



SENATE STANDING COMMITTEE REPORT

April 6, 2005

Page 1 of 4

Mr. President:

We, your committee on Taxation recommend that **House Bill 186** (third reading copy -- blue) be concurred in as amended.

Signed: _____

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

Senator Jim Elliott, Chair

To be carried by Senator Jeff Essmann

And, that such amendments read:

1. Title, line 6.

Following: "VEHICLE"

Insert: "AND "ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE"

2. Title, line 7.

Strike: "HIGHWAYS" through "STREETS"

Insert: "WAYS OF THIS STATE OPEN TO THE PUBLIC UNLESS AUTHORIZED BY THE LOCAL GOVERNING BODY; AUTHORIZING THE OPERATION OF ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES ON CERTAIN SIDEWALKS, ROADS, AND STREETS"

3. Page 1, line 19.

Strike: subsection (a) in its entirety

Renumber: subsequent subsections

4. Page 1, line 23.

Strike: "AND"

5. Page 1, line 24.

Following: line 23

Insert: "(b) has a wheelbase of less than 40 inches and a wheel diameter of less than 10 inches; and"

Committee Vote:

Yes 9, No 0.

731039SC.ssc

Renumber: subsequent subsections

6. Page 1, line 27.

Following: "skateboard"

Strike: ", "

Insert: "and"

7. Page 1, line 28.

Following: "rocket"

Strike: ", a" through "lawnmower"

8. Page 1, line 29 through page 1, line 30.

Strike: "A" on page 1, line 29 through "61-1-133, on page 1, line
30

Insert: "an electric personal assistive mobility device, as
defined in [section 2],"

9. Page 2, line 3.

Insert: "NEW SECTION. Section 2. Electric personal assistive
mobility device. "Electric personal assistive mobility device"
means a device that has two nontandem wheels, is self-balancing,
and is designed to transport only one person with an electric
propulsion system that limits the maximum speed of the device to
12 1/2 miles an hour."

Renumber: subsequent sections

10. Page 2, line 5 through page 2, line 7.

Strike: ":" on line 5 through "town" on line 7

Insert: "ways of this state open to the public"

11. Page 2, line 8.

Following: "town"

Insert: "for a public way under its jurisdiction"

12. Page 2, line 9.

Insert: "NEW SECTION. Section 4. Authorized operation of
electric personal assistive mobility devices. Electric personal
assistive mobility devices, as defined in [section 2], are
permitted to operate on sidewalks, unless they are prohibited by
official traffic control devices, on bike paths, and on roads and
streets that have a speed limit of 35 miles an hour or less."

Renumber: subsequent sections

13. Page 2, line 14.

Following: "61-1-123."

Insert: "an electric personal assistive mobility device, as defined in [section 2],"

14. Page 2, line 29.

Following: "61-1-123."

Insert: "an electric personal assistive mobility device, as defined in [section 2],"

15. Page 7, line 11.

Strike: "Section"

Insert: "Sections"

Following: "1"

Insert: "and 2"

Strike: "is"

Insert: "are"

16. Page 7, line 12.

Strike: "section"

Insert: "sections"

Following: "1"

Insert: "and 2"

17. Page 7, line 13.

Strike: "Section 2"

Insert: "Sections 3 and 4"

Strike: "is"

Insert: "are"

18. Page 7, line 14.

Strike: "section 2"

Insert: "sections 3 and 4"

19. Page 7, line 15.

Insert: "COORDINATION SECTION. Section 11. Coordination instruction. If Senate Bill No. 285 and [this act] are both passed and approved, then [section 1 of this act] is void, internal references to [section 1] in [this act] are changed to 61-1-101, and the following definition is inserted into 61-1-101 as amended by Senate Bill No. 285:

"(28) (a) "Motorized nonstandard vehicle" means a vehicle,

upon or by which a person may be transported, that:

- (i) is propelled by its own power, using an internal combustion engine or an electric motor;
- (ii) has a wheelbase of less than 40 inches and a wheel diameter of less than 10 inches; and
- (iii) does not display a manufacturer's certification in accordance with 49 CFR, part 567, or have a 17-character vehicle identification number assigned by the manufacturer in accordance with 49 CFR, part 565.

(b) The term includes but is not limited to a motorized skateboard and a vehicle commonly known as a "pocket rocket".

(c) The term does not include an electric personal assistive mobility device or a motorized wheelchair or other low-powered, mechanically propelled vehicle designed specifically for use by a physically disabled person."

