

**MINUTES OF THE
SENATE REVENUE AND TAXATION STANDING COMMITTEE
TUESDAY, FEBRUARY 24, 2004
ROOM 131, STATE CAPITOL BUILDING**

Members Present: Sen. Curtis Bramble, Chair
Sen. Ron Allen
Sen. Gregory Bell
Sen. Leonard M. Blackham
Sen. Mike Dmitrich
Sen. David Gladwell.
Sen. Howard A. Stephenson
Sen. Michael Waddoups

Staff Present: Bryant Howe, Policy Analyst
Jeanne Wride, Committee Secretary

Public Speakers Present: Lee Peacock, Utah Petroleum Association
Bruce Johnson, Utah State Tax Commission
Craig Bickmore, Utah Automobile Dealers Association
Bob Portlock, Senior Coalition
Linda Hilton, Coalition of Religious Services
Mike Jerman, Utah Taxpayers Association
Tom Peterson, Utah State Office of Prosecutors
Mike Katsanevas, Pawnbroker
Christina Walters, Utah Council on Victim of Crime
Jane Silverbackford, Cash America
Roger Ball, Utah Committee of Consumer Services

A list of visitors and a copy of handouts are filed with the committee minutes.

Chair Bramble called the meeting to order at 4:20 p.m.

1. S.B. 191 OIL AND GAS RELATED TAXES AND FEES (Sen. B. Evans)

Sen. Evans presented the bill to the committee.

Lee Peacock, Utah Petroleum Association, and Bruce Johnson, Utah State Tax Commission, spoke to the bill.

MOTION: Sen. Gladwell moved to pass S. B. 191 out of committee with a favorable recommendation.

The motion passed unanimously.

2. S.B. 31 SALES AND USE TAX AMENDMENTS (Sen. E. Mayne)

Sen. Mayne presented the bill to the committee.

Craig Bickmore, Utah Automobile Dealers Association; Bob Portlock, Senior Coalition; and Linda Hilton, Coalition of Religious Services; spoke in favor of the bill. Mike Jerman, Utah Taxpayers Association, spoke in opposition.

MOTION: Sen. Stephenson moved to consider the next item on the agenda..

The motion passed unanimously.

3. S.B. 192 LOAN TRANSACTIONS AMENDMENTS (Sen. M. Waddoups)

Sen. Waddoups presented the bill to the committee.

MOTION: Sen. Waddoups moved to amend S.B. 192 as follows:

1. *Page 1, Lines 7 through 9:*

7 **General Description:**

8 This bill creates the Pawnshop Transaction Information Act within the
Department of

9 ~~[[Financial Institutions]]~~ Commerce . The bill establishes record keeping and
reporting requirements

2. *Page 2, Line 44:*

44 ▶ creates a Pawnshop Advisory Board within the Department of ~~[[Financial~~
~~Institutions]]~~ Commerce ;

3. *Page 2, Lines 56 through 57:*

56 **Other Special Clauses:**

57 This bill provides an effective date and a repeal date .

4. *Page 6, Lines 180 through 181:*

180 account.

**(4)(a) Any entity submitting a bid to create, maintain, and operate the
database pursuant to the request for proposal conducted by the Division of**

Purchasing and General Services a\may not hold any financial or operating interest in any pawnshop in any state.

(b) The division of Purchasing and General Services, in conjunction with the Pawnshop Advisory Board, shall verify before a bid is awarded that the selected entity meets the requirements of Subsection (4)(a).

(c) If any entity is awarded a bid under this Subsection (4) and is later found to hold any interest in violation of Subsection (4)(a), the award is subject to being opened again for request for proposal.

181 Section 6. Section **13-32a-106** is enacted to read:

5. *Page 8, Lines 215 through 216:*

215 (8) All civil penalty payments under Subsection (7) shall be remitted to the
Department
216 of ~~[[Financial Institutions]]~~ Commerce , which shall deposit the fees in the
account.

6. *Page 8, Line 225:*

225 penalty of \$50 a day to the Department of ~~[[Financial Institutions]]~~ Commerce
for each daily report required

7. *Page 11, Lines 314 through 317:*

314 (1) On and after January 1, 2005, each pawnshop in operation shall annually pay
\$250
315 to the Department of ~~[[Financial Institutions]]~~ Commerce , to be deposited in
the account.

* * * *Some lines not shown* * * *

317 use of the database shall annually pay to the Department of ~~[[Financial~~
Institutions]] Commerce a fee of \$2

8. *Page 11, Line 325:*

325 (1) There is created within the Department of ~~[[Financial~~
Institutions]] Commerce the Pawnshop

9. *Page 12, Line 346:*

346 (4) (a) Each ~~[[pawnsnop]]~~ pawnbroker in operation as of January 1 shall

ensure

10. Page 12, Lines 365 through 366:

365 shall be paid to the Department of ~~[[Financial Institutions]]~~ Commerce, which
shall deposit them in the
366 account.

11. Page 12, Line 367 through Page 13, Line 369:

367 (b) The Legislature may appropriate the funds in this account :
(i) to the board for the costs
368 of providing training required under this chapter, costs of the central database created in
369 Section 13-32a-105, and for costs of operation of the board ; and
(ii) to the Department of Commerce for management of fees and penalties paid
under this chapter .

12. Page 13, Lines 370 through 371:

370 (c) The board shall account to the Department of ~~[[Financial~~
~~Institutions]]~~ Commerce for
371 expenditures.

13. Page 21, Lines 633 through 634:

633 This bill takes effect on January 1, 2005, except that Section 13-32a-105 takes effect
on
634 December 1, 2004.

Section 18. Repeal date.

This bill is repealed on May 2, 2005.

The motion passed unanimously.

Tom Peterson, Utah State Office of Prosecutors; Mike Katsanevas, Pawnbroker; and Christina Walters, Utah Council on Victims of Crime, spoke in favor of the bill. Jane Silverbackford, Cash America, spoke to the bill.

MOTION: Sen. Bell moved to pass S.B. 192, as amended, out of committee with a favorable recommendation.

The motion passed unanimously with Sen. Gladwell and Sen. Stephenson absent for the vote.

4. **2nd SUB H.B. 36 MANAGEMENT ENHANCEMENT, AND FUNDING OF 911 (Rep. B. Dee)**

Rep. Dee presented the bill to the committee.

MOTION: Sen. Blackham moved to amend 2nd Sub. H.B. 36 as follows:

1. *Page 2, Line 39:*

39 ▶ \$ ~~[[3.2]]~~ 3.9 million from the Statewide Unified E-911 Emergency Service Fund to the Utah

2. *Page 4, Line 103:*

103 Subsection (2) ~~[[c]]~~ (b)(i), that association shall select the person to represent it on the commission;

3. *Page 8, Lines 223 through 224:*

223 (A) the reimbursement under this Subsection (1)(b) does not exceed the
 [[percentage
224 established by the Utah 911 Committee in accordance with-]] amount allowed
by Subsection 53-10-602(3);

4. *Page 8, Line 227:*

227 the committee; and

5. *Page 10, Line 298:*

298 Subsection ~~[[53-1-604(2)(b)]]~~ 53-10-604(2)(b), shall be deposited monthly in the statewide unified E-911

6. *Page 15, Line 458:*

458 (1) \$ ~~[[3.2]]~~ 3.9 million from the Statewide Unified E-911 Emergency Service Fund for fiscal

7. *Page 16, Line 477:*

477 charge in Subsection 69-2-5.6(1) from ~~[[14]]~~ 13 cents per month to 8 cents per month.

The motion passed with Sen. Bell, Sen. Gladwell, and Sen. Stephenson absent for the vote.

Roger Ball, Utah Committee of Consumer Services, spoke in opposition to the bill.

MOTION: Sen. Dmitrich moved to pass 2nd Sub. H.B. 36 out of committee with a favorable recommendation.

The motion passed with Sen. Stephenson voting in opposition and Sen. Gladwell and Sen. Bell absent for the vote.

MOTION: Sen. Blackham moved to adjourn.

The motion passed unanimously with Sen. Gladwell and Sen. Bell absent for the vote.

Chair Bramble adjourned the meeting at 5:10 p.m.

Minutes recorded by Jeanne Wride, Committee Secretary

Sen. Curtis Bramble, Committee Chair