

**MINUTES OF THE
UTAH CONSTITUTIONAL REVISION COMMISSION**
Friday, February 2, 2001 - 12:00 p.m. - Room 405 - State Capitol

Members Present:

Mr. Alan L. Sullivan, Chair
Dr. Jean B. White, Vice Chair
Mr. W. Craig Jones
Rep. Patrice Arent
Rep. Afton B. Bradshaw
Mr. Mike Christensen
Justice Christine Durham
Sen. Dave Gladwell
Mr. Byron Harward
Mr. Dallin W. Jensen
Mr. Morris Linton
Prof. Kevin Worthen
Sen. John Valentine

Members Absent:

Sen. Mike Dmitrich
Speaker Martin R. Stephens
Mr. Robin Riggs

Staff Present:

Mr. Jerry D. Howe,
Research Analyst
Mr. Robert H. Rees,
Associate General Counsel
Ms. Audrey Wendel,
Legislative Secretary

Note: A list of others present and a copy of handouts distributed in the meeting are on file in the Office of Legislative Research and General Counsel.

1. Call to Order and Introduction of New Members

Chair Sullivan called the meeting to order at 12:15 p.m. and introduced Rep. Patrice Arent, Mr. Mike Christensen, Sen. Dave Gladwell, and Sen. John Valentine, as new members of the commission.

**2. S.J.R. 3 “Joint Resolution amending Revenue and Taxation Article - Exemptions”
(Sen. Michael Waddoups)**

Sen. Waddoups explained that local governments provide services that directly compete with the private sector. When the government does this it has an advantage because it does not pay property tax. This resolution, he said, allows the legislature to tax properties owned by municipalities and city governments in order to provide a more level playing field for the private sector. Although Sen. Waddoups said that he is not sure if these city owned properties should be taxed, the legislature should at least debate the issue, he explained. Mr. Harward asked if the resolution ought to be drafted more narrowly to only allow the taxation of property that is in competition with the private sector. Sen. Waddoups said he would not object to the resolution being drafted that way.

MOTION: Byron Harward moved that the commission study this issue with the intent of making a recommendation on the issue to the legislature prior to its next General Session. The motion passed unanimously with Sen. Dmitrich, and Speaker Stephens, and Mr. Riggs absent for

the vote.

**3. H.J.R. 4 “Constitutional Amendment to Highway User and Motor Fuel Fund
(Rep. Scott Daniels)**

Rep. Daniels referred the commission to Article XIII, Section 13, which establishes the transportation fund. He explained that the resolution would expand the flexibility of these funds to include public transportation.

Justice Durham asked if the “public transportation system funds” would be restricted to infrastructure investments. Rep. Daniels asked for suggestions from the commission regarding limitations of the funds. Mr. Harward suggested the funds be used for public transportation systems rather than other types of transportation.

Justice Durham clarified that this resolution would be a significant expansion of the legislature’s power to utilize these funds.

MOTION: Justice Durham moved that the commission study this issue with the intent of making a recommendation on the issue to the legislature prior to its next General Session. The motion passed unanimously with Speaker Stephens and Sen. Dmitrich absent for the vote.

**4. H.J.R. 9 “Resolution Protecting Interest on School Fund”
(Rep. Matt Throckmorton)**

It was reported that Rep. Throckmorton had notified staff that this resolution would not be introduced during the 2001 General Session and was therefore not discussed by the commission.

5. Other Business

The commission scheduled a tentative meeting for Friday, April 13, 2001 at 9:00 a.m. Chair Sullivan encouraged commission members to provide recommendation for issues to be discussed during the 2001 interim.

6. Adjournment

MOTION: Mr. Kevin Worthen moved to adjourn. The motion passed unanimously at 12:45 p.m.