

UTAH STATE BULLETIN

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

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

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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 September 16, 1998, 12:00 a.m., and October 1, 1998, 11:59 p.m., are included in this, the October 15, 1998, issue of the *Utah State Bulletin*.

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

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 Rules being repealed are completely struck out.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

The law requires that an agency accept public comment on PROPOSED RULES published in this issue of the *Utah State Bulletin* until at least November 16, 1998. 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 February 12, 1999, the agency may notify the Division of Administrative Rules that it wants to make the PROPOSED RULE effective. The agency sets the effective date. The date may be no fewer than 31 days nor more than 120 days after the publication date of this issue of the *Utah State Bulletin*. Alternatively, the agency may file a CHANGE IN PROPOSED RULE in response to comments received. If the Division of Administrative Rules does not receive a NOTICE OF EFFECTIVE DATE or a CHANGE IN PROPOSED RULE, the PROPOSED RULE filing lapses and the agency must start the process over.

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

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

The Proposed Rules Begin on the Following Page.

Agriculture and Food, Animal Industry
R58-1-5
Cattle

NOTICE OF PROPOSED RULE
 (Amendment)

DAR FILE NO.: 21480
 FILED: 09/21/1998, 14:45
 RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Sets up the regulations for the testing of Trichomoniasis in bulls.

SUMMARY OF THE RULE OR CHANGE: Rephrase sections of the rule to clarify the requirements for testing of Trichomoniasis.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Title 4, Chapter 31; and Subsection 4-2-2(1)(j)

ANTICIPATED COST OR SAVINGS TO:

- ❖ **THE STATE BUDGET:** No anticipated cost or savings to the state budget. Testing will be owner's expense.
- ❖ **LOCAL GOVERNMENTS:** No anticipated cost or savings to local government. Testing will be owner's expense.
- ❖ **OTHER PERSONS:** There will be a cost to the owners, either by the Federal lab or by certified veterinarians, for the testing of bulls for Trichomoniasis.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Cost to owner for treatment of Trichomoniasis, if the bull tests positive.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: No impact on businesses.

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

Agriculture and Food
 Animal Industry
 350 North Redwood Road
 PO Box 146500
 Salt Lake City, UT 84114-6500, or
 at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Dr. Earl Rogers at the above address, by phone at (801) 538-7162, by FAX at (801) 538-7126, or by Internet E-mail at agmain.erogers@state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 11/16/1998.

THIS RULE MAY BECOME EFFECTIVE ON: 11/17/1998

AUTHORIZED BY: Cary G. Peterson, Commissioner

R58. Agriculture and Food, Animal Industry.

R58-1. Admission and Inspection of Livestock, Poultry, and Other Animals.

R58-1-5. Cattle.

A. Import Permit and Certificate of Veterinary Inspection.

1. No cattle may be imported into Utah without an import permit issued by the Department of Agriculture and Food. A Certificate of Veterinary Inspection and an import permit must accompany all cattle imported into the state. All cattle must carry some form of individual identification, a brand registered with an official brand agency, ear tag or a registration tattoo. Identification must be listed on the Certificate of Veterinary Inspection. Official individual identification used for testing purposes must be shown on the Certificate of Veterinary Inspection. The import permit number must be listed on the Certificate of Veterinary Inspection. This includes exhibition cattle. Commuter cattle are exempt as outlined in Subsection R58-1-5(B).

2. The following cattle are exempted from (1) above:

- a. Cattle consigned directly to slaughter at a state or federally inspected slaughter house; and
- b. Cattle consigned directly to a State or Federal approved Auction Market.
- c. Movements under Subsections R58-1-5(A)(2)(a), and R58-1-5(A)(2)(b) must be in compliance with state and federal laws and regulations and must be accompanied by a weighbill, brand certificate, or similar document showing some form of positive identification, signed by the owner or shipper stating the origin, destination, number and description of animals and purpose of movement.

B. Commuter Cattle. Commuter, temporary grazing, cattle may enter Utah or return to Utah after grazing if the following conditions are met.

1. A Certificate of Veterinary Inspection or a commuter permit approved by the import state and the State of Utah must be obtained prior to movement into Utah. This will allow movements for grazing for current season if the following conditions are met:

a. All cattle shall meet testing requirements as to State classification for interstate movements as outlined in 9 CFR 1-78; USDA, Animal and Plant Health Inspection Services, Brucellosis Eradication, Uniform Methods and Rules, May 6, 1992 and approved by cooperating States.

b. Commuter cattle shall not be mixed with quarantined, exposed, or suspect cattle nor change ownership during the grazing period.

2. No quarantined, exposed or reactor cattle shall enter Utah.

C. Brucellosis. Prior to importation of cattle into Utah the following health restrictions must be met.

1. Heifers of vaccination age between four and 12 months must be officially vaccinated for brucellosis prior to entering Utah. All female cattle imported after July 1, 1984, must have a legible brucellosis calthood vaccination tattoo to be imported or sold within the State of Utah, unless going directly to slaughter or qualified feedlot to be sold for slaughter or to an approved market to be sold for slaughter or for vaccination.

a. Heifers of vaccination age may be vaccinated upon arrival by special permit.

2. A negative test for brucellosis is required prior to movement into Utah for the following test-eligible cattle:

a. Bulls over 12 months must have a negative blood test for brucellosis within 30 days prior to movement. The entry of vaccinated bulls is not permitted.

b. All vaccinated dairy cattle over 20 months and all beef cattle over 24 months except those originating in a certified brucellosis free herd or in a free state from a certified breeders herd of origin.

c. There may be an epidemiologic surveillance of imported cattle that remain in Utah, and they may be subject to a 45-120 day retest at owner's expense as determined by a brucellosis epidemiologist. Import cattle which are resold to leave the State before retest day, are free to move.

3. A brucellosis test is not required for:

a. Vaccinated cattle from a Brucellosis Certified Free Herd or Certified Breeding Herds from free states. Brucellosis Certified Free Herd number, date and results of last test must be entered on the Certificate of Veterinary Inspection.

b. Official vaccinated female dairy cattle under 20 months or official vaccinated female beef cattle under 24 months age. The Certificate of Veterinary Inspection must show vaccination tattoo and the official ear tag number or registration tattoo.

c. Steers and spayed heifers.

4. State Brucellosis Classification Requirements:

a. Cattle for breeding purposes from Class A States moving from farm of origin or Livestock market to the State of Utah:

- (1) Permit.
- (2) Official Vaccination for Brucellosis
- (3) Negative Brucellosis test within 30 days before moving.
- (4) A post movement test in 45 to 120 days after arrival.

b. Cattle for breeding from Class B States moving from farm of origin or livestock market into the State of Utah:

- (1) Permit.
- (2) Official Vaccination for Brucellosis.
- (3) Negative Brucellosis test within 30 days.
- (4) Quarantined for retest in 45 to 120 days after arrival.

c. Cattle for breeding from Class C States moving from farm of origin or livestock market into the State of Utah:

- (1) Permit.
- (2) Official Vaccination for Brucellosis.
- (3) Two consecutive negative tests at least 60 days apart.
- (4) Certificate.
- (5) Quarantined for retest 45 to 120 days after arrival.

5. No reactor cattle or cattle from herds under quarantine for brucellosis will be allowed to enter the state except when consigned to a slaughtering establishment where recognized state or federal meat inspection is maintained. An import permit and a Veterinary Services Form 1-27 prior to shipment are also required.

6. Entry of cattle which have been retattooed is not permitted unless they are moved for immediate slaughter to a slaughtering establishment where state or federal inspection is maintained or to not more than one state or federal approved market for sale to a qualified feedlot or slaughtering establishment.

7. Entry of cattle which have been adult vaccinated is not permitted unless they are for immediate slaughter where state or federal inspection is maintained.

D. Tuberculosis.

A negative test is required within 60 days prior to shipment for all breeding cattle originating within a quarantined area or from reactor or exposed herds.

E. Scabies.

No cattle affected with, or exposed to scabies shall be trailed, driven, shipped or otherwise moved into Utah. Cattle from a county where scabies have been diagnosed during the past 12 months must be officially treated within 10 days prior to shipment into Utah. The date of treating and products used must be shown on the Certificate of Veterinary Inspection; also the approved vat number and location.

F. Splenic or Tick Fever. No cattle infested with ticks, *Margaropus annulatus*, or exposed to tick infestations shall be shipped, trailed, or driven, or otherwise imported into the State of Utah for any purpose.

G. Exhibitions, Fairs, and Shows.

1. Dairy cattle and cattle for breeding purposes imported for exhibition or show purposes only to be returned to state of origin may enter provided:

a. The cattle are accompanied by the proper Certificate of Veterinary Inspection and import permit.

b. The cattle must have negative T.B. test within 60 days if coming from quarantined T.B. areas or exposed or reactor herds.

c. The cattle must have a negative brucellosis test within 30 days prior to entrance. Vaccinates under age are acceptable.

H. Trichomoniasis.

1. All Utah resident bulls over nine months of age, going onto a common grazing allotment, must test negative for Trichomoniasis. Testing shall be conducted annually within three months prior to a bulls exposure to cows and entering the common grazing allotment; except that testing performed at the conclusion of the previous breeding season will be acceptable for the current breeding season provided that the bulls have had no exposure to females in the interim.

2. All breeding bulls entering Utah which are over nine months of age, must test negative for Trichomoniasis by an accredited veterinarian within 30 days prior to entry into Utah.

3. Any Certificate of Veterinary Inspection issued for bulls covered under this rule, shall bear the statement, "Trichomoniasis has not been diagnosed in the herd of origin within the last 12 months."; except that, bulls from herds that have tested positive for Trichomoniasis within the previous 12 months are required to have three negative tests, no less than one week apart, prior to entry into Utah.

4. All Utah bulls which are tested shall be tagged with a current Official State of Utah Trichomoniasis test tag by the accredited veterinarian performing the test. Official tags shall be only those as are authorized by the Utah Department of Agriculture and Food, and approved by the State Veterinarian's office. Bulls entering the State of Utah under the provisions of this rule may be tagged upon arrival by an accredited veterinarian upon receipt of the Trichomoniasis test charts from the testing veterinarian.

5. Trichomoniasis testing in Utah shall be performed only by ~~accredited veterinarians and approved laboratories that~~ approved laboratories or accredited veterinarians whose laboratory procedures have been certified by the Utah Department of Agriculture and Food. An "official test" shall be one that is received by the lab within 48 hours of collection and shall not have been subjected to extreme temperatures in excess of 85 degrees Fahrenheit, or freezing, for a period of time longer than ten minutes. Test samples not meeting this criteria will be discarded. Acceptable media shall

be Diamond's Media, or the "pouch" method, or other department approved transport media.

6. All bulls testing positive for Trichomoniasis must be reported immediately to the owner and the State Veterinarian by the veterinarian and laboratory performing the test. The owner shall be required to notify fellow members of the common grazing allotment and neighboring (contiguous) cattlemen within ten days following such notification by his veterinarian or laboratory.

7. Exceptions to the above rules shall include dairy bulls in total confinement operations, bulls consigned directly to slaughter at an approved slaughter facility, and bulls consigned directly to a "Qualified Feedlot" for finish feeding and slaughter.

8. Within 14 days, [A]all bulls which test positive to Trichomoniasis must go directly to slaughter at an approved slaughter facility, or to a "Qualified Feedlot" for finish feeding and slaughter, or to an approved auction market for sale to slaughter only. [~~within 14 days.~~] Such bulls going to slaughter shall carry a VS 1-27 form issued by the testing veterinarian or other regulatory official. [~~A bull which tests positive to Trichomoniasis may not be sold at auction.~~]

9. Out of state "commuter" cattle grazing in Utah shall, also, be required to meet the requirements of section R58-1-5-H.

10. To reduce the threat of this disease, the Utah Department of Agriculture and Food, in conjunction with Utah State University, shall provide an educational program to inform cattle producers of the need to test for Trichomoniasis and the details of this program. This information shall be available upon request from the department.

**KEY: disease control
1998**

4-31

Notice of Continuation June 19, 1997

4-2-2(1)(j)



**Commerce, Occupational and
Professional Licensing
R156-65-502
Unprofessional Conduct**

**NOTICE OF PROPOSED RULE
(Amendment)**

DAR FILE NO.: 21481
FILED: 09/21/1998, 14:51
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: An addition is being made in the unprofessional conduct section to allow the Division to consider the complete criminal history on a burglar alarm applicant or licensee rather than limiting the review to actual technical convictions.

SUMMARY OF THE RULE OR CHANGE: Added that unprofessional conduct includes a judgment on, or a judicial or prosecutorial agreement concerning a felony, or a misdemeanor involving moral turpitude, entered against an individual by a federal, state, or local court, regardless of whether the court has made a finding of guilt, accepted a plea of guilty or nolo contendere by an individual, or an individual has entered into participation in a first offender, deferred adjudication, or other program or arrangement where judgment or conviction is withheld.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 58-65-101, and Subsections 58-1-106(1) and 58-1-202(1)

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: This addition to the rule may result in additional denials resulting in increased appeals but it is not anticipated that such possible additional appeals will impact upon the state budget since any increase will be absorbed by existing resources.

❖LOCAL GOVERNMENTS: These proposed rules do not affect local governments; therefore, no cost or savings are anticipated.

❖OTHER PERSONS: Unknown costs may be involved if an applicant for a burglar alarm license or a burglar alarm licensee has a judgment or has entered into a judicial or prosecutorial agreement concerning a felony or a misdemeanor involving moral turpitude and they wish to challenge a possible denial of their application or renewal/reinstatement of license.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Unknown costs may be involved if an applicant for a burglar alarm license or a burglar alarm licensee has a judgment or has entered into a judicial or prosecutorial agreement concerning a felony or a misdemeanor involving moral turpitude and they wish to challenge a possible denial of their application or renewal/reinstatement of license.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule defines unprofessional conduct as a plea of nolo contendere or entry into a plea in abatement or other program in which judgment or conviction is withheld. The purpose of this rule change is to allow a consideration of the complete criminal history rather than artificially limiting it to actual technical convictions. The change in the rule regarding withheld judgments/convictions may result in additional denials resulting in increased appeals but it is not anticipated that such possible additional appeals will impact upon the state budget since they will be absorbed by existing resources--Scott Dansie, Acting Executive Director.

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

Commerce
Occupational and Professional Licensing
Fourth Floor, Heber M. Wells Building
160 East 300 South
PO Box 146741
Salt Lake City, UT 84114-6741, or

at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Clyde Ormond at the above address, by phone at (801) 530-6254, by FAX at (801) 530-6511, or by Internet E-mail at brdopl.cormond@email.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 11/16/1998; OR ATTENDING A PUBLIC HEARING SCHEDULED FOR 11/04/1998, 9:00 a.m., 160 East 300 South, Conference Room 428, Salt Lake City, UT.

THIS RULE MAY BECOME EFFECTIVE ON: 11/17/1998

AUTHORIZED BY: J. Craig Jackson, Director

**R156. Commerce, Occupational and Professional Licensing.
R156-65. Burglar Alarm Security and Licensing Act Rules.
R156-65-502. Unprofessional Conduct.**

"Unprofessional conduct" includes:

(1) failing as an alarm company to notify the division of the cessation of performance of its qualifying agent or failing to replace its qualifying agent, as required under Section R156-65-306;

(2) failing as an alarm company agent to carry or display a copy of the licensee's license as required under Section R156-65-601;

(3) employing as an alarm company a qualifying agent or alarm company agent knowing that individual has engaged in conduct inconsistent with the duties and responsibilities of an alarm company agent;[~~and~~]

(4) failing to comply with operating standards established by rule; and

(5) a judgment on, or a judicial or prosecutorial agreement concerning a felony, or a misdemeanor involving moral turpitude, entered against an individual by a federal, state or local court, regardless of whether the court has made a finding of guilt, accepted a plea of guilty or nolo contendere by an individual, or an individual has entered into participation in a first offender, deferred adjudication, or other program or arrangement where judgment or conviction is withheld.

KEY: licensing, alarm company*, burglar alarms*

~~[June 15, 1996]~~1998

58-65-101

58-1-106(1)

58-1-202(1)



**Environmental Quality, Air Quality
R307-170
Continuous Emission Monitoring
Systems Program**

NOTICE OF PROPOSED RULE

(Repeal and reenact)

DAR FILE NO.: 21504

FILED: 10/01/1998, 15:49

RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: There are 24 sources in Utah using 116 continuous monitoring systems (CMS) to report their emissions of air pollutants. Since 1994, the Division of Air Quality (DAQ) staff has worked with those sources to improve the program. The proposed rule clarifies points which were vague in the existing rule, identifies reporting parameters, reduces quarterly reporting requirements to semiannual reporting for approximately 25% of the CMS, and requires submittal of reports in an electronic format.

SUMMARY OF THE RULE OR CHANGE: Purpose and authority sections are added in the new rule. The old Section R307-170-5 made any source required to install a continuous monitoring system (CMS) subject to R307-170; the new Subsection R307-170-5(1) makes any source required to install a CMS subject to 40 CFR 60.13(b) through 40 CFR 60.13(j) with specified exemptions. The new Section R307-170-6 specifies in text the requirements formerly found in Table 2 of Section R307-170-7. Subsection R307-170-7(1) adds a new requirement to challenge both channels of a dual range analyzer. The old Subsection R307-170-7(4) requires that the source notify the executive secretary 30 days prior to conducting a relative accuracy test audit; the new Subsection R307-170-7(2) requires 45 days notice and submittal of the pretest protocol. Pre-certification of the analyzer before testing is no longer required. The old Subsection R307-170-7(5) forbade tampering with monitoring equipment; the new Subsection R307-170-7(5) forbids tampering with the monitoring system, which includes the recording devices as well. The new Subsection R307-170-7(6)(b) requires that any system exceeding the daily calibration drift test shall make prompt corrections. The old Section R307-170-8 specified categories to be reported; the new Section R307-170-9 specifies the information to be reported in the electronic format required by the executive secretary. There are no significant changes in the information to be reported and the electronic format is generic so that no new equipment or software is required. The new Subsection R307-170-9(2) specifies that reports include source information. The old R307-170 required that emissions be reported for any period in which the CMS was not operating. That resulted in reports of emissions during periods when repairs to production equipment resulted in some emissions. The new rule separates monitor unavailability into categories which are exempt and non-exempt for reporting purposes and does not require reporting emissions during shutdowns.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsections 19-2-104(1)(c) and 19-2-115(3)
FEDERAL REQUIREMENT FOR THIS RULE: 40 CFR 51, Appendix P; 40 CFR 60

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: Division of Air Quality (DAQ) staff has been spending 12 weeks of staff time to review each quarterly report submitted on paper. The electronic report can be reviewed in 2.5 weeks. In addition, about 25% of the sources will need to submit only semiannually instead of quarterly. This is a saving of at least \$49,484: (1900 hours/year - 1500 hours/year) multiplied by \$32.99 (salary + benefits). The report is submitted in a format accessible by many kinds of computers and software, so that no new equipment or software is required. This time savings enables the staff person to provide more technical support for the sources, and to participate in other DAQ work.

❖LOCAL GOVERNMENTS: Only one source is owned by a local government, and the costs are no different from those for a private sector source.

❖OTHER PERSONS: Calculation method is found under "Compliance costs for affected persons." At a saving of approximately \$12,372 per year for 24 sources for electronic filing, total savings are \$296,928. For approximately 6 sources able to file semiannually, there is an additional saving of 6 multiplied by \$685, or \$4,110. For those able to avoid a pre-test RATA once each year, the savings would be \$6000 each.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Because the report can be completed in a few hours rather than in two weeks, filing electronic reports saves each source approximately \$12,372 per year: (320 hours/year - 298 hours/year) multiplied by \$42.96 (salary + benefits). 25% of the sources will save an additional \$685 more per year by filing semiannually instead of quarterly. Finally, each source is required to conduct a Relative Accuracy Test Audit (RATA) at least once each year to ensure that the CMS is properly calibrated and maintained. Each RATA costs approximately \$6,000. The present rule requires that the entire nine runs of each test be completed, and some sources are conducting a pre-test RATA to be sure the equipment is in good working order before beginning the official test. The new rule allows the source to stop after the third run if it is necessary to recalibrate, and then continue with the remaining 6 runs. In these situations, the source will save \$6,000. The only increased cost in the new rule is the requirement to challenge both channels of a dual range analyzer. This challenge is required each quarter and will increase the time needed to conduct the test by 30 minutes at a cost of approximately \$31.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: This rule change reflects the Department of Environmental Quality's (DEQ's) commitment to work with the regulated community to find more cost-effective processes without compromising environmental protection--Dianne R. Nielson.

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

Environmental Quality
Air Quality
150 North 1950 West
Box 144820
Salt Lake City, UT 84114-4820, or

at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Jan Miller at the above address, by phone at (801) 536-4042, by FAX at (801) 536-4099, or by Internet E-mail at jmiller@deq.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 11/16/1998; OR ATTENDING A PUBLIC HEARING SCHEDULED FOR 10/22/1998, 10:00 a.m., Room 201, DEQ Bldg., 168 North 1950 West, Salt Lake City, UT.

THIS RULE MAY BECOME EFFECTIVE ON: 12/03/1998

AUTHORIZED BY: Ursula K. Trueman, Director

R307. Environmental Quality, Air Quality.**[R307-170. Continuous Emission Monitoring Systems Program.****R307-170-1. Definitions:**

— The following additional definitions apply to R307-170:

— "Accuracy" means the exactness of a continuous emission monitoring system to correlate gaseous emissions or concentration to applicable EPA reference methods; 40 CFR 60 Appendix A:

— "Calibration Drift" means the difference in the continuous emission monitoring system output reading:

— (1) For opacity monitors - from the calibration values after a stated period of normal continuous operation during which no unscheduled maintenance, repair, or adjustments took place; and

— (2) For gas monitors - from the established reference value after a stated period of operation during which no unscheduled maintenance, repairs, or adjustments took place:

— "Clear Stack Calibration" means the off stack calibration of an opacity monitor under laboratory (clear) conditions, which simulate actual stack configurations:

— "Computer Enhancement" means computer manipulation of a monitor's response to a zero (low level) and span (high level) gas cell, cylinder gas, or neutral density filter value to correct for monitor drift:

— "Continuous Emission Monitoring System" (CEMS) means the total equipment required for the determination of opacity, or gaseous emission rate on a continuous basis:

— "Cylinder Gas Audit" (CGA) means the testing of a continuous emission monitoring system to determine its precision using an EPA protocol 1 or certified reference method gas:

— "EER" means excessive emission report. This applies to all sources required to report emissions to the executive secretary for other than compliance:

— "Excess Emissions" means an exceedance or exceedances of an emission limitation as outlined in these regulations, approval orders, consent decrees, administrative orders and agreements, or federal new source performance standards:

— "Monitor" means only the equipment in a continuous emission monitoring system that analyzes the concentration of the emission and transfers a signal to a recording device:

— "Monitor Tampering" means the unauthorized manipulation of a continuous emission monitoring system which results in the alteration of emission values from their true value:

— "Nonexempt Exceedance" means any exceedance which results from:

- (1) failure to curtail production during an emission excursion when there is no threat to personnel safety or damage to equipment;
- (2) bypassing control equipment in conditions other than start-up, shutdown, malfunction, or emergencies; or
- (3) failure to maintain control equipment in good operational condition.

— "Notice of Violation" (NOV) means a notice issued pursuant to Section 19-2-110.

— (1) "Out-of-Control Period" means:

— (a) that period of time corresponding to the completion of the fifth consecutive daily calibration drift check with a calibration drift in excess of two times the allowable (performance specification 1 or 2) limit;

— (b) the time corresponding to the completion of the daily calibration drift check that resulted in a calibration drift in excess of four times the allowable (performance specification 1 or 2) limit; or

— (c) that period of time corresponding to the completion of sampling:

— (i) for a relative accuracy test audit or relative accuracy audit, 20% opacity or 10% of the applicable standard, whichever is greater; or

— (ii) for a cylinder gas audit, 15% error or 7.5% of the applicable standard, whichever is greater.

— (2) The end of the out-of-control period is the time corresponding to the completion of the calibration drift check following corrective action that results in the calibration drift within the corresponding allowable calibration (performance specification 1 or 2) limit (i.e., either two times or four times the allowable performance specification 1 or 2 limit in 40 CFR 60 Appendix B).

— (3) The end of an out-of-control period is after corrective actions taken that result in the calibration of the instrument corresponding with the completion of the subsequent successful relative accuracy test audit, relative accuracy audit, or cylinder gas audit.

— "Performance Specification" means the acceptable operational tolerances that a continuous emission monitoring system is required to respond to as outlined in 40 CFR 60.

— "Precision" means the exactness of a continuous emission monitoring system to identify the true value of a neutral density filter or calibration gas.

— "Quarterly Compliance Report" (QCR) means a quarterly report required to be submitted to the executive secretary. A Quarterly Compliance Report applies to all sources required under the Code of Federal Regulations, State Implementation Plan, approval orders, consent decrees, administrative orders, and agreements to show continuous compliance with emission limitations based on continuous emission monitoring system data.

— "Quarterly Report" means any report required to be submitted by a source to the executive secretary on a quarterly basis throughout a calendar year to document emissions recorded by a continuous emission monitoring system. A quarterly report may be either an excessive emission report or a quarterly compliance report.

— "Raw Monitor Data" means the response generated by a monitor after it has evaluated the concentration of a pollutant or a diluent flue gas, gas cell, cylinder gas, or neutral density filter.

— "Relative Accuracy Audit" (RAA) means the testing of a continuous emission monitoring system using EPA reference methods 40 CFR 60 Appendix A (3 runs) to determine its precision.

— "Relative Accuracy Test Audit" (RATA) means the testing of a continuous emissions monitoring system using EPA reference methods 40 CFR 60 Appendix A (9 runs) to determine its accuracy.

— "Six Minute Period" means any one of 10 equal parts of one hour used in averaging opacity emissions.

— "Standard" means any operational requirement or calibration tolerances required in these regulations or 40 CFR 60 as referenced.

— "System Operational Audit" means the inspection of a source's maintenance records, continuous emissions monitoring system operational logbook, strip charts, data log, air pollution control equipment operational records and approval order, quarterly report and audit of the continuous emissions monitoring system. This audit is conducted to see what correlation exists between the quarterly report and the continuous emissions monitoring system data.

— "Trending" means the evaluation of quarterly reports (EER and QCR) over a two-year period to identify recurring problems.

R307-170-2. Emission Monitoring Requirements:

— The owner or operator of the following types of stationary air pollution sources shall install, calibrate, operate and maintain equipment, approved by the executive secretary, for the continuous monitoring and recording of emission data as specified below:

TABLE 1

EMISSION MONITORING REQUIREMENTS

SOURCE CATEGORY	EMISSIONS MONITORING REQUIREMENT
A. Fossil Fuel Fired Steam Generators (250 million BTU/hr for each boiler)	Opacity (excluded where only gaseous fuel is used or where no visible emissions standard is applicable). Sulfur dioxide (if sulfur dioxide control equipment has been installed).
B. Nitric Acid Plants (Production capacity 300 tons per day, expressed as 100% acid)	Nitrogen oxides.
C. Sulfur Burning Production Sulfuric Acid Plants (Production capacity 300 tons per day, expressed as 100% acid) average.	Sulfur dioxide (for each acid producing plant within the installation). Emission monitoring and reporting for sulfur dioxide will be based on 3 hour rolling average.
D. Fluid Bed Catalytic Cracking Unit Catalyst Regenerators.	Opacity (for each regeneration unit to which a visible emissions standard is applicable).

R307-170-3. System Operational Audit Checks:

— In determining the compliance status of all stationary sources which are required to install continuous emission monitoring systems, the executive secretary shall review and analyze Excess Emission Reports or Quarterly Compliance Reports. The compliance program will also utilize system operational audit checks of all continuous monitoring systems required to be installed and operated in the State of Utah. System operational audit checks shall be conducted on an annual basis, or more frequently if required by the executive secretary, to insure that real and accurate

data are collected and reported as required by this regulation and federal regulations.

R307-170-4. Minimum Performance Specifications:

— Minimum performance specifications for all continuous monitoring systems are those contained in 40 CFR, Part 60, Appendix B and 40 CFR, Part 51, Appendix P.

R307-170-5. Applicability:

— (1) This rule applies to sources required to install continuous emission monitoring system equipment and report to the executive secretary any emissions or operating parameters as required by the following documents:

- (a) Federal, New Source Performance Standards (NSPS);
- (b) State Implementation Plan;
- (c) Approval Orders;
- (d) Consent Decrees; or
- (e) Administrative Orders and Agreements.

— (2) Any source that constructs after the promulgation of this regulation two or more emission point sources, which may interfere with visible emissions observations, shall install an opacity monitor on each stack, duct or vent that has a visible emission limitation. Such sources are required to show compliance to visible emission limitations using an opacity monitor.

R307-170-6. Recordkeeping:

— All continuous monitoring data shall be kept by the source for a minimum period of two years after the date on which emissions occurred and shall be made available to the executive secretary upon request.

R307-170-7. Technical Requirements and Specifications:

— (1) Calibration drift - Precision:

— (a) Daily zero (low level) and precision span (high level) adjustment checks shall be made using procedures recommended by the monitor manufacturer. Daily records shall be kept of all 24-hour precision instrument adjustment checks. Monitors installed prior to the promulgation of this regulation that cannot perform a zero adjustment may be used. However, when these monitors are replaced, they shall be replaced with monitors that can perform a zero adjustment.

— (b) All calibration drift shall be calculated from raw monitor data. Computer enhancements to correct for excessive monitor drift are not considered to be monitor calibrations. Any monitor which exceeds the calibration drift values in (i) or (ii) below shall be considered out of control:

— (i) Equation A - The calibration drift exceeds two times the performance specification number for five consecutive days, or

— (ii) Equation B - The calibration drift exceeds four times the performance specification number for any 24-hour period.

— (2) Audit/Test Procedures - Accuracy. All sources required to install an opacity monitor shall conduct a clear stack calibration as directed by the executive secretary. A zero bias greater than a plus or minus 4% is unacceptable. All clear stack calibration test data shall be kept for two years and made available to the executive secretary on request. Monitors installed prior to the promulgation of this regulation that can not perform a clear stack calibration are exempt from the clear stack calibration requirement. However, when the monitors are replaced, they shall be replaced with

monitors that can meet this requirement. All sources required to install a gaseous continuous emission monitoring system shall conduct an annual calibration. This calibration may be incorporated with testing requirements found in R307-165 (Emission Testing); or as directed by the executive secretary. The three acceptable calibration procedures are found in Table 2 below. Sources required to demonstrate compliance to emission limitations with gaseous continuous emission monitoring system shall conduct quarterly calibration audits. At no time shall a relative accuracy test audit be separated by more than three quarters of either cylinder gas audits or relative accuracy audits by a source required to conduct quarterly calibration audits. If a continuous emission monitoring system does not demonstrate acceptable calibration during the audit, the instrument will be declared out of control.

