01/15/2000	02/15/2000
22570	12/16/1999 15:01	A. Gary Bowen	Commerce, Occupational and Professional Licensing	Proposed Rule (Amendment)-Utah Medical Practice Act Rules	2	R156-67	01/15/2000	Withdrawn by Agency 12/20/1999
22571	12/16/1999 18:27	David H. Hart	Capitol Preservation Board (State), Administration	120-Day Emergency Rule-Procurement of Architectural and Engineering Services	3	R131-1	01/15/2000	12/16/1999 for 120 days
22572	12/16/1999 18:27	David H. Hart	Capitol Preservation Board (State), Administration	Proposed Rule (New)-Procurement of Architectural and Engineering Services	3	R131-1	01/15/2000	03/13/2000
22573	12/17/1999 09:29	David H. Hart	Capitol Preservation Board (State), Administration	120-Day (Emergency) Rule-State Capitol Preservation Board Master Planning Policy	2	R131-7	01/15/2000	12/17/1999 for 120 days
22574	12/17/1999 09:29	David H. Hart	Capitol Preservation Board (State), Administration	Proposed Rule (New)-State Capitol Preservation Board Master Planning Policy	2	R131-7	01/15/2000	03/13/2000
22575	12/20/1999 10:39	Robert C. Gross	Workforce Services, Workforce Information and Payment Services	Five-Year Review-Collection of Contributions	1	R994-305	01/15/2000	12/20/1999
22576	12/20/1999 11:40	A. Gary Bowen	Commerce, Occupational and Professional Licensing	Proposed Rule (Amendment)-Quality Review Program	2	R156-31b-304	01/15/2000	02/15/2000

RULES REGISTER

DAR File #	Date/Time Filed	Authorized by	Agency	Title of Rule/Section	Pages	Code Citation	Date Published	Effective Date
22577	12/20/1999 11:40	A. Gary Bowen	Commerce, Occupational and Professional Licensing	Proposed Rule (Amendment)- Issuing a License	2	R156-31c-201	01/15/2000	02/15/2000
22578	12/20/1999 11:51	Rod L. Betit	Health, Health Care Financing, Coverage and Reimbursement Policy	Five-Year Review-Medicaid Certification of New Nursing Facilities	1	R414-7A	01/15/2000	12/20/1999
22579	12/20/1999 11:51	Rod L. Betit	Health, Health Care Financing, Coverage and Reimbursement Policy	Five-Year Review-Nurse Aide Training and Competency Evaluation Program	1	R414-7B	01/15/2000	12/20/1999
22580	12/20/1999 11:51	Rod L. Betit	Health, Health Care Financing, Coverage and Reimbursement Policy	Five-Year Review-Podiatry Services	1	R414-11	01/15/2000	12/20/1999
22581	12/20/1999 11:51	Rod L. Betit	Health, Health Care Financing, Coverage and Reimbursement Policy	Five-Year Review-Home Health Service	1	R414-14	01/15/2000	12/20/1999
22582	12/20/1999 11:51	Rod L. Betit	Health, Health Care Financing, Coverage and Reimbursement Policy	Five-Year Review-Hospital Care	1	R414-14A	01/15/2000	12/20/1999
22583	12/20/1999 11:51	Rod L. Betit	Health, Health Care Financing, Coverage and Reimbursement Policy	Five-Year Review-Mental Health Clinic Services	1	R414-25	01/15/2000	12/20/1999
22584	12/20/1999 11:51	Rod L. Betit	Health, Health Care Financing, Coverage and Reimbursement Policy	Five-Year Review-Inpatient Psychiatric Services for Individuals Under Age 21 in Psychiatric Facilities or Programs	1	R414-31	01/15/2000	12/20/1999
22585	12/20/1999 11:51	Rod L. Betit	Health, Health Care Financing, Coverage and Reimbursement Policy	Five-Year Review-Dental Service	1	R414-49	01/15/2000	12/20/1999
22586	12/20/1999 11:51	Rod L. Betit	Health, Health Care Financing, Coverage Reimbursement Policy	Five-Year Review-Dental, Oral and Maxillofacial Surgeons	1	R414-50	01/15/2000	12/20/1999
22587	12/23/1999 13:06	A. Gary Bowen	Commerce, Occupational and Professional Licensing	Proposed Rule (Amendment)-Advisory Peer Committees - Director to Appoint with Concurrence of Board - Terms of Office - Vacancies in Office - Removal from Office - Quorum Requirements - Appointment of Chairman - Division to Provide Secretary - Compliance with Open and Public Meetings Act - Compliance with Utah Administrative Procedures Act - No Provision for Per Diem and Expenses	3	R156-1-205	01/15/2000	02/15/2000
22588	12/23/1999 13:06	A. Gary Bowen	Commerce, Occupational and Professional Licensing	Proposed Rule (Amendment)-Psychologist Licensing Act Rules	3	R156-61	01/15/2000	02/15/2000

