

MINUTES OF THE  
SENATE EDUCATION STANDING COMMITTEE  
Monday, February 5, 2007  
Room W130, West Office Building, State Capitol Complex

Members Present: Sen. Margaret Dayton, Committee Chair  
Sen. Greg Bell  
Sen. Curtis Bramble  
Sen. Lyle Hillyard  
Sen. Pat Jones  
Sen. Darin Peterson  
Sen. Ross Romero  
Sen. Howard A. Stephenson

Staff Present: Phillip V. Dean, Policy Analyst  
Norda Shepard, Secretary

Public Speakers Present: Paul Mero, Sutherland Institute  
Dave Lifferth, Parent  
Jon Yarrington, President, Utah Home Educators Association  
Gayle Ruzicka, Utah Eagle Forum  
Sarah Myers, President, Utah School Boards Association  
Jerry Bovee, Associate Director, Utah High School Activities  
Association  
Debra Taylor, Utah PTA  
Dave Buhler, Associate Commissioner, Utah State Higher  
Education  
Susan Kuziak, Executive Director, Utah Education Association

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

Committee Chair Dayton called the meeting to order at 8:00 a.m. Chair Dayton announced that at the request of the sponsor, S.B. 180, School Construction Contract Amendments, would not be heard.

**MOTION:** Sen. Bell moved to approve the minutes of January 30, 2007 and February 1, 2007. The motion passed unanimously with Sens. Bramble, Hillyard, Jones, Peterson, and Stephenson absent at the time of the vote.

**1. S.B. 81 Home School and Extracurricular Activity Amendments**

Sen. Mark B. Madsen presented the bill. Paul Mero, Sutherland Institute, spoke in support and distributed a handout. Dave Lifferth, parent; Jon Yarrington, President, Utah Home Educators

Association; and Gayle Ruzicka, Utah Eagle Forum, also spoke in support. Sarah Myer, President, Utah School Boards Association, also representing the Utah School Superintendents Association; Jerry Bovee, Associate Director, Utah High School Activities Association; and Debra Tabor, Utah PTA, spoke in opposition.

**MOTION:** Sen. Bell moved to pass S.B. 81, Home School and Extracurricular Activity Amendments, out of committee with a favorable recommendation.

The motion passed unanimously.

Chair Dayton turned the chair to Sen. Peterson.

## **2. S.B. 62 College and University Tuition Tax Credits**

Sen. Bell presented the bill and proposed amendments and distributed a handout.

**MOTION:** Sen. Bell proposed to amend S.B. 62, College and University Tuition Tax Credits, with the following amendments:

1. Page 1, Lines 15 through 18
  - 15 ▶ establishes definitions, including eligibility for the credit;
  - 16 { ~~requires the State Tax Commission to verify certain eligibility~~  
~~information with~~
  - 17 ~~institutions of higher education;~~ } and
  - 18 ▶ gives rulemaking authority to the State Tax Commission.
  
2. Page 2, Lines 37 through 38
  - 37 (ii) is legally claimed as a personal exemption on the federal and state individual
  - 38 income tax return of a claimant who has claimant's income of \$30,000 or less ;  
regardless of filing status ;
  
3. Page 3, Lines 67 through 73.
  - 67 section if the amount of the tax credit exceeds the claimant's tax liability under this  
chapter.
  - 68 (b) { ~~(i) Prior to issuing a refund for a refundable tax credit as provided in~~  
~~Subsection~~
  - 69 ~~(3)(a), the commission shall, at a minimum, verify enrollment and qualified higher~~  
~~education~~

- 70 ~~expense information with the eligible institution.~~  
71 ~~—(ii)—~~ Upon request of the commission, the eligible institution shall release ~~{the~~  
~~requested~~  
72 ~~information, including:~~ applicable enrollment and qualified higher education expense  
73 ~~information~~ ~~{~~ to the commission for an eligible student.

The motion passed unanimously with Chair Dayton and Sen. Bramble absent at the time of the vote.

Chair Dayton assumed the chair.

Dave Buhler, Association Commissioner, Utah State Higher Education, spoke in support. Susan Kuziak, Executive Director, Utah Education Association, spoke to the bill.

**MOTION:** Sen. Hillyard moved to pass S.B. 62, College and University Tuition Tax Credits, out of committee with a favorable recommendation as amended.

The motion passed with Chair Dayton and Sen. Stephenson voting in opposition with Sen. Bramble absent at the time of the vote.

**MOTION:** Sen. Hillyard moved to adjourn. The motion passed unanimously with Sen. Bramble absent at the time of the vote.

Chair Dayton adjourned the meeting at 9:59 a.m.

Minutes were reported by Norda Shepard, Secretary.

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Sen. Margaret Dayton, Committee Chair