TABLE 2

CALIBRATION PROCEDURES

PROCEDURES	# OF RUNS	STANDARD
Relative Accuracy Test Audit (-RATA)	9	(1)20%
Relative Accuracy Audit (RAA)	3	20%
Cylinder Gas Audit (CGA)	3	15%

(1) Subject to 40 CFR 60 Requirements

— (3) When a monitor is out of control, the source shall notify the executive secretary, within 24 hours and document the problem in that quarter's quarterly report (EER or QCR). Data collected during out-of-control periods shall not be averaged in the quarterly report emission data. The source shall recalibrate the monitor to the appropriate calibration drift performance specification. The date and time the monitor is calibrated shall be documented in that quarter's quarterly report (EER or QCR) comment section for continuous emission monitoring failures.

— (4) Notification. The source shall notify the executive secretary in writing, at least 30 days prior to conducting a Relative Accuracy Test Audit.

— (5) Monitor Tampering. Tampering with monitoring equipment is a violation of this regulation.

— (6) Monitoring Bypass. If emissions are bypassed from a continuous emission monitoring system, emission data shall be obtained using an appropriate reference method, Appendix A, 40 CFR 60:

R307-170-8. Reason Categories for Exceedances of Emission Limitations:

— (1) Control Equipment Failures. The control equipment failure category includes on-site failures of control equipment. It does not include fuel, conveying equipment, boilers, or other industrial process equipment failures. Operational problems (e.g., load change) are not included. When distinguishing between process and control equipment, any equipment necessary for the process would be considered as process equipment even though it may have a role in emissions control (i.e., I.D. fan).

— (2) Downtime. "Downtime" means the period of time between shutdown and start-up in which the affected source has temporarily ceased operation.

— (3) Start-up. As defined in 40 CFR 60.2, "start-up" means "the setting in operation of an affected source for any purpose." Excess emissions which occur during start-up that are caused by air

pollution control equipment failure or a process problem should be reported either as a control equipment failure or as a process problem. All other excess emissions during start-up should be reported under "start-up" even though there may have been some additional intervening cause.

(4) Malfunctions. Under 40 CFR 60.11(c) a source is excused for noncompliance with opacity standards during malfunctions. However, 40 CFR 60.11(d) requires that such a source must still comply with good air pollution control practices to minimize emissions. Effective implementation of 40 CFR 60.11(d), in this regard, will normally require further review of the underlying report and communication with the source.

(5) Operator Error. Emissions which exceed the standard as a result of operator error are non-exempt.

(6) Other Known Causes. This category is intended to cover other causes of excess emissions not already covered, such as excess emissions during control equipment maintenance.

(7) Process Problems. The "process problem" category is intended to cover on-site equipment failures other than control equipment. Operational problems (e.g., load change) would also be covered. When distinguishing between process and control equipment, any equipment necessary for the process would be considered process equipment, even though it may have a role in emissions control (e.g., I.D. fan).

(8) Shutdown. As defined in 40 CFR 60.2, "shutdown" means "the cessation of operation of an affected source for any purpose." Excess emissions which occur during shutdown that are caused by air pollution control equipment failure should be reported as a control equipment failure. The process of shutting down should not be confused with periods of downtime after the completion of the actual shutdown. All excess emissions occurring during periods of downtime should be reported and corrective actions taken by the company to prevent their recurrence.

(9) Unknown Causes. The "unknown causes" category is intended to apply to all excess emissions for which the operator must guess at the reason (even though his guess might be a good one). It would not apply to an equipment failure when the reason for failure is not known.

R307-170-9. Categories of Monitor Performance to Be Used in the Quarterly Reports.

(1) Monitor Equipment Malfunctions. The "monitor equipment malfunction" category refers only to the monitor equipment, and not to accessory equipment such as the computer data log or strip chart recorder. "Malfunction" refers to any period during which the monitor is not operating or is producing inaccurate data, except during periods of calibration, maintenance, or other quality assurance activities.

(2) Non-Monitor Equipment Malfunctions. The "non-monitor equipment malfunction" category refers to all equipment other than the monitor equipment that is necessary to transfer, interpret, and record data sent from the monitor.

(3) Other Known Causes. The "other known causes" category includes all other known reasons for monitoring downtime or inaccuracy.

(4) Unknown Causes. The "unknown causes" category includes circumstances in which there is inaccurate or no data

without an apparent explanation. For example, a data recorder fails and produces inaccurate data, and the reason for failure is not known, this would be categorized under "non-monitor equipment malfunction." However, if data is clearly inaccurate, and a data recorder failure is suspected but cannot be determined, it should be classified as "Unknown Causes".

KEY: air pollution, monitoring*

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R307-170. Continuous Emission Monitoring Program.

R307-170-1. Purpose.

The purpose of this rule is to establish consistent requirements for all sources required to install a continuous monitoring system (CMS) and for sources who opt into the continuous emissions monitoring program.

R307-170-2. Authority.

Authority to require continuous emission monitoring devices is found in 19-2-104(1)(c), and authorization for a penalty for rendering inaccurate any monitoring device or method is found in 19-2-115(4). Authority to enforce 40 CFR Part 60 is obtained by its incorporation by reference under R307-210.

R307-170-3. Applicability.

Except as noted in (1) and (2) below, any source required to install a continuous monitoring system to determine emissions to the atmosphere or to measure control equipment efficiency is subject to R307-170.

(1) Any source subject to 40 CFR Part 60 as incorporated by R307-210, Standards of Performance for New Sources, is not subject to R307-170-6, Minimum Monitoring Requirements for Specific Sources.

(2) Any source required by an approval order issued under R307-401 to operate a continuous monitoring system to satisfy the requirements of R307-150, Periodic Reports of Emissions and Availability of Information, is not subject to R307-170-9(7), Excess Emission Report.

R307-170-4. Definitions.

The following additional definitions apply to R307-170.

"Accuracy" means the difference between a continuous monitoring system response and the results of an applicable EPA reference method obtained over the same sampling time.

"Averaging Period" means that period of time over which a pollutant or opacity is averaged to demonstrate compliance to an emission limitation or standard.

"Block Averages" means the total time expressed in fractions of hours over which emission data is collected and averaged.

"Calibration Drift" (zero drift and span drift) means the value obtained by subtracting the known standard or reference value from the raw response of the continuous monitoring system.

"Channel" means the pollutant, diluent, or opacity to be monitored.

"CMS Information" means the identifying information for each continuous monitoring system a source is required to install.

"Computer Enhancement" means computerized correction of a monitor's zero drift and span drift to reflect actual emission concentrations and opacity.

"Continuous Emission Monitoring System" (CEMS) means all equipment required to determine gaseous emission rates and to record the resulting data.

"Continuous Monitoring System" (CMS) means all equipment required to determine gaseous emission rates or opacity and to record the data.

"Continuous Opacity Monitoring System" means all equipment required to determine opacity and data recording.

"Cylinder Gas Audit" means an alternative relative accuracy test of a continuous emission monitoring system to determine its precision using gases certified by or traceable to National Institute of Standards and Technology (NIST) in the ranges specified in 40 CFR 60, Appendix F.

"Description Report" means a short but accurate description of events that caused continuous monitoring system irregularities or excess emissions which occurred during the reporting period submitted in the state electronic data report.

"Excess Emission Report" means a report within the state electronic data report which documents the date, time, and magnitude of each excess emission episode occurring during the reporting period.

"Excess Emissions" means the amount by which recorded emissions exceed an applicable emission or opacity standard during source operation as outlined in R307, approval orders, operating permits, consent decrees, administrative orders and agreements, or federal new source performance standards and resulting from:

- a. failure to curtail or reduce production during an emission excursion when the curtailment or reduction poses no threat to personnel safety, damage to equipment, or the environment;
- b. bypassing control equipment in conditions other than start-up, shutdown, or emergencies; or
- c. failure to maintain control equipment in good operating condition.

"Monitor" means the equipment in a continuous monitoring system that analyzes concentration or opacity and generates an electronic signal which is sent to a recording device.

"Monitor Availability" means any period in which both the source of emissions and the continuous monitoring system are operating and the minimum frequency of data capture occurred as required in 40 CFR 60.13.

"Monitor Unavailability" means, except for calibration checks, zero and span adjustments required in 40 CFR 60 and R307-170, any period in which the source of emissions is operating and the continuous monitoring system is:

- a. not operating or minimum data capture did not occur,
- b. not generating data, not recording data, or data is lost,
- c. out-of-control in the case of a continuous emissions monitor used for continuous compliance purposes.

"New Source Performance Standards" (NSPS) means 40 CFR 60, Standards of Performance for New Stationary Sources, incorporated by reference at R307-210.

"Operations Report" means the report of all information required under 40 CFR 60 for utilities and fossil fuel fired boilers.

"Out-of-Control Period." As it applies to a continuous emissions monitoring system used to demonstrate continuous compliance with an emission limitation or emission cap, the period begins and ends as follows:

- a. The out-of-control period begins at the completion of the fifth consecutive daily calibration drift check which has a

calibration drift in excess of two times the allowable limit found in 40 CFR 60 Appendix B, Performance Specifications, or when any daily calibration drift check is in excess of four times the allowable limit.

- b. The out-of-control period ends at the completion of the calibration drift check following corrective action that results in the calibration drift at both the zero (or low-level) and high-level measurement points being within the corresponding allowable calibration drift limit outlined in 40 CFR 60 Appendix B, Performance Specifications.

"Performance Specification" means the operational tolerances for a continuous monitoring system as outlined in 40 CFR 60, Appendix B.

"Precision" means the difference between a continuous monitoring system response and the known concentration of a calibration gas or neutral density filter.

"Quality Assurance Calibrations" means calibrations, drift adjustments, and preventive maintenance activities on a continuous monitoring system.

"Raw Continuous Monitoring System Response" means a continuous monitoring system's uncorrected response used to determine calibration drift.

"Relative Accuracy Audit" means an alternative relative accuracy test procedure outlined in 40 CFR 60, Appendix A, which is used to correlate continuous emission monitoring system data to simultaneously collected reference method test data using no fewer than three reference method test runs.

"Relative Accuracy Test Audit" means the primary method of determining the correlation of continuous emissions monitoring system data to simultaneously collected reference method test data, using no fewer than nine reference method test runs conducted as outlined in 40 CFR 60, Appendix A.

"State Electronic Data Report" (SEDR) means the sum total of a source's monitoring activities which occurred during a reporting period.

"Summary Report" means the summary of all monitor and emission information which occurred during a reporting period.

"Tamper" means knowingly:

- a. to make a false statement, representation, or certification in any application, report, record, plan, or other document filed or required to be maintained under R307-170, or
- b. to render inaccurate any continuous monitoring system or device or any method required to maintain the accuracy of the continuous monitoring system or device.

"Valid Monitoring Data" means data collected by an accurately functioning continuous monitoring system while any installation monitored by the continuous monitoring system is in operation.

R307-170-5. General Requirements.

(1) Each source required to operate a continuous monitoring system is subject to the requirements of 40 CFR 60.13 (b) through (j), except as follows:

- (a) When minimum emission data points are collected by the continuous monitoring system as required in 40 CFR 60.13 or applicable subparts, quality assurance calibration and maintenance activities shall not count against monitor availability.

- (b) a monitor outage due to an unavoidable breakdown, calibration checks, zero and span check adjustments required in 40 CFR 60.13 will not be considered a violation of R307-170.

(2) Each source shall monitor and record all emissions data during all phases of source operations, including start-ups, shutdowns, and process malfunctions.

(3) Each source shall notify the executive secretary by phone or facsimile of all periods of monitor unavailability in which six or more hours of valid monitoring data were lost. Notification shall be made during normal office hours within 96 hours of the beginning of monitoring unavailability.

(4) Each source operating a continuous emissions monitoring system for compliance determination shall document each out-of-control period in the state electronic data report.

(5) Each continuous monitoring system subject to R307-170 shall be installed, operated, maintained, and calibrated in accordance with applicable performance specifications found in 40 CFR 60 Appendix B and Appendix F.

(6) Each continuous emissions monitoring system shall be configured so that calibration gas can be introduced at or as near to the probe inlet as possible. Each source shall conduct daily calibration zero drift and span drift checks and cylinder gas audits by flowing calibration gases at the probe inlet, or as near to the probe inlet as possible. Daily calibration drift checks and quarterly cylinder gas audit data shall be recorded by the continuous emissions monitoring system electronically to a strip chart recorder, data logger, or data recording devices.

(7) No person shall tamper with a continuous monitoring system.

(8) Any source that constructs two or more emission point sources which may interfere with visible emissions observations shall install a continuous opacity monitor to show compliance with visible emission limitations on each stack, duct or vent that has a visible emission limitation.

R307-170-6. Minimum Monitoring Requirements for Specific Sources.

(1) Fossil Fuel Fired Steam Generators.

(a) A continuous monitoring system for the measurement of opacity shall be installed, calibrated, maintained, and operated on any fossil fuel fired steam generator of greater than 250 million BTU per hour for each boiler except where:

(i) natural gas or oil or a mixture of natural gas and oil is the only fuel burned,

(ii) the source is able to comply with the applicable particulate matter and opacity regulations without using particulate matter collection equipment, and

(iii) the source has never been found through any administrative or judicial proceeding to be in violation of any visible emission standard or requirements.

(b) A continuous monitoring system for the measurement of sulfur dioxide shall be installed, calibrated, maintained, and operated on any fossil fuel fired steam generator of greater than 250 million BTU per hour heat input which has installed sulfur dioxide pollution control equipment.

(c) A continuous monitoring system for the measurement of nitrogen oxides shall be installed, calibrated, maintained, and operated on fossil fuel fired steam generators of greater than 1000 million BTU per hour heat input when such facility is located in an Air Quality Control Region where the executive secretary has specifically determined that a control strategy for nitrogen dioxide is necessary to attain the national standards, unless the source owner

or operator demonstrates during source compliance tests as required by the executive secretary that such a source emits nitrogen oxides at levels 30 percent or more below the emission standard.

(d) A continuous monitoring system for the measurement of percent oxygen or carbon dioxide shall be installed, calibrated, maintained, and operated on any fossil fuel fired steam generators where measurements of oxygen or carbon dioxide in the flue gas are required to convert either sulfur dioxide or nitrogen oxides continuous emission monitoring data, or both, to units of the emission standard.

(2) Nitric Acid Plants.

Each nitric acid plant of greater than 300 tons per day production capacity, the production capacity being expressed as 100 percent acid, and located in an Air Quality Control Region where the Executive Secretary has specifically determined that a control strategy for nitrogen dioxide is necessary to attain the national standard, shall install, calibrate, maintain, and operate a continuous monitoring system for the measurement of nitrogen oxides for each nitric acid producing installation.

(3) Sulfuric Acid Plants - Burning and Production.

Each sulfuric acid plant of greater than 300 tons per day production capacity, the production being expressed as 100 percent acid, shall install, calibrate, maintain and operate a continuous monitoring system for the measurement of sulfur dioxide for each sulfuric acid producing installation within such plant.

(4) Petroleum Refineries - Fluid Bed Catalytic Cracking Unit Catalyst Regenerator.

Each catalyst regenerator for fluid bed catalytic cracking units of greater than 20,000 barrels per day fresh feed capacity shall install, calibrate, maintain and operate a continuous monitoring system for the measurement of opacity.

R307-170-7. Performance Specification Audits.

(1) Quarterly Audits.

Each continuous emissions monitoring system shall be audited at least once each calendar quarter. Successive quarterly audits shall be conducted at least two months apart. A relative accuracy test audit shall be conducted at least once every four calendar quarters as described in the applicable performance specification of 40 CFR 60, Appendix B. Each range of a dual range monitor shall be audited using a relative accuracy audit at least three of the four calendar quarters each year.

(a) Relative accuracy shall be determined in units of the applicable emission limit.

(b) For a single range monitor, an alternative relative accuracy test (cylinder gas audit or relative accuracy audit) may be conducted in three of the four calendar quarters in place of conducting a relative accuracy test audit, but in no more than three quarters in succession.

(c) Minor deviations from the reference method test must be submitted to the executive secretary for approval.

(d) Performance specification tests and audits shall be conducted so that the entire continuous monitoring system is concurrently tested.

(2) Notification.

The source shall notify the executive secretary of its intention to conduct a relative accuracy test audit by submitting a pretest protocol or by scheduling a pretest conference if directed to do so

by the executive secretary. Each source shall notify the executive secretary no less than 45 days prior to testing.

(3) Audit Procedure.

A source may stop a relative accuracy test audit before the commencement of the fourth run to perform repairs or adjustments on the continuous emissions monitoring system. If the audit is stopped to make repairs or adjustments the audit must be started again from the beginning. If the fourth test run is started, testing shall be conducted until the completion of the ninth acceptable test run. If the system does not meet its applicable relative accuracy performance specification outlined in 40 CFR 60, Appendix B, its data may not be used in determining emissions rates until the system is successfully recertified.

(4) Performance Specification Tests.

(a) Except as listed in (b) below, all reference method testing equipment shall be totally independent of the continuous emissions monitoring system equipment undergoing a performance specification test.

(b) Reference method tests conducted on fuel gas lines, vapor recovery units, or other equipment as approved by the executive secretary may use a common probe, when the reference method sample line ties into the continuous emission monitor's probe or sample line as close to the probe inlet as possible.

(5) Submittal of Audit Results.

The source shall submit all relative accuracy performance specification test results to the executive secretary no later than 60 days after completion of the test.

(a) Test results shall include all raw reference method calibration data, raw reference method emission data with date and time stamps, and raw source continuous monitoring data with date and time stamps. All data shall be reported in concentration and units of the applicable emission limit.

(b) Relative accuracy performance specification test or audit reports shall include the company name, plant manager's name, mailing address, phone number, environmental contact's name, the monitor manufacturer, the model and serial number, the monitor range, and its location.

(6) Daily Drift Test.

Each source operating a continuous monitoring system shall conduct a daily zero and span calibration drift test as required in 40 CFR 60.13(d). The zero and span drifts shall be determined by using raw continuous monitoring system responses to a known value of the reference standard gas. Computer enhancements may be used to correct continuous monitoring system emission data which has been altered by monitor drift, but may not be used to determine daily zero and span drift.

(a) Any continuous emissions monitor used for compliance determination which fails the daily calibration drift tests as outlined in 40 CFR 60 Appendix F shall be declared out-of-control, and the out-of-control period shall be documented in the state electronic data report. The source shall make corrective adjustments to the system promptly.

(b) Each source operating a continuous monitoring system which exceeds the calibration drift limit as outlined in 40 CFR 60 and the applicable performance specification shall make corrective adjustments promptly.

R307-170-8. Recordkeeping.

Each sources subject to this rule shall maintain a file of all:

(1) parameters for each continuous monitoring system and monitoring device,

(2) performance test measurements,

(3) continuous monitoring system performance evaluations,

(4) continuous monitoring system or monitoring device calibration checks,

(5) adjustments and maintenance conducted on these systems or devices, and

(6) all other information required by this rule. Information shall be recorded in a permanent form suitable for inspection. The file shall be retained for at least two years following the date of such measurements, maintenance, reports, and records, and shall be available to the executive secretary at any time.

R307-170-9. State Electronic Data Report.

(1) General Reporting Requirements.

(a) Each source required to install a continuous monitoring system shall submit the state electronic data report including all information specified in (2) through (10) below. Each source shall submit a complete, unmodified report in an electronic format specified by the executive secretary.

(b) Partial Reports.

(i) If the total duration of excess emissions during the reporting period is less than one percent of the total operating time and the continuous monitoring system downtime is less than five percent of the total operating time, only the summary portion of the state electronic data report need be submitted.

(ii) If the total excess emission during the reporting period is equal to or greater than one percent of the total operating time, or the total monitored downtime is equal to or greater than five percent of the total operating time, the total state electronic data report shall be submitted.

(iii) Each source required to install a continuous monitoring system for the sole purpose of generating emissions inventory data is not required to submit the excess emission report required by (7) below or the excess emission summary required by (6)(b) below unless otherwise directed by the executive secretary.

(c) Frequency of Reporting. Each source subject to this rule shall submit a report to the executive secretary with the following frequency:

(i) Each source shall submit a report quarterly if required by the executive secretary or by 40 CFR Part 60, or if the continuous monitoring system data is used for compliance determination. Each source submitting quarterly reports shall submit them by January 30, April 30, July 30, and October 30 for the quarter ending 30 days earlier.

(ii) Any source subject to this rule and not required to submit a quarterly report shall submit its report semiannually by January 30 and July 30 for the six month period ending 30 days earlier.

(iii) The executive secretary may require any source to submit all emission data generated on a quarterly basis.

(d) The executive secretary may, with a written finding of cause, require a source to install equipment to collect and submit continuous real time data directly to the executive secretary.

(2) Source Information.

The report shall contain source information including the company name, name of manager or responsible official, mailing address, AIRS number, phone number, environmental contact name, each source required to install a monitoring system, quarter or quarters covered by the report, year, and the operating time for each source.

(3) Continuous Monitoring System Information.

The report shall identify each channel, manufacturer, model number, serial number, monitor span, installation dates and whether the monitor is located in the stack or duct.

(4) Monitor Availability Reporting.

(a) The report shall include all periods that the pollutant concentration exceeded the span of the continuous monitoring system by source, channel, start date and time, and end date and time.

(b) Each continuous monitoring system outage or malfunction which occurs during source operation shall be reported by source, channel, start date and time, and end date and time.

(c) Each source with minimum continuous monitoring system data collection requirements as required in 40 CFR 60, Standards of Performance for New Stationary Sources, may conduct manual sampling to supplement monitor availability requirements. Manual sampling shall be reported by source, channel, start date and time, and end date and time, and may be used to offset monitor unavailability.

(d) Monitor modifications shall be reported by source, channel, date of modification, whether a support document was submitted, and the reason for the modification.

(5) Continuous Monitoring System Performance Specification Audits.

(a) Each source shall submit the results of each relative accuracy test audit, relative accuracy audit and cylinder gas audit. Each source which reports linearity tests may omit reporting cylinder gas audits.

(b) Each relative accuracy test audit shall be reported by source, channel, date of the most current relative accuracy test audit, date of the preceding relative accuracy test audit, number of months between relative accuracy test audits, units of applicable standard, average continuous emissions monitor response during testing, average reference method value, relative accuracy, and whether the continuous emissions monitor passed or failed the test or audit.

(c) A relative accuracy audit shall be reported by source, channel, date of audit, continuous emissions monitor response, relative accuracy audit response, percent precision, pass or fail results, and whether the monitor range is high or low.

(d) Cylinder gas audit and linearity tests shall be reported by source, channel, date, audit point number, cylinder identification, cylinder expiration date, type of certification, units of measurement, continuous emissions monitor response, cylinder concentration, percent precision, pass or fail results, and whether the monitor range is high or low.

(6) Summary reports.

(a) Each source shall summarize and report each continuous monitoring system outage that occurred during the reporting period in the continuous monitoring system performance summary report. The summary must include the source, channels, monitor downtime

as a percent of the total source operating hours, total monitor downtime, hours of monitor malfunction, hours of non-monitor malfunction, hours of quality assurance calibrations, and hours of other known and unknown causes of monitor downtime. A source operating a backup continuous monitoring system must account for monitor unavailability only when accurate emission data is not being collected by either continuous monitoring system.

(b) The summary report shall contain a summary of excess emissions which occurred during the reporting period unless the continuous monitoring system was installed to document compliance with an emission cap or to generate data for annual emissions inventories.

(i) Each source with multiple emission limitations per channel being monitored shall summarize excess emissions for each emission limitation.

(ii) The emission summary must include the source, channels, total hours of excess emissions as a percent of the total source operating hours, hours of start-up and shutdown, hours of control equipments problems, hours of process problems, hours of other known and unknown causes, emission limitation, units of measurement, and emission limitation averaging period.

(c) When no continuous monitoring unavailability or excess emissions have occurred, this shall be documented by placing a zero under each appropriate heading.

(7) Excess Emissions Report.

(a) The magnitude and duration of all excess emissions shall be reported on an hourly basis in the excess emissions report.

(i) The duration of excess emissions based on block averages shall be reported in terms of hours over which the emissions were averaged. Each source that averages opacity shall average it over a six minute block and shall report the duration of excess opacity in tenths of an hour. Sources using a rolling average shall report the duration of excess emissions in terms of the number of hours being rolled into the averaging period.

(ii) Sources with multiple emission limitations per channel being monitored shall report the magnitude of excess emissions for each emission limitation.

(b) Each period of excess emissions that occurs shall be reported. Each episode of excess emission shall be accompanied with a reason code and action code which links the excess emission to a specific description which describes the events of the episode.

(8) Operations Report.

Each source operating fossil fuel fired steam generators subject to 40 CFR 60, Standards of Performance for New Stationary Sources, shall submit an operations report.

(9) Signed Statement.

(a) Each source shall submit a signed statement acknowledging under penalties of law that all information contained in the report is truthful and accurate, and is a complete record of all monitoring related events which occurred during the reporting period. In addition, each source with an operating permit issued under R307-415 shall submit the signed statement required in R307-415-5d.

(10) Descriptions.

Each source shall submit a narrative description explaining each event of monitor unavailability or excess emissions. Each description also shall be accompanied with reason codes and action codes that will link descriptions to events reported in the monitoring information and excess emission report.

**KEY: air pollution, monitoring*, continuous monitoring*
1998**

**19-2-101
19-2-104(1)(c)
19-2-115(3)(b)
40 CFR 60**

324 South State Street
PO Box 89
Salt Lake City, UT 84110-0089, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Steven J. Nielsen at the above address, by phone at (801) 538-8854, by FAX at (801) 538-8894, or by Internet E-mail at bdfipost.snielsen@email.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 11/16/1998.

THIS RULE MAY BECOME EFFECTIVE ON: 11/17/1998

AUTHORIZED BY: Steven J. Nielsen, Legal Counsel

◆ ————— ◆
**Financial Institutions, Administration
R331-22
Rule Governing Reimbursement of
Costs of Financial Institutions for
Production of Records**

NOTICE OF PROPOSED RULE

(Amendment)
DAR FILE NO.: 21479
FILED: 09/21/1998, 14:22
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: To make this rule consistent with federal regulations for reimbursement for providing financial records.

SUMMARY OF THE RULE OR CHANGE: Under Subsection R331-22-3(1)(a), the last sentence should read: "If less than a quarter hour is spent, the minimum charge shall be for a quarter hour." The number "\$2.50" is removed from the sentence.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 7-1-301(6), and Section 78-27-48

ANTICIPATED COST OR SAVINGS TO:

- ◆THE STATE BUDGET: Nominal increase--given cost increase is dependent upon financial record requests. Frequency of requests is unknown.
- ◆LOCAL GOVERNMENTS: The rule does not affect local governments.
- ◆OTHER PERSONS: Nominal increase--given cost increase is dependent upon financial record requests. Frequency of request is unknown.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Nominal increase--given cost increase is dependent upon financial record requests. Frequency of request is unknown.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: Nominal increase--given cost increase is dependent upon financial record requests. Frequency of request is unknown.

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

Financial Institutions
Administration
Suite 201

**R331. Financial Institutions, Administration.
R331-22. Rule Governing Reimbursement of Costs of Financial
Institutions for Production of Records.**

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R331-22-3. Costs Reimbursement.

As hereinafter provided, a party requiring or requesting access to financial records pertaining to a party shall pay to the financial institution that assembles or provides the financial records a fee for reimbursement of reasonably necessary costs which have been directly incurred according to the following schedule:

- (1) Search and processing costs.
 - (a) Manual Search and Processing Cost. Reimbursement of search and processing costs shall be the total amount of direct personnel time spent in locating and retrieving, reproducing, packaging and preparing financial records for shipment. The rate for search and processing costs is \$11.00 per hour per clerical/technical person and \$17.00 per hour per manager/supervisory person, computed per quarter hour and is limited to the total amount of actual time spent in locating and retrieving documents or information or reproducing or packaging and preparing documents for shipment which were required or requested by a party. If less than a quarter hour is spent, the minimum charge shall be [~~\$2.50~~] for a quarter hour.

(b) Data Processing Search and Processing Cost. Search and processing costs reflecting the actual costs of extracting information stored by computer in the format in which it is normally produced, based on computer time and necessary supplies will be charged. Personnel time for computer search shall be paid for only at the rates specified in this section.

(2) Reproduction costs. Reimbursement for reproduction costs shall be the costs incurred in making the copies of documents required or requested. The rate for reproduction costs for making copies of required or requested documents is 25 cents for each page, including copies produced by reader/printer reproduction process, photographs and films. Duplicate microfiche is 50 cents per microfiche and computer diskette is \$5.00 per diskette. Other materials are reimbursed at actual costs.

(3) Transportation costs. Reimbursement for transportation costs shall be for reasonably necessary costs directly incurred to transport personnel to locate and retrieve the information required or requested and necessary costs directly incurred solely by the need to convey the required or requested material to the place of examination.

.....

KEY: financial institutions, costs
[1997]1998

7-1-301(6)
78-27-48



**Human Services, Services for People
with Disabilities**
R539-1
Eligibility

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE NO.: 21477
FILED: 09/17/1998, 10:51
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: To clarify and update existing rules and add eligibility requirements for new Medicaid Waivers.

SUMMARY OF THE RULE OR CHANGE: With the addition of waiver services for personal assistance and brain injury, it has become necessary to clarify and differentiate existing rules concerning eligibility for services. Therefore, the title of Section R539-1-1 has been changed to "Eligibility for General Developmental Disability Services." Life activity limitations definitions have been updated and clarified to make it easier for physicians to determine if a person is eligible. A requirement has been added that states that if the person is found eligible for the Medicaid Waiver and chooses not to participate, they can only receive the amount of state funds that would have been spent if they chose to participate in the waiver. Section R539-1-2 has been changed in accordance with requirements of a newly approved Personal Assistance Services Medicaid Waiver that will maximize state funds for Personal Assistance Services. This revision includes added eligibility requirements specified in the waiver including: the person be medically stable; have a personal attendant trained; qualify for Medicaid based on personal income; and meet admission criteria for nursing facility care. This section further clarifies eligibility requirements for physician and applicant, petition, appeals, and requirement that individuals determined eligible for the Medicaid Waiver chose to

maximize services through waiver or only to receive the amount of state funds that would have been spent if they chose to participate in the waiver. Section R539-1-4 is a proposed section which states eligibility requirements for the Brain Injury Medicaid Waiver.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 62A-5-103

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: Savings should be realized from requiring anyone eligible for Medicaid Waiver Support Services to have supports matched with federal funds or receive only the portion of state funds paid when supports are matched. Most savings will occur as people transition off the waiting list into services. For example, the total personal assistance budget prior to the approval of the waiver was \$625,690. With the addition of medicaid match the program may expand to a total estimated budget of \$1,251,380. This will allow the Division to serve additional people now waiting for personal assistant services. The Brain Injury Waiver allows support services for people with Brain Injury to be matched with federal funds. Overall savings from changes are estimated at \$1,000,000. Cost for completing training and printing of new policies for staff and providers is estimated to be \$500.