RULES REGISTER

DAR File #	Date/Time Filed	Authorized by	Agency	Title of Rule/Section	Pages	Code Citation	Date Published	Effective Date
22589	12/28/1999 13:49	A. Gary Bowen	Commerce, Occupational and Professional Licensing	Proposed Rule (Amendment)-Utah Professional Boxing Regulation Act Rules	2	R156-66	01/15/2000	02/15/2000
22489	12/28/1999 15:30	Jilene Whitby	Insurance, Administration	Change in Proposed Rule-Fiduciary and Trust Account Obligations	3	R590-170	01/15/2000	03/07/2000
22590	12/29/1999 15:53	Amy Naccarato	Lieutenant Governor, Elections	Nonsubstantive Change-Lieutenant Governor's Procedure for Regulation of Lobbyist Activities	5	R623-1	Not Printed	01/25/2000

Filings received for the February 1, 2000, Bulletin

DAR File #	Date/Time Filed	Authorized by	Agency	Title of Rule/Section	Pages	Code Citation	Date Published	Effective Date
22591	01/03/2000 10:39	R. Lee Ellertson	Labor Commission, Antidiscrimination and Labor, Fair Housing	Nonsubstantive Change-Reliance on Federal Law	4	R608-1-3	Not Printed	01/25/2000
22592	01/03/2000 15:11	R. Lee Ellertson	Labor Commission, Industrial Accidents	Five-Year Review-Designation of the Initial Assessment of Noncompliance Penalties as an "Informal" Proceeding	1	R612-8	02/01/2000	01/03/2000
22593	01/03/2000 16:21	Carol B. Lear	Education, Administration	Nonsubstantive Change-Reading Performance Improvement Awards Program	4	R277-472	Not Printed	01/25/2000
22594	01/04/2000 10:53	Kevin S. Carter	School and Institutional Trust Lands, Administration	Five-Year Review-Expedited Rulemaking	1	R850-10	02/01/2000	01/04/2000
22595	01/05/2000 14:19	Jilene Whitby	Insurance, Administration	Nonsubstantive Change-Valuation of Life Insurance Policies Rule	10	R590-198	Not Printed	01/25/2000
22596	01/11/2000 15:44	Cary G. Peterson	Agriculture and Food, Regulatory Services	Five-Year Review-Water Vending Machine	1	R70-630	02/01/2000	01/11/2000
22597	01/11/2000 15:44	Cary G. Peterson	Agriculture and Food, Regulatory Services	Proposed Rule (Amendment)-Water Vending Machine	3	R70-630	02/01/2000	03/03/2000
22598	01/13/2000 15:53	William J. Sinclair	Environmental Quality, Radiation Control	Proposed Rule (Amendment)-General Provisions	8	R313-12	02/01/2000	03/10/2000
22599	01/13/2000 15:53	William J. Sinclair	Environmental Quality, Radiation Control	Proposed Rule (Amendment)-Standards for Protection Against Radiation	13	R313-15	02/01/2000	03/10/2000
22600	01/13/2000 15:53	William J. Sinclair	Environmental Quality, Radiation Control	Proposed Rule (Amendment)-General Requirements Applicable to the Installation, Registration, Inspection, and Use of Radiation Machines	4	R313-16	02/01/2000	03/10/2000
22601	01/13/2000 15:53	William J. Sinclair	Environmental Quality, Radiation Control	Proposed Rule (Amendment)-Specific Licenses	19	R313-22	02/01/2000	03/10/2000

