

**UTAH STATE TAX COMMISSION  
MEETING MINUTES**

9:30 a.m., Thursday, September 14, 2017

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

**Participating:**

John L. Valentine – Commission Chair  
Michael J. Cragun – Commissioner  
Robert P. Pero – Commissioner  
Rebecca L. Rockwell – Commissioner  
Barry Conover – Executive Director

**Commission Office:**

Christa Johnson, Commission Executive Assistant

**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**

Commission Chair Valentine called the meeting to order at 9:30 a.m.

**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)**

Commission Chair Valentine asked if anyone wished to address the Tax Commissioners. There were no comments.

**III. Consider Approving Commission Meeting minutes of August 24, 2017**

**MOTION:** Commissioner Pero moved to approve the Commission Meeting Minutes of August 24, 2017. The motion passed unanimously.

**IV. Approve submission of proposed rule amendments to Division of Administrative Rules for publication in Utah Register *[action item]***

- 1. Rule R861-1A-42. Waiver of Penalty and Interest for Reasonable Cause**
- 2. Rule R884-24P-33. 2018 Personal Property Valuation Guides and Schedules**

Commissioner Rockwell explained that the following proposed rule amendments are for the Commission to consider and submit for publication to the Division of Administrative Rules. The rules will be published in the Utah Bulletin on October 1, 2017 and the public comment period will end on October 31, 2017.

Rule R861-1A-42. Waiver of Penalty and Interest for Reasonable Cause. The proposed amendment expands the circumstances that may constitute reasonable cause to waive a penalty to include failure by a tax advisor to file a return or make a tax payment on behalf of a taxpayer that has exercised ordinary business care, prudence, and diligence in determining whether to seek further advice.

**MOTION:** Commissioner Rockwell moved to submit the proposed rule amendment R861-1A-42. Waiver of Penalty and Interest for Reasonable Cause, to the Division of Administrative Rules. The motion passed unanimously.

Rule R884-24P-33. 2018 Personal Property Valuation Guides and Schedules. Utah Code Section 59-2-107 authorizes the Utah State Tax Commission to promulgate rules that define classes of items considered to be personal property and provide valuation percent good schedules to value locally assessed personal property. County assessors must use the percent good schedules as contained in this rule. Any deviation which affects an entire class or type of personal property requires a written report documenting the schedule change to be submitted to the Tax Commission for approval prior to use.

**MOTION:** Commissioner Rockwell moved to submit the proposed rule amendment R884-24P-33. 2018 Personal Property Valuation Guides and Schedules, to the Division of Administrative Rules. The motion passed unanimously.

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

Mr. Conover stated that the Criminal Investigation Unit (CIU) will be relocating their offices from the first floor to the third floor.

Mr. Conover thanked Commissioner Cragun for all the work he does putting the Open and Annual Public Meeting Training together.

Commission Chair Valentine asked Mr. Conover about the Department of Administrative Services online training application. Mr. Conover responded that they would look at using the online training application in the near future for divisions within the Tax Commission.

Mr. Conover announced that the annual breakfast will be held on September 21, 2017. The breakfast is a thank you to our dedicated employees for another successful year.

## **VI. Commissioners' Reports**

Commission Chair Valentine reported on two conferences he had recently attended. The first conference he attend was the Multistate Tax Commission annual meeting in Wichita, Kansas. He was appointment as chair of the Multistate Tax Commission for one year. The second conference he attended was the National Conference of State Tax Judges in Cambridge Massachusetts. Commissioner Valentine mentioned that the conference was excellent and he suggested that other Commissioners and Administrative Law Judges attend next year.

## **VII. Adjourn**

Commission Chair Valentine adjourned the meeting at 9:42 a.m.

**Approved on:** Thursday, September 28, 2017

**Attested:** Christa Johnson

Executive Assistant, Utah State Tax Commission