❖LOCAL GOVERNMENTS: No local government funding is used in determining eligibility for these services; it is expected, therefore that the cost to local governments is not applicable.

❖OTHER PERSONS: People who are eligible for waiver services but who chose not to participate may lose a portion of their support.

COMPLIANCE COSTS FOR AFFECTED PERSONS: The only compliance cost may be for a very limited number of individuals who will need to spend down personal money to maintain eligibility for medicaid.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: Service providers may lose some consumers if those consumers opt not to receive federal funds and thereby reduce the services they may purchase to the amount state funds will support. This potential effect should be mitigated by the addition of new consumers who will be funded by the savings of general fund dollars. Service providers have expressed their support of this rule change.

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

Human Services
Services for People with Disabilities
Room 411, Human Services Building
120 North 200 West
Salt Lake City, UT 84103, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Paul Day at the above address, by phone at (801) 538-4118, by FAX at (801) 538-4279, or by Internet E-mail at hsadm2.pday@email.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 11/16/1998.

THIS RULE MAY BECOME EFFECTIVE ON: 11/17/1998

AUTHORIZED BY: Sue Geary, Director

R539. Human Services, Services for People with Disabilities.

R539-1. Eligibility.

R539-1-1. Eligibility for General Developmental Disability Services.

A. Policy.

The Division of Services for People with Disabilities will serve those persons who meet the definition of disabled in Section 62A-5-101.

1. Operational definition- Life Activity Limitations:

a. Self care- A person who requires assistance, training or supervision in toileting, dressing, grooming, bathing or eating. [~~A person who cannot independently complete practical living skills, including housekeeping, meal preparation, laundry;~~]

b. Receptive and expressive language- A person who [~~manifests impairments~~] is limited in [~~this area will have no~~] expressive and/or receptive language. [~~communication or will speak in nonsensical phrases.~~] Expressive impairments are noted when a person lacks functional skills and/or requires the use of assistive devices to communicate. Receptive impairments are noted when a person does not demonstrate understanding of requests or is unable to follow [~~one to~~] two step instructions.

c. Learning/Cognitive Development- A person who has obtained a [thorough, adequate, and] valid and reliable IQ Score [psychological assessment of the person's degree of conceptual intelligence reflects a performance] of [approximately] two standard deviations or more below the mean [observed in a population of persons of a comparable background. This is commonly defined as an IQ of 70 or below] on an individually administered standardized [measure of] intelligence test.

d. Mobility- A persons with a mobility impairment who [that] requires the use of assistive devices [cane, walker, wheelchair] to be mobile and who [:] cannot physically self-evacuate [independently] from a building [in less than three minutes] within a reasonable period of time.

e. Self-direction- A child (age 6-18 who is unable to make age-appropriate decisions concerning self-protection. An adult [person] who is unable to provide informed consent for such [life] issues as medical/health care, personal safety, legal, financial, habilitative or residential issues [without the assistance of a court appointed legal representative or guardian;] and/or who has been declared legally incompetent.

f. Capacity for independent living- A person who is unable to [~~perform such tasks as~~] locate and use a telephone, cross streets safely, or understand that it is not safe to accept rides, food or money from strangers. [~~access community public transportation services, use a checking or savings account, complete applications and locate employment opportunities without supervision and assistance.~~] A person who is a significant danger to self or others without supervision.

g. Economic self sufficiency- An adult [person] who receives [Supplemental] Social Security Administration benefits: who is unable to work more [income, participates in a day program or holds an employment position less] than 20 hours a [per] week or is paid less than minimum wage without employment support. A person under age 18 [who] is [unable to pay monthly bills without assistance] automatically deemed to have a functional limitation in this area.

B. Procedures.

1. Individuals seeking services from the Division shall [~~present~~] provide, to the [~~region worker~~] intake specialist, a Form 19 signed by a licensed physician, [~~or~~] licensed psychologist or certified school psychologist. For children six years of age and younger, letters from two licensed or certified professionals working in the disability field [stating the child is at serious risk of a disability which is likely to continue indefinitely and would benefit from Division services;] will be accepted in lieu of the form 19 providing the letters state: the child is at serious risk of a disability, the disability is likely to continue indefinitely, and the child would benefit from Division services.

2. A person determined [For] eligible for waiver services may choose to maximize the amount and/or frequency of supports by use of the Medicaid DD/MR Waiver. If the person chooses not to participate in the Medicaid Waiver, the person shall only receive that portion of State assistance that would be used to pay the State match for supports covered by Medicaid [individuals who are not covered by the waiver, a fee may be required].

R539-1-3. Personal Assistance Services Eligibility.

A. Policy.

1. Personal Assistance Services means hands-on care of both a medical and non-medical supportive nature specific to the needs of [services provided to] an adult with a physical disability [disabilities which enable the person to live as independently as possible. These services may include assistance with bathing, dressing, transfers, and other personal care tasks].

2. Applicants for Personal Assistance Services are required to complete a written application and are screened by the Division of Services for People with Disabilities [a review team]. Applicants must be adults with physical disabilities who:

- a. are 18 years of age or older;
- b. have a documented physical disability resulting in a functional loss of two or more limbs to the extent that the assistance of another person is required to accomplish personal care;
- c. are medically stable [at risk of being placed, or are already in an institution];
- d. require at least 14 [15] or more hours per week of personal assistance services; [and]
- e. demonstrate the [an] ability to be self-directed and [are] capable of managing their personal affairs as well as supervising the person(s) hired to provide the necessary personal assistance; and
 - i. have at least one personal attendant willing to be trained and available to provide support services in a setting that can accommodate the personnel and equipment needed to adequately and safely care for the individual.
 - ii. To be eligible for the Personal Assistance Medicaid Waiver, individuals must also:

I. qualify for Medicaid based on personal income and resources; and

II. meet admission criteria for nursing facility care as determined by the Division of Health Systems Improvement, Resident Assessment Section.

B. Procedures.

1. An application for services is made directly to the State Division Office by submitting Form 20 signed by a licensed physician. The application must be complete and [form] include[s]:

a. documentation of the extent of personal assistance services needed;

b. [a physician's verification of the information provided on the application; and]documentation that a pending or "dependent" living situation can be alleviated by Personal Assistance Services; and

c. verification by a physician of required information[documentation that a pending or "dependent" living situation can be alleviated by Personal Assistance Services].

2. [If an applicant is currently enrolled in Division services, the Individual Plan]Members of a person's support team may assist an individual who receives support services to[in-making] make an application for personal assistance services.

3. All[applicants] applications shall be [selected]reviewed by a Division State Office staff member[review team which shall consist of at least one person currently receiving Personal Assistance Services and representatives from organizations serving people with physical disabilities, including the Division]. If the applicant is determined eligible, the applicants name shall be entered on the[At least three team members must be present to determine eligibility. The review team may make appropriate referrals to alternative resources for those applicants who are not eligible for Personal Assistance Services.

4. Applicants for Personal Assistance Services who are deemed eligible by the review team shall be placed on a] waiting list. The persons priority on the waiting list shall be determined by the date[prioritized by] the[most distant] application was received by the Division's State Office[date first].[-As funding permits, the highest priority applicant on the waiting list shall be offered services.] Applicants shall receive funding in order of[or those on the waiting list who feel their circumstances warrant] priority[may petition the review team for consideration for higher placement on the waiting list. The review team will consider the priority request according to the criteria in R539-3-1, B-2.

5. Appeals for denial of services will be made according to R503-5 and R539-2-5.]

4. Applicants waiting for personal assistance support services or their representatives, may petition a Review Team to ask for a higher priority.

5. Individual who receive personal assistance support services may petition a Review Team to consider a request for an increase in funding

6. Appeals for denial of services will be made according to R539-2-5

7. A person determined eligible for the Personal Assistance Services Medicaid Waiver can choose to maximize the amount and/or frequency of supports by use of the Waiver. If the person chooses not to participate in the Personal Assistance Waiver, the person shall only receive that portion of State assistance that would be used to pay the State match for supports covered by Medicaid.

R539-1-4. Brain Injury Waiver Eligibility.

A. Policy.

A person who has a documented brain injury, who requires the level of care provided in a Nursing Facility (according to Utah Administrative Rules for Health R414-502-3) and who is 18 years of age or older may be eligible for Division services under the Brain Injury Home and Community-Based Waiver. Only individuals with an acquired neurological brain injury or limitation qualify for services. Individuals with substance abuse or deteriorating diseases like Multiple Sclerosis, Muscular Dystrophy, Huntington's Chorea, Ataxia or Cancer as their primary diagnosis are ineligible for these Waiver services.

B. Procedures.

1. Required documentation:

a. documentation of brain injury signed by a licensed physician;

b. a physical examination, completed by a licensed physician or registered nurse within one year prior to eligibility determination; and

c. a Rancho Los Amigos Adult Head Trauma Scale, completed within the last year by a qualified professional. To be eligible for services, the individual's degree of functioning must be rated at a level of 5, 6, or 7 on the Rancho Los Amigos Adult Head Trauma Scale.

2. Eligibility will not be determined until all documentation is received. Eligibility may be denied after 90 days if necessary documentation is not received.

KEY: disabled persons*, social services

[March 18, 1996]1998

62A-5-103

Notice of Continuation December 18, 1997



Natural Resources, Parks and Recreation

R651-206

Carrying Passengers for Hire

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 21493

FILED: 09/28/1998, 10:09

RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Subsection 73-18-4(4) gives the Board authority to promulgate rules regulating vessel operators who carry passengers for hire and setting a fee for these operators.

SUMMARY OF THE RULE OR CHANGE: The rule will continue for issuing permits to vessel operators and river guides for the safety and health of the public. This amendment will allow the boating funds previously used to offset the costs of permits to place costs to permit holders, thus offsetting this expense to federal funds.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 73-18-4(4)

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: Transfers cost of fees from state programs to users to offset state expenses--\$24,909 per year.

❖LOCAL GOVERNMENTS: This is a state rule which affects vessel operators and therefore there is no impact to the local government.

❖OTHER PERSONS: User will be paying a higher fee as detailed by this rule. The average increase is \$45 per permit with the exception of the river guide permit which increases by \$225.

COMPLIANCE COSTS FOR AFFECTED PERSONS: This will increase costs for certain permits for vessel operators.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: Commercial river guide services and boat operators will be approximately \$24,909 per year.

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

Natural Resources
Parks and Recreation
Room 116
1594 West North Temple
Box 146001
Salt Lake City, UT 84114-6001, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

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

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 11/16/1998.

THIS RULE MAY BECOME EFFECTIVE ON: 12/01/1998

AUTHORIZED BY: David K. Morrow, Deputy Director

R651. Natural Resources, Parks and Recreation.

R651-206. Carrying Passengers for Hire.

R651-206-1. Vessel Operator Permit.

(1) As used in this rule: "Operator Permit" means a valid Utah Vessel Operator Permit issued by the division or a valid Coast Guard Motorboat Operator License. The operator permit must be accompanied by a current and original Standard American Red Cross First Aid Card or equivalent and a current and original American Red Cross or American Heart Association "CPR" card.

(2) No person shall operate a vessel engaged in carrying passengers for hire on any lake or reservoir of this state unless the individual has in his possession an Operator Permit or is operating under Section R651-206-2.

(3) To obtain a Utah Vessel Operator Permit, the applicant must be at least 18 years old, complete the prescribed form, possess the required first aid and CPR certification, successfully complete a written examination, pay a ~~[\$10]~~\$60 fee, and have ~~[100]~~80 hours of experience in vessel operation, 20 hours of which was obtained operating ~~[the]~~an equivalent type and size of vessel which will be used for carriage of passengers. If the applicant fails to pass the written examination, there is a 7-day waiting period and a \$15 retest fee per attempt.

(4) A Utah Vessel Operator Permit is valid for ~~[five]~~three years from date of issue, unless suspended or revoked. ~~[All permits issued prior to February 28, 1980, shall expire February 28, 1985.]~~

(5) A Utah Vessel Operator Permit may be renewed up to six months prior to expiration, upon completion of the prescribed form, presentation of required first aid and CPR certification, and payment of a ~~[\$10]~~\$45 fee. The renewed permit shall have the same month and day expiration date as the original permit.

(6) A Utah Vessel Operator Permit which has expired shall not be renewed but ~~[must be obtained]~~is required to obtain a new permit as outlined above.

(7) In the event a Utah Vessel Operator Permit is lost or stolen, a duplicate permit may be issued with the same expiration date as the original permit upon completion of the prescribed form, payment of a ~~[\$10]~~\$25 fee ~~[-, and furnishing the information required by the division]~~. An application for a duplicate permit must have original signatures and be accompanied by original documentation of required first aid and CPR certification.

(8) Current Utah Vessel Operator Permit holders shall notify the Division, within 30 days, of any change of address.

(9) A Utah Vessel Operator Permit may be suspended or revoked for a length of time determined by the division director, or individual designated by the division director, if one of the following occurs:

(a) the permit holder is convicted of boating under the influence of alcohol or any drug, or refuses to submit to any chemical test which determines blood or breath alcohol content;

(b) the permit holder's negligence causes personal injury or death as determined by due process of the law;

(c) the permit holder is convicted of three violations of Title 73 Chapter 18 or rules promulgated thereunder during a three-year period; or

(d) the division determines that the permit holder intentionally provided false or fictitious statements or qualifications to obtain the permit.

(10) A person shall not operate an unfamiliar vessel carrying passengers for hire or operate on unfamiliar water unless there is an operator permit holder aboard who is familiar with the vessel and the water area.

(11) A valid Coast Guard Motorboat Operator License must be possessed if engaging in carrying passengers for hire on Bear Lake, Flaming Gorge, or Lake Powell.

R651-206-2. River Guide Permit.

(1) As used in this rule:

(a) "Agent" means a person(s) designated by an outfitting company to act in behalf of that company in certifying a river guide's experience.

(b) "Certifying experience" means river running experience obtained within ten years of the date of application for the guide permit.

(c) "Guide 1" means a nonrestrictive river guide permit.

(d) "Guide 2" means a restricted river guide permit, which is valid only on other rivers.

(e) "Guide 3" means an apprentice river guide permit, which is valid only when the holder is accompanied on the white water[trip] river by a qualified Guide 1 permit holder. A Guide 3 permit is also valid on other rivers, but must be accompanied by either a Guide 1 or 2 permit holder.

(f) "Guide 4" means a restricted apprentice river guide permit, which is valid only on other rivers when the holder is accompanied on the trip by a qualified Guide 1 or 2 permit holder.

(g) "Guide permit" means a valid Guide 1, 2, 3, or 4 permit issued by the division for carrying passengers for hire. For a Guide 1 or 2 permit to be valid they must be accompanied by a current "Emergency Response" American Red Cross First Aid Card or equivalent and an American Heart Association or an American Red Cross "CPR" Card. For a Guide 3 or 4 permit to be valid they must be accompanied by a current "Standard" American Red Cross First Aid Card or equivalent and an American Heart Association or an American Red Cross "CPR" Card. A photo copy of both sides of the required first aid and CPR certification cards is allowed.

(h) "Low capacity vessel" means a vessel with a carrying capacity of three or fewer occupants (e.g. canoe, kayak, inflatable kayak or similar vessel).

~~(h)~~(i) "Other rivers" means all rivers, river sections, or both in Utah not defined in Subsection R651-202-2(1) as a whitewater river.

~~(i) "Outfitting company" means any person, company, or corporation providing river equipment and carrying passengers for hire on any river of this state.~~

(j) "Whitewater river" means the following river sections: the Green and Yampa rivers within Dinosaur National Monument, the Green River in Desolation-Gray Canyon (Mile 96 to Mile 20), the Colorado River in Westwater Canyon, the Colorado River in Cataract Canyon, or other division recognized whitewater rivers in other states.

(2) No person shall operate a vessel engaged in carrying passengers for hire on any river of this state unless that person has in his possession the appropriate valid river guide permit. ~~Except, if the vessel is low capacity, carrying capacity of three or fewer occupants, like a sport yak, canoe, kayak, or other similar vessel, and the vessel is~~ For low capacity vessels not operated by but led by a guide permit holder, there [may]shall be at least one qualified guide permit holder for every four low capacity vessels being led in the group.

(3) To qualify for a Guide 1 permit, the applicant must be at least 18 years of age, complete the prescribed form, be current in the required first aid and CPR certification, successfully complete a written examination, pay a ~~[\$10]~~\$60 fee and have operated a vessel on at least nine whitewater river sections. If the applicant fails to pass the written examination, there is a 7-day waiting period and a \$15 retest fee per attempt.

(4) To qualify for a Guide 2 permit, the applicant must be at least 18 years of age, complete the prescribed form, be current in the required first aid and CPR certification, successfully complete a written examination, pay a ~~[\$10]~~\$60 fee and have operated a

vessel on at least six river sections. If the applicant fails to pass the written examination, there is a 7-day waiting period and a \$15 retest fee per attempt.

(5) To qualify for a Guide 3 permit, the applicant must be at least 18 years of age, complete the prescribed form, be current in the required first aid and CPR certification, pay a ~~[\$10]~~\$25 fee and have operated a vessel on at least three whitewater river sections.

(6) To qualify for a Guide 4 permit, the applicant must be at least 18 years of age, complete the prescribed form, be current in the required first aid and CPR certification, pay a ~~[\$10]~~\$25 fee and have operated a vessel on at least three river sections.

(7) Any person applying for ~~[or renewing]~~ a duplicate, renewal, or a new guide permit shall be employed by or be a prospective employee of an outfitting company currently registered with the division. The applicant shall be sponsored by that outfitting company, or be currently employed and sponsored by a federal, ~~or~~ state or county agency. Permit applications must have original signatures and be accompanied by original documentation of required first aid and CPR certification.

(8) Guide 3 and 4 permits shall expire annually on December 31. Guide 1 and 2 permits shall expire ~~[five]~~three years from date of issuance.

(9) Guide 1 or 2 permits may be renewed up to six months prior to expiration upon completion of the prescribed form, presentation of current guide permit, required first aid and CPR certification, and payment of a ~~[\$10]~~\$45 fee. The renewed permit shall have the same month and day expiration date as the original permit. Any Guide 1 or 2 permit holder whose permit has expired shall be required to obtain a new Guide 1 or 2 permit as outlined above.

(10) In the event a guide permit is lost or stolen a duplicate guide permit may be issued with the same expiration date as the original permit upon completion of the prescribed form, ~~[payment of a \$10 fee, and]~~ furnishing the required information ~~[as described in (7) above and payment of the required fee.~~ The fee shall be \$25 for a Guide 1 or 2 permit, and \$15 for a Guide 3 or 4 permit.

(11) All ~~[existing]~~ boatman permits issued by the division are expired, [after February 28, 1980, shall expire five years from date of issue. All permits issued prior to February 28, 1980, shall expire on February 28, 1985.]

(12) Current Guide Permit holders shall notify the Division, within 30 days, of any change of address.

(13) A guide permit holder shall not carry passengers for hire on his first trip on an unfamiliar river unless there is a qualified Guide 1 or 2 permit holder aboard who has operated a similar vessel on that river segment.

(14) A guide permit may be suspended or revoked for a length of time determined by the division director, or individual designated by the division director, if one of the following occurs:

(a) the guide permit holder is convicted of boating under the influence of alcohol or any drug, or refuses to submit to any chemical test which determines blood or breath alcohol content;

(b) the guide permit holder's negligence causes personal injury or death as determined by due process of the law;

(c) the guide permit holder is convicted of three violations of Title 73 Chapter 18 or rules promulgated thereunder during a three-year period;

(d) the division determines that the guide permit holder intentionally provided false or fictitious statements or qualifications to obtain the guide permit; or

(e) a guide permit holder has utilized a private river trip permit for carrying passengers for hire and has been prosecuted by the issuing agency and found guilty of the violation.

(15) Every outfitting company carrying passengers for hire on any river of this state shall register with the division [~~before January 1st on an annual basis.~~annually prior to commencement of operation. The registration requires the completion of the prescribed form and providing the following: evidence of registration with the Department of Commerce, evidence of river trip authorization from the appropriate controlling state or federal agency, and payment of a [~~\$50~~]\$275 fee.

(16) The agent shall certify and guarantee that each river guide sponsored by the outfitting company that he represents has obtained the necessary experience, as required above, depending on the type of guide permit applied for.

(17) An outfitting company's division registration may be suspended or revoked for a length of time determined by the division director, or individual designated by the division director, if one of the following occurs:

(a) the outfitting company's or agent's negligence caused personal injury or death as determined by due process of the law;

(b) the outfitting company or agent is convicted of three violations of Title 73 Chapter 18 or rules promulgated thereunder during a calendar year period;

(c) false or fictitious statements were certified or false qualifications were used to qualify a person to obtain a guide permit for an employee or others;

(d) the division determines that the outfitting company intentionally provided false or fictitious statements or qualifications when registering with the division;

(e) an outfitting company has utilized a private river trip permit for carrying passengers for hire and have been prosecuted by the issuing agency and found guilty of the violation; or

(f) the outfitting company used a guide without a valid guide permit or without the appropriate guide permit while engaging in carrying passengers for hire.

KEY: boating

~~[1993]~~1998

73-18-4(4)

Notice of Continuation February 10, 1997

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Section 73-18-15 allows the board to adopt rules concerning water skiing and aquaplane riding and use of other devices towed behind a vessel.

SUMMARY OF THE RULE OR CHANGE: This change requires those water skiing on the waters in Utah to wear a United States Coast Guard approved flotation device (PFD) and requires operators of a vessel to have sufficient carrying capacity for occupants on board or being towed.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 73-18-15(4)(5)

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: Depending on the costs at various companies, the sales tax from the purchase of the appropriate flotation device may increase by a small margin the tax base for the state.

❖LOCAL GOVERNMENTS: This rule is for safety on waters throughout the state of Utah with no impact to local government.

❖OTHER PERSONS: Operators of vessels may be affected if they do not have the U.S. Coast Guard approved personal flotation devices. No monetary amount can be determined, as cost would vary per store and frequency of purchasing these safety devices.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Public should purchase only U.S. Coast Guard approved personal flotation devices which may result in small cost to those who do not have the approved flotation devices currently.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: No fiscal impact anticipated.

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

Natural Resources
Parks and Recreation
Room 116
1594 West North Temple
Box 146001
Salt Lake City, UT 84114-6001, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

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

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 11/16/1998.

THIS RULE MAY BECOME EFFECTIVE ON: 12/01/1998

AUTHORIZED BY: Dave Morrow, Deputy Director

Natural Resources, Parks and Recreation

R651-224

Towed Devices

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 21494

FILED: 09/28/1998, 10:09

RECEIVED BY: NL

**R651. Natural Resources, Parks and Recreation.
R651-224. Towed Devices.**

.....

R651-224-4. PFD to be Worn.

The operator of a vessel which is towing a person on water skis or other devices shall require each person who is water skiing or using other devices to wear a United States Coast Guard approved personal flotation device (PFD), except an inflatable PFD may not be used.

R651-224-5. Capacity of Towing Vessel.

The operator of a vessel which is towing a person(s) on water skis or other devices shall use a vessel with sufficient carrying capacity, as defined by the manufacturer, for the occupant(s) onboard and the person(s) being towed.

**KEY: boating, water skiing*
[1994]1998**

73-18-15

Notice of Continuation February 10, 1997



**Natural Resources, Parks and
Recreation
R651-227
Boating Safety Course Fees**

NOTICE OF PROPOSED RULE

(New)

DAR FILE NO.: 21495

FILED: 09/28/1998, 10:09

RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this new rule is to add a fee for watercraft education and put a replacement fee for those who have lost or stolen certificates.

SUMMARY OF THE RULE OR CHANGE: This fee will take the burden of paying for the education fee from our boating monies to the boaters for their education and pay for lost or stolen certificates.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 73-18-15(7)(a)

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: Reduce state costs by transferring cost of replacement for boating safety course and lost or stolen operator permits to operator which has been covered previously by the state boating program.

❖LOCAL GOVERNMENTS: Since the boating safety and education requirements are on state waters and the Division is a state agency, local government will not be affected.

❖OTHER PERSONS: Operators of personal watercraft will pay more for their boating safety course and lost or stolen permits. Those fees are \$12 for the water education course and a \$5 replacement fee for lost or stolen permits. There is no way to give a figure as it depends on how many enroll in the water education course, and how many permits are replaced. This is a new rule.

COMPLIANCE COSTS FOR AFFECTED PERSONS: Individuals taking the water education course will pay \$12. Those replacing lost or stolen certificates will pay \$5.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: No fiscal impact to businesses.

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

Natural Resources
Parks and Recreation
Room 116
1594 West North Temple
Box 146001
Salt Lake City, UT 84114-6001, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

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

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 11/16/1998.

THIS RULE MAY BECOME EFFECTIVE ON: 12/01/1998

AUTHORIZED BY: David Morrow, Deputy Director

R651. Natural Resources, Parks and Recreation.

R651-227. Boating Safety Course Fees.

R651-227-1. Boating Safety Course Fees.

(1) The fee for the personal watercraft education course is \$12.

(2) The fee to replace a lost or stolen personal watercraft education certificate is \$5.00.

**KEY: boating, safety, course, fee
1998**

73-18-15(7)(a)



**Natural Resources, Wildlife Resources
R657-13
Taking Fish and Crayfish**

NOTICE OF PROPOSED RULE

(Amendment)
DAR FILE NO.: 21498
FILED: 10/01/1998, 14:21
RECEIVED BY: NL

RULE ANALYSIS

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

SUMMARY OF THE RULE OR CHANGE: This amendment: makes changes to the dates for Free Fishing Day and Underwater Spearfishing; provides a provision that a person may not use or possess hooks or lures that exceed 9/16 of an inch on specific waters; adds the names of specific waters whereby a person may use a second pole to take fish; clarifies that a person may not take protected aquatic wildlife by snagging or gaffing; and makes other changes for consistency and clarity.

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

ANTICIPATED COST OR SAVINGS TO:
❖THE STATE BUDGET: The Division of Wildlife Resources (DWR) determines that this rule will not create any cost or savings impact to the state budget or the DWR's 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 rule. Nor are local governments indirectly impacted because the rule does not create a situation requiring services from local governments.
❖OTHER PERSONS: No impact--these amendments do not impose any requirements on persons.
COMPLIANCE COSTS FOR AFFECTED PERSONS: No impact--this rule does not impose any requirements or burdens on persons.

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

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

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 11/16/1998.

THIS RULE MAY BECOME EFFECTIVE ON: 11/17/1998

AUTHORIZED BY: John Kimball, Director

**R657. Natural Resources, Wildlife Resources.
R657-13. Taking Fish and Crayfish.**

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R657-13-2. Definitions.

- (1) Terms used in this rule are defined in Section 23-13-2.
- (2) In addition:
 - (a) "Aggregate" means the combined total of two or more species of fish or two or more size classes of fish which are covered by a limit distinction.
 - (b) "Angling" means fishing with a rod, pole, tipup, handline, or trollboard that has a single line with legal hooks, baits, or lures attached to it, and is held in the hands of, or within sight (not to exceed 100 feet) of, the person fishing.
 - (c)(i) "Artificial fly" means a fly made by the method known as fly tying.
 - (ii) "Artificial fly" does not mean a weighted jig, lure, spinner, attractor blade, or bait.
 - (c) "Artificial lure" means a device made of rubber, wood, metal, glass, fiber, feathers, hair, or plastic with a hook or hooks attached. Artificial lures, including artificial flies, do not include fish eggs or other chemically treated or processed natural baits or any natural or human-made food, or any lures that have been treated with a natural or artificial fish attractant or feeding stimulant.
 - (d) "Bag limit" means the maximum limit, in number or amount, of protected wildlife that one person may legally take during one day.
 - (e) "Bait" means a digestible substance, including worms, cheese, salmon eggs, marshmallows, or manufactured baits including human-made items that are chemically treated with food stuffs, chemical fish attractants or feeding stimulants.
 - (f) "Chumming" means dislodging or depositing in the water any substance not attached to a hook, line, or trap, which may attract fish.
 - (g) "Fishing contest" means any organized event or gathering where anglers are awarded prizes, points or money for their catch.
 - (h) "Float tube" means an inflatable floating device less than 48 inches in any dimension, capable of supporting one person.
 - (i) "Gaff" means a spear or hook, with or without a handle, used for holding or lifting fish.
 - (j) "Game fish" means Bonneville cisco; bluegill; bullhead; channel catfish; crappie; green sunfish; largemouth bass; northern pike; Sacramento perch; smallmouth bass; striped bass, trout (rainbow, albino, cutthroat, brown, golden, brook, lake/mackinaw, kokanee salmon, and grayling or any hybrid of the foregoing); tiger muskellunge; walleye; white bass; whitefish; wiper; and yellow perch.

(k) "Handline" means a piece of line held in the hand and not attached to a pole used for taking fish or crayfish.

(l) "Immediately Released" means that the fish should be quickly unhooked and released back into the water where caught. Fish that must be immediately released cannot be held on a stringer, or in a live well or any other container or restraining device.

(m) "Lake" means the standing water level existing at any time within a lake basin. Unless posted otherwise, a stream flowing inside or within the high water mark is not considered part of the lake.

(n) "Length measurement" means the greatest length between the tip of the head or snout and the tip of the caudal (tail) fin when the fin rays are squeezed together. Measurement is taken in a straight line and not over the curve of the body.

(o) "Motor" means an electric or internal combustion engine.

(p) "Nongame fish" means species of fish not listed as game fish.

(q) "Possession limit" means, for purposes of this rule only, one bag limit, including fish at home, in a cooler, camper, tent, freezer, or any other place of storage.

(r) "Protected aquatic wildlife" means, for purposes of this rule only, all species of fish, crustaceans, or amphibians.

(s) "Reservoir" means the standing water level existing at any time within a reservoir basin. Unless posted otherwise, a stream flowing inside or within the high water mark is not considered part of the reservoir.

(t) "Second pole" means fishing with one additional rod, pole, tipup, handline, or trollboard that has a single line with legal hooks, bait, or lures attached to it and is held in the hands of, or within sight of the person fishing.

(u) "Setline" means a line anchored to a non-moving object and not attached to a fishing pole.

(v) "Single hook" means a hook or multiple hooks having a common shank.

(w) "Snagging" or "gaffing" means to take a fish in a manner that the fish does not take the hook voluntarily into its mouth.

(x) "Tributary" means a stream flowing into a larger stream, lake, or reservoir.

