

MINUTES OF UTC PUBLIC POLICY FORUM MEETING

February 8, 2013 – 3:30-5:30 p.m.

Utah Technology Council – Conference Room

Terry Bagley and Chet Linton, Co-Chairs

Those in attendance were: Co-Chair Chet Linton of School Improvement Network, Patrick Lynch of Perpetual Storage Inc., Greg Jones of Tech Ventures, Carson Howell of USTAR, Stan Lockhart of IM Flash Technologies, Mark McBride of LAN Desk Software, Tom Lund of Tanner LLC, Jason Olson of AT&T, Jeff Rogers of Paul and Associates, Kimmy Naylor of Paul Rogers and Associates and Judy Young of the Utah Technology Council.

Chet Linton conducted the meeting.

Minutes approved from Jan. 25 and Feb. 1, 2013 meetings.

Review of Bill Watch List for 2013 Session – Jeff Rogers

With the Legislative Session underway, the Forum discussed bills that could possibly impact the technology industry. With the discussion of each bill, the Forum voted on a “High Priority Support,” “Support,” “Oppose,” “Strongly Oppose,” or “Monitor” position on each of the bills.

SCR 5: Concurrent Resolution Endorsing the Utah Education Excellence Commission (Sen. Stephenson)

This resolution expresses strong support for achieving the goal that 66% of Utah’s adults hold a postsecondary degree or certificate by 2020. This bill also expresses the legislature’s determination to work with the Governor and Utah’s education stakeholders to achieve the 66% goal.

MOTION: Tom Lund made a motion to take a **Support** position on this bill. Stan Lockhart seconded the motion. The motion passed unanimously.

SB 33: Sales and Use Tax Revisions (Sen. Stephenson/ Rep. Eliason)

This bill enacts a sales and use tax exemption for certain sales or leases if the ownership of the seller and the ownership of the purchaser are identical or the ownership of the lesser and the ownership for the lessee are identical. This bill also enacts a sales and use tax exemption for certain purchases of machinery and equipment if a certain percentage of the purchaser’s sales revenues are certain admission or user fees subject to sales and use taxation. This bill also grants rulemaking authority to the State Tax Commission.

ACTION: The Forum decided to just **Monitor** this bill and learn more about it. Jason Olson was tasked with researching this bill further.

SB 35: Property Taxation of Business Personal Property (Sen. Harper/ Rep. Wilson)

This bill increases a property tax exemption for business personal property, repeals a consumer price index adjustment for purposes of the property tax exemption for business personal property and provides that a signed statement submitted to a copy assessor may only contain certain information under certain circumstances.

ACTION: The Forum decided that this bill was small business friendly and decided to **Monitor** the bill until further discussion.

SB 51: Higher Education Tuition Waivers (Sen. Urquhart)

This bill removes the cap on the number of waivers allotted to institutions of higher education for nonresident students who meet certain academic and admission requirements.

MOTION: Chet Linton made a motion to take a **Support** position on this bill. Stan seconded the motion. Motion passed unanimously.

SB 55: Substitute Insurance Coverage for Autism Spectrum Disorder (Sen. Shiozawa)

This bill requires a health benefit plan to provide coverage for the treatment of autism spectrum disorder. This bill also grants rulemaking authority to the insurance commissioner and describes minimum coverage amounts and limits for the insurance coverage and provides for the annual adjustment of the coverage. Historically UTC has been opposed to any mandate voted on by the legislature.

MOTION: Stan made a motion to take an **Oppose** position on this bill. This motion was seconded by Judy Young. This motion passed unanimously.

SB 58: Amendments to Sales and use Taxation (Sen. Harper)

This bill addresses the disposition of sales and use tax revenue if Congress or the Supreme Court of the United States takes certain actions related to the collection of sales and use taxes on those businesses or sellers that are not currently collecting sales and use taxes.

ACTION: The Forum decided to **Monitor** this bill until further discussion because UTC members have strong feelings on both sides of this issue.

SB 110 School-Based Budgeting Amendments (Sen. Stephenson)

This bill requires a school district to distribute certain revenues to schools in accordance with a weighted student formula and requires a principal to determine how to use revenues available to the school to meet student's needs.

ACTION: The Forum tasked Chet Linton for further research on this bill.

