

**MINUTES OF THE
SENATE REVENUE AND TAXATION STANDING COMMITTEE MEETING
THURSDAY, FEBRUARY 24, 2011
ROOM 215 STATE CAPITOL**

Members Present: Sen. Curt S. Bramble, Chair
Sen. J. Stuart Adams
Sen. Wayne Niederhauser
Sen. John Valentine
Sen. Howard A. Stephenson
Sen. Dennis Stowell
Sen. Ben McAdams
Sen. Ross Romero

Staff Present: Phillip V. Dean, Policy Analyst
Kathy Helgesen, Committee Secretary

Public Speakers Present: Chris Newbry, Cigar Association of America
Amy Sands, Manager, Department of Health Tobacco Convention &
Control Program
Dutch Lander, Mayor, Brian Head
Jim Ortler, Councilman, Brian Head
Roger Tew, Utah League of Cities and Towns
David Everitt, Chief of Staff, Salt Lake City
Max Burdick, Chairman, Salt Lake County Council
Ron Allen, Commissioner, Public Service Commission
Jan Feree, Chair, Legislative Coalition of People With Disabilities
Kathy Evans

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

Chair Bramble called the meeting to order at 7:35 a.m.

Sen. Valentine assumed the chair.

1. SB0262 - Tobacco Products Amendments (C. Bramble)

Sen. Bramble presented the bill.

Mr. Newbry and Ms. Sands spoke in opposition to the bill.

MOTION: Sen. Adams moved to send S.B. 262 out of committee with a favorable recommendation.

The motion passed, with Sen. Stephenson voting in opposition to the bill and Sen. Romero absent for the vote.

Sen. Bramble resumed the chair.

2. **SB0259 - Sales and Use Tax Exemption for Certain Local Government Taxes and Fees (D. Stowell)**

Sen. Stowell presented the bill.

Mr. Lander and Mr. Walker spoke in favor of the bill.

Mr. Tew spoke to the bill.

MOTION: Sen. Adams moved to send S.B. 259 out of committee with a favorable recommendation.

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

3. **HB0226S01 - Local Government Fee Authority (W. Harper)**

Rep. Harper presented the bill.

Mr. Everett and Mr. Tew spoke in favor of the bill.

Mr. Burdick to the bill.

MOTION: Sen. Valentine moved to adopt Amendment #2 as follows:

1. *Page 2, Lines 42 through 45*
House Floor Amendments
2-8-2011:

42 (b) Subsection (5)(a) does not apply to:

43 (i) a fee charged or collected on an individual basis rather than a general basis

~~and in~~

44 ~~accordance with Section 26-8a-403~~ ;

45 (ii) a non-911 service as defined in Section 26-8a-102 that is provided under a
 contract

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

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

1. *Page 2, Lines 35 through 37*
House Floor Amendments
2-8-2011:

35 (5) (a) Except as provided in Subsection (5)(b), on or after ~~H→ [July]~~
 ~~{January}~~ December ←H ~~{1}~~ 31,
35a H→ [2011] 2012 ←H , a service area
36 may not charge or collect a fee under Section 17B-1-643 for:
37 (i) law enforcement services;

MOTION: Sen. Valentine made a substitute motion to move to the next item on the agenda.

The motion passed, with Sen. Stephenson and Sen. McAdams voting in opposition to the motion, and Sen. Niederhauser, Sen. Stowell, and Sen. Romero absent for the vote.

4. **SB0043 - Local District Fees (D. Thatcher)**

Sen. Thatcher presented the bill.

MOTION: Sen. Adams moved to delete in title and body S.B. 43 and replace with 1st Substitute S.B. 43.

The motion passed unanimously with Sen. Niederhauser, Sen. Valentine, Sen. Stowell, Sen. McAdams, and Sen. Romero absent for the vote.

MOTION: Sen. Adams made a motion to move to the next item on the agenda.

The motion passed, with Sen. Stephenson voting in opposition to the motion and Sen. Niederhauser, Sen. Valentine, Sen. Stowell, Sen. McAdams, and Sen. Romero absent for the vote.

Sen. Adams assumed the chair.

5. **SB0209 - Telecommunications Amendments (C. Bramble)**

Sen. Bramble presented the bill.

Mr. Allen, Ms. Ferre, and Ms. Evans spoke in favor of the bill.

MOTION: Sen. Valentine moved to pass S.B. 209 out of committee with a favorable recommendation.

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

Sen. Valentine assumed the chair.

6. SB0218 - Trust Deed Amendments (C. Bramble)

MOTION: Sen. Bramble made a motion to delete in title and body S.B. 218 and replace it with 1st Substitute S.B. 218.

The motion passed unanimously with Sen. Adams, Sen. Niederhauser, Sen. Stowell, and Sen. McAdams absent for the vote.

7. SB0187 - County Services Amendments (C. Bramble)

This bill was not addressed.

8. SB0158 - Local Government Funding Amendments (C. Bramble)

This bill was not addressed.

9. SB0284 - County Tax Amendments (J. Stephenson)

This bill was not addressed.

MOTION: Sen. Bramble made a motion to adjourn.

The motion passed, with Sen. Stephenson voting in opposition to the motion and Sen. Adams, Sen. Niederhauser, Sen. Stowell, and Sen. McAdams absent for the vote.

Sen. Valentine adjourned the meeting at 9:30 a.m.

Minutes were reported by Kathy Helgesen, Committee Secretary.

Sen. Curt Bramble, Committee Chair