



SENATE STANDING COMMITTEE REPORT

March 8, 2005

Page 1 of 1

Mr. President:

We, your committee on **Taxation** recommend that **House Bill 54** (third reading copy -- blue) be **concurring in**.

Signed: _____

A handwritten signature in cursive script, appearing to read "J. Elliott", written over a horizontal line.

Senator Jim Elliott, Chair

To be carried by Senator Gerald Pease

- END -

Committee Vote:
Yes 8, No 0.

511154SC.ssc

A handwritten signature in cursive script, possibly reading "K. Pease", located in the bottom right corner of the page.



SENATE STANDING COMMITTEE REPORT

March 8, 2005

Page 1 of 1

Mr. President:

We, your committee on **Taxation** recommend that **House Bill 302** (third reading copy -- blue) be **concurred in as amended.**

Signed: _____

A handwritten signature in black ink, appearing to read "J. Elliott", written over a horizontal line.

Senator Jim Elliott, Chair

To be carried by Senator Kim Gillan

And, that such amendments read:

1. Page 2, line 17.

Following: "electors."

Insert: "Public funds may not be expended for any form of commercial advertising in support of or opposition to a bond issue or levy submitted to the electors."

- END -

Committee Vote:
Yes 5, No 3.

511230SC.ssc

Handwritten initials in black ink, possibly "KJ", located in the bottom right corner of the page.



SENATE STANDING COMMITTEE REPORT

March 8, 2005

Page 1 of 1

Mr. President:

We, your committee on **Taxation** recommend that **House Bill 439** (third reading copy -- blue) be **concurring in**.

Signed: _____

A handwritten signature in cursive script, appearing to read "J. Elliott", written over a horizontal line.

Senator Jim Elliott, Chair

To be carried by Senator Dan Harrington

- END -

Committee Vote:
Yes 8, No 0.

511155SC.ssc

Handwritten initials, possibly "AJ", in the bottom right corner of the page.



SENATE STANDING COMMITTEE REPORT

March 8, 2005

Page 1 of 3

Mr. President:

We, your committee on **Taxation** recommend that **Senate Bill 66** (first reading copy -- white) do pass as amended.

Signed: _____

Senator Jim Elliott, Chair

And, that such amendments read:

1. Title, line 4.

Strike: "GENERAL"

Insert: "SMALL BUSINESS"

2. Title, line 5.

Following: "INVESTMENTS"

Insert: "BY A SMALL BUSINESS"

3. Title, line 6.

Following: "TAXES;"

Insert: "LIMITING THE AMOUNT OF INVESTMENT FOR WHICH THE CREDIT MAY BE CLAIMED TO \$100,000 FOR EACH NEW FULL-TIME EMPLOYMENT POSITION LASTING 3 YEARS; REQUIRING THAT THE DEPARTMENT OF REVENUE MAKE ANNUAL REPORTS ON THE CREDIT TO THE REVENUE AND TRANSPORTATION INTERIM COMMITTEE;"

4. Title, line 9.

Following: "MONTANA;"

Insert: "PROVIDING FOR RECAPTURE OF A CREDIT FOR EMPLOYMENT LASTING LESS THAN 3 YEARS;"

5. Page 1, line 13.

Strike: "Investment"

Insert: "Small business investment"

Following: the second "credit"

Insert: "for a small business"

Committee Vote:

Yes 8, No 0.

511231SC.ssc

A handwritten signature, possibly "JE", in the bottom right corner of the page.

6. Page 1, line 16.

Strike: "Investment"

Insert: "Small business investment"

Following: the second "credit"

Insert: "for a small business"

7. Page 1, line 29.

Following: "2005"

Insert: ", and before January 1, 2016"

8. Page 1.

Following: line 29

Insert: "(4) The credit allowed by this section may only be claimed by a small business that, for the purposes of this section, is a sole proprietorship, partnership, corporation, pass-through entity, or any other type of business entity with total assets of \$5 million or less in the year in which the credit is claimed."

Renumber: subsequent subsections

9. Page 1, line 30.

Following: "3% of the"

Insert: "employment-adjusted"

10. Page 2.

Following: line 2

Insert: "(b) The maximum amount of qualified investments must be adjusted so that it does not exceed \$100,000 for each additional full-time employee of the taxpayer for an employment position that will be filled for at least 3 years. The employee must be an employee who is in addition to the number of full-time employees employed by the taxpayer on the same day 1 year prior to the day on which the taxpayer applies for the credit and who has not been counted to meet the employment requirement of this section in a previous year. The hiring of an employee to replace an employee who was originally hired to meet the employment requirement of this section in a previous year does not qualify as an additional employee under this subsection (5)(b)."

