

**UTAH STATE TAX COMMISSION  
MEETING MINUTES**

9:00 a.m., Thursday, December 11, 2014

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

**Participating:**

John L. Valentine - Commission Chair by phone

D'Arcy Dixon Pignanelli - Commissioner

Michael J. Cragun - Commissioner

Robert P. Pero – Commissioner

Barry Conover – Executive Director

**Commission Office:**

Christa Johnson, Commission Executive Assistant

Charlie Roberts, Public Information Officer

**Note:** A copy of related materials and an audio recording of the meeting can be found on the Tax Commission website: <http://tax.utah.gov/commission-office/meetings>.

**I. Call to Order**

Commissioner Dixon called the meeting to order at 9:01 a.m. and noted that Chairman Valentine is participating by phone.

**II. Public Comment (individuals or groups 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)**

Commissioner Dixon asked if anyone wished to address the Tax Commissioners. There were no comments.

**III. Consider Approving Open and Closed Commission Meeting minutes of Thursday, October 23, 2014.**

**MOTION:** Commissioner Cragun moved to approve the Open and Closed Commission Meeting minutes of Thursday, October 23, 2014. The motion passed unanimously.

**IV. Consider approving 2015 Notice of Scheduled Meetings**

Commissioner Cragun explained that an annual notice of regular meeting schedules is required by statute. Regular Commission Meetings are scheduled for every second and fourth Thursday of each month except November and December with meetings scheduled only on the second Thursday.

**MOTION:** Commissioner Cragun moved to approve the 2015 Notice of Scheduled Meetings. The motion passed unanimously.

## **V. Consider Amending Administrative Rules**

1. R R884-24P-24. Form for Notice of Property Valuation and Tax Changes
2. R884-24P-53. 2015 Valuation Guides for Valuation of Land Subject to the Farmland Assessment Act

Commissioner Pero explained that the rules were posted in the November 1, 2014, Bulletin. The 30-day public comment period ended on December 1, 2014.

Rule R884-24P-53 amendment annually updates the agricultural productive values to be applied by county assessors to land qualifying for valuation and assessment under the Farmland Assessment Act. The values are recommended to the Commission by the State Farmland Evaluation Advisory Committee, which meets under the authority of Section 59-2-514. Section 59-2-515 authorizes the State Tax Commission to promulgate rules regarding the Property Tax Act, Part 5, Farmland Assessment Act. Section 59-2-514 authorizes the State Tax Commission to receive valuation recommendations from the State Farmland Advisory Committee for implementation as outlined in R884-24P-53. The rule sets the acreage value rates for 418 separate class-county combinations.

**MOTION:** Commissioner Pero moved to adopt the amendment to Rule R884-24P-53, 2015 Valuation Guides for Valuation of Land Subject to the Farmland Assessment. The motion passed unanimously.

Rule R884-24P-24 amendments reflect statutory changes from 2014 SB 61 and recommendations from the State Auditor. (1) deletes language dealing with public hearings for taxing entities that have a calendar year as their tax year since 2014 SB 61 has made statutory changes that cover this issue; (2) deletes language that excluded tax increment distributions when calculating the percentage of property taxes collected so that local taxing entities can meet the recommendation of the State Auditor and accurately account for the taxes they have imposed; and (3) makes technical changes to more accurately reflect statutes.

**MOTION:** Commissioner Pero moved to adopt the amendment to Rule R884-24P-24 Form for Notice of Property Valuation and Tax Changes. The motion passed unanimously

## **VI. Executive Director's Report**

Mr. Conover gave an update on the interior improvements including carpet, tile and VOIP.

**MOTION TO RECONSIDER:** Commissioner Cragun moved to reconsider the prior motion made on Rule R884-24P-53. The motion passed unanimously.

**MOTION:** Commissioner Pero moved to adopt the amendment to Rule R884-24P-53, 2015 Valuation Guides for Valuation of Land Subject to the Farmland Assessment with a January 1, 2015 effective date. The motion passed unanimously.

## **VII. Commissioners' Report**

Commission Chair Valentine reported the Marketplace Fairness Act (MFA) is effectively dead for this year, U.S. Rep. Jason Chaffetz, plans to introduce a separate bill to replace the MFA (S. 743 and H.R. 684) after the New Year, The Remote Transaction Parity Act, which would authorize states to require remote sellers to collect taxes. This bill would have a direct effect on Utah's budget. He also stated that Congress is addressing the issue of Ireland's corporate income tax rates.

- VIII.** Consider approving stipulation and settlement agreement for Octapharma Plasma, Inc. f/k/a/ LifeTherapeutics, Inc./Serologicals, Inc. vs. Auditing Division of the Utah State Tax Commission and Utah State Tax Commission, Third District Court, Case No. 130901309

**MOTION:** Commissioner Cragun moved to approve the stipulation and settlement agreement and to authorize counsel's signature on any required documents. The motion passed unanimously.

## **IX. Adjourn**

Commissioner Dixon adjourned the meeting at 9:18 a.m.

**Approved on:** Wednesday, January 21, 2015

**Attested:** Christa Johnson  
Executive Assistant  
Utah State Tax Commission