

UTAH STATE BULLETIN

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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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SPECIAL NOTICES

**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. 01-26, dated December 21, 2001 (<http://library.utah.gov/01-26.html>). For a copy 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; or view it on the World Wide Web at the address above.

End of the Special Notices Section

Notices of Proposed Rules Begin on the Following Page.

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 December 15, 2001, 12:00 a.m., and December 31, 2001, 11:59 p.m. are included in this, the January 15, 2002, 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 Rules being repealed are completely struck out.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 each rule that is 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 February 14, 2002. 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 May 15, 2002, 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 (2001); 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.

**Alcoholic Beverage Control,
Administration
R81-1-19
Emergency Meetings**

NOTICE OF PROPOSED RULE

(Amendment)
DAR FILE NO.: 24352
FILED: 12/28/2001, 14:15

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The Alcoholic Beverage Control Commission recognizes that there may be times when, due to the necessity of considering matters of an emergency or urgent nature, the public notice provisions of the statute cannot be met. This rule sets forth procedures for providing the "best notice practicable" in those situations.

SUMMARY OF THE RULE OR CHANGE: This rule establishes procedures for providing notice for and conducting emergency meetings of the Alcoholic Beverage Control Commission.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 63-46a-3 and 32A-1-107

ANTICIPATED COST OR SAVINGS TO:

- ❖ **THE STATE BUDGET:** None. This rule only outlines and formalizes procedures for conducting emergency meetings of the Alcoholic Beverage Control Commission.
- ❖ **LOCAL GOVERNMENTS:** None. This rule only affects the Alcoholic Beverage Control Commission. Local governments are not regulated by this or other state administrative rules.
- ❖ **OTHER PERSONS:** None. This rule only outlines and formalizes procedures for conducting emergency meetings of the Alcoholic Beverage Control Commission. It does not affect outside groups.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Some persons may be financially impacted by this rule. In example, if the emergency meeting is being held to consider the approval of a single event permit, the permit applicant would be required to pay applications fees and other costs associated with the permit. However, the same cost would apply whether the application is being considered at an emergency meeting or at a regularly scheduled meeting of the Alcoholic Beverage Control Commission.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule in itself will have no fiscal impact on businesses.

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

ALCOHOLIC BEVERAGE CONTROL
ADMINISTRATION
1625 S 900 W
SALT LAKE CITY UT 84104-1630, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Sharon Mackay or Earl Dorius at the above address, by phone at 801-977-6800 or 801-977-6800, by FAX at 801-977-6889 or 801-977-6889,
or by Internet E-mail at abcmain.smackay@state.ut.us or abcmain.edorius@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 PM on 02/14/2002.

THIS RULE MAY BECOME EFFECTIVE ON: 02/15/2002

AUTHORIZED BY: Kenneth F Wynn, Director

**R81. Alcoholic Beverage Control, Administration.
R81-1. Scope of Definitions, and General Provisions.
R81-1-19. Emergency Meetings.**

(1) Purpose. The commission recognizes that there may be times when, due to the necessity of considering matters of an emergency or urgent nature, the public notice provisions of Utah Code Sections 52-4-6(1), (2) and (3) cannot be met. Pursuant to Utah Code Section 52-4-6(5), under such circumstances those notice requirements need not be followed but rather the "best notice practicable" shall be given.

(2) Authority. This rule is enacted under the authority of Sections 63-46a-3 and 32A-1-107.

(3) Procedure. The following procedure shall govern any emergency meeting:

(a) No emergency meeting shall be held unless an attempt has been made to notify all of the members of the commission of the proposed meeting and a majority of the convened commission votes in the affirmative to hold such an emergency meeting.

(b) Public notice of the emergency meeting shall be provided as soon as practicable and shall include at a minimum the following:

(i) Written posting of the agenda and notice at the offices of the department;

(ii) If members of the commission may appear electronically or telephonically, all such notices shall specify the anchor location for the meeting at which interested persons and members of the public may attend, monitor, and participate in the open portions of the meeting;

(iii) Notice to the commissioners shall advise how they may participate telephonically or electronically and be counted as present for all purposes, including the determination of a quorum.

(iv) Written, electronic or telephonic notice shall be provided to at least one newspaper of general circulation within the state and at least one local media correspondent.

(c) If one or more members of the commission appear electronically or telephonically, the procedures governing electronic meetings shall be followed, except for the notice requirements which shall be governed by these provisions.

(d) In convening the meeting and voting in the affirmative to hold such an emergency meeting, the commission shall affirmatively state and find what unforeseen circumstances have rendered it necessary for the commission to hold an emergency meeting to consider matters of an emergency or urgent nature such that the ordinary public notice of meetings provisions of Utah Code Section 52-4-6 could not be followed.

KEY: alcoholic beverages**[October 2, 2000]2002****Notice of Continuation December 26, 2001****52-4-6****32A-1-107****32A-1-119(5)(c)****32A-3-103(1)(a)****32A-4-103(1)(a)****32A-4-203(1)(a)****32A-5-103(3)(c)****32A-6-103(2)(a)****32A-7-103(2)(a)****32A-8-103(1)(a)****32A-9-103(1)(a)****32A-10-203(1)(a)****32A-11-103(1)(a)**

**Alcoholic Beverage Control,
Administration
R81-1-20
Electronic Meetings**

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 24353

FILED: 12/28/2001, 14:17

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule establishes procedures for conducting Alcoholic Beverage Control Commission meetings by electronic means.

SUMMARY OF THE RULE OR CHANGE: This rule establishes procedures for giving notice of and conducting meetings when one or more commissioner may participate electronically or telephonically.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 52-4-7.8, 63-46a-3, and 32A-1-107

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: None. This rule only outlines and formalizes procedures for conducting electronic meetings of the Alcoholic Beverage Control Commission.

❖ LOCAL GOVERNMENTS: None. This rule only affects the Alcoholic Beverage Control Commission. Local governments are not regulated by this or other state administrative rules.

❖ OTHER PERSONS: None. This rule only outlines and formalizes procedures for conducting electronic meetings of the Alcoholic Beverage Control Commission. It does not affect outside groups.

COMPLIANCE COSTS FOR AFFECTED PERSONS: None. This rule only establishes procedures for conducting electronic meetings.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule should have no fiscal impact on any businesses.

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

ALCOHOLIC BEVERAGE CONTROL
ADMINISTRATION
1625 S 900 W
SALT LAKE CITY UT 84104-1630, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Sharon Mackay or Earl Dorius at the above address, by phone at 801-977-6800 or 801-977-6800, by FAX at 801-977-6889 or 801-977-6889,

or by Internet E-mail at abcmain.smackay@state.ut.us or abcmain.edorius@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 PM on 02/14/2002.

THIS RULE MAY BECOME EFFECTIVE ON: 02/15/2002

AUTHORIZED BY: Kenneth F Wynn, Director

R81. Alcoholic Beverage Control, Administration.**R81-1. Scope of Definitions, and General Provisions.****R81-1-20. Electronic Meetings.**

(1) Purpose. Utah Code Section 52-4-7.8 requires any public body that convenes or conducts an electronic meeting to establish written procedures for such meetings. This rule establishes procedures for conducting commission meetings by electronic means.

(2) Authority. This rule is enacted under the authority of Sections 52-4-7.8, 63-46a-3 and 32A-1-107.

(3) Procedure. The following provisions govern any meeting at which one or more commissioners appear telephonically or electronically pursuant to Utah Code Section 52-4-7.8:

(a) If one or more members of the commission may participate electronically or telephonically, public notices of the meeting shall so indicate. In addition, the notice shall specify the anchor location where the members of the commission not participating electronically or telephonically will be meeting and where interested persons and the public may attend, monitor, and participate in the open portions of the meeting.

(b) Notice of the meeting and the agenda shall be posted at the anchor location. Written or electronic notice shall also be provided to at least one newspaper of general circulation within the state and to a local media correspondent. These notices shall be provided at least 24 hours before the meetings.

(c) Notice of the possibility of an electronic meeting shall be given to the commissioners at least 24 hours before the meeting. In addition, the notice shall describe how a commissioner may participate in the meeting electronically or telephonically.

(d) When notice is given of the possibility of a commissioner appearing electronically or telephonically, any commissioner may do so and shall be counted as present for purposes of a quorum and

may fully participate and vote on any matter coming before the commission. At the commencement of the meeting, or at such time as any commissioner initially appears electronically or telephonically, the chair shall identify for the record all those who are appearing telephonically or electronically. Votes by members of the commission who are not at the physical location of the meeting shall be confirmed by the chair.

(e) The anchor location, unless otherwise designated in the notice, shall be at the offices of the Department of Alcoholic Beverage Control, 1625 South 900 West, Salt Lake City, Utah. The anchor location is the physical location from which the electronic meeting originates or from which the participants are connected. In addition, the anchor location shall have space and facilities so that interested persons and the public may attend, monitor, and participate in the open portions of the meeting.

KEY: alcoholic beverages

[October 2, 2000]2002

Notice of Continuation December 26, 2001

52-4-7.8

32A-1-107

32A-1-119(5)(c)

32A-3-103(1)(a)

32A-4-103(1)(a)

32A-4-203(1)(a)

32A-5-103(3)(c)

32A-6-103(2)(a)

32A-7-103(2)(a)

32A-8-103(1)(a)

32A-9-103(1)(a)

32A-10-203(1)(a)

32A-11-103(1)(a)

▼ ————— ▼

**Commerce, Occupational and
Professional Licensing
R156-1-109
Presiding Officers**

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE No.: 24329

FILED: 12/20/2001, 12:26

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The Division needs to clarify the responsibilities of the Residence Lien Recovery Fund Program Coordinator with respect to formal and informal adjudicative proceedings. Proposed changes also provide the Residence Lien Recovery Fund Program Coordinator with authority to approve or deny formal claims without a Board hearing in very limited circumstances. These proposed changes codify existing Division practices.

SUMMARY OF THE RULE OR CHANGE: In Section R156-1-109 - Added that program coordinators shall be the presiding officer for formal adjudicative proceedings described in Subsections R156-46b-202(1)(a) through (c) and Subsection R156-46b-

201(e). Added that the authority of the presiding officer in formal adjudicative proceedings described in Subsection R156-46b-201(1)(e) shall be limited to approval of claims, conditional denial of claims, and final denial of claims based upon jurisdictional defects. Updated informal adjudicative proceedings to also include Subsection R156-46b-202(1)(i). Added that a program technician may also sign an informal order provided the wording of the order has been approved in advance by the program coordinator.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 58-1-106(1)

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: The Division will incur minimal costs, less than \$50, to reprint this rule once the proposed changes have been made effective. Any costs incurred will be absorbed in the Division's current budget. With the addition of authority for the Residence Lien Recovery Fund Program Coordinator to be able to close formal claims in limited circumstances, the Fund will save approximately \$1,000 in unneeded formal proceeding costs. However, since the Residence Lien Recovery Fund is self-funded, no savings will revert to the state budget.

❖ LOCAL GOVERNMENTS: Proposed changes do not apply to local governments.

❖ OTHER PERSONS: The Division does not anticipate any cost or savings to other persons as a result of these proposed changes other than formal Residence Lien Recovery Fund claims may be closed in a more timely manner. It should be noted that since Residence Lien Recovery Fund Board members may be spared from attendance at formal claim proceedings, they may experience a negative fiscal impact since they would not be receiving per diem. However, the nature, timing and amount are all indeterminable because the number and nature of claims filed with the Fund vary from year to year.

COMPLIANCE COSTS FOR AFFECTED PERSONS: As identified above, the Division does not anticipate any cost for affected persons as a result of these proposed changes.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The purpose of this rule change is to allow the Residence Lien Recovery Fund Program Coordinator to be the presiding officer in limited circumstances, similar to the Division's existing practice with Bureau Managers. Because this rule simplifies the Residence Lien Recovery Fund claim processing procedure, there will be a positive business impact to the Fund and, as a result, to the construction industry that contributes to the Fund, and to Utah homeowners, who are an indirect beneficiary of the Fund. The amount of the business impact cannot be determined, because the number and nature of claims filed with the Fund vary from year to year. Ted Boyer, Executive Director

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

COMMERCE
OCCUPATIONAL AND PROFESSIONAL LICENSING
HEBER M WELLS BLDG

160 E 300 S
SALT LAKE CITY UT 84111-2316, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Earl Webster at the above address, by phone at 801-530-7632, by FAX at 801-530-6511, or by Internet E-mail at ewebster@br.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 PM on 02/14/2002.

THIS RULE MAY BECOME EFFECTIVE ON: 02/15/2002

AUTHORIZED BY: J. Craig Jackson, Director

R156. Commerce, Occupational and Professional Licensing.
R156-1. General Rules of the Division of Occupational and Professional Licensing.

R156-1-109. Presiding Officers.

In accordance with Subsection 63-46b-2(1)(h) and Section 58-1-109, except as otherwise specified in writing by the director, the designation of presiding officers is clarified or established as follows:

(1) The division enforcement counsel is designated as the presiding officer for issuance of notices of agency action and for issuance of notices of hearing issued concurrently with a notice of agency action or issued in response to a request for agency action, provided that if the division enforcement counsel is unable to so serve for any reason, the assistant director is designated as the alternate presiding officer.

(2) Subsections 58-1-109(2) and 58-1-109(4) are clarified with regard to defaults as follows. Except as otherwise specified in writing by the director, the department administrative law judge is designated as the presiding officer for entering an order of default against a party, for conducting any further proceedings necessary to complete the adjudicative proceeding, and for issuing a recommended order to the director determining the discipline to be imposed, licensure action to be taken, relief to be granted, etc.

(3) Except as otherwise specified in writing by the director, the presiding officer for ~~informal~~ adjudicative proceedings initiated by a request for agency action are as follows:

(a) Director. The director shall be the presiding officer for the informal adjudicative proceedings described in Subsections R156-46b-202(1)(g), (i),(k), (l),(o), (q), and (t).

(b) Bureau managers or program coordinators. The bureau manager or program coordinator over the occupation or profession or program involved shall be the presiding officer for:

(i) formal adjudicative proceedings described in Subsections R156-46b-201(1)(a) through (c) and R156-46b-201(e). The authority of the presiding officer in formal adjudicative proceedings described in R156-46b-201(1)(e) shall be limited to approval of claims, conditional denial of claims, and final denial of claims based upon jurisdictional defects; and

(ii) [the] informal adjudicative proceedings described in Subsections R156-46b-202(1)(a) through (f), (h), (i), (j), (p), (r) and (s).

(iii) At the direction of the a bureau manager or program coordinator, a licensing technician or program technician may sign an informal order in the name of the licensing technician or program technician provided the ~~format~~ wording of the order has been approved in advance by the bureau manager or program coordinator and provided the caption "FOR THE BUREAU MANAGER" or "FOR THE PROGRAM COORDINATOR" immediately precedes the licensing technician's or program technician's signature.

(c) Contested citation hearing officer. The contested citation hearing officer designated in writing by the director shall be the presiding officer for the adjudicative proceeding described in Subsection R156-46b-202(1)(m).

(d) Uniform Building Code Commission. The Uniform Building Code Commission shall be the presiding officer for the adjudicative proceeding described in Subsection R156-46b-202(1)(n).

(4) Except as otherwise specified in writing by the director, the presiding officer for informal adjudicative proceedings initiated by a notice of agency action shall be the division director.

KEY: diversion programs, licensing, occupational licensing
[September 4, 2001]2002

Notice of Continuation June 2, 1997

58-1-106(1)

58-1-308

▼ ————— ▼
**Commerce, Occupational and
Professional Licensing
R156-67-306
Exemptions from Licensure**

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 24331

FILED: 12/20/2001, 12:59

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: With the upcoming potential risks associated with Olympic events and for safety and security purposes, it seems prudent to allow access and training for the Mark I automatic injector antidote kits for non-certified personnel such as police, firemen, public works employees and security personnel.

SUMMARY OF THE RULE OR CHANGE: In Section R156-67-306, paragraph (4), amendments are being proposed so that nonlicensed public safety individuals, such as those identified above, who do not have emergency medical technician (EMT) certification and who may be required to respond to potential threats to public safety and may need to inject themselves and their "buddies" during a time of actual contamination of the environment with toxic gases, are exempted from licensure under the Medical Practice Act. The Mark I automatic injector antidote kits are provided to such individuals by the Utah State Department of Health. Training for the use of the automatic injectors is also provided through the Utah State Department of Health.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 58-67-101; Subsections 58-1-106(1) and 58-1-202(1)

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: The Federal Government has provided funding to the Department of Health for approximately 18,000 units of the Mark I automatic injector antidote kits to be available during Olympic events. The Division anticipates only minimal costs, less than \$50, to reprint the rule once these proposed amendments are made effective. Any costs incurred will be absorbed in the Division's current budget. A process is already in place with the Department of Health for the training of nonlicensed public safety individuals and training is currently being provided to EMTs on the use of the antidote injectors. Additional expenses may be incurred by state agencies for the training of new responders. The training course offered through the Department of Health costs approximately \$75 per person. This includes the instructor's time and cost of materials. However, the Department of Health is also conducting a "train the trainer" program for various companies and government agencies so that their employees may be trained in the use of the injector antidote kits without having to attend the Department of Health training. The Division has no information with respect to how many persons will need to complete the training or how many responders have been designated in order to determine an aggregate cost.

❖ LOCAL GOVERNMENTS: A process is already in place with the Department of Health for the training of nonlicensed public safety individuals and training is currently being provided to EMTs on the use of the antidote injectors. Additional expenses may be incurred by local governments for the training of new responders. The training course offered through the Department of Health costs approximately \$75 per person. This includes the instructor's time and cost of materials. However, the Department of Health is also conducting a "train the trainer" program for various companies and government agencies so that their employees may be trained in the use of the injector antidote kits without having to attend the Department of Health training. The Division has no information with respect to how many persons will need to complete the training or how many responders have been designated in order to determine an aggregate cost.

❖ OTHER PERSONS: The Division anticipates there will be no costs or savings associated with this rule filing to either the regulated profession (physicians/surgeons) or the general public since the proposed amendment only applies to nonlicensed public safety individuals who are designated by appropriate city, county or state officials as responders. Expenses may be incurred by companies or persons who have been designated by the appropriate city, county or state officials as responders to complete the injector antidote kit training course offered through the Department of Health. The training course offered through the Department of Health costs approximately \$75 per person. This includes the instructor's time and cost of materials. However, the Department of Health is also conducting a "train the trainer" program for various companies and government agencies so that their employees may be trained in the use of the injector antidote kits without having to attend the Department of Health

training. The Division has no information with respect to how many persons will need to complete the training or how many responders have been designated in order to determine an aggregate cost.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Expenses may be incurred by companies or persons who have been designated by the appropriate city, county or state officials as responders to complete the injector antidote kit training course offered through the Department of Health. The training course offered through the Department of Health costs approximately \$75 per person. This includes the instructor's time and cost of materials. However, the Department of Health is also conducting a "train the trainer" program for various companies and government agencies so that their employees may be trained in the use of the injector antidote kits without having to attend the Department of Health training.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The purpose of this rule change is to enhance public safety, and to reduce risks to individuals who respond to potential threats to the public safety. With this rule change, properly trained individuals designated by city, county or state officials may carry the Mark I automatic injector antidote kits and may administer the antidote to themselves and their response buddies without having to obtain a physician's license. This rule does not appear to carry any negative impact to businesses. However, there may be a negative business impact to the community at large if the rule is not passed. Without this rule change, there may be insufficient emergency personnel who can legally respond to public safety emergencies, without putting themselves at risk of exposure to potential toxic gases. Ted Boyer, Executive Director.

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

COMMERCE
OCCUPATIONAL AND PROFESSIONAL LICENSING
HEBER M WELLS BLDG
160 E 300 S
SALT LAKE CITY UT 84111-2316, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Diana Baker at the above address, by phone at 801-530-6179, by FAX at 801-530-6511, or by Internet E-mail at dbaker@br.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 PM on 02/14/2002.

THIS RULE MAY BECOME EFFECTIVE ON: 02/15/2002

AUTHORIZED BY: J. Craig Jackson, Director

R156. Commerce, Occupational and Professional Licensing.**R156-67. Utah Medical Practice Act Rules.****R156-67-306. Exemptions from Licensure.**

In accordance with Subsection 58-1-307(1), exemptions from licensure as a physician and surgeon include the following:

(1) any physician excepted from licensure, who engages in prescribing, dispensing, or administering a controlled substance outside of a hospital, shall be required to apply for and obtain a Utah Controlled Substance License as a condition precedent to them administering, dispensing or prescribing a controlled substance;

(2) any physician appointed to a graduate medical education or training program which is not accredited by the ACGME, for which exception from licensure is requested under the provisions of Subsection 58-1-307(1)(c) shall apply for registration with and receive approval of the division and board as a condition precedent to that individual engaging in any activity included in the practice of medicine;

(3) any person engaged in a competent public screening program making measures of physiologic conditions including serum cholesterol, blood sugar and blood pressure, shall be exempt from licensure and shall not be considered to be engaged in the practice of medicine conditioned upon compliance with all of the following:

(a) all instruments or devices used in making measures are approved by the Food and Drug Administration of the U.S. Department of Health, to the extent an approval is required, and the instruments and devices are used in accordance with those approvals;

(b) the facilities and testing protocol meet any standards or personnel training requirements of the Utah Department of Health;

(c) unlicensed personnel shall not interpret results of measures or tests nor shall they make any recommendation with respect to treatment or the purchase of any product;

(d) licensed personnel shall act within the lawful scope of practice of their license classification;

(e) unlicensed personnel shall conform to the referral and follow-up protocol approved by the Utah Department of Health for each measure or test; and

(f) information provided to those persons measured or tested for the purpose of permitting them to interpret their own test results shall be only that approved by the Utah Department of Health;

(4) non-licensed public ~~safety individuals~~~~officials~~ not having emergency medical technician (EMT) certification who are designated by appropriate city, county, or state officials as ~~first~~ responders may be issued and allowed to carry the Mark I automatic ~~injector~~ antidote ~~injector~~ kits and may administer the antidote to himself or his designated first response "buddy". Prior to being issued the kits, the ~~certified first~~ designated responders ~~would~~ must successfully complete a course on the use of auto-injectors ~~the Army/FEMA course on the "Use of Auto-Injectors by Civilian Emergency Medical Personnel"~~. The kits ~~would~~ may be issued to the responder only by his employing ~~government~~ agency and procured through the Utah Department of Health ~~Division of Comprehensive Emergency Management~~. ~~No other individuals, whether licensed or not, shall prescribe or issue these antidote kits.~~

KEY: physicians, licensing

~~November 1, 2001~~ 2002

Notice of Continuation July 19, 2001

58-67-101

58-1-106(1)

58-1-202(1)

▼ ————— ▼

**Community and Economic
Development, Community
Development, History
R212-6**

**State Register for Historic Resources
and Archaeological Sites**

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 24323

FILED: 12/18/2001, 13:42

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The amendments are being proposed after a division review to make policies and procedures more clear.

SUMMARY OF THE RULE OR CHANGE: The proposed rule amendment deletes language no longer needed regarding properties or sites currently listed on the State Register and their National Register eligibility. Updates the standards for removal of properties or sites listed on the Century and State Registers to include: unless they have been entirely demolished, in which case they may be removed administratively by Division staff following state procedures for removal.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 9-8-302, 9-8-306, 9-8-401, 9-8-402, 9-8-403, and 63-46b-1

ANTICIPATED COST OR SAVINGS TO:

❖ **THE STATE BUDGET:** This is an amendment, there are no additional costs associated with these changes. The changes are just clarifications.

❖ **LOCAL GOVERNMENTS:** This is an amendment, there are no additional costs associated with these changes. The changes are just clarifications.

❖ **OTHER PERSONS:** This is an amendment, there are no additional costs associated with these changes. The changes are just clarifications.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The changes to this rule are for clarification purposes only and will not impact the industry or consumers financially.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule amendment will have absolutely no fiscal impact on businesses.

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

COMMUNITY AND ECONOMIC DEVELOPMENT
COMMUNITY DEVELOPMENT, HISTORY
300 RIO GRANDE
SALT LAKE CITY UT 84101-1182, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Alycia Aldrich at the above address, by phone at 801-533-3556, by FAX at 801-533-3503, or by Internet E-mail at aldrich@history.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 PM on 02/14/2002.

THIS RULE MAY BECOME EFFECTIVE ON: 02/15/2002

AUTHORIZED BY: Wilson Martin, Program Manager/
Preservation

R212. Community and Economic Development, Community Development, History.

R212-6. State Register for Historic Resources and Archaeological Sites.

R212-6-1. Scope and Applicability.

Purpose: To establish compatibility between the State and National Register. To establish standards for state landmarks consistent with Sections 9-8-306, 9-8-401, 9-8-402 and 9-8-403.

R212-6-2. Definitions.

A. Terms used in this rule are defined in Sections 9-8-302 and 9-8-402(1).

B. In addition:

1. "division" means the Division of State History;
2. "director" means the director of the Division of State History;
3. "board" means the Board of State History.

R212-6-3. State Register for Historic Resources and Archaeological Sites.

1. The State Register for properties and sites incorporates by reference, within this rule, 36 CFR 60.4, 1996 Edition for the selecting of properties and sites as historical places within Utah.

2. Properties or sites recommended for National Register consideration shall automatically be listed on the State Register after they have been recommended by the Board of State History for National Register listing and after the State Historic Preservation Officer has nominated them for listing on the National Register.

3. Should a property or site be found to be ineligible for the National Register by the Keeper of the National Register, National Park Service, that property may be reviewed for removal from the State Register.

[~~4. Properties or sites currently listed on the State Register may be reviewed for National Register eligibility. All cultural properties not listed on the National Register within seven years of adoption of these rules shall be reviewed.~~]

5. Properties or sites may be removed from Century and State Registers only after notification to the owner and a hearing by the board, unless they have been entirely demolished, in which case they may be removed administratively by division staff following state procedures for removal.

R212-6-4. State Landmark Listing for Archaeological and Anthropological Sites and Localities.

Archaeological and anthropological sites and localities listed on the State Register may be listed as "State Landmarks" after nomination by the property owners and review and acceptance by the Board of State History.

KEY: historic sites, national register*, state register*

~~[March 4, 1997]~~2002

Notice of Continuation September 26, 2001

9-8-302

9-8-306

9-8-401

9-8-402

9-8-403

63-46b-1

Community and Economic Development, Community Development, History **R212-7** Cultural Resource Management

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 24322

FILED: 12/18/2001, 13:41

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The changes are being proposed after a division review.

SUMMARY OF THE RULE OR CHANGE: The proposed amendments will make the policies and standards regarding cultural resource management more clear. Section R212-7-2 has been revised to eliminate the reference to agency established standards, since they cannot be substituted for the Secretary of the Interior Standards under 106 and 110 cases.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 9-8-302 and 9-8-404; 16 USC 470 Sec. 106 and 16 USC 470 Sec. 110

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: This is an amendment, there are no additional costs associated with these changes. The changes are just clarifications.

❖ LOCAL GOVERNMENTS: This is an amendment, there are no additional costs associated with these changes. The changes are just clarifications.

❖ OTHER PERSONS: This is an amendment, there are no additional costs associated with these changes. The changes are just clarifications.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The change to this rule is for clarification purposes only and will not impact the industry or consumers financially.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule will have absolutely no fiscal impact on businesses.

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

COMMUNITY AND ECONOMIC DEVELOPMENT
COMMUNITY DEVELOPMENT, HISTORY
300 RIO GRANDE
SALT LAKE CITY UT 84101-1182, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Alycia Aldrich at the above address, by phone at 801-533-3556, by FAX at 801-533-3503, or by Internet E-mail at aaldrich@history.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 PM on 02/14/2002.

THIS RULE MAY BECOME EFFECTIVE ON: 02/15/2002

AUTHORIZED BY: Wilson Martin, Program Manager/
Preservation

R212. Community and Economic Development, Community Development, History.

R212-7. Cultural Resource Management.

R212-7-1. Scope and Applicability.

Purpose: to establish time frames and procedures in response to state and federal agency requests in conformance with applicable state and federal cultural resource management laws contained in Section 9-8-404; 36 CFR 800 and 16 USC 470 Section 110 of the National Historic Preservation Act as amended.

R212-7-2. Definitions.

A. Terms used in this rule are defined in Section 9-8-302, 36 CFR 800, and 16 USC 470 Section 110 of the National Historic Preservation Act as amended.

B. In addition:

1. "division" means the Division of State History;
2. "director" means the director of the Division of State History;
3. "agency" means the federal or state agency seeking division comments.

R212-7-3. Conformance of Division to State Rules and Federal Regulations.

A. The Division of State History will follow applicable regulations pursuant to an annually executed agreement with the

National Park Service and state rules to insure that its activities take into account the effect on cultural.

1. The division shall seek creative solutions to avoid or minimize adverse effects on cultural resources and seek ways to allow adverse effects to be mitigated creatively when they cannot be avoided.

B. In the interest of the public, the division shall encourage alternative proposals which may allow for the destruction of a site(s) or area(s) when alternative mitigation or treatment plans can be made which will allow for the development, endowment, promotion, scientific investigation of other resources more suited to public education, education involvement, appreciation and science.

R212-7-4. Division Responsibility to Other Agencies.

1. The division may consult with or provide professional information to state and federal agencies requesting consultation under Section 9-8-404 and under 16 USC 470 Sections 106 and 110 of the Historic Preservation Act of 1966 as amended. These federal regulations are incorporated here by reference.

2. The information provided will be regarding [~~the agency-established standards or~~]the Secretary of the Interior Standards.

3. If the division responds, then it shall state that the agency shall take into account the comments.

4. Responses [~~will~~]may be provided within 30 days of receipt of request.

5. Adequate completion of permit requirements for excavation on lands may satisfy mitigation as far as the State Historic Preservation Officer is concerned.

KEY: historic preservation, cultural resource*, management
[1992]2002

Notice of Continuation September 26, 2001

9-8-302

9-8-404

16 USC 470 Sec. 106

16 USC 470 Sec. 110



Health, Epidemiology and Laboratory
Services, Environmental Services

R392-400

Temporary Mass Gathering Sanitation

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 24356

FILED: 12/31/2001, 15:50

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rulemaking addresses issues identified since the rule was first promulgated. First, the definition of a mass gathering contains the words "such as a fair at a fair park" as an example. This has actually created confusion and we have been asked to delete this example. Second, one local health department has a couple of traditional gatherings that last more than 30 days. They have asked that the 30-day time limit be more flexible. Third, problems at test events last winter and at the Sydney

Olympics identified the need for gathering operators to make more of an effort to train their staff relative to public health authority access. Third, the existing water station requirements will require the Salt Lake Organizing Committee (SLOC) to have almost 100 water stations at Soldier Hollow. A small fraction of that will be sufficient.

SUMMARY OF THE RULE OR CHANGE: Four issues are addressed. First, in Subsection R392-400-3(14) a nonsubstantive change to the gathering definition is made. Second, in Subsection R392-400-4(3) the local health officer is given authority to extend a gathering beyond 30 days. Third, in Subsections R392-400-8(2) and (3) the gathering operator is given duties to improve health authority access at the gathering. Fourth, in Subsection R392-400-15(3) the local health officer is given flexibility regarding the number of water stations required at a gathering.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 26-15-2

ANTICIPATED COST OR SAVINGS TO:

- ❖ **THE STATE BUDGET:** The changes impose no additional burdens on state government and no additional costs.
- ❖ **LOCAL GOVERNMENTS:** The changes do not impose additional burdens on local governments and no additional costs.
- ❖ **OTHER PERSONS:** It is possible that some gathering operators may save costs because of the relaxed water station requirements. Water station savings will vary depending on the size of the gathering. Some gathering operators may experience minimal cost in informing staff of health authority access.

COMPLIANCE COSTS FOR AFFECTED PERSONS: These changes add no burden nor savings to the permitting and inspection costs of state and local agencies. Gathering operators in a small number of cases will have to provide training to staff relative to public health authority access to the event. Some operators should gain savings through the lessened water station requirements. These savings will vary depending on the size of the gathering. By extending the time limit for gatherings beyond 30 days, operators will not have to purchase multiple permits; thus they will save money.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: These rule changes reflect experience at pre-Olympic events. Assuring access for the health officer is necessary to effectively implement this rule. Giving the health officer authority to extend the time limit for gatherings and to reduce the water station requirements should save money for regulated businesses in appropriate instances. Rod L. Betit

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

HEALTH
EPIDEMIOLOGY AND LABORATORY SERVICES,
ENVIRONMENTAL SERVICES
CANNON HEALTH BLDG
288 N 1460 W
SALT LAKE CITY UT 84116-3231, or

at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Richard Clark at the above address, by phone at 801-538-6750, by FAX at 801-538-6036, or by Internet E-mail at rwclark@doh.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 PM on 02/14/2002.

THIS RULE MAY BECOME EFFECTIVE ON: 02/15/2002

AUTHORIZED BY: Rod Betit, Executive Director

R392. Health, Epidemiology and Laboratory Services, Environmental Services.

R392-400. Temporary Mass Gatherings Sanitation.

R392-400-1. Authority.

This rule is authorized under Utah Code Section 26-15-2.

R392-400-2. Purpose.

It is the purpose of this rule:

- (1) to protect, preserve and promote the physical health of the public;
- (2) to prevent and control the incidence of communicable diseases;
- (3) to reduce hazards to health and environment;
- (4) to maintain adequate sanitation and public health;
- (5) to protect the safety of the public; and
- (6) to promote the general welfare.

R392-400-3. Definitions.

- (1) "Department" means the Utah Department of Health (UDOH).
- (2) "Director" means the executive director of the Utah Department of Health or the executive director's designee.
- (3) "Drinking Water Station" means a location where a person may obtain safe drinking water free of charge.
- (4) "First Aid Station" means a temporary or permanent enclosed space or structure where a person can receive first aid and emergency medical care.
- (5) "Health Officer" means the director of the local health department having jurisdiction or the health officer's designee.
- (6) "Operator" means a person, group, corporation, partnership, governing body, association, or other public or private organization legally responsible for the overall operation of a temporary mass gathering.
- (7) "Owner" means any person who alone, jointly, or severally with others:
 - (a) has legal title to any premises, with or without accompanying actual possession thereof or;
 - (b) has charge, care, or control of any premises, as legal or equitable owner, agent of the owner, or lessee.
- (8) "Permit" means a written form of authorization written in accordance with this rule.
- (9) "Person" means any individual, public or private corporation and its officers, partnership, association, firm, trustee, executor of an estate, the State or its departments, institution,

bureau, agency, county, city, political subdivision, or any legal entity recognized by law.

(10) "Safe Drinking Water" means potable water meeting State safe drinking water rules or bottled water as regulated by the Utah Department of Agriculture and Food.

(11) "Safe Drinking Water System" means a system for delivering safe drinking water that is approved by the local health officer.

(12) "Solid Waste" means garbage, refuse, trash, rubbish, hazardous waste, dead animals, sludge, liquid or semi liquid waste, other spent, useless, worthless, or discarded materials or materials stored or accumulated for the purpose of discarding, materials that have served their original intended purpose.

(13) "Staff" means any person who:

(a) works for or provides services for or on behalf of the operator or a vendor, or

(b) is a vendor at a gathering.

(14) "Temporary Mass Gathering" or "Gathering" means an actual or reasonably anticipated assembly of 500 or more people, which continues or can reasonably be expected to continue for two or more hours per day, at a site for a purpose different from the designed use and usual type of occupancy. A temporary mass gathering does not include an assembly of people at a location with permanent facilities designed for that specific assembly [~~such as a fair at a fair park~~], unless the designed occupancy levels are exceeded.

(15) "Vendor" means any person who sells or offers food for public consumption.

(16) "Wastewater" means used water or water carried wastes produced by man, animal, or fowl.

R392-400-4. Permit To Operate Required.

(1) A person may not operate a temporary mass gathering without a valid written permit issued by the health officer.

(2) The health officer may exempt a parade from the permit requirement if the operator submits an application as required in Section R392-400-6 and the health officer determines that the availability of existing public sanitary facilities, drinking water and trash containers is sufficient to protect public health.

(3) A temporary mass gathering may not exceed 30 days unless otherwise approved by the health officer.

R392-400-5. Gathering Operator Required On Site.

(1) The operator shall establish a headquarters at the gathering site.

(2) The operator or the operator's designee shall be present at the gathering at all times during operating hours.

R392-400-6. Permit Application Required.

(1) The health officer shall prescribe the application process, and shall require the applicant to submit an application at least 15 days prior to the first advertisement of the gathering and at least 30 days prior to the first day of the gathering. The health officer may grant an exception to this requirement on a case by case basis because of the nature of the event, scarcity of problems associated with the event in the past or other public health related criteria.

(2) An application for a permit shall be in writing to the health officer and include the following information:

(a) name, address, telephone number, and fax number (if applicable) of the operator;

(b) number of people expected to attend the gathering;

(c) a description of the type of gathering to be held with the date(s) and times the gathering will be held;

(d) estimated length of stay of attendees;

(e) name, address, telephone number, and fax number (if applicable) of property owner;

(f) location of the gathering and a site plan delineating the area where the gathering is to be held including the following:

(i) the parking area available for patrons;

(ii) location of entrance, exit, and interior roadways and walks;

(iii) location, type, and provider of restroom facilities;

(iv) location and description of water stations;

(v) location and number of food stands, and the types of food to be served if known;

(vi) location, number, type, and provider of solid waste containers;

(vii) location of operator's headquarters at the gathering;

(viii) a plan to provide lighting adequate to ensure the comfort and safety of attendees and staff;

(ix) location of all parking areas designated for the gathering and under the operator's control.

(g) the name of the solid and liquid waste haulers with whom the operator has contracted, unless exempted by this rule;

(h) a site clean up plan after the gathering;

(i) total number, and qualifications of first aid station personnel;

(j) plan for directional and exit signs;

(k) a plan developed by the operator to address nuisances or health hazards associated with animals present at the gathering;

(l) plans to address hazardous conditions as required in Section R392-400-13;

(m) emergency medical services operational plan approved by the local licensed emergency medical services agency director, including the location of all first aid stations and emergency medical resources;

(n) any other information specifically requested by the health officer as necessary to protect public health.

(3) The health officer shall require a separate application for each temporary mass gathering.

(4) The health officer shall consider the proximity and risk of known health hazards when determining the acceptability of a proposed gathering site.

R392-400-7. Permit.

(1) The health officer may attach conditions or grant waivers to a permit, in accordance with this rule, in order to meet specific public health and safety concerns.

(2) The health officer may deny a permit for any of the following reasons:

(a) failure of the applicant to show that the gathering will be held or operated in accordance with the requirements and standards of this rule;

(b) submission of incorrect, incomplete, or false information in the application ;

(c) the gathering will be in violation of law.

(3) The health officer shall return a denied permit application to the applicant within 5 working days of submission, specifying the basis for denial in writing.

(4) The applicant may appeal a denied permit in accordance with the procedures established by the local Board of Health.

R392-400-8. Inspections.

(1) The director and health officer may conduct inspections before, during, and after a gathering to ensure compliance with R392-400 and approved plans.

(2) The operator shall provide the director and health officer with access to all areas of the gathering that the director and health officer deem necessary and the number of access credentials they request.

(3) The operator shall effectively communicate the director's and health officer's access privileges to staff.

R392-400-9. Notice Of Violation Or Closing.

(1) The health officer may issue a notice of violation to the owner, operator or the operator's designee if the gathering fails to meet the requirements of this rule or the conditions of the permit.

(2) The health officer shall, in accordance with R392-100 Food Service Sanitation, direct the disposition of any food items, including ice and water, that have been adulterated or are otherwise unfit for human consumption.

(3) The health officer may issue a notice of closure of the gathering or part thereof to the owner, operator or the operator's designee if the health officer determines that conditions at the gathering constitute a serious or imminent health hazard.

(4) No gathering site or part thereof that has been closed may be used for a gathering until the department or health officer determines that the conditions causing the closure have been abated and written approval is received from the department or health officer. The director or health officer shall remove the posted notice whenever the violation(s) upon which closing, and posting were based has been remedied.

(5) No unauthorized person may deface or remove a posted notice from any gathering site that has been closed by the director or local health officer.

(6) The operator may appeal a notice or closure in accordance with the procedures established by the local Board of Health or the Utah Administrative Procedures Act, whichever is applicable.

R392-400-10. Solid Waste Management.

(1) The operator shall contract with a solid waste hauler approved by health officer. The operator is exempt from this requirement if the operator is approved by the health officer as a solid waste hauler and is identified as the solid waste hauler for the gathering. The health officer shall establish written criteria for approving a solid waste hauler.

(2) The operator shall provide and strategically locate a sufficient number of covered waste containers approved by the health officer to effectively accommodate the solid waste generated at the gathering.

(3) The operator shall ensure that the waste containers are emptied as often as necessary to prevent overflowing, littering, or insect or rodent infestation.

(4) The operator shall ensure that solid waste and litter are cleaned from the property periodically during the gathering and that, within 24 hours following the gathering, the property is free of solid waste and is clean. On a case by case basis, the health officer may allow for more than 24 hours to clean up the site because of the time of year, nature of the event or other extenuating circumstances if the health officer is satisfied that the extension will not adversely affect the public health

(5) The operator shall ensure that litter is prevented from being blown from the gathering site onto adjacent properties.

(6) The operator shall ensure that all solid waste is collected and disposed of at a solid waste disposal or recycling facility meeting State and local solid waste disposal facility requirements.

(7) The operator, staff, participants, and spectators shall comply with all applicable State and local requirements for solid waste management.

R392-400-11. Site Maintenance.

(1) All buildings or structures provided for the gathering shall be maintained in a safe, clean condition, in good repair, and in compliance with all applicable laws.

(2) A gathering that provides overnight parking for occupied recreational vehicles in connection with the gathering, shall comply with R392-301 Recreational Vehicle Park Sanitation and local recreational vehicle parks regulations.

(3) The operator shall eliminate any infestation of vermin within any part of a structure intended for occupancy, food storage, or restroom facilities prior to, during, and immediately following a gathering.

(4) The operator is responsible for the maintenance and sanitary condition of the gathering site and facilities. The operator shall prevent the occurrence of any nuisance and immediately take steps to cause the abatement of any nuisance or insanitary condition that may develop.

(5) A gathering site shall be constructed to provide surface drainage adequate to prevent flooding of the gathering site and to prevent water related nuisances on adjacent properties.

(6) Sufficient signs shall identify and show the location of first aid, restroom and drinking water facilities so spectators and participants can readily find them from any place on the gathering site.

(7) The operator shall provide lighting adequate to ensure the comfort and safety of attendees.

(8) All parking areas used for the gathering and under the control of the gathering operator must meet the requirements of this rule.

R392-400-12. Emergency Medical Care Requirements.

(1) The operator shall ensure that the gathering has at least one first aid station. The health officer or local licensed emergency medical services agency director(s) may require more than one first aid station as they deem necessary because of the nature of the event, time of year, risk of injuries or other public health and safety needs.

(2) First aid stations shall contain the following minimum equipment and maintain the minimum levels over the duration of the gathering:

(a) 1 Bag mask ventilation unit with adult, child, and infant mask sizes

(b) 3 Oropharyngeal airways, adult, child, and infant sizes

(c) 1 Pocket mask

(d) 1 portable oxygen apparatus (tank, regulator, case)

(e) 1 Oxygen extension tubing

(f) 2 adult and 1 child nasal cannula

(g) 2 adult and 1 child non-rebreather mask

(h) 1 adult and 1 child blood pressure cuff

(i) 1 stethoscope

(j) 2 pillows

(k) 2 emesis basins

(l) 4 blankets

(m) 4 sheets

- (n) 12 towels
 - (o) six 5x9 or 8x10 trauma dressings
 - (p) thirty 4x4 gauze dressings
 - (q) 12 kerlix or other roller bandage
 - (r) 3 roles of adhesive tape
 - (s) 3 cervical collars, 1 regular, 1 no-neck, one pediatric
 - (t) 1 back board with straps
 - (u) 6 non-traction extremity splints (e.g., cardboard, ladder, SAM splints, air splints)
 - (v) 10 triangular bandages
 - (w) 2 pair of shears
 - (x) 1 obstetrical kit
 - (y) 2 pen lights
 - (z) 100 assorted bandaids
 - (aa) 1 traction splint
 - (bb) 2 tubes of oral glucose
 - (cc) 1 box of exam gloves
 - (dd) 4 biohazard bags
 - (ee) 1 portable suction device
 - (ff) 1 basic life support jump kit for every 2 gathering medical providers
 - (gg) 1 automatic external defibrillator
 - (hh) 1 examination table, cot or bed.
- (3) First aid stations shall afford privacy to a person receiving care or treatment.
- (4) First aid stations shall be of sufficient size to accommodate the number of care givers required, and the predicted number of sick or injured persons.
- (5) First aid stations shall be strategically located to provide expedient medical care for those attending or participating in the gathering.
- (6) First aid stations shall be easily accessible by emergency vehicles. The operator shall provide the local licensed emergency medical services director(s) a map of the gathering site which includes location of first aid stations, emergency vehicle ingress and egress routes, landing zones (if applicable) and rendezvous locations.
- (7) A first aid station shall be clearly marked and identifiable as a first aid station.
- (8) At least two state-licensed or certified medical providers, such as an emergency medical technician, paramedic, nurse, physician's assistant or medical doctor shall be present to staff each first aid station. A gathering having more than 2,500 attendees shall have at least two additional emergency medical providers for each additional 5,000 attendees or fraction thereof. The health officer or local licensed emergency medical services agency director(s) may require additional emergency medical services personnel as deemed necessary because of the nature of the event, time of year, risk of injuries or other public health and safety needs.
- (9) First aid stations shall be staffed by individuals meeting the following minimum requirements:
- (a) is at least 18 years of age;
 - (b) has a current state license or certification showing competency to be an emergency medical technician, paramedic, nurse, physician's assistant or physician.
- (10) The operator shall ensure that the medical staff have access to telephones or radios to contact outside emergency medical. The operator shall provide the local licensed emergency medical services director(s) the telephone numbers and radio frequencies for accessing the gathering medical providers.

(11) The local health officer or local licensed emergency medical services agency director may require the operator to provide dedicated stand-by ambulances and personnel at the gathering. The operator will be financially responsible for the costs of funding dedicated stand-by ambulances and personnel, but not for the costs of providing transportation services to individual patients.

(12) The operator shall ensure that the staff person in charge of the first aid station keeps accurate records of patients and treatment, and that the health officer is notified of all cases involving a serious injury or communicable disease in accordance with R386-702 Communicable Disease Rule and R386-703 Injury Reporting Rule.

(13) The operator shall ensure that the staff person in charge of the first aid station completes a Department approved pre-hospital care form showing all assistance given each person attended and that these forms are submitted to the Department within 72 hours following the gathering.

R392-400-13. Hazardous Conditions.

The operator shall develop contingency plans for dangerous conditions during the gathering. The plans may include evacuation, cancellation or delay of the gathering and provision for support facilities.

R392-400-14. Food Protection.

(1) The operator and vendors shall comply with R392-100 Food Service Sanitation.

(2) The operator shall assure that food vendors obtain required food service operating permits from the health officer.

R392-400-15. Safe Drinking Water Supply Requirements.

(1) The operator shall ensure that all drinking water is from a state-approved safe drinking water supply or bottled water approved by the Utah Department of Agriculture and Food.

(2) Safe drinking water hauled to the gathering shall be hauled and dispensed in a manner that protects public health as determined by the health officer.

(3) The operator shall provide and strategically locate drinking water stations to effectively meet the drinking water needs of attendees and staff. At least four drinking water stations are required. An additional drinking water station is required for each additional 150 attendees or fraction thereof, above 500 persons. The health officer may reduce the number of additional drinking water stations or require [additional] more than one drinking water station[s] for each additional 150 attendees or fraction thereof above 500 persons ~~[as deemed necessary]~~ because of the time of year, heat index, nature of the event or other public health related criteria. If containers are needed to drink the water at the required drinking water stations, the operator must provide single use containers.

R392-400-16. Wastewater Disposal Requirements.

(1) All wastewater shall discharge to a public wastewater treatment system unless no such system is available or practical for use as determined by the health officer.

(2) Where a public sewer is not available or practical for connection, wastewater shall discharge into a wastewater treatment system approved in accordance with State and local wastewater rules.

(3) The health officer may allow portable restroom facilities and wastewater holding tanks only where an approved sewer system is not available or practical for connection.

(4) The number of toilets and facilities shall be provided in accordance with the following Table.

TABLE

Minimum Numbers of Toilets Required

Average Time at Gathering (hours)

	1	2	3	4	5
Peak Crowd					
500	2	4	4	5	6
1000	4	6	8	8	9
2000	5	6	9	12	14
3000	6	9	12	16	20
4000	8	13	16	22	25
5000	12	15	20	25	31
6000	12	15	23	30	38
7000	12	18	26	35	44
8000	12	20	30	40	50
10000	15	25	38	50	63
12500	18	31	47	63	78
15000	20	38	56	75	94
17500	22	44	66	88	109
20000	25	50	75	100	125
25000	38	69	99	130	160
30000	46	82	119	156	192
35000	53	96	139	181	224
40000	61	109	158	207	256
45000	68	123	178	233	288
50000	76	137	198	259	320
55000	83	150	217	285	352
60000	91	164	237	311	384
65000	98	177	257	336	416
each additional 10,000	15	25	38	50	63

(table continued for 6-10 hours)

	6	7	8	9	10
500	7	9	9	10	12
1000	9	11	12	13	13
2000	16	18	20	23	25
3000	24	26	30	34	38
4000	30	35	40	45	50
5000	38	44	50	56	63
6000	45	53	60	68	75
7000	53	61	70	79	88
8000	60	70	80	90	100
10000	75	88	100	113	125

12500	94	109	125	141	156
15000	113	131	150	169	188
17500	131	153	175	197	219
20000	150	175	200	225	250
25000	191	221	252	282	313
30000	229	266	302	339	376
35000	267	310	352	395	438
40000	305	354	403	452	501
45000	343	398	453	508	563
50000	381	442	503	564	626
55000	419	486	554	621	688
60000	457	531	604	677	751
65000	495	575	654	734	813
each additional 10,000	75	88	100	113	125

(a) If alcoholic beverages are consumed at the gathering, the operator shall increase the number of required toilets by 40%.

(b) For one year following the effective date of this rule the health officer may allow portable multi-urinal stations to substitute for up to 1/3 of the estimated men's portion of the required toilets.

(c) The operator shall provide a minimum of one toilet that is accessible by handicapped persons and at a rate of 5% of total toilets.

(d) Toilet facilities for men and women located in the same building and adjacent to each other shall be separated by an opaque, sound resistant wall. Direct line of sight from outside a toilet facility to the toilets and urinals shall be effectively obstructed.

(e) The operator shall locate portable toilets a minimum of 100 feet from any food service operation and not more than 300 feet from grand stand or spectator or from other areas of activity which pertain to the gathering, as outlined in the permit application. Where site conditions limit the placement of portable toilets, the health officer may allow exemptions to these distances.

(f) The operator shall provide working hand wash stations at a minimum rate of one per 10 portable toilets or portion thereof. The operator shall provide soap, water and single use towels at each hand wash station. Where conditions make the use of soap and water impractical, the health officer may allow sanitizing gel in place of soap and water. Sanitizing gel may not be used in place of soap and water at hand wash stations used by food service workers.

(g) The operator shall provide a minimum of one covered trash container for every 10 portable toilets or portion thereof.

(h) The operator or coordinator shall ensure that all portable toilets are of sound construction (such as non-absorbent polyethylene), easily cleanable, and durable.

(i) The tank capacity of each portable toilet shall not be less than 60 gallons. Chemicals used for sanitizing agents in portable toilets must be acceptable for use by the treatment facility accepting the sewage.

(j) Each portable toilet must be secured against vandalism and adverse weather conditions by tie downs, anchors or similar effective means.

(k) The operator shall contract with a liquid waste hauler that meets local health department requirements. The operator is exempt from this requirement if the operator is approved by the health officer as a liquid waste hauler and is identified as the liquid waste hauler for the gathering.

(i) the operator shall require in the contract with the liquid waste hauler that the hauler shall meet the requirements of this Subsection.

(ii) the liquid waste hauler shall have a written contract with a wastewater treatment facility indicating that the wastewater treatment facility will accept the wastewater.

(iii) the liquid waste hauler must manifest all disposal of liquid waste materials. The liquid waste hauler shall present the manifest to the health officer for the health officer's review upon request.

(l) The operator shall ensure that all wastewater is removed from each portable toilet at least once every 24 hours. On a case by case basis, the health officer may change this frequency because of the time of year, weather conditions, nature of the event or other public health related criteria. All wastewater removed shall be disposed of at a wastewater treatment facility in accordance with State and local wastewater disposal laws.

(m) Each portable toilet must be serviced and sanitized at time intervals that will maintain sanitary conditions of each toilet.

(n) At the conclusion of the gathering, each portable restroom unit must be serviced and removed within 48 hours. The health officer may extend or shorten this time because of the time of year, weather conditions, the nature of the event or to meet other public health needs.

R392-400-17. Penalty.

(1) Any person who violates any provision of this rule may be assessed a penalty not to exceed the sum of \$5,000 or be punished for violation of a class B misdemeanor for the first violation and for any subsequent similar violation within two years for violation of a class A misdemeanor as provided in Subsection 26-23-6.

(2) Each day such violation is committed or permitted to continue shall constitute a separate violation.

(3) In addition to other penalties imposed, any person who violates any requirement of this rule shall be liable for all expenses incurred by the department and local health department in removing or abating any nuisance, source of filth, cause of sickness or infection, health hazard, or sanitation violation.

R392-400-18. Severability.

If a provision, clause, sentence, or paragraph of this rule or the application thereof to any person or circumstances shall be ruled invalid, such ruling shall not affect the other provisions or applications of this rule, and to this end the provisions of this rule are severable.

KEY: public health, temporary mass gatherings, special events
~~November 1, 2000~~ **2002**
 26-15-2



Health, Health Systems Improvement,
 Child Care Licensing
R430-50-10
 Fire, Safety, and Sanitation

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 24345

FILED: 12/27/2001, 15:19

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Review of this rule by the Attorney General's Office indicated that an explicit exemption for concealed weapons permit holders should be added.

SUMMARY OF THE RULE OR CHANGE: Exemption from the requirement that guns and ammunition in a child care facility must be stored separately and in a locked cabinet or area for concealed weapons permit holders and other uses authorized by law is added. The amendment in this rule is based on proposed text in rule filing No. 24264, which should take effect after January 2, 2002. (DAR Note: DAR File No. 24264, amending Rule R430-50, is found in the December 1, 2001, issue of the Utah State Bulletin.)

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 26-39-104 and 76-10-505.5

ANTICIPATED COST OR SAVINGS TO:

❖ **THE STATE BUDGET:** None - distribution of this rule to providers will be combined with other changes that are currently pending.

❖ **LOCAL GOVERNMENTS:** None - local governments do not operate residential certificate child care facilities.

❖ **OTHER PERSONS:** Minimal - if providers wish to exclude concealed weapon permit holders from carrying a weapon in their home they may have to post a notice or take other steps to notify persons entering their home.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Less than \$5 per provider that chooses to post a notice that concealed weapons permit holders are not allowed to bring a weapon into their home.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule should not have a significant fiscal impact on regulated businesses. Rod L. Betit

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

HEALTH
 HEALTH SYSTEMS IMPROVEMENT, CHILD CARE
 LICENSING
 CANNON HEALTH BLDG
 288 N 1460 W
 SALT LAKE CITY UT 84116-3231, or
 at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
 Debra Wynkoop at the above address, by phone at 801-538-6152, by FAX at 801-538-6325, or by Internet E-mail at dwynkoop@doh.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 PM on 02/14/2002.

THIS RULE MAY BECOME EFFECTIVE ON: 02/15/2002

AUTHORIZED BY: Rod Betit, Executive Director

R430. Health, Health Systems Improvement, Child Care Licensing.

R430-50. Residential Certificate Child Care Standards.

R430-50-10. Fire, Safety, and Sanitation.

(1) The owner shall have a disaster plan in case of fire, flood, earthquake, blizzard, power failure or other disasters that could create structural damage to the facility or pose a health hazard. The owner shall also have an emergency plan in the case of a missing child, death or serious injury to a child, which includes the name of a substitute care giver in the event the owner must leave the residence for any reason.

(a) A first aid kit shall be available in the home.

(b) The owner shall maintain an operating telephone in the home, unless there is a utility failure.

(c) The owner shall post the names and telephone numbers of the emergency medical personnel, fire department, police, and poison control by the telephone.

(2) The owner shall maintain fire extinguishers and smoke detectors in good operating condition on each floor occupied by children. Two exits, leading to an open space at ground level, shall be present to permit the orderly evacuation of children. If the basement is used to provide child care, at least one exit shall be present leading to an open space at ground level.

(3) Each home shall have an outdoor play space which is safe, free from hazards, located away from traffic or water hazards, and is available on the premises or is easily and safely accessible to the home. If a fence is required to protect children from any traffic or water hazards then the fence shall be at least four feet high. If local ordinances conflict, the owner may request a variance from the Department. Any gaps within the fence and the bottom edges of the fence shall not be more than three and one-half inches above the ground.

(4) If children are diapered at the home, then diapering shall occur in an area separate from food storage, food preparation, and eating area. A smooth nonabsorbent diaper changing surface and a sanitary container for soiled and wet diapers shall be available.

(5) Care givers and children shall wash their hands after using the toilet, before and after eating and before and after food preparation.

(6) Equipment and furniture must be durable, in good repair, structurally sound, and stable. Indoor and outdoor play spaces, toys and equipment shall be maintained in a safe manner to prevent injury to children.

(7) Dangerous items, such as sharp objects, medicines, plastic bags, and poisonous plants and chemicals, including household supplies, must be stored out of reach of children.

(8) Electrical outlets accessible to children four years of age and younger shall be protected or capped with safety devices.

(9) Hot water accessible to children shall not exceed 120 degrees Fahrenheit.

(10) There shall be adequate housekeeping to maintain a clean and sanitary home, to control, and eliminate the presence of insects, rodents, and other vermin on the premises.

(11) ~~The owner shall ensure that there are no firearms or other weapons accessible to children during times children are on the premises. Firearms and other weapons shall be stored separately from ammunition and all shall be in a locked cabinet or area.~~ There shall be no firearms or other weapons accessible to children. Firearms and other weapons shall be stored separately from ammunition and all shall be in a locked cabinet or area during times when children are on the premises, unless the use is in accordance with UCA 53-5-701 Concealed Weapons Act, UCA 76-10-523 Persons Exempt from Weapons Laws or as otherwise authorized by law.

(12) If the owner has pets at the home:

(a) the animals shall be clean and in good health;

(b) the animals shall have current vaccination records available for all diseases transmissible to humans;

(c) the animals shall have no history of dangerous or aggressive behavior;

(d) the children shall not clean nor assist with the cleaning of animals, animal cages, pens or equipment;

(e) the animal cages and equipment shall not be cleaned in food preparation or food storage areas; and

(f) Children shall not be permitted to handle reptiles, including turtles and lizards.

KEY: child care facilities

~~2001~~2002

26-39



**Health, Health Systems Improvement,
Child Care Licensing**

R430-60-13

Fire, Sanitation, and Safety

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 24346

FILED: 12/27/2001, 15:44

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Review of this rule by the Attorney General's Office indicated that an explicit exemption for concealed weapons permit holders should be added.

SUMMARY OF THE RULE OR CHANGE: Exemption added for concealed weapons permit holders and other uses authorized by law from the requirement that guns and ammunition in a child care facility must be stored separately and in a locked cabinet or area. The amendment in this rule is based on proposed text in rule filing No. 24265, which may take effect after January 2, 2002. (DAR Note: DAR File No. 24265, amending Rule R430-60, is found in the December 1, 2001, issue of the Utah State Bulletin.)

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 26-39-104 and 76-10-505.5

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: None - distribution of this rule to providers will be combined with other changes that are currently pending.

❖ LOCAL GOVERNMENTS: None - hourly child care providers will incur no additional costs under this rule.

❖ OTHER PERSONS: Minimal - providers that operate in a church will have the choice of whether to prohibit concealed weapons and may have a small cost to notify persons entering the facility or posting a notice.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Less than \$5 per provider that operates their facility in a church and chooses to post a notice that concealed weapons permit holders are not allowed to bring a weapon into their facility.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule should not have a significant fiscal impact on regulated businesses. Rod L. Betit

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

HEALTH
HEALTH SYSTEMS IMPROVEMENT, CHILD CARE
LICENSING
CANNON HEALTH BLDG
288 N 1460 W
SALT LAKE CITY UT 84116-3231, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Debra Wynkoop at the above address, by phone at 801-538-6152, by FAX at 801-538-6325, or by Internet E-mail at dwynkoop@doh.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 PM on 02/14/2002.

THIS RULE MAY BECOME EFFECTIVE ON: 02/15/2002

AUTHORIZED BY: Rod Betit, Executive Director

R430. Health, Health Systems Improvement, Child Care Licensing.

R430-60. Hourly Child Care Center.

R430-60-13. Fire, Sanitation, and Safety.

(1) The licensee shall have a written emergency and disaster plan in case of fire, flood, earthquake, blizzard, power failure or other disasters that could create structural damage to the facility or pose a health hazard. The director shall hold simulated fire drills monthly and semi-annual disaster drills. The director shall document all drills, including date, participants, and problems encountered.

(a) The director shall post evacuation routes which indicate the location of fire alarm boxes and fire extinguishers in prominent

locations throughout the center. Each center shall have approved fire extinguishers and be inspected by the local fire authority annually.

(b) The licensee shall ensure that the telephone service is in working order, unless there is a utility failure, and inform the Department of the current phone number.

(c) The names and telephone numbers of the emergency medical personnel, fire department, police, poison control and license holder shall be posted by the telephone.

(2) A person may not smoke or use tobacco in any child care facility during the period of time a child is present in the facility. All lighters and matches shall be inaccessible to children.

(3) The director of the facility shall establish written policies and monitor the care givers to ensure that the use and accessibility to tobacco, alcohol, illegal substances or sexually explicit materials are prohibited by any person anywhere on the premises during the hours of operation when children are in care.

(4) The toilet rooms of the hourly program must be cleaned and disinfected daily.

(5) If the program accepts a child in a diaper, then the diaper shall be changed only in a designated diaper changing area. The designated area shall:

(a) have diaper changing procedures posted;

(b) be separate from food storage, food preparation, and eating areas.

(c) have a hand sink equipped with soap, hot and cold running water within three feet of the diaper-changing surface; and

(d) have a smooth nonabsorbent diaper changing surface, railing and a sanitary container for soiled and wet diapers.

(6) Care givers shall change a child's clothing when it is soiled with fecal material or urine and place the clothing into a leakproof container to be sent home with the parent or legal guardian. Clothing soiled with feces or urine shall not be rinsed at the facility.

(7) Hand washing policies shall be followed to assure protection from contamination and the spread of microorganisms. Hand washing procedures shall be posted at all hand washing sinks.

(a) Care givers shall wash and scrub their hands for 20 seconds with soap and warm running water at times specified in policy.

(b) Care givers shall teach children proper hand washing techniques and oversee hand washing whenever possible.

(c) Care givers and children shall wash their hands after using the toilet, before and after eating and before and after food preparation.

(8) The licensee shall provide the following supplies and make them accessible to children: toilet paper, liquid hand soap, facial tissues, and single use paper towels or warm air hand dryers.

(9) The director shall keep and maintain a first aid kit and a portable blood and bodily fluid clean-up kit. All care givers shall know the location of and how to use the kits.

(10) Equipment and furniture must be durable, in good repair, structurally sound, and stable following assembly and installation.

(a) Equipment must be free of sharp edges, dangerous protrusions, openings where a child's extremities could be pinched or crushed, and openings or angles that could trap part of a child's body.

(b) Tables, chairs, and other furniture must be appropriate to the age and size of children who use them. High chairs must have safety straps.

(c) Toys and equipment that are likely to be mouthed by infants and toddlers must be made of a material that can be

disinfected. These must be cleaned and disinfected when mouthed or soiled and at least daily.

(d) Sharp objects, medicines, plastic bags, and poisonous plants and chemicals, including household supplies, must be stored out of reach of children.

(e) Electrical outlets accessible to children four years of age and younger shall be protected or capped with safety devices.

(f) All pieces of outdoor playground equipment shall be surrounded by a resilient surface of loose cushioning, at least nine inches in depth, or mats manufactured for such use, consistent with the guidelines of the Consumer Product Safety Commission and the standards of the American Society for Testing and Materials. All indoor playground equipment, for example slides and climbers, shall be surrounded by cushioning materials, such as mats, in a six foot fall zone. Indoor play equipment shall not exceed three feet at the highest point.

(g) The areas used by children must be free from debris, loose flaking, peeling, or chipped paint, loose wallpaper, or crumbling plaster, litter, and holes in the walls, floors and ceilings. Rugs must have a non-skid backing or be firmly fastened to the floor and be free from tears, curled, or frayed edges, and hazardous wrinkles.

(h) Infant walkers with wheels are not permitted in hourly childcare programs.

(11) Hot water accessible to children shall not exceed the scalding standard of 120 degrees Fahrenheit.

(12) The licensee shall take effective and safe measures to prevent, control, and eliminate the presence of insects, rodents, and other vermin on the premises.

(13) There shall be adequate housekeeping services to maintain a clean and sanitary environment.

(14) Entrances, exits, steps, and outside walkways shall be maintained in a safe condition, free of ice, snow and other hazards.

(15) The center shall maintain air temperatures between 72 degrees Fahrenheit and 85 degrees Fahrenheit as measured 30 inches above the floor. Infant care areas shall maintain temperatures of at least 70 degrees Fahrenheit at floor level.

(16) If sleeping equipment or mats are provided for rest time, all mats and sleeping equipment shall be cleaned and sanitized weekly, and prior to use by another child.

(17) There shall be at least one toilet and lavatory for each 15 children. Care givers shall directly supervise children when using bathrooms that are available to the general public.

(18) There shall be no firearms or other weapons accessible to children. Firearms and other weapons shall be stored separately from ammunition and all shall be in a locked cabinet or area during times when children are on the premises, unless the use is in accordance with UCA 53-5-701 Concealed Weapons Act, UCA 76-10-523 Persons Exempt from Weapons Laws or as otherwise authorized by law.

KEY: child care facilities

**[2001]2002
26-39**



Health, Health Systems Improvement, Child Care Licensing **R430-90-15** Safety

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 24347

FILED: 12/27/2001, 16:07

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Review of this rule by the Attorney General's Office indicated that an explicit exemption for concealed weapons permit holders should be added.

SUMMARY OF THE RULE OR CHANGE: Exemption added for concealed weapons permit holders and other uses authorized by law from the requirement that guns and ammunition in a child care facility must be stored separately and in a locked cabinet or area. The amendment in this rule is based on proposed text in rule filing No. 24266, which may take effect after January 2, 2002. (DAR Note: DAR File No. 24266, amending Rule R430-90, is found in the December 1, 2001, issue of the Utah State Bulletin.)

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 26-39-104 and 76-10-505.5

ANTICIPATED COST OR SAVINGS TO:

❖ **THE STATE BUDGET:** None - distribution of this rule to providers will be combined with other changes that are currently pending.

❖ **LOCAL GOVERNMENTS:** None - local governments do not operate residential child care facilities.

❖ **OTHER PERSONS:** Minimal - if providers wish to exclude concealed weapon permit holders from carrying a weapon in their home they may have to post a notice or take other steps to notify persons entering their home.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Less than \$5 per provider that chooses to post a notice that concealed weapons permit holders are not allowed to bring a weapon into their home.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule should not have a significant fiscal impact on regulated businesses. Rod L. Betit

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

HEALTH
HEALTH SYSTEMS IMPROVEMENT, CHILD CARE
LICENSING
CANNON HEALTH BLDG
288 N 1460 W
SALT LAKE CITY UT 84116-3231, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Debra Wynkoop at the above address, by phone at 801-538-6152, by FAX at 801-538-6325, or by Internet E-mail at dwynkoop@doh.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 PM on 02/14/2002.

THIS RULE MAY BECOME EFFECTIVE ON: 02/15/2002

AUTHORIZED BY: Rod Betit, Executive Director

R430. Health, Health Systems Improvement, Child Care Licensing.

R430-90. Licensed Family Child Care.

R430-90-15. Safety.

(1) Indoor and outdoor play spaces, toys and equipment shall be maintained in a safe manner to prevent injury to children.

(2) Infants and toddlers shall not have access to toys smaller than 1-1/4 inches in total diameter or length. Toys and equipment used by children must comply with the guidelines of the Consumer Product Safety Commission.

(3) High chairs shall have safety straps or devices to prevent children from falling out.

(4) There shall be no firearms or other weapons accessible to children. Firearms and other weapons shall be stored separately from ammunition and all shall be in a locked cabinet or area during times when children are on the premises, unless the use is in accordance with UCA 53-5-701 Concealed Weapons Act, UCA 76-10-523 Persons Exempt from Weapons Laws or as otherwise authorized by law. ~~[- The licensee shall inform the parents and guardians that there are firearms on the premises].~~

(5) Electrical outlets accessible to children four years of age and younger shall be protected or capped with safety devices.

(6) Toxic or hazardous chemicals such as cleaners, insecticides, lawn products, and flammable materials shall be stored away from children in a locked or protected area. All toxic or hazardous chemicals shall be in the original container, or labeled in the container.

(7) Fireplaces, open-face heaters, and wood burning stoves shall be inaccessible to children when in use. Portable space heaters are not permitted when children are on the premises.

(8) Outdoor play equipment shall be located over soft material or grass.

(9) All water hazards such as a swimming pool, stationary wading pool, ditches, and fish ponds shall be fenced to prevent access by children.

(10) Sharp objects, medicines, plastic bags, poisonous plants, lighters and matches must be stored out of reach and inaccessible to children.

(11) Hot water accessible to children shall not exceed the scalding standard of 120 degrees Fahrenheit.

(12) Strings and cords long enough to encircle a child's neck, such as those found on pull toys, window blinds, or drapery cords, shall be inaccessible to children under five years of age.

(13) Any structure built prior to 1978 which has peeling, flaking, chalking, or failing paint on the interior or exterior shall be tested for lead-based paint. If paint lead levels are equal to or

exceed 0.06% by weight, the structure must be remodeled by encapsulation or enclosure when possible or by complete removal of lead-based paint by trained individuals.

(14) Infant walkers with wheels are not permitted.

(15) The licensee shall provide separate sleep equipment for each infant designed for infant use, such as a crib, bassinet, porta-crib, or play pen. Infants shall be placed on their backs for sleeping.

KEY: child care facilities

~~2001~~2002
26-39



Health, Health Systems Improvement, Child Care Licensing **R430-100-16** Safety

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 24348

FILED: 12/27/2001, 16:21

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Review of this rule by the Attorney General's Office indicated that an explicit exemption for concealed weapons permit holders should be added.

SUMMARY OF THE RULE OR CHANGE: Exemption added for concealed weapons permit holders and other uses authorized by law from the requirement that guns and ammunition in a child care facility must be stored separately and in a locked cabinet or area.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 26-39-104 and 76-10-505.5

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: None - distribution of this rule to providers will be combined with other changes that are currently pending.

❖ LOCAL GOVERNMENTS: None - child care center providers will incur no additional costs under this rule.

❖ OTHER PERSONS: Minimal - providers that operate in a church will have the choice of whether to prohibit concealed weapons and may have a small cost to notify persons entering the facility or posting a notice.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Less than \$5 per provider that operates their facility in a church and chooses to post a notice that concealed weapons permit holders are not allowed to bring a weapon into their facility.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule should not have a significant fiscal impact on regulated businesses. Rod L. Betit

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

HEALTH
HEALTH SYSTEMS IMPROVEMENT, CHILD CARE
LICENSING
CANNON HEALTH BLDG
288 N 1460 W
SALT LAKE CITY UT 84116-3231, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Debra Wynkoop at the above address, by phone at 801-538-6152, by FAX at 801-538-6325, or by Internet E-mail at dwynkoop@doh.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 PM on 02/14/2002.

THIS RULE MAY BECOME EFFECTIVE ON: 02/15/2002

AUTHORIZED BY: Rod Betit, Executive Director

R430. Health, Health Systems Improvement, Child Care Licensing.

R430-100. Child Care Center.

R430-100-16. Safety.

(1) Spaces, toys, grounds, and equipment shall be maintained in a safe manner to prevent injury to children.

(2) Toys and equipment used by children must be in compliance with the guidelines of the Consumer Product Safety Commission.

(3) There shall be no firearms or other weapons accessible to children. Firearms and other weapons shall be stored separately from ammunition and all shall be in a locked cabinet or area, unless the use is in accordance with UCA 53-5-701 Concealed Weapons Act, UCA 76-10-523 Persons Exempt from Weapons Laws or as otherwise authorized by law.

(4) Electrical outlets accessible to children four years of age or younger shall have protective caps or safety devices when not in use.

(5) Glass surfaces within 36 inches from the floor shall be of safety glass or have a protective barrier in place.

(6) Care givers and staff shall store toxic or hazardous chemicals such as cleaners, insecticides, lawn products, and flammable materials in a locked or protected area to prevent access to children. All toxic or hazardous chemicals shall be stored in the original container, or labeled in the container.

(7) The center may not have portable space heaters, Fireplaces and wood burning stoves that are accessible to children when in use.

(8) Children shall not have access to poisonous plants.

(9) Strings and cords long enough to choke a child, such as those found on pull toys, window blinds, or drapery cords, shall be inaccessible to children four years of age and younger.

(10) Any structure built prior to 1978 which has peeling, flaking, chalking, or failing paint on the interior or exterior shall be tested for lead-based paint. If paint lead levels are equal to or exceed 0.06% by weight, the structure must be remodeled by encapsulation or enclosure when possible or by complete removal of lead-based paint by trained individuals.

(11) Hot water accessible to children shall not exceed the scalding standard of 120 degrees Fahrenheit.

KEY: child care facilities

**[July 31, 001]2002
26-39**

▼ ————— ▼

Insurance, Administration
R590-147
Annual Statement Instructions

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 24341

FILED: 12/27/2001, 08:27

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: To streamline the annual statement process by eliminating duplicate filings of information.

SUMMARY OF THE RULE OR CHANGE: The rule eliminates four paper documents from annual statement filing if the documents are filed with the National Association of Insurance Commissioners (NAIC).

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 31A-4-113

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: The change permitted by the rule will decrease the time involved in processing annual statements. In the past the department has had to hire temporary help. This will save that cost.

❖ LOCAL GOVERNMENTS: This rule will not affect local government.

❖ OTHER PERSONS: The rule affects insurers that are required to file annual statements. This will reduce some duplication of filings which will provide a reduction in cost of preparing and filing the annual statement.

COMPLIANCE COSTS FOR AFFECTED PERSONS: No compliance costs are added by this change. The compliance costs should be reduced.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: Overall the 1400 companies that file annual statements with the department will experience a reduced compliance cost.

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

INSURANCE
ADMINISTRATION
Room 3110 STATE OFFICE BLDG
450 N MAIN ST
SALT LAKE CITY UT 84114-1201, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Jilene Whitby at the above address, by phone at 801-538-3803, by FAX at 801-538-3829, or by Internet E-mail at jwhitby@insurance.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 PM on 02/14/2002.

THIS RULE MAY BECOME EFFECTIVE ON: 02/15/2002

AUTHORIZED BY: Jilene Whitby, Information Specialist

R590. Insurance, Administration.**R590-147. Annual Statement Instructions.****R590-147-1. Authority.**

This rule is promulgated pursuant to the general rulemaking authority vested in the commissioner by Section 31A-2-201[~~U.C.A.~~], and pursuant to the specific authority of Section 31A-4-113[~~U.C.A.~~].

R590-147-2. Scope.

This rule applies to all insurers required to file an annual statement with the commissioner in this state.

R590-147-3. Definitions.

(1) For the purpose of this rule "Insurer" includes all licensees who are licensed under Chapters 5, 7, 8, 9, ~~[or]~~ 14 or 15 of Title 31A of the Utah Code.

(2) For purposes of this rule "Timely Filed" means that that the item being filed is postmarked on or before its due date or if the item is placed for delivery by a commercial delivery service, the delivery instructions are dated on or before the date the item is due to be filed and all required schedules, exhibits and documents are attached.

R590-147-4. Rule.

(1) All insurers shall file their annual statement with the department on the form adopted by the National Association of Insurance Commissioners ("NAIC"). The statement shall be prepared in accordance with the latest edition of the annual statement instructions, and the accounting practices and procedures manual [which are] published by the [National Association of Insurance Commissioners] NAIC. Annual statement filings are not complete until all supplemental schedules, exhibits and documents are filed [in accordance with the instructions.] as required by the instructions or as otherwise indicated by this rule.

(2) All insurers authorized or recognized to do business in the State of Utah that file an annual statement and all supplemental schedules, exhibits and documents with the NAIC, are not required to file the following with the department with the filing due March 1, 2002:

- (a) Actuarial Opinion;
- (b) Management's Discussion and Analysis;
- (c) SVO Compliance Certification; and
- (d) Annual Audited Financial Reports.

(3) The department will consider the items indicated in Subparagraphs (2)(a) through (d) of this section of the rule to be filed timely with the department if they are timely filed with the NAIC. If these items or any of the other items required to be filed

with the NAIC are not filed with the NAIC by the date they are due without an approved extension or are filed late without an approved extension, the department will consider the annual statement filing with the department to be incomplete and filed late or not filed with the department and will impose sanctions permitted by law.

(4) The dates by which annual statements and supplemental schedules, exhibits, documents or electronic filings are to be made shall be the date specified in the annual statement instructions and department filing check lists. These instructions and checklists may be found on the department's website.

R590-147-5. Separability.

If any provision of this rule or the application thereof to any person or circumstance is for any reason held to be invalid, the remainder of the rule and the application of such provision to other persons or circumstances may not be affected thereby.

KEY: insurance

~~[1992]~~2002

Notice of Continuation March 19, 1997

31A-2-201

31A-4-113



Natural Resources, Wildlife Resources

R657-33

Taking Bear

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 24342

FILED: 12/27/2001, 11:03

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.

SUMMARY OF THE RULE OR CHANGE: Subsections R657-33-10(2) and R657-33-27(3) are being amended to add that a person licensed to carry a concealed weapon in accordance with Title 53, Chapter 5, Part 7, of the Utah Code may do so, provided the person is not utilizing the concealed weapon to hunt, take or injure wildlife. Subsection R657-33-26(4) is being amended to require any person who draws a permit for a specific hunt unit to attend an orientation course. Section R657-33-31 is being amended to delete the provisions providing how fees must be paid, which is currently provided in Utah Admin. Code Section R657-42-8. Section R657-33-32 is being amended to allow a person to reapply in the limited entry bear drawing after withdrawing an application, or to amend a withdrawn application. Other changes are made for consistency and clarity.

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

ANTICIPATED COST OR SAVINGS TO:

❖ **THE STATE BUDGET:** This amendment clarifies existing requirements and adds requirements as a result of the Administrative Rules Review Committee's discussion regarding concealed weapons in accordance with Utah Code Ann. Section 53-5-7. The amendment modifies the requirement of a mandatory orientation course for persons who draw limited entry permits on the experimental spring bear hunt units and the fall bear hunt units being used for comparison for the study regarding spring bear hunting. The Division of Wildlife (DWR) has determined that there may be a minimal cost impact to the DWR as a result of administering the mandatory orientation course. Otherwise, these amendments do not create a cost or savings impact to the DWR's budget or the state budget.

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

❖ **OTHER PERSONS:** The amendments are for clarification and the additional requirements of a mandatory orientation course for persons who obtain a limited entry bear permit on particular bear hunting units. 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 add requirements as a result of the adoption of the experimental spring bear hunt in 2001. An affected person must comply by attending a mandatory orientation course if that person drew a permit to participate in a hunt on a specific unit. However, 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
1594 W NORTH TEMPLE
SALT LAKE CITY UT 84116-3154, 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 801-538-4745, or by Internet E-mail at dsundell.nrdwr@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 PM on 02/14/2002.

THIS RULE MAY BECOME EFFECTIVE ON: 02/15/2002

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 teats, and 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.

R657-33-3. Permits for Taking Bear.

(1)(a) To take a bear, a person must first obtain a valid 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 a valid bear pursuit permit from a division office.

(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 person may purchase a 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, cashier's check or money orders will be accepted.

(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:

(a) 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; or

(b) a person licensed to carry a concealed weapon in accordance with Title 53, Chapter 5, Part 7 of the Utah Code, provided the person is not utilizing the concealed weapon to hunt or take 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 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) 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)(a) A mandatory orientation course is required for hunters who draw a permit for ~~a spring bear hunt.~~ the following hunts:

(i) South Slope, Yellowstone;

(ii) South Slope, Vernal/Diamond Mountain/Bonanza;

(iii) Nine Mile, Anthro-Range Creek;

(iv) LaSal Mountains, Dolores Triangle;

(v) San Juan;

(vi) Manti, North;

(vii) Manti, South;

(viii) Wasatch Mountains, West; and

(ix) Wasatch Mountains, Carrant Creek-Avintaquin.

(b) Hunters will be notified of the orientation date, time and location.

(c) Permits for spring bear hunts will be distributed to successful applicants at the orientation.

(5) 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.

(i) The weapon restrictions set forth in Subsection (c) do not apply to a person licensed to carry a concealed weapon in accordance with Title 53, Chapter 5, Part 7 of the Utah Code, provided the person is not utilizing or attempting to utilize the concealed weapon to injure or kill bear.

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

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

(2) A person must be 12 years of age or older by the posting date of the drawing to apply for a bear permit.

(3) 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 five 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) 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.

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

(c) The opportunity to correct an error is not guaranteed.

(4)(a) Late applications received by the date published in the proclamation of the Wildlife Board for taking bear 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.

(c) Late applications received after the date published in the proclamation of the Wildlife Board for taking bear, will not be processed and will be returned.

(5) 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) 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).

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

(8) 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]; and~~

~~(b) the nonrefundable handling fee.~~

~~(2) Fees must be paid in accordance with Rule R657-42-8. [(a) Personal checks, money orders, cashier's checks and credit cards will be accepted.~~

~~(b) Personal checks drawn on an out-of-state account will not be accepted.~~

~~(c) Third-party checks will not be accepted.~~

~~(d) 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) Checks and credit cards will not be accepted as combined payment.~~

~~(c) 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) If permits remain after all choices have been evaluated separately for residents and nonresidents, a second evaluation will be done allowing cross-over usage of remaining resident and nonresident permit quotas.

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

(3) Permits remaining after the drawing will be sold only by mail or on a first-come, first-served basis beginning and ending on the dates provided in the proclamation of the Wildlife Board for taking and pursuing bear. These permits may be purchased by either residents or nonresidents.

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

(5)(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.](6) An applicant may reapply in the limited entry bear drawing provided:~~

~~[(4)](a) the original application is withdrawn;~~

~~(b) the new application is submitted with the request to withdraw the original application;~~

~~(c) both the new application and request to withdraw the original application are received by the initial application deadline; and~~

~~(d) both the new application and request to withdraw the original application are submitted to the Salt Lake Division office.~~

~~(7)(a) An applicant may amend their application for the limited entry bear permit drawing by requesting such in writing by the initial application deadline.~~

~~(b) The applicant must send their notarized signature with a statement requesting that their application be amended to the Salt Lake Division office.~~

~~(c) The applicant must identify in their statement the requested amendment to their application.~~

~~(8) 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.

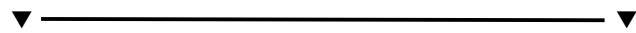
R657-33-34. Refunds.

- (1) Unsuccessful applicants, who applied in the initial drawing and who applied with a check or money order, will receive a refund in May.
- (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.

- (1) Whenever any unexpired license, 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, or permit, whichever is less.
- (2) The division may waive the fee for a duplicate unexpired license, permit, tag or certificate of registration provided the person did not receive the original license, permit, tag or certificate of registration.

KEY: wildlife, bear*, game laws
[February 15, 2001]2002
Notice of Continuation March 24, 1998
23-14-18
23-14-19
23-13-2



Natural Resources, Wildlife Resources
R657-49
Big Game Conservation Easements on
Former School Trust Lands

NOTICE OF PROPOSED RULE
 (Amendment)
 DAR FILE NO.: 24344
 FILED: 12/27/2001, 11:10

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule is being amended to delete the requirement that written proposals must be accompanied by an earnest money deposit. The earnest money requirement provision of this rule is contrary to state finance and purchasing policies; therefore, the rule is being amended to eliminate this requirement.

SUMMARY OF THE RULE OR CHANGE: Subsection R657-49-2(4), the definition of "Earnest money" is being deleted. In addition, Section R657-49-4, "Earnest Money Deposit Required", is

being deleted. An earnest money deposit will no longer be required to be submitted with a written proposal.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 23-14-19 and 57-18-2

ANTICIPATED COST OR SAVINGS TO:

- ❖ THE STATE BUDGET: This amendment deletes the procedures and requirements for submitting an earnest money deposit with a proposal for big game conservation easements. Therefore, the Division of Wildlife Resources (DWR) determines that this amendment does not create a cost or savings impact to the state budget or the DWR's budget.
- ❖ LOCAL GOVERNMENTS: None. This amendment does not create any direct cost or savings 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: This amendment deletes the procedures and requirements for submitting an earnest money deposit with a proposal for big game conservation easements. 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: This amendment deletes the procedures and requirements for submitting an earnest money deposit with a proposal for big game conservation easements. The DWR determines that there are no 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
 1594 W NORTH TEMPLE
 SALT LAKE CITY UT 84116-3154, 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 801-538-4745, or by Internet E-mail at dsundell.nrdwr@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 PM on 02/14/2002.

THIS RULE MAY BECOME EFFECTIVE ON: 02/15/2002

AUTHORIZED BY: John Kimball, Director



R657. Natural Resources, Wildlife Resources.**R657-49. Big Game Conservation Easements on Former School Trust Lands.****R657-49-1. Purpose and Authority.**

This rule establishes how the Division of Wildlife Resources shall use Legislative appropriations specified for big game conservation easements on lands disposed of after July 1, 2001, by the School and Institutional Trust Lands Administration.

R657-49-2. Definitions.

(1) "Big game habitat interest" means land and habitat of sufficient big game management value that the Division may work to secure a conservation easement on the property, using funds appropriated specifically for this purpose.

(2)(a) "Conservation easement" means a recorded deed conveying partial property rights, as defined in the Land Conservation Easement Act, Section 57-18-1 through Section 57-18-7.

(b) For the purposes of this rule, conservation easements shall convey or restrict one or more rights, including but not limited to:

- (i) grazing management;
- (ii) range management;
- (iii) timber management;
- (iv) building and development;
- (v) aquatic and terrestrial habitat restoration or improvement;
- (vi) surface disturbance;
- (vii) hunting and fishing;
- (viii) commercial activities;
- (ix) game farming;
- (x) public access; or
- (xi) alternative land uses.

(c) The Division or its designee shall hold the easement.

(3) "Criteria" mean the specific attributes by which the Division will rank competing proposals for the same tract of property, if more than one qualifying proposal is submitted for that tract, which the Division identifies as a priority big game habitat interest.

~~(4) "Earnest money" means a deposit to the Division, by certified check, specific to and physically accompanying a private proposal to the Division, pertaining to big game lands described in this rule. Funds submitted in this manner shall be credited fully toward the proponent's purchase of specified tracts, or fully refunded within 30 days if the Division determines not to proceed with the proposed purchase, except as may be mutually agreed otherwise by the Division and the proponent.~~

~~(2)~~ "Proposal" means a printed document, signed by the proponent, in which the tax paying private party identifies specific tracts they would purchase at a proposed price, if the Division were to secure a big game conservation easement on those tracts.

~~(3)~~(5) "SITLA" means School and Institutional Trust Lands Administration.

R657-49-3. Public Notification and Request for Partnership Proposals.

(1) The Division may seek partnerships with parties that, as the owner of the fee interest in qualifying lands encumbered by a Conservation Easement under this rule, shall be subject to real estate property tax.

(2) A broadly distributed legal notice inviting proposals shall be published in newspapers of general circulation throughout the state.

(3) To further advertise this opportunity to benefit from public funds, the notice may be presented once annually at a Wildlife Board meeting.

R657-49-4[- Earnest Money Deposit Required:

~~(1) All written proposals responding to the legal notice or public meeting, which advertises availability of funds, must be accompanied by an earnest money deposit equivalent to \$15 per acre proposed for acquisition.~~

~~(2)(a) Any earnest deposit money shall be returned within 30 days if the Division rejects the proposal, provided the proponent identified a return address in the original proposal.~~

~~(b) Proposals unaccompanied by sufficient earnest money require no action or response by the Division.~~

R657-49-5]. Division Determination of Big Game Habitat Interests.

The Division shall determine and evaluate as provided in Section R657-49-[7]6, within the Division's budget, big game habitat interests on lands disposed of, or to be disposed of, by SITLA. Nothing in this rule affects any authority held by SITLA or their Board of Trustees.

R657-49-[6]5. Specific Properties - Habitat Council Review – Director's Approval.

(1) In the event the Division determines a big game habitat interest on lands disposed of by SITLA, the Division shall evaluate the potential to use specific appropriations for conservation easements.

(2) The Division may seek Habitat Council review and recommendation prior to the Director's decision of whether to pursue a particular conservation easement.

R657-49-[7]6. Criteria - Basis for Award.

(1) In the event two or more applicants submit qualifying proposals for the same tract holding big game habitat interests, the criteria provided in Subsection (a) through Subsection (f) shall be used to evaluate which, if any, proposal may be accepted:

- (a) demonstrated conservation ethic by proponent;
- (b) demonstrated experience managing rangeland to benefit wildlife;
- (c) ownership of adjacent or adjoining rangelands;
- (d) acceptance of easement restrictions and conditions that offer the greatest habitat protection and enhancement opportunities for big game and other wildlife species;
- (e) acceptance of easement conditions that afford public access to the property for outdoor recreational opportunities;
- (f) cost of acquiring the easement; and
- (g) resource conflicts or benefits associated with surrounding landowners.

R657-49-[8]7. Basis of Valuation – Handling of Payments.

(1) For purposes of this rule, the Division shall buy and sell property on the basis of privately prepared, market-based, self-contained appraisal reports, which meet Uniform Standards of Professional Appraisal Practice guidelines and are subject to professional appraisal review by a second private appraiser.

(2) The Division typically shall not purchase a conservation easement pursuant to this rule at a value in excess of its appraised value, except as that appraised value may be adjusted by the original appraiser following appraisal review. The Wildlife Board may

approve exceptions to this practice in special circumstances where sufficient rationale is provided.

(3) In the event the proponent bids and pays a sum in excess of the negotiated purchase price for the entire fee simple estate, without the conservation easement encumbrance, the excess funds will be transferred to SITLA at closing.

R657-49-[9]8. Reporting of Results.

The Division may report annual partnership program success to the Wildlife Board during the meeting at which public notice is given of the subsequent year's request for proposals.

KEY: wildlife, big game conservation easements

~~November 15, 2001~~ **2002**

23-14-19

57-18-2



Natural Resources, Wildlife Resources

R657-51

Youth Permits

NOTICE OF PROPOSED RULE

(New Rule)

DAR FILE NO.: 24343

FILED: 12/27/2001, 11:06

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule provides the standards and requirements for issuing youth permits through conservation organizations for purposes of introducing and promoting hunting recreation among youth.

SUMMARY OF THE RULE OR CHANGE: The rule provides the standards and requirements for the Division of Wildlife Resources (DWR) to issue one series of youth permits for the 2002 hunting season through conservation organizations. This rule provides provisions for the authorization of youth permits for specific species of wildlife, the application process whereby the conservation organization applies for the opportunity to distribute the youth permits for the purpose of promoting youth participation in hunting recreation, and the procedures, standards and requirements for the conservation organizations to allocate, surrender or transfer the youth permit designation.

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

ANTICIPATED COST OR SAVINGS TO:

❖ **THE STATE BUDGET:** This rule provides the standards and requirements for issuing youth permits through conservation organizations for purposes of introducing and promoting hunting recreation among youth. The Division of Wildlife Resources (DWR) determines that this rule does not create a cost or savings impact to the state budget or the DWR's budget.

❖ **LOCAL GOVERNMENTS:** None. This rule does not create any direct cost or savings 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:** This rule provides the standards and requirements for issuing youth permits through conservation organizations for purposes of introducing and promoting hunting recreation among youth. The rule does not impose any additional requirements on other persons, nor generate a cost or savings impact to other persons.

COMPLIANCE COSTS FOR AFFECTED PERSONS: This rule provides standards, requirements and procedures for conservation organization wishing to participate in the Youth Permits program. There may be a minimal cost to conservation organizations wishing to participate, for the promotion and advertising of this program, and the acceptance and processing of youth applications to designate the youth permit recipient. However, the actual cost is unknown and may vary for each conservation organization. The DWR determines that there are no additional compliance costs associated with this rule.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule does not create an impact on businesses.

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

NATURAL RESOURCES
WILDLIFE RESOURCES
1594 W NORTH TEMPLE
SALT LAKE CITY UT 84116-3154, 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 801-538-4745, or by Internet E-mail at dsundell.nrdwr@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 PM on 02/14/2002.

THIS RULE MAY BECOME EFFECTIVE ON: 02/15/2002

AUTHORIZED BY: John Kimball, Director

R657. Natural Resources, Wildlife Resources.

R657-51. Youth Permits.

R657-51-1. Purpose and Authority.

(1) Under the authority of Sections 23-14-18 and 23-14-19 of the Utah Code, this rule provides the standards and requirements for issuing youth permits.

(2) Youth permits are authorized by the Wildlife Board and issued by the division through conservation organizations for purposes of introducing and promoting hunting recreation among youth.

(3) This rule is intended as authorization to issue one series of youth permits for the 2002 hunting season through conservation organizations.

R657-51-2. Definitions.

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

(2) In addition:

(a) "Conservation organization" means a nonprofit chartered institution, foundation, or association founded for the purpose of promoting wildlife conservation and has established tax exempt status under Internal Revenue Code, Section 501(c)(3), as amended.

(b) "Conservation organization group" means a collective of conservation organizations cooperatively working together under agreement to promote youth participation in hunting recreation and responsible for distributing opportunities to obtain youth permits.

(c) "Youth" means a person that is eligible to hunt and that person is between the ages of 14 and 19, inclusive as of August 1, 2002.

(d) "Youth Permit" means a permit, which allows a youth to hunt:

(i) a specified big game species on a specified unit during the established season for each species as authorized by the Wildlife Board;

(ii) a cougar, bear or turkey on a specified unit during the established season for each species as authorized by the Wildlife Board.

(e) "Youth Permit series" means a package of permits comprised of big game, cougar, bear or turkey as authorized by the Wildlife Board.

R657-51-3. Youth Permit Authorization.

(1) Youth permits may be authorized by the Wildlife Board only for:

(a) buck deer;

(b) bull elk;

(c) buck pronghorn;

(d) bear;

(e) cougar; and

(f) wild turkey.

(2) Youth permits for each species authorized by the Wildlife Board shall be issued to the successful youth applicants selected by the conservation organization group.

(3) A youth permit shall not be issued for any particular species or on any particular unit where so doing will harm the long-term health and viability of the species population on that unit or in the state as a whole.

R657-51-4. Application Process.

(1) Youth permit series are available for distribution through conservation organization groups collectively operating for the purpose of promoting youth participation in hunting recreation.

(2) Conservation organization groups may apply to distribute the opportunity for youth to obtain youth permits by sending an application to the division by February 15.

(3) The application must be submitted to the division to be considered for the year 2002 permits. Each application must include:

(a) the name, address and telephone number of the conservation organization group's representative;

(b) the name of each conservation organization participating in the conservation organization group;

(c) verification of each participating conservation organization's tax exempt status under Internal Revenue Code, Section 501(c)(3), as amended; and

(d) a copy of the agreement between the participating conservation organizations designating the conservation organization group's representative, and defining its mission statement and applicant selection process;

(e) the number of youth permits requested, broken down by species and hunting unit; and

(f) the number and type of youth permits that will be reserved exclusively for Utah residents.

(4) An application which is incomplete or completed incorrectly may be rejected.

(5) The Wildlife Board shall determine the number of youth permits, including the species, season length and hunting unit for each authorized youth permit.

R657-51-5. Allocation of Youth Permits.

(1) The conservation organization group selected to distribute the opportunity to receive youth permits:

(a) shall accept and process applications from youth desiring to obtain a youth permit;

(b) may collect from each person applying for a youth permit a reasonable application fee that does not exceed the direct per capita cost of administering the application process, and in no event shall the fee exceed five dollars;

(c) shall not assess or require any form of financial remuneration, other than the application fee described in Subsection (1)(b), as a prerequisite to submitting an application for a youth permit;

(d) shall accept no more than one youth permit application per youth;

(e) shall establish and administer an equitable and fair process for selecting applicants to receive youth permits;

(f) shall ensure that Utah resident applicants are eligible to receive any of the youth permits, and reserve at least 25% of the youth permits exclusively for Utah resident applicants.

(g) shall submit a written certification to the Division no later than July 15th:

(i) identifying a successful applicant for each youth permit authorized by the Wildlife Board, including each applicant's social security number or hunter identification number, name, address, phone number, date of birth, height, weight, hair color, eye color, gender, proof of hunter education, and drivers license number (if applicable);

(ii) signed by the conservation organization group's representative and each constituent conservation organization in the group verifying that each is satisfied with the selection process used to designate the youth permit recipients, and with the youth identified in the certification to receive youth permits; and

(h) accept applications and conduct the application selection process in accordance with all applicable state, federal and local laws.

(2) Upon receipt of the certification and collection of the appropriate permit fees for each successful applicant, the Division will issue the youth permits to each youth designated in the certification, provided each youth is eligible under Utah law to hunt the species of animal identified on the permit.

(3)(a) Youth permit fees shall be required consistent with the regular fee schedules established by the Wildlife Board and the

Division for an equivalent permit had it been obtained outside the youth permit process.

(b) Nonresident permit fees shall be required of each successful applicant that is not a resident of Utah as defined in Section 23-13-2.

R657-51-6. Surrender or Transfer of Youth Permit Designation.

(1) If a successful applicant designated by the conservation organization group to receive a youth permit already possesses a Utah permit for the same species of animal that year, or is otherwise unable to participate in the hunt and utilize the youth permit, the conservation organization group may designate another youth from the pool of applicants to receive the youth permit, provided the youth permit has not been issued by the division to the first selected person, except as provided in Rule R657-42.

(2) If the youth already possess a Utah permit for the same species, the youth must surrender one of the permits in accordance with Rule R657-42.

(3) Except as otherwise provided in Subsection (1), a person designated by a conservation organization group as the recipient of a youth permit, may not sell or transfer the rights to that designation to any other person.

R657-51-7. Using a Youth Permit.

(1) A youth permit allows the recipient to:

- (a) take only the species and sex printed on the permit; and
- (b) take the species only in the area and during the season specified on the permit.

(2) The recipient of a youth permit is subject to all of the provisions of Title 23, Wildlife Resources Code, and the rules and proclamations of the Wildlife Board for taking and pursuing wildlife.

(3) Bonus points shall not be awarded or utilized when applying for or obtaining youth permits.

(4) Any youth who obtains a youth permit is not subject to the waiting periods set forth in Rules R657-5, R657-6, R657-10 and R657-33.

KEY: wildlife, wildlife permits

2002
23-14-18
23-14-19



**School and Institutional Trust Lands,
Administration
R850-41-1310
Prevention of the Spread of Noxious
Weeds**

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 24333

FILED: 12/20/2001, 16:33

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The cost of controlling noxious weeds is becoming a significant burden on

county governments as well as private landowners. Noxious weeds decrease land values, forage productivity, and the general health of rangeland resources. Several Utah counties have requested that this agency facilitate efforts to stop the spread of noxious weeds by adopting a prevention program similar to that used by federal land management agencies to prohibit the use of livestock feed on trust properties unless it is certified to be free from weed seeds.

SUMMARY OF THE RULE OR CHANGE: The addition of this subsection facilitates the agency's efforts to help stop the spread of noxious weeds on trust lands as well as public and private lands by closing trust lands to the possession, use or storage of hay, straw, or mulch which has not been certified as noxious weed or weed-seed free. The rule also prohibits the possession, use or storage of supplemental grain or grain products not meeting the Utah Commercial Feed Act standards.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsections 53C-1-302(1)(a)(ii), 53C-2-201(1)(a), and 53C-4-101(1)

ANTICIPATED COST OR SAVINGS TO:

- ❖ THE STATE BUDGET: No additional costs are anticipated. Compliance with this rule, however, in the long run should create savings associated with weed control expenditures administered by the Utah Department of Agriculture and Food.
- ❖ LOCAL GOVERNMENTS: Savings to local government budgets are anticipated. The uniform application of this rule will minimize invasive spread of noxious weeds onto properties under local government jurisdiction, thereby reducing weed-control costs.
- ❖ OTHER PERSONS: Minor added costs may be incurred. Costs of acquiring certified weed-free feed is more expensive than non-certified feed. However, compliance costs for affected individuals (ranchers, horse recreationists, and sportsmen) should be minimal at worst because of compliance requirements already imposed by the Bureau of Land Management (BLM) and U.S. Forest Service.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Compliance costs for affected individuals should be minimal at worst because of compliance requirements already imposed by the BLM and U.S. Forest Service. It has been observed, however, that many recreationists and sportsmen need to become more educated on this issue and Trust Lands Administration intends to coordinate with other agencies and organizations that interface with the general public and recreation community so that the provision can be widely understood and implemented.

One area of focus will be the Division of Wildlife Resources' big game wildlife proclamation.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The BLM and U.S. Forest Service have already adopted management provisions within their respective agencies that require the use of certified weed-free feed. The majority of trust lands are scattered within larger tracts of BLM and Forest Service lands. This rule should not create added fiscal burdens on businesses because affected individuals (primarily ranchers) are already

complying with similar rules adopted by the BLM and Forest Service. In fact, the agriculture community supports the rule because it provides management consistency, improves range conditions, and helps prevent noxious weeds from spreading onto adjoining private properties.

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

SCHOOL AND INSTITUTIONAL TRUST LANDS
ADMINISTRATION
Room 500
675 E 500 S
SALT LAKE CITY UT 84102-2818, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Kim S Christy at the above address, by phone at 801-538-5183, by FAX at 801-355-0922, or by Internet E-mail at kchristy.tlmain@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 PM on 02/14/2002.

THIS RULE MAY BECOME EFFECTIVE ON: 02/15/2002

AUTHORIZED BY: Kim S Christy, Assistant Director-Surface

R850. School and Institutional Trust Lands, Administration.

R850-41. Rights-of-Entry.

R850-41-1310. Prevention of the Spread of Noxious Weeds.

1. In an effort to halt the spread of noxious weeds, trust lands are closed to:

(a) the possession, use or storage of hay, straw, or mulch which has not been certified as noxious weed free or noxious weed seed free, and

(b) the possession, use or storage of supplemental grain or grain products which do not meet the requirements of the "Utah Commercial Feed Act" standards.

2. These restrictions do not apply to:

(a) the use of pelletized feed by authorized occupants on trust lands,

(b) persons with Modified Grazing Permits or Agricultural Special Use Leases that provide for the use of these materials, or

(c) persons with authorization pursuant to R850-50-600(6).

KEY: natural resources, management, administrative procedure

~~September 1, 1995~~ **February 15, 2002**

Notice of Continuation December 12, 2001

53C-1-302(1)(a)(ii)

53C-2-201(1)(a)

53C-4-101(1)



Tax Commission, Auditing
R865-6F-28
Enterprise Zone Corporate Franchise
Tax Credits Pursuant to Utah Code
Ann. Sections 9-2-401 through 9-2-414

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 24336

FILED: 12/24/2001, 13:21

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Sections 9-2-401 through 9-2-414 provide various tax credits for business firms that operate in a designated enterprise zone and meet specific conditions.

SUMMARY OF THE RULE OR CHANGE: Amendments delete language to bring the rule up-to-date with statutory amendments; defines terms; provides guidance on how to calculate eligibility for enterprise zone credits for corporate franchise taxpayers.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 9-2-401 through 9-2-414

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: None. Amendments provide guidance to taxpayers on when they qualify for enterprise zone credits. Any revenue impacts were considered as part of the legislative amendments to this tax credit.

❖ LOCAL GOVERNMENTS: None. Amendments provide guidance to taxpayers on when they qualify for enterprise zone credits. Any revenue impacts were considered as part of the legislative amendments to this tax credit.

❖ OTHER PERSONS: None. Amendments provide guidance to taxpayers on when they qualify for enterprise zone credits. Any revenue impacts were considered as part of the legislative amendments to this tax credit.

COMPLIANCE COSTS FOR AFFECTED PERSONS: None. Amendments provide guidance to taxpayers on when they qualify for enterprise zone corporate tax credits.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There are no fiscal impacts on businesses as a result of these clarifying amendments and definitions.

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

TAX COMMISSION
AUDITING
210 N 1950 W
SALT LAKE CITY UT 84134, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Cheryl Lee at the above address, by phone at 801-297-3900, by FAX at 801-297-3919, or by Internet E-mail at clee@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 PM on 02/14/2002.

THIS RULE MAY BECOME EFFECTIVE ON: 02/15/2002

AUTHORIZED BY: Pam Hendrickson, Commissioner

R865. Tax Commission, Auditing.**R865-6F. Franchise Tax.****R865-6F-28. Enterprise Zone Corporate Franchise Tax Credits Pursuant to Utah Code Ann. Sections 9-2-401 through 9-2-414.**

A. Definitions:

~~1. "Qualifying investment" means an investment in plant, equipment, or other depreciable property that is newly purchased or constructed.~~

~~2. "Nonretail capacity" means any position except those involved in selling directly to the public.~~

~~3. "Transfer" pursuant to Section 9-2-411, means the relocation of assets and operations of a business, including personnel, plant, property, and equipment.~~

~~4. "Individuals who, at the time of employment" pursuant to Section 9-2-412, means individuals who, prior to being employed by the manufacturing business claiming the tax credit, were residents of the enterprise zone.~~

1. "Business engaged in retail trade" means a business that makes a retail sale as defined in Section 59-12-102.

2. "Construction work" does not include facility maintenance or repair work.

3. "Employee" means a person who qualifies as an employee under Internal Revenue Service Regulation 26 CFR 31.3401(c)(1).

4. "Public utilities business" means a public utility under Section 54-2-1.

5. "Qualifying investment" does not include an investment made by a member of a unitary group in plant, equipment, or other depreciable property of another member of that unitary group.

6. "Transfer" pursuant to Section 9-2-411, means the relocation of assets and operations of a business, including personnel, plant, property, and equipment.

7. "Unitary group" is as defined in Section 59-7-101.

~~B. [Qualifying investments must meet the following:] For purposes of the investment tax credit, an investment is a qualifying investment if:~~

~~1. The plant, equipment, or other depreciable property for which the credit is [being] taken [must be] is located within the boundaries of the enterprise zone.~~

~~2. [An investment in] The plant, equipment, or other depreciable property [does not qualify] for which the investment tax credit [until] is taken is in a business that [the manufacturing concern] is operational within the enterprise zone.~~

~~3. A purchase of an already existing manufacturing concern located in an enterprise zone does not qualify as an investment in plant, equipment, or other depreciable property.~~

~~4. A qualifying investment may include:]~~

~~[a] The investment in storage facilities to store manufactured goods, raw materials or other items used in the manufacturing process if the storage facility is located in the same enterprise zone as the manufacturing business for which the storage facility is being used.]~~

~~[b] The investment in the retail portion of a primarily manufacturing business if the retail portion is located within the same enterprise zone as the manufacturing portion for which the qualifying investment is being made.]~~

~~[C. The replacement of existing assets does not qualify for the investment tax credit.]~~

~~[D. A business existing in an enterprise zone on the date of its designation shall use the higher of the following in determining its base number of employees to be used in calculating new full-time positions as indicated in Section 9-2-413:]~~

~~1. The number of employees shall be calculated based on the average number of employees reported to the Department of Employment Security for the four quarters prior to the county's designation as an enterprise zone; or]~~

~~2. The number of full-time positions on the date of the county's designation as an enterprise zone.]~~

C. The calculation of the number of full-time positions for purposes of the credits allowed under Section 9-2-413(1)(a) through (d) shall be based on the average number of employees reported to the Department of Workforce Services for the four quarters prior to the area's designation as an enterprise zone.

D. To determine whether at least 51 percent of the business firm's employees reside in the county in which the enterprise zone is located, the business firm shall consider every employee reported to the Department of Workforce Services for the tax year for which an enterprise zone credit is sought.

E. A business firm that conducts non-retail operations and is engaged in retail trade qualifies for the credits under Section 9-2-413 if the retail trade operations constitute a de minimis portion of the business firm's total operations.

F. An employee whose duties include both non-construction work and construction work does not perform a construction job if the construction work performed by the employee constitutes a de minimis portion of the employee's total duties.

~~[G. Corporate franchise tax credits may not be used to offset or reduce the \$100 minimum tax per corporation.~~

~~[H. Records and supporting documentation shall be maintained for three years after the date any returns are filed to support the credits taken. For example: If credits are originally taken in 1988 and unused portions are carried forward to 1992, records to support the original credits taken in 1988 must be maintained for three years after the date the 1992 return is filed.~~

~~[I. Employees must be employed for six months prior to December 31, 1994 to be eligible for the tax credit allowed in Section 9-2-413.]~~

~~[J. If [a county that has been designated] an enterprise zone [loses that] designation is revoked prior to the expiration of the period for which it was [so]-designated, [no] only tax credits [other than carryforward tax credits]-earned [in a]-prior [year in which the county was a designated enterprise zone] to the loss of that designation will be allowed [to any business in that county].~~

[I. Enterprise zone credits claimed on returns with an original due date prior to July 1, 1993, may be carried forward for five years. Enterprise zone credits claimed on returns with an original due date on or after July 1, 1993, may be carried forward for three years.]

KEY: taxation, franchise, historic preservation, trucking industries
~~[March 16, 1999]~~2002
 Notice of Continuation April 10, 1997
 9-2-401 through 9-2-414

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
 TAX COMMISSION
 AUDITING
 210 N 1950 W
 SALT LAKE CITY UT 84134, or
 at the Division of Administrative Rules.

▼ ————— ▼

Tax Commission, Auditing **R865-91-37**

Enterprise Zone Individual Income Tax Credits Pursuant to Utah Code Ann. Sections 9-2-401 through 9-2-414

NOTICE OF PROPOSED RULE

(Amendment)
 DAR FILE No.: 24337
 FILED: 12/24/2001, 15:33

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Sections 9-2-401 through 9-2-414 provide various tax credits for business firms that operate in a designated enterprise zone and meet specific conditions.

SUMMARY OF THE RULE OR CHANGE: Amendments delete language to bring the rule up-to-date with statutory amendments; defines terms; provides guidance on how to calculate eligibility for enterprise zone credits for individual income taxpayers.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: 9-2-401 through 9-2-414

ANTICIPATED COST OR SAVINGS TO:

- ❖ THE STATE BUDGET: None. Amendments provide guidance to taxpayers on when they qualify for enterprise zone credits. Any revenue impacts were considered as part of the legislative amendments to this tax credit.
- ❖ LOCAL GOVERNMENTS: None. Amendments provide guidance to taxpayers on when they qualify for enterprise zone credits. Any revenue impacts were considered as part of the legislative amendments to this tax credit.
- ❖ OTHER PERSONS: None. Amendments provide guidance to taxpayers on when they qualify for enterprise zone credits. Any revenue impacts were considered as part of the legislative amendments to this tax credit.

COMPLIANCE COSTS FOR AFFECTED PERSONS: None. Amendments provide guidance to taxpayers on when they qualify for enterprise zone individual income tax credits.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There are no fiscal impacts on businesses as a result of these amendments which provide definition and guidance to the enterprise zone credit rule.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Cheryl Lee at the above address, by phone at 801-297-3900, by FAX at 801-297-3919, or by Internet E-mail at clee@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 PM on 02/14/2002.

THIS RULE MAY BECOME EFFECTIVE ON: 02/15/2002

AUTHORIZED BY: Pam Hendrickson, Commissioner

R865. Tax Commission, Auditing.

R865-91. Income Tax.

R865-91-37. Enterprise Zone Individual Income Tax Credits Pursuant to Utah Code Ann. Sections 9-2-401 through 9-2-414.

A. Definitions:

~~[—1. "Qualifying investment" means an investment in plant, equipment, or other depreciable property that is newly purchased or constructed.]~~

~~[—2. "Nonretail capacity" means any position except those involved in selling directly to the public.]~~

~~[—3. "Transfer" pursuant to Section 9-2-411, means the relocation of assets and operations of a business, including personnel, plant, property, and equipment.]~~

~~[—4. "Individuals who, at the time of employment" pursuant to Section 9-2-412, means individuals who, prior to being employed by the manufacturing business claiming the tax credit, were residents of the enterprise zone.]~~

1. "Business engaged in retail trade" means a business that makes a retail sale as defined in Section 59-12-102.

2. "Construction work" does not include facility maintenance or repair work.

3. "Employee" means a person who qualifies as an employee under Internal Revenue Service Regulation 26 CFR 31.3401(c)(1).

4. "Public utilities business" means a public utility under Section 54-2-1.

5. "Qualifying investment" does not include an investment made by a member of a unitary group in plant, equipment, or other depreciable property of another member of that unitary group.

6. "Transfer" pursuant to Section 9-2-411, means the relocation of assets and operations of a business, including personnel, plant, property, and equipment.

7. "Unitary group" is as defined in Section 59-7-101.

B. ~~[Qualifying investments must meet the following:]~~For purposes of the investment tax credit, an investment is a qualifying investment if:

1. The plant, equipment, or other depreciable property for which the credit is ~~[being-]taken [must be]~~is located within the boundaries of the enterprise zone.

2. ~~[An investment in]~~The plant, equipment, or other depreciable property ~~[does not qualify]~~ for which the investment tax credit ~~[until]~~ is taken is in a business that ~~[the manufacturing concern]~~ is operational within the enterprise zone.

~~[—3. A purchase of an already existing manufacturing concern located in an enterprise zone does not qualify as an investment in plant, equipment, or other depreciable property.]~~

~~[—4. A qualifying investment may include:]~~

~~[— a) The investment in storage facilities to store manufactured goods, raw materials or other items used in the manufacturing process if the storage facility is located in the same enterprise zone as the manufacturing business for which the storage facility is being used.]~~

~~[— b) The investment in the retail portion of a primarily manufacturing business if the retail portion is located within the same enterprise zone as the manufacturing portion for which the qualifying investment is being made.]~~

~~[— C. The replacement of existing assets does not qualify for the investment tax credit.]~~

~~[— D. A business existing in an enterprise zone on the date of its designation shall use the higher of the following in determining its base number of employees to be used in calculating new full-time positions as indicated in Section 9-2-413:]~~

~~[— 1. The number of employees shall be calculated based on the average number of employees reported to the Department of Employment Security for the four quarters prior to the county's designation as an enterprise zone; or]~~

~~[— 2. The number of full-time positions on the date of the county's designation as an enterprise zone.]~~

C. The calculation of the number of full-time positions for purposes of the credits allowed under Section 9-2-413(1)(a) through (d) shall be based on the average number of employees reported to the Department of Workforce Services for the four quarters prior to the area's designation as an enterprise zone.

D. To determine whether at least 51 percent of the business firm's employees reside in the county in which the enterprise zone is located, the business firm shall consider every employee reported to the Department of Workforce Services for the tax year for which an enterprise zone credit is sought.

E. A business firm that conducts non-retail operations and is engaged in retail trade qualifies for the credits under Section 9-2-413 if the retail trade operations constitute a de minimis portion of the business firm's total operations.

F. An employee whose duties include both non-construction work and construction work does not perform a construction job if the construction work performed by the employee constitutes a de minimis portion of the employee's total duties.

~~[E-]G.~~ Records and supporting documentation shall be maintained for three years after the date any returns are filed to support the credits taken. For example: If credits are originally taken in 1988 and unused portions are carried forward to 1992, records to support the original credits taken in 1988 must be maintained for three years after the date the 1992 return is filed.

~~[— F. Employees must be employed for six months prior to December 31, 1994 to be eligible for the tax credit allowed in Section 9-2-413.]~~

~~[G-]H.~~ If ~~[a county that has been designated]~~ an enterprise zone ~~[loses that]~~ designation is revoked prior to the expiration of the period for which it was ~~[so]~~ designated, ~~[no]~~ only tax credits ~~[other than carryforward tax credits]~~ earned ~~[in a]~~ prior ~~[year in which the county was a designated enterprise zone]~~ to the loss of that

designation will be allowed~~[-to any business in that county.]~~

~~[— H. Enterprise zone credits claimed on returns with an original due date prior to July 1, 1993, may be carried forward for five years. Enterprise zone credits claimed on returns with an original due date on or after July 1, 1993, may be carried forward for three years.]~~

KEY: historic preservation, income tax, tax returns, enterprise zones

[September 5, 2001]2002

Notice of Continuation May 22, 1997

9-2-401 through 9-2-414



Transportation, Motor Carrier **R909-4** Safety Regulations for Tow Truck (Wrecker) Operations - Tow Truck Requirements, Equipment and Operation

NOTICE OF PROPOSED RULE

(Repeal)

DAR FILE NO.: 24335

FILED: 12/21/2001, 16:53

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The contents of the rule are now codified in Rule R909-19.

SUMMARY OF THE RULE OR CHANGE: The rule is repealed since another rule has been implemented in its place.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 72-9-603 and 72-1-102

ANTICIPATED COST OR SAVINGS TO:

- ❖ THE STATE BUDGET: There would be no cost or savings to the state from this repeal since the new rule substitutes for it.
- ❖ LOCAL GOVERNMENTS: This rule does not affect local government; therefore, there is no cost to local government.
- ❖ OTHER PERSONS: This repeal would make no change to the costs or savings to individuals since the new rule substitutes for it.

COMPLIANCE COSTS FOR AFFECTED PERSONS: This repeal would make no change to the costs or savings to individuals since the new rule substitutes for it.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This repeal would make no change to the costs or savings to individuals since the new rule substitutes for it.

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

TRANSPORTATION
MOTOR CARRIER

CALVIN L RAMPTON COMPLEX
4501 S 2700 W
SALT LAKE CITY UT 84119-5998, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

James Beadles at the above address, by phone at 801-965-4168, by FAX at 801-965-4796, or by Internet E-mail at jbeadles@dot.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 PM on 02/14/2002.

THIS RULE MAY BECOME EFFECTIVE ON: 02/15/2002

AUTHORIZED BY: John R Njord, Executive Director

R909. Transportation, Motor Carrier.

~~**[R909 4. Safety Regulations for Tow Truck (Wrecker) Operations—Tow Truck Requirements, Equipment and Operation.**~~

~~**R909 4 1. Authority.**~~

~~—This rule is enacted under the authority of Section 72-9-602.~~

~~**R909 4 2. Applicability.**~~

~~—All tow trucks and employees must comply and observe all rules, regulations, and traffic laws as prescribed by State Law and 49 CFR 350-399 (1996 Edition) hereby incorporated by reference.~~

~~**R909 4 3. Definitions.**~~

~~—In addition to definitions found in CFR Title 49 Parts 350-399, the following definitions are provided:~~

~~—(1) "Tow Truck Service" means the transportation upon the public streets and highways of the State of Utah of damaged, disabled, or abandoned vehicles together with personal effects and/or cargo, towing only. Wrecker service, tow car service, and garage tow truck service are synonymous and shall be termed "Tow Truck Service".~~

~~—(2) "Tow Truck" means a motor vehicle constructed, designed, altered, or equipped primarily for the purpose of towing or removing damaged, disabled, abandoned, seized, or impounded vehicles from a highway or other place by means of a crane, hoist, tow bar, tow line, dolly, tilt bed, or other means.~~

~~—(3) "Gross Vehicle Weight Rating (GVWR)" means the value specified by the manufacturer as the loaded weight of a single vehicle.~~

~~**R909 4 4. Insurance.**~~

~~—All tow trucks will be required to carry at least \$750,000 of insurance. Coverage will remain in effect at all times while company is doing business in the State of Utah.~~

~~**R909 4 5. Inspection and Certification.**~~

~~—(1) All tow trucks shall be inspected and certified by the Utah Department of Transportation.~~

~~—(2) A certificate of inspection shall be completed and a sticker issued, which shall be attached to the vehicle and displayed during the time designated by the Department.~~

~~—(3) Evidence of required insurance coverage shall be shown to the inspector prior to certification.~~

~~—(4) A periodic inspection, at least every two years, will be made by the Department.~~

~~**R909 4 8. Classifications.**~~

~~—(1) Class A—Flatbed (Rollback) Truck~~

~~—(A) Vehicle shall have a minimum manufacturer's GVWR of 10,000 pounds with dual rear wheels.~~

~~—(B) 50 feet of 3/8 cable and a single winch.~~

~~—(2) Class B—Light Duty Tow Truck~~

~~—(A) Tow trucks shall have a minimum manufacturer's GVWR of 10,000 pounds.~~

~~—(B) Boom capacity of not less than four tons.~~

~~—(C) Winch pulling capacity of not less than four tons.~~

~~—(D) All other requirements as specified under Section 9. minimum equipment requirements.~~

~~—(3) Class C—Medium Duty Tow Truck.~~

~~—(A) Tow trucks shall have a minimum manufacturer's GVWR of 20,001 pounds.~~

~~—(B) Boom capacity of not less than ten tons.~~

~~—(C) Winch pulling capacity of not less than ten tons.~~

~~—(D) 200 feet or more of 1/2 inch cable or larger on one spool.~~

~~—(E) Cradle tow plate or tow sling to pick up vehicles. Cradle or tow plate to be equipped with safety chain to the boom.~~

~~—(F) All other requirements as specified under minimum equipment requirements.~~

~~—(4) Class D—Heavy Duty Tow Truck~~

~~—(A) Tow trucks shall have a minimum manufacturer's GVWR of 26,001 pounds with a tandem axle.~~

~~—(B) Boom capacity of not less than 25 tons.~~

~~—(C) Winch pulling capacity of not less than 25 tons.~~

~~—(D) 150 feet or more of 5/8 inch cable or larger on one spool.~~

~~—(E) Pintle hitch.~~

~~—(F) Double boom, so constructed to permit splintering or a large single boom of not less than 30 tons. Each boom to operate independently or jointly.~~

~~—(G) Auxiliary air brake lines and hoses that may be connected with bus, tractor, trailer, or other towed vehicle when required as a matter of public safety.~~

~~—(H) All other requirements as specified under Section 9. minimum equipment requirements.~~

~~**R909 4 9. Minimum Equipment Requirements—(by class).**~~

~~—(1) FLATBED TRUCKS—(Class A)~~

~~—(A) One 10 B- C fire extinguisher~~

~~—(B) Three emergency reflective Triangles~~

~~—(C) Tie down chains or straps~~

~~—(D) Universal Jack~~

~~—(E) Universal Lug wrench or equivalent~~

~~—(F) Two wheel chock blocks~~

~~—(G) Broom/Scoop shovel~~

~~—(H) Debris container—minimum five gallons.~~

~~—(I) Four foot prybar~~

~~—(J) Tool kit with wrenches/cable cutters~~

~~—(K) Portable lights—if truck has tow device~~

~~—(L) Rotating amber warning light system~~

~~—(M) Heavy duty jumper cables~~

~~—(N) Five gallon absorbent material~~

~~—(2) TOW TRUCKS—(Class B)~~

~~—(A) One 10 B- C fire extinguisher~~

- (B) Three emergency reflective Triangles
- (C) (Two) ten foot chains.
- (D) Door and Steering Wheel Ties.
- (E) Universal Jack
- (F) Universal Lug wrench or equivalent
- (G) Two wheel chock blocks
- (H) Broom/Scoop shovel
- (I) Debris container— minimum five gallons.
- (J) Four foot prybar
- (K) Tool kit with wrenches/cable cutters
- (L) Portable lights.
- (M) Dollies
- (N) Rotating amber warning light system
- (O) Heavy duty jumper cables
- (P) (Two) six foot hardwood four x four's
- (Q) Five gallon absorbent material
- (3) MEDIUM AND HEAVY DUTY TRUCKS — (Class C and D)
- (A) (One) Ten B: C fire extinguisher
- (B) Three emergency reflective Triangles
- (C) (Two) Ten foot chains.
- (D) Door and Steering Wheel Ties.
- (E) Broom/Scoop shovel
- (F) Four foot prybar
- (G) Tool kit with wrenches/cable cutters
- (H) Portable lights
- (I) Rotating amber warning light system.

~~R909 4 10. Authorized Service.~~

- (1) Class A and B will not exceed the manufacturer rating of the tow truck, tire/axle rating and in no case exceed a laden of 16,000 pounds.
- (2) Class C will not exceed the manufacturer rating of the tow truck, tire/axle rating and in no case exceed a laden of 50,000 pounds.

~~R909 4 11. Maximum Towing and Storage Rates.~~

- (1) \$80 per hour for towing Class A and B Vehicles;
- (2) \$146 per hour for towing Class C vehicles in excess of 10,000 pounds GVWR;
- (3) \$182 per hour for towing Class D vehicles in excess of 26,000 pounds GVWR;
- (4) \$10 maximum per day, per unit, for outside storage of cars, pickups, and smaller vehicle;
- (5) \$16 maximum per day, per unit, for inside storage of cars, pickups, and smaller vehicles;
- (6) \$25 maximum per day, per unit, for outside storage of semi or trailers;
- (7) \$50 maximum per day, per unit, for inside storage of semi or trailers.

~~KEY: safety regulation, trucks, towing~~**~~February 27, 1998~~****~~Notice of Continuation December 28, 2001~~****~~72-9-602~~****~~72-9-603]~~**

End of the Notices of Proposed Rules Section

Notices of 120-Day (Emergency) Rules Begin on the Following Page.

NOTICES OF 120-DAY (EMERGENCY) RULES

An agency may file a 120-DAY (EMERGENCY) RULE when it finds that the regular rulemaking procedures would:

- (a) cause an imminent peril to the public health, safety, or welfare;
- (b) cause an imminent budget reduction because of budget restraints or federal requirements; or
- (c) place the agency in violation of federal or state law (*Utah Code* Subsection 63-46a-7(1) (2001)).

As with a PROPOSED RULE, a 120-DAY RULE is preceded by a RULE ANALYSIS. This analysis provides summary information about the 120-DAY RULE including the name of a contact person, justification for filing a 120-DAY RULE, anticipated cost impact of the rule, and legal cross-references. A row of dots in the text (· · · · ·) indicates that unaffected text was removed to conserve space.

A 120-DAY RULE is effective at the moment the Division of Administrative Rules receives the filing, or on a later date designated by the agency. A 120-DAY RULE is effective for 120 days or until it is superseded by a permanent rule.

Because 120-DAY RULES are effective immediately, the law does not require a public comment period. However, when an agency files a 120-DAY RULE, it usually files a PROPOSED RULE at the same time, to make the requirements permanent. Comment may be made on the proposed rule. Emergency or 120-DAY RULES are governed by *Utah Code* Section 63-46a-7 (2001); and *Utah Administrative Code* Section R15-4-8.

Alcoholic Beverage Control, Administration **R81-1-19** Emergency Meetings

NOTICE OF 120-DAY (EMERGENCY) RULE

DAR FILE NO.: 24350
FILED: 12/28/2001, 14:14

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The Alcoholic Beverage Control Commission recognizes that there may be times when, due to the necessity of considering matters of an emergency or urgent nature, the public notice provisions of the statute cannot be met. This rule sets forth procedures for providing the "best notice practicable" and conducting an emergency meeting in those situations.

SUMMARY OF THE RULE OR CHANGE: This rule establishes procedures for providing notice of and conducting emergency meetings of the Alcoholic Beverage Commission.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 63-46a-3 and 32A-1-107

ANTICIPATED COST OR SAVINGS TO:

- ❖ **THE STATE BUDGET:** None. This rule only outlines and formalizes procedures for conducting emergency meetings of the Alcoholic Beverage Control Commission.
- ❖ **LOCAL GOVERNMENTS:** None. This rule only affects the Alcoholic Beverage Control Commission. Local governments are not regulated by this or other state administrative rules.
- ❖ **OTHER PERSONS:** None. This rule only outlines and formalizes procedures for conducting emergency meetings of

the Alcoholic Beverage Control Commission. It does not affect outside groups.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Some persons may be financially impacted by this rule. In example, if the emergency meeting is being held to consider approval of a single event permit, the permit applicant would be required to pay application fees and other costs associated with the permit. However, the same costs would apply whether the application is being considered during an emergency meeting or at a regularly scheduled meeting of the Alcoholic Beverage Control Commission.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: None. The rule in itself will have no fiscal impact on businesses.

EMERGENCY RULE REASON AND JUSTIFICATION: REGULAR RULEMAKING PROCEDURES WOULD cause an imminent peril to the public health, safety, or welfare.

The Utah Alcoholic Beverage Control Commission is adopting this rule on an emergency basis. The commission has found and determined that based upon the upcoming Winter Olympic Games of 2002 which commence on February 8, 2002, there is and will continue to be an increasing number of urgent questions involving alcohol regulation and licensing in connection with those Games; that the commission may have the need, prior to being able to adopt this rule through ordinary rulemaking procedure, to conduct electronic and or emergency electronic meetings in accordance with these adopted procedures as required by state law to perform its functions as the state authority over alcohol policy, regulation and licensing for the protection of the public health, peace, safety and welfare, see *Utah Code* Sections 32A-1-103, -104, and -107(1); and that any such emergency or electronic meeting would be held to respond to or avert an imminent peril to public health, safety or welfare, and this emergency

rule allows the commission to so act and not be in violation of state law. See Utah Code Sections 52-4-6 and 52-4-7.8

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

ALCOHOLIC BEVERAGE CONTROL
ADMINISTRATION
1625 S 900 W
SALT LAKE CITY UT 84104-1630, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Sharon Mackay or Earl Dorius at the above address, by phone at 801-977-6800 or 801-977-6800, by FAX at 801-977-6889 or 801-977-6889,
or by Internet E-mail at abcmain.smackay@state.ut.us or abcmain.edorius@state.ut.us

THIS RULE IS EFFECTIVE ON: 12/28/2001

AUTHORIZED BY: Kenneth F Wynn, Director

R81. Alcoholic Beverage Control, Administration.

R81-1. Scope of Definitions, and General Provisions.

R81-1-19. Emergency Meetings.

(1) Purpose. The commission recognizes that there may be times when, due to the necessity of considering matters of an emergency or urgent nature, the public notice provisions of Utah Code Sections 52-4-6(1), (2) and (3) cannot be met. Pursuant to Utah Code Section 52-4-6(5), under such circumstances those notice requirements need not be followed but rather the "best notice practicable" shall be given.

(2) Authority. This rule is enacted under the authority of Sections 63-46a-3 and 32A-1-107.

(3) Procedure. The following procedure shall govern any emergency meeting:

(a) No emergency meeting shall be held unless an attempt has been made to notify all of the members of the commission of the proposed meeting and a majority of the convened commission votes in the affirmative to hold such an emergency meeting.

(b) Public notice of the emergency meeting shall be provided as soon as practicable and shall include at a minimum the following:

(i) Written posting of the agenda and notice at the offices of the department;

(ii) If members of the commission may appear electronically or telephonically, all such notices shall specify the anchor location for the meeting at which interested persons and members of the public may attend, monitor, and participate in the open portions of the meeting;

(iii) Notice to the commissioners shall advise how they may participate telephonically or electronically and be counted as present for all purposes, including the determination of a quorum.

(iv) Written, electronic or telephonic notice shall be provided to at least one newspaper of general circulation within the state and at least one local media correspondent.

(c) If one or more members of the commission appear electronically or telephonically, the procedures governing electronic meetings shall be followed, except for the notice requirements which shall be governed by these provisions.

(d) In convening the meeting and voting in the affirmative to hold such an emergency meeting, the commission shall affirmatively state and find what unforeseen circumstances have rendered it necessary for the commission to hold an emergency meeting to consider matters of an emergency or urgent nature such that the ordinary public notice of meetings provisions of Utah Code Section 52-4-6 could not be followed.

KEY: alcoholic beverages

December 28, 2001

Notice of Continuation December 26, 2001

52-4-6

32A-1-107

32A-1-119(5)(c)

32A-3-103(1)(a)

32A-4-103(1)(a)

32A-4-203(1)(a)

32A-5-103(3)(c)

32A-6-103(2)(a)

32A-7-103(2)(a)

32A-8-103(1)(a)

32A-9-103(1)(a)

32A-10-203(1)(a)

32A-11-103(1)(a)

Alcoholic Beverage Control, Administration **R81-1-20** Electronic Meetings

NOTICE OF 120-DAY (EMERGENCY) RULE

DAR FILE NO.: 24351

FILED: 12/28/2001, 14:14

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule establishes procedures for conducting Alcoholic Beverage Control Commission Meetings by electronic means.

SUMMARY OF THE RULE OR CHANGE: This rule establishes procedures for giving notice of and conducting meetings when one or more commissioner may participate electronically or telephonically.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 52-4-7.8, 63-46a-3, and 32A-1-107

ANTICIPATED COST OR SAVINGS TO:

❖ THE STATE BUDGET: None. This rule only outlines and formalizes procedures for conducting electronic meetings of the Alcoholic Beverage Control Commission.

❖ LOCAL GOVERNMENTS: None. This rule only affects the Alcoholic Beverage Control Commission. Local governments are not regulated by this or other state administrative rules.

❖ OTHER PERSONS: None. This rule only outlines and formalizes procedures for conducting electronic meetings of the Alcoholic Beverage Control Commission. It does not affect outside groups.

COMPLIANCE COSTS FOR AFFECTED PERSONS: None. This rule only establishes procedures for conducting electronic meetings.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule should have no fiscal impact on any businesses.

EMERGENCY RULE REASON AND JUSTIFICATION: REGULAR RULEMAKING PROCEDURES WOULD cause an imminent peril to the public health, safety, or welfare.

The Utah Alcoholic Beverage Control Commission is adopting this rule on an emergency basis. The commission has found and determined that based upon the upcoming Winter Olympic Games of 2002 which commence on February 8, 2002, there is and will continue to be an increasing number of urgent questions involving alcohol regulation and licensing in connection with those Games; that the commission may have the need, prior to being able to adopt this rule through ordinary rulemaking procedure, to conduct electronic and or emergency electronic meetings in accordance with these adopted procedures as required by state law to perform its functions as the state authority over alcohol policy, regulation and licensing for the protection of the public health, peace, safety and welfare, see Utah Code Sections 32A-1-103, -104, and -107(1); and that any such emergency or electronic meeting would be held to respond to or avert an imminent peril to public health, safety or welfare, and this emergency rule allows the commission to so act and not be in violation of state law. See Utah Code Section 52-4-6 and -52-4-7.8

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

ALCOHOLIC BEVERAGE CONTROL
ADMINISTRATION
1625 S 900 W
SALT LAKE CITY UT 84104-1630, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Sharon Mackay or Earl Dorius at the above address, by phone at 801-977-6800 or 801-977-6800, by FAX at 801-977-6889 or 801-977-6889,
or by Internet E-mail at abcmain.smackay@state.ut.us or abcmain.edorius@state.ut.us

THIS RULE IS EFFECTIVE ON: 12/28/2001

AUTHORIZED BY: Kenneth F Wynn, Director

R81. Alcoholic Beverage Control, Administration.

R81-1. Scope of Definitions, and General Provisions.

R81-1-20. Electronic Meetings.

(1) Purpose. Utah Code Section 52-4-7.8 requires any public body that convenes or conducts an electronic meeting to establish written procedures for such meetings. This rule establishes procedures for conducting commission meetings by electronic means.

(2) Authority. This rule is enacted under the authority of Sections 52-4-7.8, 63-46a-3 and 32A-1-107.

(3) Procedure. The following provisions govern any meeting at which one or more commissioners appear telephonically or electronically pursuant to Utah Code Section 52-4-7.8:

(a) If one or more members of the commission may participate electronically or telephonically, public notices of the meeting shall so indicate. In addition, the notice shall specify the anchor location where the members of the commission not participating electronically or telephonically will be meeting and where interested persons and the public may attend, monitor, and participate in the open portions of the meeting.

(b) Notice of the meeting and the agenda shall be posted at the anchor location. Written or electronic notice shall also be provided to at least one newspaper of general circulation within the state and to a local media correspondent. These notices shall be provided at least 24 hours before the meetings.

(c) Notice of the possibility of an electronic meeting shall be given to the commissioners at least 24 hours before the meeting. In addition, the notice shall describe how a commissioner may participate in the meeting electronically or telephonically.

(d) When notice is given of the possibility of a commissioner appearing electronically or telephonically, any commissioner may do so and shall be counted as present for purposes of a quorum and may fully participate and vote on any matter coming before the commission. At the commencement of the meeting, or at such time as any commissioner initially appears electronically or telephonically, the chair shall identify for the record all those who are appearing telephonically or electronically. Votes by members of the commission who are not at the physical location of the meeting shall be confirmed by the chair.

(e) The anchor location, unless otherwise designated in the notice, shall be at the offices of the Department of Alcoholic Beverage Control, 1625 South 900 West, Salt Lake City, Utah. The anchor location is the physical location from which the electronic meeting originates or from which the participants are connected. In addition, the anchor location shall have space and facilities so that interested persons and the public may attend, monitor, and participate in the open portions of the meeting.

KEY: alcoholic beverages

December 28, 2001

Notice of Continuation December 26, 2001

52-4-7.8

32A-1-107

32A-1-119(5)(c)

32A-3-103(1)(a)

32A-4-103(1)(a)

32A-4-203(1)(a)

32A-5-103(3)(c)

32A-6-103(2)(a)

32A-7-103(2)(a)

32A-8-103(1)(a)
 32A-9-103(1)(a)
 32A-10-203(1)(a)
 32A-11-103(1)(a)

▼ ————— ▼

**Commerce, Occupational and
 Professional Licensing**
R156-67-306
Exemptions from Licensure

NOTICE OF 120-DAY (EMERGENCY) RULE

DAR FILE No.: 24330
 FILED: 12/20/2001, 12:52

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: With the upcoming potential risks associated with Olympic events and for safety and security purposes, it seems prudent to allow access and training for the Mark I automatic injector antidote kits for noncertified personnel such as police, firemen, public works employees and security personnel.

SUMMARY OF THE RULE OR CHANGE: In Section R156-67-306, paragraph (4), amendments are being proposed so that nonlicensed public safety individuals, such as those identified above, who do not have emergency medical technician (EMT) certification and who may be required to respond to potential threats to public safety and may need to inject themselves and their "buddies" during a time of actual contamination of the environment with toxic gases, are exempted from licensure under the Medical Practice Act. The Mark I automatic injector antidote kits are provided to such individuals by the Utah State Department of Health. Training for the use of the automatic injectors is also provided through the Utah State Department of Health.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 58-67-101, and Subsections 58-1-106(1) and 58-1-202(1)

ANTICIPATED COST OR SAVINGS TO:

❖ **THE STATE BUDGET:** The Federal Government has provided funding to the Department of Health for approximately 18,000 units of the Mark I automatic injector antidote kits to be available during Olympic events. The Division anticipates only minimal costs, less than \$50, to reprint the rule once these proposed amendments are made effective. Any costs incurred will be absorbed in the Division's current budget. A process is already in place with the Department of Health for the training of nonlicensed public safety individuals and training is currently being provided to EMTs on the use of the antidote injectors. Additional expenses may be incurred by state agencies for the training of new responders. The training course offered through the Department of Health costs approximately \$75 per person. This includes the instructor's time and cost of materials. However, the

Department of Health is also conducting a "train the trainer" program for various companies and government agencies so that their employees may be trained in the use of the injector antidote kits without having to attend the Department of Health training. The Division has no information with respect to how many persons will need to complete the training or how many responders have been designated in order to determine an aggregate cost.

❖ **LOCAL GOVERNMENTS:** A process is already in place with the Department of Health for the training of nonlicensed public safety individuals and training is currently being provided to EMTs on the use of the antidote injectors. Additional expenses may be incurred by local governments for the training of new responders. The training course offered through the Department of Health costs approximately \$75 per person. This includes the instructor's time and cost of materials. However, the Department of Health is also conducting a "train the trainer" program for various companies and government agencies so that their employees may be trained in the use of the injector antidote kits without having to attend the Department of Health training. The Division has no information with respect to how many persons will need to complete the training or how many responders have been designated in order to determine an aggregate cost.

❖ **OTHER PERSONS:** The Division anticipates there will be no costs or savings associated with this rule filing to either the regulated profession (physicians/surgeons) or the general public since the proposed amendment only applies to nonlicensed public safety individuals who are designated by appropriate city, county or state officials as responders. Expenses may be incurred by companies or persons who have been designated by the appropriate city, county or state officials as responders to complete the injector antidote kit training course offered through the Department of Health. The training course offered through the Department of Health costs approximately \$75 per person. This includes the instructor's time and cost of materials. However, the Department of Health is also conducting a "train the trainer" program for various companies and government agencies so that their employees may be trained in the use of the injector antidote kits without having to attend the Department of Health training. The Division has no information with respect to how many persons will need to complete the training or how many responders have been designated in order to determine an aggregate cost.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Expenses may be incurred by companies or persons who have been designated by the appropriate city, county or state officials as responders to complete the injector antidote kit training course offered through the Department of Health. The training course offered through the Department of Health costs approximately \$75 per person. This includes the instructor's time and cost of materials. However, the Department of Health is also conducting a "train the trainer" program for various companies and government agencies so that their employees may be trained in the use of the injector antidote kits without having to attend the Department of Health training.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: The purpose of this rule change is to enhance public safety, and to reduce risks to individuals who respond to potential threats to the public safety. With this rule change, properly trained individuals designated by city, county or state officials may carry the Mark I automatic injector antidote kits and may administer the antidote to themselves and their response buddies without having to obtain a physician's license. This rule does not appear to carry any negative impact to businesses. However, there may be a negative business impact to the community at large if the rule is not passed. Without this rule change, there may be insufficient emergency personnel who can legally respond to public safety emergencies, without putting themselves at risk of exposure to potential toxic gases. Ted Boyer, Executive Director.

EMERGENCY RULE REASON AND JUSTIFICATION: REGULAR RULEMAKING PROCEDURES WOULD cause an imminent peril to the public health, safety, or welfare.

If the Division proceeded with regular rulemaking, this exemption would not be in place in time for the 2002 Winter Olympics which are being held in Utah. With potential risks associated with the Olympic events and for safety and security purposes, it is imperative to allow access and training for the Mark I automatic injector antidote kits for non-certified personnel prior to the start of the Olympic games.

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

COMMERCE
OCCUPATIONAL AND PROFESSIONAL LICENSING
HEBER M WELLS BLDG
160 E 300 S
SALT LAKE CITY UT 84111-2316, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Diana Baker at the above address, by phone at 801-530-6179, by FAX at 801-530-6511, or by Internet E-mail at dbaker@br.state.ut.us

THIS RULE IS EFFECTIVE ON: 01/01/2002

AUTHORIZED BY: J. Craig Jackson, Director

**R156. Commerce, Occupational and Professional Licensing.
R156-67. Utah Medical Practice Act Rules.
R156-67-306. Exemptions from Licensure.**

In accordance with Subsection 58-1-307(1), exemptions from licensure as a physician and surgeon include the following:

(1) any physician excepted from licensure, who engages in prescribing, dispensing, or administering a controlled substance outside of a hospital, shall be required to apply for and obtain a Utah Controlled Substance License as a condition precedent to them administering, dispensing or prescribing a controlled substance;

(2) any physician appointed to a graduate medical education or training program which is not accredited by the ACGME, for which exception from licensure is requested under the provisions of

Subsection 58-1-307(1)(c) shall apply for registration with and receive approval of the division and board as a condition precedent to that individual engaging in any activity included in the practice of medicine;

(3) any person engaged in a competent public screening program making measures of physiologic conditions including serum cholesterol, blood sugar and blood pressure, shall be exempt from licensure and shall not be considered to be engaged in the practice of medicine conditioned upon compliance with all of the following:

(a) all instruments or devices used in making measures are approved by the Food and Drug Administration of the U.S. Department of Health, to the extent an approval is required, and the instruments and devices are used in accordance with those approvals;

(b) the facilities and testing protocol meet any standards or personnel training requirements of the Utah Department of Health;

(c) unlicensed personnel shall not interpret results of measures or tests nor shall they make any recommendation with respect to treatment or the purchase of any product;

(d) licensed personnel shall act within the lawful scope of practice of their license classification;

(e) unlicensed personnel shall conform to the referral and follow-up protocol approved by the Utah Department of Health for each measure or test; and

(f) information provided to those persons measured or tested for the purpose of permitting them to interpret their own test results shall be only that approved by the Utah Department of Health;

(4) non-licensed public ~~safety individuals~~~~[officials]~~ not having emergency medical technician (EMT) certification who are designated by appropriate city, county, or state officials as ~~first~~ responders may be issued and allowed to carry the Mark I automatic ~~injector~~ antidote ~~[injector]~~ kits and may administer the antidote to himself or his designated first response "buddy". Prior to being issued the kits, the ~~certified first~~ designated responders ~~[would]~~ must successfully complete a course on the use of auto-injectors~~[the Army/FEMA course on the "Use of Auto-Injectors by Civilian Emergency Medical Personnel"]~~. The kits ~~would~~ may be issued to the responder only by his employing ~~[government]~~ agency and procured through the Utah Department of Health~~[Division of Comprehensive Emergency Management]~~. ~~No other individuals, whether licensed or not, shall prescribe or issue these antidote kits.~~

KEY: physicians, licensing

~~[November 1, 2001]~~ **2002**

Notice of Continuation July 19, 2001

58-67-101

58-1-106(1)

58-1-202(1)



Health, Health Care Financing,
Coverage and Reimbursement Policy

R414-63

Medicaid Policy for Pharmacy
Reimbursement

NOTICE OF 120-DAY (EMERGENCY) RULE

DAR FILE NO.: 24357
 FILED: 12/31/2001, 17:04

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule creates cost-savings in the Medicaid budget to accommodate a shortfall in state revenues. The savings will be the result of better utilization of the prescription benefit by Medicaid recipients. Recipients will have an incentive to minimize prescriptions where possible. The rule excludes certain types of drugs and provides for a hardship exclusion.

SUMMARY OF THE RULE OR CHANGE: A new subsection establishes a limit of seven prescriptions per calendar month per Medicaid client. Pregnant women, children under age 21 and most persons with a chronic or life-threatening condition will not be subject to the limitation. There is a medical exclusion if an assessment determines that it is medically necessary. For these hardships, any exceptions above the seven-prescription limit are to be filled with the least costly drug available. A costly covered outpatient drug may be excluded as long as the excluded drug does not have a significant, clinically meaningful therapeutic advantage over a less costly product. Eleven other states have had a similar limit for several years. Utilization of the pharmacy benefit has been reduced in those states.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 26-18-3

ANTICIPATED COST OR SAVINGS TO:

❖ **THE STATE BUDGET:** This provision will save an estimated \$1,500,000 annually in the General Fund. Up to \$3,500,000 in federal match to the state budget will be lost.

❖ **LOCAL GOVERNMENTS:** There is no impact because no local government entities will be responsible for administering this provision.

❖ **OTHER PERSONS:** Medicaid clients will have an opportunity to apply for a medical exception in unusual circumstances, but some that do not fit that category may still choose to pay for non-excluded prescriptions beyond the seven prescription limit. There is no way of knowing how many will so choose or how much they will pay. Long-term care facilities may have to provide some pharmacy products if the individual cannot pay for a needed prescription. In most instances, the cost incurred by the nursing home recipient will be deducted from his/her spend-down requirement and therefore the impact on long-term care facilities is thought to be minimal. Impact on pharmacies should be minimal.

COMPLIANCE COSTS FOR AFFECTED PERSONS: In most cases, Medicaid recipients will have an incentive to better manage their prescription utilization. Review of prescription patterns by Medicaid staff suggest that the majority of Medicaid recipients that currently receive more than seven non-excluded prescriptions per month can reduce those prescriptions to the seven limit without an adverse impact on their health care. Medicaid does not believe that a significant number of Medicaid recipients will be forced to pay for prescriptions and therefore the cost to Medicaid recipients

should be minimal, while the savings to the Medicaid program will be significant. Long-term care facilities may incur minimal additional costs as they use a resident's own assets for spend-down if more drugs are needed in a particular month.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: Budget shortfalls necessitate significant reductions in Medicaid expenditures. The cost of the pharmacy benefit has been growing exponentially. This rule should allow Medicaid to curb inappropriate over-utilization of this benefit by some recipients, without a significant adverse impact on the majority of Medicaid recipients. Through the exceptions for certain conditions and unusual medical conditions, special circumstances can be addressed. Fiscal impact on business appears to be minimal.
 Rod L. Betit

EMERGENCY RULE REASON AND JUSTIFICATION: REGULAR RULEMAKING PROCEDURES WOULD cause an imminent budget reduction because of budget restraints or federal requirements.

This rule is necessary to create savings in the Medicaid budget to help reduce the FY 2002 revenue shortfall.

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

HEALTH
 HEALTH CARE FINANCING, COVERAGE AND
 REIMBURSEMENT POLICY
 CANNON HEALTH BLDG
 288 N 1460 W
 SALT LAKE CITY UT 84116-3231, or
 at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Raedell Ashley at the above address, by phone at 801-538-6495, by FAX at 801-538-6099, or by Internet E-mail at rashley@doh.state.ut.us

THIS RULE IS EFFECTIVE ON: 01/01/2002

AUTHORIZED BY: Rod Betit, Executive Director

R414. Health, Health Care Financing, Coverage and Reimbursement Policy.**R414-63. Medicaid Policy for Pharmacy Reimbursement.****R414-63-1. Introduction and Authority.**

(1) The Medicaid Policy for reimbursement of dispensing fees for pharmacy providers was achieved through negotiations with representatives of the pharmacy industry.

(2) This rule is authorized under Chapter 26-18.

R414-63-2. Pharmacy Reimbursement.

For each prescription filled for a Medicaid recipient the pharmacy provider shall receive:

(1) the average wholesale price for the medication minus 12%; and

(2) a dispensing fee in the amount of \$3.90 for urban providers and \$4.40 for rural providers.

(3) The Department shall reimburse for up to seven prescriptions in any calendar month. A single prescription that is filled multiple times in the month is one prescription.

(4) The limitation on prescription reimbursement in (3) above does not apply to pregnant women or children under age 21.

(5) The Department may grant a medical exception to the seven (7) prescription limitation in (3) above.

(a) No later than the 10th day of each month, a Medicaid recipient may request an exception to the limit in (3) above by filing a written request with the Department or with their HMO, if applicable. If the request is filed with their HMO, the HMO shall notify the Department of the exception request within 24 hours of receipt.

(b) The Department shall reimburse for all medically necessary prescriptions pending agency action on the application for an exception, unless the recipient fails to cooperate with the assessment.

(6) For assessments conducted by an HMO, the assessment shall be completed and sent to the Department within a reasonable time as prescribed by the Department. The assessment shall include the recommendation of the HMO on whether the exception should be granted. If the recommendation supports the exception, the HMO shall set forth alternatives that were considered and justification for why the exception is cost-effective and medically necessary.

(7) The Department shall conduct the assessment, with input from the recipient's primary care physician, if the recipient is not enrolled in an HMO.

(8) The Department may grant the exception if a preponderance of the evidence establishes that the recipient's medical needs cannot reasonably be met unless the Department agrees to pay for more than seven (7) prescriptions in any calendar month. The Department's grant of a waiver may be conditioned on the recipient agreeing to use the most cost effective method of meeting the medical need, including the use of generic rather than brand name drugs.

(9) In determining whether a recipient shall be given an exception to the seven (7) prescription limit, the Department will give special consideration to drugs prescribed for chronic and life-threatening conditions, such as cancer, diabetes, congestive heart failure, and HIV.

**KEY: medicaid
January 1, 2002
26-18**



Public Safety, Administration

R698-100

Possession of Firearms, Ammunition, Dangerous Weapons, Explosives, Chemical and Incendiary Devices in Olympic Venue Secure Areas

NOTICE OF 120-DAY (EMERGENCY) RULE

DAR FILE NO.: 24332
FILED: 12/20/2001, 13:30

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of the rule is to (a) designate the locations of secure areas within Olympic venues where possession of a firearm, ammunition, dangerous weapon, or explosive, chemical or incendiary device is prohibited between January 25, 2002, and April 1, 2002; (b) provide notice; and (c) designate persons authorized to possess the items mentioned in letter (a) of this paragraph.

SUMMARY OF THE RULE OR CHANGE: This rule change would delete Subsection R698-100-3.D.(4) from the rule

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 53-12-301.1

ANTICIPATED COST OR SAVINGS TO:

❖ **THE STATE BUDGET:** This rule will not have any fiscal impact on the state budget because it will not cost or save the state anything to forego regulating weapons outside Olympic venues.

❖ **LOCAL GOVERNMENTS:** This rule will not have any fiscal impact on local government because it does not apply to local government.

❖ **OTHER PERSONS:** This rule will not have any fiscal impact on other persons because it does not apply to other persons.

COMPLIANCE COSTS FOR AFFECTED PERSONS: There are no compliance costs for affected persons because it does not require them to do anything in connection with this rule.

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

EMERGENCY RULE REASON AND JUSTIFICATION: REGULAR RULEMAKING PROCEDURES WOULD cause an imminent peril to the public health, safety, or welfare, and place the agency in violation of federal or state law.

Subsection R698-100-3.D.(4) of the rule allows for the regulation of weapons outside Olympic venues. The statute allows the regulation of weapons only inside, not outside, Olympic venues. Therefore, the provision allowing for the regulation of weapons outside Olympic venues is illegal and would place the agency in violation of state law. Promulgating a rule subject to legal challenge would subject the rule to potential litigation before and during the Olympics, thereby causing imminent peril to the public health, safety, and welfare.

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

PUBLIC SAFETY
ADMINISTRATION
CALVIN L RAMPTON COMPLEX
4501 S 2700 W 1ST FLR
SALT LAKE CITY UT 84119-5994, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Ken Frank at the above address, by phone at 801-965-4530,

by FAX at 801-965-4756, or by Internet E-mail at kfrank@dps.state.ut.us

THIS RULE IS EFFECTIVE ON: 12/20/2001

AUTHORIZED BY: Robert Flowers, Commissioner

R698. Public Safety, Administration.

R698-100. Possession of Firearms, Ammunition, Dangerous Weapons, Explosives, Chemical and Incendiary Devices in Olympic Venue Secure Areas.

R698-100-3. Definitions.

A. "Olympic Games" means the XIXth Olympic Winter Games and the VIIIth Paralympic Winter Games. Reference to "Olympic" or "Olympics" is intended to include the XIXth Olympic Winter Games and the VIIIth Paralympic Winter Games.

B. "Olympic venue" means:

(1) A specific location that is:

(a) secured by a perimeter and public access is controlled; and
(b) where spectators view Olympic events.

(2) A specific location designated for media.

(3) A specific location designated as official athlete housing not open to the general public.

C. "Olympic events" means competitions, practice sessions, performances, celebrations and other events which for public safety or law enforcement purposes are designated by the commander as connected with the Olympics or Olympic related whether recognized by the organizer as Olympic events or not.

D. "Olympic venue secure area" means:

(1) A specific location secured by a perimeter, where public access is controlled and where spectators view Olympic events

where the possession of a firearm, ammunition, dangerous weapon, or explosive, chemical, or incendiary device is prohibited between January 25, 2002 and April 1, 2002. This includes areas designated as practice venues, performance or celebrations sites in connection with the Olympic Games, which are secured by a perimeter, where public access is controlled and where spectators are allowed to view practices, or performances, or celebrations or other Olympic related events.

(2) A specific location designated for media where the possession of a firearm, ammunition, dangerous weapon, or explosive, chemical or incendiary device is prohibited between January 25, 2002 and April 1, 2002.

(3) A specific location designated as official athlete housing not open to the general public where the possession of a firearm, ammunition, dangerous weapon, or explosive, chemical, or incendiary device is prohibited between January 25, 2002 and April 1, 2002.

~~[(4) An area outside the secure perimeter extending for a reasonable distance necessary to ensure the security and safety of the venue, its access points and access control equipment and personnel, and participants, spectators, officials and others with authorized access to the venue.]~~

E. "Explosive, chemical or incendiary device" is defined in Section 76-10-306(1)(a).

F. "Firearm" is defined in Section 76-10-501(9)(a).

G. "Dangerous weapon" is defined in Section 76-10-501(5)(a).

**KEY: Olympics, security, firearm
December 20, 2001
53-12-301.1**



End of the Notices of 120-Day (Emergency) 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 (1998).

Alcoholic Beverage Control, Administration **R81-1** Scope of Definitions, and General Provisions

FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE No.: 24340
FILED: 12/26/2001, 15:26

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 32A-1-107 requires the Alcoholic Beverage Control Commission to set policies and adopt rules for the sale, storage, and distribution of alcoholic beverages within the state of Utah.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: None received.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule provides definitions and general provisions for the sale, storage, and distribution of alcoholic beverages within the state of Utah and should be continued. In reviewing this rule, it was discovered that there may be amendments required. Any amendments will be submitted as soon as possible.

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

ALCOHOLIC BEVERAGE CONTROL
ADMINISTRATION
1625 S 900 W
SALT LAKE CITY UT 84104-1630, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Sharon Mackay or Earl Dorius at the above address, by phone at 801-977-6800 or 801-977-6800, by FAX at 801-977-6889 or 801-977-6889,
or by Internet E-mail at abcmain.smackay@state.ut.us or abcmain.edorius@state.ut.us

AUTHORIZED BY: Kenneth F Wynn, Director

EFFECTIVE: 12/26/2001



Alcoholic Beverage Control, Administration **R81-3** Package Agencies

FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE No.: 24319
FILED: 12/18/2001, 11:33

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 32A-1-107 requires the Alcoholic Beverage Control Commission to set policies and adopt rules for the sale, storage, and distribution of alcoholic beverages within the state of Utah.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: None received.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule provides operational guidelines and restrictions for all contracted package agencies within the state of Utah and should be continued. In reviewing this rule, it was discovered that there

may be minor amendments required. Amendments will be submitted as soon as possible.

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

ALCOHOLIC BEVERAGE CONTROL
ADMINISTRATION
1625 S 900 W
SALT LAKE CITY UT 84104-1630, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Earl Dorius at the above address, by phone at 801-977-6800,
by FAX at 801-977-6889, or by Internet E-mail at
abcmain.edorius@state.ut.us

AUTHORIZED BY: Kenneth F Wynn, Director

EFFECTIVE: 12/18/2001



**Alcoholic Beverage Control,
Administration
R81-4A
Restaurants**

**FIVE YEAR NOTICE OF REVIEW AND
STATEMENT OF CONTINUATION**

DAR FILE No.: 24320
FILED: 12/18/2001, 12:12

**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 32A-1-107 requires the Alcoholic Beverage Control Commission to set policies and adopt rules for the sale, storage, and distribution of alcoholic beverages within the state of Utah.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: None received.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule must be continued to maintain licensing guidelines and operational restrictions for the sale of liquor and beer in licensed restaurants within the state of Utah. In reviewing this rule, it was discovered that there may be some minor amendments required. Amendments will be made as soon as possible.

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

ALCOHOLIC BEVERAGE CONTROL
ADMINISTRATION

1625 S 900 W
SALT LAKE CITY UT 84104-1630, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Earl Dorius at the above address, by phone at 801-977-6800,
by FAX at 801-977-6889, or by Internet E-mail at
abcmain.edorius@state.ut.us

AUTHORIZED BY: Kenneth F Wynn, Director

EFFECTIVE: 12/18/2001



**Alcoholic Beverage Control,
Administration
R81-5
Private Clubs**

**FIVE YEAR NOTICE OF REVIEW AND
STATEMENT OF CONTINUATION**

DAR FILE No.: 24324
FILED: 12/18/2001, 13:54

**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 32A-1-107 requires the Alcoholic Beverage Control Commission to set policies and adopt rules for the sale, storage, and distribution of alcoholic beverages within the state of Utah.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: None received.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: The continuation of this rule is necessary to maintain licensing guidelines and operational restrictions for the sale of liquor and beer in licensed private clubs within the state of Utah.

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

ALCOHOLIC BEVERAGE CONTROL
ADMINISTRATION
1625 S 900 W
SALT LAKE CITY UT 84104-1630, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Earl Dorius at the above address, by phone at 801-977-6800,
by FAX at 801-977-6889, or by Internet E-mail at
abcmain.edorius@state.ut.us

AUTHORIZED BY: Kenneth F Wynn, Director

EFFECTIVE: 12/18/2001



**Alcoholic Beverage Control,
Administration
R81-6
Special Use Permits**

**FIVE YEAR NOTICE OF REVIEW AND
STATEMENT OF CONTINUATION**

DAR FILE No.: 24325
FILED: 12/18/2001, 14:08

**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 32A-1-107 requires the Alcoholic Beverage Control Commission to set policies and adopt rules for the sale, storage, and distribution of alcoholic beverages within the state of Utah.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: None received.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: Continuation of this rule is necessary to maintain licensing guidelines and operational restrictions for those holding special use permits within the state of Utah. In reviewing this rule, it was discovered that some minor amendments may be required. Amendments will be filed as soon as possible.

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

ALCOHOLIC BEVERAGE CONTROL
ADMINISTRATION
1625 S 900 W
SALT LAKE CITY UT 84104-1630, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Earl Dorius at the above address, by phone at 801-977-6800, by FAX at 801-977-6889, or by Internet E-mail at abcmain.edorius@state.ut.us

AUTHORIZED BY: Kenneth F Wynn, Director

EFFECTIVE: 12/18/2001



**Alcoholic Beverage Control,
Administration
R81-7
Single Event Permit**

**FIVE YEAR NOTICE OF REVIEW AND
STATEMENT OF CONTINUATION**

DAR FILE No.: 24326
FILED: 12/18/2001, 14:42

**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 32A-1-107 requires the Alcoholic Beverage Control Commission to set policies and adopt rules for the sale, storage, and distribution of alcoholic beverages within the state of Utah.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: None received.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: Continuation of this rule is necessary to maintain the licensing guidelines and operational restrictions of those holding single event permits.

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

ALCOHOLIC BEVERAGE CONTROL
ADMINISTRATION
1625 S 900 W
SALT LAKE CITY UT 84104-1630, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Earl Dorius at the above address, by phone at 801-977-6800, by FAX at 801-977-6889, or by Internet E-mail at abcmain.edorius@state.ut.us

AUTHORIZED BY: Kenneth F Wynn, Director

EFFECTIVE: 12/18/2001



**Alcoholic Beverage Control,
Administration
R81-8
Manufacturers (Distillery, Winery,
Brewery)**

FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE No.: 24327
FILED: 12/18/2001, 14:54

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 32A-1-107 requires the Alcoholic Beverage Control Commission to set policies and adopt rules for the sale, storage, and distribution of alcoholic beverages within the state of Utah.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: None received.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: Continuation of this rule is necessary to maintain the licensing guidelines for manufacturers of alcoholic beverages in the state of Utah and for brewers located outside Utah. After reviewing this rule, it was discovered that some amendments may be required. Amendments will be filed as soon as possible.

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

ALCOHOLIC BEVERAGE CONTROL
ADMINISTRATION
1625 S 900 W
SALT LAKE CITY UT 84104-1630, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Earl Dorius at the above address, by phone at 801-977-6800, by FAX at 801-977-6889, or by Internet E-mail at abcmain.edorius@state.ut.us

AUTHORIZED BY: Kenneth F Wynn, Director

EFFECTIVE: 12/18/2001



**Alcoholic Beverage Control,
Administration
R81-9
Liquor Warehousing License**

FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE No.: 24328
FILED: 12/18/2001, 15:07

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 32A-1-107 requires the Alcoholic Beverage Control Commission to set policies and adopt rules for the sale, storage, and distribution of alcoholic beverages within the state of Utah.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: None received.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: Continuation of this rule is necessary to maintain the licensing guidelines and operational restrictions for liquor warehouses.

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

ALCOHOLIC BEVERAGE CONTROL
ADMINISTRATION
1625 S 900 W
SALT LAKE CITY UT 84104-1630, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Earl Dorius at the above address, by phone at 801-977-6800, by FAX at 801-977-6889, or by Internet E-mail at abcmain.edorius@state.ut.us

AUTHORIZED BY: Kenneth F Wynn, Director

EFFECTIVE: 12/18/2001



**Alcoholic Beverage Control,
Administration
R81-11
Beer Wholesalers**

FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE No.: 24338
FILED: 12/26/2001, 15:07

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 32A-1-107 requires the Alcoholic Beverage Control Commission to set policies and adopt rules for the sale, storage, and distribution of alcoholic beverages within the state of Utah.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: None received.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule provides licensing guidelines and operational restrictions for beer wholesalers within the state of Utah and should be continued. In reviewing this rule, it was discovered that there may be minor amendments required. Amendments will be submitted as soon as possible.

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

ALCOHOLIC BEVERAGE CONTROL
ADMINISTRATION
1625 S 900 W
SALT LAKE CITY UT 84104-1630, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO: Earl Dorius or Sharon Mackay at the above address, by phone at 801-977-6800 or 801-977-6800, by FAX at 801-977-6889 or 801-977-6889, or by Internet E-mail at abcmain.edorius@state.ut.us or abcmain.smackay@state.ut.us

AUTHORIZED BY: Kenneth F Wynn, Director

EFFECTIVE: 12/26/2001



**Alcoholic Beverage Control,
Administration
R81-12
Manufacturer Representative (Distillery,
Winery, Brewery)**

**FIVE YEAR NOTICE OF REVIEW AND
STATEMENT OF CONTINUATION**

DAR FILE No.: 24339
FILED: 12/26/2001, 15:17

**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 32a-1-107 requires the Alcoholic Beverage Control Commission to set policies and adopt rules for the sale, storage, and distribution of alcoholic beverages within the state of Utah.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: None received.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule provides licensing guidelines and operational restrictions for all manufacturer representatives within the state of Utah and should be continued. In reviewing this rule, it was discovered that there may be minor amendments required. Amendments will be submitted as soon as possible.

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

ALCOHOLIC BEVERAGE CONTROL
ADMINISTRATION
1625 S 900 W
SALT LAKE CITY UT 84104-1630, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO: Sharon Mackay or Earl Dorius at the above address, by phone at 801-977-6800 or 801-977-6800, by FAX at 801-977-6889 or 801-977-6889, or by Internet E-mail at abcmain.smackay@state.ut.us or abcmain.edorius@state.ut.us

AUTHORIZED BY: Kenneth F Wynn, Director

EFFECTIVE: 12/26/2001



**Insurance, Administration
R590-91
Credit Life and Disability Insurance**

**FIVE YEAR NOTICE OF REVIEW AND
STATEMENT OF CONTINUATION**

DAR FILE No.: 24354
FILED: 12/28/2001, 17:56

**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 31A-2-201 gives the Insurance Commissioner the right to make rules to implement the provisions of Title 31A. The rule sets requirements for credit life and credit health policies and certificates, loss ratio limits allowed, refunding, and rating standards.

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 comments have been received regarding this rule in the past five years.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule is used on a daily basis by those in the department who review credit insurance forms filed with the department by credit insurers. These policy forms are compared with requirements in Sections 31A-

22-802, 31A-22-806, and 31A-22-808 to be sure they do not vary from the law. The rule also requires the department to watch closely the rating of these policies to be sure they are not over or under priced.

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

INSURANCE
ADMINISTRATION
Room 3110 STATE OFFICE BLDG
450 N MAIN ST
SALT LAKE CITY UT 84114-1201, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Jilene Whitby at the above address, by phone at 801-538-3803, by FAX at 801-538-3829, or by Internet E-mail at jwhitby@insurance.state.ut.us

AUTHORIZED BY: Jilene Whitby, Information Specialist

EFFECTIVE: 12/28/2001

▼ ————— ▼

Public Safety, Driver License R708-6 Renewal By Mail

FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE No.: 24317
FILED: 12/17/2001, 17:22

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: Subsection 53-3-214(c) allows the Driver License Division to offer renewal-by-mail to qualified applicants as outlined in statute. Section 53-3-104 states that the division shall make rules for examining and renewing driver licenses.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: None.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule is necessary and should be continued so the Driver License Division can provide specific information for renewing driver licenses through the mail.

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

PUBLIC SAFETY
DRIVER LICENSE
CALVIN L RAMPTON COMPLEX

4501 S 2700 W 3RD FL
SALT LAKE CITY UT 84119-5595, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Vinn Roos at the above address, by phone at 801-965-4456, by FAX at 801-964-4482, or by Internet E-mail at vroos@dps.state.ut.us

AUTHORIZED BY: Judy Hamaker Mann, Director

EFFECTIVE: 12/17/2001

▼ ————— ▼

Public Safety, Driver License R708-19 Automobile No-Fault Self-Insurance

FIVE YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE No.: 24316
FILED: 12/17/2001, 15:17

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 41-12a-201 states that the department shall administer and enforce the provisions of this chapter and may adopt rules as necessary for administering Automobile No-Fault Self-Insurance. This rule provides specific information regarding the application process, requirements for providing equivalent security, amount of deposit, bond, letter of credit, etc.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: None.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule needs to be continued for the public who need Automobile No-Fault Self-Insurance.

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

PUBLIC SAFETY
DRIVER LICENSE
CALVIN L RAMPTON COMPLEX
4501 S 2700 W 3RD FL
SALT LAKE CITY UT 84119-5595, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Vinn Roos at the above address, by phone at 801-965-4456, by FAX at 801-964-4482, or by Internet E-mail at vroos@dps.state.ut.us

AUTHORIZED BY: Judy Hamaker Mann, Director

EFFECTIVE: 12/17/2001



**Transportation, Motor Carrier
R909-4
Safety Regulations for Tow Truck
(Wrecker) Operations - Tow Truck
Requirements, Equipment and
Operation**

**FIVE YEAR NOTICE OF REVIEW AND
STATEMENT OF CONTINUATION**

DAR FILE No.: 24349
FILED: 12/28/2001, 12:11

**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 72-9-603 requires the Department to implement rules on tow truck operation.

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 comments were received during the last five years on this particular rule from the public. However, statutory changes in tow truck legislation have led to the adoption of a different rule regarding tow truck safety as well as fees. That rule (R909-19) has been recently adopted (October 2, 2001). Consequently, this rule, R909-4 is scheduled to be repealed, since it is duplicative of that rule. (DAR Note: The repeal of R909-4 is under DAR No. 24335 in this Bulletin.)

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: Rules on tow trucks are a legislative mandate. This five-year review for R909-4 was done because the review date came due (January 2, 2002) before the repeal of the rule could be made effective so the rule must be continued or else it will expire in violation of the statutory mandate (Section 63-46a-9).

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

TRANSPORTATION
MOTOR CARRIER
CALVIN L RAMPTON COMPLEX
4501 S 2700 W
SALT LAKE CITY UT 84119-5998, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
James Beadles at the above address, by phone at 801-965-4168, by FAX at 801-965-4796, or by Internet E-mail at jbeadles@dot.state.ut.us

AUTHORIZED BY: John R Njord, Executive Director

EFFECTIVE: 12/28/2001



**Transportation, Preconstruction
R930-3
Highway Noise Abatement**

**FIVE YEAR NOTICE OF REVIEW AND
STATEMENT OF CONTINUATION**

DAR FILE No.: 24355
FILED: 12/31/2001, 11:39

**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 72-6-111 directs the department to adopt rules for the noise abatement program.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: None.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule should be continued because this is an ongoing department program.

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

TRANSPORTATION
PRECONSTRUCTION
CALVIN L RAMPTON COMPLEX
4501 S 2700 W
SALT LAKE CITY UT 84119-5998, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Randy Hunter at the above address, by phone at 801-965-4950, by FAX at 801-965-4838, or by Internet E-mail at rhunter@dot.state.ut.us

AUTHORIZED BY: John R Njord, Executive Director

EFFECTIVE: 12/31/2001



Notices of Rule Effective Dates Begin on the Following Page.

