

**MINUTES OF THE  
HOUSE REVENUE AND TAXATION  
STANDING COMMITTEE**

Room 445, State Capitol  
March 8, 2016

**Members Present:** Rep. Daniel McCay, Chair  
Rep. Jeremy A. Peterson, Vice Chair  
Rep. Joel K. Briscoe  
Rep. Rich Cunningham  
Rep. Gage Froerer  
Rep. Brian M. Greene  
Rep. Eric K. Hutchings  
Rep. Ken Ivory  
Rep. Brian S. King  
Rep. John Knotwell  
Rep. Mike K. McKell  
Rep. Douglas V. Sagers  
Rep. Jon E. Stanard

**Staff Present:** Leif G. Elder, Policy Analyst  
An Bradshaw, Secretary

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

Chair McCay called the meeting to order at 7:09 p.m.

**MOTION:** Rep. McKell moved to approve the minutes of the March 1, 2016; March 3, 2016; and March 4, 2016 meetings. The motion passed unanimously with Rep. Greene, Rep. Froerer, Rep. Hutchings, Rep. King, Rep. Knotwell, and Rep. Stanard absent for the vote.

**S.B. 221 Capitol Protocol Amendments (Sen. M. Madsen)**

Sen. Madsen explained the bill to the committee.

**MOTION:** Rep. Cunningham moved to pass the bill out favorably. The motion passed unanimously with Rep. Froerer, Rep. Hutchings, Rep. King, Rep. Knotwell, and Rep. Stanard absent for the vote.

**S.B. 245 Personal Property Amendments (Sen. D. Henderson)**

Sen. Henderson explained the bill to the committee.

**MOTION:** Rep. McKell moved to pass the bill out favorably. The motion passed unanimously with Rep. Froerer absent for the vote.

**S.B. 242 Special Education Intensive Needs Fund Amendments (Sen. L. Fillmore)**

Sen. Fillmore explained the bill to the committee.

**MOTION:** Rep. Briscoe moved to pass the bill out favorably. The motion passed unanimously with Rep. Froerer absent for the vote.

**S.B. 256 Judgment Interest Rate Amendments (Sen. C. Bramble)**

Sen. Bramble explained the bill to the committee.

**MOTION:** Rep. Sagers moved to pass the bill out favorably. The motion passed with Rep. Ivory voting in opposition and Rep. Froerer absent for the vote.

**1st Sub. S.B. 171 Economic Development Tax Credits Amendments (Sen. C. Bramble)**

Sen. Bramble explained the bill to the committee.

**MOTION:** Rep. Stanard moved to replace 1st Sub. S.B. 171 with 2nd Sub. S.B. 171. The motion passed unanimously with Rep. Froerer absent for the vote.

**MOTION:** Rep. Knotwell moved to pass 2nd Sub. S.B. 171 out favorably. The motion passed unanimously with Rep. Froerer absent for the vote.

**S.B. 217 Alcoholic Beverage Control Act Licensing Amendments (Sen. J. Stevenson)**

Sen. Stevenson explained the bill to the committee.

**MOTION:** Rep. Cunningham moved to pass the bill out favorably. The motion passed unanimously with Rep. Froerer and Rep. McKell absent for the vote.

**S.B. 250 Alcoholic Beverage Policy Amendments (Sen. J. Stevenson)**

Sen. Stevenson explained the bill to the committee.

**MOTION:** Rep. Cunningham moved to pass the bill out favorably. The motion passed unanimously with Rep. Froerer, Rep. Hutchings, and Rep. Peterson absent for the vote.

**4th Sub. S.B. 90      Falsification of Information in a Protective Order Proceeding (Sen. A. Jackson)**

Sen. Jackson explained the bill to the committee. Dan Deuel and Dani Hartvigsen, National Parents Organization of Utah, answered questions from the committee and spoke in support of the bill.

Spoke against the bill:            Stewart Ralphs, Family Law Section, Utah State Bar  
   Virginia Ward, advocate for domestic violence victims  
   Gary Scheller, Office for Victims of Crime

**MOTION:**    Rep. McKell moved to move to the next item on the agenda, which Chair McCay said has the effect of holding the bill in committee so it cannot be prioritized and placed on the board. The motion passed with Rep. Greene and Rep. Hutchings voting in opposition and Rep. Froerer absent for the vote.

**2nd Sub. S.B. 182      Sales and Use Tax Revisions (Sen. W. Harper)**

Sen. Harper explained the bill to the committee.

Spoke for the bill:                Lynn Pace, Utah League of Cities and Towns  
   Kate Bradshaw, Utah Food Industry Association and Utah Retail Merchants Association

Spoke against the bill:            Chad Waite, Avantlink.com  
   Gary Thorup, eBay  
   John Doherty, TechNet  
   James O'Neal, citizen  
   Natalie Martins, Affiliate Marketers of Utah

**MOTION:**    Rep. McKell moved to amend the bill as follows:

*1. Page 45, Lines 1378 through 1379:*

1378            Section 11. Effective date.

1379            This bill takes effect on July 1, {2016} **2017** .

The motion to amend passed with Rep. Knotwell voting in opposition and Rep. Hutchings absent for the vote.

**MOTION:** Rep. McKell moved to move to the next item on the agenda, which Chair McCay said has the effect of holding the bill in committee so it cannot be prioritized and placed on the board. The motion passed unanimously with Rep. Hutchings absent for the vote.

**2nd Sub. S.B. 133 Small Employer Retirement Amendments (Sen. T. Weiler)**

Sen. Weiler explained the bill to the committee.

Rep. Cunningham declared a conflict of interest.

Spoke for the bill: Danny Harris, AARP Utah  
Dave Davis, Utah Food Industry Association and Utah Retail Merchants Association  
Jonathan Parry, Vest Pocket Business Coalition

Spoke to the bill: David Damschen, State Treasurer

Spoke against the bill: Howard Headlee, Utah Bankers Association  
Jeff Scott, FirstWest, letter provided to the committee  
Charles Lansche, Fidelity Investments

**MOTION:** Rep. Cunningham moved to move to the next item on the agenda, which Chair McCay said has the effect of holding the bill in committee so it cannot be prioritized and placed on the board. The motion passed with Rep. Briscoe voting in opposition and Rep. McKell absent for the vote.

**S.B. 208 Retirement Amendments (Sen. T. Weiler)**

Sen. Weiler explained the bill to the committee with the assistance of Ryan Hansen, Pioneer Adult Rehabilitation Center (PARC).

Spoke to the bill: Dee Larsen, Utah Retirement Systems

Spoke against the bill: David Spatafore, representing police chiefs and fire chiefs

**MOTION:** Rep. Sagers moved to pass the bill out favorably. The motion passed unanimously with Rep. Greene, Rep. Cunningham, and Rep. McKell absent for the vote.

**2nd Sub. S.B. 169    Olene Walker Housing Loan Fund Amendments (Sen. T. Weiler)**

Sen. Weiler explained the bill to the committee.

Spoke against the bill:            David Spatafore, representing Murray City

**MOTION:**    Rep. Ivory moved to adjourn. The motion failed with Rep. Ivory voting in favor and Rep. Greene, Rep. Froerer, and Rep. McKell absent for the vote.

**MOTION:**    Rep. Ivory moved to amend the bill as follows:

*1. Page 2, Lines 38 through 44:*

- 38            (1) As used in this section, "homeless shelter" means a facility that:  
39            (a) is located within a municipality;  
40            (b) provides temporary shelter to homeless individuals;  
41            (c) has capacity to provide temporary shelter to at least 200 individuals per night;  
              and  
42            (d) began operation on or before January 1, 2016.  
43            {(2) A municipality may not adopt or enforce an ordinance or other  
              regulation that  
44            prohibits a homeless shelter from operating year-round.}

The motion to amend failed with Rep. Cunningham, Rep. Hutchings, Rep. Ivory, Rep. King, and Rep. Stanard voting in favor and Rep. Greene, Rep. Froerer, and Rep. McKell absent for the vote.

**MOTION:**    Rep. Briscoe moved to pass the bill out favorably. The motion passed with Rep. Cunningham and Rep. Ivory voting in opposition and Rep. Greene, Rep. Froerer, and Rep. McKell absent for the vote.

**MOTION:**    Rep. Sagers moved to adjourn. The motion passed unanimously with Rep. Greene, Rep. Froerer, and Rep. McKell absent for the vote.

Chair McCay adjourned the meeting at 10:52 p.m.