

**MINUTES OF THE SENATE BUSINESS, LABOR AND ECONOMIC DEVELOPMENT
STANDING COMMITTEE
Thursday, February 19, 1998 at 4:00 p.m.
ROOM 403, STATE CAPITOL BUILDING**

Members Present: Sen. Steven Poulton
 Sen. Dave Buhler
 Sen. Al Mansell
 Sen. Eddie Mayne
 Sen. Howard Nielson
 Sen. Blaze Wharton

Staff Present: Mary Catherine Perry, Research Analyst
 Susy Carter, Secretary

List of others present is on file.

Sen. Buhler took the Chair and called the meeting to order at 4:30 p.m.

1. S.B. 60, Motor Vehicle Insurance - Liability on Rental or Loaned Vehicle (*G. Mantes*)

Sen. Mantes presented the bill.

Speaking for the bill: Jim Jardine, rental car company
 Ben Williams, Pepco Services
Speaking against: Ross Marchant, Farmers Insurance
 Chris Purcell, State Farm Insurance
 Steve Baugh, Independent Insurance Agents

MOTION: Sen. Mansell moved to pass SB 60 out of committee with a favorable recommendation.

The motion passed with Sens. Buhler, Mansell, Mayne, and Nielson voting for and Sen. Wharton voting against and Sen. Poulton absent for the vote.

2. S.B. 67, Electric Restructuring Provisions (*L. Blackham*)

Sen. Blackham requested that SB 67 be replaced with 1st Sub SB 67.

MOTION: Sen. Mansell moved to adopt 1st Sub SB 67 for consideration.

The motion passed unanimously with Sen. Poulton absent for the vote.

Sen. Blackham presented the bill.

Speaking for the bill: Rep. Kevin S. Garn
 Rick Anderson, ESI, Utah Electric Deregulation Coalition
 David Nicponski, Alliant Techsystems, ATK

Speaking against: Ted Rampton, Gov. Affairs Mgr., UAMPS
Doug Larson, Director Reg. Policy, Utah Power
Claire Geddes, UWSA
Leon Pexton, Resource Manager, Utah Municipal Power Agency
Rob Bishop, REA

MOTION: Sen. Mayne moved to table 1st Sub SB 67.

The motion failed with Sens. Mayne and Nielson voting for and Sens. Buhler, Mansell, and Wharton voting against and Sen. Poulton absent for the vote.

MOTION: Sen. Mansell moved to hold 1st Sub SB 67 for further consideration.

SUBSTITUTE MOTION: Sen. Wharton moved to pass 1st Sub SB 67 out of committee with a favorable recommendation.

The substitute motion failed with Sens. Buhler and Wharton voting for and Sens. Mansell, Mayne, and Nielson voting against and Sen. Poulton absent for the vote.

The motion to hold the bill passed unanimously with Sen. Poulton absent for the vote. Sen. Wharton declared a conflict of interest.

3. S.B. 166, Food Handler Licensing (*L. Blackham*)

Sen. Blackham requested 1st Sub SB 166 to replace SB 166.

MOTION: Sen. Nielson moved to adopt 1st Sub SB 166 for consideration.

The motion passed unanimously with Sen. Poulton absent for the vote.

Sen. Blackham presented the bill.

Speaking for the bill: Melba Aine, Executive Director, Utah Restaurant Association.

MOTION: Sen. Nielson moved to pass 1st Sub SB 166 out of committee with a favorable recommendation.

The motion passed unanimously. Sen. Poulton took the chair.

4. H.B. 256, Rural Enterprise Zones (*B. Evans*)

Rep. Evans explained the bill.

MOTION: Sen. Wharton moved to pass HB 256 out of committee with a favorable recommendation.

The motion passed unanimously with Sen. Buhler absent for the vote.

MOTION: Sen. Nielson moved to recommend that HB 256 be placed on the Consent Calendar.

The motion passed unanimously with Sen. Buhler absent for the vote.

5. S.B. 188, State Olympic Coordination Amendments (A. Myrin)

Sen. Myrin requested prepared amendments.

MOTION: Sen. Wharton moved to amend the bill as follows:

1. Page 1, Line 25: After line 25 insert:
"ENACTS:
63A-7-113, Utah Code Annotated 1953"
2. Page 5, Line 6: After "(C)" insert "unless the Legislature appropriates additional funds from the Olympics special revenue fund to the Utah Sports Authority," and after "more than" insert ";
(I)"
3. Page 5, Line 8: After "Subsection (4)(a)" bracket the remainder of line 8
4. Page 5, Line 9: Bracket line 9 and insert ";
(II) the interest earned on the amount described in Subsection (4)(b)(i)(C)(I); and
(III) the revenues deposited into the Olympics special revenue fund that are not sales and use taxes deposited under Subsection (4)(a) or interest on the sales and use taxes."
5. Page 5, Lines 24-25: Bracket lines 24-25
6. Page 5, Lines 27-31: Delete and bracket the language on lines 27-31
7. Page 6, Lines 1-9: Delete lines 1-9
8. Page 13, Line 17: After line 17 insert:
"Section 5. Section **63A-7-113** is enacted to read:
63A-7-113. Disbursement of the Olympic Special Revenue Fund.
(1) As used in this section:

(a) "base sales and use tax amount" means the first \$59,000,000 deposited in the Olympic special revenue fund under Subsection 59-12-103(4);

(b) "Olympics special revenue fund means" the fund or funds created under Subsection 59-12-103(4); and

(c) "proportionate share" means the percentage of the total sales and use taxes deposited under Subsection 59-12-103(4) that are generated by a county or municipality.

(2) Beginning on January 15, 2002, the monies in the Olympic special revenue fund shall be distributed as follows:

(a) on or before January 15, 2002, each county or municipality other than a county or municipality described in Subsection (2)(b) shall receive the county's or municipality's proportionate share of:

(i) amounts deposited into the Olympic special revenue fund by a public sports entity as reimbursement of sales and use taxes deposited under Subsection 59-12-103(4); and

(ii)(A) the sales and use taxes in excess of the base sales and use tax amount; and

(B) interest on the amounts described in Subsection (2)(a)(ii)(A) for the period beginning on the day on which the sales and use taxes deposited into the Olympic special fund equal the base amount and ending on the day on which the disbursement is made to the county or municipality;

(b) by no later than May 5, 2003, there may be distributed to any county or municipality that has entered into an indemnification agreement with the state regarding risks related to Winter Olympic Games of 2002:

(i) the proportionate share of:

(A) amounts deposited into the Olympic special revenue fund by a public sports entity as reimbursement of sales and use taxes deposited under Subsection 59-12-103(4); and

(B)(I) the sales and use taxes in excess of the base sales and use tax amount; and

(II) interest on the amounts described in Subsection (2)(b)(i)(B)(I) for the period beginning on the day on which the sales and use taxes deposited into the Olympic special fund equal the base amount and ending on the day on which the disbursement is made to the county or municipality; and

(ii) interest on the amounts described in Subsection (2)(b)(i)(A) for the period beginning on January 15, 2002, and ending on the day on which the disbursement is made to the county or municipality; and

(c) any monies in the Olympic special revenue fund after the disbursement to Subsection (2)(b) shall be deposited in the General Fund."

Renumber remaining sections accordingly.

Sen. Myrin explained the bill.

Speaking for the bill: John Fowler, State Olympic Coordinator, State of Utah
Randy Montgomery, Executive Director, Utah Sports Authority

MOTION: Sen. Mansell moved to pass SB 188 as amended out of committee with a favorable recommendation.

The motion passed with Sens. Poulton, Mansell, Mayne, and Nielson voting for and Sen. Wharton voting against and Sen. Buhler absent for the vote.

6. H.B. 349, Reporting by Financial Institutions - Enforcement (*P. Arent*)

Rep. Arent presented the bill.

MOTION: Sen. Wharton moved to pass HB 349 out of committee with a favorable recommendation.

The motion passed unanimously with Sen. Buhler absent for the vote.

MOTION: Sen. Mayne moved to recommend that HB 349 be placed on the Consent Calendar.

The motion passed unanimously with Sen. Buhler absent for the vote.

7. H.B. 316, Sunset Aeronautics Committee (*B. Allen*)

Rep. Allen presented the bill.

MOTION: Sen. Wharton moved to pass HB 316 out of committee with a favorable recommendation.

The motion passed unanimously with Sen. Buhler absent for the vote.

MOTION: Sen. Wharton moved to recommend that HB 316 be placed on the Consent Calendar.

The motion passed unanimously with Sen. Buhler absent for the vote.

8. S.B. 181, Limiting Liability in Hockey Facilities (*L. Mansell*)

Sen. Mansell presented the bill.

Speaking against the bill: Colin King, Trial Lawyers Association
The committee suggested that bill be amended on the Senate floor.

MOTION: Sen. Mayne moved to pass SB 181 out of committee with a favorable recommendation.

The motion passed unanimously with Sen. Buhler absent for the vote. Sen. Wharton declared a conflict of interest.

Chair Poulton noted that Item 5, HB 208, will be heard in the next meeting and that the sponsor of Item 7, HB 78, had asked that it be held.

MOTION: Sen. Wharton moved to approve the minutes of Tuesday, February 17, 1998.

The motion passed unanimously with Sen. Buhler absent for the vote.

MOTION: Sen. Wharton moved to adjourn.

The motion passed unanimously with Sen. Buhler absent for the vote.

The meeting was adjourned at 6:10 p.m.

The minutes were reported by Susy Carter.

Sen. Steven Poulton
Committee Chair