

**MINUTES OF THE
ADMINISTRATIVE RULES REVIEW COMMITTEE**
Wednesday, January 9, 2008 – 9:00 a.m. – Room W135 House Building

Members Present:

Sen. Howard A. Stephenson, Senate Chair
Rep. Ben C. Ferry, House Chair
Sen. Gene Davis
Sen. Mark B. Madsen
Sen. Michael G. Waddoups
Rep. Kory M. Holdaway
Rep. Carol Spackman Moss
Rep. Merlynn T. Newbold

Members Excused:

Sen. Mike Dmitrich
Rep. James R. Gowans

Staff Present:

Mr. Arthur L. Hunsaker, Policy Analyst
Ms. Susan Creager Allred, Associate General Counsel
Ms. Tracey Fredman, Legislative Secretary

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

1. Committee Business

Chair Ferry called the meeting to order at 9:27 a.m.

Chair Ferry and Chair Stephenson welcomed Sen. Davis to the Committee.

MOTION: Rep. Moss moved to approve the minutes of the December 12, 2007 meeting. The motion passed unanimously.

2. R865-6F-28 and R865-91-37, Enterprise Zone Corporate Franchise and Individual Income Taxes – Bulletin, December 1, 2007, pp. 71-73

Sen. Stephenson introduced the issue.

Commissioner D'Arcy Dixon Pignanelli, Utah State Tax Commission, distributed and reviewed "Proposed Changes to Tax Commission's Proposed Enterprise Zone Rule." She reported that the changes have been approved by former Senator Beverly Evans as adhering to the original content of the bill, and that the soonest the rule would become effective would be March 14, 2008.

Mr. Steve Young, Attorney, Holme Roberts and Owen LLP, said he supported the proposed changes to the proposed rule and responded to questions from the Committee.

3. Options for Amending Utah Code Subsection 53A-2-208(4)

Staff distributed "Potential Amendments to draft bill, 'High School Activities Regulation.'" Rep. Ferry reviewed the proposed amendments.

Mr. Mark Van Wagoner, Legal Counsel, UHSAA (Utah High School Activities Association), spoke against the amendments stating that the changes would take away the ability of the UHSAA to enforce their rules.

Mr. Larry Shumway, Deputy Superintendent, Utah State Office of Education, commented on some points of the proposed amendments which may require additional attention and potential changes.

The Committee decided to continue discussion of the issue at its next meeting.

4. 2008 General Session 1st Substitute H.B. 53, "Impact of Administrative Rules on Small Businesses"

This item was not discussed.

5. 2008 General Session draft legislation, "Administrative Rule Criminal Penalty Amendments"

Mr. Hunsaker distributed and reviewed "Criminal Penalty Draft."

Mr. Allan Hennebold, Deputy Commissioner, Labor Commission, commented on the draft legislation.

Mr. Jim Karpowitz, Director, Wildlife Resources, commented on the draft legislation.

Ms. Heather Shilton, Assistant Attorney General, Natural Resources, commented on the draft legislation, and requested some changes be made.

Mr. Doug Springmeyer, Assistant Attorney General, Department of Health, commented on the draft legislation.

Mr. Neal Gooch, Deputy Commissioner, Utah Insurance Department, commented on the draft legislation.

Mr. Mark Payne, Director, Utah Department of Human Services, distributed and reviewed "Proposed Changes to Administrative Rule Penalty Amendments Bill"

Mr. Clark Aposhian, Utah Shooting Sports Council, commented on the draft legislation.

Ms. Francine Giani, Executive Director, Department of Commerce, asked that the potential changes be looked at for the Division of Securities and codified.

Mr. Ken Hansen, Director, Division of Administrative Rules, comm

Sen. Stephenson suggests another meeting Friday before the sessions starts.

January 18th 1 p.m. set.

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6. State Agency Compliance with Timely Adoption Requirements

Mr. Mike haddon distributed "Offender Long-Term Health Care"
Gary Ogleby was here to answer questions.

Ms. Ally Isom

7. 2008 General Session draft legislation, "Concealed Firearm Permit Amendments"

This item was not discussed.

8. 2008 General Session draft legislation, "Administrative Rules Reauthorization"

This item was not discussed.

9. Committee Business

The next meeting will be on January 18, 2008 at 1:00 p.m.

10. Adjourn

Chair Ferry adjourned the meeting at 11:43 a.m.