

MINUTES

**MONTANA SENATE
60th LEGISLATURE - REGULAR SESSION**

COMMITTEE ON TAXATION

Call to Order: By **CHAIRMAN JIM ELLIOTT**, on March 23, 2007 at 8:00 A.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Jim Elliott, Chairman (D)
Sen. Jerry W. Black (R)
Sen. Jeff Essmann (R)
Sen. Kelly Gebhardt (R)
Sen. Kim Gillan (D)
Sen. Dan Harrington (D)
Sen. Christine Kaufmann (D)
Sen. Sam Kitzenberg (D)
Sen. Jim Peterson (R)
Sen. Bob Story Jr. (R)

Members Excused: Sen. Trudi Schmidt (D)

Members Absent: None.

Staff Present: Lee Heiman, Legislative Branch
Lois O'Connor, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 492, 3/15/2007; SB 557,
3/15/2007; SB 559, 3/15/2007
Executive Action: None.

00:01:06

HEARING ON HB 492

Opening Statement by Sponsor:

00:02:01 **REP. DENNIS HIMMELBERGER (R), HD 47**, opened the hearing on **HB 492**, Quality service allowance for minimum wage.

Proponents' Testimony:

00:05:15 Brad Griffin, Montana Restaurant Association (MRA)

EXHIBIT (tas62a01)

EXHIBIT (tas62a02)

00:09:41 Bob Miller, Bear Claw Cafe, McAllister

EXHIBIT (tas62a03)

00:13:13 Blu Funk, Showthyme Cafe, Big Fork

00:14:33 Dan Boyd, Shoot the Moon, Great Falls

00:17:48 Robert Smith, Outback Steakhouse, Billings

00:19:02 Debbie Thomas, Borries Restaurant, Black Eagle

00:20:26 Peter Christ, Bridge Creek Restaurant, Red Lodge

00:24:08 Justin Philbrick, Jakers/Red Robin Franchises

00:27:28 Merisa Saunders, Pizza Hut Franchise

00:29:10 Jeff Knowles, High Plains Pizza, Inc.

00:30:30 Stuart Doggett, Montana Innkeepers Associations

00:31:20 Linda Vap, Pizza Hut

00:32:20 Mark Staples, Montana Tavern Association

00:37:08 Riley Johnson, National Federation of Independent Business (NFIB)

00:37:23 Mark Grasseschi, 3-D International Restaurant, Black Eagle

00:39:00 Webb Brown, Montana Chamber of Commerce

00:39:17 Ronda Wiggers, Great Falls and Helena Chambers of
Commerce

00:39:45 Craig Witte, HD 8

Opponents' Testimony:

00:43:42 Linda Gryczan, Montana Womens Lobby

00:44:34 Jacquie Helt, United Local 427

00:46:53 Megan Moore, Server, Jorgensons

00:47:52 Candi Curriero, Server, Legal Tender

EXHIBIT (tas62a04)

00:50:12 Terry Keith, Server, Jorgensons

00:51:23 Debbie Elliott, Server, Mustard Seed, Missoula

EXHIBIT (tas62a05)

00:55:17 Anne Sorrell, Office of the Honorable Governor Brian
Schweitzer (Governor's Office)

00:57:25 Keith Kelly, Commissioner, Montana Department of Labor
and Industry (DOLI)

EXHIBIT (tas62a06)

01:02:24 Denver Henderson, Students of the University of
Montana-Missoula

01:04:25 Jason Miller, Montana AFL-CIO

01:05:12 Eric Feaver, MEA-MFT

01:07:15 Don Judge, Teamsters Local 190

01:09:35 Jay Reardon, Laborers Local 66

01:09:54 Dennis Daneke

01:10:43 Rep. Frankie Wilmer, HD 64

01:14:20 Doug Mitchell, Campaign Manager for I-151

01:16:33 Jim McGarvey, Montana AFL-CIO

EXHIBIT (tas62a07)

Informational Testimony: None.

