

**UTAH STATE TAX COMMISSION
MEETING MINUTES**

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

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

Participating:

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

Commission Staff Present:

Lynn Solarczyk, Legislative, and Government Affairs Director
Christa Johnson, Commission Executive Assistant

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 9:05 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 recommended Tax Commission positions on pending legislation

i. Other Bills (C):

1. HB 496 Sub 1- Technology and Life Science Economic Development Act and Related Tax Credits
2. HB 497 Sub 1- Utah Illegal Immigration Enforcement Act

Commissioner Dixon asked for Ms. Lynn Solarczyk to provide why the bills were recommended as C bills.

Ms. Solarczyk stated that in terms of HB 496, the Tax Commission usually takes no position on bills involving credits; and in terms of HB 497S1, the Motor Vehicle Division of the Tax Commission had not been required to participate in the law enforcement activities.

Commission Chair B. Johnson asked if any of the commissioners wanted to recommend another position on these bills. Noting no motions, Commission Chair B. Johnson stated the Commission would not take a formal position on the pending legislation listed on the agenda.

IV. Interim Executive Director's Report

Mr. Barry Conover reported that the appropriation subcommittee committee recommended restoring the agency's budget and that the House standing committee held HB431- Tax, Fee, or Charge Electronic Filing and Remittance which was introduced in response to the previously anticipated budget cut. He also distributed a flyer that the agency will insert in sales tax related mailings in order to encourage voluntary e-filing.

Mr. Conover reported that the Tax Commission will lose 6.5 FTE positions, which are currently vacant.

Mr. Conover noted that SB276— Personal Property Audits, sponsored by Senator Ralph Okerlund, which requires taxing entities requesting the agency to conduct personal property tax audits to pay the full cost rather than the currently required 30% of the cost is still pending.

Mr. Conover also reported that the legislature will fund neither the \$43,600 requested for a tobacco auditor nor \$80,000 for the agency to meet its National Motor Vehicle Title Information System (NMVTIS) obligations.

Finally, Mr. Conover expressed his gratitude to the agency's and commissioners' staffs and Ms. Solarczyk for all the work they have done on the 2011 legislative bills.

V. Commissioners Report

Commission Chair B. Johnson thanked Julie Alsop and her staff for the work they have done on the budget. He also thanked Ms. Solarczyk for all the work she has done on the 2011 legislative bills.

Commissioner Dixon recognized the Tax Commission economists, Ms. Leslee Katayama, Mr. Matthew Lund, and Mr. Andre Baksh, and her fellow commissioner, Marc Johnson, who oversees the economists, for all their excellent and detailed work on the legislative fiscal notes during the 2011 Session.

VI. Adjourn to Closed Session

MOTION: Commissioner Cragun moved to meet in a closed session to discuss the character, professional competence or mental or physical health of the Executive Director applicants in room 4041 and return back at 5:00 pm. The motion passed with the affirmative votes from Commissioners, R. Bruce Johnson, Marc B. Johnson, D'Arcy Dixon Pignanelli, and Michael J. Cragun.

VII. Return to Open Session

Commission Chair B. Johnson called the meeting back to order at 5:45 p.m.

Commissioner B. Johnson signed the affidavit required by Utah Code § 52-4-206(6)(a).

VIII. Select candidates for interview from among the applicants for Executive Director, Tax Commission (job announcement 22653)

The commission held no discussion and took no action on this item.

IX. Adjourn

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

Commission Chair B. Johnson adjourned the meeting at 5:50 p.m.

Approved on: March 24, 2011

Attested: Christa Johnson
Executive Assistant
Utah State Tax Commission