RULES REGISTER

DAR File #	Date/Time Filed	Authorized by	Agency	Title of Rule/Section	Pages	Code Citation	Date Published	Effective Date
22602	01/13/2000 15:53	William J. Sinclair	Environmental Quality, Radiation Control	Proposed Rule (Amendment)-License Requirements for Land Disposal of Radioactive Waste - General Provisions	10	R313-25	02/01/2000	03/10/2000
22603	01/13/2000 15:53	William J. Sinclair	Environmental Quality, Radiation Control	Proposed Rule (Amendment)-Requirements for Irradiators	3	R313-34	02/01/2000	03/10/2000
22604	01/14/2000 08:32	Kevin W. Brown	Environmental Quality, Drinking Water	Proposed Rule (New)-Compliance and Enforcement: Administrative Penalty	3	R309-405	02/01/2000	04/06/2000
22605	01/14/2000 09:51	Rick Sprott	Environmental Quality, Air Quality	Proposed Rule (Amendment)-Emission Inventories	3	R307-150	02/01/2000	04/06/2000
22606	01/14/2000 09:51	Rick Sprott	Environmental Quality, Air Quality	Proposed Rule (Amendment)-Permit Applications: Duty to Apply	3	R307-415-5a	02/01/2000	04/06/2000
22607	01/14/2000 12:42	Rick Sprott	Environmental Quality, Air Quality	Nonsubstantive Change-Offsets: Banking of Emission Offset Credit	3	R307-403-8	Not Printed	01/25/2000
22608	01/14/2000 16:11	Carol B. Lear	Education, Administration	Proposed Rule (Amendment)-Comprehensive Guidance Program		R277-462		Withdrawn by Agency 1/20/2000
22609	01/14/2000 16:11	Carol B. Lear	Education, Administration	Proposed Rule (New)-Educator Licensing Renewal	9	R277-501	02/01/2000	03/03/2000
22610	01/14/2000 16:11	Carol B. Lear	Education, Administration	Proposed Rule (Amendment)-Truancy Prevention	4	R277-607	02/01/2000	03/03/2000
22611	01/14/2000 16:11	Carol B. Lear	Education, Administration	Proposed Rule (Amendment)-Applied Technology Center and Service Region Standards and Operating Procedures	3	R277-904	02/01/2000	03/03/2000
22612	01/14/2000 16:39	Amy Naccarato	Lieutenant Governor, Elections	Proposed Rule (Amendment)-Lieutenant Governor's Procedure for Regulation of Lobbyist Activities	3	R623-1	02/01/2000	03/03/2000

Filings received for the February 15, 2000, Bulletin

DAR File #	Date/Time Filed	Authorized by	Agency	Title of Rule/Section	Pages	Code Citation	Date Published	Effective Date
22613	01/15/2000 11:38	David K. Morrow	Natural Resources, Parks and Recreation	Proposed Rule (Amendment)-Zoned Waters	3	R651-205	02/15/2000	03/27/2000
22614	01/18/2000 13:44	Robert C. Gross	Workforce Services, Workforce Information and Payment Services	Proposed Rule (Amendment)-Waiver of Penalty for Failure to Report	2	R994-315-105	02/15/2000	
22615	01/18/2000 14:55	Reta D. Oram	Human Services, Administration, Administrative Services, Licensing	Proposed Rule (Amendment)-Foster Care Rules (DAR Note: Wrong form was used--refiled under DAR No. 22629)		R501-12		Invalid Filing 01/27/2000

RULES REGISTER

DAR File #	Date/Time Filed	Authorized by	Agency	Title of Rule/Section	Pages	Code Citation	Date Published	Effective Date
22616	01/20/2000 10:16	Pam Hendrickson	Tax Commission, Property Tax	Proposed Rule (Amendment)-2000 Personal Property Valuation Guides and Schedules Pursuant to Utah Code Ann. Section 59-2-301		R884-24P-33		Withdrawn by Agency 01/24/2000
22617	01/24/2000 10:04	Sterling C. Davis	Transportation, Operations, Traffic and Safety	Proposed Rule (Amendment)-Tramway Operations Safety Rules	3	R920-50	02/15/2000	03/24/2000
22618	01/24/2000 11:56	John Andrews	School and Institutional Trust Lands, Administration	Proposed Rule (Repeal and Reenact)-Procurement	4	R850-11	02/15/2000	03/17/2000
22619	01/24/2000 12:13	C. Ronald Stromberg	Human Services, Aging and Adult Services	Five-Year Review-Adult Protective Services	1	R510-302	02/15/2000	01/24/2000
22620	01/24/2000 12:13	C. Ronald Stromberg	Human Services, Aging and Adult Services	Nonsubstantive Change-Adult Protective Services	5	R510-302	Not Printed	Withdrawn by Agency 02/14/2000
22621	01/25/2000 15:17	Jilene Whitby	Insurance, Administration	Nonsubstantive Change-Treatment of Guaranty Association Assessments as Qualified Assets	4	R590-197	Not Printed	02/25/2000
22622	01/26/2000 07:55	Rod L. Betit	Health, Health Systems Improvement, Primary Care and Rural Health	Proposed Rule (Amendment)-Special Population Health Care Provider Financial Assistance Program	8	R434-20	02/15/2000	03/24/2000
22513	01/26/2000 13:23	Rod L. Betit	Health, Health Care Financing, Coverage and Reimbursement Policy	Change in Proposed Rule-Home and Community Based Waivers	1	R414-61	02/15/2000	03/30/2000
22623	01/26/2000 16:22	Rick Sprott	Environmental Quality, Air Quality	Nonsubstantive Change-General Requirements: State Implementation Plan	6	R307-110	Not Printed	02/25/2000
22624	01/28/2000 10:43	Theodore "Ted" Boyer, Jr.	Commerce, Real Estate	Proposed Rule (Amendment)-Administrative Procedures	2	R162-10	02/15/2000	03/20/2000
22625	01/28/2000 10:43	Theodore "Ted" Boyer, Jr.	Commerce, Real Estate	Proposed Rule (Amendment)-Scope of Authority	2	R162-105	02/15/2000	
22626	01/28/2000 10:43	Theodore "Ted" Boyer, Jr.	Commerce, Real Estate	Proposed Rule (Amendment)-Professional Conduct	3	R162-106	02/15/2000	03/20/2000
22627	01/28/2000 10:56	Pam Hendrickson	Tax Commission, Property Tax	Proposed Rule (Amendment)-2000 Personal Property Valuation Guides and Schedules Pursuant to Utah Code Ann. Section 59-2-301	9	R884-24P-33	02/15/2000	03/28/2000
22628	01/31/2000 11:34	Emma Chacon	Human Services, Recovery Services	Proposed Rule (Amendment)-Non-AFDC Services	3	R527-34-1	02/15/2000	03/24/2000
22629	01/31/2000 12:41	Reta D. Oram	Human Services, Administration, Administrative Services, Licensing	Proposed Rule (Amendment)-Foster Care Rules	5	R501-12	02/15/2000	03/17/2000