Renumber: subsequent subsection

11. Page 2, line 4.

Strike: "(4)(a)"

Insert: "(5)(a)"

12. Page 2, line 15.

Following: "(6)"

Insert: "(a)"

13. Page 2.

Following: line 18

Insert: "(b) The investment credit allowed by this section is subject to recapture of the credit if a full-time position for an employee required for the taxpayer to qualify under (5)(b) ends prior to the 3-year term required for the position. The credit and any carryforward of the credit must be adjusted by disallowing the maximum \$100,000 investment amount for an employment position terminated during the first year of the credit, disallowing \$66,600 during the second year of the credit, and disallowing \$33,300 during the third year of the credit, irrespective of the percentage of the year that the position was actually filled."

14. Page 2, line 24.

Insert: "NEW SECTION. Section 3. Report to committee on small business investment tax credit. The department shall report to the revenue and transportation interim committee at least once each year on the number and type of taxpayers claiming the small business investment tax credit under [sections 1 and 2], the total amount of the credit claimed, and the department's cost associated with administering the credit."

Renumber: subsequent sections

15. Page 2, line 29.

Insert: "(3) [Section 3] is intended to be codified as an integral part of Title 15, chapter 1, part 2, and the provisions of Title 15, chapter 1, part 2, apply to [section 3]."

- END -



SENATE STANDING COMMITTEE REPORT

March 8, 2005

Page 1 of 1

Mr. President:

We, your committee on **Taxation** recommend that **Senate Bill 480** (first reading copy -- white) do pass.

Signed: _____

A handwritten signature in black ink, appearing to read "J. Elliott", written over a horizontal line.

Senator Jim Elliott, Chair

- END -

Committee Vote:
Yes 7, No 1.

511157SC.ssc

Handwritten initials in black ink, possibly "KA", located in the bottom right corner of the page.



SENATE STANDING COMMITTEE REPORT

March 8, 2005

Page 1 of 2

Mr. President:

We, your committee on **Taxation** recommend that **Senate Joint Resolution 20** (first reading copy -- white) **do pass as amended.**

Signed: _____

A handwritten signature in black ink, appearing to read "Elliott", written over a horizontal line.

Senator Jim Elliott, Chair

And, that such amendments read:

1. Page 1, line 8.

Strike: "land"

Insert: "development rights"

2. Page 1, line 9.

Strike: "accelerated"

Insert: "increased"

3. Page 1, line 10.

Strike: "preclude"

Insert: "limit"

4. Page 1, line 12.

Strike: "significantly decrease"

Insert: "impact"

5. Page 1, line 14.

Strike: "decrease"

Insert: "impact"

6. Page 1, line 16.

Following: "WHEREAS,"

Insert: "income and estate"

Committee Vote:

Yes 9, No 2.

511233SC.ssc

Handwritten initials in black ink, possibly "JE", located in the bottom right corner of the page.

7. Page 1, line 18.

Strike: "land"

Insert: "private lands"

8. Page 1, line 20.

Strike: "more than"

Insert: "currently"

Following: "trusts"

Insert: "and government agencies"

9. Page 1, line 22 through line 23.

Strike: line 22 through line 23 in their entirety

10. Page 1, line 24.

Following: "taxpayers"

Insert: "and elected officials"

11. Page 2, line 4.

Following: "trends"

Insert: "in conservation easements and development of
agricultural lands"

- END -

COMMITTEE FILE COPY

TABLED BILL

The **SENATE TAXATION COMMITTEE** TABLED **SB 332, SB 361, SB 362, SB 463, SB 502**, by motion,
on **Tuesday, March 8, 2005**.