Insert: "COORDINATION SECTION. Section 12. Coordination instruction. If Senate Bill No. 285 and [this act] are both passed and approved, then [section 2 of this act] is void, internal references to [section 2] in [this act] are changed to 61-1-101, the following definition is inserted into 61-1-101 as amended by Senate Bill No. 285:

"(13) "Electric personal assistive mobility device" means a device that has two nontandem wheels, is self-balancing, and is designed to transport only one person with an electric propulsion system that limits the maximum speed of the device to 12 1/2 miles an hour."

Insert: "COORDINATION SECTION. Section 13. Coordination instruction. If Senate Bill No. 285 and [this act] are both passed and approved, then subsection (b) of the definition of "motorcycle" in 61-1-101 as amended by Senate Bill No. 285 reads:

"(b) The term does not include a tractor, a bicycle as defined in 61-8-102, a motorized nonstandard vehicle, or a two- or three-wheeled all-terrain vehicle that is used exclusively on private property."

Insert: "COORDINATION SECTION. Section 14. Coordination instruction. If Senate Bill No. 285 and [this act] are both passed and approved, then subsection (b) of the definition of "motor-driven cycle" in 61-1-101 as amended by Senate Bill No. 285 reads:

"(b) The term does not include a bicycle as defined in 61-8-102 or a motorized nonstandard vehicle."

Renumber: subsequent sections

- END -



SENATE STANDING COMMITTEE REPORT

April 5, 2005

Page 1 of 1

Mr. President:

We, your committee on **Taxation** recommend that **House Bill 513** (third reading copy -- blue) be **concurrred 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 Jim Elliott

- END -

Committee Vote:
Yes 8, No 0.

721331SC.ssc



SENATE STANDING COMMITTEE REPORT

April 5, 2005

Page 1 of 3

Mr. President:

We, your committee on **Taxation** recommend that **House Joint Resolution 2** (third reading copy -- blue) be concurred in as amended.

Signed: _____

Senator Jim Elliott, Chair

To be carried by Senator Jim Elliott

And, that such amendments read:

1. Page 2, line 15.

Strike: "\$1,396,528,000"

Insert: "\$1,411,952,000"

2. Page 2, line 16.

Strike: "\$1,425,745,000"

Insert: "\$1,429,768,000"

Strike: "\$1,467,194,000"

Insert: "\$1,475,348,000"

3. Page 3, line 13.

Strike: "\$604.062"

Insert: "\$619.486"

4. Page 4, line 2.

Strike: "34.660"

Insert: "35.616"

Strike: "35.334"

Insert: "37.283"

5. Page 4, line 8.

Strike: "58.498"

Committee Vote:

Yes 10, No 1.

721736SC.ssc

KL

Insert: "61.565"
Strike: "59.057"
Insert: "65.263"

6. Page 5, line 9.
Strike: "\$1,396.528"
Insert: "\$1,411.952"
Strike: "\$1,425.745"
Insert: "\$1,429.768"
Strike: "\$1,467.194"
Insert: "\$1,475.348"

7. Page 11, line 3.
Strike: "\$33.394"
Insert: "\$36.734"
Strike: "\$33.570"
Insert: "\$36.929"

8. Page 11, line 5.
Strike: "\$6.365"
Insert: "\$7.001"
Strike: "\$5.213"
Insert: "\$5.738"

9. Page 12, line 18.
Strike: "\$34.30"
Insert: "\$37.73"
Strike: "\$34.48"
Insert: "\$37.93"

10. Page 13, line 3.
Strike: "\$4.97"
Insert: "\$5.47"
Strike: "\$4.07"
Insert: "\$4.48"

11. Page 18, line 13.
Strike: "56.809"
Insert: "57.286"
Strike: "55.568"
Insert: "56.571"

12. Page 19, line 17.

Strike: "~~\$335.814~~"

Insert: "\$336.291"

Strike: "~~\$340.303~~"

Insert: "\$341.306"

- END -



SENATE STANDING COMMITTEE REPORT

April 5, 2005

Page 1 of 1

Mr. President:

We, your committee on **Taxation** recommend that **House Bill 625** (third reading copy -- blue) be concurred in as amended.

Signed: _____

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

Senator Jim Elliott, Chair

To be carried by Senator Ken Toole

And, that such amendments read:

1. Title, page 1, line 7.

Strike: "CLARIFYING"

Insert: "CHANGING"

2. Page 2, line 16.

Strike: "5,500"

Insert: "8,500"

3. Page 2, line 29 through line 30.

Following: "7-6-1501" on line 29

Insert: ", or if the designation occurred prior to [the effective date of this act], the question must be submitted to the electorate prior to [5 years after the effective date of this act]"

Strike: "An election may not be held based upon a designation that is more than 5 years old." on lines 29 and 30

- END -

Committee Vote:

Yes 7, No 1.