RULES REGISTER

DAR File #	Date/Time Filed	Authorized by	Agency	Title of Rule/Section	Pages	Code Citation	Date Published	Effective Date
22630	02/01/2000 10:06	Rod L. Betit	Health, Health Systems Improvement, Health Facility Licensure	Five-Year Review-Specialty Hospital - Psychiatric Hospital Construction	1	R432-7	02/15/2000	02/01/2000
22631	02/01/2000 10:06	Rod L. Betit	Health, Health Systems Improvement, Health Facility Licensure	Five-Year Review-Specialty Hospital - Chemical Dependency/Substance Abuse Construction	1	R432-8	02/15/2000	02/01/2000
22632	02/01/2000 10:06	Rod L. Betit	Health, Health Systems Improvement, Health Facility Licensure	Five-Year Review-Specialty Hospital - Rehabilitation Construction Rule	1	R432-9	02/15/2000	02/01/2000
22633	02/01/2000 10:06	Rod L. Betit	Health, Health Systems Improvement, Health Facility Licensure	Five-Year Review-Specialty Hospital - Chronic Disease Construction Rule	1	R432-10	02/15/2000	02/01/2000
22634	02/01/2000 10:06	Rod L. Betit	Health, Health Systems Improvement, Health Facility Licensure	Five-Year Review-Orthopedic Hospital Construction	1	R432-11	02/15/2000	02/01/2000
22635	02/01/2000 10:06	Rod L. Betit	Health, Health Systems Improvement, Health Facility Licensure	Five-Year Review-Small Health Care Facility (Four to Sixteen Beds) Construction Rule	1	R432-12	02/15/2000	02/01/2000
22636	02/01/2000 10:06	Rod L. Betit	Health, Health Systems Improvement, Health Facility Licensure	Five-Year Review-Freestanding Ambulatory Surgical Center Construction Rule	1	R432-13	02/15/2000	02/01/2000
22637	02/01/2000 10:06	Rod L. Betit	Health, Health Systems Improvement, Health Facility Licensure	Five-Year Review-Birthing Center Construction Rule	1	R432-14	02/15/2000	02/01/2000
22638	02/01/2000 10:06	Rod L. Betit	Health, Health Systems Improvement, Health Facility Licensure	Five-Year Review-Adjudicative Procedure Hearings	1	R432-30	02/15/2000	02/01/2000
22639	02/01/2000 10:56	Kenneth F. Wynn	Alcoholic Beverage Control, Administration	Proposed Rule (Amendment)-Disciplinary Hearings	9	R81-7	02/15/2000	03/27/2000
22640	02/01/2000 15:21	Jilene Whitby	Insurance, Administration	Proposed Rule (Amendment)-Disability Coordination of Benefits Rule	5	R590-131	02/15/2000	
22641	02/01/2000 15:21	Jilene Whitby	Insurance, Administration	Proposed Rule (Amendment)-Unfair Inducements and Marketing Practices in Obtaining Title Insurance Business	4	R590-153	02/15/2000	
22642	02/01/2000 15:34	S. Anthony Taggart	Commerce, Securities	Proposed Rule (New)-Investment Adviser - Unlawful Acts	3	R164-2	02/15/2000	03/20/2000
22643	02/01/2000 15:34	S. Anthony Taggart	Commerce, Securities	Proposed Rule (Amendment)-Licensing Requirements	10	R164-4	02/15/2000	03/20/2000

