

**MINUTES OF THE  
SENATE REVENUE AND TAXATION  
STANDING COMMITTEE**

Tuesday, February 28, 2017 • 8:00 a.m. • 250 State Capitol

**Members Present:**

Sen. Howard A. Stephenson, Chair  
Sen. Curtis S. Bramble  
Sen. Jim Dabakis  
Sen. Wayne A. Harper  
Sen. Daniel Hemmert

Sen. Gene Davis  
Sen. Lincoln Fillmore  
Sen. Deidre M. Henderson

**Staff Present:**

Mr. Leif G. Elder, Policy Analyst  
Ms. Nancy Skidmore, Committee Secretary

**Members Absent:**

**Note:** A list of others present, a copy of related materials, and an audio recording of the meeting can be found at [le.utah.gov](http://le.utah.gov).

Chair Stephenson called the meeting to order at 8:09 a.m.

**MOTION:** Sen. Bramble moved to approve the minutes of the February 24, 2017 meeting. The motion passed with a vote of 4-0-4.

Yeas:

Sen. C. Bramble  
Sen. J. Dabakis  
Sen. W. Harper  
Sen. H. Stephenson

Nays:

Abs:

Sen. G. Davis  
Sen. L. Fillmore  
Sen. D. Hemmert  
Sen. D. Henderson

**1. S.B. 247 Modifications to Distribution of Local Sales Tax Revenues (*Okerlund, R.*)**

Sen. Bramble explained the bill.

Mr. Tom Pollard, Mayor, Town of Alta, spoke to the bill.

**MOTION:** Sen. Bramble moved to pass S.B. 247 out favorably. The motion passed with a vote of 5-0-3.

Yeas:

Sen. C. Bramble  
Sen. J. Dabakis  
Sen. W. Harper  
Sen. D. Hemmert  
Sen. H. Stephenson

Nays:

Abs:

Sen. G. Davis  
Sen. L. Fillmore  
Sen. D. Henderson

**MOTION:** Sen. Bramble moved to place S.B. 247 on the Consent Calendar.  
The motion passed with a vote of 5-0-3.

Yeas:

Nays:

Abs:

Sen. C. Bramble  
Sen. J. Dabakis  
Sen. W. Harper  
Sen. D. Hemmert  
Sen. H. Stephenson

Sen. G. Davis  
Sen. L. Fillmore  
Sen. D. Henderson

**MOTION:** Sen. Bramble moved to direct staff to submit an interim study item to better define the entities affected by the hold harmless addressed in S.B. 247 and to cleanup related provisions.

The motion passed with a vote of 5-0-3.

Yeas:

Nays:

Abs:

Sen. C. Bramble  
Sen. J. Dabakis  
Sen. W. Harper  
Sen. D. Hemmert  
Sen. H. Stephenson

Sen. G. Davis  
Sen. L. Fillmore  
Sen. D. Henderson

## **2. S.B. 265 Distribution of Revenues Collected Under the Local Sales and Use Tax Act (Hinkins, D.)**

Sen. Hinkins explained the bill.

**MOTION:** Sen. Harper moved to pass S.B. 265 out favorably.  
The motion passed with a vote of 5-0-3.

Yeas:

Nays:

Abs:

Sen. C. Bramble  
Sen. J. Dabakis  
Sen. W. Harper  
Sen. D. Hemmert  
Sen. H. Stephenson

Sen. G. Davis  
Sen. L. Fillmore  
Sen. D. Henderson

**MOTION:** Sen. Harper moved to place S.B. 265 on the Consent Calendar.  
The motion passed with a vote of 5-0-3.

Yeas:

Nays:

Abs:

Sen. C. Bramble  
Sen. J. Dabakis  
Sen. W. Harper  
Sen. D. Hemmert  
Sen. H. Stephenson

Sen. G. Davis  
Sen. L. Fillmore  
Sen. D. Henderson

**3. 1st Sub. H.B. 164 Municipal Enterprise Fund Amendments (Moss, J.)**

**MOTION:** Sen. Bramble moved to amend 1st Substitute H.B. 164 with Amendment #1.

1. *Page 5, Lines 128 through 132:*

128 (A) mailing a copy of the notice to users of the goods or services provided by the  
129 enterprise for which the enterprise fund was created , if the town regularly mails  
users a periodic billing for the goods or services ;

(B) emailing a copy of the notice to users of the goods or services provided by  
the enterprise for which the enterprise fund was created, if the town regularly  
emails users a periodic billing for the goods or services;

130 { ~~(B)~~ (C) posting the notice on the Utah Public Notice Website created  
in Section 63F-1-701;

131 and

132 { ~~(C)~~ (D) if the town has a website, prominently posting the notice on  
the town's website

2. *Page 6, Lines 153 through 157:*

153 (i) within 60 days after adopting the budget {  ~~} or budget amendment:~~

(A) mail a notice to users of the goods or services

154 provided by the enterprise for which the enterprise fund was created { ~~a notice that:~~

155 ~~(A) announces the adoption of a budget or budget amendment that includes or~~  
~~is based~~

156 ~~on a transfer of money from an enterprise fund to another fund; and~~

157 ~~(B) includes the specific enterprise fund information; }~~ , if the town  
regularly mails users a periodic billing for the goods or services; and

**(B) email a notice to users of the goods or services provided by the enterprise for which the enterprise fund was created, if the town regularly emails users a periodic billing for the goods or services;**

3. Page 6, Line 161:

161 (B) using the town's social { ~~media~~ **media** platform, publish notice of  
the adoption of a budget

4. Page 6, Lines 165 through 166:

165 enterprise fund information for each enterprise fund from which money will be  
transferred.

**(b) A notice required under Subsection (6)(a)(i) shall:**

**(i) announce the adoption of a budget or budget amendment that includes or is based on a transfer of money from an enterprise fund to another fund; and**

**(ii) include the specific enterprise fund information.**

166 { ~~(B)~~ **(c)** The governing body shall maintain the website posting required  
under Subsection

5. Page 10, Lines 294 through 298:

294 (A) mailing a copy of the notice to users of the goods or services provided by the  
295 enterprise for which the enterprise fund was created **, if the city regularly mails users**  
**a periodic billing for the goods or services** ;

**(B) emailing a copy of the notice to users of the good or services provided by the enterprise for which the enterprise fund was created, if the city regularly emails users a periodic billing for the goods or services;**

296 { ~~(B)~~ **(C)** posting the notice on the Utah Public Notice Website created  
in Section 63F-1-701;

297 and

298 { ~~(C)~~ **(D)** if the city has a website, prominently posting the notice on the  
city's website until

6. Page 11, Lines 319 through 324:

319 (i) within 60 days after adopting the budget or budget amendment { ~~},~~ **:**  
**(A)** mail **a notice** to users of the

320 goods or services provided by the enterprise for which the enterprise fund was created  
    { ~~—a notice~~  
321 ~~that:~~  
322 ~~— (A) announces the adoption of a budget or budget amendment that includes or~~  
    ~~is based~~  
323 ~~on a transfer of money from an enterprise fund to another fund; and~~  
324 ~~— (B) includes the specific enterprise fund information;—} , if the city  
    regularly mails users a periodic billing for the goods or services; and  
    (B) email a notice to users of the goods or services provided by the enterprise  
    for which the enterprise fund was created, if the city regularly emails users a  
    periodic billing for the goods or services;~~

7. *Page 11, Line 327:*

327 (B) using the city's social { ~~—media~~ media platform, publish notice of the  
    adoption of a budget or

8. *Page 11, Lines 331 through 332:*

331 enterprise fund information for each enterprise fund from which money will be  
    transferred.

= (b) A notice required under Subsection (6)(a)(i) shall:  
    (i) announce the adoption of a budget or budget amendment that includes or  
    is based on a transfer of money from an enterprise fund to another fund; and  
    (ii) include the specific enterprise fund information.

332 { ~~—(b)~~ (c) The governing body shall maintain the website posting required  
    under Subsection

The motion passed with a vote of 5-0-3.

Yeas:

Sen. C. Bramble  
Sen. J. Dabakis  
Sen. W. Harper  
Sen. D. Hemmert  
Sen. H. Stephenson

Nays:

Abs:

Sen. G. Davis  
Sen. L. Fillmore  
Sen. D. Henderson

Rep. Moss explained the bill.

Mr. Spener Nitz, Research Analyst, Utah Taxpayers Association, spoke in favor of the bill.

Mr. Roger Tew, Executive Director, Utah League of Cities and Towns, spoke in favor of the bill.

Mr. Kory Holdaway, Lobbyist, Murray City, spoke in favor of the bill.

Mr. Ronald Mortensen spoke in favor of the bill.

**MOTION:** Sen. Bramble moved to pass 1st Substitute H.B. 164 out favorably.  
The motion passed with a vote of 5-0-3.

Yeas:

Nays:

Abs:

Sen. C. Bramble  
Sen. J. Dabakis  
Sen. W. Harper  
Sen. D. Hemmert  
Sen. H. Stephenson

Sen. G. Davis  
Sen. L. Fillmore  
Sen. D. Henderson

**MOTION:** Sen. Bramble moved to place 1st Substitute H.B. 164 on the Consent Calendar.

The motion passed with a vote of 5-0-3.

Yeas:

Nays:

Abs:

Sen. C. Bramble  
Sen. J. Dabakis  
Sen. W. Harper  
Sen. D. Hemmert  
Sen. H. Stephenson

Sen. G. Davis  
Sen. L. Fillmore  
Sen. D. Henderson

**4. 2nd Sub. H.B. 219 Rural Tax Credit Amendments (*Sandall, S.*)**

Sen. Sandall explained the bill.

Ms. Linda Gillmor, Director, Rural Development, Governor's Office of Economic Development, spoke to the bill.

Ms. Lori Na, Chair, Rural Coalition, spoke in favor of the bill.

**MOTION:** Sen. Harper moved to pass 2nd Substitute H.B. 219 out favorably.  
The motion passed with a vote of 5-0-3.

Yeas:

Sen. C. Bramble  
Sen. J. Dabakis  
Sen. W. Harper  
Sen. D. Hemmert  
Sen. H. Stephenson

Nays:

Abs:

Sen. G. Davis  
Sen. L. Fillmore  
Sen. D. Henderson

**MOTION:** Sen. Dabakis moved to adjourn.  
The motion passed with a vote of 5-0-3.

Yeas:

Sen. C. Bramble  
Sen. J. Dabakis  
Sen. W. Harper  
Sen. D. Hemmert  
Sen. H. Stephenson

Nays:

Abs:

Sen. G. Davis  
Sen. L. Fillmore  
Sen. D. Henderson

Chair Stephenson adjourned the meeting at 9:02 a.m.

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Sen. Howard A. Stephenson, Chair