

**MINUTES OF THE
HOUSE REVENUE AND TAXATION
STANDING COMMITTEE
Room W135 - West Office Building, State Capitol Complex**

February 19, 2007

MEMBERS PRESENT: Rep. John Dougall, Chair
 Rep. Craig A. Frank, Vice Chair
 Rep. Roger Barrus
 Rep. Tim M. Cosgrove
 Rep. Wayne A. Harper
 Rep. Gregory H. Hughes
 Rep. Christine Johnson
 Rep. Bradley G. Last
 Rep. Roz McGee
 Rep. Carol Spackman Moss
 Rep. Merlynn T. Newbold
 Rep. Gordon E. Snow
 Rep. Carl Wimmer

MEMBERS ABSENT: Rep. Ron Bigelow
 Rep. Aaron Tilton

STAFF: Bryant Howe, Assistant Director
 Rosemary Young, Secretary

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

Rep. Frank called the meeting to order at 8:20 a.m.

MOTION: Rep. Dougall moved to approve the minutes of the February 15, 2007 meeting. The motion passed unanimously with Rep. Cosgrove, Rep. Harper, Rep. Hughes, and Rep. Johnson absent for the vote.

H.B. 161 Corporate Franchise and Income Tax Credits Relating to Biodiesel or Syngas Production (Rep. M. Noel)

MOTION: Rep. Barrus moved to delete in title and body H.B. 161 and replace it with 2nd Substitute H.B. 161. The motion passed unanimously with Rep. Cosgrove, Rep. Harper, Rep. Hughes, and Rep. Johnson absent for the vote.

Rep. Noel introduced the bill and explained it to the committee.

MOTION: Rep. Wimmer moved to transmit the bill with a favorable recommendation. The

motion passed unanimously with Rep. Harper absent for the vote.

S.B. 260 Property Tax - Definition of Goodwill (Sen. W. Niederhauser) (Rep. C. Frank)

Rep. Dougall assisted by Mark Buchi, Tax Review Commission, introduced the bill and explained it to the committee. Sen. Niederhauser assisted in answering questions. Commissioner Mark Johnson, Utah State Tax Commission spoke in favor of the bill.

MOTION: Rep. Dougall moved to transmit SB260 with a favorable recommendation. The motion passed unanimously with Rep. Harper absent for the vote.

MOTION: Rep. Dougall moved that SB 260 be placed on the consent calendar. The motion passed unanimously with Rep. Harper absent for the vote.

MOTION: Rep. Dougall moved to saunter for two minutes. The motion passed by voice vote.

**1st Sub. S.B. 13 Tax Credits for Alternate Power Generation (Sen. H. Stephenson)
(Rep. M. Noel)**

MOTION: Rep. Dougall moved to substitute in title and body 1st Sub. S.B. 13 and replace it with 3rd Substitute S.B. 13, Tax Incentives for Alternate Power Generation, and to amend the bill as follows:

1. Page 5, Lines 119 through 125:

119 (iii) If a business entity sells a residential unit to an individual taxpayer before
 making
120 a claim for the tax credit under this Subsection (2)(a), the business entity may:
121 (A) assign its right {to this tax credit} to the individual taxpayer; and
122 (B) if the business entity assigns its right {to the tax credit} to an individual
 taxpayer
123 under Subsection (2)(a)(iii)(A), the individual taxpayer may claim the {tax credit as if
 the
124 individual taxpayer had completed or participated in the costs of the residential
 energy system
125 under Section 59-10-1014} payment allowed by Section 59-12-104.6 .

The motion passed unanimously with Rep. Harper, Rep. Hughes, Rep. McGee, and Rep. Newbold absent for the vote.

Rep. Noel and Sen. Stephenson assisted by Shelly Cordon-Teuscher, UPC Wind, introduced the

bill and explained it to the committee. Chris Parker, Office of Legislative Research and General Counsel, spoke to the bill.

MOTION: Rep. Wimmer moved to transmit 3rd Sub. S.B. 13 as amended with a favorable recommendation. The motion passed unanimously with Rep. Harper and Rep. McGee absent for the vote.

H.B. 415 Real Estate Related Transactions and Regulation (Rep. J. Dougall)

MOTION: Rep. Dougall moved to substitute in title and body H.B. 415 and replace it with 1st Substitute H.B. 415. The motion passed unanimously with Rep. Harper and Rep. McGee absent for the vote.

Rep. Dougall assisted by Brian Brunson, Real Estate Broker, introduced the bill and explained it to the committee.

**1st Sub. S.B. 171 Research Activities Tax Credit Amendments (Sen. H. Stephenson)
(Rep. J. Dougall)**

1st Sub. S.B. 171 was not heard in this meeting.

1st Sub. S.B. 203 Disclosure of Property Tax Information (Sen. H. Stephenson) (Rep. W. Harper)

1st Sub. S.B. 203 was not heard in this meeting.

**1st Sub. S.B. 74 Penalties Relating to Taxes, Fees, or Charges (Sen. H. Stephenson)
(Rep. J. Dougall)**

1st Sub. S.B. 74 was not heard in this meeting.

MOTION: Rep. Snow moved to adjourn. The motion passed with Rep. Cosgrove, Rep. Dougall, Rep. Frank, and Rep. Wimmer voting in opposition and Rep. Harper and Rep. McGee absent for the vote.

Rep. Frank adjourned the meeting at 9:30 a.m.

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Rep. John Dougall, Chair