

**MINUTES OF THE
SENATE REVENUE AND TAXATION STANDING COMMITTEE MEETING
THURSDAY, FEBRUARY 5, 2009, 8:00 A.M.
ROOM 250, STATE CAPITOL**

Members Present: Sen. Wayne L. Niederhauser, Chair
Sen. Curtis S. Bramble
Sen. Howard A. Stephenson
Sen. Dennis Stowell
Sen. John Valentine
Sen. Ross Romero
Sen. Brent Goodfellow

Staff Present: Lorna Wells, Committee Secretary
Bryant Howe, Asst. Dir., Office of Leg. Research & Gen. Counsel

Public Speakers Present: Bruce Johnson, Commissioner, Utah State Tax Commission
Royce VanTassell, Utah Taxpayers Association
Ronald Mortensen
Roger Tew, Utah League of Cities and Towns
Ed Blake, Board President, Salt Lake Valley Habitat for Humanity
Stephen Tagliaferri, Executive Director, Habitat for Humanity
Michael Siler, American Cancer Society
Gary Kelch, Owner, Jeannie's Smoke Shop
Scott Brown, American Heart Association
Jim Olsen, President, Food & Retail Merchants

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

Chairperson Niederhauser called the meeting to order at 8:10 a.m.

MOTION: Sen. Bramble moved to approve the minutes of 2/3/2009

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

1. **S.B. 157** – Sen. Mark Madsen is not able to present this bill today.
2. **H.B. 58** - Sales and Use Tax – Determining the Location of Certain Transactions

Sen. Bramble presented and explained this bill.

Commissioner Bruce Johnson spoke in favor of this bill.

MOTION: Sen Goodfellow moved to adopt H.B. 58 with a favorable recommendation.

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

MOTION: Sen Bramble moved that H.B. 58 be placed on the Consent Calendar

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

3. **H.B. 54** -Amendments to Vehicle Registration Requirements

Rep. Francis Gibson presented and explained this bill.

Commissioner Johnson spoke in favor of this bill.

Mr. Ronald Mortensen spoke to the bill.

MOTION: Sen. Bramble moved to adopt H.B. 54 with a favorable recommendation.

Motion passed unanimously with Sen. Romero absent for the vote.

4. **H.B. 67** – Public Hearings on Property Tax Increase

Rep. Gage Forerer presented and explained this bill.

Mr. Van Tassel and Mr. Tew spoke in favor of the bill.

MOTION: Sen. Romero moved to adopt H.B. 67 with a favorable recommendation.

The motion passed unanimously.

Sen. Niederhauser relinquished the Chair to Sen. Bramble.

5. **SB 132** Individual Tax Contribution for Methamphetamine Housing Reconstruction and Rehabilitation Fund

MOTION: Senator Valentine moved to delete in title and body S.B. 132 and replace it with 1st Substitute S.B. 132

Motion passed unanimously with Sen. Niederhauser absent for the vote.

S.B. 132S01 Individual Tax Contribution for Methamphetamine Housing Reconstruction and Rehabilitation

Senator Karen Mayne presented and explained the bill.

Mr. Blake and Mr. Tagliaferri spoke in favor of the bill.

MOTION: Sen. Valentine moved to adopt 1st Substitute S.B. 132 with a favorable recommendation.

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

6. **H.B.80** – Study on Taxpayer Advocate Program

Sen. Stephenson presented and explained this bill on behalf of Representative Keith Grover.

MOTION: Sen. Goodfellow moved to amend the bill as follows:

Page 2, Line 41: Delete "shall" and insert "may"

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

Commissioner Johnson spoke to the bill.

MOTION: Sen. Goodfellow moved to adopt H.B. 80 as amended with a favorable recommendation.

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

7. **S.B. 114** - Tobacco Tax Amendments

MOTION: Senator Valentine moved to substitute 1st substitute S.B. 114 in title and body with 2nd substitute S.B. 114.

The motion passed unanimously.

S.B. 114S02 Tobacco Tax Amendment

Sen. Allen Christensen presented and explained this bill.

Mr. Siler and Mr. Brown spoke in favor of the bill.

Mr. Kelch, Mr. Van Tassell, and Mr. Olsen spoke against the bill.

MOTION: Sen. Niederhauser moved to table S.B. 114S02.

SUBSTITUTE MOTION: Sen. Valentine moved to adopt S.B. 114S02 with a favorable recommendation.

Sen. Romero asked for a **Roll Call Vote** on the substitute motion. The roll call vote was as follows: Sens. Stowell, Valentine, and Romero voting aye, and Sens. Niederhauser,

Stephenson, Bramble, Goodfellow, nay;

The substitute motion failed.

The original motion passed with Sen. Valentine voting in opposition.

MOTION: Sen. Romero moved to adjourn. The motion passed unanimously.

Sen. Niederhauser adjourned the meeting at 9:40 a.m.

Minutes were reported by Lorna Wells, Secretary.

Sen. Wayne L. Niederhauser, Committee Chair