RULES REGISTER

DAR File #	Date/Time Filed	Authorized by	Agency	Title of Rule/Section	Pages	Code Citation	Date Published	Effective Date
22644	02/01/2000 15:34	S. Anthony Taggart	Commerce, Securities	Proposed Rule (Amendment)-Exemptions	3	R164-14	02/15/2000	03/20/2000
22645	02/01/2000 16:13	A. Gary Bowen	Commerce, Occupational and Professional Licensing	Proposed Rule (Amendment)-Renewal Dates	3	R156-1-308a	02/15/2000	03/20/2000

Filings received for the March 1, 2000, Bulletin

DAR File #	Date/Time Filed	Authorized by	Agency	Title of Rule/Section	Pages	Code Citation	Date Published	Effective Date
22646	02/02/2000 15:32	Cary G. Peterson	Agriculture and Food, Plant Industry	Proposed Rule (Amendment)-Labeling or Agricultural Seed Varieties	2	R68-8-7	03/01/2000	04/04/2000
22647	02/04/2000 09:57	Kelly West	Fair Corporation (Utah State), Administration	Proposed Rule (Amendment)-Selection of Exhibitors	2	R325-2-2	03/01/2000	04/04/2000
22648	02/07/2000 16:52	John Kimball	Natural Resources, Wildlife Resources	Proposed Rule (Amendment)-Bait	2	R657-13-12	03/01/2000	04/04/2000
22649	02/07/2000 16:52	John Kimball	Natural Resources, Wildlife Resources	Proposed Rule (Amendment)-Dedicated Hunter Program	5	R657-38	03/01/2000	04/04/2000
22650	02/07/2000 16:52	John Kimball	Natural Resources, Wildlife Resources	Proposed Rule (Amendment)-Definitions	2	R657-41-2	03/01/2000	04/04/2000
22651	02/07/2000 16:52	John Kimball	Natural Resources, Wildlife Resources	Proposed Rule (Amendment)-The Use of Game Birds in Dog Field Trials and Training	3	R657-46	03/01/2000	04/04/2000
22652	02/08/2000 07:25	Tamy L. Scott	Transportation, Motor Carrier	Proposed Rule (Amendment)-Safety Regulations for Motor Carriers	2	R909-1	03/01/2000	02/25/2000
22653	02/08/2000 15:00	Dennis R. Downs	Environmental Quality, Solid and Hazardous Waste	Nonsubstantive Change-Characteristics of Hazardous Waste	4	R315-2-9	Not Printed	02/25/2000
22654	02/08/2000 15:00	Dennis R. Downs	Environmental Quality, Solid and Hazardous Waste	Nonsubstantive Change-Hazardous Waste Incinerator Plan Approvals	5	R315-3-20	Not Printed	02/25/2000
22655	02/09/2000 14:37	Rod L. Betit	Health, Health Systems Improvement, Health Facility Licensure	Five-Year Review-Assisted Living Facilities	1	R432-270	03/01/2000	02/09/2000
22656	02/10/2000 08:43	Emma Chacon	Human Services, Recovery Services	Five-Year Review-Retained Support	1	R527-40	03/01/2000	02/10/2000
22657	02/10/2000 09:04	Cary G. Peterson	Agriculture and Food, Regulatory Services	Five-Year Review-Grade A Pasteurized Milk	1	R70-310	03/01/2000	02/10/2000
22658	02/10/2000 09:04	Cary G. Peterson	Agriculture and Food, Regulatory Services	Proposed Rule (Amendment)-Grade A Pasteurized Milk	1	R70-310	03/01/2000	04/03/2000
22659	02/10/2000 13:15	C. Ronald Stromberg	Human Services, Aging and Adult Services	Proposed Rule (Amendment)-Adult Protective Services	3	R510-302	03/01/2000	04/03/2000

