

**MINUTES OF THE
ADMINISTRATIVE RULES REVIEW COMMITTEE**
Tuesday, October 10, 2000 - 9:00 a.m. - Room 305 State Capitol

Members Present:

Sen. Howard A. Stephenson,
Senate Chair
Rep. David Ure,
House Chair
Sen. Mike Dmitrich
Sen. Eddie "Ed" P. Mayne
Rep. Judy A. Buffmire
Rep. James R. Gowans
Rep. Martin R. Stephens
Rep. John E. Swallow

Members Excused:

Sen. L. Alma "Al" Mansell
Sen. Howard C. Nielson

Staff Present:

Mr. Arthur L. Hunsaker,
Research Analyst
Ms. Esther D. Chelsea-McCarty,
Associate General Counsel
Ms. Audrey Wendel,
Legislative Secretary

Note: A list of others present and copies of handouts distributed in the meeting are on file in the Office of Legislative Research and General Counsel.

1. Call to Order and Approval of September 26, 2000 Minutes - Chair Stephenson called the meeting to order at 9:18 a.m.

MOTION: Rep. Buffmire moved to approve the minutes of the September 26, 2000 meeting. The motion passed unanimously with Sens. Dmitrich and Reps. Ure, Stephens and Swallow absent for the vote.

2. R317-4 Onsite Wastewater Systems - Bulletin, October 1, 2000, p. 26 (Rep. Ure) -Mr. Don Ostler, Division Director; and Mr. Jay Pitkin, Branch Manager, Division of Water Quality, distributed a handout titled, "Issue Paper Division of Water Quality" from which they gave their presentation. Mr. Ostler compared the old language with the current language and presented the recommended change.

Rep. Buffmire expressed her support for the recommended change. Sen. Mayne asked if all counties can administer these tests. Mr. Phil Wright, Health Officer, Wasatch County Health Department, said that they can.

MOTION: Rep. Stephens moved to remove R317-4-3 from the sunset list. The motion passed unanimously with Rep. Ure absent for the vote.

3. R28-1 State Surplus Property Disposal - Bulletin, September 15, 2000, p. 6 (Sen. Dmitrich) - Mr. Scott Steele, Director of Internal Auditing, Department of Administrative Services, said they are withdrawing the rule filing. He explained that they have no intention of assessing fees for computers that are donated to public schools.

4. Committee Business - Sen. Stephenson distributed a letter from the Tax Commission accompanied by a proposed draft of R865-19S-109. He reminded the committee that it held two

hearings on the rule in late 1999. Concerns had been expressed regarding the Tax Commission's interpretation and implementation of the rule. Committee members noted that the letter and the accompanying draft addressed their concerns.

MOTION: Rep. Stephens moved to have a letter of thanks sent to the Tax Commission regarding their change of policy on veterinarians and the assessment of sales tax for materials used or consumed in their work. The motion passed unanimously with Rep. Ure absent for the vote.

Rep. Ure explained that he would like the Division of Water Quality to return to an upcoming meeting to discuss possible further changes to R317-4-3.

MOTION: Rep. Stephens moved to have the percolation testing issue placed on a future meeting agenda. The motion passed with Rep. Buffmire voting in opposition.

Future committee meetings scheduled for October 24, November 14, and November 28, 2000.

5. Adjourn

MOTION: Rep. Ure moved to adjourn the meeting at 10:10 a.m. The motion passed unanimously.