

**MINUTES OF THE  
PUBLIC UTILITIES & TECHNOLOGY STANDING COMMITTEE  
Room 414/416 - State Capitol Building  
February 25, 2004**

**MEMBERS PRESENT:** Rep. Stephen H. Urquhart, Chair  
Rep. Glenn A. Donnelson, Vice Chair  
Rep. Sheryl L. Allen  
Rep. Ralph Becker  
Rep. Chad E. Bennion  
Rep. Greg J. Curtis  
Rep. Brent H. Goodfellow  
Rep. Ty McCartney  
Rep. Michael E. Noel  
Rep. Gordon E. Snow  
Rep. Michael R. Styler  
Rep. David Ure

**MEMBERS ABSENT:** None

**STAFF PRESENT:** Richard North, Policy Analyst  
Cherri White, Committee Secretary

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

Representative Urquhart called the meeting to order at 4:57 P.M.

**1st Sub. S.B. 66      Telecommunications Amendments (Sen. J. Hickman)**

The sponsor introduced the bill and explained its intent.

**MOTION:** Representative Ure moved to amend:

*1. Page 3, Lines 74 through 80:*

- 74            (3) (a) A revenue bond issued under this section shall be secured and paid for  
              ~~[[solely]]~~ :  
              (i)  
75            from the revenues generated by the municipality from providing:  
76            ~~[[+]]~~ (A) cable television services with respect to revenue bonds issued to  
              finance facilities  
77            for the municipality's cable television services; and  
78            ~~[[+]]~~ (B) public telecommunications services with respect to revenue  
              bonds issued to finance  
79            facilities for the municipality's public telecommunications services ~~[[+]]~~ : and

(ii) notwithstanding Subsection (3)(b) and Subsection 10-18-303(3)(a), from revenues generated under Title 59, Chapter 12, Sales and Use Tax Act, if:

(A) the revenues described in this Subsection (3)(a)(ii) are pledged as security for the revenue bond; and

(B) the municipality or municipalities annually appropriate the revenues described in this Subsection (3)(a)(ii) to secure and pay the revenue bond issued under this section.

80 (b) ~~[[A]]~~ Except as provided in Subsection (3)(a)(ii), a municipality may not pay the origination, financing, or other carrying costs

### SUBSTITUTE

MOTION: Representative Curtis moved to amend:

1. Page 3, Lines 74 through 80:

74 (3) (a) A revenue bond issued under this section shall be secured and paid for  
75 ~~[[solely]]~~ :

(i)

75 from the revenues generated by the municipality from providing:

76 ~~[[(i)]]~~ (A) cable television services with respect to revenue bonds issued to  
77 finance facilities

77 for the municipality's cable television services; and

78 ~~[[(ii)]]~~ (B) public telecommunications services with respect to revenue  
79 bonds issued to finance

79 facilities for the municipality's public telecommunications services ~~[[and]]~~ ; and

(ii) notwithstanding Subsection (3)(b) and Subsection 10-18-303(3)(a), from revenues generated under Title 59, Chapter 12, Sales and Use Tax Act, if:

(A) notwithstanding Subsection 11-14-2(2), the revenue bond is approved by the registered voters in an election held:

(I) except as provided in Subsection (3)(a)(ii)(A)(II), pursuant to the provisions of Title 11, Chapter 14, Utah Municipal Bond Act, that govern bond elections; and

(II) notwithstanding Subsection 11-14-4(2), at a regular general election;

(B) the revenues described in this Subsection (3)(a)(ii) are pledged as security for the revenue bond; and

(C) the municipality or municipalities annually appropriate the revenues described in this Subsection (3)(a)(ii) to secure and pay the revenue bond issued under this section.

80 (b) ~~[[A]]~~ Except as provided in Subsection (3)(a)(ii), a municipality may

not pay the origination, financing, or other carrying costs

The motion passed 8-4-0 with Representatives Becker, Bennion, Goodfellow, and Ure voting against the motion.

Speaking in favor of the bill:

Rex Knowles, XO Communications  
Mike Jerman, Utah Taxpayers Association  
Kent Anderson, Communication Workers of America  
Claire Geddes, Utah Legislative Watch  
Ron Casper, National Federation of Independent Business-Utah  
Eric Isom, QWEST, Government Affairs Officer

Speaking against the bill:

Rex Morris, Executive Director, UTOPIA  
Lewis Billings, Mayor, Provo City  
Jerry Stevenson, Mayor, Layton City  
Pete Ashdown, XMission  
Lou Ann Christensen, Mayor, Brigham City  
Harry Gibbons, Jr., Concerned Citizen  
Dennis Norfeldt, Mayor, West Valley City  
Arthur Brady, Librarian

Representative Noel declared a conflict of interest.

**MOTION:** Representative Urquhart moved to pass the bill out favorably as amended. The motion passed 8-4-0 with Representatives Curtis, McCartney, Noel, Snow, Styler, Ure, Donnelson and Urquhart voting in favor of the motion, and Representatives Allen, Becker, Bennion, and Goodfellow voting against the motion.

**H.B. 318**      **Uniform Statewide Fees for Certain Tangible Personal Property** (*Rep. C. Bennion*)

The sponsor introduced the bill and explained its intent.

Lee Gardner, Salt Lake County Assessor addressed questions from the committee regarding the fiscal note on the bill.

Wayne Jones, Executive Director, Recreation Vehicle Dealers Association, Independent Auto Dealers Association, Utah Marine Association, Utah Powersport Dealers Association; and Dennis Ayers, Iron County Assessor spoke in favor of the bill.

**MOTION:** Representative Ure moved to pass the bill out favorably. The motion passed 10-2-0 with Representatives Becker and Styler voting against the motion.

**H.B. 338      Bottle Bill Amendments (*Rep. T. McCartney*)**

The sponsor introduced the bill and explained its intent.

Kevin Emmerson, a concerned citizen spoke in favor of the bill.

**MOTION:** Representative Snow moved to return the bill to rules to have it placed on the Master Study List for interim study.

**SUBSTITUTE**

**MOTION:** Representative Noel moved to table the bill. After committee discussion the motion was withdrawn.

The vote was called for on the original motion to place the bill on the Master Study List. The motion passed 6-5-1 with Representatives Allen, Noel, Snow, Ure, Donnelson, and Urquhart voting in favor of the bill, Representatives Becker, Bennion, Goodfellow, McCartney, and Styler voting against the motion, and Representative Curtis absent for the vote.

**1st Substitute H.B. 348      Privacy Amendments (*Rep. M. Thompson*)**

The sponsor introduced the bill and explained its intent.

**MOTION:** Representative Bennion moved to pass the bill out favorably as amended. The motion passed unanimously with Representative Curtis absent for the vote.

**MOTION:** Representative Bennion moved to approve the minutes of February 24, 2004. The motion passed unanimously with Representative Curtis absent for the vote.

**MOTION:** Representative Bennion moved to adjourn. The motion passed unanimously with Representative Curtis absent for the vote. The meeting adjourned at 7:10 P.M.