

MINUTES OF THE  
HOUSE REVENUE AND TAXATION  
STANDING COMMITTEE  
Room 303 - State Capitol Building

February 5, 1998

MEMBERS PRESENT: Rep. Raymond W. Short, Chair  
Rep. Michael R. Styler, Vice Chair  
Rep. Eli H. Anderson  
Rep. Judy Ann Buffmire  
Rep. Greg J. Curtis  
Rep. Kevin S. Garn  
Rep. James R. Gowans  
Rep. Wayne A. Harper  
Rep. Evan L. Olsen  
Rep. Loraine T. Pace  
Rep. Jack A. Seitz  
Rep. John E. Swallow  
Rep. Daniel H. Tuttle  
Rep. A. Lamont Tyler  
Rep. John L. Valentine

STAFF: Bryant Howe, Research Analyst  
Pamela Mackay, Secretary

VISITORS: Attached to and made a part of these minutes

Vice-Chair Styler called the meeting to order at 8:00 a.m.

MOTION: Rep. Curtis moved to approve the minutes of February 3, 1998. The motion passed unanimously with Reps. Buffmire, Garn, Swallow, Tuttle and Valentine absent for the vote.

**H. B. 128**      **DIVISION OF FACILITIES CONSTRUCTION AND MANAGEMENT**  
**BIDDING PROCESS**                      **REP. SHORT**

Rep. Raymond Short introduced the bill.

Speaking to the bill: Ken Nye, Division of Facilities Construction and Management  
Jim Citowsky, Engineers of Utah

Speaking for the bill: John Young, Utah Subcontractors Council  
Richard Thorne, Association of Utah Subcontractors

MOTION: Rep. Seitz moved to pass the bill out favorably.

**H. B. 150**      **COUNTY OPTION SALES TAX FOR LONG TERM CARE CENTERS**  
**REP. SEITZ**

Rep. Jack Seitz introduced the bill.

Speaking for the bill:              Joan Gallegoes, Utah Health Care Association

Rep. Gowans declared a conflict of interest.

MOTION:      Rep. Harper moved the bill be passed out favorably. The motion passed unanimously with Reps. Curtis, Garn, Olsen and Valentine absent for the vote.

MOTION:      Rep. Short moved to reconsider the committee's action on **H. B. 128**  
**DIVISION OF FACILITIES CONSTRUCTION AND MANAGEMENT**  
**BIDDING PROCESS** The motion passed unanimously with Reps. Curtis, Garn, Olsen and Valentine absent for the vote.

MOTION:      Rep. Short moved to amend the bill as follows:

1.      Page 1, Line 11:              After "SITUATIONS;" delete "AND" after "PENALTIES" insert ";  
AND PROVIDING AN EFFECTIVE DATE"
2.      Page 5, Line 21:              After Line 21 insert: "Section 3. Effective Date.  
This act takes effect on July 1, 1998."

The motion passed unanimously with Reps. Curtis, Garn, Olsen and Valentine absent for the vote.

MOTION:      Rep. Swallow moved the bill be passed out favorably as amended. The motion passed unanimously with Reps. Garn, Olsen and Valentine absent for the vote.

**H. B. 65**      **SALES TAX EXEMPTION FOR PASSENGER TRANSPORTATION**  
**REP. ALLEN**

Rep. Brian Allen introduced the bill.

Speaking for the bill:              Dave Novelle, Commercial Car Pool Association  
Gary Throup, Commercaill Car Pool Association

MOTION:      Rep. Short moved the bill be held until an amendment could be drafted to clear up misunderstandings. The motion passed unanimously with Reps. Garn, Swallow and Valentine.

**H. B. 93**      **ENDOWMENT FUNDS FOR UTAH CHARITIES**      **REP. HAYMOND**

Rep. Brent Haymond introduced the bill.

Speaking for the bill:            David Dangerfield, Valley Mental Health  
Grant Shettler, Valley Foundation

Speaking to the bill:            Doug Bates, State Office of Education

MOTION:    Rep. Seitz moved to amend the bill as follows:

1.    Page 1, Line 23:            After "organization" delete "which endowment fund has total assets" and insert "that has total endowment fund assets"
2.    Page 1, Line 23:            After "less," delete "which" and insert "where the endowment fund"
3.    Page 2, Line 2:              After line 2 insert:  
   "(4) The amount of contribution claimed as a tax credit pursuant to this section may not also be claimed as a charitable deduction in determining net taxable income."
4.    Page 2, Line 13:            After "organization" delete "which endowment fund has total assets" and insert "that has total endowment fund assets"
5.    Page 2, Line 13:            After "less," delete "which" and insert "where the endowment fund"
6.    Page 2, Line 22:            After line 22 insert:  
   "(4) The amount of contribution claimed as a tax credit pursuant to this section may not also be claimed as a charitable deduction in determining net taxable income."

The motion passed unanimously with Reps. Garn, Harper, Olsen, Swallow and Valentine absent for the vote.

MOTION:    Rep. Buffmire moved the bill be passed out favorably as amended.

**SUBSTITUTE**

MOTION:    Rep. Swallow moved the bill be held in committee to await an amended fiscal note and move to a prior item of business on the agenda. The motion passed unanimously with Reps. Garn and Valentine absent for the vote.

**H. B. 65**      **SALES TAX EXEMPTION FOR PASSENGER TRANSPORTATION**



passed with Reps. Buffmire, Tuttle and Short in opposition to the motion. Reps. Olsen, Pace and Seitz were absent for the vote.

MOTION: Rep. Swallow moved to adjourn. The motion passed unanimously with Reps. Olsen, Pace and Seitz absent for the vote.

Vice-Chair Styler adjourned the meeting at 9:50 a.m.

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Rep. Raymond W. Short, Chair