

**MINUTES OF THE
ADMINISTRATIVE RULES REVIEW COMMITTEE**
Tuesday, June 12, 2001 – 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. Ed Mayne
Sen. Michael G. Waddoups
Rep. Judy A. Buffmire
Rep. James R. Gowans
Speaker Martin R. Stephens
Rep. John E. Swallow

Members Excused:

President Al Mansell

Staff Present:

Mr. Arthur L. Hunsaker,
Research Analyst
Ms. Susan Creager Allred,
Associate General Counsel
Ms. Cassandra Bauman,
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 Minutes

Chair Ure called the meeting to order at 9:12 a.m.

MOTION: Rep. Gowans moved to approve the minutes of May 29, 2001. The motion passed unanimously with Speaker Stephens and Sen. Mayne absent for the vote.

2. Utah's Meat Inspection Standards

Rep. Ure introduced the issue. He asked what the state is doing to ensure the quality of meat products coming from foreign countries. Rep. Ure also asked why Utah cannot place country of origin labels on imported meat products.

Dr. Mike Marshall, State Veterinarian, explained the protection provided by the General Agreement on Trade and Tariff (GATT) and the North American Free Trade Agreement (NAFTA). He said NAFTA requires that meat products be labeled as US products after they pass inspection. He agreed that meat should be labeled by country of origin and said research would be conducted on the possibility for labeling in Utah and reported to the committee in 30 days.

Dr. Marshall said that Bovine Spongiform Encephalopathy (BSE), commonly known as "Mad Cow Disease," has not been found in U.S. wildlife and stated that it is not believed to be in the United States. Rep. Buffmire inquired about diseases from foreign countries being brought into the United States, and particularly Utah, due to the Olympics in 2002. Dr. Marshall explained that is an issue currently being discussed in various groups preparing for the Olympics.

3. R651-404 Temporary Registration

Rep. Ure asked how authority to register off-highway vehicles can be shifted from the Division of Motor Vehicles to the Division of Parks and Recreation by rule.

Mr. Steve Roberts, Government Relations Coordinator, Division of Parks and Recreation, stated that the rule was amended to comply with legislation passed in the 2001 General Session.

Mr. Bill Thompson, Off-Highway Vehicle Coordinator, Division of Parks and Recreation, stated that the division used to register off-highway vehicles, and explained that the Division of Motor Vehicles was assigned to register off-highway vehicles. The assignment is now being given to the Division of Parks and Recreation.

Ms. Lynn Solarczyk, Utah State Tax Commission, stated that Section 41-22-5 gives authority to the Board of Parks and Recreation to govern the issuance of off-highway vehicle permits.

4. R651-620 Protection of Resources Park System Property

Chair Ure related an experience dealing with the issue of livestock trespassing on Parks and Recreation land and pointed out that livestock can be allowed to trespass unintentionally if appropriate fencing is not in place.

Mr. Roberts stated that the rule does not apply to the occasional livestock that wanders onto state park lands, but to the intentional driving of livestock onto state lands. Ms. Heather Shilton, Assistant Attorney General for Natural Resources, referred to Utah Code Section 78-12-26 which defines trespassing and establishes penalties. Rep. Ure said the rule should cite Section 78-12-26. Division representatives agreed to make the change.

Rep. Gowans asked whether Utah fencing laws conflicted with the rule, since there is no fence around most of the Division of Parks and Recreation's property. Mr. Roberts cited various reasons for not fencing the property, but added that it was mainly a budgetary issue.

5. Committee Business

a. Date of Next Meeting

The next meeting will be Tuesday, June 26, 2001 at 9:00 a.m. in Room 305.

b. Items for Next Meeting

Rep. Ure requested that Sen. Hale's bill from the 2001 General Session, regarding young drivers being allowed to drive with other young people in the car, be discussed at the next meeting.

Mr. Art Hunsaker, Research Analyst, Office of Legislative Research and General Counsel, distributed an update to Tax Bulletin 8-95, "Collection of Sales Tax by Transportation Providers, Jeep, Snowmobile, and Boat Tour Operators, River Runners, and Outfitters." Concern was expressed about the wording of the update and the committee requested staff to place the issue, together with a discussion of the relationship between administrative rules and bulletins, on the next agenda.

Sen. Mayne requested that representatives of Tilley Time Day Care Center be given time on the next agenda to discuss concerns they have with Department of Health inspection practices. Sen. Mayne also asked staff to research rules governing the snagging of salmon.

Sen. Dmitrich asked staff to research rules that provide for specific locations for assisted living centers.

6. Adjourn

MOTION: Rep. Swallow moved to adjourn the meeting at 10:36 a.m. The motion passed unanimously with Speaker Stephens absent for the vote.