721353SC.ssc

**MONTANA STATE SENATE
2005 LEGISLATURE**

ROLL CALL VOTE

TAXATION COMMITTEE

DATE 4-5-05 BILL NO. HR 2 NUMBER 1

MOTION: TOOLE: Be Amended (Ex T)

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	X	
KATHLEEN ELY, COMMITTEE SECRETARY	X	
TOTAL	7	4

**MONTANA STATE SENATE
2005 LEGISLATURE**

ROLL CALL VOTE

TAXATION COMMITTEE

DATE 4-5-05 BILL NO. HR 2 NUMBER 2

MOTION: TOOLE: To Amend

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)	✓	
SEN. KIM GILLAN (D)	✓	
SEN. DAN HARRINGTON (D)	✓	
SEN. SAM KITZENBERG (R)	✓	
SEN. TRUDI SCHMIDT (D)	⓪	
SEN. ROBERT STORY (R)		✓
LEE HEIMAN, LSD	x	
KATHLEEN ELY, COMMITTEE SECRETARY	x	
TOTAL	7	4

**MONTANA STATE SENATE
2005 LEGISLATURE**

ROLL CALL VOTE

TAXATION COMMITTEE

DATE 4-5-05 BILL NO. HJR 2 NUMBER 3

MOTION: Toole: 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		
TOTAL	7	4

**MONTANA STATE SENATE
2005 LEGISLATURE**

ROLL CALL VOTE

TAXATION COMMITTEE

DATE 4-5-05 BILL NO. HJ 2 NUMBER 24

MOTION: TOOLE: BE CONCURRED IN AS AMENDED

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	X	
KATHLEEN ELY, COMMITTEE SECRETARY	X	
TOTAL	10	1

PROXY VOTE

I, the undersigned, hereby authorize Senator Gillan to

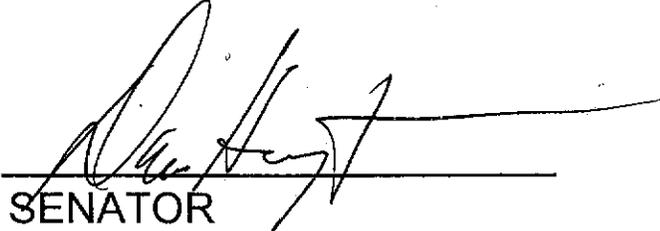
vote my proxy on any issue before the Senate Taxation

Committee held on April 5, 2005.

Ken Bell
SENATOR
STATE OF MONTANA

PROXY VOTE

I, the undersigned, hereby authorize Senator Harrington to
vote my proxy on any issue before the Senate Taxation
Committee held on April 5, 2005.



SENATOR
STATE OF MONTANA

**MONTANA STATE SENATE
2005 LEGISLATURE**

VISITOR REGISTER

TAXATION

DATE 4-5-05 BILLS BEING HEARD TODAY HB 89, HB 758

PLEASE PRINT

NAME	PHONE	REPRESENTING	BILL #	SUPPORT	OPPOSE
Bob Gilcrest	439-9939	Sidney ROSEBUD CA	HB 758	X	
Dave Huntington	444-9135	Shubling Contract	HB 89	X	
Ralph Soudant		HD 38	HB 758	X	
Jerry Jimison	(406) 377-3318	City of Glendive	HB 758	X	
Rich Miller	449-2481	Coaling Industry Assoc	HB 89	X	
GAIL Abernombie	442-7582	MT Petroleum Assoc	HB 758	X	
Clayton Hornung	778-2938	City of Baker	HB 758	X	
BRET SMOYER	433-2809	City of Sidney	HB 758	X	
Ed WARTHETT	449-6920	NORTHERN ADVANCE	HB 758	X	
DAVID ANDERSON	444-318	ONCORE ACQUISITION	HB 758	X	
Tom Ebzery	441-7531	NANCE Petroleum	HB 758	X	
William Duffield	939-4443	MHOC Counties	HB 758	X	
Harold Bluthis	4-4360	MARO	HB 758	X	
Gary Husky	4113-7370	Richard Ferguson Petroleum Co	HB 758	X	
Bud Clinch	442-6223	MT COAL COUNCIL	HB 758	X	
MICHELE REINHART	670-3441	NORTHERN PLAINS	HB 758	X	
LAW JORD	271-3104	HD 27	HB 758	X	
Patrick M. Montalban	873-2235	NMOGA	HB 758	X	

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY