

## Legislative Summary and Day on Capitol Hill

*The legislative session began on January 23* and ended March 9, 2017. This year probably more than ever, the major bills, including all tax bills: income, sales and gas, trickled out slowly, leaving only four days before the end of the session for debate and passage by the legislature.

As has been reported in the weekly legislative reports, alcohol reform legislation was released ten days before the end of the session, with nearly 150 pages of proposed changes including where and how beer may be displayed on retail shelves. Senator Van Tassell's transportation tax bill came out with only seven days remaining, and it went straight to committee that same afternoon. John Hill testified in the Senate Business & Labor Committee in favor of transportation funding with a straight up, cents per gallon gas tax and eliminating the indexed portion of the tax.

At the UPMRA Day on the Hill, we kicked things off with Senator Ipson. Then Representative Eliason spoke to us. He passed HB96 earlier in the session. The bill fines drivers for not hooking up vapor recovery hoses when dropping fuel in a UST. He explained his "air quality" reasoning for the bill. We also discussed the possibility of having Representative Eliason run legislation next year that would increase

the amount allowed from the PST Loan Fund to replace old tanks and lines, up from the current \$150,000 cap. The UST Taskforce will review options during the interim and make a recommendation.

Day on the Hill attendees then talked about a letter that tank owners received on February 14 from DAQ, which states that semi-annual testing of vapor recovery systems on tanks that dispense more than 10,000 gallons per month is now required. Good thing we had Bryce Bird, Director of DEQ's Division of Air Quality there to explain what was being expected from tank owners, because he learned that his division letter, and the semi-annual testing requirement, was actually referring to tanker trucks and not USTs. He said he would get it figured out and get back to us.

We also talked about the Alcohol bill and sent language to the bill sponsor asking him to consider exempting C-Stores of 5,000 sq feet or less from new off premises beer display requirements that limit sales locations to only two per store.

Two bills that wanted to increase penalties on licensees for allowing tobacco to be sold to someone underage, were also discussed. One was amended early on, and the other bill: HB325, which wanted to track 36 months of code violations versus the current 12 months in determining whether to suspend a license, was discussed at our meeting and considered urgent enough that a group of us went and lobbied the sponsor (Rep. Robert Spendlove) after the meeting. He spoke with passion about underage smoking and asked us to help him collect data on the problem in Utah (he only had national numbers); such as number of violations per store, etc.

We argued that for the most part, C-stores are not the problem, however, clerks, even well trained, can and do make mistakes, or they could be downright vindictive against their boss, which makes these proposed draconian measures unreasonable. We continued watching this and other bills as things increasingly became hectic up at the Capitol as the number of working days left in the session decreased.

The entire business community was anticipating "**non-compete**" legislation to be introduced this session, however, after the completion of a Cicero Group study of Utah employees and employers, commissioned after a big battle last year that produced a compromised non-compete statute, time was short and no clear changes presented themselves from the study's findings, so the topic will be studied again this interim and may be seen again in 2018.

A powerful Senator also introduced a bill to totally repeal Utah's "**unclaimed property**" laws and adopt Uniform Laws Committee is attempting to get adopted all over the country. The business community is concerned that we are moving massive change and way too fast on such a front is now fighting off a second challenge, after successfully holding the bill in a Senate standing committee early in the session.

**Education funding and the potential for raising taxes** has been this year's dominant topic, and with 3 days remaining in the session when I am writing this, we still do not know whether there will be a statewide education property tax levy, sales tax restored on food, and how much the gas tax is expected to rise on January 1. But the comprehensive review of tax deductions, credits, and exemptions available to tax payers and industry has been put on hold and will also be studied in the interim.

If you want to stay current on legislative actions, send a request to [JohnHill@upmra.com](mailto:JohnHill@upmra.com) and ask for your e-mail address to be added to the UPMRA mailing list.

# Zermatt Resort to Host 2017 Convention & Trade Show

*This September 13-15*, the UPMRA Convention and Trade Show is returning to the enchanting Zermatt Resort in Midway, Utah. We start with an afternoon member/board meeting on Wednesday prior to our opening reception and Supplier hospitality.

An education-filled morning business session followed by lunch and the Trade Show fill Thursday with opportunities to mix business with networking. And the day is capped with an exceptional inspirational keynote speaker **Chad Hymas**, a 2011 Speaker Hall of Fame Inductee, who *“helps organizations and individuals to have a purpose driven approach to leadership and a life that will lead them to prosperity and happiness”* along with dinner. Golf is Friday morning at Soldier Hollow – Silver Course. Look for more details to come shortly!

*Looking forward to seeing you there!*