

**MINUTES OF THE
SENATE REVENUE AND TAXATION STANDING COMMITTEE
THURSDAY, FEBRUARY 9, 2006, 8:00 A.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. Darin G. Peterson
Sen. Howard A. Stephenson

Members Excused: Sen. Lyle Hillyard
Sen. John Valentine

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

Public Speakers Present: Sarah Wilhelm, Fiscal Policy Director, Voices for Utah Children
Palmer DePaulis, State Tax Commission
Mike German, Utah Taxpayers Association
Bruce Johnson, State Tax Commission
Mark Buchi, Holme Roberts & Owens
Lee Peacock, Utah Petroleum Association

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

Chair Bramble called the meeting to order at 8:12 a.m. and announced that **S.B. 210** and **S.B. 166** would not be heard today.

Approval of Minutes

MOTION: Sen. Goodfellow moved to approve the minutes of February 7, 2006.

The motion passed unanimously with Sens. Dmitrich, Peterson and Stephenson absent for the vote.

1. S.B. 208 Reporting of Tax Expenditures (S. McCoy)

2nd Sub. S.B. 208 was distributed.

MOTION: Sen. Goodfellow moved to adopt **2nd Sub. S.B. 208**.

Sen. McCoy explained the bill.

Sarah Wilhelm, Fiscal Policy Director, Voices for Utah Children, distributed a handout, clarified and spoke in support of the bill.

Palmer DePaulis, State Tax Commission, further clarified the bill, answered questions from the committee and spoke in support of the bill.

Mike German, Utah Taxpayers Association expressed concerns with the bill.

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

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

2. S.B. 225 Payment of Tax or Bonding in Tax Cases (H. Stephenson)

The following amendment was distributed:

1. *Page 2, Lines 41 through 48:*

- 41 (3) The commission shall waive the requirements of Subsection (2) if a taxpayer
42 establishes:
43 (a) that the taxpayer has { ~~assets or income worth substantially more than the~~
 amount of
44 ~~the deficiency~~ } sufficient financial resources to pay the deficiency if the deficiency
 is upheld in a final unappealable judgment or order by a court of competent
 jurisdiction ; or
45 (b) as determined by the commission, that collection of the deficiency that is the
46 subject of the appeal is not jeopardized by waiving the requirements of Subsection (2).
47 (4) (a) The commission may not unreasonably deny a waiver described in Subsection
48 (3).

MOTION: Sen. Stephenson moved to adopt the amendment.

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

Sen. Stephenson explained the bill.

Bruce Johnson, State Tax Commission; Mark Buchi, Holme Roberts & Owens; and Lee

Peacock, Utah Petroleum Association, spoke in support of the bill.

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

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

3. H.B. 256 Requirement of Property Tax Increase Advertisement (G. Hughes)

Rep. Hughes explained the bill.

MOTION: Sen. Stephenson moved to refer to interim study the issues of the cost of newspaper Truth in Taxation advertisements and the feasibility of requiring electronic advertisements.

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

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

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

MOTION: Sen. Peterson moved to adjourn.

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

Committee Chair Bramble adjourned the meeting at 9:10 a.m.

Sen. Curtis Bramble, Committee Chair