Questions from Committee Members and Responses:

01:18:31 Sen. Dan Harrington to Mr. Miller, Bear Claw Cafe

01:20:54 Sen. Harrington to Mr. Griffin, MRA

01:22:55 Sen. Harrington to Commissioner Kelly, DOLI

01:27:57 Sen. Jeff Essmann to Commissioner Kelly, DOLI

01:30:19 Sen. Jim Elliott to Mr. Griffin, MRA, rereferred to Mr. Boyd, Shoot The Moon

01:31:34 Sen. Elliott to Ms. Helt, United Local 427

01:32:48 Sen. Elliott to Commissioner Kelly, DOLI

01:35:07 Sen. Robert Story to Commissioner Kelly, DOLI

01:35:55 Sen. Elliott to Jerry Keck, Montana Department of Labor and Industry, DOLI

01:37:37 Sen. Story to Mr. Keck, DOLI

01:39:02 Sen. Elliott to Mr. Griffin, MRA

01:40:21 Sen. Elliott to Mr. Christ, Bridge Creek Restaurant, Red Lodge

01:42:46 Sen. Jim Peterson to Mr. Christ, Bridge Creek Restaurant, Red Lodge

01:44:32 Sen. Essmann to Commissioner Kelly, DOLI

01:47:08 Brian Olsen, Montana Department of Revenue (DOR)

01:48:41 Sen. Elliott

Closing by Sponsor:

01:49:46 Rep. Himmelberger

01:52:20 Break

02:03:13 Reconvene

HEARING ON SB 557

Opening Statement by Sponsor:

02:04:26 **SEN. JERRY BLACK (R), SD 14**, opened the hearing on **SB 557**, Clarify capital gains tax credit.

Proponents' Testimony:

02:06:09 Holly Franz, Montana Society of Certified Public Accountants (MSCPAs)

EXHIBIT (tas62a08)

Opponents' Testimony: None.

Informational Testimony:

02:11:42 Brian Olsen, Montana Department of Revenue (DOR)

EXHIBIT (tas62a09)

02:13:20 Barbara Wagner, Montana Department of Revenue (DOR)

EXHIBIT (tas62a10)

Questions from Committee Members and Responses:

02:18:18 Sen. Essmann

02:19:00 Sen. Kim Gillan

02:20:08 Sen. Story

Closing by Sponsor:

02:20:33 Sen. Black

HEARING ON SB 559

Opening Statement by Sponsor:

02:20:48 **SEN. CHRISTINE KAUFMANN (D), SD 41**, opened the hearing on **SB 559**, Increase tax on beer produced by large breweries.

EXHIBIT (tas62a11)

Proponents' Testimony:

02:28:41 Chris Maynard, Parent

Opponents' Testimony:

02:31:55 Kevin Divine, Divine Distributors, Great Falls

02:35:10 David Tweet, Busch Agricultural Resources

EXHIBIT (tas62a12)

EXHIBIT (tas62a13)

02:38:03 John Semple, Montana Graingrowers Association

02:38:40 John Youngberg, Montana Farm Bureau

02:39:45 Linda Vap

02:40:34 Rona Alexander, Montana Convenience Store Association

02:42:08 Mark Staples, Montana Taverns Association

02:42:24 Kristi Blazer, Montana Beer and Wine Distributors

EXHIBIT (tas62a14)

EXHIBIT (tas62a15)

02:45:20 Webb Brown, Montana Chamber of Commerce

02:46:33 Mark Taylor, Anheuser-Busch Companies

Informational Testimony:

02:46:52 Lee Baerlocher, Montana Department of Revenue

Questions from Committee Members and Responses:

02:47:31 Sen. Gillan to Mr. Taylor, Anhauser-Busch Companies

02:49:00 Sen. Peterson to Mr. Taylor, Anhauser-Busch Companies

Closing by Sponsor:

02:50:30 Sen. Kaufmann

EXHIBIT (tas62a16)

General Discussion:

02:55:58 Sen. Elliott

EXHIBIT (tas62a17)

02:58:45 Sen. Gebhardt

02:59:24 Sen. Elliott

03:00:14 Sen. Essmann

03:00:48 Sen. Peterson

03:01:17 Sen. Elliott

03:01:59 Sen. Gillan

03:02:41 Sen. Essmann

03:03:18 Sen. Peterson to Sen. Elliott

03:03:59 Sen. Sam Kitzenberg

03:04:29 Sen. Gebhardt

03:04:49 Sen. Story

03:05:34 Sen. Elliott

03:05:45 Sen. Gebhardt

ADJOURNMENT

Adjournment: 11:10 P.M.

SEN. JIM ELLIOTT, Chairman

LOIS O'CONNOR, Secretary

JE/lo