



2007 Utah Taxpayers Association Legislative Scorecard

The Utah Taxpayers Association annually issues legislative report cards to its members and the public. The 2007 scorecard rates legislators on 15 key tax and spending related bills in the House and 15 in the Senate. Two of the fifteen votes – HB38, \$35 million for a soccer stadium, and HB148, education vouchers, are double weighted (for a total of seventeen votes) because of their critical importance. In both chambers, eight of the seventeen votes were supported by the association and passed unanimously, meaning the lowest possible score on this year's scorecard was 47%.

House Summary

The average score in the House was 72.9%. Six Representatives scored 100%: Glenn Donnelson, Wayne Harper, Mike Morley, Patrick Painter, Aaron Tilton, and Carl Wimmer – all Republicans.

The lowest scores in the House were Phil Riesen (47.1%), Neal Hendrickson (50.0%), Lynn Hemingway (50.0%), and at 52.9% Jennifer Seelig, Kay McIlff, Brad King, Carl Duckworth, Tim Cosgrove, and Ralph Becker – all Democrats except for Republican Kay McIlff.

Senate Summary

The average Score in the Senate was 81.0%. Two senators scored 100%: Margaret Dayton and Howard Stephenson. Darin Petersen scored 94.1%, Greg Bell 93.8%, Mark Madsen 92.9%, and Lyle Hillyard 92.3%. These high scoring senators are all Republicans.

The lowest scores in the Senate were Scott McCoy (62.5%), and at 64.7% Kevin Van Tassell, Pat Jones, Brent Goodfellow, Fred Fife, and Mike Dmitrich – all Democrats except for Republican Kevin Van Tassell.

Key

- Absences were not included in vote totals.
- An upper case "Y" or "N" indicates a vote in support of association's position, a lower case "y" or "n" indicates a vote in opposition to the association's position.

HB38 – 1st substitute– (Newbold) - HB38 would direct 15% (or \$35 million) of the transient room tax in Salt Lake County to pay for the Real Salt Lake stadium in Sandy.

Approved by House 48-24. Approved by Senate 20-8. Association position: opposed.

HB89 – (Morley) – Annual welfare spending report. Requires the Office of Legislative Fiscal Analyst to submit an annual report of state and federal funds expended to provide financial assistance and services to low-income individuals. The report includes expenditures for Medicaid, CHIP, general assistance, TANF, food stamps, free and reduced price lunch, WIC, and unemployment insurance.

Approved by House 67-0. Approved by Senate 21-0. Association position: support.

HB148 – (Urquhart) - Creates a program to award scholarship vouchers to students to attend a private school.

Approved by House 38-37. Approved by Senate 19-10. Association position: support.

HB174 – (Last) – Replaces and modifies voucher program in HB148. **Approved by House 54-11. Approved by Senate 23-5. Association position: support.**

HB193 – (Hughes) - Requires for 65% of a school districts educational expenditures to be spent inside the classroom. **Failed in House 24-49. Association position: support**

HB203 – (Wyatt) –allows voters in counties of the third class or smaller to change the revenue distribution formula generated by the 1.0% local option sales tax which would discourage cities from subsidizing retail. **Failed in House 25-46. Association position: support**

HB282 – (Newbold) – Local “Boutique” sales tax exemption on food. Exempts food from local sales taxes such as mass transit, transportation, and ZAP. County-option sales taxes (0.25%) and city/local-option sales taxes (1.0%) will not be impacted by this change. “Boutique” sales taxes are bad tax policy to begin with. Dedicating general tax revenues for specific purposes is bad tax policy because government funding priorities need to compete against each other for prioritization.

Approved by House 47-19. (Combined with SB223). Association position: support.

HB308 – 2nd substitute – (Hughes) - Enacts the Invest More for Education Fund, to enable a taxpayer to voluntarily pay more than the income taxes owed and have that money spent for public education.

Approved by House 43-31. Approved by Senate 15-14. Association position: support.

HB381 – (Menlove) – Would provide differential pay for teachers in subjects in short supply. Math, science and Special Ed teachers would be paid \$5,000 above the salary schedule.

Approved by House 70-0. Not considered by Senate. Association position: support.

HB393 – (Hughes) - This bill requires tax impact to be included on ballot propositions for bond elections.

Approved by House 61-0. Approved by Senate 25-0. Association position: support.

SJR2 – (Hillyard) - SJR2 is a proposed constitutional amendment. If approved, severance tax revenues in excess of a certain threshold will be deposited into the permanent state trust fund created in conjunction with the November 1998 settlement with tobacco companies. Interest from the trust fund can be spent annually by the Legislature. To spend the principal, three-fourths approval of each house and concurrence from the governor are needed.

Approved by House 69-0. Approved by Senate 27-1. Association position: support.

SB13 – 1st substitute – (Stephenson) - SB13 reauthorizes and expands and the existing renewable energy tax credit. Renewable energy producers can invest in many different states, SB13 encourages these companies to invest and produce in Utah.

Approved by Senate 29-0. (Combined with SB 223) Association position: support.

SB18 – 4th substitute– (Hillyard) - Creates the Severance Tax Holding Account and the Infrastructure and Economic Diversification Investment Account. Oil and gas severance taxes will be deposited in the holding account. In FY2006, the oil and gas severance tax generated \$71.5 million, and the mining severance tax generated \$17 million. Investing revenues from a diminishing natural resource into a trust fund is a wise investment. States such as Wyoming and New Mexico have several billions already in their trust accounts.

Approved by House 69-0. Approved by Senate 23-2. Association position: support.

SB74 – 1st substitute - (Stephenson) – Changes the penalties for late filing of taxes to phase the 10% existing penalty incrementally over 30 days. Changes reflect the phased federal tax penalties.

Approved by House 68-0. Approved by Senate 27-0. Association position: support.

SB80 – (Stephenson) – Allows existing charter schools to expand and create satellite campuses without creating a separate charter; increased local replacement funding for charter schools, clarified and increased charter school administrative funding; provided funding for charter schools not eligible for federal funding. **Approved by Senate 16-6. House removed several provisions. Association position: support.**

SB142 - 1st substitute – (Stephenson) - Expands the existing sales tax exemption for business inputs to include mining (excludes oil and gas)-\$7.4 million

Taxing business inputs discourages investment. Long-term economic growth depends on investment in high-wage exporting industries that bring wealth into the state or businesses that improve business productivity.

Approved by Senate 29-0. (Combined with SB 223) Association position: support.