(y)(i) "Trout" means species of the family Salmonidae, including rainbow, albino, cutthroat, brown, golden, brook, tiger, lake (mackinaw), splake, kokanee salmon, and grayling or any hybrid of the foregoing.

(ii) "Trout" does not include whitefish or Bonneville cisco.

(z) "Underwater Spearfishing" means, fishing by a person swimming or diving and using a mechanical device held in the hand which uses a rubberband, spring, or pneumatic power to propel a spear to take fish.

R657-13-3. Free Fishing Day.

A license is not required on free fishing day, Saturday June [6]5. All other laws and rules apply.

.....

R657-13-5. Interstate Waters.

(1) Lake Powell and Flaming Gorge Reservoir:

(a) The purchase of a reciprocal fishing stamp allows a person to fish across state boundaries of interstate waters.

(b) Reciprocal fishing stamps are offered for Lake Powell and Flaming Gorge Reservoir.

(c) Any person qualifying as an Arizona resident and having in their possession a valid Arizona resident fishing license and a Utah reciprocal fishing stamp for Lake Powell, is permitted to fish within the Utah boundaries of Lake Powell.

(d) Any person possessing a [~~current~~]valid Wyoming fishing license and a Utah reciprocal fishing stamp for Flaming Gorge is permitted to fish within the Utah waters of Flaming Gorge Reservoir.

(e) Utah residents may obtain reciprocal fishing stamps by contacting the state of Arizona for Lake Powell, and the state of Wyoming for Flaming Gorge.

(f) Nonresidents may obtain reciprocal fishing stamps from division offices and selected license agents.

(g) The reciprocal fishing stamp must be:

(i) signed across the face by the holder as the holder's name appears on the valid fishing or combination license; and

(ii) attached to the fishing or combination license.

(h) Reciprocal fishing stamps are valid on a calendar year basis.

(i) Anglers are subject to the laws and rules of the state in which they are fishing.

(j) Only one bag limit may be taken and held in possession even if licensed in both states.

(2) Bear Lake

(a) The holder of a valid Utah or Idaho fishing or combination license may fish within both the Utah and Idaho boundaries of Bear Lake.

(b) Only one bag limit may be taken and held in possession even if licensed in both states.

R657-13-6. Angling.

(1) While angling, the angler shall be within sight (not to exceed 100 feet) of the equipment being used at all times, except setlines.

(2) Angling with more than one line is unlawful, except while fishing for crayfish without the use of fish hooks and on selected waters with a valid second pole permit. A second pole permit is not required when fishing for crayfish with lines without hooks.

(3) No artificial lure may have more than three hooks.

(4) A person may not possess hooks or lures with hooks that exceed 9/16 inches on specific waters as specified in the proclamation of the Wildlife Board for taking fish and crayfish.

(5) No line may have attached to it more than two baited hooks, two artificial flies, or two artificial lures, except for a setline or while fishing at Flaming Gorge Reservoir.

~~(5)~~(6) When angling through the ice, the hole may not exceed 12 inches across at the widest point, except at Bear Lake, Flaming Gorge Reservoir, and Fish Lake where specific limitations apply.

R657-13-7. Fishing With a Second Pole.

(1) Residents and nonresidents may use a second pole to take fish only in the:

(a) Bear River from the Idaho state line downstream, including Cutler Reservoir and the outlet canals;

(b) Little Bear River below Valley View highway (SR-130);

- (c) Malad River;
- (d) ~~Willard Bay~~Newton Reservoir;
- (e) ~~Pine View~~Willard Bay Reservoir;
- (f) ~~Flaming Gorge~~Pine View Reservoir;
- (g) Flaming Gorge Reservoir;
- (h) Pelican Lake;
- ~~(h)~~(i) Starvation Reservoir;
- ~~(i)~~(j) Utah Lake;
- ~~(j)~~(k) Yuba Reservoir;
- ~~(k)~~(l) D.M.A.D.;
- ~~(l)~~(m) Gunnison Bend;
- ~~(m)~~(n) Lake Powell;
- ~~(n)~~(o) Gunlock Reservoir; and
- ~~(o)~~(p) Huntington North Reservoir.

(2) A second pole permit is required in addition to a valid annual or short-term fishing license, or combination license and may be obtained for a \$10 fee from any division office.

(3) Anglers under 14 years of age must purchase a fishing or combination license and second pole permit in order to use a second pole.

.....

R657-13-9. Underwater Spearfishing.

(1) Underwater spearfishing is permitted from official sunrise to official sunset.

(2) Use of artificial light is unlawful while underwater spearfishing.

(3) Deer Creek Reservoir, Starvation Reservoir, Fish Lake, and Flaming Gorge Reservoir are open to taking game fish by means of underwater spearfishing from June ~~[2]~~ through September 4. These are the only waters open to underwater spearfishing for game fish.

(4) The bag and possession limit is two game fish. No more than one lake trout (mackinaw) greater than 20 inches may be taken at Fish Lake. At Flaming Gorge Reservoir only one lake trout (mackinaw) greater than 28 inches may be taken.

(5) Nongame fish may be taken by underwater spearfishing only in the waters listed in Subsection (3) above and as provided in Section R657-13-14.

.....

R657-13-11. Restrictions on Taking Fish and Crayfish.

(1) Artificial light is permitted, except when underwater spearfishing.

(2) A person may not obstruct a waterway, use a chemical, explosive, electricity, poison, crossbow, firearm, pellet gun, or archery equipment, except as provided in Subsection R657-13-14(1)(c) to take fish or crayfish.

(3)~~(a)~~ A person may not ~~[use a snag or gaff to]~~take protected aquatic wildlife~~[-]~~ by snagging or gaffing; however, a gaff may be used to land fish caught by lawful means, except at Flaming Gorge Reservoir and Fish Lake.

~~(b) "Snagging" or "gaffing" means to take a fish in a manner that the fish does not take the hook voluntarily into its mouth. A gaff is a spear or hook, with or without a handle, used for holding or lifting fish.~~

(4) Chumming is prohibited, on all waters except Lake Powell where dead anchovies only may be used for taking striped bass.

(5) The use of a float tube or a boat, with or without a motor, for fishing is unlawful on some waters. Boaters should be aware that other agencies may have additional restrictions on the use of float tubes, boats, or boats with motors on some waters.

(6) Nongame fish and crayfish may be taken only as provided in Sections R657-13-14 and R657-13-15.

.....

R657-13-14. Taking Nongame Fish.

(1)(a) Except as provided in Subsections (b) and (c), a person possessing a valid Utah fishing or combination license may take nongame fish for personal, noncommercial purposes during the open fishing season set for the given body of water.

(b) A person may not take any species of fish designated as prohibited in Section R657-13-~~[2]~~13.

(c) Nongame fish may not be taken in the following waters, except carp may be taken by angling, archery, spear, or underwater spearfishing:

- (i) San Juan River;
- (ii) Colorado River;
- (iii) Green River (from confluence with Colorado River upstream to Colorado state line in Dinosaur National Monument);
- (iv) Green River (from Colorado state line in Brown's Park upstream to Flaming Gorge Dam, including Gorge Creek, a tributary entering the Green River at Little Hole);
- (v) White River (Uintah County);
- (vi) Duchesne River (from Myton to confluence with Green River);
- (vii) Virgin River (Main stem, North, and East Forks).
- (viii) Ash Creek;
- (ix) Beaver Dam Wash;
- (x) Fort Pierce Wash;
- (xi) La Verkin Creek;
- (xii) Santa Clara River ~~(Baker)~~(Pine Valley) Reservoir downstream to the confluence with the Virgin River);
- (xiii) Diamond Fork;
- (xiv) Thistle Creek;
- (xv) Main Canyon Creek (tributary to Wallsburg Creek);
- (xvi) South Fork of Provo River (below Deer Creek Dam);

and

(xvii) Snake Valley waters (west and north of US~~Highway]~~6 and that part of US~~Highway]~~6 and US-50 in Millard and Juab counties).

(2) Nongame fish, except those species listed in Section R657-13-13, may be taken by spear or underwater spearfishing in the waters specified in Subsection R657-13-9(3), angling, traps, bow and arrow, liftnets, or seine.

(3) Seines shall not exceed 10 feet in length or width.

(4) Lawfully taken nongame fish shall be either released or killed immediately upon removing them from the water, however, they may not be left or abandoned on the shoreline.

.....

KEY: fish, fishing, wildlife, wildlife law
[January 1, 1998]1999 23-14-18
Notice of Continuation September 26, 1997 23-14-19
23-19-1
23-22-3

THE FULL TEXT OF THIS RULE MAY BE INSPECTED, DURING REGULAR BUSINESS HOURS, AT:
Natural Resources
Wildlife Resources
Suite 2110
1594 West North Temple
PO Box 146301
Salt Lake City, UT 84114-6301, or
at the Division of Administrative Rules.



Natural Resources, Wildlife Resources
R657-34
Procedures for Confirmation of
Ordinances on Hunting Closures

NOTICE OF PROPOSED RULE
(Amendment)
DAR FILE No.: 21499
FILED: 10/01/1998, 14:21
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule is being amended pursuant to the division's and Wildlife Board's five-year review of the rule as required under Section 63-46a-9.

SUMMARY OF THE RULE OR CHANGE: This amendment provides a provision requiring the division, during the technical evaluation, to gather broad public input regarding communities that may obtain confirmation from the Wildlife Board to close areas to hunting for reasons of safety as requested by the Wildlife Board on September 24, 1998.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 23-14-1 and 23-14-18

ANTICIPATED COST OR SAVINGS TO:

- ❖THE STATE BUDGET: The Division of Wildlife Resources (DWR) determines that this rule will not create any cost or savings impact to the state budget or the DWR's budget.
 - ❖LOCAL GOVERNMENTS: None--this filing does not create any direct cost or savings impact to local governments. Local governments are not directly impacted because the rule does not create a situation requiring services from local governments.
 - ❖OTHER PERSONS: No impact--these amendments do not impose any requirements on persons.
- COMPLIANCE COSTS FOR AFFECTED PERSONS: No impact--this rule does not impose any requirements or burdens on persons.

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

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

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 11/16/1998.

THIS RULE MAY BECOME EFFECTIVE ON: 11/17/1998

AUTHORIZED BY: John Kimball, Director

R657. Natural Resources, Wildlife Resources.
R657-34. Procedures for Confirmation of Ordinances on Hunting Closures.



R657-34-3. Information Gathering.

- (1) Prior to making a request to the Wildlife Board to close an area to hunting the political subdivision shall hold a public hearing within its boundaries for the purpose of disclosing the proposed ordinance or policy and gathering public comment.
- (2) The political subdivision shall compile a written summary of the hearing, including the date of the hearing, number of persons in attendance, and public comment.
- (3) At least 45 days prior to the Wildlife Board meeting in which the request for a hunting closure shall be made, the political subdivision shall submit the following information to the director of the division:
 - (a) a draft copy of the proposed ordinance or policy;
 - (b) a plat map showing the boundaries of the area in which the political subdivision is requesting the closure and the boundaries of the political subdivision;
 - (c) the safety reasons for the proposed closure; and
 - (d) the written summary of the public hearing as required in Subsection (2).
- (4) The purpose of this section is to provide sufficient information to allow the division to conduct a technical evaluation of the impacts the closure may have on division objectives, administrative rules, game depredation, wildlife management, and public interests.
- (5) As the division conducts a technical evaluation of the impacts the closure may have regarding public interests, the division shall gather information and broad input from the appropriate regional advisory councils and the officials of the pertinent political subdivision.

.....

KEY: wildlife, hunting closures*, game laws
[1993]1998

23-14-1
23-14-18



Tax Commission, Property Tax

R884-24P-46

Uniform Fee on Tangible Personal
Property Required to be Registered
with the State Pursuant to Utah Code
Ann. Sections 41-1a-202,
59-2-104, 59-2-401, 59-2-402,
and 59-2-405

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE No.: 21501

FILED: 10/01/1998, 15:42

RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: This rule section is no longer necessary.

SUMMARY OF THE RULE OR CHANGE: This rule section was impacted by 1998 S.B. 50 resulting in the proposed repeal of Section R884-24P-46 and changes and updates being proposed to Section R884-24P-61.

(DAR Note: S.B. 50 is found at 1998 Utah Laws 322, and will be effective January 1, 1999. The proposed amendment for Section R884-24P-61 is under DAR No. 21503 in this Bulletin.)

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 41-1a-202, 59-2-104, 59-2-401, 59-2-402, and 59-2-405

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: None--repeal of this rule section has no fiscal impact. The rule has been replaced with a rule conforming to 1998 S.B. 50 and that legislation was designed to be revenue neutral overall.

❖LOCAL GOVERNMENTS: None--repeal of this rule section has no fiscal impact. The rule has been replaced with a rule conforming to 1998 S.B. 50 and that legislation was designed to be revenue neutral overall.

❖OTHER PERSONS: None--repeal of this rule section has no fiscal impact. The rule has been replaced with a rule conforming to 1998 S.B. 50 and that legislation was designed to be revenue neutral overall.

COMPLIANCE COSTS FOR AFFECTED PERSONS: None--the rule section is being repealed.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There will be no fiscal impact on business as a result of this rule section being repealed.

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

Tax Commission
Property Tax
Tax Commission Building
210 North 1950 West
Salt Lake City, UT 84134, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Pam Hendrickson at the above address, by phone at (801) 297-3901, by FAX at (801) 297-3919, or by Internet E-mail at phendric@tax.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 11/16/1998.

THIS RULE MAY BECOME EFFECTIVE ON: 11/17/1998

AUTHORIZED BY: Pam Hendrickson, Commissioner

R884. Tax Commission, Property Tax.

R884-24P. Property Tax.

~~**[R884-24P-46. Uniform Fee on Tangible Personal Property Required to be Registered with the State Pursuant to Utah Code Ann. Sections 41-1a-202, 59-2-104, 59-2-401, 59-2-402, and 59-2-405:**~~

~~A. The uniform fee established in Section 59-2-405 is levied against the following classes of personal property:~~

- ~~1. passenger cars and light trucks;~~
- ~~2. motor homes;~~
- ~~3. street motorcycles;~~
- ~~4. trailers;~~
- ~~5. commercial trucks;~~
- ~~6. commercial trailers;~~
- ~~7. truck campers;~~
- ~~8. off-highway recreational vehicles;~~
- ~~9. motorboats and sailboats;~~
- ~~10. any other tangible personal property that is required by law to be registered with the state before it is used on a public highway, public waterway, or public land, and that is not specifically excluded by Section 59-2-405;~~

~~B. The following classes of personal property are not subject to the uniform fee, but remain subject to the ad valorem property tax:~~

- ~~1. antique vehicles;~~
- ~~2. interstate motor carriers;~~
- ~~3. mobile and manufactured homes;~~
- ~~4. any personal property that is neither required to be registered nor exempt from the ad valorem property tax;~~
- ~~5. machinery or equipment that can function only when attached to or used in conjunction with motor vehicles.~~

C. The fair market value of tangible personal property subject to the uniform fee is based on depreciated cost new as established for the following classes of property in Tax Commission rule R884-24P-33, "Personal Property Valuation Guides and Schedules," which is published annually by the Tax Commission:

- 1. passenger cars and light trucks;
- 2. motor homes;
- 3. street motorcycles;
- 4. trailers;
- 5. commercial trucks;
- 6. commercial trailers;
- 7. truck campers;
- 8. off-highway recreational vehicles;
- 9. motorboats and sailboats;
- 10. all other tangible personal property required to be registered with the state.

D. Upon proper documentation, the value used for calculating the uniform fee for personal property subject to the uniform fee and belonging to centrally assessed taxpayers shall be subtracted from the unit value of the centrally assessed property in arriving at the final assessment of the centrally assessed property not subject to the uniform fee.

E. If a property's valuation is appealed to the county board of equalization under Section 59-2-1005, the property shall become subject to a total revaluation. All adjustments are made on the basis of their effect on the property's average retail value as of the January 1 lien date and according to Tax Commission rule R884-24P-33, which is published annually by the Tax Commission.

F. The county assessor may change the fair market value of any individual vehicle in his jurisdiction for any of the following reasons:

- 1. The manufacturer's suggested retail price ("MSRP") was not included on the state printout, computer tape, or vehicle registration card;
- 2. The MSRP listed on the state records was inaccurate; or
- 3. In the assessor's judgment, an MSRP adjustment made as a result of a vehicle owner's informal request will continue year to year on a percentage basis.

G. If the personal property is of a type subject to annual registration, the uniform fee is due at the time the registration is due, even if the personal property is not registered at that time.

1. No additional uniform fee may be levied upon vehicles transferred during the current year and for which the uniform fee has been paid for that calendar year.

2. If the personal property is of a type registered for periods in excess of one year, the uniform fee shall be due annually.

3. The vehicle of a nonresident member of the armed forces stationed in Utah may be registered in Utah without payment of the uniform fee.

4. A vehicle belonging to a Utah resident member of the armed forces stationed in another state is not subject to the uniform fee as long as the vehicle is kept in the other state.

5. Noncommercial trailers weighing 750 pounds or less are not subject to the uniform fee or ad valorem property tax but may be registered at the request of the owner.

H. If the personal property is of a type subject to annual registration, registration of that personal property may not be completed unless the uniform fee has been paid, even if the taxpayer is appealing the uniform fee valuation. Delinquent fees may be

assessed in accordance with Sections 59-2-217 and 59-2-309 as a condition precedent to registration.

I. The situs of personal property subject to the uniform fee is determined in accordance with Section 59-2-104:

1. For purposes of Section 59-2-405, personal property kept in a tax area other than that of the domicile of the owner for more than six months of the year shall be assessed in the other tax area.

a) If personal property is to be registered in a county other than that in which the owner is domiciled, the assessor in the county of registration shall so notify the assessor in the county of domicile. Notification shall be accomplished through the means of a form prescribed by the Tax Commission. In addition, the assessor in the county of registration must provide documentation of situs if so requested. Upon agreement by the assessor in the county of domicile, the form listing the personal property under consideration shall be forwarded to the Motor Vehicle Division.

b) If an assessor discovers personal property that is kept in the assessor's county but registered in another, the assessor may submit an affidavit along with evidence that the property is kept in that county to the assessor of the county in which the personal property is registered. Upon agreement, the assessor of the county of registration shall forward the fee collected to the county of situs within 30 working days. A copy of the affidavit shall be forwarded to the Motor Vehicle Division.

2. If the owner of personal property registered in Utah is domiciled outside of Utah, the taxable situs of the property is presumed to be the county in which the uniform fee was paid, unless an assessor's affidavit establishes otherwise.

3. The Tax Commission shall, on an annual basis, provide each county assessor a list of all personal property subject to state registration and its corresponding taxable situs.

J. The veteran's and blind exemptions provided in Sections 59-2-1104, 59-2-1105, and 59-2-1106 are applicable to the uniform fee.

K. The provisions of this rule refer to the property tax year beginning January 1, 1992 and each succeeding year.]

KEY: taxation, personal property, property tax, appraisal
[August 11, 1998] 41-1a-202
Notice of Continuation May 8, 1997 59-2-104
59-2-401
59-2-402
59-2-405



Tax Commission, Property Tax
R884-24P-60
 Age-Based Uniform Fee on Tangible
 Personal Property Required to be
 Registered with the State Pursuant to
 Utah Code Ann. Section
 59-2-405.1

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 21502

FILED: 10/01/1998, 15:42

RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Section 59-2-405.1 imposes an age-based uniform fee on certain vehicles. Section 59-2-104 indicates that the situs of all taxable property is the tax area where it is located.

SUMMARY OF THE RULE OR CHANGE: The proposed amendment sets forth procedures for the county assessor to determine situs of a vehicle subject to the age-based uniform fee.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 59-2-405.1

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: None--uniform fee revenues are county revenue.

❖LOCAL GOVERNMENTS: None--the age-based uniform fee that the amendment provides mirror the procedures for determining situs for vehicles subject to the current 1.5% uniform fee. This amendment is necessary to implement 1998 S.B. 50, which was designed to be overall revenue neutral.

❖OTHER PERSONS: None--the age-based uniform fee that the amendment provides mirror the procedures for determining situs for vehicles subject to the current 1.5% uniform fee. This amendment is necessary to implement 1998 S.B. 50, which was designed to be overall revenue neutral.

(DAR Note: S.B. 50 is found at 1998 Utah Laws 322, and will be effective January 1, 1999.)

COMPLIANCE COSTS FOR AFFECTED PERSONS: The amendment will not impose any compliance cost on the county assessor as this language mirrors the practice the assessors currently follow in determining situs of vehicles for purposes of the 1.5% uniform fee.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There is no fiscal impact on business since it simply provides a procedure for counties to determine situs of those vehicles being charged the age-based fee.

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

Tax Commission
Property Tax
Tax Commission Building
210 North 1950 West
Salt Lake City, UT 84134, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

Pam Hendrickson at the above address, by phone at (801) 297-3901, by FAX at (801) 297-3919, or by Internet E-mail at phendric@tax.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 11/16/1998.

THIS RULE MAY BECOME EFFECTIVE ON: 11/17/1998

AUTHORIZED BY: Pam Hendrickson, Commissioner

R884. Tax Commission, Property Tax.**R884-24P. Property Tax.****R884-24P-60. Age-Based Uniform Fee on Tangible Personal Property Required to be Registered with the State Pursuant to Utah Code Ann. Section 59-2-405.1.**

A. For purposes of Section 59-2-405.1, "motor vehicle" is as defined in Section 41-1a-102, except that motor vehicle does not include motorcycles as defined in Section 41-1a-102.

B. The uniform fee established in Section 59-2-405.1 is levied against motor vehicles and state-assessed commercial vehicles classified under Class 22 - Passenger Cars, Light Trucks/Utility Vehicles, and Vans, in Tax Commission rule R884-24P-33.

C. Personal property subject to the uniform fee imposed in Section 59-2-405 is not subject to the Section 59-2-405.1 uniform fee.

D. The following classes of personal property are not subject to the Section 59-2-405.1 uniform fee, but remain subject to the ad valorem property tax:

1. vintage vehicles;
2. state-assessed commercial vehicles not classified under Class 22 - Passenger Cars, Light Trucks/Utility Vehicles, and Vans;
3. any personal property that is neither required to be registered nor exempt from the ad valorem property tax;
4. mobile and manufactured homes;
5. machinery or equipment that can function only when attached to or used in conjunction with motor vehicles or state-assessed commercial vehicles.

E. The age of a motor vehicle or state-assessed commercial vehicle, for purposes of Section 59-2-401.5, shall be determined by subtracting the vehicle model year from the current calendar year.

F. The only Section 59-2-405.1 uniform fee due upon registration or renewal of registration is the uniform fee calculated based on the current calendar year.

G. Centrally assessed taxpayers shall use the following formula to determine the value of locally assessed motor vehicles that may be deducted from the allocated unit valuation:

1. Divide the system value by the book value to determine the market to book ratio.

2. Multiply the market to book ratio by the book value of motor vehicles registered in Utah and subject to Section 59-2-405.1 to determine the value of motor vehicles that may be subtracted from the allocated unit value.

H. The motor vehicle of a nonresident member of the armed forces stationed in Utah may be registered in Utah without payment of the Section 59-2-405.1 uniform fee.

I. A motor vehicle belonging to a Utah resident member of the armed forces stationed in another state is not subject to the Section 59-2-405.1 uniform fee at the time of registration or renewal of registration as long as the motor vehicle is kept in the other state.

J. The situs of a motor vehicle or state-assessed commercial vehicle subject to the Section 59-2-405.1 uniform fee is determined in accordance with Section 59-2-104. Situs of purchased motor vehicles or state-assessed commercial vehicles shall be the tax area of the purchaser's domicile, unless ~~it is demonstrated to the satisfaction of the assessor that~~ the motor vehicle or state-assessed commercial vehicle will ~~usually~~ be kept in a tax area other than the tax area of the purchaser's domicile for more than six months of the year.

1. If an assessor discovers a motor vehicle or state-assessed commercial vehicle that is kept in the assessor's county but registered in another, the assessor may submit an affidavit along with evidence that the vehicle is kept in that county to the assessor of the county in which the vehicle is registered. Upon agreement, the assessor of the county of registration shall forward the fee collected to the county of situs within 30 working days.

2. If the owner of a motor vehicle or state-assessed commercial vehicle registered in Utah is domiciled outside of Utah, the taxable situs of the vehicle is presumed to be the county in which the uniform fee was paid, unless an assessor's affidavit establishes otherwise.

3. The Tax Commission shall, on an annual basis, provide each county assessor information indicating all motor vehicles and state-assessed commercial vehicles subject to state registration and their corresponding taxable situs.

4. Section 59-2-405.1 uniform fees received by a county that require distribution to a purchaser's domicile outside of that county shall be deposited into an account established by the Commission, pursuant to procedures prescribed by the Commission.

~~[2-]5.~~ Section 59-2-405.1 uniform fees received by the Commission pursuant to ~~[7-]1.4.~~ shall be distributed to the appropriate county at least monthly.

K. The blind exemption provided in Section 59-2-1106 is applicable to the Section 59-2-405.1 uniform fee.

L. The veteran's exemption provided in Section 59-2-1104 is not applicable to the Section 59-2-405.1 uniform fee.

M. The value of motor vehicles and state-assessed commercial vehicles to be considered part of the tax base for purposes of determining debt limitations pursuant to Article XIII, Section 14 of the Utah Constitution, shall be determined by dividing the Section 59-2-405.1 uniform fee collected by .015.

N. The provisions of this rule shall be implemented and become binding on taxpayers beginning January 1, 1999.

KEY: taxation, personal property, property tax, appraisal
[August 11,]1998 **59-2-405**
Notice of Continuation May 8, 1997



Tax Commission, Property Tax
R884-24P-61
1.5 Percent Uniform Fee on Tangible Personal Property Required to be Registered with the State Pursuant to Utah Code Ann. Sections 41-1a-202, 59-2-104, 59-2-401, 59-2-402, and 59-2-405

NOTICE OF PROPOSED RULE

(Amendment)

DAR FILE NO.: 21503

FILED: 10/01/1998, 15:42

RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: Section 59-2-405 imposes a 1.5% uniform fee on certain vehicles. Section 59-2-104 indicates that the situs of all taxable property is the area where it is located.

SUMMARY OF THE RULE OR CHANGE: Amendment clarifies the definition of "recreational vehicle" and provides procedures for a county to distribute uniform fees to the county of the purchaser's domicile when the vehicle is purchased in a county other than the county of the purchaser's domicile.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Sections 41-1a-202, 59-2-104, 59-2-401, 59-2-402, and 59-2-405

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: None--uniform fee revenues are county revenues.

❖LOCAL GOVERNMENTS: Insignificant--while prior to this amendment, there were procedures in place for a county to distribute uniform fee revenues to the purchaser's county of residence, the proposed amendment will provide increased audit and tracking capabilities, thus, ensuring that the proper amounts are transferred to the purchaser's county of residence. This will lead to an insignificant revenue decrease in the registering county and an insignificant increase in the purchaser's county.

❖OTHER PERSONS: None--amendment impacts only the distribution of fees among counties. The definition of recreational vehicles was never intended to include vans, so there are no fee increases or decreases.

COMPLIANCE COSTS FOR AFFECTED PERSONS: None--the procedures for distributing 1.5% uniform fee money to the county of the purchaser's residence mirror the procedures provided in rule for distributing age-based uniform fee money to the county of the purchaser's residence, and replace more labor-intensive paper-based affidavit procedures currently in place to redistribute fees among counties.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There is no impact on business. The rule clarifies a recreational vehicle and sets up a system to distribute fees to the proper county.

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

Tax Commission
Property Tax
Tax Commission Building
210 North 1950 West
Salt Lake City, UT 84134, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Pam Hendrickson at the above address, by phone at (801) 297-3901, by FAX at (801) 297-3919, or by Internet E-mail at phendric@tax.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 11/16/1998.

THIS RULE MAY BECOME EFFECTIVE ON: 11/17/1998

AUTHORIZED BY: Pam Hendrickson, Commissioner

R884. Tax Commission, Property Tax.

R884-24P. Property Tax.

R884-24P-61. 1.5 Percent Uniform Fee on Tangible Personal Property Required to be Registered with the State Pursuant to Utah Code Ann. Sections 41-1a-202, 59-2-104, 59-2-401, 59-2-402, and 59-2-405.

A. Definitions.

1. For purposes of Section 59-2-405, "motor vehicle" is as defined in Section 41-1a-102, except that motor vehicle does not include motorcycles as defined in Section 41-1a-102.

2. "Recreational vehicle" [~~is as defined in Section 41-1a-102~~] means a vehicular unit other than a mobile home, primarily designed as a temporary dwelling for travel, recreational, or vacation use, which is either self-propelled or pulled by another vehicle.

a) Recreational vehicle includes a travel trailer, a camping trailer, a motor home, and a fifth wheel trailer.

b) Recreational vehicle does not include a van.

B. The uniform fee established in Section 59-2-405 is levied against the following types of personal property, unless specifically excluded by Section 59-2-405:

1. motor vehicles that are not classified under Class 22 - Passenger Cars, Light Trucks/Utility Vehicles, and Vans, in Tax Commission rule R884-24P-33;

2. watercraft required to be registered with the state;

3. recreational vehicles required to be registered with the state; and

4. all other tangible personal property required to be registered with the state before it is used on a public highway, on a public waterway, on public land, or in the air.

C. The following classes of personal property are not subject to the Section 59-2-405 uniform fee, but remain subject to the ad valorem property tax:

1. vintage vehicles;

2. state-assessed commercial vehicles not classified under Class 22 - Passenger Cars, Light Trucks/Utility Vehicles, and Vans;

3. any personal property that is neither required to be registered nor exempt from the ad valorem property tax;

4. machinery or equipment that can function only when attached to or used in conjunction with motor vehicles.

D. The fair market value of tangible personal property subject to the Section 59-2-405 uniform fee is based on depreciated cost new as established in Tax Commission rule R884-24P-33, "Personal Property Valuation Guides and Schedules," published annually by the Tax Commission.

E. Centrally assessed taxpayers shall use the following formula to determine the value of locally assessed personal property that may be deducted from the allocated unit valuation:

1. Divide the system value by the book value to determine the market to book ratio.

2. Multiply the market to book ratio by the book value of personal property registered in Utah and subject to Section 59-2-405 to determine the value of personal property that may be subtracted from the allocated unit value.

F. If a property's valuation is appealed to the county board of equalization under Section 59-2-1005, the property shall become subject to a total revaluation. All adjustments are made on the basis of their effect on the property's average retail value as of the January 1 lien date and according to Tax Commission rule R884-24P-33.

G. The county assessor may change the fair market value of any individual item of personal property in his jurisdiction for any of the following reasons:

1. The manufacturer's suggested retail price ("MSRP") or the cost new was not included on the state printout, computer tape, or registration card;

2. The MSRP or cost new listed on the state records was inaccurate; or

3. In the assessor's judgment, an MSRP or cost new adjustment made as a result of a property owner's informal request will continue year to year on a percentage basis.

H. If the personal property is of a type subject to annual registration, the Section 59-2-405 uniform fee is due at the time the registration is due. If the personal property is not registered during the year, the owner remains liable for payment of the Section 59-2-405 uniform fee to the county assessor.

1. No additional uniform fee may be levied upon personal property transferred during a calendar year if the Section 59-2-405 uniform fee has been paid for that calendar year.

2. If the personal property is of a type registered for periods in excess of one year, the Section 59-2-405 uniform fee shall be due annually.

3. The personal property of a nonresident member of the armed forces stationed in Utah may be registered in Utah without payment of the Section 59-2-405 uniform fee.

4. Personal property belonging to a Utah resident member of the armed forces stationed in another state is not subject to the Section 59-2-405 uniform fee as long as the personal property is kept in another state.

5. Noncommercial trailers weighing 750 pounds or less are not subject to the Section 59-2-405 uniform fee or ad valorem property tax but may be registered at the request of the owner.

I. If the personal property is of a type subject to annual registration, registration of that personal property may not be completed unless the Section 59-2-405 uniform fee has been paid, even if the taxpayer is appealing the uniform fee valuation. Delinquent fees may be assessed in accordance with Sections 59-2-217 and 59-2-309 as a condition precedent to registration.

J. The situs of personal property subject to the Section 59-2-405 uniform fee is determined in accordance with Section 59-2-104. ~~[Except as provided below, situs of purchased personal property shall be the tax area of the purchaser's domicile]~~ Situs of purchased personal property shall be the tax area of the purchaser's domicile, unless the personal property will be kept in a tax area other than the tax area of the purchaser's domicile for more than six months of the year.

~~[1. For purposes of Section 59-2-405, personal property kept in a tax area other than that of the domicile of the owner for more than six months of the year shall be assessed in the other tax area:~~

~~— a) If personal property is to be registered in a county other than that in which the owner is domiciled, the assessor in the county of registration shall so notify the assessor in the county of domicile. Notification shall be accomplished through the means of a form prescribed by the Tax Commission. In addition, the assessor in the county of registration must provide documentation of situs if so requested.~~

~~— b) 1. If an assessor discovers personal property that is kept in the assessor's county but registered in another, the assessor may submit an affidavit along with evidence that the property is kept in that county to the assessor of the county in which the personal property is registered. Upon agreement, the assessor of the county of registration shall forward the fee collected to the county of situs within 30 working days.~~

2. If the owner of personal property registered in Utah is domiciled outside of Utah, the taxable situs of the property is presumed to be the county in which the uniform fee was paid, unless an assessor's affidavit establishes otherwise.

3. The Tax Commission shall, on an annual basis, provide each county assessor information indicating all personal property subject to state registration and its corresponding taxable situs.

4. Section 59-2-405 uniform fees received by a county that require distribution to a purchaser's domicile outside of that county shall be deposited into an account established by the Commission, pursuant to procedures prescribed by the Commission.

5. Section 59-2-405 uniform fees received by the Commission pursuant to J.4. shall be distributed to the appropriate county at least monthly.

K. The blind exemption provided in Section 59-2-1106 is applicable to the Section 59-2-405 uniform fee.

L. The veteran's exemption provided in Section 59-2-1104 is not applicable to the Section 59-2-405 uniform fee.

M. The provisions of this rule shall be implemented and become binding on taxpayers beginning January 1, 1999 ~~and each succeeding year~~.

KEY: taxation, personal property, property tax, appraisal
~~August 11, 1998~~ **41-1a-202**
Notice of Continuation May 8, 1997 **59-2-104**
59-2-401
59-2-402
59-2-405



Transportation, Operations, Traffic and Safety

R920-7

Public Safety Program Signing

NOTICE OF PROPOSED RULE (New)

DAR FILE NO.: 21489
 FILED: 09/23/1998, 11:38
 RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose of this rule comes from H.B. 91, 1998 Utah Legislature.

(DAR Note: H.B. 91 is found at 1998 Utah Laws 88, and was effective May 4, 1998.)

SUMMARY OF THE RULE OR CHANGE: This rule provides guidelines and standards for placing of public safety service signing with state highway rights-of-way.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 27-12-134.5

ANTICIPATED COST OR SAVINGS TO:

- ❖THE STATE BUDGET: None--the signing is not required. If the signing is installed, it is to be funded by local governments.
 - ❖LOCAL GOVERNMENTS: \$300 per sign site.
 - ❖OTHER PERSONS: If a private person or organization wants to have a qualified program signed, local governments may require them to provide and/or fund for the signs and logos.
- COMPLIANCE COSTS FOR AFFECTED PERSONS: \$50 to \$300 per sign site. The signing is not required. However, if a private person or organization wants to have a qualified program signed, local governments may require them to provide and/or fund for the signs and logos.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: There is no impact on businesses, however, a business may volunteer to sponsor (fund) a Public Safety Program Sign.

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

Transportation
Operations, Traffic and Safety
Calvin Rampton Complex
4501 South 2700 West
Box 143200
Salt Lake City, UT 84114-3200, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:

E. Fred Lewis at the above address, by phone at (801) 965-4285, by FAX at (801) 965-3845, or by Internet E-mail at src0fs02.sdavis@state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 12/01/1998.

THIS RULE MAY BECOME EFFECTIVE ON: 12/02/1998

AUTHORIZED BY: Sterling C. Davis, P.E., Engineer for Traffic and Safety

R920. Transportation, Operations, Traffic and Safety.

R920-7. Public Safety Program Signing.

R920-7-1. Definitions.

A. Public Safety Program Sign (PSPS) - a sign or logo placed on or adjacent to a highway right of way that promotes a highway safety program or highway safety practice, or crime or drug prevention program.

B. Community Safety Program Sign (CSPS) - a sign panel(s) assembly which may contain up to four (4) individual Public Safety Program Signs

C. Department means the Utah Department of Transportation.

R920-7-2. Authority and Purpose.

A. This rule is enacted as required by Section 27-12-134.5.

B. The purpose of this rule is to define the standards for Public Safety Program Signing within state highway rights of way.

R920-7-3. General.

A. All traffic control devices placed on highways are "to direct and assist vehicle operators in the guidance and navigation task required to traverse safely any facility open to public travel", in accordance with the provisions of rule R920-1, which incorporates by reference the federal Manual of Uniform Traffic Control Devices.

B. All traffic control devices shall have priority over PSPS.

C. Road signs in the PSPS and CSPS program shall not be allowed on Interstate Highways or other non access highways.

D. All requests for PSPS and CSPS shall come from the appropriate local government agency and shall be accompanied by their written endorsement before installation. The requesting agency shall be responsible to select which programs will be displayed from the approved list of safety, crime, or drug prevention programs.

E. Public Safety Programs under which signing may be eligible shall be approved by the Engineer for Traffic and Safety, of the Department. As a general rule:

1. Programs selected shall promote a highway safety program or a highway safety practice, or crime or drug prevention program and.

2. The program must be sponsored by the Department, the Department of Public Safety or a local law enforcement agency.

R920-7-4. Signing.

A. On a roadway approach to each community, town or city one CSPS may be installed per direction following the city/town sign.

1. The CSPS may contain up to four (4) PSPS. Each PSPS may be no larger than 18" x 18".

2. Individual PSPS's cannot be repeated within the State highway rights of way through the community.

B. All signs and locations shall be approved by the Department.

1. An encroachment permit as defined by rule R930-6-5, shall be required for all CSPS.

2. Although a CSPS may be within the highway right of way, in an urban area where the sign abuts private property, i.e., behind a curb/sidewalk, written permission for installation from the abutting property owner shall be obtained by the requesting agency.

3. CSPS should be no closer than 200 feet from other traffic control devices and shall not conflict or block other traffic control devices.

4. CSPS locations shall be positioned behind the curb and gutter or if none a minimum of 12 feet from the edge of the roadway.

5. All installations shall meet Department installation standards.

6. The Department reserves the right to evaluate road conditions at any time. If the Department finds it necessary to accommodate other traffic control devices may remove or relocate any CSPS.

R920-7-5. Installation, Maintenance, and Funding.

A. The sponsoring governmental agency shall be responsible for fabrication and installation of all PSPS and CSPS.

B. Each sponsoring governmental agency and or individual safety program organization shall be responsible to maintain their respective display in a serviceable legible condition.

1. The Department may remove any PSPS or CSPS that is not adequately maintained after giving 30 days written notice to comply.

C. All PSPS and CSPS shall be funded by City, County, or individual safety program organizations, which shall provide for all associated cost.

KEY: signs, public safety, traffic safety, traffic signs

1998

27-12-134.5

◆ _____ ◆

NOTICES OF CHANGES IN PROPOSED RULES

After an agency has published a PROPOSED RULE in the *Utah State Bulletin*, it may receive public comment that requires the PROPOSED RULE to be altered before it goes into effect. A CHANGE IN PROPOSED RULE allows an agency to respond to comments it receives.

As with a PROPOSED RULE, a CHANGE IN PROPOSED RULE is preceded by a RULE ANALYSIS. This analysis provides summary information about the CHANGE IN PROPOSED RULE including the name of a contact person, anticipated cost impact of the rule, and legal cross-references.

Following the RULE ANALYSIS, the text of the CHANGE IN PROPOSED RULE is usually printed. The text shows only those changes made since the PROPOSED RULE was published in an earlier edition of the *Utah State Bulletin*. Additions made to the rule appear underlined (e.g., example). Deletions made to the rule appear struck out with brackets surrounding them (e.g., [example]). A row of dots in the text (•••••) indicates that unaffected text was removed to conserve space. If a CHANGE IN PROPOSED RULE is too long to print, the Division of Administrative Rules will include only the RULE ANALYSIS. A copy of rules that are too long to print is available from the agency or from the Division of Administrative Rules.

While a CHANGE IN PROPOSED RULE does not have a formal comment period, there is a 30-day waiting period during which interested parties may submit comments. The 30-day waiting period for CHANGES IN PROPOSED RULES published in this issue of the *Utah State Bulletin* ends November 16, 1998. At its option, the agency may hold public hearings.

From the end of the waiting period through February 12, 1999, the agency may notify the Division of Administrative Rules that it wants to make the CHANGE IN PROPOSED RULE effective. When an agency submits a NOTICE OF EFFECTIVE DATE for a CHANGE IN PROPOSED RULE, the PROPOSED RULE as amended by the CHANGE IN PROPOSED RULE becomes the effective rule. The agency sets the effective date. The date may be no fewer than 30 days nor more than 120 days after the publication date of this issue of the *Utah State Bulletin*. Alternatively, the agency may file another CHANGE IN PROPOSED RULE in response to additional comments received. If the Division of Administrative Rules does not receive a NOTICE OF EFFECTIVE DATE or another CHANGE IN PROPOSED RULE, the CHANGE IN PROPOSED RULE filing, along with its associated PROPOSED RULE, lapses and the agency must start the process over.

CHANGES IN PROPOSED RULES are governed by *Utah Code* Section 63-46a-6 (1996); and *Utah Administrative Code* Rule R15-2, and Sections R15-4-3, R15-4-5, R15-4-7, and R15-4-9.

The Changes in Proposed Rules Begin on the Following Page.

Public Safety, Law Enforcement and Technical Services, Criminal Identification

R722-2

Review and Challenge of Criminal Record

NOTICE OF CHANGE IN PROPOSED RULE

DAR FILE NO.: 21346
FILED: 09/30/1998, 16:19
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: To correct two incorrect statutory citations appearing in the rule.

SUMMARY OF THE RULE OR CHANGE: To change the statutory reference cited in Section R722-2-2 of the rule from Section 53-5-214 to Section 53-10-108 and in Section R722-2-5 of the rule from Section 63-46(b)-5 to Section 63-46(b)-15.

(DAR Note: The original proposed repeal and reenact upon which this change in proposed rule is based was published in the September 1, 1998, issue of the Utah State Bulletin.)

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Subsection 53-5-214(8)

ANTICIPATED COST OR SAVINGS TO:

THE STATE BUDGET: This rule change will have no fiscal impact on the state because the rule change merely corrects two incorrect statutory citations appearing in the proposed rule.

LOCAL GOVERNMENTS: This rule change will have no fiscal impact on local government because the rule change merely corrects two incorrect statutory citations appearing in the proposed rule.

OTHER PERSONS: This rule change will have no fiscal impact on other persons because the rule change merely corrects two incorrect statutory citations appearing in the proposed rule.

COMPLIANCE COSTS FOR AFFECTED PERSONS: This rule change will have no compliance costs for affected persons because the rule change merely corrects two incorrect statutory citations appearing in the proposed rule.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: Commissioner Dearden has concluded that this rule change will have no fiscal impact on businesses because the rule change merely corrects two incorrect statutory citations appearing in the proposed rule and because the proposed rule itself does not apply to businesses.

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

Public Safety
Law Enforcement and Technical Services,

Criminal Identification
First Floor, Calvin L. Rampton Complex
4501 South 2700 West
Box 14280
Salt Lake City, UT 84114-8230, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO: J. Francis Valerga at the above address, by phone at (801) 965-4463, by FAX at (801) 965-4608, or by Internet E-mail at psdomain.psmain.jfvalerg@email.state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE NO LATER THAN 5:00 P.M. ON 11/16/1998.

THIS RULE MAY BECOME EFFECTIVE ON: 11/17/1998

AUTHORIZED BY: Richard A. Greenwood, Superintendent

R722. Public Safety, Law Enforcement and Technical Services, Criminal Identification.
R722-2. Review and Challenge of Criminal Record.

.....

R722-2-2. Authority.

This rule is authorized by Sections 53-~~5-214~~10-108 and 63-46a-3.

.....

R722-2-5. Challenge.

(a) An individual may challenge the completeness and accuracy of his criminal history record information by filling out a challenge form provided by BCI. The submittal of a challenge form will be handled as an informal adjudicative proceeding in accordance with Section 63-46(b)-5. If the department denies the challenge, no further hearing, review, or reconsideration shall be granted. The individual making the challenge will be required to prove to the satisfaction of BCI through the use of appropriate documentation that the department's criminal history record information is incomplete or inaccurate.

(b) If BCI is satisfied that the individual has sufficiently documented that his criminal history record information is incomplete or inaccurate, BCI will amend the individual's files accordingly.

(c) An individual who is dissatisfied with the decision made by BCI regarding the completeness or accuracy of the department's criminal history record information on him, may appeal the decision to district court in accordance with Section 63-46b-~~5~~15.

KEY: criminal records
1998

53-5-214(8)



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) (1996)).

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 (1996); and *Utah Administrative Code* Section R15-4-8.

Workforce Services, Employment Development **R986-413** Program Standards

NOTICE OF 120-DAY (EMERGENCY) RULE

DAR FILE NO.: 21496
FILED: 09/28/1998, 10:55
RECEIVED BY: NL

RULE ANALYSIS

PURPOSE OF THE RULE OR REASON FOR THE CHANGE: The purpose for this filing is to incorporate federal regulations for the Food Stamp Program as directed by the United States Department of Agriculture (USDA), Food and Nutrition Service (FNS). The new regulations are being implemented effective October 1, 1998. The filing also includes the addition of a regulatory citation that had been erroneously deleted and a change to a program name.

SUMMARY OF THE RULE OR CHANGE: This rule change corrects an erroneously deleted reference to 7 CFR 273.7 which the Department had previously incorporated by reference. The rule also incorporates by reference Title I, Section 1001 of the Balanced Budget Act of 1997 Pub. L. No. 105-33. That Act adds certain conditions to the employment and training and the Able-Bodied Adults Without Dependents (ABAWD) provisions of the Food Stamp Program. This rule also changes the name of the General Assistance-Emergency Work Program (G-EWP) to the Working Toward Employment Program.

STATE STATUTORY OR CONSTITUTIONAL AUTHORIZATION FOR THIS RULE: Section 35A-3-103

FEDERAL REQUIREMENT FOR THIS RULE: Title I, Section 1001, Balanced Budget Act of 1997 (Pub. L. No. 105-33)

THIS RULE OR CHANGE INCORPORATES BY REFERENCE THE FOLLOWING MATERIAL: Title I, Section 1001, Balanced Budget Act of 1997 (Pub. L. No. 105-33)

ANTICIPATED COST OR SAVINGS TO:

❖THE STATE BUDGET: All Food Stamp Program benefits are funded by the federal government. The State does, however, pay one half of the administrative costs related to this program. In the case of this rule change, participation requirements have been modified for certain Able-Bodied Adults Without Dependents (ABAWDs) who receive benefits from the Food Stamp Program. It is likely that because of these new requirements, certain households with individuals meeting the ABAWD criteria will receive benefits for additional months. Because these new participation components are optional to ABAWD's and are only available in certain areas of the state, the Department is unable to estimate the impact on the program. There are certain administrative costs associated with implementing this change that are absorbed in the Department's cost of operating the Food Stamp Program. Those costs are not distinguishable or significant.

❖LOCAL GOVERNMENTS: Local governments are not generally involved directly with the administration of the Food Stamp program. However, with this change, it is possible that local governments in certain areas of the state will be involved with the Department in setting up additional participation components, such as Work Skills Training Sites. Those

costs should be incidental and are unknown to the Department.

❖OTHER PERSONS: This rule change incorporates expanded participation components for certain individuals meeting the ABAWD criteria in the Food Stamp Program. This means that certain of Utah's citizens could potentially qualify (or continue to qualify) for additional months of benefits from the Food Stamp Program. Although there are potentially some costs to be incurred by those individuals who choose to increase participation, those potential costs are considered to be minimal and are incalculable. The Department does allow up to \$25 per month reimbursement for costs associated with participation in certain components of the Employment and Training Program. Because certain recipients may continue to participate in the Food Stamp Program as a result of this change, there could be some implications for businesses that interact with participants of the Food Stamp program. Any costs or savings to those businesses reflect the potential for increased sales and operating expenses. Those potential costs or savings are unknown to the Department and are considered incalculable. COMPLIANCE COSTS FOR AFFECTED PERSONS: Although compliance with and implementation of the expanded participation requirements for individuals meeting the ABAWD criteria does potentially extend program participation for certain program participants, all increased benefit costs are borne by the Federal government. The Department does incur 50% of the associated administrative costs. Those costs associated with implementing this change are absorbed in the Department's cost of operating the Food Stamp Program. Those costs are not distinguishable or significant.

COMMENTS BY THE DEPARTMENT HEAD ON THE FISCAL IMPACT THE RULE MAY HAVE ON BUSINESSES: For this rule change, participation requirements have been modified for certain Able-Bodied Adults Without Dependents (ABAWD's) who receive benefits from the Food Stamp Program. It is likely that because of these new requirements, certain households with individuals meeting the ABAWD criteria will receive benefits for additional months. However, businesses dealing directly with the participants (food retailers) would not necessarily realize an increase in business. Although it also possible that the operating costs of those businesses could be affected, those costs are unknown to the Department and are not calculable.

EMERGENCY RULE REASON AND JUSTIFICATION: REGULAR RULEMAKING PROCEDURES WOULD place the agency in violation of federal or state law.

The Department is required to administer the Food Stamp Program based on standards established by the United States Department of Agriculture, Food and Nutrition Service. The Department is incorporating Title I, Section 1001 of the Balanced Budget Act of 1997 (Pub. L. No. 105-33), as it applies to the Food Stamp program, effective October 1, 1998. The Department did not have sufficient time to implement these changes through the normal rulemaking process.

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

Workforce Services
Employment Development
Second Floor
1385 South State Street
Salt Lake City, UT 84115, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
Gordon Mendenhall at the above address, by phone at (801) 468-0125, by FAX at (801) 468-0160, or by Internet E-mail at wscfam.gmenden@state.ut.us.

INTERESTED PERSONS MAY PRESENT THEIR VIEWS ON THIS RULE BY SUBMITTING WRITTEN COMMENTS TO THE ADDRESS ABOVE.

THIS RULE IS EFFECTIVE ON: 10/01/1998

AUTHORIZED BY: Robert C. Gross, Executive Director

R986. Workforce Services, Employment Development.

R986-413. Program Standards.

R986-413-302. Work Requirements.

The department adopts 7 CFR 273.7 and Public Law 104-193, section 815 which is incorporated by reference.

1. Current Department Practices for the Employment Program
 - a. Eligible household members shall complete an assignment to the employment program once each 12 months or be exempt.
 - b. Exempt persons may volunteer.
 - c. An Employment Program assignment consists of:
 - i. assignment to a job search workshop
 - ii. assignment to a self-sufficiency unit
 - iii. a person is not assigned if neither of the above is available
 - d. noncomplying individuals shall be sent a notice and allowed ten days to complete the assignment or establish good cause.
 2. Reducing Work Hours
 3. Voluntary Quit

R986-413-304. Able-Bodied Adults Without Dependents.

The department adopts Public Law 104-193, section 824 and Public Law 105-33, Title I, Section 1001 which is incorporated by reference.

1. Current Department Practices
 - a. Persons who are participating [~~G-EWP~~]in the Working Towards Employment Program or Refugee Cash Assistance Program will also satisfy the work requirement.

.....

KEY: food stamps

October 1, 1998

35A-3-103

Notice of Continuation February 10, 1997



FIVE-YEAR NOTICES OF REVIEW AND STATEMENTS OF CONTINUATION

Within five years of an administrative rule's original enactment or last five-year review, the responsible agency is required to review the rule. This review is designed to remove obsolete rules from the *Utah Administrative Code*.

Upon reviewing a rule, an agency may: repeal the rule by filing a PROPOSED RULE; continue the rule as it is by filing a NOTICE OF REVIEW AND STATEMENT OF CONTINUATION (NOTICE); or amend the rule by filing a PROPOSED RULE and by filing a NOTICE. By filing a NOTICE, the agency indicates that the rule is still necessary.

NOTICES are not followed by the rule text. The rule text that is being continued may be found in the most recent edition of the *Utah Administrative Code*. The rule text may also be inspected at the agency or the Division of Administrative Rules. NOTICES are effective when filed. NOTICES are governed by *Utah Code* Section 63-46a-9 (1996).

Environmental Quality, Water Quality **R317-101** Utah Wastewater Project Assistance Program

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE NO.: 21478
FILED: 09/17/1998, 18:05
RECEIVED BY: NL

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Subsection 19-5-104(1)(f)(i) authorizes the Utah Water Quality Board to adopt rules to implement awarding construction loans to political subdivisions and municipal authorities under Section 11-8-2. Title 73, Chapters 10b and 10c, authorize the Board to issue wastewater loans, credit enhancement agreements, interest buy-down agreements, and hardship grants.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE-YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: Since the rule was enacted, it has been amended several times. The limited comments which have been received on the rule have generally been of a technical and non-controversial nature. Comments received during hearings and public comment periods for rule changes have been addressed through preparation of responsiveness summaries by Division of Water Quality Staff and have been presented to the Water Quality Board for their consideration during the rulemaking process.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH

COMMENTS IN OPPOSITION TO THE RULE, IF ANY: This rule establishes policies and procedures for implementing the Utah Wastewater Project Assistance Program. The rule contains definitions, eligibility requirements, application procedures, and prioritization procedures central to the Water Quality Board's implementation of their statutory charge.

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

Environmental Quality
Water Quality
Third Floor, Cannon Health Building
288 North 1460 West
PO Box 144870
Salt Lake City, UT 84114-4860, or
at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO:
David Wham at the above address, by phone at (801) 538-6052, by FAX at (801) 538-6016, or Internet E-mail at dwham@deq.state.ut.us.

AUTHORIZED BY: Brent Bradford, Deputy Director

EFFECTIVE: 09/17/1998



Financial Institutions, Administration **R331-21** Rule Governing Establishment of and Participation in Collective Investment Funds by Trust Companies

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

DAR FILE NO.: 21474
FILED: 09/16/1998, 14:48
RECEIVED BY: NL

NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Section 7-5-13 authorizes establishment of collective investment funds for persons permitted to engage in the trust business.

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 supporting or opposing written comments have been received by the agency concerning this rule.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: The rule authorizes the establishment of and participation in collective investment funds by trust companies subject to the jurisdiction of the Department. There is presently one trust company that must still comply with this rule.

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

Financial Institutions Administration Suite 201 324 South State Street PO Box 89 Salt Lake City, UT 84110-0089, or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO: Steven J. Nielsen at the above address, by phone at (801) 538-8854, by FAX at (801) 538-8894, or Internet E-mail at bdfipost.snielsen@email.state.ut.us.

AUTHORIZED BY: Steven J. Nielsen, Staff Attorney/Deputy Commissioner

EFFECTIVE: 09/16/1998

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: Sections 62A-10-101 to 62A-10-106 authorize and promulgate provisions of the state's Energy Assistance Program which provides home energy assistance to low income households. This rule sets the records and benefit management guidelines for the Energy Assistance 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: No written comments were received.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: The rule is required to define records and benefit management guidelines for the Energy Assistance Program.

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

Human Services Administration Third Floor 120 North 200 West PO Box 45500 Salt Lake City, UT 84145-0500, or at the Division of Administrative Rules.

DIRECT QUESTIONS REGARDING THIS RULE TO: Sherman Roquero at the above address, by phone at (801) 538-8644, by FAX at (801) 538-8888, or Internet E-mail at sroquier@dced.state.ut.us.

AUTHORIZED BY: Robin Arnold-Williams, Executive Director

EFFECTIVE: 09/28/1998

Human Services, Administration
R495-607
Energy Assistance: Records and Benefit Management

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
DAR FILE NO.: 21492
FILED: 09/28/1998, 09:38
RECEIVED BY: NL

Natural Resources, Wildlife Resources
R657-34
Procedures for Confirmation of Ordinances on Hunting Closures

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION
DAR FILE NO.: 21500
FILED: 10/01/1998, 14:21
RECEIVED BY: NL

**NOTICE OF REVIEW AND
STATEMENT OF CONTINUATION**

CONCISE EXPLANATION OF THE PARTICULAR STATUTORY PROVISIONS UNDER WHICH THE RULE IS ENACTED AND HOW THESE PROVISIONS AUTHORIZE OR REQUIRE THE RULE: Subsection 23-14-1(3)(b) states: "Communities may close areas to hunting for safety reasons after confirmation by the Wildlife Board." This rule provides the standards and procedures by which a community may obtain confirmation from the Wildlife Board to close an area to hunting for reasons of safety.

SUMMARY OF WRITTEN COMMENTS RECEIVED DURING AND SINCE THE LAST FIVE-YEAR REVIEW OF THE RULE FROM INTERESTED PERSONS SUPPORTING OR OPPOSING THE RULE: The division has not received any written comments regarding this rule. Any comments received in opposition to the rule are resolved using existing policies and procedures or the issue is placed on the Regional Advisory Council's and Wildlife Board's agenda for review and discussion during the process for taking public input. The public is welcome to view the Regional Advisory Council minutes, Wildlife Board minutes, and administrative record for this rule at the Division of Wildlife Resources.

REASONED JUSTIFICATION FOR CONTINUATION OF THE RULE, INCLUDING REASONS WHY THE AGENCY DISAGREES WITH COMMENTS IN OPPOSITION TO THE RULE, IF ANY: Rule R657-34 is necessary to provide the standards and procedures by which a community may obtain confirmation from the Wildlife Board to close an area to hunting for reasons of safety.

**End of the Five-Year Notices of Review
and Statements of Continuation Section**

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

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

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

AUTHORIZED BY: John Kimball, Director

EFFECTIVE: 10/01/1998



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

Commerce

Real Estate

No. 21335 (AMD): R162-102. Licensing Procedures.
Published: August 15, 1998
Effective: October 2, 1998

DAR correction notice: In the October 1, 1998, Bulletin, an effective notice for R307-413 was printed. This notice was actually for the amendment and not the new rule. The new rule was made effective August 13, 1998, and was under DAR No. 21010. The notice should have been:

Environmental Quality

Air Quality

No. 21145 (AMD): R307-413. Exemptions and Special Provisions.
Published: June 1, 1998
Effective: September 15, 1998

Health

Health Systems Improvement, Health Facility Licensure

No. 21036 (CPR): R432-100. General Hospital Standards.
Published: August 15, 1998
Effective: October 1, 1998

Human Resource Management

Administration

No. 21303 (AMD): R477-1. Definitions.
Published: August 15, 1998
Effective: October 2, 1998

No. 21304 (AMD): R477-5. Filling Positions.
Published: August 15, 1998
Effective: October 2, 1998

No. 21305 (CPR): R477-7. Compensation.
Published: September 1, 1998
Effective: October 2, 1998

No. 21306 (AMD): R477-8. Working Conditions.
Published: August 15, 1998
Effective: October 2, 1998

No. 21307 (AMD): R477-12. Separations.
Published: August 15, 1998
Effective: October 2, 1998

No. 21308 (AMD): R477-14. Substance Abuse and Drug-Free Workplace.
Published: August 15, 1998
Effective: October 2, 1998

No. 21309 (AMD): R477-15. Sexual Harassment Policy and Procedure.
Published: August 15, 1998
Effective: October 2, 1998

Insurance

Administration

No. 21340 (REP): R590-125. Bail Bond Insurance Exemption.
Published: August 15, 1998
Effective: September 25, 1998

No. 21162 (CPR): R590-186. Bail Bond Surety Business.
Published: August 15, 1998
Effective: September 25, 1998

No. 21204 (CPR): R590-187. Assessment of Title Insurance Agencies and Title Insurers for Costs Related to Regulation of Title Insurance.
Published: August 15, 1998
Effective: September 25, 1998

Judicial Conduct Commission

Administration

No. 21370 (AMD): R595-1-5. Preliminary Investigations.
Published: September 1, 1998
Effective: October 2, 1998

No. 21353 (AMD): R595-1-9. Issuance of Private Reprimand and Dismissal of Complaint With Admonition.
Published: September 1, 1998
Effective: October 2, 1998

Natural Resources

Oil, Gas and Mining; Coal
No. 21334 (AMD): R645-301-700. Hydrology.
Published: August 15, 1998
Effective: September 30, 1998

Public Safety

Highway Patrol
No. 21279 (R&R): R714-500. Chemical Analysis
Standards and Training.
Published: August 1, 1998
Effective: September 25, 1998

Transportation

Operations, Traffic and Safety
No. 21347 (AMD): R920-50. Tramway Operations
Safety Rules.
Published: September 1, 1998
Effective: October 2, 1998

Workforce Services

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No. 21283 (AMD): R986-701. Child Care Assistance
General Provisions.
Published: August 1, 1998
Effective: October 1, 1998

No. 21284 (AMD): R986-702. Conditions of
Eligibility and Client Payment Amount.
Published: August 1, 1998
Effective: October 1, 1998

No. 21285 (AMD): R986-703. Child Care Programs.
Published: August 1, 1998
Effective: October 1, 1998

No. 21286 (AMD): R986-706. Provider Payment and
Contracting.
Published: August 1, 1998
Effective: October 1, 1998

No. 21287 (AMD): R986-707. Eligibility.
Published: August 1, 1998
Effective: October 1, 1998

No. 21288 (REP): R986-709. Cash Out Child Care
Program.
Published: August 1, 1998
Effective: October 1, 1998

End of the Notices of Rule Effective Dates Section

RULES INDEX BY AGENCY (CODE NUMBER) AND BY KEYWORD (SUBJECT)

The *Rules Index* is a cumulative index that reflects all changes to Utah's administrative rules from January 2, 1998, to the present (current as of October 4, 1998). 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/>).

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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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R23-7	Utah State Building Board Policy Statement Master Planning	20705	5YR	01/28/98	98-4/129

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R23-9	Building Board State/Local Cooperation Policy	20707	5YR	01/28/98	98-4/130
R23-10	Naming of State Buildings	20708	5YR	01/28/98	98-4/131
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R58-18-9	Identification	21182	AMD	07/16/98	98-12/10
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R68-15	Quarantine Pertaining to Japanese Beetle, (Popillia Japonica)	20962	AMD	05/16/98	98-8/2
R68-15-3	Areas Under Quarantine	21096	AMD	07/02/98	98-11/24
R68-16	Quarantine Pertaining to Pine Shoot Beetle, Tomiscus piniperda	21432	5YR	09/11/98	98-19/104
R68-17	Quarantine Pertaining to Necrotic Strain of the Potato Virus Y	21433	5YR	09/11/98	98-19/105
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R68-19-4	Citation	20813	AMD	04/15/98	98-6/16
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R81-1-18	Pilot Wine Tasting Program	21266	NSC	07/29/98	Not Printed
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R156-3a	Architect Licensing Act Rules	20200	AMD	see CPR	97-23/4
R156-3a	Architect Licensing Act Rules	20200	CPR	02/18/98	98-2/79
R156-15-302d	Qualifications for Licensure - Examination Requirements	20894	AMD	05/05/98	98-7/8
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R156-22	Professional Engineers and Professional Land Surveyors Licensing Act Rules	20696	5YR	01/27/98	98-4/133
R156-22	Professional Engineers and Professional Land Surveyors Licensing Act Rules	20940	AMD	see CPR	98-8/4
R156-22	Professional Engineers and Professional Land Surveyors Licensing Act Rules	20940	CPR	07/16/98	98-12/29
R156-31	Nurse Practice Act Rules	21029	REP	07/01/98	98-10/7*
R156-31b	Nurse Practice Act Rules	21030	NEW	07/01/98	98-10/8
R156-31b	Nurse Practice Act Rules	21234	AMD	08/20/98	98-14/36
R156-31b-102	Definitions	21278	AMD	09/01/98	98-15/3
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R156-37	Utah Controlled Substances Act Rules	21092	NSC	05/21/98	Not Printed
R156-37-605	Emergency Verbal Prescription of Schedule II Controlled Substances	20941	AMD	05/19/98	98-8/8
R156-38	Residence Lien Restriction and Lien Recovery Fund Rules	21019	AMD	see CPR	98-10/14
R156-38	Residence Lien Restriction and Lien Recovery Fund Rules	21019	CPR	08/20/98	98-14/88
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R156-40	Recreational Therapy Practice Act Rules	20695	AMD	see CPR (First)	98-4/73
R156-40	Recreational Therapy Practice Act Rules	20695	CPR (First)	see CPR (Second)	98-8/55
R156-40	Recreational Therapy Practice Act Rules	20695	CPR (Second)	07/16/98	98-12/31
R156-47b	Massage Practice Act Rules	21147	AMD	07/07/98	98-11/24
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R156-54	Radiology Technologist and Radiology Practical Technician Licensing Act Rules	20173	CPR	02/03/98	98-1/199
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R156-55a-302b	Qualifications for Licensure - Experience Requirements	20836	NSC	03/17/98	Not Printed
R156-55a-302b	Qualifications for Licensure - Experience Requirements	21275	NSC	07/22/98	Not Printed
R156-56	Utah Uniform Building Standard Act Rules	20987	AMD	07/01/98	98-9/6
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R156-56-706	Amendments to the IPC	20990	AMD	07/01/98	98-9/24
R156-56-706	Amendments to the IPC	20989	AMD	07/01/98	98-9/23
R156-56-706	Amendments to the IPC	20991	AMD	07/01/98	98-9/25
R156-56-706	Amendments to the IPC	21203	NSC	07/01/98	Not Printed
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R156-60b	Marriage and Family Therapist Licensing Act Rules	21007	AMD	06/16/98	98-10/17
R156-60b-302a	Qualifications for Licensure - Education Requirements	21229	AMD	08/20/98	98-14/39
R156-60b-502	Unprofessional Conduct	20790	NSC	02/19/98	Not Printed
R156-60c	Professional Counselor Licensing Act Rules	20359	AMD	02/03/98	98-1/6
R156-60c	Professional Counselor Licensing Act Rules	21008	AMD	06/16/98	98-10/20
R156-60c-302a	Qualifications for Licensure - Education Requirements	21230	AMD	08/20/98	98-14/40
R156-60c-502	Unprofessional Conduct	20728	NSC	02/19/98	Not Printed
R156-60d	Substance Abuse Counselor Act Rules	20273	AMD	01/15/98	97-24/16
R156-61	Psychologist Licensing Act Rules	20342	AMD	02/03/98	98-1/10
R156-61-502	Unprofessional Conduct	20729	NSC	02/19/98	Not Printed
R156-63	Security Personnel Licensing Act Rules	20930	AMD	05/19/98	98-8/9
R156-63-502	Unprofessional Conduct	21174	NSC	06/03/98	Not Printed
R156-67-302d	Qualifications for Licensure - Examination Requirements	20974	AMD	06/04/98	98-9/29
R156-68	Utah Osteopathic Medical Practice Act Rules	21319	5YR	07/23/98	98-16/89
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R162-5	Property Management	20802	AMD	04/23/98	98-6/26
R162-6	Licensee Conduct	20803	AMD	04/23/98	98-6/27
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R162-10	Administrative Procedures	20805	AMD	04/23/98	98-6/33
R162-102	Licensing Procedures	21335	AMD	10/02/98	98-16/5
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R270-1	Award and Reparation Standards	21228	NSC	07/22/98	Not Printed
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R277-436	Gang Prevention and Intervention Programs in the Schools	21159	AMD	07/02/98	98-11/31
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R277-458	70% Utilization of School Buildings	21260	AMD	08/15/98	98-14/43
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R277-504	Early Childhood, Elementary, Secondary, Special Education (K-12), Communication Disorders, and Special Education (Birth-Age 5) Certification	20780	AMD	04/07/98	98-5/10
R277-508	Employment of Substitute Teachers	20899	5YR	03/13/98	98-7/73
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R277-702	Procedures for the Utah General Educational Developmental Certificate	20666	5YR	01/14/98	98-3/93
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R277-730	Alternative High School Curriculum	20673	5YR	01/14/98	98-3/96
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R277-746	Driver Education Programs for Utah Schools	20901	5YR	03/13/98	98-7/74
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R277-907	ATC/ATCSR Membership Hour Accounting	21161	NEW	07/02/98	98-11/34
R277-912	Standards and Procedures for Post-Secondary Applied Technology Education Accreditation	20904	5YR	03/13/98	98-7/75
R277-912	Standards and Procedures for Post-Secondary Applied Technology Education Accreditation	21077	NSC	05/07/98	Not Printed
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R280-200	Rehabilitation	20905	5YR	03/13/98	98-7/76
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R307-1-1	Foreword and Definitions	20736	AMD	04/22/98	98-5/16
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R307-1-3	Control of Installations	20740	NSC	02/05/98	Not Printed
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R307-1-6 (Changed to R307-120)	Eligibility of Pollution Control Expenditures for Sales Tax Exemption and Income Tax Credit	21105	AMD	09/15/98	98-11/39

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R307-1-6 (Changed to R307-122)	Eligibility of Pollution Control Expenditures for Sales Tax Exemption and Income Tax Credit	21105	AMD	09/15/98	98-11/39
R307-1-8 (Changed to R307-801)	Asbestos Certification, Asbestos Work Practices, and Implementation of Toxic Substances Control Act, Title II	21106	AMD	09/15/98	98-11/43
R307-2 (Changed to R307-110)	State Implementation Plan	21107	AMD	09/15/98	98-11/55
R307-2-12	Section IX, Control Measures for Area and Point Sources, Part C, Carbon Monoxide	20099	AMD	01/08/98	97-21/14
R307-2-12	Section IX, Control Measures for Area and Point Sources, Part C, Carbon Monoxide	21280	NSC	07/27/98	Not Printed
R307-3 (Changed to R307-342)	Qualification of Contractors, Test Procedures for Testing of Vapor Recovery Systems for Gasoline Delivery Tanks	21108	AMD	09/15/98	98-11/58
R307-4 (Changed to R307-130)	Air Quality Board Penalty Policy and AHERA Enforcement Response Policy	21109	AMD	09/15/98	98-11/61
R307-4 (Changed to R307-135)	Air Quality Board Penalty Policy and AHERA Enforcement Response Policy	21109	AMD	09/15/98	98-11/61
R307-6	De minimis Emissions from Air Strippers and Soil Venting Projects	21009	REP	08/13/98	98-10/29
R307-7	Exemption from Notice of Intent Requirements for Used Oil Fuel Burned for Energy Recovery	21101	REP	09/15/98	98-11/65
R307-8	Oxygenated Gasoline Program	20771	AMD	04/22/98	98-5/26
R307-8 (Changed to R307-301)	Oxygenated Gasoline Program	21110	AMD	09/15/98	98-11/66
R307-8-3	Average Oxygen Content Standard	20100	AMD	01/08/98	97-21/15
R307-10 (Changed to R307-214)	National Emission Standards for Hazardous Air Pollutants	21111	AMD	09/15/98	98-11/74
R307-10-2	Part 63 Sources	20737	AMD	06/26/98	98-5/34
R307-11 (Changed to R307-320)	Employer-Based Trip Reduction Program	21112	AMD	09/15/98	98-11/75
R307-13 (Changed to R307-170)	Continuous Emission Monitoring Systems Program	21113	AMD	09/15/98	98-11/78
R307-14	Requirements for Ozone Nonattainment Areas and Davis and Salt Lake Counties	21102	REP	09/15/98	98-11/82
R307-15 (Changed to R307-415)	Operating Permit Requirements	21114	AMD	09/15/98	98-11/83
R307-16 (Changed to R307-215)	Acid Rain Requirements	21115	AMD	09/15/98	98-11/99

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R307-19 (Changed to R307-115)	General Conformity	21116	AMD	09/15/98	98-11/101
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R307-201	Emission Standards: General Emission Standards	21125	NEW	09/15/98	98-11/118
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R307-325	Davis and Salt Lake Counties and Ozone Nonattainment Areas: Ozone Provisions	21132	NEW	09/15/98	98-11/129
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R307-413	Exemptions and Special Provisions	21145	NEW	09/15/98	98-11/167
R307-413	Exemptions and Special Provisions	21354	NSC	09/15/98	Not Printed
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R309-114	Drinking Water Source Protection Funding	20693	CPR	06/15/98	98-9/60
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R313-25	License Requirements for Land Disposal of Radioactive Waste - General Provisions	20954	NSC	04/03/98	Not Printed
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R313-32	Medical Use of Radioactive Material	20829	NSC	04/01/98	Not Printed
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R315-3	Application and Plan Approval Procedures for Hazardous Waste Treatment, Storage, and Disposal Facilities	20795	NSC	03/05/98	Not Printed
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R315-301-2	Definitions	19876	CPR	01/05/98	97-23/111
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R414-28	Record Keeping and Disclosure for Medicaid Providers	20993	EXD	04/14/98	98-9/74
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R414-51	Dental, Orthodontia	21189	AMD	07/17/98	98-12/13
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R430-4	General Certificate Provisions	21235	NEW	08/20/98	98-14/51
R430-5	Child Care Facility, General Construction	20266	NEW	02/05/98	97-24/71
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R430-30	Adjudicative Procedure	20268	NEW	01/21/98	97-24/79
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R430-60	Hourly Child Care Center	21276	NEW	09/10/98	98-15/5
R430-90	Licensed Family Child Care	21246	NEW	08/20/98	98-14/58
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R432-16	Hospice Inpatient Facility Construction	20582	NEW	03/04/98	98-2/27
R432-35	Background Screening	21257	NEW	08/28/98	98-14/64
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R432-102-14	Patient Record	21005	AMD	06/26/98	98-10/93
R432-103	Speciality Hospital - Rehabilitation	20607	NSC	01/06/98	Not Printed
R432-151	Mental Disease Facility	20685	5YR	01/20/98	98-4/134
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R432-600	Abortion Clinic Rule	20560	AMD	02/24/98	98-2/39
R432-700	Home Health Agency Rule	20561	AMD	02/24/98	98-2/42
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R477-8	Working Conditions	21306	AMD	10/02/98	98-16/17
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R501-17	Adult Foster Care Standards	20880	NSC	03/17/98	Not Printed
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R710-6	Liquefied Petroleum Gas Rules	21292	AMD	09/01/98	98-15/49
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R714-550	Rule for Spending Fees Generated by the Reinstatement of Driver Licenses	20698	AMD	03/24/98	98-4/104
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R728-402	Application Procedures to Attend a Basic Peace Officer Training Program	20783	NSC	02/23/98	Not Printed
R728-403	Qualifications For Admission To Certified Peace Officer Training Academies	20784	NSC	02/23/98	Not Printed
R728-404	Basic Training Basic Academy Rules	20810	AMD	04/15/98	98-6/52
R728-406	Requirements For Approval and Certification of Basic Correctional, Reserve and Special Function Training Programs and Applicants	20786	NSC	02/23/98	Not Printed
R728-407	Waiver/Reactivation Process	20787	NSC	02/23/98	Not Printed
R728-408	Reserve and Auxiliary Officer Standards	20831	5YR	03/04/98	98-7/77
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R746-330	Rules for Water and Sewer Utilities Operating in Utah	20957	5YR	03/31/98	98-8/65
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R746-331	Determination of Exemption of Mutual Water Corporations	20627	NEW	04/06/98	98-3/78
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R746-340	Substantive Rules Governing Telecommunications Utilities	21250	5YR	06/26/98	98-14/103
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R746-345	Pole Attachments for Cable Television Companies	21349	5YR	08/11/98	98-17/62
R746-356-2	Definitions	20592	NSC	01/06/98	Not Printed
R746-360	Universal Public Telecommunications Service Support Fund	20956	EMR	03/31/98	98-8/59
R746-360	Universal Public Telecommunications Service Support Fund	21317	EMR	07/28/98	98-16/84
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R746-405	Rules Governing the Filing of Tariffs for Gas, Electric, Telephone, Water and Heat Utilities	20972	5YR	04/03/98	98-9/72
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R746-409	Pipeline Safety	21098	NSC	05/21/98	Not Printed
R746-500	Americans With Disabilities Act Complaint Procedure	21341	5YR	08/05/98	98-17/64
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R765-555	Policy on Colleges and Universities Providing Facilities, Goods and Services in Competition with Private Enterprise	20984	NSC	05/01/98	Not Printed
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R861-1A-26	Procedures for Formal and Informal Adjudicative Proceedings Pursuant to Utah Code Ann. Sections 59-1-501, 63-46b-5, and 63-46b-6 through 63-46b-11	20821	AMD	05/04/98	98-6/57
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R861-1A-32	Mediation Process Pursuant to Utah Code Section 63-46b-1	20824	AMD	05/04/98	98-6/60
R861-1A-32	Mediation Process Pursuant to Utah Code Section 63-46b-1	21091	NSC	05/21/98	Not Printed
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R865-4D-2	Clean Special Fuel Certificate, Refund Procedures for Undyed Diesel Fuel Used Off-Highway or to Operate a Power Take-Off Unit, and Sales Tax Liability Pursuant to Utah Code Ann. Sections 59-13-301 and 59-13-304	21193	NSC	06/17/98	Not Printed
R865-13G-14	Environmental Assurance Fee Pursuant to Utah Code Ann. Section 19-6-410.5	21194	AMD	08/11/98	98-13/19
R865-19S-58	Materials and Supplies Sold to Owners, Contractors and Repairmen of Real Property Pursuant to Utah Code Ann. Sections 59-12-102 and 59-12-103	20828	AMD	05/04/98	98-6/61
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R884-24P-7	Assessment of Mining Properties Pursuant to Utah Code Ann. Section 59-2-201	20649	AMD	03/10/98	98-3/81
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R884-24P-59	One-Time Decrease in Certified Rate Based on Estimated Additional Resort Communities Sales Tax Pursuant to Utah Code Ann. Section 59-2-924	20204	AMD	02/24/98	97-23/96
R884-24P-60	Age-Based Uniform Fee on Tangible Personal Property Required to be Registered with the State Pursuant to Utah Code Ann. Section 59-2-405.1	21222	AMD	08/11/98	98-13/25
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R909-1	Safety Regulations for Motor Carriers	20827	AMD	05/01/98	98-6/62
R909-1	Safety Regulations for Motor Carriers	21089	AMD	06/16/98	98-10/132
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R909-75	Safety Regulations for Motor Carriers Transporting Hazardous Materials and/or Hazardous Wastes	20676	NSC	01/21/98	Not Printed
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R986-220	Financial Assistance Tables	21013	AMD	06/25/98	98-10/134
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R986-221	Demonstration Programs	20854	NSC	04/01/98	Not Printed
R986-222	Adoption Assistance Program	20855	NSC	04/01/98	Not Printed

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R986-414	Income	21419	EMR	10/01/98	98-19/97
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R986-417	Documentation	20208	CPR	02/03/98	98-1/120
R986-417	Documentation	20862	NSC	04/01/98	Not Printed
R986-417	Documentation	21420	EMR	10/01/98	98-19/98
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R986-603	Participant Data System Procedures	21255	5YR	06/29/98	98-14/106
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R986-701	Child Care Assistance General Provisions	20870	NSC	04/01/98	Not Printed
R986-701	Child Care Assistance General Provisions	21283	AMD	10/01/98	98-15/71
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R986-702	Conditions of Eligibility and Client Payment Amount	20871	NSC	04/01/98	Not Printed
R986-702	Conditions of Eligibility and Client Payment Amount	21284	AMD	10/01/98	98-15/73
R986-703	Child Care Programs	20756	5YR	02/06/98	98-5/77
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R986-703	Child Care Programs	21285	AMD	10/01/98	98-15/74
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R986-704	Income Rules and Eligibility Calculations	20873	NSC	04/01/98	Not Printed
R986-705	Resources	20758	5YR	02/06/98	98-5/78
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R986-706	Provider Payment and Contracting	20759	5YR	02/06/98	98-5/78
R986-706	Provider Payment and Contracting	20875	NSC	04/01/98	Not Printed
R986-706	Provider Payment and Contracting	21286	AMD	10/01/98	98-15/75
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R986-707	Eligibility	20876	NSC	04/01/98	Not Printed
R986-707	Eligibility	21287	AMD	10/01/98	98-15/77
R986-709	Cash Out Child Care Program	20877	NSC	04/01/98	Not Printed
R986-709	Cash Out Child Care Program	21288	REP	10/01/98	98-15/78
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R994-315	Centralized New Hire Registry Reporting	21012	NEW	06/25/98	98-10/135
R994-508	Appeal Procedures	21211	5YR	06/12/98	98-13/35
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R986-302 (Changed to R414-302)	Eligibility Requirements	21165	NSC	06/01/98	Not Printed
R986-303 (Changed to R414-303)	Coverage Groups	21166	NSC	06/01/98	Not Printed
R986-304 (Changed to R414-304)	Income and Budgeting	21167	NSC	06/01/98	Not Printed
R986-305 (Changed to R414-305)	Resources	21168	NSC	06/01/98	Not Printed
R986-306 (Changed to R414-306)	Program Benefits	21169	NSC	06/01/98	Not Printed
R986-307 (Changed to R414-307)	Eligibility Determination and Redetermination	21170	NSC	06/01/98	Not Printed
R986-308 (Changed to R414-308)	Record Management	21171	NSC	06/01/98	Not Printed
R986-309 (Changed to R414-309)	Utah Medical Assistance Program (UMAP)	21172	NSC	06/01/98	Not Printed
R986-310 (Changed to R414-310)	Demonstration Programs	21173	NSC	06/01/98	Not Printed
R986-413	Program Standards	21496	EMR	10/01/98	98-20/35

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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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Environmental Quality, Air Quality	21128	R307-206	NEW	09/15/98	98-11/123
<u>ACCESS TO INFORMATION</u>					
Administrative Services, Administration	20537	R13-2	NSC	01/06/98	Not Printed
<u>ACCREDITATION</u>					
Education, Administration	20780	R277-504	AMD	04/07/98	98-5/10
	20657	R277-516	5YR	01/14/98	98-3/89
	20904	R277-912	5YR	03/13/98	98-7/75
	21077	R277-912	NSC	05/07/98	Not Printed
<u>ACID RAIN</u>					
Environmental Quality, Air Quality	21115	R307-16 (Changed to R307-215)	AMD	09/15/98	98-11/99
	21115	R307-16 (Changed to R307-417)	AMD	09/15/98	98-11/99
<u>ACUPUNCTURE</u>					
Commerce, Occupational and Professional Licensing	21149	R156-72	AMD	07/07/98	98-11/29
<u>ADJUDICATIVE PROCEDURES</u>					
Community and Economic Development, Community Development, Library	21090	R223-1	5YR	05/01/98	98-11/201
Regents (Board of), Administration	20980	R765-134	5YR	04/13/98	98-9/72
<u>ADJUDICATIVE PROCEEDINGS</u>					
Public Safety, Driver License	20632	R708-14	AMD	03/04/98	98-3/76
<u>ADMINISTRATIVE LAW</u>					
Administrative Services, Administrative Rules	20976	R15-4	AMD	07/01/98	98-9/3
	20952	R15-4-3	AMD	07/01/98	98-8/2
	21393	R15-5	5YR	08/21/98	98-18/49
Human Services, Recovery Services	21243	R527-253	AMD	08/17/98	98-14/73
<u>ADMINISTRATIVE PROCEDURES</u>					
Administrative Services, Administration	21435	R13-1	5YR	09/11/98	98-19/104
Administrative Services, Administrative Rules	21393	R15-5	5YR	08/21/98	98-18/49
Community and Economic Development, Community Development, Library	21090	R223-1	5YR	05/01/98	98-11/201
Environmental Quality, Air Quality	21120	R307-102	NEW	09/15/98	98-11/110
Human Resource Management, Administration	21065	R477-4	NSC	06/27/98	Not Printed
	21307	R477-12	AMD	10/02/98	98-16/22
	21309	R477-15	AMD	10/02/98	98-16/25
Human Services, Administration, Administrative Hearings	20248	R497-100	AMD	01/26/98	97-24/88
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	20720	R636-5	EXD	02/01/98	98-4/136

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	21042	R641-101	5YR	05/01/98	98-10/159
	21043	R641-102	5YR	05/01/98	98-10/159
	21044	R641-103	5YR	05/01/98	98-10/160
	21045	R641-104	5YR	05/01/98	98-10/160
	21046	R641-105	5YR	05/01/98	98-10/160
	21047	R641-106	5YR	05/01/98	98-10/161
	21048	R641-107	5YR	05/01/98	98-10/161
	21049	R641-108	5YR	05/01/98	98-10/162
	21050	R641-109	5YR	05/01/98	98-10/162
	21051	R641-110	5YR	05/01/98	98-10/163
	21052	R641-111	5YR	05/01/98	98-10/163
	21053	R641-112	5YR	05/01/98	98-10/164
	21054	R641-113	5YR	05/01/98	98-10/164
	21055	R641-114	5YR	05/01/98	98-10/164
	21056	R641-115	5YR	05/01/98	98-10/165
	21057	R641-116	5YR	05/01/98	98-10/165
	21058	R641-117	5YR	05/01/98	98-10/166
	21059	R641-118	5YR	05/01/98	98-10/166
	21060	R641-119	5YR	05/01/98	98-10/167
Natural Resources, Water Resources	20554	R653-7	AMD	02/18/98	98-2/63
School and Institutional Trust Lands, Administration	21242	R850-50-700	NSC	07/07/98	Not Printed
	20395	R850-80	AMD	02/03/98	98-1/108
	21320	R850-80-550	NSC	08/05/98	Not Printed
	21184	R850-80-600	AMD	07/16/98	98-12/20
Workers' Compensation Fund, Administration	21214	R980-1	REP	08/07/98	98-13/28
<u>ADMINISTRATIVE RESPONSIBILITY</u>					
Human Resource Management, Administration	21064	R477-3	NSC	06/27/98	Not Printed
<u>ADMINISTRATIVE RULES</u>					
Human Resource Management, Administration	21073	R477-13	NSC	06/27/98	Not Printed
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Human Services, Child and Family Services	20245	R512-2	AMD	02/01/98	97-24/90
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Workforce Services, Employment Development	20855	R986-222	NSC	04/01/98	Not Printed
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	20847	R986-213	NSC	04/01/98	Not Printed
<u>AFDC APPLICATIONS</u>					
Workforce Services, Employment Development	20848	R986-214	NSC	04/01/98	Not Printed
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Agriculture and Food, Animal Industry	20279	R58-19	NEW	01/15/98	97-24/12
Agriculture and Food, Plant Industry	20280	R68-19	NEW	01/15/98	97-24/13
	20813	R68-19-4	AMD	04/15/98	98-6/16
Agriculture and Food, Regulatory Services	20281	R70-201	NEW	01/15/98	97-24/14
	20814	R70-201-4	AMD	04/15/98	98-6/16
<u>AIR CONDITIONING</u>					
Public Safety, Highway Patrol	20908	R714-210	R&R	05/05/98	98-7/59
<u>AIR POLLUTION</u>					
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	20096	R307-1-1	AMD	01/08/98	97-21/4
	20202	R307-1-1	AMD	01/08/98	97-23/10
	20736	R307-1-1	AMD	04/22/98	98-5/16
	21015	R307-1-2	AMD	08/13/98	98-10/26
	20219	R307-1-3	AMD	02/05/98	97-23/20
	20740	R307-1-3	NSC	02/05/98	Not Printed
	21104	R307-1-5 (Changed to R307-105)	AMD	09/15/98	98-11/37
	21105	R307-1-6 (Changed to R307-120)	AMD	09/15/98	98-11/39
	21105	R307-1-6 (Changed to R307-121)	AMD	09/15/98	98-11/39
	21105	R307-1-6 (Changed to R307-122)	AMD	09/15/98	98-11/39
	21106	R307-1-8 (Changed to R307-801)	AMD	09/15/98	98-11/43
	21107	R307-2 (Changed to R307-110)	AMD	09/15/98	98-11/55
	20099	R307-2-12	AMD	01/08/98	97-21/14
	21280	R307-2-12	NSC	07/27/98	Not Printed
	21108	R307-3 (Changed to R307-342)	AMD	09/15/98	98-11/58
	21109	R307-4 (Changed to R307-130)	AMD	09/15/98	98-11/61
	21109	R307-4 (Changed to R307-135)	AMD	09/15/98	98-11/61
	21101	R307-7	REP	09/15/98	98-11/65
	20100	R307-8-3	AMD	01/08/98	97-21/15
	21111	R307-10 (Changed to R307-214)	AMD	09/15/98	98-11/74
	20737	R307-10-2	AMD	06/26/98	98-5/34

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	21113	R307-13 (Changed to R307-170)	AMD	09/15/98	98-11/78
	21102	R307-14	REP	09/15/98	98-11/82
	21114	R307-15 (Changed to R307-415)	AMD	09/15/98	98-11/83
	21103	R307-17	REP	09/15/98	98-11/100
	21011	R307-18 (Changed to R307-210)	AMD	08/13/98	98-10/32
	21116	R307-19 (Changed to R307-115)	AMD	09/15/98	98-11/101
	21117	R307-20 (Changed to R307-220)	AMD	09/15/98	98-11/101
	21118	R307-21 (Changed to R307-221)	AMD	09/15/98	98-11/102
	21119	R307-101	NEW	09/15/98	98-11/104
	21120	R307-102	NEW	09/15/98	98-11/110
	21121	R307-107	NEW	09/15/98	98-11/112
	21123	R307-155	NEW	09/15/98	98-11/114
	21124	R307-165	NEW	09/15/98	98-11/117
	21125	R307-201	NEW	09/15/98	98-11/118
	21126	R307-202	NEW	09/15/98	98-11/119
	21127	R307-203	NEW	09/15/98	98-11/121
	21128	R307-206	NEW	09/15/98	98-11/123
	21129	R307-302	NEW	09/15/98	98-11/124
	21130	R307-305	NEW	09/15/98	98-11/126
	21131	R307-307	NEW	09/15/98	98-11/128
	21273	R307-307-3	NSC	09/15/98	Not Printed
	21132	R307-325	NEW	09/15/98	98-11/129
	21133	R307-326	NEW	09/15/98	98-11/131
	21134	R307-327	NEW	09/15/98	98-11/133
	21135	R307-328	NEW	09/15/98	98-11/135
	21136	R307-332	NEW	09/15/98	98-11/137
	21137	R307-335	NEW	09/15/98	98-11/141
	21138	R307-340	NEW	09/15/98	98-11/143
	21139	R307-341	NEW	09/15/98	98-11/150
	21140	R307-401	NEW	09/15/98	98-11/151
	21274	R307-401-2	NSC	09/15/98	Not Printed
	21141	R307-403	NEW	09/15/98	98-11/154
	21142	R307-405	NEW	09/15/98	98-11/157
	21143	R307-406	NEW	09/15/98	98-11/162
	21144	R307-410	NEW	09/15/98	98-11/163
	21395	R307-410-3	NSC	09/15/98	Not Printed
	21146	R307-414	NEW	09/15/98	98-11/170
	21016	R307-840	NEW	08/13/98	98-10/36