RULES REGISTER

DAR File #	Date/Time Filed	Authorized by	Agency	Title of Rule/Section	Pages	Code Citation	Date Published	Effective Date
22660	02/10/2000 17:23	Rick Sprott	Environmental Quality, Air Quality	Nonsubstantive Change-Section XI, Other Control Measures for Mobile Sources	4	R307-110-19	Not Printed	02/25/2000
22661	02/14/2000 13:50	Reta D. Oram	Human Services, Core Standards for Adult Day Care Programs	Proposed Rule (Repeal and Reenact) - Core Standards for Adult Day Care Programs	12	R501-13	03/01/2000	02/25/2000
22662	02/14/2000 16:14	Dianne R. Nielson	Environmental Quality, Water Quality	Nonsubstantive Change-Onsite Wastewater Systems	3	R317-4	Not Printed	02/24/2000
22663	02/15/2000 08:22	A. Gary Bowen	Commerce, Occupational and Professional Licensing	Nonsubstantive Change-Quality Review Program	3	R156-31b-304	Not Printed	02/25/2000
22664	02/15/2000 09:11	Justin Quigley	School and Institutional Trust Lands, Administration	Nonsubstantive Change-Application Procedures	3	R850-130-400	Not Printed	02/25/2000
22665	02/15/2000 10:52	Jilene Whitby	Insurance, Administration	Five-Year Review-Prohibited Transactions Between Agents and Unauthorized Multiple Employer Trusts	1	R590-88	03/01/2000	02/15/2000
22666	02/15/2000 10:52	Jilene Whitby	Insurance, Administration	Five-Year Review-Unfair Discrimination Based on the Failure to Maintain Automobile Insurance. (Revised.)	1	R590-128	03/01/2000	02/15/2000
22667	02/15/2000 10:52	Jilene Whitby	Insurance, Administration	Five-Year Review-Insurance Treatment of Human Immunodeficiency Virus (HIV) Infection	1	R590-132	03/01/2000	02/15/2000
22668	02/15/2000 16:12	Rick Sprott	Environmental Quality, Air Quality	Proposed Rule (Repeal and Reenact) - Asbestos	22	R307-801	03/01/2000	04/03/2000
22669	02/15/2000 17:12	Carol B. Lear	Education, Administration	Proposed Rule (Amendment) - Comprehensive Guidance Program	3	R277-462	03/01/2000	04/03/2000
22670	02/15/2000 17:12	Carol B. Lear	Education, Administration	Proposed Rule (Amendment) - Board Procedures: Sanctions for Misconduct	3	R277-514	03/01/2000	04/03/2000
22671	02/15/2000 17:12	Carol B. Lear	Professional Practices Advisory Commission, Administration	Proposed Rule (Amendment) - Professional Practices Advisory Commission, Rule of Procedure: Complaints and Hearings	10	R686-100	03/01/2000	04/03/2000

Filings received for the March 15, 2000, **Bulletin**

DAR File #	Date/Time Filed	Authorized by	Agency	Title of Rule/Section	Pages	Code Citation	Date Published	Effective Date
22672	02/16/2000 16:13	R. Lee Ellertson	Labor Commission, Occupational Safety and Health	Nonsubstantive Change-Discrimination	6	R614-1-10	Not Printed	03/20/2000
22673	02/16/2000 16:13	R. Lee Ellertson	Labor Commission, Anti-discrimination and Labor, Anti-discrimination	Nonsubstantive Change-Definitions	3	R606-1-2	Not Printed	03/20/2000

