

**MINUTES OF THE
ADMINISTRATIVE RULES REVIEW COMMITTEE**
Monday, July 14, 2009 – 2:00 p.m. – Room C445 State Capitol

Members Present:

Sen. Howard A. Stephenson, Senate Chair
Rep. Curtis Oda, House Chair
Sen. Gene Davis
Sen. Brent H. Goodfellow
Sen. Mark B. Madsen
Pres. Michael G. Waddoups
Rep. James R. Gowans
Rep. Rebecca D. Lockhart
Rep. Carol Spackman Moss
Rep. Merlynn T. Newbold

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 Oda called the meeting to order at 2:17 p.m.

MOTION: Rep. Moss moved to approve the minutes of the June 8, 2009 meeting. The motion passed unanimously. Sen. Davis and Rep. Lockhart were absent for the vote.

2. R392-303 Public Geothermal Pools and Bathing Places

Ms. Teresa Garrett, Director, Division of Epidemiology and Laboratory Services, Department of Health (DOH), reported that amendments to the rule have been prepared and the color of the hard structure of the pool is the only issue left to be resolved.

Mr. Garth Miner, DOH, responded to questions about the color of pool surfaces and why the issue should be addressed in rule.

Mr. Terry Beebe, Utah County Department of Health, said that color of pool surfaces is a safety issue, and spoke in favor of the amendments.

Mr. Jason Garrett, Utah County Department of Health, responded to questions from the Committee.

Ms. Becki Wheeler, Manager, Saratoga Springs Owners Association (SSOA), distributed "Final Draft: Saratoga Springs Homeowners Association Geothermal Pool Rules Proposed Modifications" and "SSOA Partial Pool Timeline." Ms. Wheeler discussed the purpose of the rule.

Mr. Jonathan Rae, Board President, SSOA, reviewed changes in the rule and responded to committee members' questions.

Ms. Gaila Myers, SSOA, spoke regarding the rule.

3. Rulemaking Related to the Performance Audit of Public Education Employees' Criminal Background Check Procedures

Mr. Hunsaker introduced the issue by reviewing "A Performance Audit of Public Education Employees' Criminal Background Check Procedures," which was mailed with the meeting packet.

Dr. Larry Shumway, State Superintendent of Public Instruction, mentioned several rules that the board adopted due to the audit, and said he would like to return to discuss them in more detail at a future meeting.

4. Committee Business

Mr. Hunsaker distributed "Additional Rulemaking Grants to State Agencies" and "Administrative Rules Review Committee Study Areas, 2009." Committee members expressed preferences on study areas and Mr. Hunsaker said he would provide an updated list of study areas.

Future meetings were scheduled for Monday, August 17, 2009 at 2:00 p.m. and Thursday, September 10, 2009 at 9:00 a.m.

5. Adjourn

MOTION: Sen. Davis moved to adjourn the meeting. The motion passed unanimously. Sen. Stephenson was absent for the vote.

Chair Oda adjourned the meeting at 4:12 p.m.