

**MINUTES OF THE
SENATE REVENUE AND TAXATION STANDING COMMITTEE
JANUARY 31 2006, 3:15 P.M.
ROOM W130, WEST OFFICE BUILDING, STATE CAPITOL COMPLEX**

Members Present: Sen. Curtis Bramble, Chair
 Sen. Gregory Bell
 Sen. Mike Dmitrich
 Sen. Brent Goodfellow
 Sen. Lyle Hillyard
 Sen. Darin G. Peterson
 Sen. Howard A. Stephenson
 Sen. John Valentine

Staff Present: Bryant Howe, Assistant Director
 Karen Allred, Committee Secretary

Public Speakers Present: Richard Hartvigsen, Nu Skin Enterprises/Direct Selling
 Jon M. Taylor, Ph.D., President, Consumer Awareness Institute
 Crystal Bracken, citizen
 Mark Shurtleff, Attorney General
 Francine Giani, Executive Director, Department of Commerce
 Scott Carvor, Executive Director, Department of Corrections
 Milton Thackeray, Chair., Utah Legislative Compensation Comm.

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

Chair Bramble called the meeting to order at 3:15 p.m.

Approval of Minutes

MOTION: Sen. Valentine moved to approve the minutes of January 27, 2006.

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

1. H.B. 52 Sales and Use Tax Exemption for Transportation (W. Harper)

Rep. Harper explained the bill.

MOTION: Sen. Hillyard moved to transmit the bill with a favorable recommendation.

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

2. S.B. 182 Direct Sales Amendments (M. Madsen)

Richard Hartvigsen, Nu Skin Enterprises/Direct Sales distributed a handout and spoke in support of the bill.

Jon Taylor, Consumer Awareness Institute, and Crystal Bracken, citizen, spoke in opposition to the bill.

Mark Shurleff, Attorney General, and Francine Giani, Exec. Dir., Dept. of Commerce, spoke in support of the bill.

MOTION: Sen. Stephenson moved to transmit the bill with a favorable recommendation.

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

3. S.B. 175 Correctional Facility Bidding Process (H. Stephenson)

MOTION: Sen. Stephenson moved to amend S.B. 175 as follows:

Page 3, Lines 65 to 68 After "before" delete " :
 (a) building new correctional facility beds;
 (b) remodeling existing correctional facility beds; or
 (c)"

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

Scott Carvor, Executive Director, Department of Corrections, expressed concerns with the bill.

MOTION: Sen. Stephenson moved to proceed to the next item on the agenda.

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

4. S.J.R. 7 Joint Rules Resolution Amending Legislative Expenses (G. Bell)

Sen. Bell explained the bill.

Milton Thackeray, Chair., Utah Legislative Compensation Commission, spoke to the bill.

MOTION: Sen. Bell moved to proceed to the next item on the agenda.

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

5. S.B. 64 Legislative Compensation Commission Amendments (G. Bell)

The following amendments were distributed:

1. *Page 1, Lines 14 through 15:*

14 ▶ requires the Legislative Compensation Commission to make recommendations to
15 the Legislature about legislative expenses and legislative benefits ; and

2. *Page 1, Line 28 through Page 2, Line 52:*

28 (1) The Legislative Compensation Commission [~~has the following duties: (1) It~~]
shall:

29 (a) by following the requirements of Subsection (2), study [and formulate
30 recommendations concerning] the salary {and} , expense , and benefit levels
for Utah state legislators[~~The~~
31 study should be based upon];

32 (b) by January 2 of each even-numbered year:

33 (i) recommend to each member of the Legislature changes, if any, which should be
34 made in the salary plan, the salary plan's administration, {and} legislative
35 expenses , and legislative benefits for state
legislators; and

36 (ii) as part of its recommendations, recite the provisions of Section 36-2-3.

37 (2) The commission shall:

38 (a) ensure that the study and recommendations required by Subsection (1) are based
39 upon:

40 (i) maintaining a citizen Legislature in Utah[~~but~~]; and

41 (ii) compensating [members] legislators fairly for their service in order that all
42 individuals [would] have an opportunity to serve[~~Comparisons with salaries] in the Utah~~
43 Legislature;

44 (b) ensure that recommendations governing expenses are based upon:

45 (i) payment of necessary expenses for attendance during legislative sessions;

46 (ii) a mileage allowance; and

47 (iii) reimbursement for other expenses involved in the performance of legislative
48 duties; {and}

49 (c) ensure that the recommendations governing legislative benefits address:

(i) retirement;

(ii) death allowance;

(iii) health insurance;

(iv) health insurance;

(v) post retirement health insurance; and

(vi) other applicable benefits; and

- (d) in developing its recommendations, conduct and consider comparisons of salaries
- 50 {~~and~~} ~~the~~ expense reimbursements , and benefits of other similar state
- legislators and other [~~such~~] similar factors
- 51 [~~should be considered in developing the recommendations. This study does not include a~~
- 52 ~~review of the appropriate expense level of legislators].~~

MOTION: Sen. Bell moved to adopt the amendments.

SUBSTITUTE MOTION: Sen. Peterson moved to adjourn.

The Substitute motion passed unanimously with Sens. Dmitrich, Hillyard, Stephenson and Valentine absent for the vote.

Committee Chair Bramble adjourned the meeting at 4:47 p.m.

Sen. Curtis Bramble, Committee Chair