

**MINUTES OF THE  
SENATE REVENUE AND TAXATION STANDING COMMITTEE MEETING  
TUESDAY, MARCH 1, 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: Bryant Howe, Assistant Director  
Kathy Helgesen, Committee Secretary

Public Speakers Present: Alia Herrod  
Alexandra Eframo  
Marina Lowe, Legislative Counsel, ACLU of Utah  
Robert Wren, UFIRE Utah  
David Herring, Utah County 9/12 Project  
Lee Gardner, Salt Lake County Assessor  
David Rasmussen  
Mark Alvarez, United for Social Justice  
Jacque Nielsen, Tea Party  
Nellie Morgan, Utah Minuteman Project  
Stephanie Terry, Davis County 9/12 Project  
Charlene Booth  
Robin Riggs, EVP, Salt Lake Chamber  
Alex Segura, Utah Minuteman Project  
Bruce Johnson, Commissioner, Utah State Tax Commission  
Allison Rowland, Director Budget & Research, Voice for Utah  
Children

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

Chair Bramble called the meeting to order at 4:25 p.m.

**Approval of Minutes**

**MOTION:** Sen. Valentine moved to approve the minutes of the February 22, February 24, and February 28, 2011, meeting.

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

Sen. Valentine assumed the chair.

1. **SB0278 - Charter School Property Tax Amendments (C. Bramble)**

Sen. Bramble presented the bill.

**MOTION:** Sen. Bramble moved to pass S.B. 278 out of committee with a favorable recommendation.

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

**MOTION:** Sen. Bramble moved to place S.B. 278 on the Consent Calendar.

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

Sen. Bramble resumed the chair.

2. **HB0253S01 - Employment of Unauthorized Aliens (C. Herrod)**

Rep. Herrod presented the bill.

Ms. Herrod, Ms. Eframo, Mr. Wren, Mr. Herring, Ms. Nielsen, Ms. Morgan and Ms. Terry spoke in favor of the bill.

Ms. Lowe, Mr. Gardner, Mr. Rasmussen and Mr. Alvarez spoke in the opposition to the bill.

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

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

Sen. Valentine assumed the chair.

3. **SB0288 - Utah Immigration Enforcement Amendments (C. Bramble)**

**MOTION:** Sen. Bramble moved to delete in title and body S.B. 288 and replace it with 1st Substitute S.B. 288.

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

**MOTION:** Sen. Bramble moved to adopt the amendment as follows:

1. *Page 21, Lines 629 through 633:*

629 63G-12-203; {~~and~~}  
630 (d) the attorney general for costs associated with:  
631 (i) litigation related to this chapter;  
632 (ii) a multi-agency strike force created under Section 67-5-22.7; or  
633 (iii) a memorandum of understanding executed under Section 67-5-28 {~~.~~} ;  
and  
(e) the Identity Theft Restricted Account created in Section 67-5-22.7.

2. *Page 24, Lines 711 through 716:*

711 (d) To the extent feasible and consistent with a waiver, exemption, or authority  
entered  
712 into under Section 63G-12-202, the State Tax Commission shall work with the applicable  
713 federal government agencies to ensure that the withholding provided for under this  
Subsection  
714 (2) is compatible with a federal process by which {~~the income and~~} employment  
taxes are  
715 collected that would be imposed under federal law if a permit holder were an employee  
with a  
716 Social Security number.

3. *Page 31, Lines 948 through 951:*

948 (4) A person is guilty of a class {~~C~~} B misdemeanor if the person:  
949 (a) furnishes false or forged information or documentation in support of an  
application;  
950 or  
951 (b) alters the information on a permit.

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

Sen. Bramble presented the bill.

Mr. Riggs spoke in favor of the bill.

Mr. Herring, Mr. Alvarez, Ms. Booth, Ms. Nielsen, Ms. Eframo, Mr. Wren, Mr. Segura and Ms. Herrod spoke in opposition to the bill.

**MOTION:** Sen. Niederhauser moved to pass 1st Substitute S.B. 288, as amended, out of committee with a favorable recommendation.

The motion passed 7-1-0 with Sen. Romero voting in opposition to the bill

4. **SB0233 - Tax Modifications (C. Bramble)**

Sen. Bramble presented the bill.

Mr. Johnson spoke in favor of the bill.

**MOTION:** Sen. Bramble moved to hold the bill.

The motion passed unanimously.

5. **SB0165 - Election Law Amendments (C. Bramble)**

**MOTION:** Sen. Bramble moved to delete in title and body S.B. 165 and replace it with 1st Substitute S.B. 165.

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

Sen. Bramble presented the bill.

**MOTION:** Sen. Bramble moved to amend the bill as follows:

1. *Page 1, Lines 11 through 14:*

- 11 This bill:
- 12 ▶ defines terms;
- 13 ▶ authorizes a person to vote in an election if the person registers online to  
vote ~~{online}~~ at
- 14 least 15 days before an election;

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

**MOTION:** Sen. Bramble moved to pass 1st Substitute S.B. 165, as amended, out of committee with a favorable recommendation.

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

**6. SB0181 - Lobbyist Disclosure and Regulation Act Revisions (C. Bramble)**

Sen. Bramble presented the bill.

**MOTION:** Sen. Bramble moved to pass S.B. 181 out of committee with a favorable recommendation.

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

**7. SB0287 - Specialty License Plate Amendments (C. Bramble)**

Sen. Bramble presented the bill.

**MOTION:** Sen. Bramble moved to pass S.B. 287 out of committee with a favorable recommendation.

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

**8. SB0189 - Tax Code Modifications (B. McAdams)**

Sen. McAdams presented the bill.

Ms. Rowland spoke in favor of the bill.

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

*1. Page 2, Line 55 through Page 3, Line 59:*

55 commission may make rules:

56 (a) providing procedures for issuing refunds for a tax credit claimed under this  
section;

57 and

58 (b) for making a transfer from the General Fund into the Education Fund as  
required by

59 Subsection (4).

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

**MOTION:** Sen. Bramble moved to pass S.B. 189, as amended, out of committee with a

favorable recommendation.

The motion passed unanimously with Sen. Niederhauser.

**MOTION:** Sen. Bramble moved to adjourn.

Chair Valentine adjourned the meeting at 6:42 p.m.

Minutes were reported by Kathy Helgesen, Committee Secretary.

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Sen. Curt Bramble, Committee Chair