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	21110	R307-8 (Changed to R307-301)	AMD	09/15/98	98-11/66
<u>AIR QUALITY</u>					
Environmental Quality, Air Quality	21009	R307-6	REP	08/13/98	98-10/29
	21115	R307-16 (Changed to R307-215)	AMD	09/15/98	98-11/99
	21115	R307-16 (Changed to R307-417)	AMD	09/15/98	98-11/99
<u>ALCOHOL</u>					
Public Safety, Highway Patrol	21279	R714-500	R&R	09/25/98	98-15/59
	20698	R714-550	AMD	03/24/98	98-4/104
<u>ALCOHOLIC BEVERAGES</u>					
Alcoholic Beverage Control, Administration	21033	R81-1-6	AMD	07/01/98	98-10/3
	21032	R81-1-18	AMD	07/01/98	98-10/5
	21266	R81-1-18	NSC	07/29/98	Not Printed
<u>ALTERNATIVE LANGUAGE SERVICES</u>					
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<u>ALTERNATIVE SCHOOL</u>					
Education, Administration	20673	R277-730	5YR	01/14/98	98-3/96
<u>ANNUAL TRAINING</u>					
Public Safety, Peace Officer Standards and Training	20788	R728-410	NSC	02/23/98	Not Printed
<u>ANTIPOVERTY PROGRAMS</u>					
Community and Economic Development, Community Development, Community Services	20282	R202-100	AMD	01/15/98	97-24/17
<u>APPELLATE PROCEDURES</u>					
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Workforce Services, Workforce Information and Payment Services	21211	R994-508	5YR	06/12/98	98-13/35
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Natural Resources, Water Rights	20955	R655-5	NEW	05/18/98	98-8/40
<u>APPLIED TECHNOLOGY EDUCATION</u>					
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	20904	R277-912	5YR	03/13/98	98-7/75
	21077	R277-912	NSC	05/07/98	Not Printed
Workforce Services, Employment Development	20867	R986-501	NSC	04/01/98	Not Printed
<u>APPRAISAL</u>					
Tax Commission, Property Tax	20649	R884-24P-7	AMD	03/10/98	98-3/81
	20394	R884-24P-24	AMD	02/24/98	98-1/114
	20203	R884-24P-58	AMD	02/24/98	97-23/96

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<u>APPROVAL FOR CORRECTIONAL BASIC COURSE</u>					
Public Safety, Peace Officer Standards and Training	20786	R728-406	NSC	02/23/98	Not Printed
<u>APPROVAL FOR RESERVE BASIC COURSE</u>					
Public Safety, Peace Officer Standards and Training	20786	R728-406	NSC	02/23/98	Not Printed
<u>APPROVAL FOR SPECIAL FUNCTION COURSE</u>					
Public Safety, Peace Officer Standards and Training	20786	R728-406	NSC	02/23/98	Not Printed
<u>APPROVAL ORDER</u>					
Environmental Quality, Air Quality	21140	R307-401	NEW	09/15/98	98-11/151
	21274	R307-401-2	NSC	09/15/98	Not Printed
<u>ARCHITECTS</u>					
Commerce, Occupational and Professional Licensing	20200	R156-3a	AMD	see CPR	97-23/4
	20200	R156-3a	CPR	02/18/98	98-2/79
<u>ART DONATIONS</u>					
Community and Economic Development, Community Development, Fine Arts	21175	R207-2	AMD	09/03/98	98-12/10
<u>ART IN PUBLIC PLACES</u>					
Community and Economic Development, Community Development, Fine Arts	20811	R207-1	5YR	02/25/98	98-6/77
	20812	R207-2	5YR	02/25/98	98-6/77
	21175	R207-2	AMD	09/03/98	98-12/10
<u>ARTISTS</u>					
Community and Economic Development, Community Development, Fine Arts	20811	R207-1	5YR	02/25/98	98-6/77
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	21109	R307-4 (Changed to R307-135)	AMD	09/15/98	98-11/61
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Environmental Quality, Air Quality	21139	R307-341	NEW	09/15/98	98-11/150
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Public Safety, Peace Officer Standards and Training	20831	R728-408	5YR	03/04/98	98-7/77
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<u>BANKING LAW</u>					
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<u>BANKS AND BANKING</u>					
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Public Safety, Peace Officer Standards and Training	20783	R728-402	NSC	02/23/98	Not Printed
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Natural Resources, Wildlife Resources	20929	R657-33	EMR	03/19/98	98-8/58
	20938	R657-33	5YR	03/24/98	98-8/65
	20939	R657-33	AMD	05/18/98	98-8/43
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Workforce Services, Employment Development	20224	R986-302	AMD	01/02/98	97-23/97
	20744	R986-302	5YR	02/06/98	98-5/70
	20860	R986-415	NSC	04/01/98	Not Printed
	20208	R986-417	AMD	see CPR	97-23/100
	20208	R986-417	CPR	02/03/98	98-1/120
	20862	R986-417	NSC	04/01/98	Not Printed

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	20863	R986-418	NSC	04/01/98	Not Printed
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<u>BIG GAME SEASONS</u>					
Natural Resources, Wildlife Resources	20241	R657-5	AMD	01/15/98	97-24/95
	21185	R657-5	AMD	07/16/98	98-12/14
	20700	R657-43	AMD	03/18/98	98-4/90
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	20829	R313-32	NSC	04/01/98	Not Printed
	21088	R313-32	AMD	08/11/98	98-10/40
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Public Safety, Highway Patrol	20912	R714-300	R&R	05/05/98	98-7/63
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<u>BRINE SHRIMP ROYALTY</u>					
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<u>BUDGETING</u>					
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Workforce Services, Employment Development	20746	R986-304	5YR	02/06/98	98-5/71
	20738	R986-304	EMR	02/12/98	98-5/60
	20739	R986-304	AMD	04/01/98	98-5/49
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Commerce, Occupational and Professional Licensing	20987	R156-56	AMD	07/01/98	98-9/6
	20883	R156-56-302	AMD	05/04/98	98-7/28
	20990	R156-56-706	AMD	07/01/98	98-9/24
	20989	R156-56-706	AMD	07/01/98	98-9/23
	20991	R156-56-706	AMD	07/01/98	98-9/25
	21203	R156-56-706	NSC	07/01/98	Not Printed

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	20883	R156-56-302	AMD	05/04/98	98-7/28
	20990	R156-56-706	AMD	07/01/98	98-9/24
	20989	R156-56-706	AMD	07/01/98	98-9/23
	20991	R156-56-706	AMD	07/01/98	98-9/25
	21203	R156-56-706	NSC	07/01/98	Not Printed
<u>BUILDINGS</u>					
Administrative Services, Facilities Construction and Management	20703	R23-5	5YR	01/28/98	98-4/128
	20708	R23-10	5YR	01/28/98	98-4/131
	20709	R23-11	5YR	01/28/98	98-4/131
	20711	R23-24	5YR	01/28/98	98-4/132
<u>BUSES</u>					
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<u>BUSLINES</u>					
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<u>BUS SHELTERS</u>					
Transportation, Preconstruction, Right- of-Way Acquisition	21177	R933-4	NEW	07/16/98	98-12/21
<u>CAPACITY DEVELOPMENT</u>					
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<u>CAPITAL PUNISHMENT</u>					
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	21300	R671-205	EXD	07/15/98	98-16/96
	21310	R671-205	EMR	07/17/98	98-16/81
	20489	R671-312	AMD	02/18/98	98-1/87
	21301	R671-312	EXD	07/15/98	98-16/96
	21312	R671-312	EMR	07/17/98	98-16/82
	21313	R671-312	NEW	09/15/98	98-16/49
	21428	R671-312	NSC	09/15/98	Not Printed
<u>CAREER EDUCATION</u>					
Education, Administration	20670	R277-718	5YR	01/14/98	98-3/95
<u>CARRYOVER FUNDING</u>					
Human Services, Aging and Adult Services	20635	R510-101	5YR	01/08/98	98-3/99
<u>CASH OUT</u>					
Workforce Services, Employment Development	20877	R986-709	NSC	04/01/98	Not Printed
	21288	R986-709	REP	10/01/98	98-15/78
<u>CENTENNIAL</u>					
Statehood Centennial Commission (Utah), Administration	20924	R855-1	EXD	03/17/98	98-8/67
	20925	R855-2	EXD	03/17/98	98-8/67

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	20926	R855-3	EXD	03/17/98	98-8/67
<u>CERTIFICATE OF REGISTRATION</u>					
Natural Resources, Wildlife Resources	21241	R657-45	NEW	08/19/98	98-14/83
<u>CERTIFICATION</u>					
Public Safety, Peace Officer Standards and Training	20995	R728-409	AMD	06/02/98	98-9/41
<u>CHILD ABUSE</u>					
Human Services, Child and Family Services	21226	R512-25	EMR	06/16/98	98-14/99
	21336	R512-25	NEW	09/15/98	98-16/26
<u>CHILD CARE</u>					
Workforce Services, Employment Development	20754	R986-701	5YR	02/06/98	98-5/75
	20870	R986-701	NSC	04/01/98	Not Printed
	21283	R986-701	AMD	10/01/98	98-15/71
	20755	R986-702	5YR	02/06/98	98-5/76
	20871	R986-702	NSC	04/01/98	Not Printed
	21284	R986-702	AMD	10/01/98	98-15/73
	20756	R986-703	5YR	02/06/98	98-5/77
	20872	R986-703	NSC	04/01/98	Not Printed
	21285	R986-703	AMD	10/01/98	98-15/74
	20757	R986-704	5YR	02/06/98	98-5/77
	20873	R986-704	NSC	04/01/98	Not Printed
	20758	R986-705	5YR	02/06/98	98-5/78
	20874	R986-705	NSC	04/01/98	Not Printed
	20759	R986-706	5YR	02/06/98	98-5/78
	20875	R986-706	NSC	04/01/98	Not Printed
	21286	R986-706	AMD	10/01/98	98-15/75
	20760	R986-707	5YR	02/06/98	98-5/79
	20876	R986-707	NSC	04/01/98	Not Printed
	21287	R986-707	AMD	10/01/98	98-15/77
<u>CHILD CARE FACILITIES</u>					
Health, Health Systems Improvement, Child Care Licensing	20264	R430-2	NEW	02/04/98	97-24/66
	20265	R430-3	NEW	01/21/98	97-24/69
	21235	R430-4	NEW	08/20/98	98-14/51
	20266	R430-5	NEW	02/05/98	97-24/71
	20267	R430-6	NEW	01/20/98	97-24/75
	21245	R430-6	AMD	08/20/98	98-14/53
	20645	R430-10	EMR	01/09/98	98-3/86
	20684	R430-10	EMR	01/20/98	98-4/122
	20268	R430-30	NEW	01/21/98	97-24/79
	21236	R430-50	NEW	08/20/98	98-14/55
	21276	R430-60	NEW	09/10/98	98-15/5
	21246	R430-90	NEW	08/20/98	98-14/58

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	21277	R430-100	AMD	09/10/98	98-15/10
<u>CHILD PLACING</u>					
Human Services, Administration, Administrative Services, Licensing	21415	R501-7	EMR	09/02/98	98-19/94
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Workforce Services, Employment Development	20754	R986-701	5YR	02/06/98	98-5/75
	20870	R986-701	NSC	04/01/98	Not Printed
	21283	R986-701	AMD	10/01/98	98-15/71
	20755	R986-702	5YR	02/06/98	98-5/76
	20871	R986-702	NSC	04/01/98	Not Printed
	21284	R986-702	AMD	10/01/98	98-15/73
<u>CHILDREN'S HEALTH BENEFITS</u>					
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	21154	R382-10	NEW	07/14/98	98-11/173
	21187	R382-10-10	AMD	07/17/98	98-12/11
	21155	R382-20	NEW	07/14/98	98-11/178
	21237	R382-20	NSC	07/22/98	Not Printed
<u>CHILD SUPPORT</u>					
Human Services, Recovery Services	20647	R527-3	5YR	01/12/98	98-3/104
	20240	R527-5	AMD	01/05/98	97-23/83
	20522	R527-39	NEW	02/05/98	98-1/67
	20978	R527-56	5YR	04/13/98	98-9/69
	20979	R527-56	NSC	04/20/98	Not Printed
	21018	R527-100	NEW	06/16/98	98-10/129
	21243	R527-253	AMD	08/17/98	98-14/73
	20723	R527-300	AMD	03/18/98	98-4/77
	21006	R527-300	AMD	06/16/98	98-10/130
	20724	R527-301	AMD	03/18/98	98-4/80
	21427	R527-301	5YR	09/04/98	98-19/106
	21017	R527-305	NEW	06/16/98	98-10/131
	20523	R527-430	NEW	02/05/98	98-1/68
	20725	R527-475	AMD	03/18/98	98-4/82
	20520	R527-550	AMD	02/11/98	98-1/70
<u>CHILD WELFARE</u>					
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	21226	R512-25	EMR	06/16/98	98-14/99
	21336	R512-25	NEW	09/15/98	98-16/26
	20288	R512-31	AMD	04/01/98	97-24/91
Workforce Services, Employment Development	20846	R986-212	NSC	04/01/98	Not Printed
<u>CITIZENSHIP</u>					
Workforce Services, Employment Development	20861	R986-416	NSC	04/01/98	Not Printed

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Environmental Quality, Air Quality	21142	R307-405	NEW	09/15/98	98-11/157
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Workforce Services, Employment Development	20755	R986-702	5YR	02/06/98	98-5/76
	20871	R986-702	NSC	04/01/98	Not Printed
	21284	R986-702	AMD	10/01/98	98-15/73
<u>CLIENT RIGHTS</u>					
Workforce Services, Employment Development	20743	R986-301	5YR	02/06/98	98-5/70
	20856	R986-411	NSC	04/01/98	Not Printed
Workforce Services, Employment Development (Changed to Health, Health Care Financing, Coverage and Reimbursement Policy)	21164	R986-301 (Changed to R414-301)	NSC	06/01/98	Not Printed
<u>COAL MINES</u>					
Natural Resources; Oil, Gas and Mining; Coal	20189	R645-100-200	AMD	03/15/98	97-22/27
	21327	R645-102	5YR	07/27/98	98-16/91
	20190	R645-301-500	AMD	03/15/98	97-22/38
	20191	R645-301-700	AMD	03/15/98	97-22/59
	21334	R645-301-700	AMD	09/30/98	98-16/36
<u>COLLEGES</u>					
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	20981	R765-555	5YR	04/13/98	98-9/73
	20984	R765-555	NSC	05/01/98	Not Printed
	20982	R765-993	5YR	04/13/98	98-9/73
	20985	R765-993	NSC	05/01/98	Not Printed
<u>COMMUNICATIONS</u>					
Public Service Commission, Administration	20592	R746-356-2	NSC	01/06/98	Not Printed
<u>COMMUNITY ACTION PROGRAMS</u>					
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<u>COMMUNITY HEALTH SERVICES</u>					
Health, Health Systems Improvement, Community Health Nursing	20768	R425-1	5YR	02/10/98	98-5/68
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	21306	R477-8	AMD	10/02/98	98-16/17
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	20842	R251-112	AMD	06/15/98	98-7/32
	20986	R251-112	NSC	06/15/98	Not Printed
<u>COMPLAINTS</u>					
Education, Administration	21191	R277-104	5YR	06/04/98	98-13/30
Human Services, Mental Health, State Hospital	20892	R525-7	NEW	05/25/98	98-7/45
Public Service Commission, Administration	21341	R746-500	5YR	08/05/98	98-17/64
<u>COMPULSORY EDUCATION</u>					
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<u>CONCEALED FIREARM PERMITS</u>					
Public Safety, Law Enforcement and Technical Services, Regulatory Licensing	20806	R724-4	R&R	04/16/98	98-6/46
<u>CONCERNS</u>					
Human Services, Mental Health, State Hospital	20892	R525-7	NEW	05/25/98	98-7/45
<u>CONDUCT</u>					
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	20625	R162-107	NEW	03/04/98	98-2/22
Professional Practices Advisory Commission, Administration	20524	R686-100	NEW	02/09/98	98-1/99
<u>CONFIDENTIALITY</u>					
Human Services, Recovery Services	20240	R527-5	AMD	01/05/98	97-23/83
<u>CONFIDENTIALITY OF INFORMATION</u>					
Administrative Services, Administration	20537	R13-2	NSC	01/06/98	Not Printed
Environmental Quality, Air Quality	21120	R307-102	NEW	09/15/98	98-11/110
Natural Resources, Energy	20719	R636-4	EXD	02/01/98	98-4/136
Workforce Services, Employment Development	20849	R986-215	AMD	05/18/98	98-7/68
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Administrative Services, Facilities Construction and Management	20702	R23-4	5YR	01/28/98	98-4/128
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	20235	R313-15	CPR	03/20/98	98-4/120
	20953	R313-15	NSC	04/04/98	Not Printed
	21038	R313-15	5YR	04/30/98	98-10/149
	21271	R313-15	NSC	07/22/98	Not Printed
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	21286	R986-706	AMD	10/01/98	98-15/75
<u>CONTRACTORS</u>					
Commerce, Occupational and Professional Licensing	21019	R156-38	AMD	see CPR	98-10/14
	21019	R156-38	CPR	08/20/98	98-14/88
	20650	R156-55a	AMD	03/05/98	98-3/23
	20836	R156-55a-302b	NSC	03/17/98	Not Printed
	21275	R156-55a-302b	NSC	07/22/98	Not Printed
	20987	R156-56	AMD	07/01/98	98-9/6
	20883	R156-56-302	AMD	05/04/98	98-7/28
	20990	R156-56-706	AMD	07/01/98	98-9/24
	20989	R156-56-706	AMD	07/01/98	98-9/23
	20991	R156-56-706	AMD	07/01/98	98-9/25
	21203	R156-56-706	NSC	07/01/98	Not Printed
<u>CONTRACTS</u>					
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	20844	R251-304	AMD	06/15/98	98-7/34
<u>CONTROLLED SUBSTANCES</u>					
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	21092	R156-37	NSC	05/21/98	Not Printed
	20941	R156-37-605	AMD	05/19/98	98-8/8
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	20843	R251-304	5YR	03/06/98	98-7/73
	20844	R251-304	AMD	06/15/98	98-7/34
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	20379	R251-710	AMD	03/15/98	98-1/14
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<u>COUNSELORS</u>					
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	21008	R156-60c	AMD	06/16/98	98-10/20
	21230	R156-60c-302a	AMD	08/20/98	98-14/40
	20728	R156-60c-502	NSC	02/19/98	Not Printed
<u>COVERAGE GROUPS</u>					
Workforce Services, Employment Development	20745	R986-303	5YR	02/06/98	98-5/71
	20319	R986-303-301	AMD	02/03/98	98-1/116
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<u>CRIMINAL COMPETENCY</u>					
Pardons (Board of), Administration	20437	R671-206	AMD	02/18/98	98-1/77
	20439	R671-207	AMD	02/18/98	98-1/78
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	20665	R277-701	5YR	01/14/98	98-3/93
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	21294	R710-8	AMD	09/01/98	98-15/55
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	21073	R477-13	NSC	06/27/98	Not Printed
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Environmental Quality, Air Quality	21010	R307-413	NEW	08/13/98	98-10/35
	21145	R307-413	AMD	09/15/98	98-11/167
	21354	R307-413	NSC	09/15/98	Not Printed
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Workforce Services, Employment Development	20742	R986-221	5YR	02/06/98	98-5/69
	20854	R986-221	NSC	04/01/98	Not Printed
	20752	R986-310	5YR	02/06/98	98-5/74
	20753	R986-421	5YR	02/06/98	98-5/75
	20866	R986-421	NSC	04/01/98	Not Printed
	21423	R986-421	EMR	10/01/98	98-19/102
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Commerce, Occupational and Professional Licensing	20776	R156-69	AMD	04/01/98	98-5/6
<u>DENTISTS</u>					
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	20819	R861-1A-24	AMD	05/04/98	98-6/56
	20820	R861-1A-25	AMD	05/04/98	98-6/57
	20821	R861-1A-26	AMD	05/04/98	98-6/57
	20822	R861-1A-27	AMD	05/04/98	98-6/59
	20823	R861-1A-28	AMD	05/04/98	98-6/59
	20824	R861-1A-32	AMD	05/04/98	98-6/60
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	21306	R477-8	AMD	10/02/98	98-16/17
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	20986	R251-112	NSC	06/15/98	Not Printed
Education, Administration	21191	R277-104	5YR	06/04/98	98-13/30
Public Service Commission, Administration	21341	R746-500	5YR	08/05/98	98-17/64
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	21263	R686-102	NEW	08/15/98	98-14/85
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	21159	R277-436	AMD	07/02/98	98-11/31
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	20819	R861-1A-24	AMD	05/04/98	98-6/56
	20820	R861-1A-25	AMD	05/04/98	98-6/57
	20821	R861-1A-26	AMD	05/04/98	98-6/57
	20822	R861-1A-27	AMD	05/04/98	98-6/59
	20823	R861-1A-28	AMD	05/04/98	98-6/59
	20824	R861-1A-32	AMD	05/04/98	98-6/60
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Transportation, Operations, Maintenance	20628	R918-2-3	NSC	01/21/98	Not Printed
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	20290	R309-106	REP	03/01/98	97-24/26
	20291	R309-107	REP	03/01/98	97-24/33
	20292	R309-108	REP	03/01/98	97-24/37
	20293	R309-109	REP	03/01/98	97-24/47
	20294	R309-110	REP	03/01/98	97-24/56
	20295	R309-111	REP	03/01/98	97-24/60
	20296	R309-112	REP	03/01/98	97-24/63
	20977	R309-113	AMD	06/15/98	98-9/31

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	20693	R309-114	CPR	06/15/98	98-9/60
	21027	R309-352	NEW	06/19/98	98-10/38
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	20902	R277-747	5YR	03/13/98	98-7/74
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<u>DRUG/ALCOHOL EDUCATION</u>					
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	20667	R277-709	5YR	01/14/98	98-3/94
	20670	R277-718	5YR	01/14/98	98-3/95
	20673	R277-730	5YR	01/14/98	98-3/96
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	21260	R277-458	AMD	08/15/98	98-14/43
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	21260	R277-458	AMD	08/15/98	98-14/43
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	20635	R510-101	5YR	01/08/98	98-3/99
	20636	R510-102	5YR	01/08/98	98-3/99
	20637	R510-103	5YR	01/08/98	98-3/100
	20638	R510-106	5YR	01/08/98	98-3/100
	20639	R510-107	5YR	01/08/98	98-3/101
	20640	R510-108	5YR	01/08/98	98-3/101
	20641	R510-109	5YR	01/08/98	98-3/102
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	20774	R986-307	AMD	04/01/98	98-5/58
	20755	R986-702	5YR	02/06/98	98-5/76
	20871	R986-702	NSC	04/01/98	Not Printed
	21284	R986-702	AMD	10/01/98	98-15/73
	20757	R986-704	5YR	02/06/98	98-5/77
	20873	R986-704	NSC	04/01/98	Not Printed
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	21305	R477-7	CPR	10/02/98	98-17/59
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	20651	R156-59	CPR	05/04/98	98-7/71
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	21252	R982-501	5YR	06/29/98	98-14/105
Workforce Services, Employment Development	21253	R986-601	5YR	06/29/98	98-14/106
	20868	R986-602	NSC	04/01/98	Not Printed
	21254	R986-602	5YR	06/29/98	98-14/106
	20869	R986-603	NSC	04/01/98	Not Printed
	21255	R986-603	5YR	06/29/98	98-14/106
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	21181	R994-600	5YR	05/29/98	98-12/39
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	20290	R309-106	REP	03/01/98	97-24/26
	20295	R309-111	REP	03/01/98	97-24/60
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	20977	R309-113	AMD	06/15/98	98-9/31
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	21280	R307-2-12	NSC	07/27/98	Not Printed
	21114	R307-15 (Changed to R307-415)	AMD	09/15/98	98-11/83
	21116	R307-19 (Changed to R307-115)	AMD	09/15/98	98-11/101
	21117	R307-20 (Changed to R307-220)	AMD	09/15/98	98-11/101
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	21354	R307-413	NSC	09/15/98	Not Printed
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	20746	R986-304	5YR	02/06/98	98-5/71
	20738	R986-304	EMR	02/12/98	98-5/60
	20739	R986-304	AMD	04/01/98	98-5/49
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	21474	R331-21	5YR	09/16/98	98-20/37
	20879	R331-22	AMD	05/04/98	98-7/35
	21430	R331-24	5YR	09/10/98	98-19/106
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	21129	R307-302	NEW	09/15/98	98-11/124
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	21291	R710-4	AMD	09/01/98	98-15/46
	20277	R710-7	AMD	01/15/98	97-24/108
	21293	R710-7	AMD	09/01/98	98-15/53
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	21496	R986-413	EMR	10/01/98	98-20/35
	20860	R986-415	NSC	04/01/98	Not Printed
	20861	R986-416	NSC	04/01/98	Not Printed
	20208	R986-417	AMD	see CPR	97-23/100
	20208	R986-417	CPR	02/03/98	98-1/120
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	21420	R986-417	EMR	10/01/98	98-19/48
	20863	R986-418	NSC	04/01/98	Not Printed
	20209	R986-419	AMD	01/02/98	97-23/102
	20864	R986-419	NSC	04/01/98	Not Printed
	21421	R986-419	EMR	10/01/98	98-19/99
	20210	R986-420	AMD	01/02/98	97-23/102
	20865	R986-420	NSC	04/01/98	Not Printed
	21422	R986-420	EMR	10/01/98	98-19/101
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	21238	R657-6	AMD	08/19/98	98-14/74
	20928	R657-10	EMR	03/19/98	98-8/57
	20929	R657-33	EMR	03/19/98	98-8/58
	20938	R657-33	5YR	03/24/98	98-8/65
	20939	R657-33	AMD	05/18/98	98-8/43
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	21159	R277-436	AMD	07/02/98	98-11/31
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	20100	R307-8-3	AMD	01/08/98	97-21/15
	21102	R307-14	REP	09/15/98	98-11/82
	21133	R307-326	NEW	09/15/98	98-11/131
	21134	R307-327	NEW	09/15/98	98-11/133
	21136	R307-332	NEW	09/15/98	98-11/137
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	21135	R307-328	NEW	09/15/98	98-11/135
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	20896	R503-5	REP	05/02/98	98-7/37
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	21300	R671-205	EXD	07/15/98	98-16/96
	21310	R671-205	EMR	07/17/98	98-16/81
	20449	R671-304	AMD	02/18/98	98-1/83
	20487	R671-305	AMD	02/18/98	98-1/83
	20465	R671-317	AMD	02/18/98	98-1/91
	21201	R671-317	NSC	06/17/98	Not Printed
	20490	R671-403	AMD	02/18/98	98-1/92
	20475	R671-503	AMD	02/18/98	98-1/95
	20477	R671-504	AMD	02/18/98	98-1/95
	20479	R671-505	AMD	02/18/98	98-1/96
	20483	R671-508	AMD	02/18/98	98-1/98
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Natural Resources, Water Resources	20597	R653-3	AMD	02/18/98	98-2/58
<u>GOVERNOR</u>					
Environmental Quality, Air Quality	21104	R307-1-5 (Changed to R307-105)	AMD	09/15/98	98-11/37
<u>GRAMA (Government Records Access and Management Act)</u>					
Regents (Board of), University of Utah, Administration	21227	R805-2	5YR	06/17/98	98-14/104
<u>GRANTS</u>					
Community and Economic Development, Community Development, Community Services	20282	R202-100	AMD	01/15/98	97-24/17
Health, Health Systems Improvement, Community Health Nursing	20768	R425-1	5YR	02/10/98	98-5/68
	20794	R425-1	AMD	see CPR	98-6/34
	20794	R425-1	CPR	06/03/98	98-9/61
Workforce Services, Employment Development	20853	R986-220	NSC	04/01/98	Not Printed

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	20819	R861-1A-24	AMD	05/04/98	98-6/56
	20820	R861-1A-25	AMD	05/04/98	98-6/57
	20821	R861-1A-26	AMD	05/04/98	98-6/57
	20822	R861-1A-27	AMD	05/04/98	98-6/59
	20823	R861-1A-28	AMD	05/04/98	98-6/59
	20824	R861-1A-32	AMD	05/04/98	98-6/60
<u>GRIEVANCES</u>					
Human Resource Management, Administration	21065	R477-4	NSC	06/27/98	Not Printed
	21307	R477-12	AMD	10/02/98	98-16/22
<u>HAZARDOUS AIR POLLUTANTS</u>					
Environmental Quality, Air Quality	21111	R307-10 (Changed to R307-214)	AMD	09/15/98	98-11/74
	20737	R307-10-2	AMD	06/26/98	98-5/34
	21144	R307-410	NEW	09/15/98	98-11/163
	21395	R307-410-3	NSC	09/15/98	Not Printed
<u>HAZARDOUS MATERIALS TRANSPORTATION</u>					
Transportation, Motor Carrier	20676	R909-75	NSC	01/21/98	Not Printed
	20918	R909-75	AMD	05/28/98	98-7/67
	21282	R909-75	AMD	09/01/98	98-15/70
<u>HAZARDOUS POLLUTANT</u>					
Environmental Quality, Air Quality	21109	R307-4 (Changed to R307-135)	AMD	09/15/98	98-11/61
<u>HAZARDOUS SUBSTANCES</u>					
Transportation, Motor Carrier	20676	R909-75	NSC	01/21/98	Not Printed
	20918	R909-75	AMD	05/28/98	98-7/67
	21282	R909-75	AMD	09/01/98	98-15/70
<u>HAZARDOUS WASTE</u>					
Community and Economic Development, Community Development, History	20528	R212-12	NEW	03/10/98	98-2/23
Environmental Quality, Solid and Hazardous Waste	20382	R315-1	AMD	02/20/98	98-1/15
	20383	R315-2	AMD	02/20/98	98-1/17
	20733	R315-2-17	NSC	02/18/98	Not Printed
	20384	R315-3	AMD	02/20/98	98-1/27
	20795	R315-3	NSC	03/05/98	Not Printed
	20385	R315-4	AMD	02/20/98	98-1/35
	20797	R315-4-4	NSC	03/06/98	Not Printed
	20538	R315-6-7	AMD	02/20/98	98-2/24
	20386	R315-7	AMD	02/20/98	98-1/36
	20734	R315-7-17	NSC	02/18/98	Not Printed
	20387	R315-8	AMD	02/20/98	98-1/38
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	20389	R315-14-7	AMD	02/20/98	98-1/40
	21026	R315-15-11	AMD	06/17/98	98-10/41
	20390	R315-16	AMD	02/20/98	98-1/40
	20391	R315-50	AMD	02/20/98	98-1/50
Transportation, Motor Carrier	20676	R909-75	NSC	01/21/98	Not Printed
	20918	R909-75	AMD	05/28/98	98-7/67
	21282	R909-75	AMD	09/01/98	98-15/70
<u>HEADGEAR</u>					
Public Safety, Highway Patrol	20909	R714-220	R&R	05/05/98	98-7/60
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Health, Health Data Analysis	20192	R428-11	NEW	03/15/98	97-22/21
	21157	R428-11	AMD	07/22/98	98-11/187
	20731	R428-13	NEW	04/05/98	98-5/40
	21158	R428-13	AMD	07/22/98	98-11/189
<u>HEALTH CARE FACILITIES</u>					
Health, Health Systems Improvement, Health Facility Licensure	21257	R432-35	NEW	08/28/98	98-14/64
	21036	R432-100	AMD	see CPR	98-10/60
	21036	R432-100	CPR	10/01/98	98-16/61
<u>HEALTH FACILITIES</u>					
Health, Health Systems Improvement, Health Facility Licensure	20808	R432-1-4	AMD	05/28/98	98-6/38
	20830	R432-3-9	AMD	05/07/98	98-7/36
	21296	R432-6	R&R	09/14/98	98-15/20
	20582	R432-16	NEW	03/04/98	98-2/27
	20558	R432-102	AMD	02/24/98	98-2/31
	21005	R432-102-14	AMD	06/26/98	98-10/93
	20607	R432-103	NSC	01/06/98	Not Printed
	20685	R432-151	5YR	01/20/98	98-4/134
	20559	R432-550	AMD	02/24/98	98-2/34
	20560	R432-600	AMD	02/24/98	98-2/39
	20561	R432-700	AMD	02/24/98	98-2/42
	20562	R432-750	AMD	03/04/98	98-2/49
<u>HEALTH FACILITY ADMINISTRATORS</u>					
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	21157	R428-11	AMD	07/22/98	98-11/187
	20731	R428-13	NEW	04/05/98	98-5/40
	21158	R428-13	AMD	07/22/98	98-11/189
<u>HEALTH POLICY</u>					
Health, Health Data Analysis	20731	R428-13	NEW	04/05/98	98-5/40
	21158	R428-13	AMD	07/22/98	98-11/189

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Professional Practices Advisory Commission, Administration	20524	R686-100	NEW	02/09/98	98-1/99
<u>HIGHER EDUCATION</u>					
Regents (Board of), Administration	20980	R765-134	5YR	04/13/98	98-9/72
	20981	R765-555	5YR	04/13/98	98-9/73
	20984	R765-555	NSC	05/01/98	Not Printed
	21163	R765-605	NEW	07/02/98	98-11/194
	20982	R765-993	5YR	04/13/98	98-9/73
	20985	R765-993	NSC	05/01/98	Not Printed
Regents (Board of), University of Utah, Administration	21227	R805-2	5YR	06/17/98	98-14/104
<u>HIGHWAY CONSTRUCTION</u>					
Transportation, Operations, Maintenance	20628	R918-2-3	NSC	01/21/98	Not Printed
<u>HIGHWAY PLANNING</u>					
Transportation, Program Development	20942	R926-2	AMD	05/29/98	98-8/47
<u>HIRING PRACTICES</u>					
Human Resource Management, Administration	21304	R477-5	AMD	10/02/98	98-16/13
<u>HOME CARE SERVICES</u>					
Human Services, Aging and Adult Services	20644	R510-400	5YR	01/08/98	98-3/103
<u>HOSPITAL POLICY</u>					
Health, Health Data Analysis	20192	R428-11	NEW	03/15/98	97-22/21
	21157	R428-11	AMD	07/22/98	98-11/187
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Human Resource Management, Administration	21309	R477-15	AMD	10/02/98	98-16/25
<u>HUMAN SERVICES</u>					
Human Services, Administration, Administrative Services, Licensing	21083	R501-2	EMR	05/04/98	98-10/139
	21084	R501-2	AMD	07/02/98	98-10/120
	21415	R501-7	EMR	09/02/98	98-19/94
	21258	R501-12	AMD	08/17/98	98-14/66
	21081	R501-14	EMR	05/04/98	98-10/140
	21085	R501-14	AMD	06/16/98	98-10/121
	21039	R501-15	EXD	05/01/98	98-10/168
	20179	R501-17	NEW	03/15/98	97-22/24
	20286	R501-17	NSC	03/15/98	Not Printed
	20880	R501-17	NSC	03/17/98	Not Printed
	21082	R501-18	EMR	05/04/98	98-10/145
	21086	R501-18	NEW	06/16/98	98-10/126
Workforce Services, Employment Development	20743	R986-301	5YR	02/06/98	98-5/70
	20856	R986-411	NSC	04/01/98	Not Printed

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<u>HUNTING</u>					
Natural Resources, Wildlife Resources	20244	R657-38	AMD	01/15/98	97-24/105
<u>HUNTING CLOSURES</u>					
Natural Resources, Wildlife Resources	21500	R657-34	5YR	10/01/98	98-20/38
<u>HYDROELECTRIC POWER</u>					
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<u>IMMUNIZATION</u>					
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Health, Family Health Services, Child Health	20959	R396-100	NEW	see CPR	98-8/15
	20959	R396-100	CPR	08/12/98	98-12/32
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	21006	R527-300	AMD	06/16/98	98-10/130
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	20742	R986-221	5YR	02/06/98	98-5/69
	20854	R986-221	NSC	04/01/98	Not Printed
	20855	R986-222	NSC	04/01/98	Not Printed
	20224	R986-302	AMD	01/02/98	97-23/97
	20744	R986-302	5YR	02/06/98	98-5/70
	20745	R986-303	5YR	02/06/98	98-5/71
	20319	R986-303-301	AMD	02/03/98	98-1/116
	20746	R986-304	5YR	02/06/98	98-5/71
	20738	R986-304	EMR	02/12/98	98-5/60
	20739	R986-304	AMD	04/01/98	98-5/49
	20752	R986-310	5YR	02/06/98	98-5/74
	20207	R986-414	AMD	01/02/98	97-23/99
	20859	R986-414	NSC	04/01/98	Not Printed
	21419	R986-414	EMR	10/01/98	98-19/97
	20211	R986-421	AMD	01/02/98	97-23/103
	20753	R986-421	5YR	02/06/98	98-5/75
	21423	R986-421	EMR	10/01/98	98-19/102
	20866	R986-421	NSC	04/01/98	Not Printed
	20757	R986-704	5YR	02/06/98	98-5/77
	20873	R986-704	NSC	04/01/98	Not Printed
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	21167	R986-304 (Changed to R414-304)	NSC	06/01/98	Not Printed
	21173	R986-310 (Changed to R414-310)	NSC	06/01/98	Not Printed
<u>INCOME DISREGARDS</u>					
Workforce Services, Employment Development	20853	R986-220	NSC	04/01/98	Not Printed
	21013	R986-220	AMD	06/25/98	98-10/134
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<u>INFORMAL PROCEDURES</u>					
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<u>INJURY</u>					
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<u>INMATE</u>					
Pardons (Board of), Administration	20429	R671-201	AMD	02/18/98	98-1/73
	21199	R671-201	NSC	06/17/98	Not Printed
	20431	R671-202	AMD	02/18/98	98-1/74
	20435	R671-204	AMD	02/18/98	98-1/76
	20441	R671-208	AMD	02/18/98	98-1/79
	20443	R671-301	AMD	02/18/98	98-1/79
	20447	R671-303	AMD	02/18/98	98-1/82
	20453	R671-308	AMD	02/18/98	98-1/84
	20455	R671-309	AMD	02/18/98	98-1/85
	20457	R671-310	AMD	02/18/98	98-1/86
	20459	R671-311	AMD	02/18/98	98-1/87
	21200	R671-311	NSC	06/17/98	Not Printed
	20463	R671-316	AMD	02/18/98	98-1/90
	20465	R671-317	AMD	02/18/98	98-1/91
	21201	R671-317	NSC	06/17/98	Not Printed
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	20834	R728-504	5YR	03/04/98	98-7/78
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	20236	R313-18	AMD	01/23/98	97-23/61
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	21176	R714-158	AMD	07/30/98	98-12/17
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	21305	R477-7	CPR	10/02/98	98-17/59
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	20826	R590-141	AMD	05/01/98	98-6/42
	21087	R590-141	NSC	05/07/98	Not Printed
	21205	R590-154	5YR	06/10/98	98-13/31
	20943	R590-155	5YR	03/27/98	98-8/63
	20944	R590-157	5YR	03/27/98	98-8/64
	21162	R590-186	NEW	see CPR	98-11/190
	21162	R590-186	CPR	09/25/98	98-16/76
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	21204	R590-187	CPR	09/25/98	98-16/79
	21218	R612-5	5YR	06/15/98	98-13/33
	<u>INSURANCE COMPANIES</u>				
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	20817	R590-128	AMD	see CPR	98-6/41
	20817	R590-128	CPR	06/16/98	98-10/138
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	21338	R590-94	5YR	07/31/98	98-16/90
	18730	R590-132	AMD	see CPR (First)	97-7/36
	18730	R590-132	CPR (First)	see CPR (Second)	97-15/102
	18730	R590-132	CPR (Second)	03/01/98	97-22/105
	20590	R590-132-3	NSC	03/01/98	Not Printed
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	21353	R595-1-9	AMD	10/02/98	98-17/38
	20527	R595-1-10	AMD	02/20/98	98-2/57
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	21037	R444-14	NSC	05/07/98	Not Printed
<u>LABOR COMMISSION</u>					
Labor Commission, Administration	21215	R600-1	5YR	06/15/98	98-13/32
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	21318	R156-53	5YR	07/23/98	98-16/89
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	20784	R728-403	NSC	02/23/98	Not Printed
	20810	R728-404	AMD	04/15/98	98-6/52
	20786	R728-406	NSC	02/23/98	Not Printed
	20787	R728-407	NSC	02/23/98	Not Printed
	20831	R728-408	5YR	03/04/98	98-7/77
	20995	R728-409	AMD	06/02/98	98-9/41
	20788	R728-410	NSC	02/23/98	Not Printed
	20833	R728-502	5YR	03/04/98	98-7/78
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<u>LEASING SERVICES</u>					
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	21306	R477-8	AMD	10/02/98	98-16/17
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	20200	R156-3a	CPR	02/18/98	98-2/79
	20894	R156-15-302d	AMD	05/05/98	98-7/8
	20778	R156-16a	AMD	04/01/98	98-5/4
	20492	R156-17a	AMD	02/24/98	98-1/3
	21029	R156-31	REP	07/01/98	98-10/7
	21030	R156-31b	NEW	07/01/98	98-10/8
	21234	R156-31b	AMD	08/20/98	98-14/36
	21278	R156-31b-102	AMD	09/01/98	98-15/3

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	21092	R156-37	NSC	05/21/98	Not Printed
	20941	R156-37-605	AMD	05/19/98	98-8/8
	21019	R156-38	AMD	see CPR	98-10/14
	21019	R156-38	CPR	08/20/98	98-14/88
	20697	R156-40	5YR	01/27/98	98-4/133
	20695	R156-40	AMD	see CPR (First)	98-4/73
	20695	R156-40	CPR (First)	see CPR (Second)	98-8/55
	20695	R156-40	CPR (Second)	07/16/98	98-12/31
	21147	R156-47b	AMD	07/07/98	98-11/24
	21269	R156-47b	NSC	07/22/98	Not Printed
	21148	R156-53	AMD	07/07/98	98-11/27
	21318	R156-53	5YR	07/23/98	98-16/89
	20173	R156-54	AMD	see CPR	97-22/12
	20173	R156-54	CPR	02/03/98	98-1/199
	20650	R156-55a	AMD	03/05/98	98-3/23
	20836	R156-55a-302b	NSC	03/17/98	Not Printed
	21275	R156-55a-302b	NSC	07/22/98	Not Printed
	20987	R156-56	AMD	07/01/98	98-9/6
	20883	R156-56-302	AMD	05/04/98	98-7/28
	20990	R156-56-706	AMD	07/01/98	98-9/24
	20989	R156-56-706	AMD	07/01/98	98-9/23
	20991	R156-56-706	AMD	07/01/98	98-9/25
	21203	R156-56-706	NSC	07/01/98	Not Printed
	20701	R156-59	5YR	01/27/98	98-4/134
	20651	R156-59	AMD	see CPR	98-3/28
	20651	R156-59	CPR	05/04/98	98-7/71
	20992	R156-60a	AMD	06/04/98	98-9/26
	20581	R156-60b	AMD	02/18/98	98-2/18
	21007	R156-60b	AMD	06/16/98	98-10/17
	21229	R156-60b-302a	AMD	08/20/98	98-14/39
	20790	R156-60b-502	NSC	02/19/98	Not Printed
	20359	R156-60c	AMD	02/03/98	98-1/6
	21008	R156-60c	AMD	06/16/98	98-10/20
	21230	R156-60c-302a	AMD	08/20/98	98-14/40
	20728	R156-60c-502	NSC	02/19/98	Not Printed
	20273	R156-60d	AMD	01/15/98	97-24/16
	20342	R156-61	AMD	02/03/98	98-1/10
	20729	R156-61-502	NSC	02/19/98	Not Printed
	20930	R156-63	AMD	05/19/98	98-8/9
	21174	R156-63-502	NSC	06/03/98	Not Printed
	20974	R156-67-302d	AMD	06/04/98	98-9/29

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	21149	R156-72	AMD	07/07/98	98-11/29
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	21335	R162-102	AMD	10/02/98	98-16/5
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	21095	R313-36-3	NSC	05/02/98	Not Printed
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	21084	R501-2	AMD	07/02/98	98-10/120
	21415	R501-7	EMR	09/02/98	98-19/94
	21258	R501-12	AMD	08/17/98	98-14/66
	21081	R501-14	EMR	05/04/98	98-10/140
	21085	R501-14	AMD	06/16/98	98-10/121
	21039	R501-15	EXD	05/01/98	98-10/168
	20179	R501-17	NEW	03/15/98	97-22/24
	20286	R501-17	NSC	03/15/98	Not Printed
	20880	R501-17	NSC	03/17/98	Not Printed
	21082	R501-18	EMR	05/04/98	98-10/145
	21086	R501-18	NEW	06/16/98	98-10/126
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	21019	R156-38	CPR	08/20/98	98-14/88
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	20202	R307-1-1	AMD	01/08/98	97-23/10
	20736	R307-1-1	AMD	04/22/98	98-5/16
	21015	R307-1-2	AMD	08/13/98	98-10/26
	20219	R307-1-3	AMD	02/05/98	97-23/20
	20740	R307-1-3	NSC	02/05/98	Not Printed
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	21007	R156-60b	AMD	06/16/98	98-10/17
	21229	R156-60b-302a	AMD	08/20/98	98-14/39
	20790	R156-60b-502	NSC	02/19/98	Not Printed
<u>MASSAGE</u>					
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	21269	R156-47b	NSC	07/22/98	Not Printed
<u>MEDICAID</u>					
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	20945	R414-1	NSC	03/28/98	Not Printed
	20998	R414-1	AMD	06/16/98	98-10/42
	20542	R414-3X	REP	02/20/98	98-2/25
	20648	R414-4X	5YR	01/12/98	98-3/97
	21156	R414-10	AMD	07/08/98	98-11/180
	20825	R414-10A	EMR	02/26/98	98-6/64
	20652	R414-10A	AMD	03/19/98	98-3/44
	20612	R414-10X	REP	02/20/98	98-2/26
	20762	R414-12	5YR	02/09/98	98-5/66
	20922	R414-13X	EXD	03/15/98	98-7/80
	20232	R414-15	AMD	01/13/98	97-23/80
	20212	R414-17	REP	01/13/98	97-23/82
	20653	R414-22	5YR	01/13/98	98-3/97
	20654	R414-22	AMD	03/19/98	98-3/56
	20345	R414-24	REP	02/04/98	98-1/51
	20613	R414-25X	REP	02/20/98	98-2/26
	20764	R414-26	5YR	02/09/98	98-5/66
	20735	R414-27	5YR	02/04/98	98-5/67
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	20994	R414-42	EXD	04/14/98	98-9/74
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	21189	R414-51	AMD	07/17/98	98-12/13
	21232	R414-52	5YR	06/22/98	98-14/101
	21233	R414-53	5YR	06/22/98	98-14/102
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	20919	R525-1	NEW	05/25/98	98-7/40
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	21008	R156-60c	AMD	06/16/98	98-10/20
	21230	R156-60c-302a	AMD	08/20/98	98-14/40
	20728	R156-60c-502	NSC	02/19/98	Not Printed
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	21329	R647-2	5YR	07/27/98	98-16/92
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	20740	R307-1-3	NSC	02/05/98	Not Printed
	21105	R307-1-6 (Changed to R307-121)	AMD	09/15/98	98-11/39
	20771	R307-8	AMD	04/22/98	98-5/26
	21110	R307-8 (Changed to R307-301)	AMD	09/15/98	98-11/66
	20100	R307-8-3	AMD	01/08/98	97-21/15
	21112	R307-11 (Changed to R307-320)	AMD	09/15/98	98-11/75
	21102	R307-14	REP	09/15/98	98-11/82
	21136	R307-332	NEW	09/15/98	98-11/137
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	21176	R714-158	AMD	07/30/98	98-12/17
	20907	R714-200	R&R	05/05/98	98-7/57
	20908	R714-210	R&R	05/05/98	98-7/59
	20910	R714-230	R&R	05/05/98	98-7/61
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	21013	R986-220	AMD	06/25/98	98-10/134
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	21088	R313-32	AMD	08/11/98	98-10/40
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	21030	R156-31b	NEW	07/01/98	98-10/8
	21234	R156-31b	AMD	08/20/98	98-14/36
	21278	R156-31b-102	AMD	09/01/98	98-15/3
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	21275	R156-55a-302b	NSC	07/22/98	Not Printed
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	21108	R307-3 (Changed to R307-342)	AMD	09/15/98	98-11/58
	21132	R307-325	NEW	09/15/98	98-11/129
	21133	R307-326	NEW	09/15/98	98-11/131
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	21136	R307-332	NEW	09/15/98	98-11/137
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	20486	R671-205	AMD	02/18/98	98-1/76
	21300	R671-205	EXD	07/15/98	98-16/97
	21310	R671-205	EMR	07/17/98	98-16/81
	20441	R671-208	AMD	02/18/98	98-1/79
	20443	R671-301	AMD	02/18/98	98-1/79
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	20463	R671-316	AMD	02/18/98	98-1/90
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	21273	R307-307-3	NSC	09/15/98	Not Printed
<u>PARTICULATE MATTER</u>					
Environmental Quality, Air Quality	21107	R307-2 (Changed to R307-110)	AMD	09/15/98	98-11/55
	20099	R307-2-12	AMD	01/08/98	97-21/14
	21280	R307-2-12	NSC	07/27/98	Not Printed
	21130	R307-305	NEW	09/15/98	98-11/126

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	21347	R920-50	AMD	10/02/98	98-17/51
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Mental Health, State Hospital	20916	R525-4	EXD	03/15/98	98-7/80
<u>PATIENTS' RIGHTS</u>					
Mental Health, State Hospital	20914	R525-2	EXD	03/15/98	98-7/80
	20920	R525-2	NEW	05/25/98	98-7/41
	20915	R525-3	EXD	03/15/98	98-7/80
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Public Service Commission, Administration	20970	R746-342	5YR	04/03/98	98-9/71
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Public Safety, Peace Officer Standards and Training	20782	R728-401	NSC	02/23/98	Not Printed
<u>PEDESTRIANS</u>					
Transportation, Operations, Traffic and Safety	20730	R920-5-6	AMD	04/01/98	98-5/47
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<u>PERMITS</u>					
Environmental Quality, Air Quality	21101	R307-7	REP	09/15/98	98-11/65
	21140	R307-401	NEW	09/15/98	98-11/151
	21274	R307-401-2	NSC	09/15/98	Not Printed
	21143	R307-406	NEW	09/15/98	98-11/162
	21010	R307-413	NEW	08/13/98	98-10/35
	21145	R307-413	AMD	09/15/98	98-11/167
	21354	R307-413	NSC	09/15/98	Not Printed
Natural Resources, Wildlife Resources	21240	R657-42	AMD	08/19/98	98-14/81
	21241	R657-45	NEW	08/19/98	98-14/83
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<u>PERMITTING AUTHORITY</u>					
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	21115	R307-16 (Changed to R307-417)	AMD	09/15/98	98-11/99
<u>PERSONAL PROPERTY</u>					
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	20394	R884-24P-24	AMD	02/24/98	98-1/114
	20203	R884-24P-58	AMD	02/24/98	97-23/96
<u>PERSONNEL MANAGEMENT</u>					
Human Resource Management, Administration	21303	R477-1	AMD	10/02/98	98-16/9
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	21305	R477-7	CPR	10/02/98	98-17/59
	21073	R477-13	NSC	06/27/98	Not Printed
	21308	R477-14	AMD	10/02/98	98-16/24
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	21110	R307-8 (Changed to R307-301)	AMD	09/15/98	98-11/66
	20100	R307-8-3	AMD	01/08/98	97-21/15
	21134	R307-327	NEW	09/15/98	98-11/133
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	21288	R986-709	REP	10/01/98	98-15/78
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	20706	R23-8	5YR	01/28/98	98-4/130
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	20832	R728-411	5YR	03/04/98	98-7/77
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	21310	R671-205	EMR	07/17/98	98-16/81
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	20196	R251-703	AMD	01/15/98	97-23/6
	20198	R251-707	AMD	01/15/98	97-23/8
	20379	R251-710	AMD	03/15/98	98-1/14
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	21250	R746-340	5YR	06/26/98	98-14/103
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	20527	R595-1-10	AMD	02/20/98	98-2/57
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	20781	R277-514	R&R	04/07/98	98-5/13
	20657	R277-516	5YR	01/14/98	98-3/89
	20899	R277-508	5YR	03/13/98	98-7/73
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	21008	R156-60c	AMD	06/16/98	98-10/20
	21230	R156-60c-302a	AMD	08/20/98	98-14/40
	20728	R156-60c-502	NSC	02/19/98	Not Printed
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	20940	R156-22	AMD	see CPR	98-8/4
	20940	R156-22	CPR	07/16/98	98-12/29
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	20940	R156-22	CPR	07/16/98	98-12/29
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	20777	R986-306	AMD	04/01/98	98-5/57
Workforce Services, Employment Development (Changed to Health, Health Care Financing, Coverage and Reimbursement Policy)	21169	R986-306 (Changed to R414-306)	NSC	06/01/98	Not Printed
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	20872	R986-703	NSC	04/01/98	Not Printed
	21285	R986-703	AMD	10/01/98	98-15/74
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	21097	R884-24P-19	AMD	08/11/98	98-11/198
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	20203	R884-24P-58	AMD	02/24/98	97-23/96
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	20875	R986-706	NSC	04/01/98	Not Printed
	21286	R986-706	AMD	10/01/98	98-15/75
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	20916	R525-4	EXD	03/15/98	98-7/80
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	20729	R156-61-502	NSC	02/19/98	Not Printed
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	20850	R986-216	NSC	04/01/98	Not Printed
	20851	R986-218	NSC	04/01/98	Not Printed
	20852	R986-219	NSC	04/01/98	Not Printed
	20749	R986-307	5YR	02/06/98	98-5/73
	20774	R986-307	AMD	04/01/98	98-5/58
	20750	R986-308	5YR	02/06/98	98-5/73
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	21171	R986-308 (Changed to R414-308)	NSC	06/01/98	Not Printed
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Administrative Services, Facilities Construction and Management	20704	R23-6	5YR	01/28/98	98-4/129
	20705	R23-7	5YR	01/28/98	98-4/129
	20706	R23-8	5YR	01/28/98	98-4/130
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	21291	R710-4	AMD	09/01/98	98-15/46
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	20963	R392-200-6	CPR	09/10/98	98-14/90
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	21159	R277-436	AMD	07/02/98	98-11/31
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	20626	R746-331	EMR	01/05/98	98-3/87
	20627	R746-331	NEW	04/06/98	98-3/78
	20964	R746-332	5YR	04/02/98	98-9/70
	20970	R746-342	5YR	04/03/98	98-9/71
	21348	R746-344	5YR	08/11/98	98-17/62
	21349	R746-345	5YR	08/11/98	98-17/62
	20956	R746-360	EMR	03/31/98	98-8/59
	21317	R746-360	EMR	07/28/98	98-16/84
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	21350	R746-404	5YR	08/11/98	98-17/63
	20972	R746-405	5YR	04/03/98	98-9/72
	21351	R746-406	5YR	08/11/98	98-17/63
	21458	R746-600	5YR	09/15/98	98-19/107
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	20962	R68-15	AMD	05/16/98	98-8/2
	21096	R68-15-3	AMD	07/02/98	98-11/24
	21432	R68-16	5YR	09/11/98	98-19/104
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	20954	R313-25	NSC	04/03/98	Not Printed
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	20953	R313-15	NSC	04/04/98	Not Printed
	21038	R313-15	5YR	04/30/98	98-10/149
	21271	R313-15	NSC	07/22/98	Not Printed
	20236	R313-18	AMD	01/23/98	97-23/61
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	20238	R313-32	AMD	01/23/98	97-23/65
	20829	R313-32	NSC	04/01/98	Not Printed
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	20954	R313-25	NSC	04/03/98	Not Printed
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	20173	R156-54	CPR	02/03/98	98/1/199
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	20829	R313-32	NSC	04/01/98	Not Printed
	21088	R313-32	AMD	08/11/98	98-10/40
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<u>RAILROADS</u>					
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	21210	R994-307	5YR	06/12/98	98-13/34
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	21151	R162-106	AMD	07/14/98	98-11/30
	20625	R162-107	NEW	03/04/98	98-2/22
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	20190	R645-301-500	AMD	03/15/98	97-22/38
	20191	R645-301-700	AMD	03/15/98	97-22/59
	21334	R645-301-700	AMD	09/30/98	98-16/36
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	20985	R765-993	NSC	05/01/98	Not Printed
<u>RECORDS MANAGEMENT</u>					
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	20985	R765-993	NSC	05/01/98	Not Printed
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Natural Resources, Parks and Recreation	21315	R651-301	5YR	07/21/98	98-16/94
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	20695	R156-40	CPR (First)	see CPR (Second)	98-8/55
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	21256	R280-200	NSC	07/07/98	Not Printed
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	20726	R986-305	EMR	02/12/98	98-4/123
	20770	R986-305	AMD	04/01/98	98-5/55
	20675	R986-305	AMD	05/28/98	98-3/84
	20758	R986-705	5YR	02/06/98	98-5/78
	20874	R986-705	NSC	04/01/98	Not Printed
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	20958	R386-704	REP	08/12/98	98-8/10
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	20677	R746-341	AMD	04/06/98	98-3/78
	20970	R746-342	5YR	04/03/98	98-9/71
	21348	R746-344	5YR	08/11/98	98-17/62
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	21348	R746-344	5YR	08/11/98	98-17/62
	21349	R746-345	5YR	08/11/98	98-17/62
	20592	R746-356-2	NSC	01/06/98	Not Printed
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	20868	R986-602	NSC	04/01/98	Not Printed
	21254	R986-602	5YR	06/29/98	98-14/106
	20869	R986-603	NSC	04/01/98	Not Printed
	21255	R986-603	5YR	06/29/98	98-14/106
Workforce Services, Workforce Information and Payment Services	21181	R994-600	5YR	05/29/98	98-12/39
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Transportation, Operations, Traffic and Safety	20807	R920-50	NSC	03/05/98	Not Printed
	21347	R920-50	AMD	10/02/98	98-17/51
<u>TRAMWAYS</u>					
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	21347	R920-50	AMD	10/02/98	98-17/51
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	21089	R909-1	AMD	06/16/98	98-10/132
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	20827	R909-1	AMD	05/01/98	98-6/62
	21089	R909-1	AMD	06/16/98	98-10/132
	21281	R909-1	AMD	09/01/98	98-15/69
	20271	R909-4-11	AMD	02/27/98	97-24/112
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	20726	R986-305	EMR	02/12/98	98-4/123
	20770	R986-305	AMD	04/01/98	98-5/55
	20675	R986-305	AMD	05/28/98	98-3/84
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	20732	R986-309-901	EMR	02/12/98	98-5/62
	20960	R986-309-901	AMD	05/18/98	98-8/50
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	21252	R982-501	5YR	06/29/98	98-14/105
Workforce Services, Employment Development	21253	R986-601	5YR	06/29/98	98-14/106
	20868	R986-602	NSC	04/01/98	Not Printed
	21254	R986-602	5YR	06/29/98	98-14/106
	20869	R986-603	NSC	04/01/98	Not Printed
	21255	R986-603	5YR	06/29/98	98-14/106
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	21179	R994-202	5YR	05/29/98	98-12/38
	21180	R994-208	5YR	05/29/98	98-12/39
	21209	R994-306	5YR	06/12/98	98-13/34
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	21211	R994-508	5YR	06/12/98	98-13/35
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	21317	R746-360	EMR	07/28/98	98-16/84
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	21256	R280-200	NSC	07/07/98	Not Printed
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	21006	R527-300	AMD	06/16/98	98-10/130
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	20235	R313-15	CPR	03/20/98	98-4/120
	20953	R313-15	NSC	04/04/98	Not Printed
	21038	R313-15	5YR	04/30/98	98-10/149
	21271	R313-15	NSC	07/22/98	Not Printed
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	19876	R315-301-2	AMD	see CPR	97-19/23
	19876	R315-301-2	CPR	01/05/98	97-23/111
	20249	R315-301-2	NSC	01/05/98	Not Printed
	20686	R315-301-2	NSC	02/03/98	Not Printed
	21093	R315-301-2	NSC	05/20/98	Not Printed
	20966	R315-302	5YR	04/02/98	98-9/66
	20761	R315-302-2	NSC	02/18/98	Not Printed
	20967	R315-303	5YR	04/02/98	98-9/67
	20933	R315-303-3	NSC	03/27/98	Not Printed
	20968	R315-305	5YR	04/02/98	98-9/68
	20969	R315-306	5YR	04/02/98	98-9/69
	20687	R315-306-2	NSC	02/03/98	Not Printed
	20999	R315-307	5YR	04/20/98	98-10/150
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	21002	R315-310	5YR	04/20/98	98-10/152
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	21267	R315-316-1	NSC	07/22/98	Not Printed
	21024	R315-317	5YR	04/28/98	98-10/157
	20692	R315-317-1	NSC	02/03/98	Not Printed
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	21010	R307-413	NEW	08/13/98	98-10/35
	21145	R307-413	AMD	09/15/98	98-11/167
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	20626	R746-331	EMR	01/05/98	98-3/87
	20627	R746-331	NEW	04/06/98	98-3/78
	20964	R746-332	5YR	04/02/98	98-9/70
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	20936	R653-8	NSC	03/30/98	Not Printed
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	20717	R653-8	NEW	03/23/98	98-4/89
	20792	R653-8	NSC	03/23/98	Not Printed
	20936	R653-8	NSC	03/30/98	Not Printed
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	20791	R653-5	NSC	03/05/98	Not Printed
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	21238	R657-6	AMD	08/19/98	98-14/74
	20928	R657-10	EMR	03/19/98	98-8/57
	20929	R657-33	EMR	03/19/98	98-8/58
	20938	R657-33	5YR	03/24/98	98-8/65
	20939	R657-33	AMD	05/18/98	98-8/43
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	20243	R657-37	AMD	01/15/98	97-24/104
	20244	R657-38	AMD	01/15/98	97-24/105
	21239	R657-41	AMD	08/19/98	98-14/80
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	20700	R657-43	AMD	03/18/98	98-4/90
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