RULES REGISTER

DAR File #	Date/Time Filed	Authorized by	Agency	Title of Rule/Section	Pages	Code Citation	Date Published	Effective Date
22674	02/16/2000 16:13	R. Lee Ellertson	Labor Commission, Anti discrimination and Labor, Anti discrimination	Nonsubstantive Change-Guidelines	4	R606-2-2	Not Printed	03/20/2000
22675	02/16/2000 16:13	R. Lee Ellertson	Labor Commission, Anti discrimination and Labor, Anti discrimination	Nonsubstantive Change-Procedures and Prohibitions	3	R606-3-2	Not Printed	03/20/2000
22676	02/16/2000 16:13	R. Lee Ellertson	Labor Commission, Anti discrimination and Labor, Anti discrimination	Nonsubstantive Change-Procedures and Prohibitions	3	R606-5-2	Not Printed	03/20/2000
22677	02/17/2000 17:17	A. Gary Bowen	Commerce, Occupational and Professional Licensing	Proposed Rule (Amendment)-Employee Leasing Company Act Rules	6	R156-59	03/15/2000	
22678	02/18/2000 18:02	Douglas Richins	Administrative Services, Purchasing and General Services	Proposed Rule (Amendment)-Source Selection and Contract Formation	8	R33-3	03/15/2000	
22679	02/18/2000 18:02	Douglas Richins	Administrative Services, Purchasing and General Services	Proposed Rule (Amendment)-Construction and Architect-Engineer Selection	2	R33-5	03/15/2000	
22680	02/22/2000 11:08	Karl Kappe	Natural Resources: Forestry, Fire and State Lands	Proposed Rule (Amendment)-Utah Lake Agricultural Leases	2	R652-30-610	03/15/2000	
22681	02/22/2000 11:08	Karl Kappe	Natural Resources: Forestry, Fire and State Lands	Proposed Rule (Amendment)-Utah Lake Grazing Permits	2	R652-50-610	03/15/2000	
22682	02/23/2000 11:39	Grant S. Whitaker	Housing Finance Agency, Administration	Five-Year Review-Authority and Purpose	1	R460-1	03/15/2000	02/23/2000
22683	02/23/2000 11:39	Grant S. Whitaker	Housing Finance Agency, Administration	Five-Year Review-Additional Servicing Rules	1	R460-4	03/15/2000	02/23/2000
22684	02/23/2000 11:39	Grant S. Whitaker	Housing Finance Agency, Administration	Five-Year Review-Adjudicative Proceedings	1	R460-6	03/15/2000	02/23/2000
22685	02/23/2000 11:39	Grant S. Whitaker	Housing Finance Agency, Administration	Five-Year Review-Public Petitions for Declaratory Orders	1	R460-7	03/15/2000	02/23/2000
22686	02/23/2000 13:50	Rick Sprott	Environmental Quality, Air Quality	Nonsubstantive Change-Amount of Credit	3	R307-121-2	Not Printed	03/20/2000
22687	02/23/2000 13:50	Rick Sprott	Environmental Quality, Air Quality	Nonsubstantive Change-Amount of Credit	4	R307-122-2	Not Printed	03/20/2000
22688	02/23/2000 15:23	Rick Sprott	Environmental Quality, Air Quality	Nonsubstantive Change-General Conformity	4	R307-115	Not Printed	03/20/2000
22689	02/24/2000 15:05	Robert C. Gross	Workforce Services, Employment Development	Proposed Rule (Amendment)-Limits on Eligibility, Time Limits	2	R986-212-218	03/15/2000	
22690	02/24/2000 15:05	Robert C. Gross	Workforce Services, Employment Development	Proposed Rule (Amendment)-Demonstration Programs	2	R986-221	03/15/2000	

RULES REGISTER

DAR File #	Date/Time Filed	Authorized by	Agency	Title of Rule/Section	Pages	Code Citation	Date Published	Effective Date
22691	02/25/2000 18:12	Don Ostler	Environmental Quality, Water Quality	Nonsubstantive Change-Onsite Wastewater Systems	34	R317-4	Not Printed	03/20/2000
22692	03/01/2000 12:04	Emma Chacon	Human Services, Recovery Services	Five-Year Review-Disclosure of Information to the Office of Recovery Services	1	R527-10	03/15/2000	03/01/2000
22693	03/01/2000 14:41	John Kimball	Natural Resources, Wildlife Resources	Proposed Rule (Amendment)-Fishing Contests	2	R657-13-4	03/15/2000	
22694	03/01/2000 14:56	Reta D. Oram	Human Services, Administrative Services, Licensing	Proposed Rule (Repeal)-Categorical Standards	9	R501-3	03/15/2000	
22695	03/01/2000 14:56	Reta D. Oram	Human Services, Administrative Services, Licensing	Proposed Rule (New)-Residential Treatment Programs	4	R501-19	03/15/2000	
22696	03/01/2000 14:56	Reta D. Oram	Human Services, Administrative Services, Licensing	Proposed Rule (New)-Day Treatment Programs	3	R501-20	03/15/2000	
22697	03/01/2000 14:56	Reta D. Oram	Human Services, Administrative Services, Licensing	Proposed Rule (New)-Outpatient Treatment Programs	4	R501-21	03/15/2000	
22698	03/01/2000 14:56	Reta D. Oram	Human Services, Administrative Services, Licensing	Proposed Rule (New)-Residential Support Programs	4	R501-22	03/15/2000	
22699	03/01/2000 16:35	Dianne R. Nielson	Environmental Quality, Water Quality	Proposed Rule (Amendment)-Utilization and Isolation of Domestic Wastewater Treatment Works Effluent	5	R317-1-4	03/15/2000	

Filings received for the April 1, 2000, Bulletin

DAR File #	Date/Time Filed	Authorized by	Agency	Title of Rule/Section	Pages	Code Citation	Date Published	Effective Date
22700	03/06/2000 14:28	A. Gary Bowen	Commerce, Occupational and Professional Licensing	Proposed Rule (Amendment)-Naturopathic Physician Formulary	2	R156-71-202	04/01/2000	
22701	03/06/2000 17:54	A. Gary Bowen	Commerce, Occupational and Professional Licensing	Proposed Rule (Amendment)-Qualifications for Licensure - Examination Requirements	1	R156-57-302a	04/01/2000	
22702	03/07/2000 14:18	R. Lee Ellertson	Labor Commission, Safety	Proposed Rule (Amendment)-Safety Codes and Rules for Boilers and Pressure Vessels	2	R616-2-3	04/01/2000	
22703	03/09/2000 10:13	Rod L. Bettit	Health, Health Care Financing, Coverage and Reimbursement Policy	120-Day (Emergency) Rule-Income and Budgeting	8	R414-304	04/01/2000	03/09/2000 for 120 days