SB 124: Sales and Use Tax Exemption for Database Access (Sen. Harper)

This bill enacts a sales and use tax exemption for amounts paid or charged to access a database if the primary purpose for accessing the database is to view or retrieve information.

MOTION: Stan made a motion to take a **Support** position on this bill. Chet seconded the motion. Motion passed unanimously.

SB 133: School Performance Report Amendments (Sen. Stephenson)

This bill requires the State Board of Education to post performance reports of schools online for public access.

MOTION: Tom Lund made a motion to take a **Support** position on this bill. Stan seconded the motion. Motion passed unanimously.

SB 151: Authorization of Charter Schools by Higher Education Institutions (Sen. Adams)

This bill removes the requirement to obtain the approval of the Utah College of Applied Technology Board of Trustees before a campus board of directors enters into an agreement authorizing an individual or not-for-profit entity to establish and operate a charter school. This bill allows a campus board of directors of a college campus

within the Utah College of Applied Technology to establish procedures and criteria related to charter school applications.

MOTION: The Forum decided to just **Monitor** this bill until further discussion.

SB 171: Sales and Use Tax Exemptions for Electronic Financial Payment Services (Sen. Stephenson)

This bill defines terms; enacts a sales and use tax exemption for electronic financial payment services and makes technical conforming changes.

MOTION: The Forum requested more information on this bill. Judy Young to research the topic further.

HJR 4: Joint Resolution on Remote Sales (Rep. Eliason)

This bill urges Congress to enact legislation permitting states to collect taxes on remote sales.

MOTION: The Forum has decided to **Monitor** this bill until further discussion.

HB 12: Alarm Company Employee Licensing (Rep. Dunnigan)

This bill modifies the definition of “alarm company agent” to exclude certain alarm company employees from licensing requirements. UTC never officially declared a position, but would have been supportive. It has now been enrolled.

HB 59: School Board Election Provisions (Rep. Nielson)

This bill amends provisions related to the election of the State Board of Education and local school boards. This bill requires the direct nonpartisan election of members of the State Board of Education. This bill would take School Board elections back to what they used to be, but the Board has been much more balanced with the new system.

ACTION: Judy Young motioned to take an **Opposed** position on this bill. Stan Lockhart seconded it. Motion passed unanimously.

HB 100: Internet Privacy Amendments (Rep. Barlow)

This bill modifies provisions addressing labor in general and higher education to enact protections for personal Internet accounts. It defines terms and clarifies actions.

ACTION: Chet motioned to take an **Opposed** position unless amended. Stan seconded the motion. Motion passed unanimously.

HB 245: Consumer Protection Amendments

This bill modifies consumer protection provisions.

ACTION: Kimmy Naylor was assigned by the Forum to obtain more information about this bill.

HB 265: Workforce Services Job Listings Amendments (Rep. Ray)

This bill requires all government entities and private companies that contract with any government entity to advertise job openings on the state’s website.

ACTION: The Forum decided that there are enough websites for job listings already and we don't need to have the government require businesses to list them in more places. Jason Olson motioned to take an **Opposed** position. This motion was seconded by Stan Lockhart. Motion passed unanimously.

HB 267: State Board of Education Elections (Rep Moss)

(Refer to bill HB 59) This bill amends provisions in Title 20A, Election Code, relating to the nomination and election of a person to the State Board of Education.

ACTION: Stan Lockhart motioned to take an **Opposed** position on this bill. This motion was seconded by Judy Young and passed unanimously.

HB 271: Funding for Public Education (Rep. Bird)

This bill requires that 10% total gross revenue from sales of liquor be deposited into the Education Fund.

ACTION: The Forum decided to **Monitor** this bill until further discussion.

HB 273: Municipal Telecommunications Amendments (Rep. Grover)

This bill requires a municipality that offers cable television service or public telecommunication service to charge a rate that is just and reasonable for service and prohibits a municipality from collecting compensation in excess of a rate or discounting a rate. (UTOPIA, iPROVO)

ACTION: The Forum decided to **Monitor** this bill until further discussion.

HB 300: Retention of Sales and Use Tax Collections by Certain Remote Sellers (Rep. Eliason)

This bill amends the Sales and Use Tax Act to authorize certain remote sellers who voluntarily collect a sales and use tax to retain 50% of the tax collected.

ACTION: The Forum decided to **Monitor** this bill until further discussion.