Utah Taxpayers Association 2007 Scorecard - Senate

Bill	Rating	Rank	HB38*	HB89	HB148*	HB174	HB308	HB393	SJR2	SB13	SB18	SB74	SB80	SB142	SB171	SB203	SB223
UTA Position			N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Dayton (R)	100.0%	1	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	a	Y	Y
Stephenson (R)	100.0%	1	N	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Peterson (R)	94.1%	3	N	Y	Y	n	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Bell (R)	93.8%	4	N	Y	Y	Y	n	Y	Y	Y	Y	Y	Y	Y	a	Y	Y
Madsen (R)	92.9%	5	a	Y	Y	n	Y	Y	Y	Y	Y	a	Y	Y	Y	Y	Y
Hillyard (R)	92.3%	6	N	a	Y	Y	n	Y	Y	Y	Y	a	a	Y	a	Y	Y
Waddoups (R)	88.2%	7	y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Christensen (R)	87.5%	8	y	Y	Y	Y	Y	a	Y	Y	Y	Y	Y	Y	Y	Y	Y
Mayne (D)	87.5%	8	N	Y	n	Y	Y	Y	Y	Y	Y	Y	a	Y	Y	Y	Y
Niederhauser (R)	87.5%	8	y	Y	Y	Y	Y	a	Y	Y	Y	Y	Y	Y	Y	Y	Y
Walker (R)	87.5%	8	y	Y	Y	Y	Y	Y	Y	Y	a	Y	Y	Y	Y	Y	Y
Killpack (R)	86.7%	12	y	a	Y	a	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Bramble (R)	85.7%	13	y	a	Y	Y	Y	Y	Y	Y	a	Y	Y	Y	Y	a	Y
Eastman (R)	85.7%	13	y	a	Y	Y	Y	Y	Y	Y	a	Y	Y	Y	Y	a	Y
Knudson (R)	82.4%	15	y	Y	Y	Y	n	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Stowell (R)	82.4%	15	y	Y	Y	n	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Valentine (R)	80.0%	17	y	a	Y	Y	n	a	Y	Y	Y	Y	Y	Y	Y	Y	Y
Buttars (R)	78.6%	18	y	a	Y	n	Y	Y	Y	Y	Y	a	Y	Y	Y	a	Y
Jenkins (R)	76.5%	19	N	Y	Y	n	n	Y	n	Y	n	Y	Y	Y	Y	Y	Y
Romero (D)	76.5%	19	N	Y	n	Y	n	Y	Y	Y	Y	n	Y	Y	Y	Y	Y
Greiner (R)	75.0%	21	y	Y	n	Y	Y	Y	Y	Y	Y	a	Y	Y	Y	Y	Y
Hickman (R)	72.7%	22	y	a	Y	Y	n	a	a	Y	a	a	a	Y	Y	Y	Y
Davis (D)	68.8%	23	y	Y	n	Y	n	Y	Y	Y	Y	a	Y	Y	Y	Y	Y
Dmitrich (D)	64.7%	24	y	Y	n	Y	n	Y	Y	Y	Y	Y	n	Y	Y	Y	Y
Fife (D)	64.7%	24	y	Y	n	Y	n	Y	Y	Y	Y	Y	n	Y	Y	Y	Y
Goodfellow (D)	64.7%	24	y	Y	n	Y	n	Y	Y	Y	Y	Y	n	Y	Y	Y	Y
Jones (D)	64.7%	24	y	Y	n	Y	n	Y	Y	Y	Y	Y	n	Y	Y	Y	Y
Van Tassell (R)	64.7%	24	y	Y	n	Y	n	Y	Y	Y	n	Y	Y	Y	Y	Y	Y
McCoy (D)	62.5%	29	y	a	n	Y	n	Y	Y	Y	Y	Y	n	Y	Y	Y	Y
81.0%			*HB38 and HB148 are double weighted because of their critical importance.														
With UTA			8	21	19	23	15	25	27	29	23	27	16	29	26	26	29
Against UTA			20	0	10	5	14	0	1	0	2	0	6	0	0	0	0
Absent			1	8	0	1	0	4	1	0	4	2	7	0	3	3	0
% With UTA			29%	100%	66%	82%	52%	100%	96%	100%	92%	100%	73%	100%	100%	100%	100%

SB171 – 1st substitute – (Stephenson) - Simplifies Utah’s R&D tax credit (which expired Dec. 31, 2006); to eliminate provisions which penalize high-growth companies, and encourage additional investment into Utah’s growing research and development activities. Allows companies to claim 5% income tax credit on all qualified research expenses (QRE) as defined by the IRS. The expired law allows companies to claim a 6% credit on incremental QREs above a base year. SB171 will enhance Utah’s reputation as the destination for research and development.

Approved by Senate 26-0. (Combined with SB223) Association position: support.

SB203 – 1st substitute - (Stephenson) - Amends the Revenue and Taxation title to ensure the confidentiality of proprietary commercial information required to be disclosed for accuracy of property tax assessments.

Approved by House 69-0. Approved by Senate 26-0. Association position: support.

SB223 – 2nd substitute - (Niederhauser) – Enacted major changes to Utah’s individual income tax that reduce tax burdens (\$108.7 million in FY09) while creating a tax system with a single, lower rate and a broader base. The new tax system is not a flat tax for most taxpayers since most taxpayers will be eligible for various credits that are phased out as income increases.

Also included mining sales tax exemption, research and development tax credit, alternative energy tax credit, and other provisions.

Approved by House 75-0. Approved by Senate 29-0. Association position: support.