RULES REGISTER

DAR File #	Date/Time Filed	Authorized by	Agency	Title of Rule/Section	Pages	Code Citation	Date Published	Effective Date
22704	03/09/2000 17:06	Kevin Brown	Environmental Quality, Drinking Water	Proposed Rule (New)-Source Protection: Drinking Water Source Protection for Surface Water Sources	7	R309-605	04/01/2000	
22705	03/13/2000 10:24	Robert C. Gross	Workforce Services, Workforce Information and Payment Services	Proposed Rule (Repeal) -Licensing and Regulation of Private Employment Agencies	3	R994-700	04/01/2000	

Filings received for the April 15, 2000, Bulletin

DAR File #	Date/Time Filed	Authorized by	Agency	Title of Rule/Section	Pages	Code Citation	Date Published	Effective Date
22706	03/20/2000 07:42	David K. Morrow	Natural Resources, Parks and Recreation	Proposed Rule (Amendment)-Special Fees	3	R651-611-4	04/15/2000	
22707	03/22/2000 10:47	Cary G. Peterson	Agriculture and Food, Regulatory Services	Nonsubstantive Change-Adoption of USPHS Ordinance	4	R70-310-2	Not Printed	
22647	03/24/2000 13:01	Kelley West	Fair Corporation (Utah State), Administration	Change in Proposed Rule-Selection of Exhibitors	2	R325-2-2	04/15/2000	
22708	03/24/2000 15:08	Emma Chacon	Human Services, Recovery Services	Five-Year Review-State Tax Refund Intercept	1	R527-475	04/15/2000	03/24/2000
22709	03/28/2000 16:27	Kevin W. Brown	Environmental Quality, Drinking Water	Proposed Rule (Amendment)-Drinking Water Source Protection Funding	3	R309-114 (Changed to R309-710)	04/15/2000	
22710	03/30/2000 07:45	Pam Hendrickson	Tax Commission, Auditing	Proposed Rule (Amendment)-Sellers With No Fixed Place of Business Pursuant to Utah Code Ann. Section 59-12-207	2	R865-12L-9	04/15/2000	
22711	03/30/2000 09:29	Kevin W. Brown	Environmental Quality, Drinking Water	Proposed Rule (Amendment)-Utah Federal State Revolving Fund (SRF) Program	8	R309-351 (Changed to R309-705)	04/15/2000	
22712	03/30/2000 10:39	John Kimball	Natural Resources, Wildlife Resources	Five-Year Review-Taking of Nongame Mammals	1	R657-19	04/15/2000	03/30/2000
22713	03/30/2000 10:39	John Kimball	Natural Resources, Wildlife Resources	Proposed Rule (Amendment)-Taking Nongame Mammals	4	R657-19	04/15/2000	
22714	03/30/2000 10:39	John Kimball	Natural Resources, Wildlife Resources	Proposed Rule (Amendment)-Taking Bear	6	R657-33	04/15/2000	
22715	03/31/2000 11:28	Steve Saltzgriver	Administrative Services, Fleet Operations	Proposed Rule (Amendment)-Identification Mark for State Motor Vehicles		R271-1		Withdrawn by Agency 04/04/2000
22716	03/31/2000 11:29	Steve Saltzgriver	Administrative Services, Fleet Operations, Surplus Property	Proposed Rule (Amendment)-State Surplus Property Disposal		R28-1		Withdrawn by Agency 04/04/2000

RULES REGISTER

DAR File #	Date/Time Filed	Authorized by	Agency	Title of Rule/Section	Pages	Code Citation	Date Published	Effective Date
22717	03/31/2000 17:51	Carol B. Lear	Education, Administration	Proposed Rule (New)-Testing Procedures	2	R277-473	04/15/2000	
22718	03/31/2000 17:51	Carol B. Lear	Education, Administration	Proposed Rule (Amendment)-Educator Licensing Renewal	5	R277-501	04/15/2000	
22719	03/31/2000 17:51	Carol B. Lear	Education, Administration	Proposed Rule (Amendment)-Procedures for the Utah General Educational Development Certificate	2	R277-702	04/15/2000	

End of the Permanent Administrative Rules Register Section

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