

**MINUTES OF THE  
HOUSE REVENUE AND TAXATION  
STANDING COMMITTEE  
Room 129 - State Capitol Building**

January 31, 2002

MEMBERS PRESENT:     Rep. Wayne A. Harper, Chair  
                          Rep. Gordon E. Snow, Vice Chair  
                          Rep. Eli H. Anderson  
                          Rep. Judy Ann Buffmire  
                          Rep. Scott Daniels  
                          Rep. Kory M. Holdaway  
                          Rep. Steven Mascaro  
                          Rep. Carol Spackman Moss  
                          Rep. Jack E. Seitz  
                          Rep. Michael R. Styler  
                          Rep. John E. Swallow

MEMBERS ABSENT:     Rep. Marda Dillree  
                          Rep. Kevin S. Garn  
                          Rep. Ty McCartney

STAFF:                     Bryant Howe, Research Analyst  
                              Sharron Corelli, Secretary

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VISITORS:                 List filed with committee minutes.

Vice Chair, Rep. Snow called the meeting to order at 4:00 p.m.

MOTION:     Rep. Anderson moved to approve the revised minutes of January 29, 2002. The motion passed unanimously with Rep. Holdaway and Rep. Harper absent for the vote.

**H.B. 240     Public Education Capital Outlay Act Amendments (D. Cox)**

Rep. Cox introduced the bill and explained it to the committee with the assistance of Mr. Bruce Williams, Assistant Superintendent, Davis School District, Mr. Lynn R. Smith, Business Administrator, Provo School District and Mr. Zane Woolstenhulme, South Summit School District.

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

1.     Page 2, Line 29:     After “multiplied by” delete “.00024” and insert “.0024”
2.     Page 2, Line 41     After “outlay” delete “and “ and insert “or”.

The motion passed unanimously with Rep. Holdaway and Rep. Harper, absent for the vote.

MOTION: Rep. Styler moved to further amend the bill as follows:

1. Page 3, Line 59: After line 59 insert the following:

"(6)(a) Notwithstanding Subsection (1), if the statewide guaranteed yield per ADM determined under Subsection (1)(b) would result in a total distribution to school districts of less than \$28,358,000, the State Board of Education shall increase the statewide guaranteed yield per ADM to result in a total distribution to school districts of \$28,358,000.

(b) In the fiscal year following a fiscal year in which the State Board of Education increases the statewide guaranteed yield per ADM pursuant to Subsection (6)(a), the calculation of the statewide guaranteed yield per ADM under Subsection (1)(b) shall be based on the value of the prior fiscal year's statewide guaranteed yeild per ADM before any increase made under Subsection (6)(a)."

2. Page 3, Line 60: Delete "(6)(a) Notwithstanding Subsections (1) and (5)" and insert "(7)(a) Notwithstanding Subsections (1), (5), and (6)"
3. Page 3, Line 67: After "Subsection" delete "(6)(a)" and insert "(7)(a)"

The motion passed unanimously with Rep. Holdaway absent for the vote.

Rep. Snow relinquished the chair to Rep. Harper.

MOTION: Rep. Styler moved to pass the bill out favorably. The motion passed unanimously with Rep. Holdaway absent for the vote.

**S.B. 28 Tax Credits - Removal of Tax Credit from Tax Form and Prohibition on Claiming or Carrying Forward Tax Credit (C. Bramble)**

MOTION: Rep. Seitz moved to pass the bill out favorably. The motion passed unanimously with Rep. Holdaway and Rep. Mascaro absent for the vote.

**H.B. 238S1 Cigarette and Tobacco Tax Amendments (C. Saunders)**

MOTION: Rep. Swallow moved to adopt in title and body 2<sup>nd</sup> Substitute HB 238. The motion passed unanimously with Rep. Mascaro absent for the vote.

Rep. Saunders introduced the bill and explained it to the committee.

Mr. Joel Ferre, Assistant Attorney General spoke to the bill.

The following people spoke in favor of the bill and distributed handouts:

Ms. Tamara Lewis, Medical Director, IHC  
Mr. Charlie Johnson, Chairman, Utah State Board of Regents

The following people spoke in opposition of the bill and distributed handouts:

Mr. Mike Jerman, Utah Taxpayers Association  
Mr. Jim Olsen, Utah Food Industries, Retail Merchants Association

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

#### SUBSTITUTE

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

1. Page 1, Line 26: Delete underlined language and restore bracketed language.
2. Page 2, Line 28: Delete underlined language and restore bracketed language.
3. Page 3, Line 63: Delete underlined language and restore bracketed language.

The motion failed with Rep. Anderson and Rep. Daniels voting in favor, and Rep. Mascaro absent for the vote.

The original motion passed with Rep. Anderson, Rep. Daniels, Rep. Swallow, and Rep. Harper voting in opposition.

MOTION: Rep. Seitz moved to adjourn the meeting. The motion passed unanimously with Rep. Mascaro absent for the vote.

The meeting adjourned at 5:27 p.m.

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Rep. Wayne A. Harper, Chair

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