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

Agriculture and Food

Animal Industry

No. 24157 (REP): R58-9. Brand Inspection.
Published: November 15, 2001
Effective: December 18, 2001

Plant Industry

No. 24158 (AMD): R68-20. Utah Organic Standards.
Published: November 15, 2001
Effective: December 18, 2001

Alcoholic Beverage Control

Administration

No. 24188 (AMD): R81-1-6. Violation Schedule.
Published: November 15, 2001
Effective: December 21, 2001

Commerce

Occupational and Professional Licensing

No. 24181 (AMD): R156-1. General Rules of the Division of Occupational and Professional Licensing.
Published: November 15, 2001
Effective: December 18, 2001

No. 24159 (AMD): R156-54. Radiology Technologist and Radiology Practical Technician Licensing Act Rules.
Published: November 15, 2001
Effective: December 18, 2001

No. 24088 (AMD): R156-56-710. Statewide Amendments to the IRC.
Published: November 1, 2001
Effective: January 1, 2002

No. 24086 (AMD): R156-56. Utah Uniform Building Standard Act Rules.
Published: November 1, 2001
Effective: January 1, 2002

Real Estate

No. 24078 (NEW): R162-202. Residential Mortgage.
Published: October 15, 2001
Effective: December 24, 2001

Governor

Planning and Budget, Chief Information Officer

No. 23972 (R&R): R365-3. Computer Software Licensing, Copyright, and Control.
Published: November 15, 2001
Effective: December 20, 2001

No. 24152 (NEW): R365-5. State Privacy Policy and Agency Privacy Policies.
Published: November 15, 2001
Effective: December 20, 2001

Labor Commission

Occupational Safety and Health

No. 24164 (AMD): R614-1-4. Incorporation of Federal Standards.
Published: November 15, 2001
Effective: December 28, 2001

Lieutenant Governor

Elections

No. 24174 (AMD): R623-1. Lieutenant Governor's Procedure for Regulation of Lobbyist Activities.
Published: November 15, 2001
Effective: December 20, 2001

Public Safety

Administration

No. 24179 (NEW): R698-100. Possession of Firearms, Ammunition, Dangerous Weapons, Explosives, Chemical and Incendiary Devices in Olympic Venue Secure Areas.
Published: November 15, 2001
Effective: December 19, 2001

Transportation

No. 24148 (NEW): R907-66. Architecture/Engineering Services Procurement, Consultant Services -- Eligibility of Costs for Reimbursement -- Bonuses or Incentive Compensation.
Published: November 15, 2001
Effective: December 18, 2001

Rules Index Begins on the Following Page.

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, 2001, including notices of effective date received through December 31, 2001, the effective dates of which are no later than January 15, 2002. 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
ADMINISTRATIVE SERVICES					
<u>Debt Collection</u>					
R21-3	Debt Collection Through Administrative Offset	23682	NSC	05/01/2001	Not Printed
<u>Facilities Construction and Management</u>					
R23-1	Procurement of Construction	23870	AMD	08/15/2001	2001-14/5
R23-2	Procurement of Architect-Engineer Services	23952	AMD	09/15/2001	2001-16/4
R23-6	Value Engineering and Life Cycle Costing of State Owned Facilities Rules and Regulations	23697	NSC	05/01/2001	Not Printed
R23-25	Administrative Rules Adjudicative Proceedings	24300	5YR	12/03/2001	2002-1/19
<u>Finance</u>					
R25-2	Finance Adjudicative Proceedings	24135	5YR	10/17/2001	2001-22/93
R25-7	Travel-Related Reimbursements for State Employees	23699	AMD	07/01/2001	2001-10/5
R25-14	Payment of Attorneys Fees in Death Penalty Cases	23366	AMD	01/22/2001	2000-24/5
<u>Fleet Operations</u>					
R27-2	Fleet Operations Adjudicative Proceedings	23522	5YR	02/08/2001	2001-5/39
R27-7	Safety and Loss Prevention of State Vehicles	23345	NEW	01/31/2001	2000-24/6

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<u>Fleet Operations, Surplus Property</u>					
R28-2	Surplus Firearms	23523	5YR	02/08/2001	2001-5/39
<u>Information Technology Services</u>					
R29-1	Division of Information Technology Services Adjudicative Proceedings	23944	5YR	07/26/2001	2001-16/48
<u>Purchasing and General Services</u>					
R33-3-1	Competitive Sealed Bidding; Multi-Step Bidding	23965	AMD	12/03/2001	2001-16/7
R33-3-7	Types of Contracts	23962	AMD	12/03/2001	2001-16/10
AGRICULTURE AND FOOD					
<u>Administration</u>					
R51-1	Public Petitions for Declaratory Rulings	23584	5YR	03/30/2001	2001-8/83
R51-2-11	Appearance and Representation	23928	NSC	08/01/2001	Not Printed
R51-3	Government Records Access and Management Act	23958	5YR	07/31/2001	2001-16/48
R51-4	ADA Complaint Procedure	23959	5YR	07/31/2001	2001-16/49
<u>Animal Industry</u>					
R58-2	Diseases, Inspections and Quarantines	23557	NSC	04/01/2001	Not Printed
R58-2	Diseases, Inspections and Quarantines	24171	5YR	10/30/2001	2001-22/93
R58-4	Use of Animal Drugs and Biologicals in the State of Utah	24178	5YR	11/01/2001	2001-22/94
R58-9	Brand Inspection	24157	REP	12/18/2001	2001-22/18
R58-10	Meat and Poultry Inspection	23306	AMD	01/03/2001	2000-23/9
R58-11	Slaughter of Livestock	23585	5YR	03/30/2001	2001-8/83
R58-12	Record Keeping and Carcass Identification at Meat Exempt (Custom Cut) Establishments	23586	5YR	03/30/2001	2001-8/84
R58-13	Custom Exempt Slaughter	23587	5YR	03/30/2001	2001-8/84
R58-14	Holding Live Raccoons or Coyotes in Captivity	24153	5YR	10/24/2001	2001-22/94
R58-15	Collection of Annual Fees for the Wildlife Damage Prevention Act	23588	5YR	03/30/2001	2001-8/85
R58-16	Swine Garbage Feeding	23589	5YR	03/30/2001	2001-8/85
R58-17	Aquaculture and Aquatic Animal Health	23534	AMD	04/17/2001	2001-6/34
<u>Chemistry Laboratory</u>					
R63-1	Fee Schedule	23404	5YR	01/10/2001	2001-3/94
<u>Marketing and Conservation</u>					
R65-1	Utah Apple Marketing Order	23543	5YR	03/06/2001	2001-7/45
R65-3	Utah Turkey Marketing Order	23544	5YR	03/06/2001	2001-7/45
R65-4	Utah Egg Marketing Order	23545	5YR	03/06/2001	2001-7/46
R65-7	Horse Racing	24149	5YR	10/19/2001	2001-22/95
R65-8	Management of the Junior Livestock Show Appropriation	24003	5YR	08/24/2001	2001-18/56

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R68-2	Utah Commercial Feed Act Governing Feed	23435	5YR	01/16/2001	2001-3/95
R68-4	Standardization, Marketing, and Phytosanitary Inspection of Fresh Fruits, Vegetables, and Other Plant and Plant Products	23960	5YR	07/31/2001	2001-16/49
R68-6	Utah Nursery Act	23436	5YR	01/16/2001	2001-3/95
R68-7	Utah Pesticide Control Act	23973	5YR	08/07/2001	2001-17/46
R68-8	Utah Seed Law	23961	5YR	07/31/2001	2001-16/50
R68-10	Quarantine Pertaining to the European Corn Borer	23437	5YR	01/16/2001	2001-3/96
R68-12	Quarantine Pertaining to Mint Wilt	23438	5YR	01/16/2001	2001-3/96
R68-18	Quarantine Pertaining to Karnal Bunt	24004	5YR	08/24/2001	2001-18/56
R68-20	Utah Organic Standards	24158	AMD	12/18/2001	2001-22/19
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R70-101	Bedding, Upholstered Furniture and Quilted Clothing	23541	5YR	03/06/2001	2001-7/46
R70-101	Bedding, Upholstered Furniture and Quilted Clothing	23542	AMD	05/02/2001	2001-7/6
R70-101-14	Rules and Regulations for Filling Material	23653	NSC	06/01/2001	Not Printed
R70-330	Raw Milk for Retail	24005	5YR	08/24/2001	2001-18/57
R70-370	Butter	24006	5YR	08/24/2001	2001-18/57
R70-380	Grade A Condensed and Dry Milk Products and Condensed and Dry Whey	24007	5YR	08/24/2001	2001-18/58
R70-410	Grading and Inspection of Shell Eggs With Standard Grade and Weight Classes	24046	5YR	09/12/2001	2001-19/43
R70-410	Grading and Inspection of Shell Eggs With Standard Grade and Weight Classes	24043	AMD	11/01/2001	2001-19/4
R70-420	Chickens	23428	REP	03/06/2001	2001-3/5
R70-430	Turkeys	23429	REP	03/06/2001	2001-3/6
R70-610	Uniform Retail Wheat Standards of Identity	23430	5YR	01/16/2001	2001-3/96
R70-610	Uniform Retail Wheat Standards and Identity	23431	NSC	02/01/2001	Not Printed
R70-620	Enrichment of Flour and Cereal Products	23432	5YR	01/16/2001	2001-3/97
R70-620	Enrichment of Flour and Cereal Products	23433	AMD	03/06/2001	2001-3/7
R70-910	Voluntary Registration of Servicemen and Service Agencies for Commercial Weighing and Measuring Devices	23728	5YR	05/03/2001	2001-11/116
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R70-930	Method of Sale of Commodities	24155	5YR	10/24/2001	2001-22/95
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<u>Administration</u>					
R81-1	Scope of Definitions, and General Provisions	23981	EMR	08/09/2001	2001-17/39
R81-1	Scope of Definitions, and General Provisions	24340	5YR	12/26/2001	2002-2/49
R81-1-6	Violation Schedule	24188	AMD	12/21/2001	2001-22/44
R81-1-8	Advertising	24115	AMD	12/06/2001	2001-21/6
R81-1-17	Advertising	24112	AMD	12/06/2001	2001-21/7

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R81-1-20	Electronic Meetings	24351	EMR	12/28/2001	2002-2/42
R81-2	State Stores	24269	5YR	11/16/2001	2001-24/55
R81-3	Package Agencies	24319	5YR	12/18/2001	2002-2/49
R81-3-9	Advertising	23983	EMR	08/09/2001	2001-17/43
R81-3-9	Advetising	24113	AMD	12/06/2001	2001-21/10
R81-4A	Restaurants	24320	5YR	12/18/2001	2002-2/50
R81-4A-12	Menus; Price Lists	23982	EMR	08/09/2001	2001-17/44
R81-4A-12	Menus; Price Lists	24114	AMD	12/06/2001	2001-21/11
R81-4B	Airport Lounges	23591	5YR	04/02/2001	2001-8/85
R81-4B	Airport Lounges	23603	NSC	05/01/2001	Not Printed
R81-5	Private Clubs	24324	5YR	12/18/2001	2002-2/50
R81-6	Special Use Permits	24325	5YR	12/18/2001	2002-2/51
R81-7	Single Event Permit	24326	5YR	12/18/2001	2002-2/51
R81-8	Manufacturers (Distillery, Winery, Brewery)	24327	5YR	12/18/2001	2002-2/51
R81-9	Liquor Warehousing License	24328	5YR	12/18/2001	2002-2/52
R81-10	On Premise Beer Retailer	23592	5YR	04/02/2001	2001-8/86
R81-10	On-Premise Beer Retailer	23604	NSC	05/01/2001	Not Printed
R81-11	Beer Wholesalers	24338	5YR	12/26/2001	2002-2/52
R81-12	Manufacturer Representative (Distillery, Winery, Brewery)	24339	5YR	12/26/2001	2002-2/53
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R151-33	Utah Athletic Commission Act Rules	24288	EMR	12/01/2001	2001-24/43
R151-46b	Department of Commerce Administrative Procedures Act Rules	23537	5YR	02/28/2001	2001-6/49
R151-46b	Department of Commerce Administrative Procedures Act Rules	23945	5YR	07/27/2001	2001-16/50
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R152-1	Utah Division of Consumer Protection: "Buyer Beware List"	23457	5YR	01/29/2001	2001-4/61

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R152-2 (Changed to R152-11)	Utah Consumer Sales Practices Act	23971	AMD	10/26/2001	2001-17/3
R152-7 (Changed to R152-23)	Utah Health Spa Services	23791	AMD	07/30/2001	2001-12/12
R152-15	Business Opportunity Disclosure Act Rules	23792	AMD	07/30/2001	2001-12/14
R152-16	Motor Fuel Marketing Act Rules	23793	REP	07/30/2001	2001-12/15
R152-22	Charitable Solicitations Act	23794	AMD	07/30/2001	2001-12/17
R152-26	Telephone Fraud Prevention Act	23795	AMD	07/30/2001	2001-12/19
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R154-2	Utah Uniform Commercial Code, Revised Article 9 Rules	23858	NSC	08/01/2001	Not Printed
R154-10	Utah Digital Signature Act Rules	23595	AMD	05/18/2001	2001-8/15
<u>Occupational and Professional Licensing</u>					
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R156-1-308a	Renewal Dates	23798	AMD	07/17/2001	2001-12/22
R156-1-308c	Renewal of Licensure Procedures	23909	AMD	09/04/2001	2001-15/4
R156-1-308d	Denial of Renewal of Licensure-Classification of proceedings-Conditional Renewal During Pendency of Adjudicative Proceedings, Audit or Investigation	23295	AMD	01/04/2001	2000-23/9
R156-3a	Architect Licensing Act Rules	23550	AMD	05/03/2001	2001-7/9
R156-3a	Architect Licensing Act Rules	23730	NSC	06/01/2001	Not Printed
R156-3a	Architect Licensing Act Rules	23837	5YR	06/11/2001	2001-13/85
R156-5a	Podiatric Physician Licensing Act Rules	23797	AMD	07/17/2001	2001-12/24
R156-9a	Uniform Athlete Agents Act Rules	23796	NEW	07/17/2001	2001-12/25
R156-11a	Cosmetologist/Barber Licensing Act Rules	23260	AMD	see CPR	2000-22/5
R156-11a	Cosmetologist/Barber Licensing Act Rules	23260	CPR	03/06/2001	2001-3/79
R156-11a	Cosmetologist/Barber Licensing Act Rules	23954	AMD	09/17/2001	2001-16/11
R156-16a	Optometry Practice Act Rules	23566	AMD	05/17/2001	2001-8/16
R156-17a	Pharmacy Practice Act Rules	23695	5YR	04/26/2001	2001-10/89
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R156-22	Professional Engineers and Professional Land Surveyors Licensing Act Rules	24110	AMD	12/04/2001	2001-21/12
R156-24a	Physical Therapist Practice Act Rules	23678	AMD	see CPR	2001-10/9
R156-24a	Physical Therapist Practice Act Rules	23678	CPR	08/16/2001	2001-14/46
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R156-28	Veterinary Practice Act Rules	23309	CPR	03/08/2001	2001-3/80
R156-31b	Nurse Practice Act Rules	23631	AMD	see CPR	2001-9/10
R156-31b	Nurse Practice Act Rules	23631	CPR	09/04/2001	2001-15/40
R156-37-502	Unprofessional Conduct	23401	NSC	02/01/2001	Not Printed
R156-38	Residence Lien Restriction and Lien Recovery Fund Rules	23799	AMD	07/17/2001	2001-12/26
R156-38-401	Requirements for a Letter of Credit and/or Evidence of a Cash Deposit as Alternate Security for Mechanics' Lien	23953	AMD	09/17/2001	2001-16/23
R156-40	Recreational Therapy Practice Act Rules	24192	5YR	11/06/2001	2001-23/133
R156-44a	Nurse Midwife Practice Act Rules	23734	AMD	07/05/2001	2001-11/3
R156-46a	Hearing Instrument Specialist Licensing Act Rules	24008	AMD	10/16/2001	2001-18/4
R156-46a-308	Quality Assurance Program	23735	AMD	07/05/2001	2001-11/4
R156-46b	Division Utah Administrative Procedures Act Rules	23839	5YR	06/11/2001	2001-13/85
R156-47b	Massage Therapy Practice Act Rules	23535	5YR	02/26/2001	2001-6/49
R156-47b	Massage Therapy Practice Act Rules	23539	AMD	see CPR	2001-6/42
R156-47b	Massage Therapy Practice Act Rules	23539	CPR	08/16/2001	2001-14/47
R156-50	Private Probation Provider Licensing Act Rules	23696	5YR	04/26/2001	2001-10/90
R156-54	Radiology Technologist and Radiology Practical Technician Licensing Act Rules	24159	AMD	12/18/2001	2001-22/50
R156-54-302b	Examination Requirements - Radiology Practical Technician	23518	AMD	04/03/2001	2001-5/7
R156-54-302b	Examination Requirements - Radiology Practical Technician	23602	NSC	05/01/2001	Not Printed
R156-55b	Electricians Licensing Rules	23374	AMD	04/30/2001	2001-1/4
R156-55c-102	Definitions	23375	AMD	04/30/2001	2001-1/5
R156-55c-302c	Qualification for Licensure - Training and Instruction Requirements	23885	AMD	09/04/2001	2001-15/5
R156-55d-603	Operating Standards - Alarm Installer	23524	AMD	04/03/2001	2001-5/8
R156-56	Utah Uniform Building Standard Act Rules	23577	AMD	07/01/2001	2001-8/18
R156-56	Utah Uniform Building Standard Act Rules	24086	AMD	01/01/2002	2001-21/13
R156-56-704	Statewide Amendments to the IBC	23788	NSC	06/26/2001	Not Printed
R156-56-710	Statewide Amendments to the IRC	24088	AMD	01/01/2002	2001-21/35
R156-59-102	Definitions	23883	NSC	07/30/2001	Not Printed
R156-60b	Marriage and Family Therapist Licensing Act Rules	23620	AMD	06/01/2001	2001-9/13
R156-60c	Professional Counselor Licensing Act Rules	23679	AMD	06/19/2001	2001-10/11
R156-60d	Substance Abuse Counselor Act Rules	23838	5YR	06/11/2001	2001-13/86
R156-60d	Substance Abuse Counselor Act Rules	24002	AMD	10/18/2001	2001-18/5
R156-61	Psychologist Licensing Act Rules	23632	AMD	06/01/2001	2001-9/16
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R884-24P-66	Appeal to County Board of Equalization Pursuant to Utah Code Ann. Section 59-2-1004	23847	AMD	08/02/2001	2001-13/77
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<u>Administration</u>					
R907-3-1	Additional Requirements: Policy	23633	NSC	05/01/2001	Not Printed
R907-40	External Relations	23634	NSC	05/01/2001	Not Printed
R907-63-1	Authority and Purpose	23623	NSC	05/01/2001	Not Printed

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R909-1	Safety Regulations for Motor Carriers	23460	AMD	03/20/2001	2001-4/44
R909-1	Safety Regulations for Motor Carriers	23573	NSC	04/01/2001	Not Printed
R909-1	Safety Regulations for Motor Carriers	23590	NSC	05/01/2001	Not Printed
R909-1	Safety Regulations for Motor Carriers	24055	AMD	12/03/2001	2001-19/33
R909-4	Safety Regulations for Tow Truck (Wrecker) Operations - Tow Truck Requirements, Equipment and Operations	23565	NSC	04/01/2001	Not Printed
R909-4	Safety Regulations for Tow Truck (Wrecker) Operations - Tow Truck Requirements, Equipment and Operations	24349	5YR	12/28/2001	2002-2/55
R909-16	Overall Motor Carrier Safety Standing	24116	NEW	12/04/2001	2001-21/97
R909-17	Appeal Process for Utah Commercial Vehicle Safety Alliance Inspections	24117	NEW	12/04/2001	2001-21/99
R909-19	Safety Regulations for Tow Truck Operations - Tow Truck Requirements for Equipment, Operation and Certification	23993	NEW	10/02/2001	2001-17/30
R909-19	Safety Regulations for Tow Truck Operations - Tow Truck Requirements for Equipment, Operation and Certification	24119	AMD	12/04/2001	2001-21/100
R909-75	Safety Regulations for Motor Carriers Transporting Hazardous Materials and/or Hazardous Wastes	23461	AMD	03/20/2001	2001-4/45
R909-75	Safety Regulations for Motor Carriers Transporting Hazardous Materials and/or Hazardous Wastes	23857	AMD	08/15/2001	2001-14/43
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R912-16	Special Mobile Equipment	23625	NSC	05/01/2001	Not Printed
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R916-3	DESIGN-BUILD Contracts	23609	NSC	05/01/2001	Not Printed
R916-3	DESIGN-BUILD Contracts	23750	5YR	05/14/2001	2001-11/119
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R920-3	Manual of Uniform Traffic Control Devices, Part IV	23636	NSC	05/01/2001	Not Printed
R920-6	Snow Tire and Chain Requirements	23610	NSC	05/01/2001	Not Printed

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R926-3	Class B and Class C Road Funds	23613	NSC	05/01/2001	Not Printed
R926-5	State Park Access Highways Improvement Program	23614	NSC	05/01/2001	Not Printed
R926-6	Transportation Corridor Preservation Revolving Loan Fund	23311	AMD	01/03/2001	2000-23/55
R926-6	Transportation Corridor Preservation Revolving Loan Fund	24082	AMD	11/20/2001	2001-20/47
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R930-2	Public Hearings	23616	NSC	05/01/2001	Not Printed
R930-3	Highway Noise Abatement	23617	NSC	05/01/2001	Not Printed
R930-3	Highway Noise Abatement	24355	5YR	12/31/2001	2002-2/55
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R930-6	Rules for the Accommodation of Utility Facilities and the Control and Protection of State Highway Rights-of-Way	23198	AMD	01/19/2001	2000-21/43
R930-6	Rules for the Accommodation of Utility Facilities and the Control and Protection of State Highway Rights-of-Way	23443	NSC	02/12/2001	Not Printed
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R933-1	Right-of-Way Acquisition	24071	AMD	11/20/2001	2001-20/49
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R933-2-15	Special Permits for Olympic Pageants	23622	AMD	07/09/2001	2001-9/128
R933-3	Relocation of Modification of Existing Authorized Access Openings or Granting New Access Openings on Limited Access Highways	23619	NSC	05/01/2001	Not Printed
R933-4	Bus Shelters	23536	AMD	04/18/2001	2001-6/45
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R986-600	Workforce Investment Act	23722	NEW	07/01/2001	2001-10/50
R986-601	Authority and Definitions and Programs Authorized under JTPA	23723	REP	07/01/2001	2001-10/57
R986-602	General Administrative Provisions	23724	REP	07/01/2001	2001-10/67
R986-603	Participant Data System Procedures	23725	REP	07/01/2001	2001-10/75
R986-700	Child Care Assistance	23726	AMD	07/01/2001	2001-10/77
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R994-308	Bond or Security Requirement	23745	5YR	05/11/2001	2001-11/120
R994-403- 102a	Filing a New Claim	23824	AMD	08/09/2001	2001-13/78
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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	

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	23945	R151-46b	5YR	07/27/2001	2001-16/50
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	23606	R212-4	NSC	05/01/2001	Not Printed
	24074	R212-4	5YR	09/26/2001	2001-20/65

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	23407	R307-103-2	AMD	04/12/2001	2001-3/13
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	23664	R309-103	5YR	04/16/2001	2001-9/141
	23665	R309-104	5YR	04/16/2001	2001-9/141
	23755	R309-115	NEW	08/24/2001	2001-11/23
	23252	R309-150	AMD	01/04/2001	2000-22/33
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	24069	R602-2-3	AMD	11/15/2001	2001-20/26
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	24016	R612-1-3	AMD	10/16/2001	2001-18/25
	23223	R612-1-10	AMD	see CPR	2000-21/18
	23223	R612-1-10	CPR	03/20/2001	2001-1/36
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	23812	R641-105	CPR	10/01/2001	2001-16/39
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	23939	R652-9	5YR	07/23/2001	2001-16/58
	23940	R652-41	5YR	07/23/2001	2001-16/58
	23621	R652-70-2400	AMD	06/11/2001	2001-9/100
	23941	R652-80	5YR	07/23/2001	2001-16/59
	23425	R652-121	AMD	03/12/2001	2001-3/64
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	23740	R674-3	EXD	05/07/2001	2001-11/121
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	24308	R850-41	5YR	12/12/2001	2002-1/23
	23558	R850-50-400	AMD	05/02/2001	2001-7/22
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	23442	R307-103-1	NSC	02/01/2001	Not Printed
	23407	R307-103-2	AMD	04/12/2001	2001-3/13
	23918	R307-110-12	AMD	09/10/2001	2001-15/6
	23756	R307-110-31	AMD	08/02/2001	2001-11/18
	23757	R307-110-33	AMD	08/02/2001	2001-11/19
	23758	R307-110-34	AMD	see CPR	2001-11/20
	23758	R307-110-34	CPR	10/02/2001	2001-17/36
	23987	R307-210	5YR	08/15/2001	2001-17/47
	23835	R307-220	AMD	see CPR	2001-13/17
	23835	R307-220	CPR	11/01/2001	2001-19/42
	23836	R307-223	NEW	09/10/2001	2001-13/18
	23760	R307-405-1	AMD	07/12/2001	2001-11/21
	23781	R307-501	EMR	05/15/2001	2001-11/114
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	23139	R307-204	CPR	03/06/2001	2001-3/81
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	24188	R81-1-6	AMD	12/21/2001	2001-22/44
	24115	R81-1-8	AMD	12/06/2001	2001-21/6
	24112	R81-1-17	AMD	12/06/2001	2001-21/7
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	23983	R81-3-9	EMR	08/09/2001	2001-17/43
	24113	R81-3-9	AMD	12/06/2001	2001-21/10
	24320	R81-4A	5YR	12/18/2001	2002-2/50
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	24114	R81-4A-12	AMD	12/06/2001	2001-21/11

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	23606	R81-4B	NSC	05/01/2001	Not Printed
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	24325	R81-6	5YR	12/18/2001	2002-2/51
	24326	R81-7	5YR	12/18/2001	2002-2/51
	24327	R81-8	5YR	12/18/2001	2002-2/51
	24328	R81-9	5YR	12/18/2001	2002-2/52
	23592	R81-10	5YR	04/02/2001	2001-8/86
	23604	R81-10	NSC	05/01/2001	Not Printed
	24338	R81-11	5YR	12/26/2001	2002-2/52
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	24125	R277-911	AMD	12/05/2001	2001-21/49
	23920	R277-914	EXD	07/16/2001	2001-16/61
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	23395	R884-24P-62	AMD	05/14/2001	2001-2/11
	23316	R884-24P-65	AMD	02/20/2001	2000-23/54
	23847	R884-24P-66	AMD	08/02/2001	2001-13/77
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	24074	R212-4	5YR	09/26/2001	2001-20/65
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	23730	R156-3a	NSC	06/01/2001	Not Printed
	23837	R156-3a	5YR	06/11/2001	2001-13/85
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Commerce, Occupational and Professional Licensing	23796	R156-9a	NEW	07/17/2001	2001-12/25
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<u>BAIL BOND RECOVERY AGENT</u>					
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	23260	R156-11a	CPR	03/06/2001	2001-3/79
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	24109	R313-28-31	AMD	12/14/2001	2001-21/60
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	23692	R202-207	NSC	05/01/2001	Not Printed
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	23806	R657-5	AMD	07/18/2001	2001-12/63
	24064	R657-5-16	AMD	11/15/2001	2001-20/26
	23675	R657-43	AMD	06/04/2001	2001-9/119
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	24020	R657-9	5YR	08/30/2001	2001-18/59
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	24223	R651-202	5YR	11/13/2001	2001-23/137
	24206	R651-203	5YR	11/13/2001	2001-23/137
	24211	R651-204	5YR	11/13/2001	2001-23/138
	23439	R651-205	AMD	03/20/2001	2001-4/37
	24210	R651-205	5YR	11/13/2001	2001-23/138
	23974	R651-206	5YR	08/07/2001	2001-17/47
	24209	R651-207	5YR	11/13/2001	2001-23/139
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	24270	R651-212	5YR	11/19/2001	2001-24/57
	24214	R651-213	5YR	11/13/2001	2001-23/141
	24271	R651-214	5YR	11/19/2001	2001-24/57
	23975	R651-215	5YR	08/07/2001	2001-17/48
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	23440	R651-219	AMD	03/20/2001	2001-4/38
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	23976	R651-222	5YR	08/07/2001	2001-17/48
	23977	R651-224	5YR	08/07/2001	2001-17/49
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	24095	R313-22	5YR	10/10/2001	2001-21/109
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	23753	R414-304	AMD	07/06/2001	2001-11/62
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	24086	R156-56	AMD	01/01/2002	2001-21/13
	23788	R156-56-704	NSC	06/26/2001	Not Printed
	24088	R156-56-710	AMD	01/01/2002	2002-21/35
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	23912	R865-19S-98	AMD	09/05/2001	2001-15/35
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	23791	R152-7 (Changed to R152-23)	AMD	07/30/2001	2001-12/12
	23792	R152-15	AMD	07/30/2001	2001-12/14
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	23374	R156-55b	AMD	04/30/2001	2001-1/4
	23577	R156-56	AMD	07/01/2001	2001-8/18
	24086	R156-56	AMD	01/01/2002	2001-21/13
	23788	R156-56-704	NSC	06/26/2001	Not Printed
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	23400	R251-301	AMD	03/13/2001	2001-3/8
	23968	R251-702	5YR	08/01/2001	2001-16/52
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	23896	R655-11	5YR	07/12/2001	2001-15/54
	23899	R655-11	AMD	11/29/2001	2001-15/23
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	24095	R313-22	5YR	10/10/2001	2001-21/109
<u>DEFINITIONS</u>					
Environmental Quality, Air Quality	23759	R307-101-2	AMD	07/12/2001	2001-11/10
Environmental Quality, Radiation Control	23667	R313-12	AMD	06/08/2001	2001-9/54
	23932	R313-12	5YR	07/23/2001	2001-16/53
	23826	R313-12	AMD	09/14/2001	2001-13/27
Human Resource Management, Administration	23770	R477-1	AMD	07/03/2001	2001-11/76
<u>DEMONSTRATING</u>					
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<u>DENTAL</u>					
Environmental Quality, Radiation Control	24096	R313-28	5YR	10/10/2001	2001-21/110
	24109	R313-28-31	AMD	12/14/2001	2001-21/60
<u>DENTAL HYGIENISTS</u>					
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	23141	R156-69	CPR	02/15/2001	2001-2/17
	23878	R156-69	5YR	07/05/2001	2001-15/47
	23737	R156-69-305	AMD	07/05/2001	2001-11/6
<u>DENTISTS</u>					
Commerce, Occupational and Professional Licensing	23141	R156-69	AMD	see CPR	2000-19/10
	23141	R156-69	CPR	02/15/2001	2001-2/17

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	23737	R156-69-305	AMD	07/05/2001	2001-11/6
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Money Management Council, Administration	23624	R628-10	5YR	04/11/2001	2001-9/143
	23841	R628-10	AMD	08/27/2001	2001-13/71
<u>DEPREDAATION</u>					
Natural Resources, Wildlife Resources	23676	R657-44	AMD	06/04/2001	2001-9/122
	24058	R657-44	AMD	11/01/2001	2001-19/30
<u>DESIGN/BUILD</u>					
Transportation, Operations, Construction	23750	R916-3	5YR	05/14/2001	2001-11/119
	23609	R916-3	NSC	05/01/2001	Not Printed
<u>DEVELOPMENT</u>					
School and Institutional Trust Lands, Administration	24053	R850-140	5YR	09/14/2001	2001-19/45
<u>DEVELOPMENTALLY DISABLED</u>					
Agriculture and Food, Administration	23959	R51-4	5YR	07/31/2001	2001-16/49
Tax Commission, Administration	23846	R861-1A-9	AMD	08/02/2001	2001-13/75
	23717	R861-1A-17	AMD	07/04/2001	2001-10/44
	23988	R861-1A-24	NSC	09/01/2001	Not Printed
	23403	R861-1A-36	AMD	04/11/2001	2001-3/76
<u>DIGITAL SIGNATURE</u>					
Commerce, Corporations and Commercial Code	23595	R154-10	AMD	05/18/2001	2001-8/15
<u>DIRECT FILTRATION</u>					
Environmental Quality, Drinking Water	23659	R309-207 (Changed to R309-530)	AMD	08/15/2001	2001-9/43
<u>DISABILITIES ACT</u>					
Governor, Administration	24101	R355-2	5YR	10/10/2001	2001-21/114
<u>DISABILITY INSURANCE</u>					
Human Resource Management, Administration	23775	R477-8	AMD	07/03/2001	2001-11/90
<u>DISCHARGE PERMITS</u>					
Environmental Quality, Water Quality	23161	R317-8	AMD	see CPR	2000-19/40
	23161	R317-8	CPR	01/23/2001	2000-24/78
	23780	R317-8-4	AMD	see CPR	2001-11/47
	23780	R317-8-4	CPR	12/11/2001	2001-20/51
<u>DISCIPLINARY ACTION</u>					
Education, Administration	23546	R277-514	NSC	04/01/2001	Not Printed
<u>DISCIPLINE OF EMPLOYEES</u>					
Human Resource Management, Administration	23777	R477-11	AMD	07/03/2001	2001-11/99
	23778	R477-14	AMD	07/03/2001	2001-11/101
	24307	R477-14	5YR	12/11/2001	2002-1/21
<u>DISCLOSURE REQUIREMENTS</u>					
Tax Commission, Administration	23846	R861-1A-9	AMD	08/02/2001	2001-13/75
	23717	R861-1A-17	AMD	07/04/2001	2001-10/44
	23988	R861-1A-24	NSC	09/01/2001	Not Printed

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Agriculture and Food, Administration	23959	R51-4	5YR	07/31/2001	2001-16/49
Labor Commission, Antidiscrimination and Labor, Antidiscrimination	24278	R606-1	5YR	11/27/2001	2001-24/56
	23515	R606-1-3	AMD	04/03/2001	2001-5/17
	24279	R606-2	5YR	11/27/2001	2001-24/56
<u>DISEASE CONTROL</u>					
Agricultural and Food, Animal Industry	24178	R58-4	5YR	11/01/2001	2001-22/94
<u>DISMISSAL OF EMPLOYEES</u>					
Human Resource Management, Administration	23777	R477-11	AMD	07/03/2001	2001-11/99
<u>DIVERSION PROGRAMS</u>					
Commerce, Occupational and Professional Licensing	24181	R156-1	AMD	12/18/2001	2001-22/47
	23798	R156-1-308a	AMD	07/17/2001	2001-12/22
	23909	R156-1-308c	AMD	09/04/2001	2001-15/4
	23295	R156-1-308d	AMD	01/04/2001	2000-23/9
<u>DRINKING WATER</u>					
Environmental Quality, Drinking Water	23662	R309-101	5YR	04/16/2001	2001-9/140
	23663	R309-102	5YR	04/16/2001	2001-9/140
	23664	R309-103	5YR	04/16/2001	2001-9/141
	23665	R309-104	5YR	04/16/2001	2001-9/141
	23755	R309-115	NEW	08/24/2001	2001-11/23
	23252	R309-150	AMD	01/04/2001	2000-22/33
	23655	R309-201 (Changed to R309-500)	AMD	08/15/2001	2001-9/22
	23656	R309-202 (Changed to R309-505)	AMD	08/15/2001	2001-9/26
	23657	R309-203 (Changed to R309-510)	AMD	08/15/2001	2001-9/29
	23658	R309-206 (Changed to R309-525)	AMD	08/15/2001	2001-9/32
	23659	R309-207 (Changed to R309-530)	AMD	08/15/2001	2001-9/43
	23394	R309-208 (Changed to R309-535)	AMD	05/01/2001	2001-2/3
	23660	R309-209 (Changed to R309-540)	AMD	08/15/2001	2001-9/46
	23661	R309-211 (Changed ro R309-550)	AMD	08/15/2001	2001-9/50
	23845	R309-605	AMD	08/27/2001	2001-13/20
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	24307	R477-14	5YR	12/11/2001	2002-1/21
<u>DRUG STAMPS</u>					
Tax Commission, Collections	23574	R867-2B	5YR	03/27/2001	2001-8/89
<u>DUI PROGRAMS</u>					
Human Services, Substance Abuse	23732	R544-4	AMD	07/03/2001	2001-11/105
<u>DUMPING OF WASTES</u>					
Environmental Quality, Water Quality	23600	R317-550-7	AMD	see CPR	2001-8/45
	23600	R317-550-7	CPR	08/29/2001	2001-14/49
<u>EARTHQUAKES</u>					
Natural Resources, Water Rights	23896	R655-11	5YR	07/12/2001	2001-15/54
	23899	R655-11	AMD	11/29/2001	2001-15/23
<u>ECONOMIC DEVELOPMENT</u>					
Workforce Services, Employment Development	23723	R986-601	REP	07/01/2001	2001-10/57
<u>EDUCATION</u>					
Education, Administration	23852	R277-470	AMD	08/01/2001	2001-13/6
	23964	R277-480	NEW	09/20/2001	2001-16/25
	23855	R277-526	AMD	08/01/2001	2001-13/13
	23670	R277-709	AMD	06/05/2001	2001-9/19
<u>EDUCATIONAL EXPENDITURES</u>					
Education, Administration	23851	R277-456	REP	08/01/2001	2001-13/6
	23853	R277-478	NEW	08/01/2001	2001-13/9
	23854	R277-479	NEW	08/01/2001	2001-13/11
<u>EDUCATIONAL FACILITIES</u>					
Education, Administration	24040	R277-432	5YR	09/04/2001	2001-19/43
	23850	R277-451	AMD	08/01/2001	2001-13/4
<u>EDUCATIONAL MEDIA</u>					
Education, Administration	24294	R277-467	5YR	11/30/2001	2001-24/55
<u>EDUCATIONAL PLANNING</u>					
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	23963	R277-415	REP	09/20/2001	2001-16/24
<u>EDUCATIONAL SAVINGS TRUST</u>					
Regents (Board of), Administration	24291	R765-685	5YR	11/30/2001	2001-24/58
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Education, Administration	24122	R277-473	AMD	12/05/2001	2001-21/41
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	23850	R277-451	AMD	08/01/2001	2001-13/4
<u>EDUCATION TUITION</u>					
Human Resource Management, Administration	23776	R477-10	AMD	07/03/2001	2001-11/98
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Public Safety, Driver License	23833	R708-33	5YR	06/07/2001	2001-13/87
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Commerce, Occupational and Professional Licensing	23374	R156-55b	AMD	04/30/2001	2001-1/4
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Commerce, Occupational and Professional Licensing	23954	R156-11a	AMD	09/17/2001	2001-16/11
<u>ELECTRONIC COMMERCE</u>					
Commerce, Corporations and Commercial Code	23595	R154-10	AMD	05/18/2001	2001-8/15
<u>ELECTRONIC COMMUNICATION</u>					
Commerce, Corporations and Commercial Code	23595	R154-10	AMD	05/18/2001	2001-8/15
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Labor Commission, Safety	23473	R616-3-3	AMD	03/20/2001	2001-4/36
<u>EMERGENCY MEDICAL SERVICES</u>					
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	23185	R426-6	AMD	01/17/2001	2000-20/27
	23186	R426-7	NEW	01/30/2001	2000-20/29
	23202	R426-8	NEW	01/30/2001	2000-21/14
<u>EMERGENCY VEHICLES</u>					
Public Safety, Law Enforcement and Technical Services, Regulatory Licensing (Changed to Public Safety, Criminal Investigations and Technical Services, Criminal Identification)	23446	R724-6 (Changed to R722-340)	NSC	02/01/2001	Not Printed
<u>EMPLOYEE BENEFITS</u>					
Human Resource Management, Administration	23774	R477-7	AMD	07/03/2001	2001-11/87
<u>EMPLOYEE PERFORMANCE EVALUATION</u>					
Human Resource Management, Administration	23776	R477-10	AMD	07/03/2001	2001-11/98
<u>EMPLOYEE PRODUCTIVITY</u>					
Human Resource Management, Administration	23776	R477-10	AMD	07/03/2001	2001-11/98
<u>EMPLOYEE'S RIGHTS</u>					
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Workforce Services, Workforce Information and Payment Services	24253	R994-405-201	AMD	01/01/2002	2001-23/123
<u>EMPLOYER LIABILITY</u>					
Workforce Services, Workforce Information and Payment Services	23744	R994-302	5YR	05/11/2001	2001-11/119
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Human Resource Management, Administration	23773	R477-5	AMD	07/03/2001	2001-11/86

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	23515	R606-1-3	AMD	04/03/2001	2001-5/17
	24279	R606-2	5YR	11/27/2001	2001-24/56
Workforce Services, Employment Development	23723	R986-601	REP	07/01/2001	2001-10/57
	23724	R986-602	REP	07/01/2001	2001-10/67
	23725	R986-603	REP	07/01/2001	2001-10/75
Workforce Services, Workforce Information and Payment Services	24253	R994-405-201	AMD	01/01/2002	2001-23/123
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Community and Economic Development, Community Development, Community Services	23687	R202-201	NSC	05/01/2001	Not Printed
	23688	R202-203	NSC	05/01/2001	Not Printed
	23689	R202-204	NSC	05/01/2001	Not Printed
	23690	R202-205	NSC	05/01/2001	Not Printed
	23691	R202-206	NSC	05/01/2001	Not Printed
	23692	R202-207	NSC	05/01/2001	Not Printed
	23693	R202-208	NSC	05/01/2001	Not Printed
<u>ENERGY INDUSTRIES</u>					
Community and Economic Development, Community Development, Community Services	23693	R202-208	NSC	05/01/2001	Not Printed
<u>ENFORCEMENT</u>					
Agriculture and Food, Animal Industry	24153	R58-14	5YR	10/24/2001	2001-22/94
	23588	R58-15	5YR	03/30/2001	2001-8/85
Environmental Quality, Radiation Control	23668	R313-14	AMD	06/08/2001	2001-9/55
	23933	R313-14	5YR	07/23/2001	2001-16/53
Human Services, Recovery Services	23929	R527-800	5YR	07/23/2001	2001-16/55
	23930	R527-800	AMD	09/18/2001	2001-16/33
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Commerce, Occupational and Professional Licensing	23517	R156-22	AMD	see CPR	2001-5/4
	23517	R156-22	CPR	05/17/2001	2001-8/81
	24110	R156-22	AMD	12/04/2001	2001-21/12
<u>ENTERPRISE ZONES</u>					
Tax Commission, Auditing	23910	R865-9I-14	AMD	09/05/2001	2001-15/33
	23990	R865-9I-42	NSC	09/01/2001	Not Printed
<u>ENVIRONMENT</u>					
Tax Commission, Auditing	24037	R865-13G-15	AMD	10/16/2001	2001-18/44
<u>ENVIRONMENTAL PROTECTION</u>					
Environmental Quality, Air Quality	23835	R307-220	AMD	see CPR	2001-13/17
	23835	R307-220	CPR	11/01/2001	2001-19/42
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	23664	R309-103	5YR	04/16/2001	2001-9/141

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	23858	R154-2	NSC	08/01/2001	Not Printed
<u>ESTHETICIANS</u>					
Commerce, Occupational and Professional Licensing	23954	R156-11a	AMD	09/17/2001	2001-16/11
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<u>EXEMPTIONS</u>					
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	23932	R313-12	5YR	07/23/2001	2001-16/53
	23826	R313-12	AMD	09/14/2001	2001-13/27
	23312	R313-19	AMD	01/26/2001	2000-23/19
	24094	R313-19	5YR	10/10/2001	2001-21/109
<u>EXHIBITIONS</u>					
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<u>EXTENDED AREA SERVICE</u>					
Public Service Commission, Administration	23844	R746-347	REP	08/01/2001	2001-13/73
<u>EXTRACURRICULAR ACTIVITIES</u>					
Education, Administration	24128	R277-606	REP	12/05/2001	2001-21/46
<u>FACILITY</u>					
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Education, Administration	23855	R277-526	AMD	08/01/2001	2001-13/13
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	23773	R477-5	AMD	07/03/2001	2001-11/86
<u>FAIRS</u>					
Fair Corporation (Utah State), Administration	23890	R325-1	5YR	07/12/2001	2001-15/50
	23891	R325-2	5YR	07/12/2001	2001-15/50
	23892	R325-3	5YR	07/12/2001	2001-15/51
	23893	R325-4	5YR	07/12/2001	2001-15/51
	23894	R325-5	5YR	07/12/2001	2001-15/52
<u>FALCONRY</u>					
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<u>FEES</u>					
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Environmental Quality, Radiation Control	24100	R313-70	5YR	10/10/2001	2001-21/112
Health, Center for Health Data, Vital Records and Statistics	23681	R436-11	NSC	05/01/2001	Not Printed
Labor Commission, Industrial Accidents	23463	R612-2-3	NSC	02/15/2001	Not Printed
	23464	R612-2-5	NSC	02/15/2001	Not Printed
	23548	R612-2-5	EMR	03/08/2001	2001-7/43
	23549	R612-2-5	AMD	05/03/2001	2001-7/21
	23746	R612-2-5	AMD	07/05/2001	2001-11/108
	23465	R612-2-6	NSC	02/15/2001	Not Printed
	23466	R612-2-11	NSC	02/15/2001	Not Printed
	23467	R612-2-16	AMD	03/20/2001	2001-4/33
	23468	R612-2-17	NSC	02/15/2001	Not Printed
	23469	R612-2-22	AMD	03/20/2001	2001-4/33
	23470	R612-2-23	NSC	02/15/2001	Not Printed
	23471	R612-2-24	AMD	03/20/2001	2001-4/34
	23472	R612-2-26	NSC	02/15/2001	Not Printed
Natural Resources, Parks and Recreation	23978	R651-611	5YR	08/07/2001	2001-17/49
	24189	R651-611	AMD	01/01/2002	2001-22/77
Public Safety, Driver License	23957	R708-18	5YR	07/30/2001	2001-16/59
<u>FILING DEADLINES</u>					
Labor Commission, Industrial Accidents	24016	R612-1-3	AMD	10/16/2001	2001-18/25
	23223	R612-1-10	AMD	see CPR	2000-21/18
	23223	R612-1-10	CPR	03/20/2001	2001-1/36
Workforce Services, Workforce Information and Payment Services	23824	R994-403-102a	AMD	08/09/2001	2001-13/78
<u>FILING DOCUMENTS</u>					
Commerce, Corporations and Commercial Code	23672	R154-2	NEW	07/26/2001	2001-9/3
	23858	R154-2	NSC	08/01/2001	Not Printed
<u>FILTRATION</u>					
Environmental Quality, Drinking Water	23658	R309-206 (Changed to R309-525)	AMD	08/15/2001	2001-9/32
<u>FINANCE</u>					
Administrative Services, Finance	24135	R25-2	5YR	10/17/2001	2001-22/93
<u>FINANCIAL DISCLOSURE</u>					
Community and Economic Development, Community Development, Community Services	23689	R202-204	NSC	05/01/2001	Not Printed
Health, Health Care Financing, Coverage and Reimbursement Policy	23397	R414-304	EMR	01/03/2001	2001-3/89
	23753	R414-304	AMD	07/06/2001	2001-11/62
	23922	R414-304	AMD	09/26/2001	2001-16/26
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Public Safety, Administration	24179	R698-100	NEW	12/19/2001	2001-22/84
	24332	R698-100	EMR	12/20/2001	2002-2/47
<u>FIRE PREVENTION</u>					
Public Safety, Fire Marshal	23339	R710-4	AMD	01/16/2001	2000-24/61
	23580	R710-4	AMD	05/16/2001	2001-8/77
<u>FIRE PREVENTION LAW</u>					
Public Safety, Fire Marshal	23340	R710-9	AMD	01/16/2001	2000-24/64
<u>FISH</u>					
Natural Resources, Wildlife Resources	23189	R657-13	AMD	01/02/2001	2000-21/23
<u>FISHING</u>					
Natural Resources, Wildlife Resources	23189	R657-13	AMD	01/02/2001	2000-21/23
<u>FLOCCULATION</u>					
Environmental Quality, Drinking Water	23658	R309-206 (Changed to R309-525)	AMD	08/15/2001	2001-9/32
<u>FLOODS</u>					
Natural Resources, Water Rights	23896	R655-11	5YR	07/12/2001	2001-15/54
	23899	R655-11	AMD	11/29/2001	2001-15/23
<u>FOOD INSPECTION</u>					
Agriculture and Food, Animal Industry	23306	R58-10	AMD	01/03/2001	2000-23/9
	23585	R58-11	5YR	03/30/2001	2001-8/83
	23586	R58-12	5YR	03/30/2001	2001-8/84
	23587	R58-13	5YR	03/30/2001	2001-8/84
	23589	R58-16	5YR	03/30/2001	2001-8/85
Agriculture and Food, Plant Industry	23960	R68-4	5YR	07/31/2001	2001-16/49
Agriculture and Food, Regulatory Services	24005	R70-330	5YR	08/24/2001	2001-18/57
	24006	R70-370	5YR	08/24/2001	2001-18/57
	23007	R70-380	5YR	08/24/2001	2001-18/58
	24046	R70-410	5YR	09/12/2001	2001-19/43
	24043	R70-410	AMD	11/01/2001	2001-19/4
	23428	R70-420	REP	03/06/2001	2001-3/5
	23429	R70-430	REP	03/06/2001	2001-3/6
	23430	R70-610	5YR	01/16/2001	2001-3/96
	23431	R70-610	NSC	02/01/2001	Not Printed
	23432	R70-620	5YR	01/16/2001	2001-3/97
	23433	R70-620	AMD	03/06/2001	2001-3/7
<u>FOOD STAMPS</u>					
Workforce Services, Employment Development	23474	R986-900-902	AMD	03/20/2001	2001-4/47
	23727	R986-900-902	AMD	07/01/2001	2001-10/79
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Human Services, Mental Health, State Hospital	23666	R525-8	NEW	06/04/2001	2001-9/98

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	24072	R501-12	EMR	09/26/2001	2001-20/60
	24035	R501-12	AMD	10/19/2001	2001-18/18
Human Services, Child and Family Services	23866	R512-43	EMR	06/29/2001	2001-14/65
<u>FRANCHISES</u>					
Commerce, Administration	24234	R151-14	5YR	11/14/2001	2001-23/133
Commerce, Consumer Protection	23792	R152-15	AMD	07/30/2001	2001-12/14
Tax Commission, Auditing	23555	R865-6F-1	NSC	04/01/2001	Not Printed
	23556	R865-6F-15	NSC	04/01/2001	Not Printed
	23989	R865-6F-27	NSC	09/01/2001	Not Printed
<u>FRAUD</u>					
Commerce, Consumer Protection	23795	R152-26	AMD	07/30/2001	2001-12/19
Human Services, Recovery Services	23389	R527-928	AMD	02/15/2001	2001-2/7
<u>FREEDOM OF INFORMATION</u>					
Agriculture and Food, Administration	23958	R51-3	5YR	07/31/2001	2001-16/48
Community and Economic Development, Administration	24150	R182-1	5YR	10/19/2001	2001-22/96
<u>FUEL</u>					
Community and Economic Development, Community Development, Energy Services	23377	R203-1	AMD	see CPR	2001-1/6
	23377	R203-1	CPR	06/15/2001	2001-4/52
Tax Commission, Auditing	24085	R865-4D-6	AMD	12/11/2001	2001-20/46
	24036	R865-4D-22	AMD	10/16/2001	2001-18/43
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<u>GAME LAWS</u>					
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	23528	R657-5	AMD	04/03/2001	2001-5/19
	23806	R657-5	AMD	07/18/2001	2001-12/63
	24064	R657-5-16	AMD	11/15/2001	2001-20/26
	24066	R657-6	AMD	11/15/2001	2001-20/28
	24021	R657-10	5YR	08/30/2001	2001-18/60
	24024	R657-10	AMD	10/17/2001	2001-18/36
	23601	R657-14	AMD	05/17/2001	2001-8/71
	23358	R657-17	AMD	01/16/2001	2000-24/51
	23810	R657-23	5YR	05/30/2001	2001-12/74
	23807	R657-23	AMD	07/18/2001	2001-12/66
	23393	R657-33	AMD	02/15/2001	2001-2/8
<u>GASOLINE</u>					
Environmental Quality, Air Quality	23919	R307-301-3	AMD	09/10/2001	2001-15/7
Tax Commission, Auditing	24037	R865-13G-15	AMD	10/16/2001	2001-18/44
<u>GOVERNMENT DOCUMENTS</u>					
Agriculture and Food, Administration	23958	R51-3	5YR	07/31/2001	2001-16/48
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Administrative Services, Finance	24135	R25-2	5YR	10/17/2001	2001-22/93
Agriculture and Food, Administration	23928	R51-2-11	NSC	08/01/2001	Not Printed
Commerce, Administration	23537	R151-46b	5YR	02/28/2001	2001-6/49
	23945	R151-46b	5YR	07/27/2001	2001-16/50
Commerce, Occupational and Professional Licensing	23839	R156-46b	5YR	06/11/2001	2001-13/85
Human Resource Management, Administration	23777	R477-11	AMD	07/03/2001	2001-11/99
Transportation, Preconstruction	23616	R930-2	NSC	05/01/2001	Not Printed
<u>GOVERNMENT INFORMATION RESOURCES</u>					
Transportation, Administration	23634	R907-40	NSC	05/01/2001	Not Printed
<u>GOVERNMENT PURCHASING</u>					
Administrative Services, Purchasing and General Services	23965	R33-3-1	AMD	12/03/2001	2001-16/7
	23962	R33-3-7	AMD	12/03/2001	2001-16/10
Attorney General, Administration	24092	R105-1	5YR	10/05/2001	2001-21/108
<u>GOVERNMENT RECORDS</u>					
Corrections, Administration	24304	R251-111	5YR	12/07/2001	2002-1/20
<u>GRANTS</u>					
Community and Economic Development, Business and Economic Development	24099	R184-1	5YR	10/10/2001	2001-21/108
Community and Economic Development, Community Development	23231	R199-8	AMD	01/23/2001	2000-21/3
	23575	R199-9	NSC	03/28/2001	Not Printed
	24298	R199-11	5YR	12/03/2001	2002-1/19
Environmental Quality, Water Quality	23785	R317-100	AMD	08/24/2001	2001-12/31
Health, Health Systems Improvement, Community Health Nursing (Changed to Health, Health Systems Improvement, Primary Care and Rural Health)	23849	R425-1 (Changed to R434-50)	AMD	10/01/2001	2001-13/65
Health, Health Systems Improvement, Primary Care and Rural Health	23888	R434-30	5YR	07/11/2001	2001-15/52
Pioneer Sesquicentennial Celebration Coordinating Council (Utah), Administration	23742	R674-2	EXD	05/09/2001	2001-11/121
<u>GRIEVANCE PROCEDURES</u>					
Career Service Review Board, Administration	23979	R137-1	5YR	08/08/2001	2001-17/46
Human Services, Child and Family Services	23884	R512-75	AMD	09/18/2001	2001-15/10
Tax Commission, Administration	23846	R861-1A-9	AMD	08/02/2001	2001-13/75
	23717	R861-1A-17	AMD	07/04/2001	2001-10/44
	23988	R861-1A-24	NSC	09/01/2001	Not Printed
	23403	R861-1A-36	AMD	04/11/2001	2001-3/76
<u>GRIEVANCES</u>					
Agriculture and Food, Administration	23959	R51-4	5YR	07/31/2001	2001-16/49
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	23777	R477-11	AMD	07/03/2001	2001-11/99
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Natural Resources, Wildlife Resources	23677	R657-48	NEW	06/13/2001	2001-9/124
<u>HALFWAY HOUSES</u>					
Corrections, Administration	23512	R251-301	5YR	02/05/2001	2001-5/40
	23400	R251-301	AMD	03/13/2001	2001-3/8
<u>HAZARDOUS MATERIALS TRANSPORTATION</u>					
Transportation, Motor Carrier	23461	R909-75	AMD	03/20/2001	2001-4/45
	23857	R909-75	AMD	08/15/2001	2001-14/43
<u>HAZARDOUS SUBSTANCES</u>					
Transportation, Motor Carrier	23461	R909-75	AMD	03/20/2001	2001-4/45
	23857	R909-75	AMD	08/15/2001	2001-14/43
<u>HAZARDOUS WASTE</u>					
Environmental Quality, Solid and Hazardous Waste	23409	R315-1	AMD	04/20/2001	2001-3/14
	24145	R315-1	5YR	10/18/2001	2001-22/98
	23410	R315-2	AMD	04/20/2001	2001-3/16
	23763	R315-2	AMD	see CPR	2001-11/27
	23763	R315-2	CPR	09/04/2001	2001-15/42
	24143	R315-2	5YR	10/18/2001	2001-22/98
	23521	R315-2-2	AMD	06/15/2001	2001-5/15
	23411	R315-3	AMD	see CPR	2001-3/22
	23411	R315-3	CPR	06/15/2001	2001-9/130
	23947	R315-3	NSC	08/01/2001	Not Printed
	24142	R315-3	5YR	10/18/2001	2001-22/99
	23764	R315-3-1	AMD	07/20/2001	2001-11/29
	24141	R315-4	5YR	10/18/2001	2001-22/99
	23948	R315-4-1	NSC	09/01/2001	Not Printed
	24146	R315-5	5YR	10/18/2001	2001-22/100
	23412	R315-5-3	AMD	04/20/2001	2001-3/30
	24140	R315-6	5YR	10/18/2001	2001-22/100
	23413	R315-7	AMD	see CPR	2001-3/31
	23413	R315-7	CPR	06/15/2001	2001-9/131
	24139	R315-7	5YR	10/18/2001	2001-22/101
	23414	R315-8	AMD	see CPR	2001-3/36
	23414	R315-8	CPR	06/15/2001	2001-9/133
	24138	R315-8	5YR	10/18/2001	2001-22/101
	23949	R315-8-15	NSC	09/01/2001	Not Printed
	24144	R315-9	5YR	10/18/2001	2001-22/102
	24089	R315-12	5YR	10/05/2001	2001-21/113
	23950	R315-12-2	NSC	09/01/2001	Not Printed
	24090	R315-13	5YR	10/05/2001	2001-21/113
	23415	R315-13-1	AMD	04/20/2001	2001-3/40
	24137	R315-14	5YR	10/18/2001	2001-22/102
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	23418	R315-50	AMD	04/20/2001	2001-3/50
	24136	R315-50	5YR	10/18/2001	2001-22/103
	23554	R315-101	AMD	see CPR	2001-7/15
	23554	R315-101	CPR	09/20/2001	2001-15/44
	24195	R315-101	5YR	11/08/2001	2001-23/134
	23419	R315-101-7	AMD	see CPR	2001-3/51
	23419	R315-101-7	CPR	07/20/2001	2001-11/113
Transportation, Motor Carrier	23461	R909-75	AMD	03/20/2001	2001-4/45
	23857	R909-75	AMD	08/15/2001	2001-14/43
<u>HEALTH CARE</u>					
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<u>HEALTH FACILITIES</u>					
Health, Health Systems Improvement, Health Facility Licensure	23292	R432-106	NEW	01/23/2001	2000-23/31
Health, Health Systems Improvement, Health Facility Licensure (Changed to Health, Health Systems Improvement, Licensing)	23477	R432-1	NSC	04/01/2001	Not Printed
	23784	R432-1-3	AMD	08/07/2001	2001-12/51
	23478	R432-2	NSC	04/01/2001	Not Printed
	23479	R432-3	NSC	04/01/2001	Not Printed
	23480	R432-4	NSC	04/01/2001	Not Printed
	23481	R432-5	NSC	04/01/2001	Not Printed
	23482	R432-6	NSC	04/01/2001	Not Printed
	23483	R432-7	NSC	04/01/2001	Not Printed
	23484	R432-8	NSC	04/01/2001	Not Printed
	23485	R432-9	NSC	04/01/2001	Not Printed
	23486	R432-10	NSC	04/01/2001	Not Printed
	23487	R432-11	NSC	04/01/2001	Not Printed
	23488	R432-12	NSC	04/01/2001	Not Printed
	23489	R432-13	NSC	04/01/2001	Not Printed
	23490	R432-14	NSC	04/01/2001	Not Printed
	23491	R432-16	NSC	04/01/2001	Not Printed
	23492	R432-30	NSC	04/01/2001	Not Printed
	23493	R432-35	NSC	04/01/2001	Not Printed
	23494	R432-100	NSC	04/01/2001	Not Printed
	23495	R432-101	NSC	04/01/2001	Not Printed
	23496	R432-102	NSC	04/01/2001	Not Printed
	23497	R432-103	NSC	04/01/2001	Not Printed
	23498	R432-104	NSC	04/01/2001	Not Printed
	23499	R432-105	NSC	04/01/2001	Not Printed
	23561	R432-106	NSC	04/01/2001	Not Printed
	23500	R432-150	NSC	04/01/2001	Not Printed
	23501	R432-151	NSC	04/01/2001	Not Printed
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	23504	R432-201	NSC	04/01/2001	Not Printed
	23505	R432-270	NSC	04/01/2001	Not Printed
	23380	R432-270	AMD	03/30/2001	2001-1/10
	23506	R432-300	NSC	04/01/2001	Not Printed
	23567	R432-500	NSC	04/01/2001	Not Printed
	23564	R432-500	AMD	08/13/2001	2001-8/63
	23507	R432-550	NSC	04/01/2001	Not Printed
	23508	R432-600	NSC	04/01/2001	Not Printed
	23562	R432-650	NSC	04/01/2001	Not Printed
	23509	R432-700	NSC	04/01/2001	Not Printed
	23510	R432-750	NSC	04/01/2001	Not Printed
	23563	R432-950	NSC	04/01/2001	Not Printed
<u>HEALTH INSURANCE</u>					
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<u>HEALTH SPAS</u>					
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<u>HEARING AIDS</u>					
Commerce, Occupational and Professional Licensing	24008	R156-46a	AMD	10/16/2001	2001-18/4
	23735	R156-46a-308	AMD	07/05/2001	2001-11/4
<u>HEARINGS</u>					
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Environmental Quality, Air Quality	23442	R307-103-1	NSC	02/01/2001	Not Printed
	23407	R307-103-2	AMD	04/12/2001	2001-3/13
	23755	R309-115	NEW	08/24/2001	2001-11/23
Labor Commission, Adjudication	24070	R602-2-2	AMD	11/15/2001	2001-20/25
	24069	R602-2-3	AMD	11/15/2001	2001-20/26
Professional Practices Advisory Commission, Administration	23427	R686-100	AMD	03/06/2001	2001-3/67
	23547	R686-100	NSC	04/01/2001	Not Printed
<u>HIGHER EDUCATION</u>					
Regents (Board of), Administration	23907	R765-608	NEW	09/01/2001	2001-15/31
	24130	R765-608	AMD	12/04/2001	2001-21/81
	24131	R765-610	AMD	12/04/2001	2001-21/84
	24132	R765-612	AMD	12/04/2001	2001-21/85
	23596	R765-649	NEW	05/16/2001	2001-8/78
	23782	R765-649	AMD	07/17/2001	2001-12/71
	24291	R765-685	5YR	11/30/2001	2001-24/58
<u>HIGH QUALITY GROUND WATER</u>					
Environmental Quality, Drinking Water	23656	R309-202 (Changed to R309-505)	AMD	08/15/2001	2001-9/26
<u>HIGHWAY BEAUTIFICATION</u>					
Transportation, Preconstruction, Right-of-Way Acquisition	23637	R933-1	NSC	05/01/2001	Not Printed
	24071	R933-1	AMD	11/20/2001	2001-20/49

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	23614	R926-5	NSC	05/01/2001	Not Printed
<u>HIGHWAY HEARINGS</u>					
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<u>HIGHWAY PLANNING</u>					
Transportation, Program Development	23612	R926-2	NSC	05/01/2001	Not Printed
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Transportation, Program Development	23613	R926-3	NSC	05/01/2001	Not Printed
<u>HIGHWAYS</u>					
Transportation, Operations, Construction	23609	R916-3	NSC	05/01/2001	Not Printed
	23750	R916-3	5YR	05/14/2001	2001-11/119
<u>HIRING PRACTICES</u>					
Human Resource Management, Administration	23773	R477-5	AMD	07/03/2001	2001-11/86
<u>HISTORICAL SOCIETY</u>					
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<u>HISTORIC PRESERVATION</u>					
Community and Economic Development, Community Development, History	24076	R212-7	5YR	09/26/2001	2001-20/66
	24169	R212-8	5YR	10/30/2001	2001-22/97
	24170	R212-9	5YR	10/30/2001	2001-22/97
Tax Commission, Auditing	23555	R865-6F-1	NSC	04/01/2001	Not Printed
	23556	R865-6F-15	NSC	04/01/2001	Not Printed
	23989	R865-6F-27	NSC	09/01/2001	Not Printed
	23910	R865-9I-14	AMD	09/05/2001	2001-15/33
	23990	R865-9I-42	NSC	09/01/2001	Not Printed
<u>HISTORIC SITES</u>					
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	24169	R212-8	5YR	10/30/2001	2001-22/97
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	23843	R380-210	NEW	10/15/2001	2001-13/59
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<u>HUMAN SERVICES</u>					
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	23626	R501-12	AMD	08/09/2001	2001-9/94
	24072	R501-12	EMR	09/26/2001	2001-20/60
	24035	R501-12	AMD	10/19/2001	2001-18/18
	23783	R501-14	5YR	05/18/2001	2001-12/75
	23323	R501-17	AMD	01/16/2001	2000-23/39
	23923	R501-22	NSC	08/01/2001	Not Printed
<u>HUNTER EDUCATION</u>					
Natural Resources, Wildlife Resources	23810	R657-23	5YR	05/30/2001	2001-12/74
	23807	R657-23	AMD	07/18/2001	2001-12/66
<u>HUNTING</u>					
Natural Resources, Wildlife Resources	23360	R657-38	AMD	01/16/2001	2000-24/53
<u>HUNTING AND FISHING LICENSES</u>					
Natural Resources, Wildlife Resources	23358	R657-17	AMD	01/16/2001	2000-24/51
<u>HYDROPNEUMATIC SYSTEMS</u>					
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<u>IMPORT RESTRICTIONS</u>					
Natural Resources, Wildlife Resources	23673	R657-3	5YR	04/16/2001	2001-9/143
<u>INCIDENTS</u>					
Administrative Services, Fleet Operations	23345	R27-7	NEW	01/31/2001	2000-24/6
<u>INCINERATORS</u>					
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	23835	R307-220	CPR	11/01/2001	2001-19/42
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Health, Health Care Financing, Coverage and Reimbursement Policy	23396	R414-303	EMR	01/03/2001	2001-3/87
	23420	R414-303	AMD	03/13/2001	2001-3/52
	23752	R414-303	AMD	07/06/2001	2001-11/59
	23397	R414-304	EMR	01/03/2001	2001-3/89
	23753	R414-304	AMD	07/06/2001	2001-11/62
	23922	R414-304	AMD	09/26/2001	2001-16/26
	23452	R414-310	REP	04/04/2001	2001-4/13
<u>INCOME ELIGIBILITY</u>					
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	23990	R865-9I-42	NSC	09/01/2001	Not Printed
<u>INCOME WITHHOLDING FEES</u>					
Human Services, Recovery Services	23955	R527-302	NSC	08/01/2001	Not Printed
<u>INDIAN AFFAIRS</u>					
Community and Economic Development, Indian Affairs	23476	R230-1	5YR	02/01/2001	2001-4/61
<u>INDIGENT</u>					
Health, Health Care Financing, Medical Assistance Program	23351	R420-1	AMD	01/23/2001	2000-24/28
	23701	R420-1	EMR	05/01/2001	2001-10/85
	23703	R420-1	AMD	06/25/2001	2001-10/19
<u>INDIVIDUAL HOME BOOSTER PUMPS</u>					
Environmental Quality, Drinking Water	23660	R309-209 (Changed to R309-540)	AMD	08/15/2001	2001-9/46
<u>INDUSTRIAL WASTE</u>					
Environmental Quality, Water Quality	23766	R317-1	AMD	08/24/2001	2001-11/32
	23164	R317-1-3	AMD	see CPR	2000-19/25
	23164	R317-1-3	CPR	01/23/2001	2000-24/74
	23599	R317-1-6	AMD	08/13/2001	2001-8/44
<u>INDUSTRY</u>					
Environmental Quality, Radiation Control	23552	R313-36	AMD	05/11/2001	2001-7/13
	24098	R313-36	5YR	10/10/2001	2001-21/112
<u>INFORMATION TECHNOLOGY</u>					
Administrative Services, Information Technology Services	23944	R29-1	5YR	07/26/2001	2001-16/48
<u>INJURY</u>					
Health, Epidemiology and Laboratory Services, Epidemiology	24062	R386-703	5YR	09/18/2001	2001-20/67
<u>INJURY PREVENTION</u>					
Health, Administration	23842	R380-200	NEW	10/15/2001	2001-13/56
	23843	R380-210	NEW	10/15/2001	2001-13/59
<u>INMATES</u>					
Corrections, Administration	23968	R251-702	5YR	08/01/2001	2001-16/52
<u>IN-SERVICE TRAINING</u>					
Public Safety, Peace Officer Standards and Training	23630	R728-500	NSC	05/01/2001	Not Printed
<u>INSPECTIONS</u>					
Agriculture and Food, Plant Industry	23973	R68-7	5YR	08/07/2001	2001-17/46
	23961	R68-8	5YR	07/31/2001	2001-16/50
	24158	R68-20	AMD	12/18/2001	2001-22/19
Agriculture and Food, Regulatory Services	23728	R70-910	5YR	05/03/2001	2001-11/116
	24154	R70-920	5YR	10/24/2001	2001-22/95
	24155	R70-930	5YR	10/24/2001	2001-22/95
	24156	R70-940	5YR	10/24/2001	2001-22/96
	23729	R70-950	5YR	05/03/2001	2001-11/116

