

**MINUTES OF THE
HOUSE REVENUE AND TAXATION
STANDING COMMITTEE
Room 445 - State Capitol, State Capitol Complex**

February 23, 2011

MEMBERS PRESENT: Rep. Patrick Painter, Chair
Rep. Carl Wimmer, Vice Chair
Rep. Joel Briscoe
Rep. David Butterfield
Rep. David Clark
Rep. Tim Cosgrove
Rep. John Dougall
Rep. Susan Duckworth
Rep. Julie Fisher
Rep. Gage Froerer
Rep. Wayne Harper
Rep. Eric Hutchings
Rep. Brian King
Rep. Merlynn Newbold
Rep. Jim Nielson

MEMBERS EXCUSED: Rep. Mel Brown

STAFF PRESENT: Phil Dean, Policy Analyst
Tamara Schaff, Committee Secretary

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

Rep. Painter called the meeting to order at 8:06 a.m.

MOTION: Rep. Newbold moved to approve the minutes of the February 18, 2011 meeting. The motion passed unanimously, with Rep. Clark, Rep. Cosgrove, Rep. Duckworth, Rep. Fisher, Rep. Froerer and Rep. Hutchings absent for the vote.

H.B. 156 Property Tax Assessment (*Rep. D. Pitcher*)

Rep. Pitcher explained the bill to the committee.

MOTION: Rep. Wimmer moved to substitute H.B. 156 with 1st Substitute H.B. 156. The motion passed unanimously, with Rep. Clark, Rep. Cosgrove, Rep. Duckworth, Rep. Fisher, Rep. Froerer and Rep. Hutchings absent for the vote.

Spoke in favor of the bill: Lee Gardner, Salt Lake County Assessor
John Ulibarri, Weber County Assessor

MOTION: Rep. Briscoe moved to pass H.B. 156 1st Substitute with a favorable recommendation. The motion passed, with Rep. Wimmer voting in opposition to the bill. Rep. Dougall and Rep. Harper were absent for the vote.

H.B. 316 Taxation of Surplus Lines of Insurance (Rep. T. Kiser)

Rep. Kiser explained the bill to the committee, assisted by Brad Tibbetts.

Spoke in favor of the bill: Neal Gooch, Utah Insurance Commissioner
Brad Tibbetts, Department of Insurance

MOTION: Rep. Nielson moved to pass H.B. 316 with a favorable recommendation. The motion passed unanimously, with Rep. Dougall, Rep. Froerer, Rep. Harper and Rep. King absent for the vote.

MOTION: Rep. Clark moved to place H.B. 316 on the Consent Calendar. The motion failed with Rep. Wimmer voting in opposition. Rep. Dougall, Rep. Froerer, Rep. Harper and Rep. King were absent for the vote.

H.B. 138 Federal Receipts Reporting Requirements (Rep. K. Ivory)

Rep. Ivory explained the bill to the committee with a slide presentation.

MOTION: Rep. Clark moved to substitute H.B. 138 with 1st Substitute H.B. 138. The motion passed unanimously, with Rep. Dougall, Rep. Froerer, Rep. Harper, Rep. King and Rep. Wimmer absent for the vote.

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

1. *Page 3, Lines 75 through 80:*

75 higher education listed in Section 53B-2-101.

76 (b) The report required by Subsection (2) that the State Office of Education prepares

77 shall include the information required by Subsections (2)(a) through (c) for each school

district and each charter school within

78 the public education system.
79 (4) A designated state agency that prepares a report in accordance with Subsection
(2)
80 shall submit the report to the Division of Finance on or before November 1 of each year.

The motion passed unanimously, with Rep. Dougall, Rep. Duckworth, Rep. Froerer, Rep. Harper and Rep. King absent for the vote.

