

**MINUTES OF THE  
SENATE REVENUE AND TAXATION STANDING COMMITTEE MEETING  
FRIDAY, FEBRUARY 22, 4:10 P.M.  
ROOM C250, STATE CAPITOL COMPLEX**

Members Present: Sen. Wayne L. Niederhauser, Chair  
Sen. Mike Dmitrich  
Sen. Brent Goodfellow  
Sen. Jon J. Greiner  
Sen. Howard A. Stephenson

Members Excused: Sen. Curtis S. Bramble  
Sen. Michael G. Waddoups  
Pres. John Valentine

Staff Present: Bryant Howe, Assistant Director, Office of Legislative Research  
and General Counsel  
Karen Allred, Committee Secretary

Public Speakers Present: Gary R. Thorup, Attorney, Holme, Roberts & Owen  
Robin Riggs, Vice President, Salt Lake Chamber of Commerce  
Gina Cornia, Executive Director, Utahns Against Hunger  
John Hafen, Political Liaison, Utah Airport Operator's Association  
Lee Gardner, Salt Lake County Assessor  
Leonard Wojcik, citizen, Utah General Aviation Association

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

Chair Niederhauser called the meeting to order at 4:12 p.m.

**Approval of Minutes**

**MOTION:** Sen. Griener moved to approve the minutes of the February 18, and 20, 2008 minutes.

The motion passed unanimously with Sens. Dmitrich and Stephenson absent for the vote.

Sen. Griener assumed the Committee Chair.

**1. S.B. 237 Commercial Airline and Airport Taxation Amendments (W. Niederhauser)**

Sen. Niederhauser explained the bill and the following amendments were distributed:

1. Page 16, Lines 465 through 469:

465 (2) For purposes of the assessment of an airline's mobile flight equipment by the  
466 commission, a portion of the value of the airline's mobile flight equipment shall  
{by} be allocated to  
467 the state by calculating the product of:  
468 (a) the total value of the mobile flight equipment; and  
469 (b) the mobile flight equipment allocation factor.

2. Page 17, Lines 516 through 523:

516 (2) The average value of an airline's real and tangible personal property owned or  
517 rented and used in this state attributable to mobile flight equipment for purposes of the  
518 numerator of the fraction described in Subsection (1) shall be calculated for each aircraft  
type  
519 by determining the product of:  
520 (a) the total average value of the airline's mobile flight equipment of the aircraft type  
521 owned or rented and used {in the state} during the tax period; and  
522 (b) a fraction, the numerator of which is the Utah revenue ton miles for the aircraft  
type  
523 and the denominator of which is the airline revenue ton miles for the aircraft type.

3. Page 19, Lines 574 through 580:

574 (2) The total sales of an airline in this state during the tax period attributable to  
575 transportation revenues in this state during the {taxable year} tax period for  
purposes of the numerator of the  
576 fraction described in Subsection (1) shall be calculated by determining the product of:  
577 (a) the total transportation revenues {in this state} during the {taxable  
year} tax period of the airline;  
578 and  
579 (b) a fraction, the numerator of which is the Utah revenue ton miles and the  
580 denominator of which is the airline revenue ton miles.

**MOTION:** Sen. Niederhauser moved to adopt the amendments.

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

Gary Thorup, attorney, Delta Airlines, spoke in support of the bill, answered questions from the Committee and a handout was distributed.

Robin Riggs, Vice President, Salt Lake Chamber of Commerce, spoke in support of the bill.

**MOTION:** Sen. Goodfellow moved to pass S.B. 237 out of Committee with a favorable recommendation as amended.

The motion passed unanimously.

Sen. Niederhauser resumed the Committee Chair.

**MOTION:** Sen. Griener moved to go to H.B. 158.

The motion passed unanimously.

**2. H.B. 158 Tax Credit for Military Retired Pay (Mascaro)**

Sen. Mascaro explained the bill and a handout was distributed.

Sen. Griener declared a Conflict of Interest.

**MOTION:** Sen. Dmitrich moved to pass H.B. 158 out of Committee with a favorable recommendation.

The motion passed unanimously.

**3. 1st Sub. H.B. 304 Sales and Use Tax Revenues for Qualified Emergency Food Agencies (L. Wiley)**

Rep. Wiley explained the bill and the following amendments were distributed:

*1. Page 18, Lines 528 through 530:*

528            (11) Notwithstanding Subsection (3)(a), for each fiscal year beginning with fiscal  
                  year  
529    2008-09, {~~\$1,000,000~~} \$915,000 shall be deposited into the Qualified  
                  Emergency Food Agencies Fund  
530    created by Section 9-4-1409 and expended as provided in Section 9-4-1409.

**MOTION:** Sen. Dmitrich moved to adopt the amendments.

The motion passed unanimously.

Gina Cornia, Executive Director, Utahns Against Hunger, spoke to the bill.

**MOTION:** Sen. Dmitrich moved to pass 1st. Sub. H.B. 304 out of Committee with a favorable recommendation as amended.

The motion passed unanimously.

**MOTION:** Sen. Dmitrich moved to place 1st Sub. H.B. 304 on the Consent Calendar.

The motion passed unanimously.

**4. H.B. 365 Aviation Amendments (W. Harper)**

Rep. Harper explained the bill.

John Hafen, Political Liaison, Utah Airport Operator's Association, and Leonard Wojcik, citizen, Utah General Aviation Association, spoke in support of the bill.

Lee Gardner, Salt Lake County Assessor, spoke to the bill.

**MOTION:** Sen. Griener moved to pass H.B. 365 out of Committee with a favorable recommendation.

The motion passed unanimously.

**5. 2nd Sub. H.B. 373 Uniform Fees on Vintage Motor Vehicles (W. Harper)**

Rep. Harper explained the bill.

**MOTION:** Sen. Griener moved to pass 2nd Sub. H.B. 373 out of Committee with a favorable recommendation.

The motion passed unanimously.

**MOTION:** Sen. Griener moved to place 2nd Sub. H.B. 373 on the Consent Calendar.

The motion passed unanimously.

**MOTION:** Sen. Goodfellow moved to adjourn.

The motion passed unanimously.

Sen. Niederhauser adjourned the meeting at 5:30 p.m.

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Sen. Wayne L. Niederhauser, Committee Chair