

**UTAH STATE TAX COMMISSION
MEETING MINUTES**

9:00 a.m., Thursday, February 10, 2011

Commission Hearing Room 1025, 210 North 1950 West, Salt Lake City, Utah

Participating:

R. Bruce Johnson - Commission Chair
D'Arcy Dixon Pignanelli - Commissioner
Michael J. Cragun - Commissioner
Barry Conover - Interim Executive Director

Excused:

Marc B. Johnson - Commissioner

Commission Staff Present:

Lynn Solarczyk, Legislative and Government Affairs Director
Craig Sandberg, Director, Auditing
Scott Smith, Deputy Director, Auditing
Christa Johnson, Commission Executive Assistant
Charlie Roberts, Public Information Officer

Note: A list of others present, a copy of related materials and an audio recording of the meeting can be obtained from the Office of the Commission at 801-297-3901.

I. Call to Order

Commission Chair B. Johnson called the meeting to order at 9:00 a.m.

II. Public Comment (members of the public wishing to address the Commissioners for up to three minutes on matters not related to a pending or reasonably imminent appeal to the Tax Commission)

Commission Chair B. Johnson noted that no one wished to address the Tax Commissioners.

III. Consider Approving Minutes Of Previous Meetings

MOTION: Commissioner Dixon moved approval of the January 27, 2011 Commission Meeting minutes as presented. The motion passed unanimously.

IV. Commission Business

a. Consider Tax Commission positions on pending legislation

H.B.70, H.B.72, H.B.82, H.B.91, H.B.94, H.B.96, H.B.105, H.B.112, H.B.116, H.B.120, H.B.135, H.B.166, H.B.177, H.B.256, H.B.261, H.B.262, H.B.275, H.J.R.16, S.B.1 substitute 1, S.B.44, S.B.51, S.B.55, S.B.60, S.B.69, S.B.70, S.B.71, S.B.86, S.B.122, S.B.125 substitute 1, S.B.132, S.B.136 substitute 1, S.B.139, S.B.145, S.B.157

Commissioner Dixon asked that the agenda give short titles and links to notify the public of the bills.

Commissioner B. Johnson stated that the Commission will not take a formal position on the pending legislation, listed on the agenda.

b. Proposed changes in Policy Number: TMV-20, Streamlined Sales Tax Policy

Ms. Lynn Solarczyk reported on the proposed changes in Policy Number: TMV-20, Streamlined Sales Tax Policy. She said the purpose of this policy is to establish guidelines consistent with the national Streamlined Sales and Use Tax Agreement ("Agreement") in order to simplify and modernize sales and use tax administration. She also explained that the changes clarify filing deadlines for all sellers and return requirements for sellers of food and residential utilities.

MOTION: Commissioner Cragun moved to approve the proposed changes in Policy Number: TMV-20, Streamlined Sales Tax Policy. The motion passed unanimously.

V. Interim Executive Director's Report

Interim Executive Director Barry Conover reported that all of the Tax Commission Divisions have been working on the Legislative Session.

Mr. Conover reported that he joined Commission Chair B. Johnson to discuss the agency's budget at the February 4, 2011 Business, Economic Development and Labor Appropriations Subcommittee meeting.

Mr. Conover reported on the status of furnishing room 1026 to accommodate public meetings. The Purchasing agents are ordering a computer and audio system and tables.

VI. Commissioner Reports

Commissioner Dixon reported on first SB11 Worker Classification Coordinated Enforcement by Sen. Karen Mayne, passed both the Senate and House bodies. If signed by the Governor, a representative of the Tax Commission will need to be appointed to the Enforcement Council. Commissioner Dixon stated she had served on legislative working groups in 2007 and 2010 on this issue and would like to be considered for that appointment.

Commissioner Dixon also reported that Rep. Powell, the sponsor of first substitute HB17 1S Enterprise Zone Amendments was planning to run less than a 10 word amendment on the credit for insurance premiums to further clarify when the credit can be taken. Ms. Solarczyk made sure the proposed amendment was reviewed by Auditing to assure the intent of the amendment was understood. The bill should be heard this week or next week on the House Floor.

Commissioner Cragun stated that the next Commission Meeting will be a Special Commission Meeting because Commissioner B. Johnson and he have other obligations on Thursday, February 24, 2011. He said that the Special Commission Meeting will be held on Wednesday, Feb. 23 2011 at 9:00 am and will discuss amendments to Rule 861-1A-43 Electronic Meeting.

VII. Adjourn

MOTION: Commissioner Cragun moved to adjourn. The motion passed unanimously.

Commission Chair B. Johnson adjourned the meeting at 9:22 a.m.

Approved on: 02/23/2011

Attested: Christa Johnson
Executive Assistant
Utah State Tax Commission