K. Ely
(For the Committee)

KF
(Secretary of Senate)

12:00 , 3-8
(Time) (Date)

March 8, 2005

Kathleen C. Ely, Secretary

Phone: 444-4814

2-

MONTANA STATE SENATE
2005 LEGISLATURE

ROLL CALL VOTE

TAXATION COMMITTEE

DATE 3-8-05 BILL NO. SB 332 NUMBER 1

MOTION: DO PASS AS AMENDED

NAME	AYE	NO
SEN. JIM ELLIOTT (D), CHAIRMAN	✓	
SEN. KEN TOOLE (D), VICE CHAIRMAN	✓	
SEN. JERRY BLACK (R)		✓
SEN. JON ELLINGSON (D)	⓪	
SEN. JEFF ESSMANN (R)		✓
SEN. KELLY GEBHARDT (R)		⓪
SEN. KIM GILLAN (D)	✓	
SEN. DAN HARRINGTON (D)	✓	
SEN. SAM KITZENBERG (R)		✓
SEN. TRUDI SCHMIDT (D)		⓪
SEN. ROBERT STORY (R)		✓
LEE HEIMAN, LSD		
KATHLEEN ELY, COMMITTEE SECRETARY		
TOTALS	5	⓪6

**MONTANA STATE SENATE
2005 LEGISLATURE**

ROLL CALL VOTE

TAXATION COMMITTEE

DATE 3-8-05 BILL NO. SB 437 NUMBER 1

MOTION: ELLIOTT DO PASS

NAME	AYE	NO
SEN. JIM ELLIOTT (D), CHAIRMAN	✓	
SEN. KEN TOOLE (D), VICE CHAIRMAN		✓
SEN. JERRY BLACK (R)		✓
SEN. JON ELLINGSON (D)	<input checked="" type="checkbox"/>	
SEN. JEFF ESSMANN (R)	✓	
SEN. KELLY GEBHARDT (R)		✓
SEN. KIM GILLAN (D)		✓
SEN. DAN HARRINGTON (D)		✓
SEN. SAM KITZENBERG (R)	✓	
SEN. TRUDI SCHMIDT (D)	<input checked="" type="checkbox"/>	
SEN. ROBERT STORY (R)	✓	
LEE HEIMAN, LSD	x	
KATHLEEN ELY, COMMITTEE SECRETARY	x	

Votes held open for 24 hours.

MONTANA STATE SENATE
2005 LEGISLATURE

ROLL CALL VOTE

TAXATION COMMITTEE

DATE 3-8-05 BILL NO. HB 302 NUMBER 1

MOTION: SEN. GILLAN'S MOTION TO AMEND

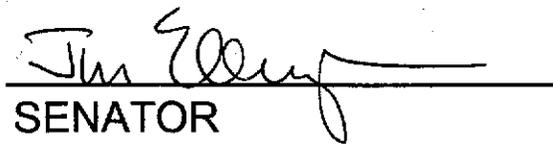
NAME	AYE	NO
SEN. JIM ELLIOTT (D), CHAIRMAN		✓
SEN. KEN TOOLE (D), VICE CHAIRMAN		✓
SEN. JERRY BLACK (R)		✓
SEN. JON ELLINGSON (D)		ⓧ
SEN. JEFF ESSMANN (R)	✓	
SEN. KELLY GEBHARDT (R)	ⓧ	
SEN. KIM GILLAN (D)		✓
SEN. DAN HARRINGTON (D)		✓
SEN. SAM KITZENBERG (R)		✓
SEN. TRUDI SCHMIDT (D)		✓
SEN. ROBERT STORY (R)	✓	
LEE HEIMAN, LSD		
KATHLEEN ELY, COMMITTEE SECRETARY		
TOTALS	3	ⓧ

PROXY VOTE

I, the undersigned, hereby authorize Senator Harrington to

vote my proxy on any issue before the Senate Taxation

Committee held on March 8, 2005.



SENATOR
STATE OF MONTANA

PROXY VOTE

I, the undersigned, hereby authorize Senator Gill to

vote my proxy on any issue before the Senate Taxation

Committee held on 3-8-05, 2005.

HB 302 - YES + YES on Amendment #3 (Gillon substitute)
NO on Amendment #1 & 2

HB 439 - AYE

HB 66 - AYE

SB 332 NO (POP TAX)

SB 345 AYE

SB 437 open

SB 480 AYE

~~SB~~
SB 502 NO



SENATOR
STATE OF MONTANA

PROXY VOTE

I, the undersigned, hereby authorize Senator ESS Mann or Story to

vote my proxy on any issue before the Senate Taxation

Committee held on 3--8-05, 2005.

Kelly Sebrust

SENATOR

STATE OF MONTANA

