

MINUTES  
**HOUSE REVENUE & TAXATION COMMITTEE**

**DATE:** Monday, January 16, 2012

**TIME:** 9:00 A.M.

**PLACE:** Room EW42

**MEMBERS:** Chairman Lake, Vice Chairman Collins, Representative(s) Barrett, Moyle, Raybould, Roberts, Schaefer, Smith(24), Wood(35), Bedke, Harwood, Barbieri, Bayer, Ellsworth, Gibbs, Killen, Burgoyne, Rusche

**ABSENT/  
EXCUSED:** Representative(s) Moyle, Roberts

**GUESTS:** Dan John, State Tax Commission; Max Greenlee, Risch Pisca  
**Chairman Lake** called the meeting to order at 9:01 am.

**MOTION:** **Rep. Rusche** made a motion to approve the minutes of the January 11, 2012 meeting. **Motion carried by voice vote.**

**MOTION:** **Rep. Barbieri** made a motion to approve the minutes of the January 12, 2012 meeting. **Motion carried by voice vote.**

**RS 20753:** **Dan John**, appearing as spokesman for the Tax Commission, presented **RS 20753** to the Committee. This legislation adds passive losses to the list of losses that can not be carried against Idaho losses. Examples of passive losses would be rental loss or partnership loss in another state.

**MOTION:** **Rep. Rusche** made a motion to introduce **RS 20753**. **Motion carried by voice vote.**

**RS 20757:** **Dan John**, appearing as spokesman for the Tax Commission, presented **RS 20757** to the Committee. This legislation addresses pensions received by fire and police under PERSI retirement plans, changing existing language to make it more clear. It also affords certain retirees the same disability status as Social Security recipients. In addition, a cross-reference to Idaho Code definition 49-117 is added, defining permanently disabled.

**MOTION:** **Vice Chairman Collins** made a motion to introduce **RS 20757**. **Motion carried by voice vote.**

**RS 20759** **Dan John**, appearing as spokesman for the Tax Commission, presented **RS 20759** to the Committee. This is a technical correction bill. Section 1 adds the two words "from income" to the section dealing with net operating losses. Section 2 addresses the treatment of gain or loss. Section 3 corrects cross references to federal code sections dealing with Idaho Broadband credit. Section 4 deletes needless language in the state refund account. In response to committee questions, Mr. John stated that the listed cross references are accurate and that the distribution is out of the sales tax account.

**MOTION:** **Rep. Bedke** made a motion to introduce **RS 20759**. **Motion carried by voice vote.**

**RS 20843:** **Dan John**, appearing as spokesman for the Tax Commission, presented **RS 20843** to the Committee. This legislation is a simple proposal that allows the Tax Commission to enter into agreements with other states in order to collect tax debts. The State has an IRS agreement but no state agreements are in place. Utah, Oregon and Montana are the most likely states with whom an agreement would be entered into.

**MOTION:** **Rep. Raybould** made a motion to introduce **RS 20843**. **Motion carried by voice vote.**

**Chairman Lake** issued a reminder that the Rules Subcommittee will meet Tuesday at 8:30 am. Wednesday will be a full Committee meeting.

**Vice Chairman Collins** announced that subcommittee would begin with the property tax rules. If all the rules were not addressed in the Tuesday Subcommittee meeting, the remaining dockets would be addressed on Thursday.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 9:18 am.

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Representative Lake  
Chair

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Janet Failing  
Secretary