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

1. *Page 1, Lines 11 through 20:*

11 receipts are reduced by ~~{25% or more}~~ certain amounts, and requires the
Government Operations and
12 Political Subdivisions Interim Committee to study whether to apply federal receipts
13 reporting requirements to certain other governmental entities.
14 Highlighted Provisions:
15 This bill:
16 ▶ defines terms;
17 ▶ requires certain state agencies to prepare and submit a report to the Division of
18 Finance on federal receipts received by the state agencies;
19 ▶ requires the report to contain a plan to operate the state agency in the event
federal
20 receipts are reduced by ~~{25% or more}~~ certain amounts ;

2. *Page 3, Lines 71 through 75:*

71 (d) ~~{develops a plan}~~ develop plans for operating the designated state
agency if there is a reduction of 5%, and a reduction of
72 25% or more in the federal receipts that the designated state agency receives.
73 (3) (a) The report required by Subsection (2) that the Board of Regents prepares shall
74 include the information required by Subsections (2)(a) through (c) for each state institution
of
75 higher education listed in Section 53B-2-101.

The motion passed unanimously, with Rep. Dougall, Rep. Duckworth, Rep. Harper and Rep. King absent for the vote.

Spoke in favor of the bill: Martell Menlove, Deputy Superintendent of State Education
John Reidhead, State Division of Finance

MOTION: Rep. Wimmer moved to pass H.B. 138 1st Substitute with a favorable recommendation. The motion passed with Rep. Briscoe and Rep. Nielson voting in opposition to the bill. Rep. Dougall, Rep. Fisher, Rep. Harper and Rep. King were absent for the vote.

H.B. 124 Commercial Breeders (Rep. J. Biskupski)

Rep. Biskupski explained the bill to the committee.

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

1. Page 1, Line 20:

- 20 • a county {~~assessor~~} business licensing agency to file with the State Tax Commission and a county animal

2. Page 5, Lines 142 through 144:

- 142 (3) (a) The {~~county assessor~~} county business licensing agency of a
county that issues a commercial breeder a business
143 license as described in Subsection (2)(a) shall report, in accordance with Subsection
(3)(b), to
144 the State Tax Commission and a county animal control office, if any:

3. Page 5, Line 149:

- 149 (b) The {~~county assessor~~} county business licensing agency shall file
the report described in Subsection (3)(a):

The motion passed unanimously, with Rep. Dougall, Rep. Fisher, Rep. Harper, and Rep. King absent for the vote.

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

1. *Page 4, Lines 115 through 117:*

115 established under Section 10-17-102.
116 (8) A person who knowingly violates Subsection (2) or (6)(a) is guilty of a class
{A} B
117 misdemeanor.

2. *Page 6, Lines 172 through 174:*

172 (c) a dog or cat kept by an animal shelter established under Section 17-42-102.
173 (8) A person who knowingly violates Subsection (2) or (6)(a) is guilty of a class
{A} B
174 misdemeanor.

The motion passed unanimously, with Rep. Dougall, Rep. Fisher, Rep. Harper and Rep. King absent for the vote.

MOTION: Rep. Cosgrove moved to pass H.B. 124 with a favorable recommendation. The motion failed, with Rep. Briscoe, Rep. Cosgrove, Rep. Duckworth, Rep. Froerer, and Rep. Painter voting in favor. Voting in opposition to motion were Rep. Butterfield, Rep. Clark, Rep. Hutchings, Rep. Newbold, Rep. Nielson and Rep. Wimmer. Rep. Dougall, Rep. Fisher, Rep. Harper and Rep. King were absent for the vote.

MOTION: Rep. Wimmer moved to adjourn. The motion passed unanimously with Rep. Dougall, Rep. Fisher, Rep. Harper and Rep. King absent for the vote.

S.B. 132 Sales and Use Tax Exemption for an Energy Efficient Stove or Energy Efficient Stove Fuel (*Sen. G. Davis*) (Rep. M. Brown)

This bill was not considered.

Rep. Patrick Painter, Chair

