

**Minutes of the
Administrative Rules Meeting of the
Utah State Tax Commission**

Monday, September 24, 2007 – 8:00 a.m. – Room 1025, Tax Commission Building

Commissioners Participating:

D'Arcy Dixon Pignanelli – Commissioner, Chair Administrative Rules

Pam Hendrickson – Commission Chair

Bruce Johnson - Commissioner

Marc Johnson – Commissioner

Staff Present:

Cheryl Lee, Commission Executive Secretary

Note: A list of others present, a copy of related materials and an audio recording of the meeting can be obtained from the Office of the Commission at 297-3900.

1 Commission Business

Commissioner Hendrickson called the meeting to order at 8:00 a.m. She noted Commissioner Dixon was participating via telephone and as such had asked her to conduct the meeting.

MOTION: Commissioner Dixon moved to approve the minutes of August 15, 2007. The motion passed unanimously with Commissioner M. Johnson absent for the vote.

2 Rule R861-1A-24 - Formal Adjudicative Proceedings Pursuant to Utah Code Ann. Sections 59-1-502.5, 63-46b-8, and 63-46b-10

Commissioner B. Johnson presented additional changes to the posted rule.

MOTION: Commissioner Dixon moved the rule as posted be approved and Commissioner B. Johnson's additional changes be considered at a future date. The motion passed unanimously with Commissioner M. Johnson absent.

3 Rule R861-1A-29 - Agency Review and Reconsideration Pursuant to Utah Code Ann. Section 63-46b-13

Kelly Wright, Salt Lake County District Attorney's Office questioned the wording regarding e-mails.

Commissioner B. Johnson said the party submitting information by e-mail must assume the risk associated with sending confidential information by e-mail.

MOTION: Commissioner Dixon moved approval of the rule. The motion passed unanimously with Commissioner M. Johnson absent.

4 Rule R861-1A-26 - Procedures for Formal Adjudicative Proceedings Pursuant to Utah Code Ann. Sections 59-1-501 and 63-46b-6 through 63-46b-11

Commission B. Johnson presented some additional changes by Commissioner M. Johnson.

Kelly Wright, Salt Lake County District Attorney's Office, recommended the Commission look at a subpoena form that would clarify the subpoena process.

Commissioner M. Johnson joined the meeting and Commissioner Dixon asked to be excused.

MOTION: Commissioner M. Johnson moved approval of the rule as posted, indicating he would submit the additional changes for consideration at a future date. The motion passed unanimously with Commissioner Dixon absent.

5 Other Items/Adjourn

MOTION: Commissioner Hendrickson moved to adjourn. The motion passed unanimously with Commissioner Dixon absent.

Commissioner Hendrickson adjourned the meeting at 8:50 a.m.

Approved: November 27, 2007

Attested: Cheryl Lee
Commission Executive Secretary