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	23932	R313-12	5YR	07/23/2001	2001-16/53
	23826	R313-12	AMD	09/14/2001	2001-13/27
	23934	R313-16	5YR	07/23/2001	2001-16/54
	24108	R313-16	AMD	12/14/2001	2001-21/56
	23936	R313-18	5YR	07/23/2001	2001-16/55
Transportation, Motor Carrier	24117	R909-17	NEW	12/04/2001	2001-21/99
<u>INSTRUCTIONAL MATERIALS</u>					
Education, Administration	23426	R277-469	AMD	03/06/2001	2001-3/9
<u>INSURANCE</u>					
Human Resource Management, Administration	23774	R477-7	AMD	07/03/2001	2001-11/87
Insurance, Administration	23582	R590-144	5YR	03/30/2001	2001-8/88
	23583	R590-144	NSC	05/01/2001	Not Printed
	23598	R590-146	AMD	05/23/2001	2001-8/65
	23765	R590-155	AMD	08/20/2001	2001-11/106
	23369	R590-175	AMD	see CPR (First)	2000-24/36
	23369	R590-175	CPR (First)	see CPR (Second)	2001-9/35
	23369	R590-175	CPR (Second)	08/23/2001	2001-14/50
23713	R590-177	5YR	04/30/2001	2001-10/91	
<u>INSURANCE BENEFITS</u>					
Insurance, Administration	23378	R590-204	NEW	02/09/2001	2001-1/23
<u>INSURANCE CERTIFICATE OF AUTHORITY</u>					
Insurance, Administration	23560	R590-208	NEW	06/12/2001	2001-7/20
<u>INSURANCE COMPANIES</u>					
Insurance, Administration	24162	R590-145	5YR	10/25/2001	2001-22/103
<u>INSURANCE LAW</u>					
Insurance, Administration	24354	R590-91	5YR	12/28/2001	2002-2/53
	23904	R590-136	5YR	07/13/2001	2001-15/53
	24051	R590-178	5YR	09/12/2001	2001-19/44
	22923	R590-200	NEW	see CPR (First)	2000-13/51
	22923	R590-200	CPR (First)	see CPR (Second)	2000-19/159
	22923	R590-200	CPR (Second)	see CPR (Third)	2000-23/60
	22923	R590-200	CPR (Third)	04/30/2001	2001-3/84
	23720	R590-206	NEW	07/01/2001	2001-10/23
	23559	R590-207	NEW	see CPR	2001-7/18
	23559	R590-207	CPR	09/30/2001	2001-13/83
<u>INSURANCE LAW PRIVACY</u>					
Insurance, Administration	23247	R590-205	NEW	01/11/2001	2000-22/35
	23864	R590-210	EMR	07/01/2001	2001-14/70
	23985	R590-210	NEW	10/12/2001	2001-17/21

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	23519	R223-2	NSC	02/23/2001	Not Printed
	23694	R223-2	AMD	09/07/2001	2001-10/14
<u>INTRASTATE DRIVER LICENSE WAIVERS</u>					
Public Safety, Driver License	23597	R708-34	AMD	05/16/2001	2001-8/74
	24111	R708-34	AMD	12/04/2001	2001-21/80
<u>INVESTIGATIONS</u>					
Public Safety, Peace Officer Standards and Training	23629	R728-409	NSC	05/01/2001	Not Printed
<u>IRON AND MANGANESE CONTROL</u>					
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<u>IRRADIATORS</u>					
Environmental Quality, Radiation Control	23830	R313-34	AMD	09/14/2001	2001-13/47
<u>JOB DESCRIPTION</u>					
Human Resource Management, Administration	23772	R477-4	AMD	07/03/2001	2001-11/85
<u>JUDGES</u>					
Judicial Conduct Commission, Administration	23908	R595-1	NSC	07/30/2001	Not Printed
<u>JUDICIAL ETHICS</u>					
Judicial Conduct Commission, Administration	23908	R595-1	NSC	07/30/2001	Not Printed
<u>JURISDICTION</u>					
Workforce Services, Workforce Information and Payment Services	23525	R994-406-304	AMD	04/05/2001	2001-5/28
<u>JUVENILE COURTS</u>					
Education, Administration	23670	R277-709	AMD	06/05/2001	2001-9/19
<u>LABOR</u>					
Labor Commission, Antidiscrimination and Labor, Labor	23861	R610-1-3	NSC	07/05/2001	Not Printed
<u>LAND EXCHANGE</u>					
Natural Resources; Forestry, Fire and State Lands	23941	R652-80	5YR	07/23/2001	2001-16/59
<u>LANDFILLS</u>					
Environmental Quality, Air Quality	23835	R307-220	AMD	see CPR	2001-13/17
	23835	R307-220	CPR	11/01/2001	2001-19/42
<u>LAND MANAGER</u>					
Environmental Quality, Air Quality	23139	R307-204	NEW	see CPR	2000-19/14
	23139	R307-204	CPR	03/06/2001	2001-3/81
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Natural Resources, Wildlife Resources	23675	R657-43	AMD	06/04/2001	2001-9/119
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School and Institutional Trust Lands, Administration	24053	R850-140	5YR	09/14/2001	2001-19/45

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	23538	R510-1	AMD	04/17/2001	2001-6/45
	23822	R510-1	5YR	06/04/2001	2001-13/86
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<u>LAW ENFORCEMENT</u>					
Public Safety, Law Enforcement and Technical Services, Regulatory Licensing (Changed to Public Safety, Criminal Investigations and Technical Services, Criminal Identification)	23447	R724-7 (Changed to R722-320)	NSC	02/01/2001	Not Printed
Public Safety, Peace Officer Standards and Training	23628	R728-404	NSC	05/01/2001	Not Printed
	23629	R728-409	NSC	05/01/2001	Not Printed
<u>LAW ENFORCEMENT OFFICERS</u>					
Public Safety, Peace Officer Standards and Training	23630	R728-500	NSC	05/01/2001	Not Printed
<u>LEAVE</u>					
Human Resource Management, Administration	23775	R477-8	AMD	07/03/2001	2001-11/90
<u>LEGITIMATION</u>					
Health, Center for Health Data, Vital Records and Statistics	24014	R436-5	5YR	08/28/2001	2001-18/58
<u>LIBRARIES</u>					
Community and Economic Development, Community Development, Library	23352	R223-2	NEW	02/15/2001	2000-24/11
	23519	R223-2	NSC	02/23/2001	Not Printed
	23694	R223-2	AMD	09/07/2001	2001-10/14
Education, Administration	24294	R277-467	5YR	11/30/2001	2001-24/55
<u>LICENSE</u>					
Environmental Quality, Radiation Control	23312	R313-19	AMD	01/26/2001	2000-23/19
	24094	R313-19	5YR	10/10/2001	2001-21/109
Public Safety, Law Enforcement and Technical Services, Regulatory Licensing (Changed to Public Safety, Criminal Investigations and Technical Services, Criminal Identification)	23448	R724-9 (Changed to R722-330)	NSC	02/01/2001	Not Printed
	23449	R724-10 (Changed to R722-310)	NSC	02/01/2001	Not Printed
<u>LICENSE PLATES</u>					
Tax Commission, Motor Vehicle	23718	R873-22M-35	AMD	07/04/2001	2001-10/48
<u>LICENSING</u>					
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Commerce, Occupational and Professional Licensing	24181	R156-1	AMD	12/18/2001	2001-22/47
	23798	R156-1-308a	AMD	07/17/2001	2001-12/22
	23909	R156-1-308c	AMD	09/04/2001	2001-15/4
	23295	R156-1-308d	AMD	01/04/2001	2000-23/9
	23550	R156-3a	AMD	05/03/2001	2001-7/9
	23730	R156-3a	NSC	06/01/2001	Not Printed
	23837	R156-3a	5YR	06/11/2001	2001-13/85

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	23796	R156-9a	NEW	07/17/2001	2001-12/25
	23260	R156-11a	AMD	see CPR	2000-22/5
	23260	R156-11a	CPR	03/06/2001	2001-3/79
	23566	R156-16a	AMD	05/17/2001	2001-8/16
	23695	R156-17a	5YR	04/26/2001	2001-10/89
	24083	R156-17a-612	AMD	11/15/2001	2001-20/8
	23678	R156-24a	AMD	see CPR	2001-10/0
	23678	R156-24a	CPR	08/16/2001	2001-14/46
	23296	R156-26a	AMD	01/04/2001	2000-23/11
	23309	R156-28	AMD	see CPR	2000-23/15
	23309	R156-28	CPR	03/08/2001	2001-3/80
	23631	R156-31b	AMD	see CPR	2001-9/10
	23631	R156-31b	CPR	09/04/2001	2001-15/40
	23401	R156-37-502	NSC	02/01/2001	Not Printed
	23799	R156-38	AMD	07/17/2001	2001-12/26
	23953	R156-38-401	AMD	09/17/2001	2001-16/23
	24192	R156-40	5YR	11/06/2001	2001-23/133
	23734	R156-44a	AMD	07/05/2001	2001-11/3
	24008	R156-46a	AMD	10/16/2001	2001-18/4
	23735	R156-46a-308	AMD	07/05/2001	2001-11/4
	23535	R156-47b	5YR	02/26/2001	2001-6/49
	23539	R156-47b	AMD	see CPR	2001-6/42
	23539	R156-47b	CPR	08/16/2001	2001-14/47
	23696	R156-50	5YR	04/26/2001	2001-10/90
	24159	R156-54	AMD	12/18/2001	2001-22/50
	23518	R156-54-302b	AMD	04/03/2001	2001-5/7
	23602	R156-54-302b	NSC	05/01/2001	Not Printed
	23374	R156-55b	AMD	04/30/2001	2001-1/4
	23375	R156-55c-102	AMD	04/30/2001	2001-1/5
	23885	R156-55c-302c	AMD	09/04/2001	2001-15/5
	23524	R156-55d-603	AMD	04/03/2001	2001-5/8
	23577	R156-56	AMD	07/01/2001	2001-8/18
	24086	R156-56	AMD	01/01/2002	2001-21/13
	23788	R156-56-704	NSC	06/26/2001	Not Printed
	24088	R156-56-710	AMD	01/01/2002	2002-21/35
	23883	R156-59-102	NSC	07/30/2001	Not Printed
	23620	R156-60b	AMD	06/01/2001	2001-9/13
	23679	R156-60c	AMD	06/19/2001	2001-10/11
	23838	R156-60d	5YR	06/11/2001	2001-13/86
	24002	R156-60d	AMD	10/18/2001	2001-18/5
	23632	R156-61	AMD	06/01/2001	2001-9/16
	24019	R156-63	AMD	see CPR	2001-18/7
	24019	R156-63	CPR	12/04/2001	2001-21/108
	23925	R156-67	5YR	07/19/2001	2001-16/51
	23593	R156-67	AMD	see CPR (First)	2001-8/41

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	24330	R156-67-306	EMR	01/01/2002	2002-2/44
	23736	R156-68-305	AMD	07/05/2001	2001-11/5
	23141	R156-69	AMD	see CPR	2000-10/10
	23141	R156-69	CPR	02/15/2001	2001-2/17
	23878	R156-69	5YR	07/05/2001	2001-15/47
	23737	R156-69-305	AMD	07/05/2001	2001-11/6
	24061	R156-70a	AMD	11/15/2001	2001-20/10
	23738	R156-71	AMD	07/05/2001	2001-11/7
	23390	R156-73	AMD	02/15/2001	2001-2/2
	23879	R156-73	5YR	07/05/2001	2001-15/48
	23743	R156-73	AMD	07/05/2001	2001-11/8
Commerce, Occupational and Professional Licensing (Changed to Commerce, Administration)	23859	R156-66 (Changed to R151-33)	EMR	07/01/2001	2001-14/54
	24057	R156-66 (Changed to R151-33)	AMD	11/01/2001	2001-19/10
Commerce, Real Estate	23321	R162-102	AMD	02/07/2001	2000-23/17
	24080	R162-102	AMD	11/15/2001	2001-20/12
Environmental Quality, Radiation Control	23936	R313-18	5YR	07/23/2001	2001-16/55
	23552	R313-36	AMD	05/11/2001	2001-7/13
	24098	R313-36	5YR	10/10/2001	2001-21/112
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	23121	R501-7	CPR	01/16/2001	2000-23/59
	23322	R501-8	AMD	01/16/2001	2000-23/33
	23406	R501-8	NSC	02/01/2001	Not Printed
	23626	R501-12	AMD	08/09/2001	2001-9/94
	24072	R501-12	EMR	09/26/2001	2001-20/60
	24035	R501-12	AMD	10/19/2001	2001-18/18
	23783	R501-14	5YR	05/18/2001	2001-12/73
	23323	R501-17	AMD	01/16/2001	2000-23/39
	23923	R501-22	NSC	08/01/2001	Not Printed
Natural Resources, Wildlife Resources	23455	R657-27	AMD	03/26/2001	2001-4/39
Public Safety, Driver License	23957	R708-18	5YR	07/30/2001	2001-16/59
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Pioneer Sesquicentennial Celebration Coordinating Council (Utah), Administration	23740	R674-3	EXD	05/07/2001	2001-11/121
<u>LIENS</u>					
Commerce, Occupational and Professional Licensing	23799	R156-38	AMD	07/17/2001	2001-12/26
	23953	R156-38-401	AMD	09/17/2001	2001-16/23

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Transportation, Preconstruction, Right- of-Way Acquisition	23619	R933-3	NSC	05/01/2001	Not Printed
<u>LIQUEFIED PETROLEUM GAS</u>					
Public Safety, Fire Marshal	23367	R710-6	AMD	01/16/2001	2000-24/63
	23880	R710-6	5YR	07/05/2001	2001-15/55
	23995	R710-6	EMR	08/16/2001	2001-18/53
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Attorney General, Administration	24092	R105-1	5YR	10/05/2001	2001-21/108
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Agriculture and Food, Marketing and Conservation	24003	R65-8	5YR	08/24/2001	2001-18/56
<u>LOAN PROGRAM</u>					
Community and Economic Development, Community Development, Energy Services	23377	R203-1	AMD	see CPR	2001-1/6
	23377	R203-1	CPR	06/15/2001	2001-4/52
<u>LOANS</u>					
Environmental Quality, Water Quality	23786	R317-101	AMD	08/24/2001	2001-12/33
	23787	R317-102	AMD	08/24/2001	2001-12/37
<u>LOBBYIST</u>					
Lieutenant Governor, Elections	24174	R623-1	AMD	12/20/2001	2001-22/75
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Health, Center for Health Data, Vital Records and Statistics	23681	R436-11	NSC	05/01/2001	Not Printed
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Transportation, Administration	23623	R907-63-1	NSC	05/01/2001	Not Printed
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Environmental Quality, Drinking Water	23656	R309-202 (Changed to R309-505)	AMD	08/15/2001	2001-9/26
<u>MAMMOGRAPHY</u>					
Environmental Quality, Radiation Control	24096	R313-28	5YR	10/10/2001	2001-21/110
	24109	R313-28-31	AMD	12/14/2001	2001-21/60
Health, Health Systems Improvement, Health Facility Licensure (Changed to Health Systems Improvement, Licensing)	23563	R432-950	NSC	04/01/2001	Not Printed
<u>MANAGEMENT</u>					
Community and Economic Development, Community Development, History	24076	R212-7	5YR	09/26/2001	2001-20/66
Natural Resources; Forestry, Fire and State Lands	23940	R652-41	5YR	07/23/2001	2001-16/58
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Commerce, Occupational and Professional Licensing	23535	R156-47b	5YR	02/26/2001	2001-6/49
	23539	R156-47b	AMD	see CPR	2001-6/42
	23539	R156-47b	CPR	08/16/2001	2001-14/47
<u>MATHEMATICS</u>					
Education, Administration	23856	R277-717	NEW	08/01/2001	2001-13/16
<u>MEDICAID</u>					
Health, Health Care Financing, Coverage and Reimbursement Policy	24031	R414-3A-800	AMD	11/01/2001	2001-18/11
	24032	R414-10	AMD	11/01/2001	2001-18/12
	24033	R414-11	AMD	11/01/2001	2001-18/14
	23823	R414-61	AMD	08/08/2001	2001-13/63
	23347	R414-63	NEW	01/17/2001	2000-24/23
	23551	R414-63	AMD	05/07/2001	2001-7/17
	24357	R414-63	EMR	01/01/2002	2002-2/45
	23421	R414-304	AMD	03/13/2001	2001-3/56
	23398	R414-305	EMR	01/03/2001	2001-3/91
	23422	R414-305	AMD	03/13/2001	2001-3/60
	23754	R414-305	AMD	07/06/2001	2001-11/72
	24034	R414-401	REP	11/01/2001	2001-18/16
	23802	R414-501	AMD	07/18/2001	2001-12/40
	23803	R414-502	AMD	07/18/2001	2001-12/43
	23804	R414-503	AMD	07/18/2001	2001-12/46
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	23701	R420-1	EMR	05/01/2001	2001-10/85
	23703	R420-1	AMD	06/25/2001	2001-10/19
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	23929	R527-800	5YR	07/23/2001	2001-16/55
	23930	R527-800	AMD	09/18/2001	2001-16/33
	23887	R527-936	5YR	07/10/2001	2001-15/53
	23821	R527-936	AMD	08/03/2001	2001-13/70
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Health, Health Systems Improvement, Primary Care and Rural Health	23888	R434-30	5YR	07/11/2001	2001-15/52
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Labor Commission, Industrial Accidents	23463	R612-2-3	NSC	02/15/2001	Not Printed
	23464	R612-2-5	NSC	02/15/2001	Not Printed
	23548	R612-2-5	EMR	03/08/2001	2001-7/43
	23549	R612-2-5	AMD	05/03/2001	2001-7/21
	23746	R612-2-5	AMD	07/05/2001	2001-11/108
	23465	R612-2-6	NSC	02/15/2001	Not Printed
	23466	R612-2-11	NSC	02/15/2001	Not Printed
	23467	R612-2-16	AMD	03/20/2001	2001-4/32
	23468	R612-2-17	NSC	02/15/2001	Not Printed

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	23471	R612-2-24	AMD	03/20/2001	2001-4/34
	23472	R612-2-26	NSC	02/15/2001	Not Printed
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	24023	R657-9	AMD	10/17/2001	2001-18/32
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	23816	R647-2-111	CPR	10/01/2001	2001-16/41
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	24355	R930-3	5YR	12/31/2001	2002-2/55
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	24355	R930-3	5YR	12/31/2001	2002-2/55
<u>NOISE WALL</u>					
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	23631	R156-31b	CPR	09/04/2001	2001-15/40	
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	23909	R156-1-308c	AMD	09/04/2001	2001-15/4	
	23295	R156-1-308d	AMD	01/04/2001	2000-23/9	
	23839	R156-46b	5YR	06/11/2001	2001-13/85	
	23374	R156-55b	AMD	04/30/2001	2001-1/4	
	23375	R156-55c-102	AMD	04/30/2001	2001-1/5	
	23885	R156-55c-302c	AMD	09/04/2001	2001-15/5	
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		23767	R317-11	CPR	10/23/2001	2001-18/48
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	24219	R651-401	5YR	11/13/2001	2001-23/145	
	24231	R651-402	5YR	11/13/2001	2001-23/146	
	23708	R651-403	AMD	06/15/2001	2001-10/38	
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	23709	R651-404	AMD	06/15/2001	2001-10/39	
	24222	R651-404	5YR	11/13/2001	2001-23/147	
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	24029	R649-3-31	AMD	11/01/2001	2001-18/30	
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	23711	R651-603	AMD	06/15/2001	2001-10/41
	23424	R651-608-2	AMD	03/06/2001	2001-3/63
	23978	R651-611	5YR	08/07/2001	2001-17/49
	24189	R651-611	AMD	01/01/2002	2001-22/77
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Natural Resources, Wildlife Resources	23364	R657-42	AMD	01/16/2001	2000-24/60
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	23809	R657-42-8	AMD	07/18/2001	2001-12/70
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	23994	R884-24P-33	AMD	10/16/2001	2001-17/22
	24120	R884-24P-33	AMD	12/11/2001	2001-21/86
	23475	R884-24P-49	AMD	04/11/2001	2001-4/42
	24118	R884-24P-53	AMD	12/11/2001	2001-21/94
	23395	R884-24P-62	AMD	05/14/2001	2001-2/11
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	23847	R884-24P-66	AMD	08/02/2001	2001-13/77
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	23593	R156-67	AMD	see CPR (First)	2001-8/41
	23593	R156-67	CPR (First)	see CPR (Second)	2001-16/37
	23593	R156-67	CPR (Second)	11/01/2001	2001-19/40
	24330	R156-67-306	EMR	01/01/2002	2002-2/44
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	24302	R746-409	5YR	12/03/2001	2002-1/23
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	23438	R68-12	5YR	01/16/2001	2001-3/96
	24004	R68-18	5YR	08/24/2001	2001-18/56
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	23402	R708-3	AMD	03/06/2001	2001-3/75
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	23232	R746-352	CPR (Second)	06/15/2001	2001-7/38
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	23901	R251-708	5YR	07/12/2001	2001-15/48
	23570	R251-709	5YR	03/27/2001	2001-8/87
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	23902	R251-711	5YR	07/12/2001	2001-15/49
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	23855	R277-526	AMD	08/01/2001	2001-13/13
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	24110	R156-22	AMD	12/04/2001	2001-21/12
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	23994	R884-24P-33	AMD	10/16/2001	2001-17/22
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	23316	R884-24P-65	AMD	02/20/2001	2000-23/54
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	24098	R313-36	5YR	10/10/2001	2001-21/112
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	23991	R865-19S-93	NSC	09/01/2001	Not Printed
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	23622	R933-2-15	AMD	07/09/2001	2001-9/128
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Environmental Quality, Drinking Water	23659	R309-207 (Changed to R309-530)	AMD	08/15/2001	2001-9/43
<u>SMALL BUSINESS ASSISTANCE PROGRAM</u>					
Environmental Quality, Air Quality	23918	R307-110-12	AMD	09/10/2001	2001-15/6
	23756	R307-110-31	AMD	08/02/2001	2001-11/18
	23757	R307-110-33	AMD	08/02/2001	2001-11/19
	23758	R307-110-34	AMD	see CPR	2001-11/20
	23758	R307-110-34	CPR	10/02/2001	2001-17/36
<u>SMOKE</u>					
Environmental Quality, Air Quality	23139	R307-204	NEW	see CPR	2000-19/14
	23139	R307-204	CPR	03/06/2001	2001-3/81

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	23867	R495-876	5YR	07/02/2001	2001-14/73
	23868	R495-876	AMD	08/15/2001	2001-14/38
	24027	R495-876	5YR	08/30/2001	2001-18/59
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	23639	R315-302	AMD	07/01/2001	2001-9/64
	23640	R315-303-3	AMD	07/01/2001	2001-9/68
	23641	R315-304-5	AMD	07/01/2001	2001-9/71
	23871	R315-304-5	NSC	07/30/2001	Not Printed
	23642	R315-305	AMD	07/01/2001	2001-9/72
	23872	R315-305-5	NSC	07/30/2001	Not Printed
	23643	R315-306	AMD	07/01/2001	2001-9/74
	23644	R315-307-1	AMD	07/01/2001	2001-9/76
	23645	R315-308-2	AMD	07/01/2001	2001-9/77
	23646	R315-309-2	AMD	07/01/2001	2001-9/80
	23647	R315-310	AMD	07/01/2001	2001-9/81
	23874	R315-310-2	NSC	07/30/2001	Not Printed
	23648	R315-312	AMD	07/01/2001	2001-9/85
	23875	R315-312-4	NSC	07/30/2001	Not Printed
	23649	R315-313	AMD	07/01/2001	2001-9/86
	23650	R315-314-3	AMD	07/01/2001	2001-9/87
	23882	R315-314-3	NSC	07/30/2001	Not Printed
	22858	R315-315-8	AMD	see CPR (First)	2000-11/18
	22858	R315-315-8	CPR (First)	see CPR (Second)	2000-17/67
	22858	R315-315-8	CPR (Second)	01/05/2001	2000-23/58
	23651	R315-316	AMD	07/01/2001	2001-9/89
	23652	R315-320	AMD	07/01/2001	2001-9/91
	23876	R315-320-7	NSC	07/30/2001	Not Printed
<u>SOVEREIGN LANDS</u>					
Natural Resources; Forestry, Fire and State Lands	23621	R652-70-2400	AMD	06/11/2001	2001-9/100
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<u>SPECIAL FUEL</u>					
Tax Commission, Auditing	24085	R865-4D-6	AMD	12/11/2001	2001-20/46

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	24095	R313-22	5YR	10/10/2001	2001-21/109
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Natural Resources, Wildlife Resources	23531	R657-40	5YR	02/15/2001	2001-5/42
	23532	R657-40	AMD	04/03/2001	2001-5/22
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Administrative Services, Finance	23699	R25-7	AMD	07/01/2001	2001-10/5
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Transportation, Program Development	23614	R926-5	NSC	05/01/2001	Not Printed
<u>STATE REGISTER</u>					
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	23963	R277-415	REP	09/20/2001	2001-16/24
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Workforce Services, Workforce Information and Payment Services	23824	R994-403-102a	AMD	08/09/2001	2001-13/78
<u>STUDENT LOANS</u>					
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	24130	R765-608	AMD	12/04/2001	2001-21/81
	24131	R765-610	AMD	12/04/2001	2001-21/84
	24132	R765-612	AMD	12/04/2001	2001-21/85
	23596	R765-649	NEW	05/16/2001	2001-8/78
	23782	R765-649	AMD	07/17/2001	2001-12/71
<u>STUDENTS</u>					
Education, Administration	23964	R277-480	NEW	09/20/2001	2001-16/25
	23670	R277-709	AMD	06/05/2001	2001-9/19
<u>STUDENTS AT RISK</u>					
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	24002	R156-60d	AMD	10/18/2001	2001-18/5
<u>SUBSURFACE TRACER STUDIES</u>					
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Environmental Quality, Drinking Water	23656	R309-202 (Changed to R309-505)	AMD	08/15/2001	2001-9/26
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	24110	R156-22	AMD	12/04/2001	2001-21/12
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	23552	R313-36	AMD	05/11/2001	2001-7/13
	24098	R313-36	5YR	10/10/2001	2001-21/112
	23831	R313-38	R&R	09/14/2001	2001-13/48
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	23717	R861-1A-17	AMD	07/04/2001	2001-10/44
	23988	R861-1A-24	NSC	09/01/2001	Not Printed
	23403	R861-1A-36	AMD	04/11/2001	2001-3/76
Tax Commission, Auditing	24085	R865-4D-6	AMD	12/11/2001	2001-20/46
	24036	R865-4D-22	AMD	10/16/2001	2001-18/43
	23555	R865-6F-1	NSC	04/01/2001	Not Printed
	23556	R865-6F-15	NSC	04/01/2001	Not Printed
	23989	R865-6F-27	NSC	09/01/2001	Not Printed
	24037	R865-13G-15	AMD	10/16/2001	2001-18/44
	23572	R865-21U	5YR	03/27/2001	2001-8/88
	23553	R865-21U-6	NSC	04/01/2001	Not Printed
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	23992	R884-24P-27	NSC	09/01/2001	Not Printed
	23994	R884-24P-33	AMD	10/16/2001	2001-17/22
	24120	R884-24P-33	AMD	12/11/2001	2001-21/86
	23475	R884-24P-49	AMD	04/11/2001	2001-4/42
	24118	R884-24P-53	AMD	12/11/2001	2001-21/94
	23395	R884-24P-62	AMD	05/14/2001	2001-2/11
	23316	R884-24P-65	AMD	02/20/2001	2000-23/54
	23847	R884-24P-66	AMD	08/02/2001	2001-13/77
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	23911	R865-19S-90	AMD	09/05/2001	2001-15/34
	23991	R865-19S-93	NSC	09/01/2001	Not Printed
	23912	R865-19S-98	AMD	09/05/2001	2001-15/35
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	23749	R277-517	5YR	05/14/2001	2001-11/118
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	23547	R686-100	NSC	04/01/2001	Not Printed
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	23376	R746-341	AMD	03/01/2001	2001-1/30
	23844	R746-347	REP	08/01/2001	2001-13/73
	23232	R746-352	NEW	see CPR (First)	2000-21/26
	23232	R746-352	CPR (First)	see CPR (Second)	2001-5/32
	23232	R746-352	CPR (Second)	06/15/2001	2001-7/38
	23271	R746-360	AMD	02/15/2001	2000-22/45
	23886	R746-360-4	AMD	09/01/2001	2001-15/28
	23916	R746-360-9	AMD	10/15/2001	2001-15/29
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	24279	R606-2	5YR	11/27/2001	2001-24/56
Labor Commission, Antidiscrimination and Labor, Labor	23861	R610-1-3	NSC	07/05/2001	Not Printed
Labor Commission, Industrial Accidents	24016	R612-1-3	AMD	10/16/2001	2001-18/25
	23223	R612-1-10	AMD	see CPR	2000-21/18
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	23993	R909-19	NEW	10/02/2001	2001-17/30
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	23400	R251-301	AMD	03/13/2001	2001-3/8
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	24094	R313-19	5YR	10/10/2001	2001-21/109
Transportation, Administration	24148	R907-66	NEW	12/18/2001	2001-22/87
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	23311	R926-6	AMD	01/03/2001	2000-23/55
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	24082	R926-6	AMD	11/20/2001	2001-20/47
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	23590	R909-1	NSC	05/01/2001	Not Printed
	24055	R909-1	AMD	12/03/2001	2001-19/33
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	23556	R865-6F-15	NSC	04/01/2001	Not Printed
	23989	R865-6F-27	NSC	09/01/2001	Not Printed
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	23590	R909-1	NSC	05/01/2001	Not Printed
	24055	R909-1	AMD	12/03/2001	2001-19/33
	23565	R909-4	NSC	04/01/2001	Not Printed
	24349	R909-4	5YR	12/28/2001	2002-2/55
	24116	R909-16	NEW	12/04/2001	2001-21/97
	23993	R909-19	NEW	10/02/2001	2001-17/30
	24119	R909-19	AMD	12/04/2001	2001-21/100
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Health, Health Care Financing, Converge and Reimbursement Policy	23349	R414-309	AMD	01/17/2001	2000-24/24
	23700	R414-309	EMR	05/01/2001	2001-10/82
	23702	R414-309	AMD	06/25/2001	2001-10/15
Health, Health Care Financing, Medical Assistance Program	23351	R420-1	AMD	01/23/2001	2000-24/28
	23701	R420-1	EMR	05/01/2001	2001-10/85
	23703	R420-1	AMD	06/25/2001	2001-10/19
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Public Safety, Law Enforcement and Technical Services, Regulatory Licensing (Changed to Public Safety, Criminal Investigations and Technical Services, Criminal Identification)	23447	R724-7 (Changed to R722-320)	NSC	02/01/2001	Not Printed
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	23162	R317-7	CPR	01/23/2001	2000-24/75
	24204	R317-7	5YR	11/13/2001	2001-23/135
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	23724	R986-602	REP	07/01/2001	2001-10/67
	23725	R986-603	REP	07/01/2001	2001-10/75
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	23745	R994-308	5YR	05/11/2001	2001-11/120
	23824	R994-403-102a	AMD	08/09/2001	2001-13/78
	23825	R994-404-103	AMD	10/29/2001	2001-13/79
	24253	R994-405-201	AMD	01/01/2002	2001-23/123
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	23932	R313-12	5YR	07/23/2001	2001-16/53
	23826	R313-12	AMD	09/14/2001	2001-13/27
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	23742	R674-2	EXD	05/09/2001	2001-11/121
	23740	R674-3	EXD	05/07/2001	2001-11/121
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Tax Commission, Auditing	23572	R865-21U	5YR	03/27/2001	2001-8/88
	23553	R865-21U-6	NSC	04/01/2001	Not Printed
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<u>UTILITY SERVICE SHUTOFF</u>					
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	24305	R270-1	5YR	12/10/2001	2002-1/20
<u>VICTIMS OF CRIMES</u>					
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	24305	R270-1	5YR	12/10/2001	2002-1/20
<u>VIOLATIONS</u>					
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	23933	R313-14	5YR	07/23/2001	2001-16/53
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	24025	R657-26	AMD	10/17/2001	2001-18/39
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	24052	R313-15-502	AMD	11/09/2001	2001-19/21
Environmental Quality, Solid and Hazardous Waste	23638	R315-301-2	AMD	07/01/2001	2001-9/60
	23639	R315-302	AMD	07/01/2001	2001-9/64
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	23643	R315-306	AMD	07/01/2001	2001-9/74
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	23646	R315-309-2	AMD	07/01/2001	2001-9/80
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	23874	R315-310-2	NSC	07/30/2001	Not Printed
	23648	R315-312	AMD	07/01/2001	2001-9/85
	23875	R315-312-4	NSC	07/30/2001	Not Printed
	23650	R315-314-3	AMD	07/01/2001	2001-9/87
	23882	R315-314-3	NSC	07/30/2001	Not Printed
	22858	R315-315-8	AMD	see CPR (First)	2000-11/18
	22858	R315-315-8	CPR (First)	see CPR (Second)	2000-17/67
	22858	R315-315-8	CPR (Second)	01/05/2001	2000-23/58
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	23652	R315-320	AMD	07/01/2001	2001-9/91
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	23164	R317-1-3	AMD	see CPR	2000-19/25
	23164	R317-1-3	CPR	01/23/2001	2000-24/74
	23599	R317-1-6	AMD	08/13/2001	2001-8/44
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	23161	R317-8	CPR	01/